

**BOROUGH OF WESTWOOD  
PUBLIC MEETING OF THE MAYOR & COUNCIL  
APRIL 15, 2014 MINUTES  
MUNICIPAL COMPLEX  
101 Washington Avenue  
7:30 PM Executive Closed Session/8:00 pm Public Session**

**1. Opening of the Meeting:**

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**2. Roll Call:**

Mayor Birkner – Present  
Councilmember Arroyo – Present  
Councilmember Bicocchi – Present  
Councilmember Grefrath – Present  
Councilmember Miller – Present  
Councilmember Owens - Present  
Council President Waneck – Absent  
Borough Administrator Hoffmann – Present  
Borough Attorney Huntington – Present  
Borough Clerk Hughes – Present

**Committee Assignments:**

Police & Emergency Management  
Land Use  
Finance, Administration & Capital Projects  
Fire & Ambulance  
Health & Recreation  
Public Properties

**3. Resolution #14 - 106: Executive Closed Session**

**Motion to adopt Resolution #14-106:** Councilmember Miller Second: Councilmember Bicocchi  
Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes  
Councilmember Grefrath – Yes Councilmember Miller – Yes  
Councilmember Owens- - Yes Council President Waneck – Absent

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Councilmember Miller Second: Councilmember Bicocchi  
Voice Vote: A voice vote was taken with all present voting in the affirmative.  
The time was 7:55 pm.

**5. Roll Call II:**

Mayor Birkner – Present / Councilmember Arroyo – Present / Councilmember Bicocchi – Present / Councilmember Grefrath – Present / Councilmember Miller – Present / Councilmember Owens - Present / Council President Waneck – Absent / Borough Administrator Hoffmann – Present / Borough Attorney Huntington – Present / Borough Engineer Boswell – Present / Borough Clerk Hughes - Present

**6. Flag Salute**

Councilmember Miller gave the invocation. Mayor Birkner led those present in the salute to the flag.

**7. Approval of Minutes: February 11, 2014 Special Budget Meeting**

**Motion to Adopt:** Councilmember Grefrath Second: Councilmember Miller  
Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes  
Councilmember Grefrath – Yes Councilmember Miller – Yes  
Councilmember Owens - Abstain Council President Waneck – Absent

**Approval of Minutes: February 18, 2014 Public Meeting**

**Motion to Adopt:** Councilmember Grefrath Second: Councilmember Bicocchi  
Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes  
Councilmember Grefrath – Yes Councilmember Miller – Yes  
Councilmember Owens - Abstain Council President Waneck – Absent

**Approval of Minutes: February 25, 2014 Special Budget Meeting**

**Motion to Adopt:** Councilmember Grefrath Second: Councilmember Bicocchi  
Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes  
Councilmember Grefrath – Yes Councilmember Miller – Yes  
Councilmember Owens - Abstain Council President Waneck – Absent

**8. Arbor Day Proclamation**

Shade Tree Committee member Ginny Sauer noted that the Borough is planting 60 trees this year. She thanked the Borough and its employees for supporting shade tree efforts. The Borough of Westwood has been declared a Tree City for the 11<sup>th</sup> year. Mrs. Sauer explained that the Shade Tree Committee volunteers are all trained in municipal tree management practices, as are the DPW staff. The Committee is working to revise the current tree ordinance to better protect the Borough's tree inventory. It creates a healthy environment by planting and maintaining a healthy tree population.

**9. Reports of Committees and Officials:**

**A) Mayor's Report**

**1) Outdoor Dining**

Mayor Birkner recommended extending the outdoor dining temporary expansion regulations into 2014. He would like to ultimately see them made permanent. He suggested revising the resolution to remove the time limitation and include lunch hours. Several restaurants had daytime seating last year and there were no complaints or issues with obstructions. Mayor Birkner has only received compliments and positive feedback from residents and visitors. Councilmember Miller asked the time parameters. Mayor Birkner said 9 am to 11 pm. Councilmember Arroyo suggested leaving the front end open.

**Resolution #14 - 107: Authorizing Temporary Expansion of Outdoor Dining Regulations**

**Motion to adopt Resolution #14-107:** Councilmember Grefrath Second: Councilmember Miller

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes  
Councilmember Grefrath – Yes Councilmember Miller – Yes  
Councilmember Owens - Abstain Council President Waneck – Absent

Mrs. Hughes asked whether to draft an ordinance to make the changes permanent. Mayor Birkner said to work on it but there is no rush. Councilmember Arroyo suggested including a 4 foot clearance in right-of-way.

**2) Woodcliff Lake Dam**

Mayor Birkner reported that he has spoken with Assistant Commissioner Michele from the DEP

regarding the Woodcliff Lake dam several times in the past month. She took the Borough's comments back to the DEP staff. They have numerous experts and scientists on their staff. They are not looking to minister to our requests, saying it would create a permanent void in the water supply. They operate from the perspective of water supply, not flood mitigation, when it comes to reservoirs. Mayor Birkner raised points about dam stabilization. It is good and necessary but once complete Mayor Birkner would like confirmation of operational procedures when the water rises. Currently the gates lower automatically; he is concerned that once the dam is stabilized there will be no threat of flooding and no operational procedure to lower the gates. The Deputy Commissioner will take it back to her department for review. Mayor Birkner invited the Deputy Commissioner for a visit to see for herself what the impacts are for the region. She said she may do so. Mayor Birkner said it is a little progress in that the DEP is getting back to us and listening to our concerns. He expressed to the Deputy Commissioner that the Borough has been telling the issues for a number of years, as opposed to all the various flood groups that crop up and want to look at some of the issues. It is time for some action on the issues Westwood has been presenting for a number of years. The State needs to be involved in a stream management cooperative effort. There is legislation pending regarding flooding, but Mayor Birkner said the legislation does not include the Pascack Brook. He has call to Assemblywoman Schepisi for more information before the Borough officially supports the bill.

### **3) Clergy Council Walk of Faith**

Mayor Birkner advised that the Clergy Council will be conducting a Walk of Faith on Friday, April 17<sup>th</sup> starting from Mt. Zion Church at 12 pm as a show of solidarity against human trafficking.

## **B) Engineer's Report**

### **1) Biweekly Report**

Dr. Boswell reviewed the biweekly engineer's report, a copy of which is attached.

### **2) Veterans Park Map**

Councilmember Grefrath said he had asked for a map of the new parking configuration. Dr. Boswell will have it for Friday.

### **3) Safe Routes to Schools**

Mayor Birkner has an idea at Westvale to connect the bike path to a sidewalk around the perimeter of the park closest to the A field, around parking lot to the sidewalk on Harrington Ave. Mayor Birkner would like to meet with someone from Boswell and show them what he's thinking. Dr. Boswell said the grant deadline is extended to June 30 this year. Mayor Birkner said it's not in the budget but he would like to get a jump start on next year. The Governing Body wants capital improvements tied to grant opportunities. Dr. Boswell will have design engineer Chris Nash contact the Mayor directly.

## **C) Council Liaison & Committee Reports**

### **1) Finance, Administration and Capital Projects:**

#### **a) Veterans Park Roadway Name**

Councilmember Grefrath said some great suggestions were submitted to name the traffic loop in

Veterans Park. He asked if there is one that sticks out. Mayor Birkner likes Veterans Way, Veterans Drive, and Memorial Drive, but he likes Memorial Drive best since the park has various memorials in it, including benches and perhaps a tree or two. Councilmember Grefrath asked for a consensus, which he received. Action will be taken to rename the street at the next meeting.

**b) Parking Decals**

Councilmember Grefrath discussed parking decals. He recommends leaving the system alone, as it seems to work. Mayor Birkner thanked Councilmember Grefrath for picking up what no one else wanted to. Mayor Birkner has looked at costs for parking. The \$5 charged by Westwood amused the other mayors at the Pascack Valley Mayor's Association meeting. Mayor Birkner put a list together for the Parking Authority to determine true costs for maintaining parking spots. The revenue from the \$5 parking decals is about \$2000. Mayor Birkner is looking for costs associated per space, number of spaces, costs for plowing, cleaning streets, etc. He wants to determine true costs for parking spot before letting go of whether to charge more.

Councilmember Arroyo said there are about 95 decal spots around park. He thinks it is a good exercise, and a good conversation for a work session. The sticker is administered by the Borough, not the Parking Authority. Mayor Birkner said they overlap. Councilmember Arroyo reiterated that it is worthwhile. Councilmember Owens said decals are for residents, who pay taxes. The municipal lot is for non-residents, so raise those rates. He would like to separate them. If other towns have high rates, those folks are parking here. Mayor Birkner said there is overlap. Councilmember Grefrath will bring it back to a work session.

Councilmember Grefrath will color code the map of parking spaces for the next meeting, to see what is there now and make determinations for going forward. Councilmember Owens hasn't seen the design. He asked if angled parking was part of the push-in on Third, or was it for two lanes of traffic. Councilmember Grefrath said two lanes of traffic was the intent.

Two spaces are lost by the push-in, but angled parking would affect the traffic flow. The goal is to empty Washington Ave when the train passes. Councilmember Owens thought angled parking was always part of plan. Mayor Birkner said the Borough would have lost five trees with angled parking, because relocated power lines would have cut trees in half.

**2) Fire and Ambulance:**

**a) Fire Department Update**

Councilmember Miller cited the Westwood Fire Department drilling with Rivervale tonight as an example of mutual aid. He commented that the public may not realize how much training goes on, and how much commitment. Mayor Birkner added that the weather is miserable but the Fire Department is still training.

**b) Ambulance Corps Update**

Councilmember Miller reminded everyone that the Ambulance Corps annual carnival will held at the end of July.

Councilmember Miller noted that the rig is often not in use because there is not enough manpower. There are several volunteer positions available, from EMT to assistant with CPR training to driver. The Ambulance Corps works by a schedule, so volunteers can carve out time in their week.

**c) Library Update**

Councilmember Miller encouraged everyone to sign up to receive library emails. The library is a resource for the entire community.

**3) Health and Recreation:**

**a) Drug Take-Back Program**

Councilmember Owens advised that the Borough's Police Department is running a program in April for collecting unused drugs. Other collection sites can be found online.

**b) Recreation Update**

Councilmember Owens announced that the Spring recreation programs are underway, and summer programs are being designed. Baseball opening day is April 26; softball is April 27<sup>th</sup>.

**4) Land Use:**

**a) Land Use Board Updates**

Councilmember Bicocchi advised that the Zoning Board will hold a special meeting for the 39 Kinderkamack Road application. The Planning Board cancelled its last meeting. Appointments for the Zoning Board will be presented at the next meeting.

**5) Police and OEM: RA**

**a) OEM update**

Councilmember Arroyo noted that OEM will have a CERT/CART display table at Westwood Pride Day, supported by the Bergen County OEM.

**b) Police Hiring Process**

Councilmember Arroyo reported that the Police hiring process is on schedule. Forty-eight candidates took the physical on Saturday, and the list has been narrowed down to 25. Interviews begin at the end of April.

**D) Attorney's Report**

No report.

**E) Administrator's / Clerk's Report**

No report.

**10. Agenda/Public Forum:**

**Motion to open Agenda/Public Forum:** Councilmember Miller Second: Councilmember Bicocchi  
Voice Vote: A voice vote was taken with all present voting in the Affirmative.

Cynthia Deveraux 190 Kinderkamack – voiced concern with the 'no right on red' at Jefferson and Broadway. Ms. Deveraux suggested a right on red is the safest way to get through the intersection. Mayor Birkner pointed out that there are new lights at Broadway and Jefferson. The lights at Broadway and Washington have not been changed yet. That synchronization will have a dramatic impact on the situation she described. Also striping and turning is not finalized, it's in progress.

Mayor Birkner said the Borough will have the engineers take a look at it when the work is complete. He asked for Ms. Deveraux's patience. She said she has been patient. Mayor Birkner said the project is a little behind schedule, and the weather didn't help. The tie-up she describes is part of the incomplete work.

**Motion to close Agenda/Public Forum:** Councilmember Miller      Second: Councilmember Biccchi

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**11. Ordinances of First & Final Reading:**

**Ordinances on Introduction**

**14-7      An Ordinance To Amend Article XVII, Chapter 195, Zoning Of The Borough Of Westwood**

**BE IT RESOLVED** that Ordinance #14-7 entitled "An Ordinance To Amend Article XVII, Chapter 195, Zoning Of The Borough Of Westwood" is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a May 20, 2014 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Biccchi

Second: Councilmember Miller

Roll Call: Councilmember Arroyo – Yes      Councilmember Biccchi – Yes  
            Councilmember Grefrath – Yes      Councilmember Miller – Yes  
            Councilmember Owens – Yes      Council President Waneck – Absent

**14-8      An Ordinance of the Borough of Westwood, in the County of Bergen, New Jersey, Providing for the 2014 Road Resurfacing Program and Appropriating \$300,000 Therefor and Providing for the Issuance of \$285,000 in Bonds or Notes of the Borough of Westwood to Finance the Same**

**BE IT RESOLVED** that Ordinance #14-8 entitled "An Ordinance of the Borough of Westwood, in the County of Bergen, New Jersey, Providing for the 2014 Road Resurfacing Program and Appropriating \$300,000 Therefor and Providing for the Issuance of \$285,000 in Bonds or Notes of the Borough of Westwood to Finance the Same" is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a May 20, 2014 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath

Second: Councilmember Biccchi

Roll Call: Councilmember Arroyo – Yes      Councilmember Biccchi – Yes  
            Councilmember Grefrath – Yes      Councilmember Miller – Yes  
            Councilmember Owens – Yes      Council President Waneck – Absent

**12. Presentation of Bills, Financial Reports and Resolutions:**

Councilmember Grefrath asked if there were any resolutions to add to the Consent Agenda. He stated that any Councilmembers who wished to remove any Resolution(s) to be voted upon separately could do so at this time, otherwise the Consent Agenda would be enacted in one motion. Councilmember Miller asked if resolution c referred to the Employee Handbook. Mr. Hoffmann confirmed. Councilmember Miller requested resolution c be removed for further discussion at the next meeting. Resolutions f and g were added at this time.

**Resolutions as Consent Agenda:**

- a) **Resolution #14 - 108: Bill List & Statement of Cash**
- b) **Resolution #14 - 109: Authorizing Refund of Taxes B1109 L22**
- c) ~~Resolution #14 - 108: Re-Adopting Personnel Policies and Procedures~~
- d) **Resolution #14 - 110: Approval of Friends of Emerson Softball Application to Consume Alcoholic Beverages on Public Property**
- e) **Resolution #14 - 111: Approval of Westwood Cardinals touchdown Club Application to Consume Alcoholic Beverages on Public Property**
- f) **Resolution #14 - 112: Authorizing Hiring of Out-of-State Counsel for Litigation Matter**
- g) **Resolution #14 - 113: Authorizing Representation for Litigation**

**Motion to adopt resolutions #14-108 through #14-113:** Councilmember Grefrath

Second: Councilmember Arroyo

Roll Call: Councilmember Arroyo – Yes      Councilmember Biccocchi – Yes

            Councilmember Grefrath – Yes      Councilmember Miller – Yes

            Councilmember Sciara – Yes      Council President Waneck – Absent

**13. Adjournment:**

**Motion to adjourn:** Councilmember Miller      Second: Councilmember Arroyo

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:57 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk