

BOROUGH OF WESTWOOD
WORK MEETING OF THE MAYOR & COUNCIL
AUGUST 7, 2012 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 Grefrath – Absent
Councilmember Miller - Present
Councilmember Phayre – Present
Councilmember Quinn - Present
Councilmember Sciara - Present
Council President Waneck - Present
Borough Administrator Hoffmann – Present
Borough Attorney Huntington - Present
Borough Clerk Hughes – Present

Committee Assignments:

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

3. Resolution #12 - 208: Executive Closed Session

Motion: Council President Waneck Second: Councilmember Miller

Roll Call: Councilmember Grefrath – Absent	Councilmember Miller – Yes
Councilmember Phayre – Yes	Councilmember Quinn – Yes
Councilmember Sciara – Yes	Council President Waneck – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Miller Second: Councilmember Sciara

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

The time was 8:15 pm.

5. Roll Call II:

Mayor Birkner – Present
Councilmember Grefrath - Absent
Councilmember Miller – Present
Councilmember Phayre - Present
Councilmember Quinn – Present
Councilmember Sciara - Absent
Council President Waneck - Present
Borough Administrator Hoffmann – Present
Borough Attorney Huntington - Present
Borough Engineer Boswell - Present
Borough Clerk Hughes – Present

6. Flag Salute

Mayor Birkner led those present in the salute to the flag.

7. Reports of Committees and Officials:

A) Mayor's Report

Mayor Birkner thanked Council President Waneck for standing in as Acting Mayor while he was on vacation.

B) Engineer's Report

a) Biweekly Report

Dr. Boswell reviewed the bi-weekly report, a copy of which is attached.

b) 2012 Road Paving

Dr. Boswell advised that there is a net reduction on the Road Paving project estimate #1. He was able to use the asphalt price adjustment to take care of drainage problems. Councilmember Phayre asked how often the fuel adjustments occur. Dr. Boswell said monthly by the DOT, but it is at the time of the bid and time of the contract execution when the fuel adjustment changes are incorporated. The difference in the price is due to a reduction in quantities.

c) 425 Kinderkamack Road

Dr. Boswell reviewed the actions taken to address the odor on the Ciolino's property. The BCUA took responsibility for the chamber, replaced the burned out sump pump, and installed a new gasket around the door. The next step would be to replace the doors, and after that to pour concrete in the sump, which they would do at their cost. There is also the issue of the vent pipe, which may need to be lengthened and camouflaged. Dr. Boswell said it is an ongoing situation that he believes is now being addressed. Mayor Birkner commended BCUA Executive Director Robert Laux for going on site personally to resolve the situation.

d) ADA Curbs

Mr. Hoffmann asked Dr. Boswell to discuss the ADA curb cuts. Dr. Boswell explained said for any street that is improved the ramps have to be brought up to the new ADA standard. The County will not pave unless ramps are improved, and while they will pay for the ramp project they won't administer it. Dr. Boswell explained the difference between how the County approaches a project and the Borough's approach. He always checks with the Police to find out which corners have the highest pedestrian volume. Mr. Hoffmann said grant funding is often connected to a public entity like a school, library, or community center.

Councilmember Miller asked why some curb cuts were not done in a recent project. Dr. Boswell said the funded was exhausted. Councilmember Miller asked how to get the missed curbs addressed. Mr. Hoffmann pointed out that one curb is on a county road, so it may be scheduled to be paved. Dr. Boswell said that then the County will fund it. If county doesn't plan on paving Dr. Boswell said to let him know, and he will see if the County will advance funds.

Mayor Birkner voiced concern about the curb at Berkeley and Harrington Avenues at the school.

Dr. Boswell will ask the County to address it. Mr. Huntington remarked that the Berkeley and Harrington curbs were widened years ago for buses and should be brought in.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Finance Update

Councilmember Phayre reported that the CFO interviews continue. The Finance Committee will be meeting on Thursday to work on budget matters.

2) Police and OEM:

a) Historic Preservation Commission Update

Councilmember Miller announced that there is an informal presentation by the Historic Preservation Commission regarding the proposed historic designation of Westwood Avenue on August 8th at 7:30 pm.

b) OEM

Councilmember Miller raised the question of whether the Borough needs a Deputy OEM Coordinator. He and the Mayor have debated the statutory language, which says "shall". Councilmember Miller conceded that the Mayor's interpretation was correct and the Borough must have a Deputy. Right now the Borough has one OEM person doing an incredible job, but he is only one person, and it is not reasonable to ask for more. Councilmember Miller gave examples of the role a Deputy Coordinator would play. He would like to go forward in seeking candidates.

Councilmember Miller said the other question is where to house the OEM office. He had asked Mr. Hoffmann to identify space in the Borough Hall. Mr. Hoffmann suggested the room off the conference room, which is currently used for records storage and would require some work.

Councilmember Quinn asked about the candidate process. Councilmember Miller would solicit candidates. The Governing Body discussed the parameters based on the statutes, with Federal statutes taking precedent over State statutes, which take precedent over Local. Council President Waneck asked if the position is budgeted. Councilmember Miller said yes. He said while the statute suggests an employee wherever possible, due to time constraints a retiree may be a better choice. It was determined that the Police Committee will discuss how to broadcast the position and solicit candidates.

3) Fire and Ambulance:

a) Fire Department Update

Councilmember Sciara reported that the Fire Department has responded to several mutual aid calls. One member sustained minor injuries at the Montvale Fire but has recovered.

b) Ambulance Corps Update

Councilmember Sciara announced that the Ambulance Corps annual carnival was a success.

4) Public Properties:

a) DPW Update

Council President Waneck reported that there have been some kinks with the new recycling company, but Mr. Woods has met with them weekly and complaints have been whittled down to none after one month. Council President Waneck said it will probably take a few months

to get a better sense of the benefits of the increased DPW manpower hours now that they no longer have to do recycling.

Council President Waneck noted that the DPW Superintendent went on vacation and no natural disasters befell Westwood. He has broken his streak.

5) Land Use:

a) Master Plan Reexam Ordinances

Councilmember Quinn advised that the requested changes to the Master Plan Reexam Ordinances have been incorporated. They will be introduced at the next meeting. Council President Waneck requested that in the sign ordinance section 2, the language should say “no more than seven days”. In that same paragraph she requested that the last sentence which prohibits holiday window paintings being installed within 15 days of removal of a prior window painting be removed. Regarding the square footage for sports training, she recommended it be uniform in both the LM and LB zones, at 10,000 square feet. These changes were agreed to by the Council and will be incorporated into the ordinances for introduction.

6) Health and Recreation:

In Councilmember Grefrath’s absence, Mayor Birkner reported on the success of the summer Recreation camps. Mr. Hoffmann said there is an 11% increase in attendance over last year. Mayor Birkner said that the Concerts in the Park were well-received, as are the Movies in the Park.

Mayor Birkner advised that HUMC wants to deliver the AEDs that they donated. The Recreation Director is suggested they be sited at Westvale Park and the Community Center, although the Library has also been suggested.

D) Attorney’s Report

No report.

E) Administrator’s / Clerk’s Report

a) NJDOT Road Paving Project Engineer

Mr. Hoffmann advised that a subcommittee of administrators from the Pascack Valley Shared Services Group evaluated the engineering proposals for the NJDOT project and have made recommendations.

b) Excess User Fee Bid

Mr. Hoffmann reported that bids were received for the cost benefit analysis for the development of a sanitary sewer excess user fee system. The lowest response was \$7000. Three sources of funding have been identified. Councilmember Phayre asked if the services quoted were comparable. Mr. Hoffmann said yes. Council President Waneck thought the difference in price may have been because one party had access to the required information more readily. Mr. Hoffmann said all bidders received the water information.

c) Sustainable Jersey

Mrs. Hughes explained the draft Sustainable Jersey resolutions. Councilmember Phayre asked if she has spoken to any other municipalities about the Sustainable Jersey program. Mr. Hoffmann has discussed it with Maplewood. Council President Waneck had concerns about the Sustainable Land Use pledge. She is not sure it's for a community of Westwood's size.

8. Agenda/Public Forum:

Motion to open the Agenda/Public Forum: Councilmember Miller

Second: Councilmember Phayre

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

Tom Gramegna, Bergen County Camera – offered suggestions for streamlining the sign code. Mr. Gramegna proposed that an aesthetic review committee be formed. Business owners would prepare two renditions of their signs, one that conforms to the code and one that might not conform, to present to the committee. Mayor Birkner agreed that appearing before the Zoning Board for a sign is expensive. Council President Waneck noted that adding another layer of review is the antithesis of simplicity. Mayor Birkner said the review by the Zoning Board needs to be streamlined. Mr. Huntington pointed out that it is simple to get a permit for a conforming sign. He suggested working with the standards so that a larger array of options can be approved over the counter.

Motion to close the Agenda/Public Forum: Councilmember Phayre

Second: Councilmember Miller

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

9. Ordinances of First & Final Reading:

Ordinances on Introduction

12-22 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Road And Park Improvements In The Borough And Appropriating \$270,000 Therefor And Providing For The Issuance Of \$256,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #12-22 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Road And Park Improvements In The Borough And Appropriating \$270,000 Therefor And Providing For The Issuance Of \$256,500 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 an August 21st, 2012 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Phayre

Second: Councilmember Miller

Roll Call: Councilmember Grefrath – Absent Councilmember Miller – Yes
 Councilmember Phayre – Yes Councilmember Quinn – Yes
 Councilmember Sciara – Yes Council President Waneck – No

10. Presentation of Bills, Financial Reports and Resolutions:

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately. Resolution p was added at this time. Council President Waneck wanted to ensure that the cost for the bid advertisement for the Library project comes out of their budget.

Resolutions as Consent Agenda:

- a) **Resolution #12 - 209: Bill List & Statement of Cash**
- b) **Resolution #12 - 210: Authorizing Redemption of Tax Sale Certificate #11-00002**
- c) **Resolution #12 - 211: Authorizing Redemption of Tax Sale Certificate #11-00007**
- d) **Resolution #12 - 212: Authorizing Redemption of Tax Sale Certificate #11-00011**
- e) **Resolution #12 - 213: Authorizing Redemption of Tax Sale Certificate #12-00011**
- f) **Resolution #12 - 214: Certification of Annual Audit**
- g) **Resolution #12 - 215: Authorize Release of Performance Bond – Paragon/Visions Federal Credit Union**
- h) **Resolution #12 - 216: Authorizing Release of COAH Funds**
- i) **Resolution #12 - 217: Change Order #1 and Estimate #1 for the Pascack Valley Cooperative Pricing Program 2012 Resurfacing Program**
- j) **Resolution #12 - 218: Approval of Engineering for the Pascack Valley Cooperative Pricing System #107-PVCPS 2012 NJDOT Road Resurfacing Program/Roosevelt Avenue Section 2**
- k) **Resolution #12 - 219: Authorization to Purchase Claw Bucket**
- l) **Resolution #12 - 220: Rejection of Library Lobby Bids and Authorization to Rebid**
- m) **Resolution #12 - 221: Authorizing the Purchase of Office Chairs**
- n) **Resolution #12 - 222: Supporting the Drive Sober Get Pulled Over 2012 Statewide Crackdown**
- o) **Resolution #12 - 223: Approval of Friends of Emerson Football Application to Consume Alcoholic Beverages on Public Property**
- p) **Resolution #12 - 224: Authorizing the Expediting of the Closing Process for Purchasing Flood-Prone Houses**

Motion to adopt resolutions #12-209 through #12-224: Councilmember Miller

Second: Councilmember Sciara

Roll Call: Councilmember Grefrath – Absent Councilmember Miller – Yes
 Councilmember Phayre – Yes Councilmember Quinn – Yes
 Councilmember Sciara – Yes Council President Waneck – Yes

11. Adjournment:

Motion to adjourn: Councilmember Sciara Second: Councilmember Miller

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Work Meeting of the Mayor and Council
August 7, 2012

Voice Vote: A voice vote was taken with all present voting in the affirmative.
The time was 9:15 pm.

Attest:

(signed) Karen Hughes
Karen Hughes, RMC, Borough Clerk
Proofed by: Denise Holmes, Deputy Clerk