

**BOROUGH OF WESTWOOD  
PUBLIC MEETING OF THE MAYOR & COUNCIL  
SEPTEMBER 16, 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 – Present  
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 - 209: Executive Closed Session**

**Motion to adopt Resolution #14-209:** Councilmember Miller Second: Councilmember Arroyo  
Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes  
Councilmember Grefrath – Yes Councilmember Miller – Yes  
Councilmember Owens- - Yes Council President Waneck – Yes

**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 8:00 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 – Present / Borough Administrator Hoffmann – Present /  
Borough Attorney Huntington – Present / Borough Engineer Senkevich – 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. Agenda/Public Forum**

Mayor Birkner asked for a motion to suspend the regular order of business and open the floor to the public at this time.

**Motion to open Agenda/Public Forum:** Council President Waneck Second: Councilmember Arroyo

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

Bruce Miesel, 263 Center Ave - representing the Westwood Taxpayer Alliance, Mr. Miesel explained how the downtown construction due to the resignalization and the PSEG project has impacted the merchants. He made suggestions for improving the management of the project, and for recovering from the negative effects.

Lee Tremble, 11 Lyons Place - said "It is what it is" is an absolutely unacceptable response.

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

## **8. U10 NEBAS Boys Baseball Certificates**

### **9. Eagle Scout Presentation - Bocce Court**

Eagle Scout Candidate John Leyden presented his proposed project for a bocce court at Jake Voorhis Park. The consensus of the Governing Body was to approve the project.

## **10. Reports of Committees and Officials:**

### **A) Mayor's Report**

#### **1) County Picnic**

Mayor Birkner announced that the Bergen County Senior Citizens picnic was rescheduled to September 23<sup>rd</sup> due to inclement weather. Seniors can register for transportation through the Recreation Department.

#### **2) FEMA Flood Maps**

Mayor Birkner announced that preliminary copies of the new FEMA flood maps will be made available in the Clerk's office and also on the Borough's website.

#### **3) Broadway Train Resignalization**

Mayor Birkner provided an update on the progress of the train signalization project. The anticipated completion date is the middle of October.

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

#### **1) Biweekly Report**

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

#### **2) NJDOT 2015 Grant**

Mayor Birkner suggested First Avenue instead of Pascack Road for the 2015 NJDOT project. Dr. Boswell thinks Pascack Road would be denied but First is a strong contender. He recommends First Avenue.

#### **3) Environmental Monitoring**

Council President Waneck said Boswell has shown the Governing Body the proposal for the venting system at Westvale, which has been presented to the DEP. She asked when the meeting with the

DEP will be held. Dr. Boswell said they are available as soon as DEP wants to meet. Council President Waneck asked for details on the ensuing timeline. Dr. Boswell said once the DEP approves the design then Boswell will be coming back to the Governing Body for approval to go out to bid. Council President Waneck said some Councilmembers had asked for the DEP to be present. Dr. Boswell said the DEP has no intention of coming. Boswell will go to them to follow up and get approval, at which point the Council can make comments.

Councilmember Arroyo noted that the quarterly monitoring reports are not meeting the model. He asked the value of them to the DEP, and if there are any measurements that the DEP can read. Dr. Boswell said one of the vents is working because there is no water in one of the vents. It has to be done because it is a requirement of the permit even if you're getting bad readings. Dr. Boswell agrees that it seems kind of foolish to test a vent that you know isn't working. Councilmember Arroyo said the vent that does work - there are three that don't and one that does - it's a single pipe system, correct? Dr. Boswell said it's not totally a single pipe, some are interconnected and some aren't. Councilmember Arroyo said where it's actually venting and they're measuring, are those measurements skewed because the other three are clogged? Dr. Boswell answered possibly, but generally the vents are proportional to the amount of gas that comes out. So it could possibly be skewed but the real issue is that the methane is coming out where there are no vents. That's the one they're most concerned about. Councilmember Arroyo asked if the DEP extrapolates from what can be measured at the actual venting and make some sort of hypothesis about what's happening under the landfill even though we're not getting good measurements out of the three? Dr. Boswell said no, they don't. Councilmember Arroyo said they want those measurements at each one of the vents. Dr. Boswell said they do.

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

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

##### **a) Time Capsule**

Councilmember Grefrath displayed the time capsule and discussed the decisions that need to be made regarding what to include, when to bury it and when to open it. When asked why he is doing a second time capsule at this time, Councilmember Grefrath said it was donated, and a time capsule is always a good idea for history.

##### **b) Eagle Scout Projects**

Councilmember Grefrath said there is another Eagle Scout candidate who is hoping to build a handicapped ramp to the monuments in Veterans Park. The candidate has spoken to Ed Snieckus on the design and is looking into funding for it. Hopefully he will be able to present to the Governing Body soon.

##### **c) Budget Projections**

Councilmember Grefrath said that during the budget process the Council had asked for projections. The CFO had requested a proposal during the budget process but only just received it. Funding is available but would require transfers at the end of the year. The consensus was to include it on the consent agenda.

##### **d) Veterans Park Project**

Councilmember Grefrath will present the Quad 4 renovations for Veterans Park at the October

meeting. It will tie the quad to the rest of the park, add pathways, benches, trash receptacles, and lighting, frame and highlight the 911 monument, highlight the magnolia tree, and break up views of parked cars in and around the park. Mayor Birkner said the project sounds great but he would like to see grant funding tied to it. He asked if the Borough has looked at what's available through County open space funding, since this seems like a perfect project for it.

**e) Memorial Benches**

Councilmember Grefrath noted that there are no locations currently available for Memorial Benches in Veterans Park but locations are available in other parks.

**2) Fire and Ambulance:**

**a) Fire Department Update**

Councilmember Miller advised that Engine 16 is out of service with significant problems that could cost upwards of \$50,000 to repair, although the parts might not even be available.

**b) EMS Update**

Councilmember Miller reported that the ambulance rig was out of service on Saturday and Sunday. Volunteers are needed, and EMT training is not required to be an EMS volunteer.

**c) Library Board Appointment**

Councilmember Miller noted that there will be an appointment to the Library Board on the consent agenda. He said the four who were interested but not chosen were excellent candidates.

**d) Internal Equity Review**

Councilmember Miller reviewed the target dates for the internal equity review. He is looking to complete it by mid-December. Councilmember Arroyo asked about external comparisons, do we drill down into qualifications in other communities. Councilmember Miller said we should drill down in an external comparison to compare apples to apples. This does not deal with volume or quality, just the size of the job. Councilmember Arroyo asked if education is included; Councilmember Miller said yes. He likened it to an appraisal of property.

**3) Health and Recreation:**

**a) Drug Take Back Day**

Councilmember Owens announced that the Health Department is holding a Drug Take-Back day on September 27<sup>th</sup> at the Police Department.

The flu program will be September 17<sup>th</sup> from 9-11 am at the Westwood House, and October 4<sup>th</sup> at the Library from 10:30 -12:30. The cost is \$25 for the vaccine.

**b) Recreation Update**

Councilmember Owens announced that the Recreation Director has upgraded the special needs program, which is now called SNAP, Special Needs Activity Program.

**4) Land Use:**

**a) Borough Hall Renovations**

Councilmember Bicocchi noted that the ordinance for the architect for the Borough Hall

renovations is on the agenda. Council President Waneck voiced concern about the financial impact. While she agrees that the building needs HVAC improvements, the Borough had the opportunity to pursue the gravity feed pumps for \$400,000, and the methane venting system will be another few hundred thousand dollars. She pointed out that the bond for introduction is \$100,000 for engineering and architectural costs only.

**b) Train Platform**

Councilmember Bicocchi noted that a draft response from Council President Waneck to the letter from Beattie Padovano to NJ Transit about relocating the train platform is in the book for review.

Council President Waneck advised that she has incorporated changes suggested by Councilmember Miller and Mayor Birkner. Mayor Birkner said the letter is good and agrees that the letter from John Lamb of Beattie Padovano is not representative of the Governing Body's consensus. Councilmember Miller agreed that the project was not discussed with the Governing Body and Mr. Lamb's letter did not represent the Governing Body's opinion. However, Councilmember Miller is uncomfortable with the six points Council President Waneck raises in her letter. Discussion was held on the letter content. Council President Waneck said she can craft the letter to be more generic and say the Borough would like to have more discussion on the matter.

**5) Police and OEM:**

**a) Police Update**

Councilmember Arroyo advised that the Police Committee will meet on September 23<sup>rd</sup> to interview Sergeant candidates.

Chief Regino has assigned officers to report on the feasibility of a DARE program. Councilmember Arroyo hopes to have something for the next work session.

**b) CERT**

Councilmember Arroyo is working with the Deputy OEM Coordinator on an ordinance to establish a CERT team for introduction at the next meeting.

**6) Public Properties:**

**a) DPW Update**

Council President Waneck explained that the Borough had budgeted for a new DPW truck with an anticipated cost of \$210-240,000, but Superintendent Rick Woods was able to locate a 2013 demo with 73 engine hours that is only costing the Borough \$165,000.

**D) Attorney's Report**

No report.

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

**1) HRA**

Councilmember Miller asked Mr. Hoffmann for the HRA numbers. Mr. Hoffmann is supposed to receive it on Friday. He will vet the numbers and pass them along. Councilmember Miller pointed out that the information has been historically inaccurate regarding the HRA and hope Mr. Hoffmann will emphasize the need for accuracy. The Governing Body will need to move on this relatively quickly to make it effective in 2015.

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

**Ordinances on Introduction**

**14-28 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Monitoring Of Landfill Emissions For The Borough Of Westwood And Appropriating \$80,000 Therefor And Providing For The Issuance Of \$76,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same**

**BE IT RESOLVED** that Ordinance #14-28 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Monitoring Of Landfill Emissions For The Borough Of Westwood And Appropriating \$80,000 Therefor And Providing For The Issuance Of \$76,000 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 an October 14, 2014 hearing date in the official newspaper according to law.

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

Second: Councilmember Miller

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



**14-29 An Ordinance To Amend Article XIV, Chapter 195, Zoning Of The Borough Of Westwood**

**BE IT RESOLVED** that Ordinance #14-29 entitled “An Ordinance To Amend Article XIV, 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 September 30, 2014 hearing date in the official newspaper according to law.

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

Second: Councilmember Miller

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



**14-30 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Architectural And Engineering Services In Connection With Renovations, Upgrades And Design Of The Borough Hall And Appropriating \$100,000 Therefor And Providing For The Issuance Of \$95,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same**

**BE IT RESOLVED** that Ordinance #14-30 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Architectural And Engineering Services In Connection With Renovations, Upgrades And Design Of The Borough Hall And Appropriating \$100,000 Therefor And Providing For The Issuance Of \$95,000 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 an October 14, 2014 hearing date in the official newspaper according to law.

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

Second: Councilmember Bicocchi

Roll Call: Councilmember Arroyo – Yes    Councilmember Bicocchi – Yes

          Councilmember Grefrath – Yes    Councilmember Miller – Yes

          Councilmember Owens – Yes

Council President Waneck – in light of current debt, votes no.

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**14-31            An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of A Waste Oil Heater For The Borough Of Westwood Department Of Public Works And Appropriating \$12,000 Therefor And Providing For The Issuance Of \$11,400 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same**

**BE IT RESOLVED** that Ordinance #14-31 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of A Waste Oil Heater For The Borough Of Westwood Department Of Public Works And Appropriating \$12,000 Therefor And Providing For The Issuance Of \$11,400 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 October 14, 2014 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Council President Waneck

Second: Councilmember Bicocchi

Roll Call: Councilmember Arroyo – Yes    Councilmember Bicocchi – Yes

          Councilmember Grefrath – Yes    Councilmember Miller – Yes

          Councilmember Owens – Yes    Council President Waneck – Yes

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**14-            Amending Ordinance 13-24 for the 2012 Bergen County ADA Ramp Construction Grant to include Harrington Avenue ADA curb ramps in the amount of \$20,250**

This ordinance was pulled for introduction at the next meeting.

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**Ordinances for Adoption**

**14-24 An Ordinance Amending Chapter 59 Police Department Off Duty Officer Fees**

**BE IT RESOLVED** that Ordinance #14-24 entitled “An Ordinance Amending Chapter 59 Police Department Off Duty Officer Fees ” having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Councilmember Arroyo Second: Councilmember Bicocchi  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**Public Comments:**

No comments.

**Motion to close the public hearing:** Councilmember Bicocchi Second: Councilmember Miller  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #14-24 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Councilmember Arroyo Second: Councilmember Miller

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

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**14-25 An Ordinance Amending Chapter 375 Vehicles And Traffic Section 53 Designation Of Stop Signs To Authorize A Stop Sign On Palisade Avenue At Pascack Road**

**BE IT RESOLVED** that Ordinance #14-25 entitled “An Ordinance Amending Chapter 375 Vehicles And Traffic Section 53 Designation Of Stop Signs To Authorize A Stop Sign On Palisade Avenue At Pascack Road” having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Councilmember Grefrath Second: Councilmember Bicocchi  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**Public Comments:**

No comments.

**Motion to close the public hearing:** Councilmember Grefrath Second: Councilmember Bicocchi  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #14-25 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Councilmember Grefrath Second: Councilmember Bicocchi

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

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**14-26 An Ordinance Amending An Ordinance Amending Chapter 40 Officers And Employees , Article X Borough Administrator And Interim Borough Administrator**

**BE IT RESOLVED** that Ordinance #14-26 entitled “An Ordinance Amending An Ordinance Amending Chapter 40 Officers And Employees , Article X Borough Administrator And Interim Borough Administrator ” having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Council President Waneck Second: Councilmember Grefrath  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**Public Comments:**

No comments.

**Motion to close the public hearing:** Council President Waneck Second: Councilmember Grefrath  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #14-26 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Council President Waneck Second: Councilmember Grefrath

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes

Councilmember Grefrath – Yes Councilmember Miller – Yes

Councilmember Owens - Yes Council President Waneck – Yes

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**14-27 An Ordinance Amending Chapter 40 Officers And Employees , Article VI Chief Financial Officer**

**BE IT RESOLVED** that Ordinance #14-27 entitled “An Ordinance Amending Chapter 40 Officers And Employees , Article VI Chief Financial Officer ” having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Council President Waneck Second: Councilmember Grefrath  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**Public Comments:**

No comments.

**Motion to close the public hearing:** Council President Waneck Second: Councilmember Bicocchi  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #14-27 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Council President Waneck Second: Councilmember Grefrath

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes

Councilmember Grefrath – Yes Councilmember Miller – Yes

Councilmember Owens - Yes Council President Waneck – Yes

**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. Resolutions p and q were added at this time.

**Resolutions as Consent Agenda:**

- a) Resolution #14 - 210: Bill List & Statement of Cash
- b) Resolution #14 - 211: Authorizing Refund of Taxes B2001 L38 and B2001 L46
- c) Resolution #14 - 212: Authorizing Refund of Taxes B1507 L9
- d) Resolution #14 - 213: Authorizing Refund of Taxes B104 L3
- e) Resolution #14 - 214: Authorizing Disposal of Surplus Property by Online Auction
- f) Resolution #14 - 215: Authorizing Application for 2015 NJDOT Grant
- g) Resolution #14 - 216: Authorizing the Purchase of Two Police Vehicles
- h) Resolution #14 - 217: Authorization to Repair Bandstand Roof
- i) Resolution #14 - 218: Authorizing Change Order #5 for Madison/Park/Third Project
- j) Resolution #14 - 219: Westwood Volunteer Fire Department Matters of Personnel
- k) Resolution #14 - 210: Appointment to Library Board of Trustees
- l) Resolution #14 - 211: Use of Veterans Park for Hackensack UMC at Pascack Valley
- m) Resolution #14 - 212: Authorize Methane Venting System Investigation and Redesign
- n) Resolution #14 - 213: Adopting Revised Organizational Chart
- o) Resolution #14 - 214: Authorization to Bid Garbage Truck
- p) Resolution #14 - 215: Authorizing Execution of Contract with Atlantic Coast Fibers
- q) Resolution #14 - 216: Authorization for Preparation of Budgetary Projections

**Motion to adopt resolutions #14-210 through #14-216:** Councilmember Grefrath  
Second: Councilmember Bicocchi

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

**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 9:48 pm.

Attest:  
*(signed) Karen Hughes*

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