

**BOROUGH OF WESTWOOD**  
**WORK MEETING OF THE MAYOR & COUNCIL**  
**APRIL 5, 2016 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 (arrived 7:41)  
Councilmember Owens – Present  
Councilmember Montana – Present  
Councilmember Grefrath – Present  
Councilmember Dell - Present  
Councilmember Arroyo – Present  
Council President Bicocchi - Present  
Borough Attorney Huntington – Present  
Borough Administrator Kezmarsky - Absent  
Borough Clerk Hughes – Present

**Committee Assignments:**

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

**3. Resolution #16 - 98 : Executive Closed Session**

**Motion to adopt Resolution #16- 98:** Council President Bicocchi Second: Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Councilmember Montana Second: Council President 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 Owens – Present / Councilmember Montana – Present / Councilmember Grefrath - Present / Councilmember Dell – Present / Councilmember Arroyo - Present / Council President Bicocchi – Present / Borough Administrator Kezmarsky - Absent / 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**

**1) Pension & Health Benefit Study Commission Report**

Mayor Birkner remarked that the combining of municipal and state pension plans as recommended in the Pension & Health Benefit Study Commission Report creates a bigger problem for municipalities

who have funded their pension plans. He finds it reprehensible to take money from funded plans to pay the plan that has not been funded.

**Resolution #16 - 99: Support for the Pascack Valley Mayors' Opposition to the Pension & Health Benefit Study Commission Report Dated February 24, 2015**

**Motion to adopt Resolution #16- 99:** Councilmember Montana Second: Council President Bicocchi  
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes  
Councilmember Arroyo – Yes Council President Bicocchi – Yes

**B) Engineer's Report**

**1) Biweekly Report**

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

**2) PSE&G Paving Issues**

Dr. Boswell reviewed his report on the cracking of the streets that were paved by PSE&G as part of the Energy Strong project. Mayor Birkner asked what recourse the Borough has for substandard work. Dr. Boswell said the appropriate thing to do is to ask Public Service to fix it. Mrs. Hughes noted the project closes out June 1<sup>st</sup>. Mayor Birkner suggested an inventory, which Dr. Boswell recommended the DPW Superintendent undertake. Dr. Boswell would like to do core samples to determine how much asphalt was used. Further discussion was held about the various defects and the most effective solutions.

**3) 2014 CDBG ADA Curb Ramp Project**

Dr. Boswell discussed resident concerns with the handicap ramp and crosswalk at the T intersection on Kaufman Drive. While the crosswalk and ADA ramp can't be relocated, the contractor can address the concerns with the slope grading, Belgium block, and seeding on the resident's property. Mayor Birkner observed that the crosswalk location was insensitive to the resident and not well-thought out. Dr. Boswell will investigate why that spot was chosen.

**4) Mill and 8<sup>th</sup> Drainage**

Dr. Boswell noted the proposal for alleviating the drainage issue at Mill and 8<sup>th</sup> was distributed. Councilmember Arroyo asked if the handicap ramp on the corner caused the flooding. Dr. Boswell said it makes it noticeable.

**5) Washington Avenue Crosswalk**

Councilmember Dell advised that representatives from the Governing Body, Police and the Borough Engineer met on Monday to discuss improving safety in the crosswalk in front of the Iron Horse on Washington Avenue. She asked Dr. Boswell to review the various suggestions that were made. Dr. Boswell explained that a left turn for Irvington would require County approval. Wrong-way traffic on Madison to access the gas station can be addressed with concrete blocks and reflectors. Irvington can be restriped, and a left turn into the gas station could be prohibited. He does not recommend a sidewalk along Broadway between Madison and Washington because of the cost and the affect on parking, which would have to go from angled to parallel. The plans for Westgate include a bumpout of the sidewalk on Madison at Washington, which will address some concerns there. PSE&G has already

been contacted about additional lighting for the crosswalk on Washington. A crosswalk on Washington at Madison on the medical building side could be considered as part of the Westgate project. On Third Avenue, a parking space could be added to shorten the right turn lane, and use curb stops to channel traffic, which would have to be approved by the County. Dr. Boswell advised it's a tradeoff between pedestrians and traffic flow. Signage could be added in the crosswalk, and pedestrian-activated flashing signs on either end. Finally, the loading zone could be turned into parking. Mayor Birkner said the loading zone is utilized and he disagrees with making it parking. He voiced concern with the expense of some of the suggested solutions. Councilmember Arroyo suggested doing the less expensive suggestions of signage in the crosswalk and curb stop channeling. Mayor Birkner pointed out that traffic on Third Ave will get worse by eliminating the double right turn lane. Dr. Boswell agreed.

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

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

##### **a) Budget Overview**

Councilmember Montana: I'd like to thank Mayor Birkner, Councilman Chris Owens, Our CFO Durene Ayer and BA Ben Kezmarski who were all deeply involved in the development and final recommendation of this year's budget. Although this year was extremely challenging for the reasons I'll get into shortly, their insight, input and thought process continued to make this budget like many before it, about our community and not special interests.

The 2016 budget was challenging. At its core, the boroughs operating environment (like many other municipalities) grows more challenging each year and ultimately the math is working against us.

Here are the facts:

##### **Revenues:** Continue to decline....

- 2014 v 2013 revenues were down \$460,000 (10.4%)
- 2015 v 2014 revenues were down \$71,000, lower due to non-recurring revenue in 2015
- 2016 v 2016 anticipated revenues will be down \$291,000

In addition to losing the few "1 time" revenues that helped cut the 2015 revenue deficit, The largest declines are coming from

- Court fees & Violations
- Construction fees
- Recycling revenues

##### **Expenses:** Continue to rise.....

- 2014 v 2013 expenses were up \$229,000 (1.4%)
- 2015 v 2014 expenses were up \$673,280 (3.9%)
- 2016 v 2015 est. expenses are up \$431,349 (2.42%)

Our biggest cost drivers for 2016 are coming from:

- Debt Service: \$123,900
- Statutory Expense: \$80,300
- Recycling Disposal: \$62,600
- Liability/property & Workers comp: \$54,250
- Added Assessment: \$58,000
- Absentee Bank: \$50,000
- Vehicle Repair: 30,000

Based on a solid 2 years of trends that are not in the borough's favor, the Finance Committee will utilize 2014/2015 trends and begin working on the 2017 budget no later than June 2016. Our goal is to estimate the 2017 budget and begin making recommendations to the Governing Body to ensure advanced planning that will allow us to proactively manage the boroughs finances through more efficient use of borough assets and staffing allocation in order to limit the municipal tax burden on residents.

Councilmember Arroyo asked the impact on the average assessed house. Councilmember Montana said \$114. Councilmember Arroyo asked about surplus. Councilmember Montana explained that it went up in 2016 so there was a conversation about using more to pay off debt. But the Borough would not then be replacing surplus at the same rate in 2017, so there is a long-term benefit to not drawing down the additional money. Councilmember Arroyo asked about the Moody's review. Councilmember Montana said they graded the Borough slightly lower than S&P because of surplus concerns. Councilmember Grefrath asked if there will be any other impact beyond the \$114 increase, such as to services. Councilmember Montana said services will remain as they are, and they will need to be mindful of services as work is done on the 2017 budget. Goals for 2017 include reducing debt service and moving as much back into the operational budget as possible. Mayor Birkner asked for an analysis of how the Borough operates within the .30¢ it receives out of every tax dollar. While he knows where it's going, he wants it illustrated. Councilmember Arroyo noted the Borough gets even less to work with since it pays 100% of the tax appeals. Councilmember Montana agreed it helpful to see where it's being spend and how the Governing Body can affect it. Mayor Birkner commended freshman Finance Chair Councilmember Montana as thorough and constantly reaching out. Councilmember Grefrath mused that since Councilmember Montana mentioned goals for 2017, would he be continuing as Finance Chair? Councilmember Montana confirmed that he has ideas for 2017, such as looking at similar declines in revenue, holding the line in expenses, debt servicing, reviewing insurance, maintaining services without adding cost. Councilmember Arroyo noted that the Mayor has said time and again that we've cut to the bone. At what point are we hacking off limbs? Councilmember Montana said there are very difficult decisions coming. Mayor Birkner credited the Department Heads that have worked within their reduced budgets. They are very cognizant of maintaining services to residents, and those services have not decreased, but it gets harder. Councilmember Grefrath clarified that there have been incremental but not significant decreases. The Department Heads have come through big-time. Councilmember Grefrath noted that he is heading up shared services, but unless there are willing partners that is nothing but an empty phrase. There is a reluctance among municipalities to combine services. This has to be serious.

**b) Introduction of Ordinance # 16- 9: An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank**

**BE IT RESOLVED** that Ordinance #16-9 entitled "An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank" is hereby introduced by title; and **BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a May 3, 2016 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Montana Second: Councilmember Dell

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes  
Councilmember Grefrath – Yes Councilmember Dell - Yes  
Councilmember Arroyo – Yes Council President Bicocchi – Yes

**c) Resolution #16 - 100: Introduction of 2016 Municipal Budget**

**Motion to adopt Resolution #16- 100:** Councilmember Montana Second: Councilmember Grefrath

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes  
Councilmember Grefrath – Yes Councilmember Dell - Yes  
Councilmember Arroyo – Yes Council President Bicocchi – Yes

Mayor Birkner thanked the CFO for doing a fantastic job with the budget and finances in general.

**d) Shade Tree Committee Update**

Councilmember Montana reminded everyone that Arbor Day is April 29<sup>th</sup>. The Shade Tree Committee will meet next week to review plans for events.

**2) Fire and Ambulance; Shared Services:**

**a) Shared Services Update**

Councilmember Grefrath reported that the Shared Services Committee discussed the status of each tier of projects. They met with a Westwood-based grant writer that they may propose be hired. The next meeting is May 23<sup>rd</sup>.

**b) Environmental Committee Update**

Councilmember Grefrath announced that the Environmental Committee will be participating in a bi-state watershed cleanup in conjunction with Bergen SWAN on April 23<sup>rd</sup> along the Pascack Brook in Westvale Park. Registration is at 8:00 am at the Community Garden.

**3) Health and Recreation: RB**

**a) Street Lights Center & Fairview**

Council President Bicocchi stated that PSE&G will be installing additional light poles on Fairview and Center Avenues, to enhance safety for those who park in the area at night. The cost to the Borough will be \$22 per pole.

**b) Recreation Update**

Council President Bicocchi pointed out the resolution authorizing the bid process for a new gym floor. He advised that the funds are coming from the Recreation trust fund, not tax money. Recreation held its annual Egg Hunt, which was a great success. He thanked the Easter Bunny especially. Recreation is hosting coach training from Rutgers this evening. The basketball season has ended, and the travel teams did very well.

**4) Land Use:**

**a) Library Update**

Councilmember Dell announced that the library is celebrating National Library Week. She reviewed the various programs the library is presenting.

**b) Farmers Market**

Councilmember Dell advised that the Farmers Market is on track to be located at the hospital parking lot.

**5) Police and OEM:**

**a) Parking Authority Update**

Councilmember Arroyo said the Parking Authority met on March 29<sup>th</sup> to hold its public hearing on the parking report. The Taxpayers Alliance and Chamber of Commerce attended. There was good discussion on the parking needs downtown. The next step is for the Parking Authority to come up with an implementation plan. Councilmember Montana asked if there was any conversation about adding handicap spots outside of the lots and closer to the main shopping. Councilmember Arroyo said it was not part of the updated report but it can be put on the table for discussion. Councilmember Grefrath noted there are still no handicap spots near the post office.

**b) Overnight Parking of Emergency Vehicles**

Councilmember Arroyo would like the Governing Body to consider an overnight parking exemption for decade Borough first responder vehicles. Mr. Huntington asked if he meant privately owned vehicles as well. Councilmember Arroyo emphasized it would be only decade Borough vehicles, such as the Fire Chief or DPW vehicles. Councilmember Grefrath said it would need to be clear that it is Westwood Borough vehicles only, since there are several Verizon and PSE&G employees that want to park overnight. Mayor Birkner said to be very careful with this. It will need to be thought through.

**c) Community Rating System**

Councilmember Arroyo announced that the Borough has received an 8 rating for the Community Rating System, or CRS. This will result in an automatic savings of 10% for those who have flood insurance in the Borough, effective October 1, 2016. Councilmember Arroyo commended the Construction Official for his work on this project over the past few years. The consultant, Brooker Engineering, cost the Borough \$8,000, but that investment achieved a \$39,000 net savings for residents, which is a good deal. The cost to maintain the rating is \$750 for Brooker Engineering and a few hours of the Construction Official's time.

**6) Public Properties:**

**a) DPW Update**

Councilmember Owens reported that the DPW is cleaning the parks and sweeping the streets in anticipation of spring.

**D) Attorney's Report**

**a) PSE&G Paving Issues**

Councilmember Montana asked if the Borough could be successful in obtaining the costs to get the PSE&G streets redone. Mr. Huntington said the claim needs to go through PSE&G, who can forward the claim to the vendor they hired. He would have to think about whether the Borough could collect from PSE&G for negligent work.

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

**1) Sustainable Jersey - Creative Team Action**

Mrs. Hughes asked if the Governing Body was good with the concept of a Creative Team as outlined in her memo. It would help meet the requirements of Sustainable Jersey and will result in credit for actions the Borough already performs. The consensus was to proceed.

**2) Draft Sidewalk Sale Resolution**

Mrs. Hughes asked for any comments to be sent to her on the draft sidewalk sale resolution.

**3) Oritani Bank Grand Opening**

Mrs. Hughes discussed a request by Oritani Bank to hold a grand opening event that included a hot dog cart in front of the bank on Westwood Avenue. The consensus was to approve the request by adding a resolution to the consent agenda.

**8. Agenda/Public Forum:**

**Motion to open Agenda/Public Forum:** Councilmember Montana Second: Council President Biccocchi

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

No one wished to be heard.

**Motion to close Agenda/Public Forum:** Council President Biccocchi Second: Councilmember Montana

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

**9. 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. Resolution j and k were added at this time.

**Resolutions as Consent Agenda:**

- a) Resolution #16 - 101: Bill List & Statement of Cash
- b) Resolution #16 - 102: Certificate of Redemption - Tax Sale Certificate #07-002
- c) Resolution #16 - 103: Awarding Contracts Exempt from Public Bidding - In Rem Attorney
- d) Resolution #16 - 104: Temporary Budget Amendment #4
- e) Resolution #16 - 105: Hire of Full Time Dispatcher
- f) Resolution #16 - 106: Authorizing Plans and Specifications for the Community Center Gym Floor
- g) Resolution #16 - 107: Confirming Participation in Bergen County Aggregate Energy Procurement Pricing System
- h) Resolution #16 - 108: Support to Deny Parole for Christopher Righetti
- i) Resolution #16 - 109: Authorizing Disposal of Surplus Property by Online Auction
- j) Resolution #16 - 110: Authorizing Use of Sidewalk for Grand Opening - Oritani Bank

**k) Resolution #16 - 111: Appoint to the Parking Authority**

**Motion to adopt resolutions #16-101 through #16-111:** Councilmember Grefrath

Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes    Councilmember Montana - Yes

          Councilmember Grefrath – Yes        Councilmember Dell - Yes

          Councilmember Arroyo – Yes        Council President Biccocchi – Yes

**10. Adjournment:**

**Motion to adjourn:** Councilmember Arroyo        Second: Council President Biccocchi

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

The time was 9:29 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk