

**BOROUGH OF WESTWOOD**  
**WORK MEETING OF THE MAYOR & COUNCIL**  
**APRIL 3, 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 – Present  
Councilmember Miller - Present  
Councilmember Phayre - Present  
Councilmember Quinn - Present  
Councilmember Sciara - Present  
Council President Waneck - Present  
Borough Administrator Hoffmann – Present  
Borough Attorney Huntington - Present

**Committee Assignments:**

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

**3. Resolution #12 - 97: Executive Closed Session**

Motion: Council President Waneck Second: Councilmember Miller

Roll Call: Councilmember Grefrath – Yes	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: Council President Waneck

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

The time was 8:10 pm.

**5. Roll Call II:**

Mayor Birkner – Present  
Councilmember Grefrath - Present  
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 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) Girl Scout Park Planting**

Mayor Birkner reported that the planting project sponsored by Rutgers has begun along the Musquapsink Brook in Girl Scout Park.

**2) Meeting with County Executive**

Mayor Birkner advised that he met with County Executive Kathe Donovan as part of her program to reach out to all the Mayors in Bergen County. They discussed shared services, leaf disposal and shared purchasing. While the County Executive has stated that she is actively engaged in discussing county police services with mayors, Mayor Birkner went on record that he is not one of them. When he suggested including Old Hook Road in the Rapid Transit Plan, Ms. Donovan was very interested and will refer it to the County Planning Board. Mayor Birkner also discussed extending the County commuter bus program through Westwood to Closter.

Mayor Birkner and the County Executive spoke about the dam operation SOPs. Mayor Birkner relayed the Borough's position on maintaining the level at 91 feet at all times. Ms. Donovan was concerned about the impact in a drought. Mayor Birkner informed her that the differential only amounts to about 1% of the water in the reservoir, which would not have a dramatic impact in a drought. He talked about how conditions have changed since the SOP was written. Ms. Donovan is amenable to looking into. She asked for a copy of the dam report, which will be provided.

**3) HUMC**

Mayor Birkner reported that the closing on the hospital property has occurred and work has begun. He is looking forward to the hospital opening in early 2013.

**B) Engineer's Report**

**a) Biweekly Report**

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

**b) Curb Cuts**

Councilmember Phayre asked for an update on funding for curb cuts on non-county roadways. Dr. Boswell said there is no information yet.

**c) NJDOT Road Paving Project**

Councilmember Grefrath asked what comprises Roosevelt Section 2. Mr. Senkevich said it is Palm to \$146,500, which is hopefully Old Hook Road.

**d) Landfill Phase 3B**

Councilmember Grefrath asked if there is a completion date for the chain link fence around phase 3 B. Dr. Boswell said no. The permit will be issued any day now, after which they can start work. The project will have to wrap up at some point, though. Dr. Boswell thinks the DEP will not give the Borough a hard time if the fence is installed next year. Councilmember Grefrath directed Mr. Hoffmann to put it into next year's budget process. Councilmember

Sciara asked whether the fence would go to the south and its purpose. Dr. Boswell said the gate is to keep people out of that area, but there will be a gate for access. Mr. Hoffmann said the fence is a mandate of regulatory compliance. There will need to be an ordinance to fund it, will be introduced at the April public meeting. That is also when it would be appropriate to adopt a resolution for the engineering.

**C) Council Liaison & Committee Reports**

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

**a) Budget Update**

Councilmember Phayre noted that the 2012 budget has been introduced, with the public hearing to be held on April 17.

**2) Police and OEM:**

**a) JIF Grant to Update Accreditation**

Councilmember Miller advised that there is a recertification requirement for the Police Accreditation every three years. The JIF is mindful of accreditation benefits to the community and are offering a \$25,000 grant for the recertification process. The Borough will submit a grant proposal. Mr. Hoffmann commented that this grant was something Westwood and Ridgewood lobbied for from the JIF.

**b) Shared Dispatch Update**

Councilmember Miller asked Chief Regino to review the spreadsheet analysis of the existing dispatch service and proposed shared dispatch options, including cost and service comparisons. The Governing Body was pleased overall with the report but requested numerous additions and clarifications, such as consistent order between categories on the report; whether there needs to be some type of administrator to oversee the shared dispatch center; whether services not provided under certain options would need to be replaced; inclusion of setup costs and administrative costs for shared dispatch center.

Mayor Birkner suggested a need to change the emphasis from police dispatch to public safety dispatch. All agreed.

Mayor Birkner advised that Mayor Sopkowitz is interested in having Washington Township dispatched out of Westwood as an Interlocal service. She has asked for the numbers. Mayor Birkner is prepared to detail what those costs may be, which he estimates are 44.5% of the total operating cost based on the Borough's current budget. Councilmember Miller is not opposed to hearing about such an agreement as long as it does not take away resources for reaching a decision on whether to pursue shared dispatch. Council President Waneck suggested a column be added to the analysis for the Interlocal service.

Mr. Huntington suggested the Borough gauge the level of interest from the other municipalities in shared dispatch. Council President Waneck recommended sharing the analysis with the other municipalities.

Fire Chief Hodges voiced his opinion against using County dispatch. He is concerned that the Borough's equipment and FCC licenses would have to be turned over to the County. He thanked the Governing Body for their efforts in investigating the options.

Mayor Birkner will work with Chief Regino to clean up the analysis for distribution to

the other communities. It will be transmitted to the Mayors, Councils, and Emergency Services departments, and the template made available for their use. Any comments from the Governing Body should go to the public safety committee for inclusion in the analysis. The committee will discuss garnering the interest level from the other communities.

**3) Fire and Ambulance:**

**a) Ambulance Corps Planting Ceremony**

Councilmember Sciara announced that the groundbreaking for the Ambulance Corps garden will be held on April 21<sup>st</sup>.

**b) Resolution #12 - 98: Westwood Volunteer Fire Dept. – Matters of Personnel**

Motion: Councilmember Sciara Second: Councilmember Miller

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

**4) Public Properties:**

**a) Library Update**

Council President Waneck reported that the library is moving forward with branding in the children's section. They are also moving forward with plans for the lobby renovation, but work would not commence before Taste of Westwood.

Regarding membership fees for residents of towns that have no libraries, in the past Westwood has charged \$450 per family to join the Westwood library, which was comparable to surrounding municipalities. Hillsdale has now changed its fee to \$275. Westwood Library has decided to revise its fee also to \$275.

Downloadable books are now available through the BCCLS system for use on ipad.

Mr. Hoffmann asked if any discussion has been held with the Auditors on the capital project at the library. Council President Waneck said they have left that to him, but the Board has discussed who would manage the program and the bidding process. The funds are coming from fundraisers but it is suggesting they run the project the same way the Borough does.

Councilmember Sciara commented that he and his grandchildren were at the library checking out the chicks.

**b) Brookside Park**

Council President Waneck discussed the damage to the ballfield at Brookside Park from Hurricane Irene. She suggested it could be cleaned up for the little ones to use, but the upper grades can use the new fields at Westvale. Councilmember Grefrath said it has been discussed with the Recreation Committee to some degree. Council President Waneck noted it is not budgeted to upgrade the facility. Mr. Hoffmann said the Recreation Director and DPW Superintendent are in favor of leaving the backstop up. Taking the damaged fences down now will help get ready for the summer program held there.

**c) Tier 2 / Excess Water Usage Study**

Council President Waneck said the Borough has met with auditors regarding a Tier 2 Excess

Water Usage study. This is not a revenue generator, but putting fees on excessive use. Mayor Birkner said it is a fair share cost. Council President Waneck pointed out that Woodcliff Lake is implementing a study, and Montvale has enacted ordinances. Costs went up 10% this year, so this would defray that cost. The Borough has a quote for \$15,000 to do a study to determine users and identify excess. This was not budgeted. Dr. Boswell advised he did that study for half of that cost for Paramus, which she would think means a quarter of that cost for Westwood. Mayor Birkner asked what the changes might be as far as fees received. Council President Waneck said towns are seeing \$50,000 – \$200,000 in returns. Westwood has significant users as well. She would like to issue an RFP.

**5) Land Use:**

**a) Window Painting**

Councilmember Quinn advised that the Code Official has made recommendations regarding window painting by businesses on the avenue. She anticipates the Planning Board recommending the sign ordinance be revised to include this.

The draft ordinances based on the Master Plan Reexam recommendations are being reviewed by the Borough Attorney and should be on the next work session.

**6) Health and Recreation: PG**

**a) Shade Roofs for Playground**

Councilmember Grefrath discussed a recommendation by the Recreation Director and Board to install shade roofs over the playground at Westvale. The playground is open to the sun and trees cannot be planted on the landfill cap. Mr. Hoffmann pointed out that it would be 50% reimbursable under the grant that was received for the playground. Councilmember Grefrath advised that the cost would be about \$7,000 for two roofs. Councilmember Miller observed that this should have come up as part of the budget process. Council President Waneck said it is a good idea that goes into next year's budget process. Meanwhile the pavilion is right next door for shade. Mayor Birkner commented that the roofs seem more necessary for preventing the playground equipment surfaces from becoming really hot in the sun.

**b) Veterans Park Update**

Councilmember Grefrath reported that Mr. Snieckus is preparing the bid for Veterans Park. Councilmember Grefrath has contacted the groups that were going to use triangle to let them know they can't use that quad.

**c) Memorial Bench Program**

Councilmember Grefrath announced that the Finnegan Memorial Bench has been installed and is being used by residents.

Councilmember Grefrath thanked everyone for their support and kind words on the death of his mom. Mayor Birkner offered continued condolences.

**D) Attorney's Report**

No report.

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

**1) Salary Ordinance**

Mr. Hoffmann pointed out that a draft salary ordinance was included in the agenda book for review. It will be introduced on April 17.

**2) Bridges and Culverts**

Mr. Hoffmann directed attention to the resolution on the consent agenda opposing the County's policy change on bridges and culverts.

**3) Crossing Guard Unemployment**

Mr. Hoffmann noted that there is pending legislation regarding Crossing Guard unemployment benefits. There will be a resolution regarding it on the next agenda.

**4) FEMA Update**

Mr. Hoffmann reviewed the FEMA kickoff meeting. The State OEM as grantee is asking for the contract to be signed and the resolutions authorizing appraisals and title search to be in place. Council President Waneck would like a list of the authorized costs to ensure the Borough is not liable for any expenses incurred. She asked about reimbursements and relocations, and noted that the duplication of benefits process sounds very invasive. Mr. Hoffmann said these questions and concerns were already asked of FEMA.

Councilmember Phayre asked where the 25% match is at. Mayor Birkner reported that it has been pulled from committee. The Governing Body discussed their concerns with moving forward in light of that and asked Mr. Hoffmann for his recommendation. Mr. Hoffmann recommended waiting for the funding to be in place. Mrs. Hughes agreed and added her concerns. Mayor Birkner noted that this is holding up the residents who are waiting for the buyout. He wants to expedite the process by reaching out to the Legislators to push for the match. Council President Waneck recommended advising the residents involved whether they made the list or not. Mr. Hoffmann has already drafted the letters. Mayor Birkner will draft a letter to the Legislators and Joint Budget Oversight Committee to urge speed in authorizing the match.

**5) Peddlers, Canvassers & Solicitors Fees**

Mrs. Hughes reviewed her memo on increasing fees for solicitors and peddlers to cover the cost of issuing the license. The Governing Body consensus was to move forward with the ordinance.

**6) Request for Park Uses**

Mr. Hoffmann discussed a request by the Chamber of Commerce to hold an event in the downtowns parks. They have revised their original request to include Fireman's Park and will only be using Veterans Park.

**7) Employee Handbook Update**

Mr. Hoffmann advised that the Employee Handbook included in the agenda book is due to be approved in May. Councilmember Miller asked if this is the amended version and if there are any other changes. He questioned whether it should be reviewed for changes. Mr. Hoffmann said the JIF is not recommending any changes, although the Borough could certainly review it. Councilmember Miller suggested addressing carryover of time. Mayor Birkner feels it is

more about the utilization of time, since capping already exists. He is referring to flexible utilization.

**8. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Phayre

Second: Councilmember Grefrath

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

Joseph Abou Daoud, Westwood Chamber of Commerce – explained the use of the park for their upcoming event. Mr. Abou Daoud advised that the Chamber is partnering with a marketing specialist on their events. They had a movie premier last month and will soon have another. They are working with the NFL to take advantage of the opportunities tied to the Superbowl. The Chamber is asking the town to work with their members on window painting, zoning, etc.

Joe Rivers 46 Harding Avenue – he is shocked that there is no list of the Borough's responsibility for the buyouts. Mr. Rivers said the duplication of benefits is pretty simple to do, based on proof of loss and receipts. He expressed frustration over the delay in providing the match. Mayor Birkner pointed out that it was on the table in Appropriations and was pulled at last minute, which is beyond the control of the Governing Body. He relayed that the Borough is extremely frustrated, since answers are changing every time questions are asked. Mr. Rivers said he gets different answers from the Legislators. He was told by Assemblyman Schroeder's office that an individual has the money. He asked if Mr. Hoffmann has spoken to them. Mr. Hoffmann has been told the money is in place, but then it was pulled from the last Joint Budget Oversight Committee meeting. While Mr. Rivers voiced his frustrations, he questioned why the Mayor was shaking his head. Mayor Birkner said it is in frustration, since the Borough is unaware of an identified source for the match money. He said he will speak with Assemblyman Schroeder about who that individual might be that supposedly has the money.

Mr. Rivers explained that he has an ICC claim that can be used by the town in the buyout process. Councilmember Phayre wondered if that can be used to fund that property's 25% match. Mr. Rivers expressed frustration with the delays. He feels the Borough is not promoting the buyouts. Mayor Birkner explained that the Borough is fighting for it. Council President Waneck pointed out that the grant and match will not cover all nine properties on the buyout list. Mr. Rivers asked if the Borough makes the final deciding determination. Council President Waneck said the Borough is waiting on the appraisals, but it will not be the Governing Body that makes the final decision.

**Motion to close the Agenda/Public Forum:** Councilmember Miller

Second: Councilmember Grefrath

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

**9. Ordinances on First Reading**

12-5 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Improvements to Veterans' Park And Related Expenses And Appropriating \$90,000 Therefor And Providing For The Issuance Of \$85,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

**BE IT RESOLVED** that Ordinance #12-5 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Improvements to Veterans’ Park And Related Expenses And Appropriating \$90,000 Therefor And Providing For The Issuance Of \$85,500 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 April 17, 2012 hearing date in the official newspaper according to law.

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

Second: Councilmember Quinn

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

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**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 e, i, j, k were removed at this time. There was no resolution g (list was misnumbered). Resolutions l and m were added.

**Resolutions as Consent Agenda:**

- a) **Resolution #12 - 99: Bill List & Statement of Cash**
- b) **Resolution #12 - 100: Authorizing Refund of Taxes B2001 L58**
- c) **Resolution #12 - 101: Limo License – ARA Transport**
- d) **Resolution #12 - 102: Authorize Boswell Engineering to Perform Electrical Design for Veterans Park**
- f) **Resolution #12 - 103: Opposition to Bergen County Freeholder Resolution #27-2012**
- h) **Resolution #12 - 104: Supporting Legislation Authorizing DEP to Determine Maximum Reservoir Water Levels**
- l) **Resolution #12 - 105: 2012 Renewal of Taxi/Limo Licenses - NA Limo Inc.**
- m) **Resolution #12 - 106: Use of Veterans' Park for Westwood Chamber of Commerce**

**Motion to adopt resolutions #12-99 through #12-106:** Councilmember Grefrath

Second: Council President Waneck

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

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**11. Adjournment:**

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

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

The time was 11:08 pm.

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Work Meeting of the Mayor and Council  
April 3, 2012

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk