

October 17, 2012
Regular Meeting

Minutes of a regular stated meeting of the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, held in the Court Chambers, Municipal Building on Wednesday, October 17, 2012 at 7:00 p.m. (Work Session):

Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
Absent: None
Also Present: Town Attorney Gil Garcia, Asst. Town Attorney Joseph DeMarco, Robert Russo, Deputy Town Clerk Yesenia Del Rio

Meeting commenced at 7:12 p.m.

At the request of Mayor Roque, Deputy Town Clerk Yesenia Del Rio made the following announcement:

As presiding officer of this regularly scheduled meeting of the Board of Commissioners of the Town of West New York, held on October 17, 2012 at 7:00 p.m., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 20, 2011. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

Copies are available to the public in accordance with the law.

Note: At the request of Mayor Roque, the Public Portion was moved to the beginning of the meeting. Mayor Roque opened the Public Portion.

Public Portion

1. **Carlos Betancourt 327-51st Street Apt. 2, WNY, NJ 07093**
Mr. Betancourt greeted the Mayor and Board of Commissioners and questioned Commissioner Wiley as to how the process of the informal shared services agreement was initiated. Comm. Wiley said that no WNY employee could do the job so they borrowed personnel from North Bergen and his secretary Mary Cranwell made the call to North Bergen. Mr. Betancourt inquired if his secretary had called James Wiley in North Bergen? Commissioner Wiley responded "No". Commissioner Wiley stated that the only other Mutual Aid was from the County of Hudson when they loaned us a tree chipper.
2. **Felicia Ruiz 6607 Broadway WNY, NJ 07093**
Ms. Ruiz inquired about the Crossing Guard Contract. Ms. Ruiz said that she thought it was not fair that the old Crossing Guards are only making approximately \$10 to \$10.30 per hour and have been working for many years and the new contract states that the new employees start at \$10.50 per hour and there are crossing guards at the present time not even making that amount. Mayor Roque responded that they gave the Crossing Guards more than they asked for and that he was very pleased and respected them for the hard work that they do thru all weather conditions. Town Attorney Gilberto Garcia responded that he agreed with her that all crossing guards should be at the same rate. Ms. Ruiz also stated that the uniforms and gear that they receive are made for men and are very heavy and that she had to buy her own gear. Mayor Roque told Ms. Ruiz to stay after the meeting and that he would speak to her.
3. **Wayne Cook 6131 Jackson Street WNY, NJ 07093**
Mr. Cook thanked the administration for the deaf child sign on 59th Street. He complained about all the graffiti including pictures and bad language on the 59th Street side wall of Miller Stadium. Mr. Cook asked if there was a reason why the flags were still not up at the Town Garage. Mr. Cook asked the Administration why the Hudson Hall issue was not addressed to the leader and as a team. Mayor Roque responded that he needed to educate the Commissioner and they needed to communicate with each other before going out to the media. Mr. Cook suggested that they all work together as a team to make West New York better prepared to serve the community.

October 17, 2012
Regular Meeting

Public Portion (Cont.):

4. **Marcel Plaut 5504 Grant Place WNY, NJ 07093**
Mr. Plaut commented that he has noticed a lot of graffiti thru out the town.

5. **Lara Hicks 6701 Boulevard East WNY, NJ 07093**
Ms. Hicks thanked the Administration for having the gas station cleaned up of tires. Ms. Hicks questioned on why were all the trees on 63rd Street Boulevard East by the park cut down. Commissioner Wiley responded that only weeds were cut down. Ms. Hicks also said that there were various items damaged at the park. Commissioner Wiley said he has been there on many occasions and has not seen the damage but that he will make sure to inspect the areas. Ms. Hicks commented that she has never seen him at the park. Commissioner Wiley told Ms. Hicks that if there's ever a problem to call his office and she responded that she has spoken to his secretary Ms. Cranwell four (4) times and nothing has been done. Ms. Hicks also said that Mayor Roque had responded to all her emails.

6. **Richard Rivera 408-59th Street WNY, NJ 07093**
Mr. Rivera commented on the work that was performed in Commissioner Wiley's office. He wanted to know how many hours were spent working there and how much did it cost. Mr. Rivera asked that how can \$50.00 worth of work translate to \$5,000.00 worth of work? Mayor Roque responded that it cost North Bergen Taxpayers money insulting the West New York Employees. Mr. Rivera wanted to clarify the reason for Commissioner Wiley not utilizing the West New York employees and why did he have to use North Bergen with all the issues going on in North Bergen. Mr. Rivera said that his brother is a Police Officer in town but that he would never ask of him to do anything because it would be conflict of interest. Commissioner Wiley responded that he has done nothing illegal. Mr. Rivera asked the Mayor if the Department of Public Works overtime was out of control causing a potential deficit. Mayor Roque responded that when Commissioner Wiley was the commissioner of DPW the overtime was 1600 hours. Commissioner Wiley responded that was not true and that he reduced the overtime. Mr. Rivera asked if there will be a layoff in the Department of Public Works. Mayor Roque responded that the people are hurting so he would hope for no layoffs. Mr. Rivera inquired about the status of the Barbershop Ordinance. Commissioner Rodriguez said that the residents and tax payers are concerned because the shops are staying open late, playing loud music and residents can't sleep. She said that Mr. Sabino had spoken at the last meeting and she had told him to meet with all the shop owners and set up a meeting with her and they can come up with a reasonable agreement on additional morning hours as she objected to the late hours which would affect the quality of life of the residents of the Town of West New York. Commissioner Rodriguez said no one had reached out to her to set up a meeting. Mr. Rivera advised that Eagle Recycling on Dell Avenue in North Bergen is going to be closed down due to federal violations so how can we do business with them if we have no agreement.

7. **Iliana Hernandez (no address)**
Ms. Hernandez stated that she was a Parking Authority employee who had lost her son's father and was forced out of her apartment and was living in her car with her 2 year old son. She says that she went to see the Mayor and he directed her to the Tenant Advocate attorney and he did nothing for her and that she was forced out of her apartment as of September 30. Ms. Hernandez said that she was only working 22 hours per week making it impossible for her to be able to pay her rent and support her child. A citizen, Mr. Betancourt, stood up in the audience and stated that this was a special circumstance and that she needs to be helped. Town Attorney Gilberto Garcia asked her to meet with him on Friday to make some phone calls to housing and inquire what assistance is available for her. Commissioner Wiley said to Ms. Hernandez to come and see him and that he would donate money from his organization to help her out temporarily.

8. **Patrick Cullen 72-67th Street WNY, NJ 07093**
Mr. Cullen inquired if the Noise Ordinance was passed and if so when will the signs be posted in town and the enforcement commence. Assistant Town Attorney Joseph DeMarco explained that the Police Officers are being trained with the new machines which will measure the decibel volume and if higher than allowable then violations will be issued. Mr. Cullen applauded all the Commissioners on the quality of life and said for

October 17, 2012
Regular Meeting

Public Portion (Cont.):

them to be Judicial. Mr. Cullen said that he feels that the members of the Board who are employed by the town or associated with the applicant should recuse themselves to show no bias. He stated that at the last Planning Board meeting Silvio Acosta and Cary Rodriguez abstained regarding the case of Carmen Vargas who is Commissioner Vargas's wife but that the other members did not ask to be recused. He asked if the decision can be voided and select another panel with no personal interest stating that this was not an impartial group and that he was offended as a resident, tax payer and veteran of 24 years. He told Mayor Roque to put his action behind his words and void the decision. Mayor Roque said he would have the attorneys look into this matter and see if this was a legal or ethical question. Assistant Town Attorney responded that if Mr. Cullen did not agree with the decision that he has the right to appeal. Mr. Cullen stated that he has a Master's degree and could see thru bullshit. Assistant Town Attorney Joseph DeMarco said that we will tame our language, sit and have a cup of coffee and discuss conflict of interest but explained that one board cannot overrule another board's decisions. Mr. Corso wanted to speak on Mr. Cullen's behalf on the decision of the Planning Board and was advised that this matter cannot be discussed as to he is a member of the board. Mr. Cullen objected and stated that the only interested member would've been Mr. Corso whom had voted against the decision.

9. Gary Pollack 53rd Palisade Avenue (Synagogue) WNY, NJ 07093

Mr. Pollack advised the Board of Commissioners that the Synagogue could accommodate over 50 people including men, women and children in separate areas. He has spoken to PERC regarding the available facility for the homeless and that the town can work together to make it better and be able to accommodate the homeless.

10. Caridad Morell 6206 Monroe Place WNY, NJ 07093

Ms. Morrell was complaining about the noise next to her home coming from the Lodge. She says that she made several complaints and they continue to do the same thing weekend after weekend. Ms. Morrell also complained that when the work was done in Public School #4 her home was damaged. Commissioner Rodriguez asked her if she had contacted the Board of Education and if she has called the police on the noise matter. Ms. Morell asked Police Captain Michael Zitt to confirm her claims regarding the noise at the Lodge, and Capt. Zitt confirmed her allegations.

12. Angel Barquin 432-58th Street WNY, NJ 07093

Mr. Barquin inquired about the DCA investigation of 1/2/12 as to any results on Carmen Vargas property (Commissioner Vargas' wife's house) on 67th Lincoln Place. Town Attorney Gilberto Garcia responded that there are no violations found and that the matter has been forwarded back to West New York and she is currently in the process of obtaining a variance. Mr. Barquin questioned as to the cubicles that the fire department had found in the basement. Town Attorney Gilberto Garcia responded that there were no violations found. Mr. Barquin questioned regarding Mayor Roque's property on 67th Lincoln Place which had been demolished. Mr. Barquin asked what actions were taken on the employees from the West New York Parks Department that were working on the Mayor's property on November 19, 2011 until 10pm. Mayor Roque responded that all of Mr. Barquin's answers were in the article by John Henis. Mayor Roque said that he did not approve of Mr. Pinto performing this job during town time and that is why he had reimbursed the town and would provide a copy if necessary. Mr. Barquin questioned as to Silvio Acosta's property on 5508 Grant Place. Town Attorney Gilberto Garcia responded that there were in process of being abated and that they will be applying to do the conversion.

13. David Rivera 233-59th Street WNY, NJ 07093

Mr. Rivera inquired as to Silvio Acosta code violations. Town Attorney Gilberto Garcia responded as to the procedure of the DCA involvement in said property and will be presented to the Planning and Zoning Board. Town Attorney Gilberto Garcia also responded that if in the future violations are not abated fines will be assessed. Commissioner Wiley responded that Mayor Roque is taking care of all his cronies in town and sees a lot of crime taken place.

October 17, 2012
Regular Meeting

Public Portion (Cont.):

14. Michael Caldalera 5508 Grant Place WNY, NJ 07093

Mr. Caldalera inquired as to Silvio Acosta fines. Town Attorney Gilberto Garcia responded that there were no violations. Mr. Caldalera asked as to who sent the matter to Trenton. Town Attorney Gilberto Garcia responded that the former Construction Code Official Tom O'Malley had done the right thing and Wiley was factually incorrect.

15. Carlos Reynoso 424-50th Street WNY, NJ 07093

Mr. Reynoso asked the Administration regarding Visitor Parking Permits. Commissioner Frias responded that there are 24 hour permits available to purchase outside of the Parking Authority office, which can be purchased daily, or a Resident Parking sticker which can be purchased in the Parking Authority which stickers cover you from 9pm -7am. Mr. Reynoso asked regarding pink sticker card that was once given to residents and Commissioner Frias responded that the pink cards were no longer available. Mr. Reynoso asked if there will be a possibility of bringing them back. Commissioner Frias responded that she would have to look into that.

Minutes of Previous Meeting:

It was regularly moved by Commissioner Vargas, seconded by Mayor Roque, that the Minutes of Special Meeting: 9/4/12 (Regular Session) be approved as recorded, was carried by the following vote:

YEAS	- Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
NAYS	- None
ABSENT	- None

Claims: Dated 10/17/12 (Claims are available for public inspection in the Town Clerk's Office):

It was regularly moved by Mayor Roque, seconded by Commissioner Frias that the claims be approved, was carried by the following vote:

YEAS	- Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
NAYS	- None
ABSENT	- None

October 17, 2012
Regular Meeting

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF SEPTEMBER 2012

1. From Construction Code Official Office, reporting the sum of \$ 21,414.00 Collected for the month of September, 2012.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$ 1,658.60 Collected for the month of September, 2012
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ 1,625.00 for Special Licenses collected for the month of September, 2012
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ 708.00 for Marriage/death certificates collected for the month of September, 2012
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ 20.40 for Dogs Licenses collected for the month of September, 2012,
6. From (Revenue and Finance Department) reporting the sum of \$ 1,649.067.82 collected for the month of September, 2012.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$ 3,061.00 collected for the month of September, 2012

It was regularly moved by Commissioner Vargas, seconded by Commissioner Frias, that the financial reports be approved, was carried by the following vote:

YEAS	- Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
NAYS	- None
ABSENT	- None

October 17, 2012
Regular Meeting

Communication
Re: Town Engineer Monthly Status Report dated 10/16/12

OCT 17 2012

4B



JOHN H. ALLGAIR, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.
TREVOR J. TAYLOR, P.E., P.P.
BEHRAM TURAN, P.E.

MEMO TO: Mayor and Board of Commissioners
Town of West New York

FROM: Robert J. Russo, P.E., P.P., C.M.E.
Town Engineer's Office

DATE: October 16, 2012

RE: General Engineering and Capital Project Status Report
West New York, New Jersey

- **Improvements to Fillmore Place and Dewey Avenue Parks**
 - CME Associates had prepared a proposal for providing engineering services associated with preparing site plans for the improvements to the two (2) parks. We were authorized on January 31, 2012 to proceed with the project.
 - The scope of work for the improvements to Fillmore Place Park include repairing/replacing any damaged park equipment, fencing and play surfaces and the installation of security cameras, water feature upgrades and new benches and tables. The scope of work for the improvements to Dewey Avenue Park includes a complete reconstruction of the park.
 - The project was advertised for the receipt of bids on June 28 with the bid opening on July 12. The project was awarded on September 4 to the low bidder which was Rich Picerno Builders of Kenilworth, NJ, with a bid of \$750,458.00.
 - We held a preconstruction meeting on September 12, 2012 for the project.
 - We have prepared the contracts and notice of award which have been executed by the contractor.
 - The contractor is tentatively scheduled to commence construction the week of October 22.
- **FY2012 NJDOT Municipal Aid Grant and Road Program**
 - The Town received a grant in the amount of \$280,800.00.
 - We submitted a proposal for preparing the construction plans and contract documents for the improvements to 67th Street from JFK Blvd West to Palisade Avenue. We estimate the construction cost for the project to be \$275,000.00.
 - We were authorized to perform the design work and the required survey work is scheduled for the end of this week.
- **FY2013 NJDOT Municipal Aid Grant**
 - The submittal date for the FY2013 NJDOT Municipal Aid Grant was October 16, 2012 but has been extended to October 19.
 - We prepared and submitted the application to the NJDOT for the following roads:
 - 60th Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
 - 65th Street from Broadway Avenue to Park Avenue (675')
 - 51st Street from JFK West to Bergenline Avenue (615')
 - 66th Street from Hudson Avenue to JFK East (2060')
 - The estimated construction cost for the above roads is approximately \$810,000.00.
- **Veterans Park Slope Remediation and Park Improvements**
 - As you are aware, there are currently slope erosion issues at the park which have caused the concrete pavers and fencing in various areas to settle and collapse. We have been asked to review slope remediation alternatives at the park.
 - We have reviewed various alternatives for remediating the slope in addition to reviewing options for overall park improvements.



October 17, 2012
Regular Meeting



JOHN H. ALLGAIR, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
LOUIS J. PLOS KONKA, P.E.
TREVOR J. TAYLOR, P.E., P.P.
BEHRAM TURAN, P.E.

Memo to: Mayor and Board of Commissioners
Town of West New York
October 16, 2012
Page 2 of 2

- We have prepared a preliminary two phase conceptual design for the park improvements which we have reviewed with the Mayor.
- We issued a proposal for preparing detailed conceptual plans and construction cost estimates followed by the preparation of design documents for the first phase of the project.

□ **Miscellaneous Engineering**

- **General Parks Site Review:** We have been reviewing each of the Town parks with Commissioner Wiley and the Parks Department to determine general maintenance and/or improvements required at each. We will be working with the Parks Department to assist in addressing any issues that required engineering services.
 - We had requested quotes to repair a piece of skate park equipment in Verrazano Park which had been damaged. The equipment has been repaired.
 - We have requested quotes from fence contractors to repair the damaged fence at the entrance to Miller Park. We issued a letter regarding same.
 - We contacted Rubberecycle regarding repairing the rubber surface under the swing sets at Verrazano Park. They made the repair last week and also provide wear mats for the swing sets and slides. It should be noted that the contractor did not charge the Town for the repairs.
- **Tax Map Revisions:** With regard to our proposal for updating the Town Tax Maps, we have reached out to Mr. Jaeger to discuss same. There are three levels of updates to the tax maps that can be performed. A general update, a revaluation and a recertification. Mr. Jaeger has stated that the tax maps will require updating for a revaluation process. Mr. Jaeger had submitted the current tax maps to the State for review and comment; however, since the tax maps have not been updated in over 20 years, the State would not review same until they are updated. We have reviewed the extent of the changes that have occurred since the last update and prepared a proposal to perform an update of the tax maps and submittal to the State.
- **54th Street Sinkhole Repair:** We reviewed a sinkhole at 599 54th Street and coordinated the emergency repair of same. It appears a broken sanitary sewer lateral for the building at 599 54th Street was the cause of the sinkhole. The lateral and roadway were repaired on October 2, 2012.
- **Intersection of 61st Street and Jackson Street Traffic Signal:** We were asked to review the intersection due to a recent accident. We met with Sgt. Cocciadiferro, Traffic Safety Officer, to discuss the intersection and also obtained accident data for same. We have issued a report with recommendations. We are reviewing options for the installation of bollards at the intersection.
- **Pedro Labarta vs. Town of West New York:** At the request of Ms. Niti Raval, Esq., of Florio and Kenny, LLP, we reviewed the Town Ordinances and the liability reports submitted by the co-defendant and plaintiff with regard to this case. We issued a letter with regard to same. We also attended a deposition on October 15, 2012, with regard to the case.



October 17, 2012
Regular Meeting

Proclamation
Honoring Michael R. Parkes

Whereas, the Mayor and Board of Commissioners of the Town of West New York being ever so mindful of the contributions of the townspeople of the Town of West New York and recognizing their duties and obligations to honor all individuals on behalf of the townspeople of the Town of West New York

WHEREAS, Michael R. Parkes was born, raised and educated in the Town of West New York, where he has lived and worked for many years; and

WHEREAS, Michael R. Parkes is a businessman who has been in the jewelry business for 41 years and is the owner of Michael's Jewelers; and

WHEREAS, Michael R. Parkes is a member of the Chamber of Commerce, is also past president of the W.N.Y. Kiwanis Club and is currently a Little League Sponsor; and

WHEREAS, Michael R. Parkes has worked for the Town of West New York in the capacity of Coordinator of the W.N.Y. Urban Enterprise Zone, served as Chairman of the Alcohol Beverage Control Board, and now intends to retire;

NOW, THEREFORE, I, Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby honor Michael R. Parkes in the Town of West New York and hereby express our best wishes and congratulations and continued success in his future endeavors.

Consent Agenda

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following Consent Agenda Item Nos. R-1 through R-4, R-6 through R-21 and R-26 through R-30 be adopted, was carried by the following vote:

YEAS	- Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
NAYS	- None
ABSENT	- None

Note: Resolutions #R-5, R-22, R-23, R-24, R-25 and R-31 were not included on consent agenda and individual votes were taken.

Resolution
Re: Refund of Deposit Pursuant
to Ordinance #4/96 (Filming Permit)

WHEREAS, Ordinance No. 4/96 entitled "Permit to Film or Photograph on Public Lands" requires a deposit of \$1,000.00 to be deposited with the Town Clerk's Office; and

WHEREAS, said \$1,000.00 deposit was deposited with the Town Clerk's Office for filming on 9/19/12; and

WHEREAS, said Ordinance has been complied with;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of West New York hereby authorizes the Revenue & Finance Department to refund said \$1,000.00 deposit to: NFGTV, 220 12th Avenue New York, New York 10001 Attention: Brent Walker

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Refund of Deposit Pursuant
to Ordinance #4/96 (Filming Permit)

WHEREAS, Ordinance No. 4/96 entitled "Permit to Film or Photograph on Public Lands" requires a deposit of \$1,000.00 to be deposited with the Town Clerk's Office; and

WHEREAS, said \$1,000.00 deposit was deposited with the Town Clerk's Office for filming on 9/19/12; and

WHEREAS, said Ordinance has been complied with;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of West New York hereby authorizes the Revenue & Finance Department to refund said \$1,000.00 deposit to: Majestic Hour Production, Inc. 159 West 53rd Street Suite 20C, New York, New York 10019 Attention: Teddy Yoon

RESOLUTION
Re: Dedicating 66th & Palisade Avenue to Mario Malavasi

WHEREAS, the Mayor and Board of Commissioners of West New York being so mindful of the contributions of the townspeople of the Town of West New York and recognizing their duties and obligations to honor all individuals on behalf of the townspeople of the Town of West New York; and

WHEREAS, Mario Malavasi served the Town of West New York as a Democratic County Committeeman, an Auxiliary Police Officer, baseball coach and sponsored numerous events for children for many years after having proudly served his Country in World War II; and

WHEREAS, Mario Malavasi touched the lives of hundreds, if not thousands of youth in a positive way by starting the "Coats for Kids" program in 1995 which provided coats to children whose parents could not afford to purchase same; and

WHEREAS, Mario Malavasi was a local businessman and operated several businesses within the Town of West New York including but not limited to Kay's Corner at 6601 Palisade Avenue and was a lifelong resident of the Town before he departed this life on July 20, 2011.

NOW, THEREFORE, BE IT RESOLVED by Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York that the corner of 66th and Palisade Avenue be renamed to honor one of West New York's true heroes, Mario Malavasi.

RESOLUTION
Re: Dedicating 60th Street between Hudson Avenue & Palisade Avenue
to Dr. Jose R. Roque

WHEREAS, the Mayor and Board of Commissioners of West New York being so mindful of the contributions of the townspeople of the Town of West New York and recognizing their duties and obligations to honor all individuals on behalf of the townspeople of the Town of West New York; and

WHEREAS, Dr. Jose R. Roque was born in the little Town of Las Villas in Placetas, Cuba. He served in the Town of West New York as doctor since he came from Cuba in the 1960's. He was one of the first Cuban doctors to work in the United States. He started his medical practice at 531-35th Street in Union City, then came to practice on 60th Street; and

WHEREAS, Dr. Jose R. Roque encouraged many residents in the community to seek a good education and employment. He gave a lot of medical care to patients without charging them. He has always been humble, helpful and well respected by his colleagues; and

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

NOW, THEREFORE, BE IT RESOLVED by Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York that 60th Street between Hudson Avenue and Palisade Avenue be renamed to honor one of West New York's dedicated in the field of medicine, Dr. Jose R. Roque.

Resolution
Re: Appointing a Safety Delegate and Alternate Safety Delegate

WHEREAS, vacancies exist for Safety Delegate and Alternate Safety Delegate on the New Jersey Municipal Self Insurers' Joint Insurance Fund of the Town of West New York and there is a need to appoint persons to said positions;

NOW THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, that the following individuals be appointed to serve as representatives to the New Jersey Municipal Self Insurers' Joint Insurance Fund:

Safety Delegate: Lewis Cannao
Alternate Safety Delegate: James Silberg

Be it further resolved that a certified copy of this resolution be forwarded to the administrators of the New Jersey Municipal Self Insurers' Joint Insurance Fund, the Safety Delegate and the Alternate Safety Delegate.

Resolution
Re: Appointment of One (1) Member as
Insurance Fund Commissioner of the Town of West New York

Whereas, an Insurance Fund Commission was established by Ordinance #45/95; and

Whereas, Ordinance #45/95 provided for the appointment of three (3) members to serve a term of two (2) years; and

Whereas, one (1) vacancy exists;

Now, Therefore, Be It Resolved by the Mayor and Board of Commissioners of the Town of West New York that the following persons are hereby appointed as Members of the Insurance Fund Commission of the Town of West New York:

Margaret Cherone (Chief Financial Officer) Term: 10/17/12 – 10/16/13

Resolution
Re: Appointing a Fund Commissioner
and Alternate Fund Commissioner to the
New Jersey Municipal Self Insurers' Joint Insurance Fund

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, Hudson County, State of New Jersey that the following individuals be appointed, effective October 17, 2012, to serve as representatives to the New Jersey Municipal Self Insurers' Joint Insurance Fund:

1. Fund Commissioner: Margaret Cherone
2. Alternate Fund Commissioner: Nelson Diaz

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the administrators of the New Jersey Municipal Self Insurers' Joint Insurance Fund, the fund commissioner and the alternate fund commissioner.

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Cancellation of stale dated Liability Checks

WHEREAS, the Chief Financial Officer of the Town of West New York has identified the following checks to be stale in the liability account *****1189, and;

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks totaling \$63,400.70 which are dated prior to December 31, 2011:

Check Date	Check #	Name	Amount
01/09/2009	8247	Doener & Goldberg	\$ 115.95
06/29/2010	9066	Florio & Kenny LLP	\$10,431.09
06/29/2010	9067	Florio & Kenny LLP	\$43,085.33
06/29/2010	9068	Florio & Kenny LLP	\$ 2,923.09
06/29/2010	9070	Florio & Kenny LLP	\$ 2,495.02
07/29/2010	9072	Florio & Kenny LLP	\$ 4,350.22

WHEREAS, the balances so cancelled shall be returned to general fund.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson that all balances as per aforesaid list shall be returned to the general fund.

Resolution
Re: Cancellation of stale dated Payroll Checks and Other Payroll Account Adjustments

WHEREAS, the Chief Financial Officer of the Town of West New York has identified the following checks to be stale in the payroll account *****4567, and;

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks totaling \$315.55 which are dated prior to December 31, 2011:

Check Date	Check #	Name	Amount
6/24/2009	11607	Jorge Rosero	\$ 0.18
7/08/2009	12277	Antonio Santana	\$287.47
4/14/2010	16493	Harold Demellier	\$ 0.89
6/23/2010	17537	Zavier Atencio	\$ 27.01

NOW THEREFORE BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York, County of Hudson that all balances as per aforesaid list shall be treated as Miscellaneous Revenue Not Anticipated, as to the Current Fund bank statement reconciliation.

Resolution
Re: Cancellation of stale dated Workman's Compensation Checks

WHEREAS, the Chief Financial Officer of the Town of West New York has identified the following checks to be stale in the Insurance Fund Commission Workman's Compensation Account *****1176, and;

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks totaling \$8,429.37 which are dated prior to December 31, 2011:

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

Check Date	Check #	Name	Amount
10/27/2008	51300	Tranzlations Inc	\$ 150.00
01/09/2009	51345	Pain Relief Center	\$ 150.00
01/09/2009	51375	Athletico Ltd	\$ 377.37
01/09/2009	51386	Consolidated Serv.Group	\$2,177.88
01/19/2009	52013	Athletico Ltd	\$ 241.58
04/16/2009	52090	Consolidated Group	\$ 664.38
08/24/2009	52247	Genex Services Inc	\$ 575.00
08/19/2010	52644	Global Court Reporting	\$ 85.00
08/19/2010	52647	Global Court Reporting	\$ 428.16
09/16/2010	52674	Kipnis Physical Therapy	\$2,425.00
09/16/2010	52683	Kipnis Physical Therapy	\$1,155.00

WHEREAS, the balances so cancelled shall be returned to general fund.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson that all balances as per aforesaid list shall be returned to the general fund.

Resolution

**Re: Declaration of Special Event for “West New York Police Athletic League
2012 Fall Fest Carnival” on October 19 and 20, 2012 in Miller Stadium**

WHEREAS, the West New York Police Athletic League also known as “WNY PAL” has made application for a Special Event Permit pursuant to Chapter 254-2 of the Code of the Town of West New York to hold a Carnival at Miller Stadium to raise funds for sports and educational programs, as well as positive life structuring, mentoring and other vital activities for the youth of our Town; and

WHEREAS, the holding of such Carnival is good for the general welfare of the community and otherwise in the best interests of the community;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that a special event is hereby approved as “WNY Police Athletic League 2012 Fall Fest Carnival” on October 19, 2012 during the hours of 5:00 p.m. and 10:00 p.m. and October 20, 2012 during the hours of 12:00 p.m. and 10:00 p.m. in Miller Stadium, located at 57th and Jackson Street. (The rain date shall be October 21, 2012 during the hours of 12:00 p.m. and 10:00 p.m.)

BE IT FURTHER RESOLVED that all necessary municipal officials are hereby authorized to take such actions as may be necessary, and if applicable, to effectuate the holding of the above event including but not limited to sale of food, parking, traffic, etc. as may be necessary to prepare and host the event.

This resolution shall not be read to suspend any ordinance, the suspension of which would act to the detriment of the public safety as determined by appropriate Town officials.

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

Resolution
Re: Bingo & Raffles

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the following applications for Bingo/Raffles are hereby granted:

<u>Name</u>	<u>Date</u>	<u>License #</u>
Laymen & Laywomen's Action Club 6401 Palisade Avenue West New York, NJ 07093 (50/50 Raffle off premise)	December 31, 2012	RL 1826

Resolution
Re: APPROVING THE CORRECTIVE ACTION PLAN FOR THE
FISCAL YEAR 2011 AUDIT REPORT

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file a "Corrective Action Plan", attached hereto, outlining the actions to be taken by the Town relative to the findings and recommendations in the annual audit report; and

WHEREAS, the "Corrective Action Plan" shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

WHEREAS, the governing body is required by resolution, to approve the "Corrective Action Plan"; and

WHEREAS, the "Corrective Action Plan" as prepared by the Chief Financial and approved by the governing body, shall be placed on file and made available for public inspection in the office of the Town Clerk.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey that it hereby approves the "Corrective Action Plan" for the fiscal year 2011 Audit Report submitted by the Chief Financial Officer.

Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
6109 Jefferson Street (Laura Carlone)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
1.	Laura Carlone 6109 Jefferson St West New York, NJ 07093	West	Begin at a point along the West side of Jefferson St. 100ft. North from the North west Corner of (61 st & Jefferson St.) Then 22 feet there from

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

Resolution

Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
42-51st Street #15 (Ruth DiPalma)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
1.	Ruth DiPalma 42-51 st Street #15 West New York, NJ 07093	North	Begin at a point along the north side of 51 st Street and Park Ave., 88ft. east from the North east corner of (51 st & Park Avenue) Then 22 feet there from

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

Resolution

Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
125-62nd Street, #2 (Reynaldo Martinez)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
1.	Reynaldo Martinez 125-62 nd Street #2 West New York, NJ 07093	North	Begin at a point along the north side of 62 nd & 15ft east from the North East corner of (62 nd St. & Buchanan Place) Then 22 feet there from

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

Resolution

Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the retention of Various Legal/Professional Services

Whereas, N.J.S.A. 19:44A-20.4 et seq. mandates a municipality to comply with Pay to Play requirements; and

Whereas the Mayor and Board of Commissioners wish to receive and consider proposals for legal services as may be needed by the Town of West New York, including but not limited to legal/professional services as:

- Zoning Board Attorney
- Library Board Attorney

Whereas, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services, including legal/professional services,

Now therefore be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for the for various legal/professional services as may be needed by the Town, for each separate board or entity requiring separate legal counsel including but not limited to:
 - Zoning Board Attorney
 - Library Board Attorney
3. Such Request for Qualification(s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance of the opening of the responses to the Requests for Qualifications received ("Statements of Qualifications"), such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
4. A Review Committee is established consisting of the Mayor as Director of the Department of Public Safety, the Municipal Administrator, and the Town Attorney, as appropriate, to review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior at its next regularly scheduled meeting.

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

Resolution

Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the retention of Various Legal/Professional Services

Whereas, N.J.S.A. 19:44A-20.4 et seq. mandates a municipality to comply with Pay to Play requirements; and

Whereas the Mayor and Board of Commissioners wish to receive and consider proposals for legal services as may be needed by the Town of West New York, including but not limited to legal/professional services as:

- A.B.C. Board Prosecutor
- Professional Auditing Services
- Bond Counsel/Legal Services
- Planning Board Attorney
- Labor Counsel
- Legal Liability Counsel
- Legal Liability Special Counsel
- Professional Planning Services
- Tenant Advocacy Attorney
- Rent Control Board Attorney
- Town Engineer
- Workmen's Compensation Attorney
- Tax Appeals Attorney
- Assistant Town Attorney
- Staff Attorney
- Insurance Fund Administrator
- Public Defender

Whereas, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services, including legal/professional services,

Now therefore be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for the for various legal/professional services as may be needed by the Town, for each separate board or entity requiring separate legal counsel including but not limited to:
 - A.B.C. Board Prosecutor
 - Professional Auditing Services
 - Bond Counsel/Legal Services
 - Planning Board Attorney
 - Labor Counsel
 - Legal Liability Counsel
 - Legal Liability Special Counsel
 - Professional Planning Services
 - Tenant Advocacy Attorney
 - Rent Control Board Attorney
 - Town Engineer
 - Workmen's Compensation Attorney
 - Tax Appeals Attorney
 - Assistant Town Attorney
 - Staff Attorney
 - Insurance Fund Administrator
 - Public Defender

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

5. Such Request for Qualification(s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”), such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
6. A Review Committee is established consisting of the Mayor as Director of the Department of Public Safety, the Municipal Administrator, and the Town Attorney, as appropriate, to review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior at its next regularly scheduled meeting.

RESOLUTION

Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the creation of a Micro Loan Program (2nd Occasion)

Whereas, N.J.S.A. 19:44A-20.5 et seq. mandates a municipality to comply with Pay to Play requirements; and

Whereas the Mayor and Board of Commissioners wish to receive and consider proposals from qualified lenders or financial institutions to create a Micro Loan Program to serve the residents and businesses within the Town of West New York; and

Whereas, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services,

Now Therefore Be It Resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for qualifications for financial services as may be needed by the Town, either together, separately, or otherwise in the following areas, creation and maintenance of a Micro Loan Program (2nd Occasion), in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received, on or before which time all Proposals must be submitted by interested parties, for consideration by the Review Committee herein established; and
3. A Review Committee is established consisting of the Mayor, the Commissioner of Revenue and Finance, and the Town Attorney, to review all Proposals and to make recommendations to the Mayor and Board of Commissioners.

RESOLUTION

Re: APPOINTING CARIDAD PARETS TO THE ZONING BOARD OF ADJUSTMENT

Whereas, the Mayor and Board of Commissioners wish to fill the unexpired term of Jason Gonzalez on the West New York Zoning Board of Adjustment; and

Whereas, the Mayor and Board of Commissioners wish to appoint Caridad Paretts to the unexpired term of Jason Gonzalez on the West New York Zoning Board of Adjustment

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Caridad Paretts be and hereby is appointed to the unexpired term of Jason Gonzalez on the West New York Zoning Board of Adjustment.

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Refund of Overpayment of Taxes (\$3,202.62)

WHEREAS, taxes and interest with respect to the following properties have been inadvertently overpaid in the amounts hereafter stated, and;

WHEREAS, it is necessary to make appropriate refunds for such overpayments;

NOW, THEREFORE BE IT RESOLVED that the following refunds be made with respect to the designated properties and the Collector of Taxes be and she is Hereby authorized to adjust her records accordingly.

NAME	BLOCK/LOT	AMOUNT	YEAR
Wells Fargo	110/5 C0406	\$764.56	2010
BAC Tax Services Corp.	33/34 C001D	\$317.30	2012
Luna Rafael	97/8	\$211.23	2012
Dantone, Vincent & Courtney	42/41 C0008	\$1,140.50	2011
Sinchi, Luis & Digna	98/34	\$420.38	2012
Zubiaga, Julissa & Juan	143/16.02	\$348.65	2012
	GRAND TOTAL	\$3,202.62	

RESOLUTION

Re: Tax Correction (Various locations)

WHEREAS, there is an overpayment on the 4th quarter 2011 Tax Bill in the amount of \$806.41 on property located at 6309 Jackson Street A/K/A block 157 lot 18.02 and;

WHEREAS, the taxpayer is requesting the credit to be moved to credit their 3rd quarter 2013 Tax Bill.

THEREFORE, the Tax Collector is hereby authorized to move the said overpayments and to adjust the tax records accordingly.

RESOLUTION

Re: Refund of Tax Lien Redemptions (\$616,691.46)

WHEREAS, the investor named below has previously purchased a Tax Sale Certificate from the Town of West New York; and

WHEREAS, the Collector of Taxes for the said Tax Sale Certificates has received the full amount for redemption pursuant to N.J.S.A. 54:5-60.

WHEREAS, the certificate has now been redeemed and the investor is entitled to a refund of said redemption amounts pursuant to N.J.S.A. 54:5-58.

NOW, THEREFORE, BE IT RESOLVED that said redemption amounts be paid to the investors in the following amounts, and the Collector of Taxes is hereby authorized to issue said refunds.

**October 17, 2012
Regular Meeting**

**Consent Agenda (Cont.):
Resolution (Cont.):**

Name	Block/lot	Cert#	Amount
PLYM PK. TAX SRVS.	159/18	09-225	\$15,820.12
MACWCP II LLC THOMAS G. HOWELL	159/19	09-226	\$3,194.57
DEFINED CAPITAL,LLC	168.01/1.25 C0009	11-0387	\$19,816.83
ISAAC MORADI	74/1 C0012 5/11 C0002	11-0197 11-0006	\$485.86 \$2,494.69
US BK. AS CUST FOR ATR FD-NJ & CAP1	109/22 C0201	11-0279	\$975.57
U.S. BANK CUST FOR CRESTAR CAPITAL	19/4 C0008	10-033	\$2,966.29
PAM INVESTORS	5/32 CGA12	11-0030	\$790.05
TOWER LIEN, LLC	122/4	10-207	\$351,838.81
US BK. AS CUST. FOR ATR FD-NJ & CAP1	122/4	11-0298	\$36,603.17
U.S. BANK,CUS FOR EMPIRE TAX FD.	46/21	10-092	\$30,748.07
R. ROTHMAN	46/21 46/22 46/24	11-0130 10-093 10-095	\$26,924.99 \$54,419.51 \$57,827.91
MTAG SVC. AS CUST	72/30	11-0194	\$11,785.02
		GRAND TOTAL	\$616,691.46

RESOLUTION

Re: Tax Correction (6309 Jackson Street)

WHEREAS, there is an overpayment on the 4th quarter 2011 Tax Bill in the amount of \$806.41 on property located at 6309 Jackson Street A/K/A block 157 lot 18.02 and;

WHEREAS, the taxpayer is requesting the credit to be moved to credit their 3rd quarter 2013 Tax Bill.

THEREFORE, the Tax Collector is hereby authorized to move the said overpayments and to adjust the tax records accordingly.

RESOLUTION

Re: Refund of Tax Lien Premiums (\$15,200.00)

WHEREAS, the investor named below has previously purchased a Tax Sale Certificate from the Town of West New York; and

WHEREAS, the investor paid a premium to the Collector of Taxes for said Tax Sale Certificate at the time of the sale; and

WHEREAS, the certificate has now been redeemed and the investor is entitled to a refund of said premium pursuant to N.J.S.A. 54:5-33.

October 17, 2012
Regular Meeting

Consent Agenda (Cont.):
Resolution (Cont.):

NOW, THEREFORE, BE IT RESOLVED that said premium be paid to the investors in the following amounts, and the Department of Revenue and Finance is hereby, authorized to issue said refund.

NAME	BLOCK/LOT	CERT. #	AMOUNT
PLYM PK. TAX SRVS.	159/18	09-225	\$2,400.00
MACWCP II LLC THOMAS G. HOWELL	159/19	09-226	\$2,300.00
U.S. BANK CUST FOR CRESTAR CAPITAL	19/4 C0008	10-033	\$300.00
U.S. BANK,CUS FOR EMPIRE TAX FD.	46/21	10-092	\$3,000.00
US BK. AS CUST FOR ATR FD-NJ & CAP1	122/4	11-0298	\$2,500.00
TOWER LIEN,LLC	122/4	10-207	\$100.00
MTAG SVC. AS CUST FOR ATCF II NJ LLC	72/30	11-0194	\$4,600.00
		GRAND TOTAL	\$15,200.00

October 17, 2012
Regular Meeting

Resolution
Re: Authorizing the hiring of various Municipal Employees

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York have previously passed a resolution declaring a hiring freeze in the Town of West New York, NJ; and

WHEREAS, due to retirement, illness and other various reasons vacancies exist within the town; and

WHEREAS, in order to promote the efficient operation of the town and to provide for the public's safety and well-being it has been deemed necessary to hire new employees to fill the current vacancy's; and

WHEREAS, various Commissioners have requested that the following individuals be hired;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York that the Municipal Administrator is authorized to offer employment to the following individuals;

1. Wayne Cook (Seasonal Employee) Recreation Department
2. Silvia Velasquez (part-time hourly clerk) Library
3. Maria Guevara (part-time hourly clerk) Library
4. Julio Garcia (part-time hourly laborer) Department of Public Works
5. Antonio Santana (part-time hourly laborer) Department of Public Works
6. Robert Berger (part-time hourly laborer) Department of Public Works

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas to adopt the foregoing Resolution, was carried by the following vote:

YEAS	- Commissioners Frias, Rodriguez, Vargas, and Mayor Roque
NAYS	- None
ABSENT	- None
ABSTAIN	- Commissioner Wiley

Note: Commissioner Wiley questioned the list of employees to be hired for the Parks Department. He commented that he has the right to his department as to who he can hire and since July 2012 he has requested to hire people from a list. Commissioner Wiley said that he's been short handed in his department since he took over the Parks Department. (Commissioner Wiley, Mayor Roque and people from the audience were talking at the same time making it very difficult to take notes.)

RESOLUTION
RE: APPOINTING AIDA ROQUE TO THE PLANNING BOARD

Whereas, the Mayor wishes to fill the unexpired term of William Parkinson on the West New York Planning Board; and

Whereas, the Mayor wishes to appoint Aida Roque to the unexpired term William Parkinson on the West New York Planning Board

Now, therefore, be it resolved that the Mayor be and hereby appoints Aida Roque to the unexpired term of William Parkinson on the West New York Planning Board.

October 17, 2012
Regular Meeting

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas to adopt the foregoing Resolution, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Vargas
NAYS - None
ABSENT - None
ABSTAIN - Commissioner Wiley and Mayor Roque

Note: Commissioner Wiley commented that passing this Resolution would be unethical and that it would be a conflict of interest being that it is Mayor Roque's sister.

RESOLUTION
RE: REORGANIZING THE PARKS AND PUBLIC PROPERTY DEPARTMENT

Whereas, the Mayor and Board of Commissioners wish to reorganize the parks and public property department of the Town of West New York; and

Whereas, the Mayor and Board of Commissioners wish to consolidate the Parks and Public Property Department with the Department of Public Works;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Parks and Public Property Department be and is hereby consolidated with the Department of Public Works.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas to adopt the foregoing Resolution, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Vargas and Mayor Roque
NAYS - Commissioner Wiley
ABSENT - None

Note: Commissioner Wiley commented that this is illegal and that if this Resolution is adopted; he will be forced to file a lawsuit against the Board of Commissioners, which will have to answer to the taxpayers and the residents of West New York. Commissioner Wiley stated that he has done a great job in both of the Departments in which he has been a Commissioner. Commissioner Wiley read sections from the Walsh Act.

Resolution
Re: Authorizing a month to month Contract with Revenue Guard for the collection and billing of Emergency Medical Services provided by the Town of West New York

WHEREAS, the Town of West New York has previously entered into a contract with Revenue Guard for collection and billing of Emergency Medical Services provided by the Town; and

WHEREAS, the current contract for billing and collection services has expired; and

WHEREAS, in order insure the efficient operation of the Emergency Medical Services provided by the Town it is necessary to hire a contractor for billing.

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute an amended agreement with the Revenue Guard for the aforementioned services on a month to month basis.

October 17, 2012
Regular Meeting

It was regularly moved by Mayor Roque, seconded by Commissioner Frias to adopt the foregoing Resolution, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
NAYS - None
ABSENT - None

RESOLUTION
RE: PERMITTING HUDSON HALL TO REMAIN OPEN

Whereas, the Mayor and Board of Commissioners wish to keep Hudson Hall open as it is in the best interests of the Town of West New York's citizens; and

Whereas, there are presently issues related to pest infestation within Hudson Hall that need to be addressed; and

Whereas, the Board of Commissioners of the Town of West New York wish to address said pest infestation issues as expeditiously as possible, and hereby authorize the appropriate Town official to obtain quotes and award the contract to a company to address said issues;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Hudson Hall be and is permitted to remain open and the appropriate Town official be and hereby is to permitted to solicit quotes and award a contract to the appropriate pest infestation company to address any issues they may find within the building.

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez to adopt the foregoing Resolution, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Vargas and Mayor Roque
NAYS - None
ABSENT - None
ABSTAIN - Commissioner Wiley

Note: **Commissioner Wiley commented that he did what he needed to do as the Commissioner and that he wanted his name cleared if anything should happen. Commissioner Wiley read a report submitted by Birdsall Engineering. He said that there was a rodent problem on the 4th floor and the basement of Hudson Hall and asbestos in the basement. Commissioner Wiley expressed concerns regarding the Senior Citizens eating meals there and that he is concerned for the safety of the people due to all the violations that were found and that no one should be put at risk. Assistant Town Attorney Joseph DeMarco responded that an Action Plan was issued and that the matter will be taken care of.**

RESOLUTION
RE: CENSURING COMMISSIONER WILEY FOR CONDUCT
UNBECOMING AN ELECTED OFFICIAL

Whereas, the Mayor and Board of Commissioners wish to voice their disapproval with regard to actions that have been engaged in by sitting Commissioner Count Wiley; and

Whereas, it is essential for elected officials to maintain the highest degree of ethical conduct while in public office; and

Whereas, Commissioner Wiley had admitted that he has utilized DPW workers from the Town of North Bergen, where his father was the former Superintendent of Public Works to engage in work related activity in his Town Hall office in the Town of West New York; and

October 17, 2012

Regular Meeting

Whereas Commissioner Wiley has misrepresented a material fact to the public by stating that the work admittedly performed by Town of North Bergen DPW employees was part of a shared services agreement where there was no shared services agreement approved by the Board of Commissioners of the Town of West New York; and

Whereas, this conduct not only cheats the taxpayers of the Town of North Bergen wherein their tax dollars are being improperly spent on work being performed in another municipality, but is disrespectful to the high ethical values held by other elected officials; and

Whereas, the Commissioner's conduct also jeopardizes the taxpayers of the Town of West New York for work being performed by unauthorized out of town employees for a number of reasons; and

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Commissioner Count Wiley be and hereby is censured for conduct unbecoming a Commissioner, as the Mayor and Board of Commissioners wish to voice their disapproval of his illegal, inappropriate and unethical activity, and place their objections on the record for all of the residents of the Town of West New York to see.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Frias to adopt the foregoing Resolution, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Vargas and Mayor Roque
NAYS - Commissioner Wiley
ABSENT - None

Note: Mayor Roque read aloud this Resolution in its entirety. Commissioner Wiley responded that he has done nothing illegal and in fact the one who was indicted was the Mayor and his son.

ORDINANCE #34/12

AN ORDINANCE AMENDING CHAPTER 352 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "STREETS AND SIDEWALKS"

Note: Deputy Town Clerk Yesenia DelRio read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Frias, seconded by Commissioner Vargas to adopt the introduction of the foregoing Ordinance, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
NAYS - None
ABSENT - None

Notice
Ordinance #34/12

AN ORDINANCE AMENDING CHAPTER 352 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "STREETS AND SIDEWALKS"

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on October 17, 2012 and ordered published, and will be further considered before final passage at a public hearing on November 19, 2012 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Deputy Town Clerk read the foregoing Notice aloud.
October 17, 2012

Regular Meeting

ORDINANCE #35/12

AN ORDINANCE AMENDING CHAPTER 312 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “RENT CONTROL”

Note: Deputy Town Clerk Yesenia Del Rio read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Frias, seconded by Commissioner Vargas to adopt the introduction of the foregoing Ordinance, was carried by the following vote:

- YEAS - Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
- NAYS - None
- ABSENT - None

Notice
Ordinance #35/12

AN ORDINANCE AMENDING CHAPTER 312 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “RENT CONTROL”

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on October 17, 2012 and ordered published, and will be further considered before final passage at a public hearing on November 19, 2012 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Deputy Town Clerk read the foregoing Notice aloud.

A motion was made by Commissioner Frias, seconded by Mayor Roque, **to adjourn the meeting at 9:13 p.m.**, was carried by the following vote:

- YEAS - Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
- NAYS - None
- ABSENT - None

Commissioner FiorD’Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Yesenia Del Rio, Deputy Town Clerk