

June 20, 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, June 20, 2012 at 12:00p.m. (No Work Session):

Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
Absent: None
Also Present: Town Attorney Gil Garcia, Asst. Town Attorney Joseph DeMarco and Town Clerk Carmela Riccie

Meeting commenced at 12:13 p.m.

At the request of Mayor Roque, Town Clerk Carmela Riccie 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 June 20, 2012 at 12:00 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: Comm. Wiley requested a moment of silence for town employee, Nicholas Saccone, who passed away suddenly. Comm. Wiley commented that he was 34 years old and meant a lot to him and the Town.

Minutes of Previous Meeting:

It was regularly moved by Commissioner Frias, seconded by Mayor Roque, that the Minutes of Regular Meeting: 5/16/12 (Regular and Work Session) and 5/30/12 (Special Meeting 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 6/20/12 (Claims are available for public inspection in the Town Clerk's Office):

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas that the claims be approved, was carried by the following vote:

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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF MAY 2012

1. From Construction Code Official Office, reporting the sum of \$29,253.00 Collected for the month of May, 2012.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$2,751.15 Collected for the month of May, 2012
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$13,310.00 for Special Licenses collected for the month of May, 2012
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$824.00 for Marriage/death certificates collected for the month of May, 2012
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$510.00 for Dogs Licenses collected for the month of May, 2012,
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$11,993,558.01 collected for the month May, 2012.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$70.95 collected for the month of May, 2012

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque, 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

Note: **At this point, Town Engineer Robert Russo (C.M.E. Associates) presented his monthly report dated 6/18/12 to the governing body (See report attached hereto at end of Minutes).**

Comm. Frias made a slide show presentation regarding recent Health Fair held on 4/12/12 and Job Fair (See Handout attached hereto at end of Minutes).

Proclamation
Re: Honoring Jorge Valls Arango

Jorge Valls Arango, fundador del Directorio Revolucionario Cubano, el triunfo de la revolucion le sorprende en Mexico donde se encontraba exiliado y regresa a Cuba, pero de inmediato se da cuenta de que sus ideas no van acorde con las ideas de la revolucion oponiendose con dignidad y enteresa, lo que lo lleva a ir al presidio politico por 2 decadas, siendo uno de los primeros en ofrecer su cuerpo a los golpes, maltratos y crueldades de la dictadura cubana. Sale de la carcel en 1984 directamente al exilio desarrollando una intensa labor en organizaciones politicas, sindicales y de derechos humanos.

Fruto de su sabiduria y de su intensa experiencia son los libros de memorias como “Veinte Anos y cuarenta dias” y “Mi enemigo, mi hermano” o de poesias como “Donde estoy no hay luz y esta enrejados”, Coloquio del Azogamineto”, “El Elefante Blanco”, un libro de ensayos como “Filo, Contrafilo y Punta” y una obra de teatro muy conocida por el exilio cubano “Los perros jibaros”. En este momento no solo queremos reconocer al intellectual sino tambien al hombre que ha hecho de su vida un monumento a la libertad y a la dignidad humano, Jorge Valls a su manera sabia y tranquila es Cuba o al menos representa lo mejor que podemos esperar de ese pais, de su capacidad de residencia y regeneracion, Valls es ademas un ser libre en una dimension ue cuesta trabajo imaginar pero que es facil de apreciar y agradecer, para concluir hay que destacar que donde quiera que esta Jorge Valls se encuentra Cuba.

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Proclamation
Re: Honoring Andres Carrion Alvarez

Como dice el refran “en Oriente tiembla la tierra los hombres no”, Andres Carrion Alvarez fue el heroico cubano que grito “ABAJO EL COMUNISMO” el 26 de Marzo del 2012 en la Plaza “Antonio Maceo”, en la ciudad de Santiago de Cuba al dar comienzo la misa del “Papa Benedicto XVI. Siendo salvajamente golpeado y encarcelado por el, ex guardaespaldas del ex ministro del interior Ramiro Valdes.

“El miedo cedio ante la realidad y decidi asumir lo que pasara”, asi declaro Carrion Alvarez al ser puesto en libertad. Quien a pesar de la peticion hecha por el vocero del vaticano de que no se le radicarán cargos estuvo en prision hasta el 13 de abril del 2012.

El Dr. Alcalde Felix E. Roque y la junta de los Comisionados del pueblo de West New York, New Jersey proclamamos junto con los residentes de la municipalidad a Andres Carrion Alvarez en este 20 de Mayo del 2012 para marcar su heroismo por la patria Cubana.

Consent Agenda

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following Consent Agenda Item Nos. R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, R-10, R-11, R-12, R-13, R-14, R-15, R-16, R-17, R-18, R-19, R-20, R-21, and R-22 be adopted, was carried by the following vote:

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

Note: At the request of Comm. Wiley, Resolutions #R-23 thru #R-34 will not be included in Consent Agenda.

Resolution

Re: Authorizing use of Urban Enterprise Zone funds for Police Wireless Surveillance Security Monitoring System

WHEREAS, the Department of Public Affairs proposes to allocate \$31,000.00 of Urban Enterprise Zone Funds for use by the Department of Public Safety for a Police Wireless Surveillance Security Monitoring System consistent with the Awarding Resolution adopted May 16, 2012; and

WHEREAS, said requested funds are to be expended within the designated Urban Enterprise Zone area in the Town of West New York; and

WHEREAS, the requested funds are from monies deposited in the Urban Enterprise Zone Project Account as per the Certification of the Chief Financial Officer, and shall be utilized in accordance with the State of New Jersey FY12 budget language and general provisions regarding the Urban Enterprise Zone Program.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York hereby authorizes the funding of \$31,000.00 for a Police Wireless Surveillance Security Monitoring System from available Urban Enterprise Zone Funds in accordance with the State of New Jersey FY 12 budget language and general provisions regarding the Urban Enterprise Zone Program.

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Consent Agenda (Cont.):

Resolution

Re: Repealing Resolution adopted on 9/20/06
(Restricted Parking for Handicapped Resident) as follows:
6010 Buchanan Place, WNY (Charles V. DeFina)

Whereas, the governing body of the Town of West New York adopted a Resolution on September 20, 2006 establishing restricted parking for use by a handicapped residents; and

Whereas, the handicapped person involved has either moved or died since implementation of above mentioned resolution;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the above resolution is hereby repealed:

6010 Buchanan Place, WNY (Charles V. DeFina)

Be it further resolved that the Department of Public Safety is directed to remove all signage for the spaces as directed by this resolution.

Be it further resolved that this resolution shall take effect immediately upon passage.

Resolution

Re: To Enter into an Inter-local Agreement
Between the Town of West New York
and The County of Hudson
2012 Edward Byrne Memorial Justice Assistance Grant

Whereas, the 2012 Edward Byrne Memorial Justice Assistance Grant ("Byrne Grant") recognizes the County of Hudson Office of the Prosecutor to be the organizational unit charged with Byrne grant implementation responsibilities, including conducting the application process and acting as the fiscal agent for municipalities; and

Whereas, the Byrne Grant requires the County of Hudson to enter into an Inter-local agreement with participating municipalities for the purpose of approving eligible costs and reimbursement of same; and

Whereas, the Town of West New York is eligible to apply for Justice Assistance Grant funds under the FY 2012 Byrne Grant through the County of Hudson Office of the Prosecutor Office; and

Whereas, the Town of West New York is eligible to receive **\$18,379.00** for the purchase of equipment for the West New York Police Department through the 2012 Byrne Grant; now therefore be it

Resolved, that the Mayor of the Town of West New York is hereby authorized to execute an Inter-local agreement with the County of Hudson for the purpose of implementing the Byrne Grant; and be it further

Resolved, that the Town may submit all appropriate documentation as necessary to the Office of the Prosecutor to fulfill the intent of this resolution.

Resolution

Re: Authorizing the Town Clerk to advertise to
receive bids for "2012 Tree Beautification Program"
on 7/13/12 at 10:00 a.m. in Town Clerk's Office

Be it resolved by the Mayor and Board of Commissioners that the Town Clerk be authorized to advertise to receive bids for: "2012 Tree Beautification Program" on Friday, July 13, 2012 at 10:00 a.m. in Town Clerk's Office in accordance with specifications on file in the Town Clerk's Office.

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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 4/26/11; 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: PRISM, INC., 2500 Broadway, Suite F 125, Santa Monica, CA, 90404, Attention: Jill Holer

Resolution
Re: Repealing Resolution adopted on 1/19/11
(Restricted Parking for Handicapped Resident) as follows:
142-67th Street (Maria D. Ebeid)

Whereas, the governing body of the Town of West New York adopted a Resolution on January 19, 2011 establishing restricted parking for use by a handicapped residents; and

Whereas, the handicapped person involved has either moved or died since implementation of above mentioned resolution;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the above resolution is hereby repealed:

142-67th Street, WNY (Maria D. Ebeid)

Be it further resolved that the Department of Public Safety is directed to remove all signage for the spaces as directed by this resolution.

Be it further resolved that this resolution shall take effect immediately upon passage.

Resolution
Re: Authorizing the Town of West New York to enter into a
Memorandum of Understanding with the City of Jersey City for
Public Health Nurse Case Management Services for "Childhood Lead Poisoning"

WHEREAS, the City of Jersey City has received a grant from the State of New Jersey to provide case management to any Hudson County Municipality that requests the same; and

WHEREAS, the City of Jersey City has offered to provide Public Health Nurse Case Management services for "Childhood Lead Poisoning" in the Town of West New York at no cost to the Town of West New York.

Now, therefore be it resolved that the Health Officer of the Town of West New York is hereby authorized to enter into a Memorandum of Understanding between the Town of West New York Department of Health and the City of Jersey City Department of Health, a copy of which is attached hereto.

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Consent Agenda (Cont.):

Resolution
Re: Confirming Sale of Abandoned vehicles at
Public Auction on 6/12/12

WHEREAS, pursuant to the provisions of N.J.S.A. 39:1-1 and the authorizing resolution of May 16, 2012, certain vehicles listed below Publicly Auctioned on June 12, 2012, such vehicles having been removed from the public roads of the Town of West New York, in the County of Hudson, as set out in the authorizing resolution of May 16, 2012; and

WHEREAS, the following high bids on vehicles were received: \$470.00 for 9 vehicles plus \$2.00 per junk title (5 titles = \$10) for grand total of \$480.00, from Westside Auto, 1900 Tonnelle Avenue, North Bergen, NJ.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, as follows:

1. The above recitals are incorporated herein as if set forth at length.
2. The Board of Commissioners approves, on this date even, subject to the conditions of the resolutions authorizing the sale of automobiles, except as otherwise set out herein, and the terms of the sale as advertised and announced at auction, and as otherwise stated herein, the following sale, Westside Auto to tender payment for same within thirty days of the passage of this resolution:

VIN #	Year, Make and Model
2T1BR12E7XC146781	1999 TOYOTA COROLLA
2C3HD46J2WH233322	1998 CHRYSLER CONCORDE
1FALP404RF164850	1994 FORD MUSTANG
4S6CG58V2R4409714	1994 HONDA PASSPORT
1YVGF22C0X5898221	1999 MAZDA 626
2C3HD56F8TH144612	1996 CHRYSLER CONCORDE
3N1AB41D7XL106436	1999 NISSAN SENTRA
2HGEJ6628VH557757	1997 HONDA CIVIC
1GCC19X6BVK226861	1997 CHEVY S-10 PICKUP

3. If the listing of the above bids is discovered by the Municipal Administrator to be inaccurate as to price and purchaser, based on the actual results at auction, the Municipal Administrator or his designee is hereby authorized to act as per the actual results at auction, anything in this resolution notwithstanding.

4. All waivers or variations in the bidding process and the process of sale from the process set out in the resolutions authorizing the sale of various Town owned properties (automobiles), and as advertised, are hereby ratified and expressly accepted, except as otherwise stated herein.

5. The vehicles being abandoned vehicles, proceeds shall be disposed of in a manner consistent with applicable law for such a circumstance.

6. A copy of this resolution shall be kept in the office of the Municipal Clerk.

7. The Mayor, the Municipal Administrator or their designee, are hereby authorized to execute and prepare such documents and provide such notices as may be necessary for the completion of the sale transaction, and are hereby authorized to waive any non-material condition of the Contract of Sale, if in their opinion it is in the best interests of the Town to do so.

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Consent Agenda (Cont.):

Resolution

**Re: Authorizing the Town Clerk to advertise
to receive bids for "Improvements to Fillmore and Dewey Parks"**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office on Thursday, July 12, 2012 at 10:00 a.m. for: "Improvements to Fillmore and Dewey Parks" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

Resolution

Re: Tax Correction (24 Port Imperial Unit #203 & 235)

WHEREAS, a payment was received in the amount of \$1052.26 for property located at 24 Avenue At Port Imperial unit# 235 A/K/A block 168.01 lot8.01 C0235 for the 2nd quarter 2012 Service Charge Tax bill and;

WHEREAS, the said payment was erroneously credited to the 2nd quarter 2012 Service Charge Tax Bill on property located at 24 Avenue at Port Imperial unit#203 A/K/A block 168.01 lot 8.01 C0203 and;

THEREFORE, the Tax Collector is hereby authorize to move the said payment to credit the 2nd quarter 2012 Service Charge Tax Bill to 24 Avenue at Port Imperial unit#235 A/K/A block 168.01 lot 8.01 C0235 and no interest shall be charge as a result of this error.

Resolution

Re: Tax Correction (Various Locations)

WHEREAS, there is an overpayment on the 3rd & 4th quarter 2010 Service Charge Tax Bill totaling of \$29.44 on property located at 481 Buffalo Court also known as block 168.01 lot 1.31 C0481 and;

WHEREAS, there is an overpayment on the 2nd & 4th quarter 2007 Tax Bill totaling \$8.14 on property located at 6601 Broadway also known as block 9 lot 4 C00E3 and;

WHEREAS, there is an overpayment on the 4th quarter 2011 Tax Bill in the amount of \$1,316.60 on property located at 525 60th Street also known as block 127 lot 1 T01 and;

WHEREAS, the taxpayers are requesting the credits totaling \$1,354.18 to be moved to credit their 2012 Tax Bills.

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

Resolution

Re: Hudson County Board of Taxation Tax Appeals (\$1,399.25)

WHEREAS, the following property owners have appealed to the Hudson County Board of Taxation for a reduction in Tax Assessment levied upon their respective properties;

WHEREAS, the Hudson County Board of Taxation by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said respective properties.

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

NOW, THEREFORE BE IT RESOLVED that said overpayments of taxes be and the same are hereby to be paid and refunded to the said property owners in the following amounts:

NAME	BLOCK-LOT	AMOUNT	YEAR
Lombardi, Thomas & Cecilia	26/11	\$1,399.25	2009
	Total	\$1,399.25	

Resolution
Re: Refund of Redemptions (\$127,959.90)

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.

Name	Block/lot	Cert#	Amount
MTAG SVC. AS CUST FOR ATCF II NJ LLC	18/23 C0103 126/11 5/32 C10-N	11-0051 11-0302 11-0027	\$5,279.27 \$3,983.32 \$1,738.43
RUTHERFORD DEVELOPMENT	22/6	09-033	\$4,229.87
VIRGO MUNICIPAL	5/32 C01-L	11-0017	\$821.95
US BANK CUST FOR CRESTAR CAPITAL LL	14/5 145/23	11-0043 11-0335	\$21,865.56 \$6,694.47
US BK. AS CUST FOR ATR FD-NJ & CAP1	55/51 C0008	11-0161	\$1,138.97
US BANK CUST FOR TOWER DBW	40/29 C0001 130/1.07	11-0111 11-0312	\$14,101.03 \$10,546.83
TOWER LIEN, LC	72/42 7/18	10-134 10-020	\$49,031.02 \$2,073.72
RIDGE CAPITAL, LLC	168.01/7.05 C0501	11-0404	\$6,455.46
		GRAND TOTAL	\$127,959.90

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Consent Agenda (Cont.):

Resolution
Re: Refunds of Tax Lien Premiums (\$27,000.00)

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.

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
MTAG SVC. AS CUST FOR ATCF II NJ LLC	126/11	11-0302	\$1,100.00
	18/23 C0103	11-0051	\$1,400.00
	5/32 C10-N	11-0027	\$3,100.00
RUTHERFORD DEVELOPMENT	22/6	09-033	\$900.00
US BANK CUST FOR TOWER DBW	40/29 C0001	11-0111	\$6,000.00
	130/1.07	11-0312	\$4,100.00
TOWER LIEN, LLC	72/42	10-134	\$7,900.00
	7/18	10-020	\$2,500.00
	GRAND TOTAL		\$27,000.00

Resolution
Re: State Court Tax Appeals (\$14,821.25)

WHEREAS, the following property owners have appealed to the Tax Court of New Jersey for a reduction in the Tax Assessment levied upon their properties:

WHEREAS, the Tax Court of New Jersey by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said properties, and whereas the Municipality has paid the below amounts:

NOW, THEREFORE, BE IT RESOLVED that said payment of taxes be and the same are hereby affirmed to the property owners in the following amounts for the years noted pursuant to N.J.S.A. 54:3-21 & 54:3-27.2.

NAME	BLOCK-LOT	AMOUNT	YEAR
Amber N. Heinze, Atty. For	63/1	\$3,341.50	2009
5806 Hudson, LLC		\$4,809.75	2010
Daniel G. Keough, Trustee For Bernard Josephs ET AL	53/11	\$3,463.50	2009
		\$3,206.50	2010

GRAND TOTAL \$14,821.25

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Consent Agenda (Cont.):

Resolution
Re: Refund of Overpayment of Taxes (\$15,449.12)

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
Schirripa, Dominick	168.01/8.01 C0425	\$110.02 (svc)	2011
Ornelas, Pedro G	110/5 C0220	\$699.02	2010
Smith, Dorothy	33/19	\$220.04	2008
First Jersey Equities Corp.	61/2	\$2,423.44	2011
Irizarry, Joseph & Lisa Cruz	110/5 C0315	\$737.50	2010
Raymond Eshaghoff, LLC	55/28	\$7,615.44	2011
Virgo Municipal Finance Fd.	98/25	\$120.72	2012
Corelogic Tax Services	168.01 1.08 C0274	\$29.44 (svc)	2010
Behr, Melissa	42/41 C0001	\$1,309.35	2012
Saka Management, LLC	118/2	\$2,184.15	2009
	TOTALS	\$139.46 (SVC)	
	TOTALS	\$15,209.66	
	GRAND TOTAL	\$15449.12	

Resolution
Re: Correlating Tax Duplicate Book and Tax Collection Billing Records

WHEREAS, the Town of West New York has switched from a State Fiscal Year Budget Process to a Calendar Year Budget Process and;

WHEREAS, as a result of the conversion adjustments need to be made to correctly correlate the certified Tax Duplicate Book and the Tax Collection Billing Records.

THEREFORE NOW BE IT RESOLVED, that the Tax Collector is hereby authorized to make adjustments to be in conformity with the official records as certified.

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Consent Agenda (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
Claims Administrator 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 Claims Administrator Services; 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, Hudson County, State of New Jersey 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 Claims Administrator Services, 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 (“Statements of Qualifications”).
3. A Review Committee is established, consisting of the Mayor, the Town Administrator and Town Attorney, to review all Statements of Qualifications and to make recommendations to the Board of Commissioners at regularly scheduled meeting.

Resolution

Re: To Allow Filing of 2011 Recycling Tonnage Grant

Whereas, the Mandatory Source Separation and Recycling, Act P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for the 2011 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Board of Commissioners of the Town of West New York to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations;

Now, therefore, be it resolved by the Mayor and Board of Commissioners that the Town of West New York hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection; and

Be it further resolved that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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Consent Agenda (Cont.):

Resolution

Re: Certification of School Board Taxes and Type I School Debt

WHEREAS, the Board of Education for the Town of West New York, New Jersey has adopted the Budget for the 2012-2013 School Year; and

WHEREAS, the Board Members have certified the Tax Levy with the submission of the Form A4F, Certificate and Report of School Taxes; and

WHEREAS, the Certificate and Report of School Taxes reflects a Tax Levy of \$14,369,214.00; and

WHEREAS, the Municipal Budget for Calendar Year 2012 reflects Type I District School Debt of \$112,250.00;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the Tax Levy and Type I district School Debt is hereby approved for the Calendar Year 2012.

BE IT FURTHER RESOLVED that certified copies of this Resolution be filed with the New Jersey Division of Local Government Services and with the Hudson County Board of Taxation.

Resolution

**Re: Authorizing Participation in the 2012 State of New Jersey
Body Armor Replacement Fund Program**

Whereas, the State of New Jersey, Division of Criminal Justice is accepting applications for the 2012 Body Armor Replacement Fund Program, and

Whereas, the Body Armor Replacement Fund Programs is valuable program that provides lifesaving equipment for law enforcement offices, and

Whereas, the Town of West New York is committed to the safety of its law enforcement officers,

Now, therefore be it resolved that the Director of Police and the Chief Financial Officer or their designated appointees, be hereby authorized to apply for said funding.

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>
Holy Redeemer Parish 6502 Jackson Street West New York, NJ 07093 (Off Premise Raffle)	September 9, 2012	RL 1822

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Note: At this point, Comm. Wiley stood up and made the following comments: He said he was proud to wear the Town pin at one time but that he is no longer. He cares about West New York and for past four years he has fought to get rid of bullying, etc. and bring back respect. He complained that he is being attacked for what he has accomplished in DPW Dept. He reduced overtime that was being paid to the workers and that his goal is to make this Town better. He indicated that he is over qualified in that he has a Master's Degree in Public Administration and a Political Science Degree. He put his life and medical practice on hold and his family has suffered by loss of income. He advised that he set up safety and training classes for the DPW workers and remediated violations at DPW garage. He commented that changes he has made in DPW dept. will save the Town \$300,000 next year. (Town Attorney Gil Garcia stated "That is not true. Don't mislead the public.") Comm. Wiley commented that he has had barbecues for his workers, purchased safety vests and wanted them to respect this Town. He complained about dog defecation. He addressed the Mayor and said "I am not happy with what you have been doing. I stood by you and was always behind you and loyal 150%." He complained about being removed as Commissioner of DPW Dept. and being placed in Parks Dept. He commented that there is a Parks Dept. employee with four (4) convictions. At this point, Asst. Town Attorney Joseph DeMarco advised Comm. Wiley that he should not discuss personnel matters. Town Attorney Garcia also advised Comm. Wiley not to discuss personnel issues. Several audience members started yelling and meeting was out of order. Comm. Wiley continued his speech. At 12:40 p.m., Asst. Town Attorney DeMarco recommended a five (5) minute recess. Meeting reconvened at 12:42 p.m. Comm. Wiley refused to sit down and continued speaking. Asst. Town Attorney DeMarco continued to read the titles for Resolutions #R-23 thru #R-34 and individual vote was taken for each Resolution.

Resolution
Creating Department of Public Affairs

WHEREAS, after one year of Government since the Commissioners of the present Administration were elected to serve in office, the Mayor introduces the present Resolution for vote by the Board of Commissioners;

WHEREAS, under the Walsh Form of Government, for more efficient and knowledgeable form of Commission of Government, and in the best interests of the Town of West New York, it is hereby proposed that:

After due consideration of the interests of the public and the benefits of the public service, the efficient and economical conduct of the business of the Town, the appropriateness of the classification of powers and duties and the allocation hereof, deem it appropriate and in the public interest that the powers and duties pursuant to the direction of the Walsh Act, be determined, assigned and prescribed in the manner hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, that the powers and duties relating to or devolved by law upon the officers, boards, divisions, bureaus and other bodies and functional units hereinafter named, together with the personnel and facilities thereof, be assigned and distributed into the Department of Public Affairs, to wit:

Secretary and Staff of Directors of Public Affairs
Department of Housing
Court Administrator
Celebration of Public Events
Library
Health Department
Rent Control Board
Municipal Court and Municipal Court Officers
Violations Bureau

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Resolution (Cont.):

Director of Cultural Affairs
Community Relations including Federal and State Programs
Municipal Tenants Advisory Authority
Funding Consultants
Senior Citizens and Nutritional Programs
Public and Social Assistance and Welfare
Youth Corp.
Alcoholic Beverage Control Board
Recreation and Buses: including Supervised Play
Use and Scheduling of Recreation Facilities
UEZ
The Office of Constituent Services

be, and the same are hereby assigned and distributed in the Department of Public Affairs and that the Director of said Department is hereby vested with all the powers, authority, rights and duties vested in or given by any statute, charter or ordinance or any other law, rule or regulation relating to the

Secretary and Staff of Directors of Public Affairs
Department of Housing
Court Administrator
Celebration of Public Events
Library
Health Department
Rent Control Board
Municipal Court and Municipal Court Officers
Violations Bureau
Director of Cultural Affairs
Community Relations including Federal and State Programs
Municipal Tenants Advisory Authority
Funding Consultants
Senior Citizens and Nutritional Programs
Public and Social Assistance and Welfare
Youth Corp.
Alcoholic Beverage Control Board
Recreation and Buses: including Supervised Play
Use and Scheduling of Recreation Facilities
UEZ
Office of Constituent Services

BE IT FURTHER RESOLVED, that the executive, administrative, judicial and legislative powers, authorities and duties pertaining to the said officers, boards, divisions, bureaus and other bodies and functional units, or functions are hereby vested in the Director of the said Department of Public Affairs, provided, however, that the statutory autonomous officers and bodies shall retain such powers and duties as now provided by law, unless inconsistent with the purposes and provisions of the Walsh Act, and

BE IT FURTHER RESOLVED that the proper Town Officials are hereby authorized and directed to affect all financial arrangements and make such appropriate book entries as may be necessary with respect to unexpended and uncommitted budgetary balances insofar as the necessity will arise in effectuating the provisions of this resolution.

BE IT FURTHER RESOLVED that the present staff of the Department of Public Affairs will remain intact until further resolution adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED that the present office occupied by the staff of the Public Affairs Department will continue to be in effect and the staff will continue its operations from that office.

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Resolution (Cont.):

BE IT FURTHER RESOLVED that the Administrative Office designated to the Director of Public Affairs at Town Hall is the Mayor's Office where the Mayor will continue his normal course of administrative responsibilities.

BE IT FURTHER RESOLVED, that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency.

Motion was made 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

Resolution
Creating Department of Public Safety

WHEREAS, the Board of Commissioners of the Town of West New York, in the County of Hudson, after due consideration of the interests of the public and the benefits of the public service, the efficient and economical conduct of the business of the Town, the qualifications and experience of each commissioner and the appropriateness of the classification of powers and duties and the allocation hereof, deem it appropriate and in the public interest that the powers and duties pursuant to the direction of the Walsh Act, be determined, assigned and prescribed in the manner hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, that the powers and duties relating to or devolved by law upon the officers, boards, divisions, bureaus and other bodies and functional units hereinafter named, together with the personnel and facilities thereof, be assigned and distributed into the Department of Public Safety, to wit:

Special Police
Administrative Assistant to Public Safety Director
Special Law Enforcement Officers
Bureau of Fire Prevention
Secretary and Staff of Public Safety
Police Department
Civil Defense and Disaster Control
Police Surgeons
License Inspector
Juvenile Aid
Zoning and Board of Adjustment
Planning Board
Administration Department
Deputy Mayor
Code Enforcement: *inclusive of Plumbing Inspector, Building Inspector, Electrical Inspector, Housing Inspector and Sanitary Inspector*
Code Enforcement (Board of Appeals)
School Traffic Guards and Supervisor of School Traffic Guards

be, and the same are hereby assigned and distributed in the Department of Public Safety and that the Director of said Department is hereby vested with all the powers, authority, rights and duties vested in or given by any statute, charter or ordinance or any other law, rule or regulation relating to the

June 20, 2012
Regular Meeting

Resolution (Cont.):

Special Police
Administrative Assistant to Public Safety Director
Special Law Enforcement Officers
Bureau of Fire Prevention
Secretary and Staff of Public Safety
Police Department
Civil Defense and Disaster Control
Police Surgeons
License Inspector
Juvenile Aid
Zoning and Board of Adjustment
Planning Board
Administration Department
Deputy Mayor
Code Enforcement: *inclusive of Plumbing Inspector, Building Inspector, Electrical Inspector, Housing Inspector and Sanitary Inspector*
Code Enforcement (Board of Appeals)
School Traffic Guards and Supervisor of School Traffic Guards

BE IT FURTHER RESOLVED, that the executive, administrative, judicial and legislative powers, authorities and duties pertaining to the said officers, boards, divisions, bureaus and other bodies and functional units, or functions are hereby vested in the Director of the said Department of Public Safety, provided, however, that the statutory autonomous officers and bodies shall retain such powers and duties as now provided by law, unless inconsistent with the purposes and provisions of the Walsh Act, and

BE IT FURTHER RESOLVED that the proper Town Officials are hereby authorized and directed to effect all financial arrangements and make such appropriate book entries as may be necessary with respect to unexpended and uncommitted budgetary balances insofar as the necessity will arise in effectuating the provisions of this resolution.

BE IT FURTHER RESOLVED that the present staff of the Department of Public Safety will remain intact until further resolution adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED that the present office occupied by the staff of the Public Safety Department will continue to be in effect and the staff will continue its operations from that office.

BE IT FURTHER RESOLVED that the Office of the Director of Public Safety will be the office of the former Director of Revenue and Finance.

BE IT FURTHER RESOLVED, that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency

Motion was made 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

Note: Comm. Wiley did not vote.

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Resolution
Creating Department of Public Works

WHEREAS, the Board of Commissioners of the Town of West New York, in the County of Hudson, after due consideration of the interests of the public and the benefits of the public service, the efficient and economical conduct of the business of the Town, the qualifications and experience of each Commissioner and the appropriateness of the classification of powers and duties and the allocation hereof, deem it appropriate and in the public interest that the powers and duties pursuant to the direction of the Walsh Act, be determined, assigned and prescribed in the manner hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, that the powers and duties relating to or devolved by law upon the officers, boards, divisions, bureaus and other bodies and functional units hereinafter named, together with the personnel and facilities thereof, be assigned and distributed into the Department of Public Works, to wit:

Sanitation
Recycling
Off Street Parking
Insurance of Buildings and Capital Projects
Sewers
Secretary and Staff of Public Works
Town Engineer
Superintendent of Streets
Street and Sewer Department
Collection of Garbage
Street Lighting System
Fire Hydrant Rentals
Snow Removal
Signal Bureau

be, and the same are hereby assigned and distributed in the Department of Public Works and that the Director of said Department is hereby vested with all the powers, authority, rights and duties vested in or given by any statute, charter or ordinance or any other law, rule or regulation relating to the

Sanitation
Recycling
Off Street Parking
Insurance of Buildings and Capital Projects
Sewers
Secretary and Staff of Public Works
Town Engineer
Superintendent of Streets
Street and Sewer Department
Collection of Garbage
Street Lighting System
Fire Hydrant Rentals
Snow Removal
Signal Bureau

BE IT FURTHER RESOLVED, that the executive, administrative, judicial and legislative powers, authorities and duties pertaining to the said officers, boards, divisions, bureaus and other bodies and functional units, or functions are hereby vested in the Director of the said Department of Public Works, provided, however, that the statutory autonomous officers and bodies shall retain such powers and duties as now provided by law, unless inconsistent with the purposes and provisions of the Walsh Act, and

June 20, 2012
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Resolution (Cont.):

BE IT FURTHER RESOLVED that the proper Town Officials are hereby authorized and directed to effect all financial arrangements and make such appropriate book entries as may be necessary with respect to unexpended and uncommitted budgetary balances insofar as the necessity will arise in effectuating the provisions of this resolution.

BE IT FURTHER RESOLVED that the present staff of the Department of Public Works will remain intact until further resolution adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED that the staff and operations of the Public Works Department will be transferred to the office of the former Director of the Parks and Public Property Department.

BE IT FURTHER RESOLVED that the Office of the Director of the Public Works Department will be the office occupied by the former Director of the Parks and Public Property Department.

BE IT FURTHER RESOLVED, that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency.

Motion was made 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 - None
ABSENT - None

Note: Comm. Wiley did not vote.

Resolution
Creating Department of Revenue & Finance

WHEREAS, the Board of Commissioners of the Town of West New York, in the County of Hudson, after due consideration of the interests of the public and the benefits of the public service, the efficient and economical conduct of the business of the Town, the qualifications and experience of each Commissioner and the appropriateness of the classification of powers and duties and the allocation hereof, deem it appropriate and in the public interest that the powers and duties pursuant to the direction of the Walsh Act, be determined, assigned and prescribed in the manner hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, that the powers and duties relating to or devolved by law upon the officers, boards, divisions, bureaus and other bodies and functional units hereinafter named, together with the personnel and facilities thereof, be assigned and distributed into the Department of Revenue and Finance, to wit:

Chief Financial Officer
Purchasing Department
Finance and Accounts
Town Auditor
Town Treasurer
Tax Collector, Assistant and Office
All Tax Assessment Programs, Officials and Employees
Tax Searcher
Chief Accountant
Maintenance of Foreclosed Property

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Regular Meeting

Resolution (Cont.):

Payroll, Deductions, etc.
All Supervision and Collection of Taxes and Assessments
Police and Fire Pension Systems
Public Employees' Pension and Retirement
Professional Services – Tax Experts, etc.
Elections
Town Clerk and Town Clerk Offices
Personnel Department
Insurance Commission and Group Insurance
Civil Service
Department of Law
Chief of Administrative Services
Municipal Administrator

be, and the same are hereby assigned and distributed in the Department of Revenue and Finance and that the Director of said Department is hereby vested with all the powers, authority, rights and duties vested in or given by any statute, charter or ordinance or any other law, rule or regulation relating to the

Chief Financial Officer
Purchasing Department
Finance and Accounts
Town Auditor
Town Treasurer
Tax Collector, Assistant and Office
All Tax Assessment Programs, Officials and Employees
Tax Searcher
Chief Accountant
Maintenance of Foreclosed Property
Payroll, Deductions, etc.
All Supervision and Collection of Taxes and Assessments
Police and Fire Pension Systems
Public Employees' Pension and Retirement
Professional Services – Tax Experts, etc.
Elections
Town Clerk and Town Clerk Offices
Personnel Department
Insurance Commission and Group Insurance
Civil Service
Department of Law
Chief of Administrative Services
Municipal Administrator

BE IT FURTHER RESOLVED, that the executive, administrative, judicial and legislative powers, authorities and duties pertaining to the said officers, boards, divisions, bureaus and other bodies and functional units, or functions are hereby vested in the Director of the said Department of Revenue and Finance, provided, however, that the statutory autonomous officers and bodies shall retain such powers and duties as now provided by law, unless inconsistent with the purposes and provisions of the Walsh Act, and

BE IT FURTHER RESOLVED that the proper Town Officials are hereby authorized and directed to effect all financial arrangements and make such appropriate book entries as may be necessary with respect to unexpended and uncommitted budgetary balances insofar as the necessity will arise in effectuating the provisions of this resolution.

BE IT FURTHER RESOLVED that the present staff of the Department of Revenue and Finance Department will remain intact until further resolution adopted by the Board of Commissioners.

June 20, 2012
Regular Meeting

Resolution (Cont.):

BE IT FURTHER RESOLVED that the present office occupied by the staff of the Revenue and Finance Department will continue to be in effect and the staff will continue its operations from that office.

BE IT FURTHER RESOLVED that the Office of the Director of the Revenue and Finance Department will be the office presently occupied by the former Director of the Public Affairs Department.

BE IT FURTHER RESOLVED, that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency.

Motion was made 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

Note: Comm. Wiley did not vote.

Resolution
Creating Department of Parks & Public Property

WHEREAS, the Board of Commissioners of the Town of West New York in the County of Hudson, after due consideration of the interests of the public and the benefits of the public service, the efficient and economical conduct of the business of the Town, the qualifications and experience of each Commissioner and the appropriateness of the classification of powers and duties and the allocation hereof, deem it appropriate and in the public interest that the powers and duties pursuant to the direction of the Walsh Act, be determined, assigned and prescribed in

the manner hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, that the powers and duties relating to or devolved by law upon the officers, boards, divisions, bureaus and other bodies and functional units hereinafter named, together with the personnel and facilities thereof, be assigned and distributed into the Department of Parks and Public Property, to wit:

Secretary and Staff of Department of Parks and Public Property
Care, Supervision, Custody and Operation of all Public Grounds, Building, Recreation Facilities and Services Relating thereto
Care, Supervision, Custody and Operation of all Parks and Playgrounds and Services Relating thereto Except Recreation
Light-Power-Telephone and Building or Office Services, Town Switchboard
Maintenance of Drug Center
Fuel Oil
Town Hall Custodians
Centralized Postage

be, and the same are hereby assigned and distributed in the Department of Parks and Public Property and that the Director of said Department is hereby vested with all the powers, authority, rights and duties vested in or given by any statute, charter or ordinance or any other law, rule or regulation relating to the

June 20, 2012
Regular Meeting

Resolution (Cont.):

Secretary and Staff of Department of Parks and Public Property
Care, Supervision, Custody and Operation of all Public Grounds, Building, Recreation Facilities
and Services Relating thereto
Care, Supervision, Custody and Operation of all Parks and Playgrounds and Services Relating
thereto Except Recreation
Light-Power-Telephone and Building or Office Services, Town Switchboard
Maintenance of Drug Center
Fuel Oil
Town Hall Custodians
Centralized Postage

BE IT FURTHER RESOLVED, that the executive, administrative, judicial and legislative powers, authorities and duties pertaining to the said officers, boards, divisions, bureaus and other bodies and functional units, or functions are hereby vested in the Director of the said Department of Parks and Public Property, provided, however, that the statutory autonomous officers and bodies shall retain such powers and duties as now provided by law, unless inconsistent with the purposes and provisions of the Walsh Act, and

BE IT FURTHER RESOLVED that the proper Town Officials are hereby authorized and directed to effect all financial arrangements and make such appropriate book entries as may be necessary with respect to unexpended and uncommitted budgetary balances insofar as the necessity will arise in effectuating the provisions of this resolution.

BE IT FURTHER RESOLVED that the present staff of the Department of Parks and Public Property Department will remain intact until further resolution adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED that the staff and operations of the Parks and Public Property Department will be transferred to the office of the former Director of the Public Works Department.

BE IT FURTHER RESOLVED that the Office of the Director of the Parks and Public Property Department will be the same office presently occupied by the former Director of the Public Works Department.

BE IT FURTHER RESOLVED, that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency.

Motion was made by Mayor Roque, seconded by Commissioner Frias to adopt the foregoing Resolution, was carried by the following vote:

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

Note: Comm. Wiley did not vote.

Resolution
Designating Commissioner of Department of Public Affairs

RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, that Felix E. Roque be and he is hereby designated as Director of the Department of Public Affairs.

June 20, 2012
Regular Meeting

Motion was made by Commissioner Frias, seconded by Mayor Roque to adopt the foregoing Resolution, was carried by the following vote:

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

Note: Comm. Wiley did not vote.

Resolution
Designating Commissioner of Public Safety

RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, that Caridad Rodriguez be and he is hereby designated as Director of the Department of Public Safety.

Motion was made by Mayor Roque, 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

Resolution
Designating Commissioner of Department of Public Works

RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, that Ruben Vargas be and he is hereby designated as Director of the Department of Public Works.

Motion was made by Commissioner Frias, seconded by Mayor Roque to adopt the foregoing Resolution, was carried by the following vote:

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

Resolution
Designating Commissioner of Department of Revenue & Finance

RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, that FiorD'Aliza Frias be and he is hereby designated as Director of the Department of Revenue and Finance.

Motion was made 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 - Commissioner Wiley
ABSENT - None

June 20, 2012
Regular Meeting

Resolution
Designating Commissioner Department of Parks & Public Property

RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, that Count J. Wiley be and she is hereby designated as Director of the Department of Parks and Public Property.

Motion was made 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 - Commissioner Wiley
ABSENT - None

Resolution
Designating Authorized Signatures of Officials

BE IT RESOLVED, that the Mayor Felix E. Roque (Director of Department of Public Affairs), Comm. FiorD'Aliza Frias (Director of the Department of Revenue and Finance), and Chief Financial Officer, of the Town of West New York, in the County of Hudson, be, and they are hereby designated as authorized signatories who may issue and sign all warrants for the disbursement of monies from the funds of the Town of West New York, in the County of Hudson, such warrants to be directed to and drawn on the Chief Financial Officer of the Town and to be countersigned by two of the three above designated authorized signatories, in whatever combination, and when so signed, issued and countersigned, shall be honored as payments warrants drawn upon the funds of West New York, and shall be issued to the payee therein named to said Chief Financial Officer, in the manner prescribed by law.

BE IT FURTHER RESOLVED, that Facsimile signatures of the above designated signatories may be used on payroll and similar accounts as may be determined by the Town Administrator.

BE IT FURTHER RESOLVED that the designated signatories and the Town Clerk, be and they are hereby authorized to execute such further banking documents as may be necessary to implement this resolution.

BE IT FURTHER RESOLVED that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency.

Motion was made 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 - Commissioner Wiley
ABSENT - None

June 20, 2012
Regular Meeting

RESOLUTION
RE: APPOINTMENT OF LOUIS CANNAO AS
EMERGENCY MANAGEMENT COORDINATOR
(TERM: 6/29/12 – 6/28/15)

WHEREAS, Louis Cannao is a resident of the Town of West New York; and

WHEREAS, Louis Cannao is available to serve as Emergency Management Coordinator of the Town of West New York;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Louis Cannao is hereby appointed to serve as Emergency Management Coordinator for the Town of West New York for a three (3) year term commencing on June 29, 2012 and terminating on June 28, 2015. The compensation for said position shall be \$7,500.00 per year.

Motion was made 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 - Commissioner Wiley
ABSENT - None

Resolution
Re: Effective Date of Reorganization

WHEREAS, the Mayor and Board of Commissioners have approved a reorganization of the Departments by approving Resolutions 23 to 33 on June 20, 2012, and

WHEREAS, as a result of the reorganization various transfers and administrative changes may occur.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the effective date of the reorganization as contained and described in Resolutions 23 to 33 is July 1, 2012.

Motion was made by Commissioner Frias, seconded by Commissioner Rodriguez to adopt the verbal resolution, was carried by the following vote:

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

Note: Asst. Town Attorney DeMarco recommended a verbal Resolution #R-35 to make effective date of July 1, 2012 for Resolutions #R-23 thru #R-33.

June 20, 2012
Regular Meeting

ORDINANCE #14/12

**AN ORDINANCE APPROVING FINANCIAL AGREEMENTS
WITH 6035 PARK AVE. URBAN RENEWAL, L.L.C.**

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

No one wished to be heard.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas, to **reject** the foregoing Ordinance, was carried by the following vote:

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

ORDINANCE #15/12

**AN ORDINANCE ADOPTING STANDARDS FOR SECURITY CAMERAS IN THE
TOWN OF WEST NEW YORK**

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

No one wished to be heard.

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

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

ORDINANCE # 16/12

**An Ordinance amending Ordinance #25/06 entitled:
“An Ordinance establishing Salaries for Superior Officers of the
West New York Police Department”**

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

No one wished to be heard.

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

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

June 20, 2012
Regular Meeting

ORDINANCE #17/12

An Ordinance establishing that a Business Entity which makes political contributions to Municipal candidates and Municipal and County Political Parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Town of West New York in the County of Hudson

Note: Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Frias, seconded by Mayor Roque 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 #17/12

An Ordinance establishing that a Business Entity which makes political contributions to Municipal candidates and Municipal and County Political Parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Town of West New York in the County of Hudson

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 June 20, 2012 and ordered published, and will be further considered before final passage at a public hearing on July, 2012 at 12:00 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: Town Clerk Carmela Riccie read the foregoing Notice aloud.

ORDINANCE #18/12

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 248 OF
THE CODE OF THE TOWN OF WEST NEW YORK
(RE: MASSAGE PARLORS)**

Note: Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.

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

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

Note: Commissioner Wiley inquired as to certain elements of this Ordinance. Asst. Town Attorney DeMarco explained that it pertains to licensed massage therapists. Commissioner Wiley commented that he does not agree with this Ordinance and voted No.

June 20, 2012
Regular Meeting

Notice
Ordinance #18/12

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 248 OF
THE CODE OF THE TOWN OF WEST NEW YORK
(RE: MASSAGE PARLORS)**

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 June 20, 2012 and ordered published, and will be further considered before final passage at a public hearing on July 18, 2012 at 12:00 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: **Town Clerk Carmela Riccio read the foregoing Notice aloud.**

ORDINANCE #19/12

**AN ORDINANCE REPEALING CHAPTER 266 IN ITS ENTIRETY AND CHAPTER 322
SECTION 96 AND CHAPTER 174 SECTION 11 AND ADOPTING NOISE CONTROL
ORDINANCE STANDARDS IN THE TOWN OF WEST NEW YORK**

Note: **Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.**

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez 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 #19/12

**AN ORDINANCE REPEALING CHAPTER 266 IN ITS ENTIRETY AND CHAPTER 322
SECTION 96 AND CHAPTER 174 SECTION 11 AND ADOPTING NOISE CONTROL
ORDINANCE STANDARDS IN THE TOWN OF WEST NEW YORK**

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 June 20, 2012 and ordered published, and will be further considered before final passage at a public hearing on July 18, 2012 at 12:00 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: **Town Clerk Carmela Riccio read the foregoing Notice aloud.**

June 20, 2012
Regular Meeting

ORDINANCE #20/12

**AN ORDINANCE AMENDING CHAPTER 69 OF THE CODE OF
THE TOWN OF WEST NEW YORK**

Note: Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Frias, seconded by Mayor Roque 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 #20/12

**AN ORDINANCE AMENDING CHAPTER 69 OF THE CODE OF
THE TOWN OF WEST NEW YORK**

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 June 20, 2012 and ordered published, and will be further considered before final passage at a public hearing on July 18, 2012 at 12:00 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: Town Clerk Carmela Riccie read the foregoing Notice aloud.

ORDINANCE #21/12

**AN ORDINANCE AMENDING ORDINANCE #12/10 AND CHAPTER 80
OF THE CODE OF THE TOWN OF WEST NEW YORK
(POLICE DEPARTMENT)**

Note: Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Frias, seconded by Commissioner Rodriguez 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

June 20, 2012
Regular Meeting

Notice
Ordinance #21/12

**AN ORDINANCE AMENDING ORDINANCE #12/10 AND CHAPTER 80
OF THE CODE OF THE TOWN OF WEST NEW YORK
(POLICE DEPARTMENT)**

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 June 20, 2012 and ordered published, and will be further considered before final passage at a public hearing on July 18, 2012 at 12:00 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: **Town Clerk Carmela Riccie read the foregoing Notice aloud.**

ORDINANCE #22/12

**AN ORDINANCE AMENDING CHAPTERS 284 and 254
OF THE CODE OF THE TOWN OF WEST NEW YORK
REGARDING PEDDLING AND SOLICITING AND MOBILE
OR STREET FOOD VENDORS**

Note: **Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.**

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

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

Note: **Commissioner Wiley inquired as to whether this Ordinance increases the number of vendor licenses. Assistant Town Attorney DeMarco advised that in addition to increasing the number by 6 for a total of 30, it also places restrictions and regulations on the persons who use the licenses, and requires background checks, etc. He further explained that it provides for more control by the Town. Discussion ensued about difference between vendor licenses and Special Event Permits. Comm. Wiley commented that he does not agree with increasing number of licenses.**

June 20, 2012
Regular Meeting

Notice
Ordinance #22/12

**AN ORDINANCE AMENDING CHAPTERS 284 and 254
OF THE CODE OF THE TOWN OF WEST NEW YORK
REGARDING PEDDLING AND SOLICITING AND MOBILE OR STREET FOOD
VENDORS**

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 June 20, 2012 and ordered published, and will be further considered before final passage at a public hearing on July 18, 2012 at 12:00 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: Town Clerk Carmela Riccio read the foregoing Notice aloud.

ORDINANCE # 23/12

**AN ORDINANCE REPEALING ORDINANCE #25/11
RE: "HOURS OF SALE FOR PLENARY RETAIL CONSUMPTION
LICENSEE OR CLUB LICENSEE"**

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque 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 #23/12

**AN ORDINANCE REPEALING ORDINANCE #25/11
RE: "HOURS OF SALE FOR PLENARY RETAIL CONSUMPTION
LICENSEE OR CLUB LICENSEE"**

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 June 20, 2012 and ordered published, and will be further considered before final passage at a public hearing on July 18, 2012 at 12:00 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: Town Clerk Carmela Riccio read the foregoing Notice aloud.

June 20, 2012
Regular Meeting

Mayor opened the Public Portion.

Public Portion:

1. Mayor Roque:

Mayor Roque commented that Comm. Wiley is a good friend of his and has been with him throughout everything. He commented that it is not a demotion and that this gives the other Commissioners the opportunity to work in other departments. He further commented that if necessary, changes would be made again next year. The Mayor also commented that each Commissioner is doing an excellent job and encouraged Comm. Wiley to help Comm. Vargas in DPW Dept. is needed. Mayor Roque said that Commissioners having the opportunity to experience handling all departments is a benefit to the Town and is disappointed that Comm. Wiley views it as a “punishment or demotion”. Comm. Wiley disagreed.

2. Carlos Betancourt, 327 – 51st Street (#2), WNY:

Mr. Betancourt stated “Is your government broken?” Mayor Roque responded “I don’t think of it as broken”. He thanked Mr. Betancourt for coming to the meeting and commented that this is the first time he has seen him at a Commission meeting. He further commented that even though he disagrees with Mr. Betancourt’s comment, he (Mr. Betancourt) has the right to express his opinion. Discussion ensued about the restructuring of departments and cross training of Commissioners and the benefits of same to the Town. Mayor encouraged Mr. Betancourt to help. Town Attorney Gil Garcia advised that Comm. Rodriguez is the first Hispanic woman to head the Police Department.

3. Ramon Morejon, 158 – 61st Street, WNY:

Mr. Morejon commented that he was one of a few people to go against the previous Administration but stated to the Mayor “You forgot about all of your followers”. He commented that the Mayor hired people who reside outside of WNY and that a lot of West New York residents need jobs. Mayor Roque replied that he considers Mr. Morejon a friend and a good citizen of WNY and thanked him for expressing his concerns.

4. Cosmo Cirillo, 116 – 65th Street, WNY:

Mr. Cirillo advised that he is a lifelong resident of WNY and that he is extremely concerned about the direction WNY is taking. He inquired as to the cost of letter dated 5/31/12 sent by the Mayor to residents. Mayor Roque advised that it was his first mailing and did not know the cost but that the past Administration sent numerous mailings. He further advised Mr. Cirillo that he could request the specifics from the Town Clerk’s Office by way of OPRA request. Mr. Cirillo questioned the reason for switching Commissioners to different departments. Mayor Roque referred to it as “cross training and restructuring” and commented that he feels all Commissioners should be exposed to all aspects of government. Mr. Cirillo inquired about the party held in Weigand Park on June 1st which he indicated was attended by the Mayor, Comm. Vargas and Comm. Frias. Mr. Cirillo wanted to know if the Mayor and/or the Town gave permission for this event. Mayor Roque replied that he did not recall the application process. Mr. Cirillo advised that he had called Police headquarters and was told by dispatcher that Town gave permission for this political event. Assistant Town Attorney DeMarco objected to Mr. Cirillo’s statement as he listened to the audio tape and it did not say permission was given for a political event. Discussion ensued about content of audio tape as to what was said and who said it. Mayor Roque disagreed with it being a political event. Mr. Cirillo commented that WNY is a laughing stock, and that Mayor should be ashamed and step down as Mayor and move aside. Mayor responded that he is happy Mr. Cirillo is getting involved in Town matters and that freedom of speech entitles Mr. Cirillo to request the Mayor to step down. The Mayor asked Mr. Cirillo to work together with this Administration in lowering taxes and continuing to move the Town in a positive direction.

5. Ron Scheurle, 6119 Tyler Place, WNY:

Mr. Scheurle inquired as to why three (3) men who were laid off were not rehired to work in DPW Dept. He further inquired as to why out of town residents were hired to work in DPW and why town vehicles are taken out of town by said persons. He complained that the Superintendent of DPW is not qualified and is still attending classes. Mayor Roque commented that the restructuring will move the Town in a new direction and that he would look into Mr. Scheurle’s complaints.

June 20, 2012
Regular Meeting

Public Portion (Cont.):

6. Richard Rivera, 408 – 59th Street, WNY:

Mr. Rivera inquired as to the name of each Commissioner and the department he or she is being assigned. Mayor advised as follows: Commissioner Wiley – Parks Dept.; Commissioner Frias – Revenue/Finance Dept.; Commissioner Rodriguez – Public Safety Dept.; and Comm. Vargas – DPW Dept.

7. Ofelia Dones, 200 – 49th Street, Union City:

Mrs. Dones spoke in Spanish and Comm. Frias translated. Mrs. Dones inquired as to whether there would be another restructuring next year. Mayor commented that it is not a bad idea if needed and explained the benefits of cross training of each Commissioner. He further commented that it is done all the time in the military and that “chances are we will do it again next year”. Mayor Roque commented about Comm. Rodriguez being the first female Commissioner to head the Police Dept. He also commended all of the Commissioners.

It was regularly moved by Mayor Roque, seconded by Commissioner Frias, to close the public portion and adjourn the meeting at 1:10 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: _____
Carmela Riccie, RMC Town Clerk