

July 18, 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, July 18, 2012 at 12:00 p.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 Deputy Town Clerk Yesenia Del Rio

Meeting commenced at 12:15 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 July 18, 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: At the opening of the Commission Meeting, Commissioner Wiley made a statement regarding Resolution #5 (Re: the Hiring of the New CFO Margaret S. Cherone) that he had not had the opportunity to meet the candidates for the position of CFO. He inquired as to who was available when the interviewing and reviewing process was being done inasmuch as no one contacted him for his opinion and review. Mayor responded that the prior CFO was being paid over \$300,000 and the new CFO would be making \$125,000; and that she is fully licensed and qualified. He further commented that he was sure she was going to be a team player. Commissioner Wiley asked the Mayor "Are you being a team player? You have not returned my calls. Mayor responded, "When you started hiring people, you did it on your own." Commissioner Rodriguez commented that she was the Commissioner of Revenue & Finance when the process for the CFO was taking place and that she recommended hiring our own employee and that the current consulting firm was costing the town a lot of money. She further commented that in this way she would be our employee and if it doesn't work out we can terminate her, but it is harder to do that with a consulting firm. Additionally, the new CFO will be able to sit with the Commissioners and be our employee. Town Attorney Gil Garcia said the Department of Community Affairs (DCA) requires us to hire a licensed CFO and everyone who met the new candidate feel that she will do a great job. Commissioner Wiley asked "So how can I vote for something I don't know anything about? I would like to sit with the candidate and interview her." He commented that she has a big job coming and he wants to make sure he will be making the right decision. Commissioner Frias commented that she met with the candidate and she approved of her; that she has an extensive background in addition to having all of the educational requirements. Town Attorney Garcia advised Commissioner Wiley that as long as he was going to concentrate more on his job and not politics, he would keep him informed. Assistant Town Attorney Joseph DeMarco suggested that the Mayor and Commissioners pull Resolution #5 from the Consent Agenda and vote on it separately. They agreed.

July 18, 2012
Regular Meeting

Minutes of Previous Meeting:

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque, that the Minutes of Regular Meeting: 6/20/12 (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 7/18/12 (Claims are available for public inspection in the Town Clerk's Office):

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

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

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF JUNE 2012

1. From Construction Code Official Office, reporting the sum of \$37,872.00 Collected for the month of June, 2012.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$18,403.90 Collected for the month of June, 2012
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$37,870.00 for Special Licenses collected for the month of June, 2012
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$787.00 for Marriage/death certificates collected for the month of June, 2012
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$117.40 for Dogs Licenses collected for the month of June, 2012,
6. From (Revenue and Finance Department) reporting the sum of \$841,093.13 collected for the month of June, 2012.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$2,057.45 collected for the month of June, 2012

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

July 18, 2012
Regular Meeting

Consent Agenda (Cont.):

Resolution

**Re: Authorizing the WNY Police Department to
accept receipt of vehicles from the Hudson County Prosecutor's Office**

Whereas, the Hudson County Prosecutor's Office has agreed to turn over certain motor vehicles to the WNY Police Department, which vehicles are no longer required by the Prosecutor's Office; and

Whereas, the WNY Police Department wishes to accept receipt of said vehicles;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the WNY Police Department is hereby authorized to accept receipt of the following vehicles from the Hudson County Prosecutor's Office:

1999 Buick Le Sabre VIN# 1G4HP52K0XH410850
2000 Nissan Pathfinder VIN#5N1ED28YC579900
1999 Nissan Altima VIN# 1N4DL01D3XC180146
2001 Dodge Durango VIN#1B4HS28N71F550669
1996 Chevy C15 Pickup VIN# 1GCEK19R4TE205741
2001 Nissan Altima VIN#1N4DL01D51C189616
2001 Buick Regal VIN#2G4WB52K711240180
2004 Chevy Impala VIN# 2G1WF52E949286157
2004 Chevy Impala VIN# 2G1WF52E949288913
2005 Chevy Impala VIN# 2G1WF52E559275674
1998 Honda Accord VIN# 1HGCG5656WA131415

RESOLUTION

**RE: APPOINTMENT OF MIREYA DE LA CRUZ AS SECRETARY OF THE
WEST NEW YORK ALCOHOLIC BEVERAGE CONTROL BOARD**
(Term: 7/1/12 – 6/30/15)

WHEREAS, MIREYA DE LA CRUZ is qualified and available to serve as SECRETARY of the Town of West New York Board of Alcoholic Beverage Control, such appointment having been issued effective July 1, 2012, by the Mayor and Commissioner of the Department of Public Affairs; and

WHEREAS, the Director of the Department of Public Affairs desires the appointment of MIREYA DE LA CRUZ to serve as SECRETARY of the Town of West New York Board of Alcoholic Beverage Control;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. The appointment of MIREYA DE LA CRUZ is hereby ratified and approved and she is appointed to serve as Secretary of the Town of West New York Board of Alcoholic Beverage Control, for a term commencing on July 1, 2012 and expires on June 30, 2015.
2. There is no additional salary or compensation for this position. Any duties associated with the Secretary of Board of Alcoholic Beverage Control are included in Ms. De La Cruz's current duties.
3. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

July 18, 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 3/22/12; 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: Manhattan Place Entertainment, 310 East 44th Street (Suite L), New York, NY 10017 Attention: Jamie Cohen, Production Manager

Resolution
Re: Approving the contract with the Crossing Guards (Local 108, RWDSU, UFCW)
(Term: 7/1/10-6/30/15)

WHEREAS, the contract between the Town of West new York and the Crossing Guards Local 108 has expired effective June 30, 2010; and

WHEREAS, the Town of West New York has entered into negotiations with the Crossing Guards for an employment contract; and

WHEREAS, an agreement has been reached between the parties regarding compensation and other benefits and policies; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners as follows:

1. The above recitals are incorporated as if fully set forth herein.
2. The Town Business Administrator is authorized to execute an agreement with the Crossing Guard Union.
3. A copy of this resolution and the agreement detailing the terms of the reimbursement shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
4. A notice of this contract award shall be published in the form prescribed by law.

RESOLUTION
Re: Re-Appointment of Commissioner Caridad Rodriguez as Class III Member of
the Planning Board (Term: 5/18/12-5/17/13)

WHEREAS, Commissioner Caridad Rodriguez is a current member of the Board of Commissioners; and

WHEREAS, the Board of Commissioners may appoint a member of said board to serve as a Class III member of the Planning Board; and

WHEREAS, the previous term for the incumbent Class III member, Caridad Rodriguez expired on or before May 17, 2012; and

July 18, 2012
Regular Meeting

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

WHEREAS, Commissioner Caridad Rodriguez is available to complete the required term;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. Commissioner Caridad Rodriguez is reappointed to serve as Class III Member of the Planning Board of the Town of West New York, to serve for the term of 5/18/2012-5/17/2013.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Resolution
Re: Authorizing the Town Clerk to advertise
to receive bids for "General Contracting Services"
on Thursday, August 9, 2012 at 10:00 a.m. in Town Clerk's Office

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids on Thursday, August 9, 2012 at 10:00 a.m. in the Town Clerk's Office for: "General Contracting Services" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

RESOLUTION
RE: APPLICATION FOR 2013 MUNICIPAL ALLIANCE GRANT (\$45,778.00)

WHEREAS, the Mayor and Commissioners of the Town of West New York, County of Hudson, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Mayor and Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Mayor and Commissioners has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED by the Town of West New York, County of Hudson, State of New Jersey hereby recognizes the following:

1. The Mayor and Commissioners does hereby authorize submission of an application for the West New York Municipal Alliance grant for the calendar year 2013 in the amount of \$45,778.
2. The Mayor and Commissioners acknowledges the terms and conditions for administering the West New York Municipal Alliance grant, including the administrative compliance and audit requirements.

July 18, 2012
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Refund of Redemptions (\$111,973.87)

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	104/6 70/19.01 C0015 5/32 C01-H	11-0272 11-0187 11-0016	\$4,473.72 \$1,797.58 \$3,863.71
TOWER LIEN, LLC	128/25	10-214	\$31,440.00
STRIB CI, LLC	55/4 16/49	10-108 10-030	\$1,294.45 \$12,975.01
ROBERT U. DEL VECCHIO PENSION TRUST	16/49	11-0049	\$9,294.10
ROYAL TAX LIEN SERVICES, LLC	5/1	10-002	\$17,599.10
PAM INVESTORS	33/35 19/4 C0009	11-0084 10-034	\$2,093.91 \$6,198.66
US BANK CUST. FOR LIENLOGIC FD. LLC	119/13	10-201	\$20,943.63
	Grand Total		\$111,973.87

RESOLUTION
Re: Adjustment of Tax Record (5209 Polk Street)

WHEREAS, there is an overpayment on the 4th quarter 2010 Tax Bill in the amount of \$699.02 on property located at 5209 Polk Street A/K/A block 110 lot 5 C0320 and;

WHEREAS, the taxpayer is requesting the credit in the amount of \$699.02 to be moved to credit their 3rd quarter 2012 Tax Bill.

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

July 18, 2012
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Adjustment of Tax Records for Various Locations

WHEREAS, A payment in the amount of \$298.91 was previously forwarded within the grace period to the Tax Office for payment of 2nd quarter 2012 taxes on property located at 488 Fulton Court A/K/A Block 168.01 Lot 1.30 C0488;and

WHEREAS, a payment in the amount of \$1,822.69 was previously forwarded within the grace period to the Tax Office for payment of 2nd quarter 2012 taxes on property located at 426 63rd Street A/K/A Block 33 Lot 37;and

WHEREAS, the said payments were misapplied in The Tax Office and since the grace period had expired interest was erroneously charged to these accounts.

Now, Therefore, Be It Resolved, that the Tax Collector is hereby authorized to adjust the tax records accordingly and waived any interest as a result of this error.

RESOLUTION

Re: Tax Correction (Various Locations)

WHEREAS, a payment was received in the amount of \$107.22 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 , a payment was received in the amount of \$2,005.20 for property located at 434-64th Street A/K/A block 31 lot 34 for 2nd quarter 2012 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;

WHEREAS, the said payment was erroneously credited to the 3rd quarter 2012 tax bill on property located at 6112 Tyler Place A/K/A block 50 lot 9 and;

THEREFORE, the Tax Collector is hereby authorize to move the said payments to credit the 2nd quarters 2012 and no interest shall be charge as a result of this error.

RESOLUTION

Re: Refund of Tax Lien Premiums (\$29,100.00)

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.

July 18, 2012
Regular Meeting

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

NAME	BLOCK/LOT	CERT. #	AMOUNT
MTAG SVC. AS CUST FOR ATCF II NJ LLC	104/6	11-0272	\$5,000.00
	70/19.01 C0015	11-0187	\$1,500.00
	5/32 C01-H	11-0016	\$200.00
STRIB CI LLC	55/4	10-108	\$1,100.00
	16/49	10-030	\$4,200.00
ROYAL TAX LIEN SERVICES, LLC	5/1	10-002	\$4,000.00
US BANK CUST. FOR LIENLOGIC FD. LLC	119/13	10-201	\$7,200.00
ROBERT U. DEL VECCHIO PENSION TRUST	16/49	11-0049	\$5,900.00
	Grand Total		\$29,100.00

Resolution
Re: Overpayment of Taxes (\$4,606.94)

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
Behr, Melissa	42/41 C0001	\$310.25	2012
Steve Dickman	137/22	\$1398.09	2010
MTAG Cust. For ATCF II NJ, LLC	70/19.01 C0015	\$1604.15	2012
Town of WNY Trust A/C	55/44	\$1,294.45	2010
	Grand Total	\$4,606.94	

July 18, 2012
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
Re: Authorizing a Veteran Tax Deduction

Whereas, the taxpayer listed below has applied for and given sufficient evidence that a surviving spouse of a veteran be granted pursuant to NJSA: 54:4-8.40, and

Whereas the taxpayer requested the veteran deduction be transferred from one property to another upon sale of the property and the Township failed to do so and

Whereas, the veterans deduction should have been granted by the Township of West New York as a credit against taxes for years 2009, 2010, 2011, and 2012

Now therefore be it resolved by the Commissioners of the Township of West New York, that veterans property tax deduction be granted for tax years 2009, 2010, 2011 and 2012 and the Tax Collector is directed to issue refunds for tax years 2009, 2010, 2011, 2012

Ellen Lobue 235 Price Court Block 168.01 Lot 1.12

RESOLUTION
Re: Approving Endorsement of Jaclyn Heights Treatment Work Approval Application

WHEREAS, Jaclyn 32, LLC (the “Developer”) is responsible for the construction of thirty two (32) units of housing at 625-623 57th St., West New York (the “Project”); and

WHEREAS, affordable and emergent market housing provides a benefit to the community as a whole; and

WHEREAS, the furtherance of redevelopment of the Project site provides a benefit to the community as a whole; and

WHEREAS, the Developer is in the process of submitting an treatment works approval related to an extension/connection in relation to the sanitary sewer system serving and within the Town; and

WHEREAS, under certain parameters promulgated by the New Jersey Department of Environmental Protection (NJDEP), it is necessary that an application be submitted with Town endorsement to the aforesaid agency for treatment works approvals and/or extensions/connections in relation and to the sanitary sewer system serving and within the Town; and

WHEREAS, pursuant to New Jersey Statutes, it is a requirement that the applicants gain approval of the aforementioned extension from the North Hudson Sewerage Authority (NHSA) and the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the required approval extensions, and/or temporary discharges to the afore described sewer system, will not be approved unless the applications bear the signature of the Mayor;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York that the Mayor and/or any other appropriate municipal official and/or their designees be and they are hereby authorized to sign the required applications for treatment works approval (TWA) for and to the sanitary sewer system serving and within the Town, and for applications for temporary discharge approval (TDA), as the case may be, for submission to the NHSA and/or the New Jersey Department of Environmental Protection, or any other responsible governmental entity.

July 18, 2012
Regular Meeting

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 creation of a Micro Loan Program

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, 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: 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 Professional Services in Regards to Rent Control Board Attorney Legal 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 professional legal services as may be needed by the Town of West New York for the positions of Rent Control Board Attorney Legal 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 the position of Rent Control Board Attorney Legal 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”), such opening to take place before the next regularly scheduled meeting of the Board of Commissioners of the Town of West New York.

July 18, 2012
Regular Meeting

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

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 prior at its next regularly scheduled meeting.

Resolution

Re: Authorizing PowerPoint Electrical & General Contracting, LLC to perform emergency repairs to various traffic lights within the Town of West New York Pursuant to N.J.S.A. 40A:11-6 for emergency contracts.

WHEREAS, the Town of West New York is responsible for the maintenance and repair of the traffic control systems located throughout the Town; and

WHEREAS, on several occasions over the past year various Traffic Control lights have required immediate repair; and

WHEREAS, that any delay in the repair of the Traffic Control lights would pose an imminent hazard to the safety of the community, and disrupt essential governmental functions; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6 the Town's purchasing agent in conjunction with the Law Department has determined that an emergency existed to enter into an agreement with PowerPoint Electrical & General Contracting for repairs to various traffic control systems.

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners as follows:

1. The above recitals are incorporated as if fully set forth herein.
2. The CFO is authorizes to issue payment to PowerPoint Electrical & General Contracting for emergency services billed in connection with the Traffic Control lights within the Town of West New York.
3. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-6.
4. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
5. A copy of this resolution and the documents detailing the terms of the need for the repairs shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

July 18, 2012
Regular Meeting

Resolution
Re: Appointing Margaret S. Cherone as
Chief Financial Officer of the Town of West New York
(Term: 8/1/12 – 7/31/16)

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that Margaret S. Cherone, residing at 15 Hugo Street, Clifton, NJ 07012 be and she is hereby appointed as Chief Financial Officer of the Town of West New York for a four (4) year term pursuant to NJSA 40A:9-140.10. The compensation for said position shall be \$125,000 per year pursuant to the Salary Range Ordinance. The term of said appointment shall commence on August 1, 2012 and expire on July 31, 2016.

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 - Commissioner Wiley
ABSENT - None

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

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, to **postpone the foregoing Ordinance to the September 19, 2012 meeting**, was carried by the following vote:

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

Note: Assistant Town Attorney Joseph DeMarco recommended to the Mayor and Board of Commissioners that this Ordinance be postponed to the September 19, 2012 in order to allow the Law Department additional time to review the Ordinance.

ORDINANCE #18/12

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

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

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, to **postpone the foregoing Ordinance to the September 19, 2012 meeting**, was carried by the following vote:

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

July 18, 2012
Regular Meeting

Note: Town Attorney Gilberto Garcia recommended to the Mayor and Board of Commissioners that Ordinance #18/12 be tabled until the September 19, 2012 meeting in order to allow the Law Department to review the legality whether someone whom is licensed by the State can use their license. As a result, the Mayor and Board of Commissioners voted to table Ordinance #18/12. Commissioner Wiley stated that he had collected over 220 signatures within 4 days throughout Town asking residents what they thought about Ordinance #18/12. He stated that there is no such thing as a Licensed Therapist. He said that this town didn't need massage parlors. Mayor Roque responded that he was in agreement with tabling this Ordinance which would be in the best for the Town.

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: Deputy Town Clerk Yesenia DelRio 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 Mayor Roque, seconded by Commissioner Vargas, 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 #20/12

**“AN ORDINANCE AMENDING CHAPTER 69 OF
THE CODE OF THE TOWN OF WEST NEW YORK”
(RE: CONSTITUENT SERVICES)**

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

It was regularly moved by Mayor Roque, seconded by Commissioner Frias, to **postpone** the foregoing Ordinance to the August 15, 2012 meeting, was carried by the following vote:

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

July 18, 2012
Regular Meeting

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

It was regularly moved by Commissioner Wiley, seconded by Mayor Roque, to **reject** the foregoing Ordinance, was carried by the following vote:

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

Note: Commissioner Wiley suggested that Ordinance #22/12 regarding Food Vendors be rejected as all of the businesses will suffer if the vendors are permitted to sell the same products that they are selling and that the merchants are paying \$6,000 to \$7,000 rent and the vendors will only be paying \$300 to \$400 for the license. He suggested that no additional licenses be given. Commissioner Wiley also said that the taco stand outside from taco bell was a health violation and that if was not in the best interest of our community to allow these vendors to continue to break the law. Commissioner Wiley said that the Commissioners have to make tough decisions for the betterment of our Town and residents. Commissioner Frias commented that the vendors would not only be allowed on Bergenline Avenue but throughout the Town. She said that there are a lot of single mothers who need to earn a living and they would benefit from this Ordinance. Commissioner Rodriguez questioned that if the vendors were given licenses would they be able to assign them to a specific location. Mayor Roque stated that a lot of the vendors get the license and rent or sell them to other individuals and that the best decision was to table this ordinance for further review. Assistant Town Attorney Joseph DeMarco suggested that it would be easier to reject this Ordinance and start from the beginning.

July 18, 2012
Regular Meeting

ORDINANCE # 23/12

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

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

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

The following person wished to be heard:

- 1. John O'Donnell, Esq. (attorney for tenants & owners of Grandview I and Grandview II):
Mr. O'Donnell questioned the need for this ordinance to be passed at this time. He stated the case is still pending in front of the court, that a final ruling has not been rendered and indicated that he thought the ordinance would be upheld and that the Commissioners should hold off on voting on this. Town Attorney Gil Garcia offered a different opinion as to the success of the case and recommended that the governing body vote to repeal the ordinance. He then asked if any other members of the public had any complaints. He indicated that there have been limited complaints received over the past several months**

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 and Mayor Roque
NAYS - None
ABSENT - None
ABSTAINED - Commissioner Wiley

ORDINANCE #24/12

AN ORDINANCE ADDING A NEW CHAPTER TO THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "VEHICLE BOOT PILOT PROGRAM"

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

July 18, 2012
Regular Meeting

Notice
Ordinance #24/12

AN ORDINANCE ADDING A NEW CHAPTER TO THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “VEHICLE BOOT PILOT PROGRAM”

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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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.

ORDINANCE #25/12

AN ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “LAW DEPARTMENT”

Note: Deputy Town Clerk Yesenia DelRio 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 and Mayor Roque
NAYS - None
ABSENT - None
ABSTAINED- Commissioner Wiley

Notice
Ordinance #25/12

AN ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “LAW 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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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.

July 18, 2012
Regular Meeting

ORDINANCE #26/12

An Ordinance repealing Ordinance #31/10 entitled:

“An Ordinance approving a Lease of Real Property by the Town with Riviera Towers, 6040 JFK Boulevard East for the primary use of the West New York Police Department for purposes of storage of vehicles and other equipment” in its entirety

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 #26/12

An Ordinance repealing Ordinance #31/10 entitled:

“An Ordinance approving a Lease of Real Property by the Town with Riviera Towers, 6040 JFK Boulevard East for the primary use of the West New York Police Department for purposes of storage of vehicles and other equipment” in its entirety

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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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.

ORDINANCE #27/12

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

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

It was regularly moved by Commissioner Rodriguez, 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

July 18, 2012
Regular Meeting

Notice
Ordinance #27/12

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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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.

ORDINANCE #28/12

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "ELECTRICAL SUBCODE OFFICIAL"

Note: Deputy Town Clerk Yesenia DelRio 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 - None
ABSENT - None
ABSTAINED- Commissioner Wiley

Notice
Ordinance #28/12

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "ELECTRICAL SUBCODE OFFICIAL"

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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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.

ORDINANCE #29/12

AN ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "COURT, MUNICIPAL"

Note: Deputy Town Clerk Yesenia DelRio 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 - None
ABSENT - None
ABSTAINED-Commissioner Wiley

July 18, 2012
Regular Meeting

Notice
Ordinance #29/12

AN ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "COURT, MUNICIPAL"

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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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.

ORDINANCE #30/12

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "CONSTRUCTION CODE OFFICIAL"

Note: Deputy Town Clerk Yesenia DelRio 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 and Mayor Roque
NAYS - None
ABSENT - None
ABSTAINED- Commissioner Wiley

Notice
Ordinance #30/12

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "CONSTRUCTION CODE OFFICIAL"

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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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.

July 18, 2012
Regular Meeting

ORDINANCE #31/12

AN ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "FINANCES"

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

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

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

Notice
Ordinance #31/12

AN ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED, "FINANCES"

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 July 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on August 15, 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: Deputy Town Clerk read all of the foregoing Notices aloud.

Mayor opened the Public Portion.

Public Portion:

1. Christine Piscitelli, 20 Grandview II West New York, NJ:

She stated that she wanted to show her respect to the Mayor and Board of Commissioners and that she was a very active resident of West New York, and as an example the amount of time and effort that she has given to the West New York Board of Education. She further commented that as far as the changes that Son Cubano has promised, there have been no improvements in the relationship with the community. She stated that a lot of the tenants have moved out and a lot of the owners have had to sell their units due to Son Cubano. She said that she had called the police this past weekend two (2) times and the police couldn't get around to answering her complaints.

2. Elaine Waxman, 20 Avenue @ Port Imperial WNY, NJ:

She spoke on behalf of the residents. She indicated that there are many residents with small children that have a concern about the quality of life because of Son Cubano. She indicated that there are many instances of drunk driving in the neighborhood and that the community does not need a night club in the area. She stated that many residents go to Son Cubano earlier in the night before it changes into a club. Ms. Waxman also complained of the parking issues in front of Son Cubano. Town Attorney Gilberto Garcia responded that a decision was not made by the judge and that she could look at the transcripts.

July 18, 2012
Regular Meeting

Public Portion (Cont.):

3. Alex Duran (Co-Owner of Son Cubano):

He stated that he wanted the residents to understand that they had invested 2.4 million dollars into their business along with his family. He also indicated that he was raised in West New York. He said that he has tried over and over again to comply with the requests of the tenants/owners of Grandview I & Grandview II but they are never satisfied. He invested over \$25,000 solely to soundproof the restaurant. He stated that he didn't want this part of the Town to be any different than the rest of the town.

4. Edward Duran (Co-Owner of Son Cubano):

He stated that all the people that have come to complain about Son Cubano have not sat with them to discuss the issues. They have made all the accommodations possible but to no avail to the complaining people. Mr. Duran stated that there is a group of people who have tried to make it difficult for them to run the business. Mr. Duran stated that they will continue to work hard to improve anything to accommodate the residents in their surrounding area.

5. Alberto Rodriguez, 200-59th Street WNY, NJ:

Mr. Rodriguez questioned whether this is an issue for the ABC Board regarding enforcement and not the need for an Ordinance. He questioned the effect of the Ordinance on the rest of the town and the impact on businesses throughout the town if it was expanded. Town Attorney Gilberto Garcia agreed with Mr. Rodriguez that this should be an ABC issue and not done by Ordinance. Town Attorney Garcia stated that he was not aware of any complaints over the past several months regarding Son Cubano. He also indicated that the current Ordinance as drafted may be considered selective enforcement as it excluded PF Changs and the rest of West New York.

6. Caridad Morrell, 6204 Monroe Place WNY, NJ:

Ms. Morrell stated that the Cuban Lodge La Logia which is next door to her home 6200 Monroe Place is constantly throwing garbage & empty liquor bottles on her property and that they have parties every weekend until 4 am. They have the patrons block her garage. She said that the Police Department already knows her due to her calling with complaints all the time. Ms. Morrell stated that she paid over \$14,000 in property taxes and that she felt as if she was living in the Bronx. She said that when she confronts the owner of La Logia he claims that it's not his garbage but that it's the school's garbage. She has told them that it can't be the school because it's liquor bottles. Mayor Roque advised Ms. Morrell that she should speak to Police Director Indri and that he would look into the situation.

7. Mathew Cheng, 6124 Madison Street WNY, NJ:

Mr. Cheng spoke regarding Ordinance #23/12. He commented that the Town should wait for the court's decision.

8. Wayne Cook, 6131 Jackson Street West New York, NJ:

Mr. Wayne Cook stated that there are no flags hanging around the Town garage and that there are a lot of flags throughout the town that are torn up. Commissioner Wiley responded that he will take care of the situation but that he is understaffed and he just inherited a department from the prior Commissioner with a lot of work that was neglected. Commissioner Wiley explained that due to him not getting the cooperation that he needed from the Administration he has not been able to start organizing the department.

July 18, 2012
Regular Meeting

Public Portion (Cont.):

9. Rafael Cruz, 527-61st Street WNY, NJ:

Mr. Cruz commented to the Mayor that he should step down and resign and he can go and do what he said he would do i.e. read and work out. Mr. Cruz said to the Mayor that he should save the town money and resign. Mr. Cruz said to Commissioner Rodriguez that he was very disappointed that she gave up her Department of Revenue & Finance to Commissioner Frias. He said that Commissioner Frias would not be a good candidate for that department because he had heard from Commissioner Wiley that she had claimed bankruptcy. Assistant Town Attorney DeMarco responded that they could not respond to those allegations because of personnel issues. Commissioner Frias responded to Mr. Cruz that she hadn't filed bankruptcy and that if he had proof, he should show it to her. Commissioner Frias responded that she had heard that Commissioner Wiley had filed bankruptcy two times. Commissioner Wiley responded that Commissioner Frias is not capable of running the Department of Revenue & Finance. Mayor Roque responded to Mr. Cruz that if he remembered correctly about 7 months ago his wife had approached him and asked for a job for her husband and the Mayor gave him the job at the library. Mayor Roque said that if he recalls correctly that Mr. Cruz's wife said the Mayor was the best.

10. Gabriella Suau, 437-53rd Street WNY, NJ:

Ms. Suau spoke on behalf of her mother who has been requesting a food vendor's license for the past year so that she can sell ice cream. She complained that the Administration has decided not to adopt the Ordinance. Ms. Suau said that her mother is a very sick person who cannot work due to her cancer and that if she would get the license she could work on her own schedule so she could provide for her family. Commissioner Vargas said that he had spoken to her mother several times regarding the food vendor license. Commissioner Wiley said to Ms. Suau that she should bring her mother to his office on Friday and that he would give her a job. Commissioner Wiley said that we need to do what is right so that we don't have liability issues. Commissioner Frias responded that how can Commissioner Wiley offer a job to Ms. Suau's mother when he was against the Food Vendor Ordinance.

11. Juana Chica, 6503 Palisade Avenue WNY, NJ:

Ms. Chica spoke thru a translator regarding construction being done in front of her property 6501 Palisade Avenue in front of where she would like to in the future put a driveway. Mayor Roque referred her to Director Indri.

12. Beatrice Martin, 211-53rd Street West New York, NJ:

Ms. Martin stated that she grew up in this town. She was complaining about the people who hang out in the municipal parking lot next door to her home and throw garbage and bottles into her backyard. She had contacted the DPW and had Mr. Bruce Liberti come by her house and he had taken care of the situation for the time being. Ms. Martin also complained about the dog dirt all over the town. She said that around her house there is a Little League, a school and a daycare and the kids walk all over the dog dirt. Ms. Martin said she was proud to live and raise her children in West New York but was very disappointed in how the Administration was acting. She said that her daughter is 5 years old and doesn't act like they do.

13. Fernando Villar, 406-55th Street WNY, NJ:

Mr. Villar commented that the Administration should act properly and not interrupt people when they are speaking and trying to make a point.

14. Ronald Schuerle, 6119 Tyler Place WNY, NJ:

Mr. Schuerle expressed his concern regarding the three (3) DPW individuals who were laid off three (3) years ago and have not been rehired. Assistant Town Attorney DeMarco advised Mr. Schuerle that they are looking into that matter and it will be resolved.

July 18, 2012
Regular Meeting

Public Portion (Cont.):

15. Christina Pena, 322-56th Street WNY, NJ:

Ms. Pena stated that she had had the displeasure of working with the Mayor and the other candidates running on Mayor Roque's ticket. With what she had experienced and what she saw that took place in this Commission Meeting, she was glad she withdrew her petition. Ms. Pena stated that she studied Political Science and earned a Master's Degree and with her knowledge and experience she would have been able to help this Administration but that she is glad she made the right decision. She wanted to know why the Commission Meeting was at 12 noon instead of a night meeting so that people that do work can attend the meetings as she had to take a day off of work to be able to attend. Assistant Town Attorney DeMarco responded that during the summer months the Commission Meetings are held at 12 noon and in September they go back to 7 pm. Ms. Pena responded that she works during the summer and disapproves of the meetings being scheduled at 12 noon.

16. Kerri Culhane, 322-67th Street WNY, NJ:

Ms. Culhane is concerned about why the garbage is being picked up so early. Commissioner Vargas responded that he would look into the matter and that she should call him.

17. Cosmo Cirillo, 116-65th Street WNY, NJ:

Mr. Cirillo spoke regarding Ordinance #22/12 regarding Food Vendors and said that he knows there was an application process in order to obtain a license and how can the Commissioners promise something without knowing the process. Mr. Cirillo also made note that he had put in an OPRA request to the Town Clerk's office regarding the last mailing and saw that it cost the Town close to \$7,000 to send out that mailing. Mr. Cirillo commented to Mayor Roque that it was very unprofessional of him as Mayor to allow people to attack each other like the Commissioner's did and for the Administration to have more respect for the West New York residents. Mr. Cirillo indicated that ever since the Mayor and the Board of Commissioner's took office there is a dark cloud over West New York due to all of the Mayor's actions. Mr. Cirillo further said he was proud to say that he a West New York resident. Mr. Cirillo further commented to the Mayor that as long as he sits as Mayor of this town nothing good would be of West New York so he asked the Mayor to step down and resign. Mayor Roque responded that Mr. Cirillo was absolutely correct but in this country we have the justice system so he's innocent until proven guilty so therefore if anything will happen he would be more than happy to step down unlike Mr. Cirillo that almost had to be escorted out of the Board of Education. Mr. Cirillo responded to the Mayor's comment that he had proudly served on the Board of Education for 4 years and never had a problem and that he was also proud to have worked for the town and served as a Deputy Town Clerk and had learned from Carmela Riccie. Mr. Cirillo said that he believes he was transferred to the Court in order to have him removed from the position of President of the Board of Education as it is a conflict to work for the courts and be a Board member. Mr. Cirillo said that in the years he worked with and for the town he did nothing wrong unlike the Mayor. Mr. Cirillo said that the town cannot continue with the dark cloud over it. Mayor Roque responded to Mr. Cirillo that he welcomes him on board and that together they can make West New York a better place. Mr. Cirillo responded that first Mayor Roque needed to put a good team together.

July 18, 2012
Regular Meeting

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Frias, to close the public portion and adjourn the meeting at 2:15 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