

January 16, 2013
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, January 16, 2013 at 7:00 p.m. (6:00 p.m. Work Session):

Present: Commissioners Frias, Rodriguez, Wiley and Mayor Roque
Absent: Commissioner Vargas
Also Present: Town Attorney Gilberto Garcia, Town Clerk Carmela Riccio and
Town Administrator Joseph DeMarco

Meeting commenced at 7:16 p.m.

Town Clerk Carmela Riccio 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 January 16, 2013 at 7:00 p.m., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 17, 2012. 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.

Minutes of Previous Meeting:

It was regularly moved by Commissioner Frias, seconded by Commissioner Rodriguez, that the Minutes of Regular Meeting: 12/17/12 (Regular and Work Session) be approved as recorded, was carried by the following vote:

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

Claims: Dated 1/16/13 (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, and Mayor Roque
NAYS - None
ABSENT - Commissioner Vargas

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF DECEMBER 2012

1. *From Construction Code Official Office, reporting the sum of \$36,138.00 Collected for the month of December, 2012
2. From Director Michael Indri (Police Dept.) reporting the sum of \$ 7,998.50 Collected for the month of December, 2012
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$1,300.00 for Special Licenses collected for the month of December, 2012
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$686.00 for Marriage/death certificates collected for the month of December, 2012
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$-0- for Dogs Licenses collected for the month of December, 2012,
6. From (Revenue and Finance Department) reporting the sum of \$6,241,674.68 collected for the month of December, 2012.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$38.50 collected for the month December, 2012

*See attached Code Enforcement Annual Report for 2011

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

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

January 16, 2013
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RFQ Results
Re: Bond Counsel (2nd occasion)

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 10, 2013

Proposal Time: 10:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Bond Counsel (2nd Occasion)

Personnel at Opening: Town Clerk Carmela Riccio & Deputy Town Clerk Jennie DelRio

Remarks: Time to receive RFQS was closed at 10:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) John Hudak
Law Office of John Hudak
(Address) 812 N. Wood Avenue Suite 304
Linden, NJ 07036

RESPONDER #2 (Name) Linda Alexander
Parker McCay P.A.
(Address) 9000 Midlantic Drive Suite 300
Mount Laurel, NJ 08054

RESPONDER #3 (Name) Karen Consoni
DeCotiis, Fitzpatrick & Cole
(Address) 500 Frank W Burr Blvd. Ste 39
Teaneck, NJ 07666

RESPONDER #4 (Name) MS&B
McManimom Scotland Baumann
(Address) 75 Livingston Avenue
Roseland, NJ 07068

January 16, 2013
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RFP Results
Re: Third Party Payroll Processing Services

RFP PROPOSAL FORMATION

Proposal Receipt Date: January 10, 2013
Proposal Time: 10:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Third Party Payroll Processing Services
Personnel at Opening: Town Clerk Carmela Riccie, Maria Barrios and Lisa Walsh
Remarks: Time to receive RFPS was closed at 10:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Automatic Data Processing (ADP)
(Address) 99 Jefferson Road
Parsippany, NJ 07054

RESPONDER #2 (Name) Action Data Service
(Address) 17 Sherwood Lane
Fairfield, NJ 07004

RESPONDER #3 (Name) Paylocity*
(Address) 77 Grant Avenue
Clark, NJ 07066

* Only Submitted original. No copies included.

RFQ Results
Re: Legal Services – Legal Representation of Recall Election Official

RFQ PROPOSAL FORMATION

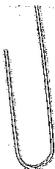
Proposal Receipt Date: January 10, 2013
Proposal Time: 11:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Legal Services-Legal Representation of Recall Election Official of the Town of West New York
Personnel at Opening: Town Clerk Carmela Riccie, Maria Barrios & Lisa Walsh
Remarks: Time to receive RFQS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Waters, McPherson, McNeill Attorneys at Law
(Address) 300 Lighting Way, P.O. Box 1560
Secaucus, NJ 07096

RESPONDER #2 (Name) Schwartz, Simon, Edelstein & Celso, LLC
(Address) 100 South Jefferson Road, Suite 200
Whippany, NJ 07981

January 16, 2013
Regular Meeting

Communication
Memorandum of from CFO Re: Sale of \$1,918,000 General Obligation Notes



Closing Item No. 10

MEMORANDUM

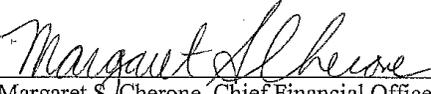
TO: Board of Commissioners of the Town of West New York, New Jersey
FROM: Margaret S. Cherone, Chief Financial Officer
RE: Sale of \$1,918,000 General Obligation Notes, consisting of:
\$1,688,000 Emergency Notes, Series 2012A ("ENs") and
\$230,000 Special Emergency Notes, Series 2012B ("SENs") (collectively, the "Notes")

The undersigned financial officer of the Town of West New York hereby reports to the governing body of the Town of West New York the principal amount, the description, interest rate and maturity date of the Notes sold, the price obtained and the name of the Purchaser:

PRINCIPAL AMOUNT:	\$1,918,000
DESCRIPTION:	General Obligation Notes, consisting of \$1,688,000 ENs and \$230,000 SENs
INTEREST RATE:	2.25%, payable at maturity
MATURITY DATE:	December 27, 2013
PRICE OBTAINED:	\$1,918,000
NAME OF PURCHASER:	County of Monmouth

The undersigned sold the referenced Notes pursuant to authority granted in resolutions adopted on December 17, 2012.

This report is being made to the governing body at the next meeting thereof after such sale in accordance with said resolutions.


Margaret S. Cherone, Chief Financial Officer

Dated: December 28, 2012

January 16, 2013
Regular Meeting

Communications
Re: Town Engineer's Monthly Status Report dated January 11, 2013



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

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

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

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

DATE: January 11, 2013

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

□ **Improvements to Fillmore Place and Dewey Avenue Parks**

- CME Associates had prepared a proposal for providing engineering services associated with preparing site plans for the improvements to the two (2) parks. We were authorized on January 31, 2012 to proceed with the project.
- The project was advertised for the receipt of bids on June 28 with the bid opening on July 12. The project was awarded on September 4 to the low bidder which was Rich Picerno Builders of Kenilworth, NJ, with a bid of \$750,458.00.
- We held a preconstruction meeting on September 12, 2012 for the project.
- We have prepared the contracts and notice of award which have been executed by the contractor.
- We have reviewed a majority of the material shop drawings submitted by the contractor which the contractor has ordered.
- The contractor has commenced construction and has been working at both parks. They have cleared the sites and have been working on the retaining walls at Dewey Park. They anticipate continuing to work through the winter, weather permitting.

□ **FY2012 NJDOT Municipal Aid Grant and Road Program**

- The Town received a grant in the amount of \$280,800.00.
- We submitted a proposal for preparing the construction plans and contract documents for the improvements to 67th Street from JFK Blvd West to Palisade Avenue. We estimate the construction cost for the project to be \$275,000.00.
- We were authorized to perform the design work and survey work for the project
- The field survey work and base maps have been completed.
- We have sent letters to the utility companies requesting the location of their existing facilities.
- We have completed the design plans and contract documents and issued same to the NJDOT for their review and approval.
- We anticipate the advertising for receipt of bids in February with a bid opening on March 13.

□ **Veterans Park Slope Remediation and Park Improvements**

- As you are aware, there are currently slope erosion issues at the park which have caused the concrete pavers and fencing in various areas to settle and collapse. We have been asked to review slope remediation alternatives at the park.
- We have reviewed various alternatives for remediating the slope in addition to reviewing options for overall park improvements.
- We have prepared a preliminary two phase conceptual design for the park improvements which we have reviewed with the Mayor.
- We issued a proposal for preparing detailed conceptual plans and construction cost estimates followed by the preparation of design documents for the first phase of the project.



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JOHN H. ALLGAIR, 1983-01
DAVID J. SAMUEL, P.E., P.P.
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Memo to: Mayor and Board of Commissioners
Town of West New York
January 11, 2013
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- We have prepared and issued request for proposals in order to obtain contractors to perform the necessary Geotechnical test boring and test probe work at the site. We have reviewed the quotes and issued letters of recommendation for award of this work.
- **FY2013 NJDOT Municipal Aid Grant**
 - The submittal date for the FY2013 NJDOT Municipal Aid Grant was October 16, 2012 but has been extended to October 19.
 - We prepared and submitted the application to the NJDOT for the following roads:
 - 60th Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
 - 65th Street from Broadway Avenue to Park Avenue (675')
 - 51st Street from JFK West to Bergenline Avenue (615')
 - 66th Street from Hudson Avenue to JFK East (2060')
 - The estimated construction cost for the above roads is approximately \$810,000.00.
- **Miscellaneous Engineering**
 - Washington Park: We are working with Bob Cabana to prepare a CDBG application to provide funds to perform various repairs at the park.
 - Speed Humps – Various Streets: At the request of Commissioner Vargas, we have prepared plans and contract documents to obtain quotes for the installation of speed humps at the following locations:
 - 56th Street between Gaw Place and Bergenline Avenue
 - Murphy Place
 - Fairview Terrace
 - Park Avenue between 64th Street and 62nd Street
 - Tax Map Revisions: With regard to our proposal for updating the Town Tax Maps, we have reached out to Mr. Jaeger to discuss same. There are three levels of updates to the tax maps that can be performed. A general update, a revaluation and a recertification. Mr. Jaeger has stated that the tax maps will require updating for a revaluation process. Mr. Jaeger had submitted the current tax maps to the State for review and comment; however, since the tax maps have not been updated in over 20 years, the State would not review same until they are updated. We have reviewed the extent of the changes that have occurred since the last update and prepared a proposal to perform an update of the tax maps and submittal to the State.
 - Pedro Labarta vs. Town of West New York: At the request of Ms. Niti Raval, Esq., of Florio and Kenny, LLP, we reviewed the Town Ordinances and the liability reports submitted by the co-defendant and plaintiff with regard to this case. We issued a letter with regard to same. We also attended a deposition on October 15, 2012, with regard to the case.
 - 60th Street and Jefferson Street Sinkhole Repair: We reviewed a sinkhole on Jefferson Street near the 60th Street intersection and coordinated the emergency repair of same. The roadway was repaired on December 19, 2012.



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Consent Agenda

It was regularly moved by Mayor Roque, seconded by Commissioner Frias that the following Consent Agenda Item Nos. R-1 through R-31 (**excluding R-30**) be adopted, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Wiley, and Mayor Roque
NAYS - See below note
ABSENT - Commissioner Vargas

Note: Resolution #R-30 was pulled from agenda during Work Session. Comm. Wiley voted "No" on the following resolutions: R-7, R-14, R-22, R-23, R-24, R-25, R-26, R-27, R-28 and R-29.

RESOLUTION

Re: Agreement between Town Of West New York and Peter Soriero, For Insurance Fund Administrator Services (Term: One Year)

Whereas, the following firms have submitted Proposal ("Proposal") to the Town of West New York on or before November 28, 2012, in response to an October 17, 2012, Request for Qualifications for Insurance Fund Administrator Services:

Peter Soriero
3 Cypress Point Lane,
Monroe Twp., NJ 08831

Whereas, upon due review of the Proposal it has been determined that Peter Soriero is properly qualified to provide the services requested in the October 17, 2012, Request for Qualifications for Insurance Fund Administrator Services; and

Whereas, Peter Soriero has offered to provide Insurance Fund Administrator Services for \$36,000 per annum;

Whereas, Peter Soriero has continued to serve as Insurance Fund Administrator since the expiration of his prior contract awarded in 2011;

Whereas, N.J.S.A. 40A:11-5(1)(m) provides that a contract for insurance consulting services may be awarded without competitive bidding as per N.J.S.A. 40A:11-5(1)(a)(ii); and

Whereas, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Town's Administrator has provided the Board of Commissioners with a Certification, dated December 17, 2012, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, describing the solicitation of proposals and describing in detail why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

Whereas, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to enter into a contract with Peter Soriero, to provide for the compensation for the services of Peter Soriero for the provision of Extraordinary Unspecifiable Services - Insurance Fund Administrator Services.

Whereas, N.J.S.A. 40A:11-1, et seq. provides that a contract for Insurance Fund Administrator Services may be awarded without competitive bidding; and

Whereas, the contract herein awarded will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications dated November 28, 2012; and

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Consent Agenda (Cont.):

Resolution (Cont.):

Whereas, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Town's budget and that such funds have been appropriated;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey as follows:

1. The above recitals are incorporated as if fully set forth herein.
2. That the Town of West New York does hereby appoint Peter Soriero as its Insurance Fund Administrator Services for a period of one year from the expiration of his previous term.
3. That the Town of West New York does hereby ratify the services provided by Peter Soriero as its Insurance Fund Administrator Services since the expiration of his prior contract awarded in 2011, in an amount not to exceed \$36,000.00.
4. The Mayor shall be and is hereby authorized to execute an agreement, by and between the Town and Peter Soriero for the provision of services - in accord with the proposal submitted, in substantially the form attached contract, in a form acceptable to the Town as evidenced by his signature thereon.
5. Peter Soriero shall be retained Insurance Fund Administrator Services at the rate of \$36,000.00 per annum.
6. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(m).
7. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
8. This award is awarded as a result of a Fair and Open Procedure adopted by the municipality in order to comply with the Pay to Play Law (P.L. 2004 Chapter 19 as amended by P.L. 2005, Chapter 51) N.J.S.A. 19:44-20.5 et seq.
9. A copy of this resolution and the agreement detailing the terms of the retention of Peter Soriero as Insurance Fund Administrator Services, shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
10. A notice of this contract award shall be published in the form prescribed by law.

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Consent Agenda (Cont.):

Resolution

Re: Rescinding a portion of Resolution adopted on May 18, 1994 which established a bus stop located on Southeast Corner of Bergenline Avenue at 61st Street

Whereas, a resolution was adopted on May 18, 1994 establishing numerous bus stops at various locations in the Town of West New York ; and

Whereas, the WNY Police Department (Traffic Division) has recommended that the bus stop located on the Southeast Corner of Bergenline Avenue at 61st Street be rescinded so that a Right Hand Turning Lane may be created; and

Whereas, it is in the best interest of the citizens and pedestrians of the Town of West New York that the aforesaid bus stop be eliminated so that a Right Hand Turning Lane may be created;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that a portion of Resolution adopted on May 18, 1994, which created the bus stop located on the Southeast Corner of Bergenline Avenue at 61st Street (northbound), be rescinded and that said bus stop be eliminated; and

Be it further resolved that the WNY Police Department (Traffic Division) will remove all pertinent signs at the aforesaid location; and

Be it further resolved that a copy of this Resolution shall be forwarded to: NJ Transit and to the Clerk of the Hudson County Board of Chosen Freeholders; and

Be it further resolved that this resolution shall take effect upon approval of the Commissioner of Transportation as provided by law.

Resolution

Re: Establishing a "Right Turn Lane" at the Southeast Corner of Bergenline Avenue at 61st Street

Whereas, the WNY Police Department (Traffic Division) has recommended that a Right Turn Lane be created on the Southeast Corner of Bergenline Avenue at 61st Street; and

Whereas, it is in the best interest of pedestrians and motor vehicle operators that a Right Turn Lane be created at the aforesaid location;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that a Right Turn Lane be established on the Southeast Corner of Bergenline Avenue at 61st Street (northbound) as follows:

Begin at a point along the East side of 61st Street and Bergenline Avenue, 74.7 feet south on the east side of Bergenline Avenue and 61 Street

Be it further resolved that the WNY Police Department (Traffic Division) will erect all pertinent signs at the aforesaid location; and

Be it further resolved that a copy of this Resolution shall be forwarded to: New Jersey Department of Transportation; and

Be it further resolved that this resolution shall take effect upon approval of the Department of Transportation as provided by law.

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Consent Agenda (Cont.):

Resolution

Re: Elimination of the position of Chief of Staff

WHEREAS, the Town current has a position entitled "Chief of Staff"; and

WHEREAS, the Mayor has determined that the position of Chief of Staff is no longer necessary for the efficient operation and management of the town.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners that the position of Chief of Staff is hereby eliminated and removed from the salary ordinance of the Town of West New York.

RESOLUTION

RE: INCREASING BID THRESHOLD

RESOLUTION increasing the bid threshold pursuant to N.J.S.A. 40A:11-3a

WHEREAS, recent statements by the Governor of New Jersey, which have been adopted by the New Jersey Department of Community Affairs regarding the Local Public Contracts Law have given municipalities the ability to increase their bid threshold up to \$36,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent, and

WHEREAS, Xenia Rivero possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq. and has been recognized by the Civil Service Commission as a Qualified Purchasing Agent.; and

WHEREAS, The Town of West New York desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Town of West New York, in the County of Hudson, in the State of New Jersey hereby increases its bid threshold to \$36,000; and

BE IT FURTHER RESOLVED , that the governing body previously appointed Xenia Rivero, on September 19, 2012 as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the Municipal Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Xenia Riveros certification to the Director of the Division of Local Government Services.

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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 Auditing Services (2nd Occasion)

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

WHEREAS, the Mayor and Board of Commissioners are desirous of receiving and considering proposals for professional Auditing services as may be needed by 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, including Auditing 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 Requests for Qualifications for professional Auditing services in accordance with the 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”), on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
3. The Mayor, with the Town Administrator and the Town Attorney both in an advisory capacity, will review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

Resolution

Re: Appointment of Gennarose Pope as Confidential Secretary to Mayor Felix E. Roque

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Gennarose Pope, who resides at 4414 Park Avenue, Apt 9, Weehawken, NJ 07086 be and is hereby appointed as Confidential Secretary to Mayor Felix E. Roque, for the Town of West New York for the following term: To Serve At The Pleasure Of The Mayor. Salary shall be in accordance with the Salary Ordinance. The Confidential Secretary is under the direction of the Department of Public Affairs.

Note: **Comm. Wiley voted “No” on this Resolution. Comm. Wiley commented that he has nothing against this person but that she is not a resident of West New York as required by Town ordinance. Town Attorney Garcia commented that residency ordinances are unconstitutional. He further commented that there is no preclusion from hiring nonresidents even though it is preferable to hire WNY residents. Comm. Wiley inquired as to why WNY residents are not being interviewed and hired. Mayor Roque replied that he (Comm. Wiley) hired people from North Bergen. Comm. Wiley replied “Stop lying. You are unethical.” Mayor Roque explained that this person is an ex-reporter with a lot of knowledge and experience. He further commented that the new Parks and lower taxes need to be “marketed” and “promoted”. Mayor stated that crime is stable, taxes are down and we need to promote good things that are happening in West New York.**

January 16, 2013
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Consent Agenda (Cont.):

Resolution

Re: Authorizing the transfer of the Street Sweeper and its driver to the West New York Parking Authority

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York believe that in order for a more effective parking enforcement during street sweeping dates it is best that the Street Sweeper and its Operator are part of the Parking Authority of the Town of West New York;

WHEREAS, in order to promote the efficient operation of the town and to provide for the public's safety and well-being it has been deemed necessary to transfer the operation and maintenance of the Street Sweeper presently belonging to the Department of Public Works to the West New York Parking Authority; and

WHEREAS, the Town of West New York does hereby authorize the donation of the street sweeper no longer needed for municipal services to the West New York Parking Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York that the Municipal Administrator is authorized to transfer the Street Sweeper, presently belonging to the Department of Public Works of the Town of West New York to the West New York Parking Authority;

Resolution

Re: Refund of Tax Overpayments (\$14,289.46)

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
6120 FILLMORE	42/41 C0002	\$352.75	2009
PLACE CORP.	42/41 C0003	\$310.25	2009
	42/41 C0004	\$352.75	2009
	42/41 C0005	\$310.25	2009
	42/41 C0006	\$352.75	2009
NICKLE MGMT, LLC	57/3.01	\$9,044.00	2012
MORILLA, LUIS & AYMEE	98/24	\$570.87	2012
GONZALEZ, JOSE C & ELVIRA T	30/15	\$2,842.40	2012
NAMNUM, ANGEL A & ROSE F.	152/15.03	\$78.44	2012
TORRES, JOSE	57/25	\$75.00	2012
	GRAND TOTAL	\$14,289.46	

January 16, 2013
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Consent Agenda (Cont.):

RESOLUTION

Re: Refund of Tax Lien Premiums (\$238,000.00)

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
US BANK CUST FOR CRESTAR CAPITAL LL	39/4	11-0105	\$1,000.00
US BANK CUST FOR TOWER DBW	72/7	12-0380	\$6,000.00
	35/14	12-0170	\$6,000.00
	19/3	12-0098	\$4,000.00
	19/1	12-0096	\$3,000.00
	88/9	12-0485	\$5,500.00
	98/11	12-0514	\$18,000.00
	119/13	12-0570	\$18,000.00
	11/28	12-0058	\$1,000.00
	159/11.01	12-0721	\$2,800.00
	61/21	12-0329	\$3,000.00
	108/20	12-0543	\$2,100.00
	47/15	12-0263	\$100.00
	88/1	12-0484	\$12,000.00
	143/8	12-0648	\$100.00
	131/9	12-0609	\$4,000.00
	131/8	12-0608	\$4,000.00
	139/11	12-0633	\$20,000.00
	98/21	12-0517	\$500.00
	138/4	12-0630	\$100.00
	84/14	12-0467	\$200.00
	128/13	12-0597	\$600.00
	54/18	12-0304	\$4,000.00
	163/19	12-0736	\$500.00
	40/26 C000A	12-0223	\$2,000.00
	38/9 C014D	12-0209	\$1,000.00
	152/15	12-0691	\$100.00
	38/9 C014E	12-0210	\$1,800.00
	28/19	12-0137	\$6,000.00
	1/1	12-0001	\$10,000.00
	36/33 C00A7	12-0177	\$1,800.00
	119/1	12-0568	\$17,000.00
	55/28	12-0310	\$28,000.00
	130/1.07	12-0603	\$5,000.00
US BANK CUST FOR CRESTAR CAPITAL LL	46/2	11-0127	\$10,100.00
	42/29	11-0118	\$200.00

**January 16, 2013
Regular Meeting**

Consent Agenda (Cont.):

Resolution (Cont.):

MTAG SVC. AS CUST	23/16	12-0121	\$500.00
FOR ATCF II NJ LLC	33/6	12-0156	\$7,500.00
	11/45	12-0062	\$500.00
	46/3	11-0128	\$2,000.00
	46/3	12-0255	\$25,000.00
	5/32 C09-G	11-0025	\$300.00
	138/10.01	12-0631	\$500.00
ROBERT U. DEL VECCHIO	15/16	10-029	\$2,100.00
PENSION TRUST			
PAM INVESTORS	86/30	12-0480	\$100.00
		GRAND TOTAL	\$238,000.00

Resolution

Re: Refund of Tax Lien Redemptions (\$641,472.09)

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
US BANK CUST FOR	72/7	12-0380	\$6,174.47
TOWER DBW	35/14	12-0170	\$700.44
	19/3	12-0098	\$1,165.06
	19/1	12-0096	\$347.38
	33/34 C002E	12-0163	\$1,763.29
	88/9	12-0485	\$991.25
	98/11	12-0514	\$17,794.59
	56/12	12-0316	\$7871.00
	119/13	12-0570	\$20,348.24
	62/030.02	12-0332	\$2,094.86
	11/28	12-0058	\$7,653.20
	159/11.01	12-0721	\$1,963.27
	54/14.02 C0015	12-0303	\$1,413.77
	61/21	12-0329	\$1,867.33
	108/20	12-0543	\$1,621.12
	46/3	12-0255	\$22,873.01
	55/28	12-0310	\$20,204.95
	47/15	12-0263	\$8,477.10
	88/1	12-0484	\$13,262.65
	141/14	12-0640	\$5027.05
	86/46	12-0483	\$6,992.37
	143/8	12-0648	\$2,695.89
	131/9	12-0609	\$2,732.77
	131/8	12-0608	\$2,628.80

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

	139/11	12-0633	\$21,175.91
	98/21	12-0517	\$2,594.62
	138/4	12-0630	\$1,896.01
	84/14	12-0467	\$602.61
	128/13	12-0597	\$486.10
	54/18	12-0304	\$2,796.50
	143/8	12-0648	\$2,695.89
	163/19	12-0736	\$886.45
	40/26 C000A	12-0223	\$1,208.56
	165/2	12-0738	\$8,676.66
	157/16.01	12-0714	\$3,438.77
	38/9 C014D	12-0209	\$1,142.35
	152/15	12-0691	\$3,195.61
	38/9 C014E	12-0210	\$1,268.96
	20/36 C0011	12-0107	\$1,163.08
	25/37	12-0129	\$1,360.36
	16/17	12-0074	\$8,210.53
	28/19	12-0137	\$3,131.88
	1/1	12-0001	\$15,170.59
	36/33 C00A7	12-0177	\$1,292.96
	1/23	12-0005	\$1,715.81
	23/7	12-0118	\$2,469.13
	119/1	12-0568	\$18,936.69
	5/32 C03-Q	12-0023	\$2,214.64
	113/8	12-0557	\$7,579.97
	86/8	12-0476	\$2,534.80
	21/33	12-0062	\$10,753.71
	130/1.07	12-0603	\$4,699.16
SBMUNICUST C/O	96/16	12-0500	\$7951.89
LBNJ	80/33	12-0427	\$7,110.19
	168.01/8.01 C0200	12-0770	\$6,680.91
	168.01/8.01 C0200	11-0393	\$34,868.67
MACWCP II LLC	96/16	12-085	\$2,172.52
THOMAS G HOWELL			
US BANK CUST FOR	59/1	12-0319	\$1,134.29
LIENLOGIC FD. LLC	82/14	12-0449	\$1,179.05
	92/4	12-0489	\$639.25
MTAG SVC. AS CUST	23/16	12-0121	\$9,375.70
FOR ATCF II NJ LLC	33/6	12-0156	\$10,111.17
	32/28	12-0147	\$409.09
	149/23	12-0678	\$5,992.25
	46/3	11-0128	\$18,202.18
	5/32 C09-G	11-0025	\$5,761.56
	138/10.01	12-0631	\$21,656.07
US BANK CUST FOR	102/7	12-0524	\$3,151.66
LIENLOGIC FD. LLC	42/21.02	12-0236	\$3,454.42
	66/1.02	12-0338	\$1,821.54
	108/16	12-0542	\$5,861.77
	25/8	12-0122	\$388.76
	57/1	12-0318	\$1,629.46
	28/10	12-0135	\$582.60
	9/1	12-0046	\$3,401.92
	34/5.02	12-0167	\$860.31
	45/26	12-0252	\$630.81

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

	102/6	12-0523	\$1,153.14
	137/3	12-0622	\$815.34
	25/8	12-0122	\$388.76
	143/9.01	12-0649	\$905.21
CUST FOR ATCF II NJ LLC	33/6	12-0156	\$10,111.17
	11/45	12-0062	\$1,621.32
PAM INVESTORS	11/46	12-0063	\$1,888.28
	168.01/8.03	12-0775	\$2,871.94
	C0137		
	33/46	12-0166	\$1,981.48
	5/32 C04-A	12-0024	\$465.83
	5/32 C08-R	12-0028	\$911.05
	109/9	12-0547	\$11,244.56
	54/32 C001B	12-0306	\$1,244.37
	71/1.02	12-0372	\$182.34
	71/3	12-0373	\$174.08
	109/22 C0104	12-0548	\$301.79
	45/11	12-0248	\$2,952.83
	56/21	12-0317	\$3,552.40
	109/22 C0104	12-0548	\$301.79
	160/1	12-0722	\$4,459.80
	86/30	12-0480	\$5,127.65
ISAAC MORADI	168.01/1.34	12-0764	\$704.22
	C0435		
	168.01/7.06	12-0791	\$3,554.50
	C0519		
	168.01/8.03	12-0780	\$2,959.29
	C0442		
	140/10	12-0638	\$477.26
	168.01/1.05	12-0748	\$753.56
	C0321		
	148/28	12-0671	\$5,008.03
72 OAK STREET HOLDINGS, LLC	168.01/1.13	12-0752	\$3,678.10
	C0164		
	46/2	12-0254	\$33,839.11
US BANK AS CUST/ATR	98/10	12-0512	\$1,183.53
FD NJ & CAPI	11/19 C002A	12-0054	\$2,267.17
	54/32 C001A	12-0305	\$1,586.74
US BANK CUST FOR	42/29	11-0118	\$14,280.52
CRESTAR CAPITAL LL	46/2	11-0127	\$35,276.87
	39/4	11-0105	\$8,459.68
CC REALTY, LLC	5/32 CGA12	10-018	\$1,425.20
ROBERT U. DEL VECCHIO	15/16	10-029	\$10,762.06
PENSION TRUST		11-0047	\$14,964.36
GAUTAM CHHAWCHHARIA	168.01/1.01	12-0744	\$646.55
	C0386		
GRAND TOTAL			\$641,472.09

**January 16, 2013
Regular Meeting**

Consent Agenda (Cont.):

RESOLUTION

Re: Refund of State Court Tax Appeals (\$19,467.45)

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
Michael I. Schneck Trustee for Flaum, H C/O Flaums Jersey Corp	69/1	\$4,809.75 \$7,147.80	2010 2011
Nashel & Nashel Trust A/C	109/25	\$4,502.55	2009
	28/18	\$3,007.35	2009
	GRAND TOTAL	\$19,467.45	

RESOLUTION

Re: Refund of County Board Tax Appeals (\$18,957.91)

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.

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
EFFI ALTER C/O EVAN PROP. LLC.	119/1	\$8,376.43	2012
DAVENPORT & SPIOTTI	120/39 20/31 20/30	\$2,261.00 \$2,777.80 \$2,700.28	2012 2012 2012
GONZALEZ, JOSE C & ELVIRA T.	30/15	\$2,842.40	2012
	GRAND TOTAL	\$18,957.91	

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution

**Re: Authorizing the Town Clerk to advertise
to receive bids for "General Contracting Services"
on Friday, February 15, 2013 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 Friday, February 15, 2013 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.

Note: Comm. Wiley voted "No" on this Resolution. The Commissioner commented that the current contract is for 2 years.

RESOLUTION

Re: Dedicating the corner of 63rd & Bergenline Avenue to Michael R. Parkes

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

WHEREAS, Michael R. Parkes was born, raised and educated in the Town of West New York; and

WHEREAS, Michael R. Parkes was a businessman in town for over 41 years with his wife, Bertha, and were the owners of Michael's Jewelers located at 6219 Bergenline Avenue; and

WHEREAS, Michael R. Parkes was a member of the West New York Chamber of Commerce for numerous years, was also past president of the W.N.Y. Kiwanis Club and a Little League sponsor; and

WHEREAS, Michael R. Parkes worked for the Town of West New York in the capacity of Coordinator of the W.N.Y. Urban Enterprise Zone and served as Chairman of the Alcohol Beverage Control Board and retired from the employ of the Town on November 1, 2012; and

WHEREAS, Michael R. Parkes departed this life on January 7, 2013;

NOW, THEREFORE, BE IT RESOLVED by Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York that the corner of 63rd and Bergenline Avenue be dedicated in the name of Michael R. Parkes.

Resolution

Re: Appointment of Irene Asbury, Esq.as Municipal Prosecutor

(Term: 6/1/12 to 5/30/13)

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Irene Asbury, Esq., be and is hereby appointed as Municipal Prosecutor for the Town of West New York, retroactive for the following term: 6/1/12 to 5/30/13. Salary shall be in accordance with the Salary Ordinance. The Municipal Prosecutor is under the direction of the Department of Revenue and Finance.

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

RE: Authorizing an interlocal agreement between the Township of North Bergen and the Town of West New York for the position of Health Officer

WHEREAS, the state of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the Township of North Bergen is currently without a licensed Health Officer due to an unforeseen retirement; and

WHEREAS, the Town of West New York has offered to enter into an interlocal agreement to share the services of their Health Officer Vincent Rivelli; and

WHEREAS, the Township of North Bergen has offered to compensate the Town of West New York in connection with the agreement; and

WHEREAS, it is in the best interest of the Town of West New York and the Township of North Bergen to enter into the agreement for the calendar year 2013; and

WHEREAS, N.J.S.A. 40A: 65-4 et seq. allows the municipalities to enter into a shared service agreement.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service agreement with the Township of North Bergen for the services of the Health Officer for the amount of \$35,000. The agreement shall be for the remainder of the calendar year 2013.

RESOLUTION

RE: Authorizing an interlocal agreement between the Town of Harrison and the Town of West New York for the position of Health Officer

WHEREAS, the state of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the Town of Harrison is currently without a licensed Health Officer due to an unforeseen retirement; and

WHEREAS, the Town of West New York has offered to enter into an interlocal agreement to share the services of their Health Officer Vincent Rivelli; and

WHEREAS, the Town of Harrison has offered to compensate the Town of West New York in connection with the agreement; and

WHEREAS, it is in the best interest of the Town of West New York and the Town of Harrison to enter into the agreement for the calendar year 2013; and

WHEREAS, N.J.S.A. 40A: 65-4 et seq. allows the municipalities to enter into a shared service agreement.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service agreement with the Town of Harrison for the services of the Health Officer for the amount of \$35,000. The agreement shall be for the remainder of the calendar year 2013.

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution

**Re: Authorizing the Town Clerk to advertise
to receive bids for "67th Street Road Improvements from Kennedy Blvd. to Palisades Ave."**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be hereby authorized and directed to advertise for the receiving of bids on March 13, 2013 at 11:00 a.m. in the Town Clerk's Office for: "67th Street Road Improvements from Kennedy Blvd. to Palisades Ave." for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

Resolution

**Re: Authorizing an Agreement between the Town of West New York and Immigration and
Customs Enforcement for reimbursement of Joint Operations Expenses**

WHEREAS, the Town of West New York has received a request from Immigration and Customs Enforcement to provide resources to joint operations and task forces; and

WHEREAS, pursuant to the agreement the Town will be entitled to reimbursement for overtime expenses and other law enforcement expenses related to the joint operations; and

WHEREAS, it is in the best interests of the Town of West New York and Immigration and Customs Enforcement to enter into an agreement for joint operations.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Police Director is authorized to execute a Memorandum of Understanding with Immigration and Customs Enforcement for reimbursement of joint operations expenses from the treasury forfeiture fund.

Resolution

**RE: APPROVAL OF RESOLUTION OF THE WEST NEW YORK PARKING
AUTHORITY AUTHORIZING THE EXTENSION OF RESIDENTIAL PERMIT
PARKING ZONE**

WHEREAS, the West New York Parking Authority (hereinafter the "Authority") is a public body corporate duly formed under the Parking Authority Law, N.J.S.A. 40:11-A-1 et seq., and possesses the powers set forth therein; and

WHEREAS, the Authority is empowered to adopt the within Resolution pursuant to and under the Parking Authority Law, N.J.S.A. 40:11-A-1 et seq., and

WHEREAS, the Authority has determined that it is in the best interest of the Town of West New York (the "Town") to extend the Residential Permit Parking Zone ("RPP Zone"); and

WHEREAS, the Authority wishes to extend to extend the RPP Zone to include all streets from 59th to 49th Streets, west of Bergenline Avenue and to include Kennedy Boulevard West in the Town of West New York from the hours of nine o'clock in the evening (9:00pm) to seven o'clock in the morning (7:00am), Monday through Friday; and

WHEREAS, pursuant to the Town's Ordinance, Article XII, Section 277-25 (the "Ordinance"), the Authority is authorized to establish RPP Zone(s) within the Town and the regulations within them; and

WHEREAS, as set forth in the Ordinance, this resolutions setting the boundaries of an RPP Zone shall be forwarded to the Mayor and Board of Commissioners of the Town for approval, by resolution and acceptance by ordinance, and the Authority shall, within ninety (90) days after designation, issue appropriate permits and cause parking signs to be erected in the area indicating the times and conditions under which parking shall be allowed; and

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

WHEREAS, the extension of the RPP Zone is necessary for the efficient operation of the Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners that the Authority is hereby authorized to extend the RPP Zone to include all streets from 59th to 49th Streets, west of Bergenline Avenue and to include Kennedy Boulevard West in the Town of West New York from the hours of nine o'clock in the evening (9:00pm) to seven o'clock in the morning (7:00am), Monday through Friday; and

BE IT FURTHER RESOLVED that this Resolution take effect immediately.

RESOLUTION

Re: Re-Appointment of Armando Alvarez as Member of the Zoning Board of Adjustment of the Town of West New York (Term: 1/1/13-12/31/15)

WHEREAS, the term of Armando Alvarez as a member of the Zoning Board of Adjustment of the Town of West New York expired on 12/31/12; and

WHEREAS, Armando Alvarez is a resident of the Town of West New York; and

WHEREAS, Armando Alvarez is available to serve on the Zoning Board of Adjustment;

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

1. Armando Alvarez is re-appointed to serve as Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on January 1, 2013 to December 31, 2015.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted "No" on this Resolution.**

**January 16, 2013
Regular Meeting**

Consent Agenda (Cont.):

RESOLUTION

Re: Re-Appointment of Melissa Rodriguez as Member of the Zoning Board of Adjustment of the Town of West New York (Term: 1/1/13-12/31/15)

WHEREAS, the term of Melissa Rodriguez as a member of the Zoning Board of Adjustment of the Town of West New York expired on 12/31/12; and

WHEREAS, Melissa Rodriguez is a resident of the Town of West New York; and

WHEREAS, Melissa Rodriguez is available to serve on the Zoning Board of Adjustment;

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

1. Melissa Rodriguez is re-appointed to serve as Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on January 1, 2013 to December 31, 2015.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution.**

RESOLUTION

Re: Re-Appointment of Laritza Marrero as Member of the Planning Board of the Town of West New York (Term: 1/1/13-12/31/16)

WHEREAS, the term of Laritza Marrero as a member of the Planning Board of the Town of West New York expired on 12/31/12; and

WHEREAS, Laritza Marrero is a resident of the Town of West New York; and

WHEREAS, Laritza Marrero is available to serve on the Planning Board;

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

1. Laritza Marrero is re-appointed to serve as Member of the Planning Board of the Town of West New York, for a term commencing on January 1, 2013 to December 31, 2016.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution.**

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Re-Appointment of Nelly Vasquez as Member of the Zoning Board of Adjustment of the Town of West New York (Term: 1/1/13-12/31/15)

WHEREAS, the term of Nelly Vasquez as a member of the Zoning Board of Adjustment of the Town of West New York expired on 12/31/12; and

WHEREAS, Nelly Vasquez is a resident of the Town of West New York; and

WHEREAS, Nelly Vasquez is available to serve on the Zoning Board of Adjustment;

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

1. Nelly Vasquez is re-appointed to serve as Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on January 1, 2013 to December 31, 2015.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution.**

RESOLUTION

Re: Appointment of Maria Hernandez as a Member of the The Planning Board of the Town of West New York (Term: 1/16/13-1/15/17)

WHEREAS, a vacancy exists on the Planning Board due to the expired term of Alain Gomez; such term expired on January 16, 2012;

WHEREAS, Maria Hernandez who resides at 120-59th Street is a resident of the Town of West New York;

WHEREAS, Maria Hernandez is available to serve on the West New York Planning Board;

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

1. Maria Hernandez is appointed to serve as a member of the West New York Planning Board for a term commencing on January 16, 2013 and expiring on January 15, 2017.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution.**

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

**Re: Re-Appointment of Margarita Guzman as a Member of the
West New York Housing Authority
(Term: 10/20/12-10/19/17)**

WHEREAS, the term of Margarita Guzman as a Member of the Town of West New York Housing Authority Board expired on 10/19/12; and

WHEREAS, Margarita Guzman, has continued to serve as a Member of the Town of West New York Housing Authority Board since October 20, 2012; and

WHEREAS, Margarita Guzman is a resident of the Town of West New York; and

WHEREAS, Margarita Guzman, has competently served the Town of West New York Housing Authority Board;

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

1. Margarita Guzman is re-appointed to serve as a Member of the Board of the West New York Housing Authority, for a term commencing on October 20, 2012 to October 19, 2017.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: Comm. Wiley voted “No” on this Resolution.

RESOLUTION

**Re: Re-Appointment of Armando Alvarez as Member of the Parking Authority of the
Town of West New York (Term: 1/16/13-1/15/18)**

WHEREAS, the term of Armando Alvarez as a member of the Parking Authority of the Town of West New York expires on 1/15/13; and

WHEREAS, Armando Alvarez is a resident of the Town of West New York; and

WHEREAS, Armando Alvarez is available to serve on the Parking Authority;

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

1. Armando Alvarez is re-appointed to serve as Member of the Parking Authority of the Town of West New York, for a term commencing on January 16, 2013 to January 15, 2018.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: Comm. Wiley voted “No” on this Resolution.

January 16, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Authorizing the Town to Enter in to a Contract with Horizon Blue Cross Blue Shield Medicare Advantage Plan

WHEREAS, pursuant to various collective bargaining agreements the Town is obligated to provide health coverage to qualified retired employees; and

WHEREAS, pursuant to the employment agreements the Town provides secondary coverage to retired employees 65 and older; and

WHEREAS, the Town has retained a consultant to explore various health plans available to provide health coverage to qualified retired employees, and

WHEREAS, after reviewing various options it was the recommendation of the consultant to enter into an agreement with Horizon Blue Cross Blue Shield Medicare Advantage Plan, and

WHEREAS, Horizon Blue Cross Blue Shield Medicare Advantage Plan will provide equal to or better health coverage to the qualified retired employees of the Town in accordance with the Collective Bargaining Agreements, and

WHEREAS, the selection of Horizon Blue Cross Blue Shield Medicare Advantage Plan will lower health costs for the current year and help control and stabilize future medical costs.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners that the Town Administrator is permitted to enter into an agreement with Horizon Blue Cross Blue Shield Medicare Advantage Plan to provide health coverage for qualified retired employees.

Note: **Comm. Wiley voted “No” on this Resolution.**

Resolution

Re: Appointment of Alternate Members to the Handicapped Parking Review Committee (Term: 1/17/13-1/16/14)

WHEREAS, the Town of West New York by Resolution adopted February 21, 2001 has previously established a committee to review and investigate applications for handicap parking; and

WHEREAS, the Committee consists of three members whose terms shall be for two (2) years as adopted by Resolution dated 2/15/12; and

WHEREAS, the Police Director has requested that three Alternate members be appointed to the Review Committee to ensure that there is always a monthly meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, that P.O. Andres Rana, Dr. Hilda Roque and Joseph DeMarco, Esq., are hereby appointed as Alternate Members to the Handicapped Parking Review Committee for the Town of West New York to serve for a term from January 17, 2013 to January 16, 2014.

January 16, 2013
Regular Meeting

ORDINANCE #1/13

**AN ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE
TOWN OF WEST NEW YORK (LAW DEPARTMENT)**

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, and Mayor Roque
NAYS - None
ABSENT - Commissioner Vargas
ABSTAIN - Commissioner Wiley

Notice
Ordinance #1/13

**AN ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE
TOWN OF WEST NEW YORK (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 January 16, 2013 and ordered published, and will be further considered before final passage at a public hearing on February 20, 2013 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Town Clerk Carmela Riccio read the foregoing Notice aloud.

ORDINANCE #2/13

**AN ORDINANCE AMENDING CHAPTER 338 OF THE CODE OF THE
TOWN OF WEST NEW YORK (SIGNS)**

Note: Town Clerk Carmela Riccio 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, and Mayor Roque
NAYS - Commissioner Wiley
ABSENT - Commissioner Vargas

Note: Commissioner Wiley commented that this amendment infringes on the peoples' rights to express themselves.

January 16, 2013
Regular Meeting

Notice
Ordinance #2/13

**AN ORDINANCE AMENDING CHAPTER 338 OF THE CODE OF THE
TOWN OF WEST NEW YORK (SIGNS)**

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 January 16, 2013 and ordered published, and will be further considered before final passage at a public hearing on February 20, 2013 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Town Clerk Carmela Riccio read the foregoing Notice aloud.

Mayor Roque opened the Public Portion and advised that speakers may have more than five (5) minutes if they wish. Mayor Roque publicly recognized former Mayor Sal Vega, who was in the audience.

Public Portion:

1. Wayne Cook, 6131 Jackson Street (#2), WNY:

Mr. Cook wished everyone a Happy New Year. He advised that he had received a card from Comm. Wiley which contained no stamp, which he claimed is "illegal". He complained that streets near the schools are not being painted, which should have been done prior to school starting. Mayor Roque asked Mr. Cook to call him with addresses so that he could instruct Mr. Pinto to paint the lines. Mr. Cook complimented the governing body for recent police promotions and commented that more walking police officers are needed on the street so that the children know who the police officers are so that there will be less problems. Mr. Cook commented that he had spoken to Police Director Indri about 562-61st Street, which is an abandoned building where a group of children are hanging out. Mayor indicated that he had spoken to Mr. Solares about putting boards on the building to prevent access, but Mr. Cook indicated that it is not working.

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

Mr. Cirillo referred to Resolution R-7 (Appointment of Gennarose Pope as Mayor's Confidential Secretary) and indicated that he is "disappointed" that there is not a single qualified person from WNY who could have filled that position. Mayor Roque advised that he had interviewed many people who did not possess her credentials. He requested Mr. Cirillo to recommend to him the names of qualified people. He commented that there is a receptionist working in the Mayor's Office who does not speak English well and that she is going to class to learn English. Mr. Cirillo disagreed and commented that many WNY residents could fill the position and he encouraged the Mayor to look in WNY before hiring nonresidents.

January 16, 2013
Regular Meeting

A motion was made by Mayor Roque, seconded by Commissioner Frias, **to close the Public Portion and Adjourn the meeting at 7:35 p.m.**, was carried by the following vote:

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

Commissioner FiorD' Aliza Frias

Commissioner Caridad Rodriguez

ABSENT

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest:

Carmela Riccie, RMC
Town Clerk