

November 24, 2014
Executive Session

Minutes of **Executive Session** of a Regular 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, West New York, on Monday, November 24, 2014.

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
Absent: None
Also Present: Corporation Counsel Donald Scarinci, Town Clerk Carmela Riccio,
Town Administrator Matthew Watkins and Sean Dias, Esq. (Scarinci
Hollenbeck)

Note: Closed Session commenced at 2:02 p.m.

Corporation Counsel Donald Scarinci advised that there are several matters that Town Administrator Watkins wishes to discuss as follows:

1. Re: CWA Union Contract:

Mr. Watkins advised that he had “good news” regarding current CWA contract negotiations. He advised that there has been no contract since June 2010, which was extended to 2011. There was a vote taken last year which was rejected by the membership. Mediation was filed and hearing took place a few weeks ago. He advised that he “costed out” the Town’s offer, did calculations and presented three (3) alternatives to the Union representatives. Final offer was 1.75% across the board for five (5) years, which is less than what the Town would have paid. There is a vote of the membership being taken tomorrow night. He indicated that he and Sean Dias reviewed the proposal and he was concerned with extending recognition to all part-time employees and other issues to which he disagreed. He explained that he requested an increase in deductibles for prescriptions and he read aloud the amounts. He further advised that the Town has the right to increase the deductibles in 2015. Comm. Frias inquired about insurance for part-time employees. Mr. Watkins advised that we can’t provide under Affordable Health Care Act and it is the Town’s decision to give insurance. He further advised that benefits are up to Town’s discretion and if we want to give those benefits we always have that option to do so. He explained that if part-time employees become Union Members they are obligated to pay dues, etc. Mr. Watkins commented that he doesn’t think that is a good idea at this time. He further advised that the monies are in place in reserve to pay the employees, assuming the membership votes in favor of offer, and that the employees have been without a salary increase for 4.5 yrs. Comm. Rodriguez inquired whether the Town can continue to have part-time employees to which Mr. Watkins responded “Yes, but make sure part-time employees fall inside rules for Health Care Act”. Brief discussion ensued regarding Affordable Health Care Act and hours part-time employees can work. Comm. Wiley inquired as to whether senior citizen employees can elect to have Medicare take precedence over Town’s health coverage. Mr. Watkins advised that Medicare is Primary insurance for persons over 65 yrs. of age. Comm. Wiley inquired whether that changes if person is still working for the Town to which Mr. Watkins replied “We are Primary if they are not retired yet”. Sean Dias and Mr. Watkins commented that the current offer is comparable to what other municipalities are giving and both agreed it is very fair and reasonable to the Town as well. Mayor Roque inquired as to when checks would be issued to the employees to which Mr. Watkins advised that target date is last paycheck in February 2015. Comm. Rodriguez inquired as to whether the employees would receive advance notice as to when they will receive their checks. Comm. Frias inquired as to what year the income taxes will be applied i.e. 2014 or 2015. Mr. Watkins advised “2015”.

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Mr. Scarinci explained the following:

2. Mario Blanch v. Town of WNY:

Mr. Scarinci commented that at the last Closed Session meeting, this matter was discussed and governing body gave authorization to settle matter for \$55,000. Case is now settled for \$50,000 and there will be confidentiality clause on both sides. He advised that C.E.P.A. law allows for “piercing of attorney/client privilege and allows in discovery conversations between Gil and Blanch would be disclosed. I don’t know and I don’t want to know.” Mayor inquired as to whether payment would be in a lump sum to which Mr. Scarinci responded “yes”.

Motion was made by Comm. Rodriguez, seconded by Comm. Vargas, to **close executive session at 2:22 p.m.**, was carried by the following vote:

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

Commissioner FiorD’Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccie, RMC
Town Clerk