

September 21, 2011
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, September 21, 2011 at 7:00 p.m. (6:00 p.m. Work Session).

Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
Absent: None
Also Present: Town Attorney Julio Morejon, Asst. Town Attorney Joseph DeMarco, Town Administrator Joseph McConnell, Jennie DelRio and Sarita Alvarado (representatives of Town Clerk's Office)

Meeting commenced at 7:30 p.m.

At the request of Mayor Roque, Town Attorney Julio Morejon 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 September 21, 2011 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 May 17, 2011. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

Note: At the request of Mayor Roque, Town Attorney Julio Morejon read aloud the titles of all items on the agenda.

Note: Minutes were transcribed by Jennie Del Rio as Town Clerk Riccie was absent due to vacation.

Minutes of Previous Meeting:

It was regularly moved by Commissioner Rodriguez seconded by Commissioner Vargas, that the Minutes of Regular Meeting: 8/15/11 (Regular and Work Sessions) be approved as recorded and that the Executive Session Minutes from: 12/23/09, 4/15/09, 3/30/09, 9/17/08 & 8/20/08 were acknowledged and were carried by the following vote:

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

Claims: Dated 9/21/11 (Claims are available for public inspection in the Town Clerk's Office):

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

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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF AUGUST 2011

1. From Construction Code Official Office, reporting the sum of \$106,992.00 collected for the month of August 2011.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$3,554.00 collected for the month of August 2011.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$2,130.00 Special Licenses collected for the month of August 2011.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$522.00 for Marriage/death certificates collected for the month of August 2011.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$115.60 for Dogs Licenses Issued for the month of August 2011.
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$546,516.96 collected for the month August 2011.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$0 collected for the month of August 2011.

It was regularly moved by Commissioner Wiley, 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

Proclamation

Re: Honoring Hector Acosta "El Torito"

Hector Acosta "El Torito", comenzo su carrera musical en el año 1982 cuando gano el festival de la voz de una emisora de radio, desde entonces todos han sido exitos y triunfos para este artista quien hoy en dia esta catalogado como el mejor cantante de merengue de Quisqueya. Sus grandes exitos los conocio a traves de la agrupacion "Los Toros Band", grabando su primera produccion discografica de la mano de Gerardo Diaz "El Toro", en el año 1990, "Se Soltaron los Toros", y que para deleite de todos sus seguidores estuvo sonando en todas las radios por espacio de un año consecutivamente, generando asi una gran expectativa dentro del publico dando inicio a una exitosa trayectoria musical que lo mantiene en el gusto de los oyentes. Pero sin lugar a dudas el CD que marco la pauta de su carrera fue "Raices", y es en esta produccion donde rescata el merengue vernaculo y de salon, siendo esta una de las producciones que mas acogida tiene en su carrera ya que la misma le dio la oportunidad a nuevas generaciones de conocer las expresiones mas autenticas del merengue y recreando a la vez vivencias de otros tiempos.

El tema "Perdoname la Vida" se convirtio en el estandarte y en la insignia del artista dentro del genero de la bachata, ganador de premios tan importantes no solo en su Quisqueya natal, tambien en Estados Unidos y en Colombia, son "Premios Casandra", los mas importantes en Republica Dominicana, "Premios ACE", "Premio Lo Nuestro", "Premio Estrella", "Premios Globo", "Premios Congo de Oro" y "Continente de Plata" entre otros, sin olvidar su nominacion a los prestigiosos premios "Grammy Latino" en el 2002. En el 2006 Hector Acosta "El Torito" decide separarse de "Los Toros Band" y seguir su carrera solo en la musica, sus temas "Primavera Azul", "Amor Prohibido", "Sin Perdon", "Quizas Si Quizas No", "Tu Primera Vez" y "Me Voy", entre otros suenan constantemente en las radios no solo de America sino de todo el mundo, permitiendole asi poder presentarse en los mejores escenarios de la musica, sin lugar a dudas estamos frente a uno de los maximos exponentes de la bachata del momento, y pasara mucho tiempo para que otro bachatero pueda lograr tantos exitos en tan corto tiempo.

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

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

Proclamation
Re: Honoring Francisco Humberto Quezada

Sr. Francisco Humberto Quezada, Consul de Honduras, nació el día 2 de Enero de 1964 en Juticalpa, Olancho, Honduras. Durante el periodo de 1988 hasta el presente ha realizado diferentes labores como: jefe de proyectos Compañía Agrícola Emalco, Agente consular servicio exterior en Nueva York y Cónsul General de Honduras en Nueva York.

También durante estos años ha sido capaz de finalizar diferentes estudios como Ingeniero Agrónomo en el Instituto Tecnológico de Estudios Superiores en Monterrey, Mexico. El Sr. Francisco H. Quezada fue encargado de Sección Diplomática Consular. Hoy en día Sr. Quezada es el Cónsul de Honduras ayudando los Hondureños y la comunidad Hispana.

It was regularly moved by Commissioner Frias, seconded by Commissioner Rodriguez, that the foregoing Proclamation be approved, was carried by the following vote:

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

Proclamation
Re: Honoring Digna E. Dubon

Digna E. Dubon nació en el Puerto de Ampala, Honduras, emigró a este gran país en 1965. Se casó y tuvo dos hijas Emily y Geraldine Quintero. Ya divorciada, continuó sus estudios en Bergen Community College y en Fairleigh Dickinson University donde se graduó en Bacteriología. En el 1983 decidió en crear su propio negocio que se especializó en ropa para niños. En ese año conoció a su esposo Dionisio Villanueva.

Actualmente es Presidenta y fundadora de la organización "AVAN" (Asociación de Vendedores Ambulantes en Newark), Presidenta de "Lower Broadway Merchants Association" en Newark, y Vice Presidenta del Desfile Hispano Americano de New Jersey. Dedicó su tiempo para ayudar a la comunidad Hispana.

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

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

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Proclamation

Re: Honoring Honduran Leaders United in New Jersey

Whereas, The Honduran Leaders United in New Jersey was founded on September 18, 2009, by Sergio Alberto Perez, a native of San Pedro Sula; and

Whereas, The Honduran Leaders United in New Jersey provides and promotes solidarity and unity that has helped the Honduran community; and

Whereas, The Honduran Leaders United in New Jersey helps the community through promoting celebration of the art, culture, tradition, ethnic diversity, and history of Honduras and Central America; and

Whereas, The Honduran Leaders United in New Jersey has made this organization grow and evolve in recent years and become one of the signature organizations of the state of New Jersey led by a Honduran;

Now, Therefore, I, Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby honor and recognize The Honduran Leaders United in New Jersey for all their public service on behalf of this great Town.

It was regularly moved by Commissioner Frias, seconded by Commissioner Rodriguez, that the foregoing Proclamation be approved, was carried by the following vote:

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

Consent Agenda

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas that the following Consent Agenda Item Nos. R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, R-10, R-11, R-12, R-13, R-14, R-15, R-16, R-18, R-19, R-20, R-21, R-22, R-23, R-24, R-25, R-26, R-27, R-28, R-29 and R-30 be adopted, was carried by the following vote:

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

Note: Town Attorney Julio Morejon read the titles and item numbers included on the Consent Agenda.

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Consent Agenda (Cont.):

Resolution

Re: Repealing Resolution adopted on 4/20/11 (Restricted parking for Handicapped Resident as follows: 111-61st Street, WNY (Luis Del Rosario)

Whereas, the governing body of the Town of West New York adopted a Resolution on April 20, 2011 establishing restricted parking for use by a handicapped residents; and

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

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

111-61st Street, WNY (Luis Del Rosario)

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

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

Resolution

Re: Repealing a portion of Resolution adopted on 12/17/97 (Restricted Parking for Handicapped Resident) as follows: 429-64th Street (Dorothy Smith)

Whereas, the governing body of the Town of West New York adopted a Resolution on December 17, 1997 establishing restricted parking for use by a handicapped residents; and

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

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

429 – 64th Street, WNY (Dorothy Smith)

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

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

Resolution

Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows: 5701 Kennedy Blvd East (Zoila L. Cardova)

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

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

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Consent Agenda (Cont.):

Resolution (Cont.):

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Zoila L. Cardova 5701 Kennedy Blvd. East West New York, NJ 07093	East	Begin from a point along the East side of 58 th St., & Park Avenue 78 ft. South from the (north exit ramp at 5701 Park Ave.) then 24ft south there from.

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

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

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

Resolution

Re: Repealing a portion of Resolution adopted on 8/18/99 (Restricted Parking for Handicapped Resident) as follows: 50-66th Street (Ossowski August)

Whereas, the governing body of the Town of West New York adopted a Resolution on August 18, 1999 establishing restricted parking for use by a handicapped residents; and

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

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

50-66th Street (Ossowski August)

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

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

Resolution

Re: Establishing No Parking-Drop-Off Zone for Look what I can do Children's Learning Center (5600 Kennedy Blvd)

WHEREAS, based upon the recommendation of the Traffic Division of the West New York Police Department in letter dated December 9, 2010, and in accordance with N.J.S.A. 39:4-197(3) (b), it is in the best interest of the Town of West New York to establish a "No Parking-

Drop Off Zone" at the Look what I can Do Children's Learning Center located at 5600 Kennedy Blvd., West New York, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Town of West New York, N.J. that a "No Parking-Drop off Zone" be and the same is hereby authorized and established, as follows:

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Consent Agenda (Cont.):

Resolution (Cont.):

1. No person shall stop or stand a vehicle between the hours specified on any day (except Saturdays, Sundays and public holidays) other than for the loading and unloading of students upon the following street or part of street described below.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
5600 Kennedy Blvd. West New York, NJ (Look what I can Do Children's Learning Center)	North side of 56th Street	6:30 a.m. to 9:00 a.m. & 3:00 p.m to 6:30 p.m (Monday – Friday)	Begin at a point, along the North side of 56th Street, from the N.E. corner of 56 th & Kennedy Blvd, then go 42 feet East therefrom.

2. Appropriate markings and sign shall be located at said "No Parking-Drop off Zone" area according to law.

Resolution

Re: State Court Tax Appeals (\$49,504.87)

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
JOSEPH R. MARINIELLO ATTY. FOR STEPHEN AFFUSO ET AL	2/9	\$2,673.82	2009
MICHAEL A. VESPASIANO ATTY. FOR HPJKP LLC.	21/1.03	\$3,186.42 \$3,591.28	2009 2010
BRUCE J. STAVITSKY ESQ. FOR THE BENEFIT OF WALGREENS	146/3	\$15,932.10	2009
RICHARD NASHIEL ATTY FOR M & D INVESTMENTS, LLC	95/3	\$2,810.00 \$5,195.25	2008 2009
MICHAEL I. SCHNECK TRUSTEE FOR HOLDING OF AMER.	80/2	\$4,777.00 \$5,887.95 \$5,451.05	2008 2009 2010
	GRAND TOTAL	\$49,504.87	

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Consent Agenda (Cont.):

Resolution
Re: Refunds of Tax Lien Redemptions (\$253,960.46)

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

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

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

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

Name	Block/lot	Cert#	Amount
FNA JERSEY LIEN SERVICES, LLC	60/12	10-115	\$9,012.28
	18/23 C0103	10-031	\$8,519.00
	5/26 C0006	10-012	\$2,683.61
HADAR HAREL	22/24	09-037	\$745.19
TOWER LIEN,LLC	127/13	10-213	\$24,941.12
	70/19.01 C0015	10-127	\$7,294.09
PLYM. PK. TAX SRVS.	70/19.01 C0015	08-067	\$13,165.71
R. ROTHMAN	52/5	10-100	\$41,908.84
JN PROPERTIES	42/13	08-047	\$623.30
U.S. BANK-CUST/ SASS MUNI V DTR	42/13	09-064	\$145,067.32
		GRAND TOTAL	\$253,960.46

Resolution
Re: Refund of Tax Lien Premiums (\$16,800.00)

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.

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Consent Agenda (Cont.):

Resolution (Cont.):

NAME	BLOCK/LOT	CERT. #	AMOUNT
FNA JERSEY LIEN	60/12	10-115	\$4,800.00
SERVICES, LLC	18/23 C0103	10-031	\$600.00
	5/26 C0006	10-012	\$100.00
TOWER LIEN, LLC	127/13	10-213	\$4,600.00
	70/19.01 C0015	10-127	\$100.00
R. ROTHMAN	52/5	10-100	\$6,600.00
	GRAND TOTAL		\$16,800.00

Resolution

Re: Establishing the Rate of Interest to be changed on Delinquent Taxes

Whereas, pursuant to the State of New Jersey, a municipality may charge a rate of interest not exceeding 8% per annum on the first \$1,500 of delinquency, nor more than 18% on any delinquencies in excess of \$1,500; and

Whereas, a delinquency is defined as “the total of all unpaid taxes and municipal charges (including interest) due on a property covering any number of quarters or years; and

Whereas, interest will be calculated from the first day of each Tax Quarter, that being, February 1st, May 1st, August 1st, and November 1st, after the grace period has expired; and

Whereas, it is desirous for the Mayor and Board of Commissioners to reduce the unnecessary burden of the State’s limit of 8% on the first \$1,500 and 18% on any delinquencies in excess of \$1,500; and

Whereas, it is desirous of the Town of West New York Board of Commissioners to charge 3% on all delinquent taxes from the date due until the date of actual payment commencing on August 1, 2011;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the interest rate being applied shall be 3% on all delinquent balances from all past quarters and currently through February 1, 2012;

Be it further resolved that existing tax title liens held by third party purchasers shall remain at the interest rate of the successful bidder at the time of the tax sale. Any future tax payments on the existing lien shall be limited to the amended interest rate of 3% as established by this resolution.

Resolution

Re: Appointment of Ernesto Munoz as Town Administrator for West New York

WHEREAS, the Town of West New York in order to properly run the municipal government requires a Town administrator; and

WHEREAS, Joseph McConnell has recently resigned from the office of Town administrator, along with his duties as the purchasing agent, MIS director, Insurance fund commissioner and JIF representative and in order to insure the prompt and efficient running of the municipal government it is necessary to fill the vacancy; and

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Consent Agenda (Cont.):

Resolution (Cont.):

WHEREAS, the Town of West New York and the Board of Commissioners wishes to name Ernesto Munoz as the Town administrator;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, that the Mayor and town Clerk are authorized to enter into an agreement with Ernesto Munoz for employment as the Town Administrator.

Resolution

Re: Appointment of Ernesto Munoz as Insurance Fund Commissioner

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

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

Now, Therefore, Be It Resolved by the Mayor and Board of Commissioners of the Town of West New York that the following person is hereby appointed as a Member of the Insurance Fund Commission of the Town of West New York:

Ernesto Munoz

Term: 9/21/11 – 9/20/13

Resolution

Re: Authorizing the Town Clerk to accept bids for elevator inspections

WHEREAS, the Town of West New York is required by Statute to conduct elevator inspections for the public safety; and

WHEREAS, the current contract for elevator inspections will expire on December 1, 2011; and

WHEREAS, the Town of West New York and the Board of Commissioners wishes to permit the Town Clerk to accept bids for the elevator inspection services; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, that Carmela Riccio is hereby authorized to accept bids for elevator inspection services. The date in which the bids are to be received shall be set by the clerk no later than October 30, 2011.

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Consent Agenda (Cont.):

Resolution

Re: Making application to the Local Finance Board Pursuant to N.J.S.A. 40A:3-4

WHEREAS, THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY (the "Town"), desires to make application to the Local Finance Board (the "Board") for the Board's approval of an amended Bond Ordinance pursuant to N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act, said approval to be sought in accordance with the provisions of a Resolution adopted by the Board on May 14, 2008; and

WHEREAS, the Town believes:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purposes or improvements are for the health, wealth, convenience or betterment of the inhabitants of the Town;
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Town and will not create an undue financial burden to be placed upon the Town.

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

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer and Bond Counsel and the Town's Auditor, along with other representatives of the Town, are hereby authorized to prepare such application and to represent the Town in matters pertaining thereto.

Section 2. The Clerk of the Town of West New York is hereby directed to file a copy of this Resolution with the Local Finance Board for its consent as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Resolution

Re: Dedication by Rider-Youth Teams & Competitive Traveling Events N.J.S.A. 40A-39

WHEREAS, according to NJSA 40A:4-39 the Town of West New York may introduce a Resolution to establish a Dedication by Rider for the purpose of administering costs for Youth Teams and Competitive Traveling Events; and

WHEREAS; it was determined that the Sponsorship Fees and other donations to the Program will offset the costs associated with the Youth Teams and Competitive Traveling Events, and

WHEREAS, the Director of the Division of Local Government Services shall approve the rules and regulations in respect to the Dedication by Rider upon written application prepared by the Town of West New York,

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of NJSA 40A:4-39, the Town of West New York may establish a Dedication by Rider for the administration of Revenues and Appropriations of the Youth Teams and Competitive Traveling Events.

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Consent Agenda (Cont.):

Resolution
Re: Corrective Action Plan for Calendar Year 2010

Whereas, pursuant to NJSA 40A:5-4 requires each governing body to cause to be made an annual audit report of its books, accounts and financial transactions; and

Whereas, the Town of West New York, County of Hudson, State of New Jersey has caused such annual audit to be conducted for the year ended December 31, 2010; and

Whereas, such annual audit was prepared by Lerch, Vinci & Higgins for the Town of West New York for the year ended December 31, 2010 and received by the Town of West New York on July 22, 2011 and was accepted by the Town of West New York on August 17, 2011.

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that steps have been taken or will be taken forthwith with regard to the specific General Comments and Recommendations as contained in the Corrective Action Plan.

Resolution
Re: Accepting the Best Practices Policies for 2011

WHEREAS, in accordance with the requirements of the Division of Local Government Services, a Best Practices Worksheet for Calendar Year 2011 must be completed and submitted to the Director's Office; and

WHEREAS, it should be reviewed by the Governing Body and approved of having knowledge that the State Aid given in respect to CMRTA (Consolidated Municipal Property Tax Relief Aid) may be affected by the score attained in this Worksheet; and

WHEREAS, the Municipal Clerk will certify that the Governing Body has reviewed and accepted the Best Practices Worksheet as prepared by the Chief Financial Officer; and

WHEREAS, the score attained by the Best Practices Worksheet indicates that the Town of West New York will receive its full share of CMTRA State Aid;

NOW, THEREFORE BE IT RESOLVED, that the Municipal Clerk is hereby authorized to complete the Certification as to Best Practice Public Meeting for 2011 and remit the Worksheet to the Division of Local Government Services.

Resolution
Re: Appointing Vilma Reyes as a member of the West New York Public Library
(Term: 9/21/11-9/20/16)

WHEREAS, a vacancy exists on the Board of the West New York Public Library, the term of such position extending to September 20, 2016;

WHEREAS, Vilma Reyes, is a resident of the Town of West New York; and

WHEREAS, Vilma Reyes, 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. Vilma Reyes is appointed to serve as a Member of Board of the West New York Public Library, to serve for the unexpired portion of a term which term will expire on September 20, 2016.

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Consent Agenda (Cont.):

Resolution (Cont.):

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: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2012 Road Program Project

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of West New York formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor, Commissioners and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012 West New York Town-00418 to the New Jersey Department of Transportation on behalf of the Town of West New York.

BE IT FURTHER RESOLVED that the Mayor, Commissioners and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of West New York and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution

Re: Appointing Nasrin Alam as a member of the West New York Public Library To fill the unexpired term of Yesenia Camilo (Term Expires on 2/16/16)

WHEREAS, a vacancy exists on the Board of the West New York Public Library, due to the resignation of Yesenia Camilo-Nunez, such term expiring February 16, 2016;

WHEREAS, Nazrin Alan, is a resident of the Town of West New York; and

WHEREAS, Nazrin Alan, 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. **Nazrin Alan** is appointed to serve as a Member of Board of the West New York Public Library, to serve for the unexpired portion of a term which term will expire on **February 16, 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.

Resolution

Re: Appointing Barbara Viu as a member of the WNY Public Library to Fill the unexpired term of Maria Calvo (Term expires on 1/16/12)

WHEREAS, a vacancy exists on the Board of the West New York Public Library, due to the resignation of Maria Calvo, such term expiring on January 16, 2012;

WHEREAS, Barbara Viu, is a resident of the Town of West New York; and

WHEREAS, Barbara Viu, 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:

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Consent Agenda (Cont.):

Resolution (Cont.):

1. Barbara Viu, who resides at 6306 Jefferson Street, West New York, New Jersey, is appointed to serve as a Member of Board of the West New York Public Library, to serve for the unexpired portion of a term which term will expire on January 16, 2012.
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: Repealing Resolution adopted on 8/18/10 (Restricted Parking for Handicapped Resident) as follows: 18-62nd St., WNY (Peter English)

Whereas, the governing body of the Town of West New York adopted a Resolution on August 18, 2010 establishing restricted parking for use by a handicapped residents; and

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

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

18-62nd Street, WNY (Peter English)

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

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

Resolution

Re: Establishing restricted parking in front of one (1) residence for use by Handicapped resident as follows: 14-16-65th Street (Jorge Tabraue)

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

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

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Jorge Tabraue 14-16 65 th Street West New York, NJ	North	Begin at a point along the North side of 65 th St., 185 ft. West from the northwest corner of (65th St. & Boulevard East, Then 22 ft. south there from.

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

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and

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Consent Agenda (Cont.):

Resolution (Cont.):

3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

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

Resolution

Re: Authorizing the Town Clerk to advertise to receive bids for
“Computer Maintenance Services”

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids for “Computer Maintenance Services” in accordance with specifications on file in the Town Clerk's Office.

Resolution

Re: Appointment of Basam Najmeddin as the Mayor's Liaison
to the Arab-American Community of New Jersey

WHEREAS, the Mayor and Commissioners desire to maintain and improve communication between the Governing Body and the Arab-American Community of New Jersey; and

WHEREAS, it is in the best interest of the Town for the Mayor to appoint a person to act as liaison when communicating with the Arab-American Community of New Jersey; and

WHEREAS, the Mayor and Commissioners recognize Basam Najmeddin, an entrepreneur, who has successfully conducted a construction business for the past twenty years, and has unselfishly dedicated part of his time working with the Muslim and other faith community in New Jersey, and Mr. Najmeddin's labor has provided much good will, respect and understanding among our multi-cultural citizens of New Jersey; and

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that BASAM NAJMEDDIN, a resident of the State of New Jersey, be and is hereby appointed as the Mayor's Liaison to the Arab-American Community of New Jersey. Said appointment is without pay and shall commence September 21, 2011.

Resolution

Re: Naming the first week after the first Monday in October a
“Week of Respect” in accordance with the “Anti-Bullying Law”

WHEREAS, on January 5, 2011, New Jersey Public Law 2010-144, took effect, which law is referred to as the “Anti-Bullying Law”, establishing among other things, the first week after the first Monday in October as a “Week of Respect”; and

WHEREAS, the Mayor and Commissioners recognize that the West New York Board of Education has established October 3 to October 7, 2011 as the School District's “Week of Respect”; and

WHEREAS, the Mayor and Commissioners desire to join in the efforts to “Stomp Out Bullying” and wish to declare the first week after the first Monday in October a “Week of Respect”; and

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Consent Agenda (Cont.):

Resolution (Cont.):

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the first week after the first Monday in October is declared a "Week of Respect" in accordance with the "Anti-Bullying Law."

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 Web Design Consultant

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 Web Design Consultant; 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 web design consultant, in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received ("Statements of Qualifications").
3. A Review Committee is established, consisting of the Mayor, the Town Administrator and Town Attorney, to review all Statements of Qualifications and to make recommendations to the Board of Commissioners at regularly scheduled meeting.

Corrective Resolution

Re: Appointment of Gloria Lopez as Deputy Municipal Court Administrator

WHEREAS, the Town of West New York is required by Statute to have a Deputy Administrator for the Municipal Court; and

WHEREAS, the Deputy Administrator position is currently vacant; and

WHEREAS, at the Town of West New York Commission Meeting held on August 17, 2011, the Town of West New York and Board of Commissioners adopted a resolution which stated that Gloria Lopez has obtained all of the required licenses and certifications necessary for the position, named Gloria Lopez as Deputy Court Administrator; and

WHEREAS, the Town of West New York and the Board of Commissioners wish to correct the prior resolution entered on August 17, 2011, to reflect that Gloria Lopez will obtain the required licenses and certifications for the position of Deputy Court Administrator within the time proscribed by the laws of the State of New Jersey; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, that Gloria Lopez is hereby appointed as the Deputy Administrator to the Municipal Court, and will obtain the required licenses and certifications for the position of Deputy Court Administrator within the time proscribed by the laws of the State of New Jersey.

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Consent Agenda (Cont.):

Resolution

Re: Authorizing the Town to accept Road Opening Permit Bond

WHEREAS, pursuant to Chapter 352 of the Town Ordinance entitled “Streets and Sidewalks”, subchapter 20.D, (“Ordinance”) each applicant for a permit to open a public right-of-way, upon the receipt of a permit for such opening as otherwise provided by ordinance of the Town, or other law, shall provide the Town with an adequate corporate surety bond, cash or certified check (“adequate security”) to guarantee faithful performance of the work authorized by such permit, for the payment of any necessary repairs occasioned by the opening of the public right-of-way by the Town, prior to such opening; and

WHEREAS, in accordance with said Ordinance, the amount of such adequate assurance shall be equal to the amount of the actual cost of the closing of the opening to the permittee.

WHEREAS, in accordance with said Ordinance the minimum amount of such bond shall be in relation to the cost of restoring openings to the public rights-of-way to be made by the permittee throughout the year. The Town may elect to waive the requirements of this section insofar as it pertains to a public utility company if such company files with the Township its corporate bond in a form satisfactory to the Township, conditioned upon compliance with the provisions of this article; and

WHEREAS, PSE&G has applied and been granted a permit for the purpose of opening the surface in the Town to perform utility work; and

WHEREAS, PSE&G has submitted a bond for \$20,000, entitled “ROAD OPENING PERMIT BOND, BOND NO. 327-011-434” in a form attached hereto; and

WHEREAS, Mayor and Commissioners upon the advice of the Town Engineer and Town Attorney are satisfied that the Bond posted by PSE&G is in compliance with Chapter 352 of the Town Ordinance entitled “Streets and Sidewalks”, subchapter 20.D, (“Ordinance”); and

NOW, THEREFORE BE IT RESOLVED that the Town is satisfied that the Bond posted by PSE&G in the amount of \$20,000 is in compliance with Chapter 352 of the Town Ordinance entitled “Streets and Sidewalks”, subchapter 20.D, (“Ordinance”).

Resolution

Re: Authorizing Closure of Executive Session pursuant to N.J.S.A. 10:2-12(b)

BE IT RESOLVED by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, that the Board of Commissioners hereby declares this executive session closed to the public for discussion of N.J.S.A. 10:4-12(b)(7) the discussion of pending or threatened litigation or contract negotiations regarding:

- (1) Possible litigation settlement negotiations.

BE IT FURTHER RESOLVED that the minutes of this closed session shall be available to the public as per N.J.S.A. 10:4-13(a) at such time as the matter necessitating the discussion of pending or threatened litigation or contract negotiation have been resolved, to the extent disclosure is not prohibited by other law.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Wiley that the foregoing Resolution be approved, was carried by the following vote:

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

September 21, 2011
Regular Meeting

Ordinance #17/11

Re: An Ordinance approving financial agreement between the Town of West New York & Riverwalk G Urban Renewal, LLC for Construction of 316 residential apartments located on Lot 7.10 Block 168.01

Note: Town Attorney Julio Morejon 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 persons wished to be heard:

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

Mr. Cirillo inquired as to the length of time of tax abatement to which Mayor Roque responded “30 years. The Mayor further commented that former Mayor Sires had a vision of what the waterfront looks like today and West New York needs development. The Mayor further commented that the past 4 years, the prior Administration did not allow development. Mr. Cirillo inquired as to why the time period of the abatement is so long? Mayor commented that if this is what it takes, then we have to allow it and have them build. Commissioner Rodriguez asked Mr. Cirillo “Were you born in the 80’s? Do you have any memory of what the waterfront looked like? In the 12 years of Albio Sires’ Administration, the taxes where not raised. Why didn’t the Vega Administration not do the same? Vega should have negotiated an abatement to help bring revenue to this town but instead he had a 51% tax increase. Let me tell you something he did it the lazy way. This project will bring jobs to town residents. This will not hurt but it will benefit the town.” Mr. Cirillo inquired “Is 30% going to the school system?” Mayor asked Mr. Cirillo “How many children from the waterfront attend our public schools at the present time?” Mr. Cirillo responded “8”. Mayor responded “8 students out of 4000 residents”. Commissioner Rodriguez commented “regardless of the percent that we agree on, we are an Abbott District and 100% comes from Abbott.” Mr. Cirillo commented “if we don’t have the funding necessary, there will not be enough money for our children”. Commissioner Rodriguez replied “we will never leave our kids with no money.” Mayor Roque asked Mr. Brian O’Reilly to speak on behalf of the town to explain the abatement system. Mr. O’Reilly stated that he was the consultant for the town for 18 months, he was also Business Administrator for 20 years for Jersey City and that he also owns a small company which reviews Tax Abatements. He advised Mr. Cirillo that since 2003 there is no requirement of any tax abatement money to go toward schools. Mr. Cirillo inquired “no money”? Mr. O’Reilly responded “no money”. Mayor Roque responded to Mr. Cirillo, “I understand your concern. There is no shortage. There will be \$13 million dollars coming from the Governor which you won’t be there to see. No kid is suffering right now; the ones suffering are the taxpayers with the 51% tax increase. We will lower our taxes.” Commissioner Wiley commented that a decision has been made and this will only benefit the Town and that they have their own garbage pickup, snow removal, etc. He further commented that this will not hurt West New York in any way but it will make the Town grow and will give builders incentive to come to West New York to build. This is what will make this Town grow. Mr. Cirillo commented that they had not answered his question. Mayor Roque responded, “Please show some respect. We have given you all straight answers, more than that we cannot do.” Commissioner Rodriguez reiterated that the Commissioners have given him all straight answers. Mr. Cirillo said as a final statement, “It is obvious that this is a very important issue”. Town Attorney Morejon advised Mr. Cirillo that he had five more minutes. Mayor Roque commented that the prior Mayor only permitted a total of 5 minutes. Mr. Cirillo inquired, “Aren’t you voting on this tonight? I encourage that you don’t vote on this today”.

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2. Beatrice Pelaz-Martinez, 211 – 53rd Street, WNY:

Ms. Pelaz-Martinez commented that as a property owner and a West New York resident all her life she would like to raise her children here and have them enjoy this town as much as she did, but if it continued the way it is she won't be able to do so. She stated "I love this town" and that she received a letter from WNY First and that it concerns her. She further commented that taxes went up 51% last year due to the past administration. She further commented that West New York is divided into two sections, the upper portion and the waterfront portion and that her friends ask why she still lives here. Mayor responded, "First of all I would like to say that the people who wrote that letter are a bunch of cowards". Mayor Roque read aloud the letter sent from WNY First. He commented that Riverwalk will bring in a lot of revenue to this Town. Assistant Town Attorney DeMarco advised that this project will cost in excess of \$118 million dollars and that a bank will only loan that kind of money with a tax abatement with a safeguard in an agreement. Mr. O'Reilly explained the breakdown of the number of one & two bedroom units that will be in the 316 total units. Ms. Pelaz-Martinez commented that West New York is not like Jersey City, which is much bigger, and that West New York should be united, not divided.

3. Henrietta Dwyer, 16 – 62nd Street, WNY:

Ms. Dwyer indicated that she is not very familiar with tax abatements and inquired as to whether this would look like Jersey City's waterfront, which consists of glass buildings and not much waterfront. Mr. O'Reilly explained that he had received his experience from working in Jersey City, not that this project would be like Jersey City. Ms. Dwyer expressed her opinion that the Town should hold on to the piece of open land. Mayor Roque explained that the developers own the land upon which they wish to build and that it is the developer's decision to build what is permissible. Ms. Dwyer commented that \$1,600 is a lot of money for a 1-bedroom unit. Discussion ensued between Ms. Dwyer and Comm. Rodriguez regarding rising taxes. Commissioner Rodriguez commented that from 1995-2006 taxes did not increase and that the waterfront development is the reason taxes did not increase in those years. Ms. Dwyer said she wanted to wish the Mayor and all the Commissioners lots of luck and to continue being honest, and that it takes a lot of courage to do what they do. Commissioner Rodriguez said that between 1995-2006 the taxes were stable but that in the last 4 years had skyrocketed, and that the prior Administration was spending money as if it were theirs. Commissioner Rodriguez asked Ms. Dwyer if she lived around the corner from her and Ms. Dwyer responded "yes, but you didn't vote for me."

4. Maria Dones, 200 – 49th Street, Union City:

Ms. Dones spoke in Spanish. Mayor Roque translated and advised that she wanted to express her appreciation to Commissioner Wiley for his great work during the Hurricane Irene clean up.

5. Humberto Ortega, 6040 Blvd. East, WNY:

Mr. Ortega expressed that he had some questions regarding this tax abatement. He stated that he lived in town and owned his apartment since 1973. He wanted to know why the waterfront property owners pay less taxes than he pays, and commented that the average apartment on the waterfront pays 37% less in taxes than the average apartment and that they pay 15% less than him. He asked how many units were being proposed in this development. Mr. O'Reilly advised that there would be 316 mixed units. Mr. Ortega asked how the percentage is justifiable. He stated that townhouses are much bigger than his condo. Mr. O'Reilly indicated that the people in Jacob's Ferry pay three times as much as the people on top of the cliff. Assistant Town Attorney DeMarco responded that \$1.3 million dollars revenue will be realized. Mr. O'Reilly advised that condo and co-op owners are shareholders and can't appeal their taxes.

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6. Ken Blane, 6040 Blvd. East, WNY:

Mr. Blane suggested that the abatement be for less than 30 years. Asst. Town Attorney DeMarco commented that this project will bring additional 40% more revenue within the 30 year period. Mr. Blane suggested that further research be done prior to approving this Ordinance. He explained that as a member of the WNY Zoning Board, they make every effort in the best interest of the Town and that at the end of the day, the members know they did the best that they could. Mr. Blane also welcomed Joe Rodriguez to the Zoning Board.

7. Jennifer Shaty, 6040 Blvd. East, WNY:

Ms. Shaty commented that this Tax Abatement is encouraging more development on the waterfront, and inquired "Do we need more residents in West New York?" Mayor Roque commented that he welcomes all buyers and builders to West New York and that this is a huge piece of property upon which the owner has decided to build. He further commented that it is the owner's decision to do what they wish with this property, and that the banks will not lend money unless there is tax abatement involved. He explained that this is an opportunity to bring in revenue so that taxes do not have to be increased. Commissioner Frias explained that town residents will have top priority in obtaining jobs which will be created as a result of this project. Ms. Shaty inquired as to why this property could not be sold to a builder who doesn't need a tax abatement. Mayor Roque explained that with economic times, it is not easy to have all the money required to develop without tax abatements and that this new development will substantially increase the Town's revenue with the anticipation of lowering taxes over the next four years.

8. Doug Borden, 6600 Blvd. East, WNY:

Mr. Borden advised that he is concerned about the consequences of the tax abatement. He commented that the cliffs in Hudson County are being overdeveloped and inquired as to whether the property could be re-appraised. Mr. O'Reilly advised that once there is an approval, there are no further hearings. Mr. Borden suggested that perhaps a park can be built instead of residential units. He inquired as to the amount of the appraisal of this property to which Mr. O'Reilly explained that the Town has appraised it as empty land and that no reassessment can be done.

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

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

Ordinance #18/11

**Re: An Ordinance repealing a portion of Ordinance #49/95 entitled:
"An Ordinance establishing restricted parking in front of one (1) residence
for use by handicapped resident" (6215 Blvd. East) Elsie Bajandas**

Note: Town Attorney Julio Morejon read the title of the foregoing Ordinance aloud.

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

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

September 21, 2011
Regular Meeting

Notice
Ordinance #18/11

**Re: An Ordinance repealing a portion of Ordinance #49/95 entitled:
“An Ordinance establishing restricted parking in front of one (1) residence
for use by handicapped resident” (6215 Blvd. East) Elsie Bajandas**

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 September, 2011 and ordered published, and will be further considered before final passage at a public hearing on October 19, 2011 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 Attorney Morejon read the foregoing Notice aloud.

Ordinance #19/11

**Re: An Ordinance repealing Ordinance #11/96 entitled: “An Ordinance establishing
restricted parking in front of one (1) residence for use by handicapped resident”
(6504 Dewey Avenue) Lisette Cardova**

Note: Town Attorney Julio Morejon read the title of the foregoing Ordinance aloud.

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

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

Notice
Ordinance #19/11

**Re: An Ordinance repealing Ordinance #11/96 entitled: “An Ordinance establishing
restricted parking in front of one (1) residence for use by handicapped resident”
(6504 Dewey Avenue) Lisette Cardova**

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 September, 2011 and ordered published, and will be further considered before final passage at a public hearing on October 19, 2011 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 Attorney Morejon read the foregoing Notice aloud.

September 21, 2011
Regular Meeting

Ordinance #20/11

Re: An Ordinance amending Ordinance #5/00 establishing Construction Code fees and Amending Chapter 161 of the Code of the Town of West New York

Note: Town Attorney Julio Morejon read the title of the foregoing Ordinance aloud.

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

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

Notice
Ordinance #20/11

Re: An Ordinance amending Ordinance #5/00 establishing Construction Code fees and Amending Chapter 161 of the Code of the Town of West New York

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on September, 2011 and ordered published, and will be further considered before final passage at a public hearing on October 19, 2011 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 Attorney Morejon read the foregoing Notice aloud.

Bond Ordinance #21/11

Re: An Ordinance of the Town of West New York, in the County of Hudson, New Jersey, Amending Bond Ordinance No. 1/11 of the Town finally adopted February 10, 2011, providing for various Capital Improvements for the Town of West New York and appropriating \$1,680,000, therefore, and providing for the issuance of \$1,596,000 in General Improvement Bonds or notes of the Town of West New York to finance the same

Note: Town Attorney Julio Morejon read the title of the foregoing Ordinance aloud.

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

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

September 21, 2011
Regular Meeting

Notice
Bond Ordinance #21/11

Re: An Ordinance of the Town of West New York, in the County of Hudson, New Jersey, Amending Bond Ordinance No. 1/11 of the Town finally adopted February 10, 2011, providing for various Capital Improvements for the Town of West New York and appropriating \$1,680,000, therefore, and providing for the issuance of \$1,596,000 in General Improvement Bonds or notes of the Town of West New York to finance the same

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 September, 2011 and ordered published, and will be further considered before final passage at a public hearing on October 19, 2011 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 Attorney Morejon read the foregoing Notice aloud.

Ordinance #22/11

Re: An Ordinance approving an extension of the Residential Permit Parking Zone

Note: Town Attorney Julio Morejon read the title of the foregoing Ordinance aloud.

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

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

Notice
Ordinance #22/11

Re: An Ordinance approving an extension of the Residential Permit Parking Zone

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 September, 2011 and ordered published, and will be further considered before final passage at a public hearing on October 19, 2011 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 Attorney Morejon read the foregoing Notice aloud.

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Regular Meeting

Mayor opened the Public Portion.

Public Portion:

1. Gary Morrison, 606 – 56th Street, WNY:

Mr. Morrison commented that he wanted to say “Hello” to Commissioner Rodriguez and commented that she is a wonderful person. He commented that he remembers going to Mr. Turner’s office and that he always took care of him. He advised that he was present due to the two crossing guards who were terminated. Town Attorney Morejon advised that this is a personnel issue and that inasmuch as the persons involved were not present, the Commissioners would not be able to discuss this matter. Mr. Morrison expressed his gratitude to Commissioner Wiley.

2. Humberto Ortega, 6040 Blvd. East, WNY:

Mr. Ortega inquired as to what changes are being made in this Bond Ordinance. Commissioner Wiley explained that in the prior Bond Ordinance approved in February money was allocated for two (2) skid steers, but in the best interest of the town a Street sweeper would be of more use. He further explained that there is a part of the town that is currently not swept, and that with the new sweeper services could be provided to that section of town. In addition revenue would be generated. He further explained that there are two (2) broken sweepers which are operating with minimal equipment.

3. Gary Polack, 229 – 49th Street, Union City:

Mr. Polack expressed his concerns regarding the Jitney Buses operating on Bergenline Avenue and commented that Mayors Stack and Sacco are not in favor of them. He suggested that demand be made of New Jersey Transit for additional buses in our area.

4. Bill Parkinson, 419A – 57th Street, WNY:

Mr. Parkinson advised that he has been a West New York resident for 55 years and a veteran of the Navy. He referred to a recent incident when a Board of Education employee was terminated allegedly due to politics and staged a hunger strike for the purpose of being re-hired. He commented that the same thing happened to him. He commented to Comm. Wiley that he had spoken to his dad and that he understands how difficult it is to run the DPW Dept with only 30 men. Mr. Parkinson further commented that he feels he was a victim of politics. Mr. Parkinson asked the Mayor “Why did you fire me. Give me a reason why I was fired.” Mayor Roque responded that he has great qualities but that these things happen.

5. Ron Scheurle, 6119 Tyler Place, WNY:

Mr. Scheurle reminded the Mayor that at a previous Commission meeting the Mayor had requested him to supply him with a list of the names of the new employees who Mr. Scheurle alleged were not town residents. Mr. Scheurle commented that they should not have been hired due to the Town’s residency Ordinance. Commissioner Wiley asked Mr. Scheurle how many times he questioned the past Administration about the out of town employees that were hired. Assistant Town Attorney DeMarco advised that they cannot discuss personnel matters and that discussing such issues would be a violation of their rights and that the Town would be at risk grievances being filed against it. Town Attorney Morejon commented that as Chief Steward, Mr. Scheurle knows about the restrictions of discussing personnel issues.

6. Ricardo Montero, 6121 Jefferson Street, WNY:

Mr. Montero spoke Spanish so Comm. Rodriguez translated for him. He advised that he is presently the President of the Cuban Prisoners’ of War, and that he wanted to thank the Mayor for supporting Mayor Stack’s decision not to allow the President of Ecuador to attend the Cultural Affairs celebration at the Jose Marti School in Union City due to his ties to communist leaders Chavez, Fidel Castro and his brother Raul Castro. Mr. Montero thanked the administration and wished them lots of luck.

September 21, 2011
Regular Meeting

Public Portion (Cont.):

7. Manuel Bernal, 49A – 67th Street, WNY:

Mr. Bernal thanked the Mayor and Commissioners for the changes made to the Board of Education membership. He further expressed his concerns about the extension of the resident parking zone for 65th, 66th & 67th Street from 9:00 am to 9:00 pm. He is concerned because a lot of people who do not live in the area are parking there and there is no parking for the residents. Town Attorney Morejon instructed Mr. Bernal to contact Harold Schroeder at the Parking Authority for further information.

8. Angel Barquin, 432 – 58th Street, WNY:

Mr. Barquin inquired about the status of the Forensic Report that is being conducted. Mayor Roque advised that they had received a verbal preliminary report but that he should contact him or the Town Clerk's office in about a week for the complete report. Mr. Barquin inquired about the tax increase from \$64.13 to 64.98 listed on the tax bill under the Library tax. Assistant Town Attorney stated that it has always been on the tax bill and that it was State mandated thru the Department of Community Affairs. Mr. Barquin said how the manpower has grown since the new administration.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Frias, to close the public portion and adjourn the meeting at 9:40 p.m., was carried by the following vote:

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

Commissioner FiorD' Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccie, RMC Town Clerk