

**November 19, 2012**  
***Regular Meeting***

Minutes of a regular stated meeting of the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, held in the Court Chambers, Municipal Building on Wednesday, November 19, 2012 at 7:00 p.m. (6:00 p.m. Work Session):

Present: Commissioners Frias, Rodriguez, Wiley and Vargas  
Absent: Mayor Roque  
Also Present: Town Attorney Gil Garcia, Asst. Town Attorney Joseph DeMarco, Deputy Town Clerk Yesenia Del Rio

Meeting commenced at 7:00 p.m.

At the request of Commissioner Frias, Deputy Town Clerk Yesenia Del Rio made the following announcement:

As presiding officer of this regularly scheduled meeting of the Board of Commissioners of the Town of West New York, held on November 19, 2012 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 20, 2011. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

**Minutes of Previous Meeting:**

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas, that the Minutes of Regular Meeting: 9/19/12 (Regular and Work Session) be approved as recorded, was carried by the following vote:

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

**Claims: Dated 11/19/12 (Claims are available for public inspection in the Town Clerk's Office):**

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

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

**November 19, 2012**  
**Regular Meeting**

**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF OCTOBER 2012**

1. From Construction Code Official Office, reporting the sum of \$ 35,574.00 Collected for the month of October, 2012.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$ 1,600.90 Collected for the month of October, 2012
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ 2,435.00 for Special Licenses collected for the month of October, 2012
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ 633.00 for Marriage/death certificates collected for the month of October, 2012
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ 68.00 for Dogs Licenses collected for the month of October, 2012,
6. From (Revenue and Finance Department) reporting the sum of \$ 3,879,629.62 collected for the month of October, 2012.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$ -0-collected for the month of October, 2012

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

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

**RFQ Results**

**Re: Micro Loan Program (2<sup>nd</sup> occasion)**

RFQ PROPOSAL FORMATION

Proposal Receipt Date:     November 9, 2012

Proposal Time:             10:00 a.m.

Location for proposal:     Town Clerk's Office

Proposal for:               Micro Loan Program (2<sup>nd</sup> Occasion)

Personnel at Opening:     Deputy Town Clerk Jennie DelRio, Maria T. Barrios & Lisa Walsh

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

NO RFQ'S RECEIVED

**November 19, 2012**  
***Regular Meeting***

**RFQ Results**  
**Re: Zoning Board Attorney**

RFQ PROPOSAL FORMATION

Proposal Receipt Date: November 9, 2012  
Proposal Time: 10:30 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Zoning Board Attorney  
Personnel at Opening: Deputy Town Clerk Jennie DelRio, Maria Barrios & Lisa Walsh  
Remarks: Time to receive RFQS was closed at 10:35 a.m.  
Reserved decision pending review by review committee.

NO RFQ'S RECEIVED

**RFQ Results**  
**Re: Library Board Attorney**

RFQ PROPOSAL FORMATION

Proposal Receipt Date: November 9, 2012  
Proposal Time: 11:00 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Library Board Attorney  
Personnel at Opening: Deputy Town Clerk Jennie Del Rio, Maria T. 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) Richard Pinal, Esq  
(Address) 94 Hackensack Plank Road  
Weehawken, NJ 07086

RESPONDER #2 (Name) Law Office of Alexander W. Booth  
(Address) 145 Gifford Avenue  
Jersey City, NJ 07304  
(NO ORIGINAL SET PROVIDED)

November 19, 2012  
Regular Meeting

**Communications**  
**Re: Town Engineer's Monthly Status Report dated November 16, 2012**



**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:** November 16, 2012

**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 scope of work for the improvements to Fillmore Place Park include repairing/replacing any damaged park equipment, fencing and play surfaces and the installation of security cameras, water feature upgrades and new benches and tables. The scope of work for the improvements to Dewey Avenue Park includes a complete reconstruction of the park.
  - 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 is scheduled to commence construction on December 3, 2012.
  
- **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 67<sup>th</sup> 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 has been completed and the base maps are being prepared.
  - We have sent letters to the utility companies requesting the location of their existing facilities.
  
- **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:
    - 60<sup>th</sup> Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
    - 65<sup>th</sup> Street from Broadway Avenue to Park Avenue (675')
    - 51<sup>st</sup> Street from JFK West to Bergenline Avenue (615')
    - 66<sup>th</sup> Street from Hudson Avenue to JFK East (2060')
  - The estimated construction cost for the above roads is approximately \$810,000.00.
  
- **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.





Memo to: Mayor and Board of Commissioners  
Town of West New York  
November 16, 2012  
Page 2 of 2

- 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.

□ **Miscellaneous Engineering**

- **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:
  - 56<sup>th</sup> Street between Gaw Place and Bergenline Avenue
  - Murphy Place
  - Fairview Terrace
  - Park Avenue between 64<sup>th</sup> Street and 62<sup>nd</sup> Street
- **General Parks Site Review:** We had been reviewing each of the Town parks with Commissioner Wiley and the Parks Department to determine general maintenance and/or improvements required at each. We will be working with the Parks Department to assist in addressing any issues that required engineering services.
  - We had requested quotes to repair a piece of skate park equipment in Verrazano Park which had been damaged. The equipment has been repaired.
  - We have requested quotes from fence contractors to repair the damaged fence at the entrance to Miller Park. We issued a letter regarding same.
  - We contacted Rubberecycle regarding repairing the rubber surface under the swing sets at Verrazano Park. They made the repair and also provided wear mats for the swing sets and slides. It should be noted that the contractor did not charge the Town for the repairs.
- **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.
- **54<sup>th</sup> Street Sinkhole Repair:** We reviewed a sinkhole at 599 54<sup>th</sup> Street and coordinated the emergency repair of same. It appears a broken sanitary sewer lateral for the building at 599 54<sup>th</sup> Street was the cause of the sinkhole. The lateral and roadway were repaired on October 2, 2012.
- **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.



**November 19, 2012**  
***Regular Meeting***

**PROCLAMATION**  
**Honoring Dr. Rolando Alum, Sr.**

Whereas, the Mayor and Board of Commissioners of the Town of West New York being ever 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

WHEREAS, Dr. Rolando Alum, Sr. was born in Havana, Cuba on November 30, 1912. He came with his family to the United States in January 1961, first to Florida, fleeing communist totalitarianism and seeking freedom. He moved to New Jersey in 1966, first to Essex County, then in the summer of 1968 to West New York with his late wife, Sara, and two sons, Roland, an educator and civic leader and Luis, a local attorney. The family has been established in West New York since 1968; and

WHEREAS, Dr. Rolando Alum, Sr. studied at the University of Havana, Cuba earning a PhD in education and a degree in dentistry. He worked for years in micro-biological research at Hoffmann-LaRoche Laboratories in Nutley, New Jersey until retirement; and

WHEREAS, Dr. Rolando Alum, Sr.'s life is one of exemplary achievements to his family, his professions and society at large.

NOW, THEREFORE, I, Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby honor Dr. Rolando Alum, Sr. on his Centennial Celebration in the Town of West New York and hereby express our best wishes and congratulations to him and his family.

**Consent Agenda**

It was regularly moved by Commissioner Frias, seconded by Commissioner Rodriguez that the following Consent Agenda Item Nos. R-3 through R-15, R-17 through R-22 and R-24 through R-31 be adopted, was carried by the following vote:

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

**Note: Resolutions #R-1, R-2, R-16 and R-23 were not on consent agenda and individual votes were taken.**

**November 19, 2012**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Refund of Tax Lien Redemptions (\$72,429.14)**

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

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

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

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

Name	Block/lot	Cert#	Amount
MTAG SVC. AS CUST. FOR ATCF II NJ LLC.	72/16	11-0193	\$10,878.69
TOWER LIEN,LLC	168.01/7.06 C0534	10-279	\$ 9,443.92
LBNR PARTNERS LLC	5/32 C0G-1	11-0026	\$ 2,677.45
PLYM PK. TAX SRVS	12/14	09-018	\$49,429.08
		GRAND TOTAL	\$72,429.14

**November 19, 2012**  
**Regular Meeting**

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

**Resolution**  
**Re: Refund of Overpayment of Taxes (\$42,780.39)**

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
Soto, Bernarda	62/1 C0004	\$442.35	2012
Oritani Bank	116/10	\$4,903.13	2012
	48/10	\$949.62	2012
	32/3	\$5,407.02	2012
Bay 67 Corp c/o Ark Mgmt.	3/8	\$8,923.37	2012
Taubert, Frank & Nicole Dean-Taubert	38/9 C003J	\$1,721.16	2012
Rocco F. Ericco Atty. for 6312 Broadway, LLC.	25/7	\$2,680.90	2012
Leon, Robert & Juana	162/12.02	\$406.40	2012
Guzman, Wilfrido	150/12	\$335.93	2007
		\$2,810.10	2012
Northfield Bk. C/O Lee Association	26/2	\$261.73	2012
Arocha, Seferino & Rita	63/18	\$447.96	2012
Calles, Juan & Daniel	85/2	\$290.92	2012
Corelogic	159/6	\$2,073.65	2011
Joseph A. Pojanowski, Atty. RCG- Urban Hosing Partner, LLC	123/24	\$10,419.88	2012
Royal Empire, LLC	116/10	\$97.87	2012
Ortez, Marvin Christian	112/6	\$608.40	2012
	GRAND TOTAL	\$42,780.39	

**November 19, 2012**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**  
**Re: Refund of Tax Lien Premiums (\$6,800.00)**

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.

NAME	BLOCK/LOT	CERT. #	AMOUNT
MTAG SVC. AS CUST FOR ATCF II NJ LLC	72/16	11-0193	\$1,300.00
TOWER LIEN, LLC	168.01/7.06 C0534	10-279	\$ 600.00
PLYM PK. TAX SRVS.	12/14	09-018	\$4,900.00
	GRAND TOTAL		\$6,800.00

**RESOLUTION**  
**Re: Tax Correction (Various Locations)**

WHEREAS, there is an overpayment on the 4<sup>th</sup> quarter 2012 Tax Bill in the amount of \$331.45 on property located at 6117 Park Avenue A/K/A block 40 lot 22 and;

WHEREAS, there is an overpayment on the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarters 2010 in the amount of \$286.32 on property located at 6501 Blvd. East A/K/A block 5 lot 32 C05-F and;

WHEREAS, there is an overpayment on the 4<sup>th</sup> quarter 2012 Tax Bill in the amount of \$969.00 on property located at 22 51<sup>st</sup> Street A/K/A block 85 lot 43 and;

WHEREAS, there is an overpayment on the 4<sup>th</sup> quarter 2012 tax bill in the amount of \$612.85 on property located at 6501 Blvd. East A/K/A block 5 lot 32 C02-P and;

WHEREAS, the taxpayers are requesting the credits to be moved to credit their 1st quarter 2013 Tax Bill.

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

**November 19, 2012**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**

**Re: APPOINTMENT OF HENRY RODRIGUEZ AS COMMISSIONER OF THE TOWN OF WEST NEW YORK PARKING AUTHORITY TO FILL THE UNEXPIRED TERM OF ROBERT DI VINCENT (Term: November 19, 2012-January 14, 2017)**

WHEREAS, Robert Di Vincent has resigned from his position as Parking Authority Commissioner; and

WHEREAS, Henry Rodriguez is qualified and available to serve as Commissioner of the Town of West New York Parking Authority; and

WHEREAS, in order to promote the efficient operation of the Town of West New York Parking Authority and to provide for the public's safety and well-being it has been deemed necessary to appoint a new Commissioner to fill the current vacancy;

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

1. Henry Rodriguez is hereby appointed to serve as a Member of the Board of Commissioners of the Town of West New York Parking Authority, to fill the unexpired term of Robert Di Vincent term expiring on January 14, 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.

**Resolution**

**Re: APPOINTMENT OF ARMANDO ALVAREZ AS COMMISSIONER OF THE TOWN OF WEST NEW YORK PARKING AUTHORITY TO FILL THE UNEXPIRED TERM OF MEDARDO PEREZ (Term: November 19, 2012-January 15, 2013)**

WHEREAS, Medardo Perez has resigned from his position as Parking Authority Commissioner; and

WHEREAS, Armando Alvarez is qualified and available to serve as Commissioner of the Town of West New York Parking Authority; and

WHEREAS, in order to promote the efficient operation of the Town of West New York Parking Authority and to provide for the public's safety and well-being it has been deemed necessary to appoint a new Commissioner to fill the current vacancy;

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 hereby appointed to serve as a Member of the Board of Commissioners of the Town of West New York Parking Authority, to fill the unexpired term of Medardo Perez term expiring on January 15, 2013).
2. A copy of this Resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

**November 19, 2012**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution**

**Re: Authorizing the Award of a “Non-Fair and Open Contract”  
for: “Substance Abuse Prevention and Education Program Services”**

Whereas, the Town of West New York has a need to acquire substance abuse prevention and education program services to further the interests of the community in fostering substance abuse prevention and education; and

Whereas, pursuant to N.J.S.A. 40A:1 1-5 professional education services are exempt from the bidding requirements of the Local Public Contracts Law (“LPCL”), N.J.S.A. 40A:11A-1 et seq.; and

Whereas, the Town of West New York has a need to acquire substance abuse prevention and education program services as a Non-fair and Open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

Whereas, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

Whereas, the anticipated term of this contract is one (1) year (01/1/2013 through 12/31/2013) and may be extended at the discretion of the governing body; and

Whereas, PRS Consultants, Inc., 6 Tuscany Circle, Manchester, NJ 08759 and its appropriate affiliates has submitted a proposal indicating they will provide the substance abuse prevention and education program services for \$30,000.00; and

Whereas, PRS Consultants, Inc. and its appropriate affiliates has completed and submitted a Business Entity Disclosure Certification, which certifies that PRS Consultants, Inc. and its appropriate affiliates has not made any reportable contributions to a political or candidate committee, which are listed on the attached Exhibit, in the previous one (1) year, and that the contract will prohibit the PRS Consultants, Inc. and its appropriate affiliates from making any reportable contributions through the term of the contract; and

Whereas, a certificate of availability of funds has been filed by the Chief Financial Officer with the Town Clerk’s Office, which certification specifies the exact line item appropriation as FY 2013-14 Municipal Alliance, which item is to be charged;

Whereas, this contract has been awarded through a non-fair and open process because pursuant to N.J.S.A. 19:44A-20.5, the PRS Consultants, Inc., having timely submitted C. 271 Political Contribution Disclosure Form in the required form and the contract to be awarded shall include a provision prohibiting PRS Consultants, Inc., from making reportable contributions during the term of the contract as required by the Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq and

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

1. The Mayor is hereby authorized Mayor to enter into a contract with PRS Consultants, Inc. as described herein.

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

3. Be it further resolved that a notice of this contract award shall be published in the form prescribed by law.

4. A copy of this resolution and the contract once executed shall be kept on file in the office of the Municipal Clerk.

**November 19, 2012**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Bingo & Raffles**

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the following applications for Bingo/Raffles are hereby granted:

<u>Name</u>	<u>Date</u>	<u>License #</u>
Holy Redeemer Parish 6502 Jackson Street West New York, NJ 07093 (Off Premise Raffle)	January 6, 2013	RL 1827

**Resolution**  
**Re: Establishing No Parking Loading Zone**  
**For Jugando Aprendemos Child Care**  
**6201 Park Avenue, West New York, NJ**

WHEREAS, there exists in the vicinity of 6201 Park Avenue a condition relating to traffic congestion and difficulty of receiving, loading and discharging merchandise and supplies caused by the location of establishment in the building located at 6201 Park Avenue; and

WHEREAS, the congestion in this area not only prevents the loading and unloading of necessary merchandise and supplies from trailer trucks and vehicles during business hours, but, in addition present hazards to safety and traffic by the impeding of the safe and regular flow of traffic through the said street areas during the loading and unloading operation and good cause appearing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, N.J., pursuant to N.J.S.A. 39:4-197 (3) (b) that a "No Parking-Loading Zone" be and same is hereby authorized and established, at the said location, more particularly described hereafter, during business hours from Monday thru Friday 7:00 a.m. to 6:00 p.m. said area or zone to be used as a "No Parking-Loading Zone": during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and:

BE IT FURTHER RESOLVED that the said "No Parking-Loading Zone" shall be located and is hereby established and approved as follows:

BEGIN AT A POINT ALONG THE NORTH SIDE OF 62<sup>ND</sup> STREET AND PARK AVE., 17 FEET WEST FROM THE NORTH WEST CORNER  
THEN 20 FEET SOUTH THEREFROM

BE IT FURTHER RESOLVED that appropriate markings and sign shall be located at said "No Parking-Loading Zone" area according to law.

**November 19, 2012**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**  
**Re: Rejecting Bids for Snow Removal**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Snow Removal; and

WHEREAS, the following bid proposals were received by the Town on October 11, 2012 for Snow Removal:

Persistent Construction Co.  
58 Industrial Avenue  
Fairview, NJ 07022

John's Main Auto Body  
1445 Union Turnpike  
North Bergen, NJ 07047

Coyoty Builders & Dev. LLC  
644-61<sup>st</sup> Street  
West New York, NJ 07093

WHEREAS, the Contract Documents and Bid Specifications constituting Snow Removal, provide that the Town as the contracting unit, reserves the right to reject any and all bids; and

WHEREAS, the Town Attorney, and Purchasing Agent have reviewed the bid proposals submitted by all bidders and have recommended that said bid proposal be rejected as the proposals for Snow Removal were incomplete and deemed deficient pursuant to N.J.S.A. 40A:11-13.2.

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

1. All bids received for Snow Removal are rejected as the proposals were incomplete and deemed deficient pursuant to N.J.S.A. 40A:11-13.2.
2. That the bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

**Resolution**  
**Re: Authorizing the Town Clerk to receive**  
**Bid's for "3<sup>rd</sup> Party Elevator Inspection Services"**  
**on Tuesday, December 11, 2012 at 10:00 a.m. in Town Clerk's Office**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and is hereby authorized and directed to receive Bids on Tuesday, December 11, 2012 at 10:00 a.m. in the Town Clerk's Office for: "3<sup>rd</sup> Party Elevator Inspection Services" in accordance with specifications on file in the Town Clerk's Office

**Resolution**  
**Re: Authorizing the Town Clerk to advertise**  
**to receive bids for "Snow Removal"(2<sup>nd</sup> Occasion) on Tuesday, December 11, 2012**  
**at 10:30 a.m. in the Town Clerk's Office**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office for: "Snow Removal" (2<sup>nd</sup> Occasion) for the Town of West New York on Tuesday, December 11, 2012 at 10:30 a.m. in Town Clerk's Office in accordance with specifications on file in the Town Clerk's Office.

**November 19, 2012**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**  
**RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT**  
**FOR SERVICES OF LIBRARY BOARD ATTORNEY**

WHEREAS, Richard Pinal Esq. of 94 Hackensack Plank Road, Weehawken, NJ, has submitted a proposal to serve as Library Board Attorney dated, November 9, 2012, in response to a Request for Qualifications for Library Board Attorney; and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Richard Pinal, Esq. as Library Board Attorney; and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to compensate the services of the Richard Pinal, Esq. to serve as Library Board Attorney and enter into a contract with the Richard Pinal, Esq. to provide for the services of Library Board Attorney; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional legal services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, the contractual agreement 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;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and the Richard Pinal, Esq. for the services of Library Board Attorney, for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 9, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period 1/1/13-12/31/2013), and for an amount to be contained in the agreement but not to exceed \$12,000.
5. This contract 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.
6. A copy of this resolution shall be published and it and the agreement detailing the terms of the retention of the Richard Pinal, Esq. as Library Board Attorney shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

**November 19, 2012**

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**Re: Authorizing the deletion of from the list of solicitations and review of Requests for Qualifications RFQ's for "Assistant Town Attorney and Staff Attorney"**

WHEREAS, in compliance with the mandates of N.J.S.A 19:44A-20.4 et. seq., the Board of Commissioners of the Town of West New York, on October 17, 2012 adopted a Resolution to publish and advertise a Request for Qualifications for several board or entities requiring separate professional representatives; and

WHEREAS, the positions of Assistant Town Attorney and Staff Attorney were included in the list published in such prior Resolution; and

WHEREAS, after further review, it has been determined that at this time those positions will not be included in the list that is to be published in accordance with the Resolution dated 10/17/2012;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Town of West New York that the Town Clerk be and is hereby authorized and directed to delete the RFQ's for Assistant Town Attorney and Staff Attorney from such list.

**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 Telephone Consultant Services**

Whereas, N.J.S.A. 19:44A-20.4 et seq. mandates a municipality to comply with Pay to Play requirements; and

Whereas the Mayor and Board of Commissioners wish to receive and consider proposals for Telephone Consultant Services; and

Whereas, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services;

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for Telephone Consultant Services, in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received ("Statements of Qualifications").
3. A Review Committee is established, consisting of the Mayor, the Town Administrator and Town Attorney, to review all Statements of Qualifications and to make recommendations to the Board of Commissioners at regularly scheduled meeting.

**November 19, 2012**

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**Re: Authorizing the Town of West New York to seek Fair and Open Process in Compliance with the Pay to Play Statutes for the Retention of Professional Services in Regards to Zoning Board Attorney (2<sup>nd</sup> Occasion)**

Whereas, N.J.S.A. 19:44A-20.4 et seq. mandates a municipality to comply with Pay to Play requirements; and

Whereas the Mayor and Board of Commissioners wish to receive and consider proposals for professional legal services as may be needed by the Town of West New York for the positions of Zoning Board Attorney; and

Whereas, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services;

Now Therefore Be It Resolved by the Mayor and Board of Commissioners of the Town of West New York, Hudson County, State of New Jersey as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for the position of Zoning Board Attorney, in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”), such opening to take place before the next regularly scheduled meeting of the Board of Commissioners of the Town of West New York.
3. A Review Committee is established consisting of the Mayor, the Town Administrator and Town Attorney, to review all Statements of Qualifications and to make recommendations to the Board of Commissioners prior at its next regularly scheduled meeting.

**RESOLUTION**

**RE: ALLOWING THE TOWN OF WEST NEW YORK TO DISPOSE OF CERTAIN COMPUTER EQUIPMENT**

WHEREAS, the Town’s Computer Consultant has conducted an inventory of certain computer equipment that is no longer functional and is deemed not salvageable; and

WHEREAS, an inventory has been created listing all of the types and serial numbers of the computer equipment that has been deemed obsolete; and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to allow the Municipal Administrator to destroy the computer equipment contained on the inventory list dated November 16, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of The Town of West New York that the Municipal Administrator is authorized to destroy the computer equipment as stated in the inventory list on file with the Town Clerk’s Office;

**November 19, 2012**

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**Re: Authorizing the Town of West New York to Enter into an Agreement with George Koteen Associates for an audit of Municipal Utilities' Bills**

WHEREAS, the Town of West New York contracts with various providers for electric, gas, water, sewer and telecommunications services; and

WHEREAS, the Town may have been overcharged or is entitled to credits for overpayments for prior utility services; and

WHEREAS, the George Koteen Associates has conducted audits for various municipalities that resulted in refunds or credits to the municipality; and

WHEREAS, the Mayor and Board of Commissioners wish to insure that the Town has been properly charged for utilities.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Municipal Administrator is authorized to execute all documents needed to permit George Koteen Associates to conduct and audit of the utility bills incurred by the Town over the past five years.

**Resolution**

**RE: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159**

**Cops in Shops**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$6,825.00 from the State of New Jersey and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$6,825.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

Cops in Shops

BE IT FURTHER RESOLVED that a like sum of \$6,825.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

Cops in Shops

**November 19, 2012**

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**RE: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF  
REVENUE AND APPROPRIATION – CHAPTER 159  
NJDOT Safe Routes to Schools**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Town of West New York has been awarded \$286,375.00 from the State of New Jersey and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$286,375.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

NJDOT Safe Routes to Schools

BE IT FURTHER RESOLVED that a like sum of \$286,375.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

NJDOT Safe Routes to Schools

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**RE: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF  
REVENUE AND APPROPRIATION – CHAPTER 159  
FY2011 Body Armor NJDCJ**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$9,344.14 from the State of New Jersey and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$9,344.14 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

FY2011 Body Armor NJDCJ

BE IT FURTHER RESOLVED that a like sum of \$9,344.14 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

FY2011 Body Armor NJDCJ

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**RE: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF  
REVENUE AND APPROPRIATION – CHAPTER 159  
2012 Summer Food Program**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$26,538.22 from the State of New Jersey and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$26,538.22 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

2012 Summer Food Program

BE IT FURTHER RESOLVED that a like sum of \$26,538.22 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

2012 Summer Food Program

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**Re: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF  
REVENUE AND APPROPRIATION – CHAPTER 159  
Green Acres Multi Park Improvements**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$600,000.00 from the State of New Jersey and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$600,000.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:  
Green Acres Multi Park Improvements

BE IT FURTHER RESOLVED that a like sum of \$600,000.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"  
Public and Private Offset by Revenues:

Green Acres Multi Park Improvements

BE IT FURTHER RESOLVED that a sum of \$600,000.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"  
Public and Private Offset by Revenues:

Cash Match - Green Acres Multi Park Improvements

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Senior Citizens and Veterans Tax Deductions**

WHEREAS, the listed taxpayers named below are Senior Citizens or Veterans and have applied for and given sufficient evidence to receive a Deduction from the 2012 tax pursuant to N.J.S.A. 54:4-8.40.

THEREFORE, be it resolved that said deductions are hereby granted and the Tax Collector is hereby directed to issue refunds for the following amount to property owners.

Blk	Lot	Name	Address	Exempt	Amt
28	15	Joaquina Martinez	6207 Park Avenue	Senior	\$ 250.00
44/7C0005		Rosa Cuevas	103 Westover Place	Senior	\$ 250.00
44/7/C0008		Victor Chongqui	103 Westover Place	Senior	\$ 250.00
82	37	Nora Rodriguez	421-56 <sup>th</sup> Street	Senior	<u>\$ 250.00</u>
					\$1,000.00

**Resolution**  
**Re: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF**  
**REVENUE AND APPROPRIATION – CHAPTER 159**  
**Cops in Shops**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$8,236.00 from the State of New Jersey and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$8,236.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

Cops in Shops

BE IT FURTHER RESOLVED that a like sum of \$8,236.00 be and is hereby appropriated under the caption of:

General Appropriations

(a)Operations Excluded from “CAPS”

Public and Private Offset by Revenues:

Cops in Shops

**November 19, 2012**

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**Re: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF  
REVENUE AND APPROPRIATION – CHAPTER 159  
Hudson County 2012 Justice Assistance Program**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$18,379.00 from the County of Hudson, Prosecutor Office and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$18,379.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

Hudson County 2012 Justice Assistance Program

BE IT FURTHER RESOLVED that a like sum of \$18,379.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

Hudson County 2012 Justice Assistance Program

*Regular Meeting*

**Consent Agenda (Cont.):**

**Resolution**

**Re: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF  
REVENUE AND APPROPRIATION – CHAPTER 159  
Hudson County 2011 Justice Assistance Program**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$23,463.00 from the County of Hudson, Prosecutor Office and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$23,463.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

Hudson County 2011 Justice Assistance Program

BE IT FURTHER RESOLVED that a like sum of \$23,463.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

Hudson County 2011 Justice Assistance Program

*Regular Meeting*

**Resolution**

**Re: Appointment of Joseph DeMarco as the Municipal Administrator for West New York**

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

WHEREAS, the Municipal Administrator's position is currently vacant and in order to insure the prompt and efficient running of the municipal government it is necessary to fill the vacancy; and

WHEREAS, the Town of West New York and the Board of Commissioners wishes to name Joseph DeMarco as the Municipal Administrator;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, that the Mayor and/or his designee are authorized to enter into an agreement with Joseph DeMarco for employment as the Municipal Administrator.

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

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

**Resolution**

**Re: Authorizing the hiring of various Municipal Employees**

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York have previously passed a resolution declaring a hiring freeze in the Town of West New York, NJ, which provides for any hiring to be approved by the Board of Commissioners in advance; and

WHEREAS, a need exists within the town to hire certain employees, and such hiring promotes the efficient operation of the town; and

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 hire new employees; and

WHEREAS, various Commissioners have requested that the following individuals be hired;

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 offer employment to the following individuals;

1. Marie Bombino (Part-time Clerk) Department of Public Works
2. Brian O'Reilly (Full-time) Administrative Analysts

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

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

**November 19, 2012**

*Regular Meeting*

**Note: Commissioner Wiley went on record that he has not been given any new employees and spoke to Town Attorney Gilberto Garcia and Carmela Riccio regarding the shortage of employees in the Parks Department. Town Attorney Gilberto Garcia stated that he was not at the meeting that it was Assistant Town Attorney Joseph DeMarco and CFO Marge Cherone whom were present at that meeting. Town Attorney Gilberto Garcia also stated that it was the day he (referring to Commissioner Wiley) had put Carmela into tears and that he speaks nothing but lies. Marge Cherone, CFO responded that this will not be possible until 2013. Town Attorney Gilberto Garcia responded that he deals with law not the money issue. Commissioner Wiley expressed how CFO Marge Cherone should be present at the Commission Meeting not only the work session.**

**RESOLUTION**

**RE: AWARDING AN EXTENSION TO THE CONTRACT FOR COMPUTER CONSULTING SERVICES TO ANGEL CONSULTANTS, LLC**

WHEREAS, the Board of Commissioners of the Town of West New York by prior resolution, authorized the use of competitive contracting in lieu of public bidding pursuant to N.J.S.A. 40A:11-4 (a) for the procurement of Computer Consulting Services to Angel Consultants LLC; and

WHEREAS, the Bid Specifications allowed for an option to extend the contract;

WHEREAS, the Governing Body has determined, on the basis of the foregoing, that it is within its best practices and for the efficient operation of the Town to extend the option to the Computer Consulting Services of Angel Consultants, LLC to serve as Computer Consulting Services Provider and extend the same contract entered into on November 21, 2011, to provide such services; and

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

1. The Mayor shall be and is hereby authorized to extend the agreement for one year pursuant to the Bid Specifications in a form to be prepared by the Town Attorney by and between the Town and Angel Consultants, LLC, for the services of Computer Consulting Services, and for the same amount as stated in the original agreement dated.
2. The initial authorization for the extension of this contract shall be for the period 11/21/2012 to 11/20/2013), and for the same amount to be contained in the original agreement.
3. A copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Angel Consultants LLC as Computer Consulting Services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

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

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

**November 19, 2012**

*Regular Meeting*

**Note:** Commissioner Wiley inquired as to how much was billed last year. Assistant Town Attorney responded that his contract was for \$22,000 but if he was called in on an emergency he is entitled to charge per hour, but has not. Assistant Town Attorney stated that Angel Consultant is liked by everyone and that the recommendation is to keep him as he is a reputable professional. Commissioner Wiley stated that Carmela Riccio, Town Clerk is very strict and that Deputy Town Clerk Yesenia DelRio has not been here many years and we need to make sure no one is violating the law. Town Attorney Gilberto Garcia noted that a legal decision was made when the Purchasing Agent, Xenia Rivero contacted the DCA (Department of Community Affairs) if the specs contained an extension for an additional year. Commissioner Wiley responded that the RFQ's are controlled by the Administrator, Town Attorney and Mayor which is a conflict of interest.

**Resolution**

**RE: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159**  
**2010 Recycling Tonnage Grant**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$60,545.73 from the State of New Jersey and wishes to include this amount as a revenue item.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2012 in the sum of \$60,545.73 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

2010 Recycling Tonnage Grant

BE IT FURTHER RESOLVED that a like sum of \$60,545.73 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

2010 Recycling Tonnage Grant

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

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

**November 19, 2012**

*Regular Meeting*

**Note:** Commissioner Wiley commented that West New York is the lowest in the state when it comes to recycling. Commissioner Wiley indicated that West New York is not enforcing recycling not even in Town Hall and the money is not being used properly.

**ORDINANCE #34/12**

**AN ORDINANCE AMENDING CHAPTER 352 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "STREETS AND SIDEWALKS"**

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

The following persons wished to be heard:

1. **Charles Azar 5901 Bergenline Avenue WNY, NJ 07093:**

Mr. Azar is concerned about where this came from. He stated that he was the owner of Roberts and the new President of the Chamber of Commerce and that they had held a meeting regarding the change with the sidewalk sales and all members who attended were not in favor. Commissioner Frias said if there was anyway to amend the Ordinance to make the merchants happy. Assistant Town Attorney DeMarco responded that the Mayor had suggested this to be allowed due to other Towns extending their sidewalk sales due to economic reason and also due to the Holiday Season. Mr. Azar commented that they don't see a reason for this to take place because not all the businesses will be participating and that it will be restricted to certain business i.e. florist. Commissioner Wiley asked Mr. Azar how many members had attended the Chamber of Commerce meeting and how many members were invited. Mr. Azar responded that 12 store owners had attended and that 16 store owners were invited because they are trying to revitalize the Chamber of Commerce.

It was regularly moved by Commissioner Wiley, seconded by Commissioner Rodriguez, that the following ordinance be **tabled until the Commissioner Meeting scheduled for December 19, 2012**, was carried by the following vote:

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

*Regular Meeting*

**ORDINANCE #35/12**

**AN ORDINANCE AMENDING CHAPTER 312 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "RENT CONTROL"**

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

The following persons wished to be heard:

1. **Wayne Cook 6131 Jackson Street, WNY, NJ 07093**

Mr. Cook inquired as to if this Ordinance pertains to 2 family houses.

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

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

**ORDINANCE #37/12**

**AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR MULTIPLE DWELLING PROJECT CONSTRUCTED BY JACLYN 32, LLC, PURSUANT TO THE PROVISIONS OF THE FIVE (5) YEAR. EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1 ET. SEQ., AND SECTION 7 OF ORDINANCE 11/07 AN ORDINANCE ENTITLED FIVE YEAR TAX ABATEMENT ORDINANCE**

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

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

**Notice**  
**Ordinance #37/12**

**AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR MULTIPLE DWELLING PROJECT CONSTRUCTED BY JACLYN 32, LLC, PURSUANT TO THE PROVISIONS OF THE FIVE (5) YEAR. EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1 ET. SEQ., AND SECTION 7 OF ORDINANCE 11/07 AN ORDINANCE ENTITLED FIVE YEAR TAX ABATEMENT ORDINANCE**

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 November 19, 2012 and ordered published, and will be further considered before final passage at a public hearing on December 17, 2012 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.

**November 19, 2012**

*Regular Meeting*

**ORDINANCE # 38/12**

**AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR  
MULTIPLE DWELLING PROJECT CONSTRUCTED  
BY FILLMORE PLACE APARTMENTS, LLC, PURSUANT TO THE PROVISIONS  
OF THE FIVE (5) YEAR. EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1  
ET. SEQ., AND SECTION 7 OF ORDINANCE 11/07 AN ORDINANCE ENTITLED  
FIVE YEAR TAX ABATEMENT ORDINANCE**

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

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

**Notice**

**Ordinance #38/12**

**AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR  
MULTIPLE DWELLING PROJECT CONSTRUCTED  
BY FILLMORE PLACE APARTMENTS, LLC, PURSUANT TO THE PROVISIONS  
OF THE FIVE (5) YEAR. EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1  
ET. SEQ., AND SECTION 7 OF ORDINANCE 11/07 AN ORDINANCE ENTITLED  
FIVE YEAR TAX ABATEMENT ORDINANCE**

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 November 19, 2012 and ordered published, and will be further considered before final passage at a public hearing on December 17, 2012 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.

**ORDINANCE #39/12**

**AN ORDINANCE AMENDING CHAPTER 48  
OF THE CODE OF THE TOWN OF WEST NEW YORK  
REGARDING DELEGATION OF AUTHORITY TO PROMOTE RULES AND  
REGULATIONS IN THE POLICE DEPARTMENT**

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

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

**November 19, 2012**

*Regular Meeting*

**Notice**  
**Ordinance #39/12**

**AN ORDINANCE AMENDING CHAPTER 48  
OF THE CODE OF THE TOWN OF WEST NEW YORK  
REGARDING DELEGATION OF AUTHORITY TO PROMOTE RULES AND  
REGULATIONS IN THE POLICE DEPARTMENT**

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on November 19, 2012 and ordered published, and will be further considered before final passage at a public hearing on December 17, 2012 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:** Commissioner Frias announced that on behalf of the Mayor she wanted to thank everyone for their cooperation during storm. She indicated that West New York did not have looting, and we were safe and our neighborhood came together as one big family.

**Commissioner Frias opened the Public Portion.**

**Public Portion:**

1. **David Rivera 233-59<sup>th</sup> Street WNY, NJ 07093**  
Mr. Rivera commented that Commissioner Frias stated that no one is getting hired but he believes that it is not true and who can he make this inquiry too. Commissioner Frias responded that he may set up a meeting with CFO Marge Cherone and herself. Mr. Rivera inquired if any new Grants proposed for the new Fiscal Year. Commissioner Frias responded that pending grants were being accepted and that Caroline Weaver is our Grant Writing consultant.
2. **Wayne Cook 6131 Jackson Street, WNY, NJ 07093**  
Mr. Cook wished everyone a Happy Thanksgiving and suggested that the agenda state the time and date of the next Commission Meeting. Mr. Cook questioned what is a Staff Attorney. Town Attorney Gilberto Garcia responded that a Staff Attorney is another assistant Town Attorney and not to insult the current Assistant Town Attorney. Mr. Cook also expressed his gratitude for the flags placed in the garage. Mr. Cook inquired on where does the money that the town receives for the recycling of tires, tv's etc that was put in the General Funds Account.
3. **Ronald Schuerle 6119 Tyler Place, WNY, NJ 07093**  
Mr. Schuerle inquired on where he can get a list of Payment of Claims. Assistant Town Attorney Joseph DeMarco responded that Mr. Schuerle can put in an OPRA Request in the Town Clerk's office and that every Commissioner has a copy of the claims in their folders.
4. **Vilma Reyes 546-61<sup>st</sup> Street, WNY, NJ 07093**  
Ms. Reyes wanted to congratulate Joseph DeMarco on his new position as Business Administrator and finally the Town has an Administrator who respects the employees and is a good lawyer and human being.

**November 19, 2012**

*Regular Meeting*

**5. Commissioner Wiley:**

Commissioner Wiley inquired as to his request for extension to the contract for Diamond HVAC. Town Attorney Gilberto Garcia stated to Commissioner Wiley that he will let him know how the Law works. We first go out for Bid thru a Resolution providing the amount of the threshold which in this case was \$20,000.00 and once this amount is reached you do not get to spend additional as he has asked of him to raise it an additional \$30,000. Town Attorney Gilberto Garcia states to Commissioner Wiley that as a matter of Law, as Town Attorney he recommended to the Qualified Purchasing Agent who is licensed by the DCA to make those decisions because he does not make the decisions he make the recommendations. Town Attorney Gilberto Garcia stated that the company must be somehow related to Commissioner Wiley because he is pushing for this. Commissioner Wiley responds that all he did was request an increase in the threshold which it is unheard of and has been done in the past. Town Attorney Gilberto Garcia questioned Commissioner Wiley whether it was true or not that he wanted him to create a Resolution approving an additional \$30,000 for Diamond HVAC. Commissioner Wiley requested that he go on record that there is no one to do the work.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Frias, **to close the Public Portion and Adjourn the meeting at 9:13 p.m.**, was carried by the following vote:

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

\_\_\_\_\_  
Commissioner FiorD'Aliza Frias

\_\_\_\_\_  
Commissioner Caridad Rodriguez

\_\_\_\_\_  
Commissioner Ruben Vargas

\_\_\_\_\_  
Commissioner Count J. Wiley

**ABSENT**

\_\_\_\_\_  
Mayor Felix E. Roque  
Board of Commissioners

Attest: \_\_\_\_\_  
Yesenia Del Rio, Deputy Town Clerk