

Work Session –Wednesday, 11/19/12

Present: Commissioners Frias, Rodriguez, Vargas, and Wiley
Absent: Mayor Roque
Also Present: Town Attorney Gil Garcia, Deputy Town Clerk Yesenia Del Rio, Lisa Walsh (Town Clerk’s staff member), Town Engineer Robert Russo (CME Associates), CFO Margaret Cherone

The meeting commenced at 6:13 p.m.

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. (6:00 p.m. Work Session in the Mayor's Conference Room)**, 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.

- Item No. 1:** **Approval of Minutes: Regular Meeting: 9/19/12
(Regular and Work Sessions)**

- Item No. 2:** **Payment of Claims dated 11/19/12**

- Item No. 3:** **Receipt of Financial Reports for month of October 2012**

- Item No. 4:** **Communications:
4A. RFQ results rec’d 11/9/12 re: Micro Loan Program (2nd Occasion)
4B. RFQ results rec’d 11/9/12 re: Zoning Board Attorney
4C. RFQ results rec’d 11/9/12 re: Library Board Attorney
4D. Town Engineer’s Monthly Status Report dated 11/16/12**

- Item No. 5:** **Proclamation:
5A. Honoring Dr. Rolando Alum, Sr.**

- Item No. R-1:** **Resolution – Re: Appointment of Joseph DeMarco as the Municipal
Administrator for West New York:
Town Attorney Gilberto Garcia said that if there will be any
Commissioner objecting to the hiring of Joseph DeMarco as Business
Administrator then this Resolution will be heard in closed session due to
personnel decision.**

- Item No. R-2:** **Resolution – Re: Authorizing the hiring of various Municipal
Employees:**

- Item No. R-3:** **Resolution – Re: Refund of Tax Lien Redemptions (\$72,429.14):**

- Item No. R-4:** **Resolution - Re: Refund of Overpayment of Taxes (\$42,780.39):**

- Item No. R-5:** **Resolution – Re: Refund of Tax Lien Premiums (\$6,800.00):**

- Item No. R-6:** **Resolution – Re: Tax Correction (Various Locations):**

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- Item No. R-7:** **Resolution – Re: Appointment of Henry Rodriguez as a Commissioner of the West New York Parking Authority to fill the unexpired term of Robert Di Vincent (Term: November 19, 2012 – January 14, 2017):**
Town Attorney Gilberto Garcia informed the Administration that Robert Di Vincent had to resign because of conflict of interest of him serving on both Housing Authority and Parking Authority.
- Item No. R-8:** **Resolution – Re: Appointment of Armando Alvarez as Commissioner of the West New York Parking Authority to fill the unexpired term of Medardo Perez (Term: November 19, 2012 - January 15, 2013):**
- Item No. R-9:** **Resolution – Re: Authorizing the Award of a “Non-Fair and Open Contract” for: “Substance Abuse Prevention and Education Program Services”:**
Commissioner Frias inquired as to the amount being reduced on the contract to \$17,500.00. Assistant Town Attorney Joseph DeMarco and CFO Marge Cherone said that the paragraph on the Resolution was incorrect and should read “will not exceed” which will constitute a correction of the typographical error.
- Item No. R-10:** **Resolution – Re: Bingo & Raffles (Holy Redeemer Parish - Off Premise Raffle) for January 6, 2013:**
- Item No. R-11:** **Resolution – Re: Establishing No Parking Loading Zone for Jugando Aprendemos Child Care (6201 Park Avenue):**
- Item No. R-12:** **Resolution – Re: Rejecting Bids for Snow Removal:**
Town Attorney Gilberto Garcia indicated that the Bids received were incorrect and that it will be going out for (2nd Occasion) on December 11, 2012.
- Item No. R-13:** **Resolution – Re: Authorizing the Town Clerk to advertise to receive Bids for “3rd Party Elevator Inspection Services” on Tuesday, December 11, 2012 at 10:00 a.m. in Town Clerk’s Office:**
- Item No. R-14:** **Resolution – Re: Authorizing the Town Clerk to advertise to receive Bids for “Snow Removal” (2nd Occasion) on Tuesday, December 11, 2012 at 10:30 a.m. in Town Clerk’s Office:**
- Item No. R-15:** **Resolution – Re: Approving a Professional Services Agreement for services of Library Board Attorney:**
- Item No. R-16:** **Resolution – Re: Awarding an Extension to the contract for Computer Consulting Services to Angel Consultants, LLC:**
- Item No. R-17:** **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”:**
Assistant Town Attorney Joseph DeMarco stated that all our Professional Service agreements will expire as of December 31, 2012. Town Attorney Gilberto Garcia responded that the decision of removing the “Staff Attorney and Assistant Town Attorney” titles are not needed to be filled at the present time. Commissioner Wiley requested the amount of Joseph DeMarco’s Business Administrator salary. Assistant Town Attorney Joseph DeMarco responded that his salary will be \$110,000, which will be a savings to the town comparing the prior billing as an Assistant Town Attorney. He also stated that the prior Business Administrator Joseph McConnell and Ernesto Munoz were paid at a higher salary.

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- Item No. R-18:** **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:**
- Item No. R-19:** **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 regard to Zoning Board Attorney (2nd Occasion):**
- Item No. R-20:** **Resolution – Re: Allowing the Town of West New York to dispose of Certain Computer Equipment:**
- Item No. R-21:** **Resolution – Re: Authorizing the Town of West New York to enter into an agreement with George Koteen Associates for an Audit of Municipal Utilities Bill:**
- Item No. R-22:** **Resolution – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 Cops in Shops:**
- Item No. R-23:** **Resolution – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 2010 Recycling Tonnage Grant:**
- Item No. R-24:** **Resolution – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 NJDOT Safe Routes to Schools:**
- Item No. R-25:** **Resolution – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 FY 2011 Body Armor NJDCJ:**
Commissioner Frias inquired with reference to the Body Armor Grant. Town Attorney Gilberto Garcia responded that grants require that formal action be placed in the budget.
- Item No. R-26:** **Resolution – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 2012 Summer Food Program:**
- Item No. R-27:** **Resolution – Re: Authorizing the Insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 Green Acres Multi Park Improvements:**
- Item No. R-28:** **Resolution – Re: Senior Citizen and Veterans Tax Deductions:**
- Item No. R-29:** **Resolution – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 Cops in Shops (2011 Award):**
- Item No. R-30:** **Resolution – Re: Authorizing the insertion in budget of Special Item of Revenue and Appropriation-Chapter 159 Hudson County 2012 Justice Assistance Program):**
- Item No. R-31:** **Resolution – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation-Chapter 159 Hudson County 2011 Justice Assistance Program:**

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- Item No. O-1:** **Hearing & Final Adoption of Ordinance #34/12 An Ordinance amending Chapter 352 of the Code of the Town of West New York entitled “Streets and Sidewalks”:**
- Item No. O-2:** **Hearing & Final Adoption of Ordinance #35/12 An Ordinance amending Chapter 312 of the Code of the Town of West New York entitled “Rent Control”:**
- Item No. O-3** **Introduction of 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) exemption and abatement law, N.J.S.A. 40A:21 et. seq. and Section 7 of Ordinance 11/07 and Ordinance entitled Five Year Tax Abatement Ordinance:**
- Item No. O-4** **Introduction of 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 Abatement Ordinance:**
- Item No. O-5** **Introduction of 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**
Assistant Town Attorney Joseph DeMarco advised that the current Ordinance doesn’t permit the purchase of vehicles so they are amending it by allowing Police Department to use the funds from the overtime details for the purchase of new vehicles in additional to the maintenance of the vehicles. Commissioner Wiley inquired that the water bill rates which are going up due to the storm and feels the taxpayers are being hit two times. Assistant Town Attorney DeMarco said that they need to pay the officers. Comm. Wiley raised the issue of catch basins. Mr. DeMarco agreed that they will review if the police are needed when the catch basins are being cleaned on a case by case basis depending on the area and traffic volume.

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Public Portion:

1. **Town Engineer Rob Russo informed the Administration that the work in Fillmore Park and Donnelly Park will commence on December 3, 2012 for three (3) weeks straight and then return in the spring. Mr. Russo said they will leave Fillmore Park open throughout the Winter. Mr. Russo commented about the Veterans Park Slope Remediation Project and stated that he will prepare the Survey & Geo Tech Study for county approval of the work during the summer months.**

Meeting ended at 6:48 p.m.

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