

March 20, 2013
Regular Meeting

Minutes of a regular stated meeting of the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, held in the Court Chambers, Municipal Building on Wednesday, March 20, 2013 at 7:00 p.m. (6:00 p.m. Work Session):

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
Absent: None
Also Present: Town Attorney Gilberto Garcia, Deputy Town Clerk Yesenia DelRio, Lisa Walsh and Town Administrator Joseph DeMarco

Meeting commenced at 7:20 p.m.

Deputy Town Clerk Yesenia DelRio 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 March 20, 2013 at 7:00 p.m., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 17, 2012. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

Minutes of Previous Meeting:

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas, that the Minutes of Meetings: 2/20/13(Work Session) be approved as recorded, was carried by the following vote:

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

Claims: Dated 3/6/13 & 3/20/13 (Claims are available for public inspection in the Town Clerk's Office):

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

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

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF MARCH 2013

1. From Construction Code Official Office, reporting the sum of \$47,391.00 Collected for the month of February, 2013
2. From Director Michael Indri (Police Dept.) reporting the sum of \$13,576.85 Collected for the month of February, 2013

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3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$625.00 for Special Licenses collected for the month of February, 2013
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$1,110.00 for Marriage/death certificates collected for the month of February, 2013
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$1,292.00 for Dogs Licenses collected for the month of February, 2013
6. From (Revenue and Finance Department) reporting the sum of \$12,684,635.80 collected for the month of February, 2013
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$26.26 collected for the month February, 2013

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

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

RFP Results
Re: Environmental Engineering Services

RFP PROPOSAL FORMATION

Proposal Receipt Date: March 13, 2013

Proposal Time: 11:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Environmental Engineering Services

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

Remarks: Time to receive RFPS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Remington & Vernick Engineers
(Address) 232 Kings Highway
Haddonfield, NJ 08033

RESPONDER #2 (Name) Prestige Environmental Inc.
(Address) 220 Davidson Avenue Suite 307
Somerset, NJ 08873

RESPONDER #3 (Name) CME Associates
(Address) 3759 US Highway 1 South Suite 100
Monmouth Junction, NJ 08852

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Communication

Re: Town Engineer's Monthly Status Report dated March 18, 2013

MAR 20 2013

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

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

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

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

DATE: March 18, 2013

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

□ Improvements to Fillmore Place and Dewey Avenue Parks

- 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.
- The contractor has continued to work at both parks. They have cleared the sites, installed some utilities, fencing, equipment, concrete sidewalk and curbing and are completing the retaining walls at Dewey Park. They anticipate completing the work the middle of April, weather permitting.
- On Friday March 15, the contractor uncovered an old underground storage tank at Dewey Park. We are investigating the removal of same.

□ FY2012 NJDOT Municipal Aid Grant and Road Program

- The Town received a grant in the amount of \$280,800.00.
- We submitted a proposal for preparing the construction plans and contract documents for the improvements to 67th Street from JFK Blvd West to Palisade Avenue. We estimate the construction cost for the project to be \$275,000.00.
- We have completed the design plans and contract documents and issued same to the NJDOT on January 7, 2013, for their review and approval.
- The NJDOT has reviewed our submission and issued a review letter. We spoke with the NJDOT and we are able to advertise for receipt of bids as long as we address their comments. We anticipate advertisement for the receipt of bids on April 9 with a bid opening on April 30.

□ Veterans Park Slope Remediation and Park Improvements

- As you are aware, there are currently slope erosion issues at the park which have caused the concrete pavers and fencing in various areas to settle and collapse. We have been asked to review slope remediation alternatives at the park.
- We have reviewed various alternatives for remediating the slope in addition to reviewing options for overall park improvements.
- We have prepared a preliminary two phase conceptual design for the park improvements which we have reviewed with the Mayor.
- We issued a proposal for preparing detailed conceptual plans and construction cost estimates followed by the preparation of design documents for the first phase of the project.
- We have prepared and issued request for proposals in order to obtain contractors to perform the necessary Geotechnical test boring and test probe work at the site. We have reviewed the quotes and issued letters of recommendation for award of this work.
- The test boring and test probe work for the site has been completed. We are currently working on the Geotechnical report for the site.





JOHN H. ALLGAIER, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
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Memo to: Mayor and Board of Commissioners
Town of West New York
March 18, 2013
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□ **FY2013 NJDOT Municipal Aid Grant**

- The submittal date for the FY2013 NJDOT Municipal Aid Grant was October 16, 2012 but has been extended to October 19.
- We prepared and submitted the application to the NJDOT for the following roads:
 - 60th Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
 - 65th Street from Broadway Avenue to Park Avenue (675')
 - 51st Street from JFK West to Bergenline Avenue (615')
 - 66th Street from Hudson Avenue to JFK East (2060')
- The estimated construction cost for the above roads is approximately \$810,000.00.

□ **Municipal Pool Renovations**

- As you are aware, the Town has received Green Acres funding for various renovations to the Municipal Pool Complex. We have reviewed the pool complex site with representatives from the Town to familiarize ourselves with the necessary improvements. The improvements proposed for the building include siding repairs, bathroom stall upgrades, new ventilation, ceiling fans and lighting, refinishing of the floors, exterior door replacement and other miscellaneous improvements. The exterior pool area improvements include new lighting, replacement of broken lighting, new security cameras, fencing replacement and new fencing around portions of the lower decking, replacement of picnic tables, removal of deteriorated landscape boxes, exterior shower, general landscaping improvements, parking lot improvements and other miscellaneous improvements.
- We spoke with a representative from Green Acres about the project funding. Green Acres requires a preliminary assessment be submitted for the project site. However, due to the time constraints regarding the pool opening, they will allow the assessment to be submitted post bidding.
- At this time we estimate that the construction cost of the building improvements will be in the range of \$100,000.00 to \$125,000.00 and the construction cost of the exterior pool area improvements will be in the range of \$275,000.00 to \$325,000.00.
- We are currently preparing the necessary construction plans and specifications for the pool building and pool area improvements. We anticipate advertisement for receipt of bids on March 28 with a bid opening on April 10.

□ **Miscellaneous Engineering**

- Washington Park: We worked with Bob Cabana to prepare a CDBG application to provide funds to perform various repairs at the park. We completed and submitted the application on February 26, 2013.
- 523 61st Street Lighting: At the request of Police Director Indri, we had contact PSE&G regarding providing an additional street light in front of this property. PSE&G reviewed the location and prepared an agreement for same. They are scheduled to install the light within 4 to 6 weeks.
- 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.



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Communication

Re: Presentation by Marge Cherone, CFO Re: Budget & General Obligation Bond Sales

MAR 20 2013

Marge Cherone CFO

From: Marge Cherone CFO <mcherone@westnewyorknj.org>
Sent: Tuesday, March 19, 2013 6:32 PM
To: 'Jenny Delrio (jdelrio@westnewyorknj.org)'
Cc: 'Joe DeMarco' (demarcojoe@verizon.net); 'KRICKOGARCIA@aol.com'; 'ffrias@westnewyorknj.org'
Subject: Workshop Meeting Discussion/Presentation 3/20/13

Jenny,

Kindly provide this message to the Mayor and Commissioners as an outline of the certain topics that I wish to discuss during the workshop session
At tomorrow evening's meeting. I will need no more than ten (10) minutes, at the end of the workshop to complete my presentation.

1. Handout – “Town of West New York – Qualified General Obligation Bonds, Series 2013 – Financing Schedule”

Describes the various activities since submission of the Local Finance Board application (2/20/13), by date, up to the actual closing date.
There are several actions required of the Board of Commissioners (including adoption of the bond ordinances at 3/20/13 meeting) which I will describe in detail.

2. Handouts - Present the form of the Policy Statement and the Bond (sale) Resolution which will be acted upon on April 17, 2013.

3. Discuss the parameters of the upcoming bond rating.

Thank you.

Marge

Town of West New York
Qualified General Obligation Bonds, Series 2013

FINANCING SCHEDULE

March 2013							April 2013							May 2013						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6				1	2	3	4	
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31	
31																				

<u>Date</u>	<u>Activity</u>
February 20, 2013	Submit LFB Application
February 20, 2013	Board of Commissioners to introduce Bond Ordinance and Resolution Making Application to LFB
March 13, 2013	LFB meeting and approval
March 20, 2013	Board of Commissioners to adopt Bond Ordinance
March 22, 2013	Distribute first draft of POS
March 25, 2013	Working group conference call
April 2, 2013	Distribute second draft of POS
April 3, 2013	Submit Initial Rating Package
April 10, 2013	End of Estoppel Period
April 17, 2013	Board of Commissioners to adopt Policy Statement and Bond Resolution
April 18, 2013	Rating Agency Presentation
April 22, 2013	Distribute final draft of POS
May 3, 2013	Receive Rating
May 6, 2013	Finalize POS
May 7, 2013	Print & mail POS
May 15, 2013	Competitive Sale
May 22, 2013	Print & Mail Final Official Statement
May 28, 2013	Pre-closing
May 29, 2013	Closing

NW Financial Group, LLC

Financial Planning and Budgeting

- Revenue Forecasting – The Town will analyze revenue trends over a three year period during the budgeting process. Projections will be updated on a regular basis in order to avoid overly optimistic or cautious projections. The Town will avoid relying on one-shot revenues to balance budgets, as this only moves the burden to the following year. Property tax revenue projections will be analyzed in the context of the current local real estate market and the anticipated collection rate. Each revenue item will have some flexibility and the Town will be able to make adjustments as external forces dictate.
- Strong Expenditure Controls – The Town will analyze expenditure trends over a three year period during the budgeting process. External factors such as unemployment, national economy, and interest rates will be taken into consideration as expenditures are projected. Every expenditure item has some flexibility and the Town will be able to make adjustments as external forces dictate. In times of economic instability, the Town will be well positioned to reduce expenditures where applicable and mitigate the potential for decreases in revenue.
- Fund Balance – The Town will steadily increase fund balance over the next five years and to reach a fund balance between 20% and 25% of revenues. In normal economic environments fund balance will be kept toward the high end of this range and in more difficult economic environments it will not go below 15% of revenues.
- Multi-year Fiscal Plans – The Town will continually update and develop a five year financial forecast/fiscal plan. The plan will project revenue and expenditure growth, capital improvements, and future borrowing needs. The fiscal plan will be a useful tool in analyzing the level of tax and revenue increases needed to offset projected expenditures and debt service. Forecasts will be done conservatively in order to be able to absorb unforeseen economic forces. From time to time various stress tests will be employed to ensure the Town is well prepared for future emergencies.

Debt Management and Capital Planning

- Capital Budget – A six-year capital budget will be prepared annually along with the budget. It will describe the number of anticipated projects and the estimated cost associated with each. Further, the Town will breakdown the expected funding per year and the source of funding (debt issuance, capital improvement fund, budget appropriation, etc.).
 - Debt Burden – By utilizing the financing forecasting and capital budget tools identified above, the Town can accurately assess its annual debt burden and ability to fund the
-

associated costs. The Town will limit its net debt as a percent of equalized valuation basis to the statutorily required 3.5%, but will look to stabilize it at approximately 1.75% to 2.25%. The Town will plan capital projects and debt issuances around maturing debt in order to create level annual debt service requirements. The Town believes it is important to avoid large spikes in debt service and will plan accordingly.

Governing Structure

- Budget Reports - The CFO will present the Board of Commissioners with quarterly budget status reports for each department. By continually analyzing expenditure trends, the Town will be better positioned to react during the year and minimize the problem, rather than face a larger problem at year end. In order to produce these reports, the CFO will have constant interaction with department heads and will be better equipped to analyze variability in the 5-year financial forecasts.

Disclosure

- Budget – The Town will comply with New Jersey statutes and timely introduce, adopt, and disseminate its annual budget. The Town utilizes the services of its auditor in preparing this document. Further, when preparing the budget, the Town will clearly discuss and state their policy and fiscal goals for the current year.
 - Audit – The Town will comply with New Jersey statutes and timely finalize and disseminate its annual audit. The Town utilizes the services of its auditor in preparing this document. The CFO has appointed the Town's auditor as dissemination agent as it relates to MSRB required disclosures.
 - AFS/ADS - The Town will comply with New Jersey statutes and timely finalize and disseminate its Annual Financial Statement and Annual Debt Statement. The Town utilizes the services of its auditor in preparing this document.
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Proclamation

Re: Honoring John Tomasin, Esq.

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; and

WHEREAS, **John Tomasin, Esq.** was a resident of the Town West New York since childhood and graduated from Memorial High School; and

WHEREAS, **John Tomasin, Esq.** served in the Navy during WWII, was an attorney who practiced law for over 50 years, and was associated with the following organizations:

- past president of the North Hudson Lawyers Club
- member of the executive board of Palisades Medical Center
- active elder member of the Trinity Reformed Church

WHEREAS, **John Tomasin, Esq.** worked for the Town of West New York in the capacity of Town Attorney for four (4) years and Municipal Court Judge for nine (9) years; and

WHEREAS, **John Tomasin, Esq.** departed this life on February 20, 2013;

NOW, THEREFORE, I, Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby honor the life and memory of **John Tomasin, Esq.** and extend our heartfelt condolence and sympathy to his family on behalf of the citizens of the Town of West New York.

Proclamation

Re: Honoring Patrick Joseph Culhane

WHEREAS the Town of West New York is pleased to honor *Patrick Joseph Culhane* as the Irish resident of the year 2013;

WHEREAS *Patrick Joseph Culhane*, son of Robert William Culhane and Kathleen “Kitty” Culhane nee Burke, was raised in West New York since 1959; and

WHEREAS *Patrick Joseph Culhane* was named after his grandfather whose family came from Kilkee in County Clare, Ireland, and whose mother’s family came from Ballingearry in County Tipperary, Ireland; and

WHEREAS *Patrick Joseph Culhane* attended St. Joseph’s Grammar School in West New York and was one of ten children; and

WHEREAS *Patrick Joseph Culhane* has four children, Robert William (named after his father), Meghan, Dominick, and Amy; all of whom excel in both academics and sports; and

WHEREAS *Patrick Joseph Culhane* was hired as a police officer in 1984, served his community honorably for the past 29 years and was promoted to the rank of Captain last year;

NOW THEREFORE BE IT RESOLVED, that I, Doctor Felix E. Roque, Mayor of the Town of West New York do hereby honor *Patrick Joseph Culhane* as Irish resident of the year 2013 in the Town of West New York on this day, the 19th of March.

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BUDGET RESOLUTIONS/ORDINANCE

RESOLUTION

RE: TRANSFER APPROPRIATION RESERVES

WHEREAS, various 2012 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2012 budget in the last two months of 2012; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$85,000.00 be made between the 2012 Budget Appropriation Reserves as follows:

	FROM	TO
Snow Removal – Other Expense	\$15,000.00	
Other Insurance – Unemployment	\$40,000.00	
Recycling – Other Expense	\$30,000.00	
Engineering Services – Other Expense		\$55,000.00
Other Insurance – Liability		\$30,000.00

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following, was carried by the following vote:

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

March 20, 2013
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RESOLUTION

**RE: AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE
YEAR 2013**

**RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
FOR THE YEAR 2013**

WHEREAS, an emergent condition has arisen in that the Town of West New York is expected to enter into contracts, commitments or payments prior to the adoption of the 2013 budget and no adequate provision has been made in the 2013 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2013 pursuant to the provision of Chapter 96, P.L. 1951 (NJSA 40A:4-20) including this resolution total \$10,352,700.39.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Board of Commissioners of the Town of West New York, County of Hudson (not less than two-thirds of all members thereof affirmatively concurring), that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$10,152,700.39 as follows:

Account Number	Account Name	Amount
01-2010-20-70101-011	Dir. of Public Affairs - S&W	14,910.00
01-2010-20-70102-099	Dir. of Public Affairs - O.E.	4,725.00
01-2010-20-70201-011	Town Clerk's Office S/W	26,449.50
01-2010-20-70202-099	Town Clerk's Office	1,365.00
01-2010-20-70203-099	Legal Advertising & Publicatio	1,680.00
01-2010-20-70204-099	Town Clerk Off - Codification	787.50
01-2010-20-70502-099	Elections	2,940.00
01-2010-20-70601-011	Board of Health S/W	51,870.00
01-2010-20-70602-099	Board of Health - O.E.	6,615.00
01-2010-20-70701-011	Prosecutor S/W	4,200.00
01-2010-20-70702-099	Prosecutor	525.00
01-2010-20-70802-099	Public Relations	6,300.00
01-2010-20-70901-011	Rent Control Board S/W	13,944.00
01-2010-20-70902-099	Rent Control Board	1,890.00
01-2010-20-71102-099	Town Funding Program	5,775.00
01-2010-20-71201-011	Housing Inspection S/W	12,442.50
01-2010-20-71202-099	Housing Inspection	105.00
01-2010-20-71401-011	Law Department S/W	18,375.00
01-2010-20-71402-099	Law Department	52,500.00
01-2010-20-71501-011	Supervised Play Activity S/W	86,044.88
01-2010-20-71502-099	Supervised Play Activity	25,725.00
01-2010-20-71701-011	Senior Citizens S/W	13,440.00
01-2010-20-71702-099	Senior Citizens	5,250.00
01-2010-20-71801-011	Administrative Office S/W	19,425.00
01-2010-20-71802-099	Administrative Office	945.00
01-2010-20-71901-011	Personnel Department S/W	4,851.00
01-2010-20-71902-099	Personnel Department	52.50
01-2010-20-72002-099	Zoning Board	1,575.00

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01-2010-24-79602-099	Telephone & Telegraph	22,050.00
01-2010-24-79702-099	Water	9,450.00
01-2010-24-79802-099	Sewerage	5,250.00
01-2010-24-79902-099	Signal Bureau	2,625.00
01-2010-25-80001-011	Uniform Construction Code S/W	43,785.00
01-2010-25-80002-099	Uniform Construction Code	6,300.00
01-2010-28-82002-099	Emergency Authorizations	5,775.00
01-2010-29-82602-099	Contribution to Social Securit	100,275.00
01-2010-30-83001-011	Municipal Court S/W	86,625.00
01-2010-30-83002-099	Municipal Court - O.E.	8,610.00
01-2010-33-83502-099	Public Defender	1,575.00
01-2010-33-84002-099	Maint. of Free Public Library	86,152.18
01-2010-33-84502-099	Blood Borne Pathogens	525.00
01-2010-35-85001-011	Reimb. for Hlth Svcs-Weehawke	1,575.00
01-2010-35-85101-011	Reimb. for Hlth Svcs-Secaucus	2,100.00
01-2010-35-85201-011	Reimb for Hlth Svcs-Guttenber	1,575.00
01-2010-35-85401-011	Reimb for Hlth Svcs-Ch 226 Non	5,355.00
01-2010-38-31001-099	LOCAL MATCH	49,108.18
01-2010-44-90102-099	CAPITAL IMPROVEMENT FUND	5,250.00
01-2010-45-88002-099	Payment of Bond Principal	371,700.00
01-2010-45-88402-099	Interest on Bonds	121,914.66
01-2010-45-88502-099	Principal on Notes	19,477.50
01-2010-45-88602-099	Interest on Notes	16,238.67
01-2010-45-88702-099	Lease Payable NHRFR - Debt Ser	107,100.00
01-2010-45-88902-099	Casino Reinvestment Develop Au	3,494.19
01-2010-45-94102-099	Capital Lease Obligations: Inte	89,109.20
01-2010-45-94103-099	DEVELOPERS WATERFRONT-ICIA BON	56,831.56
01-2010-46-89000-099	Overexpenditure of Appropriati	31,428.50
01-2010-48-88402-099	Interest on School Bonds	11,786.23
01-2010-50-89900-	RES FOR UNCOLLECTED TAXES	285,804.86
01-2010-20-71402-099	Tenant Relations	7,375.00
01-2010-21-75012-093	Other Insurance - Workers Comp	324,900.00
01-2010-21-75022-092	Other Insurance - Liability	56,700.00
01-2010-22-77001-011	Uniform Fire Safety Act S/W	17,875.00
01-2010-29-82502-099	Contrib to Public Employee Ret	568,634.59
01-2010-29-82802-099	Contrib to Police & Firemen Pe	2,278,287.50
01-2010-45-88802-099	Green Trust Loan Program P + I	50,583.67
	\$	10,152,700.39

2. Said emergency temporary appropriations will be provided for in the 2013 budget.

3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following, was carried by the following vote:

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

ORDINANCE #5/13

**AN ORDINANCE OF THE TOWN OF WEST NEW YORK,
 IN THE COUNTY OF HUDSON, NEW JERSEY,
 CALENDAR YEAR 2013
 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A: 4-45.14)**

It was regularly moved by Commissioner Frias, seconded by Commissioner Vargas 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
 ABSTAIN - None

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Notice
Ordinance #5/13

**AN ORDINANCE OF THE TOWN OF WEST NEW YORK,
IN THE COUNTY OF HUDSON, NEW JERSEY,
CALENDAR YEAR 2013
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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 March 20, 2013 and ordered published, and will be further considered before final passage at a public hearing on April 17, 2013 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Deputy Town Clerk Yesenia DelRio read the foregoing Notice aloud.

March 20, 2013
Regular Meeting

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

RESOLUTION

RE: 2013 MUNICIPAL BUDGET OF THE TOWN OF WEST NEW YORK, COUNTY OF HUDSON FOR THE YEAR 2013 REVENUE AND APPROPRIATION SUMMARY

**2013 MUNICIPAL BUDGET
OF THE TOWN OF WEST NEW YORK, COUNTY OF HUDSON FOR THE YEAR 2013
REVENUE AND APPROPRIATION SUMMARY**

SUMMARY OF REVENUES	ANTICIPATED	
	2013	2012
1. Surplus	\$ 7,000,000	\$ 5,034,194
2. Total Miscellaneous Revenues	31,430,478	32,573,480
3. Receipts from Delinquent Taxes	163,580	506,601
4. a) Local Tax for Municipal Purposes	33,227,549	31,645,000
b) Addition to Local District School Tax	112,500	112,500
c) Minimum Library Tax	760,028	820,497
Total Amount to be Paid by Taxes for Support of Municipal Budget	\$ 34,100,077	\$ 32,577,997
Total General Revenues	\$ 72,694,135	\$ 70,692,272

SUMMARY OF APPROPRIATIONS	ANTICIPATED	
	2013	2012
1. Operating Expenses: Salaries and Wages	\$ 21,714,125	\$ 20,835,475
Other Expenses	40,137,479	39,285,469
2. Deferred Charges & Other Appropriations	1,789,200	55,000
3. Capital Improvements	55,000	50,000
4. Debt Service (Including for School Purposes)	6,988,331	7,744,377
6. Reserve for Uncollected Taxes	2,010,000	2,721,951
Total General Appropriations	\$ 72,694,135	\$ 70,692,272
Total Number of Employees	389	391

BALANCE OF OUTSTANDING DEBT		
	General	School
Interest	29,020,844	793,300.00
Principal	51,123,266	2,650,000.00
Outstanding Balance	80,144,110	3,443,300.00

Notice is hereby given that the budget and tax resolution was approved by the Town of West New York, County of Hudson on March 20, 2013. A hearing on the budget and tax resolution will be held at Town Hall, 428 60th Street, on April 17th, 2013 at 7:00 o'clock P.M.

Copies of the budget are available in the office of the Town Clerk, Carmela Riccio at the Town Hall, 428 60th St West New York, New Jersey, 1-(201) 295-5091 during the hours of 9:00 AM to 4:00 PM

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

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

March 20, 2013
Regular Meeting

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

Consent Agenda

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque that the following Consent Agenda Item Nos. R-1 through R-25 be adopted, was carried by the following vote:

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

Note: Comm. Wiley voted “No” on the following resolutions: R-1, R-10, R-16 & Abstained to R-25.

RESOLUTION

**Re: APPOINTMENT OF COMMISSIONER RUBEN VARGAS AS MEMBER
OF THE MANAGEMENT COMMITTEE OF THE
NORTH HUDSON REGIONAL FIRE & RESCUE
(January 1, 2013 – December 31, 2013)**

WHEREAS, the Town of West New York wishes to appoint a member to the Management Committee of the North Hudson Regional Fire & Rescue; and

WHEREAS, Commissioner Ruben Vargas is a resident of the Town of West New York; and

WHEREAS, Commissioner Ruben Vargas is qualified and 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, County of Hudson, State of New Jersey as follows:

1. Commissioner Ruben Vargas is appointed to serve as Member of the Management Committee of the North Hudson Regional Fire & Rescue, for the term
1/1/13 – 12/31/13.
2. A copy of this resolution shall be kept on file in the office of the Municipal Clerk.

March 20, 2013
Regular Meeting

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

Resolution

Re: Authorizing an Interlocal Agreement between the Town of Bayonne and the Town of West New York for the position of Health Officer

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

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

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

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

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

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

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service agreement with the Town of Bayonne for the services of the Health Officer for the amount not to exceed \$35,000.

Resolution

Re: Creating a Social Media Policy

RE: "A RESOLUTION CREATING A SOCIAL MEDIA POLICY"

Whereas, Social Media sites such as Twitter, Facebook, Pinterest, LinkedIn, Instagram, Google+, among other social media sites (collectively "Social Media Sites"); and

Whereas, the Public seeks information about the community through Social Media Sites, and Social Media Sites provide a very informative way of relaying information to the Township about emergencies, local events, proposed resolutions, ordinances and any other information available;

Whereas, it is in the best interest of the community to have Social Media Policy in place to allow designated employees of the Township the ability to post information on said Social Media Sites and allow commentary from the community;

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

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

1. The official public webmaster shall be allowed to post on Facebook, Instagram, Google+ and Twitter information regarding Township events, emergency information, school closings, pictures of events and other public affairs of the Township. The official public webmaster shall recommend to the Municipality for approval any other social media technologies that may be suitable for use by the Municipal departments, affiliated boards, commissions and authorities prior to being allowed to post on said Social Media Sites.
2. The Municipality shall have a single presence on social media sites deemed appropriate for use. Requests for individual departmental or agency pages or sites must be approved by the Municipal Administration.
3. All official Municipal presence on social media sites or services are considered an extension of the Municipality's information networks and are governed by all policies applicable to the use of Municipal computers and electronic media (if applicable) as well as the Municipal Internet Access and Use Guidelines (if applicable).
4. Departments that use social media are responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), Open Public Records Act (OPRA), First Amendment, privacy laws, sunshine laws and information security policies (if applicable) established by the Municipality, its departments, affiliated boards, commissions and authorities.
5. Wherever possible, links to more information should direct users back to the Municipality's official website for more information, forms, documents or online services necessary to conduct business with the Municipality.
6. Employees representing Municipal government on social media outlets must identify themselves by name, and when relevant, by role at the Municipality. All Municipal policies are applicable to interactions on social media sites when acting in an official capacity and representing the Municipality.
7. The official municipal webmaster shall monitor content on all social media sites to ensure adherence to the Social Media Policy for appropriate use, message, and branding consistent with the goals of the Municipality and the goals set forth in this Resolution.
8. The Municipal webmaster may have the authority to remove any information that does not meet the goals of the Municipality and the goals set forth in this Resolution, which is to provide up to date information to the Townships residents regarding events, emergencies and other public information provided for by the Municipality. The Municipal webmaster reserves the right to remove any content posted by individuals on the Municipalities, if same is deemed Prohibited Content as set forth below.

III. Prohibited Content

The following is prohibited and subject to removal:

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

- a. Comments not topically related to the particular post being commented upon
- b. Comments that promote, foster, or perpetuate discrimination on the basis of creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation
- c. Comments that include vulgar, offensive, threatening or harassing language, personal attacks or unsupported accusations
- d. Obscene or sexual content or links to obscene or sexual content;
- e. Illegal activity or encouragement of illegal activity
- f. Information that may tend to compromise the safety or security of the public or public systems
- g. Comments from children under 13 cannot be posted in order to comply with the Children's Online Privacy Protection Act. By posting on a West New York media site, users acknowledge that they are at least 13 years old
- h. Content that violates a legal ownership interest of any other party.

Applicability IV.

This policy shall apply to all Municipal agencies and departments as well as any affiliated government or non-government agency or official permitted by the Municipality to post on Municipal social media sites.

RESOLUTION

RE: HUDSON COUNTY BOARD TAX APPEALS (\$13,682.28)

WHEREAS, the following property owners have appealed to the Hudson County Board of Taxation for a reduction in Tax Assessment levied upon their respective properties;

WHEREAS, the Hudson County Board of Taxation by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said respective properties.

NOW, THEREFORE BE IT RESOLVED that said overpayments of taxes be and the same are hereby to be paid and refunded to the said property owners in the following amounts:

NAME	BLOCK-LOT	AMOUNT	YEAR
ROBERT SPIOTTI ATTY 13-19 WNY LLC	20/31	\$51.68	2012
SAKA MANAGEMENT	118/2	\$13,630.60	2012

GRAND TOTAL \$13,682.28

March 20, 2013
Regular Meeting

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

RESOLUTION

RE: TAX CORRECTION (VARIOUS LOCATIONS)

quarter 2004nt of \$1252.07 and the balance of \$47.93 be credited to the 4th

WHEREAS, there is an overpayment on the 3rd quarter 2012 tax bill in the amount of \$17.52 and \$17.52 on 4th quarter 2012 tax bill on property located at 575 53rd Street A/K/A block 110 lot 5 C0418 and;

WHEREAS, there is an overpayment on the 3rd quarter 2012 tax bill in the amount of \$67.52 and \$67.51 on the 4th quarter 2012 on property located at 528- 52nd Street A/K/A block 109 lot 22 C0306 and;

WHEREAS, there is an overpayment on the 4th quarter 2012 tax bill in the amount of \$1,550.40 on property located at 5308 Hudson Avenue A/K/A block 88 lot 5 and;

WHEREAS, the taxpayers are requesting that 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.

RESOLUTION

RE: REFUND OF TAX OVERPAYMENTS (\$14,993.86)

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
SANCHEZ, CELINA & MANUEL JR.	111/1	\$319.90 *	2012
CRP/ROSELAND	168.01/8.03	\$142.79	2012
HUDSON URBAN RENEWAL	C0132	\$1,250.14 (SVC)	2012
	168.01/8.03	\$142.55	2012
	C0406	\$1,250.14 (SVC)	2012
	168.01/8.01	\$97.79	2012
	C0246	\$1,291.26 (SVC)	2012
WILLIAMS, SYBIL E	36/6	\$510.85	2012
PROANO, MARIANITA & CARLOS BALLADARES	6/15	\$3,719.39	2012
SBMUNI CUST FOR LBNJ	52/5	\$6,269.05	2013

GRAND TOTAL \$14,993.86

March 20, 2013
Regular Meeting

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

RESOLUTION
RE: REFUND OF TAX LIEN PREMIUMS (\$111,900.00)

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

WHEREAS, the investor paid a premium to the Collector of Taxes for said Tax Sale Certificate at the time of the sale; and

WHEREAS, the certificate has now been redeemed and the investor is entitled to a refund of said premium pursuant to N.J.S.A. 54:5-33.

NOW, THEREFORE, BE IT RESOLVED that said premium be paid to the investors in the following amounts, and the Department of Revenue and Finance is hereby, authorized to issue said refund.

NAME	BLOCK/LOT	CERT. #	AMOUNT
US BANK CUST. FOR TLCF 2012A,LLC	113/13	12-0558	\$100.00
US BANK CUST FOR 96/20 TOWER DBW	53/25	12-0501	\$22,000.00
	138/11	12-0287	\$7,000.00
	48/6	12-0632	\$4,000.00
	20/37	12-0264	\$500.00
	39/2	12-0108	\$6,000.00
	154/6	12-0216	\$15,000.00
	3/3	12-0703	\$100.00
	1/20	12-0008	\$200.00
		12-0004	\$1,200.00
US BANK CUST FOR CRESTAR CAPITAL LL MTAG SVC. AS CUST FOR ATCF II NJ LLC	42/36	11-0119	\$6,300.00
	94/6	11-0254	\$2,100.00
	14/1	12-0070	\$1,000.00
	46/4	11-0129	\$2,000.00
	46/4	12-0256	\$6,100.00
	5/32 C03-H	11-0019	\$800.00
FIDELITY TAX LLC	115/11	07-089	\$13,000.00
SUNSHINE ST CERT	43/14	12-0243	\$20,000.00
LBNR PARTNERS LLC	43/14	11-0120	\$4,500.00
	GRAND TOTAL		\$111,900.00

March 20, 2013
Regular Meeting

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

RESOLUTION
RE: STATE COURT TAX APPEALS (\$18,451.54)

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
MARINIELLO & MARINIELLO	2/9	\$2,475.41	2010
		\$2,508.22	2011
		\$2,493.56	2012
	2/10	\$5,451.05	2010
		\$5,523.30	2011

GRAND TOTAL \$18,451.54

RESOLUTION
RE: TAX LIEN REDEMPTIONS (\$698,943.69)

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.

**March 20, 2013
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Consent Agenda (Cont.):
Resolution (Cont.):

Name	Block/lot	Cert#	Amount	
US BANK CUST. FOR TLCF 2012A, LLC	19/39	12-0101	\$1,661.07	
	136/1	12-0617	\$906.01	
	16/37	12-0077	\$1,897.02	
	67/31	12-0343	\$2,460.85	
	84/18	12-0468	\$3,880.62	
	113/13	12-0558	\$332.26	
	137/2.02	12-0621	\$2,842.79	
	90/23	12-0487	\$685.99	
	161/12	12-0726	\$766.72	
	145/18	12-0659	\$1,464.44	
	80/41	12-0428	\$816.53	
	121/2.06	12-0577	\$4,956.61	
	121/2.05	12-0576	\$5,197.56	
	US BANK CUST FOR TOWER DBW	105/3	12-0532	\$10,132.95
17/20.01		12-0090	\$6,259.88	
126/26		12-0590	\$6,139.23	
120/40		12-0572	\$9,536.14	
149/6.01		12-0675	\$6,778.95	
96/20		12-0501	\$11,470.79	
53/25		12-0287	\$620.76	
138/11		12-0632	\$5,679.37	
48/6		12-0264	\$14,598.55	
38/9 C010F		12-0207	\$1,540.95	
20/37		12-0108	\$371.03	
39/2		12-0216	\$15,419.37	
		154/6	12-0703	\$3,945.64
		59/17	12-0323	\$6,063.91
		130/1.01	12-0601	\$6,655.98
		3/3	12-0008	\$2,828.37
		84/34	12-0471	\$4,607.70
		50/16	12-0278	\$1,724.58
		25/29 C002E	12-0128	\$1,185.78
		67/30	12-0342	\$6,147.90
		105/7	12-0533	\$9,677.59
		7/20	12-0037	\$7,730.84
		97/4	12-0507	\$12,998.74
	50/16	12-0278	\$1,724.58	
	28/11	12-0136	\$2,408.26	
	1/20	12-0004	\$620.76	
US BANK CUST FOR 83/7 PRO CAPITAL I, LLC	CG003	10-159	\$3,249.88	
SBMUNICUST C/O LBNJ	53/22	12-0286	\$15,592.03	
	51/1	12-0279	\$7,709.11	
	5/32 C03-H	12-0021	\$1,132.81	
	52/5	12-0281	\$8,677.22	
	23/15.01	12-0120	\$18,300.02	
PAM INVESTORS	168.01/1.01 C0391	12-0745	\$994.67	
	26/17	12-0132	\$385.90	
	103/17	12-0528	\$419.00	
	115/21	12-0565	\$13,318.74	
	5/35 C0004	12-0033	\$3,093.57	
	2/7.02	12-0007	\$5,107.60	

**March 20, 2013
Regular Meeting**

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

	146/2	12-0664	\$10,244.75
	55/32	12-0311	\$860.51
	37/17 C0009	12-0202	\$873.46
	168.01/ 1.34 C0436	12-0763	\$384.11
	111/1	11-0282	\$44,300.10
	111/1	12-0553	\$19,451.07
	76/6	12-0418	\$4,965.51
ISAAC MORADI	126/16	12-0587	\$2,495.11
	115/8	12-0563	\$2,469.28
	153/11	12-0695	\$1,524.33
72 OAK STREET HOLDINGD, LLC	127/12	11-0307	\$168,784.99
	168.01/1.34 C0430	12-0765	\$7,995.67
	78/7	12-0419	\$417.36
	127/12	12-0593	\$32,771.38
	168.01/8.01 C0414	12-0773	\$9,515.59
MARTA GONZALEZ	12/9 C00D1	12-0066	\$1,284.70
US BANK CUST FOR CRESTAR CAPITAL LL	42/36	11-0119	\$8,990.54
JN PROPERTIES	115/11	08-102	\$1,145.17
MTAG SVC. AS CUST	94/6	11-0254	\$13,104.42
FOR ATCF II NJ LLC	94/6	12-0492	\$2,751.82
	14/1	12-0070	\$7,490.13
	46/4	11-0129	\$19,582.36
	46/4	12-0256	\$3,099.28
	5/32 C03-H	11-0019	\$4,092.39
	168.01/8.03 C0235	12-0777	\$11,371.63
FIDELITY TAX LLC	115/11	07-089	\$30,188.03
SUNSHINE ST CERT. IV, LLLP, BK UNITEDT	43/14	12-0243	\$16,327.88
LBNR PARTNERS LLC	43/14	11-0120	\$9,744.50

GRAND TOTAL \$698,943.69

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 Various Legal/Professional 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 legal services as may be needed by the Town of West New York, including but not limited to legal/professional services as:

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

- Public Information Services
- Legal Liability Special Counsel
- Zoning Board Attorney (Third Occasion)
- Alternate Municipal Prosecutor
- Alternate Public Defender
- Public Defender

WHEREAS, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services, including legal/professional services,

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for the for various legal/professional services as may be needed by the Town, for each separate board or entity requiring separate legal counsel including but not limited to:
 - Public Information Services
 - Legal Liability Special Counsel
 - Zoning Board Attorney (Third Occasion)
 - Alternate Municipal Prosecutor
 - Alternate Public Defender
 - Public Defender
3. Such Request for Qualification(s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”), such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
4. The Mayor, with the Town Administrator and the Town Attorney both in an advisory capacity, will review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

RESOLUTION

Re: Honoring Juan Pablo Duarte

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York are infinitely appreciative of the contributions of its residents. These residents have consistently made strides to honor certain historic individuals who they feel warrant special praise and tribute, and the town respects and encourages the resident’s desire to do so; and

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

WHEREAS, **Juan Pablo Duarte** was born in Santo Domingo on January 26, 1813. A visionary and a liberal thinker, he was one of the founding fathers of the Dominican Republic; and

WHEREAS, **Juan Pablo Duarte** emigrated with his father, Juan Jose Duarte, and mother, Manuela Díez Jiménez, in 1802 from Santo Domingo to Mayaguez, Puerto Rico in order to escape the imposition of French rule over Santo Domingo; and

WHEREAS, **Juan Pablo Duarte** founded La Filantrópica and La Dramática, both of which sought to spread ideas of liberation, and that his secret society La Trinitaria led to the freeing of the Dominican Republic from Haitian rule; and

WHEREAS, **Juan Pablo Duarte** was a poet, philosopher, writer, actor, soldier, general, dreamer and hero who died nobly in Caracas, Venezuela at the age of 63 and was entombed in a beautiful mausoleum – the Altar de la Patria at La Puerta del Conde – and his life is celebrated by Dominicans every January 26 on his date of birth.

THEREFORE, Mayor Felix E. Roque, M.D. and the Board of Commissioners of the Town of West New York hereby honor the life and memory of **Juan Pablo Duarte** on behalf of the residents on April 24, 2013 by placing a bust donated by Proyecto Bicentenario on Boulevard East between 61st and 62nd streets next to McEldowney Park.

RESOLUTION

Re: 2013 Summer Food Service Program Grant Application

WHEREAS, the New Jersey Department of Agriculture (NJDA) has funds available for its 2013 Summer Food Service Program; and

WHEREAS, the Mayor and Commissioners of the Town of West New York are in support of the 2013 NJDA Summer Food Service Program and wish to file an application not to exceed \$150,000 in grant funding; and

WHEREAS, an application for the 2013 NJDA Summer Food Service Program must be filed by April 15, 2013; and

WHEREAS, an application for such grant funds may not be filed nor funds spent in a municipality without authorization by the Governing Body:

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

1. The Mayor and Commissioners hereby authorize the filing of a 2013 NJDA Summer Food Service Grant application not to exceed \$150,000 because it is in the best interests of the Town of West New York.
2. The Mayor is hereby authorized to sign the grant agreement on behalf of the Town of West New York and his signature constitutes acceptance of the terms and conditions of the grant agreement including administrative compliance and audit requirements.
3. This resolution shall take effect immediately and a copy shall be sent to the New Jersey Department of Agriculture to expedite processing.

March 20, 2013
Regular Meeting

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

RESOLUTION
Re: 2014 HTS Federal Highway Safety Grant Application

WHEREAS, the New Jersey Division of Highway Traffic Safety (NJDHTS) has funds available for its 2014 Federal Highway Traffic Safety Program; and

WHEREAS, the Mayor and Commissioners of the Town of West New York are in support of the 2014 Federal Highway Traffic Safety Program and wish to file an application not to exceed \$15,000 in grant funding; and

WHEREAS, an application for the 2014 Federal Highway Traffic Safety Program must be filed by April 30, 2013; and

WHEREAS, an application for such grant funds may not be filed nor funds spent in a municipality without authorization by the Governing Body:

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

1. The Mayor and Commissioners hereby authorize the filing of a 2014 Federal Highway Traffic Safety Program Grant application not to exceed \$15,000 because it is in the best interests of the Town of West New York.
2. The Mayor and Police Director are hereby authorized to sign the grant agreement on behalf of the Town of West New York and their signature constitutes acceptance of the terms and conditions of the grant agreement including administrative compliance and audit requirements.
3. This resolution shall take effect immediately and a copy shall be sent to the New Jersey Division of Highway Traffic Safety to expedite processing.

RESOLUTION
RE: 2014 HTS State Pedestrian Safety Enforcement and Education Fund
Grant Application

WHEREAS, the New Jersey Division of Highway Traffic Safety (NJDHTS) has funds available for its 2014 State Pedestrian Safety Enforcement and Education Program; and

WHEREAS, the Mayor and Commissioners of the Town of West New York are in support of the 2014 NJDHTS State Pedestrian Safety Enforcement and Education Program and wish to file an application not to exceed \$15,000 in grant funding; and

WHEREAS, an application for the 2014 NJDHTS State Pedestrian Safety Enforcement and Education Program must be filed by April 30, 2013; and

WHEREAS, an application for such grant funds may not be filed nor funds spent in a municipality without authorization by the Governing Body:

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

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

1. The Mayor and Commissioners hereby authorize the filing of a 2014 NJDHTS State Pedestrian Safety Enforcement and Education Program Grant application not to exceed \$15,000 because it is in the best interests of the Town of West New York.
2. The Mayor and Police Director are hereby authorized to sign the grant agreement on behalf of the Town of West New York and their signature constitutes acceptance of the terms and conditions of the grant agreement including administrative compliance and audit requirements.
3. This resolution shall take effect immediately and a copy shall be sent to the New Jersey Division of Highway Traffic Safety to expedite processing.

Resolution

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

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be hereby authorized and directed to advertise for the receiving of bids on **April 30, 2013 at 11:00 a.m.** in the Town Clerk's Office for: **"67th Street Road Improvements from Kennedy Blvd. to Palisades Ave."** for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

RESOLUTION

**Re: Appointing Miguel Borrego as a Class IV Designee of the Planning Board
to fill the unexpired term of Clara Duran
(Term expires on 1/16/15)**

WHEREAS, a vacancy exists on the West New York Planning Board, due to the resignation of Class IV Designee, Clara Duran, such term expiring January 16, 2015;

WHEREAS, **Miguel Borrego**, is a resident of the Town of West New York living at 119-60th Street, Apartment 16, West New York, NJ 07093; and

WHEREAS, **Miguel Borrego**, 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. **Miguel Borrego** is appointed to serve as a Class IV Designee of the West New York Planning Board, to serve for the unexpired portion of a term which term will expire on **December 16, 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.

March 20, 2013
Regular Meeting

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

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF ENVIRONMENTAL ENGINEERING SERVICES

WHEREAS, **Birdsall Services Group** of **65 Jackson Drive, Cranford, NJ 07016**, has submitted a proposal to serve as provider of **Environmental Engineering Services**, March 13, 2013 in response to a, Request for Proposals for provider of **Environmental Engineering Services** ; and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed the engineering firm of **Birdsall Services Group**, 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 engineering firm of **Birdsall Services Group**, to serve as provider of **Environmental Engineering Services** and enter into a contract with the engineering firm of **Birdsall Services Group** to provide for the services of **Environmental Engineering**; 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 Proposals;

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 engineering firm of **Birdsall Services Group** for the services of the firm of **Birdsall Services Group** for the services as provider of **Environmental Engineering Services**, and 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 March 13, 2013, 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 through 12/31/13, and for an amount to be contained in the agreement not to exceed \$36,000.00

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 engineering firm of **Birdsall Services Group** as provider of **Environmental Engineering Services** shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

March 20, 2013
Regular Meeting

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

Resolution
Re: Awarding of an Emergency Contract to PRS Consultants, Inc. to Complete the Summer Food Grant Application

WHEREAS, the Town wishes to apply for a grant for reimbursement for the 2013 Summer Food Program; and

WHEREAS, PRS Consultants Inc. has agreed to prepare and manage the grant application for the 2013 Summer Food Program; and

WHEREAS, the Town through its prior experiences with PRS Consultants is aware of the qualifications and reputation; and

WHEREAS, that the costs associated with the services provide are below the bid threshold for the Town; and

WHEREAS, due to the timing of the award application and the need for the town to apply for the grant the award of the services is hereby deemed emergent pursuant to N.J.S.A. 40A:11-6; and

WHEREAS, this Contract is necessary for the efficient operation of the Town and for the benefit of residents; and

WHEREAS, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Town's 2013 budget.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, that the Town Administrator is permitted to enter into an agreement with PRS Consultants, Inc. for grant writing and management services in connection with the 2013 Summer Food Program. The amount of the contract not to exceed \$5,000.

Resolution
Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows:
6609 McKinley Place (John R. Newton)

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>
1.	John R. Newton 6609 McKinley Pl. West New York, NJ 07093	West	Begin at a point along the west curb line of 67th Street & McKinley Pl, 120 feet South from the north west corner. Then 22 feet therefrom

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

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: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
127-66th Street (Anthony Mack)

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>
1.	Anthony Mack 127-66 th Street West New York, NJ 07093	West	Begin at a point along the west curb line of 66th Street & Park Ave, 315 feet west from the South west corner. Then 22 feet therefrom

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.

March 20, 2013
Regular Meeting

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

Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
6504 Hudson Avenue (Aristides Rodriguez)

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>
1.	Aristides Rodriguez 6504 Hudson Avenue West New York, NJ 07093	East	Begin at a point along the east curb line of 65th Street & Hudson Ave, 49 feet west from the North east corner. Then 22 feet therefrom

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: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
6110 Jefferson Street (Fernando Martin)

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>
1.	Fernando Martin 6110 Jefferson Street West New York, NJ 07093	East	Begin at a point along the east curb line of 61st Street & Jefferson St., 150 feet north from the North east corner. Then 22 feet therefrom

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

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: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
5006 Hudson Ave (Yessenia B. Flores)

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>
1.	Yessenia B. Flores 5006 Hudson Avenue West New York, NJ 07093	East	Begin at a point along the east side of 50th Street & Hudson Ave, 47 feet north from the North east corner. Then 22 feet therefrom

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.

March 20, 2013
Regular Meeting

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

Resolution
Re: Repealing Resolution adopted on 5/21/08
(Restricted Parking for Handicapped Resident) as follows:
5401 Palisade Avenue (Jorge Pina)

Whereas, the governing body of the Town of West New York adopted a Resolution on May 21, 2008 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:

5401 Palisade Avenue, WNY (Jorge Pina)

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: Appointment of Geoffrey M. Santini and Wendell Oms
as Constables of the Town of West New York

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Geoffrey M. Santini, residing at 6607 Hudson Avenue, West New York, and Wendell Oms, residing at 6217 Adams Street, West New York are hereby appointed as Constables pursuant to N.J.S.A. 40A9-120, et seq., for the Town of West New York for the following term: One Year. The Constable is under the direction of the Department of Public Safety.

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):
Ordinance (Cont.):

ORDINANCE #3/13

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWN OF WEST NEW YORK AND APPROPRIATING \$2,730,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,053,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME

Note: Deputy Town Clerk Yesenia DelRio 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. **Comm. Wiley:**
Commissioner Wiley stated that he would vote yes on this Ordinance as long as the money was spent as it allocated for. Town Administrator Joseph DeMarco responded that the Bond Ordinance specifies what the money can be spent on and that the only way the money could be spent differently would be by introducing a different Ordinance.
2. **Frank Ferriero 23 Henry Street Sayerville, NJ**
Mr. Ferriero stated that he had five minutes to speak and would not like to be disturbed. He stated that he felt that three (3) of the commissioners were voting blindly and that this was a free country
3. **Janice Zorovich 1407-43rd Street North Bergen, NJ 07047**
Ms. Zorovich inquired if Bond Ordinance money can be transferred and used for other items. Town Administrator Joseph DeMarco stated that the money had to be used for what it was bonded for.

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, to adopt the foregoing Ordinance, was carried by the following vote:

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

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Ordinance (Cont.):

ORDINANCE #4/13

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF ALL RIGHT, TITLE AND INTEREST OF THE HUDSON COUNTY IMPROVEMENT AUTHORITY UNDER A 2008 LEASE AND AGREEMENT AND APPROPRIATING \$7,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$7,500,000 IN BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME

Note: Deputy Town Clerk Yesenia DelRio read the title of the foregoing Ordinance aloud.

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

No one wished to be heard.

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

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

Ordinance #6/13

**AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF WEST NEW YORK
“THE CONSUMPTION IN RETAIL PREMISES WITHOUT LIQUOR LICENSE”**

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Frias 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
ABSTAIN - None

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):
Ordinance (Cont.):

Notice
Ordinance #6/13

**AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF WEST NEW YORK
“THE CONSUMPTION IN RETAIL PREMISES WITHOUT LIQUOR LICENSE”**

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 March 20, 2013 and ordered published, and will be further considered before final passage at a public hearing on April 17, 2013 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Deputy Town Clerk Yesenia DelRio read the foregoing Notice aloud.

Ordinance #7/13

**AN ORDINANCE REPEALING ORDINANCE #11/10 ENTITLED: “AN ORDINANCE
AMENDING CHAPTER 76 OF THE CODE OF THE TOWN OF WEST NEW YORK
(PERSONNEL)”**

It was regularly moved by Commissioner Frias, 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
ABSTAIN - None

Notice
Ordinance #7/13

**AN ORDINANCE REPEALING ORDINANCE #11/10 ENTITLED: “AN ORDINANCE
AMENDING CHAPTER 76 OF THE CODE OF THE TOWN OF WEST NEW YORK
(PERSONNEL)”**

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 March 20, 2013 and ordered published, and will be further considered before final passage at a public hearing on April 17, 2013 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Deputy Town Clerk Yesenia DelRio read the foregoing Notice aloud.

March 20, 2013
Regular Meeting

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

Ordinance #8/13

**An Ordinance repealing Ordinance #41/95 entitled:
“An Ordinance establishing restricted parking in front
of one (1) residence for use by a handicapped resident
(327-61st Street)**

It was regularly moved by Commissioner Frias, seconded by Mayor Roque 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
ABSTAIN - None

Notice
Ordinance #8/13

**An Ordinance repealing Ordinance #41/95 entitled:
“An Ordinance establishing restricted parking in front
of one (1) residence for use by a handicapped resident
(327-61st Street)**

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 March 20, 2013 and ordered published, and will be further considered before final passage at a public hearing on April 17, 2013 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Deputy Town Clerk Yesenia DelRio read the foregoing Notice aloud.

Public Portion:

The following persons wished to be heard:

1. David Rivera, 223-59th Street, West New York, N.J.:

Mr. David Rivera inquired as to why individuals were removed from the Boards. Mayor Roque responded that the Town does not permit employees to serve. Mayor Roque also advised Mr. Rivera in order to obtain information on when there is an opening to check the Town's website, as the information is contained therein. Mayor Roque noted that Aida and Joseph Roque's serving on the Board was a conflict of interest and he asked them to resign. Mr. Rivera also inquired as to the title and salary of Tiffany Marcano. Mr. Rivera was advised by Town Attorney

Consent Agenda (Cont.):

Public Portion (Cont.):

Gilberto Garcia that the Commissioners could not discuss personnel matters. Mr. Rivera stated to the Board that the Recreation Director title was abolished from the salary ordinance and that now they hired a new person with that position at a salary of \$60,000.00. Mayor Roque responded that this is a personnel issue that cannot be discussed. Mr. Rivera asked Commissioner Vargas, Commissioner Rodriguez & Commissioner Frias if that had voted on the hiring of Tiffany Marcano and their responses were "No". Commissioner Wiley responded that a hiring freeze was put into effect to stop him from hiring personnel. He stated that he had not hired 1 person since July. Commissioner Wiley stated that a whole Department was taken away from him and it still hadn't been returned and that he was down to 4 to 5 employees. Commissioner Wiley commented that they hire a 21 year old who has no certifications and no experience. Mayor Roque responded that the Recreation was in dire need of a director. Mayor commented that our citizens need a better quality of life and that he was very proud of Tiffany Marcano and the work she has done.

2. Linda Kellerman, 6601 Boulevard East, West New York, N.J.:

Ms. Kellerman stated that due to the dense population in the area we need more parking spaces. Ms. Kellerman discussed the 66th Street and Park Avenue project. She was advised by Town Administrator, Joseph DeMarco that the project was voted down as to development by George Capadaglia. Ms. Kellerman indicated she hoped the safety of the public would be put first, and it seems that the developers have more influence than the residents. Mayor Roque stated that he agreed that the safety and well-being of the residents. Mayor also commented that his son Joseph and his sister Aida voted against this project.

3. Beatriz Palaez-Martinez, 211-53rd Street, West New York, N.J.:

Ms. Palaez Martinez read a letter of opinion and suggestions and disagrees to 5 year (Jaclyn Heights) and 30 year tax abatements. She indicated she blames both former Mayors, Vega and Sires, but also stated that now Mayor Roque is here and was motivated to run due to high taxes. Ms. Palaez-Martinez also stated that Mayor Roque has done nothing to reduce taxes as he previously stated, and the future increases will be a burden to taxpayers and bad for Bergenline Avenue which at the present time there are a lot of 99 cents stores and nail places, so people won't be traveling to Bergenline Avenue to do shopping. Ms. Palaez-Martinez said her frustration and anger comes from the fact that she recalled the Mayor as saying "I can reduce taxes by 19%. In addition, parking permits are great but not many violations are being issued. Ms. Palaez-Martinez noted her daughter's fee for Little League went from \$40.00 to \$50.00, and Commissioner advised her that the Little League sets their own standards as they are their own entity. Ms. Palaez-Martinez also noted when taxes went up 48% under Mayor Vega's administration she gave him hell about it and she would do the same with this administration. Mayor Roque responded to Ms. Palaez-Martinez that it makes him happy when people give him hell. Mayor stated that all of Ms. Palaez-Martinez's concerns were his concerns. Mayor also asked Ms. Palaez-Martinez that if until the present time if he had raised her taxes and she responded not until now.

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):
Public Portion (Cont.):

4. Angel Barquin, 432-58th Street, West New York, N.J.:

Mr. Barquin inquired on how much property taxes would be raised. Mr. Barquin was advised by Town Administrator, Joseph DeMarco, over to 2% and perhaps closer to 2.6%. Mr. Barquin said that all the "Fat Cat" salaries should be "Out" as it is a big burden and all measures should be taken to show some accountability as to employees who are not performing their jobs. Mr. Barquin noted a generous contract had been given to the Police Department. Mr. Barquin wanted to know about the teachers. Mr. Barquin indicated they were "Top Heavy" as to salaries and had given themselves an increase, but the teachers had not received anything. Mayor Roque agreed that the teachers should have been given raises. Mr. Barquin stated that he was aware that John Fauta received a raise. Town Administrator, Joseph DeMarco stated that the Board of Education sets their own budget and that when tax payers pay their taxes theirs a breakdown for county tax, school tax, library tax, etc.

5. Doug Bordon, 6600 Boulevard East, West New York, N.J.:

Mr. Bordon questioned that the Mayor appoints Board members but has no authority to tell them what to do. Mr. Bordon asked if Board of Education is a separate entity and who had appointed Adrienne Sires. Mayor Roque responded that he had appointed her to Board. Mr. Bordon questioned as to how many members did the Mayor appoint he believed it was four (4) out of seven (7). Inaudible comments were made regarding noting deducted to balloon payment and 100% of money going back. Mr. Bordon stated that the Mayor appointed his family as Planning Board members and it was a conflict. Mayor Roque said this was why they were no longer serving on the Board. Mayor said the "Buck Stops Here". Mayor Roque stated that we learn from our mistakes that he was a doctor who became a Mayor. Mr. Bordon also inquired as to the Van Buren Parking Lot being purchased by the West New York Parking Authority and selling it.

6. Daniel Parrales, 556-59th Street, West New York, N.J.:

Mr. Parrales asked the Board of Commissioners how many persons were hired in 2013. Mr. Parrales was advised by Town Administrator, Joseph De Marco that approximately 15 employees. Mr. Parrales indicated he had requested an OPRA and the information and the number was ten(10). Mr. Parrales stated that Illeana Hernandez, Parking Authority employee was still homeless. Commissioner Frias indicated that she was supplementing her salary as a Police Dispatcher as well and that all the paperwork was being processed.

7. Joan Ferrano, 6600 Boulevard East, West New York, N.J.:

Ms. Ferrano asked if Town Attorney, Gilberto Garcia's position was full time, and Town Attorney, Gilberto Garcia responded "Yes". Ms. Ferrano asked how he determined services which would be billable. Town Attorney, Gilberto Garcia indicated he was not permitted to bill outside of his salary. Ms. Ferrano asked Mayor Roque about Gilberto Garcia receiving 170,000.00 all for litigation. Ms.

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Public Portion (Cont.):

Ferrano inquired as to Tiffany Marcano, as Director of Recreation and Public Affairs, and was advised that personnel matters could not be discussed, but indicated that the position had been vacant for one and a half years and had to be filled. In addition, her salary is less than the former director and she would have to report to Mayor Roque and Municipal Administrator, Joseph DeMarco. Mayor Roque said based on his experience he could not have chosen a better individual as she is a college graduate. Mayor Roque further states she is in charge of the Little League, Babe Ruth League, movies and takes care of all issues for children in the Town of West New York.

8. Rose Puerto, 6600 Boulevard East, West New York, N.J. :

Ms. Puerto wanted to know how the removal and replacement of Zoning Board members would affect the Town. Town Attorney, Gilberto Garcia advised that this issue is presently under review by the law department and she would soon hear on it (La Meridia Project). With reference to bond issue, Town Administrator, Joseph DeMarco said the refinance is being paid over a 15 year period. Ms. Puerto commented that hiring the least amount of persons to do a great job would be a "Lean & Mean" way to work. Ms. Puerto also commented that she felt that \$60,000.00 is a lot of money and also a conflict of interest. Mayor Roque responded by saying that he looks at qualifications of a person and not their age. Mayor Roque stated that her position was vacant for over a year and a half. Ms. Puerto inquired as to if the position of Tiffany Marcano was posted and inquired on what were her qualifications. Ms. Puerto also inquired as to whom does Ms. Marcano report to and what were her duties. Mayor Roque responded that Ms. Marcano reports to Town Administrator, Joseph DeMarco and to him. Mayor Roque responded that she runs all the recreational sports and activities which also are on Saturday's and Sunday's. Town Attorney, Gilberto Garcia commented that Ms. Marcano was a very experienced individual and that during the few weeks that he had worked with her he stated that they couldn't of hired anyone better for this position. Commisisoner Wiley commented that his department was not responsible of Parks/Public Properties. Commissioner Wiley also commented that the process of hiring of employees required a process in which was not being followed. Commissioner Wiley stated that he believed Ms. Marcano was personally hired by the Mayor.

9. Vipul Parekh, 6507 Hudson Avenue, West New York, N.J.:

Mr. Parekh indicated that he was a volunteer in Hoboken and had applied for a position with the Ambulance Squad. Mr. Parekh indicated he was rejected with the reasons that he's had three accidents and it was due to his driving record and that he had taken the safe driving course. Town Administrator, Joseph DeMarco questioned as to if it was the online course and Mr. Parekh responded "Yes". Mr. Parekh asked if this was a race issue. Town Attorney, Gilberto Garcia stated, based upon statistics, West New York is a predominately Hispanic community and this is why most persons employed here are of Hispanic descent. Town Attorney, Gilberto Garcia suggested to Mr. Parekh to re-apply.

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):
Public Portion (Cont.):

10. Janice Zorovich, 1407-43rd Street, North Bergen, N.J. :

Ms. Zorovich commented that she was sure that the taxes definitely would be going up. Ms. Zorovich wanted to know why the teachers were given no pay raise, and how abatements would reduce taxes.

11. David Rivera, 223-59th Street, West New York, N.J. :

Mr. Rivera wanted to know what pay increase Silvio Acosta received, and what his additional duties are. No one responded. Mr. Rivera also wanted to know if Tiffany Marcano had taken the civil service\Department of Personnel test required for the position of recreation director. Mr. Rivera inquired as to what where her qualifications and how she obtained her position. Town Administrator, Joseph DeMarco said he had no idea what qualifications were required. Mr. Wayne Cook from the audience commented that the prior Director was certified by the state and working for the town for 21 years earning \$64,000.00 in his total time working for the town.

12. Gabriel Cordorko, 6600 Boulevard East, West New York, N.J. :

Mr. Cordorko inquired if Bond Debt Service if they were considered escrow. Mr. Cordorko was advised by Town Administrator, Joseph DeMarco that it was a line item on the budget and that when you bond for a specific item it has to be for that specific item and that an escrow account is amount earned on interest.

13. Frank Ferriero, 23 Henry Street, Sayerville, N.J. :

Mr. Ferriero was removed from the meeting due to his outburst regarding comments made to Ms. Beatrice Palaez Martinez earlier in the meeting as to tax increase inquiry .

14. Silverio Vega, 6600 Boulevard East, West New York, N.J. :

Former Mayor Silverio Vega said he was glad that he was present since his name was mentioned earlier during comments made by the public. Former Mayor Vega thanked the commissioners for celebrating Saint Patrick's Day by honoring Captain Patrick Culhane as Irish Person of the Year. He mentioned the potential for a recall election and that Mayor Roque still had litigation pending. In addition, he hoped the Mayor would continue to save money. He also commented that a Mayor needs to have some type of gift that would benefit all boards, but of all the Boards, the most sacred is the Board of Education. Mayor Roque indicated he wanted members with more diversity. Former Mayor Vega said there was a total disconnect as to the school district. Former Mayor Vega stated we needed competent teachers for the education of our youth and can attest that they have indicated and he has seen them cry because they may have to leave their profession due to current circumstances. Again, former Mayor Vega indicated how the Board of Education is the most sacred of all of the boards in the Town of West New York and he knows that Mayor Roque will do the right thing.

March 20, 2013
Regular Meeting

Consent Agenda (Cont.):

Public Portion (Cont.):

15. Lara Hicks, 6701 Boulevard East, West New York, N.J.:

Ms. Hicks inquired as to the qualifications needed to serve on as a Board member and was advised by Mayor Roque that the individual was required to be a resident of West New York. Ms. Hicks indicated members should be articulate and educated and she was thinking about applying for membership to the one of the boards. Ms. Hicks complained that the busses were getting stuck at the corner of 67th Street & Boulevard East due to snow removal and vehicles turning right, not left.

16. Wayne Cook, 6131 Jackson Street, West New York, N.J.:

Mr. Cook indicated that the Board of Commissioners did great with reference to the budget, but that no new police have been hired. Mr. Cook said during the last campaign they worked against each other and that Mayor Roque promised new police officers would be hired. Mr. Cook indicated that the ratio of Police supervisor to police officer was approximately 1.6%. Mr. Cook was advised by Commissioner Rodriguez that two new police officers were going to be hired in the near future. Mr. Cook said that there was a purchase of three (3) new police cars and that he understood that only two of the three were being used by the Police Department and the third one was assigned to Mayor Roque. Mr. Cook indicated that Mayor Roque had said when he was running his tickets that they will not be employed by the town, a car or cellphone. Mr. Cook stated that Commissioner Frias had a town cellphone. Commissioner Frias responded that she had reimbursed the town. Mr. Cook inquired as to the young lady that was hired for Recreation Director and commented that the prior Recreation Director did a great job with Little League, Babe Ruth etc and indicated that it was Tim Nagurka in which Town Administrator, Joseph DeMarco stated that he was also charged with theft of services. Audience member, Tim Nagurka yelled out "I'm not the one up on the chair who's been indicted" at this point the content of the conversation was inaudible due to so many people speaking over each other making it difficult to take notes.

March 20, 2013
Regular Meeting

A motion was made by Mayor Roque, seconded by Commissioner Frias, **to close the Public Portion and Adjourn the meeting at 9:30 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:

Yesenia DelRio
Deputy Town Clerk