

Work Session – Wednesday, 3/20/13

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
Absent: none
Also Present: Town Attorney Gil Garcia, Deputy Town Clerk, Yesenia DelRio, Lisa Walsh
Town Engineer Robert Russo (CME Associates), CFO Margaret Cherone and
Town Administrator Joseph DeMarco

The meeting commenced at 6:20 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. (6:00 p.m. Work Session in the Mayor's Conference Room)**, I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 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.

Item No. 1: Approval of Minutes: Regular Meetings: 2/20/13 (Work Session)

Item No. 2: Payment of Claims: Dated 3/8/13 & 3/20/13

Item No. 3: Receipt of Financial Reports for month of February 2013:

**Item No. 4: Communications:
4A. RFQ results rec'd 3/13/13 Re: Environmental Engineering Services
4B. Engineers Report dated: March 18, 2013**

Note: Rob Russo, Town Engineer read his report. Commissioner Frias inquired if the pool will be ready to open for Memorial Day. Mr Russo answered that the work being done will not disrupt the opening of the pool and estimated the work to be done by the time school gets out. Mayor Roque asked if the Arena at Veteran's Park was being done Mr. Russo responded that he was working on that report and that with reference to Fillmore & Dewey Parks will be done by mid April.

4C. Presentation by Marge Cherone, CFO Re: Budget & General Obligations Bond Sales

Note: Marge Cherone CFO read aloud the presentation and exhibits. (see attached) Commissioner Wiley inquired as to the Budget CAP increase of 3.5%. Marge Cherone referred him to sheet 19 on the Budget package. Mayor Roque commended Marge Cherone & Commissioner Frias for meeting with the Local Finance Board on a job well done.

**Item No. 5: Proclamation:
5A. Honoring John Tomasin, Esq
5B. Honoring Patrick Joseph Culhane**

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Budget Resolution/Ordinances

- Item No. R-1:** Resolution – Re: Transfer of Appropriation reserves
- Item No. R-2:** Resolution – Re: Authorizing Emergency Temporary Appropriations for the Year 2013
- Item No. O-1** Introduction to Ordinance #5/13 An Ordinance of the Town of West New York, in the County of Hudson, New Jersey Calendar Year 2013 to exceed the Municipal Budget Appropriation Limits and to establish a CAP Bank (N.J.S.A. 40A:4-45.14)
- Item No. R-3:** Resolution – Re: Introduction of 2013 Calendar Year Budget

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- Item No. R-1:** 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)
- Item No. R-2:** Resolution – Re: Authorizing an Interlocal agreement between the Town Bayonne and the Town of West New York for the position of Health Officer
- Item No. R-3:** Resolution – Re: Creating a Social Media Policy
- Item No. R-4:** Resolution – Re: Hudson County Board Tax Appeals (\$13,682.28)
- Item No. R-5:** Resolution – Re: Tax Correction (Various Locations)
- Item No. R-6:** Resolution – Re: Refund of Tax Overpayments (\$14,993.86)
- Item No. R-7:** Resolution – Re: Refund of Tax Lien Premiums (\$111,900.00)
- Item No. R-8:** Resolution – Re: State Court Tax Appeals (\$18,451.54)
- Item No. R-9:** Resolution – Re: Tax Lien Redemptions (\$698,943.69)
- Item No. R-10:** 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

Note: Commissioner Wiley inquired as to the reason for the need to go out for RFQ's for Public Relations. Town Attorney Gilberto Garcia responded that the reason for going out for Public Relations was because the contract with the prior company had expired in December 2012 and that whoever applied would be chosen by the Mayor. Commissioner Wiley inquired on the name of the prior Public Relations company and Town Attorney Gilberto Garcia responded whom are you referring too. Commissioner Wiley said Latin Eagles, Pablo Fonseca who is the gentleman brought down by the State of NJ on some kind of investigation. Commissioner Wiley inquired if Public Relations was taken care of by the website company which is Alpha Dog. Town Administrator Joseph DeMarco responded that the website would have minor upgrades with a new version which would allow additional information to the public. Commissioner

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inquired the need for additional Legal Liability Special Counsel and who were the current Legal Liability Attorneys. Town Attorney Gilberto Garcia responded that additional Counsel is needed to avoid conflict which may arise and Florio & Kenney are the current Special Counsel. Commissioner Wiley inquired on the conflict of the Zoning Board Attorney also representing the Parking Authority. Town Attorney Gilberto Garcia agreed with Commissioner Wiley. Commissioner Wiley inquired on the RFQ for Public Defender. Town Attorney Gilberto Garcia contract for Public Defender had expired in December 2012 and due to a scheduling conflict when the Public Defender could not be present we would have an alternate to make it more efficient.

Item No. R-11: Resolution – Re: Honoring Juan Pablo Duarte

Note: Commissioner Frias commented that the ceremony placing a bust of Juan Pablo Durate which was donated by Proyecto Bicentenario will take place on April 24 on Boulevard East between 61st and 62nd Streets next to Mc Eldowney Park.

Item No. R-12: Resolution – Re: 2013 Summer Food Service Program Grant Application

Item No. R-13: Resolution – Re: 2014 HTS Federal Highway Safety Grant Application

Item No. R-14: Resolution – Re: 2014 HTS State Pedestrian Safety Enforcement and Education Fund Grant application

Item No. R-15: Resolution – Re: Authorizing the Town Clerk to advertise to receive bids for “67th Street Road Improvements from Kennedy Blvd. to Palisades Ave”

Item No. R-16: Resolution - Re: Appointing Miguel Borrego as a Class IV Designee of the Planning Board to fill the unexpired term of Clara Duran (Term expires 1/16/15)

Note: Commissioner Wiley inquired the background of Miguel Borrego and the qualifications for a Class IV Designee. Town Administrator Joseph DeMarco responded that the only requirement for a Class IV is to be a town resident. Commissioner Wiley questioned the Mayor why was Miguel Borrego chosen and the Mayor did not respond. Therefore Commissioner Wiley inquired on why was the Mayor not responding to any of his questions. Town Attorney Gilberto Garcia responded that the reason for the Mayor not addressing his is due to the harassment charges filed against the Mayor by Commissioner Wiley and that his attorney had advised him not to address him. Commissioner Wiley inquired on how would an individual know of an opening on any Board if its not being advertised. Town Attorney Gilberto Garcia responded that an application on the Town website under the Town Clerk’s office documents can be accessed. In addition, Joseph DeMarco made arrangements with AlphaDog Solutions to be posted openings for Board members and this way the residents would be able to get the application online.

Item No. R-17: Resolution – Re: Approving a Professional Services agreement for services of Environmental Engineering Services (Birdsall Services Group)

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- Item No. R-18:** Resolution – Re: Awarding of an Emergency Contract to PRS Consultants, Inc to complete the Summer Food Grant Application
- Item No. R-19:** Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows: 6609 McKinley Place (John R. Newton)
- Item No. R-20:** Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows: 127-66th Street (Anthony Mack)
- Item No. R-21:** Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows: 6504 Hudson Avenue (Aristides Rodriguez)
- Item No. R-22:** Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows: 6110 Jefferson Street (Fernando Martin)
- Item No. R-23:** Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows: 6110 Jefferson Street (Fernando Martin)
- Item No. R-24:** Resolution – Re: Repealing resolution adopted on 5/21/08 (Restricted Parking for Handicapped Resident) as follows: 5401 Palisade Avenue (Jorge Pina)
- Item No. R-25:** Resolution – Re: Appointment of Geoffrey M. Santini and Wendell Oms as Constables of the Town of West New York
- Note:** Commissioner Wiley inquired as to what is a Constable is. Town Administrator Joseph DeMarco responded that the duties of a Constable would be to lock the apartment due to eviction and to serve warrants. Town Administrator Joseph DeMarco responded that the Constable would get paid by the person who required their services not by the town and also that the police never serves these warrants. Commissioner Wiley inquired if there will be any cost to the Town. Town Administrator Joseph DeMarco and Commissioner Rodriguez both responded “No”.
- Note:** Consent agenda was established to include: Resolutions R-1 thru R-25
- Item No. O-1:** Hearing and Final Adoption of 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
- Item No. O-2:** Hearing and Final Adoption of 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

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Item No. O-3: Introduction of Bond Ordinance #6/13 An Ordinance amending Chapter 114 of the Code of West New York “ The Consumption in Retail Premises without Liquor License”

Item No. O-4: Introduction of Bond 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)”

Item No. O-5: Introduction of Bond 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)

Public Portion:

No one wished to be heard.

Meeting ended at 7:05 p.m.

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