

June 19, 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, June 19, 2013 at 12:00 p.m. (No Work Session):

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
Absent: None
Also Present: Town Attorney Gilberto Garcia, Town Clerk Carmela Riccie, and Town Administrator Joseph DeMarco

Meeting commenced at 12:10 p.m. (**Comm. Vargas arrived at 12:13 p.m.**)

Town Clerk Carmela Riccie 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 June 19, 2013 at 12:00 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 Commissioner Frias, seconded by Mayor Roque, that the Minutes of Special Meeting: 6/6/13 (Regular Session) be approved as recorded, was carried by the following vote:

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

Claims: Dated 6/19/13 (Claims are available for public inspection in the Town Clerk's Office):

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

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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF MAY 2013

1. From Construction Code Official Office, reporting the sum of \$56,871.00 Collected for the month of May, 2013.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$2,776.55 Collected for the month of May, 2013
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$7,685.00 for Special Licenses collected for the month of May, 2013.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$625.00 for Marriage/death certificates collected for the month of May, 2013.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$408.00 for Dogs Licenses collected for the month of May, 2013.
6. From (Revenue and Finance Department) reporting the sum of \$11,273,173.48 collected for the month of May, 2013.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$7.35 collected for the month of May, 2013

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

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

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Communication
Re: Engineer's Report dated 6/14/13

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: October 22, 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.
 - On Friday March 15, the contractor uncovered an old underground storage tank at Dewey Park. The tank was removed on March 28. All on-site and laboratory soil testing results were within acceptable limits and therefore, no additional environmental remediation is required.
 - The contractor has substantially completed Dewey Park and should be substantially completed with Fillmore Park by June 20.

- **FY2012 NJDOT Municipal Aid Grant and Road Program (67th St from JFK Blvd West to Palisade Avenue)**
 - The Town received a grant in the amount of \$280,800.00. 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.
 - The project was advertised for the receipt of bids on April 9 with the bid opening on April 30. The project was awarded on May 15 to the low bidder which was 4 Clean-Up, Inc. of North Bergen, New Jersey, with a bid of \$266,962.25.
 - We prepared the contract documents which the contractor has executed. Once we receive approval from the NJDOT, we will schedule the preconstruction meeting.

- **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.
 - The test boring and test probe work for the site has been completed and we have completed the necessary Geotechnical report. The next major phase of the design work is the structural design for the retaining walls.

- **FY2013 NJDOT Municipal Aid Grant**
 - The submittal date for the FY2013 NJDOT Municipal Aid Grant was October 16, 2012 but had 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.
 - The Town has received an NJDOT grant in the amount of \$344,860.00.
 - We have started the design work associated with the 66th Street improvements which can be funded by the NJDOT Grant.

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Town Engineer's report (Cont.):

□ **Municipal Pool Renovations**

- As you are aware, the Town has received Green Acres funding for various renovations to the Municipal Pool Complex. 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 have prepared the necessary construction plans and specifications for the pool building and pool area improvements. The project was advertised for receipt of bids on March 28 with a bid opening scheduled for April 10. Due to a delay in vendors responding to bidders, the bid date was extended to May 2.
- The project was awarded on May 15 to the low bidder which was Rich Picerno Builders, LLC of Kenilworth, New Jersey, with a bid of \$500,000.00. We held a preconstruction meeting on June 11, 2013 and the contractor has commenced with the work.
- We issued construction plans, a preliminary assessment report and required forms to Green Acres for their review. Green Acres respond with comments on the preliminary assessment which we are addressing.

□ **Town Tax Map Revisions**

- There are three levels of updates to the tax maps that can be performed, a general update, a revaluation and a recertification. Mr. Jaeger, the town Tax Assessor, has stated that the tax maps will require updating for a revaluation process. 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. We anticipate the time to update the tax maps and submit to the State to be in the range of 4-6 months, depending on how quickly the Tax Assessor can provide our office with the required documents.

□ **Polk Street Fire House - Roof Replacement**

- We reviewed the condition of the roof with our in-house structural engineer and prepare a proposal for the preparation of construction plans and contract documents for the roof replacement.

□ **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. It is our understanding that the Town has received a grant in the amount of \$400,000 for this project.

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Proclamation
Re: Denouncing the image of Che Guevara

WHEREAS, the Town of West New York is supportive of and committed to the Cuban residents' struggle for freedom against an oppressive regime; and

WHEREAS, the citizens of the Town of West New York denounce the *Image of Che Guevara* within the Town; and

WHEREAS, Argentinean Marxist *Ernesto "Che" Guevara* led the Cuban Revolution with the promise of change and freedom for the Cuban people on his lips. This promise and his subsequent actions arguably led to the rise of communism in Cuba, after which many crimes against humanity were committed and thousands of Cubans were slaughtered simply for speaking their minds; and

WHEREAS, *The Image of Che Guevara* is often touted as a symbol of freedom and revolution by young people today who lack the understanding of the consequences of his actions; and

NOW THEREFORE BE IT PROCLAIMED, that I, Mayor Felix E. Roque, M.D. of the Town of West New York and the Board of Commissioners do hereby claim that the Town recognizes the societal crimes of *Che Guevara*, and as a community will not welcome his image and forever denounce him for said crimes.

Note: Town Clerk Riccie announced that the Budgetary Resolutions would be addressed prior to the Consent Agenda being established.

A Motion was made by Mayor Roque, seconded by Commissioner Frias **to open the hearing on the Amendments to the Budget introduced on June 6, 2013**, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Wiley and Mayor Roque

NAYS - None

ABSENT - Commissioner Vargas

The following persons wished to heard:

1. Angel Barquin, 432-58th Street, WNY:

Mr. Barquin referred to last year's budget \$69,930,000 and this year's projected budget \$73,926,000 and commented that the increase is closer to 4.18% from last year and that last year's tax rate was \$64.60 as opposed to this year which is \$66.15. He wanted confirmation of those figures. CFO Cherone advised that the tax rate is comprised of several components i.e. county rate, municipal rate and board of education rate. She disagreed with Mr. Barquin's calculations and informed him that the rate is not calculated solely on municipal portion. She further advised him that the rate quoted is based on the average homeowner's bill. Discussion ensued between Mr. Barquin and CFO as to calculations, etc. and potential impact of county tax rate. CFO projected that county increase could be \$6.70 and that increase would be 3.34% over last year. She further explained the assessment component factor. Mayor Roque and Town Admin. DeMarco suggested that Mr. Barquin meet with CFO after meeting for further details. Mr. Barquin indicated that he hasn't received the documents he requested from the Tax Assessor. Mr. DeMarco advised that the reason is that the Tax Assessor's mother is ill and hasn't been able to address this matter but he assured Mr. Barquin that he would receive items requested. Mr. Barquin commented that the property owned by Mr. Canino is "far behind in paying the Town on debt". Mr. DeMarco said he would look into the matter.

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2. Doug Borden, 6600 Blvd. East, WNY, NJ:

Mr. Borden inquired as to when the last tax re-assessment and/or revaluation was performed. Town Administrator DeMarco responded "Over 10 yrs. ago". Former Mayor Vega, who was in the audience, commented "1991". Discussion ensued about waterfront property homeowners who have applied for tax appeals and the process to be followed by the Town to conduct a revaluation. Mr. DeMarco advised that within approx. 2-3 yrs. the Town will perform a revaluation but that the tax maps must be updated first, which we are in process of doing. Mr. Borden recommended that revaluation be done sooner than later as housing prices are more realistic, fair and accurate at this time. Mayor Roque agreed with Mr. Borden's recommendation and informed Mr. Borden that the Town has received a new credit rating (from 0 to A-) and that steps will be taken to improve the town's borrowing power. Mr. Borden reiterated that now is the time to take these measures and that rates are low for bonding purposes.

A Motion was made by Mayor Roque, seconded by Commissioner Vargas **to close the hearing and adopt the Amendments to the Budget introduced on June 6, 2013**, was carried by the following vote:

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

Resolution
Re: Adoption of Calendar Year 2013 Budget with Amendments

BE IT RESOLVED by the Board of Commissioners of the Town of West New York, County of Hudson that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- | | |
|----------------|---|
| (a) 33,099,000 | (Item 2 below) for municipal purposes and, |
| (b) 112,500 | (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and, |
| (c) 0.00 | (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations. |
| (d) 0.00 | (Item 43 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy |
| (e) 760,028 | (Item 5 below) Minimum Library Tax |

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Resolution (Cont.):

Summary of Revenues

1.	General Revenues	
	Surplus Anticipated	\$7,280,000
	Miscellaneous Revenues Anticipated	31,594,818.25
	Receipts from Delinquent Taxes	\$163,580
2.	Amount to be raised by taxation for municipal purposes	
	\$33,099,000 (item 6(a), sheet 11)	
3.	Amount to be raised by taxation for schools in Type I School Districts	
	Only:	
	Item 6, Sheet 42	0.00
	Item 6(b), sheet 11 (N.J.S. 40A:4-14)	0.00
	Total amount to be raised by taxation for schools in Type I School Districts	
	Only	\$112,500
4.	To be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY	
	TAXATION FOR <u>SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY</u> :	
	Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	\$0.00
5.	Amount to be raised by taxation minimum library levy	\$760,028
	Total Revenues	\$73,009,926.25

Summary of Appropriations

5.	General Appropriations	
	Within "CAPS"	
	(a&b) Operations including contingent	\$43,621,957
	(e) Deferred Charges and Statutory Expenditures – Municipal	\$4,452,857
	(g) Cash Deficit	\$0.00
	Excluded from "CAPS"	
	(a) Operations – Total operations excluded from "CAPS"	\$14,980,115
	(c) Capital Improvements	\$55,000
	(d) Municipal Debt Service	\$6,876,081
	(e) Deferred Charges – Municipal	\$1,789,200
	(f) Judgments	\$0.00
	(n) Transferred to Bd. of Education for use of local schools	\$0.00
	(g) Cash Deficit	\$0.00
	(k) For Local District School Purposes	\$112,250
	(m) Reserved for Uncollected Taxes	\$1,122,466.25
6.	School Appropriations – Type I School Districts only	\$0.00
	Total Appropriations	\$73,009,926.25

It was regularly moved by Commissioner Frias, seconded by Mayor Roque, to **adopt the Calendar Year 2013 Budget with all amendments**, was carried by the following vote:

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

(See Adopted Budget with all amendments attached hereto at the end of minutes.)

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Consent Agenda

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas that the following Consent Agenda Items Nos. R-2 through R-28 (excluding R-14 which was pulled from the agenda during Meeting) be adopted, was carried by the following vote:

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

Note: Town Clerk Riccio read aloud all titles of Resolutions included on Consent Agenda. Resolution #R-14 was **pulled** from agenda during meeting. Town Administrator DeMarco advised that he met with a provider of that type of equipment and that there is a cooperative purchasing unit that the Town can join which will be of benefit to the Town to obtain same equipment at much lower price i.e. \$7,000 off original price. He further advised that by joining that unit, bidding is not required. Comm. Frias inquired about who will maintain the equipment to which Mr. DeMarco explained that the Town will do “in house” replacement of parts. Discussion ensued between Mr. DeMarco and the Mayor regarding how many hours before the equipment needs to be replaced. Mr. DeMarco advised that the average operating time per machine is 4,000 hours. Mr. Barquin joined conversation and estimated that 4,000 hours would be approx. 5 yrs. Comm. Wiley voted “No” on the following resolutions: R-13 and R-26. Comm. Wiley “abstained” on the following resolutions: R-4, R-16, R-19, R-21 and R-23.

Amended Resolution

Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
330-50th Street, Apt. #21 (Ramona Camillo)

WHEREAS, a Resolution was adopted on February 20, 2013 establishing restricted parking in front of residence located at 320-50th Street, Apt. #21 for Ramona Camillo; and

WHEREAS, the WNY Police Traffic Division has advised the Town Clerk that inadvertently the incorrect address was provided and that the Resolution needs to be amended to reflect the correct address which is 330 50th Street, Apt. #21; and

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.	Ramona Camillo 330-50 th Street, Apt. 21 West New York, NJ 07093	East	Begin at a point along the east curb line of 50th Street & Palisade Ave., 42.7 feet east 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.

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Consent Agenda (Cont.):

Resolution
Re: Appointment of Mateo Perez, Esq.
as Municipal Prosecutor
(Term: 6/1/13 to 5/31/14)

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Mateo Perez, Esq., be and is hereby appointed as Municipal Prosecutor for the Town of West New York, retroactive for the following term: 6/1/13 to 5/31/14. Salary shall be in accordance with the Salary Ordinance. The Municipal Prosecutor is under the direction of the Department of Revenue and Finance.

Resolution
Re: Establishing No Parking Loading Zone
For Louie's BBQ Pit
5107-09 Palisade Avenue, West New York, NJ

WHEREAS, there exists in the vicinity of 5107-09 Palisade Avenue a condition relating to traffic congestion and difficulty of receiving, loading and discharging merchandise and supplies caused by the location of establishment in the building located 5107-09 Palisade Avenue; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, N.J., pursuant to N.J.S.A. 39:4-197 (3) (b) that a "No Parking-Loading Zone" be and same is hereby authorized and established, at the said location, more particularly described hereafter, during business hours from Monday thru Saturday 9:00 a.m. to 5:00 p.m. said area or zone to be used as a "No Parking-Loading Zone": during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and:

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

BEGIN AT A POINT ALONG THE WEST SIDE OF PALISADE AVENUE,
76.3 FEET FROM THE NORTHWEST CORNER OF 51ST STREET & PALISADE
AVENUE, THEN 37 FEET THEREFROM

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

Note: **Commissioner Wiley “abstained” from voting on this Resolution.**

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Consent Agenda (Cont.):

RESOLUTION

**Re: CANCELLING A PORTION OF 2013 REAL ESTATE TAXES ON
BLOCK 117 LOT 1 more commonly known as 573-75 56th Street**

Whereas, the Tax Assessor has erroneously assesses Block 117 lot 1 for a newly completed multifamily and failed to adjust existing assessment levied against real property;

Whereas, the Tax Assessor has requested that the amount of taxes levied against the property listed below be cancelled and/or reduced by the Tax Collector to reflect that error;

Block 117 Lot 1 2013 Real Estate Taxes in the amount of \$6,783 and

Now therefore be it resolved by the Commissioners of the Township of West New York that the 2013 real estate taxes erroneously levied on Block 117 lot 1 be cancelled and/or Adjusted by the Tax Collector;

Adjust Block 117 lot 1 \$6,783.00

RESOLUTION

**Re: Authorizing a Shared Service Agreement between the Town of West New York and the
Town of Guttenberg for the position of Tax Assessor**

WHEREAS, the Town of Guttenberg requires a Tax Assessor in order to insure the efficient operation of the Town; and

WHEREAS, the Town of West New York has offered to enter into a shared service agreement to share the services of their Tax Assessor with Guttenberg; and

WHEREAS, it is in the best interests of the Towns of West New York and Guttenberg to enter into an agreement for a period of one (1) year for the shared services of Tax Assessor; and

WHEREAS, N.J.S.A. 40A:65-4 et seq. allows the West New York and Guttenberg to enter into a shared service agreement.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Mayor is authorized to execute a shared service agreement with the Town of Guttenberg for the aforementioned services.

Resolution

**Re: Authorizing the WNY Office of Emergency Management to
accept transfer of various equipment from the
Hudson County Office of Emergency Management**

Whereas, the Hudson County Office of Emergency Management has agreed to turn over certain equipment which it received through certain Homeland Security Grants to the WNY Office of Emergency Management, and as more specifically outlined in the attached Memorandum of Understanding, and

Whereas, the WNY Office of Emergency Management wishes to accept receipt of said equipment to better serve and protect the general public;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the WNY Office of Emergency Management is hereby authorized to accept receipt of the following equipment from the Hudson County Office of Emergency Management and in accordance with the attached Memorandum of Understanding:

Trailer Vin #1ZEAAAKA1DA011406

Boat Vin #ACBW4650D313

Motor #OR525661

4 Life Vests (2L-2XL)

1 Set of Oars

1 Fuel Tank w/hoses

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Consent Agenda (Cont.):

RESOLUTION
RE: APPROVAL FOR EVENT/PARADE PERMIT FOR 2013 EL SALVADORIAN
FESTIVAL IN THE TOWN OF WEST NEW YORK

WHEREAS, Members of the Salvadorian Community, have approached the Town in regards to the hosting of an event in relation to the celebration of the Salvadorian culture; and

WHEREAS, on May 17, 2013, Asociación Cultural y Grupo Folklórico Salvadoreño did submit an event permit application for a cultural celebration event for the use of Municipal Parking Lot of West New York located at 57th and Madison Street in West New York on July 7, 2013; and

WHEREAS, the Town is in contact with the Event organizer regarding the orderly preparations of the Event which will require street closure from 7:00 AM to 8 PM on July 7, 2013; and

WHEREAS, the Director of the Department of Public Works has recommended that the Board of Commissioners approve the permit application for the Event as not being detrimental to the public safety, health or welfare of the Community.

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

1. The above recitals are incorporated herein as if fully set forth at length herein.
2. The event permit application by Asociación Cultural y Grupo Folklórico Salvadoreño for the Event is hereby approved.
3. Asociación Cultural y Grupo Folklórico Salvadoreño shall fully cooperate with all appropriate Town officials to ensure that the Event is held in conformity with the requirements of public order.
4. The permit herein granted may be revoked by the Mayor and/or the Director of the Department of Public Works if in his or their opinion holding of the Event would be detrimental to the health, safety or welfare, of the citizens of the Town of West New York, or all conditions agreed upon as between the Town administration and Asociación Cultural y Grupo Folklórico Salvadoreño are not met.
5. A Special Event is declared for the area of the Event, throughout the duration of the Event.
6. Asociación Cultural y Grupo Folklórico Salvadoreño shall have no claim as against the Town or any Town official, employee or agent, in relation to the grant of this permit or the cancellation thereof, as provided herein.
7. Asociación Cultural y Grupo Folklórico Salvadoreño will reimburse the Town for all costs associated with the Event, specifically the costs of police, EMS and DPW personnel for overtime.
8. A copy of this resolution shall be kept in the office of the Municipal Clerk for Public Inspection.

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Consent Agenda (Cont.):

RESOLUTION
Re: Refund of Redemptions (\$260,171.39)

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

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

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

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

Name	Block/lot	Cert#	Amount
PAM INVESTORS	17/15.01	12-0089	\$11,683.14
	55/51 C0008	12-0314	\$1,792.03
	168.01/008.03 C0432	12-0779	\$7,395.13
	54/14.02 C0007	11-0148	\$3,748.07
	54/14.02 C0003	11-0144	\$4,163.95
	18/3	12-0091	\$3,225.84
	19/4 C0001	12-0099	\$2,933.97
US BK. AS CUST. FOR ATR FD-NJ & CAPI	54/14.02 C0009	11-0150	\$4,789.59
	54/14.02 C0005	12-0293	\$5,622.62
	54/14.02 C0005	11-0146	\$4,546.09
RIDGE CAPITAL, LLC	54/14.02 C0008	12-0296	\$2,036.18
	54/14.02 C0008	11-0149	\$8,692.28
ISAAC MORADI	54/14.02 C0012	11-0153	\$10,992.79
	54/14.02 C0010	11-0151	\$11,120.83
	54/14.02 C0006	11-0147	\$11,079.32
MTAG SVC. AS CUST FOR ATCF II NJ LLC	81/9 C0306	12-0442	\$2,276.54
	54/14.02 C0003	12-0291	\$5,934.90
	132/4	12-0612	\$7,640.53
	168.01/8.01 C0125	12-0769	\$2,385.18
LBNR PARTNERS,LLC	54/14.02 C0014	11-0155	\$1,905.97
SBMUNICUST C/O LBNJ	54/14.02 C0004	11-0145	\$8,415.47
	54/14.02 C0004	12-0292	\$1,525.00
	54/14.02 C0007	12-0295	\$7,156.61
	54/14.02 C0009	12-0297	\$5,598.44
	54/14.02 C0011	11-0152	\$8,523.36
	54/14.02 C0011	12-0299	\$1,530.60
	54/14.02 C0013	11-0154	\$8,524.01
	54/14.02 C0013	12-0301	\$1,528.73
	54/14.02 C0014	12-0302	\$8,551.12
	168.01/8.01 C0125	11-0392	\$14,680.51
72 OAK STREET HOLDINGS	149/36	12-0682	\$9,187.20
	37/17 C0005	12-0199	\$1,336.78

June 19, 2013
Regular Meeting

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

US BANK CUST FOR	157/19.02	12-0715	\$1,280.82
TOWER DBW	153/24	12-0697	\$3,512.63
	137/22	12-0629	\$5,233.42
TOWER LIEN, LLC	157/19.02	10-245	\$55,301.43
US BANK CUST. FOR	96/22	12-0502	\$4,320.31
TLCF 2012A,LLC			
	GRAND TOTAL		\$260,171.39

Resolution
Re: Refund of Overpayments of Taxes (\$812.78)

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
JO, RAYMOND	127/15	\$484.98	2012
QUITANILLA, ISABEL	40/32.04	\$327.80	2012
	GRAND TOTAL	\$812.78	

Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
108-60th Street (Kelly Lease)

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.	Kelly Lease 108-60 th Street	North	Begin at a point along the North side of 60th Street, 120 feet West from the North West corner of 60th St. & Park Ave 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.

June 19, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
14-62nd Street, 2nd Floor (Jorge Cariga)

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.	Jorge Cariga 14-62 nd Street, 2 nd Fl.	North	Begin at a point along the North curb line of 62nd Street and Boulevard East, 106 feet West from the North 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.

RESOLUTION

Re: Re-appointment of Aida Roque as a Member
and Commissioner of the WNY Housing Authority
(Term: 6/18/13 – 6/17/18)

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Aida Roque is hereby re-appointed as a member and commissioner of the WNY Housing Authority, which term shall be retroactive to June 18, 2013 and shall expire on June 17, 2018.

Note: **Comm. Wiley voted “No” on this Resolution. Comm. Wiley commented that family members should not be appointed. He also commented about Comm. Rodriguez’s husband being a member of the Housing Authority. Comm. Rodriguez advised that her husband is the Chairman. Comm. Wiley commented that it is a “conflict of interest and influence” if a family member is a member of that board even if the Housing Authority is an “autonomous body”.**

June 19, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Binding the Town of West New York to Purchase Electric Generation Services through the Hudson County Cooperative Pricing System (“Hccps”) Bidcooperative Pricing System Id 83-Hcps

WHEREAS, the Hudson County Cooperative Pricing System (hereinafter referred to as “HCCPS”), will from time to time, solicit bids, or partner with another County or Counties’ Cooperative Pricing System to solicit bids from electric power suppliers for electric generation services through an energy aggregation program in which the County of Hudson, or another County with a cooperative pricing system, will act as Lead Agency of the HCCPS Cooperative Pricing System # 83-HCPS in accordance with the “Local Public Contracts Law”, N.J.S.A. 40A:11-11, and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49. (“EDECA”) and the regulations promulgated thereunder; and

WHEREAS, the Town of West New York is a Participating member of the HCCPS Cooperative Pricing System and is eligible thereby to obtain electric generation services for its own use through one or more contracts to be awarded to electric power suppliers following said bids for electric generation services pursuant to the aggregation program; and

WHEREAS, the Lead Agency will from time to time issue one or more Requests for Bids for electric generation services on behalf of the HCCPS Cooperative Pricing System pursuant to the Local Public Contracts Law and EDECA; and

WHEREAS, due to significant volatility and the potential for price increases in the wholesale electric market, Participating Members will preauthorize the Lead Agency to award contracts for Electric Generation Service in each bid group to one or more electric power suppliers that submit bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous electric usage and utility provided Basic Generation Service rates; and

WHEREAS, the Lead Agency will only award contracts for said electric generation services to electric power suppliers that submit bids with pricing that is at least 5% lower than the current price for utility-provided basic generation service; and

WHEREAS, the Town of West New York is to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) through any electric power supplier(s) awarded a contract, it being understood that the term of any one contract shall be subject to the provisions of Local Public Contracts Law;

WHEREAS, the Lead Agency will notify the Department of Community Affairs’ Division of Local Government Services by mail prior to the issuance a Request for Bids for electric generation services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW, THEREFORE, BE IT RESOLVED that the Town of West New York binds itself to the HCCPS Cooperative Pricing System 83-HCPS to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) from the electric power supplier or suppliers awarded a contract for electric generation services by the Lead Agency; and, be it

FURTHER RESOLVED that the Lead Agency of the HCCPS Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the LGU to purchase electricity at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the HCCPS Cooperative Pricing System 83-HCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the LGU relative to the price charged for basic generation service by the electric public utility that would otherwise provide such service; and, be it

June 19, 2013
Regular Meeting

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

FURTHER RESOLVED that HCCPS is authorized to continue to bid to obtain electric generation services at any time on behalf of the HCCPS Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

FURTHER RESOLVED that this Resolution shall take effect immediately upon passage. The authorization provided to the County of Hudson pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5), Administrative Code (N.J.A.C. 5:34-7.1) shall be valid for a period of five years, at which time the Cooperative Pricing System will be subject to renewal. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

RESOLUTION

RE: Appointment of Brian O'Reilly and Olga Prateep as Affirmative Action Officers for the year 2013

WHEREAS, there is a need to appoint Affirmative Action Officers in the Town of West New York; and

WHEREAS, Brian O'Reilly (Administrative Analyst) and Olga Prateep (Employee Benefits Specialists) are willing to serve as Affirmative Action Officers,

NOW, THEREFORE, BE IT RESOLVED that Brian O'Reilly and Olga Prateep are hereby appointed as Affirmative Action Officers for the year 2013.

Note: **Commissioner Wiley “abstained” from voting on this Resolution. He inquired as to whether these persons will receive a salary or stipend, to which Town Administrator DeMarco responded “No”. Comm. Frias explained that there is a State requirement to have these officers appointed.**

RESOLUTION

RE: Appointment of Margaret Cherone and Xenia Rivero as Public Agency Compliance Officers pursuant to N.J.A.C. 17:27-3.2

WHEREAS, N.J.A.C. 17:27-3.2 requires that the Town of West New York “annually designate an officer or employee, who may be an existing officer or employee, to serve as its public agency compliance officer [“P.A.C.O.”] [who] shall perform the duties prescribed in these rules [and] be responsible for ensuring the agency’s compliance with these rules; and any other liaison and assistance functions as may be requested by the Division [of Contract Compliance and EEO in Public Contracts]; and

WHEREAS, Margaret Cherone, Chief Financial Officer of the Town of West New York, is available to serve as a P.A.C.O.; and

WHEREAS, Xenia Rivero, Purchasing Agent of the Town of West New York, is available to serve as a P.A.C.O.;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. Margaret Cherone and Xenia Rivero are hereby appointed to serve as P.A.C.O.s for the Town of West New York, to perform such duties that may be required of a P.A.C.O.as directed by the Mayor or his designee and the Division of Contract Compliance and EEO Public Contracts, for a term commencing on June 19, 2013 and terminating on June 18, 2014.

June 19, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

2. The Municipal Clerk shall transmit a copy of this resolution, along with the name, title, address, telephone number, fax, and e-mail address of Margaret Cherone and Xenia Rivero to the Division of Contract Compliance and EEO Public Contracts within 30 days of the passage of this resolution, and again in 2014, by July 2, 2014.

Note: **Commissioner Wiley inquired as to whether these persons will receive a salary or stipend, to which Town Administrator DeMarco responded “No”. Comm. Frias explained that there is a State requirement to have these officers appointed.**

RESOLUTION

Re: Authorizing CME as the Town Engineer to revise and update Tax Maps for the Town of West New York

WHEREAS, the Town of West New York has received a proposal from the Town Engineer to revise and update the municipal Tax Maps; and

WHEREAS, Ordinance #18-10 was previously passed authorizing the funding of the tax maps; and

WHEREAS, it is in the best interest of the Town of West New York to maintain accurate tax records.

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

1. CME Associates and Town Engineer is hereby authorized to conduct a review of the municipal Tax Maps and file all appropriate documents necessary with the state.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract with CME Associates not to exceed \$64,703.00 for revisions and updates to the Municipal Tax Map.
3. The Chief Financial Officer’s Certification that funds are available shall be on file at the Town and made a part hereof.

RESOLUTION

RE: Appointing Tania Fuentes as a member of the WNY Housing Authority to fill the unexpired term of Cesar Sabino (Term expires on 10/20/2013)

WHEREAS, a vacancy exists on the West New York Housing Authority Board due to the resignation of Cesar Sabino on 10/20/2012 by virtue of the fact that he failed to complete the required New Jersey Local Housing Authority and Redevelopment Agency Training Program coursework within the mandated time limit pursuant to N.J.S.A. 40A:12A-46 a., N.J.S.A. 40A-12A-47; and

WHEREAS, Tania Fuentes is available to complete the required term, such term expiring 10/20/2013;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. Tania Fuentes is appointed to serve as a member of the West New York Housing Authority, which term will expire on 10/20/13.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

June 19, 2013
Regular Meeting

Consent Agenda (Cont.):

Note: Commissioner Wiley “abstained” from voting on this Resolution. Mayor Roque inquired “What is your purpose on abstaining?” Comm. Wiley replied “I don’t know who she is.” Discussion ensued between the Mayor and the Commissioner regarding the Commissioner attending and preaching at Pastor Fuentes’ Church and that Tania Fuentes is the Pastor’s wife.

RESOLUTION
RE: TRANSFER OF COMPUTERS AND RELATED EQUIPMENT BETWEEN THE
PARKING AUTHORITY AND THE TOWN OF WEST NEW YORK

WHEREAS, The Town of West New York (“Town”) a municipal corporation established and operating pursuant to the laws of the State of New Jersey, with offices located at 428 60th Street, West New York, New Jersey wishes to accept computers and related equipment from the Parking Authority;

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

1. The Town shall transfer to the Parking Authority of the Town of West New York the sum of \$1.00 as full and valuable consideration;
2. In exchange for the sum of \$1.00 the Parking Authority shall immediately transfer to the Town the following equipment:

1. 2 Dell Computer Monitors Serial No(s).
CN-OM1609-4633-3CA-26CS, model E172FPB
CN-OM1609-4633-3CB-1HVS, model E172FPB

2. 2 Dell Keyboards Serial No(s).
CN-04N454-37172-39A-2879, model RT7D20
CN-04N454-37172-3AI-2709, model RT7D20

3. 2 Dell CPU's
CN-OC3152-70821-3BP-1259, model 3610KL-04W-B66
CN-OC3152-70821-3BP-125A, model 3610KL-04W-B66

4. 2 Black Electrical Wires both numbered 1339526

RESOLUTION
Re: Instituting a hiring freeze for all non-essential
municipal employees for the remainder of the calendar year 2013

WHEREAS, in order to control costs and maintain the finances of the Town, the Mayor and Board of Commissioners have determined that it is in the best interest of the Town to implement a hiring freeze for all non-essential employees; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that a hiring freeze is in effect through the 2013 calendar year.

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Regular Meeting

Consent Agenda (Cont.):

Note: Commissioner Wiley “abstained” from voting on this Resolution. He commented that there was already a hiring freeze in affect last year, which he alleged was put in place for the purpose of “attacking” him. He commented that this Administration hired another 30-40 people while first hiring freeze was in effect. Discussion ensued between Town Administrator DeMarco and Comm. Wiley as to what employees are considered “non-essential” as opposed to “essential” to which Mr. DeMarco explained that his definition is that “essential” employees are police, EMTs, etc. Comm. Wiley inquired as to whether he will get back the employees removed from his department as he filed civil service complaints regarding said removal. He further inquired as to who is the supervisor of Parks. Mr. DeMarco responded “Lou Cannao determines the schedule.” Comm. Wiley advised that he has received numerous complaints regarding Washington Park i.e. garbage, graffiti, etc. and that the actions taken by this Administration to remove the employees from his department do not hurt him but are hurting the residents of this community. He advised that the fountains do not work and that there is garbage and debris not being removed and grass which is not being cut. Discussion ensued between him, the Mayor and Mr. DeMarco regarding who determines which employees are essential. Mr. DeMarco advised that only 2 or 3 new police officers, 1 or 2 EMTs and 1 dispatcher may be hired.

Resolution

Re: Award of Contract for Summer Food Service Program to the Maramont Corp.

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Summer Food Service Program, pursuant to and in accordance to the contract for Summer Food Service; and

WHEREAS, on June 11, 2013, the Town did receive the following bids on the contract for the Summer Food Service Program:

Company	Amount
The Maramont Corp. 5240 St. Charles Road Berkeley, IL 60163	\$64,953.60 Lunch \$17,625.60 Snack \$82,579.20 Total
Nu Way Concessionaries 339-345 Bergen Ave. Kearny, NJ 07032	\$67,483.20 Lunch \$18,931.12 Snack \$86,414.32 Total

WHEREAS, the Town’s purchasing Agent in consultation with the state has recommended the award of the contract the Summer Food Service Program to The Maramont Corp in the amount of \$82,579.20 as the bid submitted by The Maramont Corp is the lowest responsible bid for the Summer Food Service Program; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Town; 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 budget and that such funds have been appropriated.

June 19, 2013
Regular Meeting

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

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

1. The bid of The Maramont Corp., 5240 St. Charles Road, Berkeley, IL 60163, on the bid for the Summer Food Service Program in the amount of \$82,579.20 be and the same is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for the Summer Food Service Program with The Maramont Corp.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
5. The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
6. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

Resolution
Re: Re-Organizing the Departments of the Town
Transferring Duties and Responsibilities from
the Department of Public Safety to the Department of Public Works

WHEREAS, for the purposes of efficiency and order, it has been determined that the Building Department and the Fire Prevention Department are better governed under the Department of Public Works rather than the Department of Public Safety;

WHEREAS, it has been determined that the Department of Public Works is more equipped with staff to handle the day to day affairs of Building Department and the Fire Prevention Department:

WHEREAS, each department is assigned and devolved a series of powers, and those powers have to be modified via resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, that the powers and duties relating to or devolved by law upon the officers, boards, divisions, bureaus and other bodies and functional units hereinafter named, together with the personnel and facilities thereof, be reassigned, to wit:

1. The following powers, duties and responsibilities currently assigned to the Department of Public Safety shall immediately be transferred to the Department of Public Works:

Bureau of Fire Prevention

Code Enforcement: *inclusive of Plumbing Inspector, Building Inspector, Electrical Inspector, Housing Inspector and Sanitary Inspector*

June 19, 2013
Regular Meeting

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

BE IT FURTHER RESOLVED, that the executive, administrative, judicial and legislative powers, authorities and duties pertaining to the said officers, boards, divisions, bureaus and other bodies and functional units, or functions are hereby vested in the Director of the said Department of Public Affairs, provided, however, that the statutory autonomous officers and bodies shall retain such powers and duties as now provided by law, unless inconsistent with the purposes and provisions of the Walsh Act, and

BE IT FURTHER RESOLVED that the proper Town Officials are hereby authorized and directed to effect all financial arrangements and make such appropriate book entries as may be necessary with respect to unexpended and uncommitted budgetary balances insofar as the necessity will arise in effectuating the provisions of this resolution.

BE IT FURTHER RESOLVED that the present staff of the Department of Public Works and Department of Public Safety will remain intact until further resolution adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED that the present office occupied by the staff of the Public Works Department and Department of Public Safety will continue to be in effect and the staff will continue its operations from that office.

BE IT FURTHER RESOLVED, that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency.

Note: **Commissioner Wiley “abstained” from voting on this Resolution.**

RESOLUTION
RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN TOWN
OF WEST NEW YORK AND ASSET WORKS, INC. FOR
FIXED ASSETS AUDITING SERVICES

WHEREAS, the Town of West New York has followed the fair and open process under the New Jersey Unit Pay-To-Play Law, N.J.S.A. 19:44A-20 *et seq.* for receiving Requests for Proposals; and

WHEREAS, the Town of West New York issued a Request for Proposals for Fixed Assets Auditing Services in accordance with the requirements of N.J.S.A. 19:44A-20, *et. seq.*, on April 17, 2013, for the provision of Fixed Assets Auditing Services; and

WHEREAS, the Town of West New York received and opened Proposals for Fixed Assets Auditing Services on June 14, 2013; and

WHEREAS, pursuant to the Request for Proposals, the Town received statements of Proposals from the following firms:

1. American Appraisal Associates, Inc.
 259 Woodland Road
 Wrightstown, PA 18940

2. Asset Works, Inc.
 101 Lakeside Drive
 Southampton, PA 18966

June 19, 2013
Regular Meeting

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

WHEREAS, pursuant to the Request for Proposals, the Town's Review Team conducted a review of the responses received and recommends that the firm listed below be deemed qualified to provide the services of a Fixed Assets Auditing Services:

Asset Works, Inc.

NOW, THEREFORE, BE IT RESOLVED, Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, that the following firm be and is hereby qualified to render Fixed Assets Auditing Services on behalf of the Town of West New York for the next year:

Asset Works, Inc.

BE IT FURTHER RESOLVED all appropriate municipal officials are hereby authorized to transmit formal or informal requests for proposals to any of the above qualified firms, as necessary, for the Fixed Assets Auditing Services that may be required by the Town, during the next year.

BE IT FURTHER RESOLVED as follows:

1. The above recitals are incorporated as if fully set forth herein.
2. Asset Works, Inc. shall be and is hereby retained by the Town to provide grant writing Services and consulting to the Town, without further approval of the Board of Commissioners.
3. The Mayor shall be and is hereby authorized to execute an agreement by and among the Town and Asset Works, Inc. memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Mayor, and satisfactory to the Town as evidenced by the Mayor's signature for Fixed Assets Auditing Services in an amount not to exceed \$5,800.
4. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5.
5. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.
6. This award 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.
7. A copy of this resolution and the agreement detailing the terms of the retention of Asset Works, Inc. for the provision of Fixed Assets Auditing Services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
8. A notice of this contract award shall be published in the form prescribed by law.

Consent Agenda (Cont.):

RESOLUTION OF THE TOWN OF WEST NEW YORK, IN
THE COUNTY OF HUDSON, NEW JERSEY MAKING
APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:3-4

WHEREAS, THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY (the “Town”), desires to make application to the Local Finance Board (the “Board”) for the Board’s approval of a bond ordinance pursuant to N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act, to fund various road improvements; and

WHEREAS, the Town believes:

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

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

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

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

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

June 19, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

RE: Appointing Antonio Diaz as an Alternate Member of the Planning Board
to fill the unexpired term of Eunisis Garcia
(Term expires on 12/16/2013)

WHEREAS, a vacancy exists on the West New York Planning Board due to the resignation of Eunisis Garcia; and

WHEREAS, Antonio Diaz is a resident of the Town of West New York living at 217-51st Street, West New York, New Jersey, 07093; and

WHEREAS, Antonio Diaz is available to complete the required term, which term expires on 12/16/2013;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. Antonio Diaz is appointed to serve as an Alternate Member of the West New York Planning Board, to serve for the unexpired portion of a term which will expire on 12/16/2013.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution. Comm. Frias “abstained” from voting on this Resolution. Comm. Wiley complained that he did not know who this person is nor did he receive a copy of his resume, and he commented “The Commissioners don’t know who they are voting for”. He further commented that last month, there was no Zoning Bd. meeting. Town Administrator DeMarco advised that there was no meeting due to lack of quorum. Comm. Wiley inquired as to whether there would be a Zoning Bd. meeting this month to which Mr. DeMarco replied “Yes, June 24” Comm. Wiley commented that the members who are appointed should be “dedicated” to appearing for the meetings. Mayor Roque commented that the members are unpaid volunteers and sometimes have prior commitments which prevent them from attending the meetings. He further commented that they should be advised that if they continue to miss meetings, they will be removed. He explained that he meets/interviews people weekly for possible board appointments but not many people volunteer to serve. He commented that he is still awaiting recommendations from Comm. Wiley to no avail. Comm. Wiley disagreed and referenced persons who live at the Versailles that have volunteered to serve as board members.**

June 19, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution

**Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
5800 Jefferson Street, Apt. 7J (Felina Caro)**

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.	Felina Caro 5800 Jefferson Street #7J West New York, NJ	East	Begin at a point along the East curb line of 57 th Street and Jefferson St., 263 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.

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
Special Labor Counsel**

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 Special Labor Counsel; and

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

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for Special Labor Counsel, in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received ("Statements of Qualifications").

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

3. A Review Committee is established, consisting of the Mayor, the Town Administrator and Purchasing Agent, to review all Statements of Qualifications and to make recommendations to the Board of Commissioners at regularly scheduled meeting.

ORDINANCE #10/13

**AN ORDINANCE AMENDING CHAPTER 299 OF THE CODE OF THE
TOWN OF WEST NEW YORK (PROPERTY MAINTENANCE)**

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud. This Ordinance was introduced on 4/17/13, hearing was held on 5/22/13 and then Ordinance was tabled until 6/19/13 meeting. Town Administrator DeMarco reminded the governing body that reason this Ordinance was tabled is due to questions regarding Section 299-1 paragraph C and Section 299-3 paragraph D. As of today, no changes have been made to those Sections. Comm. Wiley explained to the audience as to what had occurred during the Work Session on May 22, 2013 in that the proposed Ordinance would provide for sidewalk maintenance to be borne by the Town and not the property owner. He commented that he disagrees with that concept as the DPW Dept. employees would be unable to perform the duties required by this amended Ordinance. He further explained that waste cannot be mixed with recyclables or solid waste and that the property owner should have it removed by dumpster. He further complained about the proposed removal fee of 75 cents per pound as the Town does not own a scale to weigh the materials. He further commented that cracked sidewalks are the responsibility of the property owner and is covered under their homeowners' insurance and should not be the responsibility of the Town as it can be very costly. He recommended that this Ordinance be revised to reflect his concerns and that taxpayers should not bear the cost of Town performing the duties. Mayor Roque disagreed in that he feels this is a way to help the taxpayers and that it is unfair for the taxpayers to pay cost of repairing their sidewalks when the Town planted the trees and/or installed the pavers on the sidewalks. The Mayor advised that currently the DPW employees are repairing the sidewalks on 60th Street, which will reduce liability. Comm. Wiley replied "This is mismanagement. It is not realistic and will cost more tax money. It's owners' responsibility, not the Town." Town Attorney Gil Garcia agreed with the Mayor. Comm. Frias advised that Town employees are already performing these services as needed and requested by the property owners and that there is no intention to hire new employees at this time. Comm. Wiley disagreed and commented that there are too many sidewalks and it will "cost the Town a fortune" and it is not fair to the taxpayers. He inquired as to how the current properties were selected to receive repair to their sidewalks. Audience member, Doug Borden, inquired as to whether a "cost assessment" was conducted to determine actual cost to the Town. Mayor replied "good suggestion. We already have 2 employees doing it for the past 1 ½ yrs." Audience member, Angel Barquin, complained that there is a large hole located behind the Veterans' Monument located in the park on 63rd Street & Blvd. East and that a \$350,000 grant had been received on 9/24/09 from the County to repair the hole and then another \$350,000 was granted on 12/21/10 by the Freeholders but that the hole still exists and is getting worse. He inquired as to the status of repairs and what happened with the aforesaid funds. Town Administrator DeMarco explained that the Town Engineer prepared plans and GEO tech firm did borings, etc. of bedrock as fill washes away on site.

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The intention is to fix the entire problem in that area permanently. Mr. Barquin again inquired as to the whereabouts of the grant funding received from the County. Mr. DeMarco advised that the Town has the funds and that Engineer is trying to design the best use of the funds. Mr. Barquin inquired as to how long it will take to repair the problems. He further commented that the water fountain in Donnelly Park doesn't work. Mayor recommended that Mr. Barquin meet with Town Engineer and Lou Cannao to coordinate time line as to making repairs. Mr. Barquin commented that nobody cares about these issues. Mayor replied "We care. Sit with Engineer for update."

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

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

ORDINANCE #12/13

**AN ORDINANCE AMENDING CHAPTER 345 OF THE CODE OF THE
TOWN OF WEST NEW YORK (SMOKING)**

Note: Town Clerk Carmela Riccio 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. Allen Kantz, 80 River Road, Summit, NJ:**
Mr. Kantz advised that he worked with the Town to prepare this Ordinance and that he has the signs in his car which were paid for and provided by the NJ Dept. of Health. He commented that he is very excited that 187 municipalities and counties have made their parks smoke free, which is very positive.
- 2. Cathy Neakem, 15 Greenwich Road, Hewitt, NJ:**
She advised that she too works for the State Office of Tobacco and that she is excited to be part of this program. She commended and thanked the Governing Body for helping to make the parks safer for the children. Mayor Roque commented that we must prevent treatable diseases.
- 3. Doug Borden, 6600 Blvd. East, WNY:**
Mr. Borden advised that he is a cigar smoker and is not excited with this Ordinance. He commented that this is a "further encroachment on civil liberties" and that the Town will regret this.
- 4. Wayne Cook, 6131 Jackson Street, WNY:**
Mr. Cook advised that he is a grandfather and is in favor of this Ordinance.

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

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ORDINANCE #13/13

AN ORDINANCE AMENDING ORDINANCE NOS. 10/10, 2/03, 24/02, 11/01, 12/99, 38/97, 28/97, 25/97, 24/97, 12/97, 39/96 and 56/95 REGARDING PROHIBITED PARKING ON VARIOUS STREETS AT CERTAIN TIMES IN THE TOWN OF WEST NEW YORK

Note: Town Clerk Carmela Riccio 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. Janice Zorovich, 6128 Park Avenue, WNY:

Ms. Zorovich inquired as to how many spaces are involved. Comm. Frias advised that this Ordinance amends the street sweeper schedule for Bergenline Avenue to Kennedy Blvd. and has nothing to do with spaces. Ms. Zorovich complained about the siren used to notify persons when sweeper is approaching and requested that another sound be used as people have become desensitized with sirens. Comm. Frias advised that the siren is used as a courtesy/warning that sweeper is approaching and that signs are also posted, and inquired "What is your recommendation?" Ms. Zorovich suggested the use of a bull horn.

2. Danny Parrales, 556 – 59th Street, WNY:

Mr. Parrales advised that he lives in the Second Ward and has never seen a street sweeper in his area. He further advised that the Parking Authority website is incorrect and contains false information as it indicates that Second Ward is on the sweeper schedule, but insisted that he has never seen a sweeper in that area. Comm. Frias disagreed and advised that it was recently posted. He commented that the schedule should be adopted before it is posted online.

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas 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 #14/13

**AN ORDINANCE REPEALING ORDINANCE #43/96 ENTITLED:
"AN ORDINANCE ESTABLISHING RESTRICTED PARKING IN FRONT OF
ONE (1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT
(1-62ND STREET – DONALD SMITH)**

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.

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

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Regular Meeting

Notice
Ordinance #14/13

**AN ORDINANCE REPEALING ORDINANCE #43/96 ENTITLED:
“AN ORDINANCE ESTABLISHING RESTRICTED PARKING IN FRONT OF
ONE (1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT
(1-62ND STREET – DONALD SMITH)**

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 June 19, 2013 and ordered published, and will be further considered before final passage at a public hearing on July 17, 2013 at 12:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Town Clerk Carmela Riccio read the foregoing Notice aloud.

ORDINANCE #15/13

**AN ORDINANCE AMENDING SECTIONS 76.2 AND 76.3 OF CHAPTER 76
OF THE CODE OF THE TOWN OF WEST NEW YORK (RE: PERSONNEL)**

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.

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

Notice
Ordinance #15/13

**AN ORDINANCE AMENDING SECTIONS 76.2 AND 76.3 OF CHAPTER 76
OF THE CODE OF THE TOWN OF WEST NEW YORK (RE: 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 June 19, 2013 and ordered published, and will be further considered before final passage at a public hearing on July 17, 2013 at 12:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Town Clerk Carmela Riccio read the foregoing Notice aloud.

June 19, 2013
Regular Meeting

BOND ORDINANCE #16/13

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR ROAD IMPROVEMENT PROJECTS IN THE TOWN OF WEST NEW YORK AND APPROPRIATING \$1,089,385 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$744,525 IN BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME

Note: Town Clerk Carmela Riccie read the title of the foregoing Bond Ordinance aloud.

It was regularly moved by Commissioner Vargas, seconded by Mayor Roque to adopt the introduction of the foregoing Bond Ordinance was carried by the following vote:

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

Notice
Ordinance #16/13

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR ROAD IMPROVEMENT PROJECTS IN THE TOWN OF WEST NEW YORK AND APPROPRIATING \$1,089,385 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$744,525 IN BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on June 19, 2013 and ordered published, and will be further considered before final passage at a public hearing on July 17, 2013 at 12:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Town Clerk Carmela Riccie read the foregoing Notice aloud.

Mayor opened the Public Portion. He advised that each person will have only five (5) minutes to speak.

Public Portion:

The following persons wished to be heard:

1. Sal Vega (Former Mayor), 6600 Blvd. East, WNY, NJ:

Former Mayor Vega complimented the Governing Body and CFO for explaining the budget process and being available to the public to respond to questions concerning the budget. He made reference to Resolution R-23 (Re: Reorganizing and transferring duties and responsibilities of Fire Prevention and Code Enforcement from Dept. of Public Safety to Dept. of Public Works) and commented that “perception is very important. Comm. Vargas had fire at property on 67th Street. The fire was deemed suspicious at that time. The vehicle driven by the Fire Official was taken away from him. Now, Comm. Vargas is the Commissioner who I believe has a conflict with any fires in this town. Perception is very important. My advice...be careful.” He further commented about Comm. Wiley’s complaints about appointing family members to various Boards.

June 19, 2013
Regular Meeting

Public Portion (Cont.):

1. Linda Kellerman, 6600 Blvd. East, WNY, NJ:

Ms. Kellerman referred to the Formula One race to be held in June 2014 and thereafter for the next 10 yrs. Mayor Roque advised that a new contract was entered into to extend to 15 yrs. She expressed her concerns regarding the residential areas on Blvd. East along the race route insofar as public safety issues are concerned. Mayor Roque explained that there are countless evacuation plans in place and suggested she join a committee to contribute suggestions. Town Administrator DeMarco advised that the State Police sign off on safety, security and health issues and that there are access points for police and fire, etc. He further advised that the Town will have more coverage than we regularly have in terms of ambulances, medical staff, etc. She commented that the race is a "big boost" for the Town. Mayor requested that Town Administrator invite Ms. Kellerman to the upcoming meetings.

2. Peggy Gaffney, 6600 Blvd. East, WNY, NJ:

Ms. Gaffney commented about the lack of quorum for Zoning Bd. meeting and inquired as to whether the Mayor informs the potential board appointees of the meeting schedule requirements. She complained that 4 out of 9 members were absent. Mayor advised that 3 of the members had emergencies and could not attend. She further inquired as to whether the Mayor or anyone else reviews the goals and purposes with the potential board appointees. Mayor Roque responded "I don't get involved with that. I do the interview only." She commented that it is critical to review goals and purposes with potential board appointees during application process. Mayor advised that there are not a lot of applicants and advised her that if she is interested in being a board member, she should advise him accordingly.

3. Humberto Ortega, 6040 Blvd. East, WNY, NJ:

Mr. Ortega expressed his concerns about newly adopted Ordinance #10/13 regarding repairing sidewalks. He totally disagreed with the Mayor's previous statements and indicated that it is not fair to the rest of the taxpayers, and that burden should be spread equally. He echoed Comm. Wiley's concerns about board member appointees in that he is a Rent Control Board member and 3 members did not appear or communicate their intended absences for the last 2 meetings. He commented that volunteers should be committed and available to attend as he does. He further pointed out that the Zoning Board meetings have been cancelled due to lack of quorum with conflicts of interest on several occasions and that people who are appointed to boards should be committed to attend all of the meetings. He complained that there are no resumes or credentials and that the new appointees are not qualified to render decisions. He further suggested that if the person does not provide his or her resume, he or she should not be appointed. He referred to his own resume as an example.

4. Doug Borden, 6600 Blvd. East, WNY, NJ:

He referred to previous statements made by Comm. Wiley and former Mayor Vega regarding the board member appointment process perception. He commented about "stacking the boards to advance your agenda". Mayor Roque responded that in order to change the perception, a committee should be formed to review the applications of potential appointees as the Town has done with handicapped parking applications. Mr. Borden complained that 15 new appointments have already been made. Mayor replied "Never too late to start". Mr. Borden also complained about the Mayor's sister being placed on Housing Authority board. Mayor responded "It is difficult to deal with a little sister who wants to participate." Mr. Borden disagreed with Mayor's comment and complained that there are only 5 resumes on file since January for newly appointed board members. Mayor Roque advised that his legal team advised him that a resume is not needed and compared the application process to "it's like fishing for salmon in the Hudson". Mr. Borden disagreed and commented that there are a lot of qualified people in WNY and said "What about Joan Palermo?" Discussion ensued between Mr. Borden and Mayor Roque regarding vacant board positions, resumes, etc. Mr. Borden expressed his desire to be a member of the review committee. He advised that the Planning and Zoning Boards require board members to complete training within a specific time period and that the Chairman and Vice Chairman have not done so. He complained that the appointment of the Chairman and Vice Chairman are "done behind closed doors". He advised that board members Armando Galis and Rose Puerto have completed the training.

June 19, 2013
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Public Portion (Cont.):

4. Doug Borden (Cont.):

Mr. Borden inquired "Are you aware that the Zoning Board must submit a report on an annual basis which hasn't been done since 2010?" Mayor replied "I don't know that". Mr. Borden directed his comments to Town Administrator DeMarco regarding re-examination process, and inquired "Do you want to do close door or public session?" Mr. DeMarco advised that sub-committees issue reports to the entire Board on different aspects. Mr. Borden inquired about citizen participation and advertisement of meetings. Mr. DeMarco advised that there will be "4-5 big meetings with Planning Board and smaller focus groups". Discussion ensued between Mr. DeMarco and Mr. Borden regarding the process and that it would take approx. 6 months to complete the project. Mr. Borden complained that the Mayor's picture "pops up" on the Town's website and that more important items should pop up as opposed to the Mayor's picture. Discussion ensued between Mr. Borden and the Mayor regarding meeting announcement pop ups, etc.

5. Francisco Ferreiro, 5206 Bergenline Avenue, WNY:

Mr. Ferreiro remarked that he was surprised that the Mayor "just found out" that there are problems in the parks i.e. garbage, water fountains not working, etc. Mayor Roque remarked that he just learned about the water issue today. Mr. Ferreiro replied "That is part of the problem. You are not aware of what is going on in your Town. There is a leadership problem." Mayor commented that he has been a leader in the military for 36 yrs. Mr. Ferreiro disagreed and commented "As Mayor, you have failed the leadership role." Mr. Ferreiro inquired as to whether the DPW repaired the sidewalk in front of the Mayor's Medical Office. Mayor responded "No, the entire 60th Street and residential." Mr. Ferreiro replied "Everyone should get the same treatment." Comm. Wiley joined conversation by commenting that he disagreed with the whole concept. (Comm. Rodriguez advised at 1:34 p.m. that she had to leave the meeting.) Mayor further advised that Bergenline Avenue has been repaired as well. Mr. Ferreiro inquired "You are doing everyone's sidewalk in West New York?" Mayor replied "Yes, we are doing it." Mr. Ferreiro complained about garbage and dirt on Bergenline Avenue. Mr. Ferreiro asked Town Attorney Garcia as to amount of years was given to Meridia Park Avenue project for the abatement. Mr. Garcia replied "No clue". Town Administrator DeMarco responded "5 yrs." Mr. Ferreiro commented that he heard it had been extended to 15 yrs. Mr. Garcia disagreed. Discussion ensued between Mr. Ferreiro and Mr. DeMarco about Mr. DeMarco's salary of \$110,000 as Town Administrator and the amount of monies he received last year in the amount of \$200,000. Mr. Ferreiro further commented that Town Attorney Garcia received \$150,000 plus over \$300,000 additionally. Mr. DeMarco explained that prior to October 2012, he was employed as Assistant Town Attorney and since that time he is a salaried employee i.e. Town Administrator, but he was not serving in both capacities at the same time.

6. Wayne Cook, 6131 Jackson Street, WNY:

Mr. Cook complained that there is a cellar door near Miller Park, which has not been repaired and could cause injuries and lawsuits. Comm. Vargas commented that PSE & G must take care of that problem, not the Town. Mayor Roque recommended that barricades be placed at that location until matter is resolved. Mr. Cook further complained that it has been over 1 month that the plate located at 62nd and Adams Street by the Housing Authority has not been repaired, and that he (Mr. Cook) placed a safety cone at the site. In addition, Mr. Cook advised that there is overgrown grass and "junk" in an empty lot located at 541-61st Street and there is an abandoned house at 530 – 61st Street that has broken sidewalk. Town employee Jeff Santini who was present in the court chambers advised that he issued a summons yesterday to the owner of 531 – 61st Street. Mr. Cook referred to Deputy Mayor Silvio Acosta acting in the capacity of Director of DPW and that Civil Service Dept. has ruled that he cannot act in that capacity. Town Attorney Garcia confirmed the ruling; however advised that the decision is being appealed. Mr. Cook commented that the Mayor appointed Mr. Acosta to the Board of Education and that the Mayor should avoid any further appointments of friends and family members. Mayor Roque commented that it is difficult to refuse a family member who wishes to volunteer his or her time. Mr. Cook disagreed. Mayor Roque pointed out that the former Mayor appointed his friend, Janet Passante, to the Board of Education. Mr. Cook commented that was in the past but should not continue.

June 19, 2013
Regular Meeting

Public Portion (Cont.):

7. Janice Zorovich, 6128 Park Avenue, WNY:

Ms. Zorovich inquired as to whether the Mayor had filed his Financial Disclosure Statement as it was not posted on the State website, to which the Mayor responded “Yes”. Town Clerk Riccio explained that there has been a delay on the State’s part in posting the filed statements. Ms. Zorovich inquired about Resolution R-5 (Re: Cancelling a portion of 2013 Real Estate taxes for 573-75 – 56th Street) and advised that the County records indicate that the property is assessed at \$200,000. Discussion ensued between Town Administrator DeMarco and Ms. Zorovich regarding the property’s assessment. She also commented about tax abatement given to Meridia project i.e. 15 yrs. as opposed to 5 yrs. Discussion ensued between Ms. Zorovich and Mr. DeMarco regarding the correct amount of years approved by the Governing Body for said tax abatement. Town Attorney Garcia advised that the Governing Body rejected the extended term. Ms. Zorovich indicated that she would bring the copy of the agreement to Mr. DeMarco to review and he agreed to explain it to her. Further discussion ensued regarding Resolution R-5 and Mr. DeMarco explained the contents of the Resolution to her. She also inquired about Resolution R-9 (Re: Refunds of Redemptions). Town Clerk Riccio and Town Administrator DeMarco both explained that said Resolution pertains to numerous properties. Ms. Zorovich inquired about Resolution R-25 (Re: Making application to Local Finance Board). Mr. DeMarco explained that it relates to Ordinance #16/13, which is being introduced at this meeting, and which pertains to road projects. He further explained that the Bond is needed to make up the difference between the D.O.T. grants which the Town is receiving. Ms. Zorovich complained about dog feces and weeds growing in park on **Blvd. East**. She complained that trees are not being pruned and grass not being moved. Comm. Vargas advised that they are starting with Miller Park but that there has been a lot of rain and that is why grass, etc. is growing so rapidly. Ms. Zorovich commented that if the Town plants trees, the Town should water them. She complained that the recent Parade was a “disgrace” and that the band did not have a banner or flags. Mayor referred her to Superintendent of Schools John Fauta. There was discussion about the sound system at Miller Stadium. Comm. Frias explained that it “shorted out” during the ceremony but is being repaired.

8. Carlos Betancourt, 6305 Jackson Street (Apt. 1), WNY, NJ:

Mr. Betancourt inquired as to whether the Town is receiving Green Acres money. Mayor responded “Yes but not as much”. Town Administrator DeMarco explained that the Town recently received \$600,000 from the State for the swimming pool. Mr. Betancourt inquired as to whether those monies could be used to repair the area behind the monument for the safety of the children. He further commented that there are no patrols in that area. He further inquired as to whether CDBG monies are being received by the Town and how they are being utilized. Mr. DeMarco advised that we received monies for Fillmore Park last year in the amount of \$400,000 and should receive additional monies for Washington Park in August. Mr. Betancourt inquired as to whether the Town is continuing to seek additional grant monies to which Mr. DeMarco responded “Yes”. Mr. Betancourt advised that in past years, CDBG monies were used to repair sidewalks and taxpayer money was not used. He commented “I have noticed a disconnect between you and the Town. Make up your mind as to whether you want to be a Doctor or the Mayor. You can’t be part-time. You should at least put in 30 hours.” Mr. Betancourt complained about barricades at 61st & Park Avenue which have been there for “over 1 month”. Comm. Vargas advised that the Traffic Division must remove same.

9. Lara Hicks, 6701 Blvd. East, WNY:

Ms. Hicks referred to house located on 67th Street which recently burned but has trash, weeds, etc. Comm. Vargas replied “We have already started to build”.

10. Doreen Auriemma, 6025 Hudson Avenue, WNY, NJ:

Ms. Auriemma advised that “mud puddles” form when street sweeper comes by and recommended that “green machines” be used instead. Discussion ensued between Comm. Frias and Ms. Auriemma as to whose responsibility it is i.e. Parking Authority or Town employees.

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Regular Meeting

Note: At this point, Mayor Roque informed Town Clerk that he wished to read the Proclamation denouncing the Image of Che Guevara (Item #5A on agenda) and present same to former Cuban political prisoners who were present. He then presented the Proclamation to Ricardo Montero Duque who fought in the Bay of Pigs. Mr. Duque spoke in Spanish and Comm. Frias translated. Mr. Duque apologized that the President of the organization was not able to be present. He further commented that the purpose of this Proclamation is to make children aware that the T-shirts they are wearing contain the image of Che Guevara who is not a hero but a person who committed crimes and that “the truth must be told”.

A motion was made by Mayor Roque, seconded by Commissioner Vargas, **to close the Public Portion and Adjourn the meeting at 2:06 p.m.** was carried by the following vote:

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

Commissioner FiorD’Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccie, RMC
Town Clerk