

**July 17, 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, July 17, 2013 at 12:00 p.m. (No Work Session):

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque  
Absent: Town Attorney Gilberto Garcia  
Also Present: Town Clerk Carmela Riccie and Town Administrator Joseph DeMarco

Meeting commenced at 12:05 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 July 17, 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 Mayor Roque, seconded by Commissioner Frias, that the Minutes of Regular Meetings: 5/22/13 and 6/19/13 (Work and Regular Sessions) be approved as recorded, was carried by the following vote:

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

**Claims: Dated 7/17/13 (Claims are available for public inspection in the Town Clerk's Office):**

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

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

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**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF JUNE 2013**

1. From Construction Code Official Office, reporting the sum of \$50,937.00 Collected for the month of June, 2013.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$10,331.40 Collected for the month of June, 2013
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$44,925.00 for Special Licenses collected for the month of June, 2013.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$586.00 for Marriage/death certificates collected for the month of June, 2013.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$54.40 for Dogs Licenses collected for the month of June, 2013.
6. From (Revenue and Finance Department) reporting the sum of \$880,430.68 collected for the month of June, 2013.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$50.00 collected for the month of June, 2013

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

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

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**Communication**  
**Re: RFQ results – Special Labor Counsel**

RFQ PROPOSAL FORMATION

Proposal Receipt Date: July 11, 2013

Proposal Time: 10:30 am

Location for proposal: Town Clerk's Office

Proposal for: Special Labor Counsel

Personnel at Opening: Deputy Town Clerk Yesenia Del Rio & Maria Barrios

Remarks: Time to receive RFQS was closed at 10:35 p.m.  
Reserved decision pending review by review committee.

RESPONDER #1 (Name) DeCotiis Fitzpatrick & Cole  
(Address) 500 Frank W. Burr Blvd. Suite 31  
Teaneck, NJ 07666

RESPONDER #2 (Name) Chasan Leyner & Lamparello  
(Address) 300 Harmon Meadow Blvd.  
Secaucus, NJ 07094

RESPONDER #3 (Name) Weiner Lesniak LLP  
(Address) 629 Parsippany Road  
P.O. Box 0438  
Parsippany, NJ 07054

RESPONDER #4 (Name) Schwartz, Simon, Edelstein & Celso, LLC  
(Address) 100 South Jefferson Road Suite 200  
Whippany, NJ 07981

\*Please Note we received RFQ proposal Via Fax which is not acceptable from The Corrigan Law Firm on 7/11/13 approximately 11:15 am and then received Via Carrier at 11:54am the Original & copies after the opening time which disqualifies them.

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**Communication**  
**Re: Engineer's Report dated 7/12/13**

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 awarded on September 4 to the low bidder which was Rich Picerno Builders of Kenilworth, NJ, with a bid of \$750,458.00.
  - We held a preconstruction meeting on September 12, 2012 for the project.
  - The contractor has substantially completed Dewey Park and Fillmore Park. We have issued a punchlist for the project and have requested a schedule for completion of same.
  
- FY2012 NJDOT Municipal Aid Grant and Road Program (67<sup>th</sup> 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.
  - 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. We had scheduled a preconstruction meeting for July 12. The contractor had an emergency and could not attend. We are rescheduling the 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
  - We have prepared and submitted the FY2013 NJDOT Municipal Aid Grant application to the NJDOT for the following roads:
    - 60<sup>th</sup> Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
    - 65<sup>th</sup> Street from Broadway Avenue to Park Avenue (675')
    - 51<sup>st</sup> Street from JFK West to Bergenline Avenue (615')
    - 66<sup>th</sup> Street from Hudson Avenue to JFK East (2060')
  - The estimated construction cost for the above roads is approximately \$810,000.00.
  - The Town has received an NJDOT grant in the amount of \$344,860.00.
  - We have started the survey and design work associated with the 66<sup>th</sup> 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, replacement of picnic tables, removal of deteriorated landscape boxes, exterior shower, general landscaping improvements, parking lot improvements and other miscellaneous improvements.
- 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 have addressed and resubmitted.
- As of this date the contractor has replaced the siding on the building, installed the new outdoor shower slab, hot water heater, ventilation exhaust system and lockers, repaired the foundation for the stairs and performed some clearing work.

□ **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.
- Energy Efficiency & Conservation Block Grant (EECBG): The Town had received a grant to design and install a new HVAC system in Town Hall. The cost of the new system was far greater than the grant amount. We are working with the mechanical engineers who designed the system to provide a design with a reduced scope which may be installed for within the grant amount.

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**Proclamation**  
**Re: Honoring Guillermo Farinas Hernandez**

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York are infinitely appreciative of the contributions of its residents who, on occasion, wish to honor certain historic individuals who they feel warrant special praise and tribute, and the town respects and encourages the resident's desire to do so; and

WHEREAS, Guillermo Fariñas Hernandez is an independent journalist living in Santa Clara, Cuba, who in 2006 staged a seven-month hunger strike to protest internet censorship in his country; and

WHEREAS, Guillermo Fariñas Hernandez won the Without Borders cyber-freedom prize and the International Human Rights Award in 2006 after he ended his strike due to severe health complications; and

WHEREAS, on February 26, 2010, Guillermo Fariñas Hernandez declared yet another hunger strike to protest the death of fellow dissident Orlando Zapata Tamayo and remained on strike for 134 days until Tamayo and 26 other prisoners were set free; and

WHEREAS, on June 3, 2011, Guillermo Fariñas Hernandez declared yet another hunger strike to protest the Cuban authorities' response to fellow dissident Juan Wilfredo Soto García's death; and

WHEREAS, on July 24, 2012, Guillermo Fariñas Hernandez was arrested in Havana at Oswaldo Payá's funeral, to which Amnesty International and the United States responded with harsh criticism and the dissidents were released the following day;

NOW, THEREFORE, BE IT RESOLVED that the Town of West New York, on behalf of the residents of the municipality, does salute Guillermo Fariñas Hernandez and join with all those of Cuban heritage and all of our residents to give recognition thereto.

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**Proclamation**  
**Re: Honoring Justin Willis**  
**(Team USA's National Team Development Program)**

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York wish to honor *Justin Willis*: a 14-year-old West New York resident who has played baseball avidly since only five; and

WHEREAS, *Justin Willis* has played for the Town's little league teams since he was five until he was 11; and

WHEREAS, *Justin Willis* helped his little league team to win the district championship three years ago, and his contributions were written about in the *Jersey Journal*, the *Hudson Reporter*, and *MSG Varsity*; and

WHEREAS, *Justin Willis* tried out for Team New Jersey in 2012, advanced to Team North Atlantic in September, was asked to play for the California team in Florida; and, a

WHEREAS, as a result, *Justin Willis* was selected by Team USA's National Team Development Program to join the top 40 most promising young players in the nation out of 2,000 prospective players – aged 14 and under – to go on to represent the United States nationally and internationally with the 15-year-old team;

NOW THEREFORE BE IT RESOLVED, 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 incredible athletic achievements of *Justin Willis*, and as a community sends him off with best wishes to follow his dream of becoming a professional baseball player.

**Note:** Mayor Roque read the aforementioned Proclamation aloud and presented it to Justin Willis, who was accompanied by his family.

**Consent Agenda**

It was regularly moved by Commissioner Vargas, seconded by Commissioner Frias that the following Consent Agenda Items Nos. R-1 through R-17 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 i.e. R-1 thru R-17. Comm. Wiley voted "No" on the following resolution: R-12. Comm. Wiley "abstained" on the following resolution: R-2.

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**Consent Agenda (Cont.):**

**Resolution**  
**Re: To Enter into an Inter-local Agreement**  
**Between the Town of West New York**  
**and The County of Hudson**  
**2013 Edward Byrne Memorial Justice Assistance Grant**

Whereas, the 2013 Edward Byrne Memorial Justice Assistance Grant ("Byrne Grant") recognizes the County of Hudson Office of the Prosecutor to be the organizational unit charged with Byrne grant implementation responsibilities, including conducting the application process and acting as the fiscal agent for municipalities; and

Whereas, the Byrne Grant requires the County of Hudson to enter into an Inter-local agreement with participating municipalities for the purpose of approving eligible costs and reimbursement of same; and

Whereas, the Town of West New York is eligible to apply for Justice Assistance Grant funds under the FY 2013 Byrne Grant through the County of Hudson Office of the Prosecutor Office; and

Whereas, the Town of West New York is eligible to receive \$17,883.00 for the purchase of equipment for the West New York Police Department through the 2013 Byrne Grant; now therefore be it

Resolved, that the Mayor of the Town of West New York is hereby authorized to execute an Inter-local agreement with the County of Hudson for the purpose of implementing the Byrne Grant; and be it further

Resolved, that the Town may submit all appropriate documentation as necessary to the Office of the Prosecutor to fulfill the intent of this resolution.

**Resolution**  
**Re: Establishing No Parking Loading Zone**  
**For R & M Auto Collision**  
**410-51<sup>st</sup> Street, West New York, NJ**

WHEREAS, there exists in the vicinity of 410-51<sup>st</sup> Street 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 410-51<sup>st</sup> Street, 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 8:00 a.m. to 6:00 p.m. said area or zone to be used as a "No Parking-Loading Zone": during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and:

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

BEGIN AT A POINT ALONG THE NORTH SIDE OF 51<sup>ST</sup> STREET AND PALISADE AVENUE, 72 FEET WEST FROM THE NORTHWEST CORNER , THEN 21 FEET THEREFROM

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

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.**

**Resolution**  
**Re: Repealing Resolution adopted on 3/20/13**  
**(Restricted Parking for Handicapped Resident) as follows:**  
**127-66<sup>th</sup> Street (Anthony Mack)**

Whereas, the governing body of the Town of West New York adopted a Resolution on March 20, 2013 establishing restricted parking for use by a handicapped residents; and

Whereas, the handicapped person involved has either moved or died since implementation of above mentioned resolution;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the above resolution is hereby repealed:

127-66<sup>th</sup> Street, WNY (Anthony Mack)

Be it further resolved that the Department of Public Safety is directed to remove all signage for the spaces as directed by this resolution.

Be it further resolved that this resolution shall take effect immediately upon passage.

**RESOLUTION**  
**Re: Appointment of Damarys Gonzalez as Safety Delegate for the Town of West New York**

WHEREAS, the Town of West New York maintains various forms of insurance to cover claims files against the town; and

WHEREAS, the insurance carriers have requested that the town name a safety delegate to help reduce costs and claims; and

WHEREAS, in order to ensure a safe and healthy work environment and reduce the risk of harm to its employees the Town must fill the position of safety delegate; and

WHEREAS, Lewis Cannao has resigned as safety delegate and so leaves the position unfilled; and

WHEREAS, the Town of West New York and the Board of Commissioners wishes to name Damarys Gonzalez as safety delegate;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, that Damarys Gonzalez is hereby appointed as safety delegate for the Town of West New York.

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**Consent Agenda (Cont.):**

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

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

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

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to allow the Municipal Administrator to destroy the computer equipment contained on the inventory list dated July 9, 2013.

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

**RESOLUTION**  
**RE: Appointing Lara Hicks as a member of the Planning Board**  
**to fill the unexpired term of Aida Roque**  
**(Term expires on 10/18/2013)**

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

WHEREAS, Lara Hicks is a resident of the Town of West New York living at 6701 Kennedy Blvd. East, Apt. D7, West New York, NJ, 07093; and

WHEREAS, Lara Hicks is available to complete the required term;

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

1. Lara Hicks is appointed to serve as a member of the West New York Planning Board, to serve for the unexpired portion of a term which will expire on 10/18/2013.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

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**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Hudson County Board Tax Appeals (\$13,287.06)**

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

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

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

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

| NAME  | BLOCK-LOT   | AMOUNT      | YEAR |
|---|-------------|-------------|------|
| PETER ZIPP ATTY.<br>RBA SYSTEMS, LLC        | 82/7        | \$11,453.58 | 2012 |
| PETER ZIPP ATTY.<br>ORTEZ, MARVIN CHRISTIAN | 112/6       | \$1,833.48  | 2012 |
|   | GRAND TOTAL | \$13,287.06 |      |

**Resolution**

**Re: Tax Lien Redemptions (\$196,674.57)**

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      |
|---|-------------------|---------|-------------|
| 72 OAK STREET<br>HOLDING, LLC           | 149/37            | 12-0683 | \$27,017.61 |
| PAM INVESTORS                           | 12/18             | 12-0068 | \$2,883.22  |
| ISAAC MORADI                            | 145/26.01         | 12-0661 | \$5,639.82  |
| MTAG SVC. AS CUST<br>FOR ATCF II NJ LLC | 168.01/8.03 C0110 | 12-0774 | \$4,449.63  |

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

|                   |        |             |              |
|-------------------|--------|-------------|--------------|
| US BANK FOR TOWER | 54/15  | 11-0157     | \$26,455.51  |
| DBW               | 86/17  | 12-0478     | \$2,428.54   |
|                   | 96/28  | 12-0505     | \$6,579.88   |
|                   | 72/42  | 12-0384     | \$30,354.99  |
| SBMUNICUST C/O    | 26/11  | 12-0131     | \$12,791.01  |
| LBNJ              | 52/5   | 11-0140     | \$63,668.20  |
| US BANK,CUSTODIAN | 155/22 | 12-0708     | \$14,406.16  |
| EMPIRE V          |        |             |              |
|                   |        | GRAND TOTAL | \$196,674.57 |

**RESOLUTION**  
**Re: Refund of Tax Lien Premiums (\$30,500.00)**

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

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

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

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

| NAME                          | BLOCK/LOT      | CERT. #            | AMOUNT                    |
|-------------------------------|----------------|--------------------|---------------------------|
| SBMUNICUST C/O<br>LBNJ        | 52/5           | 11-0140            | \$11,500.00               |
| US BANK CUST FOR<br>TOWER DBW | 72/42<br>86/17 | 12-0384<br>12-0478 | \$18,000.00<br>\$1,000.00 |
|                               |                | GRAND TOTAL        | \$30,500.00               |

**Resolution**  
**Re: Refund of Overpayment of Taxes (\$9,331.22)**

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.

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

| NAME                          | BLOCK/LOT   | AMOUNT     | YEAR |
|-------------------------------|-------------|------------|------|
| CORELOGIC                     | 70/1        | \$2,361.69 | 2012 |
| PAM INVESTORS                 | 128/7       | \$1,996.14 | 2013 |
| US BANK CUST FOR<br>TOWER DBW | 72/42       | \$4,973.39 | 2013 |
|                               | GRAND TOTAL | \$9,331.22 |      |

**RESOLUTION**  
**Re: Authorizing the Town of West New York to enter into a**  
**Cooperative Pricing Agreement**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission has offered voluntary participation in a Cooperative Pricing System for purchase of goods and services; and

WHEREAS, the Qualified Purchasing Agent for the Town of West New York has reviewed the services and goods available from the Middlesex Regional Educational Services Commission; and

WHEREAS, on 06/19/2013 the governing body of the Town of West New York, County of Hudson, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

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

1. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), Xenia Rivero, QPA is hereby authorized to enter into a Cooperative Pricing Agreement with the Middlesex Regional Educational Services Commission.
2. The Middlesex Regional Educational Services Commission shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised status of the State of New Jersey.
3. This resolution shall take effect immediately upon passage.

**Note:** **Comm. Wiley inquired as to what type of goods and services will be purchased. Town Administrator DeMarco advised that Middlesex County receives bids for various equipment and we intend to purchase two (2) Green Machines at a much lower price than if we go out to bid ourselves. There will be no cost to join the Cooperative and we have no obligation to buy anything. They obtain more competitive prices which will save our Town approx. \$3,000 - 4,000 for the both Green Machines. Mr. DeMarco advised that we can purchase other items from them as well and that our Board of Education is also a member. Comm. Wiley advised that he frequently converses with WNY business owners and that the Town should try to purchase from local businesses as they haven't received any business from the Town in the past two (2) years. He further commented that he has spoken to Purchasing Agent Xenia Rivero on several occasions regarding "comparison prices" but that she has not done so. He complained that business is being sent out of Town and that the Town should support local business owners in this community. He encouraged helping the business community by purchasing within the Town. Mr. DeMarco advised that he would discuss this matter with Ms. Rivero. Mr. DeMarco explained that the Cooperative Purchasing is for large items. Comm. Wiley advised that he would vote "Yes" on this Resolution.**

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**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Re-Organizing the Departments of the Town transferring duties and responsibilities from Department of Public Affairs to the Department of Revenue and Finance (Cultural Affairs)**

WHEREAS, for the purposes of efficiency and order, it has been determined that Cultural Affairs is better governed under the Department of Revenue and Finance rather than the Department of Public Affairs; and

WHEREAS, it has been determined that the Department of Revenue and Finance is better equipped with staff to handle the day to day affairs of Cultural Affairs; and

WHEREAS, the department is assigned and devolved a series of powers and that 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:

Department of Cultural Affairs

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 Revenue and Finance, 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 Revenue and Finance and Department of Public Affairs 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 Department of Revenue and Finance and Department of Public Affairs 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:**

**Comm. Wiley voted “No” on this Resolution, and inquired as to why Cultural Affairs is being transferred to Revenue/Finance Dept. Mayor Roque explained that inasmuch as Comm. Frias has been handling it all the while but had Comm. Wiley contacted him prior to today, he would have explained it to him. Discussion ensued between Comm. Wiley and Mayor Roque as to why the Mayor can’t handle Public Affairs Dept. Comm. Wiley complained about employees that were removed from his Parks Dept. and that he doesn’t have manpower to do the work required. He complained that there is garbage and weeds growing in the parks. Discussion ensued about who is responsible for supervising the Parks Dept. employees. Comm. Wiley complained that the removal of employees from his department is in violation of the Walsh Act and commented “Politics don’t belong in Town Hall and it’s at the price of the taxpayers.”**

July 17, 2013  
Regular Meeting

**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 Public Defender legal services**

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

Whereas the Mayor and Board of Commissioners wish to receive and consider proposals for Public Defender; 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 Public Defender, in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”).
3. A Review Committee is established, consisting of the Mayor, the Town Administrator and Purchasing Agent, to review all Statements of Qualifications and to make recommendations to the Board of Commissioners at regularly scheduled meeting.

**Resolution**

**Re: Rescinding Contract to Maramont Corporation and Awarding a Contract to Nu Way Concessionaires, Inc. to Complete the Summer Food Program on an Emergency basis pursuant to N.J.S.A. 40A:11-6**

WHEREAS, the Town of West New York has received a grant for reimbursement for the 2013 Summer Food Program; and

WHEREAS, a previous resolution was adopted on June 19, 2013 by the Board of Commission awarding a contract to Maramont Corporation to provide food services in connection with the Summer Food Program; and

WHEREAS, Maramont Corporation has advised the Town that they no longer wish to provide the contracted services; and

WHEREAS, the Mayor and Board of Commissioners wish to continue with the program to provide food to qualified children during the summer; and

WHEREAS, in response to the bids requested by the Town, Nu Way Concessionaires was the next lowest bidder, and

WHEREAS, the Town through its prior experiences with Nu Way Concessionaires is aware of their qualifications and ability to complete the contract; and

WHEREAS, based upon the timing of the rejection of the award by Maramont Corporation and the date the program is to be completed, it has been determined that an emergency exists pursuant to N.J.S.A. 40A:11-6, and

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

**July 17, 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, that the Town Administrator is permitted to enter into an agreement with Nu Way catering for services in connection with the 2013 Summer Food Program. The amount of the contract not to exceed \$86,414.32.

**RESOLUTION**  
**RE: AMENDING THE EFFECTIVE DATE OF THE REAPPOINTMENT OF**  
**CHARLES D'AMICO AS MUNICIPAL COURT JUDGE FOR THE TOWN OF WEST**  
**NEW YORK**

WHEREAS, by resolution adopted May 22, 2013 by the Mayor and Board of Commissioners Charles D'Amico was reappointed as a Municipal Court Judge for the Town; and

WHEREAS, the prior resolution contained an error regarding the effective date of the appointment and the expiration of the term, and

WHEREAS, the Superior Court has advised that the commencement date for the reappointment is the date of the adoption of the May 22, 2013 resolution.

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

1. Charles D'Amico is appointed to serve as Municipal Court Judge for a term of (3) three years commencing on May 22, 2013 and expiring on May 21, 2016.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

**RESOLUTION**  
**RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT TO PAYLOCITY**  
**FOR THIRD PARTY PAYROLL SERVICES**

WHEREAS, the Paylocity, 77 Brant Ave., Suite 206, Clark, New Jersey 07066, has submitted a proposal to provide third party payroll services dated, January 10, 2013, in response to a Request for Qualifications for payroll services; and

WHEREAS, the Commissioner of the Revenue and Finance and the CFO have conducted an evaluation of the proposals received and recommend that Paylocity be awarded a contract to provide payroll services; and

WHEREAS, the Commissioners, have determined that it is necessary for the efficient operation of the Town to enter into a contract with the Paylocity to provide payroll services; and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be approved by the Town Attorney by and between the Town and the Paylocity for the third party payroll, and for an amount to be stated in the agreement.

**July 17, 2013**  
**Regular Meeting**

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

2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.

3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on January 10, 2013, and in accordance with N.J.S.A. 19:44A-20.5 et seq.

4. The initial authorization of this contract shall be for the period 8/1/13 to 7/31/14, and for an amount to be contained in the agreement, but not to exceed \$35,000.

5. This contract is awarded as a result of a Fair and Open Procedure adopted by the municipality in order to comply with the Pay to Play Law (P.L. 2004 Chapter 19 as amended by P.L. 2005, Chapter 51) N.J.S.A. 19:44-20.5 et seq.

6. A copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Paylocity for payroll services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

**RESOLUTION**

**RE: Establishing restricted parking in front of 580 66<sup>th</sup> Street for use by EMS personnel**

WHEREAS, by prior action of the Board of Commissioners a “no parking fire zone” was created in front of the property located on 580 66<sup>th</sup> Street; and

WHEREAS, the need no longer exists for the fire zone as the fire house is no longer in operation; and

WHEERAS, the West New York Ambulance squad now operates out of the property located at 580 66<sup>th</sup> Street and is in need of parking spaces for their vehicles.

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

1. Parking shall be restricted in front of the property located at 580 66<sup>th</sup> for use by EMS vehicles and staff.
2. The Department of Public Safety is permitted to place signs and roadway markings in the area directly adjacent to the property restricting the parking.
3. Any Violation of this restricted parking is subject penalties under Title 39 of the Motor Vehicle Statutes and any applicable local ordinance.
4. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

July 17, 2013  
Regular Meeting

**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  
(1-62<sup>ND</sup> STREET – DONALD SMITH)**

**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.

**No one wished to be heard.**

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 #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.

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

**The following person wished to be heard:**

**1. Wayne Cook, 6131 Jackson Street, WNY:**

Mr. Cook inquired about the purpose of this Ordinance. Town Administrator DeMarco advised that it is the new handbook for all employees, which was drafted by Labor Counsel.

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

July 17, 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 Riccio read the title of the foregoing Bond Ordinance aloud. Town Clerk announced that upon the advice of Bond Counsel William Mayer, the hearing on this Ordinance should be carried to the next meeting (August 21, 2013) as the Local Finance Board meeting has been postponed to early August. Town Clerk further advised hearing on this Ordinance will take place on August 21, 2013 at 12:00 noon.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas to carry the hearing and final adoption of the foregoing Ordinance to August 21, 2013 at 12:00 noon was carried by the following vote:

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

**ORDINANCE #17/13**

**AN ORDINANCE AMENDING CHAPTER 277 OF THE CODE OF THE TOWN OF WEST NEW YORK (RE: PARKING)**

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

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

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

**Note:** Comm. Wiley commented that he has received numerous complaints from police officers regarding receiving summonses for parking at meters during work hours, and that it is not right for employees to “pay to come to work”, and that the Town is not supportive of our police officers. He commented that in the past the Town utilized parking spaces at Riviera Towers, but no longer does so. He further commented that the Town officials must focus on the parking problems in Town as there is a \$2 million dollar deficit in the Parking Authority’s budget. He complained that the Parking Authority is selling the lot located on 66<sup>th</sup> & Park Avenue, which is not the answer to the parking problems in that area. Mayor requested that Comm. Frias explain how the Parking Authority is “closing the gap in the deficit”. Comm. Frias explained that the Parking Authority offers a “professional pass” to anyone who works in WNY but who does not live in WNY. However, no one including a police officer should violate the law by parking in yellow fire zones, etc. Comm. Rodriguez joined conversation by explaining that there is an employee parking lot on 59<sup>th</sup> Street behind the stores which is at no cost to the employees and/or the police officers. Mayor Roque commented that the Town is saving approx. \$5,000 per month by not renewing the lease with Riviera Towers. Discussion ensued about which parking areas are free in the 59<sup>th</sup> Street parking lot and that employees who have yellow decals do not pay for same. Comm. Frias commented that the professional passes are given to protect against receiving summonses pursuant to the Residential Parking program. She explained that some fees have been

**July 17, 2013**  
**Regular Meeting**

(Cont.)

decreased for the residents and their visitors and that \$80,000 additional revenue has been generated to close the gap. Comm. Wiley commented that while the intentions are good, we need vision for the future. Comm. Frias advised that there had been a lot of forgeries being committed in reproduction of the professional passes. Comm. Frias commented that she does not earn \$120,000 per year and that information should be recorded properly when published. Discussion ensued about Parking Authority's future plans to close the deficit. Comm. Frias advised that there has been a \$200,000 payment made toward the outstanding Bonds, which will be paid in full within the next 3 yrs., and that the parking lot located behind Las Palmas on Van Buren Place has been rented to Hudson Honda. Comm. Wiley commented that the Town owns that property and it should be for the residents in the area. He inquired of the Mayor "Do you support selling the parking lot on 67<sup>th</sup> & Park Avenue?" Mayor Roque directed the question to Parking Authority Director Rich Rivera as the lot is owned by the Parking Authority, not the Town. Discussion ensued about lack of use of that lot. Mayor recommended that Comm. Wiley meet with Comm. Frias and Rich Rivera to discuss these issues and his recommendations and to "get involved" in the process. Comm. Frias explained that machines are being upgraded at a cost of \$11,000 per machine and that the Parking Authority is looking for ways to pay for same. She commented that the current machines are "obsolete" and must be replaced to update technology. Comm. Wiley commented that selling lot located on 67<sup>th</sup> & Park Avenue is not the answer to the deficit problem or the parking situation. Mayor commented that the Town is trying to solve the problem. Comm. Rodriguez commented that the parking lot on 59<sup>th</sup> Street behind Bergenline Avenue has always been open to employee parking and she requested that Comm. Wiley advise as to "who" was complaining. Police Director Robert Antolos joined conversation and advised that several police officers were parking their private vehicles in yellow zones and have been advised to discontinue said practice.

**Notice**  
**Ordinance #17/13**

**AN ORDINANCE AMENDING CHAPTER 277 OF THE CODE OF THE TOWN OF WEST NEW YORK (RE: PARKING)**

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 July 17, 2013 and ordered published, and will be further considered before final passage at a public hearing on August 21, 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.

**July 17, 2013**  
**Regular Meeting**

**ORDINANCE #18/13**

**AN ORDINANCE AMENDING CHAPTER 277 SECTION 10 OF THE CODE OF THE TOWN OF WEST NEW YORK (RE: HANDICAPPED PARKING VIOLATIONS)**

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

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

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

**Note:** Comm. Frias explained that the purpose of this Ordinance is to permit the Town to issue summonses for anyone parking in a handicapped space based upon a Town Ordinance as opposed to State Statute. In this way, the Town may retain the fines collected. Town Administrator DeMarco remarked that this Ordinance does not increase the penalty.

**Notice**  
**Ordinance #18/13**

**AN ORDINANCE AMENDING CHAPTER 277 SECTION 10 OF THE CODE OF THE TOWN OF WEST NEW YORK (RE: HANDICAPPED PARKING VIOLATIONS)**

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 July 17, 2013 and ordered published, and will be further considered before final passage at a public hearing on August 21, 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.

**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. Gary Pollock, North Bergen:**

Mr. Pollock inquired "Where is Gil Garcia?" Mayor responded, "He is on vacation."

**2. Danny Parrales, 556 – 59<sup>th</sup> Street, WNY:**

Mr. Parrales commented that the streets are dirty and suggested that garbage containers be placed around Town as they are only located on Bergenline Avenue. Mr. Parrales commented that residents should not be ticketed when parking in yellow zones as there is not enough parking, and that Union City does not ticket in yellow zones. Comm. Frias responded that yellow zones are for fire trucks and safety and the law prohibits parking in those areas as it could pose a safety hazard. Discussion ensued between Mr. Parrales and Comm. Frias regarding cost of updating parking meters and "pay by phone" technology. She asked Mr. Parrales if he had any ideas to raise \$300,000. He responded "Consolidate the Parking Authority with the Town. You don't need a separate entity."

**July 17, 2013**  
**Regular Meeting**

**Public Portion (Cont.):**

**3. Peggy Gaffney, 6600 Blvd. East, WNY:**

Ms. Gaffney inquired “Who oversees Recreation and Senior Citizen buses?” Mayor Roque replied “me”. She commented that the services are great but that last week there was a problem as the bus couldn’t take the senior citizens to the mall or grocery shopping as the bus was blocked by a dumpster and could not exit the lot. She inquired as to who is responsible for overseeing that this doesn’t re-occur. Town Administrator DeMarco acknowledged that he had been notified by several persons of the occurrence and that it was an isolated incident. She also complained that the employees who answer the phones only speak Spanish and that she and others do not speak Spanish so that the employees should speak English as well. She complained that the substitute bus driver was 1 ½ hours late and could not return the Senior Citizens to the original location. Mayor Roque acknowledged the problem and that it would not re-occur. Mr. DeMarco explained that the regular driver was off that day and there was a miscommunication with the substitute driver. He advised that he had a meeting with the appropriate parties to rectify the matter and apologized for the inconvenience. Audience member, Wayne Cook, commented that when he was working for the Board of Education, the Town employees and the Board of Education employees “worked together” with scheduling of buses, etc. Comm. Rodriguez joined conversation and commented about the “Dollar Store” located on Bergenline Avenue. Ms. Gaffney responded “I don’t care about the Dollar Store.” Ms. Gaffney complimented two (2) of the bus drivers, Ernie and John, who she said are “excellent and helpful with the Seniors”.

**4. Wayne Cook, 6131 Jackson Street, WNY:**

Mr. Cook advised that he took care of the sewer plate problem at 62<sup>nd</sup> Street by placing a phone call. He further advised that there is a bid hole in sidewalk at 540 – 61st Street, which is an abandoned house, and which needs to be repaired. He complained that the clock located on 60<sup>th</sup> Street & Bergenline Avenue near Dunkin Donuts is not working properly and that the street lines near each school must be painted before school starts. He commended Police Director Antolos for the recent drug arrests and for re-instituting the Narcotics Unit.

**5. Doug Borden, 6600 Blvd. East, WNY:**

Mr. Borden complained that the park and the area around the building in which he resides are “filthy” and that the trash receptacles are not being emptied and have a “disgusting smell”. He commented that this never occurred when Comm. Wiley was in charge of the DPW Dept. and that the streets were cleaner. Mayor Roque commented that when Comm. Wiley was in charge of DPW Dept., the overtime was \$400,000 more than it is now and that we have to do more with less as “the money is not there”. Mr. Borden further complained that the metal nets need to be replaced by the dog park located on 65<sup>th</sup> Street & Blvd. East. Town Administrator DeMarco commented that the kids remove them but Mr. Borden disagreed. Mr. Borden further advised that there is still no water at the dog park or other parks for that matter. Audience member, Wayne Cook, commented that “there is no water anywhere on Blvd. East”. Discussion ensued between Mr. Cook, Mr. Borden and the Mayor as to who is in charge of maintaining the parks, and Mr. Borden commented that Comm. Vargas is not doing the job. Mr. Borden commented about the parking lot located on 67<sup>th</sup> Street and Park Avenue and the Town’s relationship with the Parking Authority. He inquired as to why we need a separate entity i.e. Parking Authority when the Town is liable for the Parking Authority’s budget gap. Mayor Roque referred the questions to Town Administrator DeMarco. Mr. DeMarco explained “That is the way it was created...as a separate entity. They are self-sufficient and have their own budget. The Town is a co-signer if they default on their loans and is responsible.” Discussion ensued between Mr. Borden and Town Administrator regarding whether there is a need for a separate entity and Mr. Borden commented that “it is another layer of management we don’t need”. Comm. Frias explained that the taxpayers do not pay for Parking Authority employees. Mr. Borden referred to the sale of parking lot at 67<sup>th</sup> & Park Avenue to Capadaglia who he referred to as the “developer of choice”. The Mayor advised that he would not opine on the matter as it is up to Zoning or Planning Board. Comm. Wiley inquired of the Mayor “Do you support the sale or not?” Mayor Roque commented that as a business person and not speaking as the Mayor, he would like to see a Senior Citizen Center built on top of the lot.

**July 17, 2013**  
**Regular Meeting**

**Public Portion (Cont.):**

**5. Doug Borden (Cont.):**

Discussion ensued between Comm. Vargas and Comm. Wiley as to how many employees were in DPW Dept. when Comm. Wiley was in charge and the amount of overtime, and Comm. Wiley commented that Comm. Vargas is “doing a horrible job”. Mr. Borden commented that there is a “noticeable difference” in the area where he lives and walks and that there is a “dirty smell” since Comm. Vargas became in charge. Mayor Roque commented that the Town needs more manpower and funds. Mr. Borden commented that only 2 out of 9 members on the Zoning Board have met the training requirement and passed the exam and expressed his concern about an upcoming project. Discussion ensued about forming a committee, of which the Mayor would like Mr. Borden to be a part, to review future appointees. Mr. Borden commented “It’s too late. You filled them with 15 members. The horse is out of the barn.” Mr. Borden expressed his concern as to why recent board member appointees i.e. Jesus Alvarado, Rosalda Ferrera and German Chapin and attorney Alexander Booth did not file a Financial Ethics Disclosure Statement. Mayor Roque agreed that they must comply.

**6. Wayne Cook, 6131 Jackson Street, WNY:**

Mr. Cook complained that the cellar door by Miller Stadium playground area has still not been repaired and expressed his concerns about children being injured.

**7. Richard Rivera, Director - WNY Parking Authority:**

Mr. Rivera requested that the Board of Commissioners adopt Ordinance #17/13 regarding parking permit fees. He advised that he inherited a \$9 million dollar deficit when he became the Director and that the sale of the parking lot at 67<sup>th</sup> Street & Park Avenue was done prior to his arrival, and that he does not think it should have been sold. He further advised that the Parking Authority will still maintain some parking spaces there. He explained that there was a bidding process followed; that there is “no relationship with Capadaglia” and nothing nefarious took place and that it was publicized and done properly. He further explained that currently the lot is only 20-30% occupied and that the lot located behind Bergenline Avenue is not being utilized properly either and that he is looking for new ways to utilize them. He commented about the proposed “pay by phone system” which will be in place soon and that the current machines are too old, can’t be updated and must be replaced. He advised that he is researching buying new machines thru the Cooperative Purchasing plan. Mr. Rivera described the 62<sup>nd</sup> Street parking garage as “a \$13 million dollar behemoth with no elevator” and has been empty for the past three (3) years. He explained that by leasing it to Hudson Honda, there will be \$50,000 per year revenue received. He advised that when he arrived, the West New York side of Kennedy Blvd. did not have parking meters and that now there is \$500 per week \$24,000 per year revenue being generated. Mr. Rivera commented that there is a publication being circulated, author unknown, and inquired of Comm. Wiley “Is this your publication?” Comm. Wiley didn’t directly respond to his inquiry but commented “You are doing the dirty work for the Mayor. Many people don’t like you. This is a show. Everyone knows your past relationship with the F.B.I. I am not the editor or writer.” Mr. Rivera replied “The salaries are incorrect”. Comm. Wiley made a remark about Harold Schroeder’s “removal”. (Meeting out of control at this point.) Town Administrator DeMarco advised Comm. Wiley that personnel issues should not be discussed. Mayor Roque apologized to Mr. Rivera for Comm. Wiley’s conduct. Mr. Rivera replied that there was no need for the Mayor to apologize for someone else’s actions. Comm. Wiley remarked “You are a snitch” and made a comment about Mr. Rivera putting away 30 or dirty cops. At this point, Town Administrator recommended that meeting be adjourned.

**July 17, 2013**  
**Regular Meeting**

A motion was made by Mayor Roque, seconded by Commissioner Vargas, **to close the Public Portion and Adjourn the meeting at 1:17 p.m.** was carried by the following vote:

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

**Note:**      **Comm. Wiley did not cast a vote.**

\_\_\_\_\_  
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