

**October 23, 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, October 23, 2013 at 7:00 p.m. (6:00 p.m. Work Session):

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

Meeting commenced at 7:14 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 October 23, 2013 at 7:00 p.m., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 17, 2012. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

**Minutes of Previous Meeting:**

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas, that the Minutes of Regular Meeting: 9/27/13 (Regular & Work 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 10/23/13 (Claims are available for public inspection in the Town Clerk's Office):**

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

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

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**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF SEPTEMBER 2013**

1. From Construction Code Official Office, reporting the sum of \$53,440.00 Collected for the month of September 2013.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$1,167.55 Collected for the month of September 2013
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$2,525.00 for Special Licenses collected for the month of September, 2013.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$783.00 for Marriage/death certificates collected for the month of September 2013.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$68.00 for Dogs Licenses collected for the month of September 2013.
6. From (Revenue and Finance Department) reporting the sum of \$7,703,526.10 collected for the month of September 2013.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$69.56 collected for the month of September 2013

It was regularly moved by Commissioner Vargas, seconded by Mayor Roque, 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: Engineer's Report dated 10/18/13**

**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 18, 2013**

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

- **Improvements to Fillmore Place and Dewey Avenue Parks**
  - The project was awarded on September 4, 2012 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 had issued a punchlist for the project and the contractor has substantially completed same. We are currently reviewing the remaining punchlist items.
- **FY2012 NJDOT Municipal Aid Grant and Road Program (67<sup>th</sup> St from JKF 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 held a preconstruction meeting on July 19, 2013. The contractor has substantial completed the project including the concrete work and installation of the roadway surface course.
  - The project has been completed for less than the NJDOT grant amount. We were able to extend the paving limits approximately another 500' to Hudson Avenue which the contractor has finished paving.
  - We are working on the NJDOT close-out for the project.
- **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.
  - We prepared amended renderings, design drawings and back ground information for the Town Grant Coordinator who presented same at the County to request an extension of time for the grants received. The County agreed to a time extension. We also attended a Freeholders meeting on September 10, 2013 to discuss the project.
  - We are currently preparing the design and contract documents for the wall construction.

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- **FY2013 NJDOT Municipal Aid Grant and 2013 Road Program**
  - We had 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 completed the survey work and design work associated with the 66<sup>th</sup> Street improvements which can be funded by the NJDOT Grant. We submitted the design documents to the NJDOT for review.
  - We have completed the survey work for the remaining roads and are currently working on the design.
- **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 and shower, hot water heater, ventilation exhaust system and lockers, new bathroom lighting and ceiling fans, new ADA compliant sinks, repaired the foundation for the stairs, installed new outdoor tables and performed some clearing work. The contractor is currently working on the project and we are awaiting a schedule for its completion.
- **Town Tax Map Revisions**
  - We are currently updating the Town's existing tax maps for a revaluation process. We recently received deed information from the tax assessor which we are reviewing. We anticipate the time to update the tax maps and submit to the State to be in the range of 4-6 months.
- **Improvements to Washington Park**
  - The Town has received a CDBG in the amount of \$400,000 for this project. We prepared a proposal for the preparation of construction plans and contract documents for park improvements.
  - The field survey work has been completed and the base maps are being prepared. Once the base mapping is completed, we will meet with the Town to review the proposed improvements.
- **Improvements to Miller Park**
  - As you are aware, the Town has received Green Acres funding for various improvements to the park. We prepared a proposal for the preparation of construction plans and contract documents for park improvements.
  - The field survey work has been completed and the base maps are being prepared. Once the base mapping is completed, we will meet with the Town to review the proposed improvements.
- **Miscellaneous Engineering**
  - Hudson Avenue from 55<sup>th</sup> to 60<sup>th</sup> Streets: We were asked to review the existing street lighting levels in this area and see if additional lighting could be provided. We met with PSE&G and they have provided an agreement to increase the existing street light wattage for ten (10) lights from the existing 250 watt lights to 400 watt lights in addition to also increasing the cobra head arm length from 8' to 15'. Three (3) additional lights will also be installed. We believe this will significantly increase the light levels in this area.
  - NJDOT FY2014 Trust Fund Grants: The FY2014 NJDOT Grant applications were due September 20, 2013. We prepared and submitted the grant applications for the following roads:
    - 60<sup>th</sup> Street from JFK Blvd West to Madison Avenue (1425')
    - 51<sup>st</sup> Street from Bergenline Avenue to Broadway Avenue (1575')
    - Gaw Place from 56<sup>th</sup> Street to Southern terminus. (200')

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**Note: At this point, Police Director Robert Antolos read aloud the biography of Lt. Mark Flores who is being promoted to the rank of Captain. Town Clerk Carmela Riccie administered the oath of office. Comm. Rodriguez and Mayor Roque thanked Capt. Flores for his years of service, etc.**

**Consent Agenda**

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following Consent Agenda Items Nos. R-1 through R-23 (except R-9 & R-19 which were pulled from agenda during work session) be adopted, was carried by the following vote:

YEAS	- Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
NAYS	- <b>See below notes</b>
ABSENT	- Mayor Roque
ABSTAIN	- <b>See below notes</b>

**Note: Town Clerk Riccie read aloud all titles of Resolutions included on Consent Agenda i.e. R-1 thru R-23 and advised that Resolutions R-9 and R-19 were pulled from agenda during the Work Session. Comm. Wiley voted “No” on the following resolutions: R-4, R-5, R-6, R-8, R-21, R-22 and R-23. Comm. Frias “recused herself” on the following resolutions: R-7 and R-8.**

**RESOLUTION**

**Re: Approving Participation with the State of New Jersey  
Division of Alcoholic Beverage Control Program  
(Office of Juvenile Justice and Delinquency Prevention (OJJDP)  
enforcing the Underage Drinking Laws State Block Grant Program)**

Whereas, the Division of Alcoholic Beverage Control (ABC) is responsible for administering the Office of Juvenile Justice Delinquency Prevention (OJJDP) State Block Grant Program Enforcing the Underage Drinking laws; and

Whereas, the Town of West New York wishes to apply to ABC for funds in the sum of \$3,248.33 in connection with a project entitled “Cops In shops Initiative” for the period 11/15/13 to 8/30/14; and

Whereas, the Town of West New York has reviewed said application and finds approval thereof to be in the best interests of the municipality/ county; and

Whereas, said project is a joint project between the State of New Jersey (ABC) and the Town of West New York for the purposes therein described;

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

1. As a matter of public policy, the Town of West New York wishes to participate with the State of New Jersey (ABC) to the greatest extent possible;
2. The Division of Alcoholic Beverage Control (ABC) be requested to accept said application on behalf of the Town of West New York;
3. The Appropriate fiscal officer will accept the funds in connection with said project from the ABC and make disbursements in accordance with said application.

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Consent Agenda (Cont.):

**RESOLUTION**

**Re: To accept 2013 Municipal Alliance Grant Funding  
Fiscal Grant Extension January 1, 2014 to June 30, 2014**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith-based community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Board of Commissions of the Town of West New York, County of Hudson, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has established a Municipal Alliance Committee; and,

WHEREAS, the Town of West New York was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than a calendar year cycle; and

WHEREAS, funding has been made available to the West New York Municipal Alliance Committee Against Alcoholism and Drug Abuse in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissions does hereby authorize the submission of the grant extension for the West New York Municipal Alliance Committee Against Alcoholism and Drug Abuse grant in the amount of:

DEDR	\$22,889
Cash Match	\$ 5,722
In-Kind	\$17,167

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**Consent Agenda (Cont.):**

**Resolution**

**Re: Authorizing the Town of West New York to seek Fair and Open Process  
in compliance with the Pay to Play Statutes for the retention of  
Various Legal/Professional Services**

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

WHEREAS, the Mayor and Board of Commissioners wish to receive and consider proposals for legal services as may be needed by the Town of West New York, including but not limited to legal/professional services as:

ABC Prosecutor	November 14, 2013	9:30 a.m.
Auditing Service	November 14, 2013	10 a.m.
Bond Counsel	November 14, 2013	10:30 a.m.
Insurance Fund Administrator	November 14, 2013	11 a.m.
Labor Counsel	November 14, 2013	11:30 a.m.
Legal Liability Counsel	November 14, 2013	2 p.m.
Legal Liability Special Counsel	November 14, 2013	2:30 p.m.
Library Board Attorney	November 14, 2013	3 p.m.
Planning Board Attorney	November 14, 2013	3:30 p.m.
Planning Service	November 15, 2013	9:30 a.m.
Zoning Board Attorney	November 15, 2013	10:30 a.m.
Rent Control Attorney	November 15, 2013	11 a.m.
Staff Attorney	November 15, 2013	11:30 a.m.
Tax Appeals Attorney	November 15, 2013	2 p.m.
Tenant Advocacy Attorney	November 15, 2013	2:30 p.m.
Town Engineer	November 15, 2013	3 p.m.
Workers Compensation Attorney	November 15, 2013	3:30 p.m.

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

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for the for various legal/professional services as may be needed by the Town, for each separate board or entity requiring separate legal counsel including but not limited to:

ABC Prosecutor  
Auditing Service  
Bond Counsel  
Insurance Fund Administrator  
Labor Counsel  
Legal Liability Counsel  
Legal Liability Special Counsel  
Library Board Attorney  
Planning Board Attorney  
Planning Service  
Zoning Board Attorney  
Public Defender  
Rent Control Attorney  
Staff Attorney

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

Tenant Advocacy Attorney  
Town Engineer  
Workers Compensation Attorney

3. Such Request for Qualification(s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”), such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
4. The Mayor, with the Town Administrator and the Town Attorney both in an advisory capacity, will review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

**RESOLUTION**

**RE: Appointing Evelina Valdez as a member of the zoning board to fill the unexpired term of Melissa Rodriguez**  
**(Term expires on 12/31/2015)**

WHEREAS, Melissa Rodriguez has resigned from the zoning board; and

WHEREAS, Evelina Valdez is a resident of the Town of West New York living at 6020 Park Avenue, West New York, New Jersey, 07093; and

WHEREAS, Evelina Valdez 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. Evelina Valdez is appointed to serve as a Member of the West New York Zoning Board, to serve for the unexpired portion of a term which will expire on 12/31/2015.
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.**

**RESOLUTION**

**RE: Appointing Juan Luna as a member of the zoning board to fill the unexpired term of Rosaida Ferrera**  
**(Term expires on 12/31/2015)**

WHEREAS, Rosaida Ferrera has resigned from the zoning board; and

WHEREAS, Juan R. Luna is a resident of the Town of West New York living at 603- 57<sup>th</sup> Street, West New York, New Jersey, 07093; and

WHEREAS, Juan Luna 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. Juan Luna is appointed to serve as a Member of the West New York Zoning Board, to serve for the unexpired portion of a term which will expire on 12/31/2015.

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.):**

**Note:**      **Comm. Wiley voted “No” on this Resolution.**

**RESOLUTION**

**RE: Appointing Rizwan Hameed as a member of the planning board to fill the unexpired term of Laritza Marrero (Term expires on 12/31/2016)**

WHEREAS, Laritza Marrero has resigned from the planning board; and

WHEREAS, Rizwan Hameed is a resident of the Town of West New York living at 6705 Park Avenue, West New York, New Jersey, 07093; and

WHEREAS, Rizwan Hameed 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. Rizwan Hameed 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 12/31/2016.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

**Note:**      **Comm. Wiley voted “No” on this Resolution.**

**RESOLUTION**

**Re: Shared Services Agreement between the Town of West New York and the West New York Parking Authority for Use of the Municipal Fuel Depot**

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 428-60<sup>th</sup> Street, West New York, NJ; wishes to enter into a shared services agreement with the West New York Parking Authority (“Authority”), a parking authority established and operating pursuant to N.J.S.A 40:11-1 et. seq. and Section 71-1G of the Town’s Local Ordinance; and

WHEREAS, the Authority wishes to contract with the Town as the contracting unit to have use of the Town’s municipal fuel depot by the Authority, performed via a shared service agreement in order to provide fuel for all Authority vehicles after which the Authority will reimburse the Town for the actual cost of gasoline; and

WHEREAS, sharing services between the Town and the Authority will provide a mutual financial and operational advantage in having the Authority utilize and reimburse the Town for its use of the Town’s municipal fuel supply; and

WHEREAS, N.J.S.A 40A:65-4 et. seq. allows the Town and the Authority to enter into a shared service agreement for the use of the Town’s municipal fuel depot for a 14-month period between November 1, 2013 to December 31, 2014, the cost of which will be reimbursed by the Authority to the Town at actual cost.

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 West New York Parking Authority for the aforementioned services pursuant to a shared services agreement.

**Note:**      **Comm. Frias “recused herself” from voting on this Resolution.**

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**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Shared Services Agreement between the Town of West New York and the West New York Parking Authority for Services of a Qualified Licensed Purchasing Agent**

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 428-60<sup>th</sup> Street, West New York, NJ; wishes to enter into a shared services agreement with the West New York Parking Authority (“Authority”), a parking authority established and operating pursuant to N.J.S.A 40:11-1 et. seq. and Section 71-1G of the Town’s Local Ordinance; and

WHEREAS, the Authority wishes to contract with the Town to have the purchasing activity for the Authority, as the contracting unit, performed via a shared service agreement in order to have prepared public advertisements for bids and to receive bids for the provision or performance of goods or services on behalf of the Authority and to award contracts as permitted in accordance with the Local Public Contracts Law of the State of New Jersey in the name of the Authority, and conduct any activities as may be necessary or appropriate to the purchasing function of the Authority; and

WHEREAS, sharing services between the Town and the Authority will achieve a mutual financial and operational advantage in having the Qualified Purchasing Agent of the Town of West New York perform all of the activities as may be necessary or appropriate to the purchasing function of the Authority; and

WHEREAS, the Town of West New York shall remain the employer of the Qualified Purchasing Agent, Xenia Rivero, and the Town shall be reimbursed on a quarterly basis by the Authority for the cost of the shared services, inclusive of salary and benefits; and

WHEREAS, N.J.S.A 40A:65-4 et. seq. allows the Town and the Authority to enter into a shared service agreement for the shared services of the purchasing function by the Qualified Purchasing Agent in the amount of \$20,900 for a 14-month period from November 1, 2013 to December 31, 2014.

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 West New York Parking Authority for the aforementioned services pursuant to a shared services agreement.

**Note:**      **Comm. Wiley voted “No” on this Resolution. Comm. Frias “recused herself”.**

**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 Computer Consulting and Maintenance Services**

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

WHEREAS, the Mayor and Board of Commissioners wish to receive and consider proposals for legal services as may be needed by the Town of West New York for the professional service of Computer Consulting and Maintenance Services; and

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

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

1. The Town Clerk is authorized and directed to publish and advertise a Request for Proposals for the Computer Consulting and Maintenance Services.

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**Consent Agenda (Cont.):**

**Resolution (Cont.):**

2. Such Request for Qualification(s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance of the opening of the responses to the Requests for Qualifications received ("Statements of Qualifications"), such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
3. The Mayor, with the Town Administrator and the Town Attorney both in an advisory capacity, will review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

**RESOLUTION**

**Re: Appointment of Gennarose Pope as Wellness Coordinator  
for the Town of West New York**

WHEREAS, it is within the best interest of the Town of West New York that Town employees work and live in optimal health; and

WHEREAS, the State of New Jersey Department of the Treasury, Division of Pensions and Benefits and the Town's insurance carriers have requested that the Town name a wellness coordinator to help increase employees' health and thereby reduce related costs and claims; and

WHEREAS, in order to ensure a healthy, productive work environment and reduce the risk of illness to its employees, the Town should fill the position of wellness coordinator; and

WHEREAS, the Town of West New York and the Board of Commissioners wishes to name Gennarose Pope as wellness coordinator;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, that Gennarose Pope is hereby appointed as wellness coordinator for the Town of West New York.

**Resolution**

**Re: Refunds of Redemptions (\$357,840.80)**

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.

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

Name	Block/lot	Cert#	Amount
R. ROTHMAN	56/12	09-084	\$73,031.65
MTAG SVC AS CUST. FOR ATCF II NJ LLC.	28/26	12-0139	\$1,634.35
	61/2	12-0328	\$7,379.88
	127/13	12-0594	\$4,546.29
	65/4	12-0337	\$1,736.36
	5/32 C03-L	12-0022	\$903.11
US BANK CUST FOR TOWER DBW	78/3	11-0202	\$24,390.94
	7/37	12-0040	\$14,081.54
	143/16.01	12-0650	\$30,839.82
	86/7	12-0475	\$11,340.94
ISAAC MORADI	144/11	12-0654	\$14,538.13
	96/11 C00A8	12-0499	\$3,610.60
PAM INVESTORS	109/8	11-0276	\$30,985.24
	52/14	12-0282	\$44,928.37
	33/36.02	11-0085	\$5,938.11
SBMUNICUST C/O LBNJ	100/26	12-0521	\$8,538.69
	67/24	12-0340	\$4,576.93
US BANK CUST. FOR PRO CAPITAL I, LLC	96/11 C00A8	10-178	\$13,538.28
US BK. AS CUST FOR ATR FD-NJ & CAPI	5/32 C03-L	11-0020	\$8,780.64
US BANK CUST. FOR TLCF 2012A, LLC	132/1	12-0611	\$418.14
72 OAK STREET HOLDINGS, LLC	21/15	12-0111	\$37,532.89
US BANK CUST FOR PRO CAPITAL I, LLC	5/32 C05-I	10-015	\$5,357.74
WACHOVIA CUST FOR PLYM PK TAX SRVS	5/32 C05-I	05-0086	\$9,212.86
		Grand total	\$357,840.80

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**Consent Agenda (Cont.):**

**Resolution**  
**Re: Refunds of Overpayment of Taxes (\$7,467.25)**

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
IVAN GARCIA	56/12	\$29.90 *	2013
ISAAC MORADI	144/11	\$3,488.40	2013
	35/1 C008B	\$267.93	2013
PAM INVESTOR	109/8	\$4.52	2013
CLARIMEL INVESTMENTS, LLC	154/15	\$3,676.50	2013

Grand total \$7,467.25

**RESOLUTION**  
**Re: Hudson County Board Tax Appeal (\$5,652.50)**

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
VERGEL, EMIRO C	16/21	\$665.00	2013
	79/23	\$665.00	2013
	21/1.01	\$665.00	2013
SHARMA, ANIL K	85/15 C0007	\$665.00	2013
AMLA A.	85/15 C0008	\$665.00	2013
MARIO BLANCH ATTY. FOR 524 REALTY	152/32.01	\$2,327.50	2013
	GRAND TOTAL	\$5,652.50	

**October 23, 2013**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**  
**Re: Refunds of Premiums (\$50,800.00)**

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
R. ROTHMAN	56/12	09-084	\$8000.00
MTAG SVC. AS CUST.	28/26	12-0139	\$1,000.00
ATCF II NJ LLC	61/2	12-0328	\$1,000.00
	127/13	12-0594	\$1,000.00
	65/4	12-0337	\$11,500.00
US BANK CUST FOR	78/3	11-0202	\$3,200.00
TOWER DBW	143/16.01	12-0650	\$18,000.00
	86/7	12-0475	\$500.00
WACHOVIA CUST FOR	5/32 C05-I	05-0086	\$6,600.00
PLYM PK TAX SRVS			
		Grand total	\$50,800.00

**RESOLUTION**  
**Re: Tax Corrections (Various Properties)**

WHEREAS, 1<sup>st</sup> quarter 2008 tax bill in the amount of \$3,041.67 was sent out for property located at 55 63rd Street a/k/a block 21 lot 6 and

WHEREAS, 4<sup>TH</sup> quarter 2009 added assessment tax bill in the amount of \$2,299.76 was sent out for property located at 305 65<sup>th</sup> Street a/k/a block 30 lot 9 and

WHEREAS, subsequent to the mailing of the tax bill the property was subdivided into 55 63rd Street a/k/a block 21 lots 6.02 reflecting a double billing.

WHEREAS, The Tax Assessor's office placed the added assessment on the wrong property for property located at 305 65<sup>th</sup> Street a/k/a block 30 lot 9.

THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to cancel the stated tax amounts and adjust her records accordingly.

**October 23, 2013**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Cancelling of Taxes (Various Locations)**

WHEREAS, taxes were billed on the 3rd and 4th quarters of 2013 in the amount of \$23,275.00 for property located at 221-23 62nd Street a/k/a block 42 lot 13.02 and;

WHEREAS, taxes were billed on the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2013 in the amount of \$23,275.00 for property located at 6111 Fillmore Place a/k/a block 42 lot 13.01 and;

WHEREAS, the said properties were previously subdivided therefore no taxes should have been billed for 3<sup>rd</sup> and 4<sup>th</sup> quarters for properties located at 221-23 62<sup>nd</sup> Street a/k/a block 42 lot 13.02 and 6111 Fillmore Place a/k/a block 42 lot 13.01

Therefore, the Tax Collector is hereby authorize to cancel the taxes for the 3rd and 4th quarters 2013 and adjust the tax record accordingly .

**RESOLUTION**  
**RE: AUTHORIZING THE INSERSTION IN BUDGET OF SPECIAL ITEM OF REVENUEAND APPROPRIATION – CHAPTER 159 – 2013 Municipal Alliance**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$11,445.00 from County of Hudson, Department of health and Human Services and wishes to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2013 in the sum of \$11,445.00, which is now available as a revenue from:

Miscellaneous Revenues:  
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

2013 Municipal Alliance

BE IT FURTHER RESOLVED that a like sum of \$11,445.00 be and is hereby appropriated under the caption of:

General Appropriations  
(a)Operations Excluded from “CAPS”  
Public and Private Offset by Revenues:

2013 Municipal Alliance

**October 23, 2013**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**RE: AUTHORIZING CONTRACT BETWEEN THE TOWN OF WEST NEW YORK  
AND MASER CONSULTING PA FOR SERVICES OF TOWN PLANNER**

WHEREAS, the Town of West New York is in the process of reviewing its new master plan; and

WHEREAS, the Town in conjunction with the Planning Board has retained the services of Maser Consulting PA to act as Town Planner for this process;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners that the Town Administrator is hereby authorized and directed on behalf of the Town of West New York to enter into a contract with Maser Consulting PA for planning services in connection with the Master Plan.

**RESOLUTION**

**Re: Approval of Municipal Services Agreement between the Town and City View at West  
New York Master Condominium Association 2013**

WHEREAS, City View at West New York Master Association (the "Association") having an address of 318 54<sup>th</sup> Street, West New York, NJ 07093 is responsible for the management of a condominium in the Town, at 6050 Boulevard East known as City View ("Association"); and

WHEREAS, under the New Jersey Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. (the "Act") municipalities are required to reimburse residents of "qualified private communities" for the cost of snow removal, trash (solid waste) removal and street lighting; and

WHEREAS, City View, is a "qualified private community" under the terms of the Act; and

WHEREAS, the Association has indicated that it requested, that the Town enter into an agreement for reimbursement of solid waste and recyclable pickup at City View, such services to actually be provided by the Association for the residents of City View; and

WHEREAS, the Act requires that a municipality annually reimburse a qualified private community in an amount not to exceed the cost that would be incurred by the municipality for not providing services required under the municipal services act directly; and

WHEREAS, the Municipal Administrator has recommended to the Board that an agreement for reimbursement be executed to reimburse the Association based on the total number of households as calculated by the United States Census versus the total number of households in City View as compared to the costs foregone by the Town for not providing solid waste and recyclable removal and disposal services for the residents of City View;

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

1. The municipal administrator is hereby authorized to enter into an agreement for reimbursement of solid waste and recyclable transportation and/or removal services with the Association to reimburse the Association in a form acceptable to the Board of Commissioners as evidenced by his signature thereon, such agreement shall contain the following terms:

**October 23, 2013**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

- a. The amount of reimbursement for solid waste and recyclable material transportation and disposal provided to City View shall be based upon the per-household (dwelling unit) cost that the Town would incur by providing such service to the City View. It shall be determined by calculating what the percentage the number of households (dwellings/units) in City View is to the total number of households in West New York as reported by the United States Census. The amount of reimbursement shall be the product of that percentage applied to the actual total costs incurred by the Town to provide such services to all other households throughout the Town in the preceding fiscal year, but in no event more than the actual costs incurred by City View.
  - b. City View and the Association shall make its books and records available to the Town for audit as to the actual costs that it has incurred for the services for which it seeks or has received reimbursement. Any excess reimbursement received by City View shall be returned to the Town upon its demand or credited to future reimbursement payments, at the sole discretion of the Town.
  - c. No provision of such agreement shall be construed to affect or limit the obligation of the Town to collect solid waste and recyclable materials or the terms, conditions or manner in which the Town of West New York determines to do so whatsoever, and the agreement shall specifically disclaim and waive the right of City View to claim anything other than the calculation of reimbursement provided for under the terms of the agreement.
  - d. City View, the Association, their members, agents and employees shall be solely responsible for the manner and conditions under which they provide for the collection of solid waste and recyclable materials, and nothing in the agreement entered into with the Town shall excuse their full compliance with all laws, rules and regulations pertaining to such activities.
  - e. City View and the Association shall cease to be eligible for reimbursement in the event that City View, the Association, their members, agents and/or employees 1) fail to continue to provide for the removal of solid waste and recyclables, 2) fail to comply with applicable health, safety and recycling laws, rules and regulations on a persistent basis, and/or 3) fail to take necessary steps to cure, and in the future prevent, any health or safety violation connected with its solid waste or recyclable operations for which it receives notice of violation.
  - f. The obligations of the Town for reimbursement shall not exceed the requirements for reimbursement under the Act, and any future diminution of such obligations shall entitle the Town to a prospective reduction in its obligations under any agreement with a qualifying association.
  - g. The agreement may contain a clause permitting the Municipal Administrator to modify such agreement from time to time, but in no event more than once annually, based on the actual costs of transportation and/or removal of solid waste and recyclable material incurred by the Town, and any changes in the number of households within the Town, upon a receipt of such request of modification from the Association or its successor.
  - h. Such agreement as negotiated shall be otherwise in accord with the Terms of the Act and shall be reviewed and approved by the Town Attorney.
2. A copy of this resolution, and the agreement once executed, shall be kept on file in the office of the Municipal Clerk for public inspection.

**October 23, 2013**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

3. The Municipal Administrator is hereby authorized to determine the number of the percentage the number of households (dwellings units) in City View is to the total number of households in West New York as reported by the United States Census, based on a figure for the total number of such household not less than 15,000 or more than 20,000.
4. Such agreement may provide for reimbursement for those services otherwise reimbursable under the terms herein, for the period January 1, 2013 to December 31, 2013, and any payment made in 2013, in reimbursement for those services otherwise reimbursable under the terms herein, is hereby ratified and approved.

**Note:**      **Comm. Wiley voted “No” on this Resolution.**

**RESOLUTION**

**Re: Approval of Municipal Services Agreement between the Town and Versailles Apartments 2013**

WHEREAS, the Versailles is located at 6600 John F. Kennedy Blvd E, West New York, NJ 07093; and

WHEREAS, under the New Jersey Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. (the “Act”) municipalities are required to reimburse residents of “qualified private communities” for the cost of snow removal, trash (solid waste) removal and street lighting; and

WHEREAS, the Versailles, is a “qualified private community” under the terms of the Act; and

WHEREAS, the Versailles has indicated that it requested that the Town enter into an agreement for reimbursement of solid waste and recyclable pickup at Versailles, such services to actually be provided by the Versailles for its residents; and

WHEREAS, the Act requires that a municipality annually reimburse a qualified private community in an amount not to exceed the cost that would be incurred by the municipality for not providing services required under the municipal services act directly; and

WHEREAS, the Municipal Administrator has recommended to the Board that an agreement for reimbursement be executed to reimburse the Versailles based on the total number of households as calculated by the United States Census versus the total number of households in Versailles as compared to the costs foregone by the Town for not providing solid waste and recyclable removal and disposal services for the residents of Versailles;

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

1. The municipal administrator is hereby authorized to enter into an agreement for reimbursement of solid waste and recyclable transportation and/or removal services with the Versailles to reimburse the Versailles in a form acceptable to the Board of Commissioners as evidenced by his signature thereon, such agreement shall contain the following terms:
  - a. The amount of reimbursement for solid waste and recyclable material transportation and disposal provided to Versailles shall be based upon the per-household (dwelling unit) cost that the Town would incur by providing such service to the Versailles. It shall be determined by calculating what the percentage the number of households (dwellings/units) in Versailles is to the total number of households in West New York as reported by the United States Census. The amount of reimbursement shall be the product of that percentage applied to the actual total costs incurred by the Town to provide such services to all other households throughout the Town in the preceding

fiscal year, but in no event more than the actual costs incurred by the Versailles.

**October 23, 2013**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

- b. The Versailles shall make its books and records available to the Town for audit as to the actual costs that it has incurred for the services for which it seeks or has received reimbursement. Any excess reimbursement received by the Versailles shall be returned to the Town upon its demand or credited to future reimbursement payments, at the sole discretion of the Town.
  - c. No provision of such agreement shall be construed to affect or limit the obligation of the Town to collect solid waste and recyclable materials or the terms, conditions or manner in which the Town of West New York determines to do so whatsoever, and the agreement shall specifically disclaim and waive the right of the Versailles to claim anything other than the calculation of reimbursement provided for under the terms of the agreement.
  - d. The Versailles, their members, agents and employees shall be solely responsible for the manner and conditions under which they provide for the collection of solid waste and recyclable materials, and nothing in the agreement entered into with the Town shall excuse their full compliance with all laws, rules and regulations pertaining to such activities.
  - e. The Versailles shall cease to be eligible for reimbursement in the event the Versailles, their members, agents and/or employees 1) fail to continue to provide for the removal of solid waste and recyclables, 2) fail to comply with applicable health, safety and recycling laws, rules and regulations on a persistent basis, and/or 3) fail to take necessary steps to cure, and in the future prevent, any health or safety violation connected with its solid waste or recyclable operations for which it receives notice of violation.
  - f. The obligations of the Town for reimbursement shall not exceed the requirements for reimbursement under the Act, and any future diminution of such obligations shall entitle the Town to a prospective reduction in its obligations under any agreement with a qualifying Versailles.
  - g. The agreement may contain a clause permitting the Municipal Administrator to modify such agreement from time to time, but in no event more than once annually, based on the actual costs of transportation and/or removal of solid waste and recyclable material incurred by the Town, and any changes in the number of households within the Town, upon a receipt of such request of modification from the Versailles or its successor.
  - h. Such agreement as negotiated shall be otherwise in accord with the Terms of the Act and shall be reviewed and approved by the Town Attorney.
2. A copy of this resolution, and the agreement once executed, shall be kept on file in the office of the Municipal Clerk for public inspection.
  3. The Municipal Administrator is hereby authorized to determine the number of the percentage the number of households (dwellings units) in the Versailles is to the total number of households in West New York as reported by the United States Census, based on a figure for the total number of such household not less than 15,000 or more than 20,000.
  4. Such agreement may provide for reimbursement for those services otherwise reimbursable under the terms herein, for the period January 1, 2013 to December 31, 2013, and any payment made in 2013, in reimbursement for those services otherwise reimbursable under the terms herein, is hereby ratified and approved.

**Note: Comm. Wiley voted “No” on this Resolution.**

**October 23, 2013  
Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Approval of Municipal Services Agreement between the Town and Tower West Apartments Tower West, Inc. 2013**

WHEREAS, Tower West Apartments Tower West, Inc. is located at 6050 John F. Kennedy Blvd E, West New York, NJ 07093; and

WHEREAS, under the New Jersey Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. (the “Act”) municipalities are required to reimburse residents of “qualified private communities” for the cost of snow removal, trash (solid waste) removal and street lighting; and

WHEREAS, Tower West, is a “qualified private community” under the terms of the Act; and

WHEREAS, the Tower West has indicated that it requested that the Town enter into an agreement for reimbursement of solid waste and recyclable pickup at Tower West, such services to actually be provided by the Tower West for the residents of Tower West; and

WHEREAS, the Act requires that a municipality annually reimburse a qualified private community in an amount not to exceed the cost that would be incurred by the municipality for not providing services required under the municipal services act directly; and

WHEREAS, the Municipal Administrator has recommended to the Board that an agreement for reimbursement be executed to reimburse the Tower West based on the total number of households as calculated by the United States Census versus the total number of households in Tower West as compared to the costs foregone by the Town for not providing solid waste and recyclable removal and disposal services for the residents of Tower West;

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

1. The municipal administrator is hereby authorized to enter into an agreement for reimbursement of solid waste and recyclable transportation and/or removal services with the Tower West to reimburse the Tower West in a form acceptable to the Board of Commissioners as evidenced by his signature thereon, such agreement shall contain the following terms:
  - A. The amount of reimbursement for solid waste and recyclable material transportation and disposal provided to Tower West shall be based upon the per-household (dwelling unit) cost that the Town would incur by providing such service to the Tower West. It shall be determined by calculating what the percentage the number of households (dwellings/units) in Tower West is to the total number of households in West New York as reported by the United States Census. The amount of reimbursement shall be the product of that percentage applied to the actual total costs incurred by the Town to provide such services to all other households throughout the Town in the preceding fiscal year, but in no event more than the actual costs incurred by Tower West.
  - B. Tower West shall make its books and records available to the Town for audit as to the actual costs that it has incurred for the services for which it seeks or has received reimbursement. Any excess reimbursement received by Tower West shall be returned to the Town upon its demand or credited to future reimbursement payments, at the sole discretion of the Town.
  - C. No provision of such agreement shall be construed to affect or limit the obligation of the Town to collect solid waste and recyclable materials or the terms, conditions or manner in which the Town of West New York determines to do so whatsoever, and the agreement shall specifically disclaim and waive the right of Tower West to claim

anything other than the calculation of reimbursement provided for under the terms of the agreement.

**October 23, 2013**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

- D. Tower West, their members, agents and employees shall be solely responsible for the manner and conditions under which they provide for the collection of solid waste and recyclable materials, and nothing in the agreement entered into with the Town shall excuse their full compliance with all laws, rules and regulations pertaining to such activities.
  - E. Tower West shall cease to be eligible for reimbursement in the event that Tower West, the Tower West, their members, agents and/or employees 1) fail to continue to provide for the removal of solid waste and recyclables, 2) fail to comply with applicable health, safety and recycling laws, rules and regulations on a persistent basis, and/or 3) fail to take necessary steps to cure, and in the future prevent, any health or safety violation connected with its solid waste or recyclable operations for which it receives notice of violation.
  - F. The obligations of the Town for reimbursement shall not exceed the requirements for reimbursement under the Act, and any future diminution of such obligations shall entitle the Town to a prospective reduction in its obligations under any agreement with a qualifying Tower West.
  - G. The agreement may contain a clause permitting the Municipal Administrator to modify such agreement from time to time, but in no event more than once annually, based on the actual costs of transportation and/or removal of solid waste and recyclable material incurred by the Town, and any changes in the number of households within the Town, upon a receipt of such request of modification from the Tower West or its successor.
  - H. Such agreement as negotiated shall be otherwise in accord with the Terms of the Act and shall be reviewed and approved by the Town Attorney.
- 2. A copy of this resolution, and the agreement once executed, shall be kept on file in the office of the Municipal Clerk for public inspection.
  - 3. The Municipal Administrator is hereby authorized to determine the number of the percentage the number of households (dwellings units) in Tower West is to the total number of households in West New York as reported by the United States Census, based on a figure for the total number of such household not less than 15,000 or more than 20,000.
  - 4. Such agreement may provide for reimbursement for those services otherwise reimbursable under the terms herein, for the period January 1, 2013 to December 31, 2013, and any payment made in 2013, in reimbursement for those services otherwise reimbursable under the terms herein, is hereby ratified and approved.

**Note:**      **Comm. Wiley voted “No” on this Resolution.**

**October 23, 2013**  
***Regular Meeting***

**ORDINANCE #24/13**

**An Ordinance Amending Chapter 277 of the Code of the Town of West New York  
(Parking Permits and Vouchers)**

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

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas 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  
RECUSED - Commissioner Frias

**Notice**

**Ordinance #24/13**

**An Ordinance Amending Chapter 277 of the Code of the Town of West New York (Parking Permits and Vouchers)**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **October 23, 2013** and ordered published, and will be further considered before final passage at a public hearing on **November 20, 2013** at **7:00 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. 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, N.J.

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

**ORDINANCE #25/13**

**An Ordinance amending Ordinance #'s 9/11 & 8/10 entitled  
"Salary Ordinance from 7/1/11 to 12/31/15"**

**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 - Commissioner Wiley

**October 23, 2013**  
**Regular Meeting**

**Notice**  
**ORDINANCE #25/13**

**An Ordinance amending Ordinance #'s 9/11 & 8/10 entitled**  
**“Salary Ordinance from 7/1/11 to 12/31/15”**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **October 23, 2013** and ordered published, and will be further considered before final passage at a public hearing on **November 20, 2013 at 7:00 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. 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, N.J.

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

**ORDINANCE #26/13**

**An ordinance amending ordinance #1825 entitled: “An ordinance prescribing the fees required for metered parking for all off-street and on-street parking; the penalty for the violations of said requirements, the time limits for all metered parking; and repealing conflicting ordinances”**

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

It was regularly moved by Mayor Roque, 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 - Commissioner Wiley  
RECUSED – Commissioner Frias

**Notice**  
**ORDINANCE #26/13**

**An ordinance amending ordinance #1825 entitled: “An ordinance prescribing the fees required for metered parking for all off-street and on-street parking; the penalty for the violations of said requirements, the time limits for all metered parking; and repealing conflicting ordinances”**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **October 23, 2013** and ordered published, and will be further considered before final passage at a public hearing on **November 20, 2013 at 7:00 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. 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, N.J.

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

**October 23, 2013**  
**Regular Meeting**

**At the request of Town Clerk, Mayor Roque opened the Public Portion.**

**Public Portion:**

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

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

Mr. Cook commented that the Police Dept. is doing a “fine job” in that the crime rate is down; however, he recommended that the Town hire more police officers. Mr. Cook commented about overgrown trees at 61<sup>st</sup> Street and Jackson. He further commented that a person has been hired to work in the Parks Dept. who lives out of town i.e. Secaucus and that he won’t mention that person’s name out of respect for his father. He recommended that any changes made to parking rules/regulations be posted in a more conspicuous place (newspaper, website, etc.) so that the residents are aware of the changes. Town Clerk Riccie advised that pursuant to the requirements of law, all ordinances are published in the newspaper. Mr. Cook commented that three (3) generations of his family, including his grandchildren, come from WNY and inquired as to the Mayor’s position regarding an elected school board membership. Mayor Roque responded “whatever the town residents decide” and that he has no problem with an elected school board. Comm. Wiley stated that supports an elected board as “it is necessary”. Mr. Cook inquired as to the other Commissioners’ position on this subject to which Comm. Frias, Comm. Rodriguez and Comm. Vargas all replied “no comment”. Mr. Cook commented that the Mayor has “some moxie” for his position; that Comm. Wiley has “a lot of moxie” and that the other Commissioners have “no moxie” for not taking a position. Comm. Frias explained that she wished to reserve her comments at this time. Mr. Cook commented that it is his position that an elected school board is better for the Town as there is too much politics. He referred to a recent hiring of a custodian at the last Board of Education meeting, who is the sister of a politician but did not elaborate on her identity, but commented that it would be reported to the Commissioner of Education.

**2. Cesar Sabino, 223 – 60<sup>th</sup> Street, WNY:**

Mr. Sabino stated that it is not appropriate for the Board of Commissioners to have “no comment” regarding an elected school board. He further stated that the citizens of the Town deserve the right to know where the Commissioners stand on the matter as they are elected officials. Comm. Rodriguez explained that the public can express its opinion and that she wants to hear what the public wants and didn’t feel it is appropriate to comment now. Mr. Sabino disagreed with Comm. Rodriguez’s position and praised Comm. Wiley for stating his position. Mr. Sabino inquired as to whether Comm. Frias had “endorsed Governor Christie” to which Comm. Frias replied “Did you read it? It is self-explanatory.” Town Attorney Garcia added “It speaks for itself. Make your own conclusion.” Mr. Sabino commented that Gov. Christie’s history is not beneficial for the Town of WNY as it hurts the people of this Town i.e. union worker, teachers, police officers and firefighters. He further commented that the Governor is against Unions, which is not in the best interest of this Town, and that it has nothing to do with being Democrat or Republican. He further commented that the Governor has done some good things but overall his actions have hurt this Town and that other people feel the same way as he. He further commented that as elected officials, the Board of Commissioners should “look out for the residents” and that while he respects Comm. Frias’ decision, he doesn’t understand it. Town Attorney Gil Garcia inquired as to how much weight Mr. Sabino has lost. Mr. Sabino replied that he is a Physical Education teacher, that he practices what he preaches and that he has lost 112 lbs.

**3. Gary Pollack, North Bergen:**

Mr. Pollack commented that the Town Attorney was “absent” from the Commission Meetings at the same time that the Mayor was absent and inquired as to his whereabouts during the months of July, August and September. Town Attorney Garcia replied “I heard you were asking for me. July, I was on vacation, August I had abscess in tooth and

surgery, September involved in personal matter. Mr. DeMarco did an excellent job in my absence. Perhaps I'm not needed here."

**October 23, 2013**  
**Regular Meeting**

**Public Portion (Cont.)**

**4. Maria Sequeira, 5129 Bergenline Avenue, WNY:**

Ms. Sequeira advised that she lives on Bergenline Avenue and stated "I hate Bergenline". She advised that her neighbors do not have the time to attend commission meetings but are experiencing the same problems as she i.e. loud music all of the time from cars and store speakers, etc. She commented that people should be educated that Bergenline Avenue is not only for commercial purposes but that people reside there as well and need to be able to sleep. She complained that in addition to the loud noise, the sidewalks are dirty and that the store renters should be responsible for cleaning their sidewalks. She also complained that the trees are being littered with papers and that she personally removes them in her area and that people tie their bicycles to the trees, which causes damage to the trees. She complained about the loud music emanating from "Rumba Bar" at corner of 51<sup>st</sup> Street and Bergenline Avenue and intoxicated people urinating and vomiting on the sidewalks. She inquired as to why these things are permitted to continue and stated "I need to live in peace". Mayor Roque replied that each time she contacts him with a complaint, he resolves it. She commented that the police officers need to be educated as to what is illegal and the laws need to be enforced. She congratulated the Mayor on the outcome of his court case.

**5. Ron Scheurle, 6119 Tyler Place, WNY:**

Mr. Scheurle addressed his inquiry to the Town Attorney. Mr. Scheurle referred to a contract the Town has with Galaxy for pickup of Type 13 garbage, etc. and that the WNY DPW workers were being required to perform the duties that Galaxy was contracted and paid to perform. He advised that at one point there was a dumpster from a North Bergen company located in our DPW garage. He further advised that he complained to the Union in Trenton but that nothing was done about it. He further advised that he had also advised the Town Administrator at that time. He inquired "Is there double dipping going on?" After that, Galaxy resumed the duties. He inquired as to why WNY taxpayers were paying a North Bergen Company when there the Town had a contract with Galaxy. Town Attorney Gil Garcia advised that the matter is in litigation and that all of Mr. Scheurle's allegations have certain truth to them, but that whatever problem had existed has been corrected. Mr. Garcia advised that the contract with Galaxy for pickup of Type 13 garbage was clearly defined but that he could not discuss this matter any further at this time. He reiterated to Mr. Scheurle "You are right in everything you are alleging." Mr. Scheurle commented that "We are being taxed to death. I am a Republican and a union person. Christie stopped a lot of wrong doing." Mr. Scheurle directed his next question to Town Administrator DeMarco. "An OEM generator was given to you during Hurricane Sandy and you took it out of Hudson County, is that true?" Mr. DeMarco replied that he didn't know if it was a West New York generator or not; that Lou Cannao gave it to him and he took it home for four (4) days to use after the storm and then gave it back. Mr. Scheurle responded that Bergen County fired peoples who did that. He further inquired as to whether a generator had been sent to Son Cubano during the hurricane. Mr. DeMarco explained that a light tower which had generator capacity was brought down to Son Cubano to be used as a charging station for cell phones, etc. for use by residents of Grandview I and Grandview II. He further advised that the Middle School and other public housing buildings also provided said service. Mr. Scheurle commented that a business located on 54<sup>th</sup> Street was also given a generator. He further commented that everyone needed electricity, not just a few people, and that the taxpayers deserved respect.

**October 23, 2013**  
**Regular Meeting**

**Public Portion (Cont.)**

**6. Angel Barquin, 432 – 58<sup>th</sup> Street, WNY:**

Mr. Barquin advised of a “safety issue” on Palisade Avenue at 58<sup>th</sup> Street. He advised that there is a Church and a child care facility located in that area and that a four (4) way stop sign should be installed as trucks unload merchandise which creates traffic issues. He advised that the Church’s Reverend has been complaining about this condition for years as he is concerned about the safety of the children. Comm. Rodriguez inquired as to whom the Reverend has complained as this is the first notification she has received. Mr. Barquin responded that he has been asking for the past 10 years through the different Administrations. Comm. Rodriguez inquired as to the name of the Reverend to which Mr. Barquin replied “Pablo Flores” and that he helps people for free with ESL classes, etc. Comm. Rodriguez repeated that this was the first time she heard of this situation. Mr. Barquin commented about condition of former embroidery shop located at 6302 Madison Street. Town Administrator DeMarco advised that he and Vinnie Rivelli did a site inspection but are unable to track owners of property. Mr. Barquin commented that he had given the information to Mr. Rivelli a long time ago that the ceiling is collapsing and that there are rats, etc. inside the building. Mr. DeMarco advised that he would discuss this matter later with him. Town Attorney Garcia advised Mr. Barquin that his time to speak had expired.

**7. Francisco Ferreiro, 5206 Bergenline Avenue, WNY:**

Mr. Ferreiro commented that there is a hiring freeze but that people continued to be hired. He referred to the hiring of Assemblyman Prieto’s two (2) children as “political favors”. He commented that there are many WNY residents without jobs. Mayor Roque advised Mr. Ferreiro of the amount of time he had remaining to speak. Town Attorney Garcia advised that inasmuch as this deals with personnel issue, it could not be discussed. Mr. Ferreiro inquired as to why the Town pays for a landscaper for Boulevard East when the Town employs enough people and has its own equipment to perform those duties. Mayor advised as to amount of time remaining to speak. Mr. Ferreiro commented that Town employees cleaned out the house located on Lincoln Place which is owned by the Mayor. He also commented that Comm. Rodriguez’s daughter had allegedly not been re-hired due to political retaliation because Mr. Acosta’s son was denied maternity leave. Comm. Rodriguez responded that she would discuss that issue with Mr. Ferreiro in her office. Mr. Ferreiro expressed his dismay that no one was answering his questions and stated “You are dealing with people’s lives”. Mayor Roque commented that he would not respond to his questions. Mr. Ferreiro commented that the Mayor had a tree cut in order to install a street sign in honor of the Mayor’s father. The Mayor commented that he would not respond to his comment to which Mr. Ferreiro responded “You are the worst Mayor this Town has ever had.”

**8. Former Mayor Silverio Vega, 6600 Blvd. East, WNY:**

Former Mayor commented that the best thing that happened during the meeting is the promotion of Lt. Mark Flores. He commented that he is an example of the type of person our school system produces. He further commented that as Mayor and the appointing authority of the School Board members that the Mayor shouldn’t play politics with the Board of Education appointments and that the Mayor has the ability to do the right thing and that his comments should be taken as advice and not as criticism. He further commented that he was glad that Town Attorney Garcia is feeling better and that when he inquired as to whether Mr. DeMarco was acting in the capacity of Acting Town Attorney, he was told “no”.

**October 23, 2013**  
***Regular Meeting***

A motion was made by Commissioner Frias, seconded by Commissioner Rodriguez, **to close the Public Portion and Adjourn the meeting at 8:10 p.m.** was carried by the following vote:

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

\_\_\_\_\_  
Commissioner FiorD'Aliza Frias

\_\_\_\_\_  
Commissioner Caridad Rodriguez

\_\_\_\_\_  
Commissioner Ruben Vargas

\_\_\_\_\_  
Commissioner Count J. Wiley

\_\_\_\_\_  
Mayor Felix E. Roque  
Board of Commissioners

Attest:

\_\_\_\_\_  
Carmela Riccie  
Town Clerk