

July 20, 2011
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 20, 2011 at 7:00 p.m. (6:00 p.m. Work Session).

Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
Absent: None
Also Present: Town Attorney Julio Morejon, Town Administrator Joseph McConnell, and Town Clerk Carmela Riccie

Meeting commenced at 7:25 p.m.

At the request of Mayor Roque, 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 20, 2011 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 May 17, 2011. 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.

Note: At the request of Mayor Roque, Town Clerk Carmela Riccie read aloud the titles of all items on the agenda.

Minutes of Previous Meeting:

It was regularly moved by Commissioner Vargas seconded by Commissioner Rodriguez, that the Minutes of Regular Meeting: 6/15/11 (Regular and Work Sessions) and Special Meeting 6/29/11 (Regular and Work Sessions) be approved as recorded, was carried by the following vote:

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

Claims: Dated 7/20/11 (Claims are available for public inspection in the Town Clerk's Office):

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

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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF JUNE 2011

1. From Construction Code Official Office, reporting the sum of \$30,220.00 collected for the month of June 2011.
2. From Captain Donald Gribben (Police Dept.) reporting the sum of \$12,339.00 collected for the month of June 2011.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$29,125.00 Special Licenses collected for the month of June 2011.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$582.00 for Marriage/death certificates collected for the month of June 2011.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$136.00 for Dogs Licenses Issued for the month of June 2011.
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$791,764.81 collected for the month June 2011.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$500.00 collected for the month of June 2011.

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

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

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Bid Results

Re: Jantek Jtwain-Jupiter time & Attendance Software (or equal)

BID PROPOSAL FORMATION

Proposal Receipt Date: July 19, 2011 Budgeted Amount: \$
Proposal Time: 10:00 am Estimated Amount: \$
Location for proposal: Town Clerk's Office
Proposal for: Jantek Jtwain-Jupiter Time & Attendance Software (or equal)
Department of:
Personnel at Opening: Town Clerk Carmela Riccie & Jennie DelRio
Remarks: Time to receive bids was closed at 10:05 a.m.
Reserved decision pending review by law department.
BIDDER #1 NO BIDS RECEIVED

RFQ Results

Re: Litigation/OPRA Compliance Counselor

RFQ PROPOSAL FORMATION

Proposal Receipt Date: July 19, 2011
Proposal Time: 11:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Litigation/OPRA Compliance Counselor
Personnel at Opening: Town Clerk Carmela Riccie and Jennie DelRio
Remarks: Time to receive RFQs was closed at 11:05 a.m.
RESPONDER #1 (Name) Florio & Kenny, LLP
(Address) 5 Marine View Plaza Suite 103
P.O. Box 771
Hoboken, NJ 07030
RESPONDER #2 (Name) Law Offices of Julio C. Morejon, P.C.
211-60th Street 2nd Floor
West New York, NJ 07093

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Communication
Re: Appointment of Michael Indri as Police Director of WNY Police Department

August 18, 2011

Captain Michael Indri
West New York Police Department
428 60th Street
West New York, NJ 07093

APPOINTMENT OF MICHAEL INDRI
AS DIRECTOR OF THE PUBLIC SAFETY DEPARTMENT

Dear Captain Indri:

By this letter, I appoint you to the position of Director of the Public Safety Department effective July 20, 2011, to serve at the pleasure of the Director of the Department of Public Safety.

As you are aware, the Director of the Public Safety Department performs an important function for our Town and its citizen, and I am sure that you will continue to provide a significant contribution to the protection of West New York through your service. You will be required to take the required oath prior to the commencement of your services.

Thank you for your service to West New York.

Very truly yours,

By: _____
Felix E. Roque, MD, Mayor/Commissioner
of Department of Public Safety

cc: Carmela Riccie, RMC, Town Clerk
Joseph McConnell, Municipal Administrator
Julio C. Morejon, Town Attorney

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Proclamation
Re: Honoring Alida Cleer

La periodista venezolana Alida Cleer, siempre se sintio atraida por los medios de comunicacion lo que la llevo aun siendo muy joven a titularse como locutora en Radio Maracay donde conducia su propio programa "Alida en Vivo", con el paso del tiempo fu adquiriendo experiencia lo que la llevo a que ademas de tener su propio show, narrara noticias en Cima 95.1 FM, para mas tarde pasar a su gran pasion la television, alli compagino las noticias de la television con la radio llegando a formar parte de la gran familia de "Radio Caracas Radio", donde cubrio diferentes Fuentes de informacion general, como politica, diplomacia y economia sin dejar a un lado la seccion de "espectaculos", luego de ganar varios premios decide traslarsese New Jersey especificamente aqui a West New York y comenzar desde cero en este dificil mundo del entretenimiento.

Sus notas de espectaculos en "El Nuevo Hudson" y conduciendo el programa de farandula "Movidissimo" del canal 35 la llevan a ganarse un merecido lugar dentro del entretenimiento y pasa a formar parte de la revista "Mira", donde realizo importantes reportajes para artistas de la talla de Jennifer Lopez, Luis Miguel, Gilberto Santarosa, Gloria Estefan entre otros, realizando interesantes reportajes y entrevistas en los mercados de Mia, New York y Los Angeles por espacio de 9 anos siendo la vocera official, para los programas de entretenimiento de Univision y Telemundo y de las emisoras de radio con espacios dedicados a la farandula. Ademas de formar parte del equipo de "People en Espanol". En la actualidad Alida continua con varios proyectos en sus manos ya que se encuentra escribiendo su primer poryecto literario "Quien dijo que no se puede", y siendo la corresponsal en New York del diario venezolano "El Periodiquito" y escribiendo para "El Nuevo Americano."

Consent Agenda

It was regularly moved by Commissioner Wiley, seconded by Commissioner Rodriguez that the following Consent Agenda Item Nos. R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, R-10, R-11, R-12, R-13, R-14, R-15, R-16, R-17, R-18, R-19, R-20, R-21, R-22, and R-23 be adopted, was carried by the following vote:

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

Note: At the request of Mayor Roque, Town Clerk Carmela Riccie read the titles and item numbers included on the Consent Agenda.

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Consent Agenda (Cont.):

RESOLUTION
RE: APPOINTMENT OF A POLICE DIRECTOR
OF THE WEST NEW YORK POLICE DEPARTMENT

WHEREAS, Michael Indri, is currently serving as Captain in the West New York Police Department, and

WHEREAS, pursuant to Local Ordinance No. 12/10 and 8/09, the Police Department may consist of no more than one Director, and

WHEREAS, the Mayor as Commissioner of the Department of Public Safety hereby appoints Michael Indri as Director of the West New York Police Department, and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to confirm the appointment of Michael Indri to serve as Director to the West New York Police Department, and

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

1. The Board of Commissioners hereby ratify the appointment of Michael Indri as Director of the West New York Police Department; and
2. The appointment of Michael Indri as Director of the West New York Police Department, shall take effect July 20, 2011; and
3. Michael Indri shall serve as Director of the West New York Police Department at the pleasure of the Commissioner of the Department of Public Safety;

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF TOWN ENGINEER (SPECIAL PROJECTS)

WHEREAS, CME Associates, of 3141 Bordentown Avenue, Parlin, New Jersey 08859, has submitted a proposal to serve as Town Engineer dated, June 15, 2011, in response to a, Request for Qualifications for Town Engineer; and

WHEREAS, the Mayor as Commissioner of the Department of Public Safety has duly appointed the engineering firm of CME Associates to work on special projects to be designated by the Town, and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to compensate the services of the engineering firm of CME Associates to serve as Town Engineer to work on special projects to be designated by the Town, and enter into a contract with the engineering firm of CME Associates to provide for the services of Town Engineer to work on special projects to be designated by the Town; and

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

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

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

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Consent Agenda (Cont.):

Resolution (Cont.):

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and the engineering firm of CME Associates for the services of the engineering firm of CME Associates for the services of Town Engineer, to work on special projects to be designated by the Town, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on June 17, 2011, 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 7/1/2011-12/31/2011, and for an amount to be contained in the agreement.
5. This contract is awarded as a result of a Fair and Open Procedure adopted by the municipality in order to comply with the Pay to Play Law (P.L. 2004 Chapter 19 as amended by P.L. 2005, Chapter 51) N.J.S.A. 19:44-20.5 et seq.
6. A copy of this resolution shall be published and it and the agreement detailing the terms of the retention of the engineering firm of CME Associates as Town Engineer 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: Appointing Aida Roque as a Member of the WNY Housing Authority to fill the unexpired term of Alex Navas (Term expires on 6/17/13)

WHEREAS, a vacancy exists on the Board of the Housing Authority due to the unexpired term of Alex Navas, who resigned, such term expiring on June 17, 2013;

WHEREAS, Aida Roque is a resident of the Town of West New York;

WHEREAS, Aida Roque is available to serve on the West New York Housing Authority;

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

1. Aida Roque, who resides at 317 – 60th Street, WNY, NJ is appointed to serve as a member of the West New York Housing Authority for a term commencing on July 20, 2011 and expiring on June 17, 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: Refunds of Overpayment of Taxes (\$5,536.87)

WHEREAS, taxes 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
CRUZ, NASSLY	5/32 C04-S	\$700.00	2011
LBPS C/0 LERETA, LLC	18/11	\$4,836.87	2011
	GRAND TOTAL	\$5,536.87	

RESOLUTION

Re: Hudson County Board of Taxation Tax Appeals
(\$4,168.45)

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
NASHEL & NASHEL TRUST ACCOUNT	109/25	4,168.45	2010
	Grand total	\$4,168.45	

RESOLUTION

Re: Refunds of Tax Lien Premiums
(\$17,900.00)

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

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

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

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
STRIB CI, LLC	168.01/8.01 C0410	10-265	\$100.00
ROBERT U. DEL VECCHIO, PENSION TRUST	143/21	08-132	\$100.00
TOWER LIEN, LLC	71/20	10-132	\$4,300.00
AMACO	53/2	08-056	\$500.00
PAM INVESTORS	38/9 C003A	10-066	\$2,700.00
U.S. BANK CUST FOR CCTS CAPITAL, LLC	134/9	09-180	\$200.00
TOWER LIEN, LLC	23/18	10-045	\$10,000.00
GRAND TOTAL			\$17,900.00

Resolution
Re: Refunds of Tax Lien Redemptions
(\$179,716.12)

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
U.S. BANK/CUS. FOR EMPIRE TAX FD.	133/6	10-221	\$3,838.52
U.S. BANK CUST FOR PRO CAPITAL I, LLC	81/3 C00B1	10-146	\$3,452.56
PAM INVESTORS	81/3 C00B2	10-147	\$3,303.02
ROBERT U. DEL VECCHIO PENSION TRUST	143/21	08-132	\$287.56

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

STRIB CI, LLC	168.01/8.01 C0410	10-265	\$2,096.43
TOWER LIEN, LLC	71/20	10-132	\$30,444.97
AMACO	53/2	08-056	\$34,350.79
PAM INVESTORS	38/9 C003A	10-066	\$7,749.34
ALMAR	133/7	07-100	\$28,013.20
JN PROPERTIES	133/7	06-0030	\$5,677.44
TOWER LIEN, LLC	23/18	10-045	\$30,529.23
U.S. BANK CUST FOR CCTS CAPITAL, LLC	134/9 86/18 45/15	09-180 09-122 09-069	\$1,150.72 \$711.09 \$477.39
FNA JERSEY LIEN SERVICES, LLC	129/30	10-215	\$10,662.42
SFS, LLC	129/30	09-175	\$16,971.44
		GRAND TOTAL	\$179,716.12

RESOLUTION
Re: State Court Tax Appeals
(\$50,319.83)

WHEREAS, the following property owners have appealed to the Tax Court of New Jersey for a reduction in the Tax Assessment levied upon their properties:

WHEREAS, the Tax Court of New Jersey by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said properties, and whereas the Municipality has paid the below amounts:

NOW, THEREFORE, BE IT RESOLVED that said payment of taxes be and the same are hereby affirmed to the property owners in the following amounts for the years noted pursuant to N.J.S.A. 54:3-21 & 54:3-27.2.

NAME	BLOCK-LOT	AMOUNT	YEAR
DANIEL G. KEOUGH ATTY. FOR JOMAR RLTY., LLC	124/1	\$6147.27 \$6326.88 \$6505.18 \$7367.82	2005 2006 2007 2008
RICHARD B. NASHEL ATTY. FOR MARY LAMAGRA	161/16	\$2248.00 \$2770.80	2008 2009
PETER J. ZIPP ATTY.	5/17	\$934.38	2008

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

FOR GLENREAL EQUITIES, LLC

NATHAN P. WOLF ATTY. FOR	53/29	\$2278.90	2009
HUDSON HEIGHTS, LLC	53/30	\$2472.71	2009
	53/31	\$2679.88	2009
	53/32	\$2278.90	2009
RICHARD B. NASHEL ATTY.	151/10	\$519.52	2009
FOR LAWRENCE E. BLUMBERG	151/11	\$519.52	2009
	151/9	\$519.52	2009
RICHARD B. NASHEL ATTY.	109/26	\$2248.00	2008
FOR 5214 POLK ASSOC., LLC		\$4502.55	2009
	GRAND TOTAL	\$50,319.83	

RESOLUTION
Re: Refunds of Tax Lien Premiums
(\$25,000.00)

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
STRIB CI, LLC	168.01/8.01 C0410	10-265	\$100.00
ROBERT U. DEL VECCHIO, PENSION TRUST	143/21	08-132	\$100.00
TOWER LIEN, LLC	71/20	10-132	\$4,300.00
AMACO	53/2	08-056	\$500.00
PAM INVESTORS	38/9 C003A	10-066	\$2,700.00
U.S. BANK CUST FOR CCTS CAPITAL, LLC	134/9	09-180	\$200.00
TOWER LIEN, LLC	23/18	10-045	\$10,000.00
FNA JERSEY LIEN SERVICES, LLC	129/30	10-215	\$1,000.00
SFS, LLC	129/30	09-175	\$6,100.00
		GRAND TOTAL	\$25,000.00

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Consent Agenda (Cont.):

RESOLUTION

RE: APPOINTMENT OF MILENA CASTANEDA AS MEMBER OF THE RENT CONTROL BOARD OF THE TOWN OF WEST NEW YORK

WHEREAS, a vacancy exists on the Rent Control Board of the Town of West New York;
and

WHEREAS, Milena Castaneda is a resident of the Town of West New York; and

WHEREAS, Milena Castaneda is available to complete the required term as member of the Rent Control Board of the Town of West New York;

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

1. Milena Castaneda is appointed to serve as member of the Rent Control Board of the Town of West New York, to serve for the term of one year commencing on July 18, 2011 and expiring on March 31, 2012.
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: Appointment of Joseph Rodriguez as Member of the Zoning Board of Adjustment of the Town of West New York (Term: 7/20/11-10/5/14)

WHEREAS, a vacancy exists on the Zoning Board of Adjustment of the Town of West New York; and

WHEREAS, Joseph Rodriguez is a resident of the Town of West New York; and

WHEREAS, Joseph Rodriguez is available to serve on the Zoning Board of Adjustment;

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

1. Joseph Rodriguez is appointed to serve as Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on July 20, 2011 to October 5, 2014.
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: Appointment of Armando Alvarez as Member of the Zoning Board of Adjustment of the Town of West New York (Term: 7/20/11-12/31/12)

WHEREAS, a vacancy exists on the Zoning Board of Adjustment of the Town of West New York; and

WHEREAS, Armando Alvarez is a resident of the Town of West New York; and

WHEREAS, Armando Alvarez is available to serve on the Zoning Board of Adjustment;

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

1. Armando Alvarez is appointed to serve as Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on July 20, 2011 to December 31, 2012.

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

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: Appointment of Michael Hyun as an
Alternate Member of the WNY Planning Board
(Term: 7/20/11-7/19/12)

Pursuant to applicable law, I, Mayor Felix E. Roque, hereby appoint the following person:

Michael Hyun
20 Port Imperial Avenue Unit 204
West New York, NJ 07093

as an alternate member of the West New York Planning Board for a 1 year term as follows:
7/20/11-7/19/12.

Resolution
Re: Appointment of Clara Brito-Herrera
as the Mayor's Liaison to the Board of Education

WHEREAS, the Mayor and Commissioners desire to maintain and improve communication between the Governing Body and the Board of Education; and

WHEREAS, it is in the best interest of the Town for the Mayor to appoint a person to act his liaison when communicating with the Board of Education;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that CLARA BRITO-HERRERA, a resident of the Town of West New York, be and is hereby appointed as the Mayor's Liaison to the Board of Education. Said appointment is without pay and shall commence July 20, 2011.

Resolution
Re: Establishment of Petty Cash as per NJSA 40A:5-21

WHEREAS, according to NJSA 40A:5-21 the Town of West New York may introduce a Resolution to Establish a Petty Cash Fund for the purpose of administering costs that may otherwise interfere with and cause unreasonable delays in the payment of Bills; and

WHEREAS, it is necessary to establish a Petty Cash Checking Account to facilitate the payments of Vehicle Registration of Public Safety Vehicles and Public Works Vehicles; reimbursement of expenses incurred by Designated Officials for necessary out-of-pocket expenses; other emergent expenditures; and various service vendors that would benefit the operations of the Town of West New York; and

WHEREAS, the amount of the Petty Cash Checking Account will be \$1,500.00 and maintained in the Finance Office under the authority of the Chief Financial Officer and Town Administrator, and

WHEREAS, the Director of the Division of Local Government Services shall promulgate reasonable rules and regulations in respect to the Petty Cash Fund and approve a written

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Consent Agenda (Cont.):

Resolution (Cont.):

application prepared by the Town of West New York,

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of NJSA 40A:5-21, the Town of West New York may establish a Petty Cash Checking Account in the amount of \$1,500.00

Resolution

Re: Dedication by Rider – Soccer Program NJSA 40A:4-39

WHEREAS, according to NJSA 40A:4-39 the Town of West New York may introduce a Resolution to establish a Dedication by Rider for the purpose of administering costs of a Soccer Program; and

WHEREAS; it was determined that the Sponsorship Fees and other donations to the Program will offset the costs associated with the Soccer Program, and

WHEREAS, the Director of the Division of Local Government Services shall approve the rules and regulations in respect to the Dedication by Rider upon written application prepared by the Town of West New York,

NOW, THEREFORE BE IT RESOLVED that in accordance with the provisions of NJSA 40A:4-39, the Town of West New York may establish a Dedication by Rider for the administration of Revenues and Appropriations of the Town Soccer Program

RESOLUTION –

Re: Award of Construction Contract for Verrazano & Donnelly Park Improvements to Helios Construction Inc., Ocean, NJ

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

Whereas, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Verrazano & Donnelly Park Improvements, pursuant to and in accordance to the contract for Verrazano & Donnelly Park Improvements; and

Whereas, on February 10, 2011, the Town did receive the following bids on the contract for Verrazano & Donnelly Park Improvements:

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

Rich Picerno Builders, LLC	Base A: \$ 228,713.50
500 Hoiles Drive	Base B: \$ 61,346.00
Kenilworth, NJ 07033	Base C: \$ 71,477.00
	Alt. A: \$ 44,150.00
	Alt. B: \$ 39,066.00

Helios Construction Inc.	Base A: \$251,218.00
1321A Allenhurst Ave.	Base B: \$ 79,980.00
Ocean, NJ 07712	Base C: \$ 89,800.00
	Alt. A: \$ 38,000.00
	Alt. B: \$ 30,600.00

Adamo Construction Inc.	Base A: \$279,210.00
569 Prospect Avenue	Base B: \$ 62,380.00
Ridgefield, NJ 07657	Base C: \$ 68,690.00
	Alt. A: \$ 49,000.00
	Alt. B: \$ 36,800.00

Whereas, the contract for Verrazano & Donnelly Park Improvements was previously awarded to Rich Picerno Builders, LLC by Resolution #R-32 on 2/16/11; and

Whereas, Helios Construction, Inc. did submit correspondence objecting to the bid of Rich Picerno Builders, LLC, on the basis that information as to a licensed plumber was not provided in the low bidders bid; and

Whereas, subsequent to awarding of the bid to Rich Picerno Builders, LLC a formal challenge to the award was filed by Helios Construction in Superior Court; and

Whereas, after hearing the arguments of the parties, the Honorable Maurice Gallipoli issued an opinion dated 5/6/11 wherein it was determined the bid of Rich Picerno Builders, LLC was defective and contained material and non-waivable defects that could not be cured by the Governing Body; and

Whereas, the Court ruled that the town was permitted to award the contract to the next lowest responsive bidder; and

Whereas, upon consulting with Maser Consulting, P.A. the Town Engineer and the Town Attorney, it is recommended to award a contract for Verrazano & Donnelly Park Improvements to Helios Construction, Inc., for Base Bids A, B & C with Alternates A & B, for a total of \$489,598.00, as the bid submitted by the Helios Construction, Inc. as the lowest responsible bid for Verrazano & Donnelly Park Improvements, and the Town has sufficient funding for this award; and

Whereas, the amount due to Helios Construction for the performance of this contract is subject to reduction based upon the Honorable Maurice Gallipoli opinion dated 5/6/11 wherein Rich Picerno Builders, LLC is permitted to seek compensation for work performed and material ordered, the final amount to be determined by the Court; and

Whereas, the award of this Contract is contingent upon the acceptance by Helios Construction of the reduction of the amount due under the Contract to Helios Construction based upon the Court's order. Failure to accept said reduction shall render this resolution and award null and void; and

July 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

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

Whereas, the award of this Contract is necessary for the efficient operation of the Town; and

Whereas, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Town's budget and that such funds have been appropriated;

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

1. The bid of Helios Construction, Inc., 1321A Allenhurst Avenue, Ocean, NJ, on the bid for "Verrazano & Donnelly Park Improvements" for Base Bids A, B & C with Alternates A & B for a total of \$489,598.00 be and the same is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into contracts for Verrazano & Donnelly Park Improvements with Helios Construction, Inc., said contracts shall be pursuant to the direction of the court.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
5. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
6. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

RESOLUTION

Re: Appointing Jose Silvestri as a Member of the Rent Control Board to fill the unexpired term of Nelly Huaman (Term expires on 2/16/12)

WHEREAS, a vacancy exists on the Rent Control Board due to the unexpired term of Nelly Huaman, such term expiring on February 16, 2012;

WHEREAS, Jose Silvestri is a resident of the Town of West New York;

WHEREAS, Jose Silvestri is available to serve on the Rent Control Board;

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

1. Jose Silvestri, who resides at 58A-62nd Street, WNY, NJ is appointed to serve as a member of the Rent Control Board for a term commencing on July 20, 2011 and expiring on February 16, 2012.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

July 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Authorizing the Town Clerk to advertise to receive bids for “Jantek Jtwain-Jupiter Time & Attendance Software (or equal)” (2nd occasion) on Tuesday, 8/16/11 at 11:00 a.m. in Town Clerk’s Office

Whereas, the Governing Body authorized the Town Clerk to receive bids on July 19, 2011; and

Whereas, no bids were received on said date;

Now, Therefore Be It Resolved by the Mayor and Board of Commissioners that the Town Clerk be authorized to re-advertise to receive bids for Tuesday, August 16, 2011 at 11:00 a.m. in Town Clerk’s Office for: “Jantek Jtwain-Jupiter Time & Attendance Software (or equal) (2nd occasion)” in accordance with specifications on file in the Town Clerk’s Office.

RESOLUTION

RE: APPOINTMENT OF MILENA CASTANIEDA SECRETARY OF THE TOWN OF WEST NEW YORK ALCOHOLIC BEVERAGE CONTROL BOARD

WHEREAS, MILENA CASTANIEDA is qualified and available to serve as SECRETARY of the Town of West New York Board of Alcoholic Beverage Control, such appointment having been issued effective July 20, 2011, by the Mayor, and Commissioner of the Department of Public Affairs; and

WHEREAS, the Director of the Department of Public Affairs desires the appointment of MILENA CASTANIEDA to serve as SECRETARY of the Town of West New York Board of Alcoholic Beverage Control;

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

1. The appointment of MILENA CASTANIEDA is hereby ratified and approved and he is appointed to serve as a Secretary of the Town of West New York Board of Alcoholic Beverage Control, for a term commencing on July 20, 2011, at an annual salary of \$10,000.
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: Appointment of William Gonzalez, Esq., to represent Police Officer

WHEREAS, Police Officer Juan Laffont while in his capacity as a police officer for the Town of West New York, has been charged with violating NJSA 2C:12-1A(1), while effectuating a lawful arrest on or about June 22, 2011; and

WHEREAS, it has been the custom and practice of the Town to assign legal counsel to its police officers when facing similar charges; and

WHEREAS the Mayor and Commissioners desire to assign legal representation to Police Officer Laffont; and

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that William Gonzalez, Esq., of 440 60th Street, Suite 201, West New York, New Jersey, 07093, shall be assigned to represent Police Officer Juan Laffont in a matter entitled *State v. Juan Laffont*, S-2011-589-912, effective July 20, 2011. Mr. Gonzalez shall initially be compensated an amount not to exceed \$1,000.

July 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF LITIGATION/OPRA COMPLIANCE COUNSEL

WHEREAS, Julio C. Morejon, Esq., as member of the firm of the Law Offices of Julio C. Morejon, P.C., 211 60th Street, 2nd floor, West New York, New Jersey, 07094, has submitted a proposal to serve as Litigation/OPRA Compliance Counsel dated, July 19, 2011, in response to a Request for Qualifications for Litigation/OPRA Compliance Counsel, and

WHEREAS, the Mayor as Commissioner of the Department of Public Safety has duly appointed Julio C. Morejon, Esq., as Litigation/OPRA Compliance Counsel; and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to compensate the services of Julio C. Morejon, Esq. to serve as Litigation/OPRA Compliance Counsel and enter into a contract with the Law Offices of Julio C. Morejon, P.C., to provide for the services of Julio C. Morejon, Esq.; and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for 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 prepared by the Town Attorney by and between the Town and the Law Offices of Julio C. Morejon, P.C., for the services of Julio C. Morejon, Esq., as Litigation/OPRA Compliance Counsel and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on July 19, 2011, 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 7/1/11-12/31/11, and for an amount to be contained in the agreement.
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 Julio C. Morejon, Esq., as Litigation/OPRA Compliance Counsel shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

July 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Approval of Legal Services Agreement for Town Attorney Julio C. Morejon, Esq.

WHEREAS, by resolution dated May 17, 2011, the Commissioners have duly appointed Julio C. Morejon, Esq., as Town Attorney; and

WHEREAS, the Commissioners, have determined that it is necessary to compensate Julio C. Morejon, Esq., on a salary basis, to serve in the capacity of Town Attorney, and have agreed to enter into an agreement with Julio C. Morejon, Esq. to provide legal services to the Town as Town Attorney; and

WHEREAS, the Town is empowered by law to appoint and employ professionals, technical advisors and experts as the Town may determine to be necessary for its efficient operation; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the award by the Town of a contract for compensation as Town Attorney to Julio C. Morejon, Esq., is in the best interests of the Town and the implementation of this contract is necessary for the efficient operation of the Town,

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

1. That the Town shall compensate Town Attorney Julio C. Morejon, Esq., in accordance with the terms of a Legal Services Agreement for Town Attorney.
2. That the Town Clerk is authorized and directed, in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(1), to cause this Resolution for the award of the contract to be filed and available for inspection at the offices of the Town.

Ordinance #6/11

**Re: An Ordinance repealing Ordinance #1775 entitled:
“An Ordinance establishing restricted parking in front of one
(1) residence for use by handicapped resident”
(322 – 65th Street, WNY – Henry Mahnkopf)**

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.

Since no one wished to be heard, it was regularly moved by Commissioner Rodriguez, seconded by Commissioner Wiley, to adopt the foregoing Ordinance, was carried by the following vote:

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

July 20, 2011
Regular Meeting

Ordinance #7/11

Re: An Ordinance approving a five (5) year Tax Exemption for Multiple Dwelling Residential Rental Project constructed by 323-329 56th Street, LLC pursuant to the provisions of the five (5) year exemption and abatement Law, NJSA 40A:21-1 et. seq., and Section 7 of Ordinance 11/07 An Ordinance entitled five year Tax Abatement Ordinance

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.

Since no one wished to be heard, it was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas, to adopt the foregoing Ordinance, was carried by the following vote:

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

Ordinance #8/11

Re: An Ordinance approving a five (5) year Tax Exemption for Multiple Dwelling Condominium Project constructed by Altman Property Investment, LLC pursuant to the provisions of the five (5) year exemption and abatement Law, NJSA 40A:21-1 et. seq., and Section 7 of Ordinance 11/07 An Ordinance entitled five year Tax Abatement Ordinance

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.

Since no one wished to be heard, it was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas, to adopt the foregoing Ordinance, was carried by the following vote:

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

July 20, 2011
Regular Meeting

Ordinance #9/11

**Re: An Ordinance amending Ordinance #8/10 entitled:
“An Ordinance entitled 2010-2012 Salary Ordinance**

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

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

The following persons wished to be heard:

1. Matthew Cheng, 6124 Madison Street, WNY:

Mr. Cheng complained about certain titles/salary ranges and requested the governing body not to adopt this Ordinance in its current format. He further requested reductions in certain salary ranges. Town Attorney Morejon explained that the governing body has the discretion not to fill titles even if they are included in the Ordinance. He further explained that the next step is to do an inventory of all titles and ranges and make amendments as needed and that it is the goal of this Administration to reduce salaries. Mr. Cheng inquired as to the intent of this ordinance to which Mr. Morejon explained that it addresses only a few titles which did not exist prior to this amendment for example: Town Attorney, Asst. Town Attorney, and Prosecutor. Mayor Roque requested that Mr. Cheng meet with Mr. Morejon to discuss verbiage. Town Administrator McConnell advised that no one is being paid outside of his or her range and that the Administration has the option to change this Ordinance when necessary at anytime. Mr. Cheng inquired about Mayor's representation during campaign that no one would hold multiple titles; however, he referenced the positions of Chief of Staff and Deputy Mayor being held by Silvio Acosta. Mayor Roque clarified that Mr. Acosta is only being paid one (1) salary even though he has two titles, and that he is not trying to pull anything over Mr. Cheng's eyes. Mr. Cheng once again requested that this Ordinance not be adopted as written.

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

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

Ordinance #10/11

**Re: An Ordinance amending Ordinance #9/03 entitled:
“An Ordinance creating the position of Deputy Mayor of the Town of West New York”**

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

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

No one wished to be heard.

Since no one wished to be heard, it was regularly moved by Commissioner Frias, seconded by Commissioner Rodriguez, to adopt the foregoing Ordinance, was carried by the following vote:

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

July 20, 2011
Regular Meeting

Ordinance #11/11

**Re: An Ordinance creating the position of Chief Judge, Municipal Court
for the Town of West New York**

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

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

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

Notice
Ordinance #11/11

**Re: An Ordinance creating the position of Chief Judge, Municipal Court
for the Town of West New York**

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 20, 2011 and ordered published, and will be further considered before final passage at a public hearing on August 17, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

Ordinance #12/11

**Re: An Ordinance amending Ordinance #18/02 regarding
Fees for copies of public records**

Note: Town Clerk Carmela Riccie 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 Frias, Rodriguez, Vargas, Wiley and Mayor Roque
NAYS - None
ABSENT - None

July 20, 2011
Regular Meeting

Notice
Ordinance #12/11

**Re: An Ordinance amending Ordinance #18/02 regarding
Fees for copies of public records**

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 20, 2011 and ordered published, and will be further considered before final passage at a public hearing on August 17, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

Ordinance #13/11

**Re: An Ordinance to amend Ordinance #15/10, Chapter 167 of the
Code of the Town of West New York Re: Curfew**

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

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

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

Notice
Ordinance #13/11

**Re: An Ordinance to amend Ordinance #15/10, Chapter 167 of the
Code of the Town of West New York Re: Curfew**

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 20, 2011 and ordered published, and will be further considered before final passage at a public hearing on August 17, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

July 20, 2011
Regular Meeting

Ordinance #14/11

Re: An Ordinance to amend Ordinance Nos. 1053, 43/94, 17/96, 4/97, 3/98, 4/99, 8/99, 6/00, 3/01, 2/02, 1/03 and 1/05 entitled “Liquor License Fees” also being Sections 114-19 & 114-20 of the Code of the Town of West New York

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

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

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

Notice
Ordinance #14/11

Re: An Ordinance to amend Ordinance Nos. 1053, 43/94, 17/96, 4/97, 3/98, 4/99, 8/99, 6/00, 3/01, 2/02, 1/03 and 1/05 entitled “Liquor License Fees” also being Sections 114-19 & 114-20 of the Code of the Town of West New York

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 20, 2011 and ordered published, and will be further considered before final passage at a public hearing on August 17, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

Ordinance #15/11

Re: An Ordinance approving a Five (5) Year Tax Exemption for multiple dwelling residential rental project constructed by Meridia Park Ave., LLC pursuant to the provisions of the Five (5) Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq. and Section 7 of Ordinance 11/07, an Ordinance entitled Five Year Tax Abatement Ordinance

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

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

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

July 20, 2011
Regular Meeting

Notice
Ordinance #15/11

Re: An Ordinance approving a Five (5) Year Tax Exemption for multiple dwelling residential rental project constructed by Meridia Park Ave., LLC pursuant to the provisions of the Five (5) Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq. and Section 7 of Ordinance 11/07, an Ordinance entitled Five Year Tax Abatement Ordinance

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 20, 2011 and ordered published, and will be further considered before final passage at a public hearing on August 17, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

Ordinance #16/11

**Re: An Ordinance amending Ordinance #15/07 entitled:
“An Ordinance establishing the Office of Municipal Court Director”**

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

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

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

Notice
Ordinance #16/11

**Re: An Ordinance amending Ordinance #15/07 entitled:
“An Ordinance establishing the Office of Municipal Court Director”**

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 20, 2011 and ordered published, and will be further considered before final passage at a public hearing on August 17, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

July 20, 2011
Regular Meeting

Note: At this point, Town Clerk Riccie administered the Oath of Office to Police Director Michael Indri.

Mayor opened the Public Portion.

Public Portion:

1. Calixto Leon, 438 – 54th Street, WNY:

Mr. Leon congratulating the governing body. He advised that two (2) years ago he attended a Commission Meeting under the former Administration at which time he recommended extending the residential parking program throughout the entire town. He advised that former Comm. Lange was in charge of enforcing said program; however, nothing was ever done. He urged the Mayor and Commissioners to follow through with his proposal in an effort to ease burden on taxpayers. Town Attorney Morejon indicated that he had personally spoken to the Parking Authority Executive Director Harold Schroeder, and it is his understanding that it is going to be implemented. Mr. Morejon explained that when he was Municipal Court Judge, he experienced problems with existing parking program in that if you lived in the area in which parking restriction applied, you would receive a summons for non-compliance but if you did not live in such area, you would not be affected. He indicated that he would dismiss the summonses as he never understood why it only applied to certain areas. He agreed that uniformity would generate revenue.

2. William Guerrero, 6008 Tyler Place, WNY:

Mr. Guerrero advised that he lives across the street from Town Hall and that for the past nine (9) years he has been experiencing problems with his neighbor at 6006 Tyler Place. He explained that he has complained to the Health Dept. regarding the smell emanating from next door, and that the former Mayors were aware of the situation, but problem has never been resolved. He advised that there are in excess of 9 dogs and 40 cats in that house at any given time and that the smell is “awful”. He explained that the smell is caused by urine and feces, which cause an excessive amount of flies, which conditions are “unhealthy”. He commented that he is here “asking for justice” and has “a right to enjoy my home”. He recommended that current Ordinance be amended to restrict amount of dogs and/or cats a person can own. Mayor Roque advised that he is a physician and very familiar with disease and contamination, and that he is aware of his problem. He advised that health inspectors have taken care of the situation by removing animals from the dwelling. He further advised that there is no law which authorizes the Town to check for the “smell” because it is private property inside the dwelling, but that the inspectors intend to conduct surprise visits. He further advised that the “town cannot do anything about the cleanliness of her house”. Mr. Guerrero advised that no summonses have been issued despite his daily complaints about the smell and existing conditions. He advised that neighbor continues to bring in more dogs. Comm. Rodriguez commented “I remember you.” Discussion ensued about the amount of cats/dogs currently on the premises. Comm. Rodriguez commented that “no one else in the vicinity ever complained, only you. They have been living there for many years and no one else has complained. I haven’t smelled anything when I pass by.” Mr. Guerrero disagreed with there being no smell. Mayor Roque promised to continue to investigate the matter. Town Attorney Morejon advised that he remembered this case as it was transferred to other municipalities and that the case was resolved and that the property owner had gotten rid of the animals. He further advised that he has reviewed the Ordinance and conferred with health inspectors, but there is nothing which regulates cats. He further advised that the Town has certain limitations by law but that he can bring a civil action. He further advised that his complaints are not being ignored and that the Town has addressed what it can. He indicated he would speak with Mr. Rivelli and the Animal Control person again.

July 20, 2011
Regular Meeting

Public Portion (Cont.):

3. Alta Withers, 318 – 54th Street, WNY:

She advised that she resides at the above address since 2007 and that the previous management company did not advise them that they are entitled to receive reimbursement for removal of waste and that she had contacted former Town Attorney Dan Horgan in March regarding the Reimbursement/Services Agreement to no avail. Town Attorney Morejon advised that he has been in contact with her attorney and is aware of the situation, but that this Administration has only been in office since May 17th and he would need time to review the situation. She inquired as to the status to which Mr. Morejon responded "It will be addressed. You have my word." She further advised that there are numerous problems in this building. Comm. Wiley inquired as to the name of their carting company, to which she responded "Waste Management". Town Administrator McConnell inquired "Are you City View?" to which she replied "Yes". Discussion ensued about the proposed agreement. Mayor requested that she call him on Tuesday so that he could follow up.

4. Matthew Cheng, 6124 Madison Street, WNY:

Mr. Cheng commented that the State's budget had been approved and inquired about amount West New York would be receiving and if it would be more or less than last year. Town Administrator McConnell advised that three (3) years ago, the Town received \$3 million but has not received anything since that time. Mr. Cheng asked for explanation as to why the Town's bills total \$96 million last year but that the budget was only \$72 million (\$53 million from January thru June 2011). Mr. McConnell explained about grant funds, D.O.T. monies and revenue the Town receives, which offset that amount. He advised Mr. Cheng that he would have the C.F.O. meet with him to explain budget process. Comm. Frias commented that what gets paid out is not necessarily what comes in.

5. Mireya Acosta, 216 – 50th Street, WNY:

She advised that her father had open-heart surgery, is unable to work and has no transportation, but inasmuch as he does not qualify for Medicaid, the Town will not supply transportation. She further advised that she has to pay for a private carrier to transport him to and from the doctor. Freeholder Munoz, who was in the audience, explained that the County of Hudson has a program which would assist her and said he would try to help her. Comm. Frias requested that the program information be given to the Town so that it could be posted on our website. Freeholder Munoz agreed to provide it to her. Dr. Hilda Roque, who was also in the audience, explained that there are services available and that a case manager or social worker should do this for her.

6. Angel Barquin, 432 – 58th Street, WNY:

Mr. Barquin inquired about the status of the forensic investigation and its potential impact upon the budget. Town Administrator McConnell advised that the town should be receiving a report within 2-3 weeks and that our Budget cycle ends 12/31/11, not June 30th as we are on a calendar year. Mr. Barquin commented that new employees were being hired at higher salaries than existing employees for example: new employee Ana Luna \$30,000; existing employee Jackie Mitnick \$25,000; former employee Marie Bombino \$30,000; new employee Ann Rich \$35,000; existing employee Milena Castenada \$31,366; Comm. Rodriguez clarified the location and duties of the existing employees and that Milena is not a new hire, but was transferred from another department. Mr. Barquin commented that there are too many people assigned to work in the Mayor's Office and inquired about the need for same. Mayor Roque explained that he should visit the Mayor's Office on a Monday to see the amount of work being performed and that new hires are making less than persons they replaced. The Mayor commented about the salaries of former Chiefs of Staff Janet Passante and Daniel Ortega and compared them to the current salaries being paid to new hires. Comm. Frias commented that the day to day activities in the Mayor's Office "is overwhelming". Discussion ensued about amount of phone calls received per day and amount of work to be performed. Mr. Barquin inquired as to the need for Ms. Castenada and Ms. Rich and their responsibilities. Comm. Rodriguez did an analysis of former salaries and duties of personnel assigned to Mayor's Office as compared to new salaries and duties of new hires assigned to Mayor's Office.

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Public Portion (Cont.):

6. Angel Barquin (cont.):

Mr. Barquin commented about \$75,000 salary of current Chief of Staff and disagreed with comments that there has been a “30% reduction in new salaries”. Mr. Barquin complained about new hires not residing in West New York. Mayor Roque explained that there are occasions when people residing in West New York do not have the qualifications required. Mr. Barquin disagreed and referred to several employees who had been laid off and not given the opportunity of being re-hired. Mayor Roque commented that he looks at qualifications and does not hire people based upon friendship. Mr. Barquin inquired as to why a person who resides in Fort Lee was hired in the D.P.W. Dept. Mayor Roque replied that he would meet with him after the meeting ended. Mr. Barquin commended Recreation employee, David Rivera, and inquired about status of employee, Timothy Nagurka. Comm. Frias advised that Mr. Nagurka is on medical leave and cannot be replaced, and that Mr. Rivera is a Coordinator in transition, not a Director.

7. Angel Yasell, 5701 Blvd. East, (Apt. 7C), WNY:

Mr. Yasell stated “Why did we let down Capt. Gribben?” Mayor Roque explained that as a commander, he must make decisions sometimes that he does not like, but that the Prosecutor had given an ultimatum that if the Town did not appoint a Police Director, the Prosecutor would do so. He further commented that both men are “great people” but only one could be chosen. Mayor Roque advised that it was a hard decision to make, that Capt. Gribben is a friend and he will always have a place for him.

8. Antonio Delgado, 6046 Tyler Place, WNY:

Mr. Delgado advised that there are five (5) handicapped parking spaces on his street and wanted to know when the Town was going to stop issuing said spaces. He indicated that he has been a homeowner for 25 years and parking is limited on his street. He recommended that the Town investigate as to whether there is a continued need for those spaces on his street. Mayor advised that he will look into the matter as there has been a lot of abuse in issuing them, and that he has granted only one (1) space based upon extreme health reasons.

9. Seko Pyle, 22 – 65th Street, WNY:

Mr. Pyle advised that he has been a resident for two (2) years, commended the new schools which have been built, but complained that there are not enough recreation activities for children and new programs should be instituted. He inquired as to what the governing body plans in the future. Mayor Roque replied “I understand what you are saying. The prior Administration did not care about recreation. Comm. Frias is working very hard on creating new programs.” Mr. Pyle recommended that the Town contact the Boys/Girls Clubs of America who will sponsor programs if the Town provides the location. Discussion ensued about the need for uniforms, etc. and the Town’s current financial crisis. Comm. Wiley advised that in the two months that they have been in office, they have put children to work, and that he is very proud of the job Comm. Frias is doing. Mr. Pyle recommended that the programs be posted on the internet. Comm. Frias inquired as to the age of his daughter, to which he advised that his daughter is 12 years old. Comm. Frias explained some of the programs which are available i.e. soccer, cooking programs, etc. and the sign-up process at the Middle School. Mr. Pyle complained that the information is not available at the Middle School, and that he has gone as far as Hoboken to enroll his child in activities. Mayor Roque inquired as to whether Mr. Pyle would want to be a volunteer and that he should meet with Comm. Frias. Mr. Pyle responded “Love to”.

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It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Frias, to close the public portion and adjourn the meeting at 8:55 p.m., was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Wiley, Vargas 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 Riccio, RMC Town Clerk