

October 19, 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, October 19, 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 Ernesto Munoz 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 October 19, 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.

Claims: Dated 10/19/11 (Claims are available for public inspection in the Town Clerk's Office):

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

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

October 19, 2011
Regular Meeting

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF SEPTEMBER 2011

1. From Construction Code Official Office, reporting the sum of \$79,930.00 collected for the month of September 2011.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$0 collected for the month of September 2011 (No report received).
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$8,170.00 Special Licenses collected for the month of September 2011.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$462.00 for Marriage/death certificates collected for the month of September 2011.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$54.40 for Dogs Licenses Issued for the month of September 2011.
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$8,584,234.36 collected for the month September 2011.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$77.65 collected for the month of September 2011.

It was regularly moved by Commissioner Wiley, seconded by Commissioner Vargas, 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

October 19, 2011
Regular Meeting

RFQ Results
Re: Web Design/Consulting

RFQ PROPOSAL FORMATION

Proposal Receipt Date: October 18, 2011
Proposal Time: 11:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Web Design/Consulting Services
Personnel at Opening: Town Clerk Carmela Riccie and Jennie DelRio
Remarks: Time to receive RFQS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Civic Plus
(Address) 317 Houston Street, Suite E
Manhattan, Kansas 66502
RESPONDER #2 (Name) Alpha Dog Solutions
(Address) 335 Union Avenue
Belleville, NJ 07109
RESPONDER #3 (Name) ECoupons, Inc.
(Address) 6124 Madison Street
West New York, NJ 07093b

Proclamation
Re: Honoring Raul H. Perez Sang

Whereas, the Mayor and Board of Commissioners of the Town of West New York being ever so mindful of the contributions of the townspeople of the Town of West New York and recognizing their duties and obligations to honor all individuals on behalf of the townspeople of the Town of West New York; and

Whereas, Raul H. Perez Sang is being honored for his outstanding work and strong capacity in matters relating to public finance and labor administration for the benefit of the people in the Dominican Republic; and

Whereas, Raul H. Perez Sang has gone above and beyond the call of duty for his extensive work in both the public and private sectors in the Dominican Republic; and

Whereas, the Mayor and Board of Commissioners of the Town of West New York wish to commend and recognize Raul H. Perez Sang for his outstanding work ethics and desire to help others;

Now, Therefore, I, Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby honor and recognize Raul H. Perez Sang for all he has done to serve the public on behalf of this great Town.

October 19, 2011
Regular Meeting

Proclamation
Re: Honoring Fernando Caamano

Whereas, the Mayor and Board of Commissioners of the Town of West New York being ever so mindful of the contributions of the townspeople of the Town of West New York and recognizing their duties and obligations to honor all individuals on behalf of the townspeople of the Town of West New York; and

Whereas, Fernando Caamano is being honored for his outstanding work and strong capacity in matters relating to public finance and labor administration for the benefit of the people in the Dominican Republic; and

Whereas, Fernando Caamano has gone above and beyond the call of duty for his extensive work in defending health benefits of workers in both the public and private sectors in the Dominican Republic; and

Whereas, the Mayor and Board of Commissioners of the Town of West New York wish to commend and recognize Fernando Caamano for his outstanding work ethics and desire to help others;

Now, Therefore, I, Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby honor and recognize Fernando Caamano for all he has done to serve the public on behalf of this great Town.

Proclamation
Re: Honoring Christian Children's Parade

WHEREAS, the children of our city and state represent the hopes and ideals for the future. Many children of our city and state have been given the opportunity to be educated from a Christian point of view; and

WHEREAS, a Christian point of view provides our children with a solid moral base. The Christian Children's Parade helps contribute to physical, material and spiritual well-being of children with the objective of spreading the word of God throughout our community; and

WHEREAS, Reverend Jose C. Lopez, President, and the staff of the Christian Children's Parade in Jersey City will hold this year's Thirty-Third Annual Parade on Saturday, September 10, 2011 ending with a ceremony at City Hall Plaza: and

WHEREAS, it is fitting that the people of the Town of West New York recognize the importance of this meaningful Christian event.

NOW THEREFORE, BE IT RESOLVED THAT I, FELIX E. ROQUE, MAYOR of the Town of West New York, do hereby proclaim September 26th through September 30th, 2011 as

“CHRISTIAN CHILDREN'S WEEK”

Consent Agenda

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque 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, and R-17 be adopted, was carried by the following vote:

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

Note: Town Clerk Carmela Riccio read the titles and item numbers included on the Consent Agenda.

October 19, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Bingo & Raffles

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the following applications for Bingo/Raffles are hereby granted:

<u>Name</u>	<u>Date</u>	<u>License #</u>
Laymen & Laywomen's Action Club 6401 Palisade Avenue West New York, NJ 07093 (50/50 Raffle off premise)	December 31, 2011	RL 1817

RESOLUTION
Re: State Court Tax Appeals (\$230,433.74)

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
Michael A. Vespasiano Atty. for Yolanda Perez	21/1.03	\$2,023.20	2008
Michael I. Schneck Atty. for Auf D'h fm Ltd etc	125/7	\$5,195.25 \$8,016.25	2009 2010
Jose Saud Atty. for Kerrigan Group	139/14	\$13,421.06 \$13,194.75	2009 2010
Jose Saud Atty. for 6220 Park Ave Corp.	139/15	\$10,425.14 \$9,651.57	2009 2010
Jose Saud Atty for J & A Group Assoc. LLC	139/16	\$9,905.61 \$9,170.59	2009 2010
Jose Saud Atty. for Rio Vista Holdings LLC	20/35	\$2,750.02	2009
Daniel J. Pollak Atty. for 605 – 66 th St. Rlty. Et al	160/5	\$8,514.30	2008
Venino & Venino as Atty for Civic Tower LLC	81/11	\$26,850.00 \$56,805.50 \$54,510.50	2008 2009 2010
	Grand Total	\$230,433.74	

October 19, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Refund of Overpayment of Taxes (\$3,777.76)

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
Daddario, Thomas	20/13	\$129.67	2011
Slender, Joseph	35/1 C001D	\$107.12	2011
Percontino, Carmela	122/8 C002D	\$599.99	2010
Sung, Kung Yee	168.01/1.04 C0345	\$216.72	2007
		\$30.16 (svc)	2010
Sanchez, Hernan	116/9	\$2,694.10	2011
	Grand total	\$3,777.76	

Resolution
Re: Tax Correction Re: Block 5 Lot 32 C04-S (\$39.74)

Whereas, a payment was received in the amount of \$700.00 from Nassly Cruz to pay the 3rd quarter 2010 taxes for property located at 6501 Boulevard East a/k/a Block 5 Lot 32 C04-S and;

Whereas, the said payment was misapplied to the 3rd quarter 2010 taxes for property located at 6501 Boulevard East a/k/a Block 5 Lot 32 C04-J and;

Whereas, due to the misallocation of the payment it appeared to show property located at 6501 Boulevard East a/k/a Block 5 Lot 32 C04-S to be in the arrears causing interest to be collected totaling \$39.74.

Therefore be it resolved that the Tax Collector is hereby authorized to adjust the tax records and to refund the interest collect by a result of this error.

NAME	BLOCK/LOT	AMOUNT
Cruz, Nassly	5/32 C04-S	\$39.74
	Grand Total	\$39.74

October 19, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Tax Sale Certificate (\$40,398.80)

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.

Name	Block/lot	Cert#	Amount
ISAAC MORADI	55/51 C0007	10-111	\$2,377.77
ATF,LLC,BMO CAP. MKTS CORP AS SP	98/23	08-089	\$15,175.36
TOWER LIEN, LLC	94/6	10-174	\$22,845.67
		Grand Total	\$40,398.80

RESOLUTION
Re: Refund of Tax Sale Premiums (\$9,900.00)

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

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
ATF, LLC, BMO CAP. MKTS CORP AS SP	98/23	08-089	\$2,500.00
TOWER LIEN, LLC	94/6	10-174	\$7,400.00
		Grand total	\$9,900.00

October 19, 2011
Regular Meeting

Consent Agenda (Cont.):

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: CANCELLATION OF TAX ASSESSMENT/TAXES
(BLOCK 51 LOT 11 & BLOCK 41 LOT 17)**

WHEREAS, THE IMPROVEMENTS WERE DEMOLISHED ON LOT #11 WITHIN BLOCK # 51, MORE COMMONLY KNOWN AS 6116-18 HARRISON PLACE
AND

LOT #17 WITHIN BLOCK #141 WHICH IS MORE COMMONLY KNOWN AS 6123
MADISON STREET

PRIOR TO OCTOBER 1, 2010

AND WHEREAS THE ASSESSOR INADVERTENTLY FAILED TO REMOVE SAID
IMPROVEMENT ASSESSMENTS FROM THE 2011 TAX ROLLS,

THEREFORE BE IT RESOLVED THAT SAID IMPROVEMENT ASSESSMENT
REPORTED ON THE 2011 BOOK BE REMOVED

BLOCK #51 LOT #11 \$170,000
BLOCK #141 LOT #17 \$ 33,000

AND THE APPLICABLE TAXES BE CANCELLED

October 19, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: To Allow Filing of 2010 Recycling Tonnage Grant

Whereas, the Mandatory Source Separation and Recycling, Act P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for the 2010 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Board of Commissioners of the Town of West New York to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations;

Now, therefore, be it resolved by the Mayor and Board of Commissioners that the Town of West New York hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection; and

Be it further resolved that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**RESOLUTION REQUESTING APPROVAL OF AN ITEM OF REVENUE AND
APPROPRIATION PER NJS 40A:4-87 FOR 2011 COUNTY OF HUDSON –
FOOTBALL RECREATION EQUIPMENT**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount 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 equal amount,

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the Calendar year 2011 in the sum of \$4,400 which is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with

Appropriations:

2011 Hudson County Recreation Grant

October 19, 2011
Regular Meeting

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

Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$4,400 is hereby appropriated under the caption of

General Appropriations:

- (a) Operations Excluded from CAPS
State and Federal Programs Off-Set by
Revenues:
2011 Hudson County Recreation Grant

and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey, County of Hudson, Department of Recreation in the amount of \$4,400.

Resolution

Re: Accepting Executive Summary to the Management Performance Evaluation Report

WHEREAS, governing body recognized that there exists a need to retain the services of a Certified Public Accountant to assist the Board of Commissioners with a forensic audit in the Town of West New York, and

WHEREAS, said services are recognized as “professional services” as same shall be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2 (6); 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, on June 15, 2011, the Town passed a Resolution retaining the services of Carr, Daley, Sullivan & Weir, P.C., (“Carr Daley”) 220 South Orange Avenue, Livingston, New Jersey 07039 to prepare such audit; and

WHEREAS, on October 6, 2011, the firm of Carr Daley concluded its audit and submitted a report entitled “Managerial Performance Evaluation of the Town of West New York” (“Managerial Performance Evaluation”); and

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

1. That the Town accepts the findings and recommendations contained in the Managerial Performance Evaluation report of Carr, Daley.
2. The Town authorizes the Town Administrator act on the recommendations made in the Managerial Performance Evaluation report of Carr, Daley.
3. 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 to be filed and available for inspection at the offices of the Town.

October 19, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Extension of Contract to Remington Vernick & Arango for LSRP Services
In Regards to Municipal Garage –
Professional Environmental Engineering Services

WHEREAS, Remington, Vernick & Arango, Engineers, of Secaucus, New Jersey, (“RVA”) was previously retained to provide Professional Environmental Engineering Services as of October 11, 2010, in response to an September 2010 Request for Proposals for Environmental Engineering/LSRP Services in connection with the Municipal Garage; and

WHEREAS, notice was received on October 12, 2011 from RVA that free product was recovered in one of the monitoring wells which requires various steps to be taken by the town to monitor and remediate the situation; and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to extend the contract for one year to October 31, 2012 with RVA for the provision of professional environmental engineering services/LSRP services as outlined in the October 12, 2011 proposal for services; and

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

WHEREAS, the contract herein awarded 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 Proposals dated September 2010; 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 Commissioners of The Town of West New York as follows:

1. The Mayor shall be and is hereby authorized to execute an agreement, by and between the Town and RVA in a form satisfactory to Town as evidenced by the Mayor’s signature thereon, for the provision of environmental engineering services/LSRP services.

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

3. The initial authorization of this contract shall not exceed \$ 90,000 for the first year, in such additional amount as may be prorated until the completion of the project, for any subsequent year, as further detailed in the Proposal, subject to appropriations.

4. 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.

5. The Chief Financial Officer’s Certification that funds are available shall be on file at the Town and made a part hereof.

6. A notice of this award shall be published as may be required by law.

7. A copy of this resolution, and a copy of the contract for upon execution by the Town, shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

October 19, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

**Re: Appointing Margarita Guzman as a Member of the WNY Housing Authority
to fill the unexpired term of Edmond Monti
(Term expires on 10/19/12)**

WHEREAS, a vacancy exists on the Board of the West New York Housing Authority, due to the passing of Edmond Monti, such term expiring October 19, 2012;

WHEREAS, Margarita Guzman, is a resident of the Town of West New York; and

WHEREAS, Margarita Guzman, 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. Margarita Guzman is appointed to serve as a Member of Board of the West New York Housing Authority, to serve for the unexpired portion of a term which term will expire on October 19, 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 Jason Gonzalez as an Alternate Member of the Zoning Board
of Adjustment of the Town of West New York (Term: 10/19/11-10/18/14)**

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

WHEREAS, Jason Gonzalez is a resident of the Town of West New York; and

WHEREAS, Jason Gonzalez 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. Jason Gonzalez is appointed to serve as an Alternate Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on October 19, 2011 to October 18, 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: Awarding of Contract to Time Systems International for
Hand Scanners, Time and Attendance Software and Support Services**

WHEREAS, Time Systems International, of New Jersey, ("TSI") has submitted a proposal ("Proposal") to provide Hand Scanners, Time and Attendance Software and Support Services, in response to an August 2011 Request for bids; and

WHEREAS, TSI proposed to provide equipment, software, training, support services and related advisory services to the Town of West New York as set out in the Proposal in relation to the installation and maintenance of Time and Attendance Software; and

October 19, 2011
Regular Meeting

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

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to enter into a contract with TSI for a time management and attendance system; and

WHEREAS, the contract herein awarded 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 bids dated August 2011; and

WHEREAS, Bids were received on August 16, 2011 and TSI submitted the lowest total bid for item #1 Supply and Install Time management system at \$22,684 and Item #2 Support Services for one year at \$4,550; 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 Commissioners of The Town of West New York as follows:

1. The Mayor shall be and is hereby authorized to execute an agreement, by and between the Town and TSI in a form satisfactory to Town as evidenced by the Mayor's signature thereon, for the provision of Time and Attendance software, and Support services.
2. This contract is awarded to TSI in response to competitive bidding.
3. The initial authorization of this contract shall not exceed a total \$ 27,235 for the first year, in such additional amount as may be prorated until the completion of the project, for any subsequent year, as further detailed in the Proposal, subject to appropriations.
4. 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.
5. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
6. A notice of this award shall be published as may be required by law.
7. A copy of this resolution, and a copy of the contract for upon execution by the Town, shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

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 Extraordinary Unspecifiable Services – Insurance Broker of Record Services

Whereas, N.J.S.A. 19:44A-20.5 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 services as: Insurance Broker of Record Services

October 19, 2011
Regular Meeting

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

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 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 Services: Insurance Broker of Record Services;
3. Such Request for Qualifications shall be published and advertised in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”), 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. A Review Committee is established consisting of the Mayor as Director of the Department of Public Safety, the Municipal Administrator, and the Town Attorney, as appropriate, to review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior at its next regularly scheduled meeting.

Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
407-62nd Street (Aselio Bacallao)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Acelio Bacallao 407-62 nd Street West New York, NJ	South	Begin at a point along the South side of 62nd St., 19 ft. West from the southwest corner of (62nd St. & Palisade Avenue), Then 22 ft. south there from.

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator’s vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

October 19, 2011
Regular Meeting

Ordinance #18/11

**Re: An Ordinance repealing a portion of Ordinance #49/95 entitled:
“An Ordinance establishing restricted parking in front of one (1) residence
for use by handicapped resident” (6215 Blvd. East) Elsie Bajandas**

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

Ordinance #19/11

**Re: An Ordinance repealing Ordinance #11/96 entitled: “An Ordinance establishing
restricted parking in front of one (1) residence for use by handicapped resident”
(6504 Dewey Avenue) Lisette Cardova**

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

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

No one wished to be heard.

It was regularly moved by Commissioner Vargas, 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

Ordinance #20/11

**Re: An Ordinance amending Ordinance #5/00 establishing Construction Code
fees and Amending Chapter 161 of the Code 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

October 19, 2011
Regular Meeting

Bond Ordinance #21/11

Re: An Ordinance of the Town of West New York, in the County of Hudson, New Jersey, Amending Bond Ordinance No. 1/11 of the Town finally adopted February 10, 2011, providing for various Capital Improvements for the Town of West New York and appropriating \$1,680,000, therefore, and providing for the issuance of \$1,596,000 in General Improvement Bonds or notes of the Town of West New York to finance the same

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

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

No one wished to be heard.

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

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

Ordinance #22/11

Re: An Ordinance approving an extension of the Residential Permit Parking Zone

Note: Town Clerk Carmela Riccie 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 Wiley, 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 #23/11

**Re: An Ordinance amending Ordinance #9/11 entitled:
"An Ordinance entitled 2010/2012 Salary Ordinance"**

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

It was regularly moved by Commissioner Vargas, 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

October 19, 2011
Regular Meeting

Notice
Ordinance #23/11

Re: An Ordinance amending Ordinance #9/11 entitled:
“An Ordinance entitled 2010/2012 Salary 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 October 19, 2011 and ordered published, and will be further considered before final passage at a public hearing on November 21, 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 #24/11

Re: An Ordinance amending Ordinance #8/09 entitled:
“An Ordinance amending Chapter 48 of the Code of the Town of West New York”
(Re: Delegation of Authority to Promote Rules and Regulations in the Police Department)

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

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque 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 #24/11

Re: An Ordinance amending Ordinance #8/09 entitled:
“An Ordinance amending Chapter 48 of the Code of the Town of West New York”
(Re: Delegation of Authority to Promote Rules and Regulations in the Police Department)

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 October 19, 2011 and ordered published, and will be further considered before final passage at a public hearing on November 21, 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.**

October 19, 2011
Regular Meeting

Ordinance #25/11

Re: An Ordinance amending Chapter 114, Section 54, Article 10
Re: Hours of Sale for Plenary Retail Consumption Licensee or Club Licensee

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud. Town Attorney Morejon recommended amendments to this Ordinance by adding paragraph (G), which he read aloud.

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

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

Notice
Ordinance #25/11

Re: An Ordinance amending Chapter 114, Section 54, Article 10
Re: Hours of Sale for Plenary Retail Consumption Licensee or Club Licensee

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 October 19, 2011 and ordered published, and will be further considered before final passage at a public hearing on November 21, 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 #26/11

Re: An Ordinance amending and supplementing Chapter 277-26 and Chapter 277-27 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 Rodriguez to adopt the introduction of the foregoing Ordinance (with amendments) was carried by the following vote:

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

October 19, 2011
Regular Meeting

Notice
Ordinance #26/11

**Re: An Ordinance amending and supplementing Chapter 277-26 and
Chapter 277-27 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 October 19, 2011 and ordered published, and will be further considered before final passage at a public hearing on November 21, 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.

Mayor opened the Public Portion.

Public Portion:

1. Matthew Cheng, 6124 Madison Street, WNY:

Mr. Cheng inquired as to what the new hours will be for the sale of liquor as referred to in Ordinance 25/11 being introduced tonight. Town Attorney Morejon advised that he would reserve comments until the November 21 hearing but that Mr. Cheng can pick up a copy of the Ordinance after tonight's meeting at the Town Clerk's Office. Mr. Cheng referred to Bond Ordinance 21/11 and advised that West New York's BB rating on general obligation debt had been suspended by Standard & Poor's on September 16, 2011. He read aloud an excerpt he had located on the internet. Town Attorney Morejon commented that this was the first time he heard about that. Town Administrator Munoz indicated that he had no knowledge. Discussion ensued between Mr. Cheng, Mayor Roque, and Town Attorney Morejon regarding the BB level rates and how they are established. Mayor Roque suggested that Mr. Cheng meet with the Town Administrator tomorrow to discuss this matter further. Mr. Cheng expressed his concerns about additional borrowing by the Town. Mr. Morejon explained that this Ordinance does not initiate a new bond and is not new debt, but that it is an amendment to an existing bond ordinance which has been in place since February 2011. Mr. Cheng inquired about proposed amendment to Salary Ordinance i.e. Ordinance #23/11 and reiterated his previous recommendations to reduce salary ranges. Mayor recommended that he meet with Town Attorney regarding this matter.

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

Mr. Barquin requested a copy of the Managerial Performance Evaluation Report. Town Clerk Riccio agreed to provide it to him. Mr. Barquin inquired about the status of the investigation performed in the Code Enforcement Department as it pertains to outstanding fines owed by Deputy Mayor. Mayor Roque advised that investigation has not been completed but will advise him of outcome at the appropriate time. Mr. Barquin commented that the Deputy Mayor is "liable for these fines". Mayor Roque advised that inasmuch as this is a personnel matter, it could not be discussed. Mr. Barquin inquired as to why the wastebasket near his home was removed. Comm. Wiley advised that there are a limited number of baskets, that replacement cost is \$750.00 per basket and that existing baskets are being relocated to areas where they are needed. He further advised that he intends to purchase additional less expensive baskets next year, and informed Mr. Barquin that baskets have been vandalized and stolen. He recommended that Mr. Barquin call his office tomorrow to request a replacement basket. Mayor Roque requested Mr. Barquin speak with him after the meeting was completed.

October 19, 2011
Regular Meeting

Public Portion (Cont.):

3. **Doug Richards, 22 Avenue at Port Imperial, WNY:**
On behalf of himself and his neighbors, Mr. Richards thanked the Mayor and Commissioners for introducing Ordinance #25/11. Mayor Roque welcomed his comments.

4. **Angel Yasell, 5701 Blvd. East (#7C), WNY:**
Mr. Yasell inquired as to whether the Mayor is supporting the re-election of Freeholder Munoz. Mayor Roque advised that he would speak with him after the completion of the meeting. Mr. Yasell relayed an incident in which he alleges that he was threatened by Mr. Munoz in the presence of Marilyn Del Toro. Mayor Roque again indicated that he would speak with him after the completion of the meeting.

5. **Adrianna Urrutia, 423 – 60th Street, WNY:**
Ms. Urrutia commented that in her opinion, the Town is going “backwards”. Mayor Roque requested an explanation as to why she feels this way. She complained that 60th Street is in need of repair. Mayor agreed and explained that on or about 11/9/11, PSE & G will be repaving 60th Street as they have completed repairs. She complained about receiving a \$51.00 summons for not possessing a residential parking permit and about the lack of communication from the Parking Authority regarding the new changes. She advised that she recently became unemployed, has not received her first unemployment check and cannot afford to pay the fine. Mayor Roque advised that a letter would be mailed next week (in English/Spanish) explaining the recent changes and that summonses will be rescinded/voided. He inquired as to whether she was in agreement with the new rate i.e. \$15.00 every two years which is lower than rate previously charged, to which she responded “yes”. He further advised her to complete an employment application. Comm. Wiley advised that next year there will be another road program. He explained that PSE & G only intended to repave one side of 60th Street but that the Town is requiring them to do both sides. Ms. Urrutia commented that she loves this Town and is looking forward to the improvements planned. Comm. Frias advised her to attend the job fair being sponsored by the Town scheduled for October 26th at the Community Center on 54th Street.

6. **Seja Lee, 54 – 62nd Street, WNY:**
Ms. Lee advised that she was experiencing problems with the Building Department in that a plumber she hired to install a new furnace had made an application to obtain a permit approx. 6 months ago, which she claims was lost, and that no one has called her to pick up permit. Mayor Roque commented that other persons have expressed similar complaints and that the Town is in the process of restructuring that department and has assigned Mr. Joe Rodriguez to handle these problems. He suggested that she meet with Mr. Rodriguez on Monday. Ms. Lee further complained that she called to have the Town pick up furniture but that no one answered the phone. Comm. Wiley inquired as to what number she had dialed and to speak with him after the conclusion of this meeting. She advised that she works 3:00 p.m.-11:00 p.m. and cannot comply with the time required by the Town to place garbage at curb. Comm. Wiley explained the reasons why garbage cannot be placed at curb prior to time permitted, and that while he understands her situation, he cannot change that requirement. Ms. Lee also complained about teenagers being on the streets after 11:00 p.m. and requested more police patrols. Mayor Roque informed her that crime is down 25%, that he and Police Director Indri have discussed this issue and that Director Indri is present tonight in the audience and will address her complaints.

Note: Mayor Roque “welcomed” the new board members, Vilma Reyes and Christine Piscitelli, present tonight.

October 19, 2011
Regular Meeting

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas, to close the public portion and adjourn the meeting at 8:06 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, RMC Town Clerk