

**Work Session –Wednesday, 5/16/12**

Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque  
Absent: None  
Also Present: Town Administrator Ernesto Munoz, Town Attorney Gil Garcia,  
Town Clerk Carmela Riccie and Robert J. Russo, Town Engineer (C.M.E.  
Associates)

The meeting commenced at 6:13 p.m.

Town Clerk Carmela Riccie made the following announcement:

As presiding officer of this regularly scheduled meeting of the Board of Commissioners of the Town of West New York, held on **May 16, 2012 at 7:00 p.m. (6:00 p.m. Work Session in the Mayor's Conference Room)**, I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 20, 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.

**Item No. 1:** Approval of Minutes: Regular Meeting: 4/18/12 (Regular and Work Sessions)

**Item No. 2:** Payment of Claims dated 5/16/12

**Item No. 3:** Receipt of Financial Reports for month of April 2012

**Item No. 4:** Communications:  
4A. Bid Results rec'd. 5/11/12 Re: Summer Food Service Program  
4B. RFQ Results rec'd 5/15/12 Re: Assistant Town Attorney  
4C. RFQ Results rec'd 5/15/12 Re: Staff Attorney  
4D. RFQ results rec'd 5/15/12 Re: Pre-litigation Counsel  
4E. RFQ results rec'd 5/15/12 Re: Public Information Services  
4F. Presentation by CME Associates Re: Dewey and Fillmore Park Improvements

**Item No. 5:** Proclamations:  
5A. Re: Ricardo Montero Duque  
5B. Re: Honoring Police 10-12 year old In-House Little League Baseball Team  
5C. Re: Honoring the North Hudson Sewerage Authority

**Item No. R-1:** Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows:  
112-57<sup>th</sup> Street, WNY (Helena Kowalczyk):

**Item No. R-2:** Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows:  
6007 Van Buren Place, WNY (Aurea V. Diaz):

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- Item No. R-3:**           **Resolution – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows:  
5701 Blvd. East #5A (Pedro R. Perez):**
- Item No. R-4:**           **Resolution - Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows:  
567-59<sup>th</sup> Street (Jose M. Perez):**
- Item No. R-5:**           **Resolution – Re: Appointment of Nannette Matos and Maria Cainas as Affirmative Action Officers:**
- Item No. R-6:**           **Resolution – Re: Amending the Contract with Angel Consultants to include the services provided on an hourly basis:**  
Comm. Frias inquired as to how it is presently being handled. Town Administrator Munoz said that the scope of services required was a little different than the contract scope as the contract did not include payment on for hourly services as required by the RFQ. He further advised that the basic services should not exceed \$22,000, that there is a onetime charge of \$4,000 for disaster recovery and that the hourly services rate is \$85.00. Town Attorney Garcia advised that the contract is not to exceed a total of \$27,000. Mr. Munoz further advised that to date, contractor has put in 350 hours but cannot exceed 1,140 hours. Comm. Rodriguez inquired as to who contacts the contractor when services are needed to which Mr. Munoz responded “Xenia”. Discussion ensued between Comm. Frias, Town Attorney and Town Administrator as to hiring a person as an employee to perform these services. Town Attorney and Town Administrator both commented that this contractor’s rates are very fair and services rendered are very good. Discussion ensued about changing scope of services after this contract expires.
- Item No. R-7:**           **Awarding Resolution – Re: Award of Contract for Grant Writers to Birdsall Services Group, Inc.:**
- Item No. R-8:**           **Resolution – Re: Allowing the West New York Police Department (E.M.S.) to dispose of certain equipment:**
- Item No. R-9:**           **Resolution – Re: Sale of Abandoned Vehicles to be held on 6/12/12:**  
Town Clerk Riccio advised that the abandoned vehicles to be auctioned are currently stored at the Riviera Towers Garage.
- Item No. R-10:**          **Resolution – Re: Approval of Municipal Services Agreement between the Town and City View at West New York Master Condominium Association (Period: 1/1/11-12/31/11):**
- Item No. R-11:**          **Awarding Resolution – Re: Award of Contract for Assistant Town Attorney to Joseph DeMarco, Esq.:**
- Item No. R-12:**          **Awarding Resolution – Re: Award of Contract for Summer Food Program to Karson Foods:**  
Comm. Frias inquired about this resolution. Town Clerk Riccio explained that bids were received and Xenia Rivero (Purchasing Dept.) spoke with State representative who advised that it was permissible for Town to award to Karson Foods.
- Item No. R-13:**          **Awarding Resolution – Re: Award of Contract for Staff Attorney to Anthony Suarez, Esq.:**

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- Item No. R-14:**      **Awarding Resolution – Re: Award of Contract for Pre-Litigation Counsel to Douglas M. Standriff, Esq.:**
- Item No. R-15:**      **Resolution – Re: Appointing Voting Members to the WNY Alliance Committee:**
- Item No. R-16:**      **Awarding Resolution – Re: Award of Contract for Public Information Services to Strategic Media Group:**
- Item No. R-17:**      **Resolution – Re: Approving hiring various Municipal Employees:**  
Comm. Wiley requested that the name of “Richard Alvarez” be inserted in this resolution as an additional new hire. Everyone agreed.
- Item No. R-18:**      **Resolution – Re: Tax Correction (21-65<sup>th</sup> St) (\$23.26):**
- Item No. R-19:**      **Resolution - Re: Refunds of Redemptions (\$207,071.05):**
- Item No. R-20:**      **Resolution – Re: Refunds of Tax Lien Premiums (\$51,500.00):**
- Item No. R-21:**      **Resolution – Re: State Court Tax Appeals (\$85,247.47):**
- Item No. R-22:**      **Resolution – Re: Refund of Overpayment of taxes (various locations) (\$15,791.49):**
- Item No. R-23:**      **Resolution – Re: Tax Correction (26 Avenue at Port Imperial):**
- Item No. R-24:**      **Resolution – Re: Authorizing property owner 20 Avenue @ Port Imperial to make monthly installment payments for outstanding service charges:**
- Item No. R-25:**      **Resolution – Re: Appointment of Jesus Alvarado to the Zoning Board of Adjustment of the Town of West New York to fill the unexpired term of Pedro Marrero (Term expires on 12/19/14):**
- Item No. R-26:**      **Resolution – Re: Adopting Time Clock Guidelines and Policy for Municipal Employees:**  
Discussion between Town Administrator Munoz, Town Clerk Riccie and Town Attorney as to time period for implementation. Town Administrator advised that the machine at the Library has been installed. Comm. Frias recommended that a machine be installed at the Swimming Pool and at Recreation Dept. for those employees. Town Administrator agreed to do so.
- Item No. R-27:**      **Awarding Resolution – Re: Award of contract to Packetalk for Wireless Security Surveillance System pursuant to N.J.S.A. 40A:11-5 as a Sole Source Provider for Proprietary Computer Hardware and Software:**  
Initially, Town Attorney Garcia recommended pulling this item from agenda pending further confirmation that this vendor is sole source provider. Towards the end of this meeting, he advised that he received an e-mail from Hoboken confirming that this vendor is the sole source provider and the governing body could proceed.
- Item No. R-28:**      **Awarding Resolution – Re: Award of Contract for Municipal Court Debt Collection Agency to Alliance One:**  
Town Attorney recommended that verbiage be added to Resolution as follows: “This award is contingent upon approval of Administrative Office of the Courts.” All agreed.

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**Item No. R-29:**        **Resolution – Re: Approving the contract with the Superior Officers of the West New York Police Department (Term: 7/1/09-12/31/14):**

**Item No. R-30:**        **Resolution – Re: Authorizing the Town Administrator to enter into an Agreement with Medco/Express Scripts for Prescription Drug Services:**

Mayor inquired about this Resolution. Town Administrator Munoz advised that the Town needed to enter into an agreement for “better pricing structure”. He advised that our insurance broker, Alamo Insurance, shopped around for better rates and discovered that Express Scripts had acquired Medco and that by virtue of same; the Town will receive better prices resulting in approx. \$100,000 less than last year. Mayor inquired about shared services with Board of Education. Town Administrator advised that he would research it and report back to the governing body. Town Attorney Garcia advised that we could do that in the future, but at this point we have an agreement with this company.

**Item No. O-1:**        **Hearing & Final Adoption of Ordinance #11/12 An Ordinance authorizing installation of Stop Signs at the following intersections - Hudson Avenue at 58<sup>th</sup> Street and 61<sup>st</sup> Street at Jefferson Street:**

**Item No. O-2:**        **Hearing & Final Adoption of Ordinance #12/12 An Ordinance amending Ordinance #2/12 entitled: “Ordinance declaring certain offenses by or against persons who do not meet the legal age for consumption of alcoholic beverages under the laws of the State of New Jersey as unlawful”:**

**Item No. O-3:**        **Hearing & Final Adoption of Ordinance #13/12 An Ordinance amending Chapter 36 of the Code of the Town of West New York regarding Ethics and Training:**

**Item No. O-4:**        **Hearing & Final Adoption of Ordinance #14/12 An Ordinance approving Financial Agreements with 6035 Park Ave. Urban Renewal, LLC:**

Town Attorney Garcia advised that the law department recommends not adopting this Ordinance as there is case law which states if construction began, an abatement cannot be given, and the problem is that construction is already in progress. He advised the governing body that if they approve this Ordinance they would be in violation of the law. Richard Venino, Esq., who was present and who represents the developer, explained that the property had “environmental issues” and issues with the foundation and that his structural engineer would be present during the regular meeting to explain the reasons for and extent of construction to date. Town Attorney Garcia commented that he understood Mr. Venino’s position but that he must follow case law. He recommended that hearing take place but that further action be postponed until the next commissioners’ meeting to afford the law department additional time to review Mr. Venino’s expert’s reports, etc. Mayor Roque inquired as to whether construction would continue. Discussion ensued between Town Attorney and Mr. Venino. It was agreed that further action on this Ordinance would be postponed until the next meeting i.e. June 20, 2012 at 12:00 noon.

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**Item No. O-5:**           **Introduction of Ordinance #15/12 An Ordinance adopting standards for Security Cameras in the Town of West New York:**

**Item No. O-6:**           **Introduction of Ordinance #16/12 An Ordinance amending Ordinance #25/06 entitled: “An Ordinance establishing Salaries for Superior Officers of the West New York Police Department”:**

**Public Portion:**

**1. Town Engineer Robert J. Russo (C.M.E. Associates):**

Mr. Russo presented a status report on ongoing projects, etc. (See “Engineer’s Report – Project Status” dated 5/16/12 attached, a copy of which was distributed to all in attendance). He advised that he intended to make a presentation during the regular meeting regarding the proposed improvements to Fillmore and Dewey Ave. Parks and that the Town will be going out to bid for these improvements shortly. Town Administrator Munoz inquired as to whether we are retaining the equipment for Fillmore Park to which Mr. Russo replied “yes”. Mayor Roque inquired as to when the remaining half of 60<sup>th</sup> Street will be repaved and completed. Mr. Russo advised that there is only \$280,000 D.O.T. grant monies and that the Town must decide which roads to repair. Discussion ensued between Mr. Russo, Comm. Wiley and the Mayor regarding which roads should be done. Mr. Russo advised that the repair of 60<sup>th</sup> Street would cost \$270,000 in and of itself. Comm. Frias inquired as to whether monies could be added from difference sources or applying for additional grants so that more roads could be done. She inquired as to what item costs the most in repairing roads to which Mr. Russo advised that materials are the most costly. Comm. Wiley advised that 67<sup>th</sup> Street from JFK Blvd. to Bergenline Avenue was in bad condition and should be given priority. Discussion ensued between Town Administrator, Mayor Roque and Town Clerk about bonding not only for roads but for repairs to Hudson Hall, Exempt Fire House, Volunteer Firehouse, heating system in Town Hall, etc. Mr. Munoz advised that some of the aforesaid buildings are in the ownership of Hudson County Improvement Authority by virtue of an agreement with the Town several years ago. Mayor Roque advised him to research facts, discuss with law department and schedule a meeting with him to discuss the entire matter.

**2. Comm. Rodriguez:**

Comm. Rodriguez advised that she has requested individual bills for each of the 21 water bill accounts with North Hudson Sewerage Authority to determine the outstanding balances due. She indicated that the Town is only making partial payments and that the payments are not being correctly applied to the appropriate account. Discussion ensued between Comm. Rodriguez and John Mosca as to how monies should be apportioned when payments are made by the Town and that there should be municipal oversight to make sure payments are applied to the correct account.

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**Note: It was agreed that the Consent Agenda will consist of Resolutions R-1 thru R-30.**

Meeting ended at 7:00 p.m.

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Commissioner FiorD'Aliza Frias

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Commissioner Caridad Rodriguez

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Commissioner Ruben Vargas

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Commissioner Count J. Wiley

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Mayor Felix E. Roque  
Board of Commissioners

Attest: \_\_\_\_\_  
Carmela Riccie, RMC Town Clerk