

**July 21, 2010**  
**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 21, 2010 at 12:00 p.m. (No Work Session).

Present: Commissioners Lopez, Riccardi, Rodriguez and Mayor Vega  
Absent: Commissioner Lange  
Also Present: Town Attorney Daniel Horgan, Town Administrator Joseph McConnell, and Town Clerk Carmela Riccie

Meeting commenced at 12:02 p.m.

At the request of Mayor Vega, 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 21, 2010 at 12:00 p.m.**, I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on November 23, 2009. 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 Vega, Town Clerk Carmela Riccie read aloud the titles of all items on the agenda.

**Minutes of Previous Meeting:**

It was regularly moved by Commissioner Riccardi, seconded by Commissioner Lopez, that the Minutes of Regular Meeting: 6/16/10 (Regular Session) and Special Meeting: 7/7/10 (Regular Session) be approved as recorded, was carried by the following vote:

YEAS - Commissioners Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange

**Claims: Dated 7/21/10 (Claims are available for public inspection in the Town Clerk's Office):**

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

YEAS - Commissioners Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange

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**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF JUNE 2010**

1. From Construction Code Official Office, reporting the sum of \$41,876.00 collected for the month of June, 2010.
2. From Deputy Director Albert L. Bringa (Police Dept.) reporting the sum of \$7,568.75 collected for the month of June, 2010.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$32,750.00 Special Licenses collected for the month of June, 2010.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$559.00 for Marriage/death certificates collected for the month of June, 2010.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$47.60 for Dogs Licenses Issued for the month of June, 2010.
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$4,653,345.92 collected for the month June, 2010.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$14,900.75 collected for the month of June, 2010.

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

YEAS	- Commissioners Lopez, Riccardi, Rodriguez, and Mayor Vega
NAYS	- None
ABSENT	- Commissioner Lange

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**Bid Results**  
**Re: Web Design Consultant Services**

**BID PROPOSAL FORMATION**

Proposal Receipt Date: June 23, 2010                      Budgeted Amount: \$  
Proposal Time:                      10:00 a.m.                      Estimated Amount: \$  
Location for proposal: Town Clerk's Office  
Proposal for:                      Web Design Consultant Services for the Town of West New York  
Department of:  
Personnel at Opening: Deputy Town Clerk Luisa S. Gomez and Cosmo A. Cirillo  
Remarks:                      Time to receive competitive bids was closed at 10:05 a.m.  
   Reserved decision pending review by Evaluation Committee  
   (Comm. Lange, Joseph McConnell, Daniel Ortega)

BIDDER #1	(Name)	Alpha Dog Solutions	Cost. \$20,340.00
	(Address)	335 Union Avenue Belleville, NJ 07109	
	Bid Bond:	Check:_____	
BIDDER #2	(Name)	Lastexit Associates, LLC	Cost. \$12,850.00
	(Address)	685 Bloomfield Avenue, Suite 204 Verona, NJ 07024	
	Bid Bond:	Check:_____	

**RFP Results**  
**Re: Planning Board Attorney**

**RFP PROPOSAL FORMATION**

Proposal Receipt Date:                      July 14, 2010  
Proposal Time:                      10:00 a.m.  
Location for proposal:                      Town Clerk's Office  
Proposal for:                      Planning Board Attorney  
Personnel at Opening:                      Cosmo Cirillo  
Remarks:                      Time to receive RFPS was closed at 10:05 a.m.  
   Reserved decision pending review by review committee.  
RESPONDER #1                      (Name)                      Anne Marie Rizzuto, Esq.  
   (Address)                      368 East Halsey Road  
                        Parsippany, NJ 07054

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**RFP Results**  
**Re: Zoning Board Attorney**

**RFP PROPOSAL FORMATION**

Proposal Receipt Date: July 14, 2010  
Proposal Time: 10:30 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Zoning Board Attorney  
Personnel at Opening: Cosmo Cirillo  
Remarks: Time to receive RFPS was closed at 10:35 a.m.  
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Anne Marie Rizzuto, Esq.  
(Address) 368 East Halsey Road  
Parsippany, NJ 07054

**RFP Results**  
**Re: Bond Counsel**

**RFP PROPOSAL FORMATION**

Proposal Receipt Date: July 14, 2010  
Proposal Time: 11:00 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Bond Counsel  
Personnel at Opening: Cosmo A. Cirillo  
Remarks: Time to receive RFPS was closed at 11:05 a.m.  
Reserved decision pending review by review committee.

RESPONDER #1 (Name) DeCotiis, FitzPatrick & Cole, LLP  
(Address) Glenpoint Centre West  
500 Frank W. Burr Boulevard, Suite 31  
Teaneck, NJ 07666

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**RFP Results**  
**Re: Planning Services**

**RFP PROPOSAL FORMATION**

Proposal Receipt Date: July 14, 2010  
Proposal Time: 11:30 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Planning Services  
Personnel at Opening: Cosmo A. Cirillo  
Remarks: Time to receive RFPS was closed at 11:35 a.m.

**NO RFPS RECEIVED**

**RFQ Results**  
**Re: Workers Compensation Counsel**

**RFQ PROPOSAL FORMATION**

Proposal Receipt Date: July 15, 2010  
Proposal Time: 10:00 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Workers Compensation Counsel  
Personnel at Opening: Cosmo A. Cirillo  
Remarks: Time to receive RFQS was closed at 10:05 a.m.  
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Netchert, Dineen & Hillman, Esq.  
(Address) 280 Baldwin Avenue  
Jersey City, NJ 07306

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**RFQ Results**  
**Re: Labor Counsel**

**RFQ PROPOSAL FORMATION**

Proposal Receipt Date: July 15, 2010  
Proposal Time: 10:30 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Labor Counsel  
Personnel at Opening: Cosmo A. Cirillo  
Remarks: Time to receive RFQS was closed at 10:35 a.m.  
Reserved decision pending review by review committee.

**NO RFQS RECEIVED**

**RFQ Results**  
**Re: Alternate Municipal Court Public Defender**

**RFQ PROPOSAL FORMATION**

Proposal Receipt Date: July 15, 2010  
Proposal Time: 11:00 p.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Alternate Municipal Court Public Defender  
Personnel at Opening: Cosmo A. Cirillo  
Remarks: Time to receive RFQS was closed at 11:05 a.m.  
Reserved decision pending review by review committee

**NO RFQS RECEIVED**

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**RFQ Results**  
**Re: Alternate Municipal Prosecutor**

**RFQ PROPOSAL FORMATION**

Proposal Receipt Date: July 15, 2010  
Proposal Time: 11:30 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Alternate Municipal Prosecutor  
Personnel at Opening: Cosmo A. Cirillo  
Remarks: Time to receive RFQS was closed at 11:35 a.m.  
Reserved decision pending review by review committee

**NO RFQS RECEIVED**

**RFQ Results**  
**Re: Rent Control Board Attorney**

**RFQ PROPOSAL FORMATION**

Proposal Receipt Date: July 16, 2010  
Proposal Time: 10:00 a.m.  
Location for proposal: Town Clerk's Office  
Proposal for: Rent Control Board Attorney  
Personnel at Opening: Cosmo A. Cirillo  
Remarks: Time to receive RFQS was closed at 10:05 a.m.  
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Mateo Perez, Esq.  
(Address) 4919 Bergenline Avenue  
West New York, NJ 07093

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**RFP Results**  
**Re: Fixed Asset Inventory Service Provider**

**RFP PROPOSAL FORMATION**

Proposal Receipt Date: July 16, 2010

Proposal Time: 10:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Fixed Asset Inventory Service Provider

Personnel at Opening: Cosmo A. Cirillo

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

**NO RFPS RECEIVED**

**Consent Agenda**

It was regularly moved by Commissioner Riccardi, seconded by Commissioner Lopez 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, R-23, R-24, R-25, R-26, R-27, R-28 and R-29 be adopted, was carried by the following vote:

YEAS - Commissioners Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange

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

**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>
Our Lady of Libera Church 5808 Kennedy Blvd. West New York, NJ 07093 (50/50 Raffle Off Premise)	October 24, 2010	RL 1811
Our Lady of Libera Church 5808 Kennedy Blvd. West New York, NJ 07093 (50/50 Raffle Off Premise)	December 19, 2010	RL 1812



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**Consent Agenda (Cont.):**

**RESOLUTION**  
**RE: REFUNDS OF TAX LIEN REDEMPTIONS**

WHEREAS, the Tax Collector sold a Tax Sale Certificate# 10-251 to PAM Investors at a Tax Sale held on June 28, 2010; and

WHEREAS, the Collector has received the following amount \$1,460.03 for Tax Sale Certificate# 10-251. However this amount was insufficient funds to redeem said Certificates in accordance with N.J.S.A 54:5-60. The Tax Collector is required to collect the full amount to redeem the said Tax Sale Certificate.

NOW, THEREFORE, BE IT RESOLVED that the Collector is hereby authorized to issue a refund for the partial payment made on the listed Tax Sale Certificate.

<u>Name</u>	<u>Block/Lot</u>	<u>Cert#</u>	<u>Amount</u>
JLS REALTY MGMT., INC	162/14	10-251	\$1,460.03

**RESOLUTION**  
**RE: REFUNDS OF OVERPAYMENT OF TAXES**

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	SFY
424 57 <sup>th</sup> Street, LLC	71/35	\$39.09 (ADDED)	2010
American Home Mortgage Svc. Inc.	98/24	\$2,782.00	2010
American Home Mortgage Svc. Inc.	13/5	\$1,191.00	2010
BAC Tax Services Corp.	168.01/1.31 C0476	\$296.24 \$2,689.51 (SVC)	2010 2010
Sass Muni V, LLC	93/15	\$200.00	2010
Pittman, Ericka	53/16 C002C	\$25.66 *	2010
	GRAND TOTAL	\$7,223.50	

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**Consent Agenda (Cont.):**

**RESOLUTION**  
**RE: REFUNDS OF TAX LIEN PREMIUMS**

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
U.S. BANK CUST FOR CCTS CAPITAL, LLC	74/5 C003D	09-106	\$600.00
VIRGO MGMT.,LLC	53/16/C002C	10-103	\$1,100.00
TOWER LIEN,LLC	5/32 C03-H	10-014	\$200.00
	168.01/7.05 C0501	10-272	\$1,600.00
	82/10	10-153	\$11,400.00
	65/2	10-117	\$3,800.00
	38/9 C010C	10-069	\$3,100.00
	20/36 C0011	10-041	\$1,500.00
	37/2	10-065	\$10,000.00
PLYM PK. TAX SRVS.	118/1	09-163	\$3,000.00
	5/32 C05-I	09-005	\$5,000.00
WACHOVIA CUST FOR PLYM PK TAX SRVS	5/32 C05-I	05-0086	\$6,600.00
H. SINGER PHARMACY	82/10.01	10-154	\$1,800.00
R. ROTHMAN	168.01/8.01 C0124	10-260	\$400.00
EDISON TAX SERVICES, LLC	42/36	10-086	\$10,000.00
	43/17	10-088	\$5,100.00
STRIB CI, LLC	143/19	10-231	\$500.00
	149/9	10-234	\$2,200.00
	38/9 C007C	10-068	\$3,600.00
	15/15	10-028	\$2,900.00
TOWER LIEN, LLC	82/5	10-152	\$9,100.00
U.S. BANK, CUS. FOR EMPIRE TAX FD.	85/30	10-171	\$7,500.00
	98/11	10-183	\$8,000.00
U.S. BANK CUST FOR CCTS CAPITAL, LLC	38/9 C003C	10-067	\$1,900.00
	85/15 C0005	10-170	\$1,800.00
	55/51 C0002	09-083	\$900.00

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

PAM INVESTORS	162/14	09-230	\$100.00
	73/6	10-135	\$2,000.00
	168.01/8.01 C0233	10-263	\$500.00
	49/20 C003D	10-098	\$100.00
R. ROTHMAN	44/17	10-090	\$7,000.00
FNA JERSEY LIEN SERVICES, LLC	94/17	10-176	\$7,000.00
TOWER LIEN, LLC	69/21	10-123	\$4,300.00
U.S. BANK CUST FOR CCTS CAPITAL, LLC	68/1	10-120	\$8,100.00
PLYM PK TAX SRVS.	69/23	09-093	\$500.00
EDISON TAX SVC.,LLC	69/23	10-124	\$12,800.00
PAM INVESTORS	130/3	10-218	\$4,500.00
		GRAND TOTAL	\$150,500.00

**RESOLUTION**  
**RE: TAX CORRECTIONS**  
**RE: 6015 BOULEVARD EAST**

WHEREAS, there is an overpayment on the 4th quarter 2008 Tax bill in the amount of \$34.36 on property located at 6015 Boulevard East also known as block 39 lot 12 C002D and

WHEREAS, the homeowner wants the overpayment to be moved to credit their 3<sup>rd</sup> quarter 2010 taxes.

THEREFORE, the Tax Collector is hereby authorized to move the overpayment to credit the 3<sup>rd</sup> quarter 2010 taxes.

**RESOLUTION**  
**RE: TAX SALE CERTIFICATE REDEMPTIONS**

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

WHEREAS, the Collector of Taxes for the said Tax Sale Certificates has received the full amount for redemption pursuant to N.J.S.A. 54:5-60.

WHEREAS, the certificate has now been redeemed and the investor is entitled to a refund of said redemption amounts pursuant to N.J.S.A. 54:5-58.

NOW, THEREFORE, BE IT RESOLVED that said redemption amounts be paid to the investors in the following amounts, and the Collector of Taxes is hereby authorized to issue said refunds.

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

Name	Block/lot	Cert#	Amount
AMACO	74/1 CB00C	09-103	\$512.74
		08-071	\$3,381.68
ISAAC MORADI	74/1 CB00C	06-0042	\$2,629.77
	70/19.01 C0010	06-0041	\$10,095.37
U.S. BANK CUST FOR CCTS CAPITAL, LLC	74/5 C003D	09-106	\$1,748.69
PAM INVESTORS	49/20 C005C	09-074	\$8,423.39
	11/20 C0001	06-0066	\$5,394.06
JN PROPERTIES	74/5 C003D	06-0029	\$1,241.57
			\$1,161.46
VIRGO MGMT.,LLC	53/16/C002C	10-103	\$374.34
	168.01/1.32 C0462	10-256	\$3,846.43
TOWER LIEN, LLC	74/4 C000E	10-137	\$5,440.80
	5/32 C03-H	10-014	\$1,949.91
	168.017.05 C0501	10-272	\$3,023.56
	82/10	10-153	\$13,638.21
	65/2	10-117	\$6,679.91
	38/9 C010C	10-069	\$1,899.38
	20/36 C0011	10-041	\$1,156.30
	37/2	10-065	\$16,232.57
PLYM PK. TAX SRVS.	149/24	09-204	\$1,029.31
	5/32 C05-I	09-005	\$17,944.57
WACHOVIA CUST FOR PLYM PK TAX SRVS	5/32 C05-I	05-0086	\$7,734.45
FNA JERSEY LIEN SERVICES, LLC	168.01/1.34 C0437	10-257	\$11,132.33
MOORING TAX ASSET GROUP, LLC	120/46	09-165	\$1,139.15
H. SINGER PHARMACY	82/10.01	10-154	\$1,862.66
EDISON TAX SERVYCES, LLC	42/36	10-086	\$6,027.20
	43/17	10-088	\$1,088.36
STRIB CI, LLC	143/19	10-231	\$7,968.07
	149/9	10-234	\$1,796.48
	38/9 C007C	10-068	\$1,962.72
	15/15	10-028	\$2,125.64
TOWER LIEN, LLC	82/5	10-152	\$6,265.28
U.S. BANK, CUST. FOR	85/30	10-171	\$4,632.05

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

EMPIRE TAX FD.	98/11	10-183	\$8,748.34
US BANK CUST FOR	35/1 C005C	10-063	\$1,106.63
PRO CAPITAL I, LLC	45/20	10-091	\$3,485.31
	5/11 C0004	10-004	\$552.68
	5/11 C0005	10-005	\$552.27
U.S. BANK CUST FOR	120/46	10-205	\$2,748.89
CCTS CAPITAL, LLC	74/5 C001B	10-139	\$1,462.21
	38/9 C003C	10-067	\$4,259.34
	85/15 C0005	10-170	\$2,916.64
	55/51 C0002	09-083	\$3,298.88
PAM INVESTORS	162/14	09-230	\$7,046.53
	73/6	10-135	\$4,121.95
	168.01/8.01 C0233	10-263	\$1,331.48
	49/20 C003D	10-098	\$4,640.31
R. ROTHMAN	44/17	10-090	\$10,297.46
FNA JERSEY LIEN	94/17	10-176	\$5,435.26
SERVICES,LLC			
TOWER LIEN, LLC	69/21	10-123	\$6,907.49
U.S. BANK CUST FOR	68/1	10-120	\$4,039.10
CCTS CAPITAL, LLC			
PLYM PK. TAX SRVS.	69/23	09-093	\$1,175.91
EDISON TAX SERVICES,	69/23	10-124	\$16,196.04
LLC			
PAM INVESTORS	130/3	10-218	\$2,622.57
R. ROTHMAN	168.01/8.01 C0124	10-260	\$2,880.59
		GRAND TOTAL	\$257,364.29

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**Consent Agenda (Cont.):**

**RESOLUTION OF THE TOWN OF WEST NEW YORK,  
IN THE COUNTY OF HUDSON, NEW JERSEY  
MAKING APPLICATION TO THE LOCAL FINANCE BOARD  
PURSUANT TO N.J.S.A. 40A:3-4**

WHEREAS, THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY (the "Town"), desires to make application to the Local Finance Board (the "Board") for the Board's approval of a Bond Ordinance pursuant to N.J.S.A.40:3-4 in the Municipal Qualified Bond Act, said approval to be sought in accordance with the provisions of a resolution adopted by the Board on May 14, 2008, pertaining to the Town's qualified bonds, and the Town also desires to seek the approval of the Board pursuant to said resolution adopted by the Board for the approval of a Special Emergency Appropriation Ordinance; and

WHEREAS, the Town believes:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purposes or improvements are for the health, wealth, convenience or betterment of the inhabitants of the Town;
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Town and will not create an undue financial burden to be placed upon the Town.

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

Section 1. The application to the Local Finance Board is hereby approved, and the Administrator and Chief Financial Officer and the Town's attorney, bond counsel and auditor, along with other representatives of the Town, are hereby authorized to prepare such application and to represent the Town in matters pertaining thereto.

Section 2. The Clerk of the Town of West New York is hereby directed to file a copy of this Resolution with the Local Finance Board for its consent as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

**AWARDING RESOLUTION**  
**Re: A Contract to Maser Consulting for Design, Grant and**  
**Construction Administration for the 2010 Road Program**

WHEREAS, Maser Consulting, P.A. submitted a proposal to serve as Town Engineer, in response to a May 2010 Request for Qualifications for professional engineering services as may be required by the Town and was qualified to provide such services by the Board of Commissioners, pursuant to resolution dated June 16, 2010, in response to an advertisement for such responses to the Request for Qualifications

WHEREAS, the Commissioner of the Department of Public Works has duly appointed Maser Consulting, P.A., as Town Engineer; and

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

WHEREAS, the Board of Commissioners, by way of resolution of June 16, 2010, did approve the award of a Contract to Maser Consulting, P.A. to serve as Town Engineer for the period July 1, 2010 through June 20, 2010; and

WHEREAS, the Town is in need of engineering services related to the following projects:

- Engineering Design, Construction Administration and Grants Administration Services for the 2010 Road Program

WHEREAS, Maser Consulting, P.A., as Town Engineer, has proposed to provide professional services for Design, Bidding, Construction Administration, Materials Testing and Grants Administration required, in the lump sum not to exceed amounts, in accordance with their proposal memo dated July 19, 2010 in the following lump sum amounts:

Design & Bidding - \$9,000  
Construction Administration \$18,000  
Construction Costs - \$125,125.96

WHEREAS Maser Consulting, as the Town Engineer is qualified to perform the work as set forth in the Proposal, and

WHEREAS, it is necessary for the efficient operation of the Town of West New York that the work as set out in the Proposal be accomplished; 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, N.J.S.A. 40A:9-140 permits a municipality to provide for the compensation of services provided by a municipal engineer at an hourly rate, based upon actual time and expenses for services rendered; and

WHEREAS, this award is made pursuant to a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq.;

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

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

1. The Mayor and/or the Director of the Department of Public Works or his or their designee be and they are hereby authorized to execute any document that may be necessary to enter into an agreement(s) with Maser Consulting, P.A. as Town Engineer to perform Engineering Support as detailed herein, to be rendered in accordance with the terms and conditions of the June 16, 2010, appointing resolution and the contract with Maser Consulting (“Contract”) thereby resulting, to the extent he/they may deem the provision of such services by Maser Consulting, P.A., necessary, in a form satisfactory to the Town as evidenced by the Mayor and/or the Director of the Department of Public Works or his or their designee’s signature thereon at the following amounts:

Design & Bidding - \$9,000  
Construction Administration \$18,000  
Construction Costs - \$125,125.96

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**Consent Agenda (Cont.):**

**Resolution (Cont.):**

2. Notice of this award shall be published as may be required by law.
3. A copy of this resolution and agreement(s) permitted under this Resolution once executed between the Town and the Town Engineer for the Project shall be kept and maintained on file with the office of the Municipal Clerk and available for public inspection.
4. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.

**RESOLUTION**

**Re: Approval of Change Order #1 to Joseph M. Sanzari, Inc.**  
**for Contract for 2009 Road Program**

Whereas, pursuant to public bidding, on May 4, 2009 in a contract ("Contract") was entered into between the Town of West New York and Joseph M Sanzari, Inc. ("Sanzari") for 2009 Road Program (2d Occasion), pursuant to a Resolution awarding such contract, for the amount of \$1,360,997.52.

Whereas, on July 19, 2010, the Town's Engineer Maser Consulting submitted a proposal for a Change Order No. 1 to the contract for 2009 Road Program (2d Occasion) in the amount of \$135,337.31, for the purpose of adjusting for actual as-built quantities, required to satisfactorily complete the contract; and

Whereas, the Town's Engineer and Business Administrator have reviewed, approved and recommended Change Order No. 1 to process the net increase of \$135,337.31, for an adjusted total of \$1,496,334.83 in accordance with the contract for 2009 Road Program (2d Occasion); and

Whereas, the award of Change Order No. 1 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

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 Mayor shall be and is hereby authorized to execute Change Order No. 1 to Process the net increase of \$135,337.31 as stated in the July 21, 2010 change order proposal from Maser Consulting, in accordance with the contract for 2009 Road Program (2d Occasion), for an adjusted total amount of \$1,496,334.83.
2. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
3. 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.



**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**AWARDING RESOLUTION**  
**Re: Award of Contract for “Striping Contract” to:**  
**Statewide Striping Corp.**

WHEREAS, quote requests are in compliance with the non-fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Town requested quotes for the open-ended contract for Striping Contract, pursuant to and in accordance to the contract for Striping Contract; and

WHEREAS, on May 5, 2010, the Town did send out a fax to multiple contractors and received the following bids on the contract for Striping Contract:

Company	Full Day Thermo
Statewide Striping Corp.	\$3,000
Straight Edge Striping	\$6,400
9 OTHER CONTRACTORS	NO BID

WHEREAS, the Town’s Purchasing Agent has recommended the award of the contract for Striping Contract to Statewide Striping in the maximum amount of \$26,000 is the lowest responsive and responsible bid for Striping Contract; and

WHEREAS, publicly bid contracts are in compliance with the non-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, this contract is an open-ended contract; 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

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 Statewide Striping Corp., 499 Pomeroy Road, Parsippany, NJ, 07054 on the bid for Striping Contract in the maximum amount of \$26,000 be the lowest responsive and responsible bid for Striping Contract and the same is hereby accepted.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for Striping Contract with Statewide Striping Corp.
3. The Chief Financial Officer’s Certification that funds are available shall be on file at the Authority and made a part hereof.
4. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
5. 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.

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Qualification of Various Legal Professionals for Various Legal Services**

WHEREAS, the Town of West New York has followed the fair and open process under the New Jersey Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.5 et seq. for receiving Requests for Qualifications; and

WHEREAS, the Town of West New York issued a Request for Qualifications for the following professional legal services through advertisement on the Town's website:

Alternate Municipal Court Prosecutor  
Alternate Municipal Court Public Defender  
Labor Counsel  
Workers Compensation Attorney  
Rent Control Board Attorney

in accordance with the requirements of N.J.S.A. 19:44A-20.4, et. seq., in March 2010 for the provision of such legal services; and

WHEREAS, the Town of West New York received and opened Statements of Qualifications for those positions from July 14, 2010 through July 16, 2010; and

WHEREAS, pursuant to the Request for Qualifications, the Town's received Statements of Qualifications from the following for such services as follows:

Workers Compensation Attorney  
Netchert Dineen & Hillman  
Rent Control Board Attorney  
Mateo Perez, Esq. (law offices)

WHEREAS, pursuant to the Request for Qualifications, the Town's staff and consultants have conducted a review of the responses received and recommends that the firms listed below be deemed qualified to provide legal services based on the Statements of Qualifications received, as follows:

Workers Compensation Attorney  
Netchert Dineen & Hillman  
Rent Control Board Attorney  
Mateo Perez, Esq. (law offices)

NOW, THEREFORE, BE IT RESOLVED, Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, that the following firms be and are hereby qualified to render professional legal services on behalf of the Town of West New York for the next year as herein described:

Workers Compensation Attorney  
Netchert Dineen & Hillman  
Rent Control Board Attorney  
Mateo Perez, Esq. (law offices)

BE IT FURTHER RESOLVED that the Mayor and his designee are hereby authorized to transmit formal or informal requests for proposals to any of the above qualified firms, as necessary, for the performance of professional legal services, as qualified, that may be required by the Town, up through July 20, 2011.



July 21, 2010  
Regular Meeting

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Authorizing the Town Clerk to advertise**  
**to receive bids for "Town Hall Energy Efficiency Improvements Project"**  
**in Town Clerk's Office**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office for: "Town Hall Energy Efficiency Improvements Project" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**Resolution**  
**Re: Authorizing the Town Clerk to advertise**  
**to receive bids for "Striping and Signing"**  
**in Town Clerk's Office**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office for: "Striping and Signing" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**Resolution**  
**Re: Authorizing the Town Clerk to advertise**  
**to receive bids for "Pavement Management Contract"**  
**in Town Clerk's Office**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office for: "Pavement Management Contract" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**Resolution**  
**Re: Authorizing the Town Clerk to advertise**  
**to receive bids for "2010 Road Program"**  
**on Thursday, August 12, 2010 at 10:30 a.m. in Town Clerk's Office**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids on Thursday, August 12, 2010 at 10:30 a.m. in the Town Clerk's Office for: "2010 Road Program" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**AMENDING RESOLUTION**

**Re: Approval of Interlocal Agreement with the West New York Board of Education**  
**(Reimbursement of costs for Police Supervisor for purposes of School Security)**

WHEREAS, the West New York Board of Education, a non profit organization, and the Town of West New York have entered into an Interlocal Service Agreement for Reimbursement of costs for Police Supervisor for purposes of School Security at the rate of \$28.00/hour; and

WHEREAS, it has been requested that this the agreement be amended to permit for the rate of \$31/hour;

WHEREAS, it is in the best interest of the Town of West New York to enter into said amended agreement; and

WHEREAS, N.J.S.A. 40A:65-4 et seq. allows the Town and the Board of Education to enter into said Interlocal Service Agreement for the costs of such services;

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

1. The Town Administrator be and he is hereby authorized to enter into Interlocal Service Agreements for the aforementioned services in substantially the form filed with the office of the municipal Clerk, in a form satisfactory to the Town as evidenced by the Municipal Administrator's signature thereon for the following services and amounts:

Agreement	Reimbursement Amount (To the Town)
Reimbursement of Costs for Police Officers for the Purposes of School Security	\$31.00 per hour

2. The Town Administrator be and he is hereby authorized to execute any and all documents and to take any and all necessary action to complete and realize the intent and purpose of this resolution.

3. A copy of this Resolution and the Interlocal Service Agreements once executed shall remain on file in the office of the Municipal Clerk for public inspection.

**RESOLUTION**

**Re: Approval of Professional Services Agreement for the Services of**  
**Anne Marie Rizzuto – Planning Board Attorney**  
**(Term: July 21, 2010 – June 20, 2011)**

WHEREAS, N.J.S.A. 40A:11-1 et seq. (Local Public Contracts Law) provides that contracts for professional services may be entered by the governing body without advertising for bids; and

WHEREAS, Anne Marie Rizzuto has submitted a proposal for the provision of Professional Legal Services – Planning Board Attorney in response to an advertised Request for Proposals in July 2010; and

WHEREAS, the Planning Board of the Town of West New York may employ, contract for, and fix the compensation of legal counsel, other than the municipal attorney, and experts, as it may deem necessary, not exceeding, exclusive of gifts or grants, the amount appropriated by the governing body for its use, N.J.S.A. 40:55D-71; and

**July 21, 2010**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, Anne Marie Rizzuto has sufficient experience in the provision of Professional Legal Services – Planning Board Attorney; and

WHEREAS, Anne Marie Rizzuto has been providing services as attorney for the planning board from July 1, 2010 to today; and

WHEREAS, the Board of Commissioners of the Town of West New York desire the Planning Board to awarding a contract for the provision of legal services – Planning Board Attorney, as such services will be of benefit to the Town and are necessary for the efficient operation of the Town; and

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

WHEREAS, this award was made without competitive bids; and

WHEREAS, the award of a contract to Anne Marie Rizzuto as member of the firm of Law Office of Anne Marie Rizzuto, Esq. for the provision of legal services – Planning Board Attorney is a result of a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Proposals of July 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 Authority's budget and that such funds have been appropriated at Budget Code FY 2011 Budget Legal O/E; and

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

A contract between the Town of West New York and Law Office of Anne Marie Rizzuto, Esq. from July 21, 2010 to June 20, 2011 is hereby ratified and approved, subject to approval by the Planning Board. Payment for any services previously provided in an amount not to exceed \$17,500.00 from July 1, 2010 is hereby ratified and approved, at the rates for such service effective on June 30, 2010.

1. The Mayor shall be and is hereby authorized to execute an agreement, by and between the Town and Law Office of Anne Marie Rizzuto, Esq. for the services of Anne Marie Rizzuto for the provision of Legal Services – Planning Board Attorney, in accord with the contract for Planning Board Attorney approved for the period ended July 20, 2010, subject to the approval of the Planning Board.

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 \$24,999.00 for the period July 21, 2010 to July 20, 2011 or as may be permitted by the budget, the rates to be paid and charged to be in accord with the terms of the proposal for Planning Board Attorney submitted.

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 copy of this Resolution shall be duly published.

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

7. A copy of this Resolution 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: Approval of Professional Services Agreement for the Services of**  
**Anne Marie Rizzuto - Zoning Board of Adjustment Attorney**  
**(Term: July 21, 2010 – June 30, 2011)**

WHEREAS, N.J.S.A. 40A:11-1 et seq. (Local Public Contracts Law) provides that contracts for professional services may be entered by the governing body without advertising for bids; and

WHEREAS, Anne Marie Rizzuto has submitted a proposal for the provision of Professional Legal Services – Zoning Board of Adjustment Attorney in response to an advertised Request for Proposals in July 2010; and

WHEREAS, the firm of Anne Marie Rizzuto has been providing services as Zoning Board of Adjustment Attorney from July 1, 2010 to today; and

WHEREAS, the Zoning Board of Adjustment of the Town of West New York may employ, contract for, and fix the compensation of legal counsel, other than the municipal attorney, and experts, as it may deem necessary, not exceeding, exclusive of gifts or grants, the amount appropriated by the governing body for its use, N.J.S.A. 40:55D-71; and

WHEREAS, the Board of Commissioners of the Town of West New York desire the Zoning Board of Adjustment to awarding a contract for the provision of legal services – Zoning Board of Adjustment Attorney, as such services will be of benefit to the Town and are necessary for the efficient operation of the Town; and

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

WHEREAS, this award was made without competitive bids; and

WHEREAS, the award of a contract to Anne Marie Rizzuto as member of the firm of Law Office of Anne Marie Rizzuto, Esq. for the provision of legal services – Zoning Board of Adjustment Attorney is a result of a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Proposals in July 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 Authority's budget and that such funds have been appropriated at Budget Code FY 2011 Budget Legal O/E; and

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

A contract between the Town of West New York and Law Office of Anne Marie Rizzuto, Esq. from July 21, 2010 to June 30, 2011 is hereby ratified and approved, subject to approval by the Zoning Board of Adjustment. Payment for any services previously provided in an amount not to exceed \$17,500.00 from July 1, 2010 is hereby ratified and approved, at the rates in effect on June 30, 2010.

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

1. The Mayor shall be and is hereby authorized to execute an agreement, by and between the Town and Law Office of Anne Marie Rizzuto, Esq. for the services of Anne Marie Rizzuto for the provision of Legal Services – Zoning Board of Adjustment Attorney, in accord with the contract for Zoning Board of Adjustment Attorney approved for the period ended July 20, 2010, subject to the approval of the Zoning Board of Adjustment.

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 \$24,999.00 for the period July 21, 2010 to June 30, 2011, or as may be permitted by the budget, the rates to be paid and charged to be in accord with the terms of the proposal for Zoning Board Attorney submitted.

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 copy of this Resolution shall be duly published.

7. A copy of this Resolution 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: Approval of Professional Services Agreement for the Provision of Legal Services –  
Bond Counsel with DeCotiis, Fitzpatrick, Cole & Wisler**

WHEREAS, N.J.S.A. 40A:11-1 et seq. (Local Public Contracts Law) provides that contracts for professional services may be entered by the governing body without advertising for bids; and

WHEREAS, the firm of DeCotiis, Fitzpatrick, Cole & Wisler has sufficient experience in the provision of Professional Legal Services – Bond Counsel; and

WHEREAS, DeCotiis, Fitzpatrick, Cole & Wisler has submitted a Proposal for William R. Mayer to serve as Bond Counsel in response to a Request for Proposals for Bond Counsel in July, 2010; and

WHEREAS, on the basis of the review of the Proposal submitted by DeCotiis, Fitzpatrick, Cole & Wisler, the Board of Commissioners deemed DeCotiis, Fitzpatrick, Cole & Wisler qualified to provide legal services to the Town as Bond Counsel; and

WHEREAS, the firm of DeCotiis, Fitzpatrick, Cole & Wisler has been providing services as Bond Counsel from July 1, 2010 to today; and

WHEREAS, the Board of Commissioners of the Town of West New York are desirous of awarding a contract for the provision of Professional Legal Services – Bond 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 retain the firm of DeCotiis, Fitzpatrick, Cole & Wisler, to provide Professional Legal Services – Bond Counsel as per the terms of the



**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

proposal contained in their Qualification Statement, and the terms of the proposed draft form of agreement attached hereto, incorporating the terms of such proposal contained in the Qualification Statement; and

WHEREAS, this award was made without competitive bids; and

WHEREAS, the award of a contract to DeCotiis, Fitzpatrick, Cole & Wisler for the provision of Professional Legal Services – Bond Counsel is a result of a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications advertised in June, 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 Authority's budget and that such funds have been appropriated at Budget Code FY 2011 Budget Legal O/E; and

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

1. A contract between the Town of West New York and DeCotiis, Fitzpatrick, Cole & Wisler for services performed from July 21, 2010 through June 30, 2011 is hereby ratified and approved. Payment for any services previously provided in an amount not to exceed \$17,500.00 from July 1, 2010, in accord with the contract in effect on June 30, 2010, is hereby ratified and approved.
2. The Mayor shall be and is hereby authorized to execute an agreement, by and between the Town and DeCotiis, Fitzpatrick, Cole & Wisler to provide Professional Legal Services – Bond Counsel in substantially the same form as the previous FY 2009 Bond Counsel Contract and the terms of the Statement of Qualifications submitted by DeCotiis, Fitzpatrick, Cole & Wisler.
3. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
4. The initial authorized amount for work to be performed under this agreement to be paid from Town funds shall not exceed \$25,000.00, or as may be permitted by the budget, the rates to be paid and charged to be in accord with the terms of the proposal for Bond Counsel submitted, for the term July 21, 2010 through June 30, 2011.
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 notice of this award shall be published as may be required by law.
7. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
8. 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.

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Approval of Professional Services Agreement for the Services of  
Workers Compensation Counsel with Netchert Dineen & Hillman**

WHEREAS, N.J.S.A. 40A:11-1 et seq. (Local Public Contracts Law) provides that contracts for professional services may be entered by the governing body without advertising for bids; and

WHEREAS, the firm of Netchert Dineen & Hillman has sufficient experience in the provision of Professional Legal Services – Workers Compensation Counsel; and

WHEREAS, William Netchert as member of Netchert Dineen & Hillman, has submitted a Statement of Qualifications to serve as Workers Compensation Counsel, in response a publicly advertised Request for Qualifications for the provision of legal services – Workers Compensation Counsel, in July, 2010; and

WHEREAS, on the basis of the review of the Statement of Qualifications submitted by Netchert Dineen & Hillman, the Board of Commissioners by resolution has deemed Netchert Dineen & Hillman, qualified to provide legal services to the Town as Workers Compensation 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 William Netchert to serve as Workers Compensation Counsel and enter into a contract with Netchert Dineen & Hillman to provide for the services of William Netchert and the services of Netchert Dineen & Hillman, under his direction; and

WHEREAS, the firm of Netchert Dineen & Hillman has been providing services as Workers Compensation Counsel from July 1, 2010 to today; and

WHEREAS, the Board of Commissioners of the Town of West New York are desirous of awarding a contract for the provision of legal services – Workers Compensation Counsel, as such services will benefit the Town; and

WHEREAS, this award was made without competitive bids; and

WHEREAS, the award of a contract to William Netchert as member of Netchert Dineen & Hillman for the provision of legal services – Workers Compensation Counsel is a result of a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications of July, 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 Authority's budget and that such funds have been appropriated at Budget Code FY 2011 Budget Legal O/E; and

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

A contract between the Town of West New York and Netchert Dineen & Hillman for services provided from July 21, 2010 through June 30, 2011 is hereby ratified and approved. Payment for any services previously provided in an amount not to exceed \$7,500.00 from July 1, 2010 is hereby ratified and approved.

1. The Mayor shall be and is hereby authorized to execute an agreement, by and between Netchert Dineen & Hillman, for the services of William Netchert, as Workers Compensation Counsel, and for the services of Netchert Dineen & Hillman, under his supervision, in substantially the form advertised in the Request for Qualifications.

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

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

3. The initial hourly rate for services under this contract shall not exceed \$150.00 per hour and the initial authorization of this contract shall not exceed \$35,000.00 for the period July 21, 2010 through June 30, 2011.

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

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

7. A copy of this Resolution, and a copy of the contract, 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: Approval of Professional Services Agreement for the Services of Rent Control Board Attorney with Law Offices of Mateo Perez**

WHEREAS, N.J.S.A. 40A:11-1 et seq. (Local Public Contracts Law) provides that contracts for professional services may be entered by the governing body without advertising for bids; and

WHEREAS, the firm of Law Offices of Mateo Perez has sufficient experience in the provision of Professional Legal Services – Rent Control Board Attorney; and

WHEREAS, Section 69-114 of the Code of the Town of West New York provides for the appointment of Rent Control Board Attorney; and

WHEREAS, Mateo Perez as member of Law Offices of Mateo Perez, has submitted a Statement of Qualifications to serve as Rent Control Board Attorney, in response a publicly advertised Request for Qualifications for the provision of legal services – Rent Control Board Attorney; and

WHEREAS, on the basis of the review of the Statement of Qualifications submitted by Law Offices of Mateo Perez, the Board of Commissioners deemed Law Offices of Mateo Perez, qualified to provide legal services to the Town as Rent Control Board Attorney by resolution of July 21, 2010; and

WHEREAS, the firm of Law Offices of Mateo Perez has been providing services as Rent Control Board Attorney from July 1, 2010 to today; and

WHEREAS, the Mayor as Commissioner of Public Affairs has duly appointed Mateo Perez as member of Law Offices of Mateo Perez, as Rent Control Board Attorney via an appointment letter attached to this Resolution; 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 Mateo Perez to serve as Rent Control Board Attorney and enter into a contract with Law Offices of Mateo Perez to provide for the services of Mateo Perez and the services of Law Offices of Mateo Perez, under his direction; and

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, the Board of Commissioners of the Town of West New York are desirous of awarding a contract for the provision of legal services – Rent Control Board Attorney, as such services will benefit the Town; and

WHEREAS, this award was made without competitive bids; and

WHEREAS, the award of a contract to Mateo Perez as member of Law Offices of Mateo Perez for the provision of legal services – Rent Control Board Attorney is a result of a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications dated July, 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 Authority's budget and that such funds have been appropriated at Budget Code FY 2011 Budget Legal O/E; and

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

1. A contract between the Town of West New York and Law Offices of Mateo Perez for services provided from July 21, 2010 through June 30, 2011 is hereby ratified and approved. Payment for any services previously provided in an amount not to exceed \$17,500.00 from July 1, 2010 is hereby ratified and approved.

2. The Mayor shall be and is hereby authorized to execute an agreement, by and between Law Offices of Mateo Perez, for the services of Mateo Perez, as Rent Control Board Attorney, and for the services of Law Offices of Mateo Perez, under his supervision, in substantially the form advertised in the Request for Qualifications.

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

4. This contract is awarded based upon the recommendation of the Review Committee previously established as a result of their review of RFQs received, and in accordance with N.J.S.A. 19:44A-20.5 et seq.

5. The initial hourly rate for services under this contract shall not exceed \$150.00 per hour and the initial authorization of this contract shall not exceed \$20,000.00 for the period July 21, 2010 – June 30, 2011.

6. 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.

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

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

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

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Extension of Contract of Alpha Dog Solutions for the  
Provision of Web Services**

WHEREAS, Alpha Dog Solutions Continues to provide services to the Town as Internet Services Provider; and

WHEREAS, the Town is currently in the process of procuring through Competitive Bidding the services of Web Services; and

WHEREAS, the current contract for Web Services has expired; and

WHEREAS, as it is anticipated that a contract for such services will be awarded in August 2010, meaning that the provision of such services by Alpha Dog will not exceed the bid threshold or the pay-to-play threshold; 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;

NOW, THEREFORE BE IT RESOLVED:

1. The Municipal Administrator be and is hereby authorized to enter into an agreement for the payment of services provided by Alpha Dog at the rates set out in the previously expired contract until such time as the current procurement for Web Services provider is completed in an amount not to exceed \$17,500.
2. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
3. 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: APPLICATION FOR 2011 MUNICIPAL ALLIANCE GRANT (\$47,462.00)**

WHEREAS, the Mayor and Commissioners of the Town of West New York, County of Hudson, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Mayor and Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Mayor and Commissioners has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED by the Town of West New York, County of Hudson, State of New Jersey hereby recognizes the following:

1. The Mayor and Commissioners does hereby authorize submission of an application for the West New York Municipal Alliance grant for the calendar year 2011 in the amount of \$47,452.

**July 21, 2010**  
**Regular Meeting**

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

2. The Mayor and Commissioners acknowledges the terms and conditions for administering the West New York Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
*Silverio Vega, Mayor*

CERTIFICATION

I, Carmela Riccie, Town Clerk of the Town of West New York, County of Hudson, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Mayor and Commissioners on this 21st day of July, 2010.

\_\_\_\_\_  
*Carmela Riccie, Town Clerk*

**Amending Resolution**  
**Re: UEZ Litter Clean Up Phase III**

Whereas, the Board of Commissioners of the Town of West New York adopted resolutions on March 17, 2010 and April 21, 2010 authorizing request for funds for UEZ Litter Clean Up Phase III for Fiscal year 2010; and

Whereas, UEZ Coordinator Oscar Miqueli has been advised by the State to amend the amounts requested due to a change in Clean Up personnel;

Whereas, the Town of West New York seeks to amend its request for funding in the amount of \$242,193.00 for UEZ Litter Clean Up Phase III; and

Whereas, such program is beneficial to the interests of the citizens of the Town of West New York;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the County of Hudson as follows:

1. The Mayor and/or Business Administrator are hereby authorized to request up to a total of \$242,193.00 for UEZ Litter Clean Up Phase III for Fiscal Year 2010, as may be required, taking into account the UEZ share of \$107,989.00 and the municipal match for materials and supplies and salaries and benefits for the amount of \$134,204.00.
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 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**  
**RE: BUDGET TRANSFER Fiscal Year 2010**

BE IT RESOLVED that the proper officers are hereby authorized and instructed to make the following State Fiscal Year 2010 Budget Transfers from appropriations which have excess funds within the provisions of N.J.S.A. 40A: 4-58.

	<u>Transfer From</u>	<u>Transfer To</u>
Public Affairs		
Salaries & Wages	\$ 44,776.84	
Town Clerk		
Salaries and Wages	\$ 2,952.76	
Elections		
Other Expenses	\$ 22,375.78	
Board of Health		
Salaries & Wages	\$ 4,927.84	
Prosecutor		
Salaries & Wages	\$ 9,269.30	
Rent Control Board		
Salaries & Wages	\$ 2,996.34	
Rent Control Board		
Other Expenses	\$ 11,274.56	
Town Funding Program		
Other Expenses	\$ 1,000.00	
Housing Inspections		
Salaries & Wages	\$ 26,760.16	
Tenant Relations		
Salaries & Wages	\$ 1,153.92	
Law Department		
Salaries & Wages	\$ 630.08	
Senior Citizens		
Salaries & Wages	\$ 922.87	
Administrative Office		
Salaries & Wages	\$ 42,799.02	
Personnel Department		
Salaries & Wages	\$ 584.25	
Planning Board		
Salaries & Wages	\$ 824.84	
U.E.Z.		
Salaries & Wages	\$ 1,753.92	

**July 21, 2010**  
**Regular Meeting**

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

Community Development Salaries & Wages	\$ 32,579.18
Revenue & Finance Salaries & Wages	\$ 11,454.90
Treasurers Office Salaries & Wages	\$ 1,994.93
Treasurers Office Other Expenses	\$ 60,145.76
Treasurers Office Other Expenses/Payroll Services	\$ 3,905.89
Assessment of Taxes Salaries & Wages	\$ 1,454.82
Collection of Taxes Salaries & Wages	\$ 9,708.60
Purchasing Agent Salaries & Wages	\$ 227.94
Purchasing Agent Other Expenses	\$ 77.90
Director – Public Safety Salaries & Wages	\$ 1,841.69
North Hudson Fire & Rescue Other Expenses	\$ .16
Police Department Salaries & Wages	\$ 25,218.51
Uniform Fire Safety Salaries & Wages	\$ 37,101.96
Ambulance Squad Other Expenses	\$ 8,605.34
Office of Emergency Management Salaries & Wages	\$ 16,500.00
Office of Emergency Management Other Expenses	\$ 1,500.00
Director of Parks Salaries & Wages	\$ 1,208.52
Streets & Sewers Other Expenses	\$ 19,350.00



**July 21, 2010**  
**Regular Meeting**

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

Garbage & Trash Salaries & Wages	\$ 69,327.95	
Garbage & Trash Other Expenses	\$ 113,169.53	
Director of Parks & Property Salaries & Wages	\$ 27,421.06	
Division of Parks Salaries & Wages	\$ 6,555.69	
Division of Parks Other Expenses	\$ 20,809.06	
Building Department Salaries & Wages	\$ 26,374.35	
Building Department Other Expenses	\$ 25,947.68	
Light & Power	\$ 59,494.35	
Signal Bureau Salaries & Wages	\$ 48,067.36	
Signal Bureau Other Expenses	\$ 46.88	
	<u>Transfer From</u>	<u>Transfer To</u>
Construction Code Official Salaries & Wages	\$ 29,201.30	
Public Affairs Other Expenses		\$ 11,500.00
Town Clerk Other Expenses		\$ 2,300.00
Prosecutor Other Expenses		\$ 7,797.50
Assessment of Taxes Other Expenses		\$ 1,227.63
Collection of Taxes Other Expenses		\$ 918.48
Group Health Insurance		\$ 649,881.73

**July 21, 2010**  
***Regular Meeting***

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

Director of Public Works Other Expenses	\$ 45.00
Street Lighting	\$ 92,807.61
Fire Hydrant Rental	\$ 17,154.54
Engineering Services Other Expenses	\$ 30,109.80
Construction Code Official Other Expenses	\$ 15,922.32
Municipal Court Other Expenses	\$ 211.68
Public Defender Other Expenses	\$ 4,417.50



3 YEAR CAPITAL PROGRAM 2010 - 2012

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current Year 2010	Future Years				General	Self Liquidating	Assessment	School
Various Capital Improvements	\$ 2,700,000			\$ 100,000		\$ 700,000	\$ 1,900,000			
<b>TOTAL ALL PROJECTS</b>	<b>\$ 2,700,000</b>			<b>\$ 100,000</b>		<b>\$ 700,000</b>	<b>\$ 1,900,000</b>			

July 21, 2010  
Regular Meeting

Consent Agenda (Cont.):

Be It further Resolved that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution creating the temporary capital budget section adopted by the governing body on the 21st day of July, 2010

Certified by me

\_\_\_\_\_

\_\_\_\_\_ MUNICIPAL CLERK

TRENTON, NEW JERSEY  
APPROVED \_\_\_\_\_, 2010

\_\_\_\_\_ DIRECTOR OF LOCAL GOVERNMENT SERVICES

**July 21, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Authorizing and Approving the Submission of 2010 Green Acres Grant Applications**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Town of West New York desires to further the public interest by obtaining funding in the amount of \$3,175,000 from the State to fund the following project(s): Veterans and Donnelly Parks at a cost of \$3,175,000;

NOW, THEREFORE, the governing body/board resolves that the Mayor or his successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Board of Commissioners of the Town of West New York, as follows

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Veterans and Donnelly Parks Improvements.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,050,000.00
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

**CERTIFICATION**

I, Carmela Riccie, Town Clerk of the Town of West New York do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners of the Town of West New York at a meeting held on the 21st day of July, 2010

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 21 day of July, 2010

\_\_\_\_\_  
CARMELA RICCIE, RMC, TOWN CLERK

**July 21, 2010**  
***Regular Meeting***

**Ordinance #15/10**

**An Ordinance to Re-Adopt Chapter 167 of the Code of the Town of West New York  
Re: Curfew**

**Note: At the request of Mayor Vega, Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.**

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

**No one wished to be heard.**

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

YEAS - Commissioners Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange

**Ordinance #16/10**

**An Ordinance to Amend Section 367-2 of the Code of the Town of West New York  
Re: Insurance Requirements for Taxicabs**

**Note: At the request of Mayor Vega, Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.**

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

**No one wished to be heard.**

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

YEAS - Commissioners Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange

July 21, 2010  
Regular Meeting

**Bond Ordinance #17/10**

**AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWN OF WEST NEW YORK AND APPROPRIATING \$2,700,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME**

**Note:** At the request of Mayor Vega, Town Clerk Carmela Riccie read the title of the foregoing Bond Ordinance aloud.

It was regularly moved by Commissioner Riccardi seconded by Commissioner Lopez to adopt the introduction of the foregoing Bond Ordinance was carried by the following vote:

YEAS - Commissioners Lopez, Riccardi, Rodriguez and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange

**Notice**  
**Bond Ordinance #17/10**

**AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWN OF WEST NEW YORK AND APPROPRIATING \$2,700,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME**

The foregoing Bond Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on July 21, 2010 and ordered published, and will be further considered before final passage at a public hearing on August 18, 2010 at 12:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

**July 21, 2010**  
***Regular Meeting***

**Ordinance #18/10**

**An Ordinance providing for the preparation of a Tax Map and a Master Plan, and authorizing Special Emergency Appropriations of \$275,000 therefore and providing for the issuance of Special Emergency Notes**

**Note: At the request of Mayor Vega, Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.**

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

YEAS - Commissioners Lopez, Riccardi, Rodriguez and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange

**Notice**  
**Ordinance #18/10**

**An Ordinance providing for the preparation of a Tax Map and a Master Plan, and authorizing Special Emergency Appropriations of \$275,000 therefore and providing for the issuance of Special Emergency Notes**

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 21, 2010 and ordered published, and will be further considered before final passage at a public hearing on August 18, 2010 at 12:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

**Ordinance #19/10**

**An Ordinance amending Ordinance #8/10 entitled:  
“An ordinance entitled 2010/2012 Salary Ordinance”**

**Note: At the request of Mayor Vega, Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.**

It was regularly moved by Commissioner Riccardi seconded by Commissioner Lopez to adopt the introduction of the foregoing Ordinance was carried by the following vote:

YEAS - Commissioners Lopez, Riccardi, Rodriguez and Mayor Vega  
NAYS - None  
ABSENT - Commissioner Lange



**July 21, 2010**  
**Regular Meeting**

**Notice**  
**Ordinance #19/10**

**An Ordinance amending Ordinance #8/10 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 July 21, 2010 and ordered published, and will be further considered before final passage at a public hearing on August 18, 2010 at 12:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

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

**Note:** Mayor Vega advised the public that each speaker will have five (5) minutes and that all questions must be addressed to the Mayor.

**Mayor opened the Public Portion.**

**Public Portion:**

**1. Julio Morejon, Esq.:**

Mr. Morejon identified himself. Mayor Vega advised Mr. Morejon that he is not a town resident and does not own property in West New York. Mr. Morejon replied “By virtue of those facts, am I precluded from addressing the governing body?” Mayor Vega permitted Mr. Morejon to continue. Mr. Morejon referred to Ordinance #15/10 (Re-adopting Chapter 167 of the Code Re: Curfew) and inquired as to whether the Town was approving the same curfew which had been in existence. Mayor Vega explained that towns such as West New York were required to adopt their own Ordinance or curfew to make sure that it complies with the changes in State law. Mr. Morejon inquired “The Ordinance says re-adopt. Are you re-adopting the same one?” Mayor Vega explained that prior Ordinance was found not to be legal or meet constitutional law. Mr. Morejon commented “It was challenged by the ACLU.” Mayor Vega reiterated that Ordinance #15/10 will bring our curfew ordinance within the guidelines of the State of New Jersey.

**2. Clara Brito-Herrera, 6312 Jackson Street, WNY:**

Mrs. Brito-Herrera referred to Ordinance #15/10 (Re: Curfew) and stated, “It is a great thing that we are getting it back to keep the children off the streets. My concern is that the West New York Reporter says that promotions were made that will take officers off the streets. Security is compromised after dark. How will this law be implemented without enough officers on the streets?” Mayor Vega replied, “The State did a thorough review of our Police Dept. and our Police Dept. has room to grow and for a few promotions. The State also reviewed Hoboken’s Police Dept. and reduced it by one third. In our case, we promoted one (1) Captain, one (1) Lieutenant and three (3) Sergeants. We are moving forward to hire six (6) police officers as soon as the new academy starts at the end of August.” Mrs. Brito-Herrera responded, “We are not like Hoboken. We have different issues. We need to focus on our issues. Six (6) hirings is a great thing as we need officers. How many do we have walking right now?” The Mayor replied, “I don’t know what deployment is today. It is reviewed daily. The Police Director makes those decisions based on needs.” Mrs. Brito-Herrera stated, “Six (6) more is not enough”.

**July 21, 2010**  
**Regular Meeting**

**Public Portion (Cont.):**

**3. Count Wiley, 6010 Monroe Place, WNY:**

Dr. Wiley inquired, "Do you have any influence on building in this town whatsoever?" Mayor Vega replied, "No, I am for reasonable development in the Town but I don't get involved in daily operations." Dr. Wiley referred to a person by the name of "Rolando Criberio" and inquired "Do you have a relationship with this man?" The Mayor replied, "I know the individual." Dr. Wiley responded, "He is a big builder. He has donated money to you." Mayor Vega responded, "To me personally, No." Discussion ensued between Dr. Wiley and the Mayor regarding contributions to his political organization and Mayor Vega advised Dr. Wiley that if he had any questions, he (Dr. Wiley) could check the political reports. Dr. Wiley stated that Mr. Criberio has donated vehicles to the Town in the past. Mayor Vega acknowledged that two (2) vehicles had been donated in 2007. Discussion ensued as to whether Mr. Criberio was ever an employee of the Town to which the Mayor advised, "Not that I know." Dr. Wiley advised that Mr. Criberio built 40 condominium units in West New York and has since declared bankruptcy. Dr. Wiley inquired as to whether Mr. Criberio is an employee of the Parking Authority earning a salary of \$35,000-\$45,000. Dr. Wiley further inquired as to whether the Mayor was under investigation by F.B.I. and whether Town records had been seized by the F.B.I. Mayor Vega advised that Mr. Criberio is not an employee of the Parking Authority, but served as a volunteer member of the Parking Authority with no compensation. Mayor Vega responded that he was not under investigation by the F.B.I.

**4. Dr. Felix Roque, 5711 Jefferson Street, WNY:**

Dr. Roque referred to retirement package of Janet Passante approved two (2) months ago by the Governing Body and commented that the Mayor had represented at that time that he (the Mayor) had reviewed all supporting documentation pertaining to said package. Mayor Vega advised that the Town Attorney reviewed the documentation. Dr. Roque advised that in the military, someone must sign off on this type of documentation and inquired as to whether there were any other records he could review, which he had not already been provided. Mayor Vega advised that the Town treats every employee the same in that when the information was gathered, it was reviewed by the Town Attorney and the Town Administrator and subsequent to the review, a resolution was adopted approving the settlement. Dr. Roque inquired as to whether he could request the specific documentation reviewed by the Mayor and Commissioners that supported granting the compensation to Ms. Passante. Dr. Roque commented that Wayne Cook has three (3) jobs earning a total of \$186,000 and that he (Mr. Cook) possesses a high school diploma. He complained that people were laid off i.e. street cleaners and inquired as to how Mr. Cook could perform all the duties required by all his jobs. Mayor Vega advised that Mr. Cook does not work for the Town of West New York. Discussion ensued between Dr. Roque and Mayor Vega regarding Mr. Cook's qualifications.

**5. Clara Brito-Herrera, 6312 Jackson Street, WNY:**

Mrs. Brito-Herrera complained that Mayor Vega insulted several people when he made reference that they were being "coached" by Mr. Morejon. She stated, "We aren't coached by Mr. Morejon. I have my own mind and speak my mind. Respect me for my own independence." Mayor Vega explained that he used the word "coach" as a compliment. Mrs. Brito-Herrera advised that she had reviewed the documentation obtained by Dr. Roque pursuant to an OPRA request regarding the retirement package of Janet Passante. She stated, "In my line of work, if we have extra compensation, the cards and hours are submitted by the employee and later you must get approval for that extra activity in order to receive that extra salary. The information was only signed by Janet Passante herself on some occasions and no supervisor ever approved extra compensation time. Is that standard?" Mayor Vega responded, "Not now but past policies were different. Our standards now are as firm as they need to be." Mrs. Brito-Herrera replied, "They need to be firmer. We pay a lot of taxes. One person's signature is not sufficient."

**July 21, 2010**  
***Regular Meeting***

At 12:32 p.m., a motion was made by Commissioner Riccardi, seconded by Commissioner Lopez to close the public portion and adjourn the meeting, was carried by the following vote:

YEAS               - Commissioners Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS               - None  
ABSENT            - Commissioner Lange

**ABSENT**

\_\_\_\_\_  
Commissioner Gerald A. Lange, Jr.

\_\_\_\_\_  
Commissioner Michelle Fernandez Lopez

\_\_\_\_\_  
Commissioner Lawrence Riccardi

\_\_\_\_\_  
Commissioner Alberto Rodriguez

\_\_\_\_\_  
Mayor Silverio A. Vega  
Board of Commissioners

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