

February 19, 2014
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, February 19, 2014 at 7:00 p.m. (6:00 p.m. Work Session):

Present: Commissioners Rodriguez, Vargas, Wiley and Mayor Roque
Absent: Commissioner Frias
Also Present: Town Attorney Gil Garcia, and Town Clerk Carmela Riccio

Meeting commenced at 7:10 p.m.

Town Clerk Carmela Riccio 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 February 19, 2014 at 7:00 p.m., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 18, 2013. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

Minutes of Previous Meeting:

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas, that the Minutes of Regular Meeting: 12/18/13 (Regular & Work Sessions) and Special Meeting: 12/31/13 (Regular Session) be approved as recorded, was carried by the following vote:

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

Claims: Dated 2/19/14 (Claims are available for public inspection in the Town Clerk's Office):

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

YEAS - Commissioners Rodriguez, Vargas and Mayor Roque
NAYS - Commissioner Wiley
ABSENT - Commissioner Frias

Note: Comm. Wiley referred to claims list regarding Fonseca Consulting Group and commented that he was under the impression that the monthly amount payable should be \$4,000; however, claims list indicates \$12,000. Town Attorney Garcia reviewed it and advised that the \$12,000 is for more than one month. Inasmuch as Comm. Wiley was not clear as to the time period involved, he advised that he would vote "no" on the claims list.

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF JANUARY 2014

1. From Construction Code Official Office, reporting the sum of \$42,759.00 collected for the month of January, 2014.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$10,693.40 Collected for the month of January, 2014
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$725.00 for Special Licenses collected for the month of January, 2014.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$681.00 for Marriage/death certificates collected for the month of January, 2014.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$-0- for Dogs Licenses collected for the month of January, 2014.
6. From (Revenue and Finance Department) reporting the sum of \$5,927,638.19 collected for the month of January, 2014
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$-0- collected for the month of January, 2014

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

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

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Communication
Bid results rec'd. 2/4/14
Re: Improvements to 66th Street & 2013 Roadway Improvements

Proposal Receipt Date: 2/4/14 Budgeted Amount: \$
Proposal Time: 11:00 am Estimated Amount: \$
Location for proposal: Town Clerk's Office
Proposal for: Improvements to 66th Street & 2013 Roadway Improvements
Department of:
Personnel at Opening: Town Clerk Carmela Riccie, Lisa Walsh and
Darren Mazzei, PE (CME Associates)
Remarks: Time to receive bids was closed at 11:05 a.m.
Reserved decision pending review by law department.

BIDDER #1 (Name) Diamond Construction Total Cost: \$1,723,405.00
(Address) 35 Beaverson Blvd. See bid proposal attached
Brick, NJ 08723

Bid Bond: X Check: _____

BIDDER #2 (Name) A.J.M. Contractors, Inc. Total Cost: \$869,742.50
(Address) 300 Kuller Road See bid proposal attached
Clifton, NJ 07011

Bid Bond: X Check: _____

BIDDER #3 (Name) Black Rock Enterprises, LLC Total Cost: \$1,014,740.30
(Address) 1316 Englishtown Road See bid proposal attached
Old Bridge, NJ 08857

Bid Bond: X Check: _____

BIDDER #4 (Name) Zuccaro, Inc. Total Cost: \$998,865.00
(Address) 248 Alberta Drive See bid proposal attached
Saddle Brook, NJ 07663

Bid Bond: X Check: _____

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Communication
Bid results rec'd. 2/6/14
Re: Environmental Remediation Project (2nd Occasion)

Proposal Receipt Date: 2/6/2014 Budgeted Amount: \$
Proposal Time: 10:00 am Estimated Amount: \$
Location for proposal: Town Clerk's Office
Proposal for: Environmental Remediation Project (second occasion)
Department of: Public Works
Personnel at Opening: Town Clerk Carmela Riccie & Lisa Walsh
Remarks: Time to receive bids was closed at 10:05 a.m.
Reserved decision pending review by law department.

BIDDER #1 (Name) A & J Construction Co. Total Cost: \$1,390,470.00
(Address) 5026 Industrial Rd., (see attached proposal)
Farmingdale, NJ 07727
Bid Bond: X Check:

BIDDER #2 (Name) Luzon, Inc. Total Cost: \$732,490.00
(Address) 222 Thies Road (see attached proposal)
Sewell, NJ 08080
Bid Bond: X Check:

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Communication
RFQ results rec'd. 2/12/14
Re: Litigation OPRA Compliance Counsel

Proposal Receipt Date: February 12, 2014

Proposal Time: 10:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Litigation OPRA Compliance Counsel

Personnel at Opening: Town Clerk Carmela Riccie, Maria Barrios, Lisa Walsh,
Rosemarie Suarez

Remarks: Time to receive RFQS was closed at 10:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Genova Burns Giantomasi Webster
Attorneys At Law
(Address) 494 Broad Street, Newark, NJ 07102

RESPONDER #2 (Name) Florio & Kenny, L.L.P.
Attorneys at Law
(Address) 5 Marine View Plaza
Suite 103, P.O. Box 771
Hoboken, NJ 07030

RESPONDER #3 (Name) DeCotiis, Fitzpatrick & Cole
Francis J. Borin, Esq.
(Address) 500 Frank W. Burr Blvd., Suite 31
Teaneck, NJ 0766

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Communication
RFQ results rec'd. 2/12/14
Re: Auditing Services

Proposal Receipt Date: February 12, 2014

Proposal Time: 10:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Professional Auditing Services

Personnel at Opening: Town Clerk Carmela Riccio, Maria Barrios, Lisa Walsh,
Rosemarie Suarez

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

RESPONDER #1 (Name) Louis C Mai and Assoc.
(Address) 6 Moonshadow Ct.
Kinnelon, NJ 07405-2949

RESPONDER #2 (Name) Lerch, Vinci & Higgins, LLP
Certified Public Accountants
Registered Municipal Accountants
(Address) 17-17 Route 208
Fair Lawn, NJ 07410

RESPONDER #3 (Name) Donohue, Gironda & Doria
Certified Public Accountants
(Address) 310 Broadway, Bayonne, NJ 07002

RESPONDER #4 (Name) McGladrey
Robert Rooney
(Address) 1185 Avenue of the Americas, 6th Floor
New York, NY 10036

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Communication
RFQ results rec'd. 2/12/14
Re: Assistant Town Attorney

Proposal Receipt Date: February 12, 2014

Proposal Time: 11:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Assistant Town Attorney

Personnel at Opening: Town Clerk Carmela Riccie, Maria Barrios, Lisa Walsh,
Rosemarie Suarez

Remarks: Time to receive RFQS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) The Law Offices of Luis J. Amaro, Jr. LLC
(Address) 6121 Kennedy Boulevard
North Bergen, NJ 07047

RESPONDER #2 (Name) DeCotiis, Fitzpatrick & Cole, LLP
(Address) Glenpointe Centre West
500 Frank W. Burr Boulevard, Suite 31
Teaneck, NJ 07666

RESPONDER #3 (Name) Whipple Azzarello, LLC
Attorneys at Law
(Address) 161 Madison Avenue, Suite 325
Morristown, NJ 07960

RESPONDER #4 (Name) David F. Corrigan, Esq.
(Address) 54B West Front Street
Keyport, NJ 07735

RESPONDER #5 (Name) Genova Burns Giantomasi Webster
Attorneys at Law
(Address) 494 Broad Street, Newark, NJ 07102

RESPONDER #6 (Name) Law Offices
William N. Gonzalez, LLC
(Address) 440-60th Street, Suite 201
P.O. Box 508
West New York, NJ 07093

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Communication
RFQ results rec'd. 2/12/14
Re: Staff Attorney

Proposal Receipt Date: February 12, 2014

Proposal Time: 11:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Staff Attorney

Personnel at Opening: Town Clerk Carmela Riccie, Maria Barrios, Lisa Walsh,
Rosemarie Suarez

Remarks: Time to receive RFQS was closed at 11:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) The Law Offices of Luis J. Amaro LLC
(Address) 6121 Kennedy Boulevard
North Bergen, NJ 07047

RESPONDER #2 (Name) DeCotiis, Fitzpatrick & Cole, LLP
(Address) Glenpointe Center West
500 Frank W. Burr Boulevard, Suite 31
Teaneck, NJ 07666

RESPONDER #3 (Name) Genova Burns Giantomasi Webster
Attorneys at Law
(Address) 494 Broad Street, Newark, NJ 07102

RESPONDER #4 (Name) McDonald & Rogers, LLC
John P. McDonald, Esq.
(Address) 181 W. High Street
Somerville, NJ 08876

RESPONDER #5 (Name) Law Offices William N. Gonzalez, LLC
(Address) 440-60th Street Suite 201
P.O. Box 508, West New York, NJ 07093

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Communication
Re: Town Engineer's Report dated 2/14/14

MEMO TO: Mayor and Board of Commissioners
Town of West New York

FROM: Robert J. Russo, P.E., P.P., C.M.E.
Town Engineer's Office

DATE: February 14, 2014

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

- Improvements to Fillmore Place and Dewey Avenue Parks
 - The project was awarded on September 4, 2012 to the low bidder which was Rich Picerno Builders of Kenilworth, NJ, with a bid of \$750,458.00.
 - The contractor has substantially completed Dewey Park and Fillmore Park. We had issued a punchlist for the project and the contractor has substantially completed same. We are currently reviewing the remaining punchlist items.
- FY2012 NJDOT Municipal Aid Grant and Road Program (67th St from JFK Blvd West to Palisade Avenue)
 - The Town received a grant in the amount of \$280,800.00. We estimate the construction cost for the project to be \$275,000.00.
 - The project was advertised for the receipt of bids on April 9 with the bid opening on April 30. The project was awarded on May 15 to the low bidder which was 4 Clean-Up, Inc. of North Bergen, New Jersey, with a bid of \$266,962.25.
 - We held a preconstruction meeting on July 19, 2013. The contractor has substantially completed the project including the concrete work and installation of the roadway surface course.
 - The project has been completed for less than the NJDOT grant amount. We were able to extend the paving limits approximately another 500' to Hudson Avenue which the contractor has finished paving.
 - We are working on the NJDOT close-out for the project.
- Veterans Park Slope Remediation and Park Improvements
 - The Veteran's Park Slope Remediation and Park Improvements project generally consists of the construction of an approximately 700 LF precast concrete retaining wall to repair and prevent further erosion of the existing steep slopes that currently exist at the site. The improvements may also include but are not limited to the construction of ADA compliant walkways, reconstruction of existing walkways, soil stabilization, lighting and landscaping improvements, park amenities such as outdoor exercise equipment, benches and water fountains and the installation of security cameras.
 - The proposed retaining wall will be constructed, at its furthest point, approximately 100' east of the existing fence line at the park, adding approximately 30,000 additional square feet to the park area.
 - The construction plans and contract documents have been completed for the project. The project has been advertised for receipt of bids with the bid opening scheduled for March 11, 2014.
 - The project is partially funded by a matching Green Acres grant and Hudson County Open Space grants.
- FY2013 NJDOT Municipal Aid Grant and 2013 Road Program
 - We had prepared and submitted the FY2013 NJDOT Municipal Aid Grant application to the NJDOT for the following roads:
 - 60th Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
 - 65th Street from Broadway Avenue to Park Avenue (675')
 - 51st Street from JFK West to Bergenline Avenue (615')
 - 66th Street from Hudson Avenue to JFK East (2060')
 - The estimated construction cost for the above roads is approximately \$880,000.00.
 - The Town has received an NJDOT grant in the amount of \$344,860.00.
 - We have completed the survey work and design work associated with the roadways and have received NJDOT approval.
 - The project was advertised for the receipt of bids December 27, 2013 with the bid opening on February 4, 2014. The apparent low bid was submitted by A.J.M. Contractors, Inc. of Clifton, New Jersey, with a bid of \$869,742.50. We issued a letter recommending award.
- Municipal Pool Renovations
 - As you are aware, the Town has received Green Acres funding for various renovations to the Municipal Pool Complex. The improvements proposed for the building include siding repairs, bathroom stall upgrades, new ventilation, ceiling fans and lighting, refinishing of the floors, exterior door replacement and other miscellaneous improvements. The exterior pool area improvements include new lighting, replacement of broken lighting, new security cameras, fencing replacement, replacement of picnic tables, removal of deteriorated landscape boxes, exterior shower, general landscaping improvements, parking lot improvements and other miscellaneous improvements.
 - The project was awarded on May 15 to the low bidder which was Rich Picerno Builders, LLC of Kenilworth, New Jersey, with a bid of \$500,000.00. We held a preconstruction meeting on June 11, 2013 and the contractor has commenced with the work.
 - As of this date the contractor has replaced the siding on the building, installed the new outdoor shower slab and shower, hot water heater, ventilation exhaust system and lockers, new bathroom lighting

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Town Engineer's report (Cont.):

- and ceiling fans, new ADA compliant sinks, repaired the foundation for the stairs, installed new outdoor tables and performed some clearing work.
- The contractor has stopped work for the winter and will complete the project in March of next year.
- We had issued construction plans, a preliminary assessment report and required forms to Green Acres for their review and approval. Green Acres has approved same and issued the signed agreement for the project.
- Town Tax Map Revisions
 - We have completed a preliminary update of the Town's existing tax maps for a revaluation process. We are awaiting additional information from the Tax Assessor to finalize the update.
- Improvements to Washington Park
 - The Town has received a CDBG in the amount of \$400,000 for this project. We prepared a proposal for the preparation of construction plans and contract documents for park improvements.
 - The field survey work and the base maps are now completed.
 - We met with the Town's Security Camera contractor regarding security cameras for the park. They have provided us with a basic plan of where the cameras should be installed to provide coverage for the park and a cost estimate for their installation.
 - We had prepared conceptual park improvement plans which we reviewed with the Town. We are making minor modifications to the concept plans and continuing with the design.
 - The project will be advertised for the receipt of bids on March 6, 2014 with a bid opening scheduled for April 2, 2014.
- Improvements to Miller Park
 - As you are aware, the Town has received Green Acres funding for various improvements to the park. We prepared a proposal for the preparation of construction plans and contract documents for park improvements.
 - The field survey work and the base maps are now completed. We are currently working on conceptual plans for the park design.
- Miscellaneous Engineering
 - Hudson Avenue from 55th to 60th Streets: We were asked to review the existing street lighting levels in this area and see if additional lighting could be provided. We met with PSE&G and they have provided an agreement to increase the existing street light wattage for ten (10) lights from the existing 250 watt lights to 400 watt lights in addition to also increasing the cobra head arm length from 8' to 15'. Three (3) additional lights will also be installed. We believe this will significantly increase the light levels in this area. PSE&G has completed the installation of the street lights.
 - NJDOT FY2014 Trust Fund Grants: The FY2014 NJDOT Grant applications were due September 20, 2013. We prepared and submitted the grant applications for the following roads:
 - 60th Street from JFK Blvd West to Madison Avenue (1425')
 - 51st Street from Bergenline Avenue to Broadway Avenue (1575')
 - Gaw Place from 56th Street to Southern terminus. (200')

Consent Agenda

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following Consent Agenda Items Nos. R-2 through R-26 (with the exclusion of R-1, R-4, R-18, R-19, and R-22 which were pulled during the work session) be adopted, was carried by the following vote:

YEAS	- Commissioners Rodriguez, Vargas, Wiley and Mayor Roque
NAYS	- See below notes
ABSENT	- Commissioner Frias
ABSTAIN	- none

Note: Town Clerk Riccio read aloud all titles of Resolutions included on Consent Agenda i.e. R-1 thru R-26 with the exclusion of R-1, R-4, R-18, R-19 and R-22 which were pulled from agenda during Work Session. Comm. Wiley voted "No" on the following resolution: R-20.

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Consent Agenda (cont.):

RESOLUTION

RE: Authorizing an extension of the Interlocal agreement between the Town of Bayonne, Harrison, and North Bergen and the Town of West New York for the position of Health Officer

WHEREAS, the state of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the Town of West New York has offered to extend an Interlocal agreement to share the services of their Health Officer Vincent Rivelli for one year; and

WHEREAS, the towns of Bayonne, Harrison, and North Bergen have offered to compensate the Town of West New York in connection with the agreement; and

WHEREAS, it is in the best interest of the Town of West New York and the towns of Bayonne, Harrison, and North Bergen to enter into the agreement for the calendar year 2014; and

WHEREAS, N.J.S.A. 40A: 65-4 et seq. allows the municipalities to enter into a shared service agreement.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service agreement with the towns of Bayonne, Harrison, and North Bergen for the services of the Health Officer for the amount of \$35,000. The agreement shall be for the remainder of the calendar year 2014.

RESOLUTION

RE: Authorizing an Interlocal agreement between the City of Union City and the Town of West New York for the position of Health Officer

WHEREAS, the state of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the City of Union City is currently without a licensed Health Officer; and

WHEREAS, the Town of West New York has offered to enter into an Interlocal agreement to share the services of their Health Officer Vincent Rivelli; and

WHEREAS, the City of Union City has offered to compensate the Town of West New York in connection with the agreement; and

WHEREAS, it is in the best interest of the Town of West New York and the City of Union City to enter into the agreement for the calendar year 2014; and

WHEREAS, N.J.S.A. 40A: 65-4 et seq. allows the municipalities to enter into a shared service agreement.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service agreement with the City of Union City for the services of the Health Officer for the amount of \$35,000. The agreement shall be for the remainder of the calendar year 2014.

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Consent Agenda (cont.):

Resolution

Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the retention of Public Defender, 2nd occasion

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

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

Public Defender, 2nd occasion

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

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

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

Public Defender, 2nd occasion

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

Amended Resolution

Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows:
162- 61st Street, WNY (Jenny Mina)

WHEREAS, it is necessary to amend the location of the restrictive parking space established for Jenny Mina, by Resolution adopted on 3/15/06, in front of one (1) residence located at 219-53rd Street for a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles;

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

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Consent Agenda (cont.):
Resolution (cont.):

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
1.	Jenny Mina 162- 61 st Street West New York, NJ	North	Begin at a point, along the North side of 61 st Street, 52 feet East from the North East corner of 61 st Street and Broadway, then 22 feet East there from.

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

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

Resolution

Re: Award of Contract for the purchase of a 2014 Ford F-550 to Beyer Ford

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

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for a 2014 Ford F-550, pursuant to and in accordance to the contract; and

WHEREAS, on November 13, 2013 the Town did receive the following bids on the contract for a 2014 Ford F-550:

Company	Amount
Beyer Ford 170 Ridgedale Ave. Morristown, NJ	\$47,126.00
Route 23 Automall 1301 Route 23 South Butler, NJ 07405	\$48,627.10

WHEREAS, the Town's Qualified Purchasing Agent has recommended the award of the contract for a 2014 Ford F-550 to Beyer Ford in the amount of \$47,126 as the bid submitted by Beyer Ford. is the lowest responsible bid; and

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

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

WHEREAS, the financing for this project is based upon funding from the approved Bond Ordinance #03/13; and

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

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Consent Agenda (cont.):
Resolution (cont.):

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 Beyer Ford, 170 Ridgedale Ave., Morristown, NJ, on the bid for a 2014 Ford F-550 in the amount of \$47,126 be 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 the purchase of a 2014 Ford F-550.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
5. The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
6. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

Resolution
Re: Sidewalk Sales

WHEREAS, Sidewalk display and sale of goods or merchandise on a regular or continuous basis is prohibited by applicable ordinance; and

WHEREAS, Special promotional sales on special, rare occasions to promote and publicize West New York as a shopping area are not within the intent of such ordinance and are permissible when limited and controlled and as authorized by the Board of Commissioners of West New York; and

WHEREAS, The West New York Chamber of Commerce has requested special permission for a limited special, promotional sale to promote and publicize West New York as a Shopping area for the dates listed below on a limited basis, wherein some brief sidewalk display and sale of merchandise for promotional purpose will be made, but, without unduly encumbering the sidewalk of the public; and good appearing. In case of rain, sale will be held on

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

1. It is hereby found and determined that brief promotional sale to promote and publicize West New York, New Jersey as a shopping area is not such sale of display of goods and merchandise as is contemplated by or within the meaning of said ordinance prohibiting regular or repeated sidewalk sales.
2. The West New York Chamber of Commerce is hereby granted permission to conduct such promotional sale on Friday 4/4/14, Saturday 4/5/14 and Sunday 4/6/14; Friday 5/23/14, Saturday 5/24/14, Sunday 5/25/14 and Monday 5/26/14; Friday 7/18/14, Saturday 7/19/14 and Sunday 7/20/14; Friday 10/10/14, Saturday 10/11/14, Sunday 10/12/14 and Monday 10/13/14.

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Consent Agenda (cont.):
Resolution (cont.):

(Rain Dates: Friday 4/11/14, Saturday 4/12/14 and Sunday 4/13/14; Friday 5/30/14, Saturday 5/31/14, Monday 6/2/14 and Saturday 6/7/14; Friday 7/25/14, Saturday 7/26/14 and Sunday 7/27/14; Friday 10/17/14, Saturday 10/18/14, Sunday 10/19/14 and Monday 10/20/14 with moderate sidewalk display and sale of goods and merchandise limited and in accordance with said promotional purpose of said sale event.

3. Said promotional sale shall be conducted without duly encumbering the public and all participants shall obey the instruction with respect thereto delivered by a duly designated representative of the Police Department of the Town of West New York, New Jersey.

Resolution

Re: Award of Contract for Improvements to 66th Street & 2013 Roadway Improvements to A.J.M. Contractors, Inc.

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

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Improvements to 66th Street & 2013 Roadway Improvements, pursuant to and in accordance to the contract for the Improvements to 66th Street & 2013 Roadway Improvements; and

WHEREAS, on February 4th, 2014, the Town did receive the following bids on the contract for the Improvements to 66th Street & 2013 Roadway Improvements:

Company	Amount
A.J.M. Contractors, Inc. 300 Kuller Road Clifton, NJ 07011	\$869,742.50
Zuccaro, Inc. 248 Alberta Drive Saddle Brook, NJ 07663	\$998,865.00
Black Rock Enterprise, LLC 1316 Englishtown Road Old Bridge, NJ 08857	\$1,014,740.30
Diamond Construction 35 Beaverson Blvd. Brick, NJ 08723	\$1,709,105.00

WHEREAS, the Town's Engineer, CME Associates, in consultation with the Town Attorney, has recommended the award of the contract for the Improvements to 66th Street & 2013 Roadway Improvements to A.J.M. Contractors, Inc. in the amount of \$869,742.50 as the bid submitted by A.J.M. Contractors, Inc. is the lowest responsible bid for the Improvements to 66th Street & 2013 Roadway Improvements; and

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

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

WHEREAS, partial financing for this project is based upon funding from the New Jersey Department of Transportation and subject to their approval; and

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

February 19, 2014
Regular Meeting

Consent Agenda (cont.):
Resolution (cont.):

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

1. The bid of A.J.M. Contractors, Inc., 300 Kuller Road Clifton, NJ 07011, on the bid for the Improvements to 66th Street & 2013 Roadway Improvements in the amount of \$869,742.50 is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for the Improvements to 66th Street & 2013 Roadway Improvements with A.J.M. Contractors, Inc.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
5. The award of the contract is subject to the approval of the New Jersey Department of Transportation.
6. The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
7. 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: Authorizing the Town Clerk to advertise
to receive bids for "Improvements to Washington Park"**

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 Tuesday, April 2, 2014 at 11:00 a.m. in the Town Clerk's Office for: "Improvements to Washington Park" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

RESOLUTION

Re: Refund of Tax Lien Premiums (\$485,000.00)

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

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

WHEREAS, the certificate has now been redeemed and the investor is entitled to a refund of said premium pursuant to N.J.S.A. 54:5-33.

NOW, THEREFORE, BE IT RESOLVED that said premium be paid to the investors in the following amounts, and the Department of Revenue and Finance is hereby, authorized to issue said refund.

NAME	BLOCK/LOT	CERT. #	AMOUNT
US BK. CUST. FOR	107/16.01	13-0355	\$7,100.00
TOWER DBW111 TR2013	38/9 C022A	13-0143	\$10,100.00

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Consent Agenda (cont.):
Resolution (cont.):

	43/11	13-0157	\$5,100.00
	133/11	13-0446	\$9,900.00
	94/7	13-0319	\$7,900.00
	108/22	13-0364	\$20,100.00
	168.01/8.01 C0323	13-0571	\$5,100.00
	71/30	13-0234	\$12,100.00
	79/19	13-0261	\$1,000.00
	15/1	13-0050	\$13,900.00
US BANK CUST FOR CRESTAR CAPITAL LL	39/4	13-0145	\$30,000.00
	104/23	13-0346	\$7,000.00
	39/8	13-0147	\$15,000.00
	123/23	13-0419	\$33,000.00
US BANK CUST FOR BV001 TRUST	8/5	13-0033	\$7,500.00
	16/46	13-0061	\$2,100.00
	20/33	13-0082	\$1,700.00
	80/22	13-0266	\$1,600.00
	85/36	13-0304	\$8,400.00
	168.01/8.03 C0430	13-0584	\$1,600.00
	149/23	13-0493	\$9,800.00
	129/27	13-0434	\$900.00
	20/29	13-0081	\$1,300.00
	142/32	13-0472	\$14,100.00
	107/25	13-0357	\$4,100.00
	162/5	13-0541	\$600.00
	127/13	13-0429	\$2,000.00
	133/4	13-0445	\$1,000.00
	168.01/1.04 C0344	13-0553	\$300.00
	168.01/1.31 C0478	13-0562	\$700.00
	162/11	13-0543	\$1,700.00
	168.01/7.05 C0217	13-0586	\$1,600.00
	33/18	13-0110	\$1,800.00
	168.01/1.08 C0276	13-0556	\$800.00
PAM INVESTORS	110/5 C0314	13-0384	\$700.00
	42/1	13-0152	\$500.00
	168.01/7.06 C0312	13-0592	\$5,000.00
	154/19	13-0515	\$500.00
	130/5.01	13-0441	\$100.00
	119/7	13-0408	\$700.00
US BANK CUST FOR PRO CAP III, LLC	110/5 C0310	13-0383	\$500.00
	123/13	13-0417	\$14,000.00
	73/25	13-0243	\$700.00
	111/2	13-0391	\$9,000.00
	5/20 C1002	13-0013	\$200.00
	123/11	13-0416	\$700.00
	37/17 C0005	13-0135	\$700.00
	1/7	13-0003	\$4,000.00
	37/27	13-0138	\$1,100.00
MTAG SVC. AS CUST. FOR ATCF II NJ LLC	34/6	13-0116	\$34,100.00
	108/3	13-0361	\$93,000.00
	83/7 C0046	11-0231	\$3,100.00
	142/32	11-0330	\$500.00
	11/39	11-0038	\$1,500.00

February 19, 2014
Regular Meeting

Consent Agenda (cont.):
Resolution (cont.):

US BANK CUST/EMP VI	14/5	13-0048	\$20,000.00
	98/26	13-0337	\$10,000.00
	8/19	13-0036	\$40,000.00
72 OAK STREET HOLDINGS, LLC	13/5	13-0047	\$2,000.00
		Grand Total	\$485,000.00

Resolution
Refund of Redemptions (\$578,232.78)

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

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

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

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

Name	Block/lot	Cert#	Amount
PAM INVESTORS	110/5 C0314	13-0384	\$687.17
	42/1	13-0152	\$434.85
	168.01/7.06 C0312	13-0592	\$2,920.22
	122/1	13-0413	\$25,161.31
	154/19	13-0515	\$744.05
	153/14	13-0505	\$2,015.07
	153/30	13-0507	\$588.48
	130/5.01	13-0441	\$3,466.65
	88/22	12-0486	\$9,007.25
	119/7	13-0408	\$813.28
	28/22	12-0138	\$12,758.32
	122/2	13-0414	\$19,379.61
US BANK CUST FOR PRO CAP II, LLC	110/5 C0310	13-0383	\$479.39
	123/13	13-0417	\$2,965.89
	73/25	13-0243	\$545.48
	111/2	13-0391	\$2,573.73
	5/20 C1002	13-0013	\$436.57
	1/7	13-0003	\$4,092.02
	37/27	13-0138	\$1,020.91
US BANK CUST FOR PRO CAP III, LLC	74/1 C0007	13-0247	\$1,653.36
	123/11	13-0416	\$391.49
	37/17 C0005	13-0135	\$488.78
CRUSADER LIEN SERVICES	94/7	07-076	\$9,550.31
	94/7	08-080	\$9,803.77
US BANK CUST. FOR BV001 TRUST	16/46	13-0061	\$4,166.24
	20/33	13-0082	\$1,782.96
	80/22	13-0266	\$2,271.96
	85/36	13-0304	\$269.59
	168.01/8.03 C0430	13-0584	\$2,402.22
	149/23	13-0493	\$7,818.54

February 19, 2014
Regular Meeting

Consent Agenda (cont.):
Resolution (cont.):

	129/27	13-0434	\$1,466.19
	20/29	13-0081	\$1,882.78
	8/5	13-0033	\$4,625.86
	142/32	13-0472	\$11,763.82
	107/25	13-0357	\$4,910.47
	162/5	13-0541	\$999.47
	168.01/1.35 C0418	13-0567	\$2,080.00
	127/13	13-0429	\$3,370.07
	33/18	13-0110	\$2,569.10
	168.01/7.05 C0217	13-0586	\$3,087.35
	133/4	13-0445	\$1,644.40
	162/11	13-0543	\$2,391.08
	168.01/1.31 C0478	13-0562	\$1,036.78
	168.01/1.04 C0344	13-0553	\$1,022.26
	168.01/1.08 C0276	13-0556	\$1,173.99
US BANK CUST. FOR TLCF 2012A, LLC	117/5	12-0566	\$4,433.30
	32/13	12-0145	\$1,149.15
	155/24	12-0709	\$388.48
MTAG SVC. AS CUST FOR ATCF II NJ LLC	34/6	13-0116	\$12,187.89
	108/3	13-0361	\$49,877.39
	142/32	12-0646	\$16,825.10
	142/32	11-0330	\$13,762.94
	74/1 C0007	12-0390	\$6,256.44
	11/39	11-0038	\$16,992.52
US BK. CUST FOR TOWER DBW111 TR2013	38/9 C022A	13-0143	\$2,691.74
	43/11	13-0157	\$1,994.55
	133/11	13-0446	\$2,987.67
	94/7	13-0319	\$2,519.18
	108/22	13-0364	\$4,784.61
	168.01/8.01 C0323	13-0571	\$4,324.28
	107/16.01	13-0355	\$1,624.82
	71/30	13-0234	\$5,798.55
	15/1	13-0050	\$6,168.45
	79/19	13-0261	\$4,394.24
R. ROTHMAN	54/32 C005C	10-107	\$32,384.62
ISAAC MORADI	168.01/1.33 C0444	12-0761	\$21,513.12
	74/4 C001E	13-0250	\$606.79
ROYAL TAX LIEN SERVICES, LLC	94/7	09-132	\$24,262.64
		10-175	\$49,748.85
MTAG SVC. AS CUST FOR ATCF II NJ LLC	83/7 C0046	11-0231	\$1,861.66
US BANK CUST/EMP VI	14/5	13-0048	\$6,976.45
	98/26	13-0337	\$3,900.89
	8/19	13-0036	\$4,119.77
US BANK CUST FOR CRESTAR CAPITAL LL	104/23	13-0346	\$4,072.67
	39/8 *	13-0147	\$3,043.26
	123/23	13-0419	\$8,497.94
	39/4	13-0145	\$23,665.41
US BANK CUST/EMP V	70/20	12-0370	\$9,704.09

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Regular Meeting

Consent Agenda (cont.):
Resolution (cont.):

US BANK CUST FOR TOWER DBW	149/24 38/9 C003C 11/39	12-0679 12-0206 12-0059	\$5,426.16 \$11,542.94 \$15,306.55
SBMUNICUST C/O LBNJ	72/44	12-0385	\$11,253.02
72 OAK STREET HOLDINGS, LLC	13/5	13-0047	\$6,145.99
		Grand Total	\$578,232.78

RESOLUTION
Re: Hudson County Board Tax Appeals (\$4,256.00)

WHEREAS, the following property owners have appealed to the Hudson County Board of Taxation for a reduction in Tax Assessment levied upon their respective properties;

WHEREAS, the Hudson County Board of Taxation by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said respective properties.

NOW, THEREFORE BE IT RESOLVED that said overpayments of taxes be and the same are hereby to be paid and refunded to the said property owners in the following amounts:

NAME	BLOCK-LOT	AMOUNT	YEAR
CALLE, CARMEN	84/24	\$1,862.00	2013
JOEL ELLIS ATY. FOR M3 NJ, LLC	46/24	\$1,915.20 \$478.80	2013 2014
	GRAND TOTAL	\$4,256.00	

Resolution
Re: Refund of Overpayment of Taxes (\$7,410.56)

WHEREAS, taxes and interest with respect to the following properties have been inadvertently overpaid in the amounts hereafter stated, and;

WHEREAS, it is necessary to make appropriate refunds for such overpayments;

NOW, THEREFORE BE IT RESOLVED that the following refunds be made with respect to the designated properties and the Collector of Taxes be and she is hereby authorized to adjust her records accordingly.

NAME	BLOCK/LOT	AMOUNT	YEAR
SHIN AE HOUGH	168.01/7.05 C0217	\$43.00*	2014
WELLS FARGO	162/11	\$43.00*	2014
HINTON, ROBIN & NICOLE	168.01/1.31 C0478	\$43.00*	2014

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Consent Agenda (cont.):
Resolution (cont.):

KANG EUGENE & CHO SUSAN	168.01/1.04 C0344	\$43.00*	2014
US BANK CUST FOR BV001 TRUST	33/18	\$43.00*	2014
BOILING SPRINGS	168.01/1.36 C0408	\$3,232.39	2014
	168.01/8.03 C0125	\$133.38	2013
		\$64.84	2014
	108/14	\$1,995.00	2013
		\$498.75	2014
YUAN, LAWRENCE & ANNA S. MOY	168.01/1.31 C0479	\$74.24	2013
WENSTONE, LLC	152/9	\$592.98	2013
FERNANDEZ,EUNICE & OSCAR R	126/36	\$428.18	2013
MORALES, LUIS & JOVITA	109/7	\$175.80	2013
	GRAND TOTAL	\$7,410.56	

Resolution

Re: Award of Contract for Environmental Remediation Project to Luzon, Inc.

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

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for the Environmental Remediation Project, pursuant to and in accordance to the contract for the Environmental Remediation Project; and

WHEREAS, on February 6th, 2014, the Town did receive the following bids on the contract for the Environmental Remediation Project:

Company	Amount
Luzon, Inc. 222 Thies Road Sewell, NJ 08080	\$732,490.00
A & J Construction Co. 5026 Industrial Rd. Farmingdale, NJ 07727	\$1,390,470.00

WHEREAS, the Town's Engineer, Remington & Vernick, in consultation with the Town Attorney, has recommended the award of the contract for the Environmental Remediation Project to Luzon, Inc. in the amount of \$732,490.00 as the bid submitted by Luzon, Inc. is the lowest responsible bid for the Environmental Remediation Project; and

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

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

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

February 19, 2014
Regular Meeting

Consent Agenda (cont.):
Resolution (cont.):

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

1. The bid of Luzon, Inc., 222 Thies Road, Sewell, NJ 08080, on the bid for the Environmental Remediation Project in the amount of \$732,490.00 is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for the Environmental Remediation Project with Luzon, Inc.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
5. The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
6. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

Resolution

Re: Authorizing application for NJ Transit FTA Section 5310 Grant Program

WHEREAS the Town of West New York, County of Hudson, State of New Jersey provides transportation services to senior citizens and individuals with disabilities; and

WHEREAS the governing body of the Town of New West New York, County of Hudson, State of New Jersey recognizes that there are unmet transportation needs and service gaps for said population within the community; and

WHEREAS the Federal Transportation Administration has established the Section 5310 capital grants funding program to meet the transportation needs of elderly persons and persons with disabilities in areas where public mass transportation services are insufficient or otherwise unavailable:

NOW THEREFORE BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey authorizes Town Administrator Joseph DeMarco, his designee(s), or successor to his office to supply all information and execute all processes as required by New Jersey Transit and the Federal Transportation Administration in order to apply for assistance under the NJ Transit FTA Section 5310 program.

February 19, 2014
Regular Meeting

Consent Agenda (cont.):

RESOLUTION

RE: AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE VIA AN ONLINE REVERSE AUCTION WITH COMMERCIAL UTILITY CONSULTANTS, INC.

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2011c30 (hereinafter the "Act") provides an exception to New Jersey's Public Bid Law allowing the Town of West New York to forego traditional RFQs when purchasing electricity and / or gas and to purchase electricity and / or gas through an online reverse auction process in order to reduce cost; and

WHEREAS, the NJ Department of Community Affairs has approved Commercial Utility Consultants, Inc. of West Chester, PA as a vendor to offer its reverse auction platform to New Jersey local contracting units for the purchase of energy generation services; and

WHEREAS, the Town of West New York plans to utilize the online auction services of Commercial Utility Consultants, Inc., an approved vendor pursuant to the Act. Waiver number Commercial Utility Consultants, Inc-1, located at 1556 McDaniel Drive, West Chester, PA 19380; and

WHEREAS, the auction will be conducted pursuant to the terms and conditions of the Act.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York County of Hudson State of New Jersey, that the Town of West New York is authorized to participate in an online reverse auction for the purpose of purchasing electricity from third party suppliers for use by the Town of West New York

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are hereby authorized to execute the Energy Sales Agreement(s) subject to review and final approval by the Town Attorney.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to cause notice of the auction results to be published as required by law.

**Resolution Establishing The Election Of Members Of The
West New York Board Of Education
As The First Tuesday After The First Monday in November
Pursuant to N.J.S.A. 19:60-1.a(1).**

WHEREAS, N.J.S.A. 19:60-1, authorizes a local board of education to change the election date of school board members from the third Tuesday in April to the first Tuesday after the first Monday in November (the General Election); and

WHEREAS, Such action requires the adoption of a resolution by the local board of education or the governing body of the municipality where the local board of education is situated as set forth in N.J.S.A. 19:60-1.a(1) and

WHEREAS, P.L. 2011, c. 202 requires that the change in election date remain in effect for four years; and

WHEREAS, P.L. 2011, c. 202 eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the statutory tax levy cap) in school districts where board of education members are elected at the General Election; and

WHEREAS, P.L. 2011, c. 202 requires that an additional general fund tax levy proposal (i.e., for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election; and

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Consent Agenda (cont.):

Resolution (cont.):

WHEREAS, The Board of Commissioners of the Town of West New York, New Jersey believes that the financial interest of its constituents is safeguarded by the state's tax levy cap and the thorough review of the proposed school budget by the Executive County Superintendent and the Executive County School Business Administrator; and

WHEREAS, The Board of Commissioners of the Town of West New York, New Jersey believes that more citizens will participate in the selection of the West New York Board of Education members at the General Election than on the date of the annual school board election held in April and that the higher level of participation will foster positive interest in our public schools; and

WHEREAS, The Board of Commissioners of the Town of West New York Board, New Jersey is committed to the non-partisan status of school board membership and the non-partisan conduct of school elections, and believes this principle will not be compromised by conducting board member elections in November.

NOW THEREFORE BE IT RESOLVED, that pursuant to P.L. 2011, c. 202, the Board of Commissioners of the Town of West New York, New Jersey changes the annual election date for its members from the date of the annual school board election held in April to the first Tuesday after the first Monday in November (the General Election), beginning in 2014.

BE IT FURTHER RESOLVED that pursuant to P.L. 2011, c. 202, this change will remain in effect at least through November 2018.

BE IT FURTHER RESOLVED, that pursuant to P.L. 2011, c. 202 (S-3148), the annual organization meeting of the West New York Board of Education will now take place in the first week of January following the November General Election and that the Board of Education's next organization meeting will take place during the first week of January 2015.

BE IT FURTHER RESOLVED that, pursuant to P.L. 2011, c. 202, members of the West New York Board of Education whose terms would have expired by May 2014 will continue to serve in office until the January 2015 organization meeting.

BE IT FURTHER RESOLVED, that this resolution be transmitted to the Hudson County Clerk; the Hudson County Board of Elections and/or Superintendent of Elections; the municipal clerk(s) of the Town of West New York; the school board secretary of the West New York Board of Education; the Department of State, Division of Elections; the Department of Education's Executive County Superintendent; and the Department of Community Affairs, Division of Local Government Services.

BE IT FURTHER RESOLVED that copies of this resolution be provided to the New Jersey School Boards Association and the New Jersey State League of Municipalities.

Note: **Comm. Wiley voted "No" on this Resolution. Comm. Wiley inquired whether there is a conflict inasmuch as Comm. Rodriguez has two (2) children who work for the Board of Education. Town Attorney Garcia responded "I don't think so." He further commented that she does not have direct interest i.e. nomination or promotion of one of her children so it is not a conflict and only affects the voters. Comm. Rodriguez also commented that she does not think it is a conflict. Town Attorney advised her that she can cast her vote. Comm. Wiley stated that 80% of the voters want this change and because it "didn't go the Mayor's way", it is being pushed to November. He commented that Ms. Palermo and Mr. Cheng were great board member choices and will do a good job. He further commented that it is in the Mayor's "political interest" to maintain control of the School Board and that he (Comm. Wiley) will not support any candidates of the Mayor as the Mayor hasn't made good choices in the past. He further commented that new hiring will commence in June or July and that there is "nepotism" on the Board right now. He again repeated that the people want**

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Consent Agenda (cont.):

change now, not in November and that the cost of election (\$80,000) doesn't compare to one new salary of \$90,000-100,000 and that is where money could be saved. (Audience members clapped) Comm. Wiley further commented that "out of towners" are still being hired as of 2014. He commented that Health Official Rivelli has been demeaned by being removed from his office after 19 years and that someone was hired for \$83,000 which is wasted taxpayer money..."your money. We need this election now not in November." He asked the other Commissioners to "vote their conscience" and commented that Comm. Rodriguez should care about what the people want. He said "I will vote No and speak for the people". Comm. Wiley inquired as to whether this resolution was being removed from the Consent Agenda as a separate vote. (At this point, audience member Patrick Cullen shouted "Point of Order. I want to speak before you vote". Mayor Roque replied "No" and advised that vote on entire Consent Agenda would be taken first and then audience could speak. Various audience members began shouting in disagreement and meeting was out of order.) Comm. Rodriguez referred to her prior comments made during Work Session and again explained that five (5) years ago when she was an Assemblywoman, this issue came before the Assembly and it was decided at that time that municipalities would have the right to choose to move the school board elections to November to save money and encourage more voter participation. She commented that "people are not in tune with what is going on". Audience member Doug Borden shouted "You don't know that. This is an end run against what the people want". Audience members Patrick Cullen and Angel Barquin also shouted that this is a violation of state law. Town Attorney Garcia explained that the statute permits this vote. Comm. Wiley stated to the other Commissioners "I want to hear your vote" and again requested that this resolution be removed from Consent Agenda. (Audience members shouting that they want it removed from consent agenda. Meeting out of order. At this point, Mayor Roque advises Town Clerk to take roll call on all Consent Agenda items and votes are cast. Audience member Frank Ferreiro shouts from back of court chambers "You are a piece of sh—." He is then escorted out of chambers by police officer. Meeting continues to be out of order. Mayor exits meeting. Remaining Commissioners and Town Attorney also exit meeting at 7:32 p.m.

RESOLUTION

**RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN
TOWN OF WEST NEW YORK AND GENOVA BURNS GIANTOMASI WEBSTER
FOR ZONING BOARD ATTORNEY**

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 et seq. for receiving Requests for Proposals; and

WHEREAS, the Town of West New York issued a Request for Proposals for Zoning Board Attorney in accordance with the requirements of N.J.S.A. 19:44A-20, et. seq., on January 1, 2014, for the provision of professional Zoning Board Attorney; and

WHEREAS, the Town of West New York received and opened Proposals for Zoning Board Attorney on January 10, 2014; and

WHEREAS, pursuant to the Request for Proposals, the Town received statements of Proposals from the following firms:

1. Dario Yacker Suarez and Albert LLC
Attorneys at Law
345 Union Street
Hackensack, NJ 07601

2. Luis J. Amaro, Jr. Esq.
The Law Offices of Luis J. Amaro, Jr. LLC
6121 Kennedy Boulevard
North Bergen, NJ 07047

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Consent Agenda (cont.):

Resolution (cont.):

3. Chasan Leyner and Lamparello
300 Harmon Meadow Boulevard
Secaucus, NJ 07094

4. Genova Burns Giantomasi Webster
Attorneys at Law
494 Broad Street
Newark, NJ 07101

5. Noemio A. Vellozzi, PA
59 Wall Street Suite 201
Newark, NJ 07105

6. Bruno and Ferraro
261 Park Avenue
Rutherford, NJ 07070

WHEREAS, pursuant to the Request for Proposals, the Town's Review Team conducted a review of the responses received and recommends that the firm listed below be deemed qualified to provide the services of Zoning Board Attorney:

Genova Burns Giantomasi Webster
Attorneys at Law
494 Broad Street
Newark, NJ 07101

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 firm be and is hereby qualified to render Zoning Board Attorney on behalf of the Town of West New York for the next year:

Genova Burns Giantomasi Webster
Attorneys at Law
494 Broad Street
Newark, NJ 07101

BE IT FURTHER RESOLVED all appropriate municipal officials are hereby authorized to transmit formal or informal requests for proposals to any of the above qualified firms, as necessary, for the performance of Zoning Board Attorney that may be required by the Town, during the next year.

BE IT FURTHER RESOLVED as follows:

1. The above recitals are incorporated as if fully set forth herein.
2. Genova Burns Giantomasi Webster shall be and is hereby retained by the Town to provide Zoning Board Attorney services to the Town, without further approval of the Board of Commissioners.
3. The Mayor shall be and is hereby authorized to execute an agreement by and among the Town and Genova Burns Giantomasi Webster, memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Mayor, and satisfactory to the Town as evidenced by the Mayor's signature for Zoning Board Attorney, consulting, setup, programming, and training for the term from January 1, 2014 to December 31, 2014.
4. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5.

February 19, 2014

Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

5. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.
6. This award 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 copy of this resolution and the agreement detailing the terms of the retention of Genova Burns Giantomasi Webster for the provision of Zoning Board Attorney shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
8. A notice of this contract award shall be published in the form prescribed by law.

Resolution

Re: Approval of Settlement of Tax Appeal for Block 168.01 Lot 7.01

WHEREAS, an appeal has been filed by the property owner for the real property located within the town of West New York designate Block 168.01 Lot 7.01 on the official tax maps; and

WHEREAS, after reviewing the matter and conducting an investigation the Town Tax Assessor and Tax Attorney have recommended that the property value be adjusted to reflect the fair and assessable value of the properties in question; and

WHEREAS, the Tax Assessor and Tax Attorney have concluded that the appropriate value for the property located at Block 168.01 Lot 7.01 is \$1,535,000 for tax years 2012 and 2013; and

WHEREAS, the property owner has agreed to withdraw the tax appeals filed for tax years 2010 and 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Town of West New York that the Tax Assessor and Tax attorney are permitted to enter into a stipulation of settlement for the tax appeals filed for Block 168.01 Lot 7.01 for the value as stated above.

Resolution

Re: Authorizing the purchase to special equipment pursuant to N.J.S.A. 40A:11-5(1) (g)

WHEREAS, the Town of West New York has received permission from the State Attorney General's Office for the purchase of Special Equipment to be used by the Police Department; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1) (g) the award of such purchase can be without public advertising for bid; and

WHEREAS, the Qualified Purchasing Agent in connection with the Police Department has reviewed and recommends the purchase of Special Equipment; and

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York, in the interest of public safety also wish to purchase the Special Equipment;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, that the Town Administrator is permitted to enter into an agreement for the purchase of Special Equipment not to exceed the amount of \$35,000.

February 19, 2014

Regular Meeting

Consent Agenda (cont.):

RESOLUTION
RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN
TOWN OF WEST NEW YORK AND LERCH, VINCI & HIGGINS, LLP
FOR AUDITING 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 et seq. for receiving Requests for Proposals; and

WHEREAS, the Town of West New York issued a Request for Proposals for Auditing Services in accordance with the requirements of N.J.S.A. 19:44A-20, et. seq., for the provision of professional Auditing Services; and

WHEREAS, the Town of West New York received and opened Proposals for Auditing Services on February 12, 2014; and

WHEREAS, pursuant to the Request for Proposals, the Town received statements of Proposals from the following firms:

1. Louis C Mai and Assoc.
6 Moonshadow Ct.
Kinnelon, NJ 07405-2949
2. Lerch, Vinci & Higgins, LLP
17-17 Route 208
Fair Lawn, NJ 074010
3. Donohue, Gironda & Doria
310 Broadway
Bayonne, NJ 07002
4. McGladrey, LLP
1185 Avenue of the Americas, 6th Floor
New York, NY 10036

WHEREAS, pursuant to the Request for Proposals, the Town's Review Team conducted a review of the responses received and recommends that the firm listed below be deemed qualified to provide the services of Professional Auditing Services:

Lerch, Vinci & Higgins, LLP
17-17 Route 208
Fair Lawn, NJ 07410

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 firm be and is hereby qualified to render Auditing Services on behalf of the Town of West New York for the next year:

Lerch, Vinci & Higgins, LLP
17-17 Route 208
Fair Lawn, NJ 07410

BE IT FURTHER RESOLVED all appropriate municipal officials are hereby authorized to transmit formal or informal requests for proposals to any of the above qualified firms, as necessary, for the performance of Auditing Services that may be required by the Town, during the next year.

BE IT FURTHER RESOLVED as follows:

February 19, 2014

Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

1. The above recitals are incorporated as if fully set forth herein.
2. Lerch, Vinci and Higgins, LLP, shall be and is hereby retained by the Town to provide Auditing services to the Town, without further approval of the Board of Commissioners.
3. The Mayor shall be and is hereby authorized to execute an agreement by and among the Town and the firm Lerch, Vinci and Higgins, LLP, memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Mayor, and satisfactory to the Town as evidenced by the Mayor's signature for Auditing Services, consulting, setup, programming, and training for the term from January 1, 2014 to December 31, 2014.
4. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5.
5. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.
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 copy of this resolution and the agreement detailing the terms of the retention of Lerch, Vinci & Higgins, LLP, for the provision of Auditing Services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

A notice of this contract award shall be published in the form prescribed by law.

Resolution

Re: Approving Amendment to the contract with RWDSU Local 108 representing the Crossing Guards

WHEREAS, a contract currently exists between the Town of West New York and CWA Local 1045 RWDSU Local 108 that represents the Crossing Guards; and

WHEREAS, the Town of West New York has entered into negotiations with RWDSU Local 108 to amend the contract to include payment for any school closures as a result of a "Snow Day"; and

WHEREAS, an agreement has been reached between the parties regarding compensation and other benefits and policies; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners as follows:

1. The above recitals are incorporated as if fully set forth herein.
2. The Town Administrator is authorized to execute an amended agreement with RWDSU Local 108 to allow payment of a maximum of four hours for all crossing guards scheduled to work on the day that school is closed as a result of a snow day.
3. A copy of this resolution and the agreement detailing the terms of the agreement shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
4. A notice of this contract shall be published in the form prescribed by law.

February 19, 2014

Regular Meeting

Note: **There was no Public Portion.**
There was no vote to Adjourn meeting.
Meeting ended at 7:32 p.m.

ABSENT

Commissioner FiorD' Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccie, RMC
Town Clerk