

# **Town of West New York**

## **Commission Meeting**

### ***Regular Meeting***

*Wednesday, April 17, 2013 at 7:00 p.m.*  
*(6:00 p.m. Work Session)*

### **Agenda**

**Pledge of Allegiance**

**Open Public Meetings Act Announcement**

**Roll Call**

- 1. Approval of Minutes**                      **Regular Meeting: 2/2013 (Regular Session)**  
**Regular Meeting: 3/20/13 (Regular and Work Sessions)**
- 2. Payment of Claims**                      **Dated: 4/17/13**
- 3. Receipt of Financial Report**    **For Month of March 2013**
- 4. Communications:**
  - 4A. Bid results rec'd. 4/10/13 Re: Swimming Pool Improvements**
  - 4B. RFQ results rec'd. 4/10/13 Re: Public Information Services**
  - 4C. RFQ results rec'd. 4/10/13 Re: Legal Liability – Special Counsel**
  - 4D. RFQ results rec'd. 4/10/13 Re: Zoning Board Attorney (3<sup>rd</sup> occasion)**
  - 4E. RFQ results rec'd. 4/10/13 Re: Alternate Municipal Prosecutor**
  - 4F. RFQ results rec'd. 4/10/13 Re: Alternate Public Defender**
  - 4G. RFQ results rec'd. 4/10/13 Re: Public Defender**
  - 4H. Letter of appointment of Silvio Acosta as member of the WNY Board of Education (term: 5/16/13-5/15/16)**
  - 4I. Two (2) Certifications of Town Clerk Re: Sign Ordinance Petitions**
  - 4J. Letter of Appointment of Director of Police Department**
  - 4K. Town Engineer's Monthly Status Report dated 4/15/13**
- 5. Proclamations:**
  - 5A. Honoring Basam Najmeddin as Outstanding Community Liaison**
  - 5B. Honoring Basam Najmeddin as Outstanding Community Businessman**
  - 5C. Honoring Ben & Jerry's**
- 6. Adoption of Consent Agenda**
- 7. Resolutions (see attached itemized sheet)**
- 8. Introduction/Hearings & Final Adoption of Ordinances (see attached itemized sheet)**

9. **Privilege of the Floor (An opportunity to citizens to address the Board, each person limited in his question of address to 5 minutes, and no person shall be permitted to speak more than one regular turn.)**
  
10. **Adjournment**

**TAKE NOTICE THAT ACTION MAY BE TAKEN ON THE MATTERS LISTED ON THIS AGENDA OR SUCH OTHER MATTERS AS MAY PROPERLY COME BEFORE THE GOVERNING BODY OF THE TOWN OF WEST NEW YORK**

## **Budget Resolutions and Ordinances**

**O-1 HEARING AND FINAL ADOPTION OF ORDINANCE #5/13** An Ordinance of the Town of West New York, in the County of Hudson, New Jersey Calendar Year 2013 to exceed the Municipal Budget Appropriation Limits and to establish a CAP Bank (NJSA 40A:4-45.14)

1. RESOLUTION – Re: Authorizing the Sale of Municipal Liens pursuant to Chapter 99, Public Laws of 1997, now codified as N.J.S.A. 54:5-19, and now including subsequent amendments
2. PUBLIC HEARING - Re: 2013 Calendar Year Budget
3. RESOLUTION – Re: To Amend the 2013 Calendar Year Budget

## RESOLUTIONS

- R-1 RESOLUTION – Re: Authorizing the Town Clerk to advertise to receive bids for “Summer Food Service Program” on Tuesday, May 21, 2013 at 10:00 a.m. in Town’s Clerk Office
- R-2 RESOLUTION – Re: Refund of Deposit Pursuant to Ordinance #4/96 (Filming Permit)
- R-3 RESOLUTION – Re: Authorizing the Town Clerk to advertise to receive bids for “Printing Services” on Thursday, May 9, 2013 at 10:00 a.m.
- R-4 RESOLUTION – Re: To allow filing of 2012 Recycling Tonnage Grant
- R-5 RESOLUTION – Re: Appointing Armando Galis-Menendez to the unexpired term of David Rivera on the Zoning Board of Adjustment (Term expires: 10/5/14)
- R-6 RESOLUTION – Re: Appointing Rosemarie Puerto to the unexpired term of Richard Rivera on the Zoning Board of Adjustment (Term expires: 10/18/15)
- R-7 RESOLUTION – Re: Appointing William Porras to the unexpired term of Julio Garcia on the Zoning Board of Adjustment (Term expires: 12/13/14)
- R-8 RESOLUTION – Re: Appointing William Garcia to the unexpired term of Armando Alvarez on the Zoning Board of Adjustment (Term expires: 12/31/15)
- R-9 RESOLUTION – Re: Appointing Rosalda Ferrera to the unexpired term of Nelly Vasquez on the Zoning Board of Adjustment (Term expires: 12/31/15)
- R-10 AMENDED RESOLUTION – Re: Establishing restricted parking in front of one (1) residence for use by handicapped resident as follows: 111 – 62<sup>nd</sup> Street (Aristides Rodriguez)
- R-11 RESOLUTION – Re: Tax Correction (573-53<sup>rd</sup> Street)
- R-12 RESOLUTION – Re: Refund of Tax Overpayments (\$3,830.02)
- R-13 RESOLUTION – Re: Refund of Tax Lien Premiums (\$101,200.00)
- R-14 RESOLUTION – Re: Tax Lien Redemptions (\$600,693.18)
- R-15 RESOLUTION – Re: Hudson County Board Tax Appeals (\$5,206.19)
- R-16 RESOLUTION – Re: Approving a town policy and management statement for the Town of West New York
- R-17 RESOLUTION – Re: Authorizing application for the Continuation of funding and accepting the Safe & Secure Communities Program Grant of \$60,000.00
- R-18 RESOLUTION – Re: Authorizing application for the Continuation of funding and accepting the Safe & Secure Communities Program Grant of \$51,867.00
- R-19 RESOLUTION – Re: Authorizing acceptance of the 2013 Clean Communities Program Grant Award of \$52,473.32
- R-20 RESOLUTION – Re: Authorizing an engagement with Standard & Poor’s Rating Services to perform an analytical review and a credit assessment of the Town of West New York
- R-21 RESOLUTION – Re: Approving a Professional Services Agreement for services of Paying Agent to: BNY Mellon

## RESOLUTIONS

- R-22 RESOLUTION – Re: Authorizing and engagement with Moody’s Investors Services to perform an Indicative Credit Rating of the Town of West New York
- R-23 RESOLUTION – Re: Authorizing a six (6) month period of Amnesty and the issuance of certificates of occupancy for certain residential dwellings, not to exceed four (4) units, within the Town of West New York during the 2013 Calendar year
- R-24 RESOLUTION – Re: Authorizing an Interlocal Agreement between the Town of Secaucus and the Town of West New York for the position of Health Officer
- R-25 RESOLUTION – Re: Authorizing an Interlocal Agreement between the Town of Weehawken and the Town of West New York for the position of Health Officer
- R-26 RESOLUTION – Re: Authorizing an Interlocal Agreement between the Town of Guttenberg and the Town of West New York for the position of Health Officer
- R-27 RESOLUTION – Re: Approval of Interlocal Agreement between the Town of West New York Board of Education Amending the Reimbursement of Costs for Fuel (School Year 2012/2013)
- R-28 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 Various Legal/Professional Services
- R-29 AWARDING RESOLUTION – Re: General Contracting Services to Coyoty Builders and Developers
- R-30 RESOLUTION – Re: Appointment of Julian D. Porras to replace Wendell Oms as Constable of West New York
- R-31 RESOLUTION – Re: Approving a Professional Services Agreement between Town of West New York and Denis G. Murphy, Esq. (Schwartz Simon Edelstein & Celso, LLC) for legal services-legal representation in the capacity of recall election official
- R-32 RESOLUTION – Re: Re-appointments of various rent control board members
- R-33 RESOLUTION – Re: Appointment of Julian D. Porras as a member of the Rent Control Board (Term: 4/17/13-3/31/14)
- R-34 RESOLUTION – Re: Appointment of Hermes Altagracia as a member of the Rent Control Board (Term: 4/17/13-3/31/14)
- R-35 RESOLUTION – Re: Appointment of Humberto Ortega as a member of the Rent Control Board (Term: 4/17/13-3/31/14)
- R-36 AWARDING RESOLUTION – Re: Approving Professional Services Agreements for Legal Liability/Special Counsel
- R-37 AWARDING RESOLUTION – Re: Approving a Professional Services Agreement between Town of West New York and Aristides Hernandez for Alternate Public Defender

## RESOLUTIONS

- R-38 AWARDING RESOLUTION – Re: Approving Professional Services Agreements for Alternate Prosecutors
- R-39 RESOLUTION– Re: Dedicating 61<sup>st</sup> and Palisade Avenue to Oneida Quevado
- R-40 RESOLUTION—Re: Authorizing Settlement of Eagle Recycling of New Jersey v. Town of West New York  
**(THIS RESOLUTION WAS PULLED FROM AGENDA DURING THE WORK SESSION)**
- R-41 RESOLUTION – Re: Providing for the issuance of Qualified General Obligation Bonds; authorizing the issuance and sale of Qualified General Obligation Bonds, Series 2013A, and Qualified General Obligation Bonds, Series 2013B (taxable); authorizing advertisement of notices of sale; authorizing the chief financial officer to sell and award the bonds; determining the form and other details of the bonds; and authorizing other matters relating thereto
- R-42 RESOLUTION –Re: Appointment of John Morales as Constable of the Town of West New York
- R-43 RESOLUTION –Re: Approving a Professional Services Agreement between Town of West New York and Fonseca Consulting Group for Public Information Services (Term: 4/18/2013-12/31/2013)  
**(THIS RESOLUTION WAS VERBALLY ADDED TO THE AGENDA DURING WORK SESSION)**
- R-44 RESOLUTION –Re: Approving a Professional Services Agreement between Town of West New York and Alexander W. Booth Esq. as Zoning Board Attorney (Term: 4/18/2013-12/31/2013)  
**(THIS RESOLUTION WAS VERBALLY ADDED TO THE AGENDA DURING WORK SESSION)**

## ORDINANCES

- O-2 Hearing & Final Adoption of Ordinance #6/13** An Ordinance amending Chapter 114 of the Code of West New York “The Consumption in Retail Premises without Liquor License”
  
- O-3 Hearing & Final Adoption of Ordinance #7/13** An Ordinance repealing Ordinance #11/10 entitled: “An Ordinance Amending Chapter 76 of the Code of the Town of West New York (Personnel)”
  
- O-4 Hearing & Final Adoption of Ordinance #8/13** An Ordinance repealing Ordinance 41/95 entitled: “An Ordinance establishing restricted parking in front of one (1) residence for use by a handicapped resident (327-61<sup>st</sup> Street)
  
- O-5 Introduction of Ordinance #9/13** An Ordinance authorizing installation of Stop Signs at the following intersections: Adams Street 61<sup>st</sup> Street, Hudson Avenue 65<sup>th</sup> Street and Madison Street 57<sup>th</sup> Street
  
- O-6 Introduction of Ordinance #10/13** An Ordinance amending Chapter 299 of the Code of the Town of West New York (Property Maintenance)
  
- O-7 Introduction of Ordinance #11/13** An Ordinance repealing Ordinance #2/13 entitled “An Ordinance amending Chapter 338 of the Code of the Town of West New York (Signs)