

December 27, 2012
Special Meeting

PLEASE TAKE NOTICE that a Special Meeting will be held by the Board of Commissioners of the Town of West New York, New Jersey, on Thursday, December 27, 2012 at 1:00 p.m. (No Work Session) in the Mayor's Conference Room, Municipal Building, 428 – 60th Street, West New York, New Jersey, for the purpose of considering the following business:

1. RESOLUTION – Re: Approving a Professional Services agreement for services of Legal Liability Special Counsel to: Florio & Kenny, LLP (Term: 1/1/13-12/31/13)
2. RESOLUTION – Re: Approving a Professional Services agreement for services of Tenants' Advocacy Attorney to: Lazaro Carvajal, Esq. (Term: 1/1/13-12/31/13)
3. RESOLUTION – Re: Approving a Professional Services agreement for services of Labor Counsel to: Scarinci & Hollenbeck (Term: 1/1/13-12/31/13)
4. RESOLUTION – Re: Approving a Professional Services agreement for services of Rent Control Board Attorney to: Fausto Simoes, Esq. (Term: 1/1/13-12/31/13)
5. RESOLUTION – Re: Approving a Professional Services agreement for services of Workers Compensation Attorney to: Martin M. Glazer, Esq. (Term: 1/1/13-12/31/13)
6. RESOLUTION – Re: Approving a Professional Services Agreement for services of Planning Services to: Birdsall Services Group
7. RESOLUTION – Re: Approving a Professional Services Agreement for services of Planning Board Attorney for: Fausto Simoes, Esq. (Term: 1/1/13-12/31/13)
8. RESOLUTION – Re: Approving a Professional Services Agreement for services of ABC Prosecutor for: Christopher A. Errante, Esq. (Term: 1/1/13-12/31/13)
9. RESOLUTION – Re: Approving a Professional Services Agreement for services of Legal/Liability Counsel to: Douglas M. Standriff, Esq (Term: 1/1/13-12/31/13)
10. RESOLUTION – Re: Award of Contract for "Snow Removal" to Persistent Construction Inc.
11. RESOLUTION – Re: Transfer of Funds for 2012
12. RESOLUTION – Re: Cancelling Federal and State Grants
13. RESOLUTION – Re: Authorizing Adoption of Temporary Budget for year 2013
14. RESOLUTION – Re: Authorizing adoption of 2013 Debt Service Requirements
15. RESOLUTION – Re: Approving a Professional Services Agreement for services of Financial Advisory Services to : NW Financial Group, LLC
16. 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: Legal Representation of Recall Election Official of the Town of West New York
17. RESOLUTION – Re: Award of Contract for Elevator Inspection Services to: EIC Inspection Services
18. RESOLUTION – Re: Approving a Professional Services Agreement for services of Town Engineer to: CME Associates
19. RESOLUTION – Re: Approving a Professional Services Agreement for services of Tax Attorney for Mathew J. O'Donnell, Esq.

AND ANY OTHER MATTERS THAT MAY COME UP BEFORE THE BOARD OF COMMISSIONERS.

"ACTION MAY OR MAY NOT BE TAKEN ON THE FOREGOING"

Receipt is hereby acknowledged of due notice of the above special meeting and other or further notice thereof is hereby waived as unnecessary.

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

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Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
Absent: none
Also Present: Town Administrator Joseph DeMarco, Town Attorney Gilberto Garcia, CFO Marge Cherone, Deputy Town Clerk Yesenia DelRio & Public Relations, Pablo Fonseca

Meeting commenced at 1:32 p.m.

At the request of Mayor Roque, Deputy Town Clerk Yesenia DelRio made the following announcement:

As presiding officer of this meeting I do hereby certify that the requirements of the Open Public Meetings Act pertaining to this meeting scheduled to be held this: Thursday, December 27, 2012 at 1:00 p.m. (No Work Session) in the Mayor's Conference Room, Municipal Building have been satisfied by the delivery of the 48 hour notice to each of the newspapers circulating in the Town of West New York (The Jersey Journal and the Bergen Record); by posting in the Municipal Building on the Municipal Bulletin Board; and by filing with the Clerk of the Municipality with copies to all persons desiring the same.

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

Consent Agenda

It was regularly moved by Commissioner Vargas, seconded by Commissioner Frias 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 and R-19 be adopted, was carried by the following vote:

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

Note: Comm. Wiley voted "No" on Resolution #R-11. Commissioner Rodriguez said she had questions regarding several resolutions that were on the agenda. The Resolution #'s 4,5,7,8 & 9 were regarding Professional services. Town attorney Gil Garcia responded that they had a lot of different Legal Professionals put in for the RFQ's and that they were reviewed by the Town Administrator, Joseph DeMarco, Mayor Roque and himself. Town Attorney Gil Garcia suggested that the process for choosing the Professional Services should consists of the Town Administrator, QPA, CFO and the Mayor. Town Attorney also suggested that the RFQ's be advertised in the newspaper. Mayor responded that he agreed with the Town Attorney and that he was out for the best interest to the town and to save the taxpayers money. Commissioner Rodriguez questioned regarding the New Planning Board Attorney whether he was familiar with our planning board. Town Attorney Gil Garcia stated that if they do not comply their contracts can be rejected and we can go back out for RFQ.

Commissioner Wiley stated that he had questions regarding several resolutions that were on the agenda Resolution #'s 11, 12 & 13. Commissioner Wiley questioned CFO, Marge Cherone if the transfer of funds was money that was taken from the Capital or the Current account. Commissioner Wiley also questioned that why did we go over the budget. Commissioner Wiley stated that he knew of a bond for \$250,000 that money was spent from this bond but that he knows it was illegal. Commissioner Wiley stated that as a commissioner he has the right to have all the details and that he had asked Marge Cherone, CFO over a week ago. Commissioner Wiley stated that he had only received his folder for the meeting at 11:30 am giving him no time to review what he has to vote on. Marge Cherone, CFO responded that a lot of the Resolutions were pulled from the 12/17 meeting and that the other

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Note (Cont.):

resolutions are resolutions that have to be done at the end of the year. Marge Cherone stated that the Clerk's office staff was on vacation and that the Deputy had come in today to do the commissioner meeting. Commissioner Wiley questioned Marge Cherone that he wanted to make sure that the money is not being taken from the Capital Budget. Commissioner Wiley said he does not agree on continuing to vote on things that are not clear to him and that if the rest of the Commissioners want to vote on things and be ignorant its up to them. Mayor Roque responded that he understand if Commissioner Wiley needs more time and that some people are slower that others. Mayor also stated that he has hired Marge Cherone, CFO because he has the proper training and I trust her opinion and her work is professional. Commissioner Wiley responded that he will vote if he things it is right that he will not vote on things because the Mayor wants them too. Commissioner Rodriguez stated that budget transfers are common practice because every department has a budget for salaries etc. Commissioner Wiley stated that in reality he can not vote on something is illegal. Town Attorney Gil Garcia suggested that Commissioner Wiley sit with the CFO when she does the 2013 budget. Town attorney stated that Commissioner Wiley was 100% correct that the money should not be used.

Commissioner Frias questioned regarding the bills for newspapers. She stated that the process was not being done correctly and she was concerned. She said that the newspaper representatives do that often take pictures put in the in the newspaper and then they want to get paid. Mayor responded that he has sat with Pablo Fonseca, Public Relations and has discussed the issues pertaining to the newspapers. Mayor Roque said him and Pablo Fonseca already discussed this with the newspapers that unless they cleared thru Mr. Fonseca pictures, advertisement etc. the town will not be responsible for payment.

Commissioner Wiley questioned the Mayor on the Christmas Cards/Flyers that were sent out for the holidays. He questioned on the cost of the mailing and that the mailing was not clear. Commissioner Wiley said that the flyer was confusing and asked the Mayor how much did it cost \$10,000.00? The Mayor responded that it costs \$6,000.00. The Mayor questioned the rest of the Commissioners on the opinion regarding the Holiday Flyer and Commissioner Rodriguez and Commissioner Vargas said that the flyer was ok. The Mayor thanked Pablo Fonseca for writing the flyer and commended him on a great job done.

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF LEGAL LIABILITY SPECIAL COUNSEL

WHEREAS, Edward J. Florio, Esq., as member of the firm of Florio & Kenny, LLP, 5 Marine View Plaza, Suite 103, Hoboken, New Jersey 07030 has submitted a proposal to serve as Legal Liability Special Counsel dated November 27, 2012, in response to a, Request for Qualifications for Town Attorney, and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Edward J. Florio, Esq., as Legal Liability Special 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 Edward J. Florio, Esq., to serve as Legal Liability Special Counsel and enter into a contract with Florio & Kenny LLP to provide for the services of Edward J. Florio, Esq.; and

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

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Florio & Kenny, LLP for the services of Edward J. Florio, Esq as Legal Liability Special Counsel, and for an amount to be stated in the agreement.

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

3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 27, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.

4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$36,000.00

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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Edward J. Florio, Esq., as Legal Liability Special Counsel 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: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF TENANTS' ADVOCACY ATTORNEY

WHEREAS, Lazaro Carvajal, as member of the firm of Lazaro Carvajal, LLC submitted a proposal to serve as Tenants' Advocacy Attorney dated, November 27, 2012, in response to a, Request for Qualifications for Tenant Advocacy Attorney, and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Lazaro Carvajal, LLC as Tenants' Advocacy Attorney; 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 Lazaro Carvajal, Esq. to serve as Tenants' Advocacy Attorney and enter into a contract with Lazaro Carvajal, LLC to provide for the services of Tenants' Advocacy Attorney and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Lazaro Carvajal, LLC for the services of Lazaro Carvajal, Esq. as Tenants' Advocacy Attorney, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 27, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period 01/01/13 through 12/31/13 and for an amount to be contained in the agreement not to exceed \$36,000.00
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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Lazaro Carvajal, Esq., as Tenants' Advocacy Attorney 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: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR LABOR COUNSEL

WHEREAS, Scarinci & Hollenbeck, of 1100 Valley Brook Avenue, P.O. Box 790, Lyndhurst, has submitted a proposal to serve as Labor Counsel, dated, November 26, 2012, in response to a, Request for Qualifications for Labor Counsel, and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Scarinci & Hollenbeck as Labor 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 Scarinci & Hollenbeck, to serve as Labor Counsel and enter into a contract with Scarinci & Hollenbeck to provide for the services as Labor Counsel; and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Scarinci & Hollenbeck, for the services as Labor Counsel and for an amount to be stated in the agreement.

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

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

3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 26, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.

4. The initial authorization of this contract shall be for the period 1/11/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$36,000.00.

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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Scarinci & Hollenbeck, as Labor Counsel 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: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF RENT CONTROL BOARD ATTORNEY

WHEREAS, Fausto Simoes, Esq., as member of the firm of Simoes & Assoc. PC, 112 Jabez Street Suite 101, Newark, NJ has submitted a proposal to serve as Rent Control Board Attorney, dated, November 27, 2012, in response to a, Request for Qualifications for Rent Control Board Attorney and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Fausto Simoes, Esq., as Rent Control Board Attorney; 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 Fausto Simoes, Esq. to serve as Rent Control Board Attorney and enter into a contract with Fausto Simoes, Esq. to provide for the services of Rent Control Board Attorney and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Fausto Simoes, Esq. for the services as Rent Control Board Attorney, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.

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

3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 27, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.

4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$17,500.00

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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Fausto Simoes, Esq as Rent Control 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.

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF WORKERS COMPENSATION ATTORNEY

WHEREAS, Martin M. Glazer, Esq., as member of the law firm of Glazer & Kamel, Esqs., of 1207 East Grand Street, Elizabeth NJ 07201, has submitted a proposal to serve as Workers Compensation Attorney, dated, November 27, 2012 in response to a Request for Qualifications for Workers Compensation Attorney; and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Glazer & Kamel, Esqs., as Workers Compensation Attorney; 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 Martin M. Glazer, Esq., to serve as Workers Compensation Attorney, and enter into a contract with Glazer & Kamel, Esqs., to provide for the services of Martin M. Glazer, Esq. and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Glazer & Kamel, Esqs., for the services of Martin M. Glazer, Esq. as Workers Compensation Attorney, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 27, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.

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

4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$36,000.00

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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Glazer & Kamel, Esqs., as Workers Compensation Attorney 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: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF PLANNING SERVICES

WHEREAS, Birdcall Services Group of 65 Jackson Drive, Cranford, NJ 07016, has submitted a proposal to serve as Town Engineer, dated, November 27, 2012, in response to a, Request for Qualifications for Planning Services, and

WHEREAS, the Mayor in coordination with the recommendation of the review committee has duly appointed Birdcall Services Group for Planning Services; 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 Birdcall Services Group, to provide Planning Services and enter into a contract with Birdcall Services Group., to provide for Planning Services; and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Birdcall Services Group., for Planning Services and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 27, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$50,000.00
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.

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

6. A copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Birdsall Services Group., as for Planning Services 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: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF PLANNING BOARD ATTORNEY

WHEREAS, Fausto Simoes, Esq. as member of the law firm of Simoes & Assoc., PC, of 112 Jabez Street, Suite 101, Newark, NJ 07105, has submitted a proposal to serve as Planning Board Attorney, dated, November 26, 2012, in response to a, Request for Qualifications for Planning Board Attorney; and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Fausto Simoes, Esq. as Planning Board Attorney; 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 Fausto Simoes, Esq. to serve as Planning Board Attorney, and enter into a contract with Simoes & Assoc., PC to provide for the services of Fausto Simoes, Esq. and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Simoes & Assoc., PC for the services of Fausto Simoes, Esq., as Planning Board Attorney, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 26, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$12,000.00.
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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Fausto Simoes, Esq. as Planning Board Attorney shall be placed on file and
7. made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

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Consent Agenda (Cont.):

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF ABC PROSECUTOR

WHEREAS, Christopher A. Errante, Esq., LLC of 518 Stuyvesant Avenue, Lyndhurst NJ 07071, has submitted a proposal to serve as ABC Prosecutor dated November 26, 2012, in response to a Request for Qualifications for ABC Prosecutor; and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed the law firm of Christopher A. Errante, Esq., LLC ; 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 the law firm of Christopher A. Errante, Esq., LLC to serve as ABC Prosecutor and enter into a contract with the law firm of Christopher A. Errante, Esq., LLC to provide for the services of ABC Prosecutor; and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and the law firm of Christopher A. Errante, Esq., LLC for the services of the law firm of Christopher A. Errante, Esq., LLC for the services of ABC Prosecutor, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 26, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$12,000.00
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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of the law firm of Christopher A. Errante, Esq., LLC as ABC Prosecutor shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

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Consent Agenda (Cont.):

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF LEGAL LIABILITY COUNSEL

WHEREAS, Douglas M. Standriff, Esq., 1200 East Ridgewood Avenue, Parkview Plaza-Atrium Level East Ridgewood, NJ 07450 has submitted a proposal to serve as Legal Liability Counsel dated, November 26, 2012, in response to a, Request for Qualifications for Town Attorney, and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Douglas M. Standriff, Esq., as Legal Liability 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 Douglas M. Standriff, Esq. to serve as Legal Liability Counsel and enter into a contract with Douglas M. Standriff, Esq., to provide for the services of Douglas M. Standriff, Esq. and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Douglas M. Standriff, Esq., for the services of Douglas M. Standriff, Esq., as Legal Liability Counsel, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 26, 2012 and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$36,000.00.
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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Douglas M. Standriff, Esq., as Legal Liability Counsel shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

RESOLUTION
Re: Award of Contract for "Snow Removal" to
Persistent Construction 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 Snow Removal, pursuant to and in accordance to the contract for Snow Removal; and

WHEREAS, on December 11, 2012, the Town did receive the following bids on the contract for Snow Removal.:

Company	Amount
John Main Auto Body	\$950.00
Persistent Construction Inc.	\$325.00

WHEREAS, the Town's Qualified Purchasing Agent has recommended the award of the contract for Snow Removal to Persistent Construction Inc. in the amount of \$325.00 total for equipment and manpower as stated in the bid submitted by Persistent Construction Inc. which is the lowest responsible bid for Snow Removal; 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.

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 Persistent Construction Inc., 58 Industrial Avenue, Fairview, New Jersey 07022, on the bid for Snow Removal in the amount of \$57.00 per truck, \$105.00 per loader and \$163.00 per hour for a total base bid price of \$325.00 be and the same is hereby accepted, SUBJECT to Receipt of Proof of Compliance with P.L. 1975 - Chapter 127, as the lowest complying and responsible bid.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for Snow Removal with Persistent Construction 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.

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

Resolution – Re: Transfer of Funds for 2012

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the 2012 budget of the Town of West New York; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such funds during the last two months of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, County of Hudson that the following transfers be made within the 2012 Municipal Budget:

Budget Account	Account Number	Transfer Amount	
		From	To
Dir. of Public Affairs - S&W	01-2010-20-70101-011	21,467	
Dir. of Public Affairs - O.E.	01-2010-20-70102-099		6,770
Town Clerk's Office S/W	01-2010-20-70201-011		74,085
Town Clerk's Office	01-2010-20-70202-099		10,870
Legal Advertising & Publicatio	01-2010-20-70203-099	1,455	
Town Clerk Off - Codification	01-2010-20-70204-099	699	
Elections	01-2010-20-70502-099		26,000
Board of Health S/W	01-2010-20-70601-011	110,568	
Board of Health - O.E.	01-2010-20-70602-099	12,140	
Prosecutor S/W	01-2010-20-70701-011	766	
Prosecutor	01-2010-20-70702-099		3,195
Public Relations	01-2010-20-70802-099		11,780
Rent Control Board S/W	01-2010-20-70901-011	1,305	
Rent Control Board	01-2010-20-70902-099	9,970	
Town Funding Program	01-2010-20-71102-099		3,550
Housing Inspection S/W	01-2010-20-71201-011		79,115
Housing Inspection	01-2010-20-71202-099		75
Tenant Relations	01-2010-20-71302-099		18,920
Law Department S/W	01-2010-20-71401-011		5,965
Law Department	01-2010-20-71402-099		201,220
Supervised Play Activity S/W	01-2010-20-71501-011		12,650
Supervised Play Activity	01-2010-20-71502-099	44,424	
Senior Citizens S/W	01-2010-20-71701-011	3,438	
Senior Citizens	01-2010-20-71702-099		4,300
Administrative Office S/W	01-2010-20-71801-011	68,390	
Administrative Office	01-2010-20-71802-099	1,577	
Personnel Department S/W	01-2010-20-71901-011	20,350	
Zoning Board	01-2010-20-72002-099	9,494	
Planning Board S/W	01-2010-20-72101-011	54	
Planning Board	01-2010-20-72102-099		7,480
North Hudson Council of Mayors	01-2010-20-72502-099	7	
Urban Enterprise Zone S/W	01-2010-20-72601-011	70,502	
Urban Enterprise Zone	01-2010-20-72602-099		35
Community Development O.E.	01-2010-20-72702-099	2,976	
Director of R & F - S/W	01-2010-21-70101-011	33,032	
Director's Office	01-2010-21-70102-099		22,190

Treasurer's Office S/W	01-2010-21-74201-011		46,155
Treasurer's Office	01-2010-21-74202-099		6,075
Treasurer's Office - Annual F	01-2010-21-74205-099		74,845
Treasurer's Office -Payroll Se	01-2010-21-74206-099		11,985
Assessment of Taxes S/W	01-2010-21-74401-011		7,100
Assessment of Taxes	01-2010-21-74402-099		3,055
Collection of Taxes S/W	01-2010-21-74601-011		20,345
Collection of Taxes	01-2010-21-74602-099		545
Health Waiver	01-2010-21-74902-099	50,000	
Other Insurance - Unemployment	01-2010-21-75002-094	89,763	
Purchasing Agent S/W	01-2010-21-75201-011	160	
Purchasing Agent	01-2010-21-75202-099		465
Director of Public Safety -S/W	01-2010-22-70101-011	35,251	
Director's Office	01-2010-22-70102-099	2,850	
Police S/w	01-2010-22-76201-012		80,560
Uniform Fire Safety Act S/W	01-2010-22-77001-011	21,167	
Uniform Fire Safety - O.E.	01-2010-22-77002-099		
Ambulance Squad S/W	01-2010-22-77201-011	8,111	
Ambulance Squad	01-2010-22-77202-099		6,555
Off. of Emerg. Manag. - S/W	01-2010-22-77401-011	16,500	
Office of Emergency Management	01-2010-22-77402-099		11,295
Director of Public Works - S/W	01-2010-23-70101-011	73,207	
Director's Office DPW - O.E.	01-2010-23-70102-099		7,690
Streets & Sewers S/W	01-2010-23-78101-011		73,640
Streets & Sewers	01-2010-23-78102-099	113,438	
Snow Removal	01-2010-23-78302-099	30,000	
Street Lighting	01-2010-23-78402-099		29,391
Fire Hydrant Rental	01-2010-23-78502-099		45,580
Recycling	01-2010-23-78602-099	179,193	
Garbage & Trash S/W	01-2010-23-78701-011	8,696	
Garbage & Trash - O.E.	01-2010-23-78702-099	28,061	
Garbage & Trash - Contractual	01-2010-23-78707-020		179,530
Director Pks & Pub. Prop. -S/W	01-2010-24-70101-011	1,239	
Director's Office	01-2010-24-70102-099		4,815
Division of Parks S/W	01-2010-24-79001-011	34,451	
Division of Parks	01-2010-24-79002-099	26,654	
Celebration of Public Events	01-2010-24-79102-099		5,730
Building Department S/W	01-2010-24-79201-011	83,443	
Building Department	01-2010-24-79202-099	12,067	
Light & Power	01-2010-24-79302-099	1,744	
Centralized Postage	01-2010-24-79402-099	47,197	
Fuel	01-2010-24-79502-099		130,740
Telephone & Telegraph	01-2010-24-79602-099	5,218	
Water	01-2010-24-79702-099		44,850
Sewerage	01-2010-24-79802-099		94,955
Signal Bureau	01-2010-24-79902-099	5,303	
Uniform Construction Code S/W	01-2010-25-80001-011	76,685	
Uniform Construction Code	01-2010-25-80002-099	29,468	
Municipal Court S/W	01-2010-30-83001-011		6,205
Municipal Court - O.E.	01-2010-30-83002-099	431	
Public Defender	01-2010-33-83502-099		12,605
		\$1,392,911	\$1,392,911

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

RESOLUTION
Re: Cancelling Federal and State Grants

WHEREAS, the Town of West New York receives numerous Grant Awards from various Federal and State Agencies on an annual basis to supplement the annual budget adopted by the Board of Commissioners; and

WHEREAS, costs of various projects under Federal and State grant programs were previously funded by general taxation through the annual operating budget; and

WHEREAS, expenses incurred for various grant programs were mistakenly charged to departmental budgets; and

WHEREAS, an analysis of the activity for Grant Receivables, Grant Reserves and Unappropriated Grants indicates that numerous Grant Projects are completed and accounted for within the Current Fund; and

WHEREAS, the 2011 Audit reflects the accurate balances of all Grant Receivables, Grant Reserves and Unappropriated Grants (list attached); and

WHEREAS, the balances to be cancelled, as of December 31, 2011, in each respective category are as follows:

Grant Receivables	\$ 1,994,462.00
Grant Reserves	\$ 3,270,486.00
Unappropriated Grants	\$ 241,400.71

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK that the following list be cancelled to the operations of the Current Fund.

Note: Commissioner Wiley questioned CFO Marge Cherone regarding the aforesaid Resolution. Marge Cherone, CFO responded that this resolution will cancel all balances as of the December 31, 2011 audit for receivables and reserves appropriated and unappropriated. She explained that this is the year end cancelation of grant balances that should have been done in the past as they were previously expended in prior budget.

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

RESOLUTION AUTHORIZING ADOPTION OF THE TEMPORARY
BUDGET
FOR THE YEAR 2013

WHEREAS, Section 40A:4-19 of the Revised Statutes of the Local Budget Law provides that, where any contracts, commitments or payments are to be made prior to the adoption the 2013 Budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, N.J.S. 40A:4-19 provides for the total of appropriations so made shall not exceed 26.25% of total appropriations of the preceding budget year (2012); and

WHEREAS, the date of this Resolution is within the first thirty days of January 2013; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Board of Commissioners of the Town of West New York, County of Hudson, that the attached schedule of Temporary Budget Appropriations for 2013 is hereby adopted as the Temporary Current Budget of the Town of West New York for 2013 and that a certified copy of this Resolution be transmitted to the Finance Office for their records.

Account Number	Account Name	Temporary Budget
01-2010-20-70101-011	Dir. of Public Affairs - S&W	37,275.00
01-2010-20-70102-099	Dir. of Public Affairs - O.E.	11,812.50
01-2010-20-70201-011	Town Clerk's Office S/W	66,123.75
01-2010-20-70202-099	Town Clerk's Office	3,412.50
01-2010-20-70203-099	Legal Advertising & Publicatio	4,200.00
01-2010-20-70204-099	Town Clerk Off - Codification	1,968.75
01-2010-20-70502-099	Elections	7,350.00
01-2010-20-70601-011	Board of Health S/W	129,675.00
01-2010-20-70602-099	Board of Health - O.E.	16,537.50
01-2010-20-70701-011	Prosecutor S/W	10,500.00
01-2010-20-70702-099	Prosecutor	1,312.50
01-2010-20-70802-099	Public Relations	15,750.00
01-2010-20-70901-011	Rent Control Board S/W	34,860.00
01-2010-20-70902-099	Rent Control Board	4,725.00
01-2010-20-71102-099	Town Funding Program	14,437.50
01-2010-20-71201-011	Housing Inspection S/W	31,106.25

01-2010-20-71202-099	Housing Inspection	262.50
01-2010-20-71302-099	Tenant Relations	3,937.50
01-2010-20-71401-011	Law Department S/W	45,937.50
01-2010-20-71402-099	Law Department	131,250.00
01-2010-20-71501-011	Supervised Play Activity S/W	215,112.19
01-2010-20-71502-099	Supervised Play Activity	64,312.50
01-2010-20-71701-011	Senior Citizens S/W	33,600.00
01-2010-20-71702-099	Senior Citizens	13,125.00
01-2010-20-71801-011	Administrative Office S/W	48,562.50
01-2010-20-71802-099	Administrative Office	2,362.50
01-2010-20-71901-011	Personnel Department S/W	12,127.50
01-2010-20-71902-099	Personnel Department	131.25
01-2010-20-72002-099	Zoning Board	3,937.50
01-2010-20-72101-011	Planning Board S/W	11,471.25
01-2010-20-72102-099	Planning Board	3,937.50
01-2010-20-72202-099	North Hudson Regional Council	10,263.75
01-2010-20-72502-099	North Hudson Council of Mayors	2,940.00
01-2010-20-72601-011	Urban Enterprise Zone S/W	40,845.00
01-2010-20-72602-099	Urban Enterprise Zone	2,100.00
01-2010-20-72701-011	Community Development - S & W	24,648.75
01-2010-20-72702-099	Community Development O.E.	787.50
01-2010-21-70101-011	Director of R & F - S/W	17,062.50
01-2010-21-70102-099	Director's Office	3,412.50
01-2010-21-74201-011	Treasurer's Office S/W	91,980.00
01-2010-21-74202-099	Treasurer's Office	103,687.50
01-2010-21-74205-099	Treasurer's Office - Annual F	30,187.50
01-2010-21-74206-099	Treasurer's Office -Payroll Se	9,187.50
01-2010-21-74401-011	Assessment of Taxes S/W	44,362.50
01-2010-21-74402-099	Assessment of Taxes	6,825.00
01-2010-21-74601-011	Collection of Taxes S/W	62,475.00
01-2010-21-74602-099	Collection of Taxes	7,612.50
01-2010-21-74802-099	Group Insurance- Employees	2,506,875.00
01-2010-21-74902-099	Health Waiver	13,125.00
01-2010-21-75002-094	Other Insurance - Unemployment	91,875.00
01-2010-21-75012-093	Other Insurance - Workers Comp	152,250.00
01-2010-21-75022-092	Other Insurance - Liability	141,750.00
01-2010-21-75201-011	Purchasing Agent S/W	39,637.50
01-2010-21-75202-099	Purchasing Agent	918.75

01-2010-22-70101-011	Director of Public Safety -S/W	128,231.25
01-2010-22-70102-099	Director's Office	36,750.00
01-2010-22-76008-099	NHRFR	3,409,875.00
01-2010-22-76201-011	Police Department S/W	2,976,750.00
01-2010-22-76202-099	Police Department - O.E.	111,562.50
01-2010-22-76602-099	Juvenile Aid	1,050.00
01-2010-22-77001-011	Uniform Fire Safety Act S/W	19,687.50
01-2010-22-77201-011	Ambulance Squad S/W	175,875.00
01-2010-22-77202-099	Ambulance Squad	21,000.00
01-2010-22-77401-011	Off. of Emerg. Manag. - S/W	4,331.25
01-2010-22-77402-099	Office of Emergency Management	3,543.75
01-2010-23-70101-011	Director of Public Works - S/W	61,687.50
01-2010-23-70102-099	Director's Office DPW - O.E.	2,887.50
01-2010-23-78101-011	Streets & Sewers S/W	485,625.00
01-2010-23-78102-099	Streets & Sewers	97,125.00
01-2010-23-78302-099	Snow Removal	13,125.00
01-2010-23-78402-099	Street Lighting	164,062.50
01-2010-23-78502-099	Fire Hydrant Rental	47,250.00
01-2010-23-78602-099	Recycling	78,750.00
01-2010-23-78701-011	Garbage & Trash S/W	56,437.50
01-2010-23-78702-099	Garbage & Trash - O.E.	36,750.00
01-2010-23-78707-020	Garbage & Trash - Contractual	695,625.00
01-2010-23-78802-099	Engineering Serv. & Costs -O.E	39,375.00
01-2010-24-70101-011	Director Pks & Pub. Prop. -S/W	23,362.50
01-2010-24-70102-099	Director's Office	1,181.25
01-2010-24-79001-011	Division of Parks S/W	23,362.50
01-2010-24-79002-099	Division of Parks	26,250.00
01-2010-24-79102-099	Celebration of Public Events	11,812.50
01-2010-24-79201-011	Building Department S/W	168,000.00
01-2010-24-79202-099	Building Department	42,000.00
01-2010-24-79302-099	Light & Power	116,812.50
01-2010-24-79402-099	Centralized Postage	22,312.50
01-2010-24-79502-099	Fuel	52,500.00
01-2010-24-79602-099	Telephone & Telegraph	55,125.00
01-2010-24-79702-099	Water	23,625.00
01-2010-24-79802-099	Sewerage	13,125.00
01-2010-24-79902-099	Signal Bureau	6,562.50
01-2010-25-80001-011	Uniform Construction Code S/W	109,462.50

01-2010-25-80002-099	Uniform Construction Code	15,750.00
01-2010-28-82002-099	Emergency Authorizations	14,437.50
01-2010-29-82502-099	Contrib to Public Employee Ret	238,754.51
01-2010-29-82602-099	Contribution to Social Securit	250,687.50
01-2010-29-82802-099	Contrib to Police & Firemen Pe	638,656.20
01-2010-30-83001-011	Municipal Court S/W	216,562.50
01-2010-30-83002-099	Municipal Court - O.E.	21,525.00
01-2010-33-83502-099	Public Defender	3,937.50
01-2010-33-84002-099	Maint. of Free Public Library	215,380.46
01-2010-33-84502-099	Blood Borne Pathogens	1,312.50
01-2010-35-85001-011	Reimb. for Hlth Svcs-Weehawke	3,937.50
01-2010-35-85101-011	Reimb. for Hlth Svcs -Secaucus	5,250.00
01-2010-35-85201-011	Reimb for Hlth Svcs-Guttenber	3,937.50
01-2010-35-85401-011	Reimb for Hlth Svcs-Ch 226 Non	13,387.50
01-2010-38-31001-099	Grants	122,770.46
01-2010-44-90102-099	Capital Improvement Fund	13,125.00
01-2010-45-88002-099	Payment of Bond Principal	929,250.00
01-2010-45-88402-099	Interest on Bonds	304,786.65
01-2010-45-88502-099	Principal on Notes	48,693.75
01-2010-45-88602-099	Interest on Notes	40,596.68
01-2010-45-88702-099	Lease Payable NHRFR - Debt Ser	267,750.00
01-2010-45-88802-099	Green Trust Loan Program P + I	38,768.89
01-2010-45-88902-099	Casino Reinvestment Develop Au	8,735.48
01-2010-45-94102-099	Capital Lease Obligations-Inte	222,772.99
01-2010-45-94103-099	Developers Waterfront HCIA	142,078.91
01-2010-46-89000-099	Overexpenditure of Appropriati	78,571.24
01-2010-48-88402-099	Interest on School Bonds	29,465.63
01-2010-50-89900-	Reserve for Uncollected Taxes	<u>714,512.14</u>
		\$ 18,354,166.16

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

RESOLUTION
RESOLUTION AUTHORIZING ADOPTION OF THE 2013 DEBT SERVICE
REQUIREMENTS

WHEREAS, N.J.S. 40A:19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year; and

WHEREAS, the date of this resolution is subsequent to that date; and

WHEREAS, principal and interest will be due on various dates from January 1, 2013 to December 31, 2013, inclusive, on sundry bonds issued and outstanding.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey that the following appropriations be made to cover the period from January 1, 2013 to December 31, 2013 inclusive:

DEBT SERVICE – TOWN OF WEST NEW YORK:

Payment of Bonds	\$4,505,922
Interest on Bonds	<u>\$2,251,138</u>
	<u>\$6,757,060</u>

RESOLUTION –
Re: Approving a Professional Services Agreement for Services of Financial Advisory
Services to: NW Financial Group, LLC

WHEREAS, NW Financial Group, LLC is an innovative and expert leader in the New Jersey municipal bond industry, providing financial advisory services by professionals who possess Financial Industry Regulatory Authority (FINRA) Securities Licenses; and

WHEREAS, there exists a need for the performance of the services of a financial advisor relating to the New Jersey municipal bond industry for the Town of West New York; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bidding must be publicly advertised,

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

1. The Mayor and Town Clerk are hereby authorized to execute an agreement with NW Financial Group, LLC.
2. This contract is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, as set forth in N.J.S.A. 40A:11-5.
3. This resolution and contract are on file and available for public inspection in the office of the Town Clerk of the Town of West New York.
4. A copy of this resolution shall be published in the Jersey Journal as required by law within 10 days of its passage.

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

Resolution

Re: Authorizing the Town of West New York to seek a fair and open process in compliance with the Pay to Play statute for the retention of Legal Representation of Recall Election Official of the Town of West New York

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 Representation of Recall Election Official of the Town of West New York; and

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;

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 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 Legal Representation of Recall Election Official of the Town of West New York, in accordance with a Fair and Open Process at least ten days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”).
3. A Review Committee is established, consisting of the Mayor, the Town Administrator, the Qualified Purchasing Agent and the Chief Financial Officer, to review all Statements of Qualifications and to make recommendations to the Board of Commissioners at regularly scheduled meetings.

RESOLUTION

Re: Award of Contract for Elevator Inspection Services to EIC Inspection Services

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 3rd Party Elevator Inspection Services, pursuant to and in accordance to the contract for Elevator Inspection Services; and

WHEREAS, on December 11, 2012 the Town did receive the following bids on the contract for Elevator Inspection Services:

Company	Amount
Municipal Inspection Corp. 183 west 4 th Street, Bayonne NJ 07002	80% of DCA fees
New Jersey Elevator Inspection Agency, 30 Amherst Place, Livingston, NJ 07039	50% of DCA fees
EIC Inspection Agency Corp., 3705 Kennedy Blvd., Jersey City, NJ 07307.	50% of DCA fees

December 27, 2012
Special Meeting

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

WHEREAS, the Town Attorney in conjunction with the Purchasing Agent has reviewed the bids submitted and recommended the award of the contract for Elevator Inspection Services to EIC Inspection Agency Corp. in the amount not to exceed 50% of the DCA Fees as the bid submitted by EIC Inspection Agency Corp. is the lowest responsible qualified bid for the Elevator Inspection Services; and

WHEREAS, the bid received from New Jersey Elevator Inspection Agency did not contain a Bid Bond as required by the Bid Package; and

WHEREAS, failure to provide a Bid Bond with the submission is deemed a fatal defect the bid received by New Jersey Elevator Inspection Agency is deemed disqualified and not responsive, and

WHEREAS, in the case of a tie between bidders the Town reserved the right to select either bidder; 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.

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 EIC Inspection Agency Corp., 3705 Kennedy Blvd., Jersey City, NJ 07307, on the bid for Elevator Inspection Services in the amount not to exceed 50% of the DCA fees be and the same 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 Elevator Inspection Services with EIC Inspection Agency Corp.
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.

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF TOWN ENGINEER

WHEREAS, CME Associates of 3141 Bordentown Ave, Parlin, NJ 08859, has submitted a proposal to serve as Town Engineer, dated, November 27, 2012, in response to a, Request for Qualifications for Town Engineer, and

WHEREAS, the Mayor in coordination with the recommendation of the review committee has duly appointed CME Associates as Town Engineer; 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 CME Associates, , to serve as Town Engineer and enter into a contract with CME Associates., to provide for the services as Town Engineer; and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and CME Associates., for the services as Town Engineer and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 27, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period 1/1/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$259,060.00
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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of CME Associates., as Town Engineer shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

December 27, 2012
Special Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF TAX ATTORNEY

WHEREAS, Matthew J. O' Donnell, Esq. as member of the law firm of O' Donnell McCord, P.C., 15 Mount Kemple Avenue, Morristown, NJ 07960, has submitted a proposal to serve as Tax Attorney, dated, November 27, 2012, in response to a, Request for Qualifications for Tax Attorney; and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed O' Donnell McCord, P.C. as Tax Attorney; 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 Matthew J. O' Donnell, Esq. to serve as Tax Attorney, and enter into a contract with O' Donnell McCord, P.C., to provide for the services of Matthew J. O' Donnell, Esq. and

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

WHEREAS, the contractual agreement will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications;

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and O' Donnell McCord, P.C., for the services of Matthew J. O' Donnell, Esq., as Tax Attorney, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on November 27, 2012, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for the period of 1/1/13 - 12/31/13, and for an amount to be contained in the agreement not to exceed \$36,000.00
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 copy of this resolution shall be published and it and the agreement detailing the terms of the retention of O' Donnell McCord, P.C. as Tax Attorney shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

December 27, 2012
Special Meeting

Mayor Roque opened the Public Portion.

Public Portion:

No one wished to be heard.

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, **to close public portion and adjourn** the meeting at 2:04 p.m., was carried by the following vote:

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

Commissioner FiorD'Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Yesenia DelRio, Deputy Town Clerk