

# **Town of West New York Commission Meeting Regular Meeting**

**Wednesday, March 16, 2011 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: 2/16/11  
(Regular Session and Work Session)  
Special Meeting: 3/10/11  
(Regular Session)**
  
- 2. Payment of Claims**                      **Dated: 3/16/11**
  
- 3. Receipt of Financial Report**    **For the month of February 2011**
  
- 4. Communications:**
  - 4A. Bid results rec'd 2/23/11 Re: Heavy Equipment Rental**
  - 4B. Bid results rec'd 3/1/11 Re: Janitorial Supplies**
  - 4C. Bid results rec'd 3/1/11 Re: Janitorial Services**
  - 4D. Bid results rec'd 3/1/11 Re: Sports Equipment**
  - 4E. Bid results rec'd 3/1/11 Re: Senior Citizen Special Events & Catering Services**
  - 4F. RFP results rec'd 3/2/11 Re: Grant Writing and Administration Consulting Services**
  - 4G. Bid results rec'd 3/10/11 Re: 2011 Road Program Phase II**
  - 4H. Bid results rec'd 3/10/11 Re: Traffic Striping and Signage Contract**
  - 4I. RFQ results rec'd 3/11/11 Re: Claims Administration Services**
  
- 5. Proclamations:**
  - 5A. Proclamation – Re: Honoring Irish American of the Year (William Kelly)**
  
- 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/Ordinances**

- R-1 RESOLUTION – Re: Transfer of appropriation reserves for Transition Year 2010
- R-2 RESOLUTION – Re: Calendar Year 2011 Temporary Budget (for month of April 2011)
- R-3 RESOLUTION – Re: Introduction of 2011 Calendar Year Budget
  
- O-1 **Introduction of Ordinance #2/11** An Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a CAP Bank for Calendar year 2011 (NJSA 40A:4-45.14)

## Resolutions

- R-4 RESOLUTION – Re: Authorizing the Mayor and Business Administrator to request \$91,000.00 in New Jersey UEZ Funds for Police Officers Year 12
- R-5 RESOLUTION - Re: Repealing Resolution adopted 9/21/05, (Restricted Parking for Handicapped Resident) as follows: 6108 Highland Place (Jose B. Lopez)
- R-6 RESOLUTION - Re: Establishing restricted parking in front of one (1) residence for Use by handicapped resident as follows: 6127 Highland Place (Osana Garcia)
- R-7 RESOLUTION - Re Establishing restricted parking in front of one (1) residence for Use by handicapped resident as follows: 581-57<sup>th</sup> Street (Cindy Merchan)
- R-8 RESOLUTION - Re: Establishing restricted parking in front of one (1) residence for Use by handicapped resident as follows: 6507 Palisade Avenue (Solano R. Perez)
- R-9 RESOLUTION - Re: Establishing restricted parking in front of one (1) residence for Use by handicapped resident as follows: 6119 Washington Street (Javier Gaviria)
- R-10 AWARDING RESOLUTION - Re: Award of Contract for: Traffic Striping & Signage Contract to Straight Edge Striping
- R-11 AWARDING RESOLUTION - Re: Award of Contract for: 2011 Road Program (Phase II) to: AJM Contractors, Inc.
- R-12 RESOLUTION – Re: Authorizing settlement of Walgreens v. Town of WNY (Block 146 Lot 3) Tax Court of NJ Docket Nos. 003856-2007, 004099-2008, 006508-2009
- R-13 AWARDING RESOLUTION - Re: Award of Contract for: Janitorial Supplies to United Sales, USA, Inc.
- R-14 RESOLUTION - Re: Qualification of Grant Writing and Administration Consulting Services Provider
- R-15 AWARDING RESOLUTION - Re: Award of Extraordinary Unspecifiable Services Contract for: Claims Administration Services to Cannon Cochran Management Services, Inc.
- R-16 RESOLUTION - Re: Transfer of Professional Services Contract for: Tenants Advocacy Attorney from Campbell Ortiz to Dario, Yacker, Suarez & Albert for the Continued Services of Wilfredo J. Ortiz, Esq.
- R-17 RESOLUTION - Re: Approval of Municipal Services Agreement between the Town And City View at West New York Master Condominium Association
- R-18 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Auto Parts to Autozone Northeast, Inc. Pursuant to State Contract No. A71188
- R-19 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Computers and Accessories to Dell Marketing, LP Pursuant to State Contract No. A70256
- R-20 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Telecommunications Services/Equipment to Johnston Communications Pursuant to State Contract No. A42287

## Resolutions

- R-21 AWARDING RESOLUTION – Award of Open Ended State Contract for Playground Equipment to Marturano Recreation Co. Pursuant to State Contract No. A59052
- R-22 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Playground Surfaces to Rubbercycle LLC Pursuant to State Contract No. A59079
- R-23 AWARDING RESOLUTION-Re: Award of Open Ended State Contract for Diesel Fuel to Taylor Oil Co. Inc. Pursuant to State Contract No. A41867
- R-24 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Tires to C&C Tire Inc. Pursuant to State Contract No. T-0123/A71687
- R-25 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Tires to Robbins and Franke Pursuant to State Contract No. T-0123/A71687
- R-26 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Radios to Motorola Communications & Electronics, Inc. Pursuant to State Contract NO. 53804
- R-27 AWARDING RESOLUTION – Re: Award of Open Ended State Contract for Office Supplies to Staples Contract & Commercial Inc. Pursuant to State Contract No. A77249
- R-28 AWARDING RESOLUTION - Re: Award of Open Ended State Contract for Automobiles to Warnock Automotive, Inc. Pursuant to State Contract No. A74001
- R-29 AWARDING RESOLUTION – Re: Award of Open Ended State Contract for gasoline to National Fuel Oil, Inc. pursuant to State Contract No. A65042
- R-30 AWARDING RESOLUTION – Re: Award of Open Ended State Contract for Traffic Signals/Parts to Intelligent Traffic Supply Pursuant to State Contract No. A78024
- R-31 RESOLUTION - Re: Re-appointment of Jose Delgado as a Member of the Rent Control Board of the Town of WNY (Term: 4/1/11 to 3/31/12)
- R-32 RESOLUTION - Re: Re-appointment of Enrique Perez as a Member of the Rent Control Board of the Town of WNY (Term: 4/1/11 to 3/31/12)
- R-33 RESOLUTION - Re: Authorizing Extension of Contract for Printing Services for the Town of West New York with Royal Printing (1 year Contract)
- R-34 RESOLUTION – Re: Refunds of Overpayment of Taxes \$19,571.42)
- R-35 RESOLUTION – Re: Refunds of Tax Lien Redemptions (\$18,470.58)
- R-36 RESOLUTION – Re: Refunds of Tax Lien Premiums (\$1,000.00)
- R-37 RESOLUTION – Re: Hudson County Board of Taxation Tax Appeals (\$98,631.96)
- R-38 RESOLUTION – Re: Tax Correction (Block 141 Lot 25.01)
- R-39 RESOLUTION – Re: Authorizing settlement of AF & J Realty v. Town of WNY (Block 159 Lot 15) Tax Court of NJ Docket Nos. 07658-2009 and 012722-10
- R-40 RESOLUTION – Re: Authorizing settlement of Juan Martinez v. Town of WNY (Block 36 Lot 32) Tax Court of NJ Docket No. 017251-2009
- R-41 RESOLUTION – Re: Authorizing settlement of Lawrence E. Blumberg v. Town of WNY (Block 151 Lot 19) Tax Court of NJ Docket No. 013229-2009
- R-42 RESOLUTION – Re: Authorizing settlement of TD Bank v. Town of WNY (Block 139 Lot 9) Tax Court of NJ Docket Nos. 013232-2009 and 015824-2010

## **Ordinances**

- O-2 **Introduction of Ordinance #3/11** An Ordinance repealing Ordinance #136/94 entitled: “An Ordinance establishing restricted parking in front of one (1) residence for use by a handicapped resident” (6508 Broadway – Michael Torres)

**TOWN OF WEST NEW YORK**  
**County of Hudson**

**ORDINANCE #2/11**

**An Ordinance to exceed the Municipal Budget Appropriation  
Limits and to establish a CAP Bank for Calendar Year 2011  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 1.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 1.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Board of Commissioners of the Town of West New York in the County of Hudson finds its advisable and necessary to increase its CY 2011 budget by up to 1.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Board of Commissioners hereby determines that a 1.5% increase in the budget of said year, amounting to \$704,715 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE BE IT ORDAINED**, by the Mayor and Board of Commissioners of the Town of West New York, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2011 budget year, the final appropriations of the Town of West New York shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 1.5%, amounting to \$704,715, and that the 2011 municipal budget for the Town of West New York be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**Introduced: 3/16/11**

**Notice**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **March 16, 2011** and ordered published, and will be further considered before final passage at a public hearing on **April 20, 2011 at 7:00 P.M.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccio, RMC  
Town Clerk

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON**

**ORDINANCE #3/11**

**An Ordinance repealing Ordinance #136/94 entitled:  
“An Ordinance establishing restricted parking in front  
of one (1) residence for use by a handicapped resident”  
(6508 Broadway, WNY – Michael Torres)**

BE IT ORDAINED by the Board of Commissioners of the Town of West New York:

Section 1: Ord. #136/94 is hereby repealed.

Section 2: The handicapped persons involved have either moved or died since implementation of above mentioned ordinances.

Section 3: The Department of Public Safety is directed to remove all signage for the spaces as directed by this ordinance.

Section 4: All ordinances inconsistent herewith are hereby repealed.

This ordinance shall take effect immediately upon passage and publication as provided by law.

**Introduced: 3/16/11**

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Carmela Riccie, RMC  
Town Clerk