

# **Town of West New York**

## **Commission Meeting**

### ***Regular Meeting***

*Wednesday, December 17, 2014 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: 11/24/14  
(Regular/Work Sessions)**
  
- 2. Payment of Claims: Dated December 17, 2014**
  
- 3. Receipt of Financial Report: Month of November 2014**
  
- 4. Communications:**
  - 4A. Town administrator Watkins update to governing body re: pending matters**
  - 4B. Town Engineer's Monthly Status report dated 12/15/14**
  - 4C. Bid results received 12/2/14 re: Garbage and Recycling**
  - 4D. RFP received on 12/3/14 Re: Conflict Counsel– Planning Board (2<sup>nd</sup> Occasion)**
  - 4E. RFP received on 12/3/14 Re: General Counsel– Planning Board (2<sup>nd</sup> Occasion)**
  - 4F. RFP received on 12/3/14 Re: Tenant Advocacy Attorney (2<sup>nd</sup> Occasion)**
  - 4G. RFP received on 12/3/14 Re: General Counsel– Rent Control Board (2<sup>nd</sup> Occasion)**
  - 4H. RFP received on 12/3/14 Re: Tax Appeal Counsel (2<sup>nd</sup> Occasion)**
  - 4I. RFP received on 12/3/14 Re: Tax Appeal Expert (2<sup>nd</sup> Occasion)**
  - 4J. RFP received on 12/3/14 Re: Financial Consultant (2<sup>nd</sup> Occasion)**
  - 4K. RFP received on 12/3/14 Re: Counsel to Library Board (2<sup>nd</sup> Occasion)**
  - 4L. RFP received on 12/3/14 Re: ABC Prosecutor (2<sup>nd</sup> Occasion)**
  - 4M. RFP received on 12/3/14 Re: Special Hearing Officer (2<sup>nd</sup> Occasion)**
  - 4N. RFP received on 12/4/14 Re: Special Counsel (2<sup>nd</sup> Occasion)**
  - 4O. RFP received on 12/4/14 Re: Grant Consultant – Federal/State (2<sup>nd</sup> Occasion)**
  - 4P. RFP received on 12/4/14 Re: Webmaster/Website Maintainer (2<sup>nd</sup> Occasion)**
  - 4Q. RFP received on 12/4/14 Re: Workers Compensation Attorney (2<sup>nd</sup> Occasion)**
  - 4R. RFP received on 12/12/14 Re: Alternate Prosecutor (3<sup>rd</sup> Occasion)**
  - 4S. RFP received on 12/12/14 Re: Conflict Counsel-Zoning Board (3<sup>rd</sup> Occasion)**

- 4T. Bid results received 12/12/14 re: Snow Removal**
- 4U. Letter of Resignation from Comm. Caridad Rodriguez**  
*(This was added to agenda during Regular Session)*

**5. Proclamations:**

**5A. Honoring Commissioner Caridad Rodriguez**

**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**

## RESOLUTIONS

- R-1 RESOLUTION – Re: Refund of Deposit pursuant to Ordinance #4/96 (Filming Permit – Drewstone International, LLC 11/18/14)
- R-2 RESOLUTION – Re: Repealing Resolution adopted on 9/12/11 (Restricted Parking for Handicapped Resident) as follows: 14-65th Street, West New York, NJ (Jorge Tabraue)
- R-3 RESOLUTION – Re: Repealing Resolution adopted on 8/20/2014 which established a loading zone at 647 60th Street, West New York For: (Ke Bola Cuba LLC)
- R-4 RESOLUTION – Re: Repealing Resolution adopted on 2/15/2012 which established a loading zone at 5909 Park Avenue, West New York For: (Family Dollar Stores)
- R-5 RESOLUTION – Re: Repealing Resolution adopted on 7/15/1998 which established a loading zone at 524 – 59<sup>th</sup> Street, West New York For: (Vetter Glass Co.)
- R-6 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Shain, Schaffer, & Rafanello for Zoning Board of Adjustment counsel (Term: 1/1/15 – 12/31/15)
- R-7 RESOLUTION – Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation – Chapter 159 (Re: Drive Sober or Get Pulled Year End Holiday Crackdown)
- R-8 RESOLUTION – Re: Ratifying Memorandum of Agreement with Communication Works of America, AFL-CIO Local No. 1045
- R-9 RESOLUTION – Re: Refunds of Overpayments of Taxes (\$18,156.04)
- R-10 RESOLUTION – Re: Tax Corrections (5509 Madison Street AKA Block 117 Lot 15 C0601)
- R-11 RESOLUTION – Re: Hudson County Board Tax Appeals (\$9,368.80)
- R-12 RESOLUTION – Re: Refunds of Premiums (\$116,000.00)
- R-13 RESOLUTION – Re: Refunds of Redemptions (\$181,552.31)
- R-14 RESOLUTION – Re: Tax Assessment Correction (6045 Boulevard East a/k/a block 35 lot 1 C007C)
- R-15 AWARDING RESOLUTION – Re: Office Supplies for the Town of West New York to: Perkaroma Coffee Service, Inc.
- R-16 RESOLUTION – Re: Approving the Cash Management Plan for the year 2015
- R-17 RESOLUTION – Re: Awarding Emergency Contract for Animal Control Shelter Services
- R-18 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 Animal Control Shelter Services
- R-19 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Bruno & Ferraro for General Counsel– Planning Board (Term: 1/1/15 – 12/31/15)
- R-20 RESOLUTION– Re: Approval of Professional Services Agreement between Town of West New York and Simoes & Associates for General Counsel–Rent Control Board (Term: 1/1/15 – 12/31/15)

## RESOLUTIONS

- R-21 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Bruno Associates for Grant Consultant–County/State  
(Term: 1/1/15 – 12/31/15)
- R-22 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Krivit & Krivit P.C., for Grant Consultant–Federal  
(Term: 1/1/15 – 12/31/15)
- R-23 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Alpha Dog Solutions, Inc. for Webmaster/Website Maintainer (Term: 1/1/15 – 12/31/15)
- R-24 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Netchert, Dineen, & Hillmann, Attorneys at Law and Glazer & Kamel for Worker’s Compensation Attorney (Term: 1/1/15 – 12/31/15)
- R-25 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and O’Donnell McCord, P.C. for Tenant Advocacy Attorney  
(Term: 1/1/15 – 12/31/15)
- R-26 RESOLUTION – Re: Designating Official Depositories for Calendar Year for 2015
- R-27 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and N W Financial Group for Financial Consultant  
(Term: 1/1/15 – 12/31/15)
- R-28 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Mateo Perez, Esq. for ABC Prosecutor  
(Term: 1/1/15 – 12/31/15)
- R-29 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Coviello & Legg, LLP and Giro, LLP for Alternate Prosecutors (Term: 1/1/15 – 12/31/15)
- R-30 RESOLUTION – Re: Capital Budget Amendment 2014
- R-31 RESOLUTION – Re: Authorizing Adoption of the 2015 Debt Service Requirements
- R-32 RESOLUTION – Re: To Cancel 2014 Budget Appropriations in the Current Fund at Year End
- R-33 RESOLUTION – Re: Transfer of Fund for 2014
- R-34 RESOLUTION – Re: Cancellation of Stale Dated Checks
- R-35 RESOLUTION – Re: Authorizing Adoption of 2015 Temporary Budget
- R-36 RESOLUTION – Re: Cancellation of Various Miscellaneous Other Trust Fund Reserves
- R-37 RESOLUTION – Re: Approval of Municipal Service Agreement between the Town of WNY and Cityview at West New York Master Association and Tower West, Inc. for year 2014

## RESOLUTIONS

- R-38 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Apruzzese, McDermott, Mastro, and Murphy, PC, Law Office of Giblin & Gannaio, and Roderick T. Baltimore for Special Hearing Officer (Term: 1/1/15 – 12/31/15)
- R-39 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Dvorack & Associates, LLC, Douglas M. Standriff, Esq., Schwartz Simon Edelstein, Bruno & Ferraro, Appruzzese, McDermott, Mastro, & Murphy, P.C., Whipple Azzarello, LLC, Cottrell Law Offices, Florio & Kenny, Giblin & Gannaio, Chasen Leyner & Lamparello, Gutierrez & Lattiboudere, LLC, and Scarinci Hollenbeck for Special Counsel (Term: 1/1/15 – 12/31/15)
- R-40 RESOLUTION – Re: Requesting permission for the Dedication by Rider for Elevator Inspections/Other Trust Fund Required by N.J.A.C. 5:23-12
- R-41 RESOLUTION – Re: Requesting permission for the Dedication by Rider for Recreation Donations/Other Trust Fund Required NJS 40:48-2.56
- R-42 RESOLUTION – Re: Requesting permission for the Dedication by Rider for Municipal Public Defenders/Other Trust Fund Required by NJS 2B:12-28
- R- 43 RESOLUTION – Re: Accepting Resignation of Commissioner Caridad Rodriguez
- R- 44 RESOLUTION – Re: Appointing the Mayor as the Director of the Department of Public Safety until a New Commissioner is Appointed
- R-45 AWARDING RESOLUTION – Re: To Approve Contract with Joseph Smentkowski, Inc. Galaxy Carting for Solid Waste and Recycling Collection and Disposal
- R-46 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and Marc A. Raso, Esq. for Tax Appeal Counsel (Term: 1/1/15 – 12/31/15)
- R-47 RESOLUTION – Re: Approval of Professional Services Agreement between Town of West New York and The Pinal Law Group, Richard Pinal, Esq. for Counsel to Library Board (Term: 1/1/15 – 12/31/15)
- R-48 RESOLUTION –Re: Appointment of Comm. Ruben Vargas to Fill the Unexpired Term of Harold Schroeder as a Member on the North Hudson Sewerage Authority
- R-49 RESOLUTION–Re: To Appoint Member of the Management Committee of the North Hudson Regional Fire and Rescue
- R-50 RESOLUTION–Re: To Approve Participation in the HGACBUY Cooperative Purchasing Agreement
- R-51 AWARDING RESOLUTION – Re: Award of Contract for “Snow Removal” to Amernas Corp.
- R-52 RESOLUTION – Re: Re-Appointment of Osvaldo Garcia as Member of the Town of West New York Alcoholic Beverage Control Board
- R-53 RESOLUTION – Re: Appointment of Israel Rodriguez as A member of the Town of West New York Alcoholic Beverage Control Board

## RESOLUTIONS

- R-54 RESOLUTION – Re: Appointment of Adam Cruz and Anthony Gomez as Commissioners of the Town of West New York Parking Authority
- R-55 RESOLUTION – Re: Appointment of Jenice Durham, Jesus Aristy, Angela Duval, Marileidys Baldeo, David Morel, Daniel Ortega, and Vanessa Cirillo as Members of the West New York Rent Control Board
- R-56 RESOLUTION – Re: Appointment of Theresa Cruz, German Alberto Chapin, Jesus Alvarado, Kenneth Blane, Ramon Morejon, Mohamed Elmaksoud, and Almer Martins as Members of the Zoning Board of Adjustment
- R-57 RESOLUTION – Re: Appointment of Andres Garcia as a Class I Designee of the Town of West New York Planning Board
- R-58 RESOLUTION – Re: Appointment of Jose M. Alcantara as a Class IV Member and Miguel Borrego as an Alternate No.1 of the Town of West New York Planning Board
- R-59 RESOLUTION – Re: Appointment of Commissioner Fior D’Aliza Frias as a Class III Member, Johana Hernandez as a Class IV Member and Genaro Sanchez as an Alternate No. 2 of the Town of West New York Planning Board
- R-60 RESOLUTION – Re: Appointment of Irene Fernandez and Carmen Perez as Members of the Town of West New York Housing Authority
- R-61 RESOLUTION – Re: Shared Services Agreement between Town of West New York and West New York Board of Education (School Nursing Services for St. Josephs of the Palisades Elementary School)
- R-62 RESOLUTION – Re: Authorizing Closure of Executive Session pursuant to N.J.S.A. 10:4-12(b)
- R-63 RESOLUTION – Re: Authorizing the execution of settlement agreement in the matter known as Alain Gomez v. Town of West New York et al  
***(This Resolution was added to the agenda during Regular Session after conclusion of Executive Session)***
- R-64 Re: Authorizing the execution of settlement agreement in the matter known as Alberto Bringas v. West New York et al  
***(This Resolution was added to the agenda during Regular Session after conclusion of Executive Session)***

## ORDINANCES

- O-1 Hearing and Final Adoption of Bond Ordinance #16/14 Re:** Bond Ordinance of the Town of West New York, County of Hudson, New Jersey, Providing for the Acquisition of Vehicles and Equipment and Appropriating an Amount not Exceeding \$200,000, Therefor, and Authorizing the Issuance of Not to Exceed \$190,000 in Bonds or Notes of the Town of West New York
  
- O-2 Hearing and Final Adoption of Bond Ordinance #17/14 Re:** An Ordinance of the Town of West New York, in the County of Hudson, New Jersey, Providing for the Acquisition of 911 Public Safety Equipment and Other Equipment and Improvements and Appropriating \$960,000, Therefor, and Providing for the Issuance of \$912,000 in Bonds or Notes of The Town of West New York to Finance the Same.
  
- O-3 Hearing and Final Adoption of Ordinance #18/14** An Ordinance Amending Chapter 161 “Construction Codes, Uniform”, Sections 2.B (I)(b), 2(b), 3(b) and 4(b) of the Town of West New York Municipal Code with Regard to the Collection of State Training Fees to Comport with the Mandate of the State of New Jersey Relative Thereto
  
- O-4 Hearing and Final Adoption of Ordinance #19/14** An Ordinance Approving a Five (5) Tax Abatement For a Multi-Family Building Constructed by 600-602 LLC Pursuant to the Provisions of the Five (5) Year Tax Exemption and Abatement Law, N.J.S.A. 40A:21-1 Et. Seq. and Section 7 of the Ordinance 11/07 an Ordinance entitles Five Year Tax Abatement Ordinance
  
- O-5 Introduction of Ordinance #20/14** An Ordinance repealing Chapter 53 of the Code of the Town of West New York entitled “Insurance Fund Commission”
  
- O-6 Introduction of Ordinance #21/14** An Ordinance amending Chapter 93 of the Code of the Town of West New York regarding Salaries and Compensation