

January 18, 2012
Regular Meeting

Minutes of a regular stated meeting of the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, held in the Court Chambers, Municipal Building on Wednesday, January 18, 2012 at 7:00 p.m. (6:00 p.m. Work Session):

Present: Commissioners Rodriguez, Wiley, Vargas and Mayor Roque
Absent: Commissioner Frias
Also Present: Town Attorney Gilberto Garcia, Assistant Town Attorney Joe DeMarco, Town Administrator Ernesto Munoz and Town Clerk Carmela Riccie

Meeting commenced at 7:05 p.m.

At the request of Mayor Roque, Town Clerk Carmela Riccie made the following announcement:

As presiding officer of this regularly scheduled meeting of the Board of Commissioners of the Town of West New York, held on January 18, 2012 at 7:00 p.m., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 20, 2011. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

Note: Town Clerk Carmela Riccie announced that the Police Promotions Ceremony would take place prior to business portion of meeting.

Mayor Roque gave welcoming address. He commented that police promotions hold a special place in his heart in that he is a Colonel in the Army and has been a military person for thirty-five years. He stated "Promotion is a reward for doing an outstanding job, and they have done an outstanding job. You should lead by example. Director Indri leads by example. Soldiers defend our freedom overseas and defend us here." He advised the police officers and their families that he will always be here for them and congratulated them on their well-deserved promotions.

Director Indri commented that he has served the WNY Police Department for twenty-five years and has been promoted once or twice himself. He indicated that he is proud and happy for his men. He personally thanked Mayor Roque for his dedication and support of the Police Dept. He thanked Comm. Rodriguez, Town Administrator Munoz and the Town Attorneys for their assistance. He commented that this is the first time he has witnessed the Town working together to do good things for the people and that promotions is a way of showing respect, recognition and acknowledgement. He personally acknowledged each officer (Captains Michael Zitt and Patrick Culhane, Sergeants Paul Lombardi, Guillermo Macias, Marcos Garciga and Daniel Braico). Town Clerk Carmela Riccie administered oath of office to the aforementioned officers.

Ceremony ended at 7:47 p.m. at which time a short recess was taken to afford the officers and their family members to exit the Court Chambers.

Meeting resumed at 7:55 p.m.

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Note: At the request of Mayor Roque, Town Clerk Carmela Riccie read aloud the titles of all items on the agenda

Minutes of Previous Meeting:

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, that the Minutes of Regular Meetings: 12/20/11 and Special Meeting: 1/3/12 (Regular and Work Sessions) be approved as recorded, was carried by the following vote:

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

Claims: Dated 1/18/12 (Claims are available for public inspection in the Town Clerk's Office):

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

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

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF DECEMBER 2011

1. From Construction Code Official Office, reporting the sum of \$48,136.00 collected for the month of December 2011.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$9,114.80 collected for the month of December 2011
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$0 for Special Licenses collected for the month of December 2011. **(NO REPORT SUBMITTED)**
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$0 for Marriage/death certificates collected for the month of December 2011. **(NO REPORT SUBMITTED)**
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$0 for Dogs Licenses Issued for the month of December 2011. **(NO REPORT SUBMITTED)**
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$4,047,982.99 collected for the month December 2011.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$22.30 collected for the month of December 2011.

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

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

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RFQ Results
Re: ABC Board Prosecutor

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012

Proposal Time: 9:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: A.B.C. Board Prosecutor

Personnel at Opening: Deputy Town Clerk Jennie DelRio & Maria Barrios

Remarks: Time to receive RFQS was closed at 9:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Gonzalez & Caride, Esqs.
(Address) 545-547 39th Street Suite 100
Union City, NJ 07087

RESPONDER #2 (Name) Gregory T. Farmer
(Address) 415-32nd Street Suite 302
Union City, NJ 07087

RFQ Results
Re: Bond Counsel

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012

Proposal Time: 10:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Bond Counsel

Personnel at Opening: Deputy Town Clerk Jennie DelRio & Maria Barrios

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

RESPONDER #1 (Name) DeCotiis, Fitzpatrick & Cole
(Address) 500 Frank W. Burr Blvd. Ste 31
Teaneck, NJ 07666

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RFQ Results
Re: Auditing Services

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012
Proposal Time: 10:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Auditing Services
Personnel at Opening: Deputy Town Clerk Jennie Del Rio & Maria T. Barrios
Remarks: Time to receive RFQS was closed at 10:35 a.m.
Reserved decision pending review by review committee.
RESPONDER #1 (Name) Carr, Daley, Sullivan & Weir, PC
(Address) 220 South Orange Avenue, Suite 100
Livingston, NJ 07039

RFQ Results
Re: Internal Accounting Services

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012
Proposal Time: 11:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Internal Accounting Services
Personnel at Opening: Deputy Town Clerk Jennie DelRio & Maria Barrios
Remarks: Time to receive RFQS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

NO RFQ'S RECEIVED

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RFQ Results
Re: Labor Counsel

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012
Proposal Time: 11:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Labor Counsel
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria T. Barrios
Remarks: Time to receive RFQS was closed at 11:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) De Cotiis, Fitzpatrick & Cole
(Address) 500 Frank W. Burr Blvd. Suite 31
Teaneck, NJ 07666

RESPONDER #2 (Name) Florio & Kenny LLP
(Address) 5 Marine View Plaza Suite 103
Hoboken, NJ 07030

RESPONDER #3 (Name) Chasan, Leyner & Lamparello, PC
(Address) 300 Harmon Meadow Blvd.
Secaucus, NJ 07094

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

RFQ Results
Re: Municipal Court Prosecutor

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012
Proposal Time: 12:00 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Municipal Court Prosecutor
Personnel at Opening: Deputy Town Clerk Jennie DelRio & Maria Barrios
Remarks: Time to receive RFQs was closed at 12:05 p.m.
Reserved decision pending review by review committee.

NO RFQ'S RECEIVED

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RFQ Results
Re: Legal/Liability Attorney Special Counsel

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012

Proposal Time: 2:00 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Legal/Liability Attorney/Special Counsel

Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria T. Barrios

Remarks: Time to receive RFQS was closed at 2:05 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Marinello & Marinello, Esqs.
(Address) 265 Columbia Avenue
Fort Lee, NJ 07024

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

RESPONDER #3 (Name) Law Office of Bhalla & Cho
(Address) 333 Washington Street Suite 203
Jersey City, NJ 07302

RESPONDER #4 (Name) Florio & Kenny, LLP
(Address) 5 Marine View Plaza Suite 103
Hoboken, NJ 07030

RESPONDER #5 (Name) Law Offices of Luis J. Amaro, Jr.
(Address) 6121 Kennedy Blvd.
North Bergen, NJ 07047

RESPONDER #6 (Name) Dvorak & Associates, LLC
(Address) 390 George Street 8th Floor
New Brunswick, NJ 08901

RESPONDER #7 (Name) Chasan Leyner & Lamparello, PC
(Address) 300 Harmon Meadow Blvd.
Secaucus, NJ 07094

RESPONDER#8 (Name) Lawrence A. Leven, Esq.
(Address) 175 Fairfield Avenue #1C
West Caldwell, NJ 07006

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RFQ Results
Re: Legal/Liability Counsel

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012

Proposal Time: 2:30 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Legal/Liability Counsel

Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria T. Barrios

Remarks: Time to receive RFQS was closed at 2:35 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Lo Piano, Kenny & Stinson
(Address) 50 Harrison Street Suite 207
Hoboken, NJ 07030

RESPONDER #2 (Name) Marinello & Marinello
(Address) 265 Columbia Avenue
Fort Lee, NJ 07024

RESPONDER #3 (Name) Mateo Perez, Esq.
(Address) 4919 Bergenline Avenue
West New York, NJ 07093

RESPONDER#4 (Name) DeCotiis, Fitzpatrick & Cole, LLP
(Address) 500 Frank W. Burr Blvd. Suite 31
Teaneck, NJ 07666

RESPONDER#5 (Name) Florio & Kenny LLP
(Address) 5 Marine View Plaza Suite 103
Hoboken, NJ 07030

RESPONDER#6 (Name) Law Office of Luis J. Amaro, Jr., LLC
(Address) 6121 Kennedy Blvd.
North Bergen, NJ 07047

RESPONDER#7 (Name) Dvorak & Associates, LLC
(Address) 390 George Street 8th floor
New Brunswick, NJ 08901

January 18, 2012
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RFQ Results
Re: Planning Services

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012

Proposal Time: 3:00 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Planning Services

Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria T. Barrios

Remarks: Time to receive RFQS was closed at 3:05 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) CME Associates
(Address) 3141 Bordentown Avenue
Parlin, NJ 08859

RESPONDER #2 (Name) Remington, Vernick & Arango Engineers
(Address) 300 Penhorn Avenue 3rd floor
Secaucus, NJ 07094

RESPONDER #3 (Name) Maser Consulting
(Address) 53 Frontage Road
Clinton, NJ 08809

RESPONDER#4 (Name) Birdsall Services Group, Inc.
(Address) 65 Jackson Drive
Cranford, NJ 07016

RFQ Results
Re: Web Design Consultant Services

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 12, 2012

Proposal Time: 3:30 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Web Design Consultant Services

Personnel at Opening: Deputy Town Clerk Jennie DelRio & Maria Barrios

Remarks: Time to receive RFQS was closed at 3:35 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Alpha Dog Solutions
(Address) 335 Union Avenue
Belleville, NJ 07109

RESPONDER #2 (Name) LastExit Associates, LLC
(Address) 685 Bloomfield Avenue Suite 204
Verona, NJ 07044

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RFQ Results
Re: Planning Board Attorney

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012
Proposal Time: 9:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Planning Board Attorney
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios
Remarks: Time to receive RFQS was closed at 9:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Bruno & Ferrara, Esqs.
(Address) 261 Park Avenue
Rutherford, NJ 07070

RESPONDER #2 (Name) G & T Garcia Turula, LLC
(Address) Harborside Plaza 10 Suite 1201
3 2nd Street
Jersey City, NJ 07311

RESPONDER #3 (Name) Mulkay & Rendo Esqs. (Alain Mulkay)
(Address) 700 79th Street
North Bergen, NJ 07047

RESPONDER#4 (Name) Mulkay & Rendo Esqs. (Carlos A. Rendo)
(Address) 700 79th Street
North Bergen, NJ 07047

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RFQ Results
Re: Public Defender

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012

Proposal Time: 10:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Municipal Court Public Defender

Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios

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

RESPONDER #1 (Name) Nadya M. Zerquera
(Address) 6809 Bergenline Avenue
Guttenberg, NJ 07093

RESPONDER #2 (Name) Bruno & Ferraro
(Address) 261 Park Avenue
Rutherford, NJ 07070

RESPONDER #3 (Name) Dario & Yacker, LLC
(Address) 314-48th Street
Union City, NJ 07087

RESPONDER#4 (Name) Law Offices of William N. Gonzalez
(Address) P.O. Box 508
440-60th Street Suite 201
West New York, NJ 07093

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RFQ Results
Re: Rent Control Board Attorney

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012
Proposal Time: 10:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Rent Control Board Attorney
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios
Remarks: Time to receive RFQS was closed at 10:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Mulkay & Rendo (Carlos A. Rendo)
(Address) 700-79th Street
North Bergen, NJ 07047

RESPONDER #2 (Name) Mulkay & Rendo (Alain Mulkay)
(Address) 700-79th Street
North Bergen, NJ 07047

RESPONDER #3 (Name) G & T Garcia Turula, LLC
(Address) Harborside Plaza 10 Suite 1201
3 2nd Street
Jersey City, NJ 07311

RESPONDER#4 (Name) Dario & Yacker Suarez & Albert LLC
(Address) 345 Union Street
Hackensack, NJ 07601

RESPONDER#5 (Name) Luis J. Amaro Jr. Esq.
(Address) 6121 Kennedy Blvd.
North Bergen, NJ 07047

RESPONDER#6 (Name) Mateo Perez, Esq.
(Address) 4919 Bergenline Avenue 2nd floor
West New York, NJ 07093

January 18, 2012
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RFQ Results
Re: Tenants Advocacy Attorney

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012
Proposal Time: 11:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Tenants Advocacy Attorney
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios
Remarks: Time to receive RFQS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Bruno & Ferraro
(Address) 261 Park Avenue
Rutherford, NJ 07070

RESPONDER #2 (Name) Law Offices of Bhalla & Cho LLC
(Address) 333 Washington Street Suite 203
Jersey City, NJ 07302

RESPONDER #3 (Name) Dario, Yacker, Suarez & Albert LLC
(Address) 314-48th Street
Union City, NJ 07087

RESPONDER#4 (Name) Mariniello & Mariniello, PC
(Address) 265 Columbia Avenue
Fort Lee, NJ 07024

RESPONDER#5 (Name) Lazaro Carvajal
(Address) 8421 Bergenline Avenue
P.O. Box 7236
North Bergen, NJ 07047

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RFQ Results
Re: Town Engineer

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012
Proposal Time: 11:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Town Engineer
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios
Remarks: Time to receive RFQS was closed at 11:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Maser Consulting, P.A.
(Address) 331 Newman Springs Road Suite 203
Red Bank, NJ 07701

RESPONDER #2 (Name) Remington, Vernick & Arango Engineers
(Address) 300 Penhorn Avenue 3rd floor
Secaucus, NJ 07094

RESPONDER #3 (Name) Birdsall Services Group
(Address) 65 Jackson Drive
Cranford, NJ 07016

RESPONDER #4 (Name) Boswell Engineering
(Address) P.O. Box 3152
330 Phillips Avenue
South Hackensack, NJ 07606

RESPONDER#5 (Name) CME Associates
(Address) 3141 Bordentown Avenue
Parlin, NJ 08859

January 18, 2012
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RFQ Results
Re: Tax Attorney

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2011
Proposal Time: 12:00 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Tax Attorney
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios
Remarks: Time to receive RFQS was closed at 12:05 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Florio & Kenny, LLP
(Address) 5 Marine View Plaza Suite 103
P.O. Box 771
Hoboken, NJ 07030

RESPONDER #2 (Name) Mariniello & Mariniello, PC
(Address) 265 Columbia Avenue
Fort Lee, NJ 07024

RESPONDER #3 (Name) Chasan, Leyner & Lamparello
(Address) 300 Harmon Meadow Blvd.
Secaucus, NJ 07094-3621

January 18, 2012
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RFQ Results
Re: Worker's Compensation Attorney

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012
Proposal Time: 2:00 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Workers Compensation Attorney
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios
Remarks: Time to receive RFQS was closed at 2:05 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Netchert, Dineen & Hillmann
(Address) 280 Baldwin Avenue
Jersey City, NJ 07306

RESPONDER #2 (Name) Chasan, Leyner & Lamparello, PC
(Address) 300 Harmon Meadow Blvd.
Secaucus, NJ 07094

RESPONDER #3 (Name) Florio & Kenny Esqs.
(Address) 5 Marine View Plaza
P.O. Box 771
Hoboken, NJ 07030

RESPONDER#4 (Name) Luis J. Amaro, Jr. Esq.
(Address) 6121 Kennedy Blvd.
North Bergen, NJ 07047

January 18, 2012
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RFQ Results
Re: Zoning Board Attorney

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012
Proposal Time: 2:30 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Zoning Board Attorney
Personnel at Opening: Deputy Town Clerk Jennie Del Rio and Maria Barrios
Remarks: Time to receive RFPS was closed at 2:35 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Luis J. Amaro, Jr., LLC
(Address) 6121 Kennedy Blvd.
North Bergen, NJ 07047

RESPONDER #2 (Name) G & T Garcia Turula, LLC
(Address) Harborside Plaza 10 Suite 1201
3 2nd Street
Jersey City, NJ 07306

RESPONDER #3 (Name) Bruno & Ferraro, Esqs.
(Address) 261 Park Avenue
Rutherford, NJ 07070

RESPONDER #4 (Name) Mulkay & Rendo, Esqs. (Alain Mulkay, Esq.)
(Address) 700-79th Street 2nd floor
North Bergen, NJ 07047

RFQ Results
Re: Plan Administrator for Deferred Compensation for Town Employees

RFQ PROPOSAL FORMATION

Proposal Receipt Date: January 13, 2012
Proposal Time: 3:00 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Plan Administrator Deferred Compensation for Town Employees
Personnel at Opening: Deputy Town Clerk Jennie DelRio & Maria Barrios
Remarks: Time to receive RFPS was closed at 3:05 p.m.
Reserved decision pending review & review committee.

RESPONDER #1 (Name) AXA Equitable
(Address) 500 Plaza Drive
Secaucus, NJ 07094

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BID Results
Re: Snow Removal

BID PROPOSAL FORMATION

Proposal Receipt Date: 1/13/12 Budgeted Amount: \$
Proposal Time: 10:00 am Estimated Amount: \$
Location for proposal: Town Clerk's Office
Proposal for: Snow Removal
Department of:
Personnel at Opening: Deputy Town Clerk Jennie DelRio

Remarks: Time to receive bids was closed at 10:05 a.m.
 Reserved decision pending review by law department.

BIDDER #1(Name) (Address)	DiClemente Contractors Inc. 3100 Dell Avenue North Bergen, NJ 07047	Item #1 50.00 per truck <u>95.00</u> per hr \$145.00 total Item #2 165.00 per loader <u>100.00</u> per hr \$265.00 total Total base bid price(Item 1 plus 2) \$410.00
	Bid Bond: _____	Check: <u> X </u> cashier's check #1784546 \$20,000.00

BIDDER #2(Name) (Address)	New West Express Inc. 5901 Hudson Avenue West New York, NJ 07093	Item #1 80.00 per truck <u>25.00</u> per hr \$105.00 total Item #2 175.00 per loader <u>25.00</u> per hr \$200.00 total Total base bid price(Item 1 plus 2) \$305.00
	Bid Bond: _____	Check: <u> X </u> money order # 14-426792655 \$30.50

BIDDER #3(Name) (Address)	Amerna Corp. 5 Sleepy Hollow Ct Lincoln Park, NJ 07035	Item #1 100.00 per truck <u>25.00</u> per hr \$125.00 total Item #2 225.00 per loader <u>50.00</u> per hr \$275.00 total Total base bid price(Item 1 plus 2) \$400.00
	Bid Bond: _____	Check: <u> X </u> money order #19174152734 \$ 40.00

BIDDER #4(Name) (Address)	Montana Construction Corp. Inc. 80 Contant Avenue Lodi, NJ 07644	Item #1 100.00 per truck <u>60.00</u> per hr \$160.00 total Item #2 250.00 per loader <u>75.00</u> per hr \$325.00 total Total base bid price(Item 1 plus 2) \$485.00
	Bid Bond: <u> X </u>	Check: _____

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Proclamation
Re: Honoring Antonia Artiles

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York being ever so mindful of the contributions of the townspeople of the Town of West New York and recognizing their duties and obligations to honor all individuals on behalf of the townspeople of the Town of West New York; and

WHEREAS, ANTONIA ARTILES has worked for the Town of West York safeguarding the lives of children walking to and from school as a Street Traffic Guard for over twenty (20) years; and

WHEREAS, ANTONIA ARTILES has gone above and beyond the call of duty with efficiency in the performance of her job; and

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York wish to honor and recognize ANTONIA ARTILES for her outstanding work ethic and desire to help others.

NOW, THEREFORE, BE IT PROCLAIMED that Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby honor and recognize ANTONIA ARTILES for all she has done to serve the public on behalf of this Town.

Consent Agenda

It was regularly moved by Commissioner Wiley, seconded by Commissioner Rodriguez 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, R-19, R-21, R-22, R-23, R-24, R-25, R-26, R-27 and R-28 be adopted, was carried by the following vote:

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

Note: **Town Clerk Carmela Riccio read the titles and item numbers included on the Consent Agenda. Resolution #R-20 (Re: Award of Contract for Snow Removal was pulled from Agenda during Work Session.) Resolutions #R-29 and R-30 (Re: Authorizing closure of Executive Session and authorizing action Re: Baines v. WNY were not included on Consent Agenda.)**

Resolution
Re: Bingo & Raffles

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the following applications for Bingo/Raffles are hereby granted:

<u>Name</u>	<u>Date</u>	<u>License #</u>
St. Joseph's Home School Assoc 6401 Palisade Avenue West New York, NJ 07093 (Tricky Tray Raffle On premise)	March 25, 2012	RL 1819

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Consent Agenda (Cont.):

Resolution

**Re: Re-Appointment of Robert Di Vincent as a Commissioner of the
West New York Parking Authority
(Term: January 15, 2012 – January 14, 2017)**

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Robert Di Vincent, 12 Stonehedge, Sparta, NJ 07871 be and is hereby re-appointed as a Commissioner of the West New York Parking Authority for the term 1/15/12 to 1/14/17.

RESOLUTION

**Re: Appointing Clara Dura as a Class IV Member of the WNY Planning Board to fill
the unexpired term of Hector Rodriguez (Term expires on 1/16/15)**

WHEREAS, a vacancy exists on the Planning Board due to the unexpired term of Hector Rodriguez; such term expiring on January 16, 2015;

WHEREAS, Clara Dura is a resident of the Town of West New York;

WHEREAS, Clara Dura is available to serve on the West New York Planning Board;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, as follows:

1. Clara Dura is appointed to serve as a Class IV member of the West New York Planning Board for a term commencing on January 18, 2012 and expiring on January 16, 2015.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

RESOLUTION

**Re: Appointing Laritza Marrero as a Class IV Member of the WNY Planning Board
to fill the unexpired term of Vincent Rotoli (Term expires on 12/31/12)**

WHEREAS, a vacancy exists on the Planning Board due to the unexpired term of Vincent Rotoli; such term expiring on December 31, 2012;

WHEREAS, Laritza Marrero is a resident of the Town of West New York;

WHEREAS, Laritza Marrero is available to serve on the West New York Planning Board;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, as follows:

1. Laritza Marrero is appointed to serve as a Class IV member of the West New York Planning Board for a term commencing on January 18, 2012 and expiring on December 31, 2012.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

January 18, 2012
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: APPOINTMENT OF PEDRO L. MARRERO AS COMMISSIONER OF THE
TOWN OF WEST NEW YORK
ALCOHOLIC BEVERAGE CONTROL BOARD

WHEREAS, a vacancy exists on the Board of the West New York Board of Alcoholic Beverage Control; and

WHEREAS, PEDRO L. MARRERO is qualified and available to serve as Commissioner of the Town of West New York Board of Alcoholic Beverage Control;

WHEREAS, the Mayor as the Director of the Department of Public Affairs desires the appointment of PEDRO L. MARRERO to serve as Commissioner of the Town of West New York Board of Alcoholic Beverage Control;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. PEDRO L. MARRERO is appointed to serve as a member of the Town of West New York Board of Alcoholic Beverage Control, for a term commencing on January 21, 2012 and terminating on January 20, 2015.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Resolution
Re: Authorizing the Town Clerk to advertise
to receive bids for "Uniform Rental and Cleaning Services"
on Wednesday, February 8, 2012 at 10:00 a.m. in Town Clerk's Office

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids on Wednesday, February 8, 2012 at 10:00 a.m. in the Town Clerk's Office for: "Uniform Rental and Cleaning Services" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
230-67th Street, West New York (Jazmine D. Plaza-Morales)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

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

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Jazmine D. Plaza-Morales 230-67 th Street West New York, NJ	North	Begin at a point along the North side of 67 th St in front of 232-67 th St from a Utility Pole (#61085WNY), 26 ft east bound, then 24 feet therefrom

January 18, 2012
Regular Meeting

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

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

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

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

Resolution
Re: Repealing a portion of Resolution adopted on 9/19/01
(Restricted Parking for Handicapped Resident) as follows:
581-60th Street (James L. Courtney)

Whereas, the governing body of the Town of West New York adopted a Resolution on August 18, 1999 establishing restricted parking for use by a handicapped residents; and

Whereas, the handicapped person involved has either moved or died since implementation of above mentioned resolution;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the following portion of the above resolution is hereby repealed:

581- 60th (James L. Courtney)

Be it further resolved that the Department of Public Safety is directed to remove all signage for the spaces as directed by this resolution.

Be it further resolved that this resolution shall take effect immediately upon passage.

Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
5813 Jackson Street, West New York (Sarah J. Courtney)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

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

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Sarah J. Courtney 5813 Jackson St. West New York, NJ	West	Begin at a point along the West side of Jackson St. 10 ft South from the fire hydrant in front of 5813, then 24 feet there from.

January 18, 2012
Regular Meeting

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

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

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

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

Resolution
Re: Establishing No Parking-Drop off Zone
for Public School #4

WHEREAS, based upon the recommendation of the Traffic Division of the West New York Police Department in letter dated January 13, 2012, and in accordance with N.J.S.A. 39:4-197(3) (b), it is in the best interest of the Town of West New York to establish a "No Parking-Drop Off Zone" at the Public School #4 located at (62nd Monroe Place); and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Town of West New York, N.J. that a "No Parking-Drop off Zone" be and the same is hereby authorized and established, as follows:

1. No person shall stop or stand a vehicle between the hours specified on any day (except Saturdays, Sundays and public holidays) other than for the loading and unloading of students upon the following street or part of street described below.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
62 nd Monroe Place West New York, NJ (Public School #4)	North East corner of 62 nd Monroe Place	7:00 a.m. to 6:00 p.m. (Monday- Friday)	Begin at a point, at the North East corner of 62 nd St. & Monroe Place, 150 ft North, then 121 feet There from

2. Appropriate markings and sign shall be located at said "No Parking-Drop off Zone" area according to law.

January 18, 2012
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Establishing No Parking-Drop off Zone
for Public School #3

WHEREAS, based upon the recommendation of the Traffic Division of the West New York Police Department in letter dated January 13, 2012, and in accordance with N.J.S.A. 39:4-197(3) (b), it is in the best interest of the Town of West New York to establish a "No Parking-Drop Off Zone" at the Public School #3 located at (56th Jackson Street); and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Town of West New York, N.J. that a "No Parking-Drop off Zone" be and the same is hereby authorized and established, as follows:

1. No person shall stop or stand a vehicle between the hours specified on any day (except Saturdays, Sundays and public holidays) other than for the loading and unloading of students upon the following street or part of street described below.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
56 th Jackson St. West New York, NJ (Public School #3)	South West corner of 56 th Jackson Street	7:00 a.m. to 6:00 p.m. (Monday- Friday)	Begin at a point, at the South West corner of 56 th & Jackson St, 110 ft South, then 198 ft There from

2. Appropriate markings and sign shall be located at said "No Parking-Drop off Zone" area according to law.

Resolution
Re: Refunds of Redemptions (\$358,140.75)

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

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

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

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

<u>Name</u>	<u>Block/lot</u>	<u>Cert#</u>	<u>Amount</u>
ISAAC MORADI	35/1 C006C	11-0087	\$763.29
	168.01/7.05 C0415	11-0401	\$1,798.21
	81/3 C00A5	11-0208	\$474.79
	101/3 C003B	11-0267	\$2,009.30
	104/24	09-144	\$417.23
	42/5	11-0114	\$2,794.00

January 18, 2012
Regular Meeting

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

PAM INVESTORS	25/39	11-0069	\$66,922.34
	122/2	11-0297	\$1,658.69
	127/1 T01	11-0248	\$1,427.58
	14/7	11-0044	\$3,899.69
	38/11	11-0103	\$277.89
R. ROTHMAN	14/1	11-0041	\$3,146.86
	96/5	11-0257	\$3,478.79
	33/6	11-0083	\$4,946.32
	127/13	11-0308	\$7,587.63
	14/4	11-0042	\$7,716.64
MTAG SVC. AS CUST	86/17	11-0251	\$2,085.54
FOR ATCF II NJ LLC	163/19	11-0382	\$531.62
	88/1	11-0253	\$6,848.86
	127/11	11-0306	\$8,077.62
	69/12	11-0180	\$6,323.47
	39/12 C007D	11-0109	\$739.96
	33/38	11-0086	\$1,854.14
	138/4	11-0325	\$2,023.22
	84/2	11-0243	\$5,181.44
	28/3	11-0071	\$7,776.70
	68/1	11-0177	\$4,256.77
	16/32	11-0048	\$2,586.30
	66/27	11-0175	\$3,392.46
	69/21	11-0181	\$3,635.11
	69/7	11-0179	\$3904.21
	120/49	11-0294	\$945.45
	117/15 C0403	11-0286	\$1,099.91
	67/2	11-0176	\$4,359.19
	152/5	11-0346	\$2,342.74
	153/36	11-0362	\$530.77
	97/17	11-0262	\$532.20
	28/11	11-0072	\$2,373.88
	49/5	11-0133	\$1,645.97
	18/11	11-0050	\$2,389.36
	138/11	11-0326	\$2,868.06
	23/12	11-0064	\$6,368.43
	97/13	11-0261	\$2,185.64
	26/12 C0002	11-0070	\$3,297.45
	69/25	11-0183	\$380.85
	65/4	11-0172	\$1,661.82
	31/35	11-0079	\$1,943.00
	161/18	11-0378	\$5,270.78
	41/14	11-0113	\$4,983.86
	64/28	11-0171	\$6464.93
	62/14	11-0167	\$2,360.07
	73/14	11-0196	\$2,180.45
	82/12	11-0227	\$2,795.05
	72/8	11-0192	\$2,493.90
	86/8	11-0250	\$2,552.02
	12/11	11-0040	\$5,691.42

January 18, 2012
Regular Meeting

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

TOWER LIEN, LLC	69/23	11-0182	\$7,715.10
	83/10.02	11-0241	\$3,076.63
	86/39	11-0252	\$4,931.03
	53/16 C001B	11-0143	\$954.30
	162/5	11-0379	\$723.03
	63/21	11-0169	\$3,180.09
	12/4	11-0039	\$8,115.81
	40/30	11-0112	\$1,189.88
	65/5	11-0173	\$1,757.27
	60/3	11-0162	\$3,100.18
	133/11	11-0319	\$3,128.31
	103/3	11-0268	\$2,219.10
	54/18	11-0158	\$1,865.36
	15/5	11-0045	\$1,741.91
	38/9 C004A	11-0097	\$2,123.48
	70/17	11-0185	\$934.16
	81/9 C0307	11-0225	\$1,611.25
	25/14	11-0067	\$4,582.95
LBNR PARTNERS, LLC	132/11	11-0315	\$4,833.34
	38/9 C010C	11-0098	\$4,019.43
US BANK CUST FOR	47/16	11-0132	\$17,352.26
CRESTAR CAPITAL,LL	11/19 C012A	11-0037	\$897.19
US BK. AS CUST FOR	19/3	11-0053	\$637.49
ATR FD-NJ & CAP1	32/21	11-0080	\$578.26
	94/14	11-0255	\$842.00
	35/14	11-0091	\$1,871.43
	96/4	11-0256	\$750.47
	120/27	11-0290	\$825.23
	50/18	11-0138	\$3,749.94
	143/8	11-0331	\$2,182.24
	133/14	11-0320	\$2,429.76
	84/14	11-0244	\$720.70
US BANK CUST FOR	154/23	11-0364	\$4,039.02
CRESTAR CAPITAL LLC	139/9	11-0327	\$7,403.78
	39/2	11-0104	\$13,804.50
			GRAND TOTAL \$358,140.75

RESOLUTION

Re: State Court Tax Appeals (\$8,931.60)

WHEREAS, the following property owners have appealed to the Tax Court of New Jersey for a reduction in the Tax Assessment levied upon their properties:

WHEREAS, the Tax Court of New Jersey by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said properties, and whereas the Municipality has paid the below amounts:

January 18, 2012
Regular Meeting

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

NOW, THEREFORE, BE IT RESOLVED that said payment of taxes be and the same are hereby affirmed to the property owners in the following amounts for the years noted pursuant to N.J.S.A. 54:3-21 & 54:3-27.2.

NAME	BLOCK-LOT	AMOUNT	YEAR
Bruce J. Stavitsky, Esq. for the benefit of Walgreens	146/3	\$8,931.60	2007
	Grand Total	\$8,931.60	

Resolution
Re: Refunds of Overpayment of Taxes (\$8,942.39)

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

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

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

NAME	BLOCK/LOT	AMOUNT	YEAR
Golden Peak SPE, LLC	127/1 T01	\$1,409.95	2011
Ridge Capital, LLC	168.01/7.05 C0501	\$6,873.68 (SVC)	2011
Jean Andree	168.01/8.01 C0B01	\$512.93 \$37.33	2008 2010
Munafu, Eugene	166/3.02	\$108.50	2007
	Grand total	\$8,942.39	

RESOLUTION
Re: Refunds of Tax Lien Premiums (\$337,600.00)

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

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

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

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

January 18, 2012
Regular Meeting

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

NAME	BLOCK/LOT	CERT. #	AMOUNT
MTAG SVC. AS CUST FOR ATCF II NJ LLC	153/36	11-0362	\$4,200.00
	97/17	11-0262	\$9,000.00
	97/13	11-0261	\$4,900.00
	26/12 C0002	11-0070	\$100.00
	69/25	11-0183	\$8,600.00
	65/4	11-0172	\$8,000.00
	31/35	11-0079	\$2,600.00
	138/4	11-0325	\$3,600.00
	84/2	11-0243	\$8,200.00
	39/12 C007D	11-0109	\$1,100.00
	33/38	11-0086	\$2,500.00
	86/17	11-0251	\$4,100.00
	163/19	11-0382	\$2,400.00
	88/1	11-0253	\$3,600.00
	127/11	11-0306	\$8,000.00
	69/12	11-0180	\$3,100.00
	28/3	11-0071	\$2,600.00
	68/1	11-0177	\$5,200.00
	16/32	11-0048	\$5,100.00
	66/27	11-0175	\$2,800.00
	69/21	11-0181	\$4,300.00
	69/7	11-0179	\$2,000.00
	120/49	11-0294	\$2,000.00
	152/5	11-0346	\$2,600.00
	28/11	11-0072	\$4,200.00
	117/15 C0403	11-0286	\$2,200.00
	67/2	11-0176	\$7,100.00
	49/5	11-0133	\$2,700.00
	18/11	11-0050	\$4,600.00
	72/8	11-0192	\$4,400.00
	138/11	11-0326	\$4,100.00
	23/12	11-0064	\$6,600.00
	161/18	11-0378	\$7,800.00
41/14	11-0113	\$1,500.00	
64/28	11-0171	\$4,000.00	
62/14	11-0167	\$2,600.00	
73/14	11-0196	\$4,100.00	
82/12	11-0227	\$2,900.00	
86/8	11-0250	\$4,100.00	
12/11	11-0040	\$1,800.00	
ISAAC MORADI	35/1 C006C	11-0087	\$200.00
R. ROTHMAN	14/1	11-0041	\$2,700.00
	96/5	11-0257	\$2,800.00
	33/6	11-0083	\$3,900.00
	127/13	11-0308	\$1,700.00
	14/4	11-0042	\$5,700.00
TOWER LIEN, LLC	69/23	11-0182	\$8,000.00
	83/10.02	11-0241	\$3,500.00
	86/39	11-0252	\$3,000.00
	53/16 C001B	11-0143	\$100.00
	162/5	11-0379	\$5,000.00

**January 18, 2012
Regular Meeting**

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

	63/21	11-0169	\$4,800.00
	12/4	11-0039	\$10,100.00
	40/30	11-0112	\$12,500.00
	65/5	11-0173	\$6,500.00
	60/3	11-0162	\$6,000.00
	133/11	11-0319	\$4,800.00
	103/3	11-0268	\$7,300.00
	54/18	11-0158	\$500.00
	15/5	11-0045	\$2,000.00
	38/9 C004A	11-0097	\$2,500.00
	70/17	11-0185	\$2000.00
	81/9 C0307	11-0225	\$1000.00
	25/14	11-0067	\$2,500.00
LBNR PARTNERS, LLC	38/9 C010C	11-0098	\$2,000.00
US BK. AS CUST FOR	19/3	11-0053	\$8,500.00
ATR FD-NJ & CAP1	32/21	11-0080	\$9,000.00
	94/14	11-0255	\$8,600.00
	35/14	11-0091	\$5,100.00
	96/4	11-0256	\$8,100.00
	120/27	11-0290	\$5,000.00
	50/18	11-0138	\$2,500.00
	143/8	11-0331	\$3,000.00
US BANK CUST FOR	154/23	11-0364	\$1,100.00
CRESTAR CAPITAL LLC	139/9	11-0327	\$16,200.00
	39/2	11-0105	\$4,100.00
		GRAND TOTAL	\$337,600.00

RESOLUTION

Re: Tax Correction (573-53rd Street)

WHEREAS, there is an overpayment on the 4th quarter 2010 Tax bill in the amount of \$724.67 on property located at 573 53rd Street also known as block 110 lot 5 C0216 and

WHEREAS, there is a open balance in the amount of \$536.09 on the 4th quarter 2011 Added Assessment Bill and \$292.41 on the 1st and 2nd quarter 2012 Added Assessment

WHEREAS, the taxpayer is requesting the over payment in the amount of \$724.67 be moved to credit the 4th quarter 2011 Added Assessment and the balance of \$188.58 be moved to credit the 2012 Added Assessment and the taxpayer will pay the remaining balance of \$42.37.

THEREFORE, the Tax Collector is hereby authorized to move the said payment and to adjust the tax records accordingly.

RESOLUTION

RE: Extension of Grace Period for 20 Avenue @ Port Imperial aka Block 168.01 Lot 7.06

WHEREAS, property was purchased on November 24, 2008, at 20 Avenue At Port Imperial a/k/a block 168.01 lot 7.06 C0324 by Alejandro Ahumada; and

WHEREAS, the deed was not received until October 12, 2011 by the Tax Assessor's Office therefore the Service Charge Bills were omitted for the following years and amounts.

January 18, 2012
Regular Meeting

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

2008 Tax Year - \$1,437.91
2009 Tax Year- \$13,684.54
2010 Tax Year- \$13,568.22
2011 Tax Year- \$13,613.96
Total Omitted \$42,304.63

Whereas, the property owner is requesting a two year time frame to pay taxes without interest as part of the this Resolution Mr. Ahumada agrees to keep all current year taxes current and is aware that failure to do so will result in the total balance due with interest being assessed.

Therefore, the Tax Collector is hereby authorized to enter into this agreement as of the date of this Resolution and for it to expire January 18, 2014.

Resolution
Re: Approving Participation with the State of New Jersey
Division of Alcoholic Beverage Control Program
(Office of Juvenile Justice and Delinquency Prevention (OJJDP)
enforcing the Underage Drinking Laws State Block Grant Program

Whereas, the Division of Alcoholic Beverage Control (ABC) is responsible for administering the Office of Juvenile Justice Delinquency Prevention (OJJDP) State Block Grant Program Enforcing the Underage Drinking laws; and

Whereas, the Town of West New York wishes to apply to ABC for funds in connection with a project entitled "West New York Combating Underage Drinking; and

Whereas, the Town of West New York has reviewed said application and finds approval thereof to be in the best interests of the municipality; and

Whereas, said project is a joint project between the State of New Jersey (ABC) and the Town of West New York for the purposes therein described;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. As a matter of public policy, the Town of West New York wishes to participate with the State of New Jersey (ABC) to the greatest extent possible;
2. The Division of Alcoholic Beverage Control (ABC) be requested to accept said application on behalf of the Town of West New York;
3. The Appropriate fiscal officer will accept the funds in connection with said project from the ABC and make disbursements in accordance with said application.

Resolution
Re: 2012 National Wear Red Day for Women

WHEREAS, diseases of the heart are the nation's leading cause of death and stroke and the fourth leading cause of death;

WHEREAS, cardiovascular disease claims the lives of nearly 420,000 American females each year;

WHEREAS, too many women die each year because they are unaware that heart disease is their No. 1 killer;

January 18, 2012
Regular Meeting

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

WHEREAS, in 2008, the direct and indirect cost of cardiovascular diseases in the U.S., including stroke, was nearly \$298 billion;

WHEREAS, nearly as many women die of heart disease, stroke, and all other cardiovascular diseases than the next four leading causes of death combined, including all cancers;

WHEREAS, only 16% of women surveyed in 2009 identified cardiovascular disease as the greatest health problem facing them;

WHEREAS, February is designated as American Heart Month;

WHEREAS, Go Red for Women is the American Heart Association's national call to increase awareness about heart disease, the leading cause of death for women, and to inspire women to take charge of their heart health and reduce risk;

WHEREAS, all women should learn their own personal risk for heart disease, using tools such as American Heart Association's My Life Check, Go Red for Women Heart CheckUp, Go Red Better U, and by talking to their health care provider;

WHEREAS, taking action and making the right choices relating to proper nutrition, physical activity, and other healthy lifestyle choices are essential to living a heart healthy life; and

WHEREAS, by choosing to MAKE IT YOUR MISSION! You can save lives.

NOW, THEREFORE, I, Mayor Felix E. Roque, M.D., in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 3, 2102 to be

NATIONAL WEAR RED DAY FOR WOMEN

IN West New York, New Jersey, and urge all citizens to show their support for women and the fight against heart disease and stroke by commemorating this day by wearing of the color red. By increasing awareness, speaking a\up about heart disease and stroke, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

Resolution

Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
5301 Palisade Avenue, West New York (Jenny Ordinola)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

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

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Jenny Ordinola 5301 Palisade Ave West New York, NJ	West	Begin at a point along the West side of 53 rd St & Palisade Avenue 48 ft North from the North West corner of 53 rd St. & Palisade Ave, then 24 ft North therefrom

January 18, 2012
Regular Meeting

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

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

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

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF AUDITING SERVICES

WHEREAS, the Auditing Services of Carr, Daley, Sullivan & Weir, of 220 South Orange Avenue, Suite 100, Livingston, New Jersey 07039, has submitted a proposal to serve as Auditing Services dated, January 12, 2012, in response to a, Request for Qualifications for Auditing Services; and

WHEREAS, the Mayor as Commissioner of the Department of Public Safety has duly appointed the accounting firm of Carr, Daley, Sullivan & Weir; 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 auditing services of Carr, Daley, Sullivan & Weir, to serve as Auditing Service and enter into a contract with the auditing services of Carr, Daley, Sullivan & Weir, to provide for the services of Auditing 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 the auditing services of Carr, Daley, Sullivan & Weir, for the services of the auditing services of Carr, Daley, Sullivan & Weir, for the services of auditing 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 January 12, 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 2/1/12-12/31/12, and for an amount to be contained in the agreement, but not to exceed \$120,000.

January 18, 2012
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

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 accounting firm of Carr, Daley, Sullivan & Weir, as Auditing Services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR SERVICES OF BOND COUNSEL

WHEREAS, the law firm of DeCoitis, Fitzpatrick & Cole, LLP, of 500 Frank W. Burr Blvd., Suite, 31, Teaneck, New Jersey, 07666, has submitted a proposal to serve as Bond Counsel dated, January 12, 2012, in response to a, Request for Qualifications for Bond Counsel; and

WHEREAS, the Mayor as Commissioner of the Department of Public Safety has duly appointed the law firm of DeCoitis Fitzpatrick, LLP; 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 DeCoitis Fitzpatrick, LLP to serve as Bond Counsel and enter into a contract with the law firm of DeCoitis Fitzpatrick, LLP to provide for the services of Bond 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 the law firm of DeCoitis Fitzpatrick, LLP for the services of the law firm of DeCoitis Fitzpatrick, LLP, for the services of Bond 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 January 12, 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 2/1/12-12/31/12, and for an amount to be contained in the agreement but not to exceed \$30,000.
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.

January 18, 2012
Regular Meeting

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 the law firm of DeCoitis Fitzpatrick, LLP as Bond 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: Re-Appointment of Barbara Viu as a
Member of the West New York Public Library
(Term: January 17, 2012 – January 16, 2017)

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Barbara Viu, 6306 Jefferson Street, West New York, NJ be and is hereby re-appointed as a Member of the West New York Public Library for the term 1/17/12 to 1/16/17.

Resolution

Re: Appointment of Cesario Errico as
Acting Superintendent of Public Works
(Term to expire: 7/1/13)

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Cesario Errico be and is hereby appointed as Acting Superintendent of Public Works; said term to expire on 7/1/13. During said time, all licenses and/or certifications required to perform said duties must be obtained and proof of same presented to the Commissioner

Resolution

Re: Appointment of Bruce Liberti as
Acting Recycling Coordinator
(Term to expire: 12/31/12)

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Bruce Liberti be and is hereby appointed as Acting Recycling Coordinator; said term to expire on 12/31/12. During said time, all licenses and/or certifications required to perform said duties must be obtained and proof of same presented to the Commissioner of Public Works.

Resolution

Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
5701 Blvd. East, Apt. #19A, West New York (Angel Alava)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

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

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Angel Alava 5701 Blvd. East Apt. #19A West New York, NJ	West	Begin at a point along the West curb line of Park Ave. and 56 th Street, 124 feet North from the Southwest corner. Then 22 feet Therefrom.

January 18, 2012
Regular Meeting

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

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

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

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
5701 Blvd. East, Apt. #4B, West New York (Ysabel Quintanilla)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

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

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Ysabel Quintanilla 5701 Blvd. East Apt. #4B West New York, NJ	West	Begin at a point along the West curb line of Park Ave. and 56 th Street, 71 feet North from the Southwest corner. Then 22 feet therefrom.

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

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

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

January 18, 2012
Regular Meeting

Ordinance #1/12

**An Ordinance establishing the position of Chief of Administrative Services
of the Town of West New York and amending Chapter 56 of the Code
of the Town of West New York**

Note: Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Wiley to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

Notice
Ordinance #1/12

**Re: An Ordinance establishing the position of Chief of Administrative Services
of the Town of West New York and amending Chapter 56 of the Code
of the Town of West New York**

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on January 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on February 15, 2012 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. 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, New Jersey.

Note: Town Clerk Carmela Riccie read the foregoing Notice aloud.

Ordinance #2/12

**An Ordinance declaring certain offenses by or against persons who do not meet
the legal age for consumption of alcoholic beverages under the laws of the
State of New Jersey as unlawful**

Note: Town Clerk Carmela Riccie read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

January 18, 2012
Regular Meeting

Notice
Ordinance #2/12

Re: An Ordinance declaring certain offenses by or against persons who do not meet the legal age for consumption of alcoholic beverages under the laws of the State of New Jersey as unlawful

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on January 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on February 15, 2012 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. 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, New Jersey.

Note: Town Clerk Carmela Riccio read the foregoing Notice aloud.

Ordinance #3/12

An Ordinance amending Chapter 186 of the Code of the Town of West New York (Health Department Fees)

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

Notice
Ordinance #3/12

Re: An Ordinance amending Chapter 186 of the Code of the Town of West New York (Health Department Fees)

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on January 18, 2012 and ordered published, and will be further considered before final passage at a public hearing on February 15, 2012 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. 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, New Jersey.

Note: Town Clerk Carmela Riccio read the foregoing Notice aloud.

January 18, 2012
Regular Meeting

Mayor opened the Public Portion.

Public Portion:

No one wished to be heard.

RESOLUTION
RE: AUTHORIZING CLOSURE OF EXECUTIVE SESSION
PURSUANT TO N.J.S.A. 10:4-12(b)

BE IT RESOLVED by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, that the Board of Commissioners hereby declares this executive session closed to the public for discussion of N.J.S.A. 10:4-12(b)(7) the discussion of pending or threatened litigation or contract negotiations regarding:

- (1) Baines vs. Town of West New York

BE IT FURTHER RESOLVED that the minutes of this closed session shall be available to the public as per N.J.S.A. 10:4-13(a) at such time as the matter necessitating the discussion of pending or threatened litigation or contract negotiation have been resolved, to the extent disclosure is not prohibited by other law.

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

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

Note: At 8:01 p.m., governing body went into Executive Session.

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas, to **close the Executive Session at 8:17 p.m. and resume regular session**, was carried by the following vote:

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

January 18, 2012
Regular Meeting

Resolution

Re: Authorizing Town Attorney and Tax Attorney to take action regarding the matter of Baines, et al v. West New York and Chung, et al v. West New York

WHEREAS, complaints have been filed by various residents challenging the method of calculation of taxes against the Town of West New York; and

WHEREAS, the Complaints of *Baines, et al v West New York* and *Chung, et al v. West New York* have been filed in the Superior Court in Hudson County; and

WHEREAS, discovery has taken place between the parties and various conferences have been held; and

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

1. That the Town Attorney and Tax Attorney are permitted to enter into a settlement agreement in accordance with the terms outlined by Counsel
2. A copy of the final settlement agreement to be entered between the parties is made part of this resolution.
3. That the Town Clerk is authorized and directed, in accordance with the provisions of N.J.S.A. 40A:11-5(1) (a) (1), to cause this Resolution to be filed and available for inspection at the offices of the Town along with a copy of the Guidelines.

It was regularly moved by Commissioner Wiley, seconded by Commissioner Rodriguez, to **adjourn** the meeting at **8:18 p.m.**, was carried by the following vote:

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

ABSENT

Commissioner FiorD'Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccio, RMC Town Clerk