

Work Session – Wednesday, 4/17/13

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
Absent: none
Also Present: Town Attorney Gil Garcia, Town Clerk Carmela Riccie, Deputy Town Clerk Yesenia DelRio, Lisa Walsh and Nannette Matos (Town Clerk’s staff members), Town Engineer Robert Russo (CME Associates), CFO Margaret Cherone and Town Administrator Joseph DeMarco

The meeting commenced at 6:13 p.m. (**Note: Comm. Rodriguez received a call which precipitated a short recess at 6:14 p.m. Mayor Roque and Town Attorney Garcia exited Conference Room with Comm. Rodriguez. Work Session resumed at 6:16 p.m. when they re-entered.**)

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 **April 17, 2013 at 7:00 p.m. (6:00 p.m. Work Session in the Mayor's Conference Room)**, 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 17, 2012. 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.

Item No. 1: **Approval of Minutes: Regular Meetings: 2/20/13 (Regular Session) and 3/20/13 (Regular and Work Sessions)**

Item No. 2: **Payment of Claims: Dated 4/17/13**

Item No. 3: **Receipt of Financial Reports for month of March 2013:**

Item No. 4: **Communications:**
4A. Bid results rec’d 4/10/13 Re: Swimming Pool Improvements
4B. RFQ results rec’d 4/10/13 Re: Public Information Services
4C. RFQ results rec’d 4/10/13 Re: Legal Liability – Special Counsel
4D. RFQ results rec’d 4/10/13 Re: Zoning Board Attorney (3rd occasion)
4E. RFQ results rec’d 4/10/13 Re: Alternate Municipal Prosecutor
4F. RFQ results rec’d 4/10/13 Re: Alternate Public Defender
4G. RFQ results rec’d 4/10/13 Re: Public Defender
4H. Letter of appointment of Silvio Acosta as member of the WNY Board of Education (Term: 5/16/13-5/15/16)
4I. Two (2) Certifications of Town Clerk Re: Sign Ordinance Petitions)
4J. Letter of Appointment of Director of Police Department
4K. Town Engineer’s Monthly Status Report dated 4/15/13

Note: **Town Clerk Riccie announced that no bids were received for item 4 A (Swimming Pool Improvements) and that receipt of bids has been rescheduled to May 2, 2013 at 10:00 a.m. As to Item 4 I (Certifications Re: Sign Ordinance Petition, Town Clerk Riccie explained the end results of the petition review and that if Sign Ordinance is not repealed by the governing body, a Special Election would have to be called as the Statute provides for an election to be held within a specified time period and that it could not be held at the General Election as it is too far away and would not fall within the requirements of the Statute.**

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- Item No. 5:** **Proclamation:**
5A. Honoring Basam Najmeddin as Outstanding Community Liaison
5B. Honoring Basam Najmeddin as Outstanding Community
Businessman
5C. Honoring Ben & Jerry’s

Note: Town Clerk Riccio explained that the Budget Resolutions and Ordinance #5/13 would be addressed prior to the regular list of Resolutions. Town Attorney Garcia recommended that two (2) Resolutions be verbally added to the agenda to enter into a Professional Services Agreement with Fonseca Consulting for Public Information Services (Term: 4/18/13-12/31/13 at \$4,000 per month) and with Alexander W. Booth, Esq. for Zoning Board Attorney (Term: 4/18/13-12/31/13 not to exceed \$36,000). Town Clerk Riccio advised that these Resolutions would be identified as R-43 and R-44.

Budget Resolution/Ordinances

- Item No. O-1** **Hearing and Final Adoption to Ordinance #5/13 An Ordinance of the Town of West New York, in the County of Hudson, New Jersey Calendar Year 2013 to exceed the Municipal Budget Appropriation Limits and to establish a CAP Bank (N.J.S.A. 40A:4-45.14):**
- Item 1:** **Resolution – Re: Authorizing the Sale of Municipal Liens pursuant to Chapter 99, Public Laws of 1997, now codified as NJSA 54:5-19, and now including subsequent amendments:**
- Item 2:** **Public Hearing – Re: 2013 Calendar Year Budget:**
- Item 3:** **Resolution – Re: To amend the 2013 Calendar Year Budget:**
- Item No. R-1:** **Resolution - Re: Authorizing the Town Clerk to advertise to receive bids for “Summer Food Service Program” on May 21, 2013 at 10:00 a.m. in Town Clerk’s Office:**
- Item No. R-2:** **Resolution – Re: Refund of Deposit pursuant to Ordinance #4/96 (Filming Permit):**
- Item No. R-3:** **Resolution – Re: Authorizing the Town Clerk to advertise to receive bids for “Printing Services” on May 9, 2013 at 10:00 a.m.:**
- Item No. R-4:** **Resolution – Re: To allow filing of 2012 Recycling Tonnage Grant:**
- Item No. R-5:** **Resolution – Re: Appointing Armando Galis-Menendez to the unexpired term of David Rivera on the Zoning Board of Adjustment (Term expires: 10/5/14):**
- Item No. R-6:** **Resolution – Re: Appointing Rose Puerto to the unexpired term of Richard Rivera on the Zoning Board of Adjustment (Term expires: 10/18/15):**
- Item No. R-7:** **Resolution – Re: Appointing William Porrás to the unexpired term of Julio Garcia on the Zoning Board of Adjustment (Term expires: 12/13/14):**
- Item No. R-8:** **Resolution – Re: Appointing William Garcia to the unexpired term of Armando Alvarez on the Zoning Board of Adjustment (Term expires: 12/31/15):**

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- Item No. R-9:** **Resolution – Re: Appointing Rosalda Ferrera to the unexpired term of Nelly Vasquez on the Zoning Board of Adjustment (Term expires: 12/31/15):**
- Item No. R-10:** **Amended Resolution – Re: Establishing restricted parking in front of one (1) residence of use by handicapped resident as follows: 111 – 62nd Street (Aristides Rodriguez):**
- Item No. R-11:** **Resolution – Re: Tax Correction (573 – 53rd Street):**
- Item No. R-12:** **Resolution – Re: Refund of Tax Overpayments (\$3,830.02):**
- Item No. R-13:** **Resolution – Re: Refund of Tax Lien Premiums (\$101,200.00):**
- Item No. R-14:** **Resolution – Re: Tax Lien Redemptions (\$600,693.18):**
- Item No. R-15:** **Resolution – Re: Hudson County Board Tax Appeals (\$5,206.19):**
- Item No. R-16:** **Resolution - Re: Approving a Town Policy and Management Statement for the Town of West New York:**
- Item No. R-17:** **Resolution – Re: Authorizing application for the continuation of funding and accepting the Safe & Secure Communities Program Grant of \$60,000.00:**
- Item No. R-18:** **Resolution – Re: Authorizing application for the continuation of funding and accepting the Safe & Secure Communities Program Grant of \$51,867.00:**
- Item No. R-19:** **Resolution – Re: Authorizing acceptance of the 2013 Clean Communities Program Grant Award of \$52,473.32:**
- Item No. R-20:** **Resolution – Re: Authorizing an engagement with Standard & Poor’s Rating Services to perform an analytical review and a credit assessment of the Town of West New York:**
- Item No. R-21:** **Resolution – Re: Approving a Professional Services Agreement for services of Paying Agent to: BNY Mellon:**
Comm. Frias inquired about this Resolution. CFO Cherone explained that it relates to the upcoming bond sale as to “re-payment of interest and principal”. Mayor Roque commented that with reference to Resolutions R-20 and R-22 that Comm. Frias and the CFO have been working with these companies to increase the Town’s credit rating so that we can borrow at a lesser interest rate. Comm. Rodriguez inquired “What is the rate now?” CFO responded “It is not on record yet.”
- Item No. R-22:** **Resolution – Re: Authorizing and engagement with Moody’s Investors Services to perform an Indicative Credit Rating of the Town of West New York:**

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- Item No. R-23:** **Resolution – Re: Authorizing a six (6) month period of Amnesty and the issuance of certificates of occupancy for certain residential dwellings, not to exceed four (4) units, within the Town of West New York during the 2013 Calendar Year:**
Comm. Frias inquired about contents of this Resolution. Town Administrator advised that Bayonne is currently doing the same program and that the 6 month no violations amnesty is open to residents for apartments which are not properly documented. He further explained that the Code Enforcement Dept. will perform an inspection and the owner will have to bring up standards for safety. It will also affect ratables as tax rolls will be updated based upon results of inspection i.e. 2 family to a 3 family. Town Attorney Garcia added that Union City is also doing the same program and that safety is the big issue. Comm. Rodriguez commented that it saves applications made before the Zoning Board for variances. Discussion ensued between Mayor, Comm. Rodriguez and Mr. DeMarco regarding the ability of homeowners to make more money but at the same time bring their property into compliance.
- Item No. R-24:** **Resolution – Re: Authorizing an Interlocal Agreement between the Town of Secaucus and the Town of West New York for the position of Health Officer:**
- Item No. R-25:** **Resolution – Re: Authorizing an Interlocal Agreement between the Town of Weehawken and the Town of West New York for the position of Health Officer:**
- Item No. R-26:** **Resolution – Re: Authorizing an Interlocal Agreement between the Town of Guttenberg and the Town of West New York for the position of Health Officer:**
- Item No. R-27:** **Resolution – Re: Authorizing an Interlocal Agreement between the Town of West New York Board of Education amending the reimbursement of costs for fuel (School Year 2012/2013):**
Comm. Frias inquired about the contents of this Resolution. CFO Cherone explained that the agreement has been revised to reflect new prices. Town Administrator DeMarco explained “color coding system” that is used and how consumption of fuel is tracked. He further explained that they intend to implement a better fuel tracking system. Comm. Frias asked whether there would be retroactive payments to which Mr. DeMarco responded “no. This is not an exact science.” He further commented that internal control is a more cost effective accounting.
- Item No. R-28:** **Resolution – Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the retention of various Legal/Professional Services**

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- Item No. R-29:** **Awarding Resolution – Re: General Contracting Services to Coyoty Builders and Developers:**
Comm. Frias inquired as to how many companies submitted bids. Town Administrator DeMarco advised that one bidder quoted “prevailing wage” and that Town Engineer Rob Russo did the calculations and prevailing wage is less than the amounts bid by the other two (2) companies. He further advised that QPA Xenia Rivero also reviewed the bids and a determination was made that Coyoty is the lowest bidder. He further advised that there is a “20 day challenge period” and that a decision to accept or reject needed to be made. Comm. Wiley commented that the bid proposal was not correctly written last year and that the lowest bid should have been rejected as there was a challenge by one of the other bidders as to the use of “prevailing wage” rates by lowest bidder. Mr. DeMarco disagreed and explained the challenge method process. Lengthy discussion ensued about prevailing wage issue and what that amount actually is. Mr. DeMarco explained that based upon his review and the QPA’s review, this is the lowest bidder. Comm. Wiley responded that the other bidders should have been given the same “leeway”. Mr. DeMarco replied that the 2 other bids were “double the prevailing wage”. Comm. Wiley inquired “What is prevailing wage?” Mr. DeMarco replied “Each are different based on the type of services”. He then explained the different rates and stated “Xenia and I ran all the figures.” Both parties disagreed with each other’s explanation of prevailing wage rate. Mr. DeMarco advised that he spent 1 hour going over prevailing wage chart for New Jersey for the 3 services and the lowest bid is still less than the other bids. Comm. Wiley requested a copy of the prevailing wage chart and Mr. DeMarco indicated he would provide him with same. Comm. Wiley reiterated that the bid should be dismissed and re-bid. Mayor Roque commented that Comm. Wiley can vote any way he wants.
- Item No. R-30:** **Resolution – Re: Appointment of Julian D. Porras to replace Wendell Ohms as Constable of West New York:**
- Item No. R-31:** **Resolution – Re: Approving a Professional Services Agreement between Town of West New York and Denis G. Murphy, Esq. (Schwartz Simon Edelstein & Celso, LLC) for legal services-legal representation in the capacity of recall election official:**
Comm. Frias commented that this will result in the expenditure of unnecessary funds.
- Item No. R-32:** **Resolution – Re: Re-appointments of various Rent Control Board members:**
- Item No. R-33:** **Resolution – Re: Appointment of Julian D. Porras as a member of the Rent Control Board (Term: 4/17/13-3/31/14):**
- Item No. R-34:** **Resolution – Re: Appointment of Hermes Altagracia as a member of the Rent Control Board (Term: 4/17/13-3/31/14):**
- Item No. R-35:** **Resolution – Re: Appointment of Humberto Ortega as a member of the Rent Control Board (Term: 4/17/13-3/31/14):**
- Item No. R-36:** **Awarding Resolution – Re: Approving Professional Services Agreements for Legal Liability Special Counsel:**
- Item No. R-37:** **Awarding Resolution – Re: Approving a Professional Services Agreement between Town of West New York and Aristides Hernandez for Alternate Public Defender:**

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Item No. R-38: **Awarding Resolution – Re: Approving Professional Services Agreement for Alternate Prosecutors:**

Item No. R-39: **Resolution – Re: Dedicating 61st and Palisade Avenue to Oneida Quevado:**

Item No. R-40: **Resolution – Re: Authorizing settlement of Eagle Recycling of New Jersey vs. Town of West New York:**

Comm. Rodriguez requested that this Resolution not be placed on the Consent Agenda and that a separate vote be taken. Mayor Roque inquired as to whether Comm. Vargas had any interaction with Eagle Recycling to which Comm. Vargas responded “No”. Mayor inquired of Town Attorney as to why this Resolution is necessary and the amount of the proposed settlement. Town Attorney Garcia advised that the proposed amount is \$32,000.00 and that a lawsuit had been filed against the Town by Eagle Recycling for services they provided but that there is no contract or Resolution which had approved said services. Mr. Garcia indicated that it is his recommendation to settle the matter but that he advised the plaintiff’s attorney that the Board of Commissioners must approve the settlement. Mayor Roque inquired “Who contracted these services?” Town Attorney responded “Public Works Dept. There is legal litigation wherein they claim services were provided to the Town and that they are owed money.” Mayor inquired of Comm. Vargas, “Did you enter into a contract?” Comm. Vargas responded “No”. Mayor inquired of Comm. Wiley, “Did you enter into a contract?” Comm. Wiley advised that the prior CFO John Mosca and Town Attorney Garcia approved the services and that he has a letter from the Town Attorney to that affect. Town Attorney Garcia denied said allegation and advised that any further discussion on this matter must be done in Executive Session. Mayor Roque commented that Comm. Wiley exhibited “reckless behavior” and cost the taxpayers’ money. Comm. Wiley disagreed and commented that the bill was only \$12,000.00 when Eagle was told to discontinue services. Once again, Town Attorney Garcia advised the Commissioner that if he continued to discuss this matter, he would be violating the law and it should be discussed in Executive Session. (At this point, Town Attorney and Comm. Wiley began arguing and meeting was out of order. Town Attorney Garcia commented that Comm. Wiley has accused him on several occasions of being “corrupt” and that he should cease from making said comments.)

A brief recess was taken at 6:32 p.m. and meeting resumed at 6:35 p.m.

Town Attorney Garcia recommended pulling this Resolution from the agenda.

Item No. R-41: **Resolution – Re: Providing for the issuance of Qualified General Obligation Bonds; authorizing the issuance and sale of Qualified General Obligation Bonds, Series 2013A, and Qualified General Obligation Bonds, Series 2013B (taxable); authorizing advertisement of notices of sale; authorizing the chief financial officer to sell and award the bonds; determining the form and other details of the bonds; and authorizing other matters relating thereto:**

Comm. Frias requested an explanation of this Resolution. CFO Cherone explained the legal requirements for a bond sale.

Item No. R-42: **Resolution – Re: Appointment of John Morales as Constable of the Town of West New York:**

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- Item No. R-43:** **Resolution – Re: Approving a Professional Services agreement between Town of West New York and Fonseca Consulting Group for Public Information Services (Term: 4/18/13-12/31/13):**
Town Attorney added this Resolution to the agenda during the Work Session.
- Item No. R-44:** **Resolution – Re: Approving a Professional Services agreement between the Town of West New York and Alexander W. Booth, Esq. as Zoning Board Attorney (Term: 4/18/13-12/31/13):**
Town Attorney added this Resolution to the agenda during the Work Session.
- Note:** **Consent agenda was established to include: Resolutions R-1 thru R-44 with the exception of R-40 which was pulled from the agenda.**
- Item No. O-2:** **Hearing and Final Adoption of Ordinance #6/13 An Ordinance amending Chapter 114 of the Code of West New York “ The Consumption in Retail Premises without Liquor License”:**
- Item No. O-3:** **Hearing and Final Adoption of Ordinance #7/13 An Ordinance repealing Ordinance #11/10 entitled: “An Ordinance Amending Chapter 76 of the Code of the Town of West New York (Personnel)”:**
Town Attorney explained that this Ordinance will repeal an Ordinance adopted in June 2010 and will provide that salaries or other compensation for employees must be done by Ordinance. He further advised that the Employee Manual will be adopted at the next meeting as it will repeal all existing Ordinances.
- Item No. O-4:** **Hearing and Final Adoption of Ordinance #8/13 An Ordinance repealing Ordinance 41/95 entitled: “An Ordinance establishing restricted parking in front of one (1) residence for use by a handicapped resident (327-61st Street):**
- Item No. O-5:** **Introduction of Ordinance #9/13 An Ordinance authorizing installation of Stop Signs at the following intersections: Adams Street at 61st Street , Hudson Avenue at 65th Street and Madison Street at 57th Street:**
- Item No. O-6:** **Introduction of Ordinance #10/13 An Ordinance amending Chapter 299 of the Code of the Town of West New York (Property Maintenance):**
Town Attorney Garcia explained that the property maintenance responsibility of the homeowner is expanded under this Ordinance. Discussion ensued between Mayor and Town Attorney as to Town’s participation in the repair of the sidewalks.
- Item No. O-7:** **Introduction of Ordinance #11/13 An Ordinance repealing Ordinance #2/13 entitled “An Ordinance amending Chapter 338 of the Code of the Town of West New York (Signs)”:**
Town Attorney explained that a petition was filed by a committee, which contained a sufficient number of signatures, and it was determined that the Ordinance should be repealed. He further explained that the Statute allows for a Special Election which would be costly, but he is recommending repealing this Ordinance as “the people have spoken”. Town Clerk Riccio referred to her Certifications (Item #4 I) and further explained the provisions of the Statute. Discussion ensued between Comm. Rodriguez and Town Attorney regarding enforcement of existing Ordinance. Mr. Garcia advised that he will re-visit this issue in the future. Mayor Roque commented that “We must do what is right for the people”.

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Public Portion:

1. Janice Zorovich:

She stated that Eagle Recycling has been a big issue in her life and that their “reputation precedes them”. She requested that the Town not do business with them in the future. Mayor Roque commented “Only Comm. Wiley dealt with Eagle, not the rest of us”. Comm. Wiley commented that the Town Attorney approved doing business with them.

2. Mayor Roque:

Mayor requested that everyone conduct themselves as professionals during the regular meeting. Comm. Wiley commented that the Mayor should respect the members of the community and should refrain from his derogatory comments. Mayor agreed.

3. Comm. Rodriguez:

Comm. Rodriguez stated that while she was the Commissioner of Revenue and Finance Dept., she questioned the Eagle Recycling bill and refused to pay it as the Town had a contract with another company. Town Attorney Garcia reiterated his position regarding pulling this Resolution from the agenda and that it should be discussed in Executive Session at the next meeting.

Meeting ended at 7:02 p.m.

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

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

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
Absent: None
Also Present: Town Attorney Gilberto Garcia, Town Clerk Carmela Riccie, Deputy Town Clerk Yesenia DelRio, Lisa Walsh and Nannette Matos (Town Clerk's staff) and Town Administrator Joseph DeMarco

Meeting commenced at 7:15 p.m.

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 April 17, 2013 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 17, 2012. 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 Riccie advised that the Mayor requested a Moment of Silence for the victims of the Boston Marathon bombing. She further advised that the Board of Commissioners will deviate from meeting agenda to have Police Director Ceremony first and then we will proceed to the regular agenda.

Mayor Roque read the following speech:

"I thank you for attending tonight's Board of Commissioners meeting. Unfortunately, in light of the terrible tragedy that occurred in Boston during the marathon on Monday, I'm afraid tonight's announcements take on a rather grave tone.

Police Director Michael Indri, who is both my friend and a great leader, is set to retire on May first. Tonight we are honored to welcome Robert Antolos to West New York as the new Director.

Mr. Antolos and the West New York Police Department will be charged with protecting the members of our community, which we have been reminded recently is a great responsibility.

He will inherit a fine group of officers and volunteers who have demonstrated their selflessness on the front lines of safety.

A word about the Boston tragedy:

For the marathon runner, the race is a triumph of the mind, body, and spirit over trial and hardship.

Now, as a community, we must stand behind the victims and their families and friends, behind Boston as a city, and behind Director Antolos and the brave members of the West New York Police Department.

April 17, 2013
Regular Meeting

We should cheer them on, as we would cheer on the marathon runners, to help them begin their new journeys and to overcome any trials they may face in the future.

Let us observe a moment of silence for those affected by the terrible tragedy in Boston.”

(At this point, Town Clerk Carmela Riccio administered the oath of office to Robert Antolos.)

Comm. Rodriguez welcomed everyone and read the following speech:

“Bob Antolos was born and raised in West New York. He lost his dad at a very young age and was raised by a single mother, who worked 3 jobs to make ends meet and to raise him properly.

He is a product of the West New York Public Schools System – graduated from Harry L Bain School (School no. 6) and Memorial H.S. He and his wife have been married for 32 years and they have two sons ages, 26 and 18.

After H.S. Bob attended Bergen County Community College, where he majored in Police Science. In 1975 Bob began his 34-year police career, when he joined the West New York Park Police as a park police officer. Then in 1977 he graduated to a patrolman in the West New York Police Department.

From that date in 1977 forward to 2008, Bob served in every command of the West New York PD, from Patrolman to Captain. He retired in 2008 from the West New York PD, as the Criminal Investigation Commander.

During his long career, Bob has received numerous exceptional Police Service Awards, Community Service Awards and letters of appreciation for community and charity work from various communities.

Bob is a member of the NJ Police Honor Legion and he has also received several letters of appreciation from US Secret Service, FBI, ATF, DEA, US Postal Inspectors, US Customs and the New York Police Department.

Most importantly, for the benefit of our community, he is a West New York guy – knows our community well – knows our police!! - he retired from West New York but he is not out of West New York – he insists in continuing to service our community, and this is a very good reason for us to bring him back as the Director of our West New York Police Department.”

At this point, Bob Antolos addressed the audience and thanked everyone for their support and trust in this appointment. He thanked his family, fellow officers and the governing body. He spoke of safety, moral, accountability and trust. He commented that the residents are the “eyes and ears of the community”.

Note: A brief recess was taken to permit the departure of police officers and audience members. Meeting resumed at 7:30 p.m.

April 17, 2013
Regular Meeting

Minutes of Previous Meeting:

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, that the Minutes of Meetings: 2/20/13(Regular Session) and 3/20/13 (Regular and Work Sessions) be approved as recorded, was carried by the following vote:

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

Claims: Dated 4/17/13 (Claims are available for public inspection in the Town Clerk's Office):

It was regularly moved by Commissioner Frias, seconded by Commissioner Vargas that the claims be approved, was carried by the following vote:

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

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF MARCH 2013

1. From Construction Code Official Office, reporting the sum of \$74,527.00 Collected for the month of March, 2013.
 2. From Director Michael Indri (Police Dept.) reporting the sum of \$14,116.70 Collected for the month of March, 2013
 3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$775.00 for Special Licenses collected for the month of March, 2013.
 4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$935.00 for Marriage/death certificates collected for the month of March, 2013.
 5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$584.80 for Dogs Licenses collected for the month of March, 2013.
 6. From (Revenue and Finance Department) reporting the sum of \$1,471,531.49 collected for the month of March, 2013.
 7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$ 564.90 collected for the month of March, 2013
- Please see attached: ** Amended report from Tax Collector for month ending December 2012**

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

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

April 17, 2013
Regular Meeting

Communication
Re: RFQ Results - Improvements to Swimming Pool

BID PROPOSAL FORMATION

Proposal Receipt Date: April 10, 2013 Budgeted Amount: \$
Proposal Time: 10:00 a.m. Estimated Amount: \$
Location for proposal: Town Clerk's Office
Proposal for: Improvements to Swimming Pool
Department of:
Personnel at Opening: Town Clerk Carmela Riccie & Maria Barrios
Remarks: Time to receive bids was closed at 10:05 a.m.

NO BIDS WERE RECEIVED TODAY. RETURN DATE TO
RECEIVE BIDS CHANGED BY ADDENDUM TO MAY 2,
2013 AT 10:00 A.M.

Communication
Re: RFQ Results - Public Information Services

RFQ PROPOSAL FORMATION

Proposal Receipt Date: April 10, 2013
Proposal Time: 10:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Public Information Services
Personnel at Opening: Town Clerk Carmela Riccie 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) Fonseca Consulting Group
(Address) 188 Jefferson Street
Newark, NJ 07105

April 17, 2013
Regular Meeting

Communication
Re: RFQ Results - Legal/Liability Special Counsel

RFQ PROPOSAL FORMATION

Proposal Receipt Date: April 10, 2013

Proposal Time: 11:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Legal/Liability Special Counsel

Personnel at Opening: Town Clerk Carmela Riccie 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) Schwartz, Simon, Edelstein & Celso, LLC
(Address) 100 South Jefferson Road, Suite 200
Whippany, NJ 07981

RESPONDER #2 (Name) Eric M. Bernstein & Associates, LLC
(Address) 34 Mountain Blvd. Bldg. A
P.O. Box 4922
Warren, NJ 07059

RESPONDER #3 (Name) Arseneault, Whipple, Fassett & Azzarello, LLP
(Address) 560 Main Street
Chatham, NJ 07928

RESPONDER #4 (Name) Law Office of Mateo Perez
(Address) 4919 Bergenline Avenue, 2nd Floor
West New York, NJ 07093

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

RESPONDER #6 (Name) Frank J. Borin, Esq.
DeCotiis Fitzpatrick & Cole
(Address) 500 Frank W. Burr Blvd. Suite 31
Teaneck, NJ 07666

April 17, 2013
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Communication
Re: RFQ Results - Zoning Board Attorney (3rd Occasion)

RFQ PROPOSAL FORMATION

Proposal Receipt Date: April 10, 2013

Proposal Time: 11:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Zoning Board Attorney (3rd Occasion)

Personnel at Opening: Town Clerk Carmela Riccie 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) Alexander W. Booth, Esq.
(Address) 145 Gifford Avenue, Jersey City, NJ 07304

RESPONDER #2 (Name) Eric M. Bernstein & Assoc. LLC
(Address) 34 Mountain Blvd., Warren, NJ 07059

RESPONDER #3 (Name) Mateo Perez, Esq.
(Address) 4919-4921 Bergenline Avenue, WNY, NJ 07093

Communication
Re: RFQ Results - Alternate Municipal Prosecutor

RFQ PROPOSAL FORMATION

Proposal Receipt Date: April 10, 2013

Proposal Time: 2:00 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Alternate Municipal Prosecutor

Personnel at Opening: Town Clerk Carmela Riccie and Maria Barrios

Remarks: Time to receive RFQs was closed at 2:05 p.m.

RESPONDER #1 (Name) Coviello & Legg, LLP
(Address) 311 Fairview Avenue, 2nd Floor
Fairview, NJ 07022

RESPONDER #2 (Name) Law Offices of Mateo Perez
(Address) 4919 Bergenline Avenue, 2nd Floor
West New York, NJ 07093

RESPONDER #3 (Name) Giro Attorneys at Law LLP (Maurice Giro)
(Address) 90 Main Street, Suite 102
Hackensack, NJ 07601

April 17, 2013
Regular Meeting

Communication
Re: RFQ Results - Alternate Public Defender

RFQ PROPOSAL FORMATION

Proposal Receipt Date: April 10, 2013

Proposal Time: 2:30 pm

Location for proposal: Town Clerk's Office

Proposal for: Alternate Public Defender

Personnel at Opening: Town Clerk Carmela Riccie and Maria Barrios

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

RESPONDER #1 (Name) Aristides F. Hernandez
(Address) 410-60th Street
West New York, NJ 07093

Communication
Re: RFQ Results - Re: Public Defender

RFQ PROPOSAL FORMATION

Proposal Receipt Date: April 10, 2013

Proposal Time: 3:00 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Public Defender

Personnel at Opening: Town Clerk Carmela Riccie and Maria Barrios

Remarks: Time to receive RFQS was closed at 3:00 p.m.
NO RFQs WERE RECEIVED.

April 17, 2013
Regular Meeting

Communication
Re: Letter of appointment of Silvio Acosta
as member of the WNY Board of Education
(Term: 5/16/13 – 5/15/16)



APR 17 2013

44

OFFICE OF THE MAYOR
428 • 60th Street, West New York, New Jersey 07093

Felix Roque, M.D.
Mayor

Phone: 201.295.5100
Fax: 201.861.2797

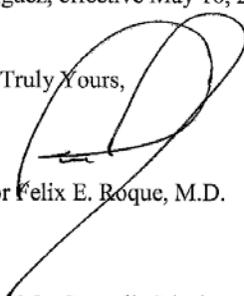
Kevin Franchetta
West New York Board of Education
6028 Broadway
New York, NY 07093-2808

April 1, 2013

Dear Mr. Franchetta,

Pursuant to N.J.S.A. 18A:12-8, it is with great pleasure and honor that I appoint Silvio Acosta to fill the seat on the West New York Board of Education that will be left vacant by Joseph Rodriguez, effective May 16, 2013.

Very Truly Yours,


Mayor Felix E. Roque, M.D.

Cc: Mr. Carmella Riccio, Town Clerk
Mrs. Adrienne K. Sires, President Board of Education
Mr. John Fauta, Superintendent of Schools
Mr. Allan C. Roth, Esquire
Mr. Paul Sangillo, Esquire

RECEIVED
2013 APR -1 A 11: 12
TOWN CLERK'S OFFICE
WEST NEW YORK, N.J.

Lead By Example

April 17, 2013
Regular Meeting

Communication:
Two (2) Certifications of Town Clerk
Re: Sign Ordinance Petitions

I, Carmela Riccie, hereby certify as follows:

1. I am the Municipal Clerk of the Town of West New York since 1991.
2. On March 27, 2013, the undersigned signed a Certification rejecting the petitions filed by the Committee opposed to Ordinance #2/13 for the following reasons:
 - (a) Petitions were deficient pursuant to NJSA 40:74-11 due to the fact that the jurat on each page did not contain the statement “One of the signers of each paper shall make an oath before an officer competent to administer the same that the statement therein made is true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.”
 - (b) All petition pages that had pages appended as second pages contained a false jurat as the affiant stated that the second page is the first page of the petition.
3. On April 5, 2013, the Committee opposed to Ordinance #2/13 amended its petition by filing Affidavits of the Circulators amending the jurats and page numbering issues previously filed and as referred to above in paragraphs 2 (a) and (b). Said Affidavits cure the above deficiencies. However, two (2) of the Circulators, to wit: Leonor M. Delgado (Circulator of Section 4) and Alberto L. Bringa (Circulator of Section 5) did not file an Affidavit amending the jurat or page numbering issue. The absence of the filing of said Affidavits to correct the jurats, etc. nullifies 35 signatures thereby reducing the number of approved signatures from 475 to 440.
4. On April 5, 2014, the Committee requested reconsideration of 13 signatures, which the Committee found to be registered but which were rejected in the Town Clerk’s Office initial review. Upon further reconsideration, 12 out of the 13 signatures were found to be registered and therefore valid bringing the total approved signatures to 452.
5. Despite the above reduction in the total qualified number of signatures, the Committee had and still satisfies the required number of signatures pursuant to NJSA 40:74-5 i.e. 401.
6. On April 8, 2013, the Committee filed additional Sections and Pages of Petition in a further effort to amend the aforementioned deficiencies, which additional signatures are hereby rejected as NJSA 40:74-12 does not provide for the filing of additional signatures.
7. Based upon the foregoing and upon the legal advice of Town Attorney Gilberto Garcia, petitions filed, except as specifically recited in paragraph 3 above, are **approved** and shall be submitted to the Board of Commissioners of the Town of West New York pursuant to NJSA 40:74-13.

I certify the foregoing statements to be true to the best of my knowledge, information and belief. If any statement is willfully false, I may be subject to punishment.

Date: April 12, 2013

Carmela Riccie

April 17, 2013
Regular Meeting

Town Clerk's Certification
Re: Sign Ordinance #2/13 (Results of review of Petitions filed)

I, Carmela Riccie, hereby certify as follows:

1. I am the Municipal Clerk of the Town of West New York since 1991.
2. Petitions in opposition of Ordinance #2/13 were filed in the Town Clerk's Office on the following dates:
On March 11, 2013, a total of 507 signatures were filed of which 399 were found to be registered voters and 108 were found not to be registered voters at the address printed next to the signer's name. This information was verified by using the State of New Jersey Statewide Voter Registration System.

On March 12, 2013, a total of 111 signatures were filed of which 76 were found to be registered voters and 35 were found not to be registered voters at the address printed next to the signer's name. This information was verified by using the State of New Jersey Statewide Voter Registration System.

Total qualified signatures =	475
Total disqualified signatures =	<u>143</u>
Total signatures submitted =	618

A sample of Petition "Section 4" (which contains 2 pages) is attached hereto.
3. Pursuant to NJSA 40:74-5, "...at least 15% of the entire vote cast at the last preceding general election at which members of the General Assembly were elected protesting against the passage of such ordinance....." must be filed with the Municipal Clerk. The total vote cast at the last preceding general election at which members of the General Assembly (32nd District) were elected in the Town of West New York on November 8, 2011 was 2,671. (Attached hereto and made a part hereof is page 44 of Official Results posted on the Hudson County Clerk's website in confirmation of same.) Therefore, 15% of 2,671 is 401, which is the total number of qualified registered voters' signatures needed pursuant to the above referred to statute. Based upon the results of petition review as indicated in paragraph 2 above, a sufficient number of qualified registered voters' signatures were filed in accordance with this statute.
4. Pursuant to NJSA 40:75-11, "One of the signers of each paper shall make an oath before an officer competent to administer the same that the statement therein made is true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be." The petitions filed are deficient and are hereby rejected pursuant to NJSA 40:75-11 due to the fact that the jurat on each page does not contain such statement.
5. In addition, all petition pages that have pages appended as second pages have a false jurat. The affiant states that the second page is the first page of the petition.
6. Based upon the foregoing and upon the legal advice of Town Attorney Gilberto Garcia, all petitions filed are **rejected**.

I certify the foregoing statements to be true to the best of my knowledge, information and belief. If any statement is willfully false, I may be subject to punishment.

Date: March 2013

Carmela Riccie

April 17, 2013
Regular Meeting

Communication
Re: Letter of Appointment of Director of Police Department

APR 17 2013

4J

April 11, 2013

Robert Antolos
454 Columbia Avenue
Cliffside Park, NJ 07010



Commissioner Caridad Rodriguez
Department of Public Safety

**APPOINTMENT OF ROBERT ANTOLOS, AS DIRECTOR
OF THE WEST NEW YORK PUBLIC SAFETY DEPARTMENT**

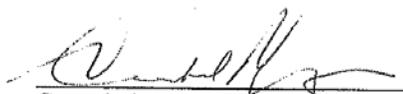
Dear Mr. Antolos:

By this letter, I appoint you to the position of Director of the Public Safety Department, effective upon the retirement of Michael Indri, May 1, 2013, to serve at the will of the Commissioner of the Department of Public Safety.

As you are aware, the Director of the Public Safety Department performs an important function for our Town and its citizens, and I am sure that you will continue to provide a significant contribution to the protection of West New York through your service. You will be required to take the required oath prior to commencement of your services.

Thank you for your service to West New York.

Very truly yours,


Commissioner Caridad Rodriguez

cc: Dr. Felix Roque, Mayor
Joe DeMarco, Business Administrator
Gilberto Garcia, Town Attorney
Carmela Riccio, Town Clerk

RECEIVED
2013 APR 12 P 1:58
TOWN CLERK'S OFFICE
WEST NEW YORK, N.J.

West New York Town Hall
428-60th Street, West New York, NJ 07093
201 295-5286

April 17, 2013
Regular Meeting

Communication
Re: Engineer's Report dated 4/15/13

APR 17 2013

4K



JOHN H. ALLGAIER, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. MCCLELLAND, P.E., P.P.
GREGORY R. VALESII, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.
TREVOR J. TAYLOR, P.E., P.P.
BEHRAM TURAN, P.E.

MEMO TO: Mayor and Board of Commissioners
Town of West New York

FROM: Robert J. Russo, P.E., P.P., C.M.E.
Town Engineer's Office

DATE: April 15, 2013

RE: General Engineering and Capital Project Status Report
West New York, New Jersey

- **Improvements to Fillmore Place and Dewey Avenue Parks**
 - The project was advertised for the receipt of bids on June 28 with the bid opening on July 12. The project was awarded on September 4 to the low bidder which was Rich Picerno Builders of Kenilworth, NJ, with a bid of \$750,458.00.
 - We held a preconstruction meeting on September 12, 2012 for the project.
 - The contractor has continued to work at both parks. They have cleared the sites, installed some utilities, fencing, equipment, concrete sidewalk and curbing and are completing the retaining walls at Dewey Park.
 - On Friday March 15, the contractor uncovered an old underground storage tank at Dewey Park. The tank was removed on March 28. All on-site and laboratory soil testing results were within acceptable limits and therefore, no additional environmental remediation is required.
 - The contractor has submitted a revised schedule and anticipates being substantially completed at both parks the beginning of May, with final completion mid-May.

- **FY2012 NJDOT Municipal Aid Grant and Road Program (67th St from JKF Blvd West to Palisade Avenue)**
 - The Town received a grant in the amount of \$280,800.00. We estimate the construction cost for the project to be \$275,000.00.
 - We have completed the design plans and contract documents and issued same to the NJDOT on January 7, 2013, for their review and approval.
 - The NJDOT has reviewed our submission and issued a review letter. We spoke with the NJDOT and we are able to advertise for receipt of bids as long as we address their comments. Therefore, the project was advertised for the receipt of bids on April 9 with a bid opening scheduled for April 30.

- **Veterans Park Slope Remediation and Park Improvements**
 - As you are aware, there are currently slope erosion issues at the park which have caused the concrete pavers and fencing in various areas to settle and collapse. We have been asked to review slope remediation alternatives at the park. We have reviewed various alternatives for remediating the slope in addition to reviewing options for overall park improvements. We have prepared a preliminary two phase conceptual design for the park improvements which we have reviewed with the Mayor. We issued a proposal for preparing detailed conceptual plans and construction cost estimates followed by the preparation of design documents for the first phase of the project.
 - The test boring and test probe work for the site has been completed and we have completed the necessary Geotechnical report. The next major phase of the design work is the structural design for the retaining walls.

- **FY2013 NJDOT Municipal Aid Grant**
 - The submittal date for the FY2013 NJDOT Municipal Aid Grant was October 16, 2012 but has been extended to October 19.
 - We prepared and submitted the application to the NJDOT for the following roads:
 - 60th Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).

CONSULTING AND MUNICIPAL ENGINEERS
3141 BORDENTOWN AVENUE • PARLIN, NEW JERSEY 08859-1162 • (732) 727-8000



April 17, 2013
Regular Meeting



JOHN H. ALLGAIR, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.
TREVOR J. TAYLOR, P.E., P.P.
BEHRAM TURAN, P.E.

Memo to: Mayor and Board of Commissioners
Town of West New York
April 15, 2013
Page 2 of 2

- o 65th Street from Broadway Avenue to Park Avenue (675')
- o 51st Street from JFK West to Bergenline Avenue (615')
- o 66th Street from Hudson Avenue to JFK East (2060')
- The estimated construction cost for the above roads is approximately \$810,000.00.

□ **Municipal Pool Renovations**

- As you are aware, the Town has received Green Acres funding for various renovations to the Municipal Pool Complex. The improvements proposed for the building include siding repairs, bathroom stall upgrades, new ventilation, ceiling fans and lighting, refinishing of the floors, exterior door replacement and other miscellaneous improvements. The exterior pool area improvements include new lighting, replacement of broken lighting, new security cameras, fencing replacement and new fencing around portions of the lower decking, replacement of picnic tables, removal of deteriorated landscape boxes, exterior shower, general landscaping improvements, parking lot improvements and other miscellaneous improvements. At this time we estimate that the construction cost of the building improvements will be in the range of \$100,000.00 to \$125,000.00 and the construction cost of the exterior pool area improvements will be in the range of \$275,000.00 to \$325,000.00.
- We spoke with a representative from Green Acres about the project funding. Green Acres requires a preliminary assessment be submitted for the project site. However, due to the time constraints regarding the pool opening, they will allow the assessment to be submitted post bidding.
- We have prepared the necessary construction plans and specifications for the pool building and pool area improvements. The project was advertised for receipt of bids on March 28 with a bid opening scheduled for April 10. Due to a delay in vendors responding to bidders, the bid date was extended to May 2.

□ **Town Tax Map Revisions**

- There are three levels of updates to the tax maps that can be performed, a general update, a revaluation and a recertification. Mr. Jaeger, the town Tax Assessor, has stated that the tax maps will require updating for a revaluation process. We have reviewed the extent of the changes that have occurred since the last update and prepared a proposal to perform an update of the tax maps and submittal to the State. We have been authorized to proceed with same. We anticipate the time to update the tax maps and submit to the State to be in the range of 4-6 months, depending on how quickly the Tax Assessor can provide our office with the required documents.

□ **Miscellaneous Engineering**

- Washington Park: We worked with Bob Cabana to prepare a CDBG application to provide funds to perform various repairs at the park. We completed and submitted the application on February 26, 2013. It is our understanding that the Town has received a grant in the amount of \$400,000 for this project.
- 523 61st Street Lighting: At the request of Police Director Indri, we had contact PSE&G regarding providing an additional street light in front of this property. PSE&G reviewed the location and prepared an agreement for same. They are scheduled to install the light within 4 to 6 weeks.
- Traffic Safety – Proposed Stop Signs: Pursuant to the request of the Police Director, we have reviewed the installation of "Stop" signs at the intersections of 57th St and Madison St, 61st St and Adams St and 65th St and Hudson Ave. After our field review and review of information from Police Traffic Safety, we issued a letter recommending the installation of the "Stop" signs.



April 17, 2013
Regular Meeting

Proclamation
Re: Honoring Basam Najmeddin as Outstanding Community Liaison

WHEREAS, the Town of West New York is pleased to honor *Basam Najmeddin* as an Outstanding Community Liaison;

WHEREAS, *Basam Najmeddin*'s work with the community has spread much good will, respect and understanding among the Town's multicultural demographic; and

WHEREAS, *Basam Najmeddin* has selflessly dedicated his time working with the local Muslim and interfaith communities despite the demands of his regular business; and

WHEREAS, *Basam Najmeddin* serves on the Board of Directors for the Fundación Internacional U.S.A. – a nonprofit organization which provides educational and material aid to Latin American countries; and

WHEREAS, *Basam Najmeddin* is also the Coordinator of International Community Relations of said organization; and

WHEREAS, *Basam Najmeddin* and his wife Suzan have three children: Ali, Muhammad, and Amir;

NOW THEREFORE BE IT RESOLVED, that I, Dr. Felix E. Roque, Mayor of the Town of West New York do hereby honor *Basam Najmeddin* as Outstanding Community Liaison of the year 2013 in the Town of West New York

April 17, 2013
Regular Meeting

Proclamation
Re: Honoring Basam Najmeddin as Outstanding Community Businessman

WHEREAS, the Town of West New York is pleased to honor *Basam Najmeddin* as an Outstanding Community Businessman; and

WHEREAS, *Basam Najmeddin* is an entrepreneur who has successfully run a local construction business for the past twenty years, providing employment to West New York residents and support to his community; and

WHEREAS, *Basam Najmeddin* exemplifies all of the positive qualities inherent in the Town of West New York's business community; and

WHEREAS, *Basam Najmeddin* was born in Venezuela and immigrated to the United States in the early 1990s and became a citizen at the first opportunity; and

WHEREAS, *Basam Najmeddin* dedicated himself to entrepreneurship, built his construction company from the ground up, and has never forgotten the less fortunate as he continues to give aid to may;

NOW THEREFORE BE IT RESOLVED, that I, Dr. Felix E. Roque, Mayor of the Town of West New York do hereby honor *Basam Najmeddin* as Outstanding Community Businessman in the year 2013 in the Town of West New York

Proclamation
Re: Honoring Ben & Jerry's



WHEREAS, the Town of West New York is pleased to honor *Ben & Jerry's* as an outstanding contributor to the community; and

WHEREAS, *Ben & Jerry's* has generously worked in collaboration with Autism Speaks to donate to a wonderful and urgent cause and to the community during Free Cone Day on April 9, 2013 and during several years past; and

WHEREAS, *Ben & Jerry's* provides the community with sweets and treats daily and is a highly respected and respectful local business located on the Town's picturesque waterfront and sets a shining example;

NOW THEREFORE BE IT RESOLVED that I, Mayor Felix E. Roque, M.D. of the Town of West New York and the Board of Commissioners do hereby honor *Ben & Jerry's* for their generous, positive impact on their surrounding community as a sweet and celebrated local business.

April 17, 2013
Regular Meeting

Consent Agenda

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following Consent Agenda Items Nos. R-1 through R-44 (excluding R-40 which was pulled from the agenda during Work Session) be adopted, was carried by the following vote:

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

Note: Resolution #R-40 was pulled from agenda during Work Session. Comm. Wiley voted “No” on the following resolutions: R-5, R-6, R-7, R-8, R-9, R-29, R-32, R-33, R-34, R-35 and R-43. Comm. Wiley “abstained” on the following resolutions: R-30, R-31 and R-42.

Resolution
Re: Authorizing the Town Clerk to advertise
to receive bids for "Summer Food Service Program" on
Tuesday, May 21, 2013 at 10:00 a.m. in Town 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 for “Summer Food Service Program” on Tuesday, May 21, 2013 at 10:00 a.m. in Town Clerk’s Office in accordance with specifications on file in the Town Clerk’s Office.

Resolution
Re: Refund of Deposit Pursuant
to Ordinance #4/96 (Filming Permit)

WHEREAS, Ordinance No. 4/96 entitled "Permit to Film or Photograph on Public Lands" requires the sums of \$1,000.00 and \$500.00 to be deposited with the Town Clerk’s Office; and

WHEREAS, \$500.00 was deposited in the Town Clerk’s Office account and \$1,000.00 was deposited in an escrow account with the Dept. of Revenue and Finance on 3/12/13; and

WHEREAS, applicant, O Positive LLC, notified the Town on March 18, 2013 that it no longer is interested in filming within the Town of West New York and therefore, is cancelling their filming application;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of West New York hereby authorizes the Revenue & Finance Department to refund the total amount of \$1,500.00 to: O Positive LLC, 36 West 25th Street, 11th Floor , New York, New York 10010.

Resolution
Re: Authorizing the Town Clerk to advertise
to receive bids for "Printing Services" on Thursday, May 9, 2013 at 10:00 a.m.

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office for: "Printing Services” for the Town of West New York on Thursday, May 9, 2013 at 10:00 a.m. in Town Clerk’s Office in accordance with specifications on file in the Town Clerk's Office.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: To Allow Filing of 2012 Recycling Tonnage Grant

Whereas, the Mandatory Source Separation and Recycling, Act P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for the 2012 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Board of Commissioners of the Town of West New York to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations;

Now, therefore, be it resolved by the Mayor and Board of Commissioners that the Town of West New York hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection; and

Be it further resolved that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution
Re: Appointing Armando Galis-Menendez as a member of the Zoning Board of Adjustment
to fill the unexpired term of David Rivera
(Term expires on 10/5/2014)

WHEREAS, a vacancy exists on the West New York Zoning Board of Adjustment, due to the resignation of, David Rivera, such term expiring October 5, 2014;

WHEREAS, Armando Galis-Menendez, is a resident of the Town of West New York living at 100-59th Street, West New York, New Jersey 07093; and

WHEREAS, Armando Galis-Menendez, is available to complete the required term;

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

1. Armando Galis-Menendez is appointed to serve as a member of the West New York Zoning Board of Adjustment, to serve for the unexpired portion of a term which term will expire on October 5, 2014.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted "No" on this Resolution.**

April 17, 2013
Regular Meeting

RESOLUTION

Re: Appointing Rosemarie Puerto as a member of the Zoning Board of Adjustment to fill the unexpired term of Richard Rivera
(Term expires on 10/18/2015)

WHEREAS, a vacancy exists on the West New York Zoning Board of Adjustment, due to the resignation of, Richard Rivera, such term expiring October 18, 2015;

WHEREAS, Rosemarie Puerto, is a resident of the Town of West New York living at 6600 Boulevard East, 12G, West New York, New Jersey 07093; and

WHEREAS, Rosemarie Puerto, is available to complete the required term;

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

Note: **Comm. Wiley voted “No” on this Resolution.**

1. Rosemarie Puerto is appointed to serve as a member of the West New York Zoning Board of Adjustment, to serve for the unexpired portion of a term which term will expire on October 18, 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 William Porras as a member of the Zoning Board of Adjustment to fill the unexpired term of Julio Garcia
(Term expires on 12/13/2014)

WHEREAS, a vacancy exists on the West New York Zoning Board of Adjustment, due to the resignation of, Julio Garcia, such term expiring December 13, 2014;

WHEREAS, William Porras, is a resident of the Town of West New York living at 4914 Palisade Avenue, West New York, New Jersey 07093; and

WHEREAS, William Porras, is available to complete the required term;

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

1. William Porras is appointed to serve as a member of the West New York Zoning Board of Adjustment, to serve for the unexpired portion of a term which term will expire on December 13, 2014.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution.**

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Appointing William Garcia as a member of the Zoning Board of Adjustment to fill the unexpired term of Armando Alvarez
(Term expires on 12/31/2015)

WHEREAS, a vacancy exists on the West New York Zoning Board of Adjustment, due to the resignation of, Armando Alvarez, such term expiring December 31, 2015;

WHEREAS, William Garcia, is a resident of the Town of West New York living at 5520 Kennedy Boulevard #1, West New York, New Jersey 07093; and

WHEREAS, William Garcia, is available to complete the required term;

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

1. William Garcia is appointed to serve as a member of the West New York Zoning Board of Adjustment, to serve for the unexpired portion of a term which term will expire on December 31, 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.

Note: **Comm. Wiley voted “No” on this Resolution.**

RESOLUTION

Re: Appointing Rosalda Ferrera as a member of the Zoning Board of Adjustment to fill the unexpired term of Nelly Vasquez
(Term expires on 12/31/2015)

WHEREAS, a vacancy exists on the West New York Zoning Board of Adjustment, due to the resignation of, Nelly Vasquez, such term expiring December 31, 2015;

WHEREAS, Rosalda Ferrera, is a resident of the Town of West New York living at 6045 Boulevard East, West New York, New Jersey 07093; and

WHEREAS, Rosalda Ferrera, is available to complete the required term;

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

1. Rosalda Ferrera is appointed to serve as a member of the West New York Zoning Board of Adjustment, to serve for the unexpired portion of a term which term will expire on December 31, 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.

Note: **Comm. Wiley voted “No” on this Resolution.**

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Amended Resolution
Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
111 – 62nd Street (Aristides Rodriguez)

WHEREAS, a Resolution was adopted on March 20, 2013 establishing restricted parking in front of residence located at 6504 Hudson Avenue for Aristides Rodriguez; and

WHEREAS, the WNY Police Traffic Division has advised the Town Clerk that inadvertently the incorrect address and location was provided and that the Resolution needs to be amended to reflect the correct address and location which is 111 – 62nd Street; and

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>
1.	Aristides Rodriguez 111 – 62 nd Street West New York, NJ 07093	West	Begin at a point along the west curb line of Park Avenue & 62 nd Street, 171 feet west 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.

RESOLUTION
Re: Tax Correction (573-53rd Street)

quarter 2004nt of \$1252.07 and the balance of \$47.93 be credited to the 4th .

WHEREAS, there is an overpayment on the 3rd quarter 2012 tax bill in the amount of \$48.08 and \$86.08 on 4th quarter 2012 tax bill on property located at 573 53rd Street A/K/A block 110 lot 5 C0316 and;

WHEREAS, the taxpayer is requesting that the credit be moved to credit their 1st quarter 2013 Tax Bill.

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

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Refund of Tax Overpayments (\$3,830.02)

WHEREAS, taxes and interest 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
ISAAC MORADI	168.01/8.03 C0142	\$1,565.35	2012
INVESTORS BANK	168.01/7.06 C0102	\$91.51	2012
JEAN LANE	72/36	\$216.52	2012
TORRES, JOSE O & BERTHA G	54/20	\$1,956.64	2012
	GRAND TOTAL	\$3,830.02	

RESOLUTION
Re: Refund of Tax Lien Premiums (\$101,200.00)

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.

NAME	BLOCK/LOT	CERT. #	AMOUNT
SBMUNICUST C/O LBNJ	7/43 104/1	12-0041 11-0271	\$400.00 \$11,500.00
PAM INVESTORS	39/13 C00C3	10-080	\$700.00
MTAG SVC. AS CUST FOR ATCF II NJ LLC	20/36 C0011 103/13 25/18 25/18 129/30	11-0060 11-0270 11-0068 12-0124 12-0600	\$800.00 \$2,600.00 \$3,100.00 \$5,700.00 \$3,000.00

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

U.S. BANK CUST FOR	21/26	12-0113	\$6,000.00
TOWER DBW	83/7 C0018	12-0457	\$600.00
	11/44	12-0061	\$4,000.00
	12/2	12-0064	\$9,200.00
	1/20	12-0004	\$1,200.00
	98/14	12-0515	\$9,000.00
	51/2	12-0280	\$4,500.00
	82/10	12-0446	\$25,000.00
	21/25	12-0112	\$500.00
	84/2	12-0465	\$6,800.00
	21/26	12-0113	\$6,000.00
	74/5 C000C	12-0406	\$600.00
	GRAND TOTAL		\$101,200.00

Resolution

Re: Tax Lien Redemptions (\$600,693.18)

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.

Name	Block/lot	Cert#	Amount
72 OAK STREET HOLDINGS, LLC	69/25	12-0352	\$784.20
SBMUNICUST C/O LBNJ	7/43	12-0041	\$5,350.53
	104/1	11-0271	\$37,787.97
	104/1	12-0529	\$6,377.30
	162/2	12-0731	\$5,121.51
	122/12	12-0579	\$4,427.86
	16/10	12-0073	\$8,365.63
ISAAC MORADI	142/23	12-0645	\$1,656.35
	117/15 C0503	11-0287	\$4,143.52
	130/2 C0203	12-0605	\$663.20
	168.01 1.01 C0395	12-0746	\$1,570.61
	137/17	12-0627	\$4,110.52
	140/2	12-0636	\$3,799.43
	168.01/8.03 C0142	12-0776	\$1,614.32
PAM INVESTORS	158/35	12-0718	\$5,197.35
	83/7 C0005	12-0455	\$363.80
	116/10	12-0812A	\$2,352.44
	33/44	12-0165	\$4,736.09
	68/7	12-0348	\$6,941.26
	120/46	12-0574	\$2,914.11
	82/10.01	12-0447	\$1,066.70

39/13 C00C3	10-080	\$1,217.77
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April 17, 2013
Regular Meeting

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

	168.01/1.09 C0263	12-0751	\$438.25
	133/11	12-0613	\$664.42
	43/11	07-046	\$6,596.10
	128/7	12-0595	\$4,787.06
MTAG SVC. AS	168.01/7.06 C0203	12-0785	\$3,695.17
CUST FOR ATCF II NJ LLC	103/13	12-0526	\$2,593.69
	20/36 C0011	11-0060	\$2,406.79
	103/13	11-0270	\$7,473.00
	25/18	11-0068	\$17,842.84
	25/18	12-0124	\$2,420.24
	129/30	12-0600	\$9,966.61
	74/4 C001E	12-0400	\$2,208.68
	154/20	12-0706	\$3,254.64
	168.01/1.25 C0005	12-0755	\$3,515.26
U.S. BANK AS CUST/ ATR FD. NJ & CAPI	70/19.01 C0011	12-0361	\$5,232.11
	120/46	11-0293	\$9,620.97
	144/22	12-0656	\$12,339.98
U.S. BANK CUST. FOR TLCF 2012A,LLC	17/10	12-0088	\$2,046.96
	36/7	12-0172	\$2,848.48
	1/5	12-0002	\$867.34
	40/32.01	12-0225	\$850.53
	45/16	12-0250	\$2,899.90
	84/11	12-0466	\$452.11
U.S. BANK, CUS. FOR EMPIRE TAX FD.	29/1	10-053	\$252,996.72
U.S. BANK CUST FOR TOWER DBW	21/26	12-0113	\$872.91
	83/7 C0018	12-0457	\$1,144.23
	20/2	12-0103	\$6,660.45
	11/44	12-0061	\$2,860.05
	7/45.02	12-0043	\$3,353.30
	153/27	12-0698	\$3,480.79
	12/2	12-0064	\$5,475.17
	1/20	12-0004	\$620.76
	59/18	12-0324	\$9,542.16
	28/2	12-0133	\$5,076.51
	33/34 C001B	12-0162	\$3,359.11
	41/25	12-0232	\$3,705.77
	144/14	12-0655	\$3,956.48
	158/14	12-0717	\$2,772.31
	70/12	12-0356	\$6,808.84
	70/25	12-0371	\$5,920.70
	50/8	12-0277	\$8,131.96
	51/2	12-0280	\$10,274.15
	82/10	12-0446	\$12,210.42
	21/25	12-0112	\$8,128.32
	84/2	12-0465	\$10,509.74
	74/5 C000C	12-0406	\$666.19
	98/14	12-0515	\$11,085.03
	120/38	12-0571	\$5,497.51
	GRAND TOTAL		\$600,693.18

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Hudson County Board Tax Appeals (\$5,206.19)

WHEREAS, the following property owners have appealed to the Hudson County Board of Taxation for a reduction in Tax Assessment levied upon their respective properties;

WHEREAS, the Hudson County Board of Taxation 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 respective properties.

NOW, THEREFORE BE IT RESOLVED that said overpayments of taxes be and the same are hereby to be paid and refunded to the said property owners in the following amounts:

NAME	BLOCK-LOT	AMOUNT	YEAR
ROBERT SPIOTTI ATTY 444-446, LLC	57/30	\$4,134.40	2012
VALLEJO E & M OQUENDO	8/30	\$969.00	2012
MURILLO ROBERT	33/34 C001F	\$102.79	2012
	GRAND TOTAL	\$5,206.19	

RESOLUTION

**Re: Approving a Town Policy and Management Statement
for the Town of West New York**

WHEREAS, the Town of West New York is committed to strengthening its governance with regard to the annual processes of financial planning and budgeting for both the operating and capital budgets; and

WHEREAS, a policy statement setting forth and describing the details of the Board of Commissioners plan to implement said policy is attached and affixed to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York in the County of Hudson that they approve the attached Town Policy and Management Statement.

RESOLUTION

**Re: Authorizing Application for the Continuation of Funding and Accepting the Safe &
Secure Communities Program Grant of \$60,000.00**

WHEREAS, the Town of West New York has been notified that it is eligible to apply for \$60,000.00, to continue funding of personnel in law enforcement; and

WHEREAS, the project is a joint effort between the Town of West New York and the New Jersey Department of Law & Public Safety; and

WHEREAS, the Town wishes to submit its application for the Safe & Secure Program grant funds of \$60,000.00.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK hereby authorize the submission of an application to the Department of Law & Public Safety under the Safe & Secure Communities Program and to accept the grant funding of \$60,000.00;and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said application and to accept the receipt of the grant funding on behalf of the Town of West New York.

RESOLUTION

Re: Authorizing Application for the Continuation of Funding and Accepting the Safe & Secure Communities Program Grant of \$51,867.00

WHEREAS, the Town of West New York has been notified that it is eligible to apply for \$51,867.00, to continue funding of personnel in law enforcement; and

WHEREAS, the project is a joint effort between the Town of West New York and the New Jersey Department of Law & Public Safety; and

WHEREAS, the Town wishes to submit its application for the Safe & Secure Program grant funds of \$51,867.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK hereby authorize the submission of an application to the Department of Law & Public Safety under the Safe & Secure Communities Program and to accept the grant funding of \$51,867.00;and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said application accepting the receipt of the grant funding on behalf of the Town of West New York.

RESOLUTION

Re: Authorizing Acceptance of the 2013 Clean Communities Program Grant Award of \$52,473.32

WHEREAS, the Town of West New York has been notified that it is eligible to receive \$52,473.32 for the year 2013; and

WHEREAS, the grant terms require that the funds be used for litter pickup and removal and to abate graffiti; and

WHEREAS, the Town wishes to accept the 2013 Clean Communities grant funds of \$52,473.32.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK hereby authorize Mayor to accept the grant funding of \$52,473.32.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Authorizing an Engagement with Standard & Poor's Rating Services to Perform an Analytical Review and Credit Assessment of the Town of West New York

WHEREAS, the Town of West New York will provide for the issuance and sale of Qualified General Obligation Bonds, Series 2013A in the principal amount of \$3,910,000 and Series 2013B (Taxable) in the principal amount of \$6,700,000; and

WHEREAS, there exists a need for the Town of West New York to conduct a credit assessment for the sale of the Qualified General Obligations; and

WHEREAS, the credit assessment may be converted to a credit rating within six months of the date of the credit assessment for which the fees paid for the assessment will be applied to the credit rating fee; and

WHEREAS, funds are available for this purpose in 2013 within the costs of issuance of the Bond Sale.

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

1. The Mayor and Town Clerk are hereby authorized to execute an agreement with Standard & Poor's Ratings Services, 55 Water Street, 38th Floor, New York, New York.
2. This contract is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law, as set forth in N.J.S.A. 40A:11-5.
3. This resolution and contract are on file and available for public inspection in the office of the Town Clerk of the Town of West New York.
4. A copy of this resolution shall be published in the Jersey Journal as required by law within 10 days of its passage.

RESOLUTION

Re: Approving a Professional Services Agreement for Services of Paying Agent to: BNY Mellon

WHEREAS, the Town of West New York will provide for the issuance and sale of Qualified General Obligation Bonds, Series 2013A in the principal amount of \$3,910,000 and Series 2013B (Taxable) in the principal amount of \$6,700,000; and

WHEREAS, there exists a need for the Town of West New York to appoint a Paying Agent and Bond Registrar for the Bonds to perform the duties as prescribed to and imposed upon the Paying Agent in the Bond Sale resolution; and

WHEREAS, funds are available for this purpose in 2013 within the costs of issuance of the Bond Sale and will be appropriated in subsequent annual operating budgets for the remainder of the term of the Bonds, (through and until 2028), and

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

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

April 17, 2013
Regular Meeting

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

1. The Mayor and Town Clerk are hereby authorized to execute an agreement with BNY Mellon, 385 Rifle Camp Road, Woodland Park, New Jersey.
2. This contract is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, as set forth in N.J.S.A. 40A:11-5.
3. This resolution and contract are on file and available for public inspection in the office of the Town Clerk of the Town of West New York.
4. A copy of this resolution shall be published in the Jersey Journal as required by law within 10 days of its passage.

RESOLUTION

Re: Authorizing an Engagement with Moody’s Investor Services to Perform an Indicative Credit Rating of the Town of West New York

WHEREAS, the Town of West New York will provide for the issuance and sale of Qualified General Obligation Bonds, Series 2013A in the principal amount of \$3,910,000 and Series 2013B (Taxable) in the principal amount of \$6,700,000; and

WHEREAS, there exists a need for the Town of West New York to conduct an indicative credit rating for the sale of the Qualified General Obligations; and

WHEREAS, funds are available for this purpose in 2013 within the costs of issuance of the Bond Sale.

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

1. The Mayor and Town Clerk are hereby authorized to execute an agreement with Moody’s Investor Services, 7 WTC at 250 Greenwich Street, New York, New York.
2. This contract is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, as set forth in N.J.S.A. 40A:11-5.
3. This resolution and contract are on file and available for public inspection in the office of the Town Clerk of the Town of West New York.
4. A copy of this resolution shall be published in the Jersey Journal as required by law within 10 days of its passage.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: AUTHORIZING A SIX (6) MONTH PERIOD OF AMNESTY AND THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR CERTAIN RESIDENTIAL DWELLINGS, NOT TO EXCEED FOUR (4) UNITS, WITHIN THE TOWN OF WEST NEW YORK DURING THE 2013 CALENDAR YEAR

WHEREAS, pursuant to Chapter 316 of the Code of the Town of West New York, the Board of Commissioners is authorized to take action to ensure the health, safety and welfare of its residents; and

WHEREAS, the Board of Commissioners has recognized the serious threat to the health, safety and welfare of its residents posed by illegal apartments and unregistered dwelling units that exist within the Town; and

WHEREAS, the Board of Commissioners has undertaken various efforts to enforce Chapter 316 of the Code as it relates to illegal and unregistered rooming, lodging and dwellings units thus constituting illegal boarding houses; and

WHEREAS, in furtherance of the Town's enforcement efforts, the Board of Commissioners has determined that it is in the best interest of the Town's residents to further encourage property owners to bring illegal apartments and unregistered dwelling units into compliance with applicable laws by establishing a six (6) month period of amnesty from July 1, 2013 through December 31, 2013, during which owners of illegal apartments and unregistered residential units as defined in Chapter 316, Section 316-1(B) and Section 316-2, may apply to the Town for a Certificate of Occupancy without being subject to fines under the Violations and Penalty Section 316-21, provided that the owners of the property containing the illegal apartments comply with the requirements and conditions set forth herein;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Building Department, for a period of six (6) months commencing July 1, 2013 and terminating December 31, 2013, accept and act on applications for a Certificate of Occupancy from owners of certain residential properties not exceeding four (4) units, provided that the owners of the residential properties comply with the following requirements and conditions:

1. The owner of the residential unit(s) must apply in writing to the Building Department, within the 2013 calendar year, for the issuance of a Certificate of Occupancy for no more than four (4) units, which application shall be granted upon proper completion and satisfaction of the requirements set forth in Section 316-6 of Chapter 316 of the Code of the Town of West New York and the following paragraphs:

2. The owner of the residential unit(s) for which a Certificate of Occupancy is requested must provide proof, satisfactory to the Construction Official that such unit existed prior to July 1, 2013.

3. Prior to the issuance of a Certificate of Occupancy, the owner of the residential unit(s) must bring the unit(s) into compliance with the Uniform Commercial Code, the Uniform Fire Code, the building and fire sub code. Upon receipt of an application, the Building Department and Fire Prevention Bureau will undertake an inspection of the unit(s) to determine existing code violations, if any, and scope of work required to bring the requested number of unit(s), not to exceed four (4), into compliance. All construction work must be performed by licensed professionals and pursuant to permit(s) required by Section 316-19 of the Code.

4. Fines will not be issued as long as property owners bring the unit(s) into compliance within a reasonable time period relative to the nature of work, to be determined jointly by the Construction Official and Fire Official.

April 17, 2013
Regular Meeting

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

5. All owners of properties consisting of three (3) or more units are required to register with the State of New Jersey, Department of Community Affairs, under the Hotel and Multiple Dwelling Act. (N.J.S.A. 55:13A-1 et seq) Each owner seeking a Certificate of Occupancy during the amnesty period must provide his / her Registration Statement, Green Card or other acceptable proof of registration of the property with the State.

6. The owner of the property for which a Certificate of Occupancy is requested must acknowledge in writing that he / she understands that the additional unit(s) may result in an added assessment by the Tax Assessor and a corresponding property tax increase.

7. If the owner's application is denied because the owner cannot satisfy the requirements set forth herein or if the owner decides to withdraw his / her application because he / she is financially or otherwise unable to bring the additional unit(s) into compliance within the allotted time period or any extension granted by the Construction Official, then the property owner must provide proof that the illegal unit has been abandoned, dismantled and any existing tenant vacated. Failure to do so will result in imposition of fines and penalties in accordance with applicable State and local laws.

8. The annual fee required to be paid pursuant to Section 316-20, shall be waived by the Town's Health Department for the year 2013.

9. In order to provide an incentive to the property owner that abides by the Amnesty program and makes his/her apartment a legally occupied dwelling unit under Chapter 316 of the Code of the Town of West New York, the provisions of Section 312-28 (yearly registration of rental units with the Rent Leveling Board) of Chapter 312, the Rent Control Ordinance, shall be waived for the Amnesty participating dwelling units for 2 years. This will allow the property owner to recoup some of the expenses incurred in bringing the dwelling units up to Uniform Construction Code and Chapter 316 of the Code of the Town of West New York.

A copy of this Resolution shall be kept on file in the Office of the Municipal Clerk.

RESOLUTION

RE: Authorizing an Interlocal agreement between the Town of Secaucus and the Town of West New York for the position of Health Officer

WHEREAS, the state of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the Town of Secaucus does not employ a licensed Health Officer; and

WHEREAS, the Town of West New York has offered to enter into an Interlocal agreement to share the services of their Health Officer Vincent Rivelli; and

WHEREAS, the Town of Secaucus has offered to compensate the Town of West New York in connection with the agreement; and

WHEREAS, it is in the best interest of the Town of West New York and the Town of Secaucus to enter into the agreement for the calendar year 2013; and

WHEREAS, N.J.S.A. 40A: 65-4 et seq. allows the municipalities to enter into a shared service agreement.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service

agreement with the Town of Secaucus for the services of the Health Officer for the amount not to exceed \$10,000.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

RE: Authorizing an Interlocal agreement between the Town of Weehawken and the Town of West New York for the position of Health Officer

WHEREAS, the state of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the Town of Weehawken does not employ a licensed Health Officer due; and

WHEREAS, the Town of West New York has offered to enter into an Interlocal agreement to share the services of their Health Officer Vincent Rivelli; and

WHEREAS, the Town of Guttenberg has offered to compensate the Town of West New York in connection with the agreement; and

WHEREAS, it is in the best interest of the Town of West New York and the Town of Guttenberg to enter into the agreement for the calendar year 2013; and

WHEREAS, N.J.S.A. 40A: 65-4 et seq. allows the municipalities to enter into a shared service agreement.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service agreement with the Town of Weehawken for the services of the Health Officer for the amount not to exceed \$15,000.

RESOLUTION

RE: Authorizing an Interlocal agreement between the Town of Guttenberg and the Town of West New York for the position of Health Officer

WHEREAS, the state of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the Town of Guttenberg does not employ a licensed Health Officer due; and

WHEREAS, the Town of West New York has offered to enter into an Interlocal agreement to share the services of their Health Officer Vincent Rivelli; and

WHEREAS, the Town of Guttenberg has offered to compensate the Town of West New York in connection with the agreement; and

WHEREAS, it is in the best interest of the Town of West New York and the Town of Guttenberg to enter into the agreement for the calendar year 2013; and

WHEREAS, N.J.S.A. 40A: 65-4 et seq. allows the municipalities to enter into a shared service agreement.

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the Town Administrator is authorized to execute a shared service agreement with the Town of Guttenberg for the services of the Health Officer for the amount not to exceed \$15,000.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Interlocal Agreement between the Town of West New York and the West New York Board of Education for reimbursement of fuel costs

WHEREAS, the Board of Education of West New York requires fuel for the use of their school buses and other vehicles; and

WHEREAS, the Town of West New York has the capability to of providing fuel at a reasonable costs based upon volume purchasing; and

WHEREAS, it is in the best interests of the Town and Board of Education to enter into an agreement for a period of one (1) year with the Board for fuel; and

WHEREAS, N.J.S.A. 40A:65-4 et seq. allows the Town and the Board to enter into a shared service agreement for the costs of fuel in the amount of \$100,000.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Mayor is authorizes to execute a shared services agreement with the Board of Education for the aforementioned services pursuant to a shared services agreement.

Resolution

Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the retention of Various Legal/Professional Services

WHEREAS, N.J.S.A. 19:44A-20.4 et seq. mandates a municipality to comply with Pay to Play requirements; and

WHEREAS, the Mayor and Board of Commissioners wish to receive and consider proposals for legal services as may be needed by the Town of West New York, including but not limited to legal/professional services as:

- Grant Writing Services
- Public Defender (2nd Occasion)
- Planning Services

WHEREAS, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services, including legal/professional services,

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for the for various legal/professional services as may be needed by the Town, for each separate board or entity requiring separate legal counsel including but not limited to:
 - Grant Writing Services
 - Public Defender (2nd Occasion)

- Planning Services

April 17, 2013
Regular Meeting

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

3. Such Request for Qualification(s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance of the opening of the responses to the Requests for Qualifications received (“Statements of Qualifications”), such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
4. The Mayor, with the Town Administrator and the Town Attorney both in an advisory capacity, will review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

Awarding Resolution

Re: General Contracting Services (Town of West New York to: Coyoty Builders and Developers

WHEREAS, bids were received on 2/15/13 for General Contracting Services for the Town of West New York; and

WHEREAS, the following Bid Proposals for the contract for General Contracting Services for the Town of West New York were received from: Coyoty Builders and Developers, 644-61st Street, West New York, NJ 07093 and Tri Form Const. Inc., 119 Liberty St., Metuchen, NJ 08840 and Jablan General Const. Inc., 160 Front St., Secaucus NJ 07094.

WHEREAS, publicly Bid proposal contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Town and the safety and security of its residents; and

WHEREAS, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Authority's budget and that such funds have been appropriated at 2013 Budget Various O.E. Line Items.

Whereas, Coyoty Builders and Developers and its appropriate affiliates have submitted a proposal indicating they will provide the General Contracting Services for \$40,000.00 from 5/1/2013-12/31/2013 and \$20,000.00 from 1/1/2014-4/30/2014, upon contingency of budget approval; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, New Jersey, that the Bid Proposal of Coyoty Builders and Developers, 644-61st Street, West New York, NJ 07093 on the Bid Proposal for General Contracting Services for the Town of West New York be and the same is hereby accepted.

BE IT FURTHER RESOLVED that appropriate officials are hereby authorized and directed on behalf of the Town of West New York to make available to the public, to publish, to enter into a contract for same and to perform same and to receive performance, in accordance with the law and specifications providing for same;

BE FURTHER RESOLVED that the Resolution recited above be and is hereby finally

adopted.

BE IT FURTHER RESOLVED that the Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.

April 17, 2013
Regular Meeting

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

BE IT FURTHER RESOLVED that the Town Clerk shall forward a copy of this Resolution to the bidder on this project.

Note: **Comm. Wiley voted "No" on this Resolution.**

RESOLUTION
Re: Appointing Julian D. Porras as Constable of the Town of West New York
to replace Wendell Oms
(Term expires on 3/20/2014)

WHEREAS, a vacancy exists due to the resignation of Wendell Oms such term expiring March 20, 2014;

WHEREAS, Julian D. Porras, is a resident of the Town of West New York living at 6114 Highland Place, Apartment 3F, West New York, New Jersey 07093; and

WHEREAS, Julian D. Porras, is available to complete the required term;

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

1. Julian D. Porras is hereby appointed as Constable of the Town of West New York pursuant to N.J.S.A. 40A9-120, et seq.
2. The Constable is under the direction of the Department of Public Safety.
3. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Commissioner Wiley "abstained" from voting on this Resolution.**

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

**RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE TOWN OF WEST NEW YORK AND DENIS G. MURPHY, ESQ.
(SCHWARTZ SIMON EDELSTEIN & CELSO, LLC) FOR LEGAL SERVICES-
LEGAL REPRESENTATION IN THE CAPACITY OF RECALL ELECTION
OFFICIAL FOR THE TOWN OF WEST NEW YORK**

WHEREAS, Denis G. Murphy, Esq., of Schwartz Simon Edelstein & Celso LLC 100 South Jefferson Road Suite 200, Whippany, NJ 07981 has submitted a proposal to serve as Legal Services-Legal Representation in the Capacity of Recall Election Official for the Town of West New York, dated, January 10, 2013, in response to a Request for Qualifications for Legal Services-Legal Representation in the Capacity of Recall Election Official for the Town of West New York, and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Denis G. Murphy, Esq. as Legal Services-Legal Representation in the Capacity of Recall Election Official for the Town of West New York; 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 Denis G. Murphy, Esq., to serve as Legal Services-Legal Representation in the Capacity of Recall Election Official for the Town of West New York and enter into a contract with Denis G. Murphy, Esq. to provide for the services as Legal Services-Legal Representation in the Capacity of Recall Election Official for the Town of West New York; 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 Denis G. Murphy, Esq., for the services as Legal Services-Legal Representation in the Capacity of Recall Election Official for the Town of West New York 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 10, 2013, and in accordance with N.J.S.A. 19:44A-20.5 et seq.
4. The initial authorization of this contract shall be for as long as the process takes and for an amount to be contained in the agreement but not to exceed \$36,000.00.
5. This contract is awarded as a result of a Fair and Open Procedure adopted by the municipality in order to comply with the Pay to Play Law (P.L. 2004 Chapter 19 as amended by P.L. 2005, Chapter 51) N.J.S.A. 19:44-20.5 et seq.

6. A copy of this resolution shall be published and it and the agreement detailing the terms of the retention of Denis G. Murphy, Esq., as Legal Services-Legal Representation in the Capacity of Recall Election Official for the Town of West New York shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

Note: Commissioner Wiley “abstained” from voting on this Resolution.

**April 17, 2013
Regular Meeting**

Consent Agenda (Cont.):

**Resolution
Re: Re-appointment of Various Members to Rent Control Board**

BE IT RESOLVED, that pursuant to Section 12 of Ordinance No. 1172, that the following persons be and are hereby re-appointed as Members of the Rent Control Board of the Town of West New York, County of Hudson, State of New Jersey. Said terms expired on 3/31/2013.

<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Jose Delgado	5311 Hudson Avenue, WNY	3/31/2014
Jenice Durham	6515 Boulevard East Apt G0, WNY	3/31/2014
Jesus Aristy	635-61 st Street, WNY	3/31/2014
Angela Duval	595-57th Street, WNY	3/31/2014

Note: Comm. Wiley voted “No” on this Resolution.

RESOLUTION

**Re: Appointment of Julian D. Porras as a Member of the
Rent Control Board of the Town of West New York
(Term: 4/17/13-3/31/14)**

WHEREAS, a vacancy exists on the Rent Control Board;

WHEREAS, Julian D. Porras who resides at 6114 Highland Pl. Apt 3F, is a resident of the Town of West New York;

WHEREAS, Julian D. Porras is available to serve on the West New York Rent Control 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. Julian D. Porras is appointed to serve as a member of the West New York Rent Control Board for a term commencing on April 17, 2013 and expiring on March 31, 2014.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: Comm. Wiley voted “No” on this Resolution.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Appointment of Hermes Altagracia as a Member of the
Rent Control Board of the Town of West New York
(Term: 4/17/13-3/31/14)

WHEREAS, a vacancy exists on the Rent Control Board;

WHEREAS, Hermes Altagracia who resides at 5711 Jefferson St, Apt. 406 is a resident of the Town of West New York;

WHEREAS, Hermes Altagracia is available to serve on the West New York Rent Control 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. Hermes Altagracia is appointed to serve as a member of the West New York Rent Control Board for a term commencing on April 17, 2013 and expiring on March 31, 2014.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution.**

RESOLUTION

Re: Appointment of Humberto Ortega as a Member of the
Rent Control Board of the Town of West New York
(Term: 4/17/13-3/31/14)

WHEREAS, a vacancy exists on the Rent Control Board;

WHEREAS, Humberto Ortega who resides at 6040 Kennedy Blvd East, Apt. 29G, is a resident of the Town of West New York;

WHEREAS, Humberto Ortega is available to serve on the West New York Rent Control 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. Humberto Ortega is appointed to serve as a member of the West New York Rent Control Board for a term commencing on April 17, 2013 and expiring on March 31, 2014.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Comm. Wiley voted “No” on this Resolution.**

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

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

WHEREAS, Request for Qualifications were received on 4/10/2013 for Legal Liability Special Counsel for the Town of West New York; and

WHEREAS, the following Request for Qualifications for Legal Liability Special Counsel for the Town of West New York were received from: Schwartz, Simon, Edelstein & Celso, LLC, 100 South Jefferson Road, Suite 200, Whippany, NJ 07981 and Arseneault, Whipple, Fassett & Azzarello, LLP, 560 Main Street, Chatham, NJ 07928 Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd. Bldg. A, P.O. Box 4922, Warren, NJ 07059 and Law Office of Mateo Perez 4919 Bergenline Avenue, 2nd Floor, West New York, NJ 07093 and Florio & Kenny, LLP Marine View Plaza Suite 103 P.O. Box 771 Hoboken, NJ 07030 and Frank J. Borin, Esq. DeCotiis Fitzpatrick & Cole 500 Frank W. Burr Blvd. Suite 31, Teaneck, NJ 07666

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Schwartz, Simon, Edelstein & Celso, LLC, Frank J. Borin, Esq. DeCotiis Fitzpatrick & Cole and Arseneault, Whipple, Fassett & Azzarello, LLP as Legal Liability Special Counsel; and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to compensate the services of Schwartz, Simon, Edelstein & Celso, LLC, Frank J. Borin, Esq. DeCotiis Fitzpatrick & Cole and Arseneault, Whipple, Fassett & Azzarello, LLP, to serve as Legal Liability Special Counsel and enter into a contract with Schwartz, Simon, Edelstein & Celso, LLC, Frank J. Borin, Esq. DeCotiis Fitzpatrick & Cole and Arseneault, Whipple, Fassett & Azzarello, LLP; 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 Schwartz, Simon, Edelstein & Celso, LLC, Frank J. Borin, Esq. DeCotiis Fitzpatrick & Cole and Arseneault, Whipple, Fassett & Azzarello, LLP for the services as Legal Liability Special Counsel, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on April 10, 2013 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 4/18/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$36,000.00

5. This contract is awarded as a result of a Fair and Open Procedure adopted by the municipality in order to comply with the Pay to Play Law (P.L. 2004 Chapter 19 as amended by P.L. 2005, Chapter 51) N.J.S.A. 19:44-20.5 et seq.

April 17, 2013
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 Schwartz, Simon, Edelstein & Celso, LLC, Frank J. Borin, Esq. DeCotiis Fitzpatrick & Cole and Arseneault, Whipple, Fassett & Azzarello, LLP, as Legal Liability Special Counsel shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

RESOLUTION

Re: Approval of Professional Services Agreement between Town of West New York and Aristides Hernandez for Alternate Public Defender

WHEREAS, N.J.S.A. 40A:11-1 et seq. (Local Public Contracts Law) provides that contracts for professional services may be entered by the governing body without advertising for bids; and

WHEREAS, Aristides Hernandez has submitted a Statement of Qualifications to serve as Alternate Public Defender, in response to a publicly advertised Request for Qualifications for the provision of legal services – Alternate Public Defender, on or before April 10, 2013 for the services of public defender under the direction of Aristides Hernandez; and

WHEREAS, Aristides Hernandez has sufficient experience in the provision of Professional Legal Services – Alternate Public Defender; and

WHEREAS, on the basis of the review of the Statement of Qualifications submitted by Aristides Hernandez, the Board of Commissioners deemed the firm qualified to provide legal services to the Town as Alternate Public Defender; and

WHEREAS, the Board of Commissioners of the Town of West New York are desirous of awarding a contract for the compensation of Aristides Hernandez as Alternate Public Defender; and

WHEREAS, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to retain Aristides Hernandez, to provide Professional Legal Services – Alternate Public Defender, pursuant to the terms of the draft form of agreement attached hereto; and

WHEREAS, this award was made without competitive bids; and

WHEREAS, the award of a contract to Aristides Hernandez for the provision of Professional Legal Services – Alternate Public Defender is a result of a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications on April 10, 2013; and

WHEREAS, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Town's budget

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. A contract between the Town of West New York and Aristides Hernandez for services for Alternate Public Defender is hereby ratified and approved.

2. The Mayor shall be and is hereby authorized to execute an agreement in substantially the same form as the current contract with the Alternate Public Defender, by and between the Town and Aristides Hernandez, for the services of Aristides Hernandez, as Alternate Public Defender, in a form satisfactory to the Town as evidenced by his signature thereon.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

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

4. The initial authorization of this contract shall be for the period 4/18/13-12/31/2013, and for an amount to be contained in the agreement but not to exceed \$12,000.00.

5. This contract is awarded as a result of a Fair and Open Procedure adopted by the municipality in order to comply with the Pay to Play Law (P.L. 2004 Chapter 19 as amended by P.L. 2005, Chapter 51) N.J.S.A. 19:44-20.5 et seq.

6. Notice of this award shall be published as may be required by law.

7. Copy of this Resolution, and a copy of the contract for upon execution by the Town, shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

8. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR ALTERNATE PROSECUTORS

WHEREAS, Request for Qualifications were received on 4/10/2013 for Alternate Prosecutors for the Town of West New York; and

WHEREAS, the following Request for Qualifications for Alternate Prosecutors for the Town of West New York were received from: Coviello & Legg, LLP 311 Fairview Avenue, 2nd Floor, Fairview, NJ 07022; Law Offices of Mateo Perez 4919 Bergenline Avenue, 2nd Floor, West New York, NJ 07093 and Giro Attorneys at Law LLP (Maurice Giro) 90 Main Street, Suite 102 Hackensack, NJ 07601

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Law Offices of Mateo Perez as Alternate Prosecutor, and Coviello & Legg, LLP and Giro Attorneys at Law LLP (Maurice Giro) as Alternate Prosecutors to be used only if the Appointed Prosecutor and Alternate Prosecutor Mateo Perez is not available; 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 Law Offices of Mateo Perez, to serve as Alternate Prosecutor; Coviello & Legg, LLP and Giro Attorneys at Law LLP (Maurice Giro), to serve as Alternate Prosecutors to be used only if the Appointed Prosecutor and Alternate Prosecutor Mateo Perez is not available and enter into a contract with Law Offices of Mateo Perez, Coviello & Legg, LLP and Giro Attorneys at Law LLP (Maurice Giro); 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:

April 17, 2013
Regular Meeting

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Law Offices of Mateo Perez as Alternate Prosecutor and Coviello & Legg, LLP and Giro Attorneys at Law LLP (Maurice Giro) to serve as Alternate Prosecutors to be used only if the Appointed Prosecutor and Alternate Prosecutor Mateo Perez is not available, 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 April 10, 2013 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 4/18/13-12/31/13, and for an amount to be contained in the agreement but not to exceed \$24,000.00 for the Alternate Prosecutor Mateo Perez, and \$450.00 per session for Coviello & Legg, LLP and Giro Attorneys at Law LLP (Maurice Giro) as needed.
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 Law Offices of Mateo Perez, to serve as Alternate Prosecutor; Coviello & Legg, LLP and Giro Attorneys at Law LLP (Maurice Giro), to serve as Alternate Prosecutors to be used only if the Appointed Prosecutor and Alternate Prosecutor Mateo Perez is not available 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: Dedication of 61st Street and Palisade Avenue to Oneida Quevado

WHEREAS, the Mayor and Board of Commissioners of West New York are so mindful of the outstanding contributions of the businesses of West New York and wish to recognize their duties and obligations to honor all such businesses on behalf of the residents and the Town of West New York; and

WHEREAS, Oneida Quevado is a life-time honorary member of some of the most prestigious dance teacher associations in the United States such as Dance Educators of America, Dance Masters of America, and national Affiliated Artists of America; and

WHEREAS, Oneida Quevado's students have earned many trophies, gold medals and prizes for their participation in various local, state, regional and national dance competitions under her devoted tutelage; and

WHEREAS, Oneida Quevado founded Oneida's Dance Academy located in the Town of West New York 47 years ago, and ever since she has received countless recognition from local,

state, and national government for her dedication and hard work with America's youth and for her masterful teachings of the art of dance.

NOW, THEREFORE, BE IT RESOLVED by Mayor Felix E. Roque, M.D. and the Board of Commissioners of the Town of West New York that the corner of 61st Street and Palisade Avenue be renamed to honor the artistic gifts, the lifetime achievements, and the generous contributions of Oneida Quevado to her community.

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE ISSUANCE OF QUALIFIED GENERAL OBLIGATION BONDS; AUTHORIZING THE ISSUANCE AND SALE OF QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013A, AND QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013B (TAXABLE); AUTHORIZING ADVERTISEMENT OF NOTICES OF SALE; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO SELL AND AWARD THE BONDS; DETERMINING THE FORM AND OTHER DETAILS OF THE BONDS; AND AUTHORIZING OTHER MATTERS RELATING THERETO

WHEREAS, the Town of West New York, in the County of Hudson, New Jersey (the "Town"), has adopted the Bond Ordinances listed on the attached Appendix A-1 (the "General Improvement Bond Ordinances") and the Bond Ordinance listed on the attached Appendix A-2 (the "HCIA DPW Lease Bond Ordinance" and, collectively with the General Improvement Bond Ordinances, the "Bond Ordinances") authorizing the issuance of obligations of the Town for the purpose of financing the general improvement and the reacquisition of Town's Department of Public Works Garage, as described in the Bond Ordinances; and

WHEREAS, the Board of Commissioners has determined to finance permanently a portion of the costs of (a) the general improvement projects by the issuance of \$3,910,000 (unless adjusted pursuant to Section 11 hereof) principal amount of qualified general obligation bonds and (b) the reacquisition of Town's Department of Public Works Garage by the issuance of \$6,700,000 (unless adjusted pursuant to Section 11 hereof) principal amount of qualified general obligation bonds (taxable), all undertaken pursuant to the Bond Ordinances; and

WHEREAS, in accordance with the Municipal Qualified Bond Act (N.J.S.A. 40A:3-1 et seq.), on March 13, 2013, the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey approved the issuance of the bonds as "Qualified Bonds" under said Act; and

WHEREAS, the Board of Commissioners has determined to proceed with the public sale of said bonds for the purposes authorized in the Bond Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, New Jersey (not less than a majority of the full membership of the Board of Commissioners affirmatively concurring), as follows:

Section 1. Combination of General Obligation Bonds, Series 2013A; Authorization of Sale. The principal amount of bonds authorized to be issued pursuant to the respective General Improvement Bond Ordinances described in Appendix A-1 hereto are hereby combined into a single and combined issue of general obligation bonds in the aggregate principal amount of \$3,910,000 (unless adjusted pursuant to Section 11 hereof), to be designated as Qualified General Obligation Bonds, Series 2013A (the "2013A Bonds"), and are authorized to be sold in accordance with the terms of this Resolution. The 2013A Bonds will be issued as a separate series of bonds from the 2013B Bonds, as hereinafter defined.

The average period of usefulness for the general improvements financed by the 2013A Bonds, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to the Bond Ordinance described in Appendix A-1 hereto and the period or average period of usefulness determined in the Bond Ordinance described in Appendix A-1 hereto, is 16.61 years.

April 17, 2013
Regular Meeting

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

Section 2. Authorization of Sale of General Obligation Bonds, Series 2013B (Taxable). \$6,700,000 (unless adjusted pursuant to Section 11 hereof) aggregate principal amount of general obligation bonds authorized to be issued pursuant to the HCIA DPW Lease Bond Ordinance described in Appendix A-2 hereto, designated as Qualified General Obligation Bonds, Series 2013B (Taxable) (the “2013B Bonds” and, collectively with the 2013A Bonds, the “Bonds”), are authorized to be issued and sold in accordance with the terms of this Resolution. The 2013B Bonds will be issued as a separate series of bonds from the 2013A Bonds.

The period of usefulness for the purpose financed by the 2013B Bonds is 15 years.

Section 3. Public Sale of Bonds. The Bonds shall be issued and sold at public sale in accordance with the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented.

Section 4. Details of Bonds. The Bonds shall be dated their date of delivery, shall be in book-entry only form, shall bear interest from their date, payable semi-annually on May 15 and November 15 of each year, commencing November 15, 2013, at the rate or rates to be specified by the successful bidder, and shall mature, subject to prior redemption, on May 15 in the annual principal amounts (unless adjusted pursuant to Section 11 hereof) and years as set forth below:

QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013A

Year	2013A Bonds	Year	2013A Bonds
2014	\$165,000	2022	\$260,000
2015	\$170,000	2023	\$270,000
2016	\$175,000	2024	\$280,000
2017	\$180,000	2025	\$285,000
2018	\$185,000	2026	\$295,000
2019	\$190,000	2027	\$305,000
2020	\$245,000	2028	\$320,000
2021	\$255,000	2029	\$330,000

QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013B (TAXABLE)

Year	2013B Bonds	Year	2013B Bonds
2014	\$315,000	2022	\$475,000
2015	\$320,000	2023	\$495,000
2016	\$325,000	2024	\$520,000
2017	\$330,000	2025	\$545,000
2018	\$335,000	2026	\$570,000
2019	\$340,000	2027	\$600,000
2020	\$440,000	2028	\$630,000

2021	\$460,000		
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The Bonds shall contain such other terms and conditions as are specified in the Notices of Sale approved in Section 7 hereof (the “Notices of Sale”).

April 17, 2013
Regular Meeting

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

Section 5. Appointment of Paying Agent and Bond Registrar. The Bank of New York Mellon Trust Company, N.A., is hereby appointed to serve as Paying Agent and Bond Registrar for the Bonds (together with its successors, the “Paying Agent”). The Paying Agent shall signify its acceptance of the duties imposed upon it by this Resolution by a written certificate delivered to the Town prior to the delivery of the Bonds.

Section 6. Redemption. (a) The Bonds maturing on or before May 15, 2023, are not subject to redemption prior to maturity.

(b) The Bonds of each series maturing on or after May 15, 2024, are subject to redemption prior to maturity at the option of the Town, as a whole or in part on any date on or after May 15, 2023, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof. If less than all of the Bonds of any series of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by The Depository Trust Company or any successor securities depository or, if there is no securities depository, by the Paying Agent.

When any Bonds are to be redeemed, the Paying Agent shall give notice of the redemption of the Bonds by mailing such notice by first class mail in a sealed envelope postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed, at their respective addresses as they last appear on the registration books of the Town, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the Town shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

Section 7. Approval of Notices of Sale. The separate Notice of Sale for each series of the Bonds containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which is hereby approved, shall be substantially in the forms attached to this Resolution as Appendix B and made a part hereof.

Section 8. Approval of Summary Notice of Sale. The combined Summary Notice of Sale for both series of the Bonds shall be substantially in the form attached to this Resolution as Appendix C and made a part hereof, and the Summary Notice of Sale is hereby approved.

Section 9. Publication of Notices of Sale. The Notices of Sale substantially in the form attached to this Resolution shall be published at least once in the *Jersey Journal*, a newspaper

published in the County of Hudson and circulating in the Town, and the Summary Notice of Sale substantially in the form attached to this Resolution shall be published at least once in *The Bond Buyer*, a newspaper published in the City of New York and State of New York, carrying municipal bond notices and devoted primarily to the subject of state and municipal bonds. The advertisement of said Notices of Sale and Summary Notice of Sale in each such newspaper shall be published not less than seven (7) days prior to the sale date for the Bonds.

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Section 10. Designation of Chief Financial Officer to Award Bonds; Delegation Regarding Postponement of Sale. Proposals for the purchase of the Bonds shall be received by the Chief Financial Officer on May 15, 2013, or on such other date as determined by the Chief Financial Officer, as shall be provided in the Notices of Sale and the Summary Notice of Sale. The Board of Commissioners hereby designates the Chief Financial Officer to sell and award the Bonds in accordance with this Resolution and the Notices of Sale. The Chief Financial Officer is hereby directed to report, in writing, to the Board of Commissioners at its first meeting after the sale of the Bonds as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

There is hereby delegated to the Chief Financial Officer the authority to postpone the public sale of the 2013A Bonds or the 2013B Bonds or both series of the Bonds without re-advertisement in accordance with the provisions of the Notices of Sale. The public sale of the Bonds, or either series thereof, may not be postponed more than sixty (60) days without re-advertisement.

Section 11. Adjustment to Maturity Schedule. The Chief Financial Officer may, up to 24 hours prior to the date of advertised sale of and within four (4) hours after the award of the 2013A Bonds or the 2013B Bonds or both series of the Bonds, adjust the maturity schedule of the 2013A Bonds or the 2013B Bonds or both series of the Bonds in increments of \$5,000, provided however, that after the award of the 2013A Bonds or the 2013B Bonds (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein (or as adjusted prior to the date of advertised sale) and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of the 2013A Bonds or the 2013B Bonds as specified herein (or as adjusted prior to the date of advertised sale) and as adjusted will not exceed the amount authorized by the Ordinances. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of Bonds to be issued. The adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount as calculated from the bid and the initial public offering prices required to be delivered to the Town. The Town shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., New Jersey time, on the day of the sale and award of the Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

Section 12. Authorization for Official Statement. The proper Town officials and advisors are hereby authorized to prepare and distribute to the prospective purchasers of the Bonds a Preliminary Official Statement and a final Official Statement containing information relating to the Town, its financial condition and the terms of the Bonds and other material facts customarily included in official statements for general obligation bonds in the State of New Jersey. The Chief Financial Officer is hereby authorized to deem final the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 13. Approval of Form of Bonds. The forms of the Bonds, substantially as set forth in Appendix D-1 and Appendix D-2 attached hereto and made a part hereof, are hereby approved. The Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Mayor or the Director of Revenue and Finance and the Chief Financial Officer and the seal of the Town, or a facsimile impression thereof, shall be affixed to the Bonds and attested by the manual or facsimile signature of the Town Clerk. If any officer whose signature appears on the Bonds ceases to hold office before the delivery of the Bonds, his or her signature shall nevertheless be valid and sufficient for all purposes. In addition, any Bond may bear the signature of, or may be

signed by, such persons as at the actual time of the signing of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Bonds shall have endorsed thereon a Certificate of Authentication substantially in the forms set forth in Appendix D-1 and Appendix D-2 attached hereto, which shall be manually executed by the Paying Agent. No Bond shall be entitled to any security or benefit under this Resolution or shall be valid or obligatory for any purpose unless and until such Certificate of

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Authentication shall have been duly executed by the Paying Agent. Such executed Certificate of Authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Resolution. The Certificate of Authentication on any Bond shall be deemed to have been duly executed if signed by any authorized officer or signatory of the Paying Agent, but it shall not be necessary that the same officer or signatory sign the Certificate of Authentication on all of the Bonds that may be issued hereunder at any one time.

Section 14. Appointment of Securities Depository. The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds. The ownership of one fully registered bond for each maturity of each series of the Bonds each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive certificated Bonds and will not be the registered owner thereof. Ownership interests in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Town nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The appropriate officers of the Town are hereby authorized to execute a Letter of Representation to DTC and such other documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Town and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the Town shall designate a successor securities depository or shall deliver certificates to the beneficial owners of the Bonds registered in the names of the beneficial owners thereof.

Section 15. Responsibilities of Paying Agent. The recitals of fact herein and in the Bonds contained shall be taken as the statements of the Town and the Paying Agent assumes no responsibility for the correctness of the same. The Paying Agent does not make any representations as to the validity or sufficiency of the Resolution or of any Bonds issued hereunder or in respect of the security afforded by the Resolution, and shall not incur any responsibility in respect thereof. The Paying Agent shall not be under any responsibility or duty with respect to the issuance of the Bonds or the application of the proceeds thereof or the application of any moneys paid to the Town or others in accordance with the Resolution. The Paying Agent shall not be under any obligation or duty to perform any act which would involve it in expense or liability or to institute or defend any action or suit in respect of the Resolution or the Bonds, or to advance any of its own moneys, unless properly indemnified. The Paying Agent shall not be liable in connection with the performance of its duties hereunder except for its own gross negligence or default.

Section 16. Funds Held in Trust. All moneys held by the Paying Agent, as such, at any time pursuant to the terms of the Resolution shall be and hereby are assigned, transferred and set over unto the Paying Agent in trust for the purposes and under the terms and conditions of the Resolution.

Section 17. Evidence on Which the Paying Agent May Act. (a) The Paying Agent shall be protected in acting upon any notice, resolution, request, consent, order, certificate, opinion, bond, or other paper or document believed by it to be genuine, and to have been signed or presented by the proper party or parties. Whenever the Paying Agent shall deem it necessary or desirable that a fact or matter be proved or established prior to taking or suffering any action hereunder, such fact or matter (unless other evidence in respect thereof be herein specifically prescribed) may be deemed to be conclusively proved and established by a certificate signed by an employee or officer of the Town stating the same, and such certificate shall be full warrant for any action taken or suffered in

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good faith under the provisions of the Resolution in reliance thereon, but in its discretion the Paying Agent may in lieu thereof accept other evidence of such fact or matter or may require such further or additional evidence as to it may seem reasonable. Except as otherwise expressly provided herein, any request, order, notice or other direction required or permitted to be furnished pursuant to any provision hereof by or on behalf of the Town to the Paying Agent shall be sufficiently executed if executed by an employee or officer of the Town. The Paying Agent may consult with counsel, who may or may not be counsel to the Town, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it under the Resolution or this Resolution in good faith. Prior to taking any action under the Resolution or this Resolution, the Paying Agent may request and rely upon an opinion of counsel.

(b) The Paying Agent shall have the right to accept and act upon instructions or directions pursuant to this resolution sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that the instructions or directions shall be signed by a person as may be designated and authorized to sign for the Town by an authorized representative of the Town who shall provide to the Paying Agent an incumbency certificate listing such designated persons, which incumbency certificate shall be amended whenever a person is to be added or deleted from the listing. If the Town elects to give the Paying Agent e-mail or facsimile instructions (or instructions by a similar electronic method) and the Paying Agent in its discretion elects to act upon such instructions, the Paying Agent's understanding of such instructions shall be deemed controlling. The Paying Agent shall not be liable for any losses, costs or expenses arising directly or indirectly from the Paying Agent's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The Town agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Paying Agent, including without limitation the risk of the Paying Agent acting on unauthorized instructions, and the risk of interception and misuse by third parties

Section 18. Compensation and Expenses. Unless otherwise provided by contract with the Paying Agent, the Town shall pay to the Paying Agent from time to time reasonable compensation for all services rendered by it hereunder, and also reimbursement for all its reasonable expenses, charges, legal fees and other disbursements and those of its attorneys, agents and employees, incurred in and about the performance of its powers and duties hereunder. The Town shall indemnify and save the Paying Agent harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder and which are not due to its gross negligence or default. The provisions of this Section 18 shall survive resignation or removal of the Paying Agent and payment of the Bonds.

Section 19. Ownership of Bonds. The Paying Agent may become the owner of or may deal in Bonds as fully and with the same rights it would have if it were not the Paying Agent.

Section 20. Resignation. The Paying Agent or any successor thereof may at any time resign and be discharged of its duties and obligations created by this Resolution by giving not less than sixty days' written notice to the Town and mailing notice thereof, specifying the date when such resignation shall take effect, to the holders of the Bonds. Such resignation shall take effect upon a successor being appointed by the Town or the holders of the Bonds as herein provided.

Section 21. Removal. The Paying Agent, or any successor thereof, may be removed at any time by the holders of a majority in principal amount of the Bonds then outstanding, excluding any Bonds held by or for the account of the Town, by an instrument or concurrent instruments in

writing signed and duly acknowledged by such bondholders or by their attorneys duly authorized in writing and delivered to the Town. The Town may remove the Paying Agent at any time, with or without cause as shall be determined in the sole discretion of the Town by filing with the Paying Agent an instrument signed by an officer of the Town and by mailing notice thereof to the holders of the Bonds.

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Section 22. Appointment of Successor. In case the Paying Agent, or any successor thereof, shall resign or shall be removed or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator or conservator of the Paying Agent or of its property shall be appointed, or if any public officer shall take charge or control of the Paying Agent or of its property or affairs, a successor may be appointed by the holders of a majority in principal amount of the Bonds then outstanding, excluding any Bonds held by or for the account of the Town, by an instrument or concurrent instruments in writing signed by such holders or their attorneys duly authorized in writing and delivered to such successor Paying Agent, notification thereof being given to the Town and the predecessor Paying Agent. Pending such appointment, the Town shall forthwith appoint a Paying Agent to fill such vacancy until a successor Paying Agent (if any) shall be appointed by holders as herein authorized. The Town shall mail notice to holders of the Bonds of any such appointment within twenty days after such appointment. Any successor Paying Agent appointed by the Town shall, immediately and without further act, be superseded by a Paying Agent appointed by the holders. If in a proper case no appointment of a successor Paying Agent shall be made pursuant to the foregoing provisions of this Section within forty-five days after the Paying Agent shall have given to the Town written notice of resignation as provided in Section 20 hereof or after the occurrence of any other event requiring or authorizing such appointment, the Paying Agent or any holder may apply to any court of competent jurisdiction to appoint a successor. Said court may thereupon, after such notice, if any, as said court may deem proper and prescribe, appoint such successor Paying Agent. Any Paying Agent appointed under the provisions of this Section shall be a bank or trust company or a national banking association, doing business in the State of New Jersey and authorized by law to perform all the duties imposed upon it by this Resolution.

Section 23. Transfer of Rights and Property to Successor. Any successor Paying Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor Paying Agent and also to the Town, an instrument accepting such appointment, and thereupon such successor Paying Agent without any further act, deed or conveyance, shall become fully vested with all moneys, estates, properties, rights, powers, duties and obligations of such predecessor Paying Agent, but the Paying Agent ceasing to act shall nevertheless, on the written request of the Town or of the successor Paying Agent, execute, acknowledge and deliver such instruments of conveyance and further assurances and do such other things as may reasonably be required for more fully and certainly vesting and confirming in such successor Paying Agent all the right, title and interest of the predecessor Paying Agent in and to any property held by it under this Resolution, and shall pay over, assign and deliver to the successor Paying Agent any money or other property subject to the trusts and conditions herein set forth. Should any deed, conveyance or instrument in writing from the Town be required by such successor Paying Agent for more fully and certainly vesting in and confirming to such successor Paying Agent any such moneys, estates, properties, rights, powers and duties, any and all such deeds, conveyances and instruments in writing shall, on request, and so far as may be authorized by law, be executed, acknowledged and delivered by the Town. Any such successor Paying Agent shall promptly notify the other Paying Agent of its appointment as such Paying Agent.

Section 24. Merger or Consolidation. Any company into which the Paying Agent may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which it shall be a party or any company to which the Paying Agent or a court of competent jurisdiction may sell or transfer all or substantially all of its corporate trust business, shall be the successor to the Paying Agent without the execution or filing of any paper or the performance of any further act; provided that such company shall be a bank or trust company or national banking association which is qualified to be a successor to the Paying Agent under

Section 22 hereof and shall be authorized by law to perform all the duties imposed upon it by the Resolution.

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Section 25. Tax Covenant. The Town hereby covenants with the holders from time to time of the 2013A Bonds that it will make no investment or other use of the proceeds of the 2013A Bonds or take any further action (or refrain from taking such action) which would cause the 2013A Bonds to be “arbitrage bonds” within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the “Code”), or would cause interest on the 2013A Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of the 2013A Bonds.

Section 26. Pledge of Town. The full faith and credit of the Town is hereby pledged for the payment of the principal of and interest on the Bonds. The Bonds shall be direct obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the principal of and interest on the Bonds without limitation as to rate or amount.

Section 27. Continuing Disclosure. The form of the Continuing Disclosure Certificate in substantially the form attached hereto as Appendix E is hereby approved, and the execution of the Continuing Disclosure Certificate by the Chief Financial Officer of the Town is hereby authorized. The Town hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the Town and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the Town to comply with the Continuing Disclosure Certificate shall not be considered a default on the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Town to comply with its obligations under this Section.

Section 28. Bonds to be Qualified Bonds. The Bonds shall be issued as “qualified bonds” under, and shall be entitled to the benefits of, the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 *et seq.*, and the Town shall comply in all respects with the Resolutions of the Local Finance Board adopted on March 13, 2013 in connection therewith. The Town hereby acknowledges and recognizes that the provisos as contained in said Local Finance Board resolutions shall constitute binding obligations upon all officials of the Town. The Chief Financial Officer of the Town is hereby authorized and directed to certify to the State Treasurer the name and address of the Paying Agent, the maturity schedules, the interest rate(s) and the dates of payment of debt service on the Bonds within ten (10) days after the issuance of the Bonds.

Section 29. Further Action. The proper officers of the Town are hereby authorized and directed to take all such action as may be necessary to affect the issuance and delivery of the Bonds.

Section 30. Effective Date. This Resolution shall take effect immediately upon the adoption hereof.

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APPENDIX A-1

2013A BONDS

<u>Ordinance Number</u>	<u>Date Adopted</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Usefulness (Years)</u>	<u>General Obligation Bonds to be Issued</u>
5/09	03/18/09	\$1,692,000	18.18853	\$1,644,100
6/09	03/18/09	\$570,950	12.32529	\$546,750
16/09	07/15/09	\$237,000	6.600	\$117,500
1/11	02/10/11	\$1,596,000	17.67	\$1,502,100
27/10	12/20/10	\$99,750	10	\$99,550

APPENDIX A-2

2013B BONDS

<u>Ordinance Number</u>	<u>Date Adopted</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Usefulness (Years)</u>	<u>General Obligation Bonds to be Issued</u>
4/13	3/20/13	\$7,500,000	15	\$6,700,000

APPENDIX B
NOTICE OF SALE

TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY

[\$3,910,000* QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013A]
[\$6,700,000* QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013B (TAXABLE)]

(Book-Entry-Only) (Callable)

The TOWN OF WEST NEW YORK, a municipal corporation of the State of New Jersey located in the County of Hudson, New Jersey (the "Town"), hereby invites sealed or electronic proposals for the purchase of the Town's [\$3,910,000* Qualified General Obligation Bonds, Series 2013A] [\$6,700,000* Qualified General Obligation Bonds, Series 2013B (Taxable)] (the "Bonds").

SEALED OR ELECTRONIC (VIA PARITY) PROPOSALS will be received by the Chief Financial Officer of the Town at 428 60th Street, West New York, New Jersey 07093, on _____, 2013 (the "Bid Date") until [11:00 a.m.] [11:30 a.m.], prevailing local time, at which time they will be publicly opened and announced. The Bonds will be dated their date of delivery and will mature, subject to prior redemption, on May 15, in the years and in the amounts set forth below:

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QUALIFIED GENERAL OBLIGATION BONDS

Year	[2013A Bonds*	[2013B Taxable Bonds*
2014	\$165,000	\$315,000
2015	\$170,000	\$320,000
2016	\$175,000	\$325,000
2017	\$180,000	\$330,000
2018	\$185,000	\$335,000
2019	\$190,000	\$340,000
2020	\$245,000	\$440,000
2021	\$255,000	\$460,000
2022	\$260,000	\$475,000
2023	\$270,000	\$495,000
2024	\$280,000	\$520,000
2025	\$285,000	\$545,000
2026	\$295,000	\$570,000
2027	\$305,000	\$600,000
2028	\$320,000	\$630,000]
[2029	\$330,000]	

*Subject to adjustment as provided herein.

All bidders for the Bonds must be participants of the Depository Trust Company, New York, New York ("DTC") or affiliated with its participants. The Bonds will be issued in the form of one certificate for each maturity of the Bonds each in the aggregate principal amount of such maturity and will be payable as to both principal and interest in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of DTC, which will act as Securities Depository. The certificate will be deposited with DTC which will be responsible for maintaining a book-entry system for recording the interests of its participants and the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchases. Individual purchases may be made in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof through book entries made on the books and records of DTC and its participants.

The Bonds will be dated their date of delivery, and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance herewith, payable semi-annually on May 15 and November 15 of each year, commencing November 15, 2013, until maturity or earlier redemption, to DTC or its authorized nominee. The DTC will credit payments of principal of and interest on the Bonds to the participants of DTC as listed on the records of DTC.

In the event (a) DTC determines not to continue to act as Securities Depository for the Bonds or (b) the Town determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Town will discontinue the book-entry system with DTC. If the Town fails to identify another qualified securities depository to replace DTC, the Town will deliver replacement bonds in the form of fully registered certificates.

The Bonds are general obligations of the Town and are secured by a pledge of the full faith and credit of the Town for the payment of the principal thereof and the interest thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the Town without limitations as to rate or amount.

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Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds, and the rate or rates named must be multiples of one-eighth or one-twentieth of one per centum. Not more than one rate may be named for the Bonds of the same maturity. There is no limitation on the number of rates that may be named. The difference between the lowest and the highest rates named in the proposal for the Bonds shall not exceed [three per centum (3.00%)] [four per centum (4.00%)]. Each proposal submitted must be for all of the Bonds and the purchase price specified in the proposal must be not less than [\$3,910,000] [\$6,700,000]. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the Bonds and to the price bid excluding interest accrued to the delivery date. No proposal shall be considered that offers to pay an amount less than the principal amount of the Bonds offered for sale or under which the total loan is made at a true interest cost higher than the lowest true interest cost to the Town under any legally acceptable proposal, and if two or more such bidders offer to pay the lowest true interest cost, then the Bonds will be sold to one of such bidders selected by lot from among all such bidders. The right is reserved to reject any and all bids and to the extent permitted by law to waive any irregularity or informality in any bid.

Within thirty (30) minutes of the award of the Bonds, the Town must receive from the successful bidder an email or telecopy stating the prices at which such successful bidder intends that each stated maturity of the Bonds shall initially be offered to the public, which for this purpose excludes bond houses, brokers or similar persons acting in the capacity of underwriters or wholesalers (the ‘Initial Public Offering Prices’’).

The Chief Financial Officer of the Town may, up to 24 hours prior to the date of advertised sale of and within four (4) hours after the award of the Bonds, adjust the maturity schedule of the Bonds in increments of \$5,000; provided however, that after the award of the Bonds (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein (or as adjusted prior to the date of advertised sale) and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of Bonds as specified herein (or as adjusted prior to the date of advertised sale. NOTICE OF ANY ADJUSTMENT TO THE MATURITY SCHEDULE OF THE BONDS PRIOR TO THE DATE OF THE ADVERTISED SALE SHALL BE GIVEN BY CAUSING A NOTICE THEREOF TO BE PUBLISHED ON TM3 NEWS SERVICE. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of Bonds to be issued. The adjusted bid price will reflect changes in the dollar amount of the underwriter’s discount and the original issue premium or discount, but will not change the per bond underwriter’s discount as calculated from the bid and the Initial Public Offering Prices required to be delivered to the Town as stated herein. The Town shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., New Jersey time, on the day of the sale and award of the Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

The Bonds maturing on or before May 15, 2023, are not subject to redemption prior to maturity. The Bonds maturing on or after May 15, 2024, are subject to redemption prior to maturity at the option of the Town, as a whole or in part on any date on or after May 15, 2023, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

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Resolution (Cont.):

Except as provided herein under the caption "Procedures Regarding Electronic Bidding," each proposal must be enclosed in a sealed envelope, marked on the outside "Proposal for Town G.O. Bonds" and, if mailed, addressed to or in care of the undersigned at 428 60th Street, West New York, NJ 07093. All bids which are submitted electronically via the PARITY Electronic Bid Submission System ("PARITY") of i-Deal LLC ("i-Deal") pursuant to the procedures described below shall be deemed to constitute a "Proposal for Bonds" and shall be deemed to incorporate by reference all of the terms and conditions of this Notice of Sale. The submission of a bid electronically via PARITY shall constitute and be deemed the bidder's signature on the Proposal for Bonds.

PROCEDURES REGARDING ELECTRONIC BIDDING. Bids may be submitted electronically via PARITY in accordance with this notice, until [11:00 a.m.] [11:30 a.m.], New Jersey time, on the Bid Date, but no bid will be accepted after the time for receiving bids specified above. In addition, bidders must ensure that the good faith deposit check or financial surety bond referred to herein is submitted on the Bid Date by [11:00 a.m.] [11:30 a.m.] To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at i-Deal at 1359 Broadway, 2nd Floor, New York, NY 10010, telephone (212) 849-5021. The Town may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via PARITY. In the event that a bid for the Bonds is submitted via PARITY, the bidder further agrees that:

1. The Town may regard the electronic transmission of the bid through PARITY (including information about the principal amount of the Bonds, the price bid for the Bonds and any other information included in such transmission) as though the same information were submitted on the "Proposal for Bonds" provided by the Town and executed by a duly authorized signatory of the bidder. If a bid submitted electronically by PARITY is accepted by the Town, the terms of the "Proposal for Bonds" and this Notice of Sale and the information that is electronically transmitted through PARITY shall form a contract, and the Successful Bidder or Bidders shall be bound by the terms of such contract.

2. PARITY is not an agent of the Town, and the Town shall have no liability whatsoever based on any bidder's use of PARITY, including but not limited to any failure by PARITY to correctly or timely transmit information provided by the Town or information provided by the bidder.

3. The Town may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., New Jersey time, on the last business date prior to the Bid Date.

4. Once the bids are communicated electronically via PARITY to the Town as described above, each bid will constitute a Proposal for Bonds and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all Proposals for Bonds, whether by hand delivery, facsimile or electronically via PARITY, the time as maintained on PARITY shall constitute the official time.

5. Each Bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Town nor i-Deal shall have any duty or obligation to

provide or assure access to any bidder, and neither the Town nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by PARITY. The Town is using PARITY as a communication mechanism, and not as the Town's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the Town harmless from any harm or damages caused to such bidder in connection with its use of PARITY for bidding on Bonds.

April 17, 2013
Regular Meeting

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

Unless all bids are rejected, the Bonds will be awarded and sold to the bidder whose legally acceptable proposal specifies the lowest net interest cost for the Bonds. It is requested that each proposal be accompanied by a computation of such net interest cost to the Town under the terms of the proposal in accordance with the method of calculation described in this paragraph (computed to six decimal places) but such computation is not to be considered as part of the proposal for Bonds. Net interest cost for the Bonds will be computed by adding to the total principal amount of Bonds bid for, the total interest cost to maturity in accordance with such bid and by deducting therefrom the amount of premium if any, bid. In selecting the proposal to be accepted, the Town will not consider proposals under which the total loan is made at an interest cost higher than the lowest net interest cost to the Town in any legally acceptable proposal for the Bonds, and if two or more such bidders offer to pay the same lowest net interest cost, then the Bonds will be sold to one of such bidders selected by lot from among all such bidders. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price.

The right is reserved to reject all bids and any bid not complying with the terms of this notice may be rejected.

Each bidder is required to make a good faith deposit ("Deposit") in the form of a cash wire, a certified, cashier's or treasurer's check or a financial surety bond ("Financial Surety Bond") in the amount of \$[78,200][134,000], payable to the Town of West New York. If a cash wire is used, the wire must be received by the Town no later than [11:00 A.M.] [11:30 A.M.] on _____, 2013. If a cash wire is utilized, each bidder must notify the Town of its intent to use such cash wire prior to [10:00 A.M.] [10:30 A.M.], and must provide proof of electronic transfer of such cash wire prior to [11:00 A.M.] [11:30 A.M.], on _____, 2013. Wiring instructions for the Town can be obtained by contacting the Town's chief financial officer or financial advisor. If a check is used, the check must be certified or cashier's or treasurer's check drawn upon a bank or trust company and must be delivered to the Town by no later than [11:00 A.M.] [11:30 A.M.] on _____, 2013. Each bidder accepts responsibility for delivering such cash wire or check on time and the Town is not responsible for any cash wire or check that is not received on time. If a Financial Surety Bond is used, the same must be from an insurance company licensed to issue such a bond in the State of New Jersey and approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs and proof of such bond must be submitted to the Town no later than [10:00 A.M.] [10:30 A.M.] on _____, 2013, at the address referred to above. Use of any other Financial Surety Bond must be approved by the Director prior to the bid and will not be accepted by the Town unless evidence of such approval is provided prior to the bid. The Financial Surety Bond must identify the bidder whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to a bidder utilizing a Financial Surety Bond, then that winning bidder shall be required to submit its Deposit to the Town by wire transfer as instructed by the Town not later than 3:30 P.M. on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the Town to satisfy the Deposit requirement. When the successful bidder has been ascertained, all such Deposits shall be promptly returned to the persons making the same, except the cash wire, check or Financial Surety Bond of the successful bidder which shall be applied as partial payment for the Bonds or to secure the Town from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made promptly after opening of the bids. The successful bidder may withdraw its proposal after 5:30 P.M. on the day of such bid opening, but only if such award has not been made prior to the withdrawal.

The Bonds will be delivered through DTC on or before _____, 2013, or such other date agreed to by the Town and the successful bidder. PAYMENT FOR THE BONDS AT THE TIME OF THE CLOSING SHALL BE IN IMMEDIATELY AVAILABLE FEDERAL FUNDS.

April 17, 2013
Regular Meeting

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

[The successful bidder may at its option refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is includable in gross income for Federal income purposes, or shall be included at a future date for Federal income tax purposes, and in such case the deposit made by the bidder will be returned and the bidder will be relieved of the bidder's contractual obligations arising from the acceptance of the bidder's proposal.]

If the Bonds qualify for issuance of any policy of municipal bond insurance, the purchaser of the Bonds may, at its sole option and expense, purchase such insurance. Any failure of the Bonds to be so insured shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

The obligation hereunder to deliver and accept the Bonds shall be conditioned on the availability and the delivery at the time of delivery of the Bonds of: (a) the approving opinion of the law firm of DeCotiis, FitzPatrick & Cole, LLP, Teaneck, New Jersey, Bond Counsel, which will be furnished without cost to the successful bidder, substantially to the effect set forth in the Preliminary Official Statement referred to below; (b) certificates in form satisfactory to said law firm evidencing the proper execution and delivery of the Bonds and receipt of payment therefor[, and compliance with the requirements of the Internal Revenue Code of 1986, as amended, necessary to preserve the tax exemption]; (c) a certificate, in form and tenor satisfactory to said law firm and dated as of the date of such delivery, to the effect that there is no litigation pending or, to the knowledge of the signer or signers thereof, threatened affecting the validity of the Bonds; and (d) the Town's Continuing Disclosure Certificate substantially in the form described in the Preliminary Official Statement.

A Preliminary Official Statement has been prepared and may be obtained via i-Deal at www.i-dealprospectus.com or from the undersigned at the address set forth below or from the Town's financial advisor. The Preliminary Official Statement is deemed to be a "final official statement," as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The Preliminary Official Statement as so revised will constitute the "final official statement." By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the final Official Statement within seven business days of the award of the Bonds. In order to complete the final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to Bond Counsel and the Town by facsimile transmission or overnight delivery received by Bond Counsel and the Town within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total, anticipated compensation to the underwriters expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate, and (d) any other material information necessary for the final Official Statement, but not known to the Town (such as the bidder's purchase of insurance or other credit enhancement). It shall also be the obligation of the

successful bidder to furnish to DTC an underwriter's questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

April 17, 2013
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Consent Agenda (Cont.):
Resolution (Cont.):

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the Town will undertake, pursuant to a Continuing Disclosure Certificate, to provide certain annual information and notices of the occurrence of certain events. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

The successful bidder will be required to certify the initial offering prices to the public (excluding bond houses and brokers) at which a substantial amount of Bonds of each maturity are sold.

The Town reserves the right to postpone, from time to time, the date and time established for the receipt of bids. Any such postponement shall be published on TM3 News Service, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for receipt of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Service, or by other available means, at least forty-eight (48) hours prior to such alternative date.

A Preliminary Official Statement may be obtained via i-Deal at www.i-dealprospectus.com or from the Town's Chief Financial Officer, 428 60th Street, West New York, New Jersey 07093, telephone 201/861-5700, or from the Town's financial advisor, NW Financial Group, LLC, Hoboken, New Jersey, telephone 201/656-0115.

Dated: _____, 2013

Margaret S. Cherone, Chief Financial Officer
TOWN OF WEST NEW YORK
County of Hudson, New Jersey

April 17, 2013
Regular Meeting

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

APPENDIX C

SUMMARY NOTICE OF SALE
TOWN OF WEST NEW YORK, COUNTY OF HUDSON, NEW JERSEY

\$3,910,000* QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013A
and
\$6,700,000* QUALIFIED GENERAL OBLIGATION BONDS, SERIES 2013B (TAXABLE)

(Book-Entry-Only) (Callable)

SEALED OR ELECTRONIC (via PARITY) PROPOSALS will be received by the TOWN OF WEST NEW YORK, New Jersey, on _____, 2013, until 11:00 A.M. for the \$3,910,000* Qualified General Obligation Bonds, Series 2013A Bonds (the “2013A Bonds”) and until 11:30 A.M. for the \$6,700,000* Qualified General Obligation Bonds, Series 2013B (Taxable) (the “2013B Bonds”), as set forth below:

QUALIFIED GENERAL OBLIGATION BONDS

Year	2013A Bonds*	2013B Bonds*
2014	\$165,000	\$315,000
2015	\$170,000	\$320,000
2016	\$175,000	\$325,000
2017	\$180,000	\$330,000
2018	\$185,000	\$335,000
2019	\$190,000	\$340,000
2020	\$245,000	\$440,000
2021	\$255,000	\$460,000
2022	\$260,000	\$475,000
2023	\$270,000	\$495,000
2024	\$280,000	\$520,000
2025	\$285,000	\$545,000
2026	\$295,000	\$570,000
2027	\$305,000	\$600,000
2028	\$320,000	\$630,000
2029	\$330,000	

Each series of the Bonds will be dated their date of delivery, will mature on May 15, will be issued in book entry form through the Depository Trust Company and will bear interest payable on each May 15 and November 15, commencing November 15, 2013, at the respective rate or rates specified by the successful bidders.

The complete Notices of Sale containing additional terms and conditions and the Preliminary Official Statement may be obtained at www.i-dealprospectus.com.

*Subject to adjustment as provide in the Notices of Sale.

April 17, 2013
Regular Meeting

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

APPENDIX D-1

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF HUDSON
TOWN OF WEST NEW YORK

QUALIFIED GENERAL OBLIGATION BOND, SERIES 2013A
(Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act,
P.L. 1976, c. 38, as amended)

No. _____			\$ _____
INTEREST RATE	DATED DATE	MATURITY DATE	CUSIP
%	_____, 2013	May 15, ____	954685 ____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ Dollars

The TOWN OF WEST NEW YORK, in the County of Hudson, a public body corporate and politic organized and existing under the laws of the State of New Jersey (the "Town"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner hereof on the Maturity Date set forth above the Principal Sum set forth above, and to pay interest thereon semi-annually on May 15 and November 15 of each year, commencing November 15, 2013 (each, an "Interest Payment Date"), at the Interest Rate specified above, calculated on the basis of a 360-day year of twelve 30-day months, until the payment of the Principal Sum has been made or duly provided for. This Bond shall bear interest from the most recent Interest Payment Date to which interest has been paid, or duly provided for on the Bonds or, if no interest has been paid, from the Dated Date set forth above. The principal of this Bond is payable upon presentation and surrender at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A. (the "Paying Agent").

Interest on this Bond will be paid by check mailed by, or, during any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, by wire transfer from, the Paying Agent on each Interest Payment Date to the person in whose name this Bond is registered on the registration books of the Town maintained by the Paying Agent, as bond registrar, at the address appearing thereon at the close of business on the 1st day of the calendar month in which such Interest Payment Date occurs, provided that, with respect to overdue interest or interest payable on redemption of this bond other than on an Interest Payment Date, the Paying Agent may establish a special record date. The special record date may be not more than twenty (20) days before the date set for payment. The notice setting forth the special record date shall be mailed to the person in whose name this Bond is registered at the close of business on the fifth (5th) day next preceding the date of mailing of such notice. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of Qualified General Obligation Bonds, Series 2013A, of the Town in the aggregate principal amount of \$_____ (the "Bonds"), all of like date and tenor, except as to date of maturity, denomination, interest rate and CUSIP number, and all authorized and issued under and pursuant to the Local Bond Law of the State of New Jersey constituting Chapter 169 of the Laws of 1960, effective January 1, 1962, as amended, a Resolution duly adopted by the Board of Commissioners of the Town on _____ (the "Resolution"), and various Bond Ordinances enacted by the Town. The Bonds are issued for the purpose of providing funds for and towards the costs of various capital improvements.

April 17, 2013
Regular Meeting

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

The Bonds are issued pursuant to Title 40A of the New Jersey Statutes and are entitled to the benefits of the provisions of the Municipal Qualified Bond Act of the State of New Jersey constituting Chapter 38 of the Laws of 1976, as amended.

The Bonds maturing on or before May 15, 2023, are not subject to redemption prior to maturity. The Bonds maturing on or after May 15, 2024, are subject to redemption prior to maturity at the option of the Town, as a whole or in part on any date on or after May 15, 2023, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof. If less than all of the Bonds of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by The Depository Trust Company (or any successor thereto) or, if the Bonds are subsequently registered in the names of the beneficial owners thereof, by the Paying Agent.

When any Bonds are to be redeemed, the Paying Agent shall give notice of the redemption of the Bonds by mailing such notice via first class mail in a sealed envelope with postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, at their respective addresses as they last appear on the registration books of the Town. Such mailing shall not be a condition precedent to such redemption, and failure to so mail or to receive any such notice to any of such registered owners shall not affect the validity of the proceedings for the redemption of the Bonds. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the Town shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

This Bond is registered as to principal and interest and is transferable by the registered owner or his duly authorized attorney upon surrender hereof at the principal corporate trust office of the Paying Agent, accompanied by a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent may treat the person in whose name this Bond is registered on the bond register maintained by the Paying Agent as the absolute owner of this Bond for all purposes and neither the Town nor the Paying Agent shall be affected by any notice to the contrary.

No recourse shall be had for the payment of the principal of or interest on this Bond or for any claim based hereon, against any member, officer or employee, past, present or future, of the Town or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

It is hereby certified that all acts, conditions and things required by the laws of the State of New Jersey to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; and that this Bond,

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

together with all other indebtedness of the Town is within every debt and other limit prescribed by the constitution and the statutes of the State of New Jersey.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, a Sunday, or a day on which banking institutions in the State of New Jersey are authorized by law to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the next succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest. For the prompt and full payment of the obligations of this Bond, the entire full faith and credit of the Town are hereby irrevocably pledged.

This Bond shall not be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent, by execution of the Certificate endorsed hereon.

IN WITNESS WHEREOF, the Town of West New York, in the County of Hudson and State of New Jersey, has caused this Bond to be signed in its name by the manual or facsimile signatures of its Mayor or Director of Revenue and Finance and Chief Financial Officer and its corporate seal, or a facsimile thereof, to be hereunto affixed, duly attested by the manual signature of its Town Clerk.

(Seal)

TOWN OF WEST NEW YORK,
IN THE COUNTY OF HUDSON
AND STATE OF NEW JERSEY

Attest:

By: _____
Mayor

Town Clerk

By: _____
Chief Financial Officer

April 17, 2013
Regular Meeting

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

CERTIFICATE OF AUTHENTICATION

This bond is one of the Qualified General Obligation Bonds, Series 2013A, of the Town of West New York, New Jersey, described in the within mentioned Resolution.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,
as Paying Agent

By: _____
Authorized Signature

April 17, 2013
Regular Meeting

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

APPENDIX D-2

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF HUDSON
TOWN OF WEST NEW YORK

QUALIFIED GENERAL OBLIGATION BOND, SERIES 2013B
(TAXABLE)

(Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act,
P.L. 1976, c. 38, as amended)

No. _____			\$ _____
INTEREST RATE	DATED DATE	MATURITY DATE	CUSIP
%	_____, 2012	May 15, ____	954685 ____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ Dollars

The TOWN OF WEST NEW YORK, in the County of Hudson, a public body corporate and politic organized and existing under the laws of the State of New Jersey (the "Town"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner hereof on the Maturity Date set forth above the Principal Sum set forth above, and to pay interest thereon semi-annually on May 15 and November 15 of each year, commencing November 15, 2013 (each, an "Interest Payment Date"), at the Interest Rate specified above, calculated on the basis of a 360-day year of twelve 30-day months, until the payment of the Principal Sum has been made or duly provided for. This Bond shall bear interest from the most recent Interest Payment Date to which interest has been paid, or duly provided for on the Bonds or, if no interest has been paid, from the Dated Date set forth above. The principal on this Bond is payable upon presentation and surrender hereof at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A. (the "Paying Agent").

Interest on this Bond will be paid by check mailed by, or, during any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, by wire transfer from, the Paying Agent on each Interest Payment Date to the person in whose name this Bond is registered on the registration books of the Town maintained by the Paying Agent, as bond registrar, at the address appearing thereon at the close of business on the 1st day of the calendar month in which such Interest Payment Date occurs, provided that, with respect to overdue interest or interest payable on redemption of this bond other than on an Interest Payment Date, the Paying Agent may establish a special record date. The special record date may be not more than twenty (20) days before the date set for payment. The notice setting forth the special record date shall be mailed to the person in whose name this Bond is registered at the close of business on the fifth (5th) day next preceding the date of mailing of such notice. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of Qualified General Obligation Bonds, Series 2013B (Taxable), of the Town in the aggregate principal amount of \$ _____ (the "Bonds"), all of like date and tenor, except as to date of maturity, denomination, interest rate and CUSIP number, and all authorized and issued under and pursuant to the Local Bond Law of the State of New Jersey constituting Chapter 169 of the Laws of 1960, effective January 1, 1962, as amended, a Resolution duly adopted by the Board of Commissioners of the Town on _____ (the "Resolution"), and a Bond Ordinance enacted by the Town. The Bonds are issued for the purpose of providing funds for and towards the costs of the improvement or purpose described in said Bond Ordinance.

April 17, 2013
Regular Meeting

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

The Bonds are issued pursuant to Title 40A of the New Jersey Statutes and are entitled to the benefits of the provisions of the Municipal Qualified Bond Act of the State of New Jersey constituting Chapter 38 of the Laws of 1976, as amended.

The Bonds maturing on or before May 15, 2023, are not subject to redemption prior to maturity. The Bonds maturing on or after May 15, 2024, are subject to redemption prior to maturity at the option of the Town, as a whole or in part on any date on or after May 15, 2023, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof. If less than all of the Bonds of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by The Depository Trust Company (or any successor thereto) or, if the Bonds are subsequently registered in the names of the beneficial owners thereof, by the Paying Agent.

When any Bonds are to be redeemed, the Paying Agent shall give notice of the redemption of the Bonds by mailing such notice via first class mail in a sealed envelope with postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, at their respective addresses as they last appear on the registration books of the Town. Such mailing shall not be a condition precedent to such redemption, and failure to so mail or to receive any such notice to any of such registered owners shall not affect the validity of the proceedings for the redemption of the Bonds. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the Town shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

This Bond is registered as to principal and interest and is transferable by the registered owner or his duly authorized attorney upon surrender hereof at the principal corporate trust office of the Paying Agent, accompanied by a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent may treat the person in whose name this Bond is registered on the bond register maintained by the Paying Agent as the absolute owner of this Bond for all purposes and neither the Town nor the Paying Agent shall be affected by any notice to the contrary.

No recourse shall be had for the payment of the principal of or interest on this Bond or for any claim based hereon, against any member, officer or employee, past, present or future, of the Town or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

It is hereby certified that all acts, conditions and things required by the laws of the State of New Jersey to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; and that this Bond,

April 17, 2013
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

together with all other indebtedness of the Town is within every debt and other limit prescribed by the constitution and the statutes of the State of New Jersey.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, a Sunday, or a day on which banking institutions in the State of New Jersey are authorized by law to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the next succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest. For the prompt and full payment of the obligations of this Bond, the entire full faith and credit of the Town are hereby irrevocably pledged.

This Bond shall not be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent, by execution of the Certificate endorsed hereon.

April 17, 2013
Regular Meeting

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

IN WITNESS WHEREOF, the Town of West New York, in the County of Hudson and State of New Jersey, has caused this Bond to be signed in its name by the manual or facsimile signatures of its Mayor or Director of Revenue and Finance and Chief Financial Officer and its corporate seal, or a facsimile thereof, to be hereunto affixed, duly attested by the manual signature of its Town Clerk.

(Seal)

TOWN OF WEST NEW YORK,
IN THE COUNTY OF HUDSON
AND STATE OF NEW JERSEY

Attest:

By: _____
Mayor

Town Clerk

By: _____
Chief Financial Officer

April 17, 2013
Regular Meeting

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

CERTIFICATE OF AUTHENTICATION

This bond is one of the Qualified General Obligation Bonds, Series 2013B (Taxable), of the Town of West New York, New Jersey, described in the within mentioned Resolution.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,
as Paying Agent

By: _____
Authorized Signature

April 17, 2013
Regular Meeting

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

APPENDIX E

CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the Town of West New York, in the County of Hudson, New Jersey (the "Issuer") in connection with the issuance by the Issuer of \$_____ principal amount of Qualified General Obligation Bonds, Series 2013A, and \$_____ principal amount of Qualified General Obligation Bonds, Series 2013B (Taxable) (collectively, the "Bonds"). The Issuer covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Bondholders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with S.E.C. Rule 15c2-12(b)(5).

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"Bondholder" shall mean any person who is the registered owner of any Bond, including holders of beneficial interests in the Bonds.

"Dissemination Agent" shall mean the Issuer, or any successor Dissemination Agent designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

"EMMA" means the MSRB's Electronic Municipal Markets Access System.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"MSRB" shall mean the Municipal Securities Rulemaking Board.

"Participating Underwriter" shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"State" shall mean the State of New Jersey.

Section 3. Provision of Annual Reports.

(a) Not later than nine (9) months after the end of the Issuer's fiscal year, beginning with the fiscal year ending December 31, 2012, the Issuer shall, or shall cause the Dissemination Agent to, provide to the MSRB, in an electronic format as prescribed by the MSRB and accompanied by such identifying information as is prescribed by the MSRB, an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a

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Consent Agenda (Cont.):

Resolution (Cont.):

single document or as separate documents comprising a package, and may cross-reference other information which has been made available to the public on the MSRB's website or filed with the Securities and Exchange Commission; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(b).

(b) Not later than fifteen (15) Business Days prior to said date, the Issuer shall provide the Annual Report to the Dissemination Agent (if other than the Issuer). If the Issuer is unable to provide to the MSRB an Annual Report by the date required in subsection (a), the Issuer shall send a notice to the MSRB in substantially the form attached as Exhibit A.

(c) The Dissemination Agent shall, if the Dissemination Agent is other than the Issuer, file a report with the Issuer certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided.

Section 4. Content of Annual Reports. The Issuer's Annual Report shall contain or include by reference the following:

(a) The audited financial statements of the Issuer for the prior fiscal year, prepared in accordance with generally accepted accounting standards (GAAS) as from time to time in effect, and as prescribed by the Division of Local Government Services in the Department of Community Affairs of the State pursuant to Chapter 5 of Title 40A of the New Jersey Statutes. If the Issuer's audited financial statements are not available by the time the Annual Report is required to be provided pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements and the audited financial statements shall be provided in the same manner as the Annual Report when they become available.

(b) Financial information and operating data consisting of (i) the Issuer and overlapping indebtedness including a schedule of outstanding debt issued by the Issuer, (ii) the Issuer's most current adopted budget, (iii) property valuation information, and (iv) tax rate, levy and collection data.

Section 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Issuer will provide, in a timely manner not in excess of ten (10) business days after the occurrence of any of the following events, to the MSRB through EMMA, notice of any of the following events with respect to the Bonds (each, a "Listed Event"):

1. Principal and interest payment delinquencies.
2. Non-payment related defaults, if material.
3. Unscheduled draws on debt service reserves reflecting financial difficulties.
4. Unscheduled draws on credit enhancements reflecting financial difficulties.
5. Substitution of credit or liquidity providers or their failure to perform.
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds.
7. Modifications to rights of holders of the Bonds, if material.

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Consent Agenda (Cont.):

Resolution (Cont.):

8. Bond calls, if material, and tender offers.
9. Defeasances.
10. Release, substitution or sale of property securing repayment of the Bonds, if material.
11. Rating changes.
12. Bankruptcy, insolvency, receivership or similar event of the Issuer.
13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.
14. Appointment of a successor or additional trustee, or the change of name of a trustee, if material.

(b) Upon the occurrence of a Listed Event, the Issuer shall promptly file, in a timely manner not in excess of ten (10) business days after the occurrence of the Listed Event, in an electronic format as prescribed by the MSRB and accompanied by such identifying information as is prescribed by the MSRB, a notice of such occurrence with the MSRB through EMMA. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8) and (9) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Bondholders of affected Bonds pursuant to the Resolution.

Section 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such termination in the same manner as for a Listed Event under Section 5(b).

Section 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Issuer pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the Issuer.

Section 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

- (a) If the amendment or waiver relates to the provisions of Section 3(a), 4 or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

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

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Bondholders or Beneficial Owners of the Bonds.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(b), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate any Bondholder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default on the Bonds, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

Section 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including reasonable attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct. The obligations of the Issuer under this Section 11 shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and the Bondholders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated: _____, 2013

TOWN OF WEST NEW YORK, IN THE
COUNTY OF HUDSON, NEW JERSEY

By: _____
Chief Financial Officer

April 17, 2013
Regular Meeting

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

EXHIBIT A

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: Town of West New York, in the County of Hudson, New Jersey

Name of Bond Issue: \$_____ Qualified General Obligation Bonds, Series 2013A, and
 \$_____ Qualified General Obligation Bonds, Series 2013B
 (Taxable)

Dated Date: _____, 2013

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by Section 3(a) of the Continuing Disclosure Certificate dated _____, 2013. The Issuer anticipates that the Annual Report will be filed by _____.

Dated: _____

TOWN OF WEST NEW YORK, IN THE
COUNTY OF HUDSON, NEW JERSEY

By: _____
Name: _____
Title

RESOLUTION
Re: Appointment of John Morales
as Constable of the Town of West New York
(Term: April 17, 2013-April 16, 2014)

WHEREAS, John Morales, is a resident of the Town of West New York living at 6045 Boulevard East Apt. D6, West New York, NJ 07093; and

WHEREAS, John Morales, is available to complete the required term;

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

1. John Morales is hereby appointed as Constable of the Town of West New York pursuant to N.J.S.A. 40A9-120, et seq.
2. The Constable is under the direction of the Department of Public Safety.
3. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

Note: **Commissioner Wiley “abstained” from voting on this Resolution.**

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Consent Agenda (Cont.):

RESOLUTION

RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN TOWN OF WEST NEW YORK AND FONSECA CONSULTING GROUP FOR PUBLIC INFORMATION SERVICES

WHEREAS, the Town of West New York has followed the fair and open process under the New Jersey Unit Pay-To-Play Law, N.J.S.A. 19:44A-20 et seq. for receiving Requests for Qualifications; and

WHEREAS, the Town of West New York issued a Request for Qualifications for Public Information Services in accordance with the requirements of N.J.S.A. 19:44A-20, et. seq., for the provision of Public Information Services and consulting; and

WHEREAS, the Town of West New York received and opened Qualifications for Public Information Services on April 10, 2013; and

WHEREAS, pursuant to the Request for Qualifications, the Town's received statements of qualifications from the following firms:

1. Fonseca Consulting Group
188 Jefferson Street
Newark, NJ 07105

WHEREAS, pursuant to the Request for Qualifications, the Town's Review Team conducted a review of the responses received and recommends that the firm listed below be deemed qualified to provide Public Information Services and consulting:

Fonseca Consulting Group
188 Jefferson Street, Newark, NJ 07105

NOW, THEREFORE, BE IT RESOLVED, Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, that the following firm be and are hereby qualified to render Public Information Services and consulting on behalf of the Town of West New York for the next year:

Fonseca Consulting Group
188 Jefferson Street, Newark, NJ 07105

BE IT FURTHER RESOLVED all appropriate municipal officials are hereby authorized to transmit formal or informal requests for proposals to any of the above qualified firms, as necessary, for the performance of grant writing and administration services and consulting that may be required by the Town, during the next year.

BE IT FURTHER RESOLVED as follows:

1. The above recitals are incorporated as if fully set forth herein.
2. Fonseca Consulting Group shall be and is hereby retained by the Town to provide grant writing and administration services and consulting to the Town, without further approval of the Board of Commissioners.
3. The Mayor shall be and is hereby authorized to execute an agreement by and among the Town and Fonseca Consulting Group memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Mayor, and satisfactory to the Town as evidenced by the Mayor's signature for web design, consulting, setup, programming, and training for the term of April 18, 2013 through December 31, 2013 in an amount not to exceed \$4,000 per month.
4. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5.

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Consent Agenda (Cont.):

Resolution (Cont.):

5. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.
6. This award 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.
7. A copy of this resolution and the agreement detailing the terms of the retention of Fonseca Consulting Group for the provision of Public Information Services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
8. A notice of this contract award shall be published in the form prescribed by law.

Note: **Comm. Wiley voted "No" on this Resolution.**

RESOLUTION
RE: APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN TOWN
OF WEST NEW YORK AND ALEXANDER W. BOOTH ESQ.
AS ZONING BOARD ATTORNEY

WHEREAS, Alexander W. Booth, Esq. of 145 Gifford Avenue, Jersey City, NJ 07304 , has submitted a proposal to serve as Zoning Board Attorney dated, April 10, 2013, in response to a Request for Qualifications for Zoning Board Attorney; and

WHEREAS, the Mayor as Commissioner of the Department of Public Affairs has duly appointed Alexander W. Booth, Esq., 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 Alexander W. Booth, Esq., to serve as Zoning Board Attorney and enter into a contract with Alexander W. Booth, Esq. to provide for the services of Zoning Board Attorney; and

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

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

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

1. The Mayor shall be and is hereby authorized to execute an agreement in a form to be prepared by the Town Attorney by and between the Town and Alexander W. Booth, Esq., for the services of Zoning Board Attorney, and for an amount to be stated in the agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the aforesaid statutes.
3. This contract is awarded based upon the recommendation of the Review committee as a result of their review of RFQs received on April 10, 2013, 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 4/18/13-12/31/2013), and for an amount to be contained in the agreement but not to exceed \$36,000.

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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 Alexander W. Booth, Esq. as Zoning Board Attorney shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

ORDINANCE #5/13

**AN ORDINANCE OF THE TOWN OF WEST NEW YORK,
IN THE COUNTY OF HUDSON, NEW JERSEY, CALENDAR YEAR
2013 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

The following persons wished to be heard:

1. **Janice Laffman Hmelar, 1407 43rd Street, North Bergen, NJ:**
She inquired as to the reason to exceed the budget. Town Administrator DeMarco advised that the CFO will arrive shortly to explain the purpose of this Ordinance. Discussion ensued about amount budget will be increased from last year. Mayor advised that it will increase by 2.4-2.5% and Town Administrator agreed. Angel Barquin, an audience member, shouted that it will increase by 3.49% according to his calculations. CFO Cherone appeared and explained that the purpose of this Ordinance is to establish a "CAP bank" but that the Town doesn't currently need to exceed it. She further advised that if in the future the Town needs to exceed, the reserve would be there for several years, and that if the Town needs to raise the inside CAP in the future, we can do so as it sets another level of appropriation. She further advised that the Town has never exceeded the CAP. Discussion ensued between Ms. Hmelar and CFO about current amount in bank. CFO explained the difference between CAP Ordinance and Bond Ordinance and the laws which apply to each in terms of how much is allowed as an increase. Ms. Hmelar commented that there is a \$700,000 payment due for waterfront abatements dating back to 2009-2011. CFO explained that said payment will not affect tax increase.
2. **Danny Parrales:**
Mr. Parrales commented that the Board of School Estimates members denied \$90,000 to the Board of Education for school supplies. Discussion ensued between Mayor and Mr. Parrales regarding increasing taxes and the Mayor clarified that what he said was that he didn't want to raise taxes more than the current increase.
3. **Doug Borden, 6600 Blvd. East, WNY, NJ:**
Mr. Borden inquired "Is this similar to what happened with the Federal government when it raised the federal debt ceiling?" CFO Cherone replied "No, it is not the same. We have never had to exceed the CAP." She further explained that it is not unusual and that the Town has never been outside of CAP. (At this point, Mr. Ferreiro yelled from the audience. Mayor Roque requested that he stop interrupting the meeting.)

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4. Angel Barquin, 432 – 58th Street, WNY, NJ:

Mr. Barquin referred to last year's budget amount and commented that this year's proposed budget is more than a 2.5% tax increase. CFO Cherone explained that the total appropriations include inside and outside CAP appropriations and that this Ordinance has nothing to do with raising that.

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas to adopt the foregoing Ordinance was carried by the following vote:

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

RESOLUTION

Re: Authorizing the Sale of Municipal Liens Pursuant to Chapter 99, Public Laws of 1997, now Codified as N.J.S.A. 54:5-19, and Now Including Subsequent Amendments

WHEREAS, under the Tax Sale laws, N.J.S.A. 54:5-19 et seq. municipalities may enforce the collection of outstanding taxes and other municipal charges within the same fiscal year that they become due; and

WHEREAS, the collection rate used for the calculation of the reserve for uncollected taxes for the Calendar Year 2013 Budget depends on holding the tax sale before the end of the calendar year; and

WHEREAS, the Town of West New York desires to collect all taxes and other municipal charges within the current calendar year so that relief can be given to the taxpayers in subsequent budgets.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK that the Tax Collector is directed to see all delinquencies as of November 30, 2013 for the calendar year ending December 31, 2013, in accordance with the law and in the manner prescribed by N.J.S.A. 54:5-19 et seq.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Town Clerk of the Town of West New York.

It was regularly moved by Commissioner Frias, seconded by Commissioner Vargas that the foregoing Resolution be adopted, was carried by the following vote:

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

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A Motion was made by Mayor Roque, seconded by Commissioner Rodriguez **to open the hearing on the Budget as introduced on March 20 2013**, was carried by the following vote:

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

The following persons wished to heard:

1. Angel Barquin, 432 – 58th Street, WNY, NJ:

Mr. Barquin insisted that the 2.5% figure is incorrect and that his calculation is closer to 3.5% increase. Town Administrator explained that other sources of revenue offsets the ability to raise taxes and explained its effect on the taxpayers. Discussion ensued between Mr. Barquin and Mr. DeMarco as to the various components of a tax bill i.e. Municipal portion, Board of Education portion, County portion, etc. Mr. Barquin commented that his main concern is the 2.5% increase on the municipal level and inquired as to how Mr. DeMarco arrived at that figure. Mr. DeMarco explained that the amount to be raised is different than the total increase of budget and that Mr. Barquin is incorrectly using the total increase of appropriations as only a portion is funded by taxes. Mr. Barquin insisted that taxes will increase by 3.96%. Mr. DeMarco commented that the increase is \$1.4 million not \$2.5 million. Mr. Barquin commented that prior to the Municipal election, the Mayor promised to never raise taxes. He inquired as to whether the Town would be receiving another \$1 million from Formula One as it did last year. Mayor advised that the amount is less than \$1 million this year.

2. Jose Alcantara, 6006 Palisade Avenue, WNY, NJ:

Mr. Alcantara inquired “How much will the taxes go up and when?” Town Administrator responded “It depends upon assessment and location of your property but the average is 2.4%.” He further advised that it will be seen in the 3rd & 4th quarter 2013 bills and 1st & 2nd quarter of 2014.

3. Wayne Cook, 6131 Jackson Street, WNY, NJ:

Mr. Cook commented that more police officers should be hired and that two (2) more police officers is not enough. Comm. Rodriguez advised that possibly three (3) officers will be hired. Mr. Cook recommended decreasing the amount spent on trucks, etc. and hire more officers to patrol the streets. Mayor and Comm. Rodriguez agreed.

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Resolution

Re: To Amend the 2013 Municipal Budget

WHEREAS, the Budget for the year 2013 was approved on the 20th of March 2013, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Town of West New York, County of Hudson, that the following amendments to the approved budget of 2013 be made:

Recorded vote
(Insert last names)

	(((
	((Abstained	(
	(((
Ayes	(Nays	((
	((Absent	(
	(((
	(((

	<u>From</u>	<u>To</u>
3. Miscellaneous Revenues - Section F Special Items of General Revenues		
Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations		
Clean Communities	-	52,473.00
Safe and Secure 2010	-	60,000.00
Safe and Secure 2011	-	51,867.00
 Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations	<u>188,733.00</u>	<u>353,073.00</u>
 Subtotal Miscellaneous Revenues	<u>31,430,478.25</u>	<u>31,594,818.25</u>
 Local Tax for Municipal Purpose including reserve for uncollected taxes		
Total Amount to be raised by taxes for Support of Municipal Budget	<u>33,227,549.00</u>	<u>33,099,000.00</u>
	<u>34,100,077.00</u>	<u>33,971,528.00</u>
Total General Revenues	<u>72,694,135.25</u>	<u>72,729,926.25</u>

	<u>From</u>	<u>To</u>
(A)Operations: within "CAPS" - incl. contingent Garbage & Trash Contractual	2,830,000.00	2,880,000.00
(A) Total Operations (Item 8(A) within "CAPS"	<u>43,558,557.00</u>	<u>43,608,557.00</u>
Detail		
Salaries and Wages	21,623,642.00	21,623,642.00
Other Expenses	<u>21,984,915.00</u>	<u>22,034,915.00</u>
	<u>43,608,557.00</u>	<u>43,658,557.00</u>
Statutory Expenditures		
Police and Fireman's Retirement System	2,528,975	2,591,860
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	<u>4,389,972</u>	<u>4,452,857</u>
(H-1) Total General Appropriations for Municipal Purposes within CAPS	<u>47,998,529</u>	<u>48,111,414</u>
(B) Operations - Excluded from "CAPS"		
Interlocal Municipal Agreements		
Contribution to North Hudson Regional Fire	<u>12,725,719.00</u>	<u>13,191,819.00</u>
Total Interlocal Municipal Service Agreements	<u>12,892,869.00</u>	<u>13,358,969.00</u>
Public and Private Programs Offset by Revenues		
Clean Communities	-	52,473.00
Safe and Secure 2010	-	60,000.00
Safe and Secure 2011	-	51,867.00
Total Public and Private Programs Offset by Revenues	<u>200,178.00</u>	<u>364,518.00</u>
Total Operations- Excluded from Caps	<u>13,853,075.00</u>	<u>14,483,515.00</u>
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	<u>22,573,356.00</u>	<u>23,203,796.00</u>
(M) Reserve for Uncollected Taxes	2,010,000.00	1,302,466.25
Total General Appropriations	<u>72,694,135.00</u>	<u>72,729,926.25</u>

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas to adopt the foregoing Resolution was carried by the following vote:

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

Note: Town Clerk Riccie announced that the amendments will be published according to law and that hearing on the Amendments will be heard on May 15, 2013 at 7:00 p.m. in Court Chambers.

April 17, 2013
Regular Meeting

Ordinance #6/13

**AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF WEST NEW YORK
“THE CONSUMPTION IN RETAIL PREMISES WITHOUT LIQUOR LICENSE”**

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

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

The following persons wished to be heard:

1. Sal Vega, 6600 Blvd. East, WNY, NJ:

Former Mayor Vega commented that there is no time limit under the law during a budget hearing. He requested an explanation from the Town Attorney as to the contents of this Ordinance. Town Attorney Garcia advised that this Ordinance repeals the old Ordinance and that this Ordinance is modeled after another municipality, which will give more control to the Town over these establishments. Former Mayor Vega inquired "Is this a BYOB?" Mr. Garcia responded "Yes" . Discussion ensued between Former Mayor and Mr. Garcia regarding BYOB guidelines. Town Administrator DeMarco joined conversation and commented that there is a minimum size requirement of the restaurant before you can exercise BYOB option.

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez to adopt the foregoing Ordinance was carried by the following vote:

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

Ordinance #7/13

**AN ORDINANCE REPEALING ORDINANCE #11/10 ENTITLED:
“AN ORDINANCE AMENDING CHAPTER 76 OF THE CODE OF THE
TOWN OF WEST NEW YORK (PERSONNEL)”**

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

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

No one wished to be heard.

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

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

April 17, 2013
Regular Meeting

Ordinance #8/13

**An Ordinance repealing Ordinance #41/95 entitled:
“An Ordinance establishing restricted parking in front
of one (1) residence for use by a handicapped resident
(327-61st Street)**

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

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

No one wished to be heard.

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez to adopt the foregoing Ordinance was carried by the following vote:

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

Ordinance # 9/13

**An Ordinance authorizing installation of Stop Signs
At the following intersections:
Adams Street at 61st Street, Hudson Avenue at 65th Street
and Madison Street at 57th Street**

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

It was regularly moved by Mayor Roque, seconded by Commissioner Frias to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

Notice
Ordinance #9/13

**An Ordinance authorizing installation of Stop Signs
At the following intersections:
Adams Street at 61st Street, Hudson Avenue at 65th Street
and Madison Street at 57th Street**

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 April 17, 2013 and ordered published, and will be further considered before final passage at a public hearing on May 15, 2013 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.

April 17, 2013
Regular Meeting

Ordinance #10/13

**An Ordinance amending Chapter 299 of the Code of the Town
of West New York (Property Maintenance)**

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

It was regularly moved by Mayor Roque, seconded by Commissioner Frias to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

Notice
Ordinance #10/13

**An Ordinance amending Chapter 299 of the Code of the Town
of West New York (Property Maintenance)**

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 April 17, 2013 and ordered published, and will be further considered before final passage at a public hearing on May 15, 2013 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 #11/13

**An Ordinance repealing Ordinance #2/13 entitled:
“An Ordinance amending Chapter 338 of the Code of the Town of West New York
(Signs)”**

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

Note: Comm. Wiley commented that it is “fantastic” to have business owners present this evening. He explained that Assemblywoman Jimenez initiated a petition to repeal this Ordinance to help the business community and if not repealed, a special election would be required by law. He further advised that he has filed an injunction to stop the enforcement of this Ordinance.

April 17, 2013
Regular Meeting

Notice
Ordinance #11/13

An Ordinance repealing Ordinance #2/13 entitled:
“An Ordinance amending Chapter 338 of the Code of the Town of West New York
(Signs)”

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 April 17, 2013 and ordered published, and will be further considered before final passage at a public hearing on May 15, 2013 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.

Mayor opened the Public Portion. He advised that each person will have only five (5) minutes to speak as it is getting late.

Public Portion:

The following persons wished to be heard:

1. **Francisco Ferreiro, 23 Henry Street, Sayreville, NJ:**
Mr. Ferreiro commented to Town Attorney Garcia “Bullet proof Ordinance, huh?” He was referring to Sign Ordinance #2/13 which is being repealed by Ordinance #11/13. He advised Comm. Wiley that there is no need to file an injunction, and stated “They lost, we won.” He commented that the Town spent three (3) months and taxpayers money for nothing. He then inquired of the Mayor, “What about your 12 promises?” He outlined some of the promises made by Mayor Roque prior to the municipal election i.e. Commissioners would take no salary and have no cars or phones, stabilize property taxes and expand low income housing, increase patrols and secure streets, balanced budget and eliminate political corruption. He complained that crime has increased 50%, the police force has less manpower than ever before and that this Administration has been the most corrupt and destructive in the history of this Town. He stated “Your picture will never go up on that wall.” He complained about refusing a salary increase to the teachers. Discussion ensued between Mr. Ferreiro and Comm. Rodriguez about crime rate and Comm. Rodriguez advised that the rate is down for past 2 years.
2. **Doreen Auriemma, 6025 Hudson Avenue, WNY, NJ:**
Ms. Auriemma advised that she has lived in WNY for 53 years, 30 of which she worked for Recreation Dept. She commented that the Recreation Program was “the children’s’ home away from home” but that home has been lost and replaced with the Middle School. She further commented that the children need somewhere to go and that they are bounced from school to school when the Middle School has other programs in process. She advised that the Recreation Dept. consisted of a Director, Secretary, 3 program coordinators and other staff but that today there is only one (1) hard working and dedicated woman doing three jobs. She inquired as to why a Director of Public Affairs was hired when the Mayor is the Director. She complained that the new Recreation Director has no experience and that there is a far more capable person already working there and was doing the job. She advised that she grew up in politics and she believes in helping people but capable people should be hired. She stated “It’s time to do the right thing. Hire for qualifications. Do what is right.”

April 17, 2013
Regular Meeting

Public Portion (Cont.):

3. Carlos Betancourt, 327 – 51st Street, WNY, NJ:

Mr. Betancourt advised that he is not here to complain but to make suggestions. He inquired about the top tier of the 62nd Street parking garage. Town Administrator DeMarco advised that the Parking Authority controls it. Mr. Betancourt commented that Hudson Honda is taking over the upper tier of the parking garage. Mayor Roque commented that his attorney advised him not to discuss this matter. Mr. Betancourt inquired of Comm. Rodriguez as to hiring special police officers. Comm. Rodriguez advised that she is currently looking into every avenue to hire more police officers and that now that there is a new Police Director, she is hopeful. Discussion ensued about benefits of hiring special police officers, which Mr. Betancourt said are “more economical”. Comm. Rodriguez advised that the Town needs additional police officers and that the new Director is assessing ways to shift manpower where it is most effective. Mr. Betancourt inquired about applying for grants to hire police and Comm. Rodriguez advised that she is currently doing so. Mr. Betancourt also commented that a new microphone is needed for the court chambers.

4. Janice Zorovich, North Bergen, NJ:

She referred to June 2011 commission meeting wherein this Administration advised that they had inherited a lawsuit from previous Administration regarding Jacobs Ferry tax abatements costing the Town \$700,000. She advised that in 2015, the owners at Jacobs Ferry can sue the Town again and that a tax re-evaluation would open a “Pandora’s box”. She complained that if this Administration would have settled the matter in 2011, it would only have cost \$400,000 and not \$700,000. She inquired “What are these abatements doing for us?” She complained that the rent is too high for the new construction projects. Mr. DeMarco explained that it was a tax appeal and that the Town gets appeals every year. He explained the tax appeal process, advised that last year there were 300 property owners who filed appeals and that every town in the State has appeals due to decrease in value of properties. She disagreed with his explanation. She further commented that the Town fired a Sanitation Inspector who is hospitalized with pancreatic cancer.

5. Joan Palermo, 6600 Blvd. East, WNY, NJ:

Ms. Palermo advised that she was following up from last month’s meeting as it pertains to the new Recreation Director, which she referred to as “Your son’s girlfriend who lives in Staten Island”. Mayor Roque responded “This is a personnel issue and I cannot answer”. Ms. Palermo replied that she is discussing the process by which she was hired and that the Residency Ordinance indicates that you must reside in West New York and if not, that you must first look to hire within Hudson County and then within other Counties within the State of New Jersey. She inquired as to why the new Recreation Director was the first choice when she lives in Staten Island New York. Mayor Roque again replied “I can’t respond as per my counsel. You are not going to get an answer.” Ms. Palermo replied “You are violating the law. I am a lawyer too and you must answer”. She then inquired about the appointment of Silvio Acosta as a member to the Board of Education. Mayor again replied “This is a personnel issue”. (At this point, audience members were yelling and meeting was out of order.) Ms. Palermo inquired as to whether Mr. Acosta has a background in education. She stated “You are in violation of the law and it is not the first time.” Comm. Wiley agreed with her and commented to the Mayor “You should be ashamed of yourself”.

6. Linda Kellerman, 6600 Blvd. East, WNY, NJ:

Ms. Kellerman commented that Ms. Palermo is her neighbor. She advised that she too had applied to be a member of the Board of Education, that she is a Pharmacist and has several Degrees. She inquired as to whether Mr. Acosta is qualified to be a member of the Board of Education. Mayor replied “I cannot respond”. Comm. Wiley disagreed. (At this point, audience members were yelling and meeting was out of order.) Ms. Kellerman commented that she attends a lot of board meetings and that George Capadagley is developing a lot of projects in WNY i.e. Park Avenue, 67th & Blvd. East and 66th and Park Avenue. She further commented that she had requested from Planning Board Chairperson, Ada Roque, a copy of the contract of purchase but has not received same. Ms. Kellerman stated “People come first, not the Developer”.

April 17, 2013
Regular Meeting

Public Portion (Cont.):

7. Cosmo Cirillo, 116 – 65th Street, WNY, NJ:

Mr. Cirillo commented that last month the Town hired Mario Blanch, Esq. as Assistant Town Attorney who owes over \$200,000 in State and Federal taxes. He complained that he is now receiving a salary at the tax payers' expense. He inquired of the Mayor "What do you plan on doing about this?" Mayor Roque replied "Your boss raised this issue. It is a personnel matter and I cannot discuss it." Mr. Cirillo responded "You commented to the newspaper but not the residents of WNY? I am a resident, and we are paying this individual to represent the legal department with tax payers' dollars and he doesn't follow the rules. This is grossly unjust. You should look into this matter. You are not doing your job." Mayor Roque replied "That is your opinion. Taxes were increased by 51% when you were here." (Audience members were yelling and meeting was out of order.) Janice Zorovich yelled from the audience "You owe taxes also". The Mayor reminded Mr. Cirillo about the five (5) minute time requirement. Mr. Cirillo commented that the Mayor had stated that time limits were illegal prior to becoming Mayor and now he is imposing restrictions on persons wishing to speak.

8. Danny Parrales, 556 – 59th Street, WNY, NJ:

Mr. Parrales commented about an OPRA request #4346 he had filed regarding certifications of various town employees i.e. Silvio Acosta and Tiffany Marcano, and advised that the Town Clerk responded that there are no certifications on file.

9. Gary Pollack, North Bergen:

Mr. Pollack advised that he is a C.P.A. and that failure to pay taxes is not evasion. If you cannot pay your taxes, the IRS sets up a payment plan, which has been done for Mr. Blanch and he is paying his taxes. He further commented that the statement made by Assemblywoman Jimenez is "liable".

10. Sal Vega (Former Mayor), 6600 Blvd. East, WNY, NJ:

Former Mayor Vega presented the Town Clerk with a typed Resolution demanding the resignation of Felix Roque from the positions of Mayor and Commissioner of the Dept. of Public Affairs and gave copies to the Board of Commissioners, Town Administrator and Town Attorney for review (See resolution below). He read the aforementioned Resolution aloud. (At this point, audience members began chanting the word "resign" and meeting was out of order.) He requested that one of the Commissioners make a Motion to introduce this Resolution from the floor. Comm. Wiley stated "I would love to introduce it". Mr. Vega stated "Commissioners need to act responsibly. People will ask, where did the Commissioners stand on this issue? The Mayor has a choice. You will be left behind to run this Town. Are you standing with him or not?"

Mayor Roque advised Mr. Vega that his time to speak had expired. Mayor Roque made comments about a sexual harassment lawsuit filed by Mr. Maloney against the former Mayor and also DWI charges. Mr. Vega responded "That is not for discussion." Comm. Frias stated "Justice has to take its course. Everyone has a right to that." Mayor commented to Mr. Ferreiro, "You have never been arrested or done anything wrong?" (At this point, Mr. Ferreiro yelled from the audience.) Comm. Frias stated "This is a circus. I deserve respect like you." **Comm. Wiley made the Motion to introduce this Resolution but there was no second so Motion was defeated.**

April 17, 2013
Regular Meeting

Public Portion (Cont.):

RESOLUTION

**RE: Demanding the Resignation of Felix Roque From the Positions of Mayor and
Commissioner of the Department of Public Affairs of the Town of West New York**

WHEREAS, as Mayor, Felix Roque has been named in no fewer than fifteen (15) filed lawsuits in both State and Federal courts against the Town claiming he violated numerous laws and the constitutional rights of Town employees; and

WHEREAS, the United States of America has charged Felix Roque with violations of Federal law involving threats, intimidation and retribution against an additional five (5) victims involving the exercise of their constitutional rights to criticize his performance as a public official and mayor; and

WHEREAS, it is the solemn, sworn duty of each Commissioner of the Town of West New York to uphold the civil and criminal laws of the United States and the State of New Jersey, and to respect and honor the civil rights of all persons under our State and Federal constitutions; and

WHEREAS, violations of such laws expose the Town to the costs of defending against claims made in civil actions, civil judgments for the payment of potentially large sums of money, increased costs of insurance and the possible denial of insurance coverage to the Town, and all of these risks are an unnecessary and improper financial burden on the municipal budget and the taxpayers of the Town; and

WHEREAS, Felix Roque has not sought the dismissal of the criminal indictment and charges against him, and such charges by the United States Grand Jury in New Jersey establish probably cause to believe that he did in fact commit the crimes and offenses charged, including conspiracy against the rights and interests of citizens of the Town; and

WHEREAS, the other Commissioners must act to protect the integrity of the government of the Town of West New York, and reject the wrongful and criminal conduct of which Felix Roque has been accused in at least twenty (20) occasions, and further protect the financial interests of the Taxpayers from the costs associated with such claims and charges; and

WHEREAS, because of the pendency of such criminal charges, now pending trial in Federal Court, and the substantial burdens of fifteen (15) civil claims, Felix Roque is unable and unsuitable to continue as an elected official of the Town; and

WHEREAS, the Governor of the State of New Jersey has heretofore publicly stated that any mayor who is indicted should promptly resign:

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey that the Board of Commissioners Demands that Felix Roque resign as Mayor and Commissioner of the Department of Public Affairs, effectively immediately.

April 17, 2013
Regular Meeting

Public Portion (Cont.):

11. Anthony M. DeFino, Jr., 6600 Blvd. East, WNY, NJ:

Mr. DeFino referred to a Resolution adopted on April 18, 2012 regarding hiring freeze and commented that since that time, 4 out of 5 hires are from out of Town and are not qualified. He mentioned Mario Blanch, Esq., Tiffany Marcano and Richard Rivera, who he stated is now employed at Parking Authority. He commented that the Mayor said six months ago that there was no money to hire but that the aforementioned people were hired nonetheless. He further commented about a woman who lived here her whole life, lost her husband and is a widow, and that the Mayor will not give her a job. He further mentioned salary increase given to Silvio Acosta and Comm. Frias at the Parking Authority. Town Administrator DeMarco advised that the woman in question was hired. Discussion ensued about her hiring. Mr. DeFino addressed the Mayor and commented that the Mayor has money and should help a person in need and stated "You don't have love in your heart. If my father was alive, she would have been helped immediately. I was born and raised here and will die here. I liked you when I first met you. You are very good at fooling people. Shame on you for not helping her. Silvio is the real boss." Mr. DeFino addressed his next comment to Comm. Rodriguez regarding a town vehicle with license plate #MG95722 and inquired as to why Silvio Acosta is driving that vehicle. Frank Ferreiro yelled from the audience "It was bought with PBA money and given to Silvio".

12. Wayne Cook, 6131 Jackson Street, WNY, NJ:

Mr. Cook commented that this Administration should stop focusing on the prior Administration. He further commented that he is "proud to stand with the former Mayor" who has been his friend for 45 yrs. He stated "You have no respect for the taxpayers". He then directed his comments to Town Administrator DeMarco regarding a statement Mr. DeMarco made at the last commission meeting regarding Timothy Nagurka and that he (Mr. DeMarco) made fun of the way he speaks. He also stated to Mr. DeMarco "You have no respect for the people who live in West New York".

A motion was made by Commissioner Frias, seconded by Mayor Roque, **to close the Public Portion and Adjourn the meeting at 9:00 p.m.** was carried by the following vote:

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

Commissioner FiorD' Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccio, RMC
Town Clerk