

**September 27, 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 Friday, September 27, 2013 at 4:00 p.m.:

Present: Commissioners Frias, Rodriguez, Vargas, Wiley  
Absent: Mayor Roque and Town Attorney Gilberto Garcia  
Also Present: Deputy Town Clerk Yesenia DelRio and Town Administrator Joseph DeMarco

Meeting commenced at 4:15 p.m.

Deputy Town Clerk Yesenia DelRio 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 September 27, 2013 at 4:00 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.

**Minutes of Previous Meeting:**

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Frias, that the Minutes of Regular Meeting: 8/21/13 (Regular Session) be approved as recorded, was carried by the following vote:

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

**Claims: Dated 9/20/13 (Claims are available for public inspection in the Town Clerk's Office):**

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

YEAS - Commissioners Frias, Rodriguez and Vargas  
NAYS - Commissioner Wiley  
ABSENT - Mayor Roque

**September 27, 2013**  
***Regular Meeting***

**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF AUGUST 2013**

1. From Construction Code Official Office, reporting the sum of \$45,758.00 Collected for the month of August, 2013.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$1,919.20 Collected for the month of August, 2013
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$4,650.00 for Special Licenses collected for the month of August, 2013.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$823.00 for Marriage/death certificates collected for the month of August 2013.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$115.60 for Dogs Licenses collected for the month of August, 2013.
6. From (Revenue and Finance Department) reporting the sum of \$11,601,690.82 collected for the month of August, 2013.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$57.76 collected for the month of August, 2013

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

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

**September 27, 2013**  
***Regular Meeting***

**Communication**  
**Re: RFQ results – Rent Control Board Attorney**

**RFQ PROPOSAL FORMATION**

**Proposal Receipt Date:** September 13, 2013

**Proposal Time:** 10:00 a.m.

**Location for proposal:** Town Clerk's Office

**Proposal for:** Rent Control Board Attorney

**Personnel at Opening:** Town Clerk Carmela Riccio and Deputy Town Clerk Jennie DelRio

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

**RESPONDER #1** (Name) Mulkay & Rendo, Attorney at Law  
(Address) 700-79<sup>th</sup> Street  
North Bergen, N.J. 07047

September 27, 2013  
Regular Meeting

Communication  
Re: RFQ Results – Special Labor Counsel (2<sup>nd</sup> Occasion)

**RFQ PROPOSAL FORMATION**

**Proposal Receipt Date:** September 13, 2013  
**Proposal Time:** 10:30 am  
**Location for proposal:** Town Clerk's Office  
**Proposal for:** Special Labor Counsel (2<sup>nd</sup> occasion)  
**Personnel at Opening:** Town Clerk Carmela Riccie and Deputy Town Clerk Yesenia Del Rio  
**Remarks:** Time to receive RFQS was closed at 10:35 a.m.  
Reserved decision pending review by review committee.

**RESPONDER #1** (Name) Florio & Kenny, LLP  
(Address) 5 Marine View Plaza, Suite 103  
Hoboken, N.J. 07030

**RESPONDER #2** (Name) David F. Corrigan, LLC  
(Address) 54 B West Front Street  
Keyport, NJ 07735

**RESPONDER #3** (Name) Giblin & Giblen  
(Address) 2 Forest Avenue  
Oradell, NJ 07649

**RESPONDER #4** (Name) FPSF - Florio, Perrucci, Steinhardt & Fader  
(Address) 218 Rt. 17 North, Suite 410  
Rochelle Park, NJ 07662

**RESPONDER #5** (Name) SSE&C - Schwartz, Simon, Edelstein & Celso, LLC  
Attorney at Law  
(Address) 100 South Jefferson Road, Suite 200  
Whippany, NJ 07981

**RESPONDER #6** (Name) DeCotiis, FitzPatrick & Cole, LLP  
(Address) Glenpointe Center West  
500 Frank W. Burr B'lv'd, Suite 31  
Teaneck, NJ 07666

September 27, 2013  
Regular Meeting

**Communication**  
**Re: Engineer's Report dated 9/13/13**

SEP 27 2013

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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. 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

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

**DATE:** September 13, 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 awarded on September 4, 2012 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 substantially completed Dewey Park and Fillmore Park. We have issued a punchlist for the project and have requested a schedule for completion of same.
  - We attended a meeting with the contractor to review the punchlist. They are scheduled to begin the punchlist work the week of September 16.
- **FY2012 NJDOT Municipal Aid Grant and Road Program (67<sup>th</sup> St from JFK 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.
  - The project was advertised for the receipt of bids on April 9 with the bid opening on April 30. The project was awarded on May 15 to the low bidder which was 4 Clean-Up, Inc. of North Bergen, New Jersey, with a bid of \$266,962.25.
  - We held a preconstruction meeting on July 19, 2013. The contractor has substantially completed the project including the concrete work and installation of the roadway surface course.
  - The project has been completed for less than the NJDOT grant amount. We were able to extend the paving limits approximately another 500' to Hudson Avenue which the contractor has finished paving.
- **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.
  - We prepared amended renderings, design drawings and back ground information for the Town Grant Coordinator who presented same at the County to request an extension of time for the grants received. The County agreed to a time extension. We also attended a Freeholders meeting on September 10, 2013 to discuss the project.
- **FY2013 NJDOT Municipal Aid Grant and 2013 Road Program**
  - We had prepared and submitted the FY2013 NJDOT Municipal Aid Grant application to the NJDOT for the following roads:
    - 60<sup>th</sup> Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
    - 65<sup>th</sup> Street from Broadway Avenue to Park Avenue (675')
    - 51<sup>st</sup> Street from JFK West to Bergenline Avenue (615')
    - 66<sup>th</sup> Street from Hudson Avenue to JFK East (2060')





Memo to: Mayor and Board of Commissioners  
Town of West New York  
September 13, 2013  
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- The estimated construction cost for the above roads is approximately \$810,000.00.
- The Town has received an NJDOT grant in the amount of \$344,860.00.
- We have completed the survey work and are working on the design work associated with the 66<sup>th</sup> Street improvements which can be funded by the NJDOT Grant. We anticipate submitting the design documents to the NJDOT the week of September 23.
- We have completed the survey work for the remaining roads and are starting on the design work.

□ **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, replacement of picnic tables, removal of deteriorated landscape boxes, exterior shower, general landscaping improvements, parking lot improvements and other miscellaneous improvements.
- The project was awarded on May 15 to the low bidder which was Rich Picerno Builders, LLC of Kenilworth, New Jersey, with a bid of \$500,000.00. We held a preconstruction meeting on June 11, 2013 and the contractor has commenced with the work.
- We issued construction plans, a preliminary assessment report and required forms to Green Acres for their review. Green Acres respond with comments on the preliminary assessment which we have addressed and resubmitted.
- As of this date the contractor has replaced the siding on the building, installed the new outdoor shower slab and shower, hot water heater, ventilation exhaust system and lockers, new bathroom lighting and ceiling fans, new ADA compliant sinks, repaired the foundation for the stairs, installed new outdoor tables and performed some clearing work.
- We attended a meeting with the contractor on September 11, 2013 to review the project and obtain a schedule for completion of the work.

□ **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 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. The Town has received a grant in the amount of \$400,000 for this project. We prepared a proposal for the preparation of construction plans and contract documents for park improvements.
- Miller Park: As you are aware, the Town has received Green Acres funding for various improvements to the park. We prepared a proposal for the preparation of construction plans and contract documents for park improvements.
- NJDOT FY2014 Trust Fund Grants: The FY2014 NJDOT Grant applications are due September 20, 2013. We are preparing grant applications for the following roads:
  - 60<sup>th</sup> Street from JFK Blvd West to Madison Avenue
  - 51<sup>st</sup> Street from Bergenline Avenue to Broadway Avenue
  - Gaw Place from 56<sup>th</sup> Street to Southern terminus.



September 27, 2013  
Regular Meeting

Proclamation

**Re: Honoring Hoboken University Medical Center**

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York wish to honor *Hoboken University Medical Center* on their 150<sup>th</sup> year anniversary; and

WHEREAS, *Hoboken University Medical Center*, located at 308 Willow Ave in Hoboken, sheltered and cared for thousands of soldiers during World War I; and

WHEREAS, *Hoboken University Medical Center* began as St. Mary Hospital in January of 1863 when Mother Superior of the Franciscan Sisters purchased a small house and opened its doors to the sick and needy; and

WHEREAS, in 1866, they were able to open St. Mary Hospital on the very same plot of donated land that *Hoboken University Medical Center* occupies today; and

WHEREAS, *Hoboken University Medical Center* began as a small 12-room building with a 28-bed capacity and by 1866 had become the largest health care institution in the East;

WHEREAS, *Hoboken University Medical Center's* nurses have been acclaimed for their outstanding care of patients with cases of cholera, small pox, scarlet fever, and influenza; and

WHEREAS, *Hoboken University Medical Center* has graciously opened their doors to numerous entities over the years: during World War II, training was provided to U.S. Cadet Corp Nurses, a school of medical technology was opened and affiliated with Farleigh Dickinson University along with many other programs in partnership with different universities and entities and therefore establishing itself as an educational center in the community.

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 proclaim that the Town recognizes *Hoboken University Medical Center* for 150 years of upstanding, dedicated service to the community and extraordinary compassion to those who are in need.

**Consent Agenda**

It was regularly moved by Commissioner Frias, seconded by Commissioner Vargas that the following Consent Agenda Items Nos. R-1 through R-3 and R-5 through R-26 be adopted, was carried by the following vote:

|         |   |
|---------|---|
| YEAS    | - Commissioners Frias, Rodriguez, Vargas, Wiley |
| NAYS    | - <b>See below notes</b>                        |
| ABSENT  | - Mayor Roque                                   |
| ABSTAIN | - <b>See below notes</b>                        |

**Note:** Deputy Town Clerk DelRio read aloud all titles of Resolutions included on Consent Agenda i.e. R-1 thru R-26. Comm. Wiley voted "No" on the following resolutions: R-17, R-23 and R-24. Comm. Rodriguez "abstained" on the following resolution: R-23 and R-24.

September 27, 2013  
*Regular Meeting*

Consent Agenda (Cont.):

**RESOLUTION**

**Re: Repealing Resolution adopted on 6/15/05**  
**(Restricted Parking for Handicapped Resident) as follows:**  
**598-67<sup>th</sup> Street (Frank Mastropaolo)**

Whereas, the governing body of the Town of West New York adopted a Resolution on June 15, 2005 establishing restricted parking for use by a handicapped residents; and

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

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

**598-67<sup>th</sup> Street (Frank Mastropaolo)**

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

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

**RESOLUTION**

**Re: Repealing Resolution adopted on 4/19/00**  
**(Restricted Parking for Handicapped Resident) as follows:**  
**123-64<sup>th</sup> Street (Harold Saylor)**

Whereas, the governing body of the Town of West New York adopted a Resolution on April 19, 2000 establishing restricted parking for use by a handicapped residents; and

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

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

**123-64<sup>th</sup> Street (Harold Saylor)**

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

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

**RESOLUTION**

**Re: Repealing Resolution adopted on 8/18/10**  
**(Restricted Parking for Handicapped Resident) as follows:**  
**417-59<sup>th</sup> Street (Patrick Calienni)**

Whereas, the governing body of the Town of West New York adopted a Resolution on August 18, 2010 establishing restricted parking for use by a handicapped residents; and

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

**September 27, 2013**  
**Regular Meeting**

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

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

**417-59<sup>th</sup> Street (Patrick Calienni)**

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

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

**RESOLUTION**

**Re: Amendment of Professional Services Contract for the Services of Tenant Advocate with Lazaro Carvajal**

**WHEREAS**, the Town of West New York has previously entered into a contract for Special Labor Counsel services with Lazaro Carvajal; and

**WHEREAS**, pursuant to the awarding resolution the contract was limited to \$17,500 for litigation services; and

**WHEREAS**, based upon a review of expenditures to date and the files assigned, it is necessary to amend the contract to permit additional compensation for the services of tenant advocate for litigation services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Commissioners of the Town of West New York that the Mayor is authorizes to execute an amended agreement with Lazaro Carvajal for the aforementioned services in an amended amount not to exceed \$36,000 for litigation services pursuant to bid specifications.

**Note: This Resolution was pulled from the Agenda during the Work Session**

**RESOLUTION**

**Re: Refunds of Premiums**

**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.

| <b>NAME</b>               | <b>BLOCK/LOT</b>   | <b>CERT. #</b> | <b>AMOUNT</b>     |
|---------------------------|--------------------|----------------|-------------------|
| <b>MTAG SVC. AS CUST.</b> | <b>49/20 C002D</b> | <b>11-0135</b> | <b>\$2,300.00</b> |
| <b>ATCF 11 NJ LLC</b>     | <b>53/16 C002C</b> | <b>12-0285</b> | <b>\$2,100.00</b> |

**September 27, 2013**  
**Regular Meeting**

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

|                          |                  |                    |                   |
|--------------------------|------------------|--------------------|-------------------|
| <b>US BANK CUST. FOR</b> | <b>84/30</b>     | <b>12-0470</b>     | <b>\$100.00</b>   |
| <b>TLCF 2012 A, LLC</b>  | <b>109/23</b>    | <b>12-0551</b>     | <b>\$3,000.00</b> |
| <b>US BANK CUST FOR</b>  | <b>153/45.02</b> | <b>12-0701</b>     | <b>\$500.00</b>   |
|                          |                  | <b>Grand Total</b> | <b>\$8,000.00</b> |

**Resolution**  
**Re: Refunds of Overpayment of Taxes**

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         |
|----------------------------------|-------------------|-----------------------------|--------------|
| MASTRIANNI,<br>RICHARD           | 16/31             | \$250.00                    | 2013         |
| SHI, JEFF & ARCA<br>ARIYORUK     | 168.01/8.03 C0120 | \$1,556.75 (SVC)            | 2013         |
| YU KAI HUANG                     | 168.01/8.01 C0315 | \$97.47<br>\$2,682.95 (SVC) | 2013<br>2013 |
| CORELOGIC                        | 168.01/8.01 C0300 | \$4,612.42 (SVC)            | 2013         |
|                                  | 168.01/8.01 C0400 | \$32.28 (SVC)               | 2013         |
|                                  |                   | \$7,480.61                  | 2013         |
|                                  | 168.01/8.01 C0207 | \$1,180.40                  | 2013         |
| ROMERO, YVETTE                   | 23/9 C002L        | \$461.32                    | 2013         |
| WEST NEW YORK<br>APARTMENTS, LLC | 97/25             | \$1,280.69                  | 2013         |
| WEST NEW YORK<br>APARTMENTS, LLC | 97/26             | \$2,624.37                  | 2013         |
| VEGA HERNAN                      | 40/31             | \$2,057.19                  | 2011         |
| US BANK CUST FOR<br>TOWER DBW    | 11/2              | \$5,139.56                  |              |
|                                  | Grand Total       | \$29,456.01                 |              |

**September 27, 2013**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Refunds of Redemptions (\$183,277.23)**

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      |
|--------------------------------------|-------------------|---------|-------------|
| PAM INVESTORS                        | 168.01/1.01 C0401 | 12-0747 | \$1,234.41  |
|                                      | 168.01/1.36 C0409 | 12-0768 | \$4,444.27  |
|                                      | 100/8             | 12-0519 | \$3,710.46  |
|                                      | 109/8             | 12-0546 | \$18,131.38 |
|                                      | 160/6             | 12-0724 | \$46,652.21 |
|                                      | 81/3 C00B2        | 11-0211 | \$1,406.59  |
|                                      | 81/3 C00A2        | 12-0430 | \$704.73    |
|                                      | 81/3 C00A2        | 11-0207 | \$1,364.64  |
|                                      | 81/3 C00B1        | 12-0431 | \$1,473.47  |
| SBMUNICUST C/O<br>LBNJ               | 45/10             | 12-0247 | \$7,355.11  |
|                                      | 81/3 C00B8        | 11-0212 | \$1,987.25  |
|                                      | 81/3 C00B8        | 12-0433 | \$470.70    |
| US BANK CUST. FOR<br>TLCF 2012A, LLC | 36/24             | 12-0175 | \$3,197.52  |
|                                      | 42/1              | 12-0233 | \$2,330.92  |
|                                      | 84/30             | 12-0470 | \$869.60    |
|                                      | 19/40             | 12-0102 | \$424.75    |
| US BANK CUST FOR<br>TOWER DBW        | 66/23             | 12-0339 | \$5,846.03  |
|                                      | 20/28             | 12-0106 | \$4,645.71  |
|                                      | 7/18              | 12-0036 | \$5,364.17  |
|                                      | 68/13             | 12-0349 | \$8,036.02  |
|                                      | 5/32 C08-D        | 12-0027 | \$2,603.66  |
|                                      | 153/45.02         | 12-0701 | \$16,703.91 |
|                                      | 5/32 C07-E        | 12-0026 | \$4,969.51  |
| MTAG SVC. AS CUST.<br>ATCF II NJ LLC | 49/20 C002D       | 11-0135 | \$12,062.46 |
|                                      | 49/20 C002D       | 12-0272 | \$3,524.31  |
|                                      | 155/26            | 12-0710 | \$4,322.60  |
|                                      | 109/23            | 12-0551 | \$5,317.75  |
|                                      | 53/16 C002C       | 12-0285 | \$2,453.64  |
| US BANK AS CUST/<br>ATR FD NJ & CAP1 | 5/35 C0002        | 12-0032 | \$1,345.08  |
| LBNR PARTNERS LLC                    | 81/3 C00B1        | 11-0210 | \$1,297.07  |

**September 27, 2013**  
**Regular Meeting**

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

|                                    |            |         |            |
|------------------------------------|------------|---------|------------|
| MARTA GONZALEZ                     | 81/3 C00B2 | 12-0432 | \$1,190.14 |
| VIRGO MUNICIPAL<br>FINANCE FUND LP | 5/32 C01-B | 11-0015 | \$464.31   |
| ISAAC MORADI                       | 162/11     | 12-0732 | \$7,372.85 |

GRAND TOTAL \$183,277.23

**RESOLUTION**  
**Re: Hudson County Board Tax Appeal (\$5,248.75)**

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 |
|----------------------------------|-------------|------------|------|
| West New York<br>Apartments, LLC | 97/26       | \$5,248.75 | 2013 |
|                                  | Grand Total | \$5,248.75 |      |

**RESOLUTION**  
**Re: Tax Correction (416-63<sup>rd</sup> Street)**

WHEREAS, there is an overpayment on the 3rd and 4th quarter 2013 tax bill in the amount of \$2,803.77 on property located at 416 63<sup>rd</sup> Street A/K/A block 33 lot 34 C001B and;

WHEREAS, the taxpayer is requesting that the credit be moved to credit their 1<sup>ST</sup> quarter 2014 Tax Bill.

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

**September 27, 2013**  
**Regular Meeting**

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

**RESOLUTION**  
**Re: Tax Correction (6045 Boulevard East)**

WHEREAS, an incorrect Tax Assessment in the amount of \$53,400 was placed on property located at 6045 Boulevard East a/k/a block 35 lot 1 C007C and

WHEREAS, the correct Tax Assessment should have been \$28,400 and

WHEREAS, this incorrect Tax Assessment caused the taxes to be over billed in the amount of \$1,662.50 for 2013 and \$831.26 for 2014 and

NOW THEREFORE be it resolved that the Tax Collector is hereby authorized to cancel the said taxes for the prospective years and to adjust the tax record accordingly.

**Resolution**  
**Re: Approval to submit a grant application and execute a grant contract**  
**with the New Jersey Department of Transportation for the**  
**2014 Roadway Improvements Project**

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of West New York formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014 -West New York – 00436 to the New Jersey Department of Transportation on behalf of the Town of West New York.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of West New York and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION**  
**RE: AUTHORIZING REFUND OF AN OVERPAYMENT OF AN APPLICATION FEE**  
**FOR A FIVE YEAR TAX EXEMPTION**

Whereas, the Town of West New York offers property owners five year tax incentives in accordance with previously adopted ordinance 11-07 and;

Whereas, the five year tax exemption ordinance authorizes an application fee of \$200 per unit for the review process and;

Whereas the applicant Dr. Usal, principal of the corporation, West New York Apartments, LLC., made application for a five year tax exemption on property designated as Block #97 Lot # 25 and more commonly known as 316-318 51<sup>St</sup> Street;

And whereas, Dr. Usal overpaid the application fee by \$1,500 and;

Whereas, Dr. Usal has requested reimbursement by the Town of West New York for the overpayment;

Now be it resolved that a payment in the amount of \$1,500 be refunded to the property owner.

September 27, 2013  
Regular Meeting

Consent Agenda (Cont.):

**RESOLUTION**

**RE: Authorization for the Town of West New York to accept exercise equipment from the West New York Board of Education**

WHEREAS, the West New York Board of Education has previously adopted a resolution authorizing the donation of various exercise equipment to the Town of West New York;

WHEREAS, acceptance of the equipment would serve to benefit the residents and children of West New York,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners that the Town is authorizing to accept the donation of exercise equipment as follows:

From **Korean Living Sports**: Skywalker, Elliptical Trainer, Hip Twister, Elliptical Trainer, Hip Twister, Body Wheel, Sit Up Bench, Rower, Pulldown Chair, Shoulder Press Chair, Leg Press, Surf Boarder; From **Precor**: (2) EFX 544; from **Keys Fitness**: (2) CM560; from **Badger Magnum**: Universal Working Station; from **Nautilus**: Blue Mats, (3) Boxing Bags; and a Leg Press Machine, Leg Raise Machine, Rower, Pull Down, and Cycling Machine.

**Resolution**

**Re: Authorizing the Town Clerk to advertise to receive bids for "One (1) new ambulance"**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids on **Wednesday, November 13, 2013 at 10:30 a.m.** in the Town Clerk's Office for: **"One (1) new ambulance"** for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**Resolution**

**Re: Authorizing the Town Clerk to advertise to receive bids for "One (1) new Dump Truck"**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids on **Wednesday, November 13, 2013 at 11:00 a.m.** in the Town Clerk's Office for: **"One (1) new Dump Truck"** for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**Resolution**

**Re: Bingo & Raffles**

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

| <u>Name</u>  | <u>Date</u>          | <u>License #</u> |
|--|----------------------|------------------|
| <b>St. Josephs of the Palisades Church<br/>6401 Palisade Avenue<br/>West New York, NJ 07093<br/>(off premise raffle)</b> | <b>Dec. 28, 2013</b> | <b>RL 1830</b>   |

September 27, 2013  
*Regular Meeting*

**Consent Agenda (Cont.):**

**RESOLUTION**  
**RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT**  
**BETWEEN TOWN**  
**OF WEST NEW YORK AND DAVID F. CORRIGAN, LLC FOR**  
**SPECIAL LABOR COUNSEL**

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 Proposals; and

WHEREAS, the Town of West New York issued a Request for Proposals for Special Labor Counsel in accordance with the requirements of N.J.S.A. 19:44A-20, et. seq., on August 21, 2013, for the provision of professional Special Labor Counsel; and

WHEREAS, the Town of West New York received and opened Proposals for Special Labor Counsel on September 13, 2013; and

WHEREAS, pursuant to the Request for Proposals, the Town received statements of Proposals from the following firms:

1. Florio & Kenny, LLP  
5 Marine View Plaza, Suite 103  
Hoboken, NJ 07030
2. David F. Corrigan, LLC  
54 B West Front Street  
Keyport, NJ 07735
3. Giblin & Giblin  
2 Forest Avenue  
Oradell, NJ 07649
4. FPSF – Florio, Perruci, Steinhardt & Fader  
218 Rt. 17 North, Suite 410  
Rochelle Park, NJ 07662
5. SSE&C – Schwartz, Simon, Edelstein & Celso, LLC  
Attorney at Law  
100 South Jefferson Road, Suite 200  
Whippany, NJ 07981
6. DeCotiis, FitzPatrick & Cole, LLP  
Glenpointe Center West  
500 Frank W. Burr Blvd, Suite 31  
Teaneck, NJ 07666

**September 27, 2013**  
***Regular Meeting***

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

WHEREAS, pursuant to the Request for Proposals, the Town's Review Team conducted a review of the responses received and recommends that the firm listed below be deemed qualified to provide the services of Special Labor Counsel:

David F. Corrigan, LLC  
54 B West Front Street  
Keyport, NJ 07735

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 is hereby qualified to render Special Labor Counsel on behalf of the Town of West New York for the next year:

David F. Corrigan, LLC  
54 B West Front Street  
Keyport, NJ 07735

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 Special Labor Counsel 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. David F. Corrigan, LLC shall be and is hereby retained by the Town to provide Special Labor Counsel services 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 David F. Corrigan, LLC, 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 Special Labor Counsel, consulting, setup, programming, and training for the term from September 27, 2013 to expire on December 31, 2013 in an amount not to exceed \$15,000.
4. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5.
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 David F. Corrigan, LLC for the provision of Special Labor Counsel shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
8. A notice of this contract award shall be published in the form prescribed by law.

**NOTE: Commissioner Wiley voted "No" on this Resolution**

September 27, 2013  
*Regular Meeting*

Consent Agenda (Cont.):

**RESOLUTION**  
**RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT**  
**BETWEEN TOWN**  
**OF WEST NEW YORK AND MULKAY & RENDO FOR**  
**RENT CONTROL BOARD ATTORNEY**

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 Proposals; and

WHEREAS, the Town of West New York issued a Request for Proposals for Rent Control Board Attorney in accordance with the requirements of N.J.S.A. 19:44A-20, et. seq., on August 21, 2013, for the provision of professional Rent Control Board Attorney; and

WHEREAS, the Town of West New York received and opened Proposals for Rent Control Board Attorney on September 13, 2013; and

WHEREAS, pursuant to the Request for Proposals, the Town received statements of Proposals from the following firms:

1. Mulkay & Rendo, Attorney at Law  
700-79<sup>th</sup> Street  
North Bergen, NJ 07047

WHEREAS, pursuant to the Request for Proposals, the Town's Review Team conducted a review of the responses received and recommends that the firm listed below be deemed qualified to provide the services of Rent Control Board Attorney:

Mulkay & Rendo, Attorney at Law  
700-79<sup>th</sup> Street  
North Bergen, NJ 07047

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 is hereby qualified to render Rent Control Board Attorney on behalf of the Town of West New York for the next year:

Mulkay & Rendo, Attorney at Law  
700-79<sup>th</sup> Street  
North Bergen, NJ 07047

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 Rent Control Board Attorney that may be required by the Town, during the next year.

BE IT FURTHER RESOLVED as follows:

9. The above recitals are incorporated as if fully set forth herein.
10. Mulkay & Rendo, Attorney at Law shall be and is hereby retained by the Town to provide Rent Control Board Attorney services to the Town, without further approval of the Board of Commissioners.

**September 27, 2013**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

11. The Mayor shall be and is hereby authorized to execute an agreement by and among the Town and Mulkey & Rendo, Attorney at Law, 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 Rent Control Board Attorney, consulting, setup, programming, and training for the term from September 27, 2013 to expire on December 31, 2013 in an amount not to exceed \$12,500.
12. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5.
13. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.
14. 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.
15. A copy of this resolution and the agreement detailing the terms of the retention of Mulkey & Rendo, Attorney at Law for the provision of Rent Control Board Attorney shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
16. A notice of this contract award shall be published in the form prescribed by law.

**RESOLUTION**  
**RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT**  
**BETWEEN TOWN**  
**OF WEST NEW YORK AND NINA C. REMSON FOR**  
**LEGAL SERVICES AS PUBLIC DEFENDER**

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 Proposals; and

WHEREAS, the Town of West New York issued a Request for Proposals for Public Defender in accordance with the requirements of N.J.S.A. 19:44A-20, et. seq., on July 17, 2013, for the provision of Public Defender; and

WHEREAS, the Town of West New York received and opened Proposals for Public Defender on August 13, 2013; and

WHEREAS, pursuant to the Request for Proposals, the Town received statements of Proposals from the following firms:

1. Aristedes F. Hernandez  
Attorney At Law  
410-60<sup>th</sup> Street  
West New York, NJ 07093

**September 27, 2013**  
***Regular Meeting***

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

2. Nina C. Remson  
Attorney At Law  
Court Plaza North  
25 Main Street Suite 104  
Hackensack, NJ 07601

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

Nina C. Remson  
Court Plaza North  
25 Main Street Suite 104  
Hackensack, NJ 07601

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 is hereby qualified to render Public Defender on behalf of the Town of West New York for the next year:

Nina C. Remson  
Court Plaza North  
25 Main Street Suite 104  
Hackensack, NJ 07601

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 services that may be required by the Town, during the next year.

BE IT FURTHER RESOLVED as follows:

17. The above recitals are incorporated as if fully set forth herein.
18. Nina C. Remson shall be and is hereby retained by the Town to provide grant writing Services and consulting to the Town, without further approval of the Board of Commissioners.
19. The Mayor shall be and is hereby authorized to execute an agreement by and among the Town and Nina C. Remson, 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 Grant Writing services, consulting, setup, programming, and training for the term from September 18, 2013 to expire on December 31, 2013 in an amount not to exceed \$15,000.
20. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5.
21. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.

**September 27, 2013**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

22. 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.
23. A copy of this resolution and the agreement detailing the terms of the retention of Nina C. Remson for the provision of Grant Writing Services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.
24. A notice of this contract award shall be published in the form prescribed by law.

**Resolution**

**Re: Authorizing the Town Clerk to advertise  
to receive bids for "Environmental Remedial Project"**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids on **Wednesday, November 13, 2013 at 10:00 a.m.** in the Town Clerk's Office for: "Environmental Remedial Project" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**RESOLUTION OF THE TOWN OF WEST NEW YORK, IN  
THE COUNTY OF HUDSON, STATE OF NEW JERSEY  
(THE "LOCAL UNIT") AUTHORIZING THE LOCAL  
UNIT'S PARTICIPATION IN THE POOLED NOTE  
FINANCING PROGRAM OF THE HUDSON COUNTY  
IMPROVEMENT AUTHORITY**

WHEREAS, the Town of West New York, in the County of Hudson, State of New Jersey (the "Local Unit"), has previously duly adopted: (i) various bond ordinances authorizing the issuance of bonds or notes to finance the costs of various capital improvements (the "Capital Improvement Projects") and (ii) a resolution authorizing the making of a special emergency appropriation to meet certain extraordinary expenses incurred by reason of damage caused by Hurricane Sandy and has heretofore issued special emergency notes pursuant to said resolution (the "Sandy Special Emergency Notes"); and

WHEREAS, the Local Unit either has issued or desires to issue notes to temporarily finance and refinance the Capital Improvement Projects and to refund the Sandy Special Emergency Notes; and

WHEREAS, the Local Unit believes that the recent financial crisis in the United States has caused extreme volatility in the short term note market for municipalities resulting in the following problems: (1) market access problems due to the liquidity issues of traditional investors, (2) shrinking investor pools to purchase municipal notes, (3) a reduced number of bids and in some instances no bids at municipal note sales, (4) unpredictable interest rates causing interest rate risk and budgeting problems and (5) increased costs due to investors unwilling to purchase unrated municipal notes and municipal notes without disclosure, causing municipalities to have municipal notes rated and disclosure documents prepared: and

**September 27, 2013**  
**Regular Meeting**

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

WHEREAS, the Local Unit has reviewed the Pooled Note Financing Program proposed by The Hudson County Improvement Authority (the "HCIA"), whereby the Local Unit would either rollover its existing notes and/or issue new notes (collectively, the "Local Unit Notes") through the Pooled Note Financing Program of the HCIA; and

WHEREAS, the Local Unit believes that the HCIA's Pooled Note Financing Program cures many of the problems of the volatile note market by providing (1) market access to sell the Local Unit Notes, (2) a certain investor pool to purchase the Local Unit Notes, (3) a guaranteed purchaser of the Local Unit Notes, (4) a more predictable interest rate, whereby the Local Unit will benefit from reduced interest costs as a result of a guaranty by the County of Hudson, State of New Jersey (the "County Guaranty") on the debt service of the HCIA Pooled Note Financing Program, and (5) decreased costs due to all the local units in the Pooled Note Financing Program sharing in the costs of the HCIA Pooled Note Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of financial crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Notes through the Pooled Note Financing Program of the HCIA; and

WHEREAS, such Local Unit Notes shall be issued in accordance with the provisions of the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.* and/or the Local Budget Law, *N.J.S.A. 40A:4-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF WEST NEW YORK THAT:

Section 1. The Local Unit hereby authorizes the Local Unit's participation in the HCIA Pooled Note Financing Program.

Section 2. The Local Unit consents to the HCIA's application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board") in connection with the Pooled Note Financing Program.

Section 3. The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the HCIA and is further authorized to execute one or more note purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with counsel to the Local Unit.

Section 4. This resolution shall take effect immediately.

**RESOLUTION OF THE TOWN OF WEST NEW YORK, IN**  
**THE COUNTY OF HUDSON, NEW JERSEY MAKING**  
**APPLICATION TO THE LOCAL FINANCE BOARD**  
**PURSUANT TO N.J.S.A. 40A:3-4**

WHEREAS, THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY (the "Town"), desires to make application to the Local Finance Board (the "Board") for the Board's approval of a bond ordinance pursuant to N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act, to fund various capital improvements to Donnelly Park and Veteran's Park; and

WHEREAS, the Town believes:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purposes or improvements are for the health, wealth, convenience or betterment of the inhabitants of the Town;

**September 27, 2013**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

(c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant; and

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Town and will not create an undue financial burden to be placed upon the Town.

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

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer and Bond Counsel and the Town's Auditor, along with other representatives of the Town, are hereby authorized to prepare such application and to represent the Town in matters pertaining thereto.

Section 2. The Clerk of the Town of West New York is hereby directed to file a copy of this Resolution with the Local Finance Board for its consent as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

**RESOLUTION**

**RE: Appointing Rizwan Hameed as a member of the planning board to fill the unexpired term of Laritza Marrero**  
**(Term expires on 12/31/2016)**

WHEREAS, Laritza Marrero has resigned from the planning board; and

WHEREAS, Rizwan Hameed is a resident of the Town of West New York living at 6705 Park Avenue, West New York, New Jersey, 07093; and

WHEREAS, Rizwan Hameed 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. Rizwan Hameed is appointed to serve as a Member of the West New York Planning Board, to serve for the unexpired portion of a term which will expire on 12/31/2016.
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: Commissioner Wiley voted “No” and Commissioner Rodriguez “Abstained” to this Resolution.**

**September 27, 2013**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**RE: Appointing Evelina Valdez as a member of the zoning board to fill the unexpired term of Melissa Rodriguez**  
**(Term expires on 12/31/2015)**

WHEREAS, Melissa Rodriguez has resigned from the zoning board; and

WHEREAS, Evelina Valdez is a resident of the Town of West New York living at 6020 Park Avenue, West New York, New Jersey, 07093; and

WHEREAS, Evelina Valdez 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:

3. Evelina Valdez is appointed to serve as a Member of the West New York Zoning Board, to serve for the unexpired portion of a term which will expire on 12/31/2015.
4. 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 voted “No” and Commissioner Rodriguez “Abstained” to this Resolution.**

**RESOLUTION**

**Re: Review of the CY2013 Best Practices Inventory Worksheet**

WHEREAS, the Chief Financial Officer of the Town of West New York has completed the Town’s annual Best Practices Inventory Worksheet for CY2013; and

WHEREAS, the governing body of the Town of West New York has reviewed the completed Best Practices Inventory at its meeting of September 27, 2013; and

WHEREAS, the Clerk, the Business Administrator and the Chief Financial Officer of the Town of West New York will immediately certify that the governing body has discussed the Inventory as prepared by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK hereby authorize the Clerk, the Business Administrator and the Chief Financial Officer to certify to the Division of Local Government Services that the CY2013 Best Practices Inventory was discussed at the public meeting of September 27, 2013.

**RESOLUTION**

**Re: Authorizing the Town of West New York to enter into a settlement agreement with K. Hovnanian Port Imperial Urban Renewal, Inc.**

WHEREAS, K. Hovnanian Port Imperial Urban Renewal, Inc. has filed a lawsuit against the town of West New York seeking reimbursement for a performance bond previously posted in connection with a development known as Jacobs Ferry; and

**September 27, 2013**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, after reviewing the claim and the financial documents it is recommended by the Town Attorney and Chief Financial Officer that the matter be resolved and payment made to K. Hovnanian Port Imperial Urban Renewal, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the Town Attorney is authorized to enter into a settlement agreement with K. Hovnanian Port Imperial Urban Renewal, Inc. for \$140,158.79 which represents the return of the performance bond.

**Ordinance #19/13**

**AN ORDINANCE ESTABLISHING AN ENERGY AND NATURAL GAS AGGREGATION PROGRAM**

**Note: Deputy Town Clerk Yesenia DelRio read the title of the foregoing Ordinance aloud.**

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

**No one wished to be heard.**

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

YEAS - Commissioners Frias, Rodriguez, Vargas and Wiley

NAYS - None

ABSENT - Mayor Roque

**Note: This Ordinance was TABLED during the Work Session.**

**Ordinance #20/13**

**AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR FIVE (5) STORY MULTI-FAMILING BUILDING CONSTRUCTED BY JACLYN 28, LLC PURSUANT TO THE PROVISIONS OF THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40-A:21-1 ET. SEQ., AND SECTION 7 OF ORDINANCE 11/07 AN ORDINANCE ENTITLED FIVE YEAR TAX ABATEMENT ORDINANCE.**

**Note: Deputy Town Clerk Yesenia DelRio read the title of the foregoing Ordinance aloud.**

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

**No one wished to be heard.**

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

YEAS - Commissioners Frias, Rodriguez, Vargas and Wiley

NAYS - None

ABSENT - Mayor Roque

September 27, 2013  
*Regular Meeting*

ORDINANCE #21/13

**AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR *Three (3)* STORY MULTI-FAMILY BUILDING CONSTRUCTED BY 422-426 61<sup>st</sup> Street LLC PURSUANT TO THE PROVISIONS OF THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40-A:21-1 ET. SEQ. AND SECTION 7 OF ORDINANCE 11/07 AN ORDINANCE ENTITLED FIVE YEAR TAX ABATEMENT ORDINANCE**

**Note: Deputy Town Clerk Yesenia DelRio read the title of the foregoing Ordinance aloud.**

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

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

Notice  
Ordinance #21/13

**AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR *Three (3)* STORY MULTI-FAMILY BUILDING CONSTRUCTED BY 422-426 61<sup>st</sup> Street LLC PURSUANT TO THE PROVISIONS OF THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40-A:21-1 ET. SEQ. AND SECTION 7 OF ORDINANCE 11/07 AN ORDINANCE ENTITLED FIVE YEAR TAX ABATEMENT ORDINANCE**

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **August 21, 2013** and was **tabled and carried** and ordered published for **re-introduction** on **September 27, 2013**, at which time this Ordinance was further ordered to be published and will be further considered before final passage at a public hearing on **November 20, 2013 at 7:00 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

September 27, 2013  
*Regular Meeting*

**ORDINANCE #22/13**

**An Ordinance repealing Ordinance #64/94 entitled:  
“An Ordinance establishing restricted parking in front  
of one (1) residence for use by a handicapped resident”  
(6607 Palisade Avenue, WNY)**

**Note: Deputy Town Clerk Yesenia DelRio read the foregoing Notice aloud.**

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

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

**Notice  
ORDINANCE #22/13**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **September 27, 2013** and ordered published, and will be further considered before final passage at a public hearing on **November 16, 2013 at 7:00 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

**BOND ORDINANCE #23/13**

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$3,900,000 FOR IMPROVEMENTS TO VETERAN’S PARK AND DONNELLY PARK IN AND FOR THE TOWN OF WEST NEW YORK AND APPROPRIATING \$3,900,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,650,000 IN BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME

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

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

**September 27, 2013**  
***Regular Meeting***

**Notice**  
**ORDINANCE #23/13**

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**At the request of Deputy Town Clerk, Commissioner Frias opened the Public Portion.**

**Public Portion:**

**The following persons wished to be heard:**

**1. Wayne Cook, 6131 Jackson Street, WNY:**

Mr. Cook inquired about Resolution #26 regarding Settlement agreement with K. Hovanian Port Imperial Urban Renewal, Inc. Town Administrator, Joseph Demarco responded that a claim was filed to return money from a performance bond that was issued several years ago. Mr. Cook advised that the property located at 533-61<sup>st</sup> Street has weeds/grass growing again. Town Administrator DeMarco advised that a summons had been issued to the owner and that this time an increase in fine should be requested. He further advised that there is a big hole in sidewalk at 541 – 61st Street, which is an abandoned house, and which needs to be repaired. Mr. Cook advised that on 61<sup>st</sup> Jackson the tree needs to be cut down due to the traffic light being blocked. Mr. Cook wanted to commend the Police Department for doing a great job. Mr. Cook suggested that in order for the residents to know about the Master Plan they should hold meetings in each ward and that more advertising should be done thru Channel 18.

**2. Humberto Ortega, 6040 Boulevard East, WNY:**

Mr. Ortega inquired about the Commission Meetings being done during the day instead of at night so more residents can attend. Commissioner Frias responded that during the summer months the Commission Meetings are done during the day and that this meeting was changed due to the circumstances that the Town Clerk was in the process of reviewing the Recall Petitions. Mr. Ortega also inquired if there was a way in which the Resolutions submitted to be adopted during the Commission Meeting is supplied to the public so therefore they know exactly what is being done and if they have questions they can be presented to the Governing Body. Commissioner Frias suggested to Mr. Ortega that the Resolutions are available at the Town Clerk's office. Mr. Ortega commented that on the Town website the Spanish interpretation makes no sense and that he had put a call out to Maria Varela, Zoning & Planning secretary with his inquires about 2 weeks ago.

**September 27, 2013**  
**Regular Meeting**

**Public Portion (Cont.)**

**3. Doug Borden, 6600 Boulevard East, WNY:**

Mr. Borden inquired on the New Board Members being appointed for the Planning & Zoning Boards in which Commissioner Frias responded that she had met with the potential candidates and that Mr. Hameed was a business owner for over 20 years and that he had previously worked for the Stock Exchange and that she felt he was very knowledgeable. Commissioner Wiley requested that before any decision is done that he would like the opportunity to meet with Mr. Hameed because he had met with Ms. Valdez in which he asked her basic questions. Mr. Borden also inquired about the survey on the Town's website in which he feels it's not being monitored correctly. Town Administrator, Joseph DeMarco responded that the survey was a tool to get input from other sources and to get the public's opinion. Commissioner Rodriguez commented that she was at the last Zoning Board meeting and was not happy with the turnout of the residents. Commissioner Frias questioned Mr. Borden if he had any suggestions on how to get the word out and Mr. Borden suggested that it be advertised in the WNY newspaper. Mr. Borden stated that he feels it's very disrespectful to the public that the Master Plan only be advertised four (4) days prior to the meeting.

**4. Silverio Vega, 6600 Boulevard East, WNY:**

Former Mayor Vega suggested that meeting should take place when residents can attend. Former Mayor Vega questioned the Governing Body as to whereabouts of the Mayor. Mr. Vega expressed that this governing body can have the Mayor removed by Resolution being that he is not doing his duties and that he believes that the Mayor will never be back again.

A motion was made by Commissioner Frias, seconded by Commissioner Rodriguez, **to close the Public Portion and Adjourn the meeting at 4:45 p.m.** was carried by the following vote:

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

\_\_\_\_\_  
Commissioner FiorD'Aliza Frias

\_\_\_\_\_  
Commissioner Caridad Rodriguez

\_\_\_\_\_  
Commissioner Ruben Vargas

\_\_\_\_\_  
Commissioner Count J. Wiley

**ABSENT**

\_\_\_\_\_  
Mayor Felix E. Roque  
Board of Commissioners

Attest:

\_\_\_\_\_  
Yesenia DelRio  
Deputy Town Clerk