

**April 16, 2014**  
**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 16<sup>th</sup>, 2014 at 7:00pm (6:00 p.m. Work Session)

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque

Absent: None

Also Present: Special Counsel Donald Scarinci, Town Administrator Joseph DeMarco, Town Engineer Robert Russo (CME Associates), Tax Assessor Brian O'Reilly, Tax Attorney Mark Grasso, and CFO Margaret Cherone

Meeting commenced at 7:05 p.m.

Town Administrator Joseph DeMarco 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 16<sup>th</sup>, 2014 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 Note 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 18, 2013. 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 filled with the Town Clerk.

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

**Note: Minutes were taken and transcribed by Rosemarie Suarez.**

**Minutes of Previous Meeting:**

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas, that the minutes of Regular meeting 3/19/14 (Regular & 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 4/16/14 (Claims are available for public inspection in the Town Clerk's Office):**

It was regularly moved by Comm. Frias, seconded by Mayor Roque that the claims be approved, was carried by the following vote:

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

**April 16, 2014**  
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**Receipt of Financial Reports:**

**Financial Reports- Month of March 2014**

1. From Construction Code Official Office, reporting the sum of \$90,970.00 collected for the month of March, 2014.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$26,616.50 Collected for the month of March, 2014
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$400.00 for Special Licenses collected for the month of March, 2014.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$668.00 for Marriage/death certificates collected for the month of March, 2014.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$523.60 for Dogs Licenses collected for the month of March, 2014.
6. From (Revenue and Finance Department) reporting the sum of \$1,669,178.85 collected for the month of March, 2014
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$4.00 collected for the month of March, 2014

It was regularly moved by Commissioner Vargas, seconded by Commissioner Rodriguez , 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 16<sup>th</sup>, 2014**  
**Regular Meeting**

**Communication**  
**RFP results rec'd. 4/15/14**  
**Re: Marketing of Recyclable Materials**

RFP PROPOSAL FORMATION

Proposal Receipt Date: April 15, 2014

Proposal Time: 10:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Marketing of Recyclable Materials

Personnel at Opening: Town Clerk Carmela Riccie and Lisa Walsh

Remarks: Time to receive RFPS was closed at 10:35 a.m.  
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Waste Management of New Jersey, Inc.  
(Address) 107 Silvia Street, Ewing, N.J. 08628

RESPONDER #2 (Name) Atlantic Coast Fibers  
(Address) 101-7<sup>th</sup> Street, Passaic, N.J. 07055

It was regularly moved by Commissioner Wiley, seconded by commissioner Vargas, that the above results be accepted, was carried by the following vote:

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

**Note:** Commissioner Wiley stated that he believes that going out to bid was a good idea since he did not agree to the way the garbage was being dealt with. Comm. Wiley also said money will be brought back to the Town of West New York with the recyclables and going out to bid is a way to move forward for a better WNY.

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**Communication**  
**Re: Town Engineer's monthly report dated 4/11/14**

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 11, 2014

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.
  - The contractor has completed the project and we have prepared the final close-out pay estimate.
- 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.
  - 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.
  - We are working on the NJDOT close-out for the project.
- Veterans Park Slope Remediation and Park Improvements
  - The Veteran's Park Slope Remediation and Park Improvements project generally consists of the construction of an approximately 700 LF precast concrete retaining wall to repair and prevent further erosion of the existing steep slopes that currently exist at the site. The improvements may also include but are not limited to the construction of ADA compliant walkways, reconstruction of existing walkways, soil stabilization, lighting and landscaping improvements, park amenities such as outdoor exercise equipment, benches and water fountains and the installation of security cameras.
  - The proposed retaining wall will be constructed, at its furthest point, approximately 100' east of the existing fence line at the park, adding approximately 30,000 additional square feet to the park area.
  - The construction plans and contract documents have been completed for the project.
  - The project was advertised for the receipt of bids with the bid opening on March 11, 2014. The apparent low bid was submitted by Anselmi and DeCicco, Inc., of Maplewood, New Jersey, with a base bid of \$5,221,670.00. The bid price utilizing the deletion items for the amphitheater work was \$4,370,390.00. We have issued a letter with award recommendations.
  - The project is partially funded by a matching Green Acres grant and Hudson County Open Space grants.
- 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')

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**Town Engineer's Monthly Report (Cont.):**

- The project was advertised for the receipt of bids on December 27, 2013 with the bid opening on February 4, 2014. The apparent low bid was submitted by A.J.M. Contractors, Inc. of Clifton, New Jersey, with a bid of \$869,742.50. The project has been awarded and we have prepared the contracts for execution by the contractor. The Town has received an NJDOT grant in the amount of \$344,860.00. We have submitted the required information to the NJDOT.
  - We attended a preconstruction meeting for the project on April 2, 2014. The contractor is scheduled to start the concrete work the week of April 14, 2014.
- **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 had issued construction plans, a preliminary assessment report and required forms to Green Acres for their review and approval. Green Acres has approved same and issued the signed agreement for the project.
  - 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.
  - The contractor has remobilized for the spring and has been working on the interior of the building.
- **Town Tax Map Revisions**
- We have completed a preliminary update of the Town's existing tax maps for a revaluation process. We are awaiting additional information from the Tax Assessor and reviewing deeds at the County to finalize the update.
- **Improvements to Washington Park**
- The Town has received a CDBG 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.
  - We met with the Town's Security Camera contractor regarding security cameras for the park. They have provided us with a basic plan of where the cameras should be installed to provide coverage for the park and a cost estimate for their installation.
  - The project was advertised for the receipt of bids with the bid opening on April 2, 2014. The apparent low bid was submitted by Let It Grow, Inc. of River Edge, New Jersey, with a bid of \$537,344.81.
- **Improvements to 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.
  - The field survey work and the base maps are now completed. We are currently working on conceptual plans for the park design.
- **Miscellaneous Engineering**
- **Hudson Avenue from 55<sup>th</sup> to 60<sup>th</sup> Streets:** We were asked to review the existing street lighting levels in this area and see if additional lighting could be provided. We met with PSE&G and they have provided an agreement to increase the existing street light wattage for ten (10) lights from the existing 250 watt lights to 400 watt lights in addition to also increasing the cobra head arm length from 8' to 15' and installing three (3) additional lights. PSE&G has completed the installation of the street light modifications.

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**Town Engineer's Monthly Report (Cont.):**

- **NJDOT FY2014 Trust Fund Grants:** The FY2014 NJDOT Grant applications were due September 20, 2013. We prepared and submitted the grant applications for the following roads:
  - 60<sup>th</sup> Street from JFK Blvd West to Madison Avenue (1425')
  - 51<sup>st</sup> Street from Bergenline Avenue to Broadway Avenue (1575')
  - Gaw Place from 56<sup>th</sup> Street to Southern terminus. (200')
- **NJDOT Safe Routes to School and Transportation Alternatives Program Grants:** The Grant applications are due May 15, 2014. We are currently assisting the Town Grant Coordinator with the preparation of the grant applications.

It was regularly moved by Commissioner Wiley, seconded by commissioner Vargas, that the above report be accepted was carried by the following vote:

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

**Consent Agenda**

It was regularly moved by Commissioner Rodriguez, seconded by Commissioner Vargas that the following Consent Agenda Item Nos. R-1 through R-26 be adopted, was carried by the following vote:

YEAS -Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque  
NAYS -**See below notes**  
ABSTAIN - **See below notes**  
ABSENT - NONE

**Note: Comm. Wiley voted "NO" to R-21 & R-25. Comm. Rodriguez "abstained" to R-25.**

**Note:** The Representative of PSE&G stated that West New York is 100th municipality with their resolution Supporting PSE&G's Energy Strong Program and on behalf of the PSE&G 6,000 employees are grateful for West New York's support. The representative also spoke about the investment towards substations .The representative also said that the resolution is important after municipalities' felt the impact of Super Storm Sandy. Town Administrator Joseph DeMarco read all titles of Resolutions and Consent Agenda was established as follows: R-1 thru R-26. Comm. Wiley advised that he is voting "No" to Resolution R- 21 (Resolution-Re: Appointing Theresa Cruz as a member of the Zoning Board to fill the unexpired term of Armando Galis-Menedez). Comm. Frias explained how Theresa Cruz is a great candidate and how eager she is to learn what she needs to do. Comm. Wiley stated that all he asked for was simple resume for qualifications and that he was in Town Hall for the past month. Comm. Wiley advised that he is voting "No" to Resolution R-25 (Re: Awarding Snow Removal contract to Coyote Builders on Emergency basis). Comm. Rodriguez advises that she will "abstain" on Resolution R- 25. Comm. Wiley believes the amount to be unfair to the tax payer. Mr. DeMarco Explained that Coyote provided the town with skilled manpower and machinery that the town does not have. The Town does not have a side-loader, which was needed on Bergenline Avenue. Comm. Wiley responded that the Town has plows and that it was done recklessly.

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**Consent Agenda (cont.):**

**Resolution**

**Re: Repealing Resolution Adopted on 6/15/88 which established a loading zone at 432-54<sup>th</sup> Street, WNY for: (Padron Furniture/ Quality Furniture)**

Whereas, the governing body of the Town of West New York adopted a Resolution on June 15, 1988 establishing a loading zone for a business known as Padron Furniture (now known as Quality Furniture) and

Whereas, said business no longer exists and therefore, there is no further need for said loading zone at said location;

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

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

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

**Resolution**

**Re: Establishing restricted parking in front of one (1) residence for use by handicapped residents as follows: 5401 Palisade Avenue (Maria N. Rios)**

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.	Maria N. Rios 5401 Palisade Avenue WNY, NJ 07093	West	Begin at a point along the west side of Palisade Avenue, 106 feet south from the South West corner of 55th Street and Palisade Avenue. Then 22 feet south 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.

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**Consent Agenda (cont.):**

**Resolution**

**Re: Establishing restricted parking in front of one (1) residence for use by handicapped residents as follows: 594-67<sup>th</sup> Street (Nora. F. Calienes)**

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.	Nora F. Calienes 594 – 67 <sup>th</sup> Street WNY, NJ 07093	North	Begin at a point along the north side of 67 <sup>th</sup> St, 214 feet east from the north east corner of 67th Street and Kennedy Blvd. Then 22 feet east 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: Establishing restricted parking in front of one (1) residences for use by handicapped residents as follows: 6014 Madison Street (Francisco Del Corral)**

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.	Francisco Del Corral 6014 Madison Street WNY, NJ 07093	East	Begin at a point along the east side of Madison St., 190 feet south from the south east corner of 61st Street and Madison Street. Then 22 feet south 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

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

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: Extension of No Parking Loading Zone for:**  
**Disco Pepe Corporation 415-63<sup>rd</sup> Street, West New York, NJ**

Whereas, on July 15, 1998 the Board of Commissioners of the Town of West New York approved a resolution granting a No Parking Loading Zone for Disco Pepe Corporation located at 415 – 63<sup>rd</sup> Street, West New York, NJ; and

Whereas, there now exists a need to extend said loading zone.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, N.J., pursuant to N.J.S.A. 39:4-197 (3) (b) that the “No Parking-Loading Zone” be and same is hereby extended, at the said location, more particularly described hereafter, during business hours form 7:00 a.m. to 5:00 p.m. (Monday to Friday), said area or zone to be used as a “No Parking-Loading Zone”; during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and

BE IT FURTHER RESOLVED that the said “No Parking-Loading Zone” shall be extended and located and is hereby established and approved as follows:

BEGIN AT A POINT ALONG THE SOUTH SIDE OF  
63rd STREET, 120 FEET WEST FROM THE SOUTH WEST  
CORNER OF 63RD STREET AND PALISADE AVENUE, THEN  
90 FEET WEST THEREFROM

BE IT FURTHER RESOLVED that appropriate markings and sign shall be located at said “No Parking-Loading Zone” area according to law.

**Resolution**  
**Re: Repealing Resolution adopted on 11/22/10 (Restricted Parking for Handicapped Resident) as follows: 437-64<sup>th</sup> Street (Antoniett Chiurazzi)**

Whereas, the governing body of the Town of West New York adopted a Resolution on November 22, 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;

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:

437 – 64<sup>th</sup> Street (Antoniett Chiurazzi)

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.

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**Consent Agenda (cont.):**

**Resolution**

**Re: Supporting PSE&G'S Energy Strong Program**

WHEREAS, the State of New Jersey has experienced a series of extreme weather events over the last two years, including but not limited to: Hurricane Irene, the October 2011 snowstorm, Superstorm Sandy and an accompanying Nor'easter;

WHEREAS, Town of West New York was impacted by said extreme weather events, including but not limited to: electrical outage of entire Town, flooding, damaged property and damaged trees;

WHEREAS, Public Service Electric and Gas Company ("PSE&G") provides Town of West New York electric and/or gas service;

WHEREAS, said extreme weather events severely damaged PSE&G infrastructure, including but not limited to: flooded electrical substations due to storm surges, downed power lines and poles due to high winds and fallen trees, and the destruction of gas meters due to contact with water.

WHEREAS, said damages to PSE&G infrastructure impacted to Town of West New York;

WHEREAS, the New Jersey Board of Public Utilities ("BPU") issued an order on January 23, 2013 directing the State's electric and gas utilities, including PSE&G, to implement certain recommendations in the areas of: "Preparedness efforts", "Communications", "Restoration and response", "Post event", and "Underlying infrastructure issues";

WHEREAS, PSE&G submitted an infrastructure filing on February 20, 2013 entitled "Energy Strong";

WHEREAS, "Energy Strong" proposes an investment of \$3.9B worth of infrastructure projects over a 10-year period to enhance PSE&G's electrical and gas system, including but not limited to: fortifying electrical stations, replacing and modernizing cast iron gas mains, deploying smart grid technologies, improving pole distribution systems, creating more redundancies, undergrounding of electricity lines, and protecting gas metering stations;

WHEREAS, Town of West New York would benefit from the proposed investments in the "Energy Strong" filing;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Commissioners of The Town of West New York formally declare its support for PSE&G's "Energy Strong" program.

**Resolution**

**Re: Accepting Donation of a 2000 GMC Yukon Vehicle from the Board of Education for the Police Department**

WHEREAS, The Board of Education has offered to donate a 2000 GMC Yukon Vehicle to the West New York Police Department; and

WHEREAS, the Police Department will not incur any costs or expense in accepting the donation; and

WHEREAS, the Police Department and residents would benefit from the use of the vehicle

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York to accept a donation from the Board of Education

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**Consent Agenda (cont.):**

**Resolution**

**Re: Award of Contract for One 2013 Type III Ambulance to First Priority**

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

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for One 2013 Type III Ambulance, pursuant to and in accordance to the contract for One 2013 Type III Ambulance; and

WHEREAS, on February 21<sup>st</sup>, 2014 the Town did receive the following bids on the contract for One 2013 Type III Ambulance

Company	Amount
First Priority 2444 Ridgeway Blvd. Bldg 500 Manchester, NJ 08759	\$ 140,507.00

WHEREAS, the EMS Supervisor and QPA, have recommended the award of the contract for One 2013 Type III Ambulance, in the amount of \$140,507.00 as the bid submitted by First Priority is the lowest responsible bid for One 2013 Type III Ambulance ; and

WHEREAS, publicly bid 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 Certificate of Available Funds, maintained on file at the Town, sets forth and sufficient funds for the subject procurement have been allotted on the Town's budget and that such funds have been appropriated.

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

1. The bid of First Priority, 2444 Ridgeway Blvd. Bldg 500, Manchester, NJ 08759 in the amount of \$ 140,507.00 is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for One 2013 Type III Ambulance with First Priority.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The Town Clerk shall forward a copy of this Resolution to each bidder on this Contract.
5. The bid security of unsuccessful bidders shall be returned as per the provisions of Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq.
6. A copy of this resolution and the contract when executed shall be kept on file for public inspection in the office of the Municipal Clerk.

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**Consent Agenda (cont.):**

**Resolution**

**Re: Authorizing the West New York Police Department to enter into a Memorandum of Understanding with The Franciscan Community Development Center**

WHEREAS, the West New York Police Department (“WNYPD”); a municipal corporation established and operating pursuant to the laws of the State of New Jersey with office located at 428-60<sup>th</sup> Street, West New York, NJ; wishes to enter into agreement with the Franciscan Community Development Center (“FCDC”), a non-profit organization, having a place of business at 239 Anderson Ave, West New York, NJ 07093; and

WHEREAS, the WNYPD wishes to collaborate with the FCDC to obtain Community Based Grants wherein the FCDC will provide a wide range of educational, organizing, and advocacy programs along with health, social, and legal services in order to address and alleviate the many issues of poverty and disenfranchisement that control the lives of many West New York Residents; and

WHEREAS, the Memorandum of Understanding between the WNYPD and the FCDC will improve the quality of life within the Town and maximize the WNYPD’s ability to serve the community in a way that maintains public safety and community well-being; and

WHEREAS, the WNYPD will partner with FCDC to provide various on-site educational and social services outreach opportunities and to provide referrals to FCDC at their primary site locations; and

WHEREAS, the terms of this Memorandum of Understanding between the WNYPD and the FCDC is for a period of five years, commencing on April 1<sup>st</sup>, 2014;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and the Board of Commissioners of the Town of West New York that the West New York Police Department is authorized to execute a Memorandum of Understanding with The Franciscan Community Development Center for to obtain and implement Community Based Grants.

**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 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:

Alternate Prosecutor	May 6 <sup>th</sup> , 2014 9:30 am
Alternate Public Defender	May 6 <sup>th</sup> , 2014, 10:00 am
Grant Writer	May 6 <sup>th</sup> , 2014, 10:30 a.m.
Zoning Board Attorney	May 6 <sup>th</sup> , 2014, 11:00 am
Corporate Counsel	May 6 <sup>th</sup> , 2014, 11:30 am

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:

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

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 Proposals 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:

Alternate Prosecutor  
Alternate Public Defender  
Grant Writer  
Corporate Counsel  
Zoning Board Attorney
  
3. Such Request for Proposals (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 Proposals received 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 Proposals must be submitted by interested parties, for consideration by the Review Committee herein established; and

The Commissioner of Revenue and Finance, with the Town Administrator and Qualified Purchasing Agent both in an advisory capacity, will review all Statements of Proposals and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

**Resolution**  
**Re: Refund of Tax Lien Premiums**  
**(\$306,600.00)**

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

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

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

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

NAME	BLOCK/LOT	CERT. #	AMOUNT
SUNSHINE ST CERT. IV, LLLP, BK UNITEDT	25/39	12-0130	\$20,000.00
MEYER MUSSAFI	109/13	13-0367	\$30,000.00
PAM INVESTORS	81/3 C00B8	13-0276	\$100.00
	81/3 C00B2	13-0275	\$300.00
	80/46	13-0272	\$500.00
	15/16	13-0053	\$15,100.00
	168.01/8.03 C0338	13-0583	\$4,000.00
	154/20	13-0516	\$500.00
	5/42	13-0025	\$800.00

**April 16th, 2014**  
**Regular Meeting**

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

	42/37	13-0156	\$900.00
	66/16	13-0210	\$2,000.00
ISAAC MORADI	133/13 C0304	13-0447	\$500.00
	81/3 C00B1	13-0274	\$1,000.00
	151/17	13-0497	\$200.00
	140/9	13-0464	\$700.00
	83/7 C0039	13-0292	\$300.00
US BANK CUST FOR PRO CAP III, LLC	72/7	13-0237	\$32,100.00
	96/31	13-0328	\$800.00
	80/33	13-0270	\$1,100.00
	161/5	13-0535	\$600.00
	53/16 C002A	13-0186	\$800.00
	16/50	13-0063	\$12,000.00
	68/13	13-0220	\$2,900.00
	5/32 C07-K	13-0021	\$1,600.00
	115/7 C0311	13-0399	1,700.00
US BANK CUST FOR TOWER DBW	42/28	11-0117	\$7,500.00
	41/14	12-0230	\$10,000.00
	85/25	12-0474	
US BK. CUST FOR TOWER DBW111 TR2013	5/15	13-0011	\$3,100.00
	168.01/1.36 C0405	13-0568	\$11,900.00
	69/17	13-0222	\$8,100.00
	103/13	13-0345	\$8,900.00
	51/2	13-0177	\$4,100.00
	72/7 T01	13-0238	\$1,900.00
	155/24	13-0521	\$5,100.00
	127/16	13-0430	\$8,100.00
US BANK CUST FOR BV001 TRUST	143/9.01	13-0475	\$2,000.00
	126/16	13-0423	\$2,000.00
	117/15 C0302	13-0405	\$1,100.00
	158/27	13-0529	\$400.00
	155/2	13-0517	\$1,000.00
	168.01/1.01 C0391	13-0549	\$600.00
	168.01/8.03 C0315	13-0582	\$14,100.00
	168.01/1.31 C0471	13-0563	\$600.00
	145/22	13-0481	\$2,000.00
	105/3	13-0350	\$1,600.00
	67/31	13-0217	\$1,600.00
	145/22	13-0481	\$2,000.00
	134/4	13-0448	\$27,100.00
	153/45.02	13-0510	\$1,400.00
	152/4	13-0499	\$1,000.00
	17/8.01	13-0065	\$1,600.00
	55/43	13-0193	\$1,500.00
	16/17	13-0056	\$1,900.00
	86/18	13-0308	\$1,600.00
	66/23	13-0211	\$1,200.00
	126/31	13-0426	\$2,200.00
MTAG SVC. AS CUST FOR ATCF II NJ LLC	134/4	12-0615	\$1,000.00
	107/26	13-0358	\$41,000.00
	9/4 C0COM	11-0034	\$1,300.00
US BANK CUST FOR CRESTAR CAPITAL LL	9/4 C0COM	13-0039	\$9,100.00
	GRAND TOTAL		\$306,600.00

**April 16th, 2014**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution**  
**Re: Refunds of Tax Lien Redemptions**  
**(\$434,565.85)**

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
US BANK CUST. FOR TLCF 2012A, LLC	151/17	12-0688	\$1,408.34
	42/37	12-0242	\$4,605.24
SUNSHINE ST CERT. IV, LLP, BK. UNITEDT	25/39	12-0130	\$28,945.63
RUTHERFORD DEVELOPMENT	83/7 CG013	09-116	\$535.20
MEYER MUSSAFI	109/13	13-0367	\$7,351.03
PAM INVESTORS	81/3 C00B8	13-0276	\$1,083.82
	81/3 C00B2	13-0275	\$1,154.50
	80/46	13-0272	\$717.65
	15/16	13-0053	\$8,399.79
	168.01/8.03 C0338	13-0583	\$2,341.53
	154/20	13-0516	\$674.54
	5/42	13-0025	\$842.81
	42/37	13-0156	\$917.04
	54/11	12-0290	\$694.92
66/16	13-0210	\$5,044.70	
ISAAC MORADI	133/13 C0304	13-0447	\$869.92
	81/3 C00A2	13-0273	\$1,228.12
	81/3 C00B1	13-0274	\$1,887.55
	151/17	13-0497	\$780.62
	140/9	13-0464	\$668.87
	83/7 C0039	13-0292	\$1,697.55
	83/7 CG013	10-161	\$2,917.58
	83/7 CG013	11-0236	\$1,064.11
	168.01/8.01 C0229	11-0394	\$20,862.00
US BANK CUST FOR PRO CAP III, LLC	72/7	13-0237	\$12,598.81
	96/31	13-0328	\$677.00
	80/33	13-0270	\$2,907.40
	161/5	13-0535	\$336.34
	53/16 C002A	13-0186	\$730.22
	16/50	13-0063	\$5,867.02
	68/13	13-0220	\$2,917.16
5/32 C07-K	13-0021	\$2,932.06	

**April 16th, 2014**  
**Regular Meeting**

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

	115/7 C0311	13-0399	\$1,978.56
US BANK CUST FOR	42/28	12-0239	\$15,432.95
TOWER DBW	42/28	11-0117	\$33,333.08
	41/14	12-0230	\$28,720.48
	137/9	12-0625	\$7,303.08
	85/25	12-0474	\$15,878.41
US BK. CUST FOR	5/15	13-0011	\$753.30
TOWER DBW111 TR2013	168.01/1.36 C0405	13-0568	\$5,968.40
	69/17	13-0222	\$2,249.56
	103/13	13-0345	\$8,732.88
	51/2	13-0177	\$8,469.41
	72/7 T01	13-0238	\$1,542.23
	155/24	13-0521	\$2,202.61
	127/16	13-0430	\$8,313.06
US BANK CUST FOR	143/9.01	13-0475	\$3,757.84
BV001 TRUST	126/16	13-0423	\$3,242.12
	117/15 C0302	13-0405	\$4,044.27
	158/27	13-0529	\$2,025.80
	155/2	13-0517	\$2,445.73
	168.01/1.01 C0391	13-0549	\$684.19
	168.01/8.03 C0315	13-0582	\$12,784.15
	168.01/1.31 C0471	13-0563	\$845.58
	145/22	13-0481	\$3,276.24
	105/3	13-0350	\$2,665.17
	67/31	13-0217	\$2,693.16
	145/22	13-0481	\$3,276.24
	134/4	13-0448	\$17,395.35
	153/45.02	13-0510	\$2,384.41
	152/4	13-0499	\$1,541.11
	17/8.01	13-0065	\$2,960.86
	55/43	13-0193	\$2,081.44
	16/17	13-0056	\$2,444.16
	86/18	13-0308	\$2,400.10
	66/23	13-0211	\$2,346.20
	126/31	13-0426	\$3,418.10
MTAG SVC. AS CUST	134/4	12-0615	\$19,119.85
FOR ATCF II NJ LLC	107/26	13-0358	\$4,802.39
	9/4 C0COM	12-0047	\$1,386.80
	9/4 C0COM	11-0034	\$10,876.87
	49/20 C002C	12-0271	\$1,929.04
US BANK CUST FOR	9/4 C0COM	13-0039	\$5,654.93
CRESTAR CAPITAL LL			
		GRAND TOTAL	\$434,565.85

April 16th, 2014  
Regular Meeting

**Consent Agenda (cont.):**

**Resolution**

**Authorizing a refund of Tax Sale Certificates sold in error on property  
formerly known as Block 138 Lot 14 and Block 138 Lot 14.03**

Whereas, the former owner of Block 138 Lot 14 assembled property which created new lots for future development; and

Whereas, the Tax Assessor's Office created the new lots but failed to cancel the previous listed lots; and

Whereas, the property known as Block 138 Lot 14 and Block 138 Lot 14.03 were continued to be assessed and created delinquent taxes; and

Whereas, the Tax Collector sold at a Tax Lien Sale on June 28, 2010, tax sale certificates for the subject properties assessed in error;

Whereas, the Commissioners of the Town of West New York on November 18, 2013 authorized the cancellation of said tax sale certificates sold in error and now the amount refund shall be paid;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK, NEW JERSEY THAT:

- 1) The Tax Collector is hereby authorized to refund amounts for tax sale certificates sold in error on Block 138 Lot 14, Block 138 Lot 14.03 and;
- 2) The Tax Collector shall process refunds in the following amounts to the following firms:

US Bank Cust. For	Certificate # 10-225	\$36,932.87
LLFI-NJ	Certificate # 10-226	\$13,159.49
- 3) This resolution shall take effect immediately.

**Resolution**

**Re: Refunds of Overpayment of Taxes**

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

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

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

NAME	BLOCK/LOT	AMOUNT	YEAR
RYOO IN O & SOO OK	168.01/8.03 C0310	\$75.86*	2013
DOVENMUEHLE MORTGAGE, INC.	130/5.01 C0502	\$3,743.95	2014
ORS, ANA L	19/39	\$1,995.00	2013
CHIN, EDWARD	168.01/8.01 C0436	\$5,481.06 (SVC)	2013
	GRAND TOTAL	\$11,295.87	

**April 16th, 2014**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution**

**Re: Authorizing the Town Clerk to advertise to received bid for “Printing Services” on Thursday, May 22<sup>nd</sup>, 2014 at 10:30 a.m. in Town Clerk’s Office**

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and she is hereby authorized and directed for the receiving of bids for “Printing Services” on Thursday, May 22<sup>nd</sup>, 2014 at 10:30 a.m. in the Town Clerk’s Office in accordance with the specifications on file in the Town Clerk’s Office.

**Resolution**

**Re: Authorizing the Town Clerk to advertise to received bid for “3<sup>rd</sup> Party Elevator Inspection ” on Thursday, May 22<sup>nd</sup>, 2014 at 12:00 p.m. in Town Clerk’s Office**

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and she is hereby authorized and directed for the receiving of bids for “3<sup>rd</sup> Party Elevator Inspection” on Thursday, May 22<sup>nd</sup>, 2014 at 12:00 p.m. in the Town Clerk’s Office in accordance with the specifications on file in the Town Clerk’s Office.

**Resolution**

**Re: Authorizing the Town Clerk to advertise to received bid for “General Contract Services” on Thursday, May 22<sup>nd</sup>, 2014 at 11:00 a.m. in Town Clerk’s Office**

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and she is hereby authorized and directed for the receiving of bids for “General Contract Services” on Thursday, May 22<sup>nd</sup>, 2014 at 11:00 a.m. in the Town Clerk’s Office in accordance with the specifications on file in the Town Clerk’s Office.

**Resolution**

**Re: Appointing Sonny Arya as a member of the Parking Authority Board to fill the unexpired term of John Fauta (Term expired on 1/16/2016)**

WHEREAS a vacancy exists on the West New York Parking Authority Board due to the resignation of John Fauta; and

WHEREAS Sonny Arya is a resident of the Town of West New York living at 6114 Jackson Street, West New York, NJ 07093; and

WHEREAS, Sonny Arya is available to complete the required term, such term expiring 1/16/2016;

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

1. Sonny Arya is appointed to serve as a member of the West New York Parking Authority Board, to serve for the unexpired portion of a term which will expire on 1/16/2016.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

**Resolution**

**Re: Authorizing the Town Clerk to advertise to received bid for “Uniform Cleaning Service” on Thursday, May 22<sup>nd</sup>, 2014 at 12:30 p.m. in Town Clerk’s Office**

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and she is hereby authorized and directed for the receiving of bids for “Uniform Cleaning Service” on Thursday, May 22<sup>nd</sup>, 2014 at 12:30 p.m. in the Town Clerk’s Office in accordance with the specifications on file in the Town Clerk’s Office.

**April 16th, 2014**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution**

**Re: Appointing Theresa Cruz as a member of the Zoning Board to fill the unexpired term of Armando Galis-Menedez (Term expired on 10/05/ 2014)**

WHEREAS a vacancy exists on the West New York Zoning Board due to the resignation of Armando Galis-Menedez; and

WHEREAS Theresa Cruz is a resident of the Town of West New York living at 586-59<sup>th</sup> Street, West New York, NJ 07093; and

WHEREAS, Theresa Cruz is available to complete the required term, such term expiring 10/05/2014;

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

1. Theresa Cruz 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 10/05/2014
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

**Resolution**

**RE: West New York Resolution Supporting Participation In the Sustainable Jersey Municipal Certification Program**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Town of West New York strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century, and

WHEREAS, West New York hereby acknowledges that the resident of West New York desire a stable, sustainable future for themselves and future generations; and

WHEREAS, West New York wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path West New York is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of West New York, we have significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community;

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within West New York on matter of sustainability, the Mayor and Board of Commissioners wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Board of Commissioners of West New York that we do hereby authorize the Public Affairs Department to serve as West New York's agent for the Sustainable Jersey Municipal Certification process and authorize Tiffany Marcano to complete the Municipal Registration on behalf of West New York.

**April 16th, 2014**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution**

**Re: Award of Contract for Improvements to Veterans Park Anselmi & De Cicco, Inc.**

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

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Improvements to Veteran's Park pursuant to and in accordance to the contract for Improvements to Veteran's Park; and

WHEREAS, on March 11<sup>th</sup>, 2014 the Town did receive the following bids on the contract for Improvements to Veteran's Park

Company	Amount
Anselmi & De Cicco, Inc. 1977 Springfield Avenue Maplewood, NJ 07040	\$4,584,890.00 (net amount after deletion items)
Ritacco Construction Inc. 10 Lawrence Street Belleville, NJ 07109	\$5,555,000.00
Zenith Construction Services, Inc. 365 Thomas Blvd Orange, NJ 07050	\$5,661,012.50
J. Fletcher Creamer & Son, Inc. 101 East Broadway Hackensack, NJ 07601	\$6,129,382.00
Rencor, Inc. 24 Tannery Road, Suite 1-B Somerville, NJ 08876	\$6,161,121.60
Let It Grow 52 Ackerson Street River Edge, NJ 07661	\$6,203,645.35
Green Construction, Inc. P.O. Box 550 26 <sup>th</sup> Elizabeth Street South River, NJ 08882	\$6,328,065.45
Applied Landscape Technologies 145 River Road Montville, NJ 07045	\$6,475,600.00
Union Paving & Construction Co., Inc. 1140 Globe Avenue Mountainside, NJ 07092	\$6,642,420.09
RML Construction, Inc. 500-13 <sup>th</sup> Street Carlstadt, NJ 07072	\$6,726,045.00
Flanagan's Contracting Group, Inc. 90 Old Camplain Road Hillsborough, NJ 08844	\$6,780,988.20
Tony & Son, Inc. 80 Harrow Dr. Colonia, NJ 07067	\$6,872,680.90
Northeast Remsco Construction, Inc. 1433 Route 34 South, Building B Farmingdale, NJ 07727	\$7,320,800.00
Safar Contracting, Inc. 255 Pacific Street Newark, NJ 07114	\$7,937,647.00
Hutton Construction, LLC	\$8,589,262.35

41 Village Park Road Cedar Grove, NJ 07009	
Montana Construction Corp., Inc. 80 Contant Avenue Lodi, NJ 07644	\$9,088,463.00

WHEREAS, the Town's Engineer Rob Russo (CME), in consultation with the Town Attorney, has recommended the award of the contract for Improvements to Veteran's Park, in the amount of \$4,584.890.00 as the bid submitted by Anselmi & De Cicco, Inc. is the lowest responsible bid for Improvements to Veteran's Park; and

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

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

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

The bid of Anselmi & De Cicco, Inc. 1977 Springfield Avenue, Maplewood, NJ 07040 in the amount of \$4,584.890.00 is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.

1. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for Improvements to Veteran's Park with Anselmi & De Cicco, Inc.
2. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
3. The Town Clerk shall forward a copy of this Resolution to each bidder on this Contract.

**Resolution**

**Re: Authorizing the Town Clerk to advertise to received bid for "Summer Food Service Program" on Thursday, May 22<sup>nd</sup>, 2014 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 for the receiving of bids for "Summer Food Service Program" on Thursday, May 22<sup>nd</sup>, 2014 at 10:00 a.m. in the Town Clerk's Office in accordance with the specifications on file in the Town Clerk's Office.

**Resolution**

**Re: Awarding a Contract to Coyote Builders and Developers for snow removal on an Emergency basis pursuant to N.J.S.A. 40A:11-6**

WHEREAS, an emergency has arisen due to unforeseen weather conditions requiring the bulk removal of accumulated snow from various roads and streets, and

WHEREAS, the town does not possess the necessary equipment and manpower to remove the accumulated snow, and

WHEREAS, in the interest of public safety and welfare it was necessary to provide for the removal of the snow from various roads; and

WHEREAS, it has been determined by the Department of Public Works and Public Safety that an emergency exists pursuant to N.J.S.A. 40A:11-6, and

WHEREAS, the town has recently requested bids for snow removal and intends to award a contract for this service at its next scheduled meeting.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, that the Town Administrator is permitted to enter into an agreement with Coyote Builders and Developers for services in connection with the emergency snow removal in the amount of \$88,592.

**April 16th, 2014**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution**

**Re: Confirming use of Best Practices for the Award of Contracts**

WHEREAS, the State of New Jersey has promulgated the “Best Practices” for contracts which do not have to be bid and has advocated the use of the “Best Practices” for the award of all professional services and extraordinary unspecifiable services contracts; and

WHEREAS, to obtain the best services for the Town of West New York, it will follow the “Best Practices” process and recommendations from the Office of the State Comptroller as set forth in his manual “Best Practices for Awarding Service Contracts” and criteria for selection of municipal attorneys and other professional services; and

WHEREAS, to implement these best practices, the Town has selected a committee to review and evaluate all professional service contract proposals, in order to make recommendations to the Commissioners for the award of contracts; and

WHEREAS, the committee, reviewing the proposals, shall utilize the attached evaluation process and grading sheet to compare the proposals submitted to obtain the professional services, including legal services, which are the most appropriate and cost effective for West New York.

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

1. The committee to evaluate all proposals for professional service contracts shall include the Business Administrator, Qualified Purchasing Agent, and Commissioner of Revenue and Finance.
2. The Commissioners adopt the attached evaluation process and grading sheet for review and recommendation of all professional service contracts.
3. The Commissioners authorize the Qualified Purchasing Agent to post a request for proposals for corporation counsel and other professional services as needed.

**ORDINANCE #1/14**

**An Ordinance concerning legal services for the Town of West New York**

**Note:** Town Administrator Joseph DeMarco 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 Frias, seconded by Mayor Roque to adopt the foregoing Ordinance was carried by the following vote:

It was regularly moved by Commissioner Frias, Seconded by Mayor Roque 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

April 16th, 2014  
Regular Meeting

**ORDINANCE #2/14**

**OMNIBUS ORDINANCE REGARDING FINES FOR ILLEGAL OR PROHIBIED  
PARKING WITHIN THE TOWN OF WEST NEW YORK**

**Note:** Town Administrator Joseph DeMarco read the title of the foregoing Ordinance aloud.

It was regularly moved by Mayor Roque, seconded by Comm. 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 #2/14**

**OMNIBUS ORDINANCE REGARDING FINES FOR ILLEGAL OR PROHIBIED  
PARKING WITHIN THE TOWN OF WEST NEW YORK**

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 April 16, 2014 and ordered published, and will be further considered before final passage at a public hearing on May 21, 2014 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.

**Ordinance #3/14**

**An Ordinance amending Chapters 284 of the code of the Town of West New York regarding peddling and soliciting and creating a Farmer's Market**

**Note:** Town Administrator Joseph DeMarco read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Vargas, Seconded by Mayor Roque 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 #3/14**

**An Ordinance amending Chapters 284 of the code of the Town of West New York regarding peddling and soliciting and creating a Farmer's Market**

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 April 16, 2014 and ordered published, and will be further considered before final passage at a public hearing on May 21, 2014 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.

**April 16th, 2014**  
**Regular Meeting**

**Ordinance #4/14**

**An Ordinance Authorizing Financial Agreement with K. Hovnanian at Port Imperial Urban Renewal VI, LLC.**

**Note:** Town Administrator Joseph DeMarco read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Frias, Seconded by Mayor Roque 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

**Note:** Mr. Donald Scarinci stated that he will need to recuse himself and step out of the room so there is not conflict of interest; he says that during the public portion those concerned with this ordinance should let him know ahead of time so he can physically step out of the room. Mr. Scarinci exited the chambers. Tax attorney Mark Grasso replaced Mr. Scarinci. Mr. DeMarco asked for Brian O'Reilly to speak on the Ordinance. Mr. O'Reilly introduced himself as a licensed tax assessor since 1992 and an employee of the tax assessor's office in Town Hall. Mr. O'Reilly spoke about K. Hovnanian initial application for 30 year tax abatement for a 278 condominium unit. After negotiations Mr. O'Reilly and Mr. Grasso reduced it to 20 year tax abatement at a higher percentage. Mr. O'Reilly broke down the payments West New York will receive including a repayment. K. Hovnanian's 278 condominium unit was approved by the planning board.

**Notice**

**Ordinance #4/14**

**An Ordinance Authorizing Financial Agreement with K. Hovnanian  
at Port Imperial Urban Renewal VI, LLC.**

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**Note:** At the request of the Town Administrator, Mayor Roque opened the Public Portion at 7:30p.m., and advised that each speaker has (5) minutes to speak.

**April 16th, 2014**  
**Regular Meeting**

**Public Portion:**

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

**1. Charles Betancourt, 6305 Jackson Street, WNY:**

Mr. Betancourt wanted ordinance 1 to be defined more. Mayor Roque asked for Donald Scarinci to respond, Mr. Scarinci said that the change will be from an employee relationship to outside contractor. This will result in the elimination of clerical positions, benefits, and pensions. Mr. Betancourt asked if this would be a more consolidated system Mr. Scarinci responded "correct".

**2. Wayne Cook 61 Jackson Street, WNY:**

Mr. Cook spoke about the garbage being thrown out on 61st in Madison Street. Mr. Cook asked why the Town went out for bid if WNY employees can pick up the recyclables. Comm. Wiley responded that the garbage trucks are not ready for those type of pick-ups and the Town cannot handle a truck to break down. Mr. Cook explained that in the past the community would get together to help remove snow and that the school, parking authority and housing Authority worked together. Mr. DeMarco responded that this year the Town had 62 inches of snow fall and that all of the agencies did help out. Mr. Cook said that in the 2009 snow storm everyone helped clean up.

**3. Ralph Martell 6001 Monroe Place, WNY:**

Mr. Martell began by stating that the waterfront is being given away because the Town is trying to fix the budget that Roque's administration screwed up. Mr. Scarinci recused himself and was not in the room. Mr. Martell said "Mr. Roque should be ashamed of himself".

**4. Gloria Cullen 5800 Jefferson Street, WNY:**

Ms. Cullen spoke about how West New York has terrible parking and that many buildings such as the 5800 high rises on Boulevard East have their own parking yet the tenants still park outside. Ms. Cullen stated that tenants who already have their own parking spaces should get ticketed for parking outside.

**5. Patrick Cullen 72-67<sup>th</sup> street, WNY:**

Mr. Scarinci recused himself and stepped out of the room. Mr. Cullen stated that the tax abatement will affect the schools because \$0.00 taxes are paid. Mr. Cullen said that the tax abatement was "outrageous". He then turned around to show his t-shirt that supported current Freeholder Jose Munoz for his next election. Mr. Cullen asked about the Seven-Eleven that is currently being built 62nd on Park Avenue in which it should not be there since there cannot be a parking lot within 150 feet away from a school. Mr. DeMarco suggested that Mr. Cullen speak to the planning board about the 7-11.

**6. Humberto Ortega:**

Mr. Scarinci recused himself and stepped out of the room. Mr. Ortega asked Mr. O'Reilly for specific numbers in which Mr. O'Reilly gave him the formula the tax assessors use when it comes to figuring out the percentage with the tax abatements. Mr. O'Reilly said he needed a calculator because it was impossible to get the number off the top of his head. Mr. Ortega was upset that Mr. O'Reilly could not give him numbers. Mr. O'Reilly suggested that if Mr. Ortega wanted to know how he came up with the numbers that he was more than welcomed to go to his office tomorrow morning. Mr. Ortega said yes to that offer.

**7. Francisco Ferreiro, 5206 Bergenline Avenue, WNY:**

Mr. Scarinci was asked to step out since Mr. Ferreiro was going to speak about the K. Hov Tax abatement. Mr. Ferreiro says that tax abatement is supposed to be for large companies that will help bring jobs to the town. Mr. Ferreiro spoke about Comm. Rodriguez running for freeholder and that is the only reason why she abstained from some resolutions.

**April 16<sup>th</sup>, 2014**  
**Regular Meeting**

**Public Portion (Cont.):**

**8. Angel Barquin:**

Mr. Barquin wanted ordinance 1 to be explained more, in which Mr. Scarinci advised him of changes. Mr. Barquin then asked when an employee is sued how they set an attorney. Mr. Scarinci explained that is through "JIF" and that every party is entitled to their legal counsel. Mr. Barquin brought up the Auditor's report having 32 notices on 2010 and wanted to know what steps were being taken.

**9. Gary Pollock:**

Mr. Pollock began by stating that numbers are irrelevant and that it's about the purpose, Mr. Pollock was regarding Ordinance O-4. Mr. Scarinci physically stepped out. Mr. Pollock stated that the purpose of tax abatement is for developers to build on land that wouldn't originally be developed on.

**10. Danny Alvarez 4208 Union City:**

Mr. Scarinci was not in the room. Mr. Alvarez spoke about how developers receive money because of urban renewal from grants. Mr. Alvarez stated that K-Hov's project with WNY is just for money and that there isn't much land on the waterfront to build on.

**Ralph Martell 6001 Monroe Place, WNY (2nd time):**

Mr. Martell stated that WNY is being corrupted by Mayor Roque and asked the commissioners to "please do the honest thing" when making the decision for O-4.

**12. Danny Parcey 56th St.**

Mr. Parcey asked if Mr. Scarinci was the attorney in which Mr. Scarinci replied that he was the special counsel and that he was assigned to be there. Mr. Scarinci made it clear that he does not have a salary. Mr. Parcey went on asking if Gil was sick, Mr. Scarinci stated that Gil assigned him there. Mr. Parcey stated that Comm. Rodriguez is not speaking for the people and not asking the right questions.

**13. Ronald Scheurle, 6119 Tyler Place, WNY:**

Mr. Scheurle stated that the town is making ordinances and not following them. He also stated that people are being hired outside the law. Mr. Scheurle said that the Board is ruining the lives of the Town's children. He went on stating that the administration does not care about the children or the town's people. Mr. Scheurle stated that the older employees are being forced out.

**14. Patrick Cullen 72-67th St. (2nd time):**

Mr. Cullen started off by recognizing Mr. Scarinci for his ethical choice at recusing himself from ordinance 4. Mr. Cullen brings up the 7-11 argument that it should not be within 150 feet from a school, in which this 7-11 is. Mr. Cullen's believes that children can buy cigarettes or get hit by a car since 7-11's parking lot will be constantly active. Comm. Frias stated that the property before was an auto mechanic shop. Mr. Cullen questioned that since there was a mechanic's shop on the property that it was "ok" for it to be turned into a 7-11 shop. Mr. Cullen then said that a child can get hit by a car with the active parking lot and went on stating that Comm. Frias was the Vice Chair of the Zoning Board. Comm. Frias said that she was not the Vice Chair and that she only ran the meeting as an "emergency".

**April 16<sup>th</sup>, 2014**  
**Regular Meeting**

**Public Portion (Cont.):**

**15. Frank Ferriero (2nd time)**

Asked Mr. Scarinci if he had the answer for him about the laws of putting flyers out in which Mr. Scarinci responded that he did. Mr. Scarinci said that the law is enforced and that flyers could not be put on cars. Mr. Ferreiro said that it was not right that when Mayor Roque ran that he put flyers on cars, but now it is not allowed. Mr. Scarinci stated that the law will be enforced.

A motion was made by Comm. Frias, seconded by Comm. Rodriguez **to close the Public Portion and adjourn the meeting at 8:40 pm** was carried by the following vote:

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

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Commissioner FiorD'Aliza Frias

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Commissioner Caridad Rodriguez

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Commissioner Ruben Vargas

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Commissioner Count J. Wiley

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Mayor Felix E. Roque  
Board of Commissioners