

June 18, 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, June 18, 2014 at 12:00 p.m. (No Work Session):

Present: Commissioners Frias, Rodriguez, Vargas, Wiley and Mayor Roque
Absent: None
Also Present: Town Clerk Carmela Riccie, Town Administrator Joseph DeMarco and Corporation Counsel Donald Scarinci

Meeting commenced at 12:15 p.m.

Town Clerk Carmela Riccie made the following announcement:

As presiding officer of this regularly scheduled meeting of the Board of Commissioners of the Town of West New York, held on June 18, 2014 at 12:00 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 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 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 Mayor Roque, seconded by Commissioner Vargas, that the Minutes of Regular Meeting: 5/21/14 (Regular & Work Sessions) and Special Meeting: 5/28/14 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 6/18/14 (Claims are available for public inspection in the Town Clerk's Office):

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

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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF MAY 2014

1. From Construction Code Official Office, reporting the sum of \$69,169.00 collected for the month of May, 2014.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$9,026.30 Collected for the month of May, 2014
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$15,855.00 collected for Special Licenses collected for the month of May, 2014.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$761.00 collected for Marriage/death certificates collected for the month of May, 2014.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$306.00 Collected for Dogs Licenses collected for the month of May, 2014.
6. From (Revenue and Finance Department) reporting the sum of \$10,935,199.38 collected for the month of May, 2014
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$1,050.00 collected for the month of May, 2014

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

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

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Communication
Bid results rec'd. 5/22/14
Re: Printing Services

BID PROPOSAL FORMATION

Proposal Receipt Date: May 22, 2014 Budgeted Amount: \$

Proposal Time: 10:30 a.m. Estimated Amount: \$

Location for proposal: Town Clerk's Office

Proposal for: Printing Services

Department of:

Personnel at Opening: Town Clerk Carmela Riccio, Lisa Walsh, Adeliny Plaza,
QPA Xenia Rivero

Remarks: Time to receive bids was closed at 10:35 a.m.
Reserved decision pending review by law department.

BIDDER #1(Name) Centurion Printing
(Address) 352 Market Street
Kenilworth, NJ 07033 Total cost: 54,107.00
(See bid proposal attached
With unit prices)
Bid Bond: NONE Check:

BIDDER #2(Name) Royal Printing Services
(Address) 441 51st Street
West New York, NJ 07093 Total cost: 88,570.75
(See bid proposal attached
With unit prices)
Bid Bond: X Check:

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Communication
Bid results rec'd. 5/22/14
Re: Uniform Cleaning Services

BID PROPOSAL FORMATION

Proposal Receipt Date: May 22, 2014 Budgeted Amount: \$
Proposal Time: 12:30 pm Estimated Amount: \$
Location for proposal: Town Clerk's Office
Proposal for: Uniform Cleaning Services
Department of: Public Affairs
Personnel at Opening: Town Clerk Carmela Riccie, Lisa Walsh, Adelinny Plaza
QPA Xenia Rivero
Remarks: Time to receive bids was closed at 12:35 p.m.
Reserved decision pending review by law department.
BIDDER #1(Name) Prime Uniform Supply Inc. Cost: \$22,880.00
(Address) 420-51ST St., WNY, NJ 07093 (See bid proposal attached)
Bid Bond: _____ Check: \$2,288.00 check #1987006504

Communication
RFP results rec'd. 6/13/14
Re: Finance & Purchasing Consultant

RFP PROPOSAL FORMATION

Proposal Receipt Date: June 13, 2014
Proposal Time: 10:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Finance & Purchasing Consultant
Personnel at Opening: Carmela Riccie, Lisa Walsh, Adelinny Plaza
Remarks: Time to receive RFPS was closed at 10:05 a.m.
Reserved decision pending review by review committee.

NO RFP'S RECEIVED

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Communication
Re: Town Engineer's Monthly report dated 6/13/14

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: June 13, 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 (67th St from JKF Blvd West to Palisade Avenue)
 - The Town received a grant in the amount of \$280,800.00. We estimate the construction cost for the project to be \$275,000.00.
 - 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 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.
 - We held a preconstruction meeting on May 6, 2014. The contractor has mobilized his crews and has been working on the retaining wall excavation.
- 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:
 - 60th Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
 - 65th Street from Broadway Avenue to Park Avenue (675')
 - 51st Street from JFK West to Bergenline Avenue (615')
 - 66th Street from Hudson Avenue to JFK East (2060')
 - 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 has commenced working on the project and has completed the storm drainage and handicap ramp work on the majority of the roadways, has installed the base and top course pavement on 66th and 65th and the base course pavement on 51st.
 - They anticipate finishing the top course paving on all of the roadways this week except for 60th which will be paved at night. We have requested a schedule for this work and the speed hump installation.
- 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.

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Town Engineer's report (Cont.):

- The project was awarded on May 15, 2013 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.
 - 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.
 - The contractor has completed the interior and exterior improvements and we have issued a punchlist for the project.
- Town Tax Map Revisions
- We have completed the update of the Town's existing tax maps for a State revaluation process. We have submitted the tax maps to the State for review.
- Improvements to Washington Park
- The Town has received a CDBG in the amount of \$400,000 for this project.
 - 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
- 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:
 - 60th Street from JFK Blvd West to Madison Avenue (1425')
 - 51st Street from Bergenline Avenue to Broadway Avenue (1575')
 - Gaw Place from 56th Street to Southern terminus. (200')
 - NJDOT Safe Routes to School and Transportation Alternatives Program Grants: The Grant applications are due June 30, 2014. We are currently assisting the Town Grant Coordinator with the preparation of the grant applications.

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Communication

Re: Resolution 014-032 Parking Authority terminating the contract for sale of real estate entered into between seller West New York Parking Authority and Buyer Miralto, LLC on 9/17/12

**RESOLUTION 014-032
RESOLUTION OF THE WEST NEW YORK PARKING AUTHORITY
TERMINATING THE CONTRACT FOR SALE OF REAL ESTATE
ENTERED INTO BETWEEN SELLER WEST NEW YORK
PARKING AUTHORITY AND BUYER MIRALTO, LLC,
ON SEPTEMBER 17, 2012**

WHEREAS, the West New York Parking Authority (hereinafter the “Authority”) is a public body corporate and politic of the State of New Jersey, duly formed under the Parking Authority Law, N.J.S.A. 40:11A-1 et seq. (the “Act”), and possesses the powers as set forth therein; and

WHEREAS, the Authority is empowered to adopt the within Resolution pursuant to and under the Parking Authority Law, N.J.S.A. 40:11A-1 et seq.; and

WHEREAS, on September 17, 2012 Seller, West New York Parking Authority, entered into a Contract for the Sale of Real Estate (hereinafter “Contract”) with Buyer, Miralto, LLC (hereinafter “Miralto”) wherein Miralto was to purchase certain land located in the Town of West New York, Hudson County, New Jersey, being designated as Lots 1 and 2 in Block 4 on the tax map of the Town of West New York, New Jersey, specifically, the property located at Park Avenue between 66th Street and 67th Street, West New York, New Jersey; and

WHEREAS, the Effective Date for performance to begin under the Contract was September 17, 2012; and

WHEREAS, under the terms of the Contract Miralto was afforded four hundred and fifty (450) days from the September 17, 2012 Effective Date of the Contract “to obtain all necessary, final non-appealable approvals required for Buyer’s intended use and development of the Property from any governmental or administrative agency or instrumentality having jurisdiction over their Property”; and

WHEREAS, the Authority and Miralto executed a Memorandum of Understanding in October 2012; and

WHEREAS, pursuant to the Memorandum of Understanding (“MOU”) the Authority, as owner of the Property, granted its authorization to Miralto for Miralto to apply for all necessary approvals as co-applicant with the Authority; and

WHEREAS, the Town of West New York with the support of both the Authority and Miralto previously sought rezoning of the property based upon a designation that the property was an area in need of redevelopment; and

WHEREAS, on March 6, 2013, the Town of West New York’s Planning Board decided not to make a recommendation to the Town of West New York to designate the Property as an area in need of redevelopment; and

WHEREAS, the period of time for Miralto to take an appeal from the adverse decision of the Planning Board has lapsed and Miralto failed to file an appeal of the Planning Board’s decision; and

WHEREAS, the 450 days allotted to Miralto under the Contract “to obtain all necessary final, non-appealable approvals required for Buyer’s intended use and development of the property from any governmental or administrative agency or instrumentality having jurisdiction over the Property” expired on December 11, 2013, specifically 450 days from the start of the Contract on September 17, 2012; and

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Communication (cont.):

WHEREAS, Miralto's authorization to list the Authority as co-applicant with Miralto on any application for necessary approvals expired on December 11, 2013 when the time to obtain all approvals expired and no applications were then pending before any governmental agency; and

WHEREAS, the Authority recognizes that Miralto filed an application for site plan and variance relief from the West New York Zoning Board of Adjustment on March 6, 2014; and

WHEREAS, the Authority notes the Zoning Board of Adjustment application was filed by Miralto well after the 450 day period of time to obtain all necessary approvals expired on December 11, 2013; and

WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Authority desires to terminate the Contract entered into by the Authority on September 12, 2012 with Miralto pursuant to the terms of that Contract; and

WHEREAS, the Authority seeks to rescind and terminate the MOU between Miralto and the Authority executed in October 2012; and

WHEREAS, the Authority desires to advise the Town of West New York and the West New York Zoning Board of Adjustment that the Authority does not co-sponsor the application filed by Miralto on March 6, 2014; and

WHEREAS, the Authority seeks to advise the West New York Zoning Board of Adjustment that Miralto no longer possesses the authority under the MOU to list the Authority as a co-applicant on Miralto's application for Site Plan and Variance Relief filed with the Zoning Board of Adjustment on March 6, 2014; and

WHEREAS, the Authority seeks to give Whipple Azzarello, LLC as its General Counsel the authorization to appear before the West New York Zoning Board of Adjustment on June 16, 2014 to formally object to the Authority's designation as a co-applicant with Miralto; and

WHEREAS, the Authority seeks to authorize Whipple Azzarello, LLC to take any other such action deemed necessary and appropriate to defend the rights and interests of the West New York Parking Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the West New York Parking Authority hereby declares the following:

1. The Contract for Sale of Real Estate entered into between the West New York Parking Authority and Miralto, LLC, and executed on September 17, 2012, is hereby terminated and rescinded; and

2. The Memorandum of Understanding executed in October 2012 between the West New York Parking Authority and Miralto, LLC, is hereby terminated and rescinded; and

3. The West New York Parking Authority directs its counsel, Whipple Azzarello, LLC to advise the Town of West New York and its Zoning Board of Adjustment that the Authority can no longer be listed as a co-applicant with Miralto, LLC on any applications filed after the expiration of such Contract on December 11, 2013, including but not limited to the application for a variance filed with the Zoning Board of Adjustment by Miralto, LLC on March 6, 2014; and

4. The Authority hereby authorizes Whipple Azzarello, LLC as its counsel to notify Miralto, LLC that both the Contract and the MOU are being terminated and rescinded; and

5. The Authority hereby authorizes Whipple Azzarello, LLC as its counsel to appear before the West New York Zoning Board of Adjustment on June 16, 2014 for the purpose of objecting to the Authority being designated as a co-applicant on Miralto, LLC's application for Site Plan and Variance Relief; and

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Communication (cont.):

6. The Authority further authorizes Whipple Azzarello, LLC as its counsel to take any other such action deemed necessary and appropriate to defend the rights and interests of the West New York Parking Authority.

James Cryan, Executive Director

Dated: June 13, 2014

Note: Comm. Wiley inquired as to the purpose of this Resolution. Town Administrator DeMarco advised that we received correspondence from Parking Authority giving the Town notice of their cancelling the contract for sale of 67th Street parking lot, and that there is no action required by Board of Commissioners. He further advised that the application pending before the Zoning Board will be withdrawn or dismissed as a result of said cancellation. Comm. Wiley inquired "Is that the Capadaglia property to which Mr. DeMarco responded, "Yes. He is involved."

Communication
Re: Notification from CFO Cherone confirming
filing of Supplemental Debt Statement

Carmela Riccio

From: Nelson Diaz <NDiaz@westnewyorknj.org>
Sent: Friday, June 13, 2014 4:42 PM
To: Jorge.Carmona@dca.state.nj.us; "Judith Tutela"; criccio@westnewyorknj.org
Subject: FW: 0912_sds_12-Jun-2014.xls
Attachments: E SDS_electronic 0912 6.12.14.xls; BO Road Impr 275390.doc; BO Various Capital 380000.doc

4E
JUN 18 2014

Margaret S. Cherone, CFO of the Town of West New York, tried to send the documentation mentioned below in the attachment, which have been certified by her. Please, excuse us for any delay or inconvenient.

Nelson Diaz
Accountant

From: Marge Cherone [mailto:MCherone@westnewyorknj.org]
Sent: Thursday, June 12, 2014 7:17 PM
To: ndiaz@westnewyorknj.org
Cc: 'Judith Tutela'
Subject: FW: 0912_sds_12-Jun-2014.xls

Nelson, I was unsuccessful in emailing these documents to the Division tonight. Can you please try from your email to see if you can deliver to the Division tomorrow? Please let me know~! Thanks, Marge

From: Marge Cherone [mailto:MCherone@westnewyorknj.org]
Sent: Thursday, June 12, 2014 7:08 PM
To: Carmona, Jorge (Jorge.Carmona@dca.state.nj.us)
Subject: FW: 0912_sds_12-Jun-2014.xls

From: Marge Cherone [mailto:MCherone@westnewyorknj.org]
Sent: Thursday, June 12, 2014 7:04 PM
To: 'sds.lgs@dca.state.nj.us'
Cc: 'Carmela Riccio (criccio@westnewyorknj.org)'
Subject: 0912_sds_12-Jun-2014.xls

Margaret S. Cherone - CFO, Certify that all information in this email is accurate.

Attached 0912_sds_12-Jun-2014.xls and 0912_dbo_12-Jun-2014.pdf .

Also I am enclosing the two bond ordinances:

Road Improvements, \$375,390

Various Capital Improvements, \$380,000

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Communication (cont.):

Bond Ordinance File Name: 0912_Bo_12-Jun-2014.pdf SDS File Name: 0912_sds_12-Jun-2014.xls

Press here to Email the SDS if not using Microsoft Outlook (when completed)

**Department of Community Affairs
Supplemental Debt Statement**

0912 **0912 West New York Town - County of Hudson** Prepared as of: 12-Jun-2014

Budget Year Ending: 12/31/2014 (Month-DD) 2014 (year)

Name: Margaret S. Cherone Title: CFO Phone: 201-295-4351 Fax: 201-662-9027

Address: 428 60th Street Email: mcherone@westnewyorknj.org

West New York, NJ 07093 CFO Cert #: N-0746

Margaret S. Cherone, being duly sworn, deposes and says: Deponent is the Chief Financial Officer of the 0912 West New York Town - County of Hudson here and in the statement hereinafter mentioned called the local unit. The Supplemental Debt Statement annexed hereto and hereby made a part hereof is a true statement of the debt condition of the local unit as of the date therein stated and is computed as provided by the Local Bond Law of New Jersey.

	Net Debt as per Annual Debt Statement	Decrease (Since December 31, last past)	Increase	Net Debt
Bonds and Notes for School Purposes	\$ -	\$ -	\$ -	\$ -
Bonds and Notes for Self Liquidating Purposes	\$ -	\$ -	\$ -	\$ -
Other Bonds and Notes	\$ 36,918,669.00	\$ 3,010,946.00	\$ -	\$ 33,907,723.00
2 Net Debt at the time of this statement is:				\$ 33,907,723.00

The amounts and purposes separately itemized of the obligations about to be authorized, and any deductions which may be made on account of each such item are (see Note "C" below)

Bond Ordinance	Purposes	Amount	Deduction	Net
	Providing for Road Improvement Projects	\$ 375,390.00	\$ -	\$ 375,390.00
	Providing for Various Capital Improvements	\$ 380,000.00	\$ -	\$ 380,000.00
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ 755,390.00	\$ -	\$ 755,390.00

4 The net debt of the local unit determined by the addition of the net debt amounts stated in items 2 and 3 above is: \$ 34,663,113.00

5 Equalized valuation basis (the average of the equalized valuations of real estate, including improvements and the assessed valuation of class II railroad property of the local unit for the last 3 preceding years) as stated in the Annual Debt Statement or the revision thereof last filed.

Year	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	
(1) 2011	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$ 2,461,018,586.00
(2) 2012	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$ 2,279,504,455.00
(3) 2013	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$ 2,163,552,321.00
6 Equalized Valuation Basis - Average of (1), (2) and (3):		\$ 2,301,358,454.00

7 Net Debt (Line 4 above) expressed as a percentage of such equalized valuation basis (Line 6 above) is: 1.506%

NOTES

A If authorization of bonds or notes is permitted by an exception to the debt limit, specify the particular paragraph of N.J.S.A. 40A:2-7 or other section of law providing such exception.

B This form is also to be used in the bonding of separate (not Type I) school districts as required by N.J.S.A. 18A:24-16, and filed before the school district election. In such case pages 4, 5 and 6 should be completed to set forth the computation supporting any deduction in line 3 above.

C Only the amount of bonds or notes about to be authorized should be entered. The amount of the "down payment" provided in the bond ordinance should not be included nor shown as a deduction.

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Consent Agenda

It was regularly moved by Mayor Roque, seconded by Commissioner Wiley that the following Consent Agenda Items Nos. R-1 through R-25 and R-27 (with the exclusion of R-26 and R-28) be adopted, was carried by the following vote:

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

Note: Town Clerk Riccio read the titles of all Resolutions aloud. Consent Agenda consists of Resolutions R-1 thru R-25 and R-27 with the exclusion of R-26 and R-28 which will be voted upon separately.

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

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

WHEREAS, said \$1,000.00 deposit was deposited with the Town Clerk's Office for filming on 5/12/14; and

WHEREAS, said Ordinance has been complied with;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of West New York hereby authorizes the Revenue & Finance Department to refund said \$1,000.00 deposit to: Univision Management Company, Glenpoint Center West (6th floor), 500 Frank W. Burr Blvd., Teaneck, NJ Attention: Carmen Perez Rios (Public Relations/Promotions)

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Consent Agenda (cont.):

Resolution
Re: Refund of Deposit Pursuant
to Ordinance #4/96 (Filming Permit – El Gordo Y La Flaca Show)

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

WHEREAS, said \$1,000.00 deposit was deposited with the Town Clerk's Office for filming on 5/12/14; and

WHEREAS, said Ordinance has been complied with;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of West New York hereby authorizes the Revenue & Finance Department to refund said \$1,000.00 deposit to: Univision Management Company, Glenpoint Center West (6th floor), 500 Frank W. Burr Blvd., Teaneck, NJ Attention: Carmen Perez Rios (Public Relations/Promotions)

Resolution
Re: Approval of Section 125 FSA/DCA for Flexible Spending Account
Effective January 1st, 2015

WHEREAS, The Town of West New York wishes to offer Flexible spending accounts and depending care accounts to its employees under their benefits package; and

WHEREAS, The Town Administrator in conjunction with the Town's authorized insurance broker have developed and designed a flexible benefits plan for all eligible municipal employees.

NOW THERE FOR IT BE IT RESOLVED, by the Mayor and Board of Commissioners that the Cafeteria Plan including a Health Flexible Spending Account and Dependent Care Flexible Spending Account effective January 1, 2015, is hereby approved and adopted and that the Town Administrator is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

Copies of the Town of West New York Flexible Benefits Plan and Summary Plan Description approved and adopted are available for inspection at the Town Clerk's office in the foregoing resolutions.

Note: Prior to establishing Consent Agenda, Comm. Wiley asked for an explanation regarding the above Resolution. Town Administrator DeMarco explained that the Town is required by State law to offer the employees a Flexible Spending Account and that this resolution establishes the guidelines and procedures. It is pre-tax dollars for medical or child care and comes out of the employee's paycheck if they desire to open such an account, which no one has chosen to do so far. Comm. Wiley inquired whether it is a "line of credit" and if the employees are knowledgeable about this offer. Mr. DeMarco said that employees are informed of this option during open enrollment but that no employee has opted into this plan. He further advised that there is no cost to the Town but the Town must establish it.

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Consent Agenda (cont.):

Resolution

Re: Repealing Resolution adopted on 11/22/2004
(Restricted Parking for Handicapped Resident) as follows:
32-51st Street (Rose Ann Schuddekopf)

Whereas, the governing body of the Town of West New York adopted a Resolution on November 22, 2004 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:

32-51st Street (Rose Ann Schuddekopf)

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 11/18/2013
(Restricted Parking for Handicapped Resident) as follows:
5101Park Avenue (Rene Roque)

Whereas, the governing body of the Town of West New York adopted a Resolution on November 18, 2013 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:

5101Park Avenue (Rene Roque)

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 1/19/2011
which established a loading zone at 6028 Buchanan Place, West New York
for: (Josmo Shoes)

Whereas, the governing body of the Town of West New York adopted a Resolution on January 19, 2011 establishing a loading zone for a business known as Josmo Shoes; 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.

June 18, 2014
Regular Meeting

Consent Agenda (cont.):

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, pursuant to N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act, of two (2) bond ordinances to fund various road improvements and to fund various improvements pursuant to a multipurpose bond ordinance; 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;
- (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 certified copy of this Resolution and the bond ordinances as introduced with the Local Finance Board for its approval 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: Refunds of overpayment of taxes (\$35,093.30)

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
US BANK CUST FOR TOWER DBW	36/3	\$7,737.10	2013
DOVENMUEHLE	130/5.01 C0210	\$3,743.95	2014

June 18, 2014
Regular Meeting

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

MORTGAGE INC	130/5.01 C0203	\$3,743.95	2014
	130/5.01 C0501	\$3,743.95	2014
	130/5.01 C0510	\$3,743.95	2014
6013 BERGENLINE	135/6	\$5,540.40	2013
AVE, LLC	135/7	\$6,840.00	2013
	GRAND TOTAL	\$35,093.30	

RESOLUTION

Re: Tax Correction 530 – 62nd Street a/k/a/ Block 152 Lot 34 (\$600.00)

WHEREAS, there is an overpayment on the 2nd quarter 2013 tax bill in the amount of \$600.00 for property located at 530 62nd Street A/K/A block 152 lot 34 and;

WHEREAS, the taxpayer is requesting that the credit be moved to credit their 2014 land and Tax Bill.

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

Resolution

Re: Refund of Redemptions (\$437,727.68)

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	81/3 C00E4	11-0220	\$3,262.43
	81/3 C00E4	12-0441	\$920.46
	81/3 C00D7	11-0215	\$3,257.40
	168.01/1.26 C0522	12-0756	\$3,606.04
	11/45	13-0044	\$2,978.80
	5/11 C0005	11-0008	\$4,477.38
	5/28	11-0014	\$20,628.18
	43/18	13-0158	\$7,783.78
	11/20 C0010	12-0057	\$6,879.17
	83/7 C0054	13-0293	\$391.52
	76/5	12-0417	\$25,076.18
	81/3 C00D7	12-0436	\$1,325.96
ISAAC MORADI	116/10	13-0403	\$1,038.23
	11/46	13-0045	\$2,833.73
	32/41 C0305	13-0104	\$1,626.31

June 18, 2014
Regular Meeting

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

72 OAK STREET HOLDINGS, LLC	81/3 C00D4	12-0434	\$2,605.66
	81/3 C00E3	12-0440	\$4,244.30
	81/3 C00D8	12-0437	\$2,078.01
	81/3 C00E2	12-0439	\$3,708.67
SBMUNICUST C/O LBNJ	81/3 C00E1	11-0217	\$2,794.26
	81/3 C00E1	12-0438	\$809.04
	5/20 C2002	11-0009	\$4,733.30
	5/20 C2002	12-0015	\$1,656.12
US BK. CUST FOR TOWER DBW111 TR2013	168.01/1.02 C0370	13-0550	\$4,134.91
	38/9 C020E	13-0142	\$6,194.98
	59/17	13-0201	\$1,652.78
US BANK CUST FOR BV001 TRUST	137/2.02	13-0453	\$2,170.91
	25/19	13-0095	\$1,496.30
	134/6	13-0449	\$8,589.18
	71/20	13-0232	\$5,829.01
	45/11	13-0163	\$3,587.52
	112/16	13-0392	\$2,522.44
	122/12	13-0415	\$595.94
	8/23	13-0037	\$3,339.64
	131/4	13-0442	\$7,417.28
	147/3	13-0485	\$4,773.41
	160/13	13-0533	\$2,294.61
	105/7	13-0352	\$2,688.59
US BANK CUST FOR CRESTAR CAPITAL LL	76/5	10-141	\$63,559.70
	76/5	12-0417	\$25,076.18
	76/5	13-0257	\$9,048.19
	30/13	13-0101	\$6,267.76
	30/13	11-0074	\$39,933.74
MTAG SVC. AS CUST FOR ATCF II NJ LLC	5/32 C09-B	11-0024	\$1,169.84
	5/32 C09-B	12-0029	\$1,302.54
	50/17	13-0175	\$10,800.99
	25/18	13-0094	\$11,795.92
	30/13	12-0141	\$1,383.74
	138/11	13-0456	\$12,218.13
	43/18	11-0122	\$8,048.25
US BANK CUST. FOR TLCF 2012A, LLC	43/19	12-0245	\$1,584.28
US BANK AS CUST /ATR FD NJ & CAP1	71/20	12-0376	\$6,703.47
US BANK CUST FOR PRO CAP III, LLC	2/7.02	13-0004	\$1,443.17
	93/12	13-0318	\$391.55
	113/8	13-0395	\$6,880.89
R. ROTHMAN	98/11	11-0264	\$86,241.60
US BANK CUST FOR TOWER DBW	25/29 C002B	12-0127	\$2,951.49
Grand Total			\$437,727.68

June 18, 2014
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
Re: Refund of Premiums (\$137,200.00)

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

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

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

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

NAME	BLOCK/LOT	CERT. #	AMOUNT
ISAAC MORADI	116/10	13-0403	\$800.00
	32/41 C0305	13-0104	\$700.00
US BK. CUST FOR TOWER DBW111 TR2013	168.01/8.01 C0403	13-0573	\$13,700.00
	168.01/1.02 C0370	13-0550	\$6,300.00
	38/9 C020E	13-0142	\$5,100.00
	59/17	13-0201	\$1,000.00
US BANK CUST FOR BV001 TRUST	137/2.02	13-0453	\$600.00
	25/19	13-0095	\$600.00
	134/6	13-0449	\$10,000.00
	71/20	13-0232	\$3,400.00
	45/11	13-0163	\$2,300.00
	112/16	13-0392	\$1,200.00
	122/12	13-0415	\$300.00
	8/23	13-0037	\$2,100.00
	131/4	13-0442	\$1,700.00
	147/3	13-0485	\$1,100.00
160/13	13-0533	\$1,600.00	
105/7	13-0352	\$2,000.00	
US BANK CUST FOR CRESTAR CAPITAL	76/5	10-141	\$4,900.00
	30/13	11-0074	\$8,100.00
MTAG SVC. CUST FOR ATCF II NJ LLC	5/32 C09-B	11-0024	\$1,400.00
	50/17	13-0175	\$24,500.00
	43/18	11-0122	\$2,400.00
	25/18	13-0094	\$18,000.00
	30/13	12-0141	\$3,700.00
	138/11	13-0456	\$25,000.00
PAM INVESTORS	11/45	13-0044	\$3,700.00
	83/7 C0054	13-0293	\$200.00
US BANK CUST FOR PRO CAP III, LLC	2/7.02	13-0004	\$1,100.00
	93/12	13-0318	\$600.00
	113/8	13-0395	\$2,800.00
GRAND TOTAL			\$137,200.00

June 18, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Cancellation of taxes 127 – 63rd Street a/k/a/ Block 28 (Various units)

WHEREAS, a Master Deed was filed in the Tax Assessors Office on November 26, 2013 rescinding a condo located at 127 63rd Street A/K/A block 28 lot 4 qualifying units 1-9

WHEREAS, the said properties have open balances for the year state and therefore must be canceled off the record.

THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to cancel the state amounts and adjust her records accordingly.

BLOCK/LOT	ADDRESS	AMOUNT	YEAR
28/4 C0001	127 -63 RD STREET	\$1,429.75	2014
28/4 C0002	127- 63 RD STREET	\$1,848.70	2014
28/4 C0003	127- 63 RD STREET	\$1,519.53	2014
28/4 C0004	127- 63 RD STREET	\$1,642.55	2014
28/4 C0005	127- 63 RD STREET	\$1,765.58	2014
28/4 C0006	127- 63 RD STREET	\$2,044.88	2014
28/4 C0007	127- 63 RD STREET	\$1,642.55	2014
28/4 C0008	127- 63 RD STREET	\$1,765.58	2014
28/4 C0009	127- 63 RD STREET	\$2,044.88	2014
	GRAND TOTAL	\$15,704.00	

Note: Comm. Wiley inquired “Why are we doing this?” Mr. DeMarco explained that there was a condo application filed but later rescinded and that taxes had to be recalculated; it is a “housekeeping” issue.

Resolution

Re: Authorizing the Town Clerk to re-advertise to receive RFP for "Finance and Purchasing Consultant (2nd occasion)" on Wednesday, July 9, 2014 at 10:00 a.m. in Town Clerk's Office

Whereas, on June 13, 2014 after public notice, no RFPs were received by the Town Clerk's Office for “Finance and Purchasing Consultant”;

Now, therefore, be it resolved that the Town Clerk be and she is hereby authorized and directed to re-advertise for the receiving of RFPs on Wednesday, July 9, 2014 at 10:00 a.m. in the Town Clerk's Office for: "Finance and Purchasing Consultant (2nd occasion)” for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

Note: Comm. Rodriguez inquired as to what will happen if no RFPs are received on the 2nd occasion. Mr. DeMarco explained process and advised that we are doing more extensive advertising.

June 18, 2014
Regular Meeting

Consent Agenda (cont.):

**RESOLUTION APPROVING SAFE AND SECURE
COMMUNITIES GRANT PROGRAM FOR WEST NEW YORK**

WHEREAS, the New Jersey Department of Law & Public Safety has awarded the Town of West New York (Town) SFY2012 Safe and Secure Communities Grant Program funding in the amount of \$3,300.00 to continue funding of personnel in law enforcement; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Town of West New York that:

1. The Mayor is authorized to execute an agreement with the New Jersey Department of Law & Public Safety for funding and to accept the grant award for the SFY2012 Safe and Secure Communities Grant Program in the amount of \$3,300.00.
2. The Mayor and Commissioners acknowledges the terms and conditions for administering the SFY2012 Safe and Secure Communities Grant Program, including the administrative compliance and audit requirements.

NOW, THEREFORE, BE IT RESOLVED by the Town of West New York, County of Hudson, State of New Jersey hereby recognizes the following:

APPROVED: _____
Felix E. Roque, Mayor

RESOLUTION
RE: AUTHORIZING THE PARTICIPATION OF THE TOWN OF WEST NEW YORK IN THE 2014 HUDSON COUNTY JUSTICE ASSISTANCE GRANT PROGRAM AND FURTHER AUTHORIZING THE MAYOR AND THE TOWN CLERK TO EXECUTE A SHARED SERVICES AGREEMENT BETWEEN THE TOWN OF WEST NEW YORK AND THE COUNTY OF HUDSON

WHEREAS, the County of Hudson and the Town of West New York (“the Town”) are desirous of participating in the 2014 Hudson County Justice Assistance Grant program (hereinafter referred to as “HCJAG”); and

WHEREAS, the Town’s participation in HCJAG will be at no cost to the Town and realize a tax savings to the citizens of the Town; and

WHEREAS, the Town of West New York will receive \$19,626.00 in grant monies, under GMS Application number 2014-H3464-JN-DJ, to be distributed through the County of Hudson Prosecutor’s office who has been designated as fiscal agent over said funds; and

WHEREAS, the Town of West New York intends to use said grant monies to purchase servers, software, and monitors to link surveillance cameras to the police operations center ; and

WHEREAS, the County of Hudson and the Town of West New York are authorized by N.J.S.A. 40A:65-1 through 35 under the Uniform Shared Services and Consolidation Act to enter into Shared Services agreements

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

June 18, 2014
Regular Meeting

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

1. The attached Shared Services Agreement with the County of Hudson is hereby authorized subject to the review of Corporation Counsel for proper legal form.
2. The Mayor and Town Clerk are hereby authorized to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.

Note: **Comm. Wiley inquired about purpose of this Resolution. Mr. DeMarco explained that it is a "JAG grant" for which we apply every year and that funds can only be used for police department and law enforcement. He further advised that two (2) yrs. ago, we used the money to purchase vehicles and this year we are purchasing cameras for parks. He further advised that Lt. Monti and Capt. Flores monitor the grant funds and those funds come from the County. Comm. Wiley inquired as to whether there is a shared services agreement. Mr. DeMarco explained that the County seizes property and that the County must approve how money is spent.**

Resolution

Re: Final Payment and Contract Close-out for Improvements to Fillmore and Dewey Parks

WHEREAS, the Board of Commissioners of The Town of West New York, County of Hudson, New Jersey has received final payment estimate No. 8 and a close out change order request from the Town Engineer for the project known as Improvements to Fillmore and Dewey Parks which was completed by Rich Picerno Builders; and

WHEREAS, the Town Engineer has advised in a letter dated March 11, 2014, that the close out request reflects increases and decreases in contract quantities and supplementary items required to satisfactorily complete the aforesaid project due to field conditions encountered which resulted in an overall increase of items to be included in the contract or additional quantities required for "if and where ordered" purposes, and all of which calls for an overall increase in the original contract amount of \$53,938.28; and

WHEREAS, the close out change order reflects unforeseeable conditions determined during the project and the change in quantities or supplemental items still provides improved municipal services to the residents of the Town; and

WHEREAS, Rich Picerno Builders has provided the Town with a one year maintenance bond in the amount of \$120,659.44 as required by the Town; and

WHEREAS, the Town Engineer recommends approval of the close out change order request as well as final payment to Rich Picerno Builders in the amount of \$108,069.62.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Commissioners of The Town of West New York that the final close out change order request of Rich Picerno Builders for the aforesaid project together with the final payment of \$108,069.62 is hereby approved and subject to paying all outstanding fees.

RESOLUTION TO APPLY FOR GRANT
FOR PROGRAMMING FOR DISABLED INDIVIDUALS
FOR RECREATION PROGRAMS

SCHEDULE I: RESOLUTION

Whereas, the Town of West New York desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000 to carry out a project that will enhance programming which integrates disabled individuals into a variety of recreational offerings.

June 18, 2014
Regular Meeting

Consent Agenda (cont.):

Town of West New York
County of Hudson
SRS-2014-West New York Town-00058

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Safe Routes To School Program

NOW THEREFORE BE IT RESOLVED that the Mayor and Commissioners of the Town of West New York formally approve the grant application for the above stated program.

BE IT FURTHER RESOLVED that the Town Administrator, Mayor, or appropriate municipal designee is hereby authorized to submit an electronic grant application identified as SRS-2014-West New York Town-00058 to the New Jersey Department of Transportation on behalf of the Town of West New York.

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

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____

(Town Clerk)

(Presiding Officer)

Resolution

Re: Reappointment Robert Antolos as Deputy Emergency Management Coordinator for OEM

WHEREAS, the Town of West New York is required to have a Deputy Emergency Management Coordinator for OEM for two (2) years; and

WHEREAS, Robert Antolos currently serves in that capacity and is available to complete the two (2) year term, such term expiring 6/18/2016; and

WHEREAS, Robert Antolos will be compensated \$7,500.00 per year for the two (2) year term beginning 6/18/2014.

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

1. Robert Antolos is appointed to serve as Deputy Emergency Management Coordinator for OEM for two (2) years beginning on 6/18/14 and expiring 6/18/16.
2. Robert Antolos will be compensated \$7,500.00 per year for the two (2) year term.
3. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

June 18, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution
Re: Award of Contract for General Contracting Services to:
Coyote Builders& Developers

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 General Contracting Services, pursuant to and in accordance to the contract for General Contracting Services; and

WHEREAS, on May 22, 2014 the Town did receive the following bids on the contract for General Contracting Services:

Company	Amount
Coyoty Builders and developers, LLC 644 61 st St West New York, NJ 07093	\$42.00 per hr Contractor \$31.00 per hr. Apprentice \$73.00 Total A & B (C divided by 2) \$36.50

WHEREAS, the Town Attorney in conjunction with the Purchasing Agent has reviewed the bids submitted and recommended the award of the contract for General Contracting Services to Coyote Builders and Developers, LLC. in the amount not to exceed \$80,000.00 *as* the bid submitted by Coyote Builders and Developers, LLC . is the lowest responsible qualified bid for the General Contracting Services; and

WHEREAS, the bids received from Coyote Builders and Developers, LLC and A& P Landscape & Construction, LLC did not contain a Bid Bond as required by the Bid Package; 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 award of this Contract is necessary for the efficient operation of the Town; and

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

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

1. The bid of Coyote Builders and Developers, LLC, 644-61st Street, West New York, NJ 07093 on the bid for General Contracting Services in the amount not to exceed \$80,000 be and the same 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 General Contracting Services with Coyote Builders and Developers, LLC

June 18, 2014
Regular Meeting

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

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 the 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.

Note: **Comm. Wiley “abstained” on this Resolution.**

RESOLUTION
Re: Award of Contract for Elevator Inspection Services to
EIC Inspection Services

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 3rd Party Elevator Inspection Services, pursuant to and in accordance to the contract for Elevator Inspection Services; and

WHEREAS, on May 22, 2014 the Town did receive the following bids on the contract for Elevator Inspection Services:

Company	Amount
New Jersey Elevator Inspection Agency, 30 Amherst Place, Livingston, NJ 07039	50% of DCA fees
EIC Inspection Agency Corp., 3705 Kennedy Blvd., Jersey City, NJ 07307.	50% of DCA fees

WHEREAS, the Town Attorney in conjunction with the Purchasing Agent has reviewed the bids submitted and recommended the award of the contract for Elevator Inspection Services to EIC Inspection Agency Corp. in the amount not to *exceed 50%* of the DCA Fees as the bid submitted by EIC Inspection Agency Corp. is the lowest responsible qualified bid for the Elevator Inspection Services; and

WHEREAS, the bid received from New Jersey Elevator Inspection Agency did not contain a Bid Bond as required by the Bid Package; and

WHEREAS, failure to provide a Bid Bond with the submission is deemed a fatal defect the bid received by New Jersey Elevator Inspection Agency is deemed disqualified and not responsive, and

WHEREAS, in the case of a tie between bidders the Town reserved the right to select either bidder; and

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

WHEREAS, the award of this Contract is necessary for the efficient operation of the Town; and

June 18, 2014
Regular Meeting

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

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

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

1. The bid of EIC Inspection Agency Corp., 3705 Kennedy Blvd., Jersey City, NJ 07307, on the bid for Elevator Inspection Services in the amount not to exceed 50% of the DCA fees be and the same 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 Elevator Inspection Services with EIC Inspection Agency Corp.
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 the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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.

Resolution
Re: Award of Contract for "Uniform Rental and Cleaning Services" to
Prime Uniform Supply 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, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Uniform Rental and Cleaning Services, pursuant to and in accordance to the contract for Uniform Rental and Cleaning Services; and

WHEREAS, on May 22, 2014, the Town did receive the following bids on the contract for Uniform Rental and Cleaning Services.

<u>Company</u>	<u>Amount</u>
Prime Uniform Supply	\$22,880.00

WHEREAS, the Town's Qualified Purchasing Agent has recommended the award of the contract for Uniform Rental and Cleaning Services to Prime Uniform Supply Inc. in the amount of \$22,880 as the bid submitted by Prime Uniform Supply Inc. is the lowest responsible bid for Uniform Rental and Cleaning Services; 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 award of this Contract is necessary for the efficient operation of the Town; and

June 18, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

WHEREAS, the Certificate of Available Funds maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Town's budget and that such funds have been appropriated at Calendar Year 2014 Parks Dept. Operations & Expenses, Streets & Sewers Operation & Expenses, Building Operation & Expenses and Police Operation & Expenses.

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

1. The bid of Prime Uniform Supply Inc., 420 51 Street, West New York, NJ 07093, on the bid for Uniform Rental and Cleaning Services in the amount of \$22,880 be and the same is hereby accepted, SUBJECT to Receipt of Proof of Compliance with P.L. 1975 - Chapter 127, as the lowest complying and responsible bid.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for Uniform Rental and Cleaning Services with Prime Uniform Supply Inc.

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

The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.

The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, 'N.J.S.A. 40A: I 1-1 et seq.

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.

RESOLUTION

Re: Authorizing Award of Contract for Printing Services for the Town of West New York with Royal Printing (1 year Contract)

Whereas, upon advertisement and pursuant to specifications, the Town solicited bid proposals to Printing Services for the Town of West New York; and

Whereas, the following bids for the open-ended contract for Printing Services for the Town of West New York was received in May 22, 2014: Royal Printing Services, 441 51st Street, West New York, New Jersey, 07093 for a maximum amount of \$88,570.75, and Centurion Printing, 352 Market Street, Kenilworth, N.J. 07033, and

Whereas, the bid from Centurion Printing 352 Market Street, Kenilworth, N.J. 07033 was rejected as defective because the bidder failed to submit the required bid bond which is a fatal defect; and

Whereas, the Town's accepted the bid a from Royal Printing Services in accordance with N.J.S.A. 40A:11-4 as it was determined to be the lowest responsive bid received, for Printing Services for the Town of West New York; and

Whereas, the Specifications for the Contract for Printing Services for the Town of West New York provide the Town with the option of extending the contract for an additional one-year period.

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

June 18, 2014
Regular Meeting

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

Whereas, the Commissioners award of this Contract for a one-year period, with an option for an additional year, is necessary for the efficient operation of the Town;

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

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

1. The Mayor be and he is hereby authorized to execute an agreement with Royal Printing Services for one year to provide Printing Services for the Town of West New York, in the amount of \$ 88,570.75 in accordance with the bid specifications for Printing Services for the Town of West New York.
2. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
3. A copy of this resolution and the agreement detailing the terms of the retention of Royal Printing Services to provide Printing Services for the Town of West New York shall be placed on file and made available for public inspection. in the Office of the Municipal Clerk, upon execution by the Town.

Resolution

Re: Award of Contract for Summer Food Service Program to the Nu Way Vending

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, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Summer Food Service Program, pursuant to and in accordance to the contract for Summer Food Service; and

WHEREAS, on June 11, 2014, the Town did receive the following bids on the contract for the Summer Food Service Program:

Company	Amount
Whitsons Food Service 1800 Motor Parkway Islandia, NY 11749	No Bid Submitted
Nu Way Concessionaries 339-345 Bergen Ave. Kearny, NJ 07032	\$67,238.40 Lunch \$18,931.20 Snack \$86,169.60 Total

WHEREAS, the Town's purchasing Agent in consultation with the state has recommended the award of the contract the Summer Food Service Program to Nu Way Vending in the amount of \$86,169.60 as the bid submitted by Nu Way Vending is the lowest responsible bid for the Summer Food Service Program; 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 award of this Contract is necessary for the efficient operation of the Town; and

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

June 18, 2014
Regular Meeting

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

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

1. The bid of Nu Way Vending, 339-Bergen Avenue, Kearny, NJ 07032, on the bid for the Summer Food Service Program in the amount of \$86,169.60 and the same 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 the Summer Food Service Program with Nu Way Vending.
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 the 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.

Resolution

Re: Appointing Lara Hicks as a class IV member of the Planning Board

WHEREAS a vacancy exists on the West New York Planning Board due to the expiration of Antonio Diaz's term; and

WHEREAS Lara Hicks is a resident of the Town of West New York living at 6701 Kennedy Boulevard East, West New York 07093; and

WHEREAS, Lara Hicks is available to complete the required term, such term commencing 6/18/ 2014 expiring 6/17/2018;

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

1. Lara Hicks is appointed to serve as a class IV member of the West New York Planning Board, to serve for the four (4) year term commencing June 18, 2014 and ending on June 17, 2018.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

June 18, 2014
Regular Meeting

Resolution

Re: Appointing David Hepperle as a class II member of the Planning Board

WHEREAS, a vacancy exists on the West New York Planning Board due to the resignation of Robert DeVincent; and

WHEREAS, David Hepperle is a resident of the Town of Guttenberg living at 6805 Madison Street, Guttenberg, NJ 07093; and

WHEREAS, David Hepperle is an employee of the Town of West New York and is therefore eligible to be a Class II member for a one year term pursuant to N.J.S.A.40:55D-23.

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

1. David Hepperle is appointed to serve as a Class II member of the West New York Planning Board, to serve for the one year term which will commence June 18, 2014 and end on June 17, 2015.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

It was regularly moved by Mayor Roque, seconded by Comm. Wiley, to adopt the foregoing Resolution, was carried by the following vote:

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

Note: **Comm. Wiley complained that he did not receive Mr. Hepperle's resume and that Mr. Hepperle lives in Guttenberg. Mr. DeMarco explained that only requirement for this appointment is that he be a town employee and that his residency is not an issue. Comm. Wiley disagreed and commented that a West New York resident should be chosen. He requested that this resolution not be included on the Consent Agenda and that a separate vote be taken as he intended to vote "No". Mr. DeMarco commented that Mr. Hepperle served as a member of the Guttenberg Planning Board for 10 yrs. Comm. Wiley continued to disagree and Comm. Rodriguez also agreed with Comm. Wiley that it should be a WNY resident and that she intended to vote "No". Discussion ensued between Mayor Roque and Comm. Wiley wherein Mayor Roque commented that in the past Comm. Wiley thought Mr. Hepperle was "an outstanding person". Comm. Wiley responded "I never said that. He is not a town resident." Mayor Roque commented that Mr. Hepperle "is highly qualified". Comm. Wiley requested the Town Clerk to place on the record that the Mayor approves of appointing out of town people. Comm. Rodriguez commented "He may be qualified but we should enforce that persons should live in town". Comm. Frias commented "This particular Class member requires only to be an employee and that requirement is met." Comm. Wiley disagreed and commented that there are 400 employees who could have been chosen and that it did not have to be him (Mr. Hepperle) and he doesn't live in town.**

June 18, 2014
Regular Meeting

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

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

- (1) Amaro vs. Town of West New York
- (2) A.J. Richard & Son vs. Town of West New York
- (3) O'Malley v. Town of West New York et. al.
- (4) Geneux v. West New York
- (5) Personnel matters

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

It was regularly moved by Mayor Roque, seconded by Comm. Wiley, to adopt the foregoing Resolution, was carried by the following vote:

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

Note: Town Clerk Riccie read the foregoing Resolution aloud in its entirety and advised the public that the governing body will go into Closed Session at this time (12:41 p.m.) and therefore, the public must vacate the court chambers. She further advised that meeting will resume after Closed Session is concluded at which point the public can return to the Court Chambers. Corporation Counsel Donald Scarinici requested that all cameras be removed from court chambers. Comm. Frias requested that all cell phones also be removed.

A Motion was made by Comm. Rodriguez, seconded by Comm. Frias to reconvene regular meeting at 2:13 p.m., was carried by following vote:

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

Note: Closed Session ended at 2:05 p.m. and brief recess was taken to allow Clerk and Commissioners to go to restroom. The public returned to the Court Chambers at 2:13 p.m. and Mr. Scarinici apologized for delay. He advised that many items had been discussed during Closed Session and that there would be two (2) resolutions added to this agenda as follows: #1. Amaro v. Town of WNY and #2. Tax Appeals Re: A.J. Richard & Son v. Town of WNY. Mr. Scarinici requested the Clerk to correct the top of Amaro resolution to read West New York instead of Union City. He requested the Town Clerk to read both resolutions in their entirety aloud, which she did. Comm. Rodriguez exited the meeting at 2:21 p.m. after voting on both resolutions.

June 18, 2014
Regular Meeting

RESOLUTION AUTHORIZING THE EXECUTION
OF A SETTLEMENT AGREEMENT IN A MATTER KNOWN AS CHRISTIAN
AMARO V. TOWN OF WEST NEW YORK ET. AL.

WHEREAS, the Town of the West New York is involved in a civil action in the Superior Court captioned Christian Amaro v. Town of West New York et al, bearing docket number HUD-L-3413-12; and

WHEREAS, the City admits no wrong doing or liability; and

WHEREAS, the City has settled the litigated matter and the settlement proceeds in the amount of \$97,000.00 shall be paid to the plaintiff attorney within 30 days of approval of the settlement agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, that the Mayor, Town Clerk, Counsel for West New York and any other appropriate officer are hereby authorized and directed to take such actions, as are necessary to effectuate the terms of this resolution, including but not limited to the execution of the settlement agreement in a form acceptable to Corporation Counsel for West New York and implementation of the executory provisions thereof.

A Motion was made by Comm. Rodriguez, seconded by Comm. Vargas to adopt the foregoing Resolution, was carried by following vote:

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

RESOLUTION AUTHORIZING TAX APPEAL ATTORNEY TO SETTLE
2010-2014 TAX APPEALS CAPTIONED

A.J. RICHARD & SONS v. TOWN OF WEST NEW YORK

WHEREAS, A.J. Richard & Sons is the owner of real estate known as Block 110 Lot 1, and Block 111, Lots 4, 20, 21 and 22, at 5200 Kennedy Boulevard, Town of West New York, New Jersey, and 587 54th Street, Town of West New York, New Jersey; and

WHEREAS, the owner A.J. Richard & Sons has filed tax appeals challenging the tax assessment for the tax years 2010, 2011, 2012, 2013, and 2014; and

WHEREAS, Block 110 Lot 1, and Block 111, Lots 4, 20, 21 and 22 were assessed for all tax years in the total amount of \$3,827,900 for each year; and

WHEREAS, the taxpayer is seeking a reduction in the total assessment for Block 110 Lot 1, and Block 111, Lots 4, 20, 21 and 22 for 2010, 2011, 2012, 2013, and 2014; and

WHEREAS, the Town's Tax Appeal Attorney, Marc A. Raso, Esq. has reviewed the file materials for this matter recently received from the Town's prior Tax Appeal Attorney and has consulted with the Town's Assistant Tax Assessor, Michael Jaeger, C.T.A and has conducted extensive negotiations with counsel for the taxpayer; and

WHEREAS, the parties have been able to arrive upon a settlement agreement for Block 110 Lot 1, and Block 111, Lots 4, 20, 21 and 22 whereby whereby the 2010 tax appeal will have a revised assessment in the amount of \$2,700,000 for 2010, the 2011 tax appeal will have a revised assessment in the amount of \$2,700,000 for 2011, the 2012 tax appeal will have a revised assessment in the amount of \$3,100,000 for 2012, and and the 2013 and 2014 tax appeals will each have revised assessments in the amount of \$3,300,000; and

June 18, 2014
Regular Meeting

Resolution (Cont.):

WHEREAS, the parties have agreed that prejudgment interest shall be waived as a condition of the settlement; and

WHEREAS, the Town's Tax Appeal Attorney, Marc A. Raso, Esq. and the Town's Assistant Tax Assessor, Michael Jaeger, C.T.A. are in agreement with the terms of the settlement and believe that it would be in the best interest of the Town to settle this particular case in accordance with the terms as set forth above; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of West New York agrees to authorize the Tax Appeal Attorney to execute a Stipulation of Settlement on behalf of the Town of West New York with respect to the A.J. Richard & Sons v. Town of West New York tax appeals pending in the Tax Court of New Jersey for the tax years 2010 – 2014 under Docket Nos.: 009843-2010, 002139-2011, 006526-2012, 005994-2013, and 000209-2014 for Block 110 Lot 1, and Block 111, Lots 4, 20, 21 and 22 at the new assessments set forth above; and

BE IT FURTHER RESOLVED that upon receipt of the Tax Court Judgment that the Tax Collector is authorized to calculate the amount of the refund and cause same to be paid by the earlier of one (1) year from the date of the last Tax Court Judgment received in this matter, or sixty (60) days of the Town's receipt of bond proceeds obtained in connection to this settlement; and

BE IT FURTHER RESOLVED that copies of this Resolution are to be provided to the Town Clerk, Town Treasurer, Town Tax Assessor, and Tax Appeal Attorney, Marc A. Raso, Esq.

A Motion was made by Mayor Roque, seconded by Comm. Frias to adopt the foregoing Resolution, was carried by following vote:

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

ORDINANCE #5/14

Calendar Year 2014

Model Ordinance to exceed the Municipal Budget Appropriation limits and to establish a CAP Bank (NJSA 40A:4-45.14)

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

It was regularly moved by Comm. Vargas, seconded by Comm. Wiley, to **open the public hearing** on this Ordinance, was carried by the following vote:

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

No one wished to be heard.

It was regularly moved by Comm. Vargas, seconded by Comm. Frias, to **close the public hearing** on this Ordinance, was carried by the following vote:

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

June 18, 2014
Regular Meeting

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

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

ORDINANCE #6/14

**An Ordinance repealing a portion of Ordinance #49/95 entitled”
“An Ordinance establishing restricted parking in front of one (1)
Residence for use by handicapped resident” (Various locations)**

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

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

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

Notice
Ordinance #6/14

**An Ordinance repealing a portion of Ordinance #49/95 entitled”
“An Ordinance establishing restricted parking in front of one (1)
Residence for use by handicapped resident” (Various locations)**

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 June 18, 2014 and ordered published, and will be further considered before final passage at a public hearing on July 16, 2014 at 12:00 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.

Note: Town Clerk Riccie read the foregoing aloud.

BOND ORDINANCE #7/14

**An Ordinance of the Town of West New York, in the County of Hudson,
New Jersey providing for road improvement projects in the Town of West New York
and appropriating \$675,000 therefor, an providing for the issuance of \$275,390 in
bonds or notes of the Town of West New York to finance the same**

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

It was regularly moved by Mayor Roque, seconded by Comm. Vargas, to adopt the introduction of the foregoing Bond Ordinance, was carried by the following vote:

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

June 18, 2014
Regular Meeting

Notice
Ordinance #7/14

**An Ordinance of the Town of West New York, in the County of Hudson,
New Jersey providing for road improvement projects in the Town of West New York
and appropriating \$675,000 therefor, an providing for the issuance of \$275,390 in
bonds or notes of the Town of West New York to finance the same**

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 June 18, 2014 and ordered published, and will be further considered before final passage at a public hearing on July 16, 2014 at 12:00 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.

Note: Town Clerk Riccie read the foregoing aloud.

BOND ORDINANCE #8/14

**An Ordinance of the Town of West New York, in the County of Hudson,
New Jersey providing for various capital improvements for the Town of West New York
and appropriating \$400,000 therefor, an providing for the issuance of \$380,000 in
bonds or notes of the Town of West New York to finance the same**

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

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

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

Notice
Ordinance #8/14

**An Ordinance of the Town of West New York, in the County of Hudson,
New Jersey providing for various capital improvements for the Town of West New York
and appropriating \$400,000 therefor, an providing for the issuance of \$380,000 in
bonds or notes of the Town of West New York to finance the same**

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 June 18, 2014 and ordered published, and will be further considered before final passage at a public hearing on July 16, 2014 at 12:00 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.

Note: Town Clerk Riccie read the foregoing aloud.

June 18, 2014
Regular Meeting

Motion made by Comm. Frias, seconded by Comm. Vargas, **to open Public Portion of meeting at 2:26 p.m.**, was carried by the following vote:

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

Public Portion:

The following persons wished to be heard:

1. Gloria Cullen, 5800 Jefferson Street:

Ms. Cullen commented that she was present at the last commission meeting and that the water problem on 66th & Palisade has not been repaired. She commented that the elevator problem at Hudson Hall has been corrected. She discussed the need for smoke detectors in all homes and that the Fire Dept. should provide same. She commented that the Commissioners are entitled to receive respect from the public and that the public is also entitled to receive respect from the Commissioners. She complained that she and other members of the public sat in the hallway for 2 hours while Closed Session was being conducted and that it was “disrespectful” and that the Closed Session should have been done after the Public Portion. She stated “We care for WNY and we stayed. We want to work with you not against you.”

2. Jose Munoz, 6112 Harrison Place, WNY:

Mr. Munoz echoed Ms. Cullen’s comments and commented that holding the meeting at 12 noon was done to prevent people from attending. He further commented that Comm. Rodriguez left the meeting early as she doesn’t want to hear the public but that hopefully when she becomes Freeholder, she can stay for the entire meeting. He referred to Resolution R-26 (appointing David Hepperle to Planning Board) and commented that Mr. Hepperle is not a town resident and inquired as to what investigation was done regarding his qualifications. He inquired as to whether his resume was received. Mr. DeMarco advised that Mr. Hepperle is a town employee and that Class II members only need to be a town employee and not a resident of the town. He further advised that Mr. Hepperle served on the Guttenberg Planning Board for 10 yrs. and is qualified to serve on our Planning Board. He referred to Mr. Hepperle’s position in DPW Dept. with “interplaying” with Planning Board. Mr. Munoz advised that Mr. Hepperle was “sanctioned” while a member of the Guttenberg Board of Education. Mr. DeMarco interrupted and advised that personnel matters cannot be discussed without giving Mr. Hepperle a “Rice notice”. Mr. Munoz replied “I am talking about his qualifications. He was sanctioned and had to resign.” Mr. Scarinci stated “He has been vetted and background reviewed and he satisfies the requirement.” Mr. Munoz inquired “Were you aware of his background?” Mr. Scarinci responded “Background check is satisfactory for his knowledge of the community”. Mr. Munoz commented that Mr. Hepperle had “other issues” while a member of the Guttenberg Planning Board. Mayor advised Mr. Munoz that his time to speak has expired. Mr. Scarinci stated “We are aware of his background.” Mr. Munoz replied “You are aware of that?...lawsuits against him on Planning Board, sanctioned as a Board of Education member; dinner in Las Tapas with a developer?” Comm. Wiley joined conversation and stated “I want to know his background. Let him continue”. Mayor replied “No, let other people talk”. Mr. Munoz inquired of Mr. Scarinci “What is your relationship with Rolando Cribiero?” No one replied to his inquiry.

3. Ron Scheurle, 6119 Tyler Place, WNY:

Prior to Mr. Scheurle speaking, Mr. Scarinci advised him that the January 15, 2014 meeting Minutes are done and that he has to review them and that they will be on July 16th agenda for approval. Mr. Scheurle commented that town ordinances “are not being adhered to” and referred to Mr. Hepperle not being a town resident and that town residents should be given hiring preference. Mr. Scarinci explained that the land use law for Class II members requires that member be a town employee not a town resident. Mr. Scheurle clarified that his comments refer to Mr. Hepperle’s position in DPW not as a Planning

June 18, 2014
Regular Meeting

Public Portion (cont.):

Board member and referred to the town's residency ordinance. Mr. Scheurle commented that "the Public Relations person also doesn't live in Town". He referred to recycling contract between the Town and Galaxy and that Eagle Recycling was doing the actual work and that town employees were picking up the Type 13 recyclables when it should have been done by Galaxy. Mr. Scarinci advised that he would get an answer for Mr. Scheurle by the next meeting. Mr. Scheurle complained that the municipal employees have not received a raise in salary in 4 yrs. but that a Commissioner received a job in the County for \$60-70,000 and that a health official received a salary increase. Mr. Scarinci advised that "an impasse has been filed and contract is in mediation for past 1 month". Mr. Scheurle complained that the school board election should have been held in April instead of this coming November and that the school board election is "being made political" and that jobs are being given to the wrong people.

4. Patrick Cullen, 72 – 67th Street, WNY:

Mr. Cullen announced that he is a member of the Concerned Residents of WNY and referred to a lawsuit filed by Frank Ferreiro regarding school board election which is scheduled for July 10th. He inquired whether the Town will consider settling the matter. Mr. Scarinci replied that it is in litigation and will be handled in court. Mr. Cullen inquired about the whereabouts of the CFO to which Mr. DeMarco responded "She had a pre-planned scheduled vacation." Mr. Cullen wanted a promise from someone that he would receive answers to questions he read aloud regarding Pilot revenue, etc. Mayor Roque requested that he reduce his questions to writing. Town Clerk Riccio requested a copy of the document from which he was reading and he advised he would do so. Mr. Scarinci advised that next week the budget will be adopted and CFO will be present; however, Mr. Cullen indicated that he wanted the answers prior to that meeting. Mr. Cullen inquired of Mr. Scarinci "Do you have a relationship with Rolando Cribiero?" Mr. Scarinci responded "That is not appropriate as it is not about city business and not appropriate for this forum." Mr. Cullen commented about application hearing before Planning Board by Seven Eleven and requested everyone's attendance as it concerns the safety of the children and that the developer refuses to pay for a crossing guard. He further commented that Comm. Frias had been against the project but now is in favor of it.

5. Francisco Ferreiro, 5206 Bergenline Avenue, WNY:

Mr. Ferreiro stated to Mr. Scarinci "I believe you are here in good faith. Job opportunities have been posted and should be made available to WNY residents first. The position at Parking Authority given to Mr. Cryan from Hoboken wasn't made available to the people in WNY. Give our residents an opportunity. You are here, make things better." Mr. Ferreiro commended the WNY Police Dept. and Director Antolos but commented that there is a "lack of support from the Board of Commissioners". He complained that the Town is violating its Ordinance which requires 122 member police department and that 7 more police will be leaving in November which will leave the department with less than 100 members by November. He inquired as to where is the money to hire extra police officers. He referred to a previous comment made by the Mayor regarding 4 new police vehicles but the funds did not come from where the Mayor indicated. He commented that more money is being deducted from employees' for medical insurance up to 35A% and that the Mayor keeps saying he is saving money but he is cutting the police force. He further commented that "WNY has been lucky so far but that won't continue" as we need more police officers. He asked for Mr. Scarinci's help in increasing the police department work force. Mayor Roque responded that he agrees that the police are doing a "fantastic job" and that there has been "2.8 % reduction in crime". The Mayor commended the EMS and Fire personnel who rescued the people hurt yesterday in building collapse. Mr. Ferreiro commented that crime statistics may be down but so are the calls being responded and that the police are being "reactive as opposed to proactive".

6. Doreen Auriemma, 6025 Hudson Avenue, WNY:

Ms. Auriemma also commended the Police Director and Police Dept. for yesterday's "phenomenal response". Ms. Auriemma advised that various food vendors in WNY are not displaying their vendor licenses i.e. 61st off Bergenline near Bank of America, 58th Street near Model's, 61st & Washington Street, 59th & Hudson Avenue. She complained that the vendor on 59th & Hudson Avenue is located near auto mechanic shop and is cutting fruits

June 18, 2014
Regular Meeting

Public Portion (cont.):

and vegetables where there is gasoline, oil, etc. and that it is unsanitary. Discussion ensued between Ms. Auriemma and Comm. Frias who inquired about exact locations of these vendors.

7. David Rivera, 233 – 59th Street, WNY:

Mr. Rivera commented that the Mayor called his grandfather to schedule a meeting with Mr. Rivera to give him his job back and to stop campaigning against the Mayor. The Mayor denied same. Mr. Rivera said “This is bribery and you are a liar.”

8. Pastor Rafael Sanchez, 5907 Buchanan Place, WNY:

Pastor Sanchez commented that he “appreciates” the cancellation of sale of parking lot on 67th Street and commented that parking is “atrocious”. He recommended that the governing body consider a town resident instead of Mr. Hepperle. He advised that members of his congregation have voiced their complaints about town residents needing jobs and that if you “live and work here” culture will change. He encouraged the governing body to “move forward and hire WNY residents”.

A motion was made by Commissioner Frias, seconded by Commissioner Vargas, **to close the Public Portion at 3:00 p.m.** was carried by the following vote:

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

A motion was made by Commissioner Frias, seconded by Mayor Roque, **to adjourn the meeting at 3:01 p.m.** was carried by the following vote:

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

Commissioner FiorD’Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest:

Carmela Riccio, RMC
Town Clerk