

August 20, 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, August 20, 2014 at 12:00 p.m. (No Work Session):

Present: Commissioners Frias, Rodriguez, Vargas, Wiley, and Mayor Roque
Absent: None
Also Present: Acting Town Administrator Brian O'Reilly, Adelinny Plaza, Rosemarie Suarez, New Town Administrator Matthew U. Watkins, and CFO Margaret Cherone

Meeting commenced at 12:05 p.m.

Acting Town Administrator Brian O'Reilly 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 August 20, 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.

Note: Minutes were taken and transcribed by Adelinny Plaza. Mayor Roque requested a moment of silence for the loss of former West New York Recreation employee Kermy Amparo-Berroa. Mayor Roque asked Acting Town Administrator Brian O'Reilly to read Proclamations honoring Zakiya Atkinson and for "Drive Sober or Get Pulled Over".

PROCLAMATION
HONORING ZAKIYA ATKINSON

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York wish to honor *Zakiya Atkinson* for her contributions to the Performing Arts community as a dance teacher; and

WHEREAS, *Zakiya Atkinson* graduated from Temple University's School of Communications & Theatre with a BA and from New York University with a Masters in Dance Education; and

WHEREAS, *Zakiya Atkinson* has served on the faculty at William Paterson University, City University of New York, and the JCC MetroWest Gaellen Center for the Arts; and

WHEREAS, *Zakiya Atkinson* is founder and Artistic Director of Zaman Dance Theatre Collective, an ensemble of performing artists and educators committed to a diverse presentation of collaborative art; and

WHEREAS, in July of 2013, *Zakiya Atkinson* was awarded an NEA Learning & Leadership Grant so that she could travel to South Africa and develop a performing arts curriculum unit on Holocaust, Genocide, and Human Rights Studies; and

WHEREAS, *Zakiya Atkinson* has been further awarded with a Dance Educator fellowship for the 2014 Bates College Dance Festival; and

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor Felix E. Roque, M.D. of the Town of West New York and the Board of Commissioners do hereby proclaim that the Town recognizes *Zakiya Atkinson* for her outstanding dedication to education and devotion to the arts.

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PROCLAMATION
HONORING THE DRIVE SOBER OR GET PULLED OVER 2014
STATEWIDE CRACKDOWN

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from August 15 through September 1, 2014; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT PROCLAIMED that Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York declares its support for the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown* from August 15 through September 1, 2014 and pledges to increase awareness of the dangers of drinking and driving.

Minutes of Previous Meeting:

It was regularly moved by Mayor Roque, seconded by Commissioner Frias, that the Minutes of Regular Meeting: 7/16/14 (Regular Session) be approved as recorded, was carried by the following vote:

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

Claims: Dated 8/20/14 (Claims are available for public inspection in the Town Clerk's Office):

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

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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF JULY 2014

1. From Construction Code Official Office, reporting the sum of \$104,459.00 Collected for the month of July, 2014.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$ 0.00 Collected for the month of July, 2014 (NO REPORT RECEIVED).
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$18,635.00 For Special Licenses collected for the month of July, 2014.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$746.00 For Marriage/death certificates collected for the month of July, 2014.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$115.60 For Dogs Licenses collected for the month of July, 2014.
6. From (Revenue and Finance Department) reporting the sum of \$2,576,101.75 Collected for the month of July, 2014.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$.70 collected for the month of July, 2014.

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

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

NOTE: Acting Town Administrator Brian O'Reilly referred to Corporation Counsel Donald Scarinci for the re-arrangement of the agenda. Mr. Scarinci motioned to suspend the regular order of the agenda; Mr. Scarinci explained to the public that the introductions of Ordinances would take precedence and the floor will be opened to the public for discussion. After the introduction of Ordinances and the public hearing, the Governing Body would enter executive session for discussion of litigations and personnel.

Motion was made by Commissioner Rodriguez, seconded by Commissioner Frias to change order of items listed on agenda as follows: O-1, O-2, O-3, O-4, R-1 thru R-30, R-32, and R-33. R-31 was removed from the Consent Agenda for discussion before voting, was carried by the following vote:

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

ORDINANCE #10/14

AN ORDINANCE AMENDING ORDINANCE #25/13 AND CHAPTER 93 OF THE CODE OF THE TOWN OF WEST NEW YORK REGARDING SALARIES AND COMPENSATION

Note: Acting Administrator Brian O'Reilly read the title of the foregoing Ordinance aloud, opened the hearing, and the following wished to be heard:

1. Ronald Scheurle, 6119 Tyler Place, WNY:

Mr. Scheurle wanted to know if the amendments made to Ordinance #10/14 were going to increase or decrease the Town employee's wages. Mr. O'Reilly informed Mr. Scheurle that historically salary ordinances expand the labor rate and expand salary ordinance guidelines with

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a minimum and maximum. Mr. Scheurle asked “have they been increased?” Mr. O’Reilly informed him they never decrease they always increase. Mr. Scheurle added “so you go from one wage and then another wage in that category” to which Mr. O’Reilly replied “that’s right and every town must have an updated salary ordinance”. Mr. Scarinci intervened and informed Mr. Scheurle that a salary ordinance simply set the ranges of salary it doesn’t set the salary. Mr. Scarinci also added that in this particular ordinance there was only one position that was reduced and that was the position of “Chief of Staff for the Mayor”. Mr. Scheurle thanked Mr. Scarinci.

2. Angel Barquin, 432 58th Street, WNY 07093:

Mr. Barquin inquired Mr. Scarinci “I’m sorry I heard the only one position that has been decreased in the starting salary is the Mayor’s Chief of Staff, this is a position held by the former deputy Mayor Silvio Acosta?” Mr. Scarinci informed Mr. Barquin that the Chief of Staff position was not held by Silvio Acosta and has been vacant during this administration. He further added that the position of Deputy Mayor which was formerly held by Silvio Acosta was unpaid and did not receive any monetary compensation. Mr. Barquin also inquired about Mr. Acosta’s salary and whether it would change now that he stepped down as Deputy Mayor. He further inquired about Mr. Acosta’s current position for which he is receiving salary for. Mr. Scarinci informed Mr. Barquin that Mr. Acosta is the Superintendent of the Department of Public Works. Mr. Scarinci also turned to Commissioner Vargas for confirmation and Commissioner Vargas answered “yes”. Mr. Barquin asked “his salary did not change from being the Deputy Mayor to the Superintendent? He wasn’t Superintendent for 3 years in a row?” Mr. Scarinci informed Mr. Barquin that he is referring to 2 different positions and Mr. Barquin said, “I agree”. Mr. Scarinci informed Mr. Barquin that Mr. Acosta has the same salary and that has not changed and once again assured Mr. Barquin that Mr. Acosta’s position is the same and he would provide proof if desired.

3. Commissioner Wiley:

Commissioner Wiley state, “I have a question, we just corrected the salary in the last meeting, am I right? Mr. Scarinci informed Commissioner Wiley that this Ordinance was introduced during the July 16, 2014 Board of Commissioners Meeting and that this meeting was for the second hearing and final adoption of Ordinance #10/14. Commissioner Wiley asked “what was change from that meeting to this meeting? What positions caused to make changes and take action? What salary amounts changed for each position?” Mr. Scarinci informed Commissioner Wiley that one of the positions that caused these changes was the Business Administrator and in the Building Department and then stated that CFO Cherone would be able to further clarify. CFO Marge Cherone informed Commissioner Wiley that there were at least 10 positions that were changed and modified for the fact that the ranges weren’t accurate. Commissioner Wiley addressed the Board of Commissioners and referenced that there is something important in government and that’s the level of transparency with Town business regarding the number of lawsuits that the town has and the stress that these increases of salaries and lawsuit settlements will have on the tax payers. Commissioner Wiley commented that we are looking at 2 settlement that would cost the Town about half a million dollars., “I want you all to know because you all need to know to understand how much stress this Administration has put this Town in and it comes directly from you the tax payers.” Commissioner Wiley also informed the public that the insurance funds only cover about 10 to 20 percent of the costs and that the rest of the money used for litigations comes from tax payers. Commissioner Wiley also commented that the agreement bet the 2 people in the building department is part of it. They were given a raise and their settlement will be paid over the next 3 years. He further commented in salary for the remainder of their employment with the town. He further commented that the Mayor’s actions were reckless and referenced the change that has been happening and has been the real reason why the Salary Ordinance was modified. He addressed the Mayor and said “Mayor you’re very irresponsible; your behavior, your conduct, and you haven’t done the job here in West New York that you sought out to do and you have cost this town millions of dollar and I don’t know what you’re going to do from this point forth. Mr. Scarinci, we will see what you can do with this and we will see what the new administrator will do.” The Mayor thanked him and mentioned a lawsuit that Commissioner Wiley brought against him and how the tax payer’s money would be allocated to pay for that lawsuit. A verbal dispute ensued. Mr. Scarinci instructed the Mayor not to engage any further. Commissioner Frias asked for a motion for this specific topic to be moved to the public portion of the meeting and to continue with regular Town business. Mr. O’Reilly asked if there was anyone else who wished to speak on the second reading of Ordinance #10/14. No other person wished to speak.

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A Motion was made by Commissioner Vargas, seconded by Mayor Roque to **close the public hearing** on this Ordinance, was carried by following vote:

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

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque to **adopt Ordinance #10/14** was carried by the following vote:

AYES - Commissioners Frias, Rodriguez, Vargas, Mayor Roque
NAYS - Commissioner Wiley
ABSENT- NONE

ORDINANCE #11/14
AN ORDINANCE AUTHORIZING A GUARANTY OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY SECURING PAYMENT OF PRINCIPAL OF AND INTEREST ON CERTAIN BONDS, NOTES OR OTHER OBLIGATIONS OF THE PARKING AUTHORITY OF THE TOWN OF WEST NEW YORK IN AN AMOUNT NOT TO EXCEED \$8,500,000

Note: Acting Administrator Brian O'Reilly read the title of the foregoing Ordinance aloud, opened the hearing, and the following wished to be heard:

1. Jamie Cryan, Executive Director of the West New York Parking Authority:

Mr. Cryan thanked the Mayor and the Board of Commissioners for allowing him to speak and considering this Ordinance. Mr. Cryan explained that this is an Ordinance for the refinancing/refunding of an existing bond for simple house cleaning. Mr. Cryan stated that with this bond, the Parking Authority is not purchasing new equipment or property. He commented that the Parking Authority is doing is taking advantage of lower rates which in term will create a savings for the Parking Authority and the Town. He further commented that the town obligations will be decreased and that the local finance board would not approve refinancing unless there was at least a 3% reduction. He stated "We are reducing it by 4.5 %, it makes fiscal sense and I hope it's something you folks would consider." Commissioner Frias asked "What is the closing cost for this?" Mr. Cryan responded that he didn't have the exact figures in front of him but that it was within the lines of government closing costs for bond refunding. He referenced that the refinance costs for closing on a residential property can range anywhere from 1.5 to 3.5% and when you refinance or refund a bond it's within the same closing line fees as closing on a residential property or perhaps a little higher. He further advised that the main point of this is that the closing costs "more than pay for themselves", and It will remain at the same term as existing. He compared it to a Homeowner taking advantage of lower refinancing rates. Commissioner Frias thanked Director Jamie Cryan. Mr. O'Reilly asked if anyone had any further questions for Mr. Cryan, to which no one responded.

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

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

ORDINANCE #12/14
AN ORDINANCE TO APPROVE 5-YEAR TAX ABATEMENT FOR JACLYN 40 LLC

Note: Acting Administrator Brian O'Reilly read the title of the foregoing Ordinance aloud, opened the hearing, and the following wished to be heard:

1. Commissioner Wiley:

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Commissioner Wiley expressed his concerns about the length of time Jaclyn 40 LLC has taken to request tax abatement. He inquired if Jaclyn 40 LLC is requesting an abatement on the property located on 59th Street “isn’t an abatement done before a building goes up?” Mr. O’Reilly informed Commissioner Wiley that all long term tax exemptions are granted for before constructions starts. “5 year tax exemptions under the statutes have up to 30 days after issuance of certificate of occupancy to file the application before the builders proceeded at their own risk prior to Commissioners granting the abatement.” Commissioner Wiley inquired about payments and Mr. O’Reilly informed the Commissioner that there were no payments made. The Commissioner asked if was necessary to grant this abatement. Mr. Scarinci interrupted the discussion and explained to Commissioner Wiley that this item could be further discussed at September 17, 2014 meeting since the representative for the property would be present at that specific meeting.

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

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

ORDINANCE #13/14
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE FINANCIAL
AGREEMENT WITH K. HOVNANIAN AT
PORT IMPERIAL URBAN RENEWAL VI, LLC

Note: Acting Town Administrator read the title of the foregoing Ordinance aloud and the following wished to be heard:

Brian O’Reilly, Acting Town Administrator for WNY:

Mr. O’Reilly informed the public that he wanted to update them and the Board of Commissioners regarding the amendments to the financial agreement made with K. Hovnanian. Mr. O’Reilly stated, “As the Mayor and Commissioners are aware, there was a prepayment arrangement that was made with K. Hovnanian in this financial agreement. The Director of Local Government Services has required us to amend our Ordinance and insert the provisions in the financial agreement.” Mr. O’Reilly also advised that the Director of Local Government Services also suggested that the Town of West New York amend the repayment schedule and reduce the agreement to 20 percent (%) per year instead 25 percent (%) that was in the initial agreement. He further explained that historically prepayment agreements are done by resolutions not by ordinance and they’re not part of the financial agreement. He further explained that the Director requested that in the future if West New York was to consider prepayment agreements in the future, “They are to be made part of the original Ordinance and the original financial agreement.” Mr. O’Reilly concluded by saying “So we are complying with the Director’s request and again public comments can be made on this on the second reading.”

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

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

NOTE: Commissioner Wiley referred to a Draft Agenda which contained additional items and was confused as to which Ordinance Mr. O’Reilly was discussed. Town Clerk’s Representative Adeliny Plaza informed Commissioner Wiley that he did not have an amended copy of the agenda and that the agenda he received was a draft and the amended agenda was in the beginning of his folder. Commissioner Wiley then proceeded to talk about Street vendors and addressed the Mayor and said “You’re doing this again wise guy. I’m praying you’re not doing it again wise guy. You put the street vendors in the street of West New York and you’re doing it again.” Mayor Roque informed Commissioner Wiley to refer back to Town business to which Commissioner Wiley responded loudly “you’re all about business Mr. Roque,

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that's all you care about. Filling your pocket and your greed, keep it up buddy that's just great and you pulled it from the agenda. You people are very transparent."

At 12:36 p.m. Mr. Watkins advised Corporate Counsel that he wanted permission granted to take part in the Closed Session and wanted his consent to be on the record. Mr. Scarinci and the governing body consented to Mr. Watkins request. At 12:37p.m. Mr. Scarinci informed the public that the closed session will be about the awarded contracts listed on the agenda, the insurance contract that was not on the agenda (just for discussion), and personnel matters regarding the new Business Administrator. A member of the public asked how long the closed session will last and Mayor Roque said "about half an hour".

A Motion was made by Commissioner Frias, seconded by Mayor Roque to temporary cease regular session in order to go into **closed executive session at 12:37 p.m.**, was carried by following vote:

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

A Motion was made by Mayor Roque, seconded by Commissioner Vargas to **reconvene regular meeting at 1:55 p.m.**, was carried by following vote:

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

Note: When the meeting reconvened, Mr. Scarinci explained what occurred during the Executive Session. He explained that action would be taken on resolution R-31(authorizing appointment of Matthew U. Watkins as Business Administrator). Mr. Scarinci advised that during the Closed Executive Session insurance contract issues were discussed and will be subject to further discussion in the future therefore, no action will be taken at this time. Acting Business Administrator O'Reilly then read the titles of the Communications aloud.

Communication
RFP results rec'd. 8/8/14
Re: Finance and Purchasing Consultant (3rd Occasion)

Proposal Receipt Date: August 8, 2014
Proposal Time: 10:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Finance and Purchasing Consultant (3rd occasion)
Personnel at Opening: Town Clerk Carmela Riccie and Lisa Walsh
Remarks: Time to receive RFPS was closed at 10:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1(Name) NW Financial Group, LLC
(Address) 2 Hudson Place, Hoboken, N.J. 07030

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Communication
RFP results rec'd. 8/8/14
Re: Alternate Public Defender (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: August 8, 2014

Proposal Time: 10:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Alternate Public Defender (2nd occasion)

Personnel at Opening: Town Clerk Carmela Riccie and Lisa Walsh

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

RESPONDER #1 (Name) Meehan & Quirk, LLC, Attorneys at Law
(Address) 354 State Street, Suite 5, Hackensack, NJ 07601

RESPONDER #2 (Name) Thomas J. Koehl, Esq.
(Address) 203 Front Street, Secaucus, NJ 07094

RESPONDER #3 (Name) Law Office of Rose Tubito, Esq.
(Address) 1217 63rd Street, North Bergen, NJ 07047

RESPONDER #4 (Name) Law Office of Joseph J. Donatiello
(Address) 405 Centre Street, Nutley, NJ 07110

RESPONDER #5 (Name) Law Office of Jason T. Komminos
(Address) 32 Mercer Street, Hackensack, NJ 07601

RESPONDER #6 (Name) Aristides F. Hernandez, Attorney at Law
(Address) 410-60th Street, WNY, NJ 07093

Communication
RFP results rec'd. 8/8/14
Re: Alternate Public Prosecutor (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: August 8, 2014

Proposal Time: 11:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Alternate Prosecutor (2nd occasion)

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Personnel at Opening: Town Clerk Carmela Riccie and Lisa Walsh

Remarks: Time to receive RFPS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Maurice Giro
(Address) 90 Main Street, Ste. 102, Hackensack, NJ 07601

RESPONDER #2 (Name) Brady, Brady & Reilly, L.L.C., Attorneys at Law
(Address) 377 Kearny Avenue, Kearny, NJ 07032

RESPONDER #3 (Name) Law office of Rose Tubito, Esq.
(Address) 1217 63rd Street, North Bergen, NJ 07047

RESPONDER #4 (Name) Michael B. Bukatman
(Address) 756 Mainsail Lane, Secaucus, NJ 07094

RESPONDER #5 (Name) Alvarez, Carbonell, Feltman, & Da Silva
(Address) 2500 Plaza 5, Jersey City, NJ 07311

Communication
RFP results rec'd. 8/8/14
Re: Public Relations

RFP PROPOSAL FORMATION

Proposal Receipt Date: August 8, 2014

Proposal Time: 11:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Public Relations

Personnel at Opening: Town Clerk Carmela Riccie and Lisa Walsh

Remarks: Time to receive RFPS was closed at 11:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Fonseca Consulting Group
(Address) 188 Jefferson Street, Newark, NJ 07105

Communication
RFP results rec'd. 8/8/14
Re: Public Space Recycling System

RFP PROPOSAL FORMATION

Proposal Receipt Date: August 8, 2014

Proposal Time: 12:00 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Public Space Recycling System

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Personnel at Opening: Town Clerk Carmela Riccie and Lisa Walsh

Remarks: Time to receive RFPS was closed at 12:05 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Creative Outdoor
(Address) 1930 Commerce Lane, Suite1, Jupiter, Florida 33458

Communication
RFP results rec'd. 8/8/14
Re: Grant Writing Services (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: August 8, 2014

Proposal Time: 12:30 p.m.

Location for proposal: Town Clerk's Office

Proposal for: Grant Writing Services (2nd occasion)

Personnel at Opening: Town Clerk Carmela Riccie and Lisa Walsh

Remarks: Time to receive RFPS was closed at 12:35 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Millennium Strategies
(Address) 60 Roseland Avenue, Caldwell, NJ 07006

RESPONDER #2 (Name) Bruno Associates, Inc.
(Address) 1373 Broad Street, Suite 304, Clifton, NJ 0701

RESPONDER #3 (Name) Krivit & Krivit, P.C.
(Address) 1000 Potomac Street, N.W., Suite 250,
Washington, D.C. 20007

Communication
Supplemental Debt Statement Re: Guaranty Ordinance 11/14

NOTE: The Supplemental Debt Statement regarding Guaranty Ordinance 11/14 is appended to the end of these minutes.

Communication
Re: Town Engineer's Monthly report dated 8/18/14

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: August 18, 2014

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

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Town Engineer's report (Cont.):

- **FY2012 NJDOT Municipal Aid Grant and Road Program (67th St from JFK Blvd West to Palisade Avenue)**
 - The Town received a grant in the amount of \$280,800.00. We estimate the construction cost for the project to be \$275,000.00.
 - The project was advertised for the receipt of bids on April 9 with the bid opening on April 30. The project was awarded on May 15 to the low bidder which was 4 Clean-Up, Inc. of North Bergen, New Jersey, with a bid of \$266,962.25.
 - The project has been completed for less than the NJDOT grant amount. We were able to extend the paving limits approximately another 500' to Hudson Avenue which the contractor has finished paving.
 - We are working on the NJDOT close-out for the project.
- **Veterans Park Slope Remediation and Park Improvements**
 - The Veteran's Park Slope Remediation and Park Improvements project generally consists of the construction of an approximately 700 LF precast concrete retaining wall to repair and prevent further erosion of the existing steep slopes that currently exist at the site. The improvements may also include but are not limited to the construction of ADA compliant walkways, reconstruction of existing walkways, soil stabilization, lighting and landscaping improvements, park amenities such as outdoor exercise equipment, benches and water fountains.
 - 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. The project was awarded to Anselmi and DeCicco, Inc. in the amount of \$4,584,890.00.
 - 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 been working on the retaining wall excavation, the retaining wall concrete foundations and retaining wall pre-cast structures. They anticipate completing the retaining wall portion of the project by November 2014 and returning in the spring of 2015 to complete the park improvement work.
 - We have prepared a change order for the project which allows for construction of the modified wall and foundation design based on actual field conditions encountered and provides for various additions to the project which were previously deleted as indicated above. The Change Order provides for a reduction in the original contract amount.
- **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 work 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 on 51st, and has completed the speed hump work.

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Town Engineer's report (Cont.):

- The contractor is scheduled to restore the pavement by the handicap ramps at 60th Street and the handicap ramp at Tyler Place and 60th Street while they wait for the delivery of the granite block curb for the Tyler Place intersection.
- **Municipal Pool Renovations**
 - As you are aware, the Town has received Green Acres funding for various renovations to the Municipal Pool Complex. The improvements proposed for the building include siding repairs, bathroom stall upgrades, new ventilation, ceiling fans and lighting, refinishing of the floors, exterior door replacement and other miscellaneous improvements. The exterior pool area improvements include new lighting, replacement of broken lighting, new security cameras, fencing replacement, replacement of picnic tables, removal of deteriorated landscape boxes, exterior shower, general landscaping improvements, parking lot improvements and other miscellaneous improvements.
 - The project was awarded on May 15, 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.
 - Once the contractor completes the punchlist, we will perform a final review of the project and proceed with the close-out.
- **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 and the State has issued review comments. We are currently addressing the comments and when completed will resubmit to the State.
- **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. The project was awarded to Let It Grow, Inc. in the amount of \$537,344.81 at the July 14, 2014 meeting.
 - We have prepared the contracts which the contractor has executed.
 - A preconstruction meeting is being held on August 19, 2014.
- **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 which received a grant in the amount of \$399,610.00:
 - 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')

August 20, 2014
Regular Meeting

Consent Agenda:

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas that the following Consent Agenda Items Nos. R-1 through R-30. R-32 and R-33 (with the exclusion of R-31 which was pulled from the consent agenda for a separate vote) adopted, was carried by the following vote:

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

Note: Commissioner Frias inquired about Resolution R-5 on the agenda. She wanted to know what this Resolution entailed and then said she would “abstain”. Commissioner Wiley changed his vote for R-28 and R-29 to “abstain” and voted “No” for R-10.

Resolution
Re: Repealing Resolution adopted on 1/15/2014
(Restricted Parking for Handicapped Resident) as follows:
6110 Park Avenue, WNY (Avelardo Vasquez)

Whereas, the governing body of the Town of West New York adopted a Resolution on January 15, 2014 establishing restricted parking for use by a handicapped residents; and

Whereas, the handicapped person involved no longer requires a handicapped space;

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:

6110 Park Avenue, WNY (Avelardo Vasquez)

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 3/15/2006
(Restricted Parking for Handicapped Resident) as follows:
219- 53rd Street, WNY (Jenny Mina)

Whereas, the governing body of the Town of West New York adopted a Resolution on March 15, 2006 establishing restricted parking for use by a handicapped resident; and

Whereas, the handicapped person involved has moved 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:

219- 53rd Street, WNY (Jenny Mina)

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.

Consent Agenda (cont.):

August 20, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution
Re: Repealing Resolution adopted on 5/20/2003
which established a loading zone at 576-56th Street, West New York
For: (2000 TR Inc.)

Whereas, the governing body of the Town of West New York adopted a Resolution on May 20, 2003 establishing a loading zone for a business known as 2000 TR Inc., and;

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

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

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

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

Resolution
Re: Repealing Resolution adopted on 3/19/1997
Which established a loading zone at 5710 Washington Street, West New York
For: (Nunez Distributors, Inc.)

WHEREAS, the governing body of the Town of West New York adopted a Resolution on March 19, 1997 establishing a loading zone for a business known as Nunez Distributors, Inc., and;

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the above-mentioned resolution is hereby repealed.

BE IT FURTHER RESOLVED that the Department of Public Safety is directed to remove all signage for the space as directed by this resolution.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Resolution
Re: Establishing No Parking Loading Zone
For Ke Bola Cuba LLC
647-60th Street, West New York, NJ

WHEREAS, there exists in the vicinity of 647-60th Street a condition relating to traffic congestion and difficulty of receiving, loading and discharging merchandise and supplies caused by the location of establishment in the building located , 647-60th Street; and

WHEREAS, the congestion in this area not only prevents the loading and unloading of necessary merchandise and supplies from trailer trucks and vehicles during business hours, but, in addition present hazards to safety and traffic by the impeding of the safe and regular flow of traffic through the said street areas during the loading and unloading operation and good cause appearing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, N.J., pursuant to N.J.S.A. 39:4-197 (3) (b) that a "No Parking-Loading Zone" be and same is hereby authorized and established, at the said location, more particularly described hereafter, during business hours from Monday thru Saturday 9:00 a.m. to 5:00 p.m. said area or zone to be used as a "No Parking-Loading Zone": during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and:

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Consent Agenda (cont.):

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

BEGIN AT A POINT, ALONG THE SOUTH SIDE OF 60th
STREET, 92 FEET EAST FROM THE S.E. CORNER OF 60th
STREET AND KENNEDY BOULEVARD. THEN 22 FEET
EAST THEREFROM.

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

Note: **Comm. Frias Abstained on this Resolution.**

Resolution
Authorizing Application to New Jersey Division of Highway Safety
For 2014 Drive Sober or Get Pulled Over Statewide Crackdown
(8/15/14 to 9/1/14)

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety has issued applications for the 2014 Drive Sober or Get Pulled Over Statewide Crackdown Grant, and

WHEREAS, the Division of Highway Safety will award \$5,000.00 to successful applicants to be used for overtime for the WNY Police Department during the "Drive Sober or Get Pulled Over Statewide Crackdown" from August 15, 2014 to September 1, 2014;

NOW, THEREFORE BE IT RESOLVED that the Town of West New York is hereby authorized to make application for and accept said funding if awarded, and

BE IT FURTHER RESOLVED, that the Mayor, or his designee, Chief Financial Officer and Police Director be hereby authorized to execute the grant application documents.

Amended Resolution
Shared Services Agreement between the Town of West New York and the West New York
Board of Education for use of passenger bus and bus operator

WHEREAS, the Town of West New York adopted a resolution approving a shared services agreement with the West New York Board of Education for the use of a passenger bus for its residents and programs; and

WHEREAS, the West New York Board of Education will share a passenger bus which can be utilized by the Town and the Town has agreed to pay the Board of Education for the licensed bus operator to be used with the bus for safe operation of same; and

WHEREAS, the Board will maintain responsibility for the upkeep, maintenance and liability insurance for the passenger bus; and

WHEREAS, the Town has agreed to pay the Board of Education for the bus operator services \$31,425. In accordance with the work hours of the bus driver; and

WHEREAS, N.J.S.A. 40A:65-4 et seq. allows the Town and the Board to enter into a shared services agreement for the use of the aforementioned facility by the Town.

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

BE IT FURTHER RESOLVED, that the approval of the agreement for the shared services with the West New York Board of Education shall be amended to provide that the Town of West New York shall pay the West New York Board of Education \$32,425.00 for the bus driver services in accordance with the work provided. Payment to the Board of Education shall be semi-annually and contingent upon the Board's issuance of the appropriate payment voucher.

August 20, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Repealing Resolution adopted on 5/16/2012
(Restricted Parking for Handicapped Resident) as follows:
6007 Van Buren Place, WNY (Aurea V. Diaz)

Whereas, the governing body of the Town of West New York adopted a Resolution on January 15, 2014 establishing restricted parking for use by a handicapped residents; and

Whereas, the handicapped person involved has moved;

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:

6007 Van Buren Place, WNY (Aurea V. Diaz)

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

Annual Report of Audit for year ending 12/31/13

Whereas, NJSA 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

Whereas, The Annual Report of Audit for the year ending December 31, 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to

NJSA 40A:5-6, and a copy has been received by each member of the governing body, and

Whereas, the R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

Whereas, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: "Comments and Recommendations"; and

Whereas, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

Whereas, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

Whereas, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

Whereas, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more

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Consent Agenda (cont.):

Resolution (cont.):

than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office".

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of West New York hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution

Resolution Authorizing the Award of A contract for Public Relations

WHEREAS, the Town of West New York ("Town") requires Public Relations Services; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay-to-Play" Law, ("Law"), N.J.S.A. 19:44A-20.4 et seq., the Town has sought qualified applicants to provide these services through the use of a "fair and open process," as defined at N.J.S.A. 19:44A-20.7; and

WHEREAS, as required by the Law, the Town provided sufficient notice of its Request for Proposals (RFP); publicly solicited RFPs; established an award and disclosure process documented in writing prior to soliciting any RFPs; publicly opened all proposals; and is publicly awarding the Contract via this Resolution; and

WHEREAS, in response to the RFP, Fonseca Consulting Group submitted a proposal to provide Public Relations Services; and

WHEREAS, the Town's "Best Practices" Committee utilized the process and recommendations as established by the Office of the State Comptroller as set forth in his manual "Best Practices for Awarding Service Contracts" to review and evaluate the proposal; and

WHEREAS, the proposal submitted by Fonseca Consulting Group was determined by the Town's "Best Practices" Committee to meet the selection criteria articulated in the RFP; and

WHEREAS, the Board of Commissioners deems it in the best interests of the Town to award a Contract to Fonseca Consulting Group for Public Relations Services for the period September 1, 2014 to December 31, 2014 at rate not to exceed \$4,000.00 total; and

WHEREAS, the availability of funds shall be certified by the Chief Financial Officer or certifying finance officer shall make an appropriate entry into the local unit's encumbrance system pursuant to N.J.A.C. 5:30-5.1 and 5.2 prior to the issuance of a contract.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Town of West New York do hereby approve of the award for Public Relations Services to Fonseca Consulting Group; and

BE IT FURTHER RESOLVED that Fonseca Consulting Group shall be paid at the rate of \$4,000.00 total;

BE IT FURTHER RESOLVED by the Board of Commissioners of the Town of West New York, that a Professional Services Contract is hereby awarded to Fonseca Consulting Group to provide Public Relations Services for the period September 1, 2014 to December 31, 2014 for a total Contract not to exceed \$4,000.00;

BE IT FURTHER RESOLVED that the Mayor and Town Clerk shall be authorized to execute a Contract with Fonseca Consulting Group in a form acceptable to Corporation Counsel.

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

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Regular Meeting

Consent Agenda (cont.):

Resolution

Final Payment Estimate and Contract Close-out for 67th Street Road Improvements

WHEREAS, the Board of Commissioners of The Town of West New York, County of Hudson, New Jersey has received final payment estimate No. 5 and a close out change order request from the Town Engineer for the project known as 67th Street Road Improvements which was completed by 4 Clean-up, Inc.; and

WHEREAS, the Town Engineer has advised in a letter dated June 16, 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 decrease in the original contract amount of \$22,887.10; 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, the Town Engineer recommends approval of the close out change order request as well as final payment to 4 Clean-up, Inc. in the amount of \$5,604.02, subject to the contractor submitting a one year maintenance bond in the amount of \$36,611.33.

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 4 Clean-up, Inc. for the aforesaid project together with the final payment of \$5,604.02 is hereby approved subject to the contractor posting the aforesaid maintenance bond and paying all outstanding fees.

Resolution

Authorizing Application to the Local Finance Board

WHEREAS, THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY (the "Town"), desires to join in the application by the West New York Parking Authority (the "Authority") to the Local Finance Board (the "Board") for the Board's review pursuant to N.J.S.A. 40A:5A-6 of a refunding by said Authority and the guaranty of the Authority's refunding bonds by the Town; and

WHEREAS, the Town is subject to a resolution of the Local Finance Board pursuant to N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act, and the Town has introduced a guaranty ordinance to secure payment of the refunding bonds of the Authority; 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 Authority's 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

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Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

representatives of the Town, are hereby authorized 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 guaranty ordinance 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.

WHEREAS, the Town of West New York, in the County of Hudson, New Jersey (the "Issuer") has previously issued, or was an "obligated person" in connection with, one or more series of bonds ("Obligations"), including Obligations issued in the past five (5) years pursuant to one or more preliminary and final official statements; and

WHEREAS, in connection with the issuance of the Obligations, the Issuer agreed, pursuant to Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC"), to provide certain information to the former nationally recognized municipal securities information repositories or to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system, including, but not limited to, audited financial statements, certain financial information and operating data and notices of ratings changes and other events; and

WHEREAS, the SEC has recently focused on what it believes is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentations in official statements of past compliance with continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), a program currently scheduled to end for issuers at 12:00 a.m. on December 1, 2014, that encourages issuers of municipal bonds and notes to self-report possible material misstatements or omissions made in the past five (5) years in an official statement or statements regarding compliance with prior continuing disclosure undertakings; and

WHEREAS, by participating in the MCDC Initiative, issuers agree to accept certain non-monetary penalties; and

WHEREAS, recently, the Division of Local Government Services issued Local Finance Notice 2014-9 warning local government officials of possible consequences for failing to identify past noncompliance with continuing disclosure requirements and determining whether to take advantage of the MCDC Initiative, and recommending that local government officials proactively take steps to self-identify their own levels of compliance with their continuing disclosure undertakings and consult their public finance professionals to determine if it is advisable to participate in the MCDC Initiative; and

WHEREAS, the Issuer desires to conduct a disclosure review which will (i) summarize the results of the Issuer's prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the Issuer in the last five (5) years in its official statement or statements regarding past compliance (the "Disclosure Review"); and

WHEREAS, based on the results of the Disclosure Review, the Issuer further desires to delegate to the Chief Financial Officer, in consultation with the Issuer's general counsel, bond counsel, financial advisor, auditor and other finance professionals, the authority to prepare and submit all documentation required to enter the Issuer's bond issues into the MCDC Initiative, as necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF WEST NEW YORK IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:

Section 1. The Issuer hereby determines to undertake a Disclosure Review, and directs its Chief Financial Officer to undertake same with the assistance of the Issuer's general counsel, auditor, bond counsel and financial advisor.

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Consent Agenda (cont.):

Resolution (cont.):

Section 2. The Chief Financial Officer of the Issuer is hereby authorized and delegated the authority to determine if the Issuer shall participate in the MCDC Initiative if, after consultation with the Issuer's officials and professionals, it is determined that the Issuer may have made materially inaccurate statements in its bond offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Obligations issued during the last five (5) years.

Section 3. The Chief Financial Officer of the Issuer is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative, and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Disclosure Review, contemplated by this resolution.

Section 4. Any action taken by the Chief Financial Officer, or any other officer or employee of the Issuer, with respect to the Disclosure Review, the engagement of a disclosure specialist and participation in the MCDC Initiative is hereby ratified and confirmed.

Resolution

**Directing the Undertaking of a Continuing Disclosure
Review Authorizing Participation in the Municipalities
Continuing Disclosure Cooperation Initiative of the
Securities and Exchange Commission**

WHEREAS, the Town of West New York, in the County of Hudson, New Jersey (the "Issuer") has previously issued, or was an "obligated person" in connection with, one or more series of bonds ("Obligations"), including Obligations issued in the past five (5) years pursuant to one or more preliminary and final official statements; and

WHEREAS, in connection with the issuance of the Obligations, the Issuer agreed, pursuant to Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC"), to provide certain information to the former nationally recognized municipal securities information repositories or to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system, including, but not limited to, audited financial statements, certain financial information and operating data and notices of ratings changes and other events; and

WHEREAS, the SEC has recently focused on what it believes is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentations in official statements of past compliance with continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), a program currently scheduled to end for issuers at 12:00 a.m. on December 1, 2014, that encourages issuers of municipal bonds and notes to self-report possible material misstatements or omissions made in the past five (5) years in an official statement or statements regarding compliance with prior continuing disclosure undertakings; and

WHEREAS, by participating in the MCDC Initiative, issuers agree to accept certain non-monetary penalties; and

WHEREAS, recently, the Division of Local Government Services issued Local Finance Notice 2014-9 warning local government officials of possible consequences for failing to identify past noncompliance with continuing disclosure requirements and determining whether to take advantage of the MCDC Initiative, and recommending that local government officials proactively take steps to self-identify their own levels of compliance with their continuing disclosure undertakings and consult their public finance professionals to determine if it is advisable to participate in the MCDC Initiative; and

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Consent Agenda (cont.):

Resolution (cont.):

WHEREAS, the Issuer desires to conduct a disclosure review which will (i) summarize the results of the Issuer's prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the Issuer in the last five (5) years in its official statement or statements regarding past compliance (the "Disclosure Review"); and

WHEREAS, based on the results of the Disclosure Review, the Issuer further desires to delegate to the Chief Financial Officer, in consultation with the Issuer's general counsel, bond counsel, financial advisor, auditor and other finance professionals, the authority to prepare and submit all documentation required to enter the Issuer's bond issues into the MCDC Initiative, as necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF WEST NEW YORK IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:

Section 1. The Issuer hereby determines to undertake a Disclosure Review, and directs its Chief Financial Officer to undertake same with the assistance of the Issuer's general counsel, auditor, bond counsel and financial advisor.

Section 2. The Chief Financial Officer of the Issuer is hereby authorized and delegated the authority to determine if the Issuer shall participate in the MCDC Initiative if, after consultation with the Issuer's officials and professionals, it is determined that the Issuer may have made materially inaccurate statements in its bond offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Obligations issued during the last five (5) years.

Section 3. The Chief Financial Officer of the Issuer is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure **Consent Agenda (cont.):**

Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative, and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Disclosure Review, contemplated by this resolution.

Section 4. Any action taken by the Chief Financial Officer, or any other officer or employee of the Issuer, with respect to the Disclosure Review, the engagement of a disclosure specialist and participation in the MCDC Initiative is hereby ratified and confirmed.

Section 5. This resolution shall take effect immediately.

Resolution
Re: Establishing No Parking Loading Zone
For ABM Builders LLC
567-52nd Street, West New York, NJ

WHEREAS, there exists in the vicinity of **567-52nd Street** a condition relating to traffic congestion and difficulty of receiving, loading and discharging merchandise and supplies caused by the location of **establishment** in the building located , **567-52nd Street**; and

WHEREAS, the congestion in this area not only prevents the loading and unloading of necessary merchandise and supplies from trailer trucks and vehicles during business hours, but, in addition present hazards to safety and traffic by the impeding of the safe and regular flow of traffic through the said street areas during the loading and unloading operation and good cause appearing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, N.J., pursuant to N.J.S.A. 39:4-197 (3) (b) that a "No Parking-Loading Zone" be and same is hereby authorized and established, at the said location, more particularly described hereafter, during business hours from **Monday thru Saturday 7:00 a.m.**

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Consent Agenda (cont.):

Resolution (cont.):

to 7:00 p.m. said area or zone to be used as a "No Parking-Loading Zone": during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and:

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

BEGIN AT A POINT, ALONG THE SOUTH SIDE OF 52ND
STREET, 30 FEET EAST FROM THE S.E. CORNER OF 52ND
STREET AND POLK STREET. THEN 40 FEET FROM THERE.

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

Resolution

Tax Corrections \$305.90 (Various Properties)

WHEREAS, a payment in the amount of \$305.90 was received in the Tax Office for payment of 1st quarter 2014 property taxes for property located at 283 Roslyn Court A/K/A block 168.01 lot 1.07 C0283 and

WHEREAS, the said payment in the amount of \$305.90 was credited to the wrong property located at 307 Midland A/K/A block 168.01 lot 1.06 C0307 and

NOW THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to move the said payment to be credited to the correct account and to waive any interest may have accrued due to this error.

Resolution

Refund of Redemptions (\$172,614.02)

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
ISAAC MORADI	5/32 C03-L	13-0016	\$2,276.02
	123/17.01	12-0581	\$1,919.52
72 OAK STREET HOLDING, LLC	42/29	12-0240	\$33,823.54
US BANK AS CUST/ATR FD NJ & CAP1	84/23	12-0469	\$13,454.52
US BANK CUST/EMP VI	21/15	13-0086	\$9,206.12
SBMUNICUST C/O LBNJ	36/29	12-0176	\$4,489.46

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Consent Agenda (cont.):

Resolution (cont.):

US BANK CUST FOR TOWER DBW	79/14	12-0421	\$40,496.70
PAM INVESTOR	35/1 C008C	11-0089	\$2,126.30
	9/4 C00B6	13-0040	\$2,022.99
	105/14	13-0354	\$1,142.67
	83/7 CG005	11-0235	\$863.76
	83/7 CG005	10-160	\$2,341.63
SUNSHINE ST CERT. IV,LLP,BK UNITED	136/21	12-0620	\$30,590.23
BANK CUST FOR	153/8	13-0503	\$4,891.77
BV001 TRUST	55/42	13-0192	\$3,915.13
NAVARETE,C & M	157/20	13-0526	\$1,026.08
US BANK CUST FOR TOWER DBW	47/13	12-0262	\$4,084.39
GAUTAM CHHAWCHHARIA	83/7 CG005	12-0463	\$878.13
US BK. CUST FOR TOWER DBW111 TR2013	168.01/7.06 C0304	13-0591	\$2,982.82
SBMUNICUST C/O LBNJ	7/28	1 2-0039	\$10,082.24
		Grand Total	\$172,614.02

Resolution
Refund of Tax Lien Premiums (32,200.00)

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	5/32 C03-L	13-0016	\$100.00
US BANK CUST/EMP VI	21/15	13-0086	\$15,000.00
US BANK CUST FOR TOWER DBW	79/14 47/13	12-0421 12-0262	\$1,000.00 \$100.00
PAM INVESTORS	9/4 C00B6 105/14	13-0040 13-0354	\$1,100.00 \$900.00
SUNSHINE ST CERT.	136/21	12-0620	\$5,100.00

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Consent Agenda (cont.):

Resolution (cont.):

IV, LLP, BK UNITEDT

US BANK CUST FOR	153/8	13-0503	\$2,200.00
BV001 TRUST	55/42	13-0192	\$1,400.00
US BK. CUST FOR	168.01/7.06 C0304	13-0591	\$5,300.00
TOWER DBW111 TR2013			

GRAND TOTAL \$32,200.00

Resolution
Overpayment of Taxes (\$7,645.15)

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, and:

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
CORELOGIC TAX	130/5.01	\$3,850.92	2013
SERVICES, LLC	130/5.01 C0307	\$3,743.95	2014
FAMKRO, LLC	168.01/7.06 C0417	\$50.28	2014

Grand Total \$7,645.15

Resolution
Authorizing Emergency Temporary Appropriations for the Year 2014

WHEREAS, an emergent condition has arisen in that the Town of West New York is expected to enter into contracts, commitments or payments prior to the adoption of the 2014 budget and no adequate provision has been made in the 2014 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2014 pursuant to the provision of Chapter 96, P.L. 1951 (NJSA 40A:4-20) including this resolution total
\$34,175,249.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Board of Commissioners of the Town of West New York, County of Hudson (not less than two-thirds of all members thereof affirmatively concurring), that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$3,413,338.00 as follows:

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Consent Agenda (cont.):

Resolution (cont.):

Dir. of Public Affairs - S&W	15,000
	21,000
Town Clerk's Office S/W	9,000
Board of Health - O.E.	7,500
Public Relations	27,200
Rent Control Board	200
Town Funding Program	5,200
Tenant Relations	500
Supervised Play Activity S/W	75,000
Supervised Play Activity	35,000
Senior Citizens S/W	1,000
Senior Citizens	7,900
Administrative Office S/W	15,000
Personnel Department S/W	2,000
Personnel Department	2,000
Community Development O.E.	38
Director's Office	19,000
Treasurer's Office S/W	16,000
Assessment of Taxes S/W	5,000
Collection of Taxes S/W	1,000
Collection of Taxes	300
Group Insurance- Employees	200,000
Other Insurance - Workers Comp	250,000
Other Insurance - Liability	300,000
NHRFR	2,000,000
Ambulance Squad	60,000
Director's Office DPW - O.E.	20,000
Streets & Sewers S/W	125,000
Streets & Sewers	140,000
Director Pks & Pub. Prop. -S/W	20,000
Director's Office	14,000
Division of Parks	8,000
Building Department	3,500
Centralized Postage	<u>8,000</u>
Total:	\$3,413,338

Resolution

Authorizing Execution of a Right-of-Way Agreement between The Town of West New York and AT&T Corp. to Permit the Installation of Telecommunications Facilities Within Public Rights-of-Way

WHEREAS, AT&T Corp., a New York corporation, with offices located at One AT&T Way, Bedminster, New Jersey 07921, on behalf of itself and its subsidiaries, including AT&T Communications of New Jersey, L.P., Teleport Communications America, LLC, and Teleport Communications New York (collectively, "AT&T"), is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to the following Orders of Approval: Docket No. 8311-1035 and 8311-1064 on December 23, 1983; Docket No. TT8603271 on May 6, 1986; Docket No. TX95100501 on June 20, 1996; FCC Order 98-169 on July 21, 1998; and Docket No. TM14030234 on April 24, 2014; and

WHEREAS, AT&T has requested the consent of the Town of West New York ("Town") to install fiber optic cable on existing poles and in existing conduit located in the public rights-of-way within the Town, for the purpose of constructing and operating a telecommunications network; and

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Consent Agenda (cont.):

Resolution (cont.):

WHEREAS, the granting of such consent is and shall be conditional upon AT&T's compliance with all existing and future ordinances of the Town and its entering into a written agreement with the Town upon satisfactory terms and conditions;

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

1. Subject to the provisions of paragraph 2 below, non-exclusive consent is hereby granted to AT&T to occupy the public rights-of-way within the Town for the purpose of construction and operation of a telecommunications system for an initial period of ten (10) years, with two (2) additional renewal periods of five (5) years each, to be more particularly set forth in an Agreement to be entered into by and between the Town and AT&T.
2. The permission granted in paragraph 1 above is and shall be (i) conditioned upon AT&T entering into an Agreement with the Town, upon terms and conditions satisfactory to the Town, and (ii) subject to the terms and conditions of said Agreement.
3. The Mayor and Town Clerk are hereby authorized to execute said Agreement.
4. A copy of this Resolution and the executed Agreement shall be filed in the Office of the Town Clerk.

Resolution

Increasing "CAP" on Compensation for Legal Services Provided by Corporation Counsel for the Town of West New York

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York designated the Law Firm of Scarinci Hollenbeck as Corporation Counsel for the Town of West New York via Resolution adopted at a Special Meeting on Friday, May 9, 2014;

WHEREAS, the term of the Agreement commenced on May 12, 2014 and concludes on December 31, 2014; and

WHEREAS, the not to exceed amount of compensation to be paid to Corporation Counsel was Three-Hundred and Thirty-Five Thousand (\$335,000.00) Dollars; and

WHEREAS, prior Municipal Administrator, Joseph DeMarco, resigned from his position with the Town of West New York, and the not to exceed amount was calculated on the basis that Joseph DeMarco would be the town administrator for the duration of the contract term; and

WHEREAS, the resignation of Joseph DeMarco was unforeseen and unanticipated at the time the not to exceed amount of the contract was calculated; and

WHEREAS, a significant amount of work that would otherwise have been performed by Joseph DeMarco has since been performed by Scarinci Hollenbeck; and

WHEREAS, it is anticipated that Scarinci Hollenbeck will continue to be requested to perform additional and unanticipated services during the transition of the new Business Administrator; and

NOW, THEREFORE, BE IT RESOLVED that the not to exceed amount of compensation to be provided to Corporation Counsel for legal services is increased to Four-Hundred and Fifteen Thousand (\$415,000.00) Dollars through the remainder of the contract term.

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Consent Agenda (cont.):

Resolution

Authorizing the Award of a Contract for Finance and Purchasing Consultant

WHEREAS, the Town of West New York ("Town") requires the services of a Finance and Purchasing Consultant; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay-to-Play" Law, ("Law"), N.J.S.A. 19:44A-20.4 et seq., the Town has sought qualified applicants to provide these services through the use of a "fair and open process," as defined at N.J.S.A. 19:44A-20.7; and

WHEREAS, as required by the Law, the Town provided sufficient notice of its Request for Proposals (RFP); publicly solicited RFPs; established an award and disclosure process documented in writing prior to soliciting any RFPs; publicly opened all proposals; and is publicly awarding the Contract via this Resolution; and

WHEREAS, in response to the RFP, NW Financial Group, LLC has submitted a proposal to serve as a Finance and Purchasing Consultant; and

WHEREAS, the Town's "Best Practices" Committee utilized the process and recommendations as established by the Office of the State Comptroller as set forth in his manual "Best Practices for Awarding Service Contracts" to review and evaluate the proposal; and

WHEREAS, the proposal submitted by NW Financial Group, LLC was determined by the Town's "Best Practices" Committee to meet the selection criteria articulated in the RFP; and

WHEREAS, the Board of Commissioners deems it in the best interests of the Town to award a Contract to NW Financial Group, LLC to serve as Finance and Purchasing Consultant for the period September 1, 2014 to December 31, 2014 at a rate not to exceed \$195.00 per hour in accordance with the RFP, for a total contract not to exceed \$20,000.00; and

WHEREAS, the availability of funds shall be certified by the Chief Financial Officer or certifying finance officer shall make an appropriate entry into the local unit's encumbrance system pursuant to N.J.A.C. 5:30-5.1 and 5.2 prior to the issuance of a contract; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, that a Professional Services Contract is hereby awarded to NW Financial Group, LLC to serve as a Finance and Purchasing Consultant for the period September 1, 2014 to December 31, 2014 for a total contract not to exceed \$20,000.00 in accordance with the RFP.

BE IT FURTHER RESOLVED that the Mayor and Town Clerk shall be authorized to execute a Contract with NW Financial Group, LLC in a form acceptable to Corporation Counsel.

Resolution

Authorizing the Award of Contracts for Alternate Public Defenders

WHEREAS, the Town of West New York ("Town") requires the services of an Alternate Public Defender; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay-to-Play" Law, ("Law"), N.J.S.A. 19:44A-20.4 et seq., the Town has sought qualified applicants to provide these

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Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

services through the use of a “fair and open process,” as defined at N.J.S.A. 19:44A-20.7; and

WHEREAS, as required by the Law, the Town provided sufficient notice of its Request for Proposals (RFP); publicly solicited RFPs; established an award and disclosure process documented in writing prior to soliciting any RFPs; publicly opened all proposals; and is publicly awarding the Contracts via this Resolution; and

WHEREAS, in response to the RFP, the Law Office of Rose Tubito, Esq., Thomas J. Koehl., Esq., the Law Office of Joseph J. Donatiello, the Law Office of Jason T. Komninos and Aristides F. Hernandez, Esq. submitted proposals to serve as Alternate Public Defender; and

WHEREAS, the Town’s “Best Practices” Committee utilized the process and recommendations as established by the Office of the State Comptroller as set forth in his manual “Best Practices for Awarding Service Contracts” to review and evaluate the proposals; and

WHEREAS, the proposals submitted by the Law Office of Rose Tubito, Esq., Thomas J. Koehl., Esq., the Law Office of Joseph J. Donatiello, the Law Office of Jason T. Komninos and Aristides F. Hernandez, Esq. were determined by the Town’s “Best Practices” Committee to meet the selection criteria articulated in the RFP; and

WHEREAS, the Board of Commissioners deems it in the best interests of the Town to award Contracts to the Law Office of Rose Tubito, Esq., Thomas J. Koehl., Esq., the Law Office of Joseph J. Donatiello, the Law Office of Jason T. Komninos and Aristides F. Hernandez, Esq. to serve as Alternate Public Defenders for the period September 1, 2014 to December 31, 2014 at a rate not to exceed \$300.00 per court appearance in accordance with the RFP; and

WHEREAS, the availability of funds shall be certified by the Chief Financial Officer or certifying finance officer shall make an appropriate entry into the local unit's encumbrance system pursuant to N.J.A.C. 5:30-5.1 and 5.2 prior to the issuance of a contract.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Town of West New York do hereby approve of the following to be Alternate Public Defenders:

Law Office of Rose Tubito, Esq.
Thomas J. Koehl., Esq.
Law Office of Joseph J. Donatiello
Law Office of Jason T. Komninos
Aristides F. Hernandez, Esq.

BE IT FURTHER RESOLVED that these Alternate Public Defenders shall be paid at the rate of \$300 per court session;

BE IT FURTHER RESOLVED by the Board of Commissioners of the Town of West New York, that Professional Services Contracts are hereby awarded to the Law Office of Rose Tubito, Esq., Thomas J. Koehl., Esq., the Law Office of Joseph J. Donatiello, the Law Office of Jason T. Komninos and Aristides F. Hernandez, Esq. to serve as Alternate Public Defenders for the period September 1, 2014 to December 31, 2014 for total Contracts not to exceed \$300.00 per court appearance in accordance with the RFP;

BE IT FURTHER RESOLVED that the Mayor and Town Clerk shall be authorized to execute Contracts with the Law Office of Rose Tubito, Esq., Thomas J. Koehl., Esq., the Law Office of Joseph J. Donatiello, the Law Office of Jason T. Komninos and Aristides F. Hernandez, Esq. in a form acceptable to Corporation Counsel.

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Regular Meeting

Consent Agenda (cont.):

Resolution
Authorizing the Award of Contracts for Alternate Public Prosecutors

WHEREAS, the Town of West New York (“Town”) requires the services of an Alternate Prosecutor; and

WHEREAS, pursuant to the New Jersey Local Unit “Pay-to-Play” Law, (“Law”), N.J.S.A. 19:44A-20.4 et seq., the Town has sought qualified applicants to provide these services through the use of a “fair and open process,” as defined at N.J.S.A. 19:44A-20.7; and

WHEREAS, as required by the Law, the Town provided sufficient notice of its Request for Proposals (RFP); publicly solicited RFPs; established an award and disclosure process documented in writing prior to soliciting any RFPs; publicly opened all proposals; and is publicly awarding the Contracts via this Resolution; and

WHEREAS, in response to the RFP, the Law Office of Rose Tubito, Esq., Maurice Giro, and Michael B. Bukatman submitted proposals to serve as Alternate Prosecutor; and

WHEREAS, the Town’s “Best Practices” Committee utilized the process and recommendations as established by the Office of the State Comptroller as set forth in his manual “Best Practices for Awarding Service Contracts” to review and evaluate the proposals; and

WHEREAS, the proposals submitted by the Law Office of Rose Tubito, Esq., Maurice Giro, and Michael B. Bukatman were determined by the Town’s “Best Practices” Committee to meet the selection criteria articulated in the RFP; and

WHEREAS, the Board of Commissioners deems it in the best interests of the Town to award contracts to the Law Office of Rose Tubito, Esq., Maurice Giro, and Michael B. Bukatman to serve as Alternate Prosecutors for the period September 1, 2014 to December 31, 2014 at a rate not to exceed \$300.00 per court appearance in accordance with the RFP; and

WHEREAS, the availability of funds shall be certified by the Chief Financial Officer or certifying finance officer shall make an appropriate entry into the local unit's encumbrance system pursuant to N.J.A.C. 5:30-5.1 and 5.2 prior to the issuance of a contract.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Town of West New York do hereby approve of the following to be Alternate Prosecutors:

Law Office of Rose Tubito, Esq.
Maurice Giro
Michael B. Bukatman

BE IT FURTHER RESOLVED that these Alternate Prosecutors shall be paid at the rate of \$300 per court session;

BE IT FURTHER RESOLVED by the Board of Commissioners of the Town of West New York, that Professional Services Contracts are hereby awarded to the Law Office of Rose Tubito, Esq., Maurice Giro, and Michael B. Bukatman to serve as Alternate Public Defenders for the period September 1, 2014 to December 31, 2014 for total contracts not to exceed \$300.00 per court appearance in accordance with the RFP;

BE IT FURTHER RESOLVED that the Mayor and Town Clerk shall be authorized to execute Contracts with the Law Office of Rose Tubito, Esq., Maurice Giro, and Michael B. Bukatman in a form acceptable to Corporation Counsel.

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Consent Agenda (cont.):

Resolution

Authorizing the Award of Contracts for State Grant Writing Services

WHEREAS, the Town of West New York (“Town”) requires State Grant Writing Services; and

WHEREAS, pursuant to the New Jersey Local Unit “Pay-to-Play” Law, (“Law”), N.J.S.A. 19:44A-20.4 et seq., the Town has sought qualified applicants to provide these services through the use of a “fair and open process,” as defined at N.J.S.A. 19:44A-20.7; and

WHEREAS, as required by the Law, the Town provided sufficient notice of its Request for Proposals (RFP); publicly solicited RFPs; established an award and disclosure process documented in writing prior to soliciting any RFPs; publicly opened all proposals; and is publicly awarding the Contracts via this Resolution; and

WHEREAS, in response to the RFP, Bruno Associates, Inc. submitted a proposal to provide State Grant Writing Services; and

WHEREAS, the Town’s “Best Practices” Committee utilized the process and recommendations as established by the Office of the State Comptroller as set forth in his manual “Best Practices for Awarding Service Contracts” to review and evaluate the proposal; and

WHEREAS, the proposal submitted by Bruno Associates, Inc. was determined by the Town’s “Best Practices” Committee to meet the selection criteria articulated in the RFP; and

WHEREAS, the Board of Commissioners deems it in the best interests of the Town to award a Contract to Bruno Associates, Inc. for State Grant Writing Services for the period September 1, 2014 to December 31, 2014 at a rate not to exceed \$65.00 per hour/\$8,333.00 total; and

WHEREAS, the availability of funds shall be certified by the Chief Financial Officer or certifying finance officer shall make an appropriate entry into the local unit's encumbrance system pursuant to N.J.A.C. 5:30-5.1 and 5.2 prior to the issuance of a contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of West New York do hereby approve of the award for State Grant Writing Services to Bruno Associates, Inc.; and

BE IT FURTHER RESOLVED that Bruno Associates, Inc. shall be paid at the rate of \$65.00 per hour/\$8,333.00 total; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Town of West New York, that a Professional Services Contract is hereby awarded to Bruno Associates, Inc. to provide State Grant Writing Services for the period September 1, 2014 to December 31, 2014 for a total Contract not to exceed \$65.00 per hour/\$8,333.00 total; and

BE IT FURTHER RESOLVED that the Mayor and Town Clerk shall be authorized to execute a Contract with Bruno Associates, Inc. in a form acceptable to Corporation Counsel.

Resolution

Authorizing the Award of a Contract for Federal Grant Writing Services

WHEREAS, the Town of West New York (“Town”) requires Federal Grant Writing Services; and

WHEREAS, pursuant to the New Jersey Local Unit “Pay-to-Play” Law, (“Law”), N.J.S.A. 19:44A-20.4 et seq., the Town has sought qualified applicants to provide these services through the use of a “fair and open process,” as defined at N.J.S.A. 19:44A-20.7; and

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Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

WHEREAS, as required by the Law, the Town provided sufficient notice of its Request for Proposals (RFP); publicly solicited RFPs; established an award and disclosure process documented in writing prior to soliciting any RFPs; publicly opened all proposals; and is publicly awarding the Contracts via this Resolution; and

WHEREAS, in response to the RFP, Krivit & Krivit, P.C. submitted a proposal to provide Federal Grant Writing Services; and

WHEREAS, the Town's "Best Practices" Committee utilized the process and recommendations as established by the Office of the State Comptroller as set forth in his manual "Best Practices for Awarding Service Contracts" to review and evaluate the proposal; and

WHEREAS, the proposal submitted by Krivit & Krivit, P.C. was determined by the Town's "Best Practices" Committee to meet the selection criteria articulated in the RFP; and

WHEREAS, the Board of Commissioners deems it in the best interests of the Town to award a Contract to Krivit & Krivit, P.C. for Federal Grant Writing Services for the period September 1, 2014 to December 31, 2014 at rates not to exceed \$5,000.00 per month/\$20,000.00 per year; and

WHEREAS, the availability of funds shall be certified by the Chief Financial Officer or certifying finance officer shall make an appropriate entry into the local unit's encumbrance system pursuant to N.J.A.C. 5:30-5.1 and 5.2 prior to the issuance of a contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of West New York do hereby approve of the award for Federal Grant Writing Services to Krivit & Krivit, P.C.; and

BE IT FURTHER RESOLVED that Krivit & Krivit, P.C. shall be paid at the rate of \$5,000.00 per month/\$20,000.00 per year; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Town of West New York, that a Professional Services Contract is hereby awarded Krivit & Krivit, P.C. to provide Federal Grant Writing Services for the period September 1, 2014 to December 31, 2014 for a total Contract not to exceed \$5,000.00 per month/\$20,000.00 per year; and

BE IT FURTHER RESOLVED that the Mayor and Town Clerk shall be authorized to execute a Contract with Krivit & Krivit, P.C. in a form acceptable to Corporation Counsel.

Resolution

Forming a Committee to Negotiate the Terms of a Contract for Public Space Recycling System Services and provide Recommendations to the Board of Commissioners

WHEREAS, the Town of West New York ("Town") requires Public Space Recycling System Services; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay-to-Play" Law, ("Law"), N.J.S.A. 19:44A-20.4 et seq., the Town sought qualified applicants to provide these services through the use of a "fair and open process," as defined at N.J.S.A. 19:44A-20.7; and

WHEREAS, as required by the Law, the Town provided sufficient notice of its Request for Proposals (RFP); publicly solicited RFPs; established an award and disclosure process documented in writing prior to soliciting any RFPs; and publicly opened all proposals; and

WHEREAS, in response to the RFP, Creative Outdoors Advertising of America, Inc. submitted a proposal to provide Public Space Recycling System Services; and

August 20, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

WHEREAS, Creative Outdoors Advertising of America, Inc. was the only proposal submitted to the Town in response to the RFP; and

WHEREAS, the Town's "Best Practices" Committee utilized the process and recommendations as established by the Office of the State Comptroller as set forth in his manual "Best Practices for Awarding Service Contracts" to review and evaluate the proposal; and

WHEREAS, the proposal submitted by Creative Outdoors Advertising of America, Inc., while acceptable in substance to the Town's Best Practices Committee, requires a meeting with the vendor to negotiate the specific terms of the agreement and placement of receptacles; and

WHEREAS, the Board of Commissioners deems it in the best interests of the Town to establish a Committee to negotiate the terms of a contract for Public Space Recycling System Services with Creative Outdoors Advertising of America, Inc., which terms will meet all criteria articulated in the RFP and otherwise be acceptable to the Town; and

WHEREAS, the Committee described in the preceding paragraph shall consist of Commissioner Vargas, the Town Administrator, and Corporation Counsel.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Town of West New York do hereby approve of the establishment of a Committee to consist of Commissioner Vargas, the Town Administrator, and Corporation Counsel; and

BE IT FURTHER RESOLVED that this Committee, consisting of Commissioner Vargas, the Town Administrator, and Corporation Counsel, shall negotiate the terms of a contract with Creative Outdoors Advertising of America, Inc., which terms will meet all criteria articulated in the RFP and otherwise be acceptable to the Town;

BE IT FURTHER RESOLVED that this Committee, consisting of Commissioner Vargas, the Town Administrator, and Corporation Counsel, shall report to the Board of Commissioners its recommendations for the terms of a contract with Creative Outdoors Advertising of America, Inc., at the next Regular Meeting of the Board of Commissioners, which is scheduled to take place on September 17, 2014;

Resolution

**Authorizing the Execution of Settlement Agreement in the Matter of Luis Melendez
v. Town of West New York**

WHEREAS, the Town of the West New York is involved in an administrative action pending in the New Jersey Office of Administrative Law, specifically Luis Melendez v. Town of West New York, Department of Public Works, OAL docket number CSV 15464-13; and

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

WHEREAS, the Town has settled the litigated matter and the settlement proceeds in the amount of fourteen thousand five hundred (\$14,500.00) to be paid to Luis Melendez.

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 agreements in a form acceptable to Corporation Counsel for West New York and implementation of the executory provisions thereof.

Note: **Comm. Wiley voted "Abstain" on this Resolution.**

August 20, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Authorizing the Execution of Settlement Agreement in the in the Matter of Carlos Perez v. Town of West New York

WHEREAS, the Town of the West New York is involved in an administrative action pending in the New Jersey Office of Administrative Law, specifically Carlos Perez v. Town of West New York, Department of Public Works, OAL docket number CSV 15463-13; and

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

WHEREAS, the Town has settled the litigated matter and the settlement proceeds in the amount of fourteen thousand five hundred (\$14,500.00) to be paid to Carlos Perez.

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 agreements in a form acceptable to Corporation Counsel for West New York and implementation of the executory provisions thereof.

Note: Comm. Wiley voted "Abstain" on this Resolution.

Resolution

Terminating the Temporary Appointment of Brian O'Reilly as the Acting Municipal Administrator of the Town of West New York

WHEREAS, on July 16, 2014, the Mayor and the Board of Commissioners of the Town of West New York temporarily appointed Brian O'Reilly as Acting Municipal Administrator to serve until such time that a permanent Municipal Administrator is selected and appointed; and

WHEREAS, the Town of West New York has selected a permanent Municipal Administrator for appointment to the position; and

WHEREAS, the new Municipal Administrator will commence service with the Town of West New York on September 22, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Town of West New York that the temporary appointment of Brian O'Reilly as Acting Municipal Administrator is terminated effective September 26, 2014.

Resolution

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:

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.

August 20, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Authorizing the Town Clerk to advertise to receive RFPs for "Financial Advisor" on September 12, 2014 at 10:00am in Town Clerk's Office

Be it resolved that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of RFPs on **Friday, September 12, 2014 at 10:00 a.m.** in the Town Clerk's Office for: **"Financial Advisor"** for the Town of West New York in accordance with Specifications on file in the Town Clerk's Office

NOTE: Commissioner Frias interrupted Mr. Brian O'Reilly for further clarification regarding R-14(Establishing No Parking Loading Zone for ABM Builders) which was previously tabled on the July 16, 2014 meeting for further consideration. Commissioner Rodriguez informed Commissioner Frias that it was done in error and the real estate company filed for the loading zone on behalf of the construction company. Commissioner Rodriguez further added that the Loading Zone is being established for ABM Builders, a construction company which needs this space for its trucks. Commissioner Wiley directed a question to Mayor Roque about resolution R-10, which authorizes the Town of West New York to award a contract for Public Relations. Commissioner Wiley wanted to know "with regards to public relations what does the position entail?" The Mayor explained that in a normal corporation there is always a public relations department to communicate all town business. The Mayor stated that this Town needs marketing and someone who will go out there and promote West New York locally so that there is communication between the Town and the people. Commissioner Wiley inquired about monetary compensation and the Mayor informed him that he didn't have the figures. Mr. O'Reilly and Commissioner Frias informed Commissioner Wiley that Pablo Fonseca's consulting company cannot exceed \$4,000 a month. Commissioner Wiley then turned to the Mayor and asked "Why does he only market you; can he work on your campaign?" Mayor Roque responded "no he can't, not only for me but for the Board of Commissioners as well." Commissioner Wiley then said "he does work for your political campaign; I've seen him at your campaign headquarters telling people what to do." Mr. Scarinci then informed Commissioner Wiley that Pablo Fonseca's consulting agency is only for Town Business. Mr. Scarinci stated "This contract is 100% for Town business." Commissioner Wiley further states that it's a conflict of interest for Pablo Fonseca to endorse the Mayor Roque for his 2015 race and campaigning for the Mayor while getting paid by the town creates issues. Mr. Scarinci informed Commissioner Wiley that his inquisition was overstepping the scope of this Town's business and his questions and concerns strictly dealt with politics which was not a subject of conversation during this meeting. Mr. O'Reilly called the meeting to order to which Commissioner Wiley said "I want this to be on the record, that I will investigate Pablo Fonseca and this matter further." Mr. Scarinci turned to the Mayor and Commissioner Frias to formally introduce Matthew U. Watkins. Commissioner Frias informed everyone that a committee was formed and a West New York constituent was chosen to participate in the search of West New York's new Business Administrator. Commissioner Frias informed the public that the individual chosen was active participant in the process. She congratulated Mr. Humberto Ortega for his phenomenal work and outstanding participation during this process. Mayor Roque thanked Mr. O'Reilly for his phenomenal job as an acting Business Administrator and gave special thanks to Mr. Ortega (Ron Scheurle yelled "WOO!" from the benches). Mr. Scarinci informed everyone that they had published many advertisements for Business Administration in many sources. Mr. Scarinci stated that their extensive search to find the new Business Administrator led to Matthew U. Watkins. Mr. Scarinci stated that every Commissioner had Mr. Watkins on their list and further stated that Mr. Watkins has a very reputable curriculum vitae and everyone has recommended him for the position. He continued by saying that Mr. Watkins has been an administrator for almost 30 years in various municipalities and was a director in the Civil Service Department for the State of New Jersey. Mr. Scarinci

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expressed that it was an honor for the Town of West New York to have him on board and he foresees Mr. Watkins taking the Town of West New York to the next level of professionalism. Mr. Scarinci further states that everyone in Scarinci Hollenbeck is pleased to have him. Matthew U. Watkins thanked the Commissioners and the Town of West New York and expressed his gratitude and commitment to the Town of West New York. Mr. Watkins stated that his family is from Oklahoma and how working across from New York City will be an amazing experience. "I will dedicate myself to this Town and do my best". He further stated "Not everyone will like what I do, it isn't what everyone likes, it is what must be done properly...I look forward to working with you on September 22nd." Mayor once again said "welcome aboard".

Resolution

Authorizing the Appointment of Matthew U. Watkins as the Municipal Administrator of the Town of West New York

WHEREAS, a vacancy exists in the position Municipal Administrator for the Town of the West New York; and

WHEREAS, Section 69-103 of the Code of the Town of West New York authorizes an appointment by the Mayor and the Board of Commissioners of a Municipal Administrator; and

WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York appointed Brian O'Reilly as acting Municipal Administrator to serve until such time as a permanent Municipal Administrator was selected and appointed; and

WHEREAS, Resolution R-14 was adopted by the Mayor and Board of Commissioners at a Regular Meeting held on July 16, 2014, for the purpose of establishing a Search Committee to select and appoint a new Municipal Administrator; and

WHEREAS, the Search Committee consisting of Mayor Roque, the Town Attorney, The Commissioner of Revenue and Finance, and Humberto Ortega, a member of the public appointed by Mayor Roque, convened on July 21, 2014 in order to establish a criteria for the selection process, strategies for recruitment and advertisement for the position of Municipal Administrator; and

WHEREAS, the Search Committee drafted an advertisement for Municipal Administrator which appeared on the website for the Town of West New York, and the New Jersey State League of Municipalities. It was also published in the Jersey Journal, the Bergen Record, and the Star Ledger between July 26, 2014 and August 13, 2014; and

WHEREAS, the Search Committee met again on July 28th, August 8th and August 15th to review resumes, interview candidates and deliberate on its findings for the purpose of making a recommendation to the West New York Board of Commissioners; and

A Motion was made by Commissioner Frias, seconded by Mayor Roque to **adopt the foregoing resolution**, was carried by following vote:

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

Motion made by Commissioner Rodriguez, seconded by Commissioner Vargas, **to open Public Portion of meeting**, was carried by the following vote:

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

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Public Portion:

NOTE: Acting Business Administrator O'Reilly warned the public of the 5 minute speaking rule.

1. Kerry Culhane, 322 67th Street, WNY:

Ms. Culhane stated she has been a teacher in West New York for over 20 years and that Kermy Amparo-Berroa who passed away was a student of hers and expressed how hurt she was that the tribute/memorial of the late student that was set up on 60th and Boulevard East by his family and friends was taken down by the Parks Department. She asked the employees the Town employees what were they doing and the employees responded that they had to power wash the fountain as ordered by Commissioner Wiley. Ms. Culhane turned to Commissioner Wiley and said "I'm very insulted that you would order a tribute to someone to be taken down faster than the animal that killed the police officer in Jersey City. I'm very insulted, I'm not even related and I'm sure his family is extremely hurt and insulted." Commissioner Wiley informed her that there has been a lot of damage done to the fountain and that the candlewax melted all over the fountain and that they had to power wash it in order for it comes off. He stated that the fountain was already scheduled to be painted and the lights were fixed. He further added that if he knew the public was going to put wax candles on the fountain he would have prevented the memorial from happening. He assured Ms. Culhane that it was nothing personal against her or Mr. Amparo-Berroa's family and friends and informed Ms. Culhane that everything collected from the tribute was boxed in the garage. Ms. Culhane stated that she was disgusted. Commissioner Wiley informed her that he would be at the funeral and she shouted "I'm going now". Commissioner Wiley informed her that she was entitled to say anything she wanted but the fountain was already scheduled to be cleaned. She told Commissioner Wiley that rather than taking down the tribute his employees should have moved everything to the side. Once again Ms. Culhane shouted "I'm insulted, actually hurt that you would do something like that". Commissioner Wiley said "I'm sorry you're hurt about what happened". Ms. Culhane was very emotional and said the parents would be ashamed of Commissioner Wiley for his insensitive actions. The Mayor extended his apologies and Ms. Culhane walked out of the chambers.

2. Humberto Ortega, 6040 Boulevard East, WNY:

Mr. Ortega jokingly commented if he was allowed to have 5 minutes per question he posed. Mr. O'Reilly informed Mr. Ortega that he had 5 minutes in total no more no less. Mr. Ortega inquired about resolution R-9 (Annual audit report 2013) and wanted to know what did the entail because the title was unclear and vague. Mr. O'Reilly told Mr. Ortega that he knew the answer; however, he was going to let C.F.O Marge Cherone clarify the resolution. Ms. Cherone informed Mr. Ortega that the Town of West New York is accepting the "Annual Audit Report". Mr. Ortega also wanted to know if the Audit Report was available to the public and Ms. Cherone informed him it was. Mr. Ortega then asked "how do I get to see it?" to which Ms. Cherone answered, "When we are finished here you're more than welcome to come downstairs and I will provide you with an electronic copy." Mr. Scarinci asked the CFO if the Audit Report was on the website and Marge informed him that it would be posted as soon as the resolution was adopted. Mr. Ortega then turned to Mr. Scarinci and told him "you just shorted my speaking time by 10 seconds" (everyone laughed together). Mr. Ortega then inquired about resolutions R-25 and R-26 (awarding contracts for state and federal grant writing services) and asked, "What is the difference between state and federal services? Are we employing two different services?" Mr. Scarinci informed Mr. Ortega that the Town could have one firm taking care of two services or the Town can have 2 firms, one dealing with statewide grants and the other firm dealing with federal grants. Mr. Scarinci further stated that when The Best Practices Committee did this they were looking at 3 options: option A, allowing one firm to do both. Option B, allowing one firm to deal with state grants. Option C, allowing one firm to deal with federal grants. The Committee found it more suitable to go with options B and C. The Best Practices Committee when reviewing the proposals noticed that Krivit & Krivit are based in Washington D.C. and were hired based on their specialization in federal grants. Bruno Associates are based in New Jersey and have previously provided their services to the Town of West New York. Mr. Scarinci informed Mr. Ortega that there wasn't any bifurcating and "they're different pots of money." Mr. O'Reilly informed Mr. Ortega that these contracts were for 4 months. He informed Mr. O'Reilly that he made a good point and whether 4 months was sufficient to get the job done.

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He also expressed that this short contract would create issues with work being left half done. Mr. Scarinci explained that the reason contracts were awarded for only 4 months was because he hoped that during the September or October meetings the Town of West New York would be going out for bids and RFPs for the new calendar year in order for the start date of every position to be the same and not the way it is set up now.

3. Angel Barquin, 432 58th Street, WNY 07093:

Mr. Barquin first started by congratulating Business Administrator. Matthew U. Watkins on becoming the newest member of West New York. Mr. Barquin inquired about Matthew U. Watkins's starting date. Mr. Watkins informed Mr. Barquin that he was scheduled to start September 22, 2014. Mr. Barquin asked him if he was planning on resigning his position in Clifton, New Jersey. Mr. Watkins answered "yes". Mr. Barquin told Mr. Watkins "I hope you will help the Town." Mr. Barquin spoke about the glitches in the Audit Report. He asked how much did the Annual Audit Report cost the Town and CFO Cherone informed him it cost the Town \$80,000. Mr. Barquin further added that he hoped all 18 glitches that former Business Administrator Joseph DeMarco spoke to him about "will decrease. We have been doing everything wrong and hopefully we are going in a better direction. Mr. O'Reilly you are doing a great job". Mr. O'Reilly responded, "30 years in Government and this is the first time I had to be a Clerk".

4. Ronald Scheurle, 6119 Tyler Place, WNY:

Mr. Scheurle stated that everyone sitting on the dais earned more than \$50,000 a year and that there are part time employees that are getting more hours than union employees. Mr. Scheurle pointed out that full time employees were not receiving over time due to the amount of part time employees that the Town of West New York employs. He stated that it was not fair and a disgrace because families really need the extra money. Mr. Scheurle further stated that Police Officers were given a 3 % increase; however, it seemed like municipal employees were not good enough to be offered the same deal. Mr. O'Reilly said that he was familiar with union contracts because he sat with former Business Administrator Joseph DeMarco. Mr. O'Reilly informed Mr. Scheurle that any full time municipal employee that is paid under \$30,000 a year had their salary automatically brought up to \$30,000 and the union gave a fixed dollar amount instead of percentages. Furthermore, Mr. Scarinci informed Mr. Scheurle that the Town of West New York is currently under a hiring freeze and was not hiring. Mr. Scheurle again added that the Town of West New York has employed way too many part time employees and this was the cause of full time employees not being able to work over time.

5. Nelly McIntosh, 6017 Buchanan Place, WNY:

Ms. McIntosh complained about the garage(s) on Buchanan Place that were being blocked by a group known as the "Dominican Club". She commented that these individuals are always playing loud music, drag racing, and speeding down the street. Ms. McIntosh also commented that although the Police respond, as soon as they depart the activities continue. Their activities led to an elderly woman being struck by vehicle. Ms. McIntosh suggested immediate action and urged the Police Department to install a speed bump and "no parking at any time" signs in hope to deter further occurrences and bring back peace to her area. Mayor Roque promised her that he would take care of the situation. Commissioner Rodriguez asked Ms. McIntosh to meet with Sgt. Clements. Ms. McIntosh thanked the Mayor and Commissioner Rodriguez and stepped away to speak to the Sergeant.

6. Maggie Wong, address not given:

Ms. Wong stated that she was a former resident of 6017 Harrison Place in West New York. She explained that she was attending the Board of Commissioner's Meeting because she wanted to address a situation that was not and has not been properly resolved by the Town of West New York and the Police Department. Ms. Wong further explained that during the month of June of 2013, she was attacked. Mayor Roque asked Ms. Wong to speak louder. Ms. Wong started to explain again and was interrupted because she was inaudible. Adelinnny Plaza from the Clerk's Office asked Ms. Wong to speak directly into the microphone. Ms. Wong said she was attacked, Mayor Roque asked "attacked by whom?" Ms. Wong informed the Mayor that she was getting to that and got very emotional. Ms. Wong further explained that she was attacked by a rapist by the stairs that lead from 60th Street and Boulevard East to 55-1 River Walk Place (Starbucks). Ms. Wong stated that Starbucks was her place of employment; she explained that she wasn't attending the meeting on behalf of Starbucks and

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that she was attending this meeting for herself and the other victims. Ms. Wong (in a very emotional state) explained that when she filed a police report she asked the police officer “what else could I have done?” The police officer informed her that “you’re already walking around with a box cutter; continue walking around with one because the Town of West New York did not have funding to do anything.” Ms. Wong also spoke about another attack that occurred and the victim was hospitalized and still the Town of West New York has done “nothing”. She explained that from dusk to dawn there is no surveillance or police officers patrolling the area to reassure her that she is “safe”. She stated “What else can I say or do to bring this your attention to make sure that this issue is seriously addressed, because I feel like I was not aided a year ago and I have to file so many reports that I am reliving this nightmare?” Mayor Roque thanked Ms. Wong for bringing this situation to his attention and informed her that he was not aware of this situation. Mayor Roque asked her to see him after the meeting. Humberto Ortega took the stand and said “Those stairs were dangerous.” Mr. Ortega informed the Mayor that he had spoken about this issue months ago and asked “Is something being done? This is a heart breaking situation”. The Mayor informed Mr. Ortega that the Town is in the process of getting new lighting. Mr. O’Reilly added that the Town has installed temporary lighting and that “nothing will ever comfort a victim”. Mr. O’Reilly assured Mr. Ortega that the Town is working on the issue and that camera(s) and lights were being installed. Mr. O’Reilly also added that Police Patrols are being added by the Commissioner in charge of the Police Department. Mr. O’Reilly commented that it is being done right now; you will see them digging trenches and installing permanent lighting. Mr. Ortega responded “I will have to go see for myself” to which, Mr. O’Reilly responded “please do”. Mr. O’Reilly also informed Mr. Ortega that Captain Flores was assigned to work with Lewis Cannao until the completion of this project. Mr. Ortega concluded his discourse with the statement “you’re being watched”.

7. John Heinis, 78 Montclair Avenue, Little Falls, NJ :

Mr. Heinis informed the Mayor and Commissioners that he had a couple of questions regarding items on the Agenda that weren’t discussed. Mr. Heines questioned item R-21, which is a resolution “Increasing “CAP” on Compensation for Legal Services Provided by Corporation Counsel for the Town of West New York”. Mr. Heinis asked “Why are these Cost necessary?” Mr. Scarinci explained that he tried to articulate in the resolutions the reasons for these costs. He also stated, “When we relayed our proposals there was no expectations or possibility in anyone’s mind that Joseph DeMarco would ultimately leave the Town of West New York and take on another position and so the number that I estimated for the Town of West New York was a number that included an administrator without a curve which specifically included Mr. DeMarco.” He further stated that the search for a new Business Administrator itself totaled \$10,000 in legal fees and that the new figures for 2015 would total \$450,000 including labor. Mr. Heinis thanked Mr. Scarinci for the detailed answer provided. Mr. Heinis then inquired about items R-28 and R-29 two resolutions involving settlements with Luis Melendez and Carlos Perez. Mr. Heinis asked “Would you be able to publicly disclose the amounts the settlements are for?” Mr. Scarinci informed him that the settlement amounts were part of the resolutions and that these cases were being handled by Mr. Corrigan who made the recommendations during closed session. Lastly, Mr. Heines congratulated the newly appointed Business Administrator Matthew U. Watkins, and stated “You have an exemplary resume and are very qualified for the job. I just wanted to know what did Joseph DeMarco make as a Business Administrator and is it the same for Mr. Watkins?” Mr. Scarinci explained that the former Business Administrator was making \$122,000 per year for 4 days a week. Mr. Heinis then asked, “So, it’s going to be more for Mr. Watkins since he will be here 5 days a week, is that what you’re saying?” Mr. Scarinci answered, “It’s going to be more because it’s Matthew Watkins.” Mr. Scarinci also explained that the terms for the new business administrator was included within the body of the resolution and informed Mr. Heines that if he wished he could obtain a hard copy of the resolution. Mayor Roque explained that West New York needs the best and the change Mr. Scarinci is making is only for the betterment of the Town. And that all these changes will eventually increase the level of professionalism and operation of the Town. Mr. Heines expressed that both parties Mr. Watkins and Mr. Scarinci are both qualified individuals and he sees potential in both. Mr. Heines thanked Mr. Scarinci and walked away.

8. Francisco Ferreiro, 5206 Bergenline Avenue, WNY:

Mr. Ferreiro congratulated the Governing Body for the new procedures taken in hiring the new Business Administrator. He expressed that he fought for this administration to be

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transparent and he sees change in the a new committee was formed and included people from the public to help in the process. He stated "That is a bridge builder that I've always wanted, a bridge between the administration and the people and I thank you for that." Mr. Ferreiro explained that when he first started "Residents for a Better West New York," he had two missions that he wanted to accomplish for the Town: first, electing a school board in West New York. He explained that having an elected school board brought a sense of democracy to the board members and residents. He commented that democracy allows the public to elect who serves the school board. Mr. Ferreiro explained that his second mission was not as easy as his first. He advised that he began to collect signatures to try to convert to a Mayor/Council form of government. Mr. Ferreiro addressed Corporation Counsel and said, "Mr. Scarinci, you've worked with over 90 municipalities in the State of New Jersey which I'm sure 80% of those are Mayor/ Council forms of government." Mr. Ferreiro explained that he felt a Mayor/Council form of government was more democratic and provided each ward with more representation and gave more power to the people. He explained that the Mayor/Council requires a lot more signature than the Board of Education question, and that his main objective was to put it on the ballot and let the people of West New York choose how they would vote and what they wanted. He informed the governing body that he had over 30 people collecting signatures and was only able to acquire 2,000 signatures. He explained the difficulty he encountered in conveying to the people that the Town could have another form of government. Mr. Ferrero added, "It's something that it's really hard to explain but we managed to get over 2,000 voters to sign but we need 5,000 signatures; so, we were off from what we needed." Mr. Ferreiro explained that there was only 2 ways of putting this question on the ballot either by the people collecting 5,000 signatures or if the Commissioners created a charter study to see if changing the form of government would viable for the Town. He asked the Commissioners to consider this option and see if the charter study determines that a new form of government would be beneficial. Mr. Ferreiro said "It's the main form of government in New Jersey for a reason. 90% of towns in New Jersey use Mayor/Council and it's more of a democratic transparent manner. It's something I wanted to give the option to the people of West New York and put it on the ballot and just to discuss it as you've done with other things." Mayor Roque informed Mr. Ferreiro that the T-shirts he created were fantastic to which Mr. Ferreiro answered "I only use it for official business." Mayor Roque informed him that he was extremely thankful for all the work he has been doing around Town. Mayor Roque said "I've been to a couple of haircut places and I see that you're very involved trying to offer our youth haircuts and provide the tools so they can succeed." Mayor Roque agreed with Mr. Ferreiro about there being communications between the Town and the people and explained that with his help he is "feeling it". Mayor Roque also added "I welcome you and you are bringing a lot of great ideas to West New York. To your last question, I will have Mr. Scarinci answer that." Mr. Scarinci referred back to Mr. Ferreiro's question regarding the topic of change of government and commented that this topic appeals to him. He stated "Humberto Ortega one night had to listen to me go on and on for 30 minutes. I recognize this Commissioner form of government. There are 32 Commissioner Form of government left in New Jersey and I would be absolutely elated to have a formal talk session and something you can hear and my point of view of the commissioner form of government and why I think it's the most sparring form of government. Why it's efficient to have the same people implementing laws be the same to legislate and its tremendous advantages." Mr. Ferreiro replied, "It's going to take more than a half hour with me" Mr. Scarinci informed him that he would be able to talk about the subject for days at a time because he brought up one of his favorite subjects. Mayor Roque said "That sound like a Churrasco night". Mr. Ferreiro thanked Mr. Scarinci and the Mayor and explained that the night the kids couldn't go to play at their Babe Ruth Tournament in Troy, New York he realized that without fighting; a lot of issues could be resolved just by coming together. Commissioner Frias asked to return back to Town's business and Mr. Ferreiro informed her that he was done talking.

9. Sheila Dunne:

Ms. Dunne thanked Commissioner Rodriguez, and stated "she is great." Ms. Dunne explained that because of Commissioner Rodriguez and the Police, Mr. Charlie Delfino was able to get into a nursing home. Ms. Dunne explained that Mr. Delfino lost his house for none payment of mortgage and debt. She explained that if it wasn't for all the help he received he wouldn't have been able to get to the hospital and treat his stomach infection. Commissioner Rodriguez asked "Is he better?" Ms. Dunne replied "He is in a nursing home and he loves it."

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A motion was made by Commissioner Rodriguez, seconded by Commissioner Vargas, **to close the Public Portion at 3:01 p.m.** was carried by the following vote:

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

A motion was made by Commissioner Rodriguez, seconded by Mayor Roque, **to Adjourn the meeting at 3:02 p.m.** was carried by the following vote:

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

Commissioner FiorD' Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccie, RMC
Town Clerk