

November 24, 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 Monday, November 24, 2014 at 1:00 p.m. (12:00 pm Work Session):

Present: Commissioners Rodriguez, Vargas, Wiley and Mayor Roque
Absent: Commissioner Frias (**arrived at 1:34 p.m.**)
Also Present: Corporation Counsel Donald Scarinci; Town Clerk Carmela Riccie;
Town Administrator Matthew Watkins

Meeting commenced at 1:02 p.m.

Town Clerk Carmela Riccie made the following announcement:

As presiding officer of this regularly scheduled meeting of the Board of Commissioners of the Town of West New York, held on November 24, 2014 at 1:00 p.m., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on December 18, 2013. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

Minutes of Previous Meeting:

It was regularly moved by Commissioner Rodriguez, seconded by Mayor Roque, that the Minutes of Regular Meetings: 10/15/14 (Regular/Work Sessions) be approved as recorded, was carried by the following vote:

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

Claims: Dated 11/24/14 (Claims are available for public inspection in the Town Clerk's Office):

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

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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF OCTOBER 2014

1. From Construction Code Official Office, reporting the sum of \$53,493.00 Collected for the month of October, 2014.
2. From Director Robert Antolos (Police Dept.) reporting the sum of \$5,001.80 Collected for the month of October, 2014.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$6,505.00 for Special Licenses collected for the month of October, 2014.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$1,073.00 For Marriage/death certificates collected for the month of October, 2014.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ 74.80 For Dogs Licenses collected for the month of October, 2014.
6. From (Revenue and Finance Department) reporting the sum of \$18,787,750.52 Collected for the month of October, 2014.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$3,100.00 collected for the month of October, 2014.

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

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

Communication

Town Administrator Watkins - Update Re: pending matters

Note: Town Administrator Watkins gave his Presentation during Work Session.

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Communication
Re: Town Engineer's Monthly report dated 11/17/14

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: November 17, 2014

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

- FY2012 NJDOT Municipal Aid Grant and Road Program (67th St from JKF Blvd West to Palisade Avenue)
 - The Town received a grant in the amount of \$280,800.00. We estimate the construction cost for the project to be \$275,000.00.
 - The project was advertised for the receipt of bids on April 9 with the bid opening on April 30. The project was awarded on May 15 to the low bidder which was 4 Clean-Up, Inc. of North Bergen, New Jersey, with a bid of \$266,962.25.
 - The project has been completed for less than the NJDOT grant amount. We were able to extend the paving limits approximately another 500' to Hudson Avenue which the contractor has finished paving.
 - We are working on the NJDOT close-out for the project.
- Veterans Park Slope Remediation and Park Improvements
 - The Veteran's Park Slope Remediation and Park Improvements project generally consists of the construction of an approximately 700 LF precast concrete retaining wall to repair and prevent further erosion of the existing steep slopes that currently exist at the site. The improvements may also include but are not limited to the construction of ADA compliant walkways, reconstruction of existing walkways, soil stabilization, lighting and landscaping improvements, park amenities such as outdoor exercise equipment, benches and water fountains. 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 awarded to Anselmi and DeCicco, Inc., of Maplewood, New Jersey, in the amount of \$4,584,890.00.
 - The project is partially funded by a matching Green Acres grant, Hudson County Open Space grants and a CDBG.
 - 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 the end of December 2014, weather permitting and returning in the spring of 2015 to complete the park improvement work.
 - We had 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 provided a reduction in the original contract amount.
 - We obtained Hudson County Planning Board approval at their August 20, 2014 meeting.
- 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 Town has received an NJDOT grant in the amount of \$344,860.00. We have submitted the required information to the NJDOT.
 - The contractor has completed the milling and paving on all of the roads. We prepared a punchlist for the project of work that is remaining and work completed that needs to be repaired.
- 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.

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Town Engineer's Report (cont.):

- 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 project and we have prepared the close-out final pay estimate.
 - We are beginning to prepare the information required for the NJDEP Green Acres reimbursement.
- 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 working on addressing the remaining comments.
- Improvements to Washington Park
- The Town has received a CDBG in the amount of \$400,000 for this project.
 - 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.
 - A preconstruction meeting was held on August 19, 2014. An additional field meeting was held on September 29, 2014 to discuss the project. The contractor has commenced construction and performed the majority of required site clearing, pavement preparation and underground utility work.
 - The contractor has provided a schedule which indicates they will work until the weather permits and then complete the construction in March of 2015.
- 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 have prepared conceptual plans for the park design which we will be reviewing with the Town.
- 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')
 - NJDOT FY2015 Trust Fund Grants: The FY2015 NJDOT Grant applications were due October 14, 2014. We have prepared and submitted the grant applications for the following roads:
 - 61st St. from JFK Blvd West to Bergenline Ave (1,760');
 - 62nd St. from JFK Blvd West to Bergenline Ave (1,555') and Jefferson St. from 62nd St. to 64th St (560');
 - Buchanan Pl. from 62nd St. to 59th St. (1,305') and Westover Pl. from Buchanan Pl. to Park Ave (320');
 - Highland Pl. from 62nd St. to John F. Kenney Blvd East (605');
 - Johnson Pl. from 61st St. to its Terminus (285').

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Bid Results
Re: Office Supplies

BID PROPOSAL FORMATION

Proposal Receipt Date: October 28, 2014 Budgeted Amount: \$
Proposal Time: 10:00 a.m. Estimated Amount: \$
Location for proposal: Town Clerk's Office
Proposal for: Office Supplies
Department of:

Personnel at Opening: Town Clerk Carmela Riccie, Deputy Town Clerk Lisa Walsh,
Adelinnny Plaza, and QPA Xenia Rivero

Remarks: Time to receive bids was closed at 10:05 a.m.
Reserved decision pending review by law department.

BIDDER #1 (Name)	Office Concepts Group, Inc. 301 Greenwood Avenue Midland Park, NJ 07432	Consumables	%66
		Computer Supplies	%42
		Electronics	%33
		Furniture	%56
	Bid Bond: <u> N/A </u>	Check: <u> N/A </u>	

BIDDER #2 (Name)	Perkaroma Coffee Service, Inc. 568 61st Street, Suite A West New York, NJ 07093	Consumables	%46
		Computer Supplies	%22
		Electronics	%22
		Furniture	%46
	Bid Bond: <u> X </u>	Check: <u> </u>	

RFP Results
Re: Public Information Services Consultant

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 9:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Public Information Services Consultant
Personnel at Opening: Town Clerk Carmela Riccie and Adelinnny Plaza

Remarks: Time to receive RFPS was closed at 9:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Fonseca Consulting Group
 (Address) 188 Jefferson Street
 Newark, NJ 07104

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RFP Results
Re: Public Defender

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 10:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Public Defender
Personnel at Opening: Town Clerk Carmela Riccie, Adelinnny Plaza
Remarks: Time to receive RFPS was closed at 10:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Lisette Castelo
(Address) 92 Village Center Drive
Freehold, NJ 07728

RFP Results
Re: Prosecutor

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 10:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Prosecutor
Personnel at Opening: Town Clerk Carmela Riccie, and Adelinnny Plaza
Remarks: Time to receive RFPs was closed at 10:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Maurice Giro
Giro, LLP
(Address) 90 Main Street, Suite 102
Hackensack, NJ 07601-7130

RESPONDER #2 (Name) Rose Tubito, Esq.,
(Address) 645 Westwood Avenue, Suite 301
River Vale, NJ 07675

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RFP Results
Re: Police Physician (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 11:00 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Police Physician
Personnel at Opening: Town Clerk Carmela Riccie and Adelanny Plaza
Remarks: Time to receive RFPs was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Concentra
(Address) 30 Seaview Drive
Secaucus, NJ 07094

RFP Results
Re: Alternate Prosecutor (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 11:30 a.m.
Location for proposal: Town Clerk's Office
Proposal for: Alternate Prosecutor (2nd Occasion)
Personnel at Opening: Town Clerk Carmela Riccie, and Adelanny Plaza
Remarks: Time to receive RFPs was closed at 11:35 a.m.
Reserved decision pending review by review committee.

NO RFP(S) RECEIVED

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RFP Results
Re: Alternate Public Defender (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 1:30 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Alternate Public Defender (2nd Occasion)
Personnel at Opening: Town Clerk Carmela Riccie, and Adeliny Plaza
Remarks: Time to receive RFPs was closed at 1:35 p.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Thomas J. Koehl, Esq.
(Address) 203 Front Street
Secaucus, NJ 07094

RESPONDER #2 (Name) Meehan & Quirk, LLC
William Quirk, Esq.
(Address) 354 State Street, Suite 5
Hackensack, NJ 07601

RESPONDER #3 (Name) Law Office of Jason T. Komminos
(Address) 32 Mercer Street
Hackensack, NJ 07601

RESPONDER #4 (Name) Aristedes F. Hernandez
(Address) 410 60th Street
West New York, NJ 07093

RFP Results
Re: Conflict Counsel –Zoning Board (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 2:00 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Conflict Counsel Zoning Board (2nd Occasion)
Personnel at Opening: Town Clerk Carmela Riccie, Adeliny Plaza
Remarks: Time to receive RFPs was closed at 2:05 p.m.
Reserved decision pending review by review committee.

NO RFP(s) RECEIVED

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RFP Results

Re: Zoning Board Attorney (2nd Occasion)

RFP PROPOSAL FORMATION

Proposal Receipt Date: November 13, 2014
Proposal Time: 2:30 p.m.
Location for proposal: Town Clerk's Office
Proposal for: Zoning Board Attorney (2nd Occasion)

Personnel at Opening: Town Clerk Carmela Riccio, and Adelanny Plaza

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

RESPONDER #1 (Name) Shain, Schaffer, & Rafanello, P.C.
(Address) 150 Morristown Road, Suite 105
Bernardsville, NJ 07924

RESPONDER #2 (Name) Noemi A. Vellozzi, PA
(Address) 59 Wall Street, Suite 201
Newark, NJ

Communication

Memorandum from CFO Re: Sale of 5,350,000 Town of West New York aggregate principal amount of General Obligation Notes, consisting of \$5,212,000 Bond Anticipation Note and \$138,000 Special Emergency Note

Closing Item No. 12

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MEMORANDUM

NOV 25 2014

TO: Board of Commissioners of the Town of West New York, New Jersey

FROM: Margaret S. Cherone, Chief Financial Officer

RE: Sale of \$5,350,000 Town of West New York aggregate principal amount of General Obligation Notes, consisting of \$5,212,000 Bond Anticipation Note and \$138,000 Special Emergency Note

In accordance with N.J.S.A. 40A:2-28, the undersigned financial officer of the Town of West New York hereby reports to the governing body of the Town of West New York the principal amount, interest rate and maturity of the Notes sold, the price obtained and the name of the Purchaser:

PRINCIPAL AMOUNT:	\$5,350,000
INTEREST RATE:	1.00%
MATURITY DATE:	November 25, 2015*
PRICE OBTAINED:	\$5,367,015.05
NAME OF PURCHASER:	The Hudson County Improvement Authority

The undersigned sold the referenced Notes at a private sale pursuant to authority granted in Ordinances No. 17/10, 03/13, 16/13, 07/14 and 08/14 and a Resolution of the Issuer dated December 17, 2012. This report is being made to the governing body at the next meeting thereof after such sale in accordance with N.J.S.A. 40A:2-28.


Margaret S. Cherone, Chief Financial Officer

DATED: November 25, 2014

* Per note, principal and interest is payable at least 10 days prior to 11/25/15 to TD Bank, N.A., HCIA's trustee.

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Communication
Supplemental Debt Statement filing confirmation

Note: (See E-mail dated 11/21/14 from CFO Cherone and Supplemental Debt statement attached to the end of these Minutes.)

Consent Agenda

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez that the following Consent Agenda Items Nos. R-1 thru R-49 (with the exclusion of R-9, R-19, R-33, R-39, R-48 and R-49) be adopted, was carried by the following vote:

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

Note: Town Clerk Carmela Riccio read the titles of all Resolutions aloud (as referred to above) and advised that Resolutions R-9, R-19, R-33, R-39, R-48 and R-49 are excluded from Consent Agenda and will be voted upon separately. Comm. Wiley advised that he would vote "No" on Resolution R-9, R-19, R-33 and R-39 (Re: Municipal Information Services; Public Information Services; Alternate Public Defenders; and Public Information Services).

Resolution

Re: Refund of Deposit pursuant to Ordinance #4/96
(Filming Permit – Leftfield Pictures of NY, LLC 10/18/14)

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

WHEREAS, said \$1,000.00 deposit was deposited with the Town Clerk's Office for filming on 10/18/14; and

WHEREAS, said Ordinance has been complied with;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of West New York hereby authorizes the Revenue & Finance Department to refund said \$1,000.00 deposit to: Leftfield Pictures of NY, LLC, 460 W 34th Street 16th Floor, New York, NY 10001 Attention: Greg Starr (Production Manager)

Resolution

Re: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Port Imperial Pedestrian Safety Project

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2015-Port Imperial Pedestrian Safety Ini-00033 to the New Jersey Department of Transportation on behalf of the Town of West New York.

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

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Consent Agenda (cont.):

Resolution

Re: Refund of Deposit pursuant to Ordinance #4/96
(Filming Permit – WNJU Broadcasting 11/6/14 – 11/7/14)

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

WHEREAS, said \$1,000.00 deposit was deposited with the Town Clerk's Office for filming on 11/6/14 & 11/7/14; and

WHEREAS, said Ordinance has been complied with;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of West New York hereby authorizes the Revenue & Finance Department to refund said \$1,000.00 deposit to: WNJU Broadcasting, 30 Rock Plaza, 7th Floor, New York, NY 10112
Attention: Rosa Garriga, Marketing Director.

Resolution

Re: 2015 Commission Meeting Dates

WHEREAS, Chapter 231 Laws of 1975 known as "The Open Public Meeting Law" effective January 19, 1976 was enacted so as to insure the right of all citizens to have advance notice of and to attend all meetings of public bodies at which any business effecting the public is discussed or acted upon; and

WHEREAS, all meetings of all public bodies wherein formal action, decision or discussion relating to the public business may take place, are required to be publicly announced and scheduled, with adequate posting and advance notice of the time, date, location and to the extent known, the purpose of the agenda of each meeting; and

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

1. All Boards, Commissions, Authorities, Bodies of other entities of the Town of West New York coming within the scope and intent of said statute shall comply with same, according to the terms thereof.
2. The following are designated as meetings of the Mayor and Board of Commissioners of the Town of West New York, New Jersey at which public business may be formally discussed, decided or acted upon.
3. This Resolution will be advertised in accordance with the law.

Year 2015

<u>Date</u>	<u>Work Session Time</u>	<u>Meeting Time</u>	<u>Purpose/Agenda</u>
January 21 (Wednesday)	6:00 p.m.	7:00 p.m.	any and all public business
February 18 (Wednesday)	6:00 p.m.	7:00 p.m.	any and all public business
March 25 (Wednesday)	6:00 p.m.	7:00 p.m.	any and all public business
April 15 (Wednesday)	6:00 p.m.	7:00 p.m.	any and all public business
May 19 (Tuesday) (Reorganization Meeting/Regular Meeting)	No Work Session	12:00 Noon	any and all public business
June 17 (Wednesday)	No Work session	12:00 Noon	any and all public business
July 15 (Wednesday)	No work session	12:00 Noon	any and all public business
August 19 (Wednesday)	No work session	12:00 Noon	any and all public business

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

September 16 (Wednesday)	6:00 p.m.	7:00 p.m.	any and all public business
October 21 (Wednesday)	6:00 p.m.	7:00 p.m.	any and all public business
November 23 (Monday)	12:00 p.m.	1:00 p.m.	any and all public business
December 16 (Wednesday)	6:00 p.m.	7:00 p.m.	any and all public business

Location for Work Session Meetings:

Municipal Building (Conference Room located in Mayor's Office)
428 – 60th Street, WNY, NJ 07093

Location for Regular Session Meetings:

Municipal Building (Court Chambers located on Second Floor)
428 – 60th Street, WNY, NJ 07093

Carmela Riccio, RMC, Town Clerk

BY ORDER OF THE MAYOR AND
BOARD OF COMMISSIONERS OF
THE TOWN OF WEST NEW YORK

Resolution

Re: Amending approval of Grant Funds for the Veteran's Park Improvements

WHEREAS, the Town of West New York ("Town") received Hudson County Community Development Block Grant ("CDBG") funding for improvements to Veteran's Park; and

WHEREAS, the original resolution, approved on December 18, 2013, accepting these grant funds in the amount of \$400,000.00; and

WHEREAS, on October 21, 2014, additional funds were allocated to the Town of West New York under the CDBG block grant funds in the amount of \$11,526.00 for the Veteran's Park improvements; and

WHEREAS, the Town will accept the grant funds in the total amount of \$411,526.00 for the improvements to Veteran's Park for the Fiscal Year 2014.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners do hereby accept the grant funds from the Fiscal Year 2014 Hudson County Community Development Block Grant in the amount of \$411,526.00 for the Veteran's Park improvements.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are hereby authorized to execute the agreement with the County of Hudson for the funding.

BE IT FURTHER RESOLVED, that the Mayor and Commissioners acknowledge the terms and conditions for administering the West New York Community Development Block Grant, including the administrative compliance and audit requirements.

BE IT FURTHER RESOLVED, that the Mayor of the Town of West New York does hereby acknowledge approval of the grant funds:

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Consent Agenda (cont.):

RESOLUTION
RE: AMENDING APPROVAL OF
GRANT FUNDS FOR THE WASHINGTON PARK IMPROVEMENTS

WHEREAS, the Town of West New York (“Town”) received Hudson County Community Development Block Grant (“CDBG”) funding for improvements to Washington Park; and

WHEREAS, the original resolution, approved on December 18, 2013, accepting these grant funds mistakenly stated that the funds were for Fiscal Year 2014 whereas the funds were for Fiscal Year 2013; and

WHEREAS, on October 2, 2014, additional funds were allocated to the Town of West New York under the CDBG block grant funds in the amount of \$20,855.00 for the Washington Park improvements; and

WHEREAS, the Town will accept the grant funds in the total amount of \$420,855.00 for the improvements to Washington Park for the Fiscal Year 2013.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners do hereby accept the grant funds from the Fiscal Year 2013 Hudson County Community Development Block Grant in the amount of \$420,855.00 for the Washington Park improvements.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are hereby authorized to execute the agreement with the County of Hudson for the funding.

BE IT FURTHER RESOLVED, that the Mayor and Commissioners acknowledge the terms and conditions for administering the West New York Community Development Block Grant, including the administrative compliance and audit requirements.

BE IT FURTHER RESOLVED, that the Mayor of the Town of West New York does hereby acknowledge approval of the grant funds:

Resolution
Re: Approve Contract with Maser Consulting P.A. for
Planning Services regarding Master Plan Hearings

WHEREAS, the Town West New York retained the services of Maser Consulting in order to re-examine the master plan and to draft a new master plan for West New York; and

WHEREAS, Maser Consulting preformed these services and the Town requires additional services in connection with the review and adoption of the new master plan as set forth in the attached proposal; and

WHEREAS, the additional services include attendance at hearings on the proposed master plan and preparation of revisions to the draft master plan, if necessary; and

WHEREAS, the Town of West New York requests that Maser Consulting Pa. provide these additional services in order for the Town to consider and finalize the new master plan.

WHEREAS, since these are professional services below the “pay to play” threshold of \$17,500.00 the Town does not need to seek proposals for these services.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Maser Consulting Pa. for the additional services required for the hearings and possible revisions to the draft master plan.

BE IT FURTHER RESOLVED, the Town shall pay Maser Consulting Pa. not to exceed \$14,500.00 in accordance with the proposal attached hereto.

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

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for these additional planning services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

Resolution
Re: Approving Private Sale of Scrapped Police Vehicle

WHEREAS, the Town of West New York has a police vehicle, 1996 Ford Crown Victoria VIN # 2FALP71W4TX185203 which has been taken out of service and which has been stripped of any parts over 2 years ago; and

WHEREAS, this vehicle was used as part of a jaws of life demonstration for vehicle rescue and has no value except for scrap metal which is below the auction threshold of \$17,500; and

WHEREAS, the Town has no place to store this vehicle pending auction with other items except for the towing yard of Tumino's Towing; and

WHEREAS, it is anticipated that an auction will not take place for several months and the Town does not believe that Tumino's Towing should bear the expense of storing this scrap metal for that period of time.

WHEREAS, N.J.S.A. 40A:11-36(6) allows the Town to sell by private sale any item no longer needed for a public purpose, and the value is below the auction threshold; and

WHEREAS, the Town has determined that the scrap metal value of this vehicle is below the auction threshold and should be sold to Tumino's Towing in lieu of cost of storing this scrap metal.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners do hereby approve of the private sale to Tumino's Towing of the scrap metal remains of the police car listed above.

BE IT FURTHER RESOLVED that the Town shall turn over the title to the 1996 Ford Crown Victoria Vin # 2FALP71W4TX185203 to Tumino's Towing.

Resolution
Re: Cancellation of Improvement Authorizations of the General Capital Fund

WHEREAS, THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK has determined that certain funded and unfunded capital improvement authorizations of the General Capital Fund are no longer needed for the purposes originally intended and wishes to cancel to these authorizations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK that following funded capital improvement authorizations of the General Capital fund be cancelled to General Capital Surplus:

<u>Ordinance</u>	<u>Improvement Description</u>	<u>Amount</u>
03/00	Improvements to Parks	\$22,307.00
19/01;28/01	Various Capital Improvements	\$20,748.00
22/02	Early Retirement Incentive Refunding	\$33,383.00
19/02	Refurshing of Ambulances	\$ 50.00
05/03	Tax Refunding	\$19,479.00
18/03;06/04	Various Capital Improvements	\$16,422.00
18/06	Various Equipment Purchases/Improvements	<u>\$ 7,345.00</u>
	TOTAL	<u>\$119,734.00</u>

November 24, 2014
Regular Meeting

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

BE IT FURTHER RESOLVED that following unfunded capital improvement authorizations of the General Capital fund be cancelled, thereby reducing the amount of the debt authorized to be issued:

<u>Ordinance</u>	<u>Improvement Description</u>	<u>Amount</u>
22/02 Early	Retirement Incentive Refunding	\$300,000.00
7/05	Tax Appeals	\$ 15,000.00
18/06	Various Equipment Purchases/Improvements	\$ 250.00
04/13	Acquisition of Garage Rights, etc. from HCIA	<u>\$725,067.00</u>
	TOTAL	<u>\$1,040,317.00</u>

Resolution

Re: Cancellation of Miscellaneous Reserve – Current Fund

WHEREAS, a reserve balance of \$29,897 entitled, “Miscellaneous Reserve” exists on the Current Fund balance sheet at December 31, 2013, and

WHEREAS, its origin and purpose cannot be determined and it is necessary to formally cancel the reserve balance from the Current Fund balance sheet.

NOW, THEREORE, BE IT RESOLVED, by the Governing Body of the Town of West New York, County of Hudson that the account entitled, “Miscellaneous Reserve” on the Current Fund balance sheet be cancelled to the Current Fund fund balance.

Resolution

Re: Cancellation of certain Receivables – General Capital Fund

WHEREAS, certain receivable balances remain on the General Capital Fund balance sheet at December 31, 2013, and

WHEREAS, the purpose of said receivables cannot be substantiated and it is necessary to formally cancel these receivables.

NOW, THEREORE, BE IT RESOLVED, by the Governing Body of the Town of West New York that the below listed receivables be cancelled against General Capital Fund fund balance.

Due from Board of Education	\$45,346
Due from Depository	<u>3,770</u>
	<u>\$49,116</u>

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Cancellation of certain other Trust Fund Balance Sheet Accounts

WHEREAS, a certain receivable balance and certain liability balances remain on the Other Trust Fund balance sheet at December 31, 2013, and

WHEREAS, it is necessary to formally cancel these balances from the Other Trust Fund balance sheet.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of West New York that the following balances be cancelled of record and the net difference be funded from Current Fund fund balance:

Account

Due from State of New Jersey	\$ 50,840
Less:	
Due to County of Hudson	(2,037)
Due to West New York Parking Authority	<u>(27,240)</u>
Net Balance – Current Fund - Fund Balance	<u>\$ 21,563</u>

Resolution

Re: Cancellation of Due from Board of Education – Current Fund

WHEREAS, a receivable balance from prior years in the amount of \$24,366 entitled “Due from Board of Education” remains on the Current Fund balance sheet at December 31, 2013, and

WHEREAS, its purpose cannot be substantiated and it is necessary to formally cancel the receivable balance from the Current Fund balance sheet.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of West New York, County of Hudson, that the receivable balance be cancelled against the Current Fund fund balance.

Resolution

Re: Rejecting bid for Snow Removal and authorizing Town Clerk to re-advertise to receive bids for Snow Removal

WHEREAS, the Town of West New York (“Town”) sought bids for a contract for snow removal services; and

WHEREAS, the Town received one bid for these services and it was determined that the bid was not reasonable as to price since only one bid was received pursuant to N.J.S.A.40A:11-5(3) and that the contract should be re-bid; and

NOW, THEREFORE, BE IT RESOLVED that the bid for the snow removal services shall be rejected and the Clerk is hereby authorized to re-bid this contract.

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Award of Contract for “Ambulance Billing Administration” to Intermedix

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

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for Ambulance Billing Administration –, pursuant to and in accordance to the contract for Ambulance Billing Administration; and

WHEREAS, on September 24, 2014, the Town did receive the following bids on the contract for Ambulance Billing Administration –:

Company	Amount
Revenue Guard	8.75% cash received 1 st year
DM Medical Billing	6.25% cash received 1 st year 6.00% cash received 2 nd year
Intermedix	5.25% cash received 1 st year 5.25% cash received 2 nd year

WHEREAS, the Town’s Qualified Purchasing Agent has recommended the award of the contract for Ambulance Billing Administration –to Intermedix in the amount of 5.25% as the bid submitted by Intermedix is the lowest responsible bid for Ambulance Billing Administration ; and

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

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

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

1. The bid of, Intermedix, 1 Bridge Plaza North, Fort Lee, NJ 07024, on the bid for Ambulance Billing Administration in the amount of 5.25% be and the same is hereby accepted, SUBJECT to Receipt of Proof of Compliance with P.L. 1975 - Chapter 127, as the lowest complying and responsible bid.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for Ambulance Billing Administration with Intermedix.
3. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
4. The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
5. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Awarding an extension to the contract for Computer Consulting Services to Angel Consultants, LLC (Term: 1/1/15-12/31/15)

WHEREAS, the Board of Commissioners of the Town of West New York by prior resolution, authorized the use of competitive contracting in lieu of public bidding pursuant to N.J.S.A. 40A:11-4 (a) for the procurement of Computer Consulting Services to Angel Consultants LLC; and

WHEREAS, the Bid Specifications allowed for an option to extend the contract;

WHEREAS, the Governing Body has determined, on the basis of the foregoing, that it is within its best practices and for the efficient operation of the Town to extend the option to the Computer Consulting Services of Angel Consultants, LLC to serve as Computer Consulting Services Provider and extend the same contract entered into on, January 1, 2014 to provide such services; and

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

1. The Mayor shall be and is hereby authorized to extend the agreement for one year pursuant to the Bid Specifications in a form to be prepared by the Town Attorney by and between the Town and Angel Consultants, LLC, for the services of Computer Consulting Services, and for the same amount as stated in the original agreement dated.
2. The initial authorization for the extension of this contract shall be for the period 01/01/2015 to 12/31/2015), and for the same amount to be contained in the original agreement.
3. A copy of this resolution shall be published and it and the agreement detailing the terms of the.; retention of Angel Consults LLC as Computer Consulting Services shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, upon execution by the Town.

Resolution

Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the retention of various services (Alternate Prosecutor and Conflict Counsel – Zoning Board)

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

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

Alternate Prosecutor (3rd Occasion)	December 12, 2014 9:30 a.m.
Conflict Counsel – Zoning Board (3rd Occasion)	December 12, 2014 10:00 a.m.

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

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

November 24, 2014
Regular Meeting

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

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

Alternate Prosecutor (3rd Occasion)
Conflict Counsel – Zoning Board (3rd Occasion)
3. Such Request for Proposals (s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance, of the opening of the responses to the Requests for Proposals received such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Proposals must be submitted by interested parties, for consideration by the Review Committee herein established; and
4. The Commissioner of Revenue and Finance, with the Town Administrator and Qualified Purchasing Agent both in an advisory capacity, will review all Statements of Proposals and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

Resolution

Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation – Chapter 159 (Re: 2014 Justice Assistance Grant Program)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$19,626.00 from the U.S. Department of Justice, via the County of Hudson and wishes to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2014 in the sum of \$19,626.00, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

2014 Justice Assistance Grant Program

BE IT FURTHER RESOLVED that a like sum of \$19,626.00 be and is hereby appropriated under the caption of:

November 24, 2014
Regular Meeting

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

General Appropriations
(a) Operations Excluded from "CAPS"
Public and Private Offset by Revenues:

2014 Justice Assistance Grant Program

Resolution

Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation – Chapter 159 (Re: 2014 Drive Sober or Get Pulled Over Labor Day Crackdown)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$5,000.00 from the State of New Jersey and wishes to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2014 in the sum of \$5,000.00, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

2014 Drive Sober or Get Pulled Over Labor Day Crackdown

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and is hereby appropriated under the caption of:

General Appropriations
(a) Operations Excluded from "CAPS"
Public and Private Offset by Revenues:

2014 Drive Sober or Get Pulled Over Labor Day Crackdown

Resolution

Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation – Chapter 159 (Re: FY 2014 Clean Communities)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$57,761.27 from the State of New Jersey and wishes to include this amount as a revenue.

November 24, 2014
Regular Meeting

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

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2014 in the sum of \$57,761.27, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

FY 2014 Clean Communities

BE IT FURTHER RESOLVED that a like sum of \$57,761.27 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

FY 2014 Clean Communities

Resolution

Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation – Chapter 159 (Re: FY 2014 State Body Armor Replacement Fund Program)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$9,103.84 from the State of New Jersey and wishes to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2014 in the sum of \$9,103.84, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

FY 2014 State Body Armor Replacement Fund Program

BE IT FURTHER RESOLVED that a like sum of \$9,103.84 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

FY 2014 State Body Armor Replacement Fund Program

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation – Chapter 159 (Re: Safe & Secure Communities Program)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$3,300.00 from the State of New Jersey and wishes to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2014 in the sum of \$3,300.00, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

Safe & Secure Communities Program

BE IT FURTHER RESOLVED that a like sum of \$3,300.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from “CAPS”

Public and Private Offset by Revenues:

Safe & Secure Communities Program

Resolution

Re: Authorizing the insertion in Budget of Special Item of Revenue and Appropriation – Chapter 159 (Re: 2014 Click it or Ticket)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve insertion of any Special Item of Revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Town of West New York has been awarded \$4,000.00 from the State of New Jersey and wishes to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2014 in the sum of \$4,000.00, which is now available as a revenue from:

November 24, 2014
Regular Meeting

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

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

2014 Click It or Ticket

BE IT FURTHER RESOLVED that a like sum of \$4,000.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

2014 Click It or Ticket

Resolution

Re: Refunds of Overpayments of Taxes (\$184,932.70)

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

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

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

NAME	BLOCK/LOT	AMOUNT	YEAR
KISS REALTY, LLC	24/1 T01	\$3703.70	2014
ROSA, JUAN R & IVETTE J ROIS	130/5.01 C0301	\$143.88	2014
BLAND, TONEY M & TINA KEMP-BLAND	168.01/1.30 C0483	\$309.77 \$3,258.71 (SVC)	2014 2014
ROTHSTEIN, JILL HEIDI	168.01/1.06 C0312	\$314.64 \$2,085.45 (SVC)	2014
SHAKESPEARE APT.	35/25	\$2,001.54	2013
ITURRALDE, ALFREDO & ADA	143/4.02	\$3,338.27	2013
ONISHI NAOKO	42/41 C0003	\$1,912.09	2011
ROSELAND/PORT IMP	168.01/7.01	\$166,177.90	2014
SOSA, EDUARDO & GLORIA	110/5 C0320	\$318.62	2014
1A MONROE PLACE CONDO, LLC	54/32 C001B	\$161.93	2014
FILLMORE PLACE APTS, LLC	42/13.01	\$1,206.20	2014
	GRAND TOTAL	\$184,932.70	

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution
Re: Refunds of Redemptions (\$368,688.61)

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

WHEREAS, the Collector of Taxes for the said Tax Sale Certificates has received the full amount for redemption pursuant to N.J.S.A. 54:5-60.

WHEREAS, the certificate has now been redeemed and the investor is entitled to a refund of said redemption amounts pursuant to N.J.S.A. 54:5-58.

NOW, THEREFORE, BE IT RESOLVED that said redemption amounts be paid to the investors in the following amounts, and the Collector of Taxes is hereby authorized to issue said refunds.

Name	Block/lot	Cert#	Amount
US BANK CUST FOR BV001 TRUST	57/30	13-0198	\$3,283.45
	95/13	13-0321	\$2,012.71
	53/3	13-0185	\$3,852.83
	48/6	13-0166	\$5,313.27
	148/28	13-0487	\$5,898.86
	5/44	13-0026	\$692.57
	7/18	13-0029	\$1,931.91
	161/22	13-0538	\$4,777.06
	7/45.02	13-0032	\$3,372.00
	155/26.01	13-0522	\$3,144.76
22/6	13-0088	\$2,380.93	
PAM INVESTORS	96/35	12-0805A	\$162,783.89
US BANK CUST FOR TOWER DBW	161/28.03	12-0730	\$10,966.15
	115/11	12-0564	\$13,874.69
	117/17	12-0567	\$13,516.67
TOWER LIEN, LLC	115/11	10-195	\$38,176.86
MTAG SVC. AS CUST FOR ATCF II NJ LLC	168.01/1.06	12-0749	\$6621.69
US BANK CUST FOR TLCF 2012A, LLC	145/2	12-0658	\$961.58
	139/11	13-0461	\$17,260.45
	108/23	12-0544	\$355.31
US BANK CUST FOR PRO CAP III, LLC	5/20 C3002	13-0014	\$1,546.96
	143/16.01	13-0477	\$14,052.89
US BANK AS CUST/ ATR FD NJ & CAP1	5/20 C3002	12-0016	\$2,589.72
US BANK CUST FOR TOWER DBW111 TR2013	109/23	13-0371	\$26,714.33
	56/26	13-0197	\$4,549.03
	137/3	13-0454	\$15,240.84
	92/12	13-0316	\$2,817.20
		GRAND TOTAL	\$368,688.61

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution
Re: Refunds of Premiums (\$154,000.00)

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
US BANK CUST FOR BV001 TRUST	57/30	13-0198	\$2,200.00
	95/13	13-0321	\$500.00
	53/3	13-0185	\$2,000.00
	48/6	13-0166	\$2,100.00
	148/28	13-0487	\$2,200.00
	5/44	13-0026	\$700.00
	7/18	13-0029	\$200.00
	161/22	13-0538	\$1,800.00
	155/26.01	13-0522	\$1,300.00
22/6	13-0088	\$1,300.00	
US BANK CUST FOR TOWER DBW	117/17	12-0567	\$10,000.00
TOWER LIEN, LLC	115/11	10-195	\$1,000.00
US BK, CUST. FOR TOWER DBW111 TR2013	109/23	13-0371	\$38,100.00
	56/26	13-0197	\$9,000.00
	137/3	13-0454	\$10,600.00
US BANK FOR PRO CAP III, LLC	143/16.01	13-0477	\$29,000.00
MTAG SVC. AS CUST FOR ATCF II NJ LLC	139/11	13-0461	\$41,000.00
U.S. BANK CUST FOR TLCF 2012A, LLC	108/23	12-0544	\$100.00
		GRAND TOTAL	\$154,000.00

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution
Re: Hudson County Board Tax Appeals (\$9,097.20)

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

WHEREAS, the Hudson County Board of Taxation by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said respective properties.

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

NAME	BLOCK-LOT	AMOUNT	YEAR
JOEL ELLIS ATTY. M3 NJ, LLC	46/21	\$3,325.00	2013
		\$1,662.50	2014
	46/22	\$665.00	2013
		\$332.50	2013
	46/23	\$2,074.80	2013
		\$1,037.40	2014
	GRAND TOTAL	\$9,097.20	

Resolution
Re: Tax Corrections for various properties (\$2,703.74)

WHEREAS, there is an overpayment on the 3RD quarter 2014 tax bill in the amount of \$31.35 for property located at 234 Price Court A/K/A block 168.01 lot 1.12 C0234 and;

WHEREAS, there is an overpayment on the 4th quarter 2013 tax bill in the amount of \$145.83 and \$2,526.56^{3rd} quarter 2014 for property located at 598 66th Street A/K/A Block 163 lot 19

WHEREAS, the taxpayers are requesting that the credit be moved to credit their 2015 Tax Bills.

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

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Making application to the Local Finance Board pursuant to N.J.S.A. 40A:3-4

WHEREAS, THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY (the "Town"), desires to make application to the Local Finance Board (the "Board") for the Board's approval, pursuant to N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act, of two (2) bond ordinances to fund the acquisition of 911 public safety equipment and other equipment and to fund the acquisition of vehicles and equipment; and

WHEREAS, the Town believes:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purposes or improvements are for the health, wealth, convenience or betterment of the inhabitants of the Town;
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Town and will not create an undue financial burden to be placed upon the Town.

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

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

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

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

Resolution

Re: Approving issuance of a check to Joseph Liberti in the amount of \$7,850.00

WHEREAS, the Town of West New York ("Town") was provided certain services by Joseph Liberti related to carnival attractions in or about May of 2011; and

WHEREAS, a check in satisfaction of Purchase Order 99782, which Purchase Order was issued by the Town in May of 2011 to effect payment for those services, was not issued; and

NOW, THEREFORE, BE IT RESOLVED that the Commissioners do hereby approve the issuance of a check to Joseph Liberti in connection with services related to the carnival attractions rendered by Joseph Liberti in or about May of 2011 in the amount of \$7,850.00.

BE IT FURTHER RESOLVED, that the Town Purchasing Department is hereby authorized to issue a check to Joseph Liberti, in the amount of \$7,850.00, pursuant to a re-issued Purchase Order.

A certification of funds for this payment is on file in the Clerk's office and incorporated herein by reference.

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and DeCotiis, Fitzpatrick, & Cole for Bond Counsel (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town of West New York (“Town”) sought proposals for a contract for bond counsel services pursuant to a fair and open process; and

WHEREAS, the Town received proposals for these services and the proposals were reviewed and it was determined that the proposal from DeCotiis, Fitzpatrick, & Cole provided the professional services required by the Town; and

WHEREAS, the Contractor proposes to be paid from the bond ordinance proceeds as set forth in the proposal, and a total contract amount not to exceed \$25,000.00; and

WHEREAS, the Town of West New York does hereby award a contract for bond counsel services to DeCotiis, Fitzpatrick, & Cole for a contract to commence on January 1, 2015 and ending on December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED that the DeCotiis, Fitzpatrick, & Cole shall be paid for services provided from proceeds from the bond ordinance as set forth in their proposal, and a total contract amount not to exceed \$25,000.00, for the year commencing January 1, 2015 and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are hereby authorized to execute the agreement with the DeCotiis, Fitzpatrick, & Cole for these services.

A certification of funds for this contract amendment is on file in the Clerk’s office and incorporated herein by reference.

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Lisette Castelo, Esq. for Public Defender (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for public defender; and

WHEREAS, one proposal was received and the Town of West New York determined that Lisette Castelo Esq. will provide the public defender services required in a cost effective manner for the Town; and

WHEREAS, the request for proposals for these services provided a rate of \$350 per court session; and

WHEREAS, this contract will commence on January 1, 2015 and continue until December 31, 2015.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Lisette Castelo Esq. as public defender commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay Lisette Castelo Esq. \$350 per court session in accordance with the request for proposals.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for these public defender services.

BE IT FURTHER RESOLVED that the Chief Financial Officer’s certification of funds shall be on file at the Town Clerk’s Office and incorporated herein by reference.

November 24, 2014

Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Remington & Vernick Engineers and CME Associates for Engineering Services (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for engineering services; and

WHEREAS, several proposals were received and the Town of West New York evaluated these proposals and determined that the following engineering firms submitted the most cost effective and comprehensive proposals for the Town, and the firms can provide the services required by the Town;

Remington & Vernick Engineers
232 Kings Highway East
Haddonfield, New Jersey, 08033

CME Associates
3141 Bordentown Ave.
Parlin, New Jersey, 08859

WHEREAS, the proposals for these services provide a schedule of rates per matter assigned which are attached to this resolution and a total contract amount not to exceed \$175,000.00 per engineering firm; and

WHEREAS, these contracts will commence on January 1, 2015 and continue until December 31, 2015.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Remington Vernick Engineers and CME Associates commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay the engineers in accordance with the rate schedule attached hereto and a total contract amount not to exceed \$175,000.00 per engineering firm.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute the contracts for these engineering services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Scarinci Hollenbeck for Special Construction Code Litigation Counsel (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for special construction litigation counsel services; and

WHEREAS, several proposals were received and the Town of West New York evaluated these proposals and determined that Scarinci Hollenbeck will provide the professional services required in a cost effective manner for the Town; and

WHEREAS, the proposal for these services provided a rate of \$150 per hour and a not to exceed cap on this contract of \$200,000.00; and

WHEREAS, this contract will commence on January 1, 2015 and continue until December 31, 2015.

November 24, 2014
Regular Meeting

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Scarinci Hollenbeck for special construction code litigation counsel services commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay Scarinci Hollenbeck not to exceed \$200,000.00 in accordance with the proposal.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for this special construction code litigation counsel services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Rose Tubito, Esq. for Prosecutor (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for prosecutor; and

WHEREAS, several proposals were received and the Town of West New York evaluated these proposals and determined that Rose Tubito Esq. will provide the prosecutorial services required in a cost effective manner for the Town; and

WHEREAS, the request for proposals for these services provided a rate of \$350 per court session and \$150 per hour work for additional work performed outside of the court session with a cap not to exceed \$15,000.00 for these additional services; and

WHEREAS, this contract will commence on January 1, 2015 and continue until December 31, 2015.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Rose Tubito Esq. as prosecutor commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay Rose Tubito Esq. \$350 per court session and \$150 per hour for additional prosecutor services provided outside of the court session not to exceed \$15,000.00 in accordance with the request for proposals.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for these prosecutor services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

November 24, 2014
Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Concentra for Police Physician Services (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for police physician services; and

WHEREAS, one proposal was received and the Town of West New York evaluated this proposal and determined that Concentra will provide the professional services required in a cost effective manner for the Town; and

WHEREAS, the proposal for these services sets forth a schedule of rates for the services to be provided which is attached hereto, and a total contract not to exceed \$2,500.00; and

WHEREAS, this contract will commence on January 1, 2015 and continue until December 31, 2015.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Concentra for police physician services commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay Concentra, for the services provided, in accordance with the rates set forth in the proposal and a total contract amount not to exceed \$2,500.00.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for these police physician services.

BE IT FURTHER RESOLVED, that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Scirocco for Risk Management Services (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town of West New York ("Town") sought proposals for a contract for risk manager for property and casualty insurance services pursuant to a fair and open process; and

WHEREAS, the Town received proposals for these services and the proposals were reviewed and it was determined that the proposal from Scirocco provided the risk manager services required by the Town; and

WHEREAS, the Contractor proposes to be paid directly by the Joint Insurance Fund or insurance company set forth in their proposal; and

WHEREAS, the Town of West New York does hereby award a contract for risk manager for property and casualty insurance services to the Scirocco for a contract to commence on January 1, 2015 and ending on December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED that Scirocco shall be paid for services provided from the Joint Insurance Fund or insurance company as set forth in their proposal for the year commencing January 1, 2015 and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are hereby authorized to execute the agreement with Scirocco for these services.

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Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Lerch, Vinci & Higgins for Auditing Services (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for auditing and accounting services; and

WHEREAS, several proposals were received and the Town of West New York evaluated these proposals and determined that Lerch, Vinci & Higgins will provide the professional services required in a cost effective manner for the Town; and

WHEREAS, the fee for the yearly audit is \$65,000.00 and any other services provided by the firm shall be billed at the rates set forth in their proposal; and

WHEREAS, this contract will commence on January 1, 2015 and continue until December 31, 2015.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Lerch, Vinci & Higgins for auditing and accounting services commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay \$65,000.00 for the yearly audit and the firm shall bill for other services, as required, at the rates set forth in the proposal.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for these auditing and accounting services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and Scarinci Hollenbeck for Corporation Counsel (Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for corporation counsel services; and

WHEREAS, several proposals were received and the Town of West New York evaluated these proposals and determined that Scarinci Hollenbeck will provide the professional services required in a cost effective manner for the Town; and

WHEREAS, the proposal for these services provided a rate of \$150 per hour and a not to exceed cap on this contract of \$450,000.00; and

WHEREAS, this contract will commence on January 1, 2015 and continue until December 31, 2015.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Scarinci Hollenbeck for corporation counsel services commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay Scarinci Hollenbeck not to exceed \$450,000.00 in accordance with the proposal.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for these corporation counsel services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

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Regular Meeting

Consent Agenda (cont.):

Resolution

Re: Approval of Professional Services Agreement between Town of West New York and D&H Alternatives Risk Solution for Insurance Fund Administrator
(Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for third party administrator services; and

WHEREAS, several proposal were received and the Town of West New York evaluated these proposals and determined that D & H Alternatives Risk Solutions, Inc. will provide the services required in a cost effective manner for the Town; and

WHEREAS, the proposal for these services provided a schedule of costs for the various services provided that is attached hereto, and a total contract amount not to exceed \$75,000.00; and

WHEREAS, this contract will commence on January 1, 2015 and continue until December 31, 2015.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with D & H Alternatives Risk Solutions, Inc. as third party administrator services commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay for these services as set forth in the proposal, and a total contract amount not to exceed \$75,000.00.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute a contract for these third party administrator services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

Note: Corporation Counsel Donald Scarinci verbally amended this Resolution to reflect "Not to exceed amount of \$75,000".

Resolution

Re: Authorizing a Shared Services Agreement between the Town of West New York and the West New York Housing Authority

WHEREAS, *N.J.S.A. 40A:65-1 et seq.*, the Uniform Shared Services and Consolidation Act, authorizes contracts between municipalities and other local units for the joint provision of services within their respective jurisdictions; and

WHEREAS, both the Town of West New York and the West New York Housing Authority recognize that shared services agreements may yield certain cost economies and efficiencies to the residents of West New York in the provision of such shared services; and

WHEREAS, the Town of West New York and the West New York Housing Authority wish to enter into a shared services agreement for the provision of calcium chloride.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, Hudson County, New Jersey, pursuant to provisions of *N.J.S.A. 40A:65-1 et seq.* that the Mayor is hereby authorized to execute, and the Town Clerk to attest, a Shared Services Agreement between the Town of West New York and the West New York Housing Authority for the provision of calcium chloride, a copy of which is on file in the office of the Town Clerk, and is available for public inspection.

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

BE IT FURTHER RESOLVED by the Board of Commissioners of the Town of West New York as follows:

- 1) The Mayor and Town Clerk are hereby authorized to execute Shared Services Agreement as set forth above for a total amount not to exceed of \$4,000.00.
- 2) A copy of this resolution and the Shared Services Agreement listed above shall be provided to the West New York Housing Authority and the Division of Local Government Services.
- 3) A certification of funds for this Shared Services Agreement is on file in the Town Clerk's office and incorporated herein by reference.

Resolution
Re: Authorizing Settlement Agreement in the Matter Known As
Susana Barsegova v. West New York

WHEREAS, the Town of the West New York is involved in a civil action in the Superior Court captioned Susana Barsegova v. West New York. with Docket Number HUD-L-0013-13; and

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

WHEREAS, the Town has settled the litigated matter and the settlement proceeds shall be paid to the plaintiffs' attorney in accordance with the settlement agreement.

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

BE IT FURTHER RESOLVED that the plaintiff shall provide to the Counsel for West New York a satisfactory release and closing documents and Counsel for West New York shall hold the settlement documents and proceeds in escrow until receipt of the closing documents.

Resolution
Re: Authorizing Settlement Agreement in the Matter Known As
Juan M. Portillo v. West New York

WHEREAS, the Town of the West New York is involved in a civil action in the Superior Court captioned Juan M. Portillo v. West New York, concerning all claims arising from an incident occurring on or about January 11, 2012; and

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

WHEREAS, the Town has settled the litigated matter and the settlement proceeds shall be paid to the plaintiffs' attorney in accordance with the settlement agreement.

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

BE IT FURTHER RESOLVED, that the plaintiff shall provide to the Counsel for West New York a satisfactory release and closing documents and Counsel for West New York shall hold the settlement documents and proceeds in escrow until receipt of the closing documents.

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RESOLUTION
RE: AUTHORIZING TEMPORARY CONTRACTS FOR MUNICIPAL PUBLIC
INFORMATION SERVICES

WHEREAS, the Town of West New York has required the services of various public information services to provide public service notices, ads and newsletters; and

WHEREAS, the Town of West New York seeks to pay these entities for the services rendered for the Town of West New York; and

WHEREAS, the Town of West New York is hiring these entities on a temporary basis in order to pay them for services previously rendered to the Town of West New York; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the following entities are hired on a temporary basis to provide the services requested by the Town of West New York and to process the vouchers for payment for these services.

BE IT FURTHER RESOLVED that the payments for these services are as follows:

- 1)El Especialito, Display advertisement, \$1,500.00
- 2)Hispanic State Parade of New Jersey, Display advertisement, \$1,500.00
- 3)La Voz Newspaper, Display advertisement, \$1,000.00
- 4)Communitarian Media Network Inc, Full color bilingual newspaper printing, \$3,500.00
- 5)Fonseca Consulting Group LLC, quarterly newsletter, \$16,565.88
- 6)Hudson County TV, banner ad, \$24,000.00

BE IT FURTHER RESOLVED, that the Chief Financial Officer shall take all necessary action to process payments for these services.

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

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

Note: Comm. Wiley commented that Mr. Fonseca is “walking a fine line” as he works for the Town of WNY and for Mayor’s political campaign. He complained about the cost of the newsletter, etc. and commented “I want to see how you are paying him for your campaign. I am against this. It is a conflict of interest.” Mayor Roque replied that he can look at his campaign reports anytime he wishes and understands his concern. Comm. Wiley inquired “Where is his time being spent? He should be here every day. It is a conflict of interest. I heard Mr. Scarinci’s explanation but I don’t agree with it.” Mayor Roque informed him that the reason Mr. Fonseca is not here today is due to his mother having surgery this morning but that he called to apologize for not being able to attend this meeting.

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Resolution
Re: Amending Contract for Public Information Services
(Term: 1/1/14 to 8/31/14)

WHEREAS, the Town of West New York (“Town”) sought proposals for a contract for public information services pursuant to a fair and open process; and

WHEREAS, the Town received one proposal from Fonseca Consulting Group for these services and that proposal was reviewed and it was determined that the proposal provided the services required by the Town; and

WHEREAS, the Contractor proposes a monthly fee for these services of \$5,000.00 for a total of \$60,000 for the year, plus printing and mailing costs which are estimated to be \$48,000.00 for the year; and

WHEREAS, the Town of West New York does hereby award a contract for public information services to the Fonseca Consulting Group for a contract to commence on January 1, 2015 and ending on December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Fonseca Consulting Group shall be paid \$5,000 per month or \$60,000 for the year, plus printing and mailing costs estimated at \$48,000.00 for a total contract not to exceed \$108,000.00 for the year commencing January 1, 2015 and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are hereby authorized to execute the agreement with the Fonseca Consulting Group for these services.

BE IT FURTHER RESOLVED that the Chief Financial Officer’s certification of funds is on file in the Clerk’s office and incorporated herein by reference.

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

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

Resolution
Re: Approval of Professional Services Agreement between Town of West New York and
Thomas J. Koehl, Esq., Meehan & Quirk, LLC., Law Office of Jason T. Komninos.,
and Aristedes F. Hernandez, Esq. for Alternate Public Defenders
(Term: 1/1/15 – 12/31/15)

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for alternate public defenders; and

WHEREAS, several proposals were received and the Town of West New York evaluated these proposals and determined that all of the attorneys, (see attached list) who submitted proposals can provide the alternate public defender services to substitute for the public defender, when needed ; and

WHEREAS, the request for proposals for these services provided a rate of \$350 per court session; and

WHEREAS, these contracts will commence on January 1, 2015 and continue until December 31, 2015.

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Resolution (cont.):

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with the attached list of alternate public defenders commencing January 1, 2015 until December 31, 2015.

BE IT FURTHER RESOLVED, the Town shall pay the alternate public defenders \$350 per court session in accordance with the request for proposals.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute contracts with the attached list of alternate public defenders for these alternate public defender services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds shall be on file at the Town Clerk's Office and incorporated herein by reference.

1. Thomas J. Koehl, Esq.
203 Front Street
Secaucus, NJ 07094
2. Meehan & Quirk, LLC
William Quirk, Esq.
354 State Street
Suite 5
Hackensack, NJ 07601
3. Law Office of Jason T. Komminos
32 Mercer Street
Hackensack, NJ 07601
4. Aristedes F. Hernandez, Esq.
410 60th Street
West New York, NJ 07094

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

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

Resolution
Re: Approval of Professional Services Agreement between Town of West New York and
Fonseca Consulting Group for Public Information Services
(Term: 1/1/15 – 12/31/15)

WHEREAS, the Town of West New York ("Town") sought proposals for a contract for public information services pursuant to a fair and open process; and

WHEREAS, the Town received one proposal from Fonseca Consulting Group for these services and that proposal was reviewed and it was determined that the proposal provided the services required by the Town; and

WHEREAS, the Contractor proposes a monthly fee for these services of \$5,000.00 for a total of \$60,000 for the year, plus printing and mailing costs which are estimated to be \$48,000.00 for the year; and

WHEREAS, the Town of West New York does hereby award a contract for public information services to the Fonseca Consulting Group for a contract to commence on January 1, 2015 and ending on December 31, 2015.

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Resolution (cont.):

NOW, THEREFORE, BE IT RESOLVED that the Fonseca Consulting Group shall be paid \$5,000 per month or \$60,000 for the year, plus printing and mailing costs estimated at \$48,000.00 for a total contract not to exceed \$108,000.00 for the year commencing January 1, 2015 and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are hereby authorized to execute the agreement with the Fonseca Consulting Group for these services.

BE IT FURTHER RESOLVED that the Chief Financial Officer's certification of funds is on file in the Clerk's office and incorporated herein by reference.

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

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

ORDINANCE #12/14

An Ordinance Approving a Five (5) year Tax Exemption for Five (5) Story Multi-Family Building Constructed by Jaclyn 40, LLC Pursuant to the Provisions of the Five (5) Year Exemption and Abatement Law, N.J.S.A. 40-A:21-1 ET. SEQ. and Section 7 of Ordinance 11/07 An Ordinance Entitled Five Year Tax Abatement Ordinance.

Note: Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud. Corporation Counsel Donald Scarinci advised that the applicant's representatives are present and will give a presentation prior to public comment.

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

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

The following persons wished to be heard:

- Amy Morilla (on behalf of Jaclyn 40, LLC):**
Ms. Morilla advised that application was filed March 2014 pursuant to Ordinance 11/07; it was approved by Tax Assessor and tabled due to K. Hovnanian application. She further stated that applicant received letter to proceed with construction "at their own risk". However, no construction has been performed to date. She further advised that formerly it was an embroidery factory on this site and environmental cleanup, etc. was necessary. They requested approval and adoption of this Ordinance in order to obtain financing for the project. This is one (1) of four (4) projects i.e. Jaclyn 55, Jaclyn 32 and Jaclyn 28 and that this is the final project.
- George Polyniak (Applicant's Planner) 34 Park Avenue, Lyndhurst, NJ:**
Mr. Polyniak advised that he represents the Mon Group as their Planner and Engineer and explained that the site was formerly an embroidery factory and an "eye sore and blighted". He stated that it was not consistent with residential units and a Day Care facility located in the area. He further stated that this project is consistent with current development and with Town's Master Plan and he had with him "before and after" photographs if anyone wished

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to view same. Comm. Wiley stated “I am not a big advocate of tax abatements. The first one given was in an area of deterioration. Were those units rented or sold?” Mr. Polyniak replied “I am not involved with that”. Mr. Dean Mon responded and advised that Jaclyn 55 development contained 55 units which were sold; Jaclyn 32 project was 100% rentals and Jaclyn 28 has 40 units. Comm. Wiley commented that when project was first presented, he thought that it was for going to be for “affordable housing” and that he has friends who purchased some units and are very happy. He further commented that tax abatements are damaging to West New York as it causes a loss of money and that he (Mr. Mon) is doing well and doesn’t need an abatement for this project. He stated “I can’t approve this”. Comm. Wiley referred to Ordinance #O-6 on agenda (Ord. #19/14) which is being introduced at this meeting and commented that it is only for 10 units and stated “If there is an emergency for rentals, there is no need for this abatement. West New York is a diamond in the rough and a great Town.” He complained that there have been too many abatements granted thus far and that they will negatively affect the Budget.

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

Mr. Cullen referred to Communication #4L on the agenda (Memorandum from CFO Re: Sale of Bonds) and commented “Since we are using new borrowed money to pay old borrowed money, abated projects don’t pay taxes.” He referred to Mr. Mon’s experience with working with municipalities i.e. tax abatements and commented that abatements are not good for this Town. He inquired as to how many jobs this project will create for WNY residents. Mr. Mon advised that there will be approx. 8 jobs created, full/part time. Mr. Cullen inquired as to whether those persons hired will be living in WNY to which Mr. Mon replied “yes”. Mr. Cullen referred to previous tax increases and that he is against abatements and requested the governing body to vote “no” on this Ordinance.

4. Humberto Ortega, 6040 Blvd. East, WNY:

Mr. Ortega inquired “What percentage of affordable housing is being provided?” Mr. Mon advised that he (Mr. Ortega) should keep in mind that the entire project is four (4) separate entities; 55 apartments which represents 30% of units. Mr. Ortega inquired as to how much money the Town is losing for not collecting these taxes. Brian O’Reilly (who was in the audience) advised: the property will generate \$45,000 on the land; \$106,980 full taxation; \$26,745 the 1st yrs.; \$53,490 the 2nd yr.; \$80,235 the 3rd yr. and that the land amount is constant every year. Discussion ensued between Mr. Ortega and Mr. O’Reilly as to how much the Town would receive if it did not grant abatement. Mr. O’Reilly advised that the amount would be \$267,000 over 5 yr. period and that after the 5 yr. period, the project will generate revenue. Mr. Mon commented that over 100 people have been employed by these projects; that \$40 million in financing has been obtained for entire project and that this property is not located on the waterfront and will not be easy to sell the units. Mr. Ortega replied “I have a real concern about this.” Comm. Wiley replied “You say it isn’t the waterfront; is that why you went with affordable housing in order to get the financing?” Mr. Mon responded “yes”. Comm. Wiley commented that he (Mr. Mon) had no intention to make the entire project affordable. Mr. Mon explained the term “affordable”. Mayor Roque stated “Thank you for investing in West New York. I live there. My mother worked in that factory. Seniors were afraid to walk in that area. It was a bad area.” Mr. Mon also advised that 52nd Street Homes project contains 70 units which are 100% affordable.

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

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

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

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

Note: **Comm. Frias arrived at 1:34 p.m.**

November 24, 2014
Regular Meeting

ORDINANCE #15/14

An Ordinance authorizing the grant of an easement to Evan Properties Two, LLC over Town property known as Block 120, Lot 44

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

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

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

The following persons wished to be heard:

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

Mr. Cullen inquired as to whether the street address is contained in this Ordinance as the title refers to Block and Lot only. Town Clerk Riccie advised that the street address is contained in the body of this Ordinance in Paragraph 1. Mr. Cullen inquired as to the reason for granting this easement. Town Administrator Watkins advised that an Zoning Board determined an easement was needed for side yard and that the Town doesn't use the area in question as it is only 20 ft. Discussion ensued about exact location of property. The Attorney for the applicant, Al Alonso, Esq. advised that it is on corner of 56th Street & Madison which is a dead end street. He further advised that he met with neighbors regarding their concerns and accommodations were made.

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

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

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

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

BOND ORDINANCE #16/14

Bond Ordinance of the Town of West New York, County of Hudson, New Jersey, Providing for the Acquisition of Vehicles and Equipment and Appropriating an Amount not Exceeding \$200,000, Therefor, and Authorizing the Issuance of Not to Exceed \$190,000 in Bonds or Notes of the Town of West New York

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

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

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

November 24, 2014
Regular Meeting

Notice
Bond Ordinance #16/14

Bond Ordinance of the Town of West New York, County of Hudson, New Jersey, Providing for the Acquisition of Vehicles and Equipment and Appropriating an Amount not Exceeding \$200,000, Therefor, and Authorizing the Issuance of Not to Exceed \$190,000 in Bonds or Notes of the Town of West New York

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on November 24, 2014 and ordered published, and will be further considered before final passage at a public hearing on December 17, 2014 at 7:00 p.m. at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Note: Town Clerk Riccie read the foregoing aloud.

BOND ORDINANCE #17/14

An Ordinance of the Town of West New York, in the County of Hudson, New Jersey, Providing for the Acquisition of 911 Public Safety Equipment and Other Equipment and Improvements and Appropriating \$960,000, Therefor, and Providing for the Issuance of \$912,000 in Bonds or Notes of The Town of West New York to Finance the Same.

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

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

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

Notice
Bond Ordinance #17/14

An Ordinance of the Town of West New York, in the County of Hudson, New Jersey, Providing for the Acquisition of 911 Public Safety Equipment and Other Equipment and Improvements and Appropriating \$960,000, Therefor, and Providing for the Issuance of \$912,000 in Bonds or Notes of The Town of West New York to Finance the Same

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on November 24, 2014 and ordered published, and will be further considered before final passage at a public hearing on December 17, 2014 at 7:00 p.m. at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Note: Town Clerk Riccie read the foregoing aloud.

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Regular Meeting

ORDINANCE #18/14

An Ordinance Amending Chapter 161 “Construction Codes, Uniform”, Sections 2.B (I)(b), 2(b), 3(b) and 4(b) of the Town of West New York Municipal Code with Regard to the Collection of State Training Fees to Comport with the Mandate of the State of New Jersey Relative Thereto

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

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

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

Notice
Ordinance #18/14

An Ordinance Amending Chapter 161 “Construction Codes, Uniform”, Sections 2.B (I)(b), 2(b), 3(b) and 4(b) of the Town of West New York Municipal Code with Regard to the Collection of State Training Fees to Comport with the Mandate of the State of New Jersey Relative Thereto

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on November 24, 2014 and ordered published, and will be further considered before final passage at a public hearing on December 17, 2014 at 7:00 p.m. at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Note: Town Clerk Riccio read the foregoing aloud.

ORDINANCE #19/14

An Ordinance Approving a Five (5) year Tax Abatement For a Multi-Family Building Constructed by 600-602 LLC Pursuant to the Provisions of the Five (5) Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 Et. Seq. and Section 7 of the Ordinance 11/07 an Ordinance entitled Five Year Tax Abatement Ordinance

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

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

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

November 24, 2014
Regular Meeting

Notice
Ordinance #19/14

An Ordinance Approving a Five (5) year Tax Abatement For a Multi-Family Building Constructed by 600-602 LLC Pursuant to the Provisions of the Five (5) Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 Et. Seq. and Section 7 of the Ordinance 11/07 an Ordinance entitled Five Year Tax Abatement Ordinance

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on November 24, 2014 and ordered published, and will be further considered before final passage at a public hearing on December 17, 2014 at 7:00 p.m. at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Note: Town Clerk Riccie read the foregoing aloud.

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 the following items

- 1) Pursuant to N.J.S.A. 10:4-12(b)(4) the discussion of terms and conditions of a collective bargaining agreement.
- 2) Pursuant to N.J.S.A. 10:4-12(b)(7), the discussion of the terms of a settlement of the litigation of Mario Blanch v. West New York.

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 the collective bargaining agreement has been concluded, to the extent disclosure is not prohibited by other law.

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

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

Note: **Mr. Scarinci announced at 1:55 p.m. that the governing body would be going into Closed Session in the Mayor's Conference Room for approximately 30 minutes prior to conducting the Public Portion and that the public may remain in the court chambers. He further advised that as a result of Closed Session, there would be a Resolution #R-49 (Re: Blanch v. WNY) added to the agenda.**

A Motion was made by Comm. Frias, seconded by Comm. Rodriguez to **reconvene regular meeting at 2:30 p.m.**, was carried by following vote:

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

November 24, 2014
Regular Meeting

Note: Mr. Scarinci advised that two (2) items were discussed during Closed Session i.e. negotiations with CWA Union and Resolution regarding Blanch v. WNY. As a result, Resolution R-49 is being added to the agenda.

RESOLUTION

Authorizing the execution of a settlement agreement in matter known as Mario M. Blanch v. West New York et al

WHEREAS, the Town of the West New York is involved in a civil action in the United State District Court captioned Mario M. Blanch v. Town of West New York et. al. Docket No. 13-6532(ES)(JAD); and

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

WHEREAS, the Town has settled the litigated matter and the settlement proceeds shall be delivered to the plaintiffs' attorney in accordance with the Settlement Agreement and Release.

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

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

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

Motion made by Mayor Roque, seconded by Comm. Frias, **to open Public Portion of meeting at 2:31 p.m.**, was carried by the following vote:

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

Note: Commissioner Rodriguez advised Town Clerk that she needed to leave and she exited the meeting at 2:31 p.m.

Public Portion:

1. Ron Scheurle, 6119 Tyler Place, WNY:

Mr. Scheurle complained about proposed tax abatement and inquired about whereabouts of monies received from Hovnanian. Town Administrator Watkins informed him that the funds were used to keep taxes low. Mr. Scheurle inquired as to what the Town will do next year to keep taxes stable. Mr. Scheurle referred to it as a "loan". Mr. Scarinci and Mr. Watkins both advised that it is not a loan but a pre-payment of taxes. Mr. Scheurle referred to CWA Union meeting scheduled for tomorrow whereby members will be voting on proposed offer and accused the governing body of being "union breakers". He complained that the offer is insufficient and that the governing body doesn't care for the municipal employees. He commented about various things i.e. generator taken by a former Town employee to use at his home, \$500,000 code violation fines waived for a particular person, former business administrator's wife working for CCMSI Insurance, etc. He stated "You are pieces of s---".

November 24, 2014
Regular Meeting

Public Portion (cont.):

2. Joshua Breakstone, 6701 Blvd. East, WNY:

Mr. Breakstone commented about prior meetings held in September and October 2013 regarding Meridia's first application wherein he voiced his concerns about the proposed project, and advised that now there is a new application for the same property. He commented that he was "frustrated" at the way members were being appointed to the Planning/Zoning Boards, and that after the Mayor's comment that there are no volunteers to serve on the Boards, he contacted people to apply to serve. In October 2013, former Town Administrator Joe DeMarco advised him to send his application and he (DeMarco) would "fast track" it. He commented that he was never contacted by Mr. DeMarco or anyone else to serve on any Board despite the fact that he submitted his application and resume. He commented that Humberto Ortega, Doug Borden and Joan Palermo all submitted their applications but were never appointed. Mayor Roque suggested that he re-submit his application to the new Town Administrator. Mr. Breakstone advised that in September he requested under OPRA any applications for members of any boards and was advised that no records existed. He referred to town's website which advises that applications should be sent to Gennarose Pope and stated "Where are these applications?" Mayor Roque replied "I don't have them. If Joe DeMarco has them it probably fell through the cracks." Mr. Watkins advised Mr. Breakstone to re-send applications to Town Clerk's Office.

3. Linda Kellerman, 6600 Blvd. East, WNY:

She advised that she attended the 11/17/14 Master Plan hearing regarding the proposed changes to the Master Plan and commented that there is a lot of changes to "high density residential". She advised that she is against changes to high residential.

4. Humberto Ortega, 6040 Blvd. East, WNY:

Mr. Ortega commented that if the new Meridia application is approved, the developer may also apply for a tax abatement and that the Town needs affordable housing not luxury housing. He complained that various board members have submitted no resumes or financial disclosure statements and are serving beyond their terms.

5. Rafael Sanchez, 5907 Buchanan Place, WNY:

He advised that he also attended the Zoning Board meeting and that not a lot of residents attended. He commented about his observations about the proposed changes to Master Plan and that there is a lot of emphasis on big builders and not enough for 1-2 family homeowners. He recommended that incentive be given to homeowners to fix their houses which would give work to local builders. He commented that it is "short sighted to beautify Town with only big buildings". He further commented that homeowners do not fix front of their houses in fear of tax increases and that renters do not clean the sidewalks, etc. He again requested that incentives be given to homeowners. Mayor Roque responded "You identified the problem and solution. Can we meet with Town Administrator to discuss?"

6. John Heinis, 78 Montclair Ave., Little Falls:

Mr. Heinis inquired as to the address of Jaclyn 40, LLC project and company address. He further inquired "Did the FBI come to Town Hall last week? Can you confirm?" Mr. Scarinci replied "We told you before, it is an ongoing investigation in Town and we are cooperating to assist FBI. We can't discuss what they are doing as it would compromise their investigation."

7. Angel Barquin, 432 – 58th Street, WNY:

Mr. Barquin inquired "Can Donald Scarinci give me the settlement figures on Mario Blanch case?" Mr. Scarinci advised that matter has been settled for \$50,000. It was a Federal lawsuit and we entered into a non disclosure agreement and can't discuss it. There was no admission of anything being improper." Mr. Barquin commented "You settled without any admissions?" Mr. Scarinci advised that it was a costly lawsuit; Town won a motion to dismiss in Federal Court and Town made decision to settle in order to stop the legal fees from mounting. He again reiterated that a non-disclosure agreement was entered into. He stated "We all wish Mario Blanch the best". Mr. Barquin inquired if settlement amount is covered by insurance to which Mr. Scarinci responded that it is an insurance

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Regular Meeting

Public Portion (cont.):

matter. Mr. Barquin complained about dog feces near Jaclyn property and all over Town and commented that nothing is being done about it. Animal Control Officer Jeff Santini, who was in the audience, advised that it is difficult to “catch it in the act” and that they have only caught 3 people in the past year. Mr. Barquin complained about Health Director’s \$82,000 salary and that nothing is being done. He complained about raccoons to which Mr. Santini advised that raccoons are “protected unless they are breaking into a home”. Mr. Barquin inquired as to who is the Chief of Staff. Comm. Frias replied “Luis Baez”. Mr. Barquin stated “Since when?” Mr. Scarinci advised him his time to speak had expired.

8. Doreen Auriemma, 6025 Hudson Avenue, WNY:

Ms. Auriemma complained that the inspectors’ work hours should be changed to coincide with hours that people are not working. She commented that certain employees are “sleeping at their desks” and that additional inspectors should be hired. Mayor Roque commented that Town Administrator Watkins has only been working in WNY for 37 days and that “in a few months you will be able to eat off the streets”. Ms. Auriemma inquired about the time period of the “hiring freeze” to which Mayor Roque advised that it is in effect until the end of this year. Ms. Auriemma commented that people have been hired in Public Affairs and wanted to know who Cesar Aguirre is replacing in that department. Comm. Frias replied “Luis Baez”. Ms. Auriemma inquired about the hiring process and commented about an employee who has worked for the Town for over 6 yrs. but is still only a part-time employee. Mayor Roque requested that she provide him with that person’s name after the meeting as it is a personnel matter. Ms. Auriemma thanked Comm. Wiley for providing turkeys to senior citizens. Ms. Auriemma inquired as to why the Town doesn’t have money to buy trophies and pay for a dinner for basketball team. Mayor suggested she speak with Tiffany Marcano regarding this. She replied that it was Tiffany who advised her that the Town has no money for those things and she doesn’t wish to speak to her (Tiffany) any further. Mayor Roque told her that he would meet with her to discuss in detail.

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

Mr. Cullen inquired as to the purpose of “conflict counsel to Zoning Board”. Mr. Scarinci explained that Town is bringing in conflict counsel for Zoning and Planning Boards so we don’t have issues that might arise. Mr. Cullen wanted to know what that would entail. Mr. Scarinci responded “Conflicts that board attorney may have”. Mr. Cullen inquired as to the amount of “advanced money” received from Hovnanian. Mr. Watkins advised that he doesn’t know that answer as he wasn’t here. Mr. Scarinci advised that he believes the amount is \$2.5 million. Mr. Cullen referred back to Communication #4L (Memorandum from CFO re: Bond sale) and inquired “Why don’t we have cash on hand and why sell new bonds?” Mr. Watkins advised that when debt is restructured the Town saves 3.5% and we are taking advantage of lower interest rates. Mr. Cullen disagreed. He also inquired as to why Mr. Scarinci needs a separate contract. He did not wish a response from Mr. Scarinci as he felt it is a “conflict of interest”. Mayor Roque responded that Mr. Scarinci is the best person to answer his question. Mr. Scarinci responded “I have to answer this question. For transparency, I didn’t want to do it under existing contract which I could do if I bring more money into the Town.” He further explained that this would permit recovery of legal fees for WNY and that the separate contract is specifically for code violations, which allows Town to recapture money. Mr. Cullen inquired “So, you are saving money?” to which Mr. Scarinci responded “No I am not saying that.” Mr. Cullen inquired whether this has anything to do with FBI to which Mr. Scarinci responded “Nothing whatsoever”.

10. Claire Lima, 309 – 60th Street, WNY:

Ms. Lima advised that she too owns a dog and complained about dog owners not picking up dog feces. She complained that traffic lights at 60th & Blvd. East and location where the baby was killed do not operate properly in that they do not allow pedestrians to cross. She also complained that vehicles turning at 60th Street do not stop for pedestrians and that she was almost struck by a vehicle on 2 occasions. She complained that the trees on 60th Street which she referred to as “the face of West New York” need to be cared for and trimmed before the winter arrives and that it should be an incentive for volunteers to trim trees. She

November 24, 2014
Regular Meeting

Public Portion (cont.):

complained about garbage not being picked up. Mayor Roque advised that PSE & G is responsible for trimming trees. Linda Kellerman shouted that she agreed with Ms. Lima's complaints about traffic lights and failing to yield to pedestrians.

11. Mayor Roque:

The Mayor wished everyone a "Happy Thanksgiving".

A motion was made by Commissioner Frias, seconded by Comm. Vargas; **to close the Public Portion at 3:19 p.m.** was carried by the following vote:

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

A motion was made by Comm. Frias, seconded by Mayor Roque; **to adjourn the meeting at 3:19 p.m.** was carried by the following vote:

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

Commissioner FiorD'Aliza Frias

Commissioner Caridad Rodriguez

Commissioner Ruben Vargas

Commissioner Count J. Wiley

Mayor Felix E. Roque
Board of Commissioners

Attest:

Carmela Riccio, RMC
Town Clerk