

**June 17, 2015**  
**Regular Meeting**

Minutes of a regular stated meeting of the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, held in the Court Chambers, Municipal Building on Wednesday, June 17, 2015 at 12:00 p.m. (No Work Session):

Present: Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
Absent: None  
Also Present: Town Administrator Matthew U. Watkins, Corporation Counsel Donald Scarinci, Town Clerk Carmela Riccio, Adeliny Plaza & Vivian Maynard from the Town Clerk's Office

Meeting commenced at 12:21 p.m.

Town Clerk Carmela Riccio made the following announcement:

As presiding officer of this Regular Meeting of the Board of Commissioners of the Town of West New York, held on June 17, 2015 at 12:00 p.m. (No Work Session), 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 November 24, 2014. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

**Note:** \_\_\_\_\_ **Commissioner Colacurcio requested everyone to remain standing for a Moment of Silence for the passing of the Mayor's mother, Hilda Roque.**

**Minutes of Previous Meeting:**

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo, that the Minutes of Regular Meeting: 5/19/2015 (Reorganization/Regular Session), was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Claims: Dated 6/17/15 (Claims are available for public inspection in the Town Clerk's Office):**

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

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Note:** \_\_\_\_\_ **Commissioner Cirillo "abstained" on paying purchase order number 1865.**

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**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF MAY 2015**

1. From Construction Code Official Office, reporting the sum of \$49,836.00 collected for the month of May, 2015.
2. From Director Robert Antolos (Police Dept.), reporting the sum of \$2,790.95 Collected for the month of May, 2015.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$0.00 For Special Licenses for the month of May, 2015.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$813.00 For Marriage/death certificates for the month of May, 2015.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$183.60 For Dogs Licenses for the month of May, 2015.
6. From (Revenue and Finance Department) reporting the sum of \$12,686,645.49 Collected for the month of May, 2015.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$550.00 collected for the month of May, 2015.

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

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Communication**  
**Town Administrator Watkins Update to Governing Body**  
**Regarding Pending Matters**

**Note:** \_\_\_\_\_ **Mr. Watkins deferred his report to the next scheduled Commissioner's meeting.**

**Communication**  
**Re: Town Engineer's Monthly report dated 6/12/2015**

MEMO TO: Mayor and Board of Commissioners  
Town of West New York

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

DATE: June 12, 2015

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

- **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

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**Town Engineer's report (Cont.):**

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 have installed all of the concrete foundations for the wall and have completed installing the pre-cast structures for the main wall. They are currently installing the upper wall sections, lower decorative wall brick work and railings. They anticipate completing the project by the end of July.
- 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:
    - 60<sup>th</sup> Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
    - 65<sup>th</sup> Street from Broadway Avenue to Park Avenue (675')
    - 51<sup>st</sup> Street from JFK West to Bergenline Avenue (615')
    - 66<sup>th</sup> Street from Hudson Avenue to JFK East (2060')
  - 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 and installed the speed humps on 62<sup>nd</sup> Street. We prepared an updated punchlist for the project. The contractor had been working on the punchlist for the project. They have several items left to complete and we are awaiting a schedule for completion.
- **Municipal Pool Renovations**
  - As you are aware, the Town has received Green Acres funding for various renovations to the Municipal Pool Complex. The improvements proposed for the building include siding repairs, bathroom stall upgrades, new ventilation, ceiling fans and lighting, refinishing of the floors, exterior door replacement and other miscellaneous improvements. The exterior pool area improvements include new lighting, replacement of broken lighting, new security cameras, fencing replacement, replacement of picnic tables, removal of deteriorated landscape boxes, exterior shower, general landscaping improvements, parking lot improvements and other miscellaneous improvements.
  - The project was awarded on May 15, 2013 to the low bidder which was Rich Picerno Builders, LLC of Kenilworth, New Jersey, with a bid of \$500,000.00. We held a preconstruction meeting on June 11, 2013.

- We had issued construction plans, a preliminary assessment report and required forms to Green Acres for their review and approval. Green Acres has approved same and issued the signed agreement for the project.
  - The contractor has completed the project and we have prepared the close-out final pay estimate.
  - We are working on the required information for the NJDEP Green Acres reimbursement.
- Town Tax Map Revisions

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**Town Engineer's report (Cont.):**

- 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 final review which have been approved.
- 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 completed the park improvements except for minor punch list items. The park could be opened the week of June 15, 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 reviewed with the Town.
  - We are currently working on the design documents.
- 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:
    - 60<sup>th</sup> Street from JFK Blvd West to Madison Avenue (1425')
    - 51<sup>st</sup> Street from Bergenline Avenue to Broadway Avenue (1575')
    - Gaw Place from 56<sup>th</sup> Street to Southern terminus. (200')
  - NJDOT 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:
    - 61<sup>st</sup> St. from JFK Blvd West to Bergenline Ave (1,760');
    - 62<sup>nd</sup> St. from JFK Blvd West to Bergenline Ave (1,555') and Jefferson St. from 62<sup>nd</sup> St. to 64<sup>th</sup> St (560');
    - Buchanan Pl. from 62<sup>nd</sup> St. to 59<sup>th</sup> St. (1,305') and Westover Pl. from Buchanan Pl. to Park Ave (320');
    - Highland Pl. from 62<sup>nd</sup> St. to John F. Kenney Blvd East (605');
    - Johnson Pl. from 61<sup>st</sup> St. to its Terminus (285').
  - 5409 Palisade Avenue Sinkhole: We reviewed a major sinkhole in the roadway at 5409 Palisade Avenue. J. Fletcher Creamer performed emergency roadway work and excavated the roadway and has repaired the sinkhole.
  - 6315 Broadway Sinkhole: We reviewed a sinkhole at this location. Due to its location near an existing manhole we request that NHSA review this matter. They televised their sewer main and determine the sinkhole may be the result of a broken sanitary sewer lateral which is the responsibility of the property owner. We requested a copy of the video and once we review and confirm, we will contact the property owner. The sinkhole is steel plated.

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**Communication**  
**Presentation by CFO Marge Cherone regarding 2015 Municipal Budget and Notice received from the Division of Local Government Services related thereto**



State of New Jersey  
DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
P.O. Box 051  
TRENTON, NJ 08625-0051

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

17 2015

4C  
CHARLES A. RICHMAN  
Acting Commissioner

June 5, 2015

The Honorable Felix Roque, Mayor  
West New York Town  
Municipal Bldg  
428-60th St  
West New York, NJ 07093

Re: Notice of Late Introduction of Municipal Budget  
Order to Introduce

Dear Mayor and Governing Body Members:

As of the date of this letter, the introduced calendar year 2015 budget of your municipality has not been received by the Division. The submission of an introduced budget is now two months overdue. Local Finance Notice 2014-21 required introduction of your 2015 budget by March 13th or your next regularly scheduled meeting after that date and delivery to this agency no later than three days afterward.

While some delay is understandable, the fact that your municipality has not introduced a budget has exceeded the time frame authorized by the Division and compromises the municipality's fiscal integrity. Accordingly, pursuant to N.J.S.A. 52:27BB-18, you are hereby directed to introduce your budget no later than June 30, 2015. All other pertinent financial documents necessary for budget review and approval should also be received by the same date.

Furthermore, failure to comply with the Local Budget Law or with directions set forth in this letter subjects you to penalties under N.J.S.A. 40A:4-84. These penalties consist of a personal penalty of \$25 for each day a budget remains not introduced after June 30, 2015. If you choose to appeal this directive, you must notify the Local Finance Board within ten days, in writing, and request a hearing. Any such application to the Board must give adequate explanation for the delay after June 30, 2015. If you plan to and successfully introduce your budget by June 30, 2015, there is no need to appeal and you will not be subject to any penalty.

If you have any questions, please do not hesitate to contact the Bureau of Financial Regulation and Assistance at (609) 292-4806.

Sincerely,

Timothy J. Cunningham, Director  
Division of Local Government Services



2015 JUN 10 P 1:20  
RECEIVED  
OFFICE OF THE  
TREASURER  
STATE OF NEW JERSEY

**Note:** Town Administrator Watkins announced that CFO Cherone would defer her presentation until the budget is introduced later on in meeting.

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**Communication**  
**Receipt/Filing of Supplemental Debt Statement**

**(Please See Attached at the End of Minutes)**

**Consent Agenda**

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Guzman that the following Consent Agenda Items Nos. R-1 through R-30 (with the exclusion of R-31 Re: Authorizing closure of Executive Session) be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Note:** Town Clerk Carmela Riccio read the titles of the foregoing resolutions aloud. There were corrections made verbally by Corporation Counsel Donald Scarinci to resolutions R-6 (Approving extension of contract for Animal Shelter Services with Bergen County Protect & Rescue Foundation) and R-23 (Appointing Mayor Felix E. Roque to the North Hudson Sewerage Authority). Mr. Scarinci announced that the Public Portion of the meeting was going to occur before going into Closed Executive Session because Closed Executive Session was going to take approximately 2-3 hours. He advised that before adjourning the meeting, the Governing Body would most likely be voting on 4 items as a result of the Closed Executive Session.

**RESOLUTION**  
**APPROVING CHANGE ORDER NO. 1**  
**FOR IMPROVEMENTS TO WASHINGTON PARK**

WHEREAS the Town of West New York (“Town”) entered into a contract with Let It Grow Inc. for improvements to Washington Park ; and

WHEREAS, Change Order Number 1 reflects increases and decreases in costs of the improvements to the park; and

WHEREAS, Change Order Number 1(attached hereto) results in no change to the contract price and has been prepared by and approved by the Town engineer; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.8(c)1 change orders that are under 20% of the original contract price are permitted as long as they fit within the requirements of the Regulations and the Town engineer has determined that these changes were appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Town of West New York do hereby approve of Change Order Number 1 for the improvements to Washington Park which results in no change to the contract price.

**RESOLUTION**  
**TO APPROVE STREET OPENING PERMIT**  
**FOR 411 67<sup>th</sup> STREET**

WHEREAS, PSE&G is seeking a street opening permit for the property at 411 – 67<sup>th</sup> Street, with the work to be done on 67<sup>th</sup> Street, in order to fix an emergency gas leak; and

WHEREAS, this section of 67<sup>th</sup> Street was resurfaced in 2013 and pursuant to Section 352-20.G of the Town ordinances, the Board of Commissioners must review and determine whether to approve of a street opening permit if it involves a street that has been resurfaced within the last 5 years; and

WHEREAS, the Town engineer has reviewed this application for a street opening permit and believes it is necessary for the emergency repair of the gas leak; and

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

WHEREAS, PSE&G will abide by all of the Town's ordinances including Section 352-20H and I and paying penalty charges as set forth in the ordinance.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby approve of a street opening permit for PSE&G for 411 - 67<sup>th</sup> Street for work to be done on 67<sup>th</sup> Street in order to repair an emergency gas leak.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town Engineer for further processing.

**RESOLUTION**  
**REFUND OF DEPOSIT PURSUANT TO ORDINANCE #4/96**  
**(FILMING PERMIT –JOEYNGLORIA 5/16/15)**

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

WHEREAS, said \$1,000.00 deposit was deposited with the Town Clerk's Office for filming on 5/16/15; 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: Joeyngloria, LLC 414-3<sup>rd</sup> Street Union City, NJ 07087 Attention: Joseph Lamorte, Producer.

**RESOLUTION**  
**AUTHORIZING THE AWARD OF A “NON-FAIR AND OPEN CONTRACT”**  
**FOR “SUBSTANCE ABUSE PREVENTION AND EDUCATION PROGRAM**  
**SERVICES”**

Whereas, the Town of West New York has a need to provide substance abuse prevention and education program services to further the interests of the community in fostering substance abuse prevention and education; and

Whereas, pursuant to N.J.S.A. 40A:11-5 professional education services are exempt from the bidding requirements of the Local Public Contracts Law (“LPCL”), N.J.S.A. 40A:11-1 et seq.; and

Whereas, the Town of West New York has a need to acquire substance abuse prevention and education program services as a Non-fair and Open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

Whereas, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

Whereas, the anticipated term of this contract is for twelve months (07/1/2015 through 06/30/16); and

Whereas, PRS Consultants, Inc., 6 Tuscany Circle, Manchester, New Jersey, 08759 and

its appropriate affiliates has submitted a proposal indicating they will provide the substance abuse prevention and education program services for \$30,000.00; and

Whereas, PRS Consultants, Inc. and its appropriate affiliates has completed and submitted a Business Entity Disclosure Certification, which certifies that PRS Consultants, Inc. and its appropriate affiliates has not made any reportable contributions to a political or candidate

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**Consent Agenda (cont.):**

**Resolution (cont.):**

committee, which are listed on the attached Exhibit, in the previous one (1) year, and that the contract will prohibit the PRS Consultants, Inc. and its appropriate affiliates from making any reportable contributions through the term of the contract; and

Whereas, a certificate of availability of funds has been filed by the Chief Financial Officer with the Town Clerk's Office, which certification specifies the exact line item appropriation as the FY2016 Municipal Alliance Grant, which item is to be charged; and

Whereas, this contract has been awarded through a non-fair and open process because pursuant to N.J.S.A. 19:44A-20.5, the PRS Consultants, Inc., having timely submitted C. 271 Political Contribution Disclosure Form in the required form and the contract to be awarded shall include a provision prohibiting PRS Consultants, Inc., from making reportable contributions during the term of the contract as required by the Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq and

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

1. The Board of Commissioners authorizes the Mayor and Town Clerk to execute the contract with PRS Consultants, Inc. as described herein.

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

3. Be it further resolved that a notice of this contract award shall be published in the form prescribed by law.

4. A copy of this resolution and the contract once executed shall be kept on file in the office of the Town Clerk.

**RESOLUTION OF**  
**SUPPORT AUTHORIZING APPLICATION**  
**FOR THE 2015 FOOD WASTE, TIRE CLEAN-UP**  
**AND PUBLIC SPACE BONUS RECYCLING GRANT PROGRAM**

WHEREAS, the Town of West New York strives to achieve a sustainable community and expends local resources in pursuit of this goal; and

WHEREAS, the Town of West New York continually seeks additional resources to save tax dollars while executing initiatives to assure clean land, air and water, and to improve working and living environments; and

WHEREAS, the Town of West New York maintains and seeks to expand their local recycling program in support of these sustainability objectives; and

WHEREAS, the purposes of the NJDEP's Food Waste, Tire Clean-up and Public Space Bonus Recycling Grant Program is to provide resources to municipalities to make progress on recycling initiatives; and

WHEREAS, the Mayor and Commissioners of the Town of West New York have determined that the Town will apply for the aforementioned grant and provide the requisite 100% matching funds and abide by all other terms of the guidance promulgated for this program should the grant be awarded; now

THEREFORE, BE IT RESOLVED, that the Mayor and Commissioners of the Town of West New York authorizes the Mayor and Municipal Administrator to submit the application for the 2015 Food Waste, Tire Clean-up and Public Space Bonus Recycling Grant Program.

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**Consent Agenda (cont.):**

**RESOLUTION**  
**APPROVING EXTENSION OF CONTRACT**  
**FOR ANIMAL SHELTER SERVICES WITH**  
**BERGEN COUNTY PROTECT & RESCUE FOUNDATION**

WHEREAS, the Town has sought proposals on 3 occasions for a firm to provide animal shelter services for the Town of West New York; and

WHEREAS, no proposals were received for these services; and

WHEREAS, the Town has re-organized at the June meeting and the Commissioners have determined to explore additional options for the provision of animal shelter services; and

WHEREAS, the Town has determined to seek additional proposals for the animal shelter services and to extend the current contract from March 1, 2015 until September 1, 2015 under the same terms and conditions; and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Town of West New York do hereby approve of the extension of the current contract with Bergen County Protect & Rescue Foundation commencing retroactively to March 1, 2015 and ending on September 1, 2015 to allow the Town to seek additional proposals for these services.

BE IT FURTHER RESOLVED that the Town shall pay the Foundation \$1,500.00 as a flat fee per month for the services rendered, pursuant to the contract, and the total contract for each year shall not exceed \$9,000.00.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk shall be authorized to execute this amendment to the contract.

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to seek proposals for the animal shelter services.

BE IT FURTHER RESOLVED that a certification of funds is on file with the Town Clerk for this contract.

**Note:**        **Corporation Counsel Scarinci explained that this is actually a two month extension of the contract pending receipt of RFPs.**

**RESOLUTION**  
**CONCERNING PAYMENT OF CLAIMS FOR**  
**WORKERS COMPENSATION AND GENERAL LIABILITY**

WHEREAS the Town of West New York has claims for bills to be paid under workers compensation and general liability; and

WHEREAS the Town of West New York is self-insured and participates with other communities in the Public Entity Joint Insurance Fund; and

WHEREAS the PE JIF, and Claims Administrator and the Town Administrator have reviewed all claims and recommend payment, and

WHEREAS the Chief Financial Officer has certified that funds are available for payment of these claims in account 21-75012 for Workers Compensation claims and account 21-75022 for General Liability claims, and

WHEREAS, the Board of Commissioners must approve payment of these claims; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Town of West New York do hereby approve of the payment of the following claims:

Workers Compensation: \$75,756.10  
General Liability: \$38,695.46

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**Consent Agenda (cont.):**

**RESOLUTION**  
**REFUNDS OF PREMIUM (\$279,400.00)**

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 C/F BV001 TR.	126/22	13-0424	\$3,800.00
	146/12	13-0484	\$2,100.00
	138/14.03 C002B	13-0458	\$1,000.00
	31/29	13-0102	\$1,500.00
	80/25	13-0267	\$400.00
	168.01/1.04 C0335	13-0552	\$600.00
	28/7	13-0100	\$2,100.00
US BANK CUST FOR TOWER DBW	71/21	12-0377	\$3,000.00
	82/45	12-0454	\$500.00
	151/7	12-0687	\$5,000.00
PAM INVESTORS	42/41 C0006	14-0140	\$5,000.00
	82/12	14-0252	\$17,000.00
	32/41 C0304	14-0078	\$2,000.00
	88/7	14-0280	\$12,000.00
	96/16	14-0284	\$10,000.00
	53/8	14-0163	\$7,000.00
	36/7	13-0122	\$700.00
20/2	14-0053	\$17,000.00	
MTAG SVC. AS CUST FOR ATCF II NJ LLC	64/28	14-0189	\$26,000.00
	62/14	14-0188	\$25,000.00
	39/4	14-0125	\$22,000.00
US BANK C/F TOWER DBWI IV 2014-1	86/17	14-0276	\$9,000.00
	168.01/8.01 C0244	14-0520	\$9,800.00
	38/9 CC01C	14-0115	\$4,000.00
US BANK CUST FOR 59/8 PRO CAP III, LLC	13-0200		\$700.00
	109/22 C0201	13-0370	\$2,000.00
SUNSHINE ST CERT IV, LLLP BK UNITEDT	154/16	12-0704	\$12,000.00

US BANK CUST BV001	5/35 C0003	14-0016	\$1,000.00
TRST & CRDTRS	161/5	14-0483	\$3,000.00
	157/19.01	14-0469	\$5,000.00
	53/16 C002C	14-0164	\$4,000.00

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

MEYER MUSSAFI	119/13	14-0347	\$39,000.00
US BANKCUST FOR PC5	50/24	14-0156	\$11,000.00
US BANK CUST FOR	136/24	14-0396	\$1,300.00
PC5 STERLING NAT'L	130/5.01 C0208	14-0377	\$1,900.00
US BANK CUST/EMP VI	39/6	13-0146	\$12,000.00
		Grand Total	\$279,400.00

**RESOLUTION**  
**REFUNDS OF OVERPAYMENTS OF TAXES (\$65.00)**

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 the records accordingly.

NAME	BLOCK/LOT	AMOUNT	YEAR
US BANK CUST FOR TOWER DBW 111 TR	3/15	\$65.00	2014
	Grand Total	\$65.00	

**RESOLUTION**  
**REFUNDS OF REDEMPTIONS (\$511,378.15)**

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	71/21	12-0377	\$42,492.14
TOWER DBW	82/45	12-0454	\$24,609.64
	54/10	12-0289	\$13,911.11
	147/11	12-0669	\$25,099.92
	41/6	12-0228	\$16,098.93

	151/7	12-0687	\$105,317.16
PAM INVESTORS	42/41 C0006	14-0140	\$1524.46
	82/12	14-0252	\$14,295.24
MTAG SVC AS CUST	64/28	14-0189	\$14,713.94

**June 17, 2015**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution (cont.):**

FOR ATCF II NJ LLC	62/14	14-0188	\$11,737.01
	39/4	14-0125	\$11,118.21
US BANK C/F TOWER	86/17	14-0276	\$10,477.00
DBWI IV 2014-1	168.01/8.01 C0244	14-0520	\$2,340.40
72 OAK STREET HOLDINGS, LLC	96/11 C00D6	13-0327	\$1,076.45
US BANK CUST FOR PRO CAP III, LLC	59/8 109/22 C0201	13-0200 13-0370	\$787.36 \$1,435.86
SUNSHINE ST CERT. IV, LLP BK. UNITEDT	154/16	12-0704	\$23,727.06
US BANK CUST BV001 TRST & CRDTRS	5/35 C0003 168.01/1.07 C0290	14-0016 14-0503	\$586.42 \$8,060.20
	161/5	14-0483	\$1,712.41
	157/19.01	14-0469	\$640.91
	53/16 C002C	14-0164	\$3,493.12
	80/25	13-0267	\$787.28
US BANK CUST FOR BV001 TRUST	138/14.03 C002B 31/29	13-0458 13-0102	\$1,843.95 \$2,916.08
	168.01/1.04 C0335	13-0552	\$6,388.12
	28/7	13-0100	\$8,748.03
MAHROUS A. ARMANIOUS	83/7 CG012	14-0263	\$272.79
ISAAC MORADI	95/8	12-0495	\$2,648.07
MEYER MUSSAFI	119/13	14-0347	\$25,051.41
PAM INVESTORS	32/41 C0304	14-0078	\$533.58
	88/7	14-0280	\$7,839.95
	9/4 C00B4	12-0048	\$4,724.24
	96/16	14-0284	\$8,669.95
	53/8	14-0163	\$4,669.93
	36/7	13-0122	\$464.24
	32/41	12-0153	\$3,455.78
	55/25	12-0309	\$34,080.90
	20/2	14-0053	\$23,399.06
US BANKCUST FOR PC5 STERLING NAT'L	50/24 136/24	14-0156 14-0396	\$6,014.51 \$434.89
	130/5.01 C0208	14-0377	\$840.11
US BANK C/F TOWER DBWI IV 2014-1	38/9 CC01C	14-0115	\$3,285.29
US BANK CUST. FOR TLCF 2012A, LLC	68/24	12-0350	\$850.61

US BANK CUST/EMP VI	39/6	13-0146	\$12,260.93
SBMUNICUST C/O LBNJ	71/13	12-0374	\$15,943.50

GRAND TOTAL \$511,378.15

**June 17, 2015**  
**Regular Meeting**

**Consent Agenda (cont.):**

**RESOLUTION**  
**TAX SALE CERTIFICATE (BLOCK 168.01/1.07 C0290)**

WHEREAS, the Tax Collector sold Tax Sale Certificate# 13-0555 at a Tax Sale held on December 12, 2013 to US Bank Cust. for BV001 Trust, and

WHEREAS, the Tax Collector has received the incorrect amount to redeem the said certificate in accordance with N.J.S.A 54:5-60 The Tax Collector is required to collect the full amount to redeem the said Tax Sale Certificate.

NOW, THEREFORE, BE IT RESOLVED that the Collector is hereby authorized to issue a refund for the partial payment made on the listed Tax Sale Certificate.

<u>Name</u>	<u>Block/Lot</u>	<u>Cert#</u>	<u>Amount</u>
Comerica Bank	168.01/1.07 C0290	13-0555	\$9,730.82
	Grand Total		\$9,730.82

**RESOLUTION**  
**AUTHORIZING AN EMERGENCY PURCHASE FOR**  
**THE EMERGENCY SINKHOLE REPAIR ON 54<sup>TH</sup> STREET AND PALISADE AVENUE**  
**INTERSECTION, WEST NEW YORK**

WHEREAS, the governing body of the Town of West New York has been advised that an emergency did exist affecting the safety and welfare of the citizens of the Town of West New York and the general public did occur when a portion of the intersection at 54th Street and Palisade Avenue collapsed, creating a sinkhole; and

WHEREAS, the Supervisor of DPW notified the Business Administrator setting forth the circumstances regarding the emergency; and

WHEREAS, the governing body is satisfied that an emergency did exist and that immediate action was necessary to secure the aforementioned portion of the intersection at 54th Street and Palisade Avenue to full safety; and

WHEREAS, the cost of the repair was \$11,311.32, which was a fair and reasonable quotation; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account #01-201-23-781-020-99, Purchase order # 1883.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that pursuant to N.J.S.A.40A:11-6, which authorizes the governing body to award contracts without benefit of public bidding in emergency situations provide for the vendor, J. Fletcher Creamer & Son, Inc., 101 East Broadway, Hackensack, New Jersey 07601 to be paid therefore.



**RESOLUTION**  
**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS**  
**FOR THE YEAR 2015**

WHEREAS, an emergent condition has arisen in that the Town of West New York is expected to enter into contracts, commitments or payments prior to the adoption of the 2015 budget and no adequate provision has been made in the 2015 temporary budget for the aforesaid purposes; and

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

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2015 pursuant to the provision of Chapter 96, P.L. 1951 (NJSA 40A:4-20) including this resolution total \$31,684,938.84

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

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$6,156,017 as follows:

Account Number	Description	Temp Budg Amount
01-201-20-701-020-99	Dir. of Public Affairs - OE	9,995
01-201-20-702-010-11	Town Clerk's Office S/W	103,198
01-201-20-702-020-99	Town Clerk's Office	3,430
01-201-20-705-020-99	Elections	(4,625)
01-201-20-707-020-99	Prosecutor	(4,921)
01-201-20-709-020-99	Rent Control Board	(4,420)
01-201-20-711-020-99	Town Funding Program	50,551
01-201-20-715-020-99	Supervised Play Activity	88,793
01-201-20-718-010-11	Administrative Office S/W	112,487
01-201-20-720-020-99	Zoning Board	3,167
01-201-20-727-010-11	Community Development - S & W	49,440
01-201-21-701-020-99	Director's Office	13,063
01-201-21-742-010-11	Treasurer's Office S/W	115,040
01-201-21-744-020-99	Assessment of Taxes	7,537
01-201-21-750-220-92	Other Insurance - Liability Ins	406,667
01-201-22-760-080-99	NHRFR	4,264,434
01-201-22-762-020-99	Police Department - O.E.	97,478
01-201-22-774-020-99	Office of Emergency Manage	3,563
01-201-22-776-010-11	Automotive Maintenance & Re	51,616
01-201-23-701-020-99	Director's Office DPW - O.E	1,427
01-201-23-781-020-99	Streets & Sewers	110,833
01-201-23-787-020-99	Garbage & Trash - O.E. Miscellaneous	85,542
01-201-23-788-020-99	Engineering Serv. & Costs -Miscellaneous	196,583
01-201-24-701-020-99	Director's Office Miscellaneous	(438)
01-201-24-790-020-99	Division of Parks Miscellaneous	33,646
01-201-24-792-010-11	Building Department S/W Salaries & Wage	51,682
01-201-24-792-020-99	Building Department Miscellaneous	35,025
01-201-24-794-020-99	Centralized Postage Miscellaneous	21,234
01-201-25-800-010-11	Uniform Construction Code Salaries & Wage	215,363
01-201-25-800-020-99	Uniform Construction Code Miscellaneous	19,792
01-201-29-825-020-99	Contrib to Public Employee Miscellaneous	9,164

TOTALS

\$ 6,156,017

**June 17, 2015**  
**Regular Meeting**

**Consent Agenda (cont.):**

**RESOLUTION**  
**APPROVING CONTRACT WITH**  
**NU-WAY CONCESSIONAIRES, INC. FOR THE SUMMER FOOD PROGRAM**

WHEREAS, bids were sought for the summer food program contract and three bids were received; and

WHEREAS, Nu-Ways Concessionaires, Inc. submitted the lowest responsible bid and that bid was reviewed and approved by New Jersey Department of Agriculture, which funds this contract; and

WHEREAS, the bid from Nu-Way Concessionaires, Inc. proposed a price of \$2.27 per lunch and \$.54 per PM snack for a total bid price not to exceed \$61,468.75; and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Town of West New York do hereby approve of the contract with Nu-Way Concessionaires, Inc. for the Summer food program for a total contract price not to exceed \$61,468.75 and in accordance with the bid prices for the lunch and snack.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk are authorized to execute this contract.

BE IT FURTHER RESOLVED that a certification of funds for this contract is on file with the Office of the Town Clerk.

**RESOLUTION**  
**APPOINTMENT OF DAVID HEPERLE AS A CLASS II MEMBER**  
**OF THE TOWN OF WEST NEW YORK PLANNING BOARD**

WHEREAS, the Mayor is responsible for the appointment of a Class II member to the Town of West New York Planning Board; and

WHEREAS, David Hepperle is the current Class II member of the West New York Planning Board; and

WHEREAS, The Mayor seeks to re-appoint and the Board of Commissioners concurs with the re-appointment of David Hepperle, residing at 6805 Madison Street, Guttenberg, N.J., as the Class II member pursuant to N.J.S.A. 40:55D-23; and

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

1. David Hepperle is re-appointed to serve as a Class II member of the Planning Board for one year commencing June 18, 2015 expiring June 17, 2016.

**RESOLUTION**  
**APPOINTMENT OF COMMISSIONER GUZMAN AS A CLASS III MEMBER**  
**OF THE TOWN OF WEST NEW YORK PLANNING BOARD**

WHEREAS, the Board of Commissioners is responsible for the appointment of a Class III member to the Town of West New York Planning Board; and

WHEREAS, a vacancy exists on the Planning Board due to the resignation of Commissioner Fior D'Aliza Frias effective February 18, 2015 as a Class III member; and

WHEREAS, Commissioner Guzman, residing at 313 50<sup>th</sup> Street, is eligible to serve as a Class III member pursuant to N.J.S.A. 40:55D-23; and

**June 17, 2015**  
***Regular Meeting***

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

WHEREAS, the Board of Commissioners seeks to appoint a new Class III member; and

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

1. Commissioner Guzman is appointed to serve as a Class III member of the Planning Board for one year commencing June 18, 2015 expiring June 17, 2016.

**RESOLUTION**  
**APPOINTMENT OF ARIEL ALAVA CLASS I MEMBER**  
**OF THE TOWN OF WEST NEW YORK PLANNING BOARD**

WHEREAS, the Mayor is responsible for the appointment of the Class I member, who is the designee of the Mayor, to the Town of West New York Planning Board; and

WHEREAS, the Class I designee serves at the pleasure of the Mayor and the Mayor seeks to appoint a new designee; and

WHEREAS, The Mayor seeks to appoint and the Board of Commissioners concurs with the appointment of Ariel Alava, residing at 5701 Kennedy Boulevard East., Apt. 13L, West New York, New Jersey, 07093 as the Class I Mayor's designee to the West New York Planning Board, pursuant to N.J.S.A. 40:55D-23; and

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

1. Ariel Alava is appointed to serve as the Class I designee of the Mayor to the West New York Planning Board to serve at the pleasure of the Mayor.

**RESOLUTION**  
**APPOINTMENT OF CARY PARET**  
**TO THE WEST NEW YORK RENT CONTROL BOARD**

WHEREAS, the Board of Commissioners is responsible for the appointment of members to the West New York Rent Control Board; and

WHEREAS, there is a vacancy on the West New York Rent Control Board since Angela Duval resigned and pursuant to Section 312-14 of the Code of the Town of West New York, members are appointed for one year terms; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York do hereby appoint Cary Paret, residing at 5601 Kennedy Boulevard, Apt. 12K, West New York, New Jersey, 07093 to the unexpired term of Angela Duval on the West New York Rent Control Board for a term commencing June 18, 2015 and ending on December 16, 2015.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the West New York Rent Control Board.

**RESOLUTION**  
**APPOINTMENT OF WENDELL OMS TO**  
**THE WEST NEW YORK HOUSING AUTHORITY**

WHEREAS, the Board of Commissioners is responsible for the appointment of members to the Housing Authority; and

WHEREAS, Margarita Guzman was a member of the Housing Authority and she resigned on February 26, 2015; and

**June 17, 2015**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution (cont.):**

WHEREAS, The Commissioners seeks to appoint Wendell Oms residing at 6217 Adams Street, West New York, New Jersey, 07093 as a member of the Housing Authority Board pursuant to N.J.S.A.40A:12A-17 et. Seq. to fill the unexpired term of Margarita Guzman; and

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

- 1) Wendell Oms residing at 6217 Adams Street, West New York, New Jersey, 07093 shall be appointed as a member of the Housing Authority for a term commencing June 18, 2015 and ending on October 19, 2017

**RESOLUTION**  
**RE-APPOINTMENT OF JOAN A. PALAZZO**  
**AS A MEMBER OF THE ALCOHOLIC BEVERAGE CONTROL BOARD**

WHEREAS, the Board of Commissioners is responsible for the appointment of members to the Alcoholic Beverage Control Board; and

WHEREAS, the Board of Commissioners seek to re-appoint a current member of the Alcoholic Beverage Control Board pursuant to Section 4-3 of the Code of the Town of West New York to new three year term; and

WHEREAS, the re-appointed member is Joan A. Palazzo; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York do hereby re-appoint the following member to the Alcoholic Beverage Control Board:

- 1) Joan A. Palazzo residing at 6050 Boulevard East, unit 18B, for a term of three years which commenced retroactively on June 16, 2014 and ending on June 15, 2017.

**RESOLUTION**  
**RE-APPOINTMENT OF MIREYA DE LA CRUZ AS**  
**SECRETARY OF THE ALCOHOLIC BEVERAGE CONTROL BOARD**

WHEREAS, the Board of Commissioners is responsible for the appointment of staff to the Alcoholic Beverage Control Board; and

WHEREAS, the Board of Commissioners seek to re-appoint the current secretary of the Alcoholic Beverage Control Board pursuant to Section 4-3 of the Code of the Town of West New York to new three year term; and

WHEREAS, the re-appointed secretary is Mireya De La Cruz; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York do hereby re-appoint the following secretary to the Alcoholic Beverage Control Board:

- 1) Mireya De La Cruz residing at 6103 Polk Street, for a term of three years which commence on July 1, 2015 and ending on June 30, 2018.

**RESOLUTION**  
**APPOINTMENT OF SIXTO CARDENA TO**  
**THE WEST NEW YOR PARKING AUTHORITY**

WHEREAS, the Board of Commissioners is responsible for the appointment of members to

the West New York Parking Authority; and

WHEREAS, there is a vacancy on the West New York Parking Authority and pursuant to N.J.S.A. 40:11A-4 members are appointed for five year terms; and

**June 17, 2015**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution (cont.):**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York do hereby appoint Sixto Cardena, residing at 203 Van Orden Avenue, Leonia , New Jersey 07605 to a five year terms on the West New York Parking Authority for a term commencing June 18, 2015 and ending on June 17, 2020.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the West New York Parking Authority.

**RESOLUTION**  
**APPOINTMENT OF MAYOR FELIX E. ROQUE**  
**TO THE NORTH HUDSON SEWERAGE AUTHORITY**

WHEREAS, the Board of Commissioners is responsible for the appointment of members to the North Hudson Sewerage Authority; and

WHEREAS, there is a vacancy on the Board of the North Hudson Sewerage Authority and the Commissioners seek to appoint Mayor Felix E. Roque to file the vacancy; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York do hereby appoint Mayor Felix E. Roque, residing at 5711 Jefferson Street, West New York , New Jersey, to fill the vacancy on the North Hudson Sewerage Authority, commencing June 18, 2015 and ending on June 17, 2020.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the North Hudson Sewerage Authority.

**Note:**      **Corporation Counsel Scarinci advised that this Resolution is amended to reflect the appointment of Mayor Roque instead of Comm. Colacurcio.**

**RESOLUTION**  
**TO APPROVE STREET OPENING PERMIT FOR 423 60th STREET**

WHEREAS, United Water is seeking a street opening permit for the property at the 423 60th Street, in order to repair a water valve; and

WHEREAS, this section of 60th Street was resurfaced in 2014 and pursuant to Section 352-20.G of the Town ordinances, the Board of Commissioners must review and determine whether to approve of a street opening permit if it involves a street that has been resurfaced within the last 5 years; and

WHEREAS, the Town engineer has reviewed this application for a street opening permit and believes it is necessary for the emergency repair of water valve; and

WHEREAS, United Water will abide by all of the Town's ordinances including Section 352-20H and I and paying penalty charges as set forth in the ordinance.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby approve of a street opening permit for United Water for property at 423 60<sup>th</sup> Street order to repair a water valve.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town Engineer for further processing.

**RESOLUTION**  
**TO APPROVE STREET OPENING PERMIT FOR**  
**645 60th STREET AND 5912 WASHINGTON STREET**

WHEREAS, PSE&G is seeking a street opening permit for the property at the 645 60th Street and 5912 Washington Street, for an emergency gas repair; and

WHEREAS, this section of Washington Street was resurfaced in 2011 and pursuant to

**June 17, 2015**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution (cont.):**

Section 352-20.G of the Town ordinances, the Board of Commissioners must review and determine whether to approve of a street opening permit if it involves a street that has been resurfaced within the last 5 years; and

WHEREAS, the Town engineer has reviewed this application for a street opening permit and believes it is necessary for the emergency repair of the gas leak; and

WHEREAS, PSE&G will abide by all of the Town's ordinances including Section 352-20H and I and paying penalty charges as set forth in the ordinance.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby approve of a street opening permit for PSE&G for property at 645 60<sup>th</sup> Street and 5912 Washington Street order to repair an emergency gas leak.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town Engineer for further processing.

**RESOLUTION**  
**TO APPROVE STREET OPENING PERMIT FOR**  
**INTERSECTION OF WASHINGTON STREET AND 61<sup>ST</sup> STREET**

WHEREAS, United Water is seeking a street opening permit for the property at the intersection of Washington Street and 61<sup>st</sup> Street, in order to repair a water valve; and

WHEREAS, this section of 61st Street was resurfaced in 2011 and pursuant to Section 352-20.G of the Town ordinances, the Board of Commissioners must review and determine whether to approve of a street opening permit if it involves a street that has been resurfaced within the last 5 years; and

WHEREAS, the Town engineer has reviewed this application for a street opening permit and believes it is necessary for the emergency repair of a water valve; and

WHEREAS, United Water will abide by all of the Town's ordinances including Section 352-20H and I and paying penalty charges as set forth in the ordinance.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby approve of a street opening permit for United Water for the intersection of Washington Street and 61<sup>st</sup> Street order to repair a water valve.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town Engineer for further processing.

**RESOLUTION**  
**APPROVING THE CLOSURE OF TRUST FUND BANK**  
**ACCOUNTS WITH TD BANK**

WHEREAS, the Town of West New York holds commercial bank accounts in TD Bank, 6050 Bergenline Avenue, West New York, New Jersey; and

WHEREAS, TD Bank holds amounts on deposit in the following bank accounts:

<u>Account #</u>	<u>Account Name</u>
1. 214-0001189	TOWN OF WNY INS FUND COMM LIABILITY ACCOUNT

WHEREAS, the amounts on deposit will be transferred to the newly established bank

**June 17, 2015**  
***Regular Meeting***

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

accounts in the same name at Valley National Bank, 5712 Bergenline Avenue, West New York, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson that the aforementioned bank accounts, balances on hand, plus any additional accrued interest, up to the date of closure, shall be transferred to the bank accounts in the same name at Valley National Bank.

BE IT FURTHER RESOLVED, that the aforementioned bank accounts TD Bank shall be closed immediately upon transfer of said balances on hand to the bank accounts in the same name at Valley National Bank.

**RESOLUTION**  
**APPOINTING MUNICIPAL COURT JUDGE**

WHEREAS, Municipal Court Judge Charles D'Amico has retired and the Board of Commissioners seeks to appoint a new judge to take his place; and

WHEREAS, Armando Hernandez Esq. was a Municipal Court judge for West New York in the past under a prior Mayor and Commissioners; and

WHEREAS, the Commissioners have determined to appoint Armando Hernandez to fill the unexpired term of retired Judge D'Amico as a municipal court judge for the Town of West New York; and

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Town of West New York do hereby approve of appointment of Armando Hernandez as a municipal court judge in the West New York Municipal Court, whose term shall commence on June 18, 2015 and expire on May 21, 2016.

BE IT FURTHER RESOLVED, that Judge Hernandez shall be paid \$50,000.00 per year for the services rendered.

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are hereby authorized to take all necessary action to advise the assignment judge for Hudson County, of the term of office of Municipal Court Judge Armando Hernandez.

**RESOLUTION**  
**ESTABLISHING SEARCH COMMITTEE**  
**FOR CHIEF FINANCIAL OFFICER**

WHEREAS, the Chief Financial Officer for the Town of West New York has resigned and the Town seeks to hire a new Chief Financial Officer; and

WHEREAS, the Town of West New York seeks to establish a committee to conduct a comprehensive and extensive search to find the best Chief Financial Officer for West New York; and

WHEREAS, the Town of West New York asks the committee to review possible candidates and to make recommendations to the Commissioners for a new Chief Financial Officer as soon as possible; and

WHEREAS, the committee consists of Corporate Counsel Donald Scarinci, Business Administrator Matthew Watkins and Commissioner of Revenue and Finance Susan Colacurcio;

and

WHEREAS, Commissioner Susan Colacurcio shall be the Chairwoman of the committee.

**June 17, 2015**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution (cont.):**

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that a committee is hereby established to make recommendations to the Commissioners for hiring of a new Chief Financial Officer.

BE IT FURTHER RESOLVED, that the committee shall be comprised of Corporate Counsel Donald Scarinci, Business Administrator Matthew Watkins and Chairwoman, Commissioner of Revenue and Finance Susan Colacurcio.

BE IT FURTHER RESOLVED, that the committee shall present their recommendation of a candidate to fill the position of Chief Financial Officer to the Board of Commissioners as soon as possible.

**RESOLUTION**  
**APPROVING PURCHASE OF CHEVROLET TAHOE**

WHEREAS the Town of West New York (“Town”) joined the Cranford Co-operative Purchasing Program; and

WHEREAS, pursuant to N.J.S.A. 40A:11-11 and through the Cranford Co-Operative Purchasing Program, the Town is able to purchase a Chevrolet Tahoe without bidding since the Cooperative has already bid this contract; and

WHEREAS, the cost of 2015 Chevrolet Tahoe is \$41,763.84; and

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Town of West New York do hereby approve of the purchase of the Chevrolet Tahoe Vin #1GNSK2KC8FR630110 from Mall Chevrolet, pursuant to the Cranford Co-Operative Purchasing Program, in accordance with the attached estimate for a total price of \$41,763.84 with the Town making 12 quarterly payments of \$3,480.32 each.

A certification of availability of funds is on file in the Clerk’s Office for this contract.

**ORDINANCE #2/15**

**An Ordinance Entitled Salary Ordinance for Patrol Officers of the  
West New York Police Department 1/1/2015 to 12/31/2019**

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

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

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Inasmuch as no one wished to be heard**, it was regularly moved by Commissioner Cirillo, seconded by Commissioner Colacurcio, to **close the public hearing and adopt** this Ordinance, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**June 17, 2015**  
**Regular Meeting**

**ORDINANCE #3/15**

**An Ordinance Amending Ordinance #16/12 entitled: “An Ordinance establishing Salaries for Superior Officers of the West New York Police Department”**

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

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

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Inasmuch as no one wished to be heard**, it was regularly moved by Commissioner Cirillo, seconded by Commissioner Colacurcio, to **close the public hearing and adopt** this Ordinance, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**ORDINANCE #4/15**

**An Ordinance Amending Chapter 277 Article 4 of the Town of West New York Municipal Code Regarding Handicapped Parking Permits**

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

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

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Inasmuch as no one wished to be heard**, it was regularly moved by Commissioner Cirillo, seconded by Commissioner Colacurcio, to **close the public hearing and adopt** this Ordinance, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**ORDINANCE #5/15**

**An Ordinance Amending Chapter 161 of the Code of the Town of West New York Entitled “Construction Code, Uniform”**

**Note:** \_\_\_\_\_ **Town Clerk Carmela Riccie read the title of the foregoing Ordinance**

**aloud.**

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

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**June 17, 2015**  
***Regular Meeting***

**Inasmuch as no one wished to be heard**, it was regularly moved by Commissioner Cirillo, seconded by Commissioner Colacurcio, to **close the public hearing and adopt** this Ordinance, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**BOND ORDINANCE #7/15**

**An Ordinance of the Town of West New York, in the County of Hudson, New Jersey  
Providing for Road Improvement Projects in the Town of West New York and  
Appropriating \$1,235,000 therefor and Providing for the Issuance of \$924,629 in  
Bonds of Notes of the Town of West New York to finance the same**

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

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Guzman to **adopt the introduction** of the foregoing Ordinance was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**NOTICE OF PENDING BOND ORDINANCE AND SUMMARY #7/15**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Town of West New York, in the County of Hudson, State of New Jersey, on **June 17, 2015**. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 428 60th Street, West New York, New Jersey on **July 15, 2015 at 12:00 Noon**. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE #7/15**

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR ROAD IMPROVEMENT PROJECTS IN THE TOWN OF WEST NEW YORK AND APPROPRIATING \$1,235,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$924,629 IN BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME

Purpose: reconstruction of various roads in the Town to Class B standards (as provided in the Local Bond Law), including , but not limited to, constructing compliant ramps and bicycle safe

grates on inlets, said roads to include 61st, 62nd, and Jefferson Streets and Buchanan, Westover, Highland and Johnson Places, and such other roads as may be identified on a list on file from time to time in the office of the Town Clerk, and including all work and materials necessary therefor and incidental thereto.

Appropriation: \$1,235,000

Bonds/Notes Authorized: \$924,629

**June 17, 2015**  
***Regular Meeting***

Grants (if any) Appropriated: \$310,371

Section 20 Costs: \$320,000

Useful Life: 10 Years

**NOTE: TOWN CLERK RICCIE ADVISED THAT ALL ORDINANCES BEING INTRODUCED TODAY WOULD BE RETURNABLE FOR HEARING/ADOPTION ON JULY 15, 2015 AT 12:00 NOON. SHE FURTHER ANNOUNCED THAT ANYONE REQUESTING A COPY OF ANY ORDINANCE SHALL DO SO AT THE OFFICE OF THE TOWN CLERK AT NO CHARGE.**

#### **REFUNDING BOND ORDINANCE #8/15**

**An Ordinance providing for payment of amounts owing to others for taxes levied in and by the Town of West New York, in the County of Hudson, New Jersey appropriating \$1,690,000 therefor and authorizing the issuance of \$1,690,000 Bonds or Notes of the Town of West New York for financing the cost thereof**

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

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo to **adopt the introduction** of the foregoing Ordinance was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

#### **NOTICE OF PENDING REFUNDING BOND ORDINANCE #8/15**

PUBLIC NOTICE IS HEREBY GIVEN that the bond ordinance published herewith was duly introduced and passed upon first reading at a regular meeting of the Board of Commissioners of the Town of West New York, in the County of Hudson, New Jersey, held on **June 17, 2015**. Further notice is hereby given that said bond ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Board of Commissioners to be held in the Municipal Building, 428 60th Street, West New York, New Jersey 07632, on **July 15, 2015 at 12:00 pm**, and during the week prior to and up to and including the date of such meeting, copies of said bond ordinance will be made available at the Town Clerk's office in the Municipal Building to the members of the general public who shall request the same.

#### **ORDINANCE #9/15**

**An Ordinance authorizing background checks for certain volunteers**

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

**aloud.**

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

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**June 17, 2015**  
***Regular Meeting***

**NOTICE**  
**ORDINANCE #9/15**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **June 17, 2015** and ordered published, and will be further considered before final passage at a public hearing on **July 15, 2015 at 12:00 noon** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

**ORDINANCE #10/15**

**An Ordinance Amending Chapter 69-100, Creation of the Office of the Municipal Administrator**

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

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo to **adopt the introduction** of the foregoing Ordinance was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**NOTICE**  
**ORDINANCE #10/15**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **June 17, 2015** and ordered published, and will be further considered before final passage at a public hearing on **July 15, 2015 at 12:00 noon** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

**ORDINANCE #11/15**

**An Ordinance Amending Chapter 56-9, "Assignment of Department"**

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

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Guzman to **adopt the introduction** of the foregoing Ordinance was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**June 17, 2015**  
***Regular Meeting***

**NOTICE**  
**ORDINANCE #11/15**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **June 17, 2015** and ordered published, and will be further considered before final passage at a public hearing on **July 15, 2015 at 12:00 noon** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

**ORDINANCE #6/15**

**Calendar Year 2015 Ordinance to Exceed the Municipal Budget  
Appropriation Limits and to Establish CAP Bank (N.J.S.A 40A:4-45.1)**

**Note:** Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud and announced that this Ordinance is returnable on **July 15, 2015 at 12:00 p.m. in the Court Chambers. Mr. Watkins explained that when you don't use all CAP appropriations, municipalities are allowed to "bank it" for two (2) years. He explained that without introducing this Ordinance municipalities are not allowed to use the money such as appropriating funds for natural disasters and emergencies and this is a tool used when needed.**

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Guzman to **adopt the introduction** of the foregoing Ordinance was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**NOTICE**  
**ORDINANCE #6/15**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **June 17, 2015** and ordered published, and will be further considered before final passage at a public hearing on **July 15, 2015 at 12:00 noon** 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.

**June 17, 2015**  
***Regular Meeting***

**RESOLUTION**  
**RE: Introduction of Municipal Budget 2015**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Calendar Year 2015; and

BE IT RESOLVED, that said Budget be published in the Jersey Journal in the issue of June 20, 2015; and

The Governing Body of the Town of West New York does hereby approve the following as the Budget for the year 2015:

Recorded Vote:

	Com. Cirillo		
	Com. Colacurcio	ABSTAINED:	NONE
AYES:	Com. Guzman	ABSENT:	NONE
	Com. Rodriguez	NAYS:	NONE
	Mayor Roque		

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson on June 17, 2015.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on July 22, 2015 at 12:00 o'clock (p.m.) at which time and place objections to said Budget and Tax Resolution for the Calendar year 2015 may be presented by taxpayers or other interested persons.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Note:** Town Clerk read the title of the foregoing resolution aloud. Ms. Riccio announced that all budgetary questions/comments could be presented at the Special Meeting to be scheduled for July 22, 2015 at 12:00 p.m. Mr. Watkins explained that budgets are not easy and no one really wants to raise taxes; however, he explained that West New York has kept its promise on not raising taxes in 4+ years. He explained that after much consideration and the Mayor meeting with the County Executive, the town is forced to raise taxes approximately 3.5% which equates to a \$24.00 increase per quarter. He explained that dramatic changes have transpired this last year and the Town's spending is up 1.2% or about \$900,000.00 due to labor contracts. He also added that Taxes only amount to about 45% of the Town's revenue and that "operational changes" will need to be made to reduce costs. He expressed that we are far better off than most municipalities. Mayor Roque added that in his inaugural speech he said that we need to work together to keep spending down, and the Town would have to make sacrifices. He added that property values are going up but he does not feel good today about the new increases. (Mr. Watkins

explained the contents of the remaining budgetary resolutions, which are set forth below.)

**(See Introduced Budget attached hereto at end of these Minutes.)**

**June 17, 2015**  
***Regular Meeting***

**RESOLUTION**  
**MAKING APPLICATION TO THE LOCAL FINANCE BOARD**  
**PURSUANT TO NJSA 40A:2-51 AND NJSA 40A:3-4**  
**(RE: BOND ORDINANCES 7/15 AND 8/15)**

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 for its review and or approval of (i) a refunding bond ordinance for amounts owed to others for taxes levied in the Town and the issuance of bonds and notes thereunder pursuant to N.J.S.A.40A:2-51, (ii) a bond ordinance providing for the reconstruction of roads and (iii) for the Board’s approval of the ordinances pursuant to N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act; and

WHEREAS, the Town believes that:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purposes or improvements are for the health, welfare, 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 Town’s Chief Financial Officer, Bond Counsel, Financial Advisor and 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 is hereby directed to prepare and file a copy of this resolution and the Ordinances as introduced with the Local Finance Board 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.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

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

**June 17, 2015**  
**Regular Meeting**

**RESOLUTION**  
**AUTHORIZING TEMPORARY CAPITAL BUDGET**  
**FOR 2015 OF THE TOWN OF WEST NEW YORK, COUNTY OF HUDSON**

WHEREAS, the Board of Commissioners of the Town of West New York, County of Hudson, desires to constitute the 2015 Temporary Capital Budget by inserting therein the Road Improvement Projects; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey on this 17th day of June 2015 as follows::

1. The 2015 Temporary Capital Budget of the Town of West New York is hereby constituted by the adoption of a schedule to read as follows:

Project No. 1  
*Temporary Capital Budget of the Town of West New York*  
*County of Hudson, New Jersey*

Project Schedules for 2015  
*Road Improvement Projects*

*Method of Financing*

Project	Est Costs	Budget Appropri.	Capital Grants	Capital Fund Bal	Capital Serial Bonds	General
Road Impr	\$1,235,000	\$0	\$310,371	\$0	\$924,629	

2. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

It was regularly moved by Commissioner Colacurcio, seconded by Mayor Roque, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

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

**RESOLUTION**  
**AUTHORIZING THE ISSUANCE OF ESTIMATED TAX BILLS**  
**PURSUANT TO N.J.S.A. 54:4-66.2 et seq.**

WHEREAS, the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, has determined that the Tax Collector was unable to complete the mailing and delivery of the tax bills by June 15, 2015 for various reasons including the absence of a certified tax rate; and

WHEREAS, the municipal Tax Collector in consultation with the municipal Chief Finance Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72 P.L. 1994, the Tax Collector requests the Board of Commissioners approve the estimated tax levy of \$64,378,261.50 at a tax rate of \$7.125. Approval will enable the municipality to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey on this 17th day of June 2015 as follows:

**June 17, 2015**  
**Regular Meeting**

**Resolution (Cont.):**

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of West New York for the third quarter installment of 2015 taxes. The Tax Collector shall proceed upon approval of the Director of the Division of Local Government Services and take such action as permitted and required by P.L. 1994 c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

2. The entire estimated tax Levy for 2015 is hereby set at \$64,378,261.50. The estimated tax rate for 2015 is hereby set at \$7.125.

3. In accordance with law, the third quarter installment of 2015 shall not be subject to interest until after the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Tax Collector and CFO of the Town of West New York for their records.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Note:** Town Clerk read the title of the foregoing resolution aloud. Mr. Watkins explained that this resolution will estimate what taxes will be per quarter. He announced that if anyone needed an explanation on said resolution, he would gladly explain.

A Motion was made by Commissioner Colacurcio, seconded by Commissioner Guzman, **to open Public Portion of meeting**, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

**Public Portion:**

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

**1. Wayne Cook, 6131 Jackson Street, West New York, NJ:**

Mr. Cook was annoyed about Ordinance O-7 arguing who gets to pick and choose whose background gets screened, and whose does not. Mr. Scarinci addressed his concern directly

by stating that reason for this is because of the summer program. Mr. Cook's second concern was about the lack of maintenance in the lot on 61<sup>st</sup> Street and Madison. He mentioned that this lot looks like a "jungle" and every time he complains the lot gets cleaned; however, there is no consistency in maintaining it. He expressed that he wanted something done with this matter. Mr. Cook commended the West New York Police department for their exceptional work in arresting the 3 suspects that murdered the individual on 67<sup>th</sup> & Dewey Avenue.

**June 17, 2015**  
***Regular Meeting***

**Public Portion (cont):**

**2. Sheila Dunne, 117 – 61<sup>st</sup> Street, West New York, NJ:**

Ms. Dunne raised concerns about Nu-Way Concessionaires wasting the Town's money by throwing food away. She expressed that food was being thrown out in schools and this was a disgrace. Mayor Roque explained that by law what isn't consumed has to be disposed. She feels the Town should initiate a program similar to what the restaurants do, that we should donate unused food items to the needy. Commissioner Colacurcio addressed this stating that due to federal laws and health and safety issues unused food cannot be donated to food shelters; to which Ms. Dunne countered that schools used to coordinate overages and send to other schools in need. Commissioner Cirillo advised that any concerns pertaining to the Board of Education must be addressed at their scheduled meetings. Commissioner Rodriguez also advised that the Town was not allowed to talk about Board of Education issues.

**3. Rafael Sanchez, 5907 Buchanan Place, West New York, NJ:**

Mr. Sanchez congratulated the governing body on their election victory. He also wanted to go on record about his concerns regarding safety issues people are experiencing at the intersection of 59<sup>th</sup> Street and Buchanan Place, which he said is "dangerous". He explained that cars speed and drive in the wrong direction and is concerned about the children playing in the area. He suggested that the town install a speed bump to discourage speeding. Mayor Roque thanked Mr. Sanchez for his concern and suggested a meeting with Police Director Antolos and Commissioner Rodriguez to address this matter. Commissioner Rodriguez consented to the suggestion.

**4. John Heinis, 78 Montclair Avenue, Little Falls, NJ:**

Mr. Heinis (Hudson County View Reporter) wanted clarification on the budget/taxes. Mr. Heinis wanted to know how much the budget was for the year 2015. Mr. Watkins informed him that this year's budget was \$76,674,312.00. Mr. Heinis questioned if this year's budget was more than last year's to which Mr. Watkins informed him that this year's budget was \$900,090 more than 2014 with a 3.82% tax increase. Mr. Watkins explained that there was a need for a tax increase which is less than the county's 10% increase. The Town administrator explained that the Town has no control over how much the County raises taxes.

A motion was made by Commissioner Colacurcio, seconded by Commissioner Guzman, **to close the Public Portion at 1:10 pm**, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None

ABSENT - None

**Note:** At this point, Town Clerk Riccio read the following Closed Executive Session aloud, in full. Mr. Scarinci again advised that this is the only Public Portion which will take place during this meeting and no additional Public Portion will take place after governing body returns from Executive Session. He reiterated that he expects Executive Session to take approx. 2-3 hours and that action is likely to be taken subsequently as a result of Executive Session. He further stated that those Resolutions will be placed on the Agenda after conclusion of Executive Session. He further advised that the Governing Body will remain in Court Chambers for Closed Executive Session.

June 17, 2015  
*Regular Meeting*

**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)(7), the discussion of the terms of the settlements of the following litigation:
  - a) Indira Velasquez v. West New York Docket #HUD-L-3342-13
  - b) Zeituna v. West New York Docket #HUD-L-6093-11
  - c) Wiley v. Roque Docket # HUD-L-002402
  - d) Acosta v. Wiley Docket # HUD-L-5839-13
  - e) Richie Rivera v. Wiley Docket # HUD-L-1262-14
  - f) Tax appeals- See list of tax appeals attached.

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(b) at such time as the matter necessitating the discussion of the litigation has been concluded, to the extent disclosure is not prohibited by other law.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque  
NAYS - None  
ABSENT - None

A motion was made by Commissioner Cirillo, seconded by Commissioner Guzman, to reconvene the meeting at 3:04 p.m. was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez  
NAYS - None  
ABSENT - Mayor Roque

**Note:** Mr. Scarinci advised that as a result of Closed Executive Session, the following Resolutions would be added to the Agenda marked

**R-32 thru  
R-35 and that the Governing Body is prepared to take action on all  
four (4) Resolutions. He briefly explained the contents of each  
Resolution.**

**June 17, 2015  
Regular Meeting**

**RESOLUTION  
AUTHORIZING SETTLEMENT AGREEMENT  
IN THE MATTER KNOWN AS  
ZEITUNA SUPERMARKET, LLC., ET AL v. TOWN OF WEST NEW YORK**

WHEREAS, the Town of the West New York is involved in a civil action in the Superior Court captioned as follows:

Zeituna Supermarket, LLC., et al. v. Town of West New York Docket # HUD-L-6093-11

WHEREAS, the Town and its employees admit no wrong doing or liability; and

WHEREAS, the Town, through Counsel, has settled the litigated matter subject to governing body approval, and upon such approval and upon receipt of appropriate closing documents by Counsel for West New York, 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 or release in a form acceptable to 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.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, and Rodriguez  
NAYS - None  
ABSENT - Mayor Roque

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

**RESOLUTION  
RE: AUTHORIZING TAX APPEAL ATTORNEY TO SETTLE THE CASES SET  
FORTH ON THE "SETTLED CASE" LIST  
DATED JUNE 17, 2015 ATTACHED HERETO**

**"SETTLED CASE" LIST v. TOWN OF WEST NEW YORK**

WHEREAS, the names set forth on the attached “settled case” list are owners of real estates known as Block and Lots stated on said list; and

WHEREAS, the owners set forth on the “settled case” list have filed tax appeals challenging the assessments for the referenced tax years on said list; and

WHEREAS, each Block and Lot listed therein were assessed in for the noted tax years in the amounts stated; and

WHEREAS, the owners are seeking a reduction in the total assessment for said Block and Lots; and

WHEREAS, the Town’s Tax Appeal Attorney, Marc A. Raso, Esq. has conducted a review of certain prior settlements and has consulted and reviewed said settlements with the City’s Assessor

**June 17, 2015**  
***Regular Meeting***

**Resolution (Cont.):**

and/or Appraiser, Michael Jaeger, C.T.A., and has reviewed same with the respective counsel for the taxpayers; and

WHEREAS, the parties have been able to confirm certain settlements that had previously been negotiated by Town’s prior tax appeal attorneys, for the revised assessments set forth on the attached “settled case” list; and

WHEREAS, the parties have been able to negotiate additional settlements, for the revised assessments that are likewise set forth on the attached “settled case” list; and

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

WHEREAS, the Town’s Tax Appeal Attorney, Marc A. Raso, Esq. and the Town’s Assessor and/or Appraiser, Michael Jaeger, C.T.A., are in agreement with the terms of said settlements and believe that it would be in the best interest of the Town to settle said cases in accordance with the terms as stated on the “settled case” list; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of West New York agrees to authorize the Tax Appeal Attorney to execute Stipulations of Settlement on behalf of the Town of West New York with respect to the cases on the “settled case” list pending in the Tax Court of New Jersey for the tax years and at the new assessments stated on said list; and

BE IT FURTHER RESOLVED that upon receipt of the Tax Court Judgments for the appeals set forth on the “settled case” list, the Tax Collector is authorized to calculate the amount of the refund and cause same to be paid within by the earlier of: one (1) year from the date of the Town of West New York’s receipt of the last Tax Court Judgment issued in this matter (said judgment(s) enforcing the within settlement and/or resulting from any “Freeze Act” application, if the “Freeze Act” is deemed applicable); or sixty (60) days from the date of the Town of West New York's receipt of bond proceeds (including any BAN), obtained in connection with said matter, including, but not limited to, any “Freeze Act” application, if the “Freeze Act” is deemed applicable; and

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

**(See List of Tax Appeal Settlements attached to end of these Minutes.)**

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Guzman, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, and Rodriguez  
NAYS - None

ABSENT - Mayor Roque

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

**RESOLUTION**  
**AUTHORIZING SETTLEMENT AGREEMENT**  
**IN THE MATTER KNOWN AS**  
**INDIRA VELASQUEZ V. WEST NEW YORK**

WHEREAS, the Town of the West New York is involved in a civil action in the Superior Court captioned Indira Velasquez v. West New York, *et. al.*, with Docket Number HUD-L-3342-13; and

WHEREAS, the Town and its employees admit no wrong doing or liability; and

**June 17, 2015**  
***Regular Meeting***

**Resolution (Cont.):**

WHEREAS, the Town, thru Counsel, has settled the litigated matter subject to governing body approval, and upon such approval and upon receipt of appropriate closing documents by Counsel for West New York, 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 or release in a form acceptable to 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.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, and Rodriguez  
NAYS - None  
ABSENT - Mayor Roque

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

**RESOLUTION**  
**AUTHORIZING GLOBAL SETTLEMENT AGREEMENT**  
**IN THE MATTERS KNOWN AS**  
**WILEY v. ROQUE, ACOSTA v. WILEY AND RICHIE RIVERA v. WILEY**

WHEREAS, the Town of the West New York is involved in three civil actions in the Superior Court captioned as follows:

Wiley v. Roque Docket# HUD-L-002402  
Acosta v. Wiley Docket# HUD-L-5839-13  
Richie Rivera v. Wiley Docket# HUD-L-1262-14

WHEREAS, the Town and its employees admit no wrong doing or liability; and

WHEREAS, the Town, through Counsel, has settled the litigated matters subject to governing body approval, and upon such approval and upon receipt of appropriate closing documents by Counsel for West New York, 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 or release in a form acceptable to Counsel for West New York and implementation of the executory provisions thereof.

**June 17, 2015**  
***Regular Meeting***

**Resolution (Cont.):**

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.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo, that the above Resolution be adopted, was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, and Rodriguez  
NAYS - None  
ABSENT - Mayor Roque

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

A motion was made by Commissioner Colacurcio, seconded by Commissioner Rodriguez, to **adjourn the meeting at 3:08 p.m.** was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, Rodriguez  
NAYS - None  
ABSENT - Mayor Roque

\_\_\_\_\_  
Commissioner Cosmo A. Cirillo

\_\_\_\_\_  
Commissioner Susan M. Colacurcio

\_\_\_\_\_  
Commissioner Margarita Guzman

\_\_\_\_\_  
Commissioner Gabriel Rodriguez

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

Attest: \_\_\_\_\_

Carmela Riccie, RMC  
Town Clerk