

September 16, 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, September 16, 2015 at 7:00 p.m. (6:00 p.m. Work Session):

Present: Commissioners Cirillo, Colacurcio, Guzman, Rodriguez, and Mayor Roque
Absent: None
Also Present: Town Administrator Matthew U. Watkins, Town Clerk Carmela Riccie, Corporation Counsel Donald Scarinci, Adelunny Plaza and Sarita Serrano (Town Clerk's Office)

Meeting commenced at 8:07 p.m.

Town Clerk Carmela Riccie 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 September 16, 2015 at 7:00 p.m. (6:00 p.m. 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.

Minutes of Previous Meeting:

It was regularly moved by Commissioner Colacurcio, seconded by Mayor Roque, that the Minutes of Regular Meeting: 8/19/2015 (Regular Session), was carried by the following vote:

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

Claims: Dated 9/16/15 (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

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Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF AUGUST 2015

1. From Construction Code Official Office, reporting the sum of \$63,286.00 Collected for the month of August, 2015.
2. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$8,600.00 For Special Licenses for the month of August, 2015.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$666.00 For Marriage/death certificates for the month of August, 2015.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$74.80 For Dogs Licenses for the month of August, 2015.
5. From (Revenue and Finance Department) reporting the sum of \$14,530,317.21 Collected for the month of August, 2015.
6. From (Revenue and Finance Department) reporting the sum of \$6,001,254.71 Collected for the month of July, 2015.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$0.00 collected for the month of August, 2015.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo, 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: Town Administrator Watkins thanked the Mayor, Commissioners, and constituents for the opportunity that he was given to manage this Town for the past year. He explained that resigning was a very difficult decision to make; however, he was given an opportunity to manage his hometown Bloomfield, NJ. He commented about the accomplishments he has made in WNY and thanked the Mayor for having the confidence in him to do the job needed. Mr. Watkins commented that he enjoyed working with all of us and especially thanked Mr. Scarinci for his "friendship and guidance". He jokingly thanked Town Clerk Riccio and "her shoes". Mayor Roque along with the Commissioners thanked him for his services and the Mayor commented that he saved the Town a lot of money and was grateful for his service.

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Communication
Resignation Letter of Town Administrator Watkins



4B.

TOWN OF WEST NEW YORK
OFFICE OF THE TOWN ADMINISTRATOR
428 60th Street, West New York, New Jersey 07093

SEP 16 2015

Matthew U. Watkins
Administrator

Phone: (201) 295-5119
Fax: (201) 861-2797
Email: mwatkins@westnewyorknj.org

To: Mayor Felix Roque
Commissioner Susan Colacurcio
Commissioner Gabriel Rodriguez
Commissioner Cosmo Cirillo
Commissioner Margarita Guzman

C: Corporation Counsel Donald Scarinci
Town Clerk Carmela Ricci

From: Matthew U. Watkins, Administrator

Date: September 9, 2015

Re: Resignation

Effective October 4, 2015, I resign as the Business Administrator for the Town of West New York. On October 5th, I assume the position of Township Administrator for the Township of Bloomfield.

I take this opportunity to thank you for the honor to serve the wonderful residents of West New York. While I may have been here only one year, I believe that together, we have accomplished many projects that has, and will save the tax payers of this community millions of dollars; that was my goal.

I am truly blessed to have worked with all of you and believe this town will continue to be well served by your commitment to public service. If I can be of any assistance in the future, I would be pleased to oblige.

God bless you always.

Sincerely Yours,

Matthew U. Watkins

Leading the Future

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Communication
Re: Town Engineer's Monthly report
Dated 9/10/2015 from CME Associates

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: September 10, 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 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 and benches. 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.
- 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.
- The project is partially funded by a matching Green Acres grant, Hudson County Open Space grants and a CDBG.
- We obtained Hudson County Planning Board approval at their August 20, 2014 meeting
- We held a preconstruction meeting on May 6, 2014. To date the contractor has completed the structural retaining wall excavation, concrete foundations and retaining wall pre-cast structures, completed the upper wall installation and lower decorative brick wall. They have installed the stamped concrete walkways and patio areas except for an area which will remain open to access the slope. They are currently installing the railings, patio tables and exercise equipment.
- We had prepared an amended concept plan for improvements to the slope in addition to a dog park in the existing upper park area. We are working with the contractor to obtain costs for this work so the park can be completed.

□ **FY2013 NJDOT Municipal Aid Grant and 2013 Road Program**

- We had prepared and submitted the FY2013 NJDOT Municipal Aid Grant application to the NJDOT for the following roads:
 - 60th Street from Buchanan Place to Bergenline Avenue (2000'-Half Width).
 - 65th Street from Broadway Avenue to Park Avenue (675')
 - 51st Street from JFK West to Bergenline Avenue (615')
 - 66th Street from Hudson Avenue to JFK East (2060')

The project was advertised for the receipt of bids on December 27, 2013 with the bid opening on February 4, 2014. The apparent low bid was submitted by A.J.M. Contractors, Inc. of Clifton, New Jersey, with a bid of \$869,742.50. The Town has

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Town Engineer's Report (cont.):

- 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 62nd 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.
- Town Tax Map Revisions
- We have completed the update of the Town's existing tax maps for a State revaluation process. We have submitted the tax maps to the State for 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 the punchlist items. We attended a meeting on September 3, 2015 to review the items and discuss methods of repair. We are awaiting a schedule from the contractor for the punchlist item repairs.
- 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:
 - 60th Street from JFK Blvd West to Madison Avenue (1425')
 - 51st Street from Bergenline Avenue to Broadway Avenue (1575')
 - Gaw Place from 56th Street to Southern terminus. (200')
 - NJDOT FY2015 Trust Fund Grants: The FY2015 NJDOT Grant applications were due October 14, 2014. We have prepared and submitted the grant applications for the following roads which received a grant in the amount of \$310,371.00:
 - 61st St. from JFK Blvd West to Bergenline Ave (1,760');
 - 62nd St. from JFK Blvd West to Bergenline Ave (1,555') and Jefferson St. from 62nd St. to 64th St (560');
 - Buchanan Pl. from 62nd St. to 59th St. (1,305') and Westover Pl. from Buchanan Pl. to Park Ave (320');
 - Highland Pl. from 62nd St. to John F. Kenney Blvd East (605');
 - Johnson Pl. from 61st St. to its Terminus (285').
 - NJDOT FY2016 Trust Fund Grants: The FY2016 NJDOT Grant applications are due October 20, 2015.

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Communication

Re: Town Engineer's Monthly report

Dated 9/10/2015 from Remington & Vernick Engineers

**TOWN OF WEST NEW YORK
ENGINEER'S REPORT**

SEPTEMBER 2015

This is the first formal monthly report provided by Remington, Vernick & Arango to the Town of West New York.

A. MISCELLANEOUS ACTIVITIES

1. This office has met with the Department of Public Works to select roadway improvement projects for the FY2016 NJDOT Municipal Aid Grant application. We will be providing a copy of the application with our recommendations to the Town of West New York for the October 2015 meeting of the Governing Body.
2. This office has provided the attached proposal for the preparation of Bid Documents for the replacement of the existing stand-by generator at the Municipal building. The County of Hudson is providing approximately \$132,000.00 for the generator. Our preliminary estimate for the installation is in the range of \$150,000.00 to \$200,000.00. The project will include the reconstruction of a number of electrical panels in the municipal building to reduce clutter and confusion as to the circuits that the panels operate, as well as to address potential code issues.
3. This office is attaching our proposal for the upgrade of the public restrooms in the municipal building foyer to bring them into compliance with the American's with Disabilities Act and recommends that the work be authorized.
4. This office is attaching our proposal to inspect the exterior façade of the Municipal Building to identify the issues of water intrusion which has been an ongoing issue.
5. Ongoing roof leak investigations has found that work needs to be completed in the area of a roof scupper. This office will be requesting an estimate from the Town's on-call repair company to address the roof scupper.
6. Ongoing roof leak investigation has found a broken roof leader that runs under the Police Department. This office will be preparing a proposal to prepare bid documents bid documents to resolve the matter. A public bid is required due to the anticipated cost of the work. This office is currently working on the required permit from the North Hudson Sewerage Authority for a connection to their system.
7. This office was requested to assist in the preparation of grant application documents for repairs to Hudson Hall. We understand that a meeting on the matter was held on August 28, 2015 and we await further direction.

B. CAPITAL PROJECTS

1. The bid documents for the 2014 Road Program are complete. The requirement to install curb ramps at the intersections of roadways being improved has created a conflict with a storm inlet at one of the intersections. We are currently working to obtain a permit from the North Hudson Sewerage Authority to relocate the inlet. Once that permit is in hand, we will bid the project for Spring 2016 construction.

C. INSPECTIONS

1. K. Hovnanian/Port Imperial: This project will be under way shortly

Respectfully submitted by: Thomas R. Lemanowicz, P.E., P.P., C.M.E., C.F.M.

Cc: Edward Vernick, Richard Arango, Leonard Fiaola, Aninna Hogan, Joseph Muniz,

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Regular Meeting

Ratifying Proclamation
Honoring the New Jersey Center of Empowerment and Community Development

5A.

**TOWN OF WEST NEW YORK
HUDSON COUNTY, NEW JERSEY**

Proclamation

Whereas, the Mayor and Board of Commissioners of the Town of West New York being ever so mindful of the contributions of the townspeople of the Town of West New York and recognizing their duties and obligations to honor all individuals on behalf of the townspeople of the Town of West New York; and

Whereas, the **New Jersey Center for Empowerment and Community Development** is a Not for Profit Organization whose goal is to provide tools of development for families, single parents, young adults and others in our diverse communities; and

Whereas, the **New Jersey Center for Empowerment and Community Development** is a community based organization founded by the **Rev. Jose C. Lopez** that seeks to improve quality of life by providing services which includes referrals for education, health, legal services, and job assistance; and

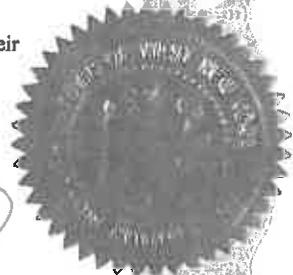
Whereas, the **New Jersey Center for Empowerment and Community Development** will be celebrating its **Second Annual Gala Banquet** on **September 9, 2015** at the **Marinero Grill and Restaurant** in the Town of West New York by honoring community leaders, residents and students that have contributed and dedicated themselves to the well-being, education, development and safety of Hispanic and other diverse children and families of our community:

Now, therefore, I, **Mayor Felix E. Roque** and the **Board of Commissioners of the Town of West New York** wish to honor the accomplishments of **New Jersey Center for Empowerment** and wish their continued success.

DATE 09/09/2015

ATTEST Carmela Riccio
CARMELA RICCIE, RMC
TOWN CLERK

Felix E. Roque
DR. FELIX E. ROQUE, MAYOR



LITHO IN U.S.A.

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Consent Agenda

It was regularly moved by Commissioner Guzman, seconded by Commissioner Rodriguez that the following Consent Agenda Items Nos. R-1 through R-38 (see notation below) (with the exclusion of Resolutions #R-29 and #R-37) 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 all resolutions aloud. Resolution marked #R-29 (Re: Authorizing the Town of West New York to seek fair and open process in compliance with the Pay to Play Statutes for the retention of RFQs for “consultant to study police department personnel) was tabled during the Agenda Meeting . Resolution #R-37 (Authorizing Closure of Executive Session pursuant to NJSA 10:4-12(b) was removed from the consent agenda to be voted on separately. Resolution #R-38 (Approving settlement of claims concerning Contract with George A. Koteen Associates, Inc.) was added to the agenda after conclusion of Executive Session. Mr. Scarinci advised that the matters of Koteen Associates settlement, an area in need of redevelopment and another litigation were discussed during Executive Session. He further advised that formal action will be taken at this meeting regarding the Koteen settlement and the area in need of redevelopment. Additionally, authorization was given to make a partial settlement regarding the litigation and this issue remains not subject to public disclosure at this time.**

RESOLUTION
ANNUAL REPORT OF AUDIT FOR YEAR ENDING 12/31/14

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

Whereas, The Annual Report of Audit for the year ending December 31, 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to NJSA 40A:5-6, and a copy has been received by each member of the governing body, and

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

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

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

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

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

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Consent Agenda (cont.):

Resolution (cont.):

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

R.S. 52:27BB-52: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office".

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

RESOLUTION
APPROVING THE CORRECTIVE ACTION PLAN FOR THE YEAR 2014 AUDIT REPORT

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to prepare, with assistance from other officials affected by the audit finding and recommendations, and to file a "Corrective Action Plan" outlining the actions to be taken by the Town relative to the finding and recommendations in the Annual Audit Report; and

WHEREAS, said "Corrective Action Plan" is required to be approved by the governing body and maintained in the office of the Town Clerk for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Town of West New York hereby approve the "Corrective Action Plan" for the 2014 Audit Report.

Note: Corrective Action Plan is attached to the end of these Minutes.

RESOLUTION
BINGO & RAFFLES

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the following applications for Bingo/Raffles are hereby granted:

<u>Name</u>	<u>Date</u>	<u>License #</u>
St. Joseph of the Palisades Church 6401 Palisade Avenue West New York, NJ 07093 (Off Premise Raffle)	12/27/15	RL 1838

RESOLUTION
AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – 2015 PEDESTRIAN SAFETY GRANT PROGRAM

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

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Consent Agenda (cont.):

Resolution (cont.):

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

WHEREAS, the Town of West New York has been awarded \$16,000.00 from the New Jersey Department of Highway Traffic Safety and wishes to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2015 in the sum of \$16,000.00, which is now available as a revenue from:

Miscellaneous Revenues:

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

2015 Pedestrian Safety Grant Program

BE IT FURTHER RESOLVED that a like sum of \$16,000.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

2015 Pedestrian Safety Grant Program

RESOLUTION

AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – 2015 DRIVE SOBER OR GET PULLED OVER LABOR DAY

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

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

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

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000.00, which is now available as a revenue from:

Miscellaneous Revenues: Special Items of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services: Public and Private Revenues Offset with Appropriations:

2015 Drive Sober or Get Pulled Over Labor Day

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

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

2015 Drive Sober or Get Pulled Over Labor Day

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Consent Agenda (cont.):

RESOLUTION
REVIEW OF THE CY2015 BEST PRACTICES INVENTORY WORKSHEET

WHEREAS, the Chief Financial Officer of the Town of West New York has completed the Town's annual Best Practices Inventory Worksheet for CY2015; and

WHEREAS, the governing body of the Town of West New York has reviewed the completed Best Practices Inventory at its meeting of September 16, 2015; and

WHEREAS, the Clerk of the Town of West New York will immediately certify that the governing body has discussed the Inventory as prepared by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK that the Town Clerk be hereby authorized to certify to the Division of Local Government Services that the CY2015 Best Practices Inventory was discussed at the public meeting of September 16, 2015.

Note: **Best Practices Inventory Worksheet is attached to the end of these Minutes.**

RESOLUTION
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PORT IMPERIAL SAFETY PROJECT.

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2016-Port Imperial Grant-00012 to the New Jersey Department of Transportation on behalf of the Town of West New York.

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

RESOLUTION
AUTHORIZING THE PLANNING BOARD TO CONDUCT A STUDY OF CERTAIN PROPERTIES TO DETERMINE IF THEY QUALIFY TO BE A "AREA IN NEED OF REDEVELOPMENT" PURSUANT TO THE PROVISIONS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, the Town Administrator has advised the Board of Commissioners that there are certain properties located within the Town of West New York that are desirous of needing study to determine as to whether they should be classified as in the area in need of redevelopment; and

WHEREAS, the properties have been identified by the Tax Assessor and are attached as Exhibit 1 to this Resolution, said properties being located in a two block area bounded by Bergenline Avenue, 51st Street, 52nd Street, 53rd Street and Kennedy Boulevard; and

WHEREAS, the provisions of the Local Redevelopment and Housing Law explicitly vest the Planning Board with the authority to conduct a preliminary investigation so as to determine whether the aforesaid properties meet one or more of the statutory criteria set out in the law to be designated as an area in need of redevelopment.

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

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Consent Agenda (cont.):

Resolution (cont.):

1. The Planning Board of the Town of West New York is hereby authorized to conduct a preliminary investigation of the properties listed on the attached Exhibit 1 to this Resolution to determine whether all or some of the aforesaid properties should be designated as an area in need of redevelopment.

2. The Planning Board shall, in the course of conducting this preliminary investigation, engage the services of Remington and Vernick, as Town Planner, to assist the Board in the creation of a redevelopment study embodying said preliminary investigation.

3. That said preliminary investigation shall also, upon completion, result in the conduct of a public hearing by the Planning Board, on notice to all affected property owners, as to whether any or all of the aforesaid properties should be designated as an area in need of redevelopment, and as to those particular properties, whether those properties should be designated as a "condemnation redevelopment area" or "non-condemnation redevelopment area"; and

BE IT FURTHER RESOLVED that the Planning Board shall take all other measures as required of it by the Local Redevelopment and Housing Law, upon completion of this investigation and conduct of a public hearing, to make a final decision and recommendations which shall be reported to the Board of Commissioners for its consideration.

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

OWNER & ADDRESS REPORT

WEST NEW YORK

OWNERSHIP LIST FOR BLOCK 107 AND 108

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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
107	45		2	BERMUDEZ, JOSE D & MAYDA 4917 MURPHY PLACE WEST NEW YORK, NJ 07093	4917 MURPHY PL	
107	46		2	MEZA, HIPOLITO 4915 MURPHY PL WEST NEW YORK, N J 07093	4915 MURPHY PL	
107	47		2	ROMANO, EST C/O JULIA CTARDI 4913 MURPHY PLACE WEST NEW YORK, NJ 07093	4913 MURPHY PL	
107	48		2	GONZALEZ, SEGUNDO 4911 MURPHY PLACE WEST NEW YORK, NJ 07093	4911 MURPHY PL	
107	49		2	49TH ST PROPERTIES,LLC ATT: D CHOI 520-49TH ST WEST NEW YORK, NJ 07093	4909 MURPHY PL	
107	50		4C	HECTOR, MIGUEL A 1807 KENNEDY BLVD. APT1E NORTH BERGEN, N.J. 07047	4901 MURPHY PL	
107	51		2	CHOI, DAVID 520-22 49TH STREET WEST NEW YORK, NJ 07093	520 49TH ST	
108	1		4A	U & J TAFFARO INC PO BOX 7 WEST NEW YORK, N J 07093	5100 KENNEDY BLVD	
108	1	T07	4A	M & J TAFFARO INC PO BOX 7 WEST NEW YORK, N J 07093	5100 KENNEDY BLVD	
108	3		4B	KOPELMAN REALTY,LLC 6607 SMITH AVENUE NORTH BERGEN,NJ 07047	567 52ND ST/5114 KEN BLVD	
108	5		4A	BELAVISTA PROP.INC % A LOPEZ 956 DOGWOOD TRAIL FRANKLIN LAKES, NJ 07417	5116 KEN BLVD/567-52ST	
108	6		4A	W & S MOTORS, INC C/O JESS JONES 3101 THE PLAZA TENAFLY,NJ 07670	5124 KENNEDY BLVD	
108	8		15C	WEST NEW YORK PARKING AUTHORITY 440 60TH ST WEST NEW YORK, N J 07093	513-52ND ST	
108	9		15C	WEST NEW YORK PARKING AUTHORITY 440-60TH ST WEST NEW YORK, N J 07093	511 52ND ST	
108	10		4A	DJ ORLANDO REALTY,LLC 5135 BLINE AVE, PO BOX 37 WEST NEW YORK, NJ 07093	509 52ND ST	
108	11		4C	5521-19 BLINE AVE,LLC 1082 ANDERSON AVE FORT LEE,NJ 07024	5137 B'LINE AVE/501-528T	
108	12		4A	DJ ORLANDO RLTY,LLC 5135 BERGENLINE AVE-BX 37 WEST NEW YORK, NJ 07093	5135 BERGENLINE AVE	
108	13		4A	5133 AVENUE,LLC PO BOX 1253 ENGLEWOOD CLIFFS,NJ 07632	5133 BERGENLINE AVE	
108	14		4C	5 STAR B'LINE AVE RLTY,% M MUSSAFI 5004 BERGENLINE AVE #3 WEST NEW YORK,NJ 07093	5129 BERGENLINE AVE	

OWNER & ADDRESS REPORT

WEST NEW YORK

OWNERSHIP LIST FOR BLOCK 107 AND 108

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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
108	15		4A	CADENA, MARIO V 5127 BERGENLINE AVE WEST NEW YORK, N J 07093	5127 BERGENLINE AVE	
108	16		4A	MICHAELS, GLORIA NEWBALLS 260 GLENBROOK AVENUE YONKERS, NY 10705	5125 BERGENLINE AVE	
108	17		4A	SMART MERCHANTS C/O C KIM 530 CLOSTER DOCK RD CLOSTER, NJ 07624	5119 BERGENLINE AVE	
108	18		4A	RODRIGUEZ, ALBERTO C/O BULIN ASSOC 707 SUMMIT AVENUE SU208 UNION CITY, NJ 07087	5117 BERGENLINE AVE	
108	19		4A	CRESPO, ANGEL & CRICEIDA 5115 BERGENLINE AVE WEST NEW YORK, N J 07093	5115 BERGENLINE AVE	
108	20		4A	5113 BERGENLINE AVENUE, LLC 5115 BERGENLINE AVENUE WEST NEW YORK, NJ 07093	5113 BERGENLINE AVE	
108	21		4A	GAROYAN BROTHERS, INC 311 CROOKS AVE PATERSON, NJ 07503	5109 BERGENLINE AVE	
108	22		4A	CRESPO, FRANCISCO PO BOX 800 WEST NEW YORK, NJ 07093	5105 BERGENLINE AVE	
108	23		4A	ANIN, ASHOK & NIRMALA A. 29 MUIRFIELD BLVD MONROE TOWNSHIP, NJ 08831	5101 B'LINE AVE/500 51ST	
108	24		4A	LEON, DR FERMIN & MARIA 504 51ST STREET WEST NEW YORK, NJ 07093	504 51ST ST	
108	25		15F	WEST NEW YORK PARKING AUTHORITY 440 60TH STREET WEST NEW YORK, N J 07093	508 51ST ST	
108	29		2	OCHUN REAL ESTATE HOLD CO, LLC 516 51ST ST WEST NEW YORK, NJ 07093	516 51ST ST	
108	30		2	PALACIOS-NISLER, ARIILYS, 518 51ST ST WEST NEW YORK, N J 07093	518 51ST ST	
108	31		4B	PS ELECT & GAS CO XCORP PROP T68 80 PARK PLAZA NEWARK, NJ 07102	520 51ST ST	
108	32		15C	WEST NEW YORK PARKING AUTHORITY 440-60TH STREET WEST NEW YORK, N J 07093	528 51ST ST	
108	33		2	GERMAN, EDGAR & ESTHER 530 51ST ST WEST NEW YORK, N J 07093	530 51ST ST	
108	34		2	LOPEZ, RICARDO & MARIA 532-51ST ST WEST NEW YORK, NJ 07093	532 51ST ST	
108	35		4A	6309 BROADWAY LLC 260 BORN ST SECAUCUS, NJ 07094	534 51ST ST	
108	36		4C	6311 KENNEDY CORP 6306 SMITH AVE NORTH BERGEN, NJ 07047	536 51ST ST	

September 16, 2015
Regular Meeting

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

WEST NEW YORK
OWNERSHIP LIST FOR BLOCK 107 AND 108
02/09/15 Page 5 of 5

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
108	37		2	PECORELLI, EUGENE & CRESCENZO 538 51ST ST WEST NEW YORK, N J 07093	538 51ST ST	
108	38		2	RIVERA, JOSE 120 43RD ST APT 2 UNION CITY, N.J 07087	540 51ST ST	

OWNER ADDRESS REPORT

WEST NEW YORK

BLOCK 93 LOTS 4-6,13-15

02/09/15 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots	Assessments
93	4		4A	EGAN, PATRICIA S 145 MORAMARCO COURT MAHWAH, NJ 07430	321 54TH ST	50x100	125,000 12,000 137,000
93	5		1	EGAN, PATRICIA S 145 MORAMARCO COURT MAHWAH, NJ 07430	315 54TH ST	75x100	187,500 0 187,500
93	6		1	EGAN, PATRICIA S 145 MORAMARCO COURT MAHWAH, NJ 07430	309 54TH ST	75x100	187,500 0 187,500
93	13		1	EGAN, PATRICIA S 145 MORAMARCO COURT MAHWAH, NJ 07430	314 53RD ST	25x99 A1	61,200 0 61,200
93	14		1	EGAN, PATRICIA S 145 MORAMARCO COURT MAHWAH, NJ 07430	316 53RD ST	50x99	122,500 0 122,500
93	15		4A	EGAN, PATRICIA S 145 MORAMARCO COURT MAHWAH, NJ 07430	320 53RD ST	50x99	122,500 20,000 142,500
Count: 3		Land:	806200				
		Improvement:	32000				
		Total:	838200				

Improvment Am Develot.

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
APPROVING HIRING AND PAYMENT OF VARIOUS CONTRACTORS

WHEREAS, the Town utilized certain contractors to provide services including various newspapers and television for public information purposes, substitute public defenders and prosecutors, municipal court judge, and various events food; and

WHEREAS, the Town must hire these contractors in order to authorize payment for same; and

WHEREAS, the attached list of contractors are hired, so that they can be paid for services rendered to the Town; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of hiring the contractors on the attached list and to authorize payment for same upon submission of the necessary invoices and execution of the purchase orders for same.

BE IT FURTHER RESOLVED, that the CFO shall take all necessary action to process payments for these contractors.

Vendors to be Hired
by Resolution

	Charged/ Paid	Encumbered	Total YTD	Estimated to 12/31/15	Estimated Maximum	Purpose
Cambio	\$ 6,800.00	\$ 1,300.00	\$ 8,100.00	\$ 4,860.00	\$ 12,960.00	Various Public Information
Communitarian Media	\$ 3,500.00	\$ 7,000.00	\$ 10,500.00		\$ 10,500.00	Various Public Information
El Especialito	\$ 1,000.00	\$ 1,500.00	\$ 2,500.00		\$ 2,500.00	Various Public Information
La Voz	\$ 500.00	\$ 1,500.00	\$ 2,000.00		\$ 2,000.00	Various Public Information
Hudson County TV	\$ 6,000.00	\$ 4,000.00	\$ 10,000.00	\$ 14,000.00	\$ 24,000.00	Monthly Banner Advertisement
Centro Latino Restaurant	\$ 4,793.75	\$ 4,800.00	\$ 9,593.75		\$ 9,593.75	Various Events food
Mulkay & Rendo	\$ 350.00	\$ -	\$ 350.00		\$ 350.00	Public Defender
Judge K. Lindenfeder	\$ 900.00	\$ -	\$ 900.00		\$ 900.00	Judge
Orlando & Rodriguez	\$ -	\$ 1,012.50	\$ 1,012.50		\$ 1,012.50	Second Public Defender
Coviello & Legg	\$ 2,450.00	\$ -	\$ 2,450.00		\$ 2,450.00	Substitute Muni Prosecutor
			TOTALS		\$ 66,266.25	

Yellow highlighting indicates an unknown amount for the remainder of 2015.

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
AUTHORIZING THE TOWN OF WEST NEW YORK
TO ADVERTISE FOR BIDS FOR VARIOUS CONTRACTS

WHEREAS, the Town requires contractors for various projects in West New York; and

WHEREAS, the Town must prepare specifications and advertise for the receipt of bids for these projects pursuant to N.J.S.A. 40A:11-4; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does hereby authorize specifications to be prepared and advertisement for bids for the following projects:

- 1) Roof repairs for the Town hall building
- 2) Repair of the Town hall roof leaders
- 3) Town hall building re-pointing
- 4) Purchase of generator for the Town hall building
- 5) Road repairs in accordance with the DOT 2014 grant for road repairs
- 6) Snow removal services

BE IT FURTHER RESOLVED, which the Purchasing Agent and Town Clerk all take all necessary action to have bids specifications prepared and the Town advertise for receipt of bids for these contracts.

RESOLUTION
REFUNDS OF REDEMPTIONS

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

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

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

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

Name	Block/lot	Cert#	Amount
PAM INVESTORS	110/5 C0306	14-0321	\$1,841.58
	55/36	14-0172	\$4,953.15
MEYER MUSSAFI	107/26	14-0308	\$18,138.51
US BANK/CUST FOR PC5 STERLING NAT'L	11/19 C0051	14-0029	\$440.56
US BANK C/F TOWER	84/8	14-0267	\$4,372.14
DBWI IV 2014-1	149/5	14-0433	\$2,000.65
ISAAC MORADI	100/8	14-0297	\$1,110.18
US BANKCUST FOR TLCF 2012A, LLC	42/35	12-0241	\$923.47

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

BANK CUST/EMP VI	153/31	13-0508	\$12,922.46
US BANK CUST FOR FOR BV001 TRUST	90/8	13-0315	\$2,071.59
US BANK CUST FOR TOWER DBW	74/5 C0003 95/19	12-0406 12-0496	\$666.19 \$16,689.74
GRAND TOTAL			\$66,130.22

RESOLUTION
REFUND OF PREMIUMS

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
PAM INVESTORS	110/5 C0306 55/36	14-0321 14-0172	\$1,100.00 \$7,000.00
MEYER MUSSAFI	107/26	14-0308	\$30,000.00
US BANK/CUST FOR PC5 STERLING NAT'L	11/19 C0051	14-0029	\$1,000.00
US BANK C/F TOWER DBWI IV 2014-1	84/8 149/5	14-0267 14-0433	\$3,000.00 \$1,500.00
ISAAC MORADI	100/8	14-0297	\$1,300.00
US BANK CUST/EMP VI	153/31	13-0508	\$5,000.00
US BANK CUST FOR BV001 TRUST	90/8	13-0315	\$600.00
US BANK CUST FOR TOWER DBW	74/5 C0003 95/19	12-0406 12-0496	\$600.00 \$12,500.00
GRAND TOTAL			\$63,600.00

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
REFUND OF OVERPAYMENT
(5808 WASHINGTON ST A/K/A BLOCK 130 LOT 5.01)

WHEREAS, there is an overpayment on the 2013 tax bill in the amount of \$507.68 for property located at 5808 Washington Street A/K/A block 130 lot 5.01 C0402; and

WHEREAS, the taxpayer is requesting that the over payments in the amount of \$507.68 be moved to be credited to their 2015 tax bill; and

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

RESOLUTION
TAX CORRECTIONS (VARIOUS PROPERTIES)

WHEREAS, a payment in the amount of \$1,360.04 was received in the Tax Office for payment of the 2015 property taxes for property located at 516 56TH Street Avenue A/K/A block 120 lot 40 and

WHEREAS, a payment in the amount of \$495.46 was received in the Tax Office for payment of the 2015 property taxes for property located at 6015 Boulevard East A/K/A block 39 lot 12 C0061 and

WHEREAS, the said payment in the amount of \$1,360.04 was credited to the wrong property located at 546 56th Street A/K/A block 120 lot 47 and

WHEREAS, the said payment in the amount of \$495.46 was credited to the wrong property located at 6015 Boulevard East A/K/A block 39 lot 12 C0055

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

RESOLUTION
TAX ASSESSMENT CORRECTION

WHEREAS, an incorrect Tax Assessment in the amount of \$53,400 was placed on property located at 6045 Boulevard East a/k/a block 35 lot 1 C007C and

WHEREAS, the correct Tax Assessment should have been \$28,400; and

WHEREAS, this incorrect Tax Assessment caused the taxes to be over billed in the amount of \$1,673.00 for 2014; and

NOW THEREFORE be it resolved that the Tax Collector is hereby authorized to cancel the said taxes for the prospective year and to adjust the tax record accordingly.

RESOLUTION
CORRECTION AND REFUND STATE AUDIT

WHEREAS, due to a State Audit conducted in June 2013 for the tax years 2007, 2008 and 2009 by Mr. Patrick Lamb for the State of New Jersey on property located at 123 67th Street A/K/A block 8 lot 12 with regards to a senior citizen deduction; and

WHEREAS, due to the audit conducted by the State it was determined that due to income limitations the said property was disallowed to receive the deduction for tax years 2007, 2008 and 2009; and

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

WHEREAS, due to the disallowance the Tax Collector billed the property \$250.00 per year for the perspective years of the disallowance; and

WHEREAS, due to the conveyance of the property on June 28, 2012 the State of New Jersey determined not to disallow the deduction for 2007, 2008 and 2009 totaling \$750.00; and

THEREFORE, the Tax Collector is hereby authorized to cancel the tax for the perspective years and to refund any tax and or interest credited to these charges.

NAME	BLOCK/LOT	AMOUNT
Gomez, Andres & Jose	8/12	\$753.00

RESOLUTION
REFUND OF OVERPAYMENTS (VARIOUS PROPERTIES)

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
448 67 TH STREET	14/5	\$3,474.00	2015
5717 BERGENLINE, LLC	125/12.01	\$3,990.00	2014
VERONICA CAMPA	35/1 C0037	\$1,673.00	2014
PAM INVESTORS	74/5 C3013	\$1,597.91	2015

GRAND TOTAL \$10,734.91

RESOLUTION
APPROVING ADDITIONAL FUNDS
FOR ZONING BOARD ATTORNEY CONTRACT

WHEREAS, the Town hired the law firm of Shain Shaffer to provide zoning board attorney services; and

WHEREAS, the cap on the contract for these services for 2015 is \$14,400.00; and

WHEREAS there has been litigation, involving the appeal of zoning board of adjustment decisions, which has required additional services to be provided to the Town that were not anticipated in the original contract; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of additional funds in the amount of \$ 23,000.00 for the additional legal services to the zoning board of adjustment provided by the firm of Shain Shaffer for 2015.

BE IT FURTHER RESOLVED, that the CFO shall take all necessary action to add the additional funds to this contract.

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
ACCEPTING RESIGNATION OF TOWN ADMINISTRATOR

WHEREAS, the Town received a letter of resignation from Matt Watkins, the Town administrator, effective on October 4, 2015; and

WHEREAS, the Mayor and Commissioners of the Town of West New York do hereby accept the letter of resignation; and

WHEREAS, the Mayor and Commissioners appreciate the work performed by Matt Watkins for the Town of West New York and wish him well in his new position in Bloomfield.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does hereby accept the letter of resignation from Matt Watkins, Town Administrator, effective on October 4, 2015.

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: \$94,685.50
General Liability: \$64,883.68

RESOLUTION
AUTHORIZING TAX APPEAL ATTORNEY TO SETTLE THE
CASES SET FORTH ON THE "SETTLED CASE LIST WITH 60 DAY PAYMENT
TERMS" DATED SEPTEMBER 16, 2015 ATTACHED HERETO "SETTLED CASE
LIST WITH 60 DAY PAYMENT TERMS" v. TOWN OF WEST NEW YORK

WHEREAS, the names set forth on the attached "settled case list with 60 day payment terms" are owners of real estate known as Block and Lots stated on said list; and

WHEREAS, the owners set forth on the "settled case list with 60 day payment terms" 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 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., Attorney at Law, LLC, has conducted a review of certain prior settlements and has consulted and reviewed said

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

settlements with the City's Assessor and/or Appraiser, Michael Jaeger, C.T.A., and has reviewed same with the respective counsel for the taxpayers; and

WHEREAS, the parties were unable to confirm the prior settlements that had previously been negotiated by Town's prior tax appeal attorneys; and

WHEREAS, the parties have reached a new settlement, with lower resulting refunds, for the revised assessments that are set forth on the attached "settled case list with 60 day payment terms;" and

WHEREAS, the parties were able to reach the current settlement, with lower refunds than the prior purported settlement, through the Town's agreement to pay any resulting refunds within this settlement within sixty (60) days of the Town's receipt of each tax court judgment issued in each of the matters on the attached "settled case list with 60 day payment terms;" 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., Attorney at Law, LLC, 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 "previously 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 "previously settled case" list, the Tax Collector is authorized to calculate the amount of the refund and cause same to be paid within sixty (60) days of the date of entry of each Tax Court Judgment issued in these matters; 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., Attorney at Law, LLC.

(PLEASE REFER TO END OF MINUTES FOR "SETTLED CASE LIST WITH 60 DAYS PAYMENT TERMS")

RESOLUTION
AUTHORIZING TAX APPEAL ATTORNEY TO SETTLE THE
CASES SET FORTH ON THE "SETTLED CASE" LIST DATED SEPTEMBER 16, 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 estate's 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 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., Attorney at Law,

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

Resolution (cont.):

LLC, has completed discovery/inquiry with respect to these matters and has consulted with the Town's Tax Assessor and/or Appraiser, Michael Jaeger, C.T.A., and has conducted extensive negotiations with counsel for the taxpayer; and

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

WHEREAS, the Town's Tax Appeal Attorney, Marc A. Raso, Esq., Attorney at Law, LLC, 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., Attorney at Law, LLC.

**(PLEASE REFER TO END OF MINUTES FOR THE "SETTLED CASE" LIST DATED
SEPTEMBER 16, 2015)**

RESOLUTION

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
THE FY' 2016 WEST NEW YORK ROAD PROGRAM PROJECT**

BE IT RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application as MA-2016-FY' 2016 West New York Road Program - 00086 to the New Jersey Department of Transportation on behalf of West New York; and

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

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

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
ESTABLISHING SEARCH COMMITTEE FOR SUPERINTENDENT
OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Town of West New York seeks to hire a new Superintendent of the Department of Public Works (“Superintendent”) as of January 1, 2016; and

WHEREAS, the Town of West New York seeks to establish a committee to conduct a comprehensive and extensive search to find the best Superintendent 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 Commissioner of the Department of Public Works for a new Superintendent as soon as possible; and

WHEREAS, the committee consists of the Commissioner of the Department of Public Works, Gabriel Rodriguez, Mayor Felix Roque and a member of the public to be selected by Mayor Roque; and

WHEREAS, Commissioner Gabriel Rodriguez shall be the Chairman of the committee; and

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 Commissioner of the Department of Public Works for hiring of a new Superintendent of the Department of Public Works as of January 1, 2016.

BE IT FURTHER RESOLVED, that the committee shall be comprised of Commissioner of the Department of Public Works, Gabriel Rodriguez, Mayor Felix Roque and a member of the public to be selected by Mayor Roque.

BE IT FURTHER RESOLVED, that the committee shall present to the Commissioner of the Department of Public Works their recommendation of a candidate to fill the position of Superintendent to the Board of Commissioners.

RESOLUTION
ESTABLISHING SEARCH COMMITTEE FOR
BUSINESS ADMINISTRATOR

WHEREAS, the business administrator for the Town of West New York has resigned and the Town seeks to hire a new administrator; and

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

WHEREAS, the Town of West New York asks the committee to review possible candidates and to report their findings and recommendations to the Commissioners for a new administrator by the November 2015 Board of Commissioners meeting; and

WHEREAS, the committee consists of the Commissioner of Public Affairs, Commissioner of Revenue and Finance, and David Morel; and

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 business administrator.

BE IT FURTHER RESOLVED, that the committee shall be comprised of the Commissioner of Revenue and Finance, Commissioner of Public Affairs, and David Morel.

BE IT FURTHER RESOLVED that the committee shall present their report and findings of recommendations of a candidate to fill the position of business administrator on or before the November, 2015 meeting of the Board of Commissioners.

September 16, 2015
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
TO ACCEPT CANCELLATION OF
FONSECA CONSULTING GROUP CONTRACT FOR THE
PROVISION OF PUBLIC INFORMATION SERVICES

WHEREAS, the Town of West New York has determined that it is necessary to hire a full time employee to provide public information and community outreach services; and

WHEREAS, the Town of West New York had previously entered into a contract with the Fonseca Consulting Group to provide these services for a monthly fee; and

WHEREAS, the Town of West New York has been advised that Fonseca Consulting Group has cancelled their contract with West New York for the provision of public information services as of September 15, 2015; and

WHEREAS, the Town seeks to utilize the funds encumbered for the Fonseca Consulting Group contract to hire a the full time employee to provide the public information and community outreach services; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York accepts the cancellation of the Fonseca Consulting Group contract to provide public information services as of September 15, 2015 and funds remaining in that contract may be used for payment of the Town employee providing the public information and community outreach services for the Town of West New York.

BE IT FURTHER RESOLVED that Fonseca Consulting Group shall be paid for all public information services they provided until September 15, 2015.

RESOLUTION
APPROVING THE WEST NEW YORK PARKING AUTHORITY REVISIONS TO THE
RESIDENTIAL PARKING PERMIT REGULATIONS

WHEREAS, Section 277-25 of the Town of West New York Code authorizes the West New York Parking Authority to establish the Residential Parking Permit Zones and regulations with those zones; and

WHEREAS, the West New York Parking Authority has determined to revise the Residential Parking Permit Zone to include the entire Town within one zone and the regulations to require the permits to be used 24 hours a day and 7 days a week and all others shall have a 4 hour limit for parking; and

WHEREAS, the West New York Parking Authority has forwarded to the Mayor and Commissioners their resolution establishing this zone and time frames for enforcement in the zone and the Board of Commissioners have been asked to approve of this revision as required by the Town ordinances ; and

WHEREAS, the Mayor and Commissioners have reviewed the resolution of the West New York Parking Authority and believe that the proposed revisions to the Residential Parking Permit Zones and time for the enforcement of same will be a benefit to the residents of the Town of West New York.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that in accordance with the requirements of Section 277-25 of the Code of the Town of West New York, the Mayor and Commissioners do hereby approve of the resolution adopted by the West New York Parking Authority on September 15, 2015, attached hereto, to revise the Residential Parking Permit regulations.

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Consent Agenda (cont.):

RESOLUTION
AUTHORIZING THE TOWN OF WEST NEW YORK TO SEEK FAIR AND OPEN
PROCESS IN COMPLIANCE WITH THE PAY TO PLAY STATUTES FOR THE
RETENTION OF RFPS FOR VARIOUS SERVICES

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

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

Engineering Services	October 27, 2015 9:30 am
Special Counsel	October 27, 2015 10:00 am
Special Counsel – Bond	October 27, 2015 10:30 am
ABC Prosecutor	October 27, 2015 11:00 am
Tax Appeal Counsel	October 27, 2015 11:30 pm
Conflict Counsel – Zoning Board	October 27, 2015 1:30 pm
Counsel to Library Board	October 27, 2015 2:00 pm
Conflict Counsel – Planning Board	October 27, 2015 2:30 pm
General Counsel – Rent Control Board	October 27, 2015 3:00 pm
General Counsel – Planning Board	October 27, 2015 3:30 pm
Tenant’s Advocacy Attorney	October 28, 2015 9:30 am
Zoning Board Attorney	October 28, 2015 10:00 am
Corporation Counsel	October 28, 2015 10:30 am
Alternate Prosecutor	October 28, 2015 11:00 am
Alternate Public Defender	October 28, 2015 11:30 am
Special Construction Code Litigation Counsel	October 28, 2015 1:30 pm
Public Defender	October 28, 2015 2:00 pm
Prosecutor	October 28, 2015 2:30 pm
Special Hearing Officer	October 28, 2015 3:00 pm
Tax Appeal Expert	October 28, 2015 3:30 pm
Insurance Fund Administrator	October 29, 2015 9:30 am
Grant Consultant – Federal/State	October 29, 2015 10:00 am
Webmaster/website Maintainer	October 29, 2015 10:30 am
Financial Consultant	October 29, 2015 11:00 am
Police Physician	October 29, 2015 11:30 am
Workers Compensation Attorney	October 29, 2015 1:30 pm
Animal Control Officer	October 29, 2015 2:00 pm
Risk Manager for Property and Casualty Insurance	October 29, 2015 2:30 pm
Auditing Services	October 29, 2015 3:00 pm

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

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

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

Engineering Services
Special Counsel
Special Counsel – Bond
ABC Prosecutor
Tax Appeal Counsel

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Consent Agenda (cont.):

Resolution (cont.):

Conflict Counsel – Zoning Board
Counsel to Library Board
Conflict Counsel – Planning Board
General Counsel – Rent Control Board
General Counsel – Planning Board
Tenant’s Advocacy Attorney
Zoning Board Attorney
Corporation Counsel
Alternate Prosecutor
Alternate Public Defender
Special Construction Code Litigation Counsel
Public Defender
Prosecutor
Special Hearing Officer
Tax Appeal Expert
Insurance Fund Administrator
Grant Consultant – Federal/State
Webmaster/website Maintainer
Financial Consultant
Police Physician
Workers Compensation Attorney
Animal Control Officer
Risk Manager for Property and Casualty Insurance
Auditing Services

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

RESOLUTION
CONCERNING FUNDING FOR TOWN ATTORNEY

WHEREAS, the Town Attorney provides the Town with specialized legal services pursuant to three contracts; 1)Uniform Construction Code litigation, 2) special counsel services for insurance matters and 3) Corporation Counsel legal services; and

WHEREAS, due to unanticipated litigation cost and the resignation of the administrator the Town needs to re-allocate some of the funds from the Uniform Construction Code contract to the Corporation Counsel services contract; and

WHEREAS, the Corporation Counsel services have been expanded to help with the search committee for the business administrator and to provide services in light of the absence of the administrator, as well as provide unanticipated litigation services; and

WHEREAS, it estimated that the fees for the unanticipated litigation matter, for work that has been performed and to be required in 2015 is approximately \$140,000.00 and additional legal services required due to the resignation of the business administrator is approximately \$30,000.00; and

WHEREAS, it is anticipated that up to \$150,000.00 should be re-allocated from the construction code counsel services contract to the Corporation Counsel services contract to be

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Consent Agenda (cont.):

Resolution (cont.):

used for these unanticipated legal fees and services required in the absence of the administrator and no other additional funds will be encumbered for the Corporation Counsel legal services contract; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that funds not to exceed \$150,000.00 shall be re-allocated from the special construction code services contract to the Corporation Counsel Services contract.

BE IT FURTHER RESOLVED, that the CFO shall take all necessary action to re-allocate the funds for these contracts.

RESOLUTION

RE: ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE
(1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT AS FOLLOWS:
405 57TH STREET (VICTOR TRINIDAD)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Victor Trinidad 405 57 th Street West New York, NJ	South	Begin at a point, along the South side of 57th Street 70 feet West from the South West Corner of 57 th Street and Palisade Ave. Then 22 feet there from.

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

RESOLUTION

RE: ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE
(1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT AS FOLLOWS:
571 59TH STREET (FRANCISCO J. IZQUIERDO)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

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Consent Agenda (cont.):

Resolution (cont.):

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Francisco J. Izquierdo 571 59 th Street West New York, NJ, 07093	South	Begin at a point, along South side of 59 th Street. 110 feet East from the South East corner of 59 th Street and Jackson Street. Then 22 feet there from.

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

RESOLUTION

RE: ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE
(1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT AS FOLLOWS:
116 57TH STREET (EFIGENIA GOMEZ)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Efigenia Gomez 116 57 th Street West New York, NJ, 07093	North	Begin at a point, along North side of 57 th Street, 226 feet East from the North East corner of 57 th Street and Broadway. Then 22 feet there from.

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

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

RESOLUTION
RE: ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE
(1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT AS FOLLOWS:
5101 PARK AVENUE APT. 10A (BERTA L. GARCIA)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Berta L. Garcia 5101 Park Avenue Apt.#10A West New York, NJ, 07093	West	Begin at a point, along West side of Park Ave., 40 feet South from the South West corner of 51 st Street and Park Ave. Then 22 feet there from.

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

RESOLUTION
RE: ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE
(1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT AS FOLLOWS:
105 WESTOVER PLACE APT. # 8 (VICTOR CHONG-QUI)

WHEREAS, the Town of West New York wishes to establish a restrictive parking space in front of one (1) residence of a handicapped person who has been issued vehicle identification card by the Division of Motor Vehicles; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York pursuant to N.J.S.A. 39:4-205 and N.J.S.A. 39:4-107.5 as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Victor Chong-Qui 105 Westover Place Apt.# 8 West New York, NJ, 07093	South	Begin at a point, along South side of Westover Place., 50 feet West from the South West corner of Westover and Park Avenue. Then 22 feet there from.

No other person shall be permitted to park in this space; any person violating this Resolution shall be subject to the following penalties for violation of parking in a restrictive handicapped-parking zone.

1. First Offense- \$253.00

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Consent Agenda (cont.):

Resolution (cont.):

2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and
3. In addition the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

This resolution shall take effect immediately and the Director of Public Safety shall post the appropriate marking and/or sign at said place.

RESOLUTION
CONCERNING FUNDING FOR TOWN ENGINEER

WHEREAS, CME Associates, as one of the Town of West New York engineers, provides the Town with engineering services for a variety of matters ; and

WHEREAS, due to unanticipated engineering services required, additional funds are needed to pay the Engineering Firm for these services; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.6 the Town can amend the existing contract with CME Associates to add additional funding for this contract; and

WHEREAS, the original contract with CME Associates had a cap of \$175,000.00 and it is anticipated that an additional \$275,000.00 will be required for engineering services until the end of the year.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that funds not to exceed \$275,000.00 shall be added to the contract with CME Associates to have a total contract not to exceed \$450,000.00.

BE IT FURTHER RESOLVED, that the CFO shall take all necessary action to allocate the additional funds for this contract.

RESOLUTION
APPROVING SETTLEMENT OF CLAIMS
CONCERNING CONTRACT WITH GEORGE A. KOTEEN ASSOCIATES INC.

WHEREAS, the former administrator for the Town of West New York had executed a contract with George A. Koteen Associates, Inc. ("Koteen") for auditing and correcting utility bills for the Town of West New York; and

WHEREAS, as a result of the work performed by the Koteen they are to receive 50% of all of the utility savings for the Town of West New York for 18 months; and

WHEREAS, the Town has determined to cancel this contract and to pay Koteen the utility savings earned per the contract without interest; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of the payment to George A. Koteen Associates, Inc. of \$156,708.30 which represents 50% of all of the utility savings for electric, gas, sewer, telecommunications, costs for 18 month.

BE IT FURTHER RESOLVED that the contract with Koteen has be canceled and no further monies will be paid under this contract.

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Note: Town Clerk Carmela Riccio announced that Resolution entitled “Resolution – Re: Authorizing the Town of West New York to seek fair and open process in compliance with the Pay to Play Statutes for the retention of RFQs for “consultant to study police department personnel” was “tabled” during the Agenda 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) (5) and (7), the discussion of the study of the area in need of redevelopment and determination of possible condemnation of property in the area.
- 2) Pursuant to N.J.S.A. 10:4-12(b) (7) for discussion of the Koteen Associates settlement.
- 3) Pursuant to N.J.S.A. 10:4-12(b) (7) for a report on the Town of West New York v. New Jersey Department of Education.

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

Note: Town Clerk Carmela Riccio read the title of the foregoing Resolution aloud. This resolution was amended verbally by Corporation Counsel Scarinci during Executive Session conducted during Agenda meeting.

ORDINANCE #1415

An Ordinance amending Part II, General Legislation, authorizing background checks for employees and volunteers in positions requiring individual involvement with children under the age of eighteen (18) years

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

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, 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

The following persons wished to be heard:

No one wished to be heard.

Inasmuch as no one wished to be heard, it was regularly moved by Commissioner Cirillo, seconded by Commissioner Rodriguez, 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

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ORDINANCE #15/15

An Ordinance of the Town of West New York, in the County of Hudson, New Jersey, Providing a Supplemental Appropriation of \$812,000 for Improvements to Veteran's Park and Donnelly Park in and for the Town of West New York and Appropriating \$812,000 Therefor, and Providing for the Issuance of \$812,000 in Bonds or 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 and announced that the Local Finance Board approved the Town's application regarding Bond Ordinances #15/15 and #16/15.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner 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

The following persons wished to be heard:

No one wished to be heard.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez, 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 #16/15

An Ordinance of the Town of West New York in the County of Hudson, New Jersey, Providing for Various Capital Improvements for the Town of West New York and Appropriating \$2,348,195, Therefor, and Providing for the Issuance of \$2,106,000 in Bonds or 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 **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

The following persons wished to be heard:

No one wished to be heard.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez, 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

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ORDINANCE #17/15

An Ordinance Amending Chapter 56-9 “Assignment of Law Department”

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 #17/15

An Ordinance Amending Chapter 56-9 “Assignment of Law Department”

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 September 16, 2015 and ordered published, and will be further considered before final passage at a public hearing on October 21, 2015 at 7:00 p.m. at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Note: Town Clerk Riccio read the foregoing Notice aloud.

A Motion was made by Commissioner Colacurcio, seconded by Mayor Roque, to open Public Portion of meeting at 8:25 p.m., 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. Ron Scheurle 6119 Tyler Place :

Mr. Scheurle inquired “Have any employees been hired full time as of now?” Town Administrator Watkins informed him that there was one (1) full time employee recently hired due to the resignation of the Public Information Services Consultant. Mr. Scheurle expressed his concerns regarding the number of part time employees the Town is hiring instead of giving opportunities to people who reside in West New York. Mayor Roque explained that once the Town hires full time employees it is more costly for the Town in terms of health insurance, etc. He explained hiring someone part time allows time for the individual’s performance to be evaluated. Mr. Scheurle expressed that there is way too many people in West New York capable of working and who are not being given the opportunity for employment. He compared the low wages to “slave labor” and commented “You are destroying Unions.”

2. Carlos Rodriguez, 328 – 59th Street:

Mr. Rodriguez spoke on behalf of his father, Calixto Rodriguez, who accompanied him. He advised that he and his father own several commercial properties in Town and that they “Love West New York”. He complained about commercial vehicles parking overnight and that regulations are not being enforced. He explained that this particular issue affects all residents because this Town is over populated and parking spots are scarce. He mentioned

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Public Portion (cont.):

Carlos Rodriguez (cont.):

that his father befriended a man who sells fruits from a garage and despite the fact that he is a great person he is concerned about the number of raccoons and rodents that his business attracts. He proposed for the Town to provide this gentleman with a license and location for him to sell his produce. He furthermore added that on various occasions he has spoken to Luis regarding one particular issue regarding the church that is located on this street. He explained that the church patrons double and triple park on his street and are disruptive at early hours on Sundays. Despite his many efforts to speak to the priest and personnel in charge of the church nothing has changed. He explained that the last time he tried to speak with these people it resulted in an altercation and the patrons broke his nose. He commented that it is "ruining our quality of life". He was also concerned with the lack of cleanliness on his street and stated that the street sweepers were not doing a good job. Mayor Roque thanked him for voicing his concerns and advised him that they would look into the matter and would contact Mr. Cryan at the Parking Authority. Mr. Rodriguez advised that he showed Mr. Cryan a video of the situation. Commissioner Rodriguez asked to speak to him "offline". Commissioner Colacurcio explained that R-27 (Re: approving the WNY Parking Authority revisions to the Residential Parking Permit Regulations) was adopted to alleviate the parking issues WNY residents are facing. She explained that this resolution would prohibit nonresidents to park freely or overnight. She also added that many neighboring Towns have this system in place and it seems to be working just fine for them. Mayor Roque assured him that this resolution would create more parking for residents. Mr. Rodriguez thanked the Mayor and Board of Commissioners. Calixto Rodriguez (father) spoke in Spanish and was distraught for what had happened to his son.

3. Mildred Hernandez, 5906 Park Avenue:

Ms. Hernandez stated that she has been living in West New York for 38 years and has never attended a meeting to complain; however, she explained that she has exhausted all her resources and is having issues with lack of parking in Town and as a result she is forced to pay to park in the lot owned by Los Padrinos Liquor Store at \$170.00 per month. She described the deteriorating condition of this lot, lack of lighting, and is shelter to homeless. She stated that although she and others pay to park their vehicles, they are constantly being vandalized and the owners do not take any responsibility for the damages. She stated that Detective Acosta's vehicle was vandalized as well. She also explained that despite the many police reports filed, the police department has not looked into the matter because it's listed as private property. She advised that she contacted the Health Dept. about the filthy condition, to no avail. She also mentioned that she has reported same to the Building Inspector Anthony Valdes and that he hasn't done what was required of him to do and refuses to return her phone calls. She pleaded for help with this matter. Corporation Counsel Scarinci explained that since May the newly elected Commissioners have articulated that one of the top priorities since being elected is to remediate the parking issues for the residents of West New York. He advised Ms. Hernandez redevelopment is their first step in attempting to remediate this issue and he is sure that it will open up 400-600 parking spots in Town. He further advised her that this will force facilities to improve and be more competitive. He asked her to give this plan more time to come to fruition in order to see change and explained this was a private matter and should be handled as such. He commented that patrols can be increased in that area but that is a short term solution and it is a complicated issue which requires more time to resolve. Ms. Hernandez explained that she has dealt with it privately and it has become a "battle" between herself and the landlord. Anthony Valdes approached the dais and attempted to explain that he is the inspector and has issued violations regarding this matter; however, Commissioner Cirillo advised him not to and suggested setting up a meeting to discuss the issues privately. Mr. Valdes again tried to explain himself and was advised not to comment a second time. Commissioner Cirillo requested her contact information, which she provided.

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4. Vipul Parekh, 6507 Hudson Avenue:

Mr. Parekh inquired about the empty lot located at 64th & Broadway and inquired as to the use. Comm. Cirillo advised that it is owned by the State but that the Town is considering other options for its use. Mayor added that this was a topic of conversation a few days ago. Mr. Parekh also commended the WNY Police Dept.

A motion was made by Commissioner Colacurcio, seconded by Commissioner Cirillo, to close the Public Portion at 8:47 pm, 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 Colacurcio, seconded by Commissioner Rodriguez, to adjourn the meeting at 8:47 p.m. was carried by the following vote:

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

Commissioner Cosmo A. Cirillo

Commissioner Susan M. Colacurcio

Commissioner Margarita Guzman

Commissioner Gabriel Rodriguez

Mayor Felix E. Roque
Board of Commissioners

Attest:

Carmela Riccio, RMC
Town Clerk

TYPE OF AUDIT: Annual Audit – Year Ended December 31, 2014
DATE OF BOARD MTG: 9/16/2015

CONTACT PERSON: Margaret S. Cherone, CPA, CFO
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Finding/Comment Number:	Corrective Action Approved by the Board:	Method of Implementation:	Person responsible for Implementation	Completion date of Implementation
<p>#2014-1</p> <p>Miscellaneous reserves in the Other Trust Fund with no approved dedication by rider be cleared of record or approval of dedication by rider be requested from the Division of Local Government Services.</p>	<p>All of the reserves in the Other Trust Fund will be reviewed and either cleared of record or approved for the requisite Dedication by Rider's.</p>	<p>Presentment of resolution to either clear of record or obtain a Dedication by Rider from the Division of Local Government Services.</p>	<p>CFO and Finance Office professional staff.</p>	<p>2015</p>
<p>#2014-2</p> <p>Old outstanding checks on monthly bank reconciliations be reviewed and cleared of record</p>	<p>The finance staff will review each bank reconciliation to identify stale dated checks for cancellation or reissuance.</p>	<p>Resolution shall be presented at the year-end Commissioners meeting cancelling all stale dated checks in each bank account or a check will be reissued to the respective vendor.</p>	<p>CFO and finance staff</p>	<p>2015</p>
<p>#2014-3</p> <p>All outstanding tickets in excess of 6 months on the Municipal Court's "Tickets Assigned Not Issued" report be recalled and all tickets on the "Tickets Issued Not Assigned" report be assigned.</p>	<p>The Municipal Court Administrator shall review each respective report regularly to ensure compliance with the statutory requirements of ticket management.</p>	<p>The Municipal Court Administrator will recall unissued tickets aged over 6 months and reassign tickets issued periodically and regularly.</p>	<p>Municipal court administrator and Police personnel</p>	<p>2005</p>

Finding/Comment Number:	Corrective Action Approved by the Board:	Method of Implementation:	Person responsible for Implementation	Completion date of Implementation
#2014-4 Cash transfers be made to liquidate interfund balances.	The finance staff will regularly review the accounts within each of the funds to reconcile all interfund transactions and make the requisite adjustments.	A monthly review and reconciliation process will be performed by the finance staff of the various fund accounts.	Finance accounting staff.	2015
#2014-5 Salary ranges of the salary ordinance need to reflect all current contractual salaries.	The Board of Commissioners shall adopt an ordinance that regularly updates the salary ranges of the salary ordinance to reflect the latest contractual salaries.	A salary ordinance shall be prepared for the approval of the Governing Body.	Town Administrator and Board of Commissioners	2015
#2014-6 Procedures to verify the payment of state and federal payroll deductions by its third party payroll provider be implemented.	The verification of state and federal payroll deductions shall be performed regularly to confirm that all amounts deducted and/or due have been paid timely and accurately.	A biweekly review and reconciliation shall be performed of the state and federal payroll deductions to ensure payment has been made.	Finance staff	2015
#2014-7 The encumbrance system be used to ensure that materials and/or services be ordered only after a purchase order has been executed. Also, all contracts shall be encumbered when awarded.	The purchasing staff shall require all purchases be made by using the requisition process first, to eliminate any confirming purchases. A contract shall be encumbered upon award at a BOC meeting.	Each department shall assign an employee to initiate a request for a purchase of goods and/or services through the Purchasing Department, in writing. Purchasing shall then issue a Purchase Order to execute the purchase. At the time of any award of a contract (via resolution of BOC), the amount shall be encumbered in the budget.	QPA and purchasing staff	2015
#2014-8		Monthly review of transactions in the		

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Overages and shortages in the Municipal Court's should be entered into the ATS/ACS system.	The Municipal Court administrator shall ensure that the reconciliation processes are performed monthly and that all adjustments should be posted to the ATS/ACS system.	Monthly review of transactions in the reconciliations shall be performed in order to enter adjustments to the ATS/ACS system and to ensure that all disbursements made are accurate.	Municipal court administrator and staff.	2015
#2014-9 All monies collected by the Police Department shall be deposited within 48 hours.	Monies collected within the Police Department must be deposited in the bank within 48 hours.	The Police Department shall make the required deposits of monies collected within 48 hours of receipt.	Police and finance staff.	2015
#2014-10 PILOT credits applied by the tax assessor should agree with the appropriate resolution of the governing body.	The calculations of PILOT credits be performed in accordance with the terms of the appropriate authorizing resolutions.	The tax assessor and staff shall calculate the PILOT credits for each entity in conformance with the terms of the authorizing resolution.	Tax assessor and staff.	2015
#2014-11 The calculation of the liability for compensated absences should be computerized, integrated with the payroll system and prepared at least semi-annually. Each calculation should be reviewed and approved by the respective department head and commissioner.	Computerized calculations of compensated absences should be implemented, which will integrate with payroll system and prepared semi-annually. These calculations should be presented to the department head and commissioner for review and approval.	A computerized method of calculating compensated absences, by department, will be implemented and integrated with payroll system for accuracy, review and approvals.	Payroll supervisor and professional finance staff.	2015

Finding/Comment Number:	Corrective Action Approved by the Board:	Method of Implementation:	Person responsible for Implementation	Completion date of Implementation
#2014-12 All subsidiary ledgers be integrated with the respective fund's general ledger.	Integration of subsidiary ledgers with the fund general ledgers be completed.	The subsidiary ledgers shall be completed and integrated with the general ledger.	Finance and professional finance staff.	2015

Certified Financial Officer

Date

Best Practices Worksheet CY 2015/SFY2016

West New York Town (Hudson)			
0912		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question	Comments	
General Management - GM			
1	Yes	Sharing services has been promoted for many years as a means to control costs. In addition to sharing resources such as labor, facilities and equipment with a county or with neighboring communities, shared services include similar agreements with school boards, independent authorities and fire districts. Shared services do not include cooperative purchasing, cooperative pricing or commodity resale agreements. <u>Did your municipality actively negotiate (i.e. meet with representatives from a neighboring town, your county or another local unit) and/or enter into at least one new shared service agreement, or actively negotiate or enter into the renewal of at least one existing shared service agreement, in the preceding year?</u>	
2	N/A	If a final judgment has been entered against the municipality and there is no further adjudication, or if the municipality reaches a final settlement, has your municipality satisfied its obligations under a final judgment or settlement in a timely fashion pursuant to their terms (e.g. tax appeals, tort claims, contractual disputes)? <u>This question cannot be answered "Yes" if your municipality has satisfied a judgment or settlement but additional interest and/or other penalties have been imposed as a result of noncompliance with the terms thereof.</u> This question does not apply to claims adjudicated or settled by the municipality's JIF or insurance carrier.	
3	Yes	Has your municipality adopted a vehicle use policy prohibiting personal use of municipal vehicles (except for commuting), and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.	
4	Yes	Has the appropriate administrative official reviewed the <u>State Comptroller's June 25, 2013 Report</u> on local government legal fees, and does your municipality follow the best practices outlined in the checklist annexed as an Appendix to the report?	

Best Practices Worksheet CY 2015/SFY2016

West New York Town (Hudson)			
0912		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
5	Yes	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
6	Yes	Does your municipality require its elected officials to attend on an annual basis at least one instructional course covering the responsibilities and obligations of elected officials (for example: ethics, municipal finance, labor relations, risk management, shared services, purchasing, land use administration, personnel, technology etcetera)? This item may be satisfied either through a course approved for continuing education credit by DLGS, or in-house education provided by a professional, vendor or staff member (provided they have significant expertise in their profession and routinely prepare public presentations).	
7	Yes	With regard to your municipality's collective bargaining agreements that replaced contracts expiring on or after 1/1/11, is the overall impact of the aggregate economic costs limited to an average increase of 2% or less per year over the contract term?	
8	N/A	A municipality's participation in FEMA's <u>National Flood Insurance Program Community Rating System</u> can lead to significant flood insurance premium reductions for its homeowners. An explanation of the program may be found on FEMA's website at http://www.fema.gov/national-flood-insurance-program/national-flood-insurance-program-community-rating-system , and more information on how the NJDEP's statewide CRS coordinator can assist with improving your rating can be found at http://www.nj.gov/dep/floodcontrol/about.htm . Does your municipality have, or is your municipality in the process of attaining, a Community Rating System ranking of at least Class 9?	

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9	Yes	If the ratio of assessed values to market values in your municipality is presently less than 65%, is your municipality in the process of conducting a reassessment or revaluation?	Tax maps have been State certified; RFP specifications under construction.
10	Yes	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Forms. Compliance by local elected officials is particularly important. <u>Have all of your local elected officials filed their Financial Disclosure Form in 2015 that covers the 2014 calendar year?</u>	
11	Yes	Many municipalities have created one or more authorities (including fire districts, utilities authorities, redevelopment authorities, housing authorities, port authorities, etc.) to provide greater focus and attention on addressing a public need, or to reduce governing body burdens. While creation of an authority is often appropriate, and many authorities successfully fulfill their missions, authorities with weak membership or insufficient local-level monitoring can become wasteful, inefficient and unresponsive to the public they serve. <u>N.J.S.A. 40A:5A-20</u> allows a local governing body to dissolve an authority subject to certain parameters and with Local Finance Board approval. Municipalities should at least annually assess the authority or authorities they created and publicly discuss their findings and conclusions. Findings and conclusions should address whether the authority's continued existence is appropriate, and whether the authority is appropriately and efficiently serving its residents. <u>Does the governing body meet at least once annually to discuss an assessment of the authority or authorities they have created?</u>	

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Answer	Question	Comments	
Finance & Audit - FA			
12	Yes	Internal accounting control processes, procedures and authorizations are designed to safeguard assets and to limit the risk of loss or misstatement. <u>1) Are internal accounting control processes, procedures and authorizations documented and communicated to staff; and 2) Does your Administrator/Manager or CFO, as appropriate, evaluate and discuss risk assessment annually with your governing body or an appropriate subcommittee thereof (such as the Audit or Finance Committee) with a focus on developing and updating accounting control processes, procedures and authorizations? If you selected "yes", please state in the Comment section in the approximate date of the discussion and whether the discussion was with the governing body or, if with a subcommittee thereof, name the subcommittee.</u>	
13	Yes	In Local Finance Notice 2007-5, the Division issued guidance concerning the collection and accounting of fees by mayors for the performance of marriage and civil union ceremonies. If your municipality's mayor collects fees for performing weddings and civil unions, are the guidelines on pages 2 and 3 of LFN 2007-5 being followed?	
14	Yes	Does your municipality have a Finance Committee (or equivalent) made up of one or more members of the governing body and other appropriate personnel, as may be needed, that meets at least <u>quarterly</u> and discusses all significant financial issues? If you answer "Yes", phrase state in the Comment section the approximate date of your municipality's most recent Finance Committee meeting.	Sep-15
15	Yes	Audit findings address areas needing improvement. Ignoring these findings devalues the process; therefore, municipalities should correct noted deficiencies. <u>Have all audit findings from the 2013 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the 2014 audit? If the answer is no, please list the repeat findings in the comments section. Only answer "N/A" if there were no audit findings in 2013. If your municipality wishes to appeal the result of this question, the Director shall determine based on the comment(s) whether the finding(s) is/are sufficiently material to warrant a "no" answer.</u>	

Best Practices Worksheet CY 2015/SFY2016

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	Answer	Question	Comments
16	Yes	The CFO should be capable of preparing the annual financial statement, annual debt statement and budget schedules. Excessive auditor assistance on these documents could create a perception that the auditor is not truly independent of the client in auditing the client's financial statements. At a minimum, each CFO should prepare balanced and reconciled financial records including books of original entry, general ledgers, subsidiary ledgers and other computer reports that accurately analyze and reflect the municipality's financial position. These records should have sufficient detail for an accountant with sufficient knowledge of New Jersey's municipal accounting system to extract information necessary to prepare financial and debt statements. This requires that, within acceptable tolerance, all financial transactions (cash and non-cash) be posted in the general ledger and that all general ledger accounts be supported by subsidiary ledgers, reports, reconciliations or are otherwise analyzed. <u>A "yes" answer is appropriate if 1) your CFO prepares the annual financial statement, annual debt statement and annual budget, or 2) your CFO presents balanced and reconciled financial records, or 3) you are retaining outside assistance to do so from an individual or entity separate from your municipality's audit firm.</u> <i>Please note that item #2 cannot count as a "yes" answer if the Report of Audit contains comments and recommendations regarding the General Ledger or Cash Account balances not being reconciled.</i>	
17	Yes	Grant programs can create a significant burden on a municipality's cash flow if program expenses are either not timely reimbursed or are charged to other operating accounts instead of to the grant. Are all grant revenues, along with their corresponding appropriations, reviewed at least quarterly to determine that all program expenses have 1) been filed for reimbursement and 2) have been properly charged to the grant, with follow up communication to grantor agencies in instances where payments are delayed?	

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18	Yes	N.J.S.A. 40A:5-4 requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of its fiscal year. Further, N.J.S.A. 40A:5-6 requires the municipality's auditor to submit a certified duplicate copy of the audit report and recommendations with the Division within 5 days after filing the original with the municipal clerk. <u>Has your municipality received its completed audit for the preceding fiscal year within the statutory timeframe, and confirmed that your auditor has filed a certified duplicate copy of the audit report with the Division?</u> You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.	
19	Yes	For its most recent audit period completed, has the municipality: 1) <u>not</u> had findings reported in the Schedule of Findings and Questioned Costs related to potential or actual questioned costs; or 2) <u>not</u> accrued a liability or made payment to a grantor for questioned costs or disallowed expenditures; or 3) <u>not</u> been notified of an amount that must be refunded to a grantor as a result of a contract audit or for any other reason?	
20	Yes	Pursuant to N.J.S.A. 40A: 2-40, the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file their Annual Debt Statement with the Division of Local Government Services. The annual debt statement must be filed electronically following the procedure described in Local Finance Notice 2013-3. <u>Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?</u>	

Best Practices Worksheet CY 2015/SFY2016

West New York Town (Hudson)			
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	Answer	Question	Comments
21	Yes	<u>Local Finance Notice 2014-09</u> contains important information about the need for municipalities that have certain outstanding debt to abide by requirements to annually disclose certain information with respect to financial conditions. The continuing financial disclosure obligations are required by federal law and local agreements executed as part of past issuances of debt. Failure to comply can result in penalties against local governments and individual officers responsible for various filings. Failure to comply can also result in a lack of access to capital markets. <u>Has your CFO done all of the following: (1) reviewed Local Finance Notice 2014-09; and (2) undertaken, or caused to be undertaken, a review of past compliance with such requirements?</u>	
22	Yes	Is your municipality up to date and fully compliant with continuing disclosure obligations as discussed in the previous question?	
Procurement - P			
23	No	Municipalities and their agencies are allowed to prohibit the award of public contracts to business entities that have made certain campaign contributions exceeding \$300 and to limit the contributions that the holders of a contract can make during the term of a contract to \$300. A model ordinance concerning pay-to-play can be found at http://www.nj.gov/dca/divisions/dlgs/resources/muni_st_docs/pay_to_play_ordinance-contractor.doc . <u>Has your municipality adopted a pay-to-play ordinance pursuant to N.J.S.A. 40A:11-51 that is more restrictive than state statutory requirements?</u>	
24	N/A	Pursuant to <u>N.J.S.A. 52:15C-10(a)</u> , municipalities (among other government entities) must notify the State Comptroller within no later than 20 business days of awarding most contracts greater than \$2 million but less than \$10 million. For contracts \$10 million or more, N.J.S.A. 52:15C-10(b) requires written notification to the State Comptroller of any negotiation or solicitation no later than 30 days before advertisement; from which point the State Comptroller has 30 days to approve the procurement moving forward unless said period is waived. Further information on the law and applicable forms is available on the State Comptroller's website. <u>Did your municipality comply with the notice and approval provisions of N.J.S.A. 52:15C-10 in the prior year?</u>	

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	Answer	Question	Comments
25	Yes	The Prompt Payment Law, enacted as P.L. 2006 c.96, establishes timing standards for the payment of obligations under a wide range of construction-related contracts. The law seeks to ensure that contractors submitting bills for completed work are paid on a timely, established schedule, and that the full chain of subcontractors receive timely payment from their hiring contractor. Local Finance Notice 2006-21 discusses the law and its impact on local governments. <u>Have your municipality's claim payment procedures been reviewed by legal counsel and appropriate municipal staff to ensure compliance with the Prompt Payment Law?</u>	
26	Yes	Has your municipality established a chain of command as required by <u>N.J.A.C. 5:34-6.1(b)</u> to ensure appropriate individuals are in place to determine when emergency procurement is necessary, and to ensure that the provisions for emergency purchasing set forth in <u>N.J.S.A. 40A:11-6</u> are properly implemented?	
27	Yes	<u>N.J.S.A. 40A:11-5 (a)(i)</u> states that, if a municipality utilizes the professional services exemption from the Local Public Contracts Law, "The governing body shall in each instance state supporting reasons for its action in the resolution awarding each contract and shall forthwith cause to be printed once, in the official newspaper, a brief notice stating the nature, duration, service and amount of the contract, and that the resolution and contract are on file and available for public inspection in the office of the clerk of the [] municipality...". <u>With respect to the award of professional services contracts, is your municipality complying with the above referenced provision of the Local Public Contracts Law?</u>	

Best Practices Worksheet CY 2015/SFY2016

West New York Town (Hudson)			
0912		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question		Comments
	Budget Preparation and Presentation - BP		
28	Yes	In preparing your annual budget it is important for both the governing body and public to understand the concept of surplus and how it accumulates (or declines) over the years. A formal policy regarding surplus serves as a basis for decisions concerning future financial solvency, and the lack of a policy could lead bond rating agencies to downgrade your municipality's credit rating. In developing said surplus policy your CFO should analyze and explain at least a five-year trend of surplus; illustrating the factors causing each annual increase or decrease. A surplus policy with realistic and sustainable goals can then be determined. <u>Does your municipality have a written policy goal for the amount of surplus available in support of municipal operations, and is this goal evaluated annually?</u>	
29	Yes	In preparing your annual budget, it is important that the impact that current budgeting decisions may have on future years' budgets be presented, evaluated and considered before the governing body takes final action. Long term plans concerning revenue, appropriations, tax levy, tax levy cap and surplus are critical to sustaining (or achieving) a solid fiscal condition. <u>Are budget projections 1) factoring in the impact that the current year's budget may have on the future tax levy (as restricted by the levy cap) and future surplus balances for at least two future year's budgets, and 2) are these budget projections discussed with the governing body?</u>	
30	Yes	Certain municipalities have indirectly pledged prompt payment (i.e. issued a guarantee) of debt service with respect to debt issued by counties, independent authorities or developers. Bond Rating Agencies (e.g. Moody's, Fitch, Standard & Poor's) have downgraded certain municipalities' bond ratings to below investment grade for lack of preparation in the event a lender calls in a debt guarantee. <u>If your municipality guarantees any debt, are direct service revenues that may be pledged against debt repayment monitored by the municipal CFO; and to the extent that cash flow from pledged revenue will not satisfy the debt repayment, are sufficient funds held in reserve to satisfy the guarantee or is an existing authorization in place to issue debt (e.g. a bond ordinance) in the event a lender calls in the guarantee?</u>	CFO will request annual audit report from all entities guaranteed.

Best Practices Worksheet CY 2015/SFY2016

West New York Town (Hudson)			
0912		Please see Color Key at bottom of sheet for limits on answers	
	Answer	Question	Comments
31	Yes	Do elected officials receive a written status report at least quarterly on all budget revenues and appropriations as they correspond to the annual adopted budget?	
32	Yes	In developing your multi-year capital plan, is your municipality dedicating sufficient revenues to fund maintenance, repair and eventual replacement of infrastructure such as roads, storm sewers, sanitary sewers and water systems?	
33	No	<u>N.J.S.A. 40A:4-5</u> requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) unless the Director sets forth a later date pursuant to <u>N.J.S.A. 40A:4-5.1</u> . Did your municipality approve its introduced current year budget no later than the date provided by law or as extended by the Director in Local Finance Notice 2014-21? This question may only be answered N/A if your municipality is under State Supervision.	
34	No	<u>N.J.S.A. 40A:4-10</u> requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities), unless the Director sets forth a later date pursuant to <u>N.J.S.A. 40A:4-5.1</u> . Did your municipality adopt its current year budget no later than the date provided by law or as extended by the Director in Local Finance Notice 2014-21? This question may only be answered "N/A" if your municipality is under State Supervision, or delayed its budget adoption because it awaited a Division determination concerning a grant award or Transitional Aid award.	
		Health Insurance - HI	

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West New York Town (Hudson)			
0912		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
35	Yes	Does your municipality exclude from healthcare coverage part-time elected and appointed officials (less than 35 hours per week)? Only answer "yes" if no part-time elected or appointed officials receive health benefits. If your municipality has part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (or receive a waiver for not doing so) by virtue of serving in their position continuously since May 21, 2010, you must answer "No". If you answered "No", please list in the Comments section the name and title of each elected or appointed official receiving either health benefits or a waiver payment in lieu of health benefits.	

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Answer	Question	Comments	
36	Yes	Does your municipality conduct a monthly review of health benefit covered lives itemized on health insurance invoices to determine that health insurance invoices do not include employees, former employees, spouses or dependents who should no longer be receiving coverage?	
37	Yes	Municipalities frequently contract with or designate insurance brokers to secure healthcare coverage from insurance carriers. Brokers are typically paid by third-party administrators (TPA's) hired to collect, review and pay healthcare bills. The municipality pays the TPA, who in turn pays the broker. Broker fees are often directly related to the amount of insurance premiums or fees paid by the municipality (i.e. the higher the premium, the larger the broker's commission). Thus, the municipality-broker-TPA arrangement is vulnerable to abuse because brokers could face conflicting incentives in seeking lower-cost insurance alternatives. <u>If your municipality contracts with or otherwise designates an insurance broker, is the structure for broker payments set at a flat-fee rather than on a commission basis (so as to mitigate the risk of brokers recommending more expensive insurance coverage to earn higher fees)?</u>	
38	Yes	The State Health Benefits Program (SHBP) offers medical, prescription and dental coverage options for more than 850,000 participants, including employees, dependents and retirees. All plans have substantial networks of healthcare providers, and provide services nationwide. 62% of municipalities, and 33% of counties, within New Jersey participate in SHBP. <u>If your municipality has non-SHBP coverage, as your collective bargaining agreements come up for renegotiation, do your municipality's negotiation proposals seek contract provisions allowing its employees to be switched to SHBP or another non-SHBP plan of lesser cost?</u>	

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Answer	Question	Comments	
39 Yes	<p>Prior to municipal officers and employees being required to substantially share in the cost of their health benefits, there was no disincentive to officers and employees accepting coverage even though they had alternative coverage. Many municipalities would offer payments in lieu of health benefits to encourage officers and employees to voluntarily drop coverage, provided they had coverage from another source. The policy often saved money by replacing the expensive cost of providing health care with the less expensive payment in lieu of health benefits. The need to pay officers and employees money to not take a health insurance benefit they can receive from another source has lessened, because the cost of premium sharing will cause officers and employees to drop coverage if alternative coverage is available. <u>Has your governing body had a thorough and adequate discussion about its current policy regarding payments in lieu of health benefits, its impact on the municipal budget, and whether said payments are still warranted? "N/A" is only applicable where the municipality has a policy of not making payments in lieu of health benefits.</u></p>		

Best Practices Worksheet CY 2015/SFY2016

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Answer	Question	Comments	
	Personnel - PE		
40	Yes The Fair Labor Standards Act (FLSA) is a federal law that establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments. The law requires that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with labor counsel for more detailed guidance). <u>Does your municipality refrain from paying overtime to employees who are classified as exempt under the FLSA?</u> <i>In answering this question, be aware that exempt status would also preclude overtime pay for time worked during emergencies, attendance at night meetings, participation in training sessions, and police "off-duty" assignments (a/k/a "Jobs in Blue"). Also, please note that compensated leave time in lieu of cash payments is considered to be a form of overtime pay unless such leave is utilized in the same pay period.</i>		
41	Yes N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us . <u>Has your municipality filed all current contracts with PERC?</u>		

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	Answer	Question	Comments
42	Yes	Does your municipality make available to the public free of charge, either through an internet posting or on-site review, documents that show the current salaries of all personnel?	
43	Yes	Accurate records of employee time are critical not only for financial accountability, but also effective management of your workforce. Is your municipality ensuring that 1) employees complete and file standardized forms, either electronically or by paper, to verify all employee time worked (e.g. time cards, electronic time keeping); 2) your personnel/human resources office maintains records accounting for all employee leave time earned and used; and 3) supervisors are reviewing and approving/denying employee time and attendance documentation before those records are submitted to management and, in the case of department heads, is such documentation reviewed and verified independently?	
44	Yes	Has your municipality instituted a policy to not compensate employees for sick leave accumulated after a certain date?	
45	Yes	Does your municipality have a transitional duty program (light duty) to encourage employees out on workers compensation to return to work?	Except for DPW
46	Yes	The State Workers Compensation Law provides that, when an employee receives a work-related injury producing temporary disability, the employee is entitled to wage-continuation equal to 70% of the employee's weekly wages, subject to a maximum compensation as determined by the Commissioner of Labor. <u>Does your municipality limit benefits for work-related injuries to the above statutory benefit?</u> The answer to this question can be "prospective" if such a provision was imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining.	

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0912		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question	Comments	
47	Yes	The weekly benefit rate provided under the State Temporary Disability Law for a non-work-related injury is calculated on the basis of claimant's average weekly wage. Each claimant is paid 2/3 of their average weekly wage up to the maximum amount payable, which is \$604 for disabilities beginning on or after 1/1/15. <u>Does your municipality refrain from supplementing the Temporary Disability benefit?</u> The answer to this question can be "prospective" if such a provision was imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining. Only answer "N/A" if your municipality does not participate in the State Temporary Disability Program.	
48	Yes	Has your municipality adopted an ordinance, resolution, regulation or policy eliminating longevity awards, bonuses or payments for non-union employees?	
49	Yes	For any employees covered by a collective bargaining agreement, has your municipality eliminated longevity awards, bonuses or payments for employees hired on or after a specified date, and refrained from increasing longevity awards, bonuses or payments for employees hired before a specified date? The answer to this question can be "prospective" if such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining.	
50	Yes	Employee personnel manuals or handbooks serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas ranging from discrimination, safety, violence, and harassment to vacation and sick days, holidays, use of township vehicles, smoking and political activity, among others. <u>Has your municipality adopted or updated an employee personnel manual/handbook by resolution or ordinance within the last five years?</u> If yes, please provide in the Comments section the date of the meeting during which the personnel manual was adopted.	

Best Practices Worksheet CY 2015/SFY2016

West New York Town (Hudson)			
0912		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question		Comments
0	Select		
44	Yes		
3	No		
3	N/A		
0	Prospective		
50	Total Answered:		
47	Score (Yes + N/A + Prospective)		
94%	Score %		
0%	Percent Withheld		
Chief Administrative Officer's Certification			
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.		Certification #(s)
	Name & Title		Date
Chief Financial Officer's Certification			
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.		Certification #(s)
	Name		Date
	Margaret S. Cherone		9.14.15
Municipal Clerk's Certification			
	I hereby certify that the Governing Body of the <insert Municipality> in the County of <insert County> discussed/will discuss the CY 2015/SFY 2016 Best Practice Inventory as completed herein at a public meeting on <insert date>, with the Inventory results, and the certification thereof by the Chief Administrative and Chief Financial Officers, respectively, to be stated in the minutes of said public meeting.		Certification #(s)
	Name		Date

Best Practices Worksheet CY 2015/SFY2016

West New York Town (Hudson)			
0912	Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments
		Red = Repeat Question; Prospective answers not permitted	
		Blue = Questions where neither "not applicable" nor "N/A" answers are permitted	
		Green = Repeat questions where neither "Prospective" nor "Not Applicable" are permitted	
		No Color = "Yes"; "No"; "Prospective" and "Not Applicable" are all permissible answers	
	# of Questions scored yes, prospective, or "not applicable"	Amount of Aid Disbursed	Impact on final 5% aid payment/impact on total aid
	41-50	100%	No penalty
	33-40	80%	Lose 20% which equals 1% of total aid
	25-32	60%	Lose 40% which equals 2% of total aid
	17-24	40%	Lose 60% which equals 3% of total aid
	9-16	20%	Lose 80% which equals 4% of total aid
	0-8	0%	Lose 100% which equals 5% of total aid
	Question	Table of Weblinks	
	4	http://nj.gov/comptroller/news/docs/press local government legal fees.pdf	
	8	http://www.fema.gov/national-flood-insurance-program-community-rating-system	
	8	http://www.nj.gov/dep/floodcontrol/about.htm	
	13	http://www.nj.gov/dca/divisions/dlgs/lfns/07/2007-5.doc	
	20	http://www.nj.gov/dca/divisions/dlgs/lfns/13/2013-3.pdf	
	21	http://www.nj.gov/dca/divisions/dlgs/lfns/14/2014-09.pdf	
	23	http://www.nj.gov/dca/divisions/dlgs/resources/muni st docs/pay to play ordinance-contractor.doc	
	24	http://www.nj.gov/comptroller/compliance/index.html	
	25	http://www.nj.gov/dca/divisions/dlgs/lfns/06/2006-21.doc	
	33 & 34	http://www.nj.gov/dca/divisions/dlgs/lfns/14/2014-21.pdf	

No.	Property (Address, Name, Block/Lot)	Docket No.	Original Assessment or County Judgment	Settlement
1	6006-6008 Bergenline Avenue, Nickle Mgmt LLC etc, 57/3.01	015960-2009	\$700,000	\$700,000
		018218-2010	\$700,000	\$625,000
		012530-2011	\$700,000	\$625,000
2	5815-21 Madison Street, First Realty Co LLP, 126/20	018212-2010	\$354,700	\$310,000
		012543-2011	\$354,700	\$244,700

No.	Property (Address, Name, Block/Lot)	Docket No.	Original Assessment or County Judgment	Settlement
1	757 Farragut Place, River Play, LLC, 38/13	010939-2013	\$829,500	\$829,500
		012610-2014	\$829,500	\$829,500
		011163-2015	\$829,500	\$705,075
761 Farragut Place, River Play, LLC, 38/14	010938-2013	\$65,500	\$65,500	
	012608-2014	\$65,500	\$65,500	
763 Farragut Place, River Play, LLC, 38/15	010937-2013	\$14,000	\$14,000	
	012606-2014	\$14,000	\$14,000	
771 Farragut Place, River Play, LLC, 38/18	010936-2013	\$98,000	\$98,000	
	012609-2014	\$98,000	\$98,000	
773 Farragut Place, River Play, LLC, 38/19	010935-2013	\$38,300	\$38,300	
	012607-2014	\$38,300	\$38,300	
2	559 56th Street, Peigeng Lu, 117/16	011372-2011	\$190,500	\$115,000