

*Town of West New York  
Hudson County, New Jersey*

*Minutes of Regular Meeting*  
*(Regular Session)*  
*February 17, 2016*

*Commissioner Cosmo A. Cirillo  
Commissioner Susan M. Colacurcio  
Commissioner Margarita Guzman  
Commissioner Gabriel Rodriguez  
Mayor Felix E. Roque  
Board of Commissioners*

**ATTEST:**      **CARMELA RICCIE, RMC**  
**TOWN CLERK**

**February 17, 2016**  
***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, February 17, 2016 at 6:00 p.m. (5:00 p.m. Work Session):

Present: Commissioners Cirillo, Colacurcio, Guzman, Rodriguez and Mayor Roque  
Absent: None  
Also Present: Town Clerk Carmela Riccie, Corporation Counsel Monica De Los Rios

Meeting commenced at 6:04 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 **February 17, 2016** at 6:00 P.M. (5:00 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 23, 2015. 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 Commissioner Cirillo, that the Minutes of Regular Meeting: 1/20/16 and Special Meeting 2/3/2016 (Work and Regular Sessions), and Executive Session: 12/16/2015 be approved as recorded, was carried by the following vote:

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

**Claims: Dated 2/17/16 (Claims are available for public inspection in the Town Clerk's Office):**

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

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

**February 17, 2016**  
**Regular Meeting**

**Receipt of Financial Reports:**

FINANCIAL REPORTS - MONTH OF JANUARY 2016

1. From Construction Code Official Office, reporting the sum of \$509,138.00 Collected for the month of January, 2016.
2. From Director Robert Antolos (Police Dept.), reporting the sum of \$11,737.40 Collected for the month of January, 2016.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$600.00 For Special Licenses for the month of January, 2016.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$472.00 For Marriage/death certificates for the month of January, 2016.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$496.40 For Dogs Licenses for the month of January, 2016.
6. From (Revenue and Finance Department) reporting the sum of \$3,774,277.06 Collected for the month of January, 2016.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$5.00 collected for the month of January, 2016

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

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

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Guzman that the following Consent Agenda Items Nos. R-1 through R-21 (excluding Resolution #R-15 Re: Authorizing Emergency Temporary Appropriations for the year 2016) 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 aloud the titles of all Resolutions and advised that the Consent Agenda was established during the Work Session and that it consists of Resolutions R-1 thru R-21 (excluding R-15). Corporation Counsel Monica Delos Rios advised that another Resolution (which would be identified as R-22) was being added to the agenda Re: Awarding contract to First Priority for one 2015 III Ambulance. All agreed that it too would be added to the Consent Agenda.

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**Consent Agenda:**

**RESOLUTION**  
**CONCERNING PAYMENT OF CLAIMS FOR WORKERS COMPENSATION**  
**AND GENERAL LIABILITY FOR THE MONTH OF FEBRUARY 2016**

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: \$35, 427.18  
General Liability: \$138,674.78

**Resolution**  
**Re: 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)	6/12/2016	RL 1839

**RESOLUTION**  
**AUTHORIZING THE EXECUTION**  
**OF A SETTLEMENT AGREEMENT IN MATTER KNOWN AS**  
**CRESPO V. WEST NEW YORK ET. AL.**

WHEREAS, the Town of the West New York is involved in a civil action in the Superior Court, Hudson County captioned Vivian Crespo v. West New York et. al. Docket No. L-1480-13; and

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

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

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

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**Regular Meeting**

**Consent Agenda (cont.):**

**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  
Public Information Periodicals (2<sup>nd</sup> Occasion)**

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

WHEREAS, the Mayor and Board of Commissioners wish to receive and consider proposals for legal services as may be needed by the Town of West New York for the professional service of Public Information Periodicals (2<sup>nd</sup> Occasion); and

WHEREAS, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals for professional services, including 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 Town Clerk is authorized and directed to publish and advertise a Request for Proposals for Public Information Periodicals (2<sup>nd</sup> Occasion).
2. Such Request for Proposal (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 (“Statements of Proposals”), 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
3. The Mayor, with the Town Administrator and the Town Attorney both in an advisory capacity, will review all Statements of Proposal s and to make recommendations to the Mayor and Board of Commissioners prior to its next regularly scheduled meeting.

**RESOLUTION**

**Re: Hudson County Tax Appeals (\$2,864.80)**

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

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

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

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

NAME	BLOCK-LOT	AMOUNT	YEAR
SPIOTTI ATTY FOR MABROUCK REALTY INC	120/33	\$2,864.80	2015
	GRAND TOTAL	\$2,864.80	

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**Regular Meeting**

**Consent Agenda (cont.):**

**RESOLUTION**  
**Re: Refunds of Overpayments (\$22,541.99)**

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
ACOSTA, JOSE & LIDIA	88/11	\$480.54	2015
HYONG KIM	168.01/8.01 C0106	\$7,504.33 (SVC)	2015
QUICKEN LOANS	168.01/1.03 C0361	\$3,741.73 (SVC)	2015
SHARMA, ADITYA & SUDARSHNA MANI SHARMA	168.01/8.01 C0315	\$1,126.81 (SVC)	2015
CORELOGIC	168.01/1.05 C0324	\$2,941.89 (SVC)	2016
VENTA FIN'L GROUP	97/2	\$3,133.38	2016
JUNCO, DANIA DELOURDES	56/11	\$501.35	2015
GIUFFRE, MARIANNA & SCOTT WINGERT	168.01/1.08 C0279	\$3,111.96 *	2015
	GRAND TOTAL	\$22,541.99	

**RESOLUTION**  
**Re: Refunds of Redemptions (\$287,074.56)**

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
PFS FINANCIAL 1, LLC	109/22 C0201	15-0310	\$1,354.38
	79/29	15-0234	\$5,150.84
	14/3	15-0051	\$2,540.14
	14/4	15-0052	\$4,605.85

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

PAM INVESTORS	86/17	15-0266	\$7,473.27
	55/29	15-0178	\$447.34
	109/2	15-0306	\$539.52
	115/21	15-0356	\$411.86
	79/22.02	15-0233	\$3,089.02
	10/7	15-0041	\$3,160.91
	60/8	15-0191	\$2,543.17
	110/5 C0303	15-0327	\$496.33
	140/7	14-0412	\$5,111.37
	140/8	15-0433	\$4,173.11
	5/32 C1003	15-0026	\$2,847.65
	131/10	15-0405	\$5,144.79
	109/26	15-0312	\$3,079.37
	109/25	15-0311	\$1,337.75
	5/32 C0112	15-0015	\$858.15
	14/7	15-0053	\$4,216.46
	16/33	15-0057	\$496.84
	153/8	15-0467	\$400.78
	33/27.01	13-0113	\$3,659.09
US BANK CUST FOR BV001 TRUST	162/6	13-0542	\$655.30
	157/14	13-0525	\$2,763.13
US BANKCUST FOR PC6, LLC STERLING NT	95/19	15-0274	\$512.85
	130/5.01 C0201	15-0394	\$999.09
	9/4 C0057	15-0040	\$336.45
	168.01/7.06 C0429	15-0543	\$6,437.14
	158/29	15-0489	\$472.06
	130/5.01/C0307	15-0400	\$777.97
	168.01/1.08 C0279	15-0509	\$3,111.96
	130/5.01 C0402	15-0403	\$229.91
	136/2	15-0424	\$800.94
	168.01/1.08 C0279	15-0509	\$3,111.96
	110/5 C0114	15-0314	\$273.89
	74/1 C0006	15-0221	\$1,044.30
	5/32 C0611	15-0020	\$359.62
	74/1 C0017	15-0224	\$1,170.97
	74/4 C0024	15-0225	\$461.17
TTLBL LLC	71/28	15-0217	\$3,380.20
	56/21	15-0187	\$4,342.87
	31/20	15-0090	\$2,091.72
	133/12	15-0410	\$859.13
	16/22	15-0055	\$1,049.67
	155/26.01	15-0482	\$1,920.61
	154/19	15-0475	\$1,275.16
	110/5 C0219	15-0324	\$840.69
	110/5 C0203	15-0318	\$650.10
	146/13	15-0446	\$1,064.39
	3/15	15-0007	\$757.61
	35/13 C0012	15-0101	\$1,442.17
	159/23	15-0491	\$7,712.82
	117/15 C0304	15-0359	\$718.89
	82/10	15-0246	\$899.65
	90/24	15-0271	\$6,181.29
	18/20	15-0061	\$952.77
	8/23	15-0035	\$2,536.98
	123/17	15-0372	\$2,771.50

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

	38/9 C0033	15-0120	\$4,487.73
	135/6	15-0421	\$13,256.85
	130/3	15-0393	\$3,558.11
	110/5 C0204	15-0319	\$990.30
	66/24	15-0200	\$1,246.90
	138/13.04	15-0429	\$2,126.39
US BANK C/F TOWER	168.01/1.34 C0431	15-0523	\$6,231.82
DBW V TR. 2015-1	135/13	15-0423	\$50,586.07
	5/32 C0317	15-0018	\$1,361.43
	110/5 C0421	15-0346	\$559.26
	11/44	15-0046	\$3,060.04
	83/7 C0010	15-0252	\$728.73
	110/5 C0414	15-0345	\$835.75
	33/41	15-0099	\$4,034.34
	168.01/1.03 C0357	15-0505 *	\$1,127.91
	22/6	15-0076	\$1,296.98
	153/34	15-0472	\$353.48
	110/5 C0202	15-0317	\$618.08
	110/5 C0305	15-0328	\$755.83
	168.01/7.06 C0228	15-0540	\$3,899.56
US BANK C/F TOWER	145/27.02	14-0428	\$6,322.02
DBWI IV 2014-1	84/15	14-0269	\$2,892.90
US BANK CUST BV002	2/5	15-0003	\$922.72
TRST & CRDTRS	168.01/8.03 C0200	15-0531	\$6,293.82
	128/25	14-0363	\$22,225.02
	135/7	15-0422	\$605.46
SBMUNICUST C/O LBNJ	145/27.02	12-0662	\$13,544.16
ISAAC MORADI	110/5 C0415	13-0389	\$823.58
DEFINED CAPITAL, LLC	168.01/1.31 C0472	15-0519	\$4,224.36
		GRAND TOTAL	\$287,074.56

**RESOLUTION**

**Re: Refunds of Premiums (\$727,500.00)**

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

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

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

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

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

NAME	BLOCK/LOT	CERT. #	AMOUNT	
PFS FINANCIAL 1, LLC	109/22 C0201	15-0310	\$6,000.00	
	79/29	15-0234	\$22,000.00	
	14/3	15-0051	\$20,000.00	
	14/4	15-0052	\$20,000.00	
PAM INVESTORS	86/17	15-0266	\$18,000.00	
	55/29	15-0178	\$1,300.00	
	109/2	15-0306	\$1,500.00	
	79/22.02	15-0233	\$25,000.00	
	10/7	15-0041	\$18,000.00	
	60/8	15-0191	\$6,000.00	
	110/5 C0303	15-0327	\$1,500.00	
	140/7	14-0412	\$8,000.00	
	140/8	15-0433	\$1,200.00	
	5/32 C1003	15-0026	\$8,000.00	
	131/10	15-0405	\$18,000.00	
	109/26	15-0312	\$500.00	
	109/25	15-0311	\$1,000.00	
	5/32 C0112	15-0015	\$3,000.00	
	14/7	15-0053	\$8,000.00	
	16/33	15-0057	\$1,000.00	
33/27.01	13-0113	\$800.00		
US BANK CUST FOR BV001 TRUST	162/6	13-0542	\$7,100.00	
	157/14	13-0525	\$400.00	
US BANKCUST FOR PC6, LLC STERLING NT	95/19	15-0274	\$1,000.00	
	130/5.01 C0201	15-0394	\$500.00	
	9/4 C0057	15-0040	\$1,000.00	
	168.01/7.06 C0429	15-0543	\$25,000.00	
	158/29	15-0489	\$1,200.00	
	130/5.01/C0307	15-0400	\$800.00	
	168.01/108 C0279	15-0509	\$12,000.00	
	130/5.01 C0402	15-0403	\$400.00	
	136/2	15-0424	\$1,000.00	
	5/32/C0611	15-0020	\$900.00	
	110/5 C0114	15-0314	\$100.00	
	74/1 C0006	15-0221	\$1,000.00	
	74/1 C0017	15-0224	\$1,300.00	
	74/4 C0024	15-0225	\$1,200.00	
	TTLBL LLC	71/28	15-0217	\$8,000.00
		56/21	15-0187	\$14,000.00
31/20		15-0090	\$8,200.00	
133/12		15-0410	\$10,200.00	
16/22		15-0055	\$5,000.00	
155/26.01		15-0482	\$9,100.00	
154/19		15-0475	\$7,000.00	
110/5 C0219		15-0324	\$5,000.00	
110/5 C0203		15-0318	\$4,200.00	
146/13		15-0446	\$3,100.00	
3/15		15-0007	\$2,800.00	



**February 17, 2016**  
**Regular Meeting**

**Consent Agenda (cont.):**

**RESOLUTION**  
**Re: State Court Tax Appeals (\$4,276.14)**

WHEREAS, the following property owners have appealed to the Tax Court of New Jersey for a reduction in the Tax Assessment levied upon their properties:

WHEREAS, the Tax Court of New Jersey by their judgment has reduced the said assessments levied upon the said properties; and;

WHEREAS, said judgment of reduction in the Tax Assessment has caused an overpayment of taxes collected by the Town of West New York, relating to said properties, and whereas the Municipality has paid the below amounts:

NOW, THEREFORE, BE IT RESOLVED that said payment of taxes be and the same are hereby affirmed to the property owners in the following amounts for the years noted pursuant to N.J.S.A. 54:3-21 & 54:3-27.2.

NAME	BLOCK-LOT	AMOUNT	YEAR
THE DAVIDSON LEGAL GROUP, LLC	5/32 C0910	\$2,144.34	2011
		\$2,131.80	2012
	GRAND TOTAL	\$4,276.14	

**RESOLUTION**  
**Re: Move tax overpayments from one year to another**  
**(Various properties)**

WHEREAS, there is an overpayment on the 2nd quarter 2015 tax bill in the amount of \$227.31 for property located at 317 53<sup>TH</sup> Street A/K/A block 95 lot 10 and

WHEREAS, there is an overpayment on the 2nd quarter 2015 tax bill in the amount of \$293.25 for property located at 437 64<sup>th</sup> Street A/K/A block 33 lot 15 and

WHEREAS, there is an overpayment on 4<sup>th</sup> quarter 2015 tax bill in the amount of \$120.86 for property located at 418 Newburgh Court A/K/A block 168.01 lot 1.35 C0418 and

WHEREAS, there is an overpayment on 2<sup>nd</sup> and 3<sup>rd</sup> quarter 2014 tax bill totaling \$5,289.84 for property located at 625-35 57<sup>th</sup> Street A/K/A block 124 lot and

WHEREAS, the taxpayers are requesting there overpayments be moved to credit there 2016 tax bills on the said properties

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

**RESOLUTION**  
**Re: Cancel Tax Sale Certificate (5117 Bergenline Avenue)**

WHEREAS, The Tax Collector, sold Tax Sale Certificate# 14-0313 to US Bank Custodian for BV001 Trust & Creditors at a Tax Sale held on December 17, 2014 for property located at 5117 Bergenline Avenue a/k/a block 108 lot 18 and;

WHEREAS, the property owner filed for Chapter 11 Bankruptcy protection on March 6,2012 and was converted to Chapter 7 Bankruptcy protection on October 21,2013 therefore Tax Sale Certificate# 14-0313 should not have been sold and;

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

THEREFORE, the Tax Collector is hereby authorized to issue a full refund and to adjust the tax records accordingly.

NAME	BLOCK/LOT	AMOUNT	YEAR
US BANK CUST. BV001	108/18	\$17,312.30	2014
	GRAND TOTAL	\$17,312.30	

**RESOLUTION**  
**AUTHORIZING TEMPORARY CONTRACTS FOR**  
**MUNICIPAL PUBLIC INFORMATION SERVICES**

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

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

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

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

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

- 1) El Especialito, Display advertisement, \$1,000.00
- 2) Hispanic State Parade of New Jersey, Display advertisement, \$475.00
- 3) Cambrio Publications Group, LLC, advertisement, \$2,000.00
- 4) Hudson County TV, LLC, advertisement, \$2,000.00

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

**RESOLUTION**  
**RE: Authorizing an Emergency Purchase for the Emergency Removal of Snow in the Town**  
**of West New York, following Winter Storm Jonas**

WHEREAS, the governing body of the Town of West New York has been advised that an emergency did exist affecting the safety and welfare of the citizens of the Town of West New York and the general public did occur when Winter Storm Jonas produced heavy snow and dangerous roadway conditions between Friday evening, January 22, 2016 and continuing through early Sunday morning, January 24, 2016; and

WHEREAS, the Governor of the State of New Jersey declared a State of Emergency in the entire state, commencing Friday evening, January 22nd, setting forth the circumstances regarding the emergency; and

WHEREAS, the Supervisor of DPW notified the Commissioner of the Department of Public Works, setting forth the circumstances regarding the emergency; and

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

WHEREAS, the governing body is satisfied that an emergency did exist and that immediate action was necessary to remove snow and to secure the roadways of the Town of West New York to full safety; and

WHEREAS, the cost of the snow removal was \$107,955.00, which was a fair and reasonable quotation; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account #01-201-23-781-020-99, Purchase order #4367.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that pursuant to N.J.S.A.40A:11-6, which authorizes the governing body to award contracts without benefit of public bidding in emergency situations provide for the vendor, Amernas Corp., 5 Sleepy Hollow Ct., Lincoln Park, NJ 07035, to be paid therefore.

**RESOLUTION**  
**APPROVING AGREEMENT FOR PURCHASE OF STATIONERY, OFFICE SUPPLIES**  
**AND FURNITURE FROM THE UNITED CATALOGUE**

WHEREAS, the Town requires the purchase of various stationery, office supplies, furniture; and

WHEREAS, the Town is a member of the National Joint Purchasing Alliance (“NJPA”) and can make purchases with Contractors that have contracts through the NJPA without bidding since these contracts have already been the subject of bidding; and

WHEREAS, the Town seeks to enter into a contract for the purchase of stationery, office supplies, and furniture through the United Catalogue since this Contractor has a contract through the NJPA; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of an agreement to purchase stationery, office supplies, and furniture in an amount not to exceed \$60,000.00 from the United Catalogue commencing February 17, 2016 and ending on February 16, 2017.

BE IT FURTHER RESOLVED that the purchasing agent shall take all necessary steps to obtain the office supplies, stationery and furniture needed through this agreement.

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

**RESOLUTION**  
**APPROVING AMENDMENT TO CONTRACTS**  
**FOR PUBLIC DEFENDER SERVICES**

WHEREAS, the Town hired Lisette Costelo Esq., as the municipal public defender, to provide municipal public defender services for 2016; and

WHEREAS, the current contract does not provide a cap on fees for the year 2016 and it has been determined that due to the fact that there are at least 2 court sessions per week at a cost of \$350 per session and possible additional sessions for trials and work to prepare for these sessions, that the not to exceed amount for the year should be set at \$70,000 for Lisette Costelo Esq.; and

WHEREAS, Aristedes Hernandez Esq. provides substitute public defender services and attends various Municipal Court session, as needed, plus trial sessions in addition, which it is

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

anticipated that the cost will not exceed \$12,000 for 2016 and Charles D'Amico Esq. also provides substitute public defender services, as needed, for a not to exceed amount of \$5,000.; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of an amendment to the contracts with Lisette Castelo Esq., Aristedes Hernandez Esq. and Charles D'Amico Esq. to set a not to exceed total amounts for the year of \$70,000 for Lisette Castelo Esq., \$12,000.00 for the contract with Aristedes Hernandez and \$5,000.00 for Charles D'Amico Esq.

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

**RESOLUTION**  
**APPROVING AMENDMENT TO CONTRACT**  
**FOR ZONING BOARD ATTORNEY**

WHEREAS, the Town hired the law firm of Schain Schaffer & Rafanello to provide zoning board attorney services for 2016; and

WHEREAS, the current contract provides a cap on fees of \$1,333.00 per month for a not to exceed amount for the year of \$16,000 and it has been determined that due to litigation costs, not covered by escrow fees, that the not to exceed amount for the year should be increased to \$20,000.00; and

WHEREAS in light of these litigation costs, the monthly cap shall be increased to \$1,666.00 per month for a total amount for the year of \$20,000.00; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of an amendment to the contract with Schain Schaffer & Rafanello to increase the monthly amount for legal services provided to the Zoning Board of Adjustment to \$1,666.00 and a not to exceed total amount for the year of \$20,000.00.

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

**RESOLUTION**  
**REJECTING BIDS FOR SNOW REMOVAL SERVICES AND**  
**AUTHORIZE RE-BID FOR SNOW REMOVAL SERVICES**

WHEREAS, the Town requires snow removal services during substantial snow storms; and

WHEREAS, the Town sought bids for the snow removal services but both bids received were higher than the budget for these services and pursuant to N.J.S.A.40A:11-13.2 a, the bids can be rejected; and

WHEREAS, the Town seeks to re-advertise for the receipt of bids for the snow removal services; 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 rejection of the bids for the snow removal services and to authorize the Clerk to re-advertise for the receipt of bids for this contract.

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**Consent Agenda (cont.):**

**RESOLUTION**

**Re: Approving Participation with the State of New Jersey Federal Grant Program Administered by the Division of Criminal Justice, Department of Law and Public Safety**

WHEREAS, the Town of West New York wishes to apply for funding of approximately \$60,000.00 for a project under the State of New Jersey; and

WHEREAS, the Board of Commissioners of the Town of West New York have reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Town of West New York for the purpose described in the application; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson that

1. As a matter of public policy the Town of West New York wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

**RESOLUTION**

**APPROVING AMENDMENT TO CONTRACT FOR TAX APPEAL COUNSEL**

WHEREAS, the Town of West New York hired Marc A. Raso, Esq. to provide tax appeal counsel services for the year 2015; and

WHEREAS, the 2015 contract provided a cap on fees of \$36,000.00 for the year and it has been determined that in light of the number of appeals filed and related litigation costs, that the not to exceed amount for the year should be increased to \$38,775.00; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of an amendment to the contract with Marc A. Raso, Esq. to increase the annual cap on fees for tax appeal counsel to the not to exceed total amount for the year of \$38,775.00.

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

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**Regular Meeting**

**Consent Agenda (cont.):**

**RESOLUTION**  
**REGARDING CONSTRUCTION HOURS**

WHEREAS, the Town of West New York recently amended Ordinance 135-4 to allow a mechanism whereby, upon a showing of emergent need, permission may be granted to engage in construction outside the designated hours as set forth therein; and

WHEREAS, the Commissioner of Public Affairs has been contacted by a representative of K. Hovnanian Homes for permission to engage in construction at 9 Avenue at Port Imperial on February 20<sup>th</sup>, February 27<sup>th</sup> (alternate inclement weather date of March 3<sup>rd</sup>) and March 12<sup>th</sup> (alternate inclement weather date of March 19<sup>th</sup>) beginning at 5:00 am instead of 7:00 am; and

WHEREAS, the Commissioner of Public Affairs recommends the Board of Commissioners grants permission to K. Hovnanian Homes; and

WHEREAS, it is expected that hundreds of trucks will be delivering cement on these dates and therefore allowing construction to begin two hours in advance will alleviate and stabilize potential unsafe travel/traffic conditions in the immediate area of 9 Avenue at Port Imperial; and

WHEREAS, the Town of West New York Board of Commissioners is satisfied that emergent need has been shown; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that a showing of “emergent need” has been made and the Town does grant permission to K. Hovnanian Homes to engage in construction at 9 Avenue at Port Imperial on February 20<sup>th</sup>, February 27<sup>th</sup> (alternate inclement weather date of March 3<sup>rd</sup>) and March 12<sup>th</sup> (alternate inclement weather date of March 19<sup>th</sup>) beginning at 5:00 am.

**Resolution**

**Re: Award of Contract for One 2015 or Newer Type III Ambulance to First Priority**

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

WHEREAS, upon advertisement and pursuant to specifications, the Town solicited bid proposals for One 2015 or Newer Type III Ambulance, pursuant to and in accordance to the contract for One 2015 or Newer Type III Ambulance; and

WHEREAS, on February 09, 2016 the Town did receive the following bid on the contract for a 2015 or Type III Ambulance:

Company	Amount
First Priority 2444 Ridgeway Blvd. Bldg 500 Manchester, NJ 08759	\$153,897.00

WHEREAS, the Purchasing Agent, QPA Xenia Rivero, in consultation with the Town Attorney, has recommended the award of the contract for One 2015 or Newer Type III Ambulance in the amount of \$153,897.00 as the bid submitted by First Priority is the lowest responsible bid for One 2015 or Newer Type III Ambulance; and

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

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

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

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

1. The bid of First Priority 2444 Ridgeway Blvd. Bldg 500, Manchester, NJ 08759, in the amount of \$153,897.00 is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into a contract for One 2015 or Newer Type III Ambulance with First Priority.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
5. The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

**RESOLUTION**  
**RE: AUTHORIZING EMERGENCY TEMPORARY**  
**APPROPRIATIONS FOR THE YEAR 2016**

**WHEREAS**, an emergent condition has arisen, in that the Town of West New York is expected to enter into contracts, commitments or payments prior to the adoption of the 2016 budget and no adequate provision has been made in the 2016 temporary budget for the aforesaid purposes; and

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

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2016 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$621,058.00.

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

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$512,158.00, as follows:

Account #	Account Name	Temp Budg Amount
01-201-20-701-010-11	Dir of Public Affairs OE	\$26,000.00
01-201-20-727-010-11	Community Development SW	\$39,700.00
01-201-23-783-020-99	Snow Removal OE	\$107,695.00
01-201-33-836-020-99	Judgments	\$338,763.00
	<b>TOTALS</b>	<b><u>\$512,158.00</u></b>

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**Resolution (cont.):**

2. Said emergency temporary appropriations will be provided for in the 2016 budget.
3. That one (1) certified copy of this resolution be filed with the Director of the Division of Local Government Services.

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

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

**ORDINANCE #27/15**

**An Ordinance Establishing a Chapter of the Code of the Town of West New York  
(Construction Cranes)**

**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 **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 else wished to be heard, a Motion was made by Commissioner Cirillo, seconded by Commissioner Colacurcio to **close the public hearing and adopt the Ordinance**, was carried by the following vote:

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

It was regularly moved by Commissioner Colacurcio and seconded by Commissioner Rodriguez, **to open Public Portion of meeting at 6:10 p.m.**, and was carried by the following vote:

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

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**Regular Meeting**

**Public Portion:**

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

**1. Vipul Parekh, 6507 Hudson Ave., WNY:**

Mr. Parekh commented that he had posted a video on the internet called “West New York speaks up” which showed a DPW worker driving a town vehicle and clearing the entrance to the driveway of a bar during the snow storm and that when he approached that employee he was told to “mind your own business”. He further commented that he has been told on several occasions to mind his own business as “We know where you live”. Comm. Rodriguez responded by stating that he viewed the video and that the employee was clearing the crosswalk and not the bar’s driveway. Mr. Parekh disagreed and insisted that he saw it and it was the bar’s driveway being cleared, not the crosswalk. Comm. Rodriguez commented that “We have to ensure crosswalk is clear for students at #4 School.” Mayor Roque thanked him for “keeping an eye on what is going on”.

**2. Saul Sanchez, 509 – 66<sup>th</sup> Street, WNY:**

Mr. Sanchez advised that he is a representative of the soccer traveling team and that they need more support for their program which consists of approx. 150 children. He further advised that his team has won the State, Central Jersey and ESPN Cup and are going to compete in Texas in June and that the team is funded by the parents; however more financial support is needed for transportation, etc. Mayor Roque commented that Comm. Cirillo is doing a “fantastic job” and that Comm. Colacurcio also participates in the Mom’s Group. The Mayor stated “We care about the children.” Comm. Cirillo thanked him for coaching the team and expressed his pride in the soccer program. He recommended that Mr. Sanchez speak with the Recreation Director as they intend to “pay a lot of attention to this program”. The Commissioner commented that over 800 children participate in the program, 150 of whom travel, and that he will be happy to sit with Mr. Sanchez to help further help him with the expenses. Comm. Cirillo stated “We will work together to make the program better.”

A motion was made by Commissioner Guzman, seconded by Commissioner Cirillo **to close the Public Portion and adjourn the meeting at 6:18 P.M.** was carried by the following vote:

AYES - Commissioners Cirillo, Colacurcio, Guzman, and 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