

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

***Minutes of Regular Meeting  
(Regular Session)  
June 22, 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***

**June 22, 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 Thursday, June 22, 2016 at 6:00 P.M. (No Work Session):

Present: Commissioners Cirillo, Colacurcio, Guzman, Rodriguez and Mayor Roque  
Absent: None  
Also Present: Town Administrator James Cryan, Adelinn Plaza (Town Clerk's Office), and Corporation Counsel Monica De Los Rio

Meeting commenced at 6:12 P.M.

**Note: Mayor Roque asked for everyone to remain standing after the flag was saluted and requested a moment of silence to honor and remember the West New York EMT who passed away.**

Adelinn Plaza made the following announcement:

As presiding officer of this Regular Meeting of the Board of Commissioners of the Town of West New York, held on **June 22, 2016** at 6:00 P.M. (No Work Session), I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on **April 21, 2016**. 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: 5/19/2016 (Work and Regular Sessions) and Special Meeting: 5/26/2016 (Work and Regular Sessions), 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 6/22/2016 (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

**June 22, 2016**  
**Regular Meeting**

**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF MAY 2016**

1. From Construction Code Official Office, reporting the sum of 371,878.00 Collected for the month of May, 2016.
2. From Director Robert Antolos (Police Dept.), reporting the sum of \$3,519.40 Collected for the month of May, 2016.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$2,450.00 For Special Licenses for the month of May, 2016.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$754.00 For Marriage/death certificates for the month of May, 2016.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$414.80 For Dogs Licenses for the month of May, 2016.
6. From (Revenue and Finance Department) reporting the sum of \$14,214,881.20 Collected for the month of May, 2016.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$0.00 collected for the month of May, 2016.

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

June 22, 2016  
Regular Meeting

**Ratifying Proclamation**  
**Honoring UCV Firefighters Foundation**



5A

TOWN OF WEST NEW YORK  
HUDSON COUNTY, NEW JERSEY

JUN 22 2016

**Proclamation**

Whereas, **UCV Firefighters Foundation** is a nonprofit organization based in Orlando Florida, founded by a former firefighters from the Universidad Central de Venezuela; and

Whereas, **UCV Fire Fighters Foundation** most of its members live in the United States and continue working as emergency responders in the fire service and medical field; and

Whereas, **UCV Firefighter Foundation** has highly educated emergency managers, nurses, engineers, EMTs, paramedics-firefighters, and emergency physicians among our members; and

Whereas, **UCV Firefighter Foundation's** goal is to train and equip firefighters in Latin America in great need of personal protective equipment, medical and rescue equipment, provide training and others; and

Whereas, **UCV Firefighter Foundation** has been able to help 10 volunteer Fire Department in Venezuela, and 1 Fire department in Ecuador. The organization has provided training for firefighters in Venezuela, Colombia and Chile in life saving skills, which included high quality CPR, airway management and updated trauma skills; and

Now, therefore, I, **Mayor Felix E. Roque, M.D. and the Board of Commissioners of the Town of West New York** wish to honor the accomplishments of **UCV Fire Fighters Foundation** and wish it continued success in its future endeavors.

DATE \_\_\_\_\_

ATTEST  
CARMELA RICCIE, RMC  
TOWN CLERK

DR. FELIX E. ROQUE, MAYOR

UNPO 01 USA

UNPO 01 USA

June 22, 2016  
Regular Meeting

Ratifying Proclamation  
Honoring Leonor Rodriguez as Senior Citizen of the Year 2016

5B



TOWN OF WEST NEW YORK  
HUDSON COUNTY, NEW JERSEY

**Proclamation**

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York, are mindful of the contributions of the townspeople of the Town of West New York, and seek to honor those contributions; and

WHEREAS, **Leonor Rodriguez** began her professional career as an elementary teacher in Cuba, and later became the principal at School Jose Rodriguez Medina.

WHEREAS, **Leonor Rodriguez** after emigrating from Cuba in 1971 and resides in West New York since 1978.

WHEREAS, **Leonor Rodriguez** was a devout employee of the West New York Board of Education, working as a Teacher's Aid for elementary and special need students from 1990 and retired in 2001; and

WHEREAS, **Leonor Rodriguez** selflessly volunteered in community events and senior affairs in the Town of West New York, as well as a member of the West New York Women's Club; and

WHEREAS, **Leonor Rodriguez** was the proud wife of 60 years to the late Juan Rodriguez, and mother of Manuel Rodriguez, Maria Del Carmen Rodriguez, and Maria Salgado.

Now, therefore, I, **Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York** wish to honor the life and accomplishments of **Leonor Rodriguez** and wish her continued success in her future endeavors.

DATE May 16, 2016

ATTEST Carmela Riccio  
CARMELA RICCIO, RMC  
TOWN CLERK

DR. FELIX E. ROQUE, MAYOR



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June 22, 2016  
Regular Meeting

**Ratifying Proclamation**  
**Honoring Lieutenant William Bailey**



50

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

**Proclamation**

Whereas, the Mayor and Board of Commissioners of the Town of West New York wish to honor **Lieutenant William Bailey** for all of his accomplishments and contributions to this country; and

Whereas, **Lieutenant William Bailey** has been a resident of West New York for the past 10 years; he is an alumni of Memorial High School. He furthered his education in Fordham University Center obtaining a Bachelor's Degree in Middle East Studies. He is currently in Law School pursuing his Law Degree and his Master's in Global Affairs at Rutgers University ; and

Whereas, **Lieutenant William Bailey** was the first lieutenant to become an Executive Officer for A Company, 250<sup>th</sup> Brigade Support Battalion, New Jersey National Guard in Teaneck, NJ; and

Whereas, **Lieutenant William Bailey** has served on Operation Enduring Freedom Afghanistan in Regional Commands North and East. Also, served as a Company Commander during Joint Task Force Sandy's relief efforts following Hurricane Sandy in NYC Metropolitan area; and

Whereas, **Lieutenant William Bailey** has been awarded many metals such as The Bronze Medal, Air Assault Badge, Army Achievement Medal with Oak Cluster, Reserve Component Achievement Medal, National Service Defense Medal, Global War on Terrorism Medal, Armed Forces Reserve Medal with " M" device, Afghanistan Campaign Medal, NATO Medal, Overseas Service Ribbon, Army Service Ribbon, Netherlands Nymeygen Medal, Humane Service to NY State Medal, NJ Distinguished Service Medal With 1 oak cluster, two NY Physical Fitness Award, NY OEF Service Ribbon, Hudson County Distinguished Service Medal; and

Whereas, **Lieutenant William Bailey** has been selected to participate in the JAG internship program and will be serving the US Army JAG as a legal intern at their Criminal Investigation Command Headquarters in Quantico, VA this summer; and

Now, therefore, I, **Mayor Felix E. Roque** and the **Board of Commissioners of the Town of West New York** wish to honor the life and accomplishments of **Lieutenant William Bailey** and wish him continued success in his future endeavors

DATE May 26, 2016

ATTEST   
CARMELA RICCIO, RMC  
TOWN CLERK

DR. FELIX E. ROQUE, MAYOR



June 22, 2016  
Regular Meeting

Ratifying Proclamation  
Honoring Kerlyn Espinal



TOWN OF WEST NEW YORK  
HUDSON COUNTY, NEW JERSEY

**Proclamation**

WHEREAS, **Kerlyn Espinal**, a Native of El Salvador, arrived in the United States in February 1988 and received her Bachelor's degree from Felician College graduating with first honors in Business Administration with a minor in Political Science; and

WHEREAS, **Keryln Espinal** is the director of immigration services for United States Senator Robert Menendez; and

WHEREAS, **Kerlyn Espinal** was presented with the Community Leadership Award for her outstanding commitment in assisting the constituents of New Jersey; and


WHEREAS, on March 8<sup>th</sup>, 2012 **Kerlyn Espinal** earned The Successful Women of the United States Award while representing the great State of New Jersey; and

WHEREAS, the town of West New York is honored to present Kerlyn with this proclamation in recognition of her contributions to the residents of West New York in the state of New Jersey.

DATE \_\_\_\_\_

ATTEST

  
CARMELA RICCIO, RMC  
TOWN CLERK

  
DR. FELIX E. ROQUE, MAYOR

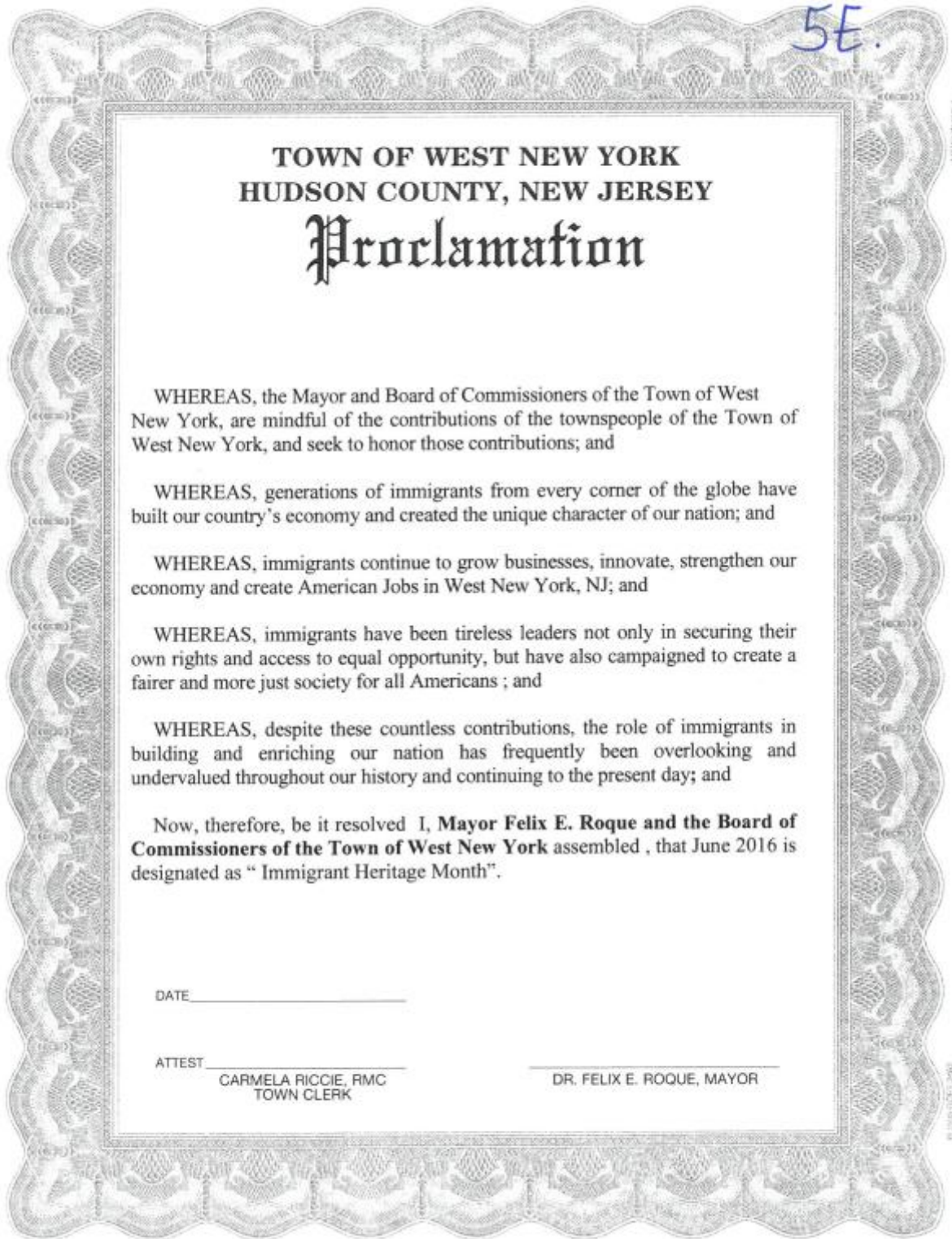
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June 22, 2016  
Regular Meeting

Ratifying Proclamation  
Honoring Immigrant Heritage Month





**June 22, 2016**  
**Regular Meeting**

**Consent Agenda:**

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez that the following Consent Agenda Items Nos. R-1 through R-41 (**Excluding R-36 Re: Emergency Temporary Appropriation for 2016 and R-41 Re: Authorizing closure of Executive Session**) be adopted, was carried by the following vote:

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

**Note:** Corporation Counsel Monica De Los Rios advised that Resolution R-25 (Re: Accepting completion of the improvements for Veterans Park and authorizing change order and final payment and acceptance of the maintenance bond for the project) is being pulled from the agenda and would be considered at a Special Meeting to be held on July 7, 2016. Adeliny Plaza announced that Resolution R-36 ("Emergency Temporary Appropriation for 2016") and Resolution R-41 ("Authorizing closure of executive session pursuant to N.J.S.A 10:4-12(b) Re: Green and Gonzalez) were going to be taken out of order to be voted on separately. She asked if there were any objections, for which there were none. She then proceeded to read all of the Resolution titles aloud.

**RESOLUTION**  
**RE: ESTABLISHING NO PARKING LOADING ZONE**  
**FOR RCG URBAN HOUSING PARTNERS, LLC**  
**590-96 56<sup>TH</sup> STREET, WEST NEW YORK, NJ**

WHEREAS, there exists in the vicinity of 6101-6103 Polk Street a condition relating to traffic congestion and difficulty of receiving, loading and discharging merchandise and supplies caused by the location of establishment in the building located , 590-96 56<sup>th</sup> Street; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, N.J., pursuant to N.J.S.A. 39:4-197 (3) (b) that a "No Parking-Loading Zone" be and same is hereby authorized and established, at the said location, more particularly described hereafter, during business hours from Monday thru Friday from 8:00AM to 4:00PM said area or zone to be used as a "No Parking-Loading Zone": during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and:

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

BEGIN AT A POINT ALONG THE NORTH WEST CORNER  
OF 56<sup>TH</sup> STREET AND JACKSON STREET 216 FEET WEST  
ALONG THE NORTH SIDE OF 56<sup>TH</sup> STREET. THEN 58 FEET  
THERE FROM.

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

June 22, 2016  
Regular Meeting

**Consent Agenda (cont.):**

**RESOLUTION**  
**RE: APPROVING CONTRACT WITH**  
**NU-WAY CONCESSIONAIRES, INC. FOR THE SUMMER FOOD PROGRAM**  
**FOR SUMMER 2016**

WHEREAS, bids were sought for the summer food program contract and only one bid was received; and

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

WHEREAS, the bid from Nu-Way Concessionaires, Inc. proposed a price of \$1.69 per Breakfast and \$2.59 per lunch for a total bid price not to exceed \$60,243.15; and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Town of West New York do hereby approve of the contract with Nu-Way Concessionaires, Inc. for the Summer food program for a total contract price not to exceed \$60,243.15 and in accordance with the bid prices for breakfast and lunch.

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

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

**RESOLUTION**  
**RE: TO APPROVE EMERGENCY CONTRACT FOR**  
**MUNICIPAL POOL PLASTER RENOVATIONS WITH**  
**TSIVICOS ENTERPRISES INC.**

WHEREAS, the Town West New York entered into a contract with Midatlantic Construction & Design Inc. for renovations to the municipal pool; and

WHEREAS, Midatlantic Construction & Design Inc. failed to complete the project on or before May 15, 2016 as required by the bid specifications; and

WHEREAS, the Town Business Administrator declared an emergency, pursuant to N.J.S.A.40A:11-6, concerning the completion of the renovations, in order to have the renovations completed in a timely manner; and

WHEREAS, the contractor submitted a proposal, in the amount of \$85,000.00, to complete the plaster renovations and has in fact completed those renovations in a timely manner.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York do hereby authorize an emergency contract with Tsivicos Enterprises Inc. in the total amount not to exceed \$85,000.00 and in accordance with the proposal for this work for the municipal pool plaster renovations.

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

June 22, 2016  
Regular Meeting

**Consent Agenda (cont.):**

**RESOLUTION**  
**RE: AUTHORIZING**  
**SETTLEMENT AGREEMENT IN THE MATTER KNOWN AS**  
**BRUCE LIBERTI v. TOWN OF WEST NEW YORK, ET. AL.**

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

Bruce Liberti v. Town of West New York et. al., Docket #HUD-L-3595-14.

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

WHEREAS, the Town, through Counsel, has settled the litigated matter subject to governing body approval, and upon such approval and upon receipt of appropriate closing documents by Counsel for West New York, the settlement proceeds shall be paid to the plaintiffs' attorney in accordance with the settlement agreement.

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

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

**RESOLUTION**  
**RE: ACCEPTING VEHICLE FROM THE HUDSON COUNTY**  
**PROSECUTORS OFFICE**

WHEREAS, the Hudson County Prosecutor's office has taken title to a Ford F250 (2006) (VIN# 1FTNX205X6EA46889) which the Town of West New York Police Department seeks to use in the traffic division; and

WHEREAS, the Hudson County Prosecutor's office has agreed to turn over this vehicle to the West New York Police Department for law enforcement purposes only in accordance with a letter from the Hudson County Prosecutor's office dated May 28, 2015; and

WHEREAS, the Town of West New York must pass a resolution to accept this vehicle in order for the title to be transferred to the Town of West New York.

WHEREAS, in accordance with N.J.S.A. 40A:11-36(2) Hudson County can transfer this vehicle to West New York without compensation.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that they do hereby approve of the Town of West New York accepting the Ford F250 (2006) vin# 1FTNX205X6EA46889 from the Hudson County Prosecutor's office for use in the West New York Traffic Division.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk are authorized to execute any documents for the transfer of this vehicle.

**June 22, 2016**  
**Regular Meeting**

**Consent Agenda (cont.):**

**RESOLUTION**  
**RE: APPROVING CHANGE ORDER # 1 FOR THE CONTRACT WITH JA**  
**ALEXANDER, INC. FOR 2014 WEST NEW YORK ROAD PROGRAM**

WHEREAS, the Town of West New York entered into a contract for the 2014 West New York Road Program with JA Alexander Inc.; and

WHEREAS, the Contractor has submitted change order #1 to the Engineer overseeing this project, which the engineer has approved; and

WHEREAS, this change order involves the calculation of as-built quantities for the road program and will decrease the contract price from \$398,510.11 by \$690.00 to a total price not to exceed \$397,820.11; and

WHEREAS, the cost of change order #1 is less than 20% of the total contract price and therefore can be approved by the Mayor and Commissioners by resolution pursuant to N.J.A.C. 5:30-11.4.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that change order #1 is approved for the 2014 West New York Road Program which will decrease the original contract amount from \$398,510.11 to \$397,820.11. (see attached change order #1)

**RESOLUTION**  
**RE: TO APPROVE ADDITIONAL FUNDS AND EMERGENCY CONTRACT**  
**FOR MOLD REMEDIATION SERVICES WITH**  
**CONSOLIDATED ENVIRONMENTAL INC.**

WHEREAS, the Town West New York ("Town") sought proposals for mold remediation services and entered into a contract with Consolidated Environmental Inc. ("Consolidated") for these services for the Town Hall; and

WHEREAS, Consolidated provided additional mold remediation services beyond that originally anticipated by the Town, but within the same scope of services that Consolidated provided to the Town; and

WHEREAS, the Town Business Administrator has also declared an emergency, pursuant to N.J.S.A.40A:11-6, concerning the additional mold discovered in the HVAC system in Town Hall that must be remediated to protect the health of the people in Town Hall; and

WHEREAS, the contractor submitted a proposal, in the amount of \$18,000.00, to provide the mold remediation for the HVAC system.

NOW THEREFORE BE IT RESOLVED, that Consolidated Environmental Inc. shall be paid an additional \$40,000.00 for the additional mold remediation services provided in the Town Hall, which were above the original cap on funds for this contract. The fees to be paid shall be in accordance with the invoices provided by Consolidated.

BE IT FURTHER RESOLVED, that the Mayor and Board of Commissioners of the Town of West New York do hereby authorize an additional emergency contract with Consolidated Environmental Inc., in the total amount not to exceed \$18,000.00, and in accordance with the proposal for this work for the mold remediation services for the HVAC system in Town Hall.

BE IT FURTHER RESOLVED, that the Mayor and Town clerk are authorized to execute the contract for this mold remediation services for the HVAC system.

June 22, 2016  
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: GOVERNMENT ACCOUNTING AND CONSULTING SERVICES  
(PERIOD: 7/22/16-12/31/16)**

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 services of Government Accounting and Consulting Services; 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 Government Accounting and Consulting Services
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: AUTHORIZING THE ISSUANCE OF ESTIMATED TAX BILLS  
PURSUANT TO N.J.S.A. 54:4-66.2 ET SEQ**

WHEREAS, the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, has determined that the Tax Collector was unable to complete the mailing and delivery of the tax bills by June 14, 2016 for various reasons including the absence of a certified tax rate; and

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

WHEREAS, in accordance with Chapter 72 P.L. 1994, the Tax Collector requests the Board of Commissioners approve the estimated tax levy of \$66,093,106.62 at a tax rate of \$7.322. Approval will enable the municipality to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

**June 22, 2016**  
**Regular Meeting**

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey on this 16th day of June 2016 as follows:

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of West New York for the third quarter installment of 2016 taxes. The Tax Collector shall proceed upon approval of the Director of the Division of Local Government Services and take such action as permitted and required by P.L. 1994 c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax Levy for 2016 is hereby set at \$66,093,106.62. The estimated tax rate for 2016 is hereby set at \$7.322.
3. In accordance with law, the third quarter installment of 2016 shall not be subject to interest until after the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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

**RESOLUTION**  
**RE: TAX CORRECTIONS (VARIOUS PROPERTIES)**

WHEREAS, there is an overpayment on the 3<sup>rd</sup> and 4th quarter 2014 tax bill in the amount of \$53.71 for property located at 24 Avenue at Port Imperial A/K/A block 168.01 lot 8.01 C0235 and

WHEREAS, there is an overpayment on the 4th quarter 2015 tax bill in the amount of \$94.47 for property located at 251 Half Moon Court A/K/A block 168.01 lot 1.09 C0251 and

WHEREAS, there is an overpayment on the 2<sup>nd</sup> quarter 2014 in the amount of \$63.65 and an overpayment in the amount of \$7.37 on the 2<sup>nd</sup> quarter 2015 for property located at 5507 Boulevard East A/K/A block 72 lot 27 and

WHEREAS, the taxpayers are requesting there overpayments be moved to credit there 2016 taxes 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: STATE COURT TAX APPEALS**

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

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.

**June 22, 2016**  
**Regular Meeting**

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

NAME	BLOCK-LOT	AMOUNT	YEAR
Bruce J Stavitsky for the Benefit of Bank of America	57/12	\$13,384.00	2014
		\$14,324.00	2015
	Grand Total	\$27,708.00	

**RESOLUTION**  
**RE: REFUND OF TAX LIEN 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
US BANK CUST FOR PRO CAP III, LLC	67/28	13-0214	\$700.00
DEFINED CAPITAL, LLC	157/8	15-0483	\$19,100.00
TTLBL, LLC	126/22	15-0378	\$6,000.00
	72/42	15-0218	\$30,000.00
	5/44	14-0019	\$4,000.00
	63/19	15-0196	\$40,000.00
	11/39	15-0045	\$20,000.00
	18/22	14-0048	\$22,000.00
	110/5 C0314	15-0334	\$5,600.00
	110/5 C0208	15-0321	\$6,500.00
PAM INVESTORS	104/34	15-0299	\$28,000.00
	74/1 C0011	15-0223	\$1,000.00
	74/1 C0004	15-0220	\$1,000.00
	70/12	14-0199	\$1,500.00
	152/4	15-0460	\$1,100.00
	152/4	14-0448	\$1,000.00
	61/22	15-0193	\$1,500.00
MTAG SVC. AS CUST FOR ATCF II NJ LLC	72/42	13-0241	\$43,000.00
US BANK C/F TOWER	141/16	14-0415	\$2,900.00
DBWI IV 2014-1	143/3.02	14-0421	\$1,500.00
	153/5 C0021	14-0452	\$3,900.00
US BANK CUST BV TRST 2015-1	50/8	13-0174	\$2,200.00

**June 22, 2016**  
**Regular Meeting**

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

US BANK CUST BV001 TRST & CRDTRS	168.01/8.01 C0125	15-0524	\$7,200.00
US BANK CUST BV001 TRST & CRDTRS	97/5 168.01/8.01 C0106	14-0290 13-0569	\$2,700.00 \$34,800.00
US BANKCUST FOR PC6, LLC STERLING NT	122/8 C0301 168.01/8.03 C0137	15-0370 15-0529	\$1,000.00 \$20,000.00
US BANK C/F TOWER DBW V TR 2015-1	38/9 C0047 5/20 C2001 110/5 C0306	15-0122 15-0012 15-0329	\$16,000.00 \$2,100.00 \$2,400.00
ISAAC MORADI	141/2	13-0465	\$200.00
	Grand Total		\$328,900.00

**RESOLUTION**  
**RE: REFUND OF OVERPAYMENTS OF TAXES**

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
JEFFREY MARTINEZ	109/22 C0302	\$428.23	2014
GRAND CAPITAL TITLE AGENCY, INC	151/6	\$752.41	2016
SPECIALIZE LOAN SERVICING	67/28	\$1,955.45 * \$2,230.21*	2015 2014
MERIDIA PARK AVE, LLC	43/4	\$11,895.15	2015
	GRAND TOTAL	\$17,261.45	

**RESOLUTION**  
**RE: AUTHORIZING REFUND TAX LIEN 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.



**June 22, 2016**  
**Regular Meeting**

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

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

Name	Block/lot	Cert#	Amount
US BANK CUST FOR PRO CAP III, LLC	67/28	13-0214	\$3,115.17
US BANKCUST FOR PC5 STERLING NAT'L	67/28	14-0193	\$2,833.05
DEFINED CAPITAL, LLC	157/8	15-0483	\$19,234.68
TWR AS CST FOR EBURY 2NJ LLC	16/25	12-0075	\$9,473.71
TTLBL LLC	126/22	15-0378	\$1,731.19
	72/42	15-0218	\$6,278.02
	5/44	14-0019	\$1,483.18
	63/19	15-0196	\$11,131.37
	11/39	15-0045	\$5,827.53
	18/22	14-0048	\$7,583.17
	110/5 C0314	15-0334	\$968.96
	110/5 C0208	15-0321	\$1,130.57
PAM INVESTORS	104/34	15-0299	\$18,384.26
	74/1 C0011	15-0223	\$1,450.88
	74/1 C0004	15-0220	\$1,352.26
	61/22	15-0193	\$3,116.91
	70/12	14-0199	\$1,760.77
	152/4	15-0460	\$349.44
	152/4	14-0448	\$1,095.78
MTAG SVC AS CUST	72/42	13-0241	\$29,519.29
US BANK C/F TOWER DBWI IV 2014-1	141/16	14-0415	\$5,918.89
	143/3.02	14-0421	\$2,798.10
	153/5 C0021	14-0452	\$2,452.41
US BANK CUST BV TRST 2015-1	50/8	13-0174	\$7,367.42
US BANK CUST BV002 TRST & CRDTRS	168.01/8.01 C0125	15-0524	\$3,626.81
US BANK CUST BV001 TRUST	97/5	14-0290	\$6,244.65
	168.01/8.01 C0106	13-0569	\$58,903.41
US BANKCUST FOR PC6, LLC STERLING NT	122/8 C0301	15-0370	\$451.32
	168.01/8.03 C0137	15-0529	\$11,413.62
US BANK C/F TOWER DBW V TR 2015-1	38/9 C0047	15-0122	\$8,625.84
	5/20 C2001	15-0012	\$916.58
	110/5 C0306	15-0329	\$2,277.36
ISAAC MORADI	141/2	13-0465	\$2,714.29
		Grand Total	\$241,530.89

June 22, 2016  
Regular Meeting

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

**RESOLUTION**  
**RE: AUTHORIZING THE TOWN CLERK TO ADVERTISE**  
**TO RECEIVE BIDS FOR "KITCHEN ALTERATIONS AT SUNSHINE GARDENS" ON**  
**WEDNESDAY, JULY 6, 2016 AT 10:00 A.M. IN TOWN CLERK'S OFFICE**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk is hereby authorized and directed to advertise for the receiving of bids for "Kitchen Alterations at Sunshine Gardens" on Wednesday, July 6, 2016 at 10:00 a.m. in Town Clerk's Office in accordance with specifications on file in the Town Clerk's Office.

**RESOLUTION**  
**RE: AUTHORIZING THE TOWN CLERK TO ADVERTISE**  
**TO RECEIVE BIDS FOR "TOWN HALL GENERATOR INSTALLATION" ON**  
**WEDNESDAY, JULY 6, 2016 AT 11:00 A.M. IN TOWN CLERK'S OFFICE**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk is hereby authorized and directed to advertise for the receiving of bids for "Town Hall Generator Installation" on Wednesday, July 6, 2016 at 11:00 a.m. in Town Clerk's Office in accordance with specifications on file in the Town Clerk's Office.

**RESOLUTION**  
**RE: AUTHORIZING THE TOWN CLERK TO ADVERTISE**  
**TO RECEIVE BIDS FOR "SALT SHED RETAINING WALL" ON**  
**WEDNESDAY, JULY 6, 2016 AT 12:00 P.M. IN TOWN CLERK'S OFFICE**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk is hereby authorized and directed to advertise for the receiving of bids for "Salt Shed Retaining Wall" on Wednesday, July 6, 2016 at 12:00 p.m. in Town Clerk's Office in accordance with specifications on file in the Town Clerk's Office.

**RESOLUTION**  
**RE: AUTHORIZING THE TOWN CLERK TO ADVERTISE**  
**TO RECEIVE BIDS FOR "ST. MARY'S PARK SURFACES" ON**  
**WEDNESDAY, JULY 6, 2016 AT 1:00 P.M. IN TOWN CLERK'S OFFICE**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk is hereby authorized and directed to advertise for the receiving of bids for "St. Mary's Park Surfaces" on Wednesday, July 6, 2016 at 1:00 p.m. in Town Clerk's Office in accordance with specifications on file in the Town Clerk's Office.

**RESOLUTION**  
**RE: APPROVING AGREEMENT WITH GOVDEALS.COM FOR ON LINE AUCTION**  
**OF VEHICLES AND SURPLUS PERSONAL PROPERTY**

WHEREAS, the Town has vehicles, including police cars and DPW vehicles, which are no longer needed for a public purpose; and

WHEREAS, the Town has personal property no longer needed for public purposes which it seeks to sell; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36 the Town can sell, at auction, vehicles and personal items no longer needed for a public purpose; and

WHEREAS, the Town seeks to sell the vehicles and surplus personal property that are no longer needed for a public purpose, by auction using GovDeals.Com pursuant to State Contract A-8345T2581 and in accordance with the terms of the State contract. This sale is being conducted pursuant to the New Jersey Local Finance Notice 2008-9. The terms and conditions of

**June 22, 2016**  
***Regular Meeting***

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

the agreement entered into with GovDeals.Com is available online at govdeals.com and is also available from the Clerk of the Town of West New York; 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 with GovDeals.Com to utilize their online auction services to auction Town vehicles, and other surplus personal property, which are no longer needed for a public purpose.

BE IT FURTHER RESOLVED that the sale of the vehicles and other surplus personal property will be conducted online and the address of the auction site is govdeals.com. The list of the vehicles and surplus personal property to be sold is attached hereto.

BE IT FURTHER RESOLVED that the property shall be sold “as is” without express or implied warranties, with the successful bidder required to execute a Hold Harmless and Indemnification Agreement, concerning the use of said property. The Town reserves the right to accept or reject any bid submitted.

BE IT FURTHER RESOLVED, that notice of the auction shall also be published in accordance with N.J.S.A. 40A:11-36.

Dept.	Plate	Year	Make / Model	Vin #	Mileage
Police Dept. SSU-93	MG14631 Soccer field	1992	Dodge Box Van	1B5WB 35Z6N K1704 07	72735
Police Dept. Detectives/ Dare	MG35TD Soccer field	1990	Jeep/ Blk & Wh 4DR	1J4FJ 38L9L L2819 94	46276
Police Dept. Detectives	VBX23W Soccer field	1996	Dodge Caravan	1B4GP 54L95 B3506 95	145285
Police Dept. Detectives	n/a Soccer field	2001	Dodge /Green Durango	1B4HS 28N71 F5506 69	200549
Police Dept. Off duty #28	n/a Hudson Hall	1998	Ford / Lt Blue Crown Victoria	2FAFP 71W8W X1292 51	93573
Police Dept. Off duty #17	MG60434 Hudson Hall	1994	Mitsubishi 4DR	JA4MR 51M1R J0079 35	198594
Police Dept. Off duty #10	MG41111 Hudson Hall	2000	Ford / White Crown Victoria	2FAFP 71W7Y X1101 44	119647
Police Dept. Off duty #16	n/a Hudson Hall	1997	Ford / Blue Crown Victoria	2FALP 71W3V X2136 90	123816
Police Dept. Off duty # 07	MG29696 Hudson Hall	1998	Ford / White Crown Victoria	2FAFP 71W6W X1292 50	44654
Police Dept. Detectives	LVP55A Hudson Hall	2000	Ford / Black Crown Victoria	2FAFP 71W6Y X1746 75	115867
Police Dept. Detectives / Monti	MG95725 Hudson Hall	1990	Chevy / Blue Lumina	2G1WL 54R9L 92439 63	Digital
Police Dept. Ems unit PD #11	MG15584 Hudson Hall	1996	Ford / white Crown Victoria	2FALP 71W8T X1852 19	107540
DPW Truck #52	MG29740 Soccer Field	1999	GMC Pick up	1GTHK 34R0X F0317 95	79521
Police Dept. Detectives	L75DNL Soccer Field	1998	Buick Skylark Green	1G4NJ 52M9W C4126 32	182045
Police Dept. Detectives	M66BKU Soccer Field	1998	Honda Green	1HGCG 5656W A1314 15	Digital
DPW Truck #55	MG29737 Soccer Field	1999	GMC Pick up	1GDJK 34R8X F0169 13	43883
DPW	#5 Salt Bay	2008	UEZ Green Machine	804156 / Town ID # 130043	n/a
DPW	#6 Salt Bay	2008	UEZ Green Machine	804157 Town ID # 130042	n/a
DPW	#7 Salt Bay	2008	UEZ Green Machine	804158 Town ID #130044	n/a
Parks Dept.	MG29754 Out of Garage	1999	GMC / Silver Pick up	1GTCS 14X1X K5093 69	Digital
Parks Dept.	MG84549 Out of Garage	1989	Jeep / Red 2DR with Plow	2J4FY 19E3K J1210 02	37473
Parks Dept. Signal Truck	MGD942 Out of Garage	1984	GMC 6000 Sires	DE6D1 AIEV5 03609 Red Picker	29510
Parks Dept.	MG29755 Salt Bay	1999	GMC / Silver Pick up	1GTCS 14X5X K5096 03	Digital
Dept. Parks Salt Bay	Scotts Code 7063J		42531X8 model Red	S002334730072LawnMower MOTOR	

Dept. Parks Salt Bay	NONE		White	Small Trailer NO NUMBERS FOUND	
Police Dept. Traffic Div. * * * * *	No Plates	2011	Hyundai Sonata 4dr	SNPEC 4AC7B H2723 06 Has a current Junk Title	47719

**SURPLUS PERSONAL PROPERTY**

- Time clocks
- HP printer cartridges

**RESOLUTION**  
**RE: AUTHORIZING APPLICATION FOR ASSISTANCE**  
**FROM NEW JERSEY TRANSIT FTA 5310**

WHEREAS, the Federal Transit Administration is making funding available for the federal fiscal year 2016 for the Section 5310 Program, a discretionary capital assistance program of the U.S. Department of Transportation; and

WHEREAS, the intent of this program is to improve mobility for seniors and individuals with disabilities by providing financial support, through programs planned, designed and carried out to meet special transportation needs of these populations; and

WHEREAS, New Jersey Transit administers this grant program and submits a statewide grant application on behalf of qualified entities; and

WHEREAS, the Town of West New York strives to save tax dollars, assure clean land, air and water, and improve safety and living environments; and

WHEREAS, the Town of West New York intends to apply for Section 5310 Program funding;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York hereby authorize the application for Section 5310 Program funding; and

BE IT FURTHER RESOLVED that the Mayor and Board of Commissioners is hereby authorized to enter into agreements with New Jersey Transit if approval is granted for Section 5310 Program funding.

**RESOLUTION**  
**RE: APPROVING CHANGE ORDER # 2 FOR THE CONTRACT WITH TSIVICOS**  
**ENTERPRISES, INC. FOR THE MUNICIPAL SPRAY PARK**

WHEREAS, the Town of West New York entered into a contract for the renovations of the municipal pool spray park with Tsivicos Enterprises Inc.; and

WHEREAS, the Contractor has submitted change order #2 to the Architect overseeing this project, which the architect has approved; and

WHEREAS, this change order involves the repair of a damaged drain pipe under the pool spray park which is draining onto the soccer field, which repair was not anticipated when Contractor entered into the contract with the Town, and the cost of the repair of the drain pipe will increase the contract price by \$14,500.00 and the total contract price from \$287,998.15 to a total price not to exceed \$302,498.15; and

WHEREAS, the cost of change orders #1 and #2 is less than 20% of the total contract price and therefor can be approved by the Mayor and Commissioners by resolution pursuant to N.J.A.C. 5:30-11.4.

**June 22, 2016**  
**Regular Meeting**

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that change order #2 is approved for the municipal pool spray park renovations which will increase the original contract amount from \$287,998.15 to \$302,498.15 (see attached change order #2)

BE IT FURTHER RESOLVED that the certification of funds for this change order to the contract is on file in the Clerk's office.

**RESOLUTION**  
**RE: APPROVE CONTRACT**  
**WITH JOSEPH SMENTKOWSKI INC. (T/A GALAXY CARTING)**  
**FOR SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL**

WHEREAS, the Town West New York sought bids for solid waste and recycling collection and disposal; and

WHEREAS, one bid was received from Joseph Smentkowski Inc. (t/a Galaxy Carting) for this contract on May 3, 2016; and

WHEREAS, this bid was reviewed and it was determined that the bidder submitted a legally sufficient bid; and

WHEREAS, the Mayor and Commissioners have determined to enter into a one year contract from July 1, 2016 to June 30, 2017, to give the Town time to possibly change the bid specifications.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York do hereby approve of a one year contract, commencing July 1, 2016 until June 30, 2017, with Joseph Smentkowski Inc. (t/a Galaxy Carting) for solid waste and recycling collection and disposal as set forth in Options 6 and 16 of the bid specifications.

BE IT FURTHER RESOLVED, that Joseph Smentkowski Inc. (t/a Galaxy Carting) shall be paid in accordance with the bid not to exceed \$793,728.00 for solid waste collection and disposal; not to exceed \$330,696.00 for recycling collection and disposal; and not to exceed \$36,400.00 for Type 13 collection and disposal.

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

**RESOLUTION**  
**RE: REGARDING CONSTRUCTION HOURS**

WHEREAS, the Town of West New York has 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 West New York Board of Commissioners previously approved K. Hovnanian Homes' requests for permission to engage in construction at 9 Avenue at Port Imperial on various dates in February, March and June 2016, beginning at 5:00 am instead of 7:00 am; and

WHEREAS, due to poor weather conditions in June 2016 that prohibited construction activities, the Commissioner of Public Affairs has again been contacted for permission to engage in a cement pour/construction, weather permitting, at 9 Avenue at Port Imperial on Saturday, July 9, 2016 from 5:00 am until 10 pm; and

WHEREAS, if the weather conditions on July 9, 2016 do not permit, the Commissioner of Public Affairs has also been asked for permission to engage in a cement pour/construction at 9

**June 22, 2016**  
**Regular Meeting**

**Consent Agenda (cont.):**

**Resolution (cont.):**

Avenue at Port Imperial on Saturday, July 16, 2016 and/or Saturday, July 23, 2016 from 5:00 am until 10 pm; and

WHEREAS, it is expected that on July 9, 2016 (and in the alternative July 16 and/or July 23, 2016) hundreds of trucks will again be delivering cement in furtherance of a unique and complex endeavor, and that allowing construction to begin two hours in advance of, and extend 6 hours after, the designated hours of Ordinance 135-4 will alleviate and stabilize potential unsafe travel/traffic conditions in the immediate area of 9 Avenue at Port Imperial; and

WHEREAS, the Commissioner of Public Affairs recommends the Board of Commissioners grants permission to K. Hovnanian Homes; 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 July 9, 2016, and alternatively July 16 and/or July 23, 2016, from 5:00 am until 10 pm.

**RESOLUTION**

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH PRS CONSULTANTS, INC. FOR SUBSTANCE ABUSE PREVENTION AND EDUCATION PROGRAM SERVICES**

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

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

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

WHEREAS, the anticipated term of this contract is for twelve months (from 07/1/2016 through 06/30/2017); and

WHEREAS, PRS Consultants, Inc., located at 6 Tuscany Circle, Manchester, New Jersey, 08759 and its appropriate affiliates has submitted a proposal indicating they will provide the substance abuse prevention and education program services for \$30,000.00; and

WHEREAS, PRS Consultants, Inc. and its appropriate affiliates has completed and submitted a Business Entity Disclosure Certification, which certifies that PRS Consultants, Inc. and its appropriate affiliates has not made any reportable contributions to a political or candidate committee, which are listed on the attached Exhibit, in the previous one (1) year, and that the contract will prohibit the PRS Consultants, Inc. and its appropriate affiliates from making any reportable contributions through the term of the contract; and

WHEREAS, a certificate of availability of funds has been filed by the Chief Financial Officer with the Town Clerk’s Office, which certification specifies the exact line item appropriation as the FY2017 Municipal Alliance Grant, which item is to be charged; and

WHEREAS, this contract has been awarded through a non-fair and open process because pursuant

**June 22, 2016**  
**Regular Meeting**

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

to N.J.S.A. 19:44A-20.5, the PRS Consultants, Inc., having timely submitted C. 271

Political Contribution Disclosure Form in the required form and the contract to be awarded shall include a provision prohibiting PRS Consultants, Inc., from making reportable contributions during the term of the contract as required by the Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq. and

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

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

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

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

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

**RESOLUTION**  
**RE: APPROVING CONTRACT FOR**  
**VARIOUS PLAYGROUND RUBBER SURFACE REPAIRS WITH PICERNO-**  
**GIORDANO CONSTRUCTION LLC.**

WHEREAS, the Town has sought quotes for various playground rubber surface repairs; and

WHEREAS one quote was submitted by Picerno-Giordano Construction LLC in the amount of \$11,450.00 and that quote was reviewed by the Town Engineer and Town Attorney and the quote is legally sufficient and the Contractor is responsible; and

WHEREAS, the quote is within the range anticipated by the Town Engineer and the Engineer recommends the award of the contract to Picerno-Giordano Construction LLC; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town does approve of a contract with Picerno-Giordano Construction LLC. for the various playground rubber surface repairs.

BE IT FURTHER RESOLVED, that the Contractor shall be paid not to exceed \$11,450.00 for these services in accordance with the quote for this contract.

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

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

**RESOLUTION**  
**RE: REPEALING RESOLUTION ADOPTED ON 1/17/1996**  
**(RESTRICTED PARKING FOR HANDICAPPED RESIDENT) AS FOLLOWS:**  
**6404 PARK AVENUE (ZOILA LOPEZ)**

Whereas, the governing body of the Town of West New York adopted a Resolution on January 17, 1996 establishing restricted parking for use by a handicapped resident; and

Whereas, the handicapped person involved has either moved or died since implementation of above mentioned resolution;



**June 22, 2016**  
**Regular Meeting**

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

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

6404 Park Avenue (Zoila Lopez)

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

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

**RESOLUTION**  
**RE: ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE**  
**(1) RESIDENCE FOR USE BY HANDICAPPED RESIDENT AS FOLLOWS:**  
**5101 PARK AVENUE, WNY (ZOILA LOPEZ)**

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>
Zoila Lopez 5101 Park Avenue West New York, NJ 07093	West	Begin at a point, along the west side of Park Avenue, 82 feet South from the south west corner of 51 <sup>st</sup> Street & Park Avenue.

Then 22 feet east 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: REPEALING RESOLUTION ADOPTED ON 5/22/2013**  
**(RESTRICTED PARKING FOR HANDICAPPED RESIDENT) AS FOLLOWS:**  
**596 – 62<sup>ND</sup> STREET (LUIS BEATON)**

Whereas, the governing body of the Town of West New York adopted a Resolution on May 22, 2013 establishing restricted parking for use by a handicapped resident; and

Whereas, the handicapped person involved has either moved or died since implementation of above mentioned resolution;

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of

**June 22, 2016**  
**Regular Meeting**

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

West New York that the above resolution is hereby repealed:

596 – 62<sup>nd</sup> Street (Luis Beaton)

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

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

**RESOLUTION**  
**RE: ESTABLISHING NO PARKING LOADING ZONE**  
**FOR R.P. SERVICE REFRIGERATION 5711 PALISADE AVENUE, WEST NEW**  
**YORK, NJ**

WHEREAS, there exists in the vicinity of 5711 Palisade Avenue a condition relating to traffic congestion and difficulty of receiving, loading and discharging merchandise and supplies caused by the location of establishment in the building located, 5711 Palisade Avenue; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, N.J., pursuant to N.J.S.A. 39:4-197 (3) (b) that a "No Parking-Loading Zone" be and same is hereby authorized and established, at the said location, more particularly described hereafter, during business hours from Monday thru Friday from 8:00AM to 5:00PM said area or zone to be used as a "No Parking-Loading Zone": during said hours so as to promote traffic and passage of vehicular traffic in the area, and to allow the prompt and safe loading and unloading of merchandise and supplies as aforesaid, and:

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

BEGIN AT A POINT ALONG THE WEST SIDE OF PALISADE  
AVENUE 15 FEET SOUTH FROM THE SOUTH WEST  
CORTNER OF 58<sup>TH</sup> STREET AND PALISADE AVENUE.  
THEN 40 FEET SOUTH THERE FROM.

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

**RESOLUTION**  
**RE: TO APPROVE CONTRACT WITH**  
**MATEO PEREZ ESQ. AS PROSECUTOR**

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

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

WHEREAS, the request for proposals for these services provided a rate of \$350 per court session and \$150 per hour work for additional work performed outside of the court session with a not to exceed amount of \$30,000.00 for these additional services; and

**June 22, 2016**  
**Regular Meeting**

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

WHEREAS, this contract will commence on June 23, 2016 and continue until December 31, 2016.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Mateo Perez Esq. as prosecutor commencing June 23, 2016 until December 31, 2016.

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

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

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

**RESOLUTION**  
**RE: TO APPROVE CONTRACT WITH CONSOLIDATED**  
**ENVIRONMENTAL, INC. FOR ADDITIONAL MOLD REMEDIATION SERVICES**

WHEREAS, the Town West New York required the services of a firm to perform mold remediation services for the West New York Town Hall based upon the investigation report of the Town Hall building; and

WHEREAS, the Town has determined that it requires additional mold remediation services to complete the remediation of the Town Hall; and

WHEREAS, the Town sought proposals to provide the additional mold remediation services and received one proposal from Consolidated Environmental Inc.; and

WHEREAS, the Mayor and Commissioners have determined that the proposal from Consolidated Environmental Inc. in the amount of \$43,786.60 will provide the services required by the Town.

NOW THEREFORE BE IT RESOLVED that the Mayor and Commissioners do hereby approve of a contract with Consolidated Environmental Inc. for the additional mold remediation services, in accordance with the proposal submitted, in an amount not to exceed \$43,786.60.

BE IT FURTHER RESOLVED that a certification of funds is on file in the clerk's office for this contract.

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

**RESOLUTION**  
**RE: TO APPROVE CONTRACTS WITH**  
**COVIELLO & LEGG, LLP AND ERIC M. BERNSTEIN AND ASSOCIATES, LLC**  
**FOR ALTERNATE PROSECUTOR SERVICES**

WHEREAS, the Town West New York solicited proposals under a fair and open process for a contract for alternate prosecutor services on two occasions; and

WHEREAS, several proposals were received and the Town of West New York evaluated these proposals and determined that the law firm of Eric M. Bernstein and Associates, LLC and

**June 22, 2016**  
**Regular Meeting**

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

Coviello & Legg, LLP can provide the alternate prosecutor services, as needed, in a professional and cost effective manner for the Town; and

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

WHEREAS, these contracts will commence on June 23, 2016 and continue until December 31, 2016.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize contracts with the following firms commencing June 23, 2016 until December 31, 2016:

Coviello & Legg, LLP- 311 Fairview Avenue, 2<sup>nd</sup> Floor, Fairview, NJ 07022  
Eric M. Bernstein and Associates, LLC – 34 Mountain Blvd. Bldg. A, Warren, NJ 07059

BE IT FURTHER RESOLVED, the Town shall pay \$350 per court session for these alternate services provided in accordance with the request for proposals, and a total not to exceed amount of \$12,000.00.

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

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

**RESOLUTION**  
**RE: CONCERNING PAYMENT OF CLAIMS FOR**  
**WORKERS COMPENSATION AND GENERAL LIABILITY FOR THE MONTH OF**  
**JUNE 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: \$9,210.01  
General Liability: \$21,336.39

**Consent Agenda (cont.):**

**RESOLUTION**  
**RE: CANCELLING BALANCES OF COMPLETED GENERAL CAPITAL**  
**IMPROVEMENT AUTHORIZATIONS**

WHEREAS, certain General Capital Improvement Authorization balances remain dedicated to projects which have been completed and,

WHEREAS, it is necessary to formally cancel said funded balance to General Capital Surplus and,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of West New York that the following balance of unexpended General Capital Fund Improvement Authorization be cancelled as follows:

<u>Ordinance</u> <u>No.</u>	<u>Description</u>	<u>General</u> <u>Capital Fund</u> <u>Surplus</u>
16/09	Various Capital Improvements	\$161,852

**RESOLUTION**  
**RE: AUTHORIZING THE TOWN OF WEST NEW YORK**  
**TO ADVERTISE FOR BIDS FOR VARIOUS CONTRACTS**  
**(PRINTING SERVICES, GENERAL CONTRACTING SERVICES AND**  
**UNIFORM RENTAL AND CLEANING SERVICES)**

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

WHEREAS, the Town must prepare specifications and advertise for the receipt of bids for these services 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) Printing services
- 2) General contracting services
- 3) Uniform rental and cleaning services

BE IT FURTHER RESOLVED that 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**  
**RE: AUTHORIZING PAYMENT FOR MUNICIPAL COURT PROSECUTOR**  
**SERVICES (DOMINIC P. DI YANNI, ESQ. OF THE LAW FIRM**  
**OF ERIC M. BERNSTEIN & ASSOCIATES)**

WHEREAS, the Town of West New York ("Town") required the services of a municipal court prosecutor on June 14, 2016 on an emergent basis due to the unavailability of the regularly scheduled prosecutor, who has a contract with the Town to provide these services; and

WHEREAS, Dominic P. DiYanni, Esq. of the law firm of Eric M. Bernstein & Associates LLC, served in the capacity of municipal court prosecutor on June 14, 2016; and

WHEREAS, the Town of West New York seeks to pay Dominic P. DiYanni, Esq. of the law firm of Eric M. Bernstein & Associates LLC for the professional services rendered for the Town of West New York; and

WHEREAS, the Town of West New York is hiring this professional on a temporary basis in order to pay him for services previously rendered to the Town of West New York Municipal Court; and

WHEREAS, the services provided were professional services which were below the pay

**June 22, 2016**  
**Regular Meeting**

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

to play threshold and therefor did not have to be procured under a fair and open process.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that Dominic P. DiYanni, Esq. of the law firm of Eric M. Bernstein & Associates LLC is hired on a temporary basis to provide the services requested by the Town of West New York Municipal Court and to process the voucher for payment for this service.

BE IT FURTHER RESOLVED that the payment for this service is as follows:

- 1) Dominic P. DiYanni, Esq of the law firm of Eric M. Bernstein & Associates LLC - \$350.00

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

**RESOLUTION**  
**RE: APPROVE CONTRACT WITH CIT-E-NET, LLC FOR**  
**ONLINE TAX PAYMENT SERVICES**

WHEREAS, the Town West New York seeks the services of a firm to provide online payment of taxes and pursuant to the provisions of N.J.A.C. 5:30-9.1 ET. Seq. the Town sought proposals for the provision of these services; and

WHEREAS, the Town received three proposals for this contract and the Town review committee reviewed all of the proposals and recommends that the proposal from Cit-E-Net, LLC provides the services that the Town seeks in the most efficient and cost effective manner; and

WHEREAS, the Town Attorney determined that the proposal from Cit-E-Net, LLC is legally acceptable; and

WHEREAS, the Mayor and Commissioners have determined to approve of the contract with Cit-E-Net, LLC at a cost of \$2,000.00 per year and a one-time set up fee of \$2,000 for a total amount for the first year of \$4,000.00 and at a cost of \$2,000.00 for each additional year. The Town will also have an option to include credit card tax payments for a cost of \$500.00 per year in the second and/or third year of the contract.

WHEREAS, the Town will enter into a contract for these services for one year with an option to extend the contract for two one year terms under the same contract provisions.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Commissioners do hereby approve of a contract with Cit-E-Net, LLC for the provision of online payment of tax services, in accordance with the proposal submitted, in an amount not to exceed \$4,000.00 for the first year and \$2,000.00 for the second and third year terms which can be approved by the Town. The Town will have the option to add a credit card payment service, at an additional cost of \$500.00 per year, in the second and/or third year of the contract.

BE IT FURTHER RESOLVED that a certification of funds is on file in the clerk's office for this contract.

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

**June 22, 2016**  
**Regular Meeting**

**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 provides 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 (NJSA 40A:4-20) including this resolution total \$26,901,781.81.

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

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$3,126,160.00, as follows:

<b>Account Number</b>	<b>Description</b>	<b>Temporary Budget</b>
01-201-20-702-020-99	Town Clerk's Office	\$ 14,000.00
01-201-20-702-040-99	Town Clerk Off - Codification	\$ 925.00
01-201-20-702-040-99	Poormaster Fund	\$ 750.00
01-201-20-705-010-11	Elections	\$ 2,000.00
01-201-20-705-020-99	Elections	\$ 40,000.00
01-201-20-706-010-11	Board of Health S/W	\$ 25,000.00
01-201-20-706-020-99	Board of Health - O.E.	\$ 40,000.00
01-201-20-707-010-11	Prosecutor S/W	\$ 12,000.00
01-201-20-707-020-99	Prosecutor	\$ 40,000.00
01-201-20-708-020-11	Public Relations SW	\$ 30,000.00
01-201-20-708-020-99	Public Relations OE	\$ 20,000.00
01-201-20-709-010-11	Rent Control Board S/W	\$ 20,000.00
01-201-20-711-020-99	Town Funding Program	\$ 5,000.00
01-201-20-712-010-11	Housing Inspection S/W	\$ 20,000.00
01-201-20-712-020-99	Housing Inspection	\$ 200.00
01-201-20-713-020-99	Tenant Relations	\$ 20,000.00
01-201-20-714-010-11	Law Department S/W	\$ 6,000.00
01-201-20-714-020-99	Law Department	\$ 15,000.00
01-201-20-715-010-11	Supervised Play Activity	\$ 50,000.00
01-201-20-715-020-99	Supervised Play Activity	\$ 15,000.00
01-201-20-717-010-11	Senior Citizens S/W	\$ 8,000.00
01-201-20-717-020-99	Senior Citizens	\$ 10,000.00
01-201-20-719-020-99	Personnel Department	\$ 500.00
01-201-20-720-020-99	Zoning Board	\$ 1,000.00
01-201-20-721-010-11	Planning Board S/W	\$ 5,000.00
01-201-20-721-020-99	Planning Board	\$ 2,500.00
01-201-20-722-020-99	North Hudson Regional Council	\$ 4,000.00
01-201-20-723-020-99	North Hudson Community Act	\$ 1,000.00
01-201-20-725-020-99	North Hudson Council of Mayors	\$ 1,200.00
01-201-20-726-020-99	Urban Enterprise Zones	\$ 2,000.00
01-201-20-727-010-11	Community Development - S & W	\$ 20,000.00
01-201-21-701-010-11	Director of R & F - S/W	\$ 4,000.00
01-201-21-742-010-11	Treasurer's Office S/W	\$ 5,000.00
01-201-21-742-020-99	Treasurer's Office	\$ 10,000.00
01-201-21-742-050-99	Treasurer's Office -Annual F/S	\$ 10,000.00

01-201-21-742-060-99	Treasurer's Office -Payroll	\$	2,500.00
01-201-21-744-010-11	Assessment of Taxes S/W	\$	2,000.00
01-201-21-746-010-11	Collection of Taxes S/W	\$	3,500.00
01-201-21-748-020-99	Group Insurance- Employees	\$	200,000.00
01-201-21-750-120-93	Other Insurance - WoComp	\$	200,000.00
01-201-21-750-220-92	Other Insurance - Liability	\$	25,000.00
01-201-21-752-010-11	Purchasing Agent S/W	\$	10,000.00
01-201-22-701-010-11	Director of Public Safety -	\$	6,500.00
01-201-22-701-020-99	Director's Office	\$	8,000.00
01-201-22-760-080-99	NHRFR	\$	650,000.00
01-201-22-762-010-11	Police Department S/W	\$	150,000.00
01-201-22-762-020-99	Police Department - O.E.	\$	75,000.00
01-201-22-770-010-11	Uniform Fire Safety Act S/W	\$	10,000.00
01-201-23-787-010-11	Garbage & Trash S/W S	\$	2,500.00
01-201-23-787-020-99	Garbage & Trash - O.E.	\$	10,000.00
01-201-24-790-020-99	Division of Parks Miscellaneous	\$	6,587.00
01-201-24-792-020-99	Building Department Misc.	\$	15,000.00
01-201-24-798-020-99	Sewerage Miscellaneous	\$	10,000.00
01-201-25-800-010-11	Uniform Construction Code SW	\$	20,000.00
01-201-25-800-020-99	Uniform Construction Code	\$	4,000.00
01-201-44-901-020-99	CIF - Leasehold Improvements	\$	153,000.00
01-201-44-902-020-99	CIF - Leasehold Impr Kitchen	\$	169,000.00
01-201-45-887-020-99	Lease Payable NHRFR -	\$	650,000.00
01-201-45-888-020-99	Green Trust Loan Program P	\$	158,263.00
01-201-45-941-020-99	Capital Lease Obligations-	\$	<u>125,235.00</u>

**TOTALS** **\$ 3,126,160.00**

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.

Motion was made by Commissioner Colacurcio, seconded by Commissioner Rodriguez, to adopt the foregoing Resolution, was carried by the following vote:

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

**ORDINANCE #10/16**

**AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "BARBER SHOPS"**

**Note:** Adeliny Plaza 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.**



**June 22, 2016**  
**Regular Meeting**

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

**ORDINANCE #11/16**

**CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH CAP BANK (N.J.S.A 40A:4-45.1)**

**Note:** Adelinnny Plaza read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Colacurcio, 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.**

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 #12/16**

**AN ORDINANCE AMENDING CHAPTER 125 "BACKGROUND CHECKS"**

**Note:** Adelinnny Plaza read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Cirillo, 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.**

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

June 22, 2016  
Regular Meeting

**ORDINANCE #13/16**

**AN ORDINANCE AMENDING CHAPTER 80 "POLICE DEPARTMENT" OF THE  
CODE OF THE TOWN OF WEST NEW YORK**

**Note:** Adelinn Plaza read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez, 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 #13/16**

**AN ORDINANCE AMENDING CHAPTER 80 "POLICE DEPARTMENT" OF THE  
CODE OF THE TOWN OF WEST NEW YORK**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on June 22, 2016 and ordered published, and will be further considered before final passage at a public hearing on July 21, 2016 at 12:00 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:** Adelinn Plaza read the foregoing notice aloud.

**ORDINANCE #14/16**

**AN ORDINANCE CREATING THE TOWN OF WEST NEW YORK  
IDENTIFICATION CARD PROGRAM**

**Note:** Adelinn Plaza read the title of the foregoing Ordinance aloud.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Rodriguez, 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 #14/16**

**AN ORDINANCE CREATING THE TOWN OF WEST NEW YORK  
IDENTIFICATION CARD PROGRAM**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on June 22, 2016 and ordered published, and will be further considered before final passage at a public hearing on July 21, 2016 at 12:00 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:** Adelinn Plaza read the foregoing notice aloud.

June 22, 2016  
Regular Meeting

**ORDINANCE #15/16**

**AN ORDINANCE AMENDING CHAPTER 361 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "SWIMMING POOLS"**

**Note:** Adelinn Plaza read the title of the foregoing Ordinance aloud.

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

**AN ORDINANCE AMENDING CHAPTER 361 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "SWIMMING POOLS"**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on June 22, 2016 and ordered published, and will be further considered before final passage at a public hearing on July 21, 2016 at 12:00 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:** Adelinn Plaza read the foregoing notice aloud.

**ORDINANCE #16/16**

**AN ORDINANCE AMENDING CHAPTER 174 "DOGS AND OTHER ANIMALS" OF THE CODE OF THE TOWN OF WEST NEW YORK**

**Note:** Adelinn Plaza read the title of the foregoing Ordinance aloud.

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

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

**Notice**  
**Ordinance #16/16**

**AN ORDINANCE AMENDING CHAPTER 174 "DOGS AND OTHER ANIMALS" OF THE CODE OF THE TOWN OF WEST NEW YORK**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on June 22, 2016 and ordered published, and will be further considered before final passage at a public hearing on July 21, 2016 at 12:00 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:** Adelinn Plaza read the foregoing notice aloud.

**June 22, 2016**  
**Regular Meeting**

**RESOLUTION**  
**RE: AUTHORIZING 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 item:

- 1) Pursuant to N.J.S.A. 10:4-12(b) (7) the discussion of litigation entitled Jeffery Green and Gabrielle Green v. Town of West New York et. al., Superior Court of New Jersey, Hudson County, Docket #HUD-L-259-15; and
- 2) Pursuant to N.J.S.A. 10:4-12(b) (7) the discussion of litigation entitled Sonia Gonzalez v. Town of West New York et. al., Superior Court of New Jersey, Hudson County, Docket #HUD-L-4629-14.

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.

Motion was made by Commissioner Colacurcio, seconded by Commissioner Cirillo, to adopt the foregoing Resolution, was carried by the following vote:

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

**Note:** **Adelinny Plaza read the foregoing resolution aloud.**  
**At 6:32 pm Corporation Counsel Monica De Los Rios advised that the governing body intended to conduct closed Executive Session in the Court Chambers and that it should only take approx. 15-25 minutes at which time the Regular Session of the meeting would resume followed by the Public Portion. She requested everyone to step out of the court room.**

A motion was made by Commissioner Colacurcio, seconded by Commissioner Cirillo, **to reconvene the Regular portion of the meeting at 7:15 p.m.** 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 Guzman, **to open Public Portion of meeting at 7:15 p.m.**, and was carried by the following vote:

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

**Public Portion:**

**1. Dennis DeSocio – 5805 Jefferson Street, WNY:**

Mr. Desocio had a complaint regarding resolution R-23 Re: To Approve Contract with Joseph Smentkowski, Inc. (T/A Galaxy Carting) for Solid Waste and Recycling Collecting and Disposal. He wanted to know why the Town was awarding to this company. Commissioner Rodriguez explained that this company was the only bidder. He expressed his dissatisfaction regarding how poorly this company is operating. Mr. Desocio also stated that Commissioner Guzman's department over use Town Vehicles and the employees drive around all day and recommended that the gas mileage to be monitored. He further suggested for the Town to invest in hybrid cars to save money on gas and protect the environment to which Mayor Roque agreed.

**June 22, 2016**  
**Regular Meeting**

**Public Portion (Cont.)**

**1. Dennis DeSocio (cont.):**

He also wanted to know why the Town has employees mowing the lawn with a “hand lawn mower” instead of a riding lawn mower. He suggested the town provide their employees with equipment to perform their duties adequately and efficiently as other Towns are doing. He pointed out that our neighboring towns use these types of equipment but West New York does not. He stated that perhaps the Town can enter into agreements to use other Towns’ equipment. Mr. DeSocio also stated that the street sweepers are travelling too fast; therefore, not allowing for proper clean up. He further stated that he expects improvements and that quality of life is very important and that West New York should be as immaculate as neighboring Towns. Commissioner Rodriguez advised him that he is actively working on addressing the issues and agreed with Mr. DeSocio that garbage removal is important.

**2. Ronald Scheurle – 6119 Tyler Place, WNY:**

Mr. Scheurle wanted to know the number of lawsuits against the Town. Corporation Counsel Monica De Los Rios advised him that she wasn’t able to respond to his inquiry because she did not have an exact number. She asked him to please see her after the meeting. Mr. Scheurle stated “These three topics that I am about to address which fall under the supervision of Commissioner Gabriel Rodriguez of the Department of Public Works (DPW) and Mr. Silvio Acosta the Superintendent of DPW according to the OPRA Request that I hold in my possession. He proceeded to read the following statement.

- A. “The first issue is regarding the children that live, learn and play in our town; our future voters! I would like to point out again that there aren’t enough crossing guards to assist our children while going and coming from school on the North end of WNY on 61<sup>st</sup> street Park Ave and Broadway and these are major intersections with heavy traffic flow. This administration is suffering from tragic engineering judgments regarding when and where and adult school crossing guard should be placed. This administration has failed under state and federal guidelines to consider the children’s ages, the sight distance at crossing, safe gaps in traffic, volumes of traffic and pedestrians and the width of the street and number of lanes of traffic students must cross. Wide streets with multiple lanes of traffic typically require the use of two or more adult crossing guards as per state and federal guidelines. Most recently, we had a sad incident where an innocent child was hit and killed by a car while walking to school one morning. I don’t want to see another innocent life taken away because of this administration’s failure to adhere to state and federal guidelines. I say to you Mayor, and Commissioners, your first priority is to protect the children in this town.”

At this point, a member of the audience, Cheryl Smith, 6112 Park Avenue, advised Mr. Scheurle that she is a crossing guard for the Town and that his comments regarding the crossing guards are not entirely true because there are crossing guards assigned at the location he referenced. She mentioned that parents should be responsible for controlling their children when crossing streets since it’s very difficult for crossing guards to do their job properly when the kids are running and not listening to orders.

- B. Mr. Scheurle continued: “The second issue I would like to address deals with the deterioration of our streets and roads. Our tax money is being used to fill or patch potholes which serves best at temporary remedy because it does not repair the damage to the pavement subsurface. That is why the same pot holes often reappear soon after being filled. Repairing the underlying pavement and providing a new surface will result in a smooth street, if the town was to focus on just filling potholes, the long-term result would be further deterioration of our streets.”

**June 22, 2016**  
**Regular Meeting**

**Public Portion (Cont.)**

**2. Ronald Scheurle (cont.):**

Commissioner Rodriguez indicated that there is a Road Improvement Program that has launched and more than 50% of the Town's roads will be fixed. He stated that work has already started on 51<sup>st</sup> Street. Mr. Scheurle wanted to know if Town employees are the ones doing the work and Commissioner Rodriguez advised that Town contracted a company to do the improvements and that this project is one of the largest projects ever.

- C. Mr. Scheurle continued: "The third issue I would like to address is regarding the tree limb removals currently occurring in this town. I would like the administration to answer the following as per Ordinance #25/15... specifically §379-4. Did you request a permit from the building department to cut the limbs of trees that are located on an owner's property?"

Commissioner Colacurcio asked him for the location. He responded "all over Town".

**3. John Smith – 6112 Park Avenue, WNY:**

Mr. Smith stated that the issue on Boulevard East with the over growth of poison ivy was taken care of by him; however, he explained that while doing this job he discovered that bricks were falling on the border of Weehawken and West New York more specifically between 51<sup>st</sup> and 54<sup>th</sup> Street and Boulevard East and between 65<sup>th</sup> Street and 66<sup>th</sup> Street and Boulevard East. He asked if the Mayor and Board of Commissioners could look into this issue before someone gets hurt. Commissioner Colacurcio informed Mr. Smith that Boulevard East is considered a County road and that they will be informing the County of this issue. Mayor Roque requested the pictures be forwarded to him. Commissioner Colacurcio stated that she was very happy with work.

**4. Dennis DeSocio – 5805 Jefferson Street, WNY:**

Mr. DeSocio complimented the Mayor and Board of Commissioners on creating transportation to Holy Name Hospital for Latinos of West New York and asked if he was able to use these services given the fact he wasn't considered a Latino. Mayor Roque informed him that he was able to use the services should he require and that he was West New York's "Honorary Latino". Mr. DeSocio laughed and then questioned the reason to have a police car with their lights on in front of PS #1 and added that this slows down traffic making it very difficult to get around when he has his grandchildren who travel from Montclair, NJ. Police Director Antolos advised that this was not Town policy and that the officers are hired by the Board of Education and are simply doing their job.

**5. Kelly Gooden – 67<sup>th</sup> Street, WNY:**

Ms. Gooden stated that she just purchased a home in West New York, has concerns regarding a traffic signal light in her driveway and was working on getting it out of her driveway because of her elderly parents and 17 month old daughter. She commented that it was an inconvenience and it was the only house on 67<sup>th</sup> Street experiencing this issue. Corporation Counsel advised Ms. Gooden that the Town was working on the matter and would like to speak to her after the meeting.

**6. Angel Barquin – 432 58<sup>th</sup> Street, WNY:**

Mr. Barquin greeted everyone. He stated he had questions regarding this year's tax increase. He stated that the new tax rate was raised from 66.92% to 71.62% and that the Town has been adding millions of dollars in long term debt. He stated that he does not see any progress in Town; dirty streets, potholes, and services. He explained that he wasn't against tax increase if services were being provided. He commented that the school tax is a 2 million dollar overall debt; however, he wanted to know why aren't tax payers asked if they agree to these increases. Mayor Roque advised Mr. Barquin that if he had any questions pertaining to the Board of Education he should direct his concerns to them because the Town did not have anything to do with the issues he raised. Mr. Barquin wanted to know "How did the raise come up" and "Why did the Town agree to this increase"? Commissioner Rodriguez explained that school taxes are different from municipal taxes. An argument ensued and Commissioner Colacurcio said that Mr. Barquin's comments were disrespectful.

**June 22, 2016**  
***Regular Meeting***

A motion was made by Commissioner Colacurcio, seconded by Commissioner Rodriguez **to close the Public Portion and adjourn the meeting at 7:41 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: \_\_\_\_\_  
Adelinny Plaza,  
Town Clerk's Office