

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

Minutes of Regular Meeting
(Regular Session)
July 18, 2018

*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*

July 18, 2018
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, July 18, 2018 at 6:30 A.M. (6:00 p.m. Work Session):

Present: Commissioners Cirillo, Colacurcio, Guzman, and Rodriguez, and Mayor Roque
Absent: None
Also Present: Town Clerk Carmela Riccio, Adeliny Plaza (Town Clerk's staff), Town Administrator James Cryan, and Corporation Counsel Michael Jimenez

Meeting commenced at 6:30 P.M.

Town Clerk Carmela Riccio made the following announcement:

As presiding officer of this Regular Meeting of the Board of Commissioners of the Town of West New York, held on **July 18, 2018 at 6:30 P.M.** (6:00 p.m. Work Session), I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the Resolution dated and adopted on **June 21, 2018**. 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 Rodriguez that the Minutes of Regular Meeting: 6/21/2018 (Work and Regular Sessions), Special Meeting: 6/28/2018 and 7/11/2018 (Regular Session) 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 7/18/2018 Claims are available for public inspection in the Town Clerk's Office):

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

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

Note: Mayor Roque abstained on purchase order numbers 14933, 14934, 15053, 15197, 15201, 15203 and 15205; Commissioners Colacurcio and Rodriguez abstained on Purchase order number 15116.

July 18, 2018
Regular Meeting

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF JUNE 2018

1. From Construction Code Official Office, reporting the sum of \$161,732.00 Collected for the month of June, 2018.
2. From Director Robert Antolos (Police Dept.), reporting the sum of \$14,777.45 Collected for the month of June, 2018.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$1,615.00 For Special Licenses for the month of June, 2018.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$574.00 For Marriage/death certificates for the month of June, 2018.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$95.20 For Dogs Licenses for the month of June, 2018.
6. From (Revenue and Finance Department) reporting the sum of \$535,764.02 Collected for the month of June, 2018.

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

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

July 18, 2018
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-22 be adopted (*excluding #R-13: Authorizing the Insertion in the Budget of a Special Item of Revenue and Appropriation – Chapter 159 – New Jersey Department of Transportation – 2017 Municipal Aid Program and #R-14: Authorizing the Insertion in the Budget of a Special Item of Revenue and Appropriation – Chapter 159 – 2017 Alcohol Education, Rehabilitation, and Enforcement Fund, which will be voted upon separately*), was carried by the following vote:

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

Note: Town Clerk Riccio announced that the Consent Agenda was established during the Work Session and that Mayor Roque advised that he would abstain from voting on Resolutions #R-19 (Re: Authorizing the Award of a Non-Fair and Open Contract for Legal Services to Mark A. Tabakin, Esq. of Weiner Law Group, LLP and #R-20 (Re: Authorizing the Award of a Non-Fair and Open Contract for Legal Services to David F. Corrigan, Esq. of the Corrigan Law Firm. She further advised that Resolutions R-13 and R-14 (authorizing the insertion of Special Items of Revenue and Appropriations into the Budget) would be voted upon individually.

RESOLUTION

RE: AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION’S “SAFE ROUTES TO SCHOOL PROGRAM” FOR THE “WEST NEW YORK SCHOOLS PEDESTRIAN AND BICYCLING SAFETY PROJECT”

WHEREAS, the Town of West New York (“Town”) and the West New York Board of Education have collaborated in an effort to develop projects that will improve routes on public roads that provide access to school facilities; and

WHEREAS, the Town of West New York’s Engineers have provided plans specifically designed to address and eliminate current safety issues related to access, traffic flow and the conditions surrounding Public School #1, Public School #2, Robert Menendez Elementary School, Albio Sires Elementary School, Public School #5, Harry L. Bain School and West New York Middle School; and

WHEREAS, the Town will submit this plan to the State of New Jersey’s Department of Transportation for the Safe Routes to School Grant; and

WHEREAS, although the Town understands the Safe Routes to School grant does not require a specific percentage match of the grant award, the Town is prepared to fund costs associated with the project not covered by the award; and

WHEREAS, the Town and the West New York Board of Education recognize the value of interlocal cooperation as a way of reducing duplication and overlap of services as a means of efficient and economical utilization of resources; and

WHEREAS, maintenance of facilities, once constructed, will be assumed by the Town where applicable, with exception of any (1) local ordinances that place maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways; and

WHEREAS, the Town through its Department of Public Works will assume all responsibility with regard to the maintenance and upkeep of this project; and

WHEREAS, the Town will assign its Town Administrator to serve as the responsible charge for the project.

July 18, 2018
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 it hereby authorizes and supports the submission of electronic grant application SRS-2018-West New York Schools Safe Routes-00003 to the Safe Routes to School Program within the State of New Jersey's Department of Transportation and authorizes the Mayor, Town Administrator, and the Town Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

RESOLUTION
RE: AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S "TRANSPORTATION ALTERNATIVES PROGRAM" (TAP) FOR THE PARK AVENUE PED/BIKE SAFETY ENHANCEMENT PROJECT

WHEREAS, the Town of West New York ("Town") supports policies and programs that focus on health and wellness and safer community environments; and

WHEREAS, the Town desires to further the public interest by making an application to the New Jersey Department of Transportation's TAP to help fund the following project: Park Avenue Ped/Bike Safety Enhancement Project; and,

WHEREAS, although the Town understands the TAP grant does not require a specific percentage match of the grant award, the Town is prepared to fund costs associated with the project not covered by the award; and

WHEREAS, the project will help continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for all residents within the Town; and

WHEREAS, maintenance of facilities, once constructed, will be assumed by the Town where applicable, with exception of any (1) local ordinances that place maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways; and

WHEREAS, the Town, through its Department of Public Works, will assume all responsibility with regard to the maintenance and upkeep of this project; and

WHEREAS, the Town will assign its Town Administrator to serve as the responsible charge for the project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York that it hereby authorizes and supports the submission of electronic grant application TA-2018-Park Ave Ped/Bike Safety-00003 to the Transportation Alternatives Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Town Administrator, and the Town Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

RESOLUTION
RE: AUTHORIZING REFUND OF TAX LIEN REDEMPTIONS

WHEREAS, the investors named below have previously purchased Tax Sale Certificates from the Town of West New York; and

July 18, 2018
Regular Meeting

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York that the below listed redemption amounts be paid to the investors in the following amounts, and the Department of Revenue and Finance is hereby authorized to issue said refunds

NAME	BLOCK/LOT	CERT#	AMOUNT
CHRISTIANA TRUST AS CUSTODIAN	41/15	17-0093	\$10,132.20
TTLBL, LLC	48/6	15-0162	\$4,059.02
ISAAC MORADI	83/7 C7011 117/15 C0304	16-0243 16-0325	\$440.89 \$2,513.39
AUCTION Z INC	84/16	17-0170	\$5,920.67
US BANK CUST FOR PC7 FIRSTRUST BANK	2/11 130/5.01 C0205	17-0005 17-0230	\$268.29 \$583.60
US BANK CUST FOR PRO CAP 4 & CRDTS	153/5 C0031 5/28	16-0421 16-0012	\$522.54 \$12,846.02
US BANK CUST BV002 TRST & CRDTRS	48/6 133/13 C0203 168.01/8.03 C0320	17-0103 17-0233 17-0293	\$2,496.13 \$1,938.33 \$6,587.71
PAM INVESTORS	16/33 1/7 10/13 5/28 5/28	17-0032 17-0002 16-0035 12-0018 15-0014	\$4,039.39 \$5,233.45 \$3,196.95 \$23,617.67 \$7,016.45
US BANK C/F TOWER DBW VI TRST. 2016	20/7 C0006 140/2	16-0076 16-0392	\$5,265.09 \$4,047.37
US BANK C/F TOWER DBW V TR. 2015-1	42/29	15-0148	\$29,498.70
MAHROUS A. ARMANIOUS	133/13 C0302	16-0375	\$3,439.22
		GRAND TOTAL	\$133,663.08

RESOLUTION
RE: AUTHORIZING REFUND OF TAX OVERPAYMENTS

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.

July 18, 2018
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 following refunds be issued by the Department of Revenue and Finance with respect to the designated property and the Collector of Taxes be and is hereby authorized to adjust the records accordingly and to include the reimbursement of any applicable interest as a result of these overpayments.

NAME	BLOCK/LOT	AMOUNT	YEAR
ISMAIL OZUTURK	168.01/1 C0456	\$4,321.18	2018
DANIEL MORICCO	168.01/8.03 C0135	\$1,110.54(svc)	2016
		\$3,054.02(svc)	2017
UMEDA, YOSHINOBU & KAORU	168.01/8.03 C0346	\$121.78	2018
		\$3,221.37(svc)	2018
PEREZ, HERNAN	20/36 C0042	\$208.17	2017
		\$104.08	2018
6401 PARK AVE., INVESTMENT	22/17	\$3,139.20	2017
	GRAND TOTAL	\$15,280.34	

RESOLUTION

RE: AUTHORIZING REFUND OF TAX LIEN PREMIUMS

WHEREAS, the investors named below have previously purchased Tax Sale Certificates from the Town of West New York; and

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

WHEREAS, the Certificates have 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 by the Mayor and Board of Commissioners of the Town of West New York 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
ISAAC MORADI	130/5.01	16-0362	\$2,000.00
	117/15 C0304	16-0325	\$4,000.00
CHRISTIANA TRUST AS CUSTODIAN	41/15	17-0093	\$10,100.00
TTLBL, LLC	48/6	15-0162	\$11,000.00
AUCTION Z INC.	84/16	17-0170	\$2,500.00
US BANK CUST FOR	74/4 C0005	17-0154	\$1,100.00
PC7 FIRSTRUST BANK	2/11	17-0005	\$11,800.00
	130/5.01 C0205	17-0230	\$900.00

July 18, 2018
Regular Meeting

Consent Agenda (cont.):

Resolution (Cont.):

US BANK CUST FOR	153/5 C0031	16-0421	\$800.00
PRO CAP 4 & CRDTS	5/28	16-0012	\$1,000.00
US BANK CUST BV002	48/6	17-0103	\$3,100.00
TRST & CRDTRS	133/13 C0203	17-0233	\$1,600.00
	168.01/8.03 C0320	17-0293	\$3,300.00
PAM INVESTORS	16/33	17-0032	\$4,000.00
	1/7	17-0002	\$7,700.00
	10/13	16-0035	\$1,200.00
US BANK C/F TOWER	20/7 C0006	16-0076	\$1,600.00
DBW VI TRST 2016	140/2	16-0392	\$1,500.00
US BANK C/F TOWER	42/29	15-0148	\$19,000.00
DBW V TR. 2015-1			
MAHROUS A.	133/13 C0302	16-0375	\$1,100.00
ARMANIOUS			
		GRAND TOTAL	\$89,300.00

RESOLUTION
RE: AUTHORIZING EMERGENCY PAYMENT TO
NU-WAY CONCESSIONARIES, INC.

WHEREAS, by Resolution dated July 10, 2018, the Town of West New York (“Town”) terminated its contract for the summer food program with North Jersey Friendship House, Inc. (“Friendship House”) due to significant service issues with Friendship House’s contract performance; and

WHEREAS, Friendship House and the Town agreed to a contract termination date of July 12, 2018 at 5 P.M.; and

WHEREAS, also by Resolution dated July 10, 2018, the Town awarded a contract for the summer food program to Nu-Way Concessionaries, Inc. (“Nu-Way”), effective July 13, 2018 until August 17, 2018; and

WHEREAS, although Friendship House agreed to a contract termination date of July 12, 2018 at 5 P.M, it later notified the Town that it would not provide its contractually obligated meal services on July 12, 2018; and

WHEREAS, Friendship House’s failure to provide contractually obligated meal services on July 12, 2018, left the Town without meal services for a one (1) day period, as the contract with Nu-Way was not scheduled to begin until July 13, 2018; and

WHEREAS, at the Town’s request, Nu-Way agreed to provide meal service on July 12, 2018; and

WHEREAS, based on the unit pricing provided in Nu-Way’s bid, the price for the one (1) day service was \$1.29 per breakfast (totaling \$387.00) and \$2.15 per lunch (totaling \$1,515.50) for a total price not to exceed \$1,902.75.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize an emergency payment to Nu-Way Concessionaries, Inc., located at 339-345 Bergen Avenue in Kearney, NJ, for provision of meal services per the Summer Food Program 2018, for one (1) day, for a price of \$1.29 per breakfast (\$387.00) and \$2.15 per lunch (\$1,515.50), for a total price not to exceed \$1,902.75.

July 18, 2018
Regular Meeting

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that the necessary \$1,902.75 is available for this payment from account number 02-213-40-501-018 (2018 Summer Food Program).

RESOLUTION
RE: AUTHORIZING SETTLEMENT IN YOUSEF AWADALLAH
VS. WEST NEW YORK, ET. AL.

WHEREAS, the Town of the West New York is involved in a civil action in the United States District Court, District of New Jersey captioned as follows:

Yousef Awadallah v. West New York, et al., No. 16-05421 (D.N.J. filed September 7, 2016).

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

WHEREAS, the Town, through Counsel, has resolved the litigated matter subject to governing body approval, and upon such approval and upon receipt of appropriate documents by Counsel for West New York.

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 a 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, closing documents or other appropriate documentation.

RESOLUTION
RE: APPROVING POLICIES AND PROCEDURES AS TO
ELECTRONIC FUNDS TRANSFER

WHEREAS, the Town of West New York (Town”) seeks to authorize payment of claims through the use of electronic funds transfer technologies in lieu of payment through the use of signed checks or warrants (“electronic funds transfers”); and

WHEREAS, if a governing body of a local unit seeks to authorize electronic funds transfers, N.J.S.A. 40A:5-16.5 requires that it adopt policies and procedures with certain requirements by ordinance or resolution and permits the Local Finance Board to adopt rules and regulations for the purpose of implementing the provisions of the statute; and

WHEREAS, the rules and regulations of the Local Finance Board set forth in N.J.A.C. 5:30-9A.1, et seq. require minimum fiscal and operational controls applicable to electronic funds transfer technology as a condition of its use by the local unit in order to mitigate the potential for fraud and abuse in electronic transfer of funds; and

WHEREAS, the Town has drafted policies and procedures in compliance with N.J.S.A. 40A:5-16.5 and N.J.A.C. 5:30-9A.1, et seq. which it seeks to implement; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York do hereby approve the Policies and Procedures as to Electronic Funds Transfers in compliance with N.J.S.A. 40A:5-16.5 and N.J.A.C. 5:30-9A.1, et seq.

July 18, 2018
Regular Meeting

Consent Agenda (cont.):

RESOLUTION

**RE: CONCERNING PAYMENT OF CLAIMS FOR WORKERS COMPENSATION AND
GENERAL LIABILITY FOR THE MONTH OF JULY 2018**

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:	\$ 40,387.63
General Liability:	\$ 15,024.49

RESOLUTION

**RE: AUTHORIZING THE MUNICIPAL ADMINISTRATOR
TO PERFORM A DESK AUDIT**

WHEREAS, the Town of West New York (“Town”) is a Civil Service jurisdiction pursuant to N.J.S.A. 11A:1-1 et seq.; and

WHEREAS, the Town employs both Civil Service and non-Civil Service employees; and

WHEREAS, with regard to employees subject to Civil Service, the Town seeks to review those employees’ job titles to determine if they are performing job duties within the specifications of their job titles; and

WHEREAS, with regard to employees not subject to Civil Service, the Town seeks to review those employees’ job duties to determine if they are performing the duties of their appointed/designated titles; and

WHEREAS, it is in the Town’s best interest to ensure all its employees are performing the appropriate duties based on Civil Service job title and appointed/designated title in order to meet its management responsibilities; and

WHEREAS, it is also in the Town’s best interest to ensure all its employees are receiving salaries in accordance with the Town’s salary ordinance in order to meet its fiscal responsibilities; and

WHEREAS, the Town desires to have its Municipal Administrator conduct and/or otherwise oversee a desk audit by reviewing the salaries, Civil Service job titles, appointed/designated titles and duties of all Town employees.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize that the Municipal Administrator perform and/or otherwise oversee a desk audit by reviewing the salaries, Civil Service job titles, appointed titles and duties of all Town employees.

July 18, 2018
Regular Meeting

Consent Agenda (cont.):

RESOLUTION

RE: ACCEPTING THE FY 2019 WEST NEW YORK MUNICIPAL ALLIANCE GRANT

WHEREAS, the County of Hudson has awarded the Town of West New York (“Town”) a FY 2019 West New York Municipal Alliance Grant in the amount of \$42,943, for the period of July 1, 2018 through June 30, 2019 to provide substance abuse prevention and education services; and

WHEREAS, the Town’s Mayor and the Board of Commissioners recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Mayor and the Board of Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to act to prevent such abuses in our community; and

WHEREAS, the Town will provide a mandatory 25% monetary contribution in the amount of \$10,736 and a mandatory 75% in-kind contribution in the amount of \$32,207.

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

1. The Mayor is authorized to execute an agreement with the County of Hudson to accept the FY 2019 West New York Municipal Alliance Grant award on behalf of the West New York Alliance Committee in the amount of \$42,943.00.
2. The Town of West New York will provide monetary match funds in the amount of \$10,736 and the in-kind contribution in the amount of \$32,207.
3. The Mayor and the Board of Commissioners acknowledges the terms and conditions for administering the FY 2019 West New York Municipal Alliance Grant award, including the administrative compliance and audit requirements.

RESOLUTION

RE: APPROVING CHANGE ORDER #1, FINAL PAYMENT AND WAIVER OF MAINTENANCE GUARANTEE FOR THE CONTRACT WITH AJM CONTRACTORS, INC. FOR THE 2013 “RECONSTRUCTION OF VARIOUS ROADS” PROJECT

WHEREAS, the Town of West New York (“Town”) entered into a contract for the 2013 “Reconstruction of Various Roads” Project with AJM Contractors, Inc.; and

WHEREAS, AJM Contractors, Inc. has now submitted change order #1 (final) to the Engineer overseeing this project, which the engineer has approved, representing the final adjustments of as-built quantities and item costs; and

WHEREAS, change order #1 (final) decreases the contract price from \$869,742.50 by \$160,024.45, to a total price not to exceed of \$709,718.05 (see attached change order #2); and

WHEREAS, the Town’s Engineer has recommended final payment be issued to AJM Contractors, Inc. in the amount of \$14,194.36; and

WHEREAS, the Town’s Engineer has also recommended that AJM Contractors, Inc.’s maintenance guarantee be waived due to the significant time that has passed since the construction occurred.

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 2013 “Reconstruction of Various Roads” Project, which will decrease the contract amount from \$869,742.50 to \$709,718.05.

July 18, 2018
Regular Meeting

Consent Agenda (cont.):

Resolution (Cont.):

BE IT FURTHER RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that final payment be issued to AJM Contractors, Inc. in the amount of \$14,194.36.

BE IT FURTHER RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that AJM Contractors, Inc.'s maintenance guarantee be waived due to the significant time that has passed since the construction occurred.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that sufficient funds are available for this change order in account number 04-215-55-905-001.

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 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.

Department	Plate #	Vehicle #	Make	Reg Exp	Year	Vin Number
PUBLIC WORKS	MG15577	39	VOL-TRK- SALTER	6/2021	1993	4V52AFEC4PR472476
PARKS	MG60439		DODGE 2 PICKUP		2004	1D7GL12K14S719073
POLICE			DODGE		1996	1B4GP54L9TB350695
POLICE (OFF DUTY)	MG42261	2	FORD CRN WHITE		2000	2FAFP71WXYX178924
POLICE (OFF DUTY)	MG44361	4	FORD		2001	2FAFP71W01X197567
POLICE (OFF DUTY)	MG44362	1	FORD CROWN VICTORIA WHITE		2001	2FAFP71W21X197568
RECREATION	MG92807		WHITE SCHOOL BUS		1998	1BAHBCSH3WF078421

July 18, 2018
Regular Meeting

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

SURPLUS PERSONAL PROPERTY

- 26 traffic lights
- 34 mechanical traffic light
- Up to 30 Ford Explorer Rear Car Seats 2013 and up, cloth material

RESOLUTION

RE: APPROVING CHANGE ORDER # 1, REIMBURSEMENT, AND WAIVER OF MAINTENANCE GUARANTEE FOR THE CONTRACT WITH AJM CONTRACTORS, INC. FOR THE 2011 “RECONSTRUCTION OF VARIOUS ROADS” PROJECT

WHEREAS, the Town of West New York (“Town”) entered into a contract for the 2011 “Reconstruction of Various Roads” Project with AJM Contractors, Inc.; and

WHEREAS, AJM Contractors, Inc. has now submitted change order #1 (final) to the Engineer overseeing this project, which the engineer has approved, representing the final adjustments of as-built quantities and item costs; and

WHEREAS, change order #1 (final) increases the contract price from \$440,350.00 by \$36,634.17, to a total price not to exceed of \$476,984.17; and

WHEREAS, change order #1 (final) may be approved by the Mayor and Commissioners by resolution, pursuant to N.J.A.C. 5:30-11.4; and

WHEREAS, the Town’s Engineer inadvertently overpaid AJM Contractors, Inc. in its last payment, and has provided the Town with a reimbursement check of \$861.79 from AJM Contractors, Inc.; and

WHEREAS, the Town’s Engineer has also recommended that AJM Contractors, Inc.’s maintenance guarantee be waived due to the significant time that has passed since the construction occurred.

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 2011 “Reconstruction of Various Roads” Project, which will increase the contract amount from \$440,350.00 to \$476,984.17 (see attached change order #1).

BE IT FURTHER RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that that the \$861.79 reimbursement check from AJM Contractors, Inc. be accepted.

BE IT FURTHER RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that AJM Contractors, Inc.’s maintenance guarantee be waived due to the significant time that has passed since the construction occurred.

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that sufficient funds are available for this change order in account number 04-215-55-905-001.

July 18, 2018
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT IN WORKERS' COMPENSATION MATTER
HUGO SANCHEZ V. TOWN OF WEST NEW YORK
(CLAIM PETITION NO. 2012-1225)

WHEREAS, there is pending in the Division of Workers' Compensation a matter entitled Hugo Sanchez v. Town of West New York, Claim Petition No. 2012-1225; and

WHEREAS, Counsel for the Town of West New York has presented proposed settlement(s) in this matter to be settled by an Order Approving Settlement, as well as a Dismissal; and

WHEREAS, Petitioner has agreed to accept the aforementioned settlement of his Workers' Compensation claim.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Commissioners of the Town of West New York authorize that Claim Petition No. 2012-1225 be settled.

BE IT FURTHER RESOLVED that the Mayor and Board of Commissioners of the Town of West New York authorize the Town's third party administrator, within the time period prescribed by law, to make the settlement payments, which sums will be so ordered by the Judge of the Division of Workers' Compensation.

BE IT FURTHER RESOLVED that the Petitioner shall provide to Counsel for the Town of West New York a satisfactory release, closing documents and/or other appropriate documentation.

RESOLUTION
RE: AUTHORIZING SETTLEMENT IN WORKERS' COMPENSATION MATTER
DENISE QUIJADA V. TOWN OF WEST NEW YORK
(CLAIM PETITION NO. 2014-23150)

WHEREAS, there is pending in the Division of Workers' Compensation a matter entitled Denise Quijada v. Town of West New York, Claim Petition No. 2014-23150; and

WHEREAS, Counsel for the Town of West New York has presented proposed settlement in this matter to be settled by an Order Approving Settlement, as well as a Dismissal; and

WHEREAS, Petitioner has agreed to accept the aforementioned settlement of his Workers' Compensation claim.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Commissioners of the Town of West New York authorize that Claim Petition No. 2014-23150 be settled.

BE IT FURTHER RESOLVED that the Mayor and Board of Commissioners of the Town of West New York authorize the Town's third party administrator, within the time period prescribed by law, to make the settlement payment, which sum will be so ordered by the Judge of the Division of Workers' Compensation.

BE IT FURTHER RESOLVED that the Petitioner shall provide to Counsel for the Town of West New York a satisfactory release, closing documents and/or other appropriate documentation.

July 18, 2018
Regular Meeting

Consent Agenda (cont.):

RESOLUTION

**RE: AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
LEGAL SERVICES TO MARK A. TABAKIN, ESQ. OF THE
WEINER LAW GROUP LLP**

WHEREAS, on July 10, 2018 the Town of West New York ("Town") was served with a complaint captioned Dr. Gina Miranda Diaz v. Town of West New York, Commissioner Cosmo A. Cirillo, Commissioner Margarita Guzman, Commissioner Gabriel Rodriguez and Town of Guttenberg, Superior Court of New Jersey, Law Division, Hudson County, Docket No. HUD-L-2393-18; and

WHEREAS, the complaint names the Town of West New York and Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez, who are named in their official and individual capacities; and

WHEREAS, the Town has a need to acquire legal services to represent the Town of West New York and Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez in their official and individual capacities; and

WHEREAS, the Town has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Municipal Administrator has determined and certified in writing that the value of this contract may exceed \$17,500.00; and

WHEREAS, the term of this contract will begin on July 19, 2018 and end on July 18, 2019; and

WHEREAS, the Town seeks to award a contract for legal services to represent the Town of West New York and Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez in their official capacities to Mark A. Tabakin, Esq. of the Weiner Law Group LLP, located at 629 Parsippany Road in Parsippany, New Jersey 07054; and

WHEREAS, Mark A. Tabakin, Esq. of the Weiner Law Group LLP has completed and submitted a Business Disclosure Certification which certifies that Mark A. Tabakin, Esq. has not made any reportable contributions to a political or candidate committee in the Town of West New York in the previous one year, and that the contract will prohibit Mark A. Tabakin, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Town seeks to award this contract with a yearly amount not to exceed \$50,000.00.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the contract for legal services to represent the Town of West New York and Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez in their official capacities is awarded to Mark A. Tabakin, Esq. of the Weiner Law Group LLP.

BE IT FURTHER RESOLVED that the contract is awarded for a one year period, beginning July 19, 2018 and ending on July 18, 2019.

BE IT FURTHER RESOLVED that Mark A. Tabakin, Esq. of the Weiner Law Group LLP shall be paid at a rate of \$150.00 per hour, with an amount not to exceed \$50,000.00 for the contract period of July 19, 2018 to July 18, 2019.

BE IT FURTHER RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the Business Disclosure Entity Certification and the Determination of Value be placed on file with the Resolution in the Office of the Town Clerk.

BE IT FURTHER RESOLVED, that the Mayor, Municipal Administrator and Town Clerk take the necessary steps to effectuate this contract.

July 18, 2018
Regular Meeting

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that sufficient funds are available for this contract in account number 01-201-21-714-020-99.

Note: Mayor Roque abstained from voting on this resolution.

RESOLUTION
RE: AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
LEGAL SERVICES TO DAVID F. CORRIGAN, ESQ. OF THE
CORRIGAN LAW FIRM

WHEREAS, on July 10, 2018 the Town of West New York (“Town”) was served with a complaint captioned Dr. Gina Miranda Diaz v. Town of West New York, Commissioner Cosmo A. Cirillo, Commissioner Margarita Guzman, Commissioner Gabriel Rodriguez and Town of Guttenberg, Superior Court of New Jersey, Law Division, Hudson County, Docket No. HUD-L-2393-18; and

WHEREAS, Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez are named in their official and individual capacities; and

WHEREAS, the Town has a need to acquire legal services to represent Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez in their individual capacities; and

WHEREAS, the Town has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Municipal Administrator has determined and certified in writing that the value of this contract may exceed \$17,500.00; and

WHEREAS, the term of this contract will begin on July 19, 2018 and end on July 18, 2019; and

WHEREAS, the Town seeks to award a contract for legal services to represent Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez in their individual capacities to David F. Corrigan of the Corrigan Law Firm, located at 54-B West Front Street in Keyport, NJ 07735; and

WHEREAS, David F. Corrigan, Esq. of the Corrigan Law Firm has completed and submitted a Business Disclosure Certification which certifies that David F. Corrigan, Esq. has not made any reportable contributions to a political or candidate committee in the Town of West New York in the previous one year, and that the contract will prohibit David F. Corrigan, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, David F. Corrigan, Esq. of the Corrigan Law Firm shall be paid at a rate of \$150.00 per hour; and

WHEREAS, the Town seeks to award this contract with a yearly amount not to exceed \$50,000.00.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that a contract for legal services to represent Commissioners Cosmo A. Cirillo, Margarita Guzman and Gabriel Rodriguez in their individual capacities is awarded to David F. Corrigan, Esq. of the Corrigan Law Firm, located at 54-B West Front Street in Keyport, NJ 07735.

BE IT FURTHER RESOLVED that the contract is awarded for a one year period, beginning July 19, 2018 and ending on July 18, 2019.

July 18, 2018
Regular Meeting

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

BE IT FURTHER RESOLVED that David F. Corrigan, Esq. of the Corrigan Law Firm shall be paid at a rate of \$150.00 per hour, with an amount not to exceed \$50,000.00 for the contract period of July 19, 2018 to July 18, 2019.

BE IT FURTHER RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the Business Disclosure Entity Certification and the Determination of Value be placed on file with the Resolution in the Office of the Town Clerk.

BE IT FURTHER RESOLVED, that the Mayor, Municipal Administrator and Town Clerk take the necessary steps to effectuate this contract.

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that sufficient funds are available for this contract in account number 01-201-21-714-020-99.

Note: Mayor Roque abstained from voting on this resolution.

RESOLUTION
RE: AWARDING CONTRACT FOR MERCHANT SERVICES TO
PRIORITY PAYMENTS SYSTEMS LOCAL

WHEREAS, the Town of West New York ("Town") solicited proposals under a fair and open process for a contract for merchant services for the West New York Municipal Court; and

WHEREAS, one proposal was received on June 19, 2018 from

Priority Payments Systems Local
172 Monmouth Street
Red Bank, NJ 07701

WHEREAS, the Town evaluated this proposal and determined that Priority Payments Systems Local ("Priority Payments") will provide the services required in a cost effective manner for the Town; and

WHEREAS, Priority Payments' proposal for these services provided a schedule of fees, attached; and

WHEREAS, this contract will commence on July 19, 2018 and continue until July 18, 2019.

WHEREAS, the Town's proposal allows for two (2) one year extensions, to be exercised by the Town, under the same contract terms; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York do hereby authorize a contract with Priority Payments Systems Local for merchant services commencing July 19, 2018 until July 18, 2019.

BE IT FURTHER RESOLVED, the Town shall pay Priority Payments an amount not to exceed \$15,000.00 for the merchant services.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that sufficient funds are available for this contract in account number 01-201-30-830-020-99.

July 18, 2018
Regular Meeting

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



1. Discount Rate			
Interchange Plus Discount Rate: Mastercard, Visa, Discover and American Express			
priced at the rate listed below according to transactions processing attributes			
Interchange Plus	Discount Rate	Auth Fees	
Bank Card	0.10%	\$ 0.05	
American Express	0.30%	\$ 0.05	
2. One Time and Perioic Fees			
Monthly Fees		Set-Up Fees	
Monthly Service Fee	\$5.00	Terminal	\$250.00
PCI Compliance Fee	\$9.95		
Monthly Minimum	\$25.00		
3. Per Incidence Fees			
Per Incidence Fees: Charged every time your account incurs one of the below items			
Chargeback Fee	\$25.00	Charged when a card holder/issuing bank formally protest a charge	
AVS Transaction Fee	\$0.05	Charged when verifying credit card through the terminal	
Voice Authorization Fee	\$1.00	Charged when you call to authroize a credit card	
Voice AVS fee	\$3.00	Charged when calling Processor to Authorize Credit Card	
Batch Settlement Fee	\$0.10	Charged for each Batch of transactions submitted for settlement	
Per Request Fees: Charged every time you request one of the below items			
Statement Fee Email	Free	No charge if statements are sent to a vaild merchant email address	
Statement Fee Mail	Free	Charged each month for mailing a statement	
Supplies	By Order	Charges for supply orders vary based on the items ordered	
Equipment Swap Fee	By Order	Charged when you swap equipment with Priority.	
Batch Settlement Fee	\$0.10	Charged for each Batch of transactions submitted for settlement	

July 18, 2018
Regular Meeting

Consent Agenda (cont.):

RESOLUTION
RE: APPOINTING THOMAS O'MALLEY AS THE
ACTING BUILDING SUB-CODE OFFICIAL

WHEREAS, the Town of West New York (Town") is in need of a Building Sub-code Official as there is presently a vacancy in that position; and

WHEREAS, Thomas O'Malley is currently the Construction Official for the Town; and

WHEREAS, Thomas O'Malley possesses all the necessary licenses/certifications to serve as the Town's Building Sub-code Official; and

WHEREAS, the Town seeks to appoint Thomas O'Malley as the Acting Building Sub-code Official; and

WHEREAS, such appointment is permitted pursuant to N.J.A.C. 5:23-4.4.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New York do hereby appoint Thomas O'Malley as the Acting Building Sub-code Official of the Town of West New York.

July 18, 2018
Regular Meeting

RESOLUTION
RE: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF
REVENUE AND APPROPRIATION – CHAPTER 159 – NEW JERSEY DEPARTMENT
OF TRANSPORTATION – 2017 MUNICIPAL AID PROGRAM

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

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

WHEREAS, the Town of West New York has been awarded \$354,249.00 from the New Jersey Department of Transportation - 2017 Municipal Aid Program and wishes to include this amount as revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2018 in the sum of \$354,249.00, which is now available as revenue from:

Miscellaneous Revenues:

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

New Jersey Department of Transportation - 2017 Municipal Aid Program

BE IT FURTHER RESOLVED that a like sum of \$354,249.00 be and is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Offset by Revenues:

New Jersey Department of Transportation - 2017 Municipal Aid Program

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

July 18, 2018
Regular Meeting

RESOLUTION
RE: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF
REVENUE AND APPROPRIATION – CHAPTER 159 – NJ DEPARTMENT OF THE
TREASURY – 2017 ALCOHOL EDUCATION, REHABILITATION AND
ENFORCEMENT FUND

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

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

WHEREAS, the Town of West New York has been awarded \$19,553.14 from the NJ Department of the Treasury – 2017 Alcohol Education, Rehabilitation and Enforcement Fund and wishes to include this amount as revenue.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of West New York, hereby requests the Director of the Division of Local Government Services to approve insertion of an item of revenue in the budget of the year 2018 in the sum of \$19,553.14, which is now available as revenue from:

Miscellaneous Revenues:

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

NJ Department of the Treasury – 2017 Alcohol Education, Rehabilitation and Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$19,553.14 be and is hereby appropriated under the caption of:

General Appropriations

(b) Operations Excluded from “CAPS”

Public and Private Offset by Revenues:

NJ Department of the Treasury – 2017 Alcohol Education, Rehabilitation and Enforcement Fund

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

July 18, 2018
Regular Meeting

Ordinance #3/18

**An Ordinance Amending Chapter 317 of the Code of the Town of West New York entitled
“Short-Term Vacation Rentals in Residential Properties Prohibited”**

Note: Town Clerk Riccie read the title of the foregoing Ordinance aloud. She announced that the Commissioners’ meeting is being rescheduled from August 15 to August 22 and therefore this Ordinance would be returnable on August 22, 2018 at 6:30 p.m. for further action.

It was regularly moved by Commissioner Colacurcio, seconded by Commissioner Cirillo, to **table and postpone further action until August 22nd** of the foregoing Ordinance, was carried by the following vote:

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

It was regularly moved by Commissioner Guzman and seconded by Commissioner Rodriguez, **to open Public Portion of meeting at 6:35 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. Sheila Dunne, 117 – 61st Street, WNY:

Ms. Dunne inquired as to why the Town uses taxpayers’ money to pay for the laundering of DPW Department’s clothing. Mayor Roque explained that DPW workers do not make a lot of money and neighboring towns do the same for their department. She explained that crossing guards wash their own uniforms or pay to have their own uniforms cleaned and there should be no reason why DPW employees can’t do the same. She said that the Laundromat by her house charges \$2.09 and \$1.00 on Wednesdays and that the Town could save a lot of money. She requested that the governing body look into the matter. Mayor Roque thanked her for her comments.

2. Jose Alcantara, 584 – 60th Street, WNY:

Mr. Alcantara explained that he advocated in 2013 for having an elected school board rather than appointed and has recently obtained his Master’s degree in Public Administration from Saint Peter’s University as he realized his calling is to serve the public. He explained that a Commission form of government is not efficient government and it’s antiquated. He stated that it was tailored for towns with populations of 5,000 or less and that West New York, according to the 2010 census, has a population of 50,000. He further explained that out of 565 Municipalities in New Jersey, there are only 5 remaining which are Commission forms of government. He explained Commission forms of government under the Walsh Act and asked for the governing body to consider adopting a resolution that would allow a question to be placed on the General Election ballot in order for this municipality to go under Mayor/Council, which he feels creates a closer bond between constituents and elected officials and “will provide strong ward representation”. Mr. Alcantara stated “Government should be for and by the people.” Town Administrator Cryan explained that there are many variations of Mayor/Council (for example strong Mayor/weak Mayor) to which Mr. Alcantara responded that he was referring to the Faulkner Act. Mr. Alcantara commented to the Mayor “Can you support me on voting on this?” Mayor Roque replied that he was putting pressure on him to make a decision hastily and that he and his fellow Commissioners have a good working relationship. Mayor Roque further commented that if he and his Commissioners were to consider it, time would be needed to conduct research “into the

July 18, 2018
Regular Meeting

Public Portion (cont.):

unknown” and it would have to be studied. Mr. Alcantara replied to Mayor Roque that he respected his decision and choice but that he would like to have checks and balances in this municipality and that under Mayor/Council it would allow Council members to be full time and explained how he sees progressive changes in other municipalities under “Mayor/Council” and hopes this idea can come to fruition. Mayor Roque commented that it could be “looked into in the future”. The Mayor further commented that even though the people decided on an elected school board in 2013, he was not in favor of same.

3. Ron Scheurle, 6119 Tyler Place, WNY:

Mr. Scheurle was concerned about a vacant apartment house at 6129 – 61st Street that is being used by squatters. He explained that the owner of this property purchased the property, has kept it vacant and that the owner doesn't keep up with the maintenance of the property as there is feces and garbage all over. He claims that this owner also owns a building on 51st Street which has been vacant for 4 yrs. He also stated that he has brought this issue to the attention of the Municipal Court, Commissioner Cirillo, and Town Clerk's office and although the Town's Building Department sent an inspector and required the owner to clean up the property, the issue still exists. He fears that if there is a fire, the entire block will go on fire and will displace everyone living there. Mayor Roque replied that the Building Department is doing a great job making sure that issues are addressed but inasmuch as the Town is growing, there are manpower issues. The Mayor thanked him for bringing this to his attention and that he would make sure that the issue is fixed tomorrow. Mr. Scheurle relayed another incident where there was a fire on Harrison Place and he took the owner to court and fines were imposed.

4. Frank Ferrero, 195 Pulaski Street, Sayreville, NJ:

Mr. Ferrero commented that “On a positive note, the Meetings are going well.” Mr. Ferrero expressed his support to change the form of government and explained that it provides for more democracy and representation. He then commented about issues with the Town's Sign Ordinance and stated that he has received 3 citations and that he has met with Mr. O'Malley regarding same. He asked for the Mayor and Board of Commissioners to consider revamping the Ordinance again to allow business owners to use LED signs in order to enhance the look of their businesses and to attract more business. He gave several examples of different types of LED signs which are currently considered illegal under WNY's Ordinance but acceptable in Union City and North Bergen. Mayor Roque commented that these signs attract business and that he (Mayor) uses one for his personal office. Commissioner Cirillo thanked him for bringing this to his attention and commented that he does not have a problem revisiting and revamping the Ordinance in order to allow businesses to properly advertise and conform with what the Town wants for its' business image. Comm. Cirillo commented that it wasn't the Town's intention to put people out of business and wouldn't mind meeting with him and legal counsel to move forward.

July 18, 2018
Regular Meeting

5. Shawn Zahn, 6050 Boulevard East, WNY:

Ms. Zahn inquired as to the return date of Ordinance #3/18 to which Town Clerk Riccie advised that it was being postponed until August 22nd at 6:30 pm. She also sought clarification on Ordinance #3/18 more specifically Section 2, which she read aloud. She wanted to know how this Ordinance would impact condominiums. Town Administrator Cryan explained that short term rentals will not be allowed in condominium buildings and would be in agreement with their (Condo Association) bylaws. Ms. Zahn advised that her Condo by-laws will not allow rentals less than 6 months. Mr. Cryan reiterated that under this Ordinance, condominium units would be prohibited from short term rentals.

It was regularly moved by Commissioner Colacurcio, seconded by Mayor Roque, **to close the Public Portion and adjourn meeting at 7:01 p.m.**, and was carried by the following vote:

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

Commissioner Cosmo A. Cirillo

Commissioner Susan M. Colacurcio

Commissioner Margarita Guzman

Commissioner Gabriel Rodriguez

Mayor Felix E. Roque
Board of Commissioners

Attest: _____
Carmela Riccie, RMC
Town Clerk's Office