

**May 25, 2011**  
**Regular Meeting**

Minutes of a regular stated meeting of the Board of Commissioners of the Town of West New York, in the County of Hudson, State of New Jersey, held in the Court Chambers, Municipal Building on Wednesday, May 25, 2011 at 7:00 p.m. (6:00 p.m. Work Session).

Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque  
Absent: None  
Also Present: Town Attorney Julio Morejon, Assistant Town Attorney Joseph DeMarco, Town Administrator Joseph McConnell, and Town Clerk Carmela Riccie

Meeting commenced at 7:15 p.m.

At the request of Mayor Roque, Town Clerk Carmela Riccie made the following announcement:

As presiding officer of this regularly scheduled meeting of the Board of Commissioners of the Town of West New York, held on May 25, 2011 at 7:00 p.m., 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 May 17, 2011. Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk.

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

**Note:** At the request of Mayor Roque, Town Clerk Carmela Riccie read aloud the titles of all items on the agenda.

**Minutes of Previous Meeting:**

It was regularly moved by Commissioner Rodriguez seconded by Commissioner Wiley, that the Minutes of Regular Meeting: 4/20/11 (Regular and Work Sessions) **be accepted as received** and Reorganization Meeting: 5/17/11 (Regular Session) **be approved as recorded**, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque  
NAYS - None  
ABSENT - None

**Claims: Dated 5/25/11 (Claims are available for public inspection in the Town Clerk's Office):**

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

YEAS - Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque  
NAYS - None  
ABSENT - None

**May 25, 2011**  
***Regular Meeting***

**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF APRIL 2011**

1. From Construction Code Official Office, reporting the sum of \$55,351.00 collected for the month of April, 2011.
2. From Deputy Director Albert L. Bringa (Police Dept.) reporting the sum of \$4,298.00 collected for the month of April 2011.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$0 Special Licenses collected for the month of April 2011.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$531.00 for Marriage/death certificates collected for the month of April 2011.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$274.80 for Dogs Licenses Issued for the month of April 2011.
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$7,850,338.50 collected for the month April 2011.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$1,050.00 collected for the month of April 2011.

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

|        |   |
|--------|---|
| YEAS   | - Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque |
| NAYS   | - None  |
| ABSENT | - None  |

**May 25, 2011**  
**Regular Meeting**

**Bid Results**  
**Re: Summer Food Service Program**

**BID PROPOSAL FORMATION**

Proposal Receipt Date: May 13, 2011 Budgeted Amount: \$  
Proposal Time: 10:00 a.m. Estimated Amount: \$  
Location for proposal: Town Clerk's Office  
Proposal for: Summer Food Service Program  
Department of:  
Personnel at Opening: Town Clerk Carmela Riccie, Jennie DelRio, Xenia Rivero  
(Purchasing Dept) & Doug Eldriged  
(NJ Dept. of Agriculture Summer Food Program) (609) 777-1793

Remarks: Time to receive bids was closed at 10:05 a.m.  
Reserved decision pending review by law department.

|           |           |                        |                         |
|-----------|-----------|------------------------|-------------------------|
| BIDDER #1 | (Name)    | Nu Way Concessionaires | Cost: \$35,425.82 Lunch |
|           | (Address) | 339-345 Bergen Avenue  | <u>7,050.77</u> Snack   |
|           |           | Kearny, NJ 07032       | \$42,476.59 Total       |
|           |           |                        | (See attached)          |

Bid Bond: X Check: \_\_\_\_\_

|           |           |                      |                         |
|-----------|-----------|----------------------|-------------------------|
| BIDDER #2 | (Name)    | Driscoll Foods       | Cost: \$51,419.03 Lunch |
|           | (Address) | 174 Delawanna Avenue | <u>12,897.75</u> Snack  |
|           |           | Clifton, NJ 07104    | \$64,316.78 Total       |
|           |           |                      | (See attached)          |

Bid Bond: X Check: \_\_\_\_\_

|           |           |                     |                         |
|-----------|-----------|---------------------|-------------------------|
| BIDDER #3 | (Name)    | Karson Food Service | Cost: \$37,661.43 Lunch |
|           | (Address) | 3409 Rose Avenue    | <u>6,878.80</u> Snack   |
|           |           | Ocean, NJ 07712     | \$44,540.23 Total       |
|           |           |                     | (See attached)          |

Bid Bond: X Check: \_\_\_\_\_

**May 25, 2011**  
**Regular Meeting**

**Bid Results**  
**Re: Town wide Landscape Maintenance Contract**

**BID PROPOSAL FORMATION**

Proposal Receipt Date: May 13, 2011                      Budgeted Amount: \$  
Proposal Time: 11:00 a.m.                                  Estimated Amount: \$  
Location for proposal: Town Clerk's Office  
Proposal for: Town-Wide Landscape Maintenance Contract  
Department of:  
Personnel at Opening: Town Clerk Carmela Riccie, Jennie DelRio, Paul Russo & Drew Banghart of Maser Consulting  
Remarks: Time to receive bids was closed at 11:05 a.m.  
Reserved decision pending review by law department.

|           |           |                               |                           |
|-----------|-----------|-------------------------------|---------------------------|
| BIDDER #1 | (Name)    | Pat Scanlan Landscape, Inc.   | Item #1: \$78,420.00      |
|           | (Address) | P.O. Box 1136                 | Item #2: <u>15,000.00</u> |
|           |           | New City, NY 10956            | Total: \$93,420.00        |
|           |           |                               | (see attached)            |
|           |           | Bid Bond: X                   | Check: _____              |
| BIDDER #2 | (Name)    | Andy Matt Inc.                | Item #1: \$462,795.00     |
|           | (Address) | P.O. Box 461                  | Item #2: <u>15,000.00</u> |
|           |           | Wharton, NJ 07885             | Total: \$477,795.00       |
|           |           |                               | (see attached)            |
|           |           | Bid Bond: X                   | Check: _____              |
| BIDDER #3 | (Name)    | Ascape Landscape Construction | Item #1: \$143,460.00     |
|           | (Address) | 634 Route 303                 | Item #2: <u>15,000.00</u> |
|           |           | Blauvelt, NY 10913            | Total: \$158,460.00       |
|           |           |                               | (see attached)            |
|           |           | Bid Bond: X                   | Check: _____              |

**May 25, 2011**  
**Regular Meeting**

**Bid Results**  
**Re: Recreational Sports Equipment & Uniforms**

**BID PROPOSAL FORMATION**

Proposal Receipt Date: 5/13/11 Budgeted Amount: \$  
Proposal Time: 11:30am Estimated Amount: \$  
Location for proposal: Town Clerk's Office  
Proposal for: Recreational Sports Equipment & Uniforms  
Department of:  
Personnel at Opening: Town Clerk Carmela Riccie & Jennie DelRio  
Remarks: Time to receive bids was closed at 11:35 a.m.  
Reserved decision pending review by law department.

BIDDER #1 (Name) Stan's Sport Center Total: \$66,527.50  
(Address) 528 Washington Street (see attached)  
Hoboken, NJ 07030

Bid Bond: X Check: \_\_\_\_\_

**Bid Results**  
**Re: Emergency Medical Supplies**

**BID PROPOSAL FORMATION**

Proposal Receipt Date: 5/13/11 Budgeted Amount: \$  
Proposal Time: 12:00 pm Estimated Amount: \$  
Location for proposal: Town Clerk's Office  
Proposal for: Emergency Medical Supplies  
Department of:  
Personnel at Opening: Town Clerk Carmela Riccie & Jennie DelRio  
Remarks: Time to receive bids was closed at 12:05 p.m.  
Reserved decision pending review by law department.

BIDDER #1 (Name) V E Ralph & Son Inc. Cost: \$28,302.45  
(Address) 320 Schuyler Avenue (see attached)  
Kearny, NJ 07032

Bid Bond: Check \$2,830.25  
Check #: 573271

May 25, 2011  
Regular Meeting

**Proclamation**  
**Re: Honoring Colombia Velasquez as**  
**2011 Senior Citizen of the Year**

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

WHEREAS, Colombia Velasquez is a happily retired resident of the Town of West New York, where she has lived for many years;

WHEREAS, Colombia Velasquez was married to her late husband, Alfonso Velazquez, for forty (40) years and has five (5) lovely children, and one (1) beautiful grandchild; and

WHEREAS, Colombia Velasquez volunteers her time at the Hudson View Nursing Home on a regular basis; and

WHEREAS, Colombia Velasquez is being honored as the 2011 Hudson County Senior Citizen of the Year from the Town of West New York; and

WHEREAS, the Mayor and Board of Commissioners of the Town of West New York wish to congratulate Colombia Velasquez as the "2011 Senior Citizen of the Year" and wish to acknowledge her achievements and accomplishments;

NOW, THEREFORE, I, Mayor Felix E. Roque and the Board of Commissioners of the Town of West New York hereby congratulate Colombia Velasquez on this great achievement and hereby express our best wishes and congratulations and continued success in her future endeavors.

**Consent Agenda**

It was regularly moved by Commissioner Vargas, seconded by Commissioner Rodriguez that the following Consent Agenda Item Nos. R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, R-10, R-11, R-12, and R-13 be adopted, was carried by the following vote:

YEAS                   - Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque  
NAYS                   - None  
ABSENT               - None

**Note:**           **At the request of Mayor Roque, Town Clerk Carmela Riccio read the titles and item numbers included on the Consent Agenda.**

**May 25, 2011**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**

**Re: Repealing a portion of Resolution adopted on 3/18/98**  
**(Restricted Parking for Handicapped Resident) as follows:**  
**90-64<sup>th</sup> Street, WNY(Brenda Davila)**

Whereas, the governing body of the Town of West New York adopted a Resolution on March 18, 1998 establishing restricted parking for use by a handicapped residents; 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 West New York that the following portion of the above resolution is hereby repealed:

90-64<sup>th</sup> Street, WNY (Brenda Davila)

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: Repealing a portion of Resolution adopted on 7/15/98**  
**(Restricted Parking for Handicapped Resident) as follows:**  
**5101 Park Avenue (105-52<sup>nd</sup> Street) (Jewel Lopez)**

Whereas, the governing body of the Town of West New York adopted a Resolution on July 15, 1998 establishing restricted parking for use by a handicapped residents; 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 West New York that the following portion of the above resolution is hereby repealed:

5101 Park Avenue, (105-52<sup>nd</sup> Street) WNY (Jewel 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.

**May 25, 2011**  
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**Consent Agenda (Cont.):**

**Resolution**  
**Re: Repealing Resolution adopted on 10/25/2006**  
**(Restricted Parking for Handicapped Resident) as follows:**  
**6603 McKinley Place, WNY (Elizabeth Morales)**

Whereas, the governing body of the Town of West New York adopted a Resolution on October 23, 2006 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 West New York that the above resolution is hereby repealed:

6603 McKinley Place, WNY (Elizabeth Morales)

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: Refunds of Overpayment 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 her records accordingly.

| NAME              | BLOCK/LOT   | AMOUNT     | YEAR |
|-------------------|-------------|------------|------|
| Costa, Beverly H. | 38/9 C023C  | \$328.31   | 2011 |
| Hector, Miguel A. | 66/21       | \$5,309.58 | 2006 |
|                   | Grand Total | \$5,637.89 |      |

**May 25, 2011**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**  
**RE: HUDSON COUNTY BOARD OF TAXATION TAX APPEALS**

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

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

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

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

| NAME                 | BLOCK-LOT   | AMOUNT     | YEAR |
|----------------------|-------------|------------|------|
| Gadaleta, Alessandra | 33/34 C001D | \$1,417.27 | 2010 |

**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, and whereas the Municipality has paid the below amounts:

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

| NAME                             | BLOCK-LOT   | AMOUNT      | YEAR |
|----------------------------------|-------------|-------------|------|
| Daniel G. Keough Trustee         | 85/37       | \$2,445.23  | 2009 |
| Nashel & Nashel<br>Trust Account | 58/9        | \$7,518.00  | 2008 |
|                                  | 58/9        | \$13,366.00 | 2009 |
|                                  | 71/1.01     | \$8,430.00  | 2008 |
|                                  | 71/1.01     | \$15,585.75 | 2009 |
|                                  | 82/8        | \$2,529.00  | 2008 |
|                                  | 82/8        | \$4,848.90  | 2009 |
|                                  | 116/7       | \$1,686.00  | 2008 |
|                                  | 116/7       | \$4,156.20  | 2009 |
|                                  | 135/8.02    | \$2,248.00  | 2008 |
|                                  | 135/8.02    | \$4,502.55  | 2009 |
|                                  | Grand Total | \$67,315.63 |      |

**May 25, 2011**  
***Regular Meeting***

**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Appointing Joseph Rodriguez as a Member of the WNY Housing Authority to fill the unexpired term of Ricky Solares (Term expires on 10/21/15)**

WHEREAS, a vacancy exists on the Board of the Housing Authority due to the unexpired term of Ricky Solares, who failed to complete the required courses as required by law, such term expiring on October 21, 2013;

WHEREAS, Joseph Rodriguez is a resident of the Town of West New York;

WHEREAS, Joseph Rodriguez is available to serve on the West New York Housing Authority;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, as follows:

1. Joseph Rodriguez, who resides at 6123 Highland Place, WNY, NJ is appointed to serve as a member of the West New York Housing Authority for a term commencing on May 25, 2011 and expiring on October 21, 2015.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

**RESOLUTION**

**Re: Appointing Alex Navas as a Member of the WNY Housing Authority to fill the unexpired term of Tara Mantineo (Term expires on 6/17/13)**

WHEREAS, a vacancy exists on the Board of the Housing Authority due to the unexpired term of Tara Mantineo, who failed to complete the required courses as required by law, such term expiring on June 17, 2013;

WHEREAS, Alex Navas is a resident of the Town of West New York;

WHEREAS, Alex Navas is available to serve on the West New York Housing Authority;

NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, as follows:

1. Alex Navas, who resides at 6309 Madison Street, WNY, NJ is appointed to serve as a member of the West New York Housing Authority for a term commencing on May 25, 2011 and expiring on June 17, 2013.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

**May 25, 2011**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**AWARDING RESOLUTION**  
**RE: SUMMER FOOD PROGRAM 2011**  
**TO: NU-WAY CONCESSIONAIRES**

WHEREAS, bids were received on May 13, 2011 for Summer Food Program 2011; and

WHEREAS, the following equal bids for the contract for Summer Food Program 2011 were received:

Karson Food Service, Inc. – \$44,540.23  
Nu-Way Concessionaires - \$42,476.59  
Driscoll Foods - \$64,316.78

WHEREAS, N.J.S.A. 40A:11-6.1 provides that where equal bids are received, the contracting unit may award the contract to the vendor whose response, in the discretion of the contracting unit, is the most advantageous, price and other factors considered; and

WHEREAS, whereas the Purchasing Dept. and Municipal Administrator have reviewed the bids submissions, and have recommended that the award of Summer Food Program 2011 be given to Nu-Way Concessionaires, as a responsive and responsible bidder, as Nu-Way Concessionaires, is a primary vendor of foodstuffs for the West New York Board of Education, and possesses facilities within the Town, the presence of which would lead to efficiencies that in turn, in the opinion of the Recreation Director, may allow for an expansion in the number of participants in the Summer Food Program; and

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

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

WHEREAS, on the basis of the foregoing it is the opinion of the Board of Commissioners that the award of the contract for Summer Food Program 2011 be given to Nu-Way Concessionaires; and

WHEREAS, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Authority's budget and that such funds have been appropriated at Budget Code: Grants Summer Food Program 2011-2012;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, New Jersey, that the bid of Nu-Way Concessionaires 345 Bergen Avenue, Kearny, NJ 07032 on the bid "Summer Food Program 2011" in the amount of \$42,476.59 be and the same is hereby accepted.

BE IT FURTHER RESOLVED that appropriate officials are hereby authorized and directed on behalf of the Town of West New York to make available to the public, to publish, to enter into a contract for same and to perform same and to receive performance, in accordance with the law and specifications providing for same;

BE FURTHER RESOLVED that the Resolution recited above be and is hereby finally adopted.

BE IT FURTHER RESOLVED that the Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.

BE IT FURTHER RESOLVED that the Town Clerk shall forward a copy of this Resolution to the bidder on this project.

**May 25, 2011**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**AWARDING RESOLUTION**  
**RE: RECREATIONAL SPORTS EQUIPMENT & UNIFORMS**  
**TO: STAN'S SPORT CENTER**

WHEREAS, bids were received on May 13, 2011 for Recreational Sports Equipment & Uniforms; and

WHEREAS, the following equal bids for the contract for Recreational Sports Equipment & Uniforms were received:

Stan's Sport Center – \$66,527.50

WHEREAS, N.J.S.A. 40A:11-6.1 provides that where equal bids are received, the contracting unit may award the contract to the vendor whose response, in the discretion of the contracting unit, is the most advantageous, price and other factors considered; and

WHEREAS, whereas the Purchasing Dept. and Municipal Administrator have reviewed the bids submissions, and have recommended that the award of Recreational Sports Equipment & Uniforms be given to Stan's Sport Center (for items bid only which excludes chalk); and

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

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

WHEREAS, on the basis of the foregoing it is the opinion of the Board of Commissioners that the award of the contract for Recreational Sports Equipment & Uniforms be given to Stan's Sport Center; and

WHEREAS, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Authority's budget and that such funds have been appropriated at Budget Code: Operating Budget – Current Fund;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, New Jersey, that the bid of Stan's Sport Center, 528 Washington Street, Hoboken, NJ 07030 on the bid "Recreational Sports Equipment & Uniforms" in the amount of \$66,527.50 (for items bid only, which excludes chalk) be and the same is hereby accepted.

BE IT FURTHER RESOLVED that appropriate officials are hereby authorized and directed on behalf of the Town of West New York to make available to the public, to publish, to enter into a contract for same and to perform same and to receive performance, in accordance with the law and specifications providing for same;

BE FURTHER RESOLVED that the Resolution recited above be and is hereby finally adopted.

BE IT FURTHER RESOLVED that the Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.

BE IT FURTHER RESOLVED that the Town Clerk shall forward a copy of this Resolution to the bidder on this project.

May 25, 2011  
Regular Meeting

**Consent Agenda (Cont.):**

**AWARDING RESOLUTION**  
**RE: EMERGENCY MEDICAL SUPPLIES**  
**TO: V.E. RALPH & SON, INC.**

WHEREAS, bids were received on May 13, 2011 for Emergency Medical Supplies; and

WHEREAS, the following equal bids for the contract for Emergency Medical Supplies were received:

V.E. Ralph & Son, Inc. – \$28,302.45

WHEREAS, N.J.S.A. 40A:11-6.1 provides that where equal bids are received, the contracting unit may award the contract to the vendor whose response, in the discretion of the contracting unit, is the most advantageous, price and other factors considered; and

WHEREAS, whereas the Purchasing Dept. and Municipal Administrator have reviewed the bids submissions, and have recommended that the award of Emergency Medical Supplies be given to V.E. Ralph & Son, Inc.; and

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

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

WHEREAS, on the basis of the foregoing it is the opinion of the Board of Commissioners that the award of the contract for Emergency Medical Supplies be given to V.E. Ralph & Son, Inc.; and

WHEREAS, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Authority's budget and that such funds have been appropriated at Budget Code: Ambulance Squad O/E– Current Fund Budget;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of West New York, New Jersey, that the bid of V.E. Ralph & Son, Inc., 320 Schuyler Avenue, Kearny, NJ 07032 on the bid "Emergency Medical Supplies" in the amount of \$28,302.45 be and the same is hereby accepted.

BE IT FURTHER RESOLVED that appropriate officials are hereby authorized and directed on behalf of the Town of West New York to make available to the public, to publish, to enter into a contract for same and to perform same and to receive performance, in accordance with the law and specifications providing for same;

BE FURTHER RESOLVED that the Resolution recited above be and is hereby finally adopted.

BE IT FURTHER RESOLVED that the Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.

BE IT FURTHER RESOLVED that the Town Clerk shall forward a copy of this Resolution to the bidder on this project.

**May 25, 2011**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Approval of Change Order #1 to Max Adamo Construction**  
**for Contract for 66<sup>th</sup> Street Promenade**

Whereas, pursuant to public bidding, on February 10, 2011 in a contract (“Contract”) was entered into between the Town of West New York and Max Adamo Construction for 66<sup>th</sup> Street Promenade, pursuant to a Resolution awarding such contract, for the amount of \$86,980.00.

Whereas, on May 10, 2011, the Town’s Engineer Joseph Venezia (Maser Consulting) submitted a proposal for a Change Order No. 1 to the contract for 66<sup>th</sup> Street Promenade in the amount of \$10,300, for the purpose of additional work required for repairing and replacing damaged railings which were damaged over the winter and to repoint stone walls adjacent to the stairs, required to satisfactorily complete the contract; and

Whereas, the Town’s Engineer and Town Attorney have reviewed, approved and recommended Change Order No. 1 to process the net increase of \$10,300.00, for an adjusted total of \$97,280.00 in accordance with the contract for 66<sup>th</sup> Street Promenade; and

Whereas, the award of Change Order No. 1 is necessary for the efficient operation of the Town; and

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

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

1. The Mayor shall be and is hereby authorized to execute Change Order No. 1 to Process the net increase of \$10,300.00 as stated in the May 10, 2011 change order proposal from Max Adamo Construction, in accordance with the contract for 66<sup>th</sup> Street Promenade, for an adjusted total amount of \$97,280.00.
2. The Chief Financial Officer’s Certification that funds are available shall be on file at the Town and made a part hereof.
3. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

**RESOLUTION**  
**RE: Opposing the Proposed Termination of the Urban Enterprise Zone Program**

Whereas, New Jersey’s highly successful Urban Enterprise (UEZ) Program, for 28 years has been revitalizing urban communities and stimulating economic growth by creating private sector jobs through public and private investment and increasing the real property ratable base;

Whereas, the Program has attracted 31.6 billion dollars in private investments and supports 133,000 full-time jobs;

Whereas, in the Town of West New York alone, the UEZ program has generated numerous jobs and private investment and has assisted in the making of important infrastructure improvements;

Whereas, despite the irrefutable success of the UEZ programs in West New York and elsewhere, the *New Jersey Enterprise Zone Program Assessment February 2011* (“The Report”),

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**Consent Agenda (Cont.):**

**Resolution (Cont.):**

prepared for the New Jersey Economic Development Authority, has made a recommendation to terminate the UEZ Program beginning on July 1, 2011;

Whereas, the Report is flawed because it focused on the narrow time frame of 2002-2008 for judging the UEZ Programs' economic impact, (a period which included two major national recessions), ignored many positive impacts of all UEZ programs, (including façade improvements and security hires, which have greatly benefited all UEZ communities) and made faulty comparisons of New Jersey's UEZ Program to economic programs in other states that operate in different manners and with different goals;

RESOLVED by the Mayor and Commissioners of the Town of West New York, Hudson County, New Jersey, that:

1. The Town of West New York vigorously opposes the proposed termination of the New Jersey Urban Enterprise Zone Program, and
2. This resolution shall be forwarded to the Commissioner of the New Jersey Department of Community Affairs, the Executive Director of the New Jersey Economic Development Authority, the chairman and members of the New Jersey Senate Budget and General Assembly Appropriations Committees, Hudson County's State Legislative delegation, the Urban Enterprise Zone Mayors Commission, the Hudson County Executive, the Hudson County Board of Chosen Freeholders, and the governing bodies of each Urban Enterprise Zone in Hudson County.

**Ordinance #4/11**

**An Ordinance repealing Ordinance #1931 entitled:  
"An Ordinance establishing restricted parking in front  
of one (1) residence for use by handicapped resident"  
(22 – 67<sup>th</sup> Street, WNY – Jose Gonzalez)**

**Note: At the request of Mayor Roque, Town Clerk Carmela Riccio read the title of the foregoing Ordinance aloud.**

The foregoing Ordinance having been presented according to law, Mayor Roque called for a hearing thereon.

**No one wished to be heard.**

Since no one wished to be heard, it was regularly moved by Commissioner Rodriguez, seconded by Commissioner Frias, to adopt the foregoing Ordinance, was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque  
NAYS - None  
ABSENT - None

**May 25, 2011**  
***Regular Meeting***

**Mayor Roque opened the Public Portion.**

**Public Portion:**

**1. Matthew Chang, 6121 Madison Street, WNY:**

Mr. Chang commented that he compared the salaries contained in the 2010 Budget to the 2011 Budget and noted that they are much higher in most cases, except the C.F.O. salary, which is lower. He requested an explanation for increases. Mayor Roque commented that his Administration is in the process of terminating positions and intends to lower salaries for new hires. Town Administrator McConnell explained that the 2011 adopted budget will be in effect until end of this year and that a new budget will be introduced at the beginning of next year. In addition, he explained that the increases are as a result of employees' salaries having been frozen for two (2) year period but which will now increase as of July 1, 2011 due to agreement between the Town and the employees' union. Mr. Chang inquired as to the settlement amount of litigation against former C.F.O., to which Mayor Roque responded "We still don't know." Discussion ensued about unknown settlement amount and the reason it is being concealed. Comm. Wiley commented that an agreement had been made in court, to which this Administration is not privy. Mayor Roque commented "Even the Jersey Journal can't find out. It's the best kept secret." Discussion ensued regarding whether payment had been made through the Town or the insurance company. Asst. Town Attorney DeMarco explained that Town is self-insured and how that operates. Mr. Chang inquired of Comm. Wiley about dog feces problem in his neighborhood and that laws are not being enforced despite signage. Comm. Wiley explained that he has revamped his work force and that commencing next week, inspectors will be assigned to issue summonses. He requested that Mr. Chang be patient as this Administration has only been in office for less than two (2) weeks.

**2. Clara Brito-Herrera, 6312 Jackson Street, WNY:**

Mrs. Brito-Herrera commented that this Administration has "an enormous task" but wished them lots of luck. She further commented that this Administration has the best intention for the citizens of this community to reduce taxes. She offered her support. She too inquired about how taxpayers' monies were used for specific settlements. She commented about the \$306,000 retirement settlement regarding Janet Passante and indicated that she is employed by the Board of Education for the past 31 years and is not entitled to that. Town Attorney Morejon explained that he had filed a lawsuit on behalf of the taxpayers contesting the settlement, but that the Complaint was dismissed in Superior Court. He further advised that this Administration intends to pursue this issue. Mrs. Brito-Herrera thanked him.

Mayor Roque thanked the audience and commented that this was a good first meeting of this Administration. He indicated that everyone's participation is necessary.

**May 25, 2011**  
***Regular Meeting***

At 7:30 p.m. a motion was made by Commissioner Rodriguez, seconded by Commissioner Frias to close the Public Portion and adjourn the meeting was carried by the following vote:

YEAS - Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque  
NAYS - None  
ABSENT - None

\_\_\_\_\_  
Commissioner FiorD'Aliza Frias

\_\_\_\_\_  
Commissioner Caridad Rodriguez

\_\_\_\_\_  
Commissioner Ruben Vargas

\_\_\_\_\_  
Commissioner Count J. Wiley

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

Attest: \_\_\_\_\_  
Carmela Riccio, RMC Town Clerk