

**August 18, 2010**  
**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, August 18, 2010 at 12:00 p.m. (No Work Session).

Present: Commissioners Lange, Lopez, Riccardi, Rodriguez and Mayor Vega  
Absent: None  
Also Present: Town Attorney Daniel Horgan, Town Administrator Joseph McConnell, and Town Clerk Carmela Riccie

Meeting commenced at 12:04 p.m.

At the request of Mayor Vega, 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 **August 18, 2010 at 12:00 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 November 23, 2009. 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 Vega, Town Clerk Carmela Riccie read aloud the titles of all items on the agenda.

**Minutes of Previous Meeting:**

It was regularly moved by Commissioner Riccardi, seconded by Commissioner Lopez, that the Minutes of Regular Meeting: 7/21/10 (Regular Session) be approved as recorded, was carried by the following vote:

YEAS - Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - None

**Claims: Dated 8/18/10 (Claims are available for public inspection in the Town Clerk's Office):**

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

YEAS - Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - None

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**Receipt of Financial Reports:**

**FINANCIAL REPORTS - MONTH OF JULY 2010**

1. From Construction Code Official Office, reporting the sum of \$30,711.00 collected for the month of July, 2010.
2. From Deputy Director Albert L. Bringa (Police Dept.) reporting the sum of \$7,277.50 collected for the month of July, 2010.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$3,200.00 Special Licenses collected for the month of July, 2010.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$439.00 for Marriage/death certificates collected for the month of July, 2010.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$47.60 for Dogs Licenses Issued for the month of July, 2010.
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$765,939.88 collected for the month July, 2010.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$875.00 collected for the month of July, 2010.

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

YEAS	- Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega
NAYS	- None
ABSENT	- None

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**RFP Results**  
**Re: Planning Services (2<sup>nd</sup> occasion)**

**RFP PROPOSAL FORMATION**

Proposal Receipt Date: August 11, 2010

Proposal Time: 10:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Planning Services (2<sup>nd</sup> occasion)

Personnel at Opening: Town Clerk Carmela Riccie and Cosmo A. Cirillo

Remarks: Time to receive RFPS was closed at 10:05 a.m.

RESPONDER #1 (Name) Heyer, Gruel & Associates, PA  
(Address) 236 Broad Street, Red Bank, NJ 07701

RESPONDER #2 (Name) Maser Consulting, P.A.  
(Address) 53 Frontage Road, Clinton, NJ 08809

RESPONDER #3 (Name) Remington & Vernick Engineers  
(Address) 232 Kings Highway East, Haddonfield, NJ 08033

**RFP Results**  
**Re: Fixed Asset Inventory Service Provider (2<sup>nd</sup> occasion)**

**RFP PROPOSAL FORMATION**

Proposal Receipt Date: August 11, 2010

Proposal Time: 10:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Fixed Asset Inventory Service Provider (2<sup>nd</sup> occasion)

Personnel at Opening: Town Clerk Carmela Riccie and Cosmo A. Cirillo

Remarks: Time to receive RFPs was closed at 10:35 a.m.  
Reserved decision pending review by review committee.

RESPONDER #1 (Name) American Appraisal  
(Address) 259 Woodland Road, Wrightstown, PA 18940



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**Consent Agenda**

It was regularly moved by Commissioner Riccardi, seconded by Commissioner Lopez 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, R-13, R-14, R-15, R-16, R-17, R-18, R-19, R-20, R-21, R-22, R-23, R-24, and R-25 be adopted, was carried by the following vote:

YEAS               - Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS               - None  
ABSENT           - None

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

**RESOLUTION**

**Re: Confirming Sale of Town owned vehicles at Public Auction on 7/20/2010**

WHEREAS, the Town of West New York is the owner of certain automobiles not needed for public use, acquired through confiscation; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-36 the Mayor and Board of Commissioners have deemed it to be in the public interest to sell personal property no longer needed for public use; and

WHEREAS, a Public Auction was held on July 20, 2010 in order to sell said automobiles in accordance with N.J.S.A. 40A:11-36; and

WHEREAS, the following high bids on vehicles were received:

NJ Reg	VIN Number	Make, Model and Color	Bid	Bidder
VAS99J	1FAFP 33POY W2162 04	2000 Ford Focus	\$ 50.00	Peter Simpson
UFP65B	2G1WL 54R6L 92443 43	1990 Chevy 4Dr. Blue	\$100.00	Jersey One Auto
VLG98N	1P3XA 4633L F9047 99	1990 Plymouth Accord Blue	\$ 50.00	Jersey One Auto
YBH19J	4A3AJ 46GXT E4019 00	1996 Mitsubishi Galant Blk.	\$100.00	Jersey One Auto
UXB75V	2T1AE 94A5N C1715 80	1992 Toyota Corrola Green	\$ 50.00	Jersey One Auto
UUS61B	1FALP 52U6R A1068 13	1994 Ford Taurus White	\$ 50.00	Jersey One Auto
HMN75P	4T1SV 21EXL U2741 84	1990 Toyota Camry 4Dr. Red	\$100.00	Jersey One Auto
FKW51M	1FTFE 24Y9D HB775 78	1983 Ford Van Tan	\$ 50.00	Jersey One Auto
YHT42A	1G8ZK 5572P Z3231 32	1993 Saturn SL2 4Dr. Green	\$100.00	Jersey One Auto
VEC21C	4T1GK 13E4R U0603 40	1994 Toyota Camry 4Dr. Green	\$ 50.00	Jersey One Auto

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

1. The above recitals are incorporated herein as if set forth at length.

2. The Board of Commissioners approves, on this date even, subject to the conditions of the resolutions authorizing the sale of automobiles, except as otherwise set out herein, and the terms of the sale as advertised and announced at auction, and as otherwise stated herein, the following sales, purchasers to tender payment for same within thirty days of the passage of this resolution:

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**Consent Agenda (Cont.):**

**Resolution (Cont.):**

NJ Reg	VIN Number	Make, Model and Color	Bid	Bidder
VAS99J	1FAFP 33POY W2162 04	2000 Ford Focus	\$ 50.00	Peter Simpson
UFP65B	2G1WL 54R6L 92443 43	1990 Chevy 4Dr. Blue	\$100.00	Jersey One Auto
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HMN75P	4T1SV 21EXL U2741 84	1990 Toyota Camry 4Dr. Red	\$100.00	Jersey One Auto
FKW51M	1FTFE 24Y9D HB775 78	1983 Ford Van Tan	\$ 50.00	Jersey One Auto
YHT42A	1G8ZK 5572P Z3231 32	1993 Saturn SL2 4Dr. Green	\$100.00	Jersey One Auto
VEC21C	4T1GK 13E4R U0603 40	1994 Toyota Camry 4Dr. Green	\$ 50.00	Jersey One Auto

3. If the listing of the above bids is discovered by the Municipal Administrator to be inaccurate as to price and purchaser, based on the actual results at auction, the Municipal Administrator or his designee is hereby authorized to act as per the actual results at auction, anything in this resolution notwithstanding.

4. All waivers or variations in the bidding process and the process of sale from the process set out in the resolutions authorizing the sale of various Town owned properties (automobiles), and as advertised, are hereby ratified and expressly accepted, except as otherwise stated herein.

5. The vehicles being confiscated vehicles, proceeds shall be disposed of in a manner consistent with applicable law for such a circumstance.

6. A copy of this resolution shall be kept in the office of the Municipal Clerk.

7. The Mayor, the Municipal Administrator or their designee, are hereby authorized to execute and prepare such documents and provide such notices as may be necessary for the completion of the sale transaction, and are hereby authorized to waive any non-material condition of the Contract of Sale, if in their opinion it is in the best interests of the Town to do so.

**Resolution**  
**Re: Women's Equality Day**

Whereas, August 26, 2010 marks the 90th anniversary of the ratification of the 19th Amendment, guaranteeing women's right to vote; and

Whereas, the beginning of the debate over a woman's right to vote began at the world's first Woman's Rights Convention in Seneca Falls, NY in 1848; and

Whereas, the campaign continued for seventy-two years highlighted by the extraordinary efforts of New Jerseyan Alice Paul; and

Whereas, support for the movement grew and on August 26, 1920, the final state ratification for the amendment was passed and the enfranchisement of women became law; and

Whereas, this date also marked the re-enfranchisement of women in New Jersey after an absence of 113 years; and

Whereas, this year's 90th anniversary of the greatest single expansion of citizenship rights in the United States presents a remarkable opportunity both to honor the unrelenting tenacity and spirit of the multitude of women and men who worked to secure women's right to vote and also to illustrate how much can be achieved in a democratic society by the collective efforts of citizens committed to political reform; and

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

Whereas, it was the hope of our Foremothers who fought and died for Women's Suffrage that future generations of women would use that hard-won vote to make this a better world and to fight for full equality and justice for women; and

Now, therefore, be it resolved by the Mayor and board of Commissioners of the Town of West New York that August 26, 2010, the 90th anniversary of the constitutional affirmation of women's right to vote in the United States, be celebrated by governing agencies at the local, state, and national level, as well as by educational institutions, workplaces, civic organizations, places of worship, and communities throughout the nation, with programs, events, proclamations, performances, parades, conferences, and other special ceremonies worthy of this uniquely important and historic occasion.

**RESOLUTION**  
**Re: BUDGET TRANSFERS**

BE IT RESOLVED THAT the proper officers and they are hereby authorized and instructed to make the following State Fiscal Year 2010 transfers from appropriations which have excess funds with the provisions of N.J.S.A. 40A:4-58:

	<u>From</u>	<u>To</u>
<u>Department of Public Affairs</u>		
Law Department – O & E	28,159.75	
Elections – O & E		1,468.74
Senior Citizens – O & E		16,062.42
<u>Department of Revenue &amp; Finance</u>		
Purchasing Agent – O & E		45.07
<u>Department of Public Safety</u>		
Director's Office		1,290.00
Police Dept. – O & E	1,840.25	
Uniform Fire Safety – O & E		273.45
Ambulance Squad – O & E		276.80
<u>Department of Public Works</u>		
Director's Office – O & E		1,290.00
Engineering Services – O & E		6,272.00
Department of Parks		
Director's Office – O & E		1,290.00
Celebration of Public Events – O & E		375.00
Water Utility		1,356.52
Total	<u>30,000.00</u>	<u>30,000.00</u>

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**Consent Agenda (Cont.):**

**RESOLUTION**  
**RE: TAX CORRECTIONS RE: 418 NEWBURGH COURT**

WHEREAS, there is an overpayment on the 2nd quarter 2009 Tax bill in the amount of \$99.94 on property located at 418 Newburgh Court also known as block 168.01 lot 1.35 C0418 and

WHEREAS, there is a open balance in the amount of \$99.94 on the 4<sup>th</sup> quarter 2009 Service Charge and

THEREFORE, the Tax Collector is hereby authorized to move the overpayment to credit the 4th quarter 2009 Service Charge in the amount of \$99.94.

**RESOLUTION**  
**RE: REFUNDS OF OVERPAYMENT OF TAXES**

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	SFY
Michael I. Schneck Atty For CKI Realty	135/4	\$2481.00	2008
Michael I. Schneck Atty For Stanley Low	109/19.03	\$744.30	2008
	GRAND TOTAL	\$3,225.30	

**RESOLUTION**  
**RE: REFUNDS OF TAX LIEN REDEMPTIONS**

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

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

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

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

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

Name	Block/lot	Cert#	Amount
ISAAC MORADI	5/32 CGA19	10-019	\$770.92
	168.01/7.06 C0437	10-277	\$187.87
U.S. BANK CUST. FOR CCTS CAPITAL,LLC	88/7	10-173	\$2,512.05
ROYAL TAX LIEN SERVICES, LLC	19/28.02	10-037	\$11,688.61
R. ROTHMAN	86/7	10-172	\$10,161.89
CARRIER SERVICES	160/6	09-227	\$206.65
TOWER LIEN, LLC	5/8	10-003	\$4,603.85
STRIB CI, LLC	84/14	10-167	\$372.12
FNA JERSEY LIEN SERVICES, LLC	39/6	10-077	\$6,187.06
ISAAC MORADI	19/4.01 C0010	10-036	\$1,990.00
PAM INVESTORS	168.01/8.01 C0221	10-261	\$2,715.08
STRIB CI, LLC	39/12 C001D	10-078	\$873.34
U.S. BANK CUST FOR CCTS CAPITAL, LLC	9/4 C00B4	09-013	\$592.75
STRIB CI, LLC	168.01/7.06 C0227	10-274	\$756.23
MOORING TAX ASSET GROUP, LLC	168.01/1.03 C0354	09-234	\$7,265.63
PAM INVESTORS	168.01/8.03 C0323	10-269	\$2,880.02
TOWER LIEN, LLC	71/15	10-131	\$17,890.41
U.S. BANK,CUS. FOR EMPIRE TAX FD.	104/25	10-188	\$7,693.94
VIRGO MGMT,,LLC	69/15	10-122	\$506.90
STRIB CI, LLC	140/10	10-228	\$1,541.20
U.S. BANK CUST/CCTS CAPITAL,LLC	148/11	10-232	\$1,985.70
STRIB CI, LLC	25/29/C002B	10-050	\$1,933.44

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**Consent Agenda (Cont.):**

**Resolution (Cont.):**

U.S. BANK CUST/CCTS CAPITAL,LLC	26/11	10-052	\$2,746.61
FNA JERSEY LIEN SEVICES, LLC	22/3	10-042	\$7,226.81
ISAAC MORADI	81/3/C00E2	10-148	\$1,374.30
FNA JERSEY LIEN SERVICES, LLC	81/3/C00E3	10-149	\$1,577.37
U.S. BANK CUST FOR PRO CAPITAL I, LLC	81/3/C00E4	10-150	\$1,323.80
FNA JERSEY LIEN SERVICES, LLC	41/14	10-082	\$7,643.70
		GRAND TOTAL	\$107,208.25

**RESOLUTION**

**RE: REFUNDS OF TAX LIEN PREMIUMS**

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

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

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

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

NAME	BLOCK/LOT	CERT.#	AMOUNT
ISAAC MORADI	168.01/7.06	10-277	\$800.00
U.S. BANK CUST FOR CCTS CAPITAL, LLC	88/7	10-173	\$4,100.00
ROYAL TAX LIEN SERVICES, LLC	19/28.02	10-037	\$19,400.00
R. ROTHMAN	86/7	10-172	\$3,800.00
CARRIER SERVICES	160/6	09-227	\$100.00
TOWER LIEN, LLC	5/8	10-003	\$8,500.00
STRIB CI, LLC	84/14	10-167	\$1,000.00

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

FNA JERSEY LIEN SERVICES, INC	39/6	10-077	\$3,000.00
PAM INVESTORS	168.01/8.01 C0221	10-261	\$500.00
STRIB CI, LLC	39/12 C001D	10-078	\$1,200.00
	168.01 7.06 C0227	10-274	\$1,000.00
PAM INVESTORS	168.01/8.03 C0323	10-269	\$1,000.00
U.S. BANK,CUS FOR EMPIRE TAX FD.	104/25	10-188	\$5,500.00
VIRGO MGMT.,LLC	69/15	10-122	\$2,000.00
STRIB CI, LLC	140/10	10-228	\$1,500.00
U.S. BANK CUST/CCTS CAPITAL, LLC	148/11	10-232	\$2,700.00
STIRB CI, LLC	25/29/C002B	10-050	\$3,100.00
U.S. BANK CUST/CCTS CAPITAL, LLC	26/11	10-052	\$3,700.00
FNA JERSEY LIEN SERVICES, LLC	22/3	10-042	\$3,700.00
FNA JERSEY LIEN SERVICES, LLC	41/14	10-082	\$4,000.00
		GRAND TOTAL	\$70,600.00

**RESOLUTION**  
**Re: Municipal Services Act Reimbursement**  
**for Solid Waste and Recyclables**

WHEREAS, under the New Jersey Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. (the “Act”) municipalities are required to reimburse residents of “qualified private communities” for the cost of snow removal, trash (solid waste) removal and street lighting; and

WHEREAS, there exist a number of entities meeting the criteria for “qualified private community” under the terms of the Act within the Town; and

WHEREAS, by prior resolution of November 23 2009, (“November 23, 2009 Resolution”) the Board authorized the Municipal Administrator to negotiate and enter into agreements for reimbursement to reimburse qualified private communities based on a formula that included computation of the total number of households as calculated by the United States Census versus the total number of households in the qualified private community seeking reimbursement and including certain costs incurred by the Town in relation to the collection and disposal of solid waste and recyclables; and

WHEREAS, the Board would like to clarify that the Municipal Administrator is empowered to calculate the formula for reimbursement using best available data in his discretion,

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**Consent Agenda (Cont.):**

**Resolution (Cont.):**

as appropriate and to fully implement such agreements without further action of the Board of Commissioners.

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

1. The terms of the November 23, 2009 Resolution are incorporated as if fully set forth at length herein.
2. Notwithstanding any provision of the prior Resolution, the municipal administrator is hereby authorized to determine the appropriate costs of the Town and other components of reimbursement of qualified private communities under the Municipal Services Act, to negotiate such agreements as are reasonably uniform and in compliance with said Act, and to enter into such agreements on behalf of the Town.
3. The municipal administrator is further authorized to implement such agreements, and authorize payments of reimbursements thereunder within the limits of appropriated funds, without further action of the Board of Commissioners, unless the Board of Commissioners determines to review such agreement at the next regularly scheduled meeting after execution of such agreement.
4. A copy of this resolution shall be kept on file in the office of the Municipal Clerk for public inspection.

**Resolution**

**Re: Renewal of Membership In The New Jersey  
Municipal Self Insurers' Joint Insurance Fund**

WHEREAS, the Town of West New York is a member of the New Jersey Municipal Self Insurers' Joint Insurance Fund; and

WEREAS, said renewal membership terminates as of January 1, 2011 at 12:01a.m. unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. TOWN OF WEST NEW YORK agrees to renew its membership in the New Jersey Municipal Self Insurers' Joint Insurance Fund for a period of three (3) years beginning January 1, 2011, and ending January 1, 2014 at 12:01a.m., and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor or Administrator shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the New Jersey Municipal Self Insurers' Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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**Consent Agenda (Cont.):**

**Resolution**  
**Re: Appointing a Fund Commissioner**

BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York, Hudson County, State of New Jersey that the following individual be appointed, effective August 18, 2010 until further action by this Board, to serve as representative to the New Jersey Municipal Self Insurers' Joint Insurance Fund:

1. Fund Commissioner: Joseph McConnell

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the administrators of the New Jersey Municipal Self Insurers' Joint Insurance Fund and the fund commissioner.

**Resolution**  
**Introduction of Municipal Budget Notice**  
**Municipal Budget of the Town of West New York,**  
**County of Hudson, for the six months ended December 31, 2010**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the **six months ended 12/31/10**;

BE IT RESOLVED, that said Budget be published in the Jersey Journal in the issue of **September 1, 2010**.

The Governing Body of the Town of West New York does hereby approve the following as the Budget for the year 2011:

Recorded Vote:

	Com. Lange		
	Com. Lopez	ABSTAINED:	NONE
AYES:	Com. Riccardi	ABSENT:	NONE
	Com. Rodriguez	NAYS:	NONE
	Mayor Vega		

Notice is hereby given that the Budget and Tax Resolution will be held at the Municipal Building, on **September 15, 2010** at 7:00 o'clock (p.m.) at which time and place objections to said Budget and Tax Resolution **for the six months ended December 31, 2010** may be presented by taxpayers or other interested persons.

(See Introduced Budget attached hereto)

**Resolution**  
**Re: Authorizing the Town Clerk to advertise**  
**to receive bids for "66<sup>th</sup> Street Promenade Repair"**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office for: "66<sup>th</sup> Street Promenade Repair" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

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**Consent Agenda (Cont.):**

**Resolution**  
**Re: Authorizing the Town Clerk to advertise**  
**to receive bids for "Verrazano Dog Park Improvements"**

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to advertise for the receiving of bids in the Town Clerk's Office for: "Verrazano Dog Park Improvements" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**Resolution**  
**Re: Authorizing the Town Clerk to re-advertise**  
**to receive bids for "Supplementary Plumbing Services (2<sup>nd</sup> occasion)"**  
**on Friday, September 10, 2010 at 10:00 a.m. in Town Clerk's Office**

Whereas, a resolution was adopted on July 21, 2010 authorizing the Town Clerk to advertise to receive bids for the above named project on August 12, 2010; and

Whereas, no bids were presented or received on said date; and

Whereas, it is necessary to authorize the Town Clerk to re-advertise to receive bids for said project;

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be and she is hereby authorized and directed to re-advertise for the receiving of bids on Friday, September 10, 2010 at 10:00 a.m. in the Town Clerk's Office for: "Supplementary Plumbing Services (2<sup>nd</sup> occasion)" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

**RESOLUTION**  
**RE: PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATION**

WHEREAS, emergent conditions have arisen requiring the Town of West New York, in the County of Hudson, New Jersey (the "Town"), to appropriate funds for the construction and reconstruction of 52<sup>nd</sup> Street (from Kennedy Boulevard West to Hudson Avenue), Hudson Avenue (from 59<sup>th</sup> Street to 61<sup>st</sup> Street) and a portion of 66<sup>th</sup> Street, in the Town, which were included in the Fiscal Year 2010 Road Improvement Program, and to the extent any balance of the appropriation remains, the construction and reconstruction of such other street or streets to Class A standards, as provided in the Local Bond Law, as shall be identified on a list to be filed in the Clerk's office, and including all work and materials necessary therefor or incidental thereto (the "Street Projects"), and no adequate provision has been made in the 2011 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in fiscal year 2011, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20), including this resolution, total \$16,968,700; and

WHEREAS, the costs of Street Projects constitute capital expenditures, and the Town, subject to the approval of the Local Finance Board, intends to reimburse the expenditure of the temporary appropriation provided for herein with proceeds of the Town's bonds or bond anticipation notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY (not less

**August 18, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the Street Projects in the amount of \$535,000.

2. Except to the extent that provision for paying said emergency temporary appropriation shall previously have been made by the authorization of bonds pursuant to the Local Bond Law, said emergency temporary appropriation will be provided for in full in the Town's 2011 budget under the title "Capital Improvements - Roads".

3. Subject to the approval of the Local Finance Board, the Town's intent is to reimburse the expenditure of the temporary appropriation provided for herein with proceeds of the Town's bonds or bond anticipation notes. This resolution is intended to be and hereby is a declaration of the Town's official intent to reimburse the expenditure of costs of the Street Projects paid prior to the issuance of the Town's bonds or notes with the proceeds of a borrowing to be incurred by the Town, in accordance with Treasury Regulations Section 1.150-2 with respect to tax-exempt bonds.

4. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

5. This resolution shall take effect immediately.

**RESOLUTION**

**Re: A Resolution Binding The Town Of West New York To Purchase Electric Generation Services Through The Hudson County Cooperative Pricing System ("HCCPS") Bid Cooperative Pricing System Id 83-HCPS**

WHEREAS, the Hudson County Cooperative Pricing System (hereinafter referred to as "HCCPS"), will from time to time during the Effective Period as defined below solicit bids from electric power suppliers for electric generation services through an energy aggregation program in which the County of Hudson will act as Lead Agency of the HCCPS Cooperative Pricing System # 83-HCPS in accordance with the "Local Public Contracts Law", N.J.S.A.40A:11-11, and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49. ("EDECA") and the regulations promulgated thereunder; and

WHEREAS, the Town of West New York is a Participating member of the HCCPS Cooperative Pricing System and is eligible thereby to obtain electric generation services for its own use through one or more contracts to be awarded to electric power suppliers following said bids for electric generation services pursuant to the aggregation program; and

WHEREAS, the Lead Agency will from time to time during the Effective Period (from date of adoption through May, 2012, hereinafter referred to as "Effective Period") issue one or more Requests for Bids for electric generation services on behalf of the HCCPS Cooperative Pricing System pursuant to the Local Public Contracts Law and EDECA; and

WHEREAS, due to significant volatility and the potential for price increases in the wholesale electric market, Participating Members will preauthorize the Lead Agency to award contracts for Electric Generation Service in each bid group to one or more electric power suppliers that submit bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous electric usage and utility provided Basic Generation Service rates; and

WHEREAS, the Lead Agency will only award contracts for said electric generation services to

**August 18, 2010**  
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**Consent Agenda (Cont.):**

**Resolution (Cont.):**

electric power suppliers that submit bids with pricing that is at least 5% lower than the current price for utility-provided basic generation service; and

WHEREAS, the Town of West New York agrees to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period through any electric power supplier(s) awarded a contract, it being understood that the term of any one contract shall be subject to the provisions of Local Public Contracts Law;

WHEREAS, the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for electric generation services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NO THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Town of West New York binds itself to the HCCPS Cooperative Pricing System 83-HCPS to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period from the electric power supplier or suppliers awarded a contract for electric generation services by the Lead Agency, if said contract results from bids with pricing that is at least 5% lower than the current price for utility-provided basic generation service;

BE IT FURTHER RESOLVED that the Lead Agency of the HCCPS Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the Town of West New York to purchase electricity at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the HCCPS Cooperative Pricing System 83-HCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the Town of West New York relative to the price charged for basic generation service by the electric public utility that would otherwise provide such service; and, be it

BE IT FURTHER RESOLVED that HCCPS is authorized to continue to bid to obtain electric generation services at any time during the Effective Period on behalf of the HCCPS Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage. The authorization provided to the County of Hudson pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5), Administrative Code (N.J.A.C. 5:34-7.1) shall be valid until May 2012, (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

**Resolution**

**Re: Qualification of Professional Planning Services Provider**

WHEREAS, the Town of West New York has followed the fair and open process under the New Jersey Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.5 *et seq.* for receiving Requests for Proposals; and

WHEREAS, the Town of West New York issued a Request for Proposals for Professional Planning Services, in accordance with the requirements of N.J.S.A. 19:44A-20.4, *et. seq.*, on July 28, 2009, for the provision of such professional services; and

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

WHEREAS, the Town of West New York received and opened Statements of Qualifications and Proposals for those positions on August 11, 2010; and

WHEREAS, pursuant to the Request for Proposals, the Town's received Statements of Qualifications and Proposals from the following for Professional Planning Services:

Maser Consulting, P.A.  
Heyer Gruel & Associates, PA  
Remington & Vernick Engineers

WHEREAS, pursuant to the Request for Proposals, the Town's staff has conducted a review of the responses received and recommends that the firms listed below be deemed qualified to provide Professional Planning Services based on the Statements of Qualifications received, as follows:

Professional Planning Services  
Maser Consulting, P.A.  
Heyer Gruel & Associates, PA  
Remington & Vernick Engineers

NOW, THEREFORE, BE IT RESOLVED, Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, that the following firms be and are hereby qualified to render Professional Planning Services on behalf of the Town of West New York for the next year as herein described:

Professional Planning Services  
Maser Consulting, P.A.  
Heyer Gruel & Associates, PA  
Remington & Vernick Engineers

BE IT FURTHER RESOLVED that the Mayor and his designee are hereby authorized to transmit formal or informal requests for proposals, in line with the proposals submitted on or before August 11, 2010, and the Request for Proposals, to any of the above qualified firms, as necessary, for the performance of Professional Planning Services, as qualified, that may be required by the Town, during the next year.

**AWARDING RESOLUTION**  
**Re: 2010 Road Program to**  
**Joseph M. Sanzari, Inc.**  
**(\$945,192.33)**

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, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals for 2010 Road Program, pursuant to and in accordance to the contract for 2010 Road Program; and

Whereas, on August 12, 2010, the Town did receive the following bids on the contract for 2010 Road Program:

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

<u>A.J.M. Contractors, Inc.</u> <u>300 Kuller Road, Clifton, NJ</u>	Cost: Total base bid A: \$482,043.50 Total base bid B: \$249,406.00 Total base bid C: <u>\$361,478.50</u> TOTAL: \$1,092,928.00
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<u>Joseph M. Sanzari, Inc.</u> <u>90 W. Franklin St., Hackensack, NJ</u>	Cost: Total base bid A: \$431,258.24 Total base bid B: \$217,669.34 Total base bid C: \$296,264.74 TOTAL: \$945,192.33
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Whereas, the Town's Business Administrator, Purchasing Agent and Maser Consulting, P.A. the Town Engineer, have recommended the award of a five year contract for 2010 Road Program be awarded to Joseph M. Sanzari, Inc., for Option A, B & C for a total of \$945,192.33, as the bid submitted by the Joseph M. Sanzari, Inc. as the lowest responsible bid for 2010 Road 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, the Certificate of Available Funds, maintained on file at the Town, sets forth that sufficient funds for the subject procurement have been allotted in the Town's budget and that such funds have been appropriated;

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

1. The bid of Joseph M. Sanzari, Inc., 90 W. Franklin St., Hackensack, NJ 07601, on the bid for "2010 Road Program" in the amount of for Options A, B & C for a total of \$945,192.33 be and the same is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into contracts for 2010 Road Program with Joseph M. Sanzari, Inc.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
4. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
5. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
6. 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.

**August 18, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**  
**Re: Sale of abandoned Vehicles to be held on September 8, 2010**

Whereas, certain motor vehicles have been removed from the public roads of the Town of West New York, in the County of Hudson, as nuisances, detrimental to the safe and proper regulation of traffic in said Town; and the Owner or Owners of said vehicles are unknown and cannot be found or refuse to receive the same, and said owners have failed or refused to pay the reasonable costs of the removal and storage resulting from such removal from the public roads as aforesaid;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Administrator or his designee shall expose for sale, at public venue, to the highest bidder, said vehicles, being automobiles or parts therefore, on the 8th day of September, 2010 at 11:00 A.M., at the Municipal Building - Court Chambers, 428 - 60th Street, West New York, New Jersey, and shall advertise said sale in the usual form, pursuant to N.J.S.A. 39:1-1 et seq.

BE IT FURTHER RESOLVED the conditions of the sale shall be and are as set out in the attached form of notice to be publicized by the Municipal Clerk as required by law.

BE IT FURTHER RESOLVED that the Municipal Administrator or his designee is and they are hereby appointed as agent of the Town in regards to the conduct of the auction.

BE IT FURTHER RESOLVED that the following is a list and description of the vehicles to be sold:

SPACE	VIN #	Make and Model and Color	Owner
1	1GTCS 14E8M 25246 07	1991 GMC PICK-UP GREEN	Xavier E Espinoza-Navas 3469 Kennedy Blvd Apt 3 Jersey City, NJ 07306
2	1GKDT 13W9T 25489 01	1996 GMC S15 WAGON GREEN	Juan C Hernandez – Ocenos 136 39 <sup>th</sup> Street Apt 32 Union City, NJ 07087
3	3G4AG 55M1R S6238 78	1994 BUICK CENTRA 4DR JADE	Larry D Stevens 380 Baldwin Ave Apt 2R Jersey City, NJ 07306
4	1G3HN 53L6N H3638 69	1992 OLDS 4DR GREEN	Maria Sanchez 4020 W 9 CT Hialeah , FL 33012
5	4A3AA 46G1Y E1234 13	2000 MITSUBISHI GAL 4DR	Patricia Liz Ramirez 216 Hayward Ave Fruitland County, MD 21826
6	4M2DV 11W0P DJ170 53	1993 MERCURY VILLAGER GRN	Wilson Torres 4908 Hudson Ave West New York, NJ 07093
7	1G4AS 69P8E K5257 05	1984 BUICK SKYLARK 4DR BLUE	Raisa Delrosario 6003 Fillmore Place Apt 502S West New York , NJ 07093
8	JT8BF 22G9V 00337 92	1997 LEXUS ES3 4DR SAGE	Julio Sabino 341 N Front St Reading , PA 19601

**August 18, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**

**Re: Appointment of Deputy Town Clerk**

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Cosmo Cirillo be and is hereby appointed Deputy Town Clerk to act only in the absence of Town Clerk Carmela Riccie for such time and period as Carmela Riccie may be absent due to vacation, sick days or otherwise absent effective until further order of the governing body pursuant to N.J.S.A. 40A:9-135 and Ordinance No. 784, for the unexpired term of Luisa Gomez.

**RESOLUTION**

**Re: Ratification and Approval of Agreement Concerning Payment of Past Employment Benefits between Ray Casper and Town of West New York, dated August 18, 2010**

WHEREAS, various employees of the Town have provided years of public service and have earned substantial vested benefits and salary compensatory rights ("Earned Compensatory Rights") as to which the Town is obligated to honor at the cessation of such employee's employment with the Town; and

WHEREAS, a review of the past method and practice of honoring such earned compensatory rights reveals that such methods and practices, though generally accepted throughout the State, adversely affect the operation of the Town; and

WHEREAS, a review of the financial interests of the Town under the past compensation regime indicates the existence of a continued potential of unnecessary financial and administrative burdens to the Town should such earned compensatory rights be paid in lump sums prior to or upon the cessation of such employee's employment with the Town; and

WHEREAS, such manner of honoring earned compensatory rights also results in unnecessary operational burdens upon the Town when employees choose to utilize Earned Compensation Rights prior to the termination date of their employment in order to avoid increased personal tax burdens; and

WHEREAS, it is in the best interests of the taxpayers of the Town of West New York to mitigate any potential financial or operational burden occasioned by the cessation of employment of town employees and the honoring of earned compensatory rights; and

WHEREAS, the Board of Commissioners is of the opinion that providing qualified employees the opportunity to take their earned time over a period of years after their cessation of employment would result in a benefit to the Town and such employee; and

WHEREAS, the Board of Commissioners is of the opinion that the negotiation of such plans on a case-by-case basis is in the best interests of the Town of West New York as such a plan would promote efficiency and economic savings, while enhancing Town operations, resulting in a significant cost savings to the Town and avoiding unnecessarily adverse financial burdens on the Town or Town employees;

WHEREAS, by prior resolution the Board of Commissioners authorized the Municipal Administrator, with the advice of and consultation with the Town Attorney to negotiate separate agreements with any Town Employee for the payment of earned compensatory rights post-cessation of employment, for a minimum payment period of two-year and maximum payment period of ten years post cessation of employment; and

WHEREAS, Ray Casper who has been an employee of the Town since 1995, has elected to retire effective July 1, 2010, and has earned compensation that must be paid out by the Town regardless of any termination agreement; and

**August 18, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, such an agreement was negotiated in regards to the payment of earned compensation rights post-cessation for Ray Casper, to the benefit of the Town by minimizing the immediate fiscal burdens upon the Town if an immediate payment of such earned compensation would have otherwise have had to be made; and

WHEREAS does not provide for the payment of un-earned compensation;

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

1. The above recitals are incorporated as if set forth at length herein.
2. The Agreement Concerning Payment of Payment of Past Employment Benefits between Ray Casper and Town of West New York, dated August 18, 2010, on file with the office of the Municipal Clerk is hereby ratified and approved.
3. This Agreement is in the nature of a contract, and is binding upon the Town and subject to the yearly appropriation of funds.
4. A copy of this resolution shall be kept on file with the office of the Municipal

**AGREEMENT CONCERNING PAYMENT OF PAST EMPLOYMENT BENEFITS**  
**BETWEEN RAY CASPER AND TOWN OF WEST NEW YORK**

WHEREAS, the Town of West New York ("Town") has authorized the negotiation of agreements with employees who have an accrued right to receive significant compensation payable upon their retirement; and

WHEREAS, Raymond Casper ("Employee") has been an employee of the Town since 1995 and has accrued significant compensation upon retirement; and

WHEREAS, Employee has elected to retire effective July 1, 2010 and is therefore entitled to receive payment for his accrued compensation upon such retirement; and

WHEREAS, both the Town and the Employee have agreed that their separate interests are served by agreement upon a deferred payment of accrued compensation so as to minimize the immediate fiscal burdens upon the Town and the tax burdens upon the Employee: and

WHEREAS, the parties have reviewed records of Employee's accrued compensation, their respective financial concerns, and the benefits to each from the other to the terms and conditions of this Agreement which each acknowledges as sufficient consideration for their mutual actions and promises hereunder;

NOW THEREFORE be it agreed between the Town and Employee as follows:

1. The foregoing provisions in the WHEREAS clauses are made an integral part of this Agreement.
2. The terms, provisions and promises are intended to constitute a binding contract between the parties for the deferred payment of compensation, but in no event shall the invalidity or unenforceability of any clause, provision or obligation hereunder act as a waiver or impairment of Employee's entitlement to receive his accrued compensation from the Town.

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**Regular Meeting**

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

3. Employee acknowledges that the Town has not made any offer or inducement for him to retire (including the provisions of this Agreement) and that his decision to retire has been substantially based upon both actual and anticipated changes between the present benefits and levels of payments that he would receive if he retires now versus lesser net amounts that would be available to him if he chose retirement at a later time.
4. The Town and Employee agree that the personnel policies of the Town as they existed and were applied during Employee's service to the Town were governed by practices that permitted the accumulation of vacation, sick and compensatory time as reflected on the personnel records of Employee and others for those periods. Employee has accrued 118 days of vacation time.
5. The Town's practices with respect to unused sick days were similar to those for vacation. Employee has accrued a total upon retirement of 219 sick days.
6. As a result of the foregoing, the Town and Employee agree that he is entitled to compensation for these items in the amount of \$116,521.12
7. The parties further agree that said amount to be paid shall accrue and be paid at a rate of \$2,427.52 per month, commencing with the month of July, 2010, and shall be paid as follows without interest. The first payment shall be made at the next regularly scheduled payroll date after the approval of this agreement by the Town for which payment can be reasonably processed, and shall include payments that would have been due for July and August 2010. Payment of accrued amounts shall be made thereafter on a monthly basis in equal amounts of \$2,427.52 per month until the entire remaining balance has been paid to Employee.
8. Any notices or other papers to be served upon or delivered to the Town concerning this Agreement shall be sent to the Town Clerk, with a copy addressed to the Mayor, and to the Town Attorney, at the municipal offices at 428 60th Street, West New York, NJ 07093. Notices to the Employee shall be sent to his home address of record, which he may amend by written notice to the Town from time to time. All notices shall be sent by regular mail and shall be presumed to have been received on the second day after mailing.
9. This agreement has been negotiated under the authority of a Resolution of the Board of Commissioners of March 17, 2010 and shall become fully effective as of August 18, 2010 when executed by the Employee, by the Municipal Administrator on behalf of the Town, and ratified by the Board of Commissioners of the Town of West New York.

DATED BY THE PARTIES: AUGUST 18, 2010

TOWN OF WEST NEW YORK:

EMPLOYEE:

\_\_\_\_\_  
Joseph McConnell, Municipal Administrator

\_\_\_\_\_  
Raymond Casper

Witness: \_\_\_\_\_  
Carmela Riccio, Municipal Clerk

Witness: \_\_\_\_\_

**August 18, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**RESOLUTION**

**Re: Authorizing an Extended Grace Period for the Payment of Estimated Tax Bills for the Third Billing Quarter of 2010 until September 15, 2010**

Whereas, the Third Quarter Tax Bills for 2010 were mailed to residents and businesses by August 21, 2010; and

Whereas, since the due date for the Third installment is August 1, 2010, the Tax Collector is recommending an extension of the grace period until September 15, 2010 for the collection of Taxes without interest; and

Whereas, it is desirous of the Town of West New York Board of Commissioners to extend the grace period for the estimated tax bills for 25 days to September 15, 2010, and

Whereas, any delinquent payment received after September 15, 2010 shall be subject to interest back to the date as set forth by N.J.S.A. Statutes which is August 1, 2010.

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that the grace period for the collection of taxes for the third installment of 2010 be extended for 25 days to September 15, 2010.

**Resolution**

**Re: Repealing resolution adopted on 4/20/05 and establishing restricted parking in front of one (1) residence for use by handicapped resident as follows:**  
**6108 Polk Street, WNY (Rosa Vasquez)**

WHEREAS, on April 20, 2005 the Board of Commissioners of the Town of West New York adopted a resolution establishing restricted parking for use by a handicapped resident, Rosa Vasquez, at 6307 Madison Street; and

WHEREAS, Rosa Vasquez has moved to 6108 Polk Street and continues to require said restricted parking space; and

WHEREAS, the Town wishes to repeal the aforesaid Resolution dated April 20, 2005; and

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

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

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
1.	Rosa Vasquez 6108 Polk Street West New York, NJ 07093	East	Begin at a point along east side of Polk Street, 100 feet north from the northeast corner of 61 <sup>st</sup> Street and Polk Street, then 22 ft. north therefrom

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

**August 18, 2010**  
**Regular Meeting**

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

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

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

Be it further resolved that Resolution adopted on April 20, 2005 is hereby repealed.

Be it further resolved that the Department of Public Safety is directed to remove all signage for the space located at 6307 Madison Street as directed by this resolution.

**Resolution**  
**Re: Establishing restricted parking in front of one**  
**(1) residence for use by handicapped resident as follows:**  
**18 – 62<sup>nd</sup> Street, WNY (Peter English)**

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

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

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
1.	Peter English 6201 Boulevard East, Apt. 3BS West New York, NJ 07093	North	Begin at a point along north side of 62 <sup>nd</sup> Street, 196 feet west from the northwest corner of 62 <sup>nd</sup> Street and Boulevard East, then 22 ft. north therefrom

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

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

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

**August 18, 2010**  
**Regular Meeting**

**Consent Agenda (Cont.):**

**Resolution**

**Re: Establishing restricted parking in front of one**  
**(1) residence for use by handicapped resident as follows:**  
**417 – 59<sup>th</sup> Street, WNY (Patrick Calienni)**

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

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

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
1.	Patrick Calienni 417 – 59 <sup>th</sup> Street West New York, NJ 07093	South	Begin at a point along South side of 59 <sup>th</sup> Street, 178 feet west from the southwest corner of 59 <sup>th</sup> Street and Palisade Avenue, then 22 ft. therefrom

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

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

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

August 18, 2010  
Regular Meeting

**Bond Ordinance #17/10**

**AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWN OF WEST NEW YORK AND APPROPRIATING \$2,700,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME**

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

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

**No one wished to be heard.**

Since no one wished to be heard, it was regularly moved by Commissioner Riccardi, seconded by Commissioner Lopez, to close the hearing and carry the foregoing Ordinance to the next Commissioners Meeting on 9/15/10, was carried by the following vote:

YEAS - Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - None

**Note:** Mayor Vega announced that the hearing would take place now but that no further action would be taken at this time pending approval from the Local Finance Board.

**Ordinance #18/10**

**An Ordinance providing for the preparation of a Tax Map and a Master Plan, and authorizing Special Emergency Appropriations of \$275,000 therefore and providing for the issuance of Special Emergency Notes**

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

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

**No one wished to be heard.**

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

YEAS - Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - None

**August 18, 2010**  
**Regular Meeting**

**Ordinance #19/10**

**An Ordinance amending Ordinance #8/10 entitled:  
“An Ordinance entitled 2010/2012 Salary Ordinance”**

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

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

**No one wished to be heard.**

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

YEAS - Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - None

**Note:** Mayor Vega inquired as to whether there is any other business. Town Clerk Riccie advised that oath of office must be administered to newly appointed Deputy Town Clerk Cosmo Cirillo. Mayor Vega advised that it would be done after the meeting in his office.

**Mayor opened the Public Portion.**

**Public Portion:**

**No one wished to be heard.**

**Note:** Mayor Vega advised that the meeting would be recessed until 6:00 p.m. at which time the meeting would be reconvened and there would be a hearing regarding Green Acres funding.

At 12:15 p.m., a motion was made by Commissioner Riccardi, seconded by Commissioner Lopez to **close the public portion and recess the meeting until 6:00 p.m.**, was carried by the following vote:

YEAS - Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega  
NAYS - None  
ABSENT - None

**August 18, 2010**  
**Regular Meeting**

At 6:02 p.m., a motion was made by Commissioner Riccardi, seconded by Commissioner Lopez to reconvene meeting, was carried by the following vote:

YEAS	- Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega
NAYS	- None
ABSENT	- None

**Note: At the request of Mayor Vega, Deputy Town Clerk Cosmo A. Cirillo 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 **August 18, 2010 at 12:00 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 November 23, 2009. 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.

Notice of this hearing regarding the Town's application to Green Acres for the rehabilitation of Donnelly and Veterans Parks was published on August 3, 2010 in the Jersey Journal as per the Green Acres Program Regulations.

A motion was made by Commissioner Riccardi, seconded by Commissioner Lopez to restrict the hearing to Green Acres Project, was carried by the following vote:

YEAS	- Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega
NAYS	- None
ABSENT	- None

**Note: Mayor Vega stated "The proceedings of this hearing shall be recorded in the minutes and made a part of the record of the Town's Green Acres Application."**

**Mayor Vega requested Town Engineer Joseph Cunha (Maser Consulting) to make a brief presentation regarding the Green Acres Application.**

**Mr. Cunha explained that this hearing is a requirement for the Town to submit an application to Green Acres for funding for improvements needed to Donnelly and Veterans Parks. Mr. Cunha further advised that a copy of the advertised Public Notice and these Minutes will be made a part of the application.**

At 6:07 p.m. a motion was made by Commissioner Riccardi, seconded by Commissioner Lopez to open the hearing to the public, was carried by the following vote:

YEAS	- Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega
NAYS	- None
ABSENT	- None

**August 18, 2010**  
**Regular Meeting**

**Public Portion:**

**No one wished to be heard.**

**Note: Mayor Vega allotted five (5) minutes for members of the public to speak.**

Since no one wished to be heard, at 6:12 p.m. a motion was made by Commissioner Rodriguez, seconded by Commissioner Riccardi to close the hearing and adjourn the meeting, was carried by the following vote:

YEAS	- Commissioners Lange, Lopez, Riccardi, Rodriguez, and Mayor Vega
NAYS	- None
ABSENT	- None

\_\_\_\_\_  
Commissioner Gerald A. Lange, Jr.

\_\_\_\_\_  
Commissioner Michelle Fernandez Lopez

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Commissioner Lawrence Riccardi

\_\_\_\_\_  
Commissioner Alberto Rodriguez

\_\_\_\_\_  
Mayor Silverio A. Vega  
Board of Commissioners

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

\_\_\_\_\_  
Cosmo A. Cirillo,  
Deputy Town Clerk