

December 20, 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 Tuesday, December 20, 2011 at 10:00 a.m. (9:00 a.m. Work Session):

Present: Commissioners Frias, Rodriguez, Wiley, Vargas and Mayor Roque
Absent: None
Also Present: Town Attorney Gilberto Garcia, Assistant Town Attorney Joe DeMarco, Town Administrator Ernesto Munoz and Town Clerk Carmela Riccie

Meeting commenced at 10:25 a.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 December 20, 2011 at 10:00 a.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 Mayor Roque, seconded by Commissioner Rodriguez, that the Minutes of Regular Meetings: 11/21/11 (Regular and Work Sessions) 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 12/20/11 (Claims are available for public inspection in the Town Clerk's Office):

It was regularly moved by Commissioner Wiley, 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

December 20, 2011
Regular Meeting

Receipt of Financial Reports:

FINANCIAL REPORTS - MONTH OF NOVEMBER 2011

1. From Construction Code Official Office, reporting the sum of \$41,592.00 collected for the month of November 2011.
2. From Director Michael Indri (Police Dept.) reporting the sum of \$3,711.35 collected for the month of November 2011
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ Special Licenses collected for the month of November 2011. **(NO REPORT SUBMITTED)**
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ for Marriage/death certificates collected for the month of November 2011. **(NO REPORT SUBMITTED)**
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$ for Dogs Licenses Issued for the month of November 2011. **(NO REPORT SUBMITTED)**
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$13,425,564.33 collected for the month November 2011.
7. From Carmela Riccio, RMC, Town Clerk, reporting the sum of \$ 45.00 collected for the month of November 2011.

It was regularly moved by Mayor Roque, seconded by Commissioner Vargas, 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

RFQ Results
Re: Public Relations Services

Proposal Receipt Date: December 14, 2011

Proposal Time: 10:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Public Relations

Personnel at Opening: Jennie DelRio & Maria Barrios

Remarks: Time to receive RFQS was closed at 10:05 a.m.
Reserved decision pending review by Review Committee

RESPONDER #1 (Name) Vision Media Marketing, Inc.
(Address) 854 Eighth Street
Secaucus, NJ 07094

RESPONDER #2 (Name) eCoupons, Inc.
(Address) 6124 Madison Street
West New York, NJ 07093

December 20, 2011
Regular Meeting

Communication
Re: Letter of Termination for Town Attorney Julio Morejon, Esq.



DEC 20 2011

4B

OFFICE OF THE MAYOR
428 • 60th Street, West New York, New Jersey 07093

Felix Roque, M.D.
Mayor

Phone: 201.295.5100
Fax: 201.861.2797

December 6, 2011

Dear Mr. Julio Morejon:

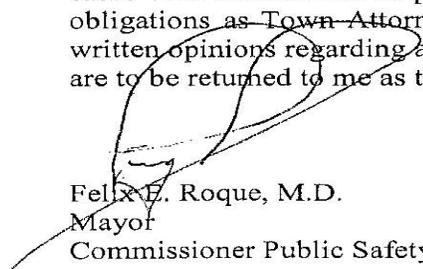
As you know, pursuant to Ordinance 56 (Law Department) of the Town Ordinances, specifically Section 56-2(A), you were appointed as Town Attorney by Resolution of the Board of Commissioners. As you know, by Resolution, I am the Commissioner who directs the Law Department and thus, the authority to appoint you or remove you vests in me.

The Rules of Ethics governing attorneys in the State of New Jersey rule and control the attorney-client relationship between you and the Town. As you know, such relationship can be terminated at any time by the Town or by you. Furthermore, there is no written employment contract or a retainer agreement for rendering legal services to the Town between you and the Town and you do not have civil service or tenure qualifications.

Your appointment under the Town Ordinance is not for a fixed term as for example, is the appointment of the Assistant Town Attorney. Your attorney-client relationship with the Town is controlled by the Rules of Attorney Ethics and the Town Ordinance. With that in mind, I alert you to your duty of confidentiality pursuant to Rule of Ethics 1.6 and your duties to former clients and successive government and private employment under Professional Rule of Ethics 1.9 and 1.11. These rules of ethics are to be strictly complied with.

In accordance with my responsibilities and duties under Section 56.9, I am hereby advising you that your prior appointment as Town Attorney is terminated and you are removed from the position. Your termination is effective immediately.

Finally, following the clear language and meaning of Section 56.4, I ask that you adhere to your record keeping obligations and deliver to the Town the files of all cases; the docket of all cases with the abstract of proceedings of said cases that have been entered by you under your obligations as Town Attorney; and I also request that you provide me with copies of all your written opinions regarding all issues in which you have rendered such opinions. Such documents are to be returned to me as the Commissioner of the Public Affairs Department.


Felix E. Roque, M.D.
Mayor
Commissioner Public Safety

Lead By Example

December 20, 2011
Regular Meeting

Communication
Re: Letter of Appointment of Town Attorney Gilberto M. Garcia, Esq.



DEC 20 2011

111
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OFFICE OF THE MAYOR
428 • 60th Street, West New York, New Jersey 07093

Felix Roque, M.D.
Mayor

Phone: 201.295.5100
Fax: 201.861.2797

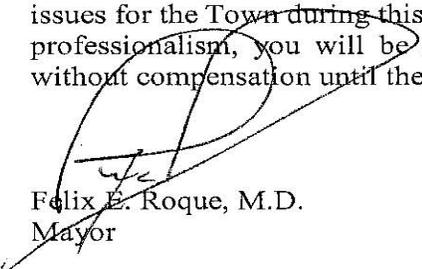
December 6, 2011

Dear Mr. Gilberto Garcia:

This is to inform you that I am the Director of the Law Department. Pursuant to the powers vested in me, I am hereby advising you that you are retained as Town Attorney for the Municipality of West New York. As has been the custom under this Administration, such appointment is completed by Resolution of the Board of Commissioners. We intend to present that resolution for approval on the public meeting that will be held on December 19, 2011.

In the mean time, due to the complexity of legal issues present in the Town and so that you can acclimatize with your position, I am appointing you Town Attorney during this transitional period between today and the date of the public meeting.

Under the administrative powers vested in me, you have all the authority to handle legal issues for the Town during this transitional period. I understand that through your generosity and professionalism, you will be spending time attending to the legal issues of the municipality without compensation until the resolution is passed at the December 19, 2011 public meeting.


Felix E. Roque, M.D.
Mayor

Lead By Example

December 20, 2011
Regular Meeting

Consent Agenda

It was regularly moved by Mayor Roque, 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, R-13, R-14, R-15, R-16, R-17, R-18, R-19, R-20 R-21, R-22, R-23, R-24, R-25, R-26, R-27, R-28, R-29, R-30, R-31, R-32, R-33, R-34, R-35, R-36, R-37, R-38, R-39, R-41, R-42, R-43, R-44, R-45, R-46, R-47, R-48, R-49, R-50, R-51, R-52 & R-53 be adopted, was carried by the following vote:

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

Note: **Town Clerk Carmela Riccie read the titles and item numbers included on the Consent Agenda.**

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF ALEXANDER PALACIOS V. TOWN OF WEST NEW YORK
BLOCK 96, LOT 8
TAX COURT OF NEW JERSEY
DOCKET NO. 013165-2009

WHEREAS, Alexander Palacios is owner/taxpayer of property located at 5220 Bergenline Avenue, identified as Block 96, Lot 8, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 013165-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Alexander Palacios, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector;

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF CIMA BUILDING V. TOWN OF WEST NEW YORK
BLOCK 49, LOT 8
TAX COURT OF NEW JERSEY
DOCKET NO. 008321-2009

WHEREAS, CIMA Building, is the owner/taxpayer of property located at 6112 Palisade Avenue, identified as Block 49, Lot 8, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 008321-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by CIMA Building, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF 59th & PALISADES HOTEL, INC V. TOWN OF WEST NEW YORK
BLOCK 66, LOT 29
TAX COURT OF NEW JERSEY
DOCKET NOS. 014831-2010

WHEREAS, 59th & Palisades Hotel, Inc., is the owner/taxpayer of property located at 332 59th Street, identified as Block 66, Lot 29, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax year 2010, under Docket Number 014831; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by 59th & Palisades Hotel, Inc., pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF 6025 BERGENLINE AVE % CENTURY MGMT V. TOWN OF WEST NEW YORK
BLOCK 135, LOT 9
TAX COURT OF NEW JERSEY
DOCKET NOS. 006951-2009 AND 014829-2010

WHEREAS, 6025 Bergenline Ave % Century Mgmt, is the owner/taxpayer of property located at 6023-25 Bergenline Ave, identified as Block 135, Lot 9, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax years 2009 and 2010, under Docket Numbers 006951-2009 and 014829-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by 6025 Bergenline Ave % Century Mgmt, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF 6600 RIVER RD ASSOC LLC V. TOWN OF WEST NEW YORK
BLOCK 167, LOT 1
TAX COURT OF NEW JERSEY
DOCKET NO. 009227-2008

WHEREAS, 6600 River Rd Assoc LLC, is the owner/taxpayer of property located at 6600 Hillside Road, identified as Block 167, Lot 1, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax year 2008, under Docket Number 009227-2008; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by 6600 River Rd Assoc LLC, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF MS 429 52ND LLC V. TOWN OF WEST NEW YORK
BLOCK 98, LOT 11
TAX COURT OF NEW JERSEY
DOCKET NO. 018095-2010

WHEREAS, MS 429 52nd LLC, is the owner/taxpayer of property located at 429 52nd Street, identified as Block 98, Lot 11, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax year 2010, under Docket Number 018095-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by MS 429 52nd LLC, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF HALIFAX HALL V. TOWN OF WEST NEW YORK
BLOCK 1, LOT 27
TAX COURT OF NEW JERSEY
DOCKET NOS. 010191-2009, 009327-2010 AND 001173-2011

WHEREAS, Halifax Hall, is the owner/taxpayer of property located at 6701 Blvd East, identified as Block 1, Lot 27, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax years 2009, 2010 and 2011, under Docket Numbers 010191-2009, 009327-2010 and 001173-2011; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Halifax Hall, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF ARAM REALTY, INC C/O ELDA MORGAN V. TOWN OF WEST NEW YORK
BLOCK 107, LOT 34
TAX COURT OF NEW JERSEY
DOCKET NOS. 016717-2009 AND 017793-2010

WHEREAS, Aram Realty, Inc c/o Elda Morgan, is the owner/taxpayer of property located at 4907 Bergenline Avenue, identified as Block 107, Lot 34, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax years 2009 and 2010, under Docket Numbers 016717-2009 and 017793-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Aram Realty, Inc c/o Elda Morgan, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF SHAKESPEARE V. TOWN OF WEST NEW YORK
BLOCK 35, LOT 25
TAX COURT OF NEW JERSEY
DOCKET NOS. 002752-2008; 000541-2009 AND 008460-2010

WHEREAS, Shakespeare, is the owner/taxpayer of property located at 6051 Boulevard East, identified as Block 35, Lot 25, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax years 2008, 2009 and 2010, under Docket Numbers 002752-2008; 000541-2009 and 008460-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Shakespeare, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF KAHN DECORATORS, INC. V. TOWN OF WEST NEW YORK
BLOCK 135, LOT 8.01
TAX COURT OF NEW JERSEY
DOCKET NOS. 013828-2009 AND 015807-2010

WHEREAS, Kahn Decorators, Inc., is the owner/taxpayer of property located at 4907 Bergenline Avenue, identified as Block 135, Lot 8.01, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax years 2009 and 2010, under Docket Numbers 013828-2009 and 015807-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Kahn Decorators, Inc., pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF LAWRENCE BLUMBERG V. TOWN OF WEST NEW YORK
BLOCK 151, LOT 9
TAX COURT OF NEW JERSEY
DOCKET NO. 015829-2010

WHEREAS, Lawrence Blumberg, is the owner/taxpayer of property located at 6306 Madison Street, identified as Block 151, Lot 9, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax year 2010, under Docket Number 015829-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Lawrence Blumberg, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF TED FINKELTHAL AND YVONNE FINKELTHAL
V. TOWN OF WEST NEW YORK
BLOCK 67, LOT 1
TAX COURT OF NEW JERSEY
DOCKET NO. 013219-2009

WHEREAS, Ted Finkelthal and Yvonne Finkelthal are the owners/taxpayers of property located at 5900-5904 Bergenline Avenue, identified as Block 67, Lot 1, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 013219-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Ted Finkelthal and Yvonne Finkelthal, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF CELTA REALTY, LLC, V. TOWN OF WEST NEW YORK
BLOCK 12, LOT 15
TAX COURT OF NEW JERSEY
DOCKET NO. 013212-2009

WHEREAS, Celta Realty, LLC, is the owner/taxpayer of property located at 6501 Broadway, identified as Block 12, Lot 15, on the Tax Assessment Map for the Town of West New York, which filed an appeal against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 013212-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Celta Realty, LLC, pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF JOSE M. TEJADA, V. TOWN OF WEST NEW YORK
BLOCK 40, LOT 6
TAX COURT OF NEW JERSEY
DOCKET NO. 014699-2010

WHEREAS, Jose M. Tejada, is the owner/taxpayer of property located at 127 62nd St., identified as Block 40, Lot 6, on the Tax Assessment Map for the Town of West New York, who filed an appeal against the Town of West New York, with the Tax Court of New Jersey, for tax year 2010, under Docket Number 014699-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Jose M. Tejada, pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF WEST NEW YORK PROP NJ, LLC (YNK CONSULTING INC.)
V. TOWN OF WEST NEW YORK
BLOCK 96, LOT 35
TAX COURT OF NEW JERSEY
DOCKET NO. 013215-2009

WHEREAS, West New York Prop NJ, LLC (YNK Consulting Inc.), is the owner/taxpayer of property located at 426 52nd Street, identified as Block 96, Lot 35, on the Tax Assessment Map for the Town of West New York, who filed an appeal against the Town of West New York, with the Tax Court of New Jersey, for tax year 2010, under Docket Number 013215-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by West New York Prop NJ, LLC (YNK Consulting Inc.), pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF 6409 BROADWAY LLC, V. TOWN OF WEST NEW YORK
BLOCK 23, LOT 12
TAX COURT OF NEW JERSEY
DOCKET NO. 013216-2009

WHEREAS, 6409 Broadway LLC, is the owner/taxpayer of property located at 6409 Broadway, identified as Block 23, Lot 12, on the Tax Assessment Map for the Town of West New York, who filed an appeal against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 013216-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by 6409 Broadway LLC, pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF OSCAR AND PILAR SEGOVIA, V. TOWN OF WEST NEW YORK
BLOCK 61, LOT 32.02
TAX COURT OF NEW JERSEY
DOCKET NO. 013021-2009

WHEREAS, Oscar and Pilar Segovia, are the owners/taxpayers of property located at 220 59th Street, identified as Block 61, Lot 32.02, on the Tax Assessment Map for the Town of West New York, who filed an appeal against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 013021-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Oscar and Pilar Segovia, pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF QING C. LING AND LING CHENG PIK, V. TOWN OF WEST NEW YORK
BLOCK 19, LOT 29
TAX COURT OF NEW JERSEY
DOCKET NO. 013015-2009

WHEREAS, Qing C. Ling and Ling Cheng Pik, are the owners/taxpayers of property located at 6411-09 Blvd. East, identified as Block 19, Lot 29, on the Tax Assessment Map for the Town of West New York, who filed an appeal against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 013015-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Qing C. Ling and Ling Cheng Pik, pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF NANCY AND JOHN SMIT, V. TOWN OF WEST NEW YORK
BLOCK 163, LOT 14
TAX COURT OF NEW JERSEY
DOCKET NO. 013017-2009

WHEREAS, Nancy and John Smit, is the owner/taxpayer of property located at 588 66th Street, identified as Block 163, Lot 14, on the Tax Assessment Map for the Town of West New York, who filed an appeal against the Town of West New York, with the Tax Court of New Jersey, for tax year 2009, under Docket Number 013017-2009; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Nancy and John Smit, pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF JOSEPH BROS EMBROIDERY CORP. V. TOWN OF WEST NEW YORK
BLOCK 122, LOT 5
TAX COURT OF NEW JERSEY
DOCKET NOS. 012041-2009 AND 015995-2010

WHEREAS, Joseph Bros Embroidery Corp., is the owner/taxpayer of property located at 5518 Kennedy Blvd., identified as Block 122, Lot 5, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax years 2009 and 2010, under Docket Numbers 012041-2009 and 015995-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Joseph Bros Embroidery Corp., pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

RESOLUTION
RE: AUTHORIZING SETTLEMENT
OF BERNARD AND JAN AND BURTON JOSEPHS V. TOWN OF WEST NEW YORK
BLOCK 53, LOT 11
TAX COURT OF NEW JERSEY
DOCKET NOS. 012038-2009 AND 015996-2010

WHEREAS, Bernard and Jan and Burton Josephs, are the owners/taxpayers of property located at 6030 Monroe Place, identified as Block 53, Lot 11, on the Tax Assessment Map for the Town of West New York, who filed appeals against the Town of West New York, with the Tax Court of New Jersey, for tax years 2009 and 2010, under Docket Numbers 012038-2009 and 015996-2010; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Town Tax Assessor, Sal Bonaccorsi, and Assistant Tax Assessor, Michael Jaeger, have reviewed the above settlement proposals and have agreed to same and have joined in with the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlements are fair and equitable.

NOW, THEREFORE, BE IT RESOLVED that the Town Assistant Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Stipulation of Settlement (attached hereto) agreeing to settle the tax appeal filed by Bernard and Jan and Burton Josephs, pertaining to the above-captioned matters; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Assistant Counsel, and the Town Tax Collector; and

NOTE: STIPULATIONS OF SETTLEMENT REGARDING ALL TAX RESOLUTIONS ARE ATTACHED TO END OF MINUTES.

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Appointment of David Rivera as Member of the Zoning Board of Adjustment of the Town of West New York to fill the unexpired term of Joseph Rodriguez, which term expires on 10/5/14

WHEREAS, a vacancy exists on the Zoning Board of Adjustment of the Town of West New York by virtue of the resignation of Joseph Rodriguez; and

WHEREAS, David Rivera, who resides at 158 – 59th Street, is a resident of the Town of West New York; and

WHEREAS, David Rivera is available to serve on the Zoning Board of Adjustment;

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

1. David Rivera is appointed to serve as Member of the Zoning Board of Adjustment of the Town of West New York, to fill the unexpired term of Joseph Rodriguez, who resigned, which term expires on October 5, 2014.
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: Appointment of Pedro L. Marrero as a Member of the Zoning Board of Adjustment of the Town of West New York (Term: 12/20/11-12/19/14)

WHEREAS, a vacancy exists on the Zoning Board of Adjustment of the Town of West New York; and

WHEREAS, Pedro L. Marrero, who resides at 6104 Bergenline Avenue (Apt. 2) is a resident of the Town of West New York; and

WHEREAS, Pedro L. Marrero is available to serve on the Zoning Board of Adjustment;

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

1. Pedro L. Marrero is appointed to serve as an Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on December 20, 2011 to December 19, 2014.
2. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk.

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION

Re: Appointment of Nelly Vazquez as Member of the Zoning Board of Adjustment of the Town of West New York to fill the unexpired term of Michelle Irimia, which term expires on 12/31/12

WHEREAS, a vacancy exists on the Zoning Board of Adjustment of the Town of West New York by virtue of the resignation of Joseph Rodriguez; and

WHEREAS, Nelly Vazquez, who resides at 35-66th Street (Apt. 2), is a resident of the Town of West New York; and

WHEREAS, Nelly Vazquez is available to serve on the Zoning Board of Adjustment; NOW, THEREFORE, be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. Nelly Vazquez is appointed to serve as Member of the Zoning Board of Adjustment of the Town of West New York, to fill the unexpired term of Michelle Irimia, who resigned, which term expires on December 31, 2012.
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: Appointment of Ramon E. Morejon as an Alternate Member of the Zoning Board of Adjustment of the Town of West New York (Term: 12/20/11-12/19/14)

WHEREAS, a vacancy exists on the Zoning Board of Adjustment of the Town of West New York; and

WHEREAS, Ramon E. Morejon is a resident of the Town of West New York; and

WHEREAS, Ramon E. Morejon is available to serve on the Zoning Board of Adjustment;

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

1. Ramon E. Morejon is appointed to serve as an Alternate Member of the Zoning Board of Adjustment of the Town of West New York, for a term commencing on December 19, 2011 to December 18, 2014.
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: Appointment of Deputy Town Clerk

WHEREAS, the Town of West New York requires a Deputy Town Clerk to assist the Town Clerk in her duties and to act as Town Clerk in the absence of the Town Clerk Carmela Riccio for such time and period as Carmela Riccio may be absent due to vacation, sick days or other reasons and;

WHEREAS, pursuant to N.J.S.A. 40A:9-135 and Ordinance No. 784, the town has established the position of Deputy Town Clerk and

WHEREAS; the term of the deputy Town Clerk is for a period of three years and the position is currently vacant and;

WHEREAS, Yesenia DelRio has demonstrated the ability to perform the duties of Deputy Town Clerk.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that Yesenia DelRio is hereby appointed Deputy Town Clerk for a three year term to take effect January 1, 2012.

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution

**Re: Establishing restricted parking in front of one
(1) residence for use by handicapped resident as follows:
6415 Broadway, West New York (Wilmer Manzano)**

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> |
|--|-------------|--|
| Wilmer Manzano 6415 Broadway West New York, NJ | West | Begin at a point along the West side of Broadway and 65 th Street, 25 ft South from Southwest corner of (65 th Broadway), then 22 feet there from. |

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

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

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

Resolution

Re: Commission Meeting Dates for 2012

WHEREAS, Chapter 231 Laws of 1975 known as "The Open Public Meeting Law" effective January 19, 1976 was enacted so as to insure the right of all citizens to have advance notice of and to attend all meetings of public bodies at which any business effecting the public is discussed or acted upon; and

WHEREAS, all meetings of all public bodies wherein formal action, decision or discussion relating to the public business may take place, are required to be publicly announced and scheduled, with adequate posting and advance notice of the time, date, location and to the extent known, the purpose of the agenda of each meeting; and

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

1. All Boards, Commissions, Authorities, Bodies of other entities of the Town of West New York coming within the scope and intent of said statute shall comply with same, according to the terms thereof.
2. The following are designated as meetings of the Mayor and Board of Commissioners of the Town of West New York, New Jersey at which public business may be formally discussed, decided or acted upon.
3. This Resolution will be advertised in accordance with the law.

December 20, 2011
Regular Meeting

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

Year 2012

| <u>Date</u> | <u>Work Session Time</u> | <u>Meeting Time</u> | <u>Purpose/Agenda</u> |
|--------------------------|--------------------------|---------------------|-----------------------------|
| January 18 (Wednesday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| February 15 (Wednesday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| March 21 (Wednesday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| April 18 (Wednesday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| May 16 (Wednesday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| June 20 (Wednesday) | No Work session | 12:00 Noon | any and all public business |
| July 18 (Wednesday) | No work session | 12:00 Noon | any and all public business |
| August 15 (Wednesday) | No work session | 12:00 Noon | any and all public business |
| September 19 (Wednesday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| October 17 (Wednesday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| November 19 (Monday) | 6:00 p.m. | 7:00 p.m. | any and all public business |
| December 17 (Monday) | 6:00 p.m. | 7:00 p.m. | any and all public business |

Location for Work Session Meetings:

Municipal Building (Conference Room located in Mayor's Office)
428 – 60th Street, WNY, NJ 07093

Location for Regular Session Meetings:

Municipal Building (Court Chambers located on Second Floor)
428 – 60th Street, WNY, NJ 07093

Resolution
Re: Authorizing the sale of various
Town Owned Properties (Automobiles)

WHEREAS, the Town of West New York is the Owner of certain automobiles not needed for public use; 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.

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

1. The properties listed on the attached list (individually and collectively “properties” or “property”) are hereby deemed not to be no longer needed for public use and are to be
2. auctioned pursuant N.J.S.A. 40A:11-36.

December 20, 2011
Regular Meeting

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

3. 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.
4. The Municipal Administrator or his designee is and they are appointed as agent of the Town in regards to the conduct of the auction.
5. The following is a list and description of the vehicles to be sold:

| NJ REG | VIN | MAKE, MODEL, AND COLOR | DEPT | LOCATION |
|------------|---------------------|---------------------------|----------------|-------------------|
| 1. PFX71N | 2FALP71W2TX185202 | 1996 FORD CROWN VIC BLACK | POLICE | TOWN GARAGE |
| 2. | 2FAFP71W0XX162942 | 1999 FORD CROWN VIC BLACK | POLICE | TOWN GARAGE |
| 3. MG84485 | 1FDKE30M0LHB12667 | 1990 FORD AMBULANCE WHITE | POLICE | TOWN GARAGE |
| 4. SSC12G | 2G1WS551069345569 | 2007 CHEVY IMPALA BLACK | POLICE | TOWN GARAGE |
| 5. U6914 | JKAKZCP22XB516750 | 1999 KAWASAKI MOTORCYCLE | POLICE 6 | MOTORCYCLE GARAGE |
| 6. U6912 | JKAKZCP21XB516786 | 1999 KAWASAKI MOTORCYCLE | POLICE 7 | MOTORCYCLE GARAGE |
| 7. U6913 | JKAKZCP24XB516751 | 1999 KAWASAKI MOTORCYCLE | POLICE 8 | MOTORCYCLE GARAGE |
| 8. U6911 | JKAKZCP24XB516779 | 1999 KAWASAKI MOTORCYCLE | POLICE 9 | MOTORCYCLE GARAGE |
| 9. MG35024 | 1J4FJ38L0LL281995 | 1990 JEEP CHEROKEE WHITE | SIGNAL 9 | TOWN GARAGE |
| 10.MG29741 | 1GTHK34R3XF033718 | 1999 GMC PICKUP BLUE | DPW 54 | TOWN GARAGE |
| 11.MG92TD | 2J4FY29S6MJ123129 | 1991 JEEP WRANGLER WHITE | PARKING AUTH | TOWN GARAGE |
| 12.MG42222 | 2B4GP25G4YR866441 | 2000 DODGE CARAVAN GREY | PUBLIC AFFAIRS | TOWN GARAGE |
| 13. | 1FMPU18L5WLA69325 | 1998 FORD EXPEDITION RED | POLICE | POLICE POUND |
| 14. | 1G6DW69Y0G9746064 | 1986 CADILLAC GOLD | POLICE | POLICE POUND |
| 15. | 1G3AL54N5N5N6401286 | 1992 OLDSMOBILE WHITE | POLICE | POLICE POUND |

Resolution

Re: Authorizing the Town of West New York to seek Fair and Open Process in compliance with the Pay to Play Statutes for the retention of Various Legal/Professional Services

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

Whereas the Mayor and Board of Commissioners wish to receive and consider proposals for legal services as may be needed by the Town of West New York, including but not limited to legal/professional services as:

- A.B.C. Board Prosecutor
- Bond Counsel
- Auditing Services
- Internal Accounting Services
- Labor Counsel
- Legal/Liability Attorney/Special Counsel
- Legal/Liability Counsel
- Municipal Prosecutor
- Planning Board Attorney
- Professional Planning Services
- Public Defender

December 20, 2011
Regular Meeting

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

- Rent Control Board Attorney
- Tenants Advocacy Attorney
- Town Engineer
- Tax Attorney
- Workmen's Compensation Attorney
- Zoning Board Attorney
- Plan Administrator for Deferred Compensation for Town Employees
- Web Design Consulting Services

Whereas, the Town has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of proposals and qualifications for professional services, including legal/professional services,

Now therefore be it resolved by the Mayor and Board of Commissioners of the Town of West New York as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Qualifications for the for various legal/professional services as may be needed by the Town, for each separate board or entity requiring separate legal counsel including but not limited to:
 - A.B.C. Board Prosecutor
 - Bond Counsel
 - Auditing Services
 - Internal Accounting Services
 - Labor Counsel
 - Legal/Liability Attorney/Special Counsel
 - Legal/Liability Counsel
 - Municipal Prosecutor
 - Planning Board Attorney
 - Professional Planning Services
 - Public Defender
 - Rent Control Board Attorney
 - Tenants Advocacy Attorney
 - Town Engineer
 - Tax Attorney
 - Workmen's Compensation Attorney
 - Zoning Board Attorney
 - Plan Administrator for Deferred Compensation for Town Employees
 - Web Design Consulting Services
3. Such Request for Qualification(s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance of the opening of the responses to the Requests for Qualifications received ("Statements of Qualifications"), such opening to take place on or before the next regularly scheduled meeting of the Board of Commissioners, on or before which time all Statements of Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and
4. A Review Committee is established consisting of the Mayor as Director of the Department of Public Safety, the Municipal Administrator, and the Town Attorney, as appropriate, to review all Statements of Qualifications and to make recommendations to the Mayor and Board of Commissioners prior at its next regularly scheduled meeting.

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution

**Re: Authorizing the Award of a “Non-Fair and Open Contract”
for: “Substance Abuse Prevention and Education Program Services”**

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

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

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

Whereas, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

Whereas, the anticipated term of this contract is one (1) year (01/1/2012 through 12/31/2012) and may be extended at the discretion of the governing body; and

Whereas, PRS Consultants, Inc., 6 Tuscany Circle, Manchester, NJ 08759 and its appropriate affiliates has submitted a proposal indicating they will provide the substance abuse prevention and education program services for \$36,000.00; and

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

Whereas, a certificate of availability of funds has been filed by the Chief Financial Officer with the Town Clerk’s Office, which certification specifies the exact line item appropriation as CY 2012 Municipal Alliance, which item is to be charged;

Whereas, this contract has been awarded through a non-fair and open process because pursuant to N.J.S.A. 19:44A-20.5, the PRS Consultants, Inc., having timely submitted C. 271 Political Contribution Disclosure Form in the required form and the contract to be awarded shall include a provision prohibiting PRS Consultants, Inc., from making reportable contributions during the term of the contract as required by the Pay to Play Law, N.J.S.A. 19:44A-20.5 et sec and

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

1. The Mayor is hereby authorized Mayor to enter into a contract with PRS Consultants, Inc. as described herein.

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

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

December 20, 2011
Regular Meeting

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

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

Resolution

Re: Interlocal Agreement between the Town of West New York and the West New York Board of Education for use of Blackboard Connect System

WHEREAS, the Town of West New York requires the use of the West New York Board of Education's blackboard connect system in order to communicate with participants in Recreation Department Programs; and

WHEREAS, the West New York Board of Education has the capability to permit the WNY Recreation Department to utilize the blackboard direct system; and

WHEREAS, the Town has entered into an agreement for a period of one (1) year with the Board for the use of the aforementioned system for its Recreation Program; and

WHEREAS, N.J.S.A. 40A:65-4 et seq. allows the Town and the Board to enter into a shared service agreement for the use of the aforementioned system by the Town.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Mayor is authorizes to execute a shared services agreement with the Board of Education for the aforementioned services pursuant to the attached shared services agreement.

Resolution

Re: Interlocal Agreement between the Town of West New York and the West New York Board of Education for use of facilities

WHEREAS, the Town of West New York requires facilities for its juvenile division; and

WHEREAS, the West New York Board of Education has facilities which currently accommodate the West New York Police Department Juvenile Division; and

WHEREAS the Board no longer needs the exclusive use of its garage located at 417 53rd Street, West New York, NJ; and

WHEREAS, the Town has entered into an agreement for a period of one (1) year with the Board for the use of the aforementioned facilities for its West New York Police Department Juvenile Division; and

WHEREAS, N.J.S.A. 40A:65-4 et seq. allows the Town and the Board to enter into a shared service agreement for the use of the aforementioned facility by the Town.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of West New York that the Mayor is authorizes to execute a shared services agreement with the Board of Education for the aforementioned services pursuant to the attached shared services agreement.

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: BUDGET TRANSFERS

BE IT RESOLVED that the proper officers are hereby authorized to make the following Calendar Year 2011 Budget transfers from appropriations which have excess funds within the provision of N.J.S.A. 40A:4-58:

| | <u>Transferred From</u> | <u>Transfer To</u> |
|------------------------------------|-------------------------|--------------------|
| Collection of Taxes O/E | \$ 15,000.00 | |
| UEZ O/E | \$ 30,000.00 | |
| Group Insurance O/E | \$ 166,500.00 | |
| Office of Emergency Management S/W | \$ 16,500.00 | |
| Director of Public Affairs O/E | | \$ 41,000.00 |
| Uniform Construction Code O/E | | \$ 19,000.00 |
| Director of Public Safety S/W | | \$ 37,000.00 |
| Police Department S/W | | \$ 45,000.00 |
| Director of Public Works S/W | | \$ 12,000.00 |
| Uniform Fire Safety S/W | | \$ 6,000.00 |
| Garbage & Trash – Contractual | | \$ 50,000.00 |
| Assessment of Taxes O/E | | \$ 11,000.00 |
| Fire Hydrant Rental O/E | | \$ 7,000.00 |
| Total | \$ 228,000.00 | \$ 228,000.00 |

Resolution
Re: Appointment of Gilberto M. Garcia, Esq.
as Town Attorney
(Term: 12/20/11 to 12/19/12)

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York that Gilberto M. Garcia, Esq., 21 Main Street Hackensack, NJ be and is hereby appointed as Town Attorney for the Town of West New York for the following term: 12/19/11 to 12/18/11. Salary shall be in accordance with the Salary Ordinance. The Town Attorney is under the direction of the Public Safety Dept. as per resolution adopted on 5/17/11.

RESOLUTION
RE: AUTHORIZING IMPLEMENTATION OF A SECTION 125 FLEXIBLE BENEFITS
PLAN FOR THE PURPOSE OF OFFERING PRE-TAX EMPLOYEE PREMIUM
CONTRIBUTIONS AND FLEXIBLE SPENDING ACCOUNTS FOR THE
TOWN OF WEST NEW YORK

WHEREAS, the Town of West New York has employees rendering valuable services,
and

WHEREAS, providing an employer sponsored Flexible Benefits Plan to allow employees the opportunity to pre-tax qualified group insurance premium contributions, as well as, voluntary insurance premiums, deducted through payroll hereby saving Federal and FICA taxes.

WHEREAS, providing an opportunity for employees to elect to participate in Flexible Spending Accounts for Medical Expense Reimbursement and Dependent Care Expense Reimbursement and have contributions deducted pre-tax through payroll hereby saving Federal and FICA taxes.

WHEREAS, Colonial Life & Accident Insurance Company provides a discounted fee schedule for Section 125 Flexible Spending Account services through their Strategic Alliance Partner - Third Party Administrator, at no final employer cost after employer matching FICA

December 20, 2011
Regular Meeting

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

payroll tax savings with sufficient employee participation as a value added benefit to offering Colonial Life & Accident Insurance Company benefits and services to employees on a voluntary basis at no employer cost.

WHEREAS, providing an opportunity for the employer to obtain said Section 125 Flexible Benefits Plan documents consisting of 1) Section 125 Flexible Benefits Plan Document, 2) Adoption Resolution, 3) SPD (Summary Plan Description) and 4) Employee Enrollment Election Forms at no final cost to the Town of West New York after employer matching FICA payroll tax savings with sufficient employee participation,

WHEREAS, providing an opportunity for the Town of West New York to save matching FICA payroll taxes on all employee elective pre-tax plan contributions, premiums and premium contributions which are payroll deducted on a pre-tax basis through the Section 125 Flexible Benefits Plan hereby saving the Town of West New York 7.65% of all pre-taxed plan contributions, premiums and premium contributions,

NOW, THEREFOR, BE IT RESOLVED that the Town of West New York hereby recognizes and authorizes Colonial Life & Accident Insurance Company to provide a Section 125 Flexible Benefits Plan through our Strategic Alliance Partner - Third Party Administrator, for its employees.

BE IT FURTHER RESOLVED the Town of West New York hereby recognizes and authorizes payment of discounted administrative fees to TASC (Total Administrative Services Corporation) as a Third Party Administrator in the following amounts: 1) \$0.00 Initial Account Setup Fee, 2) \$0.00 Annual Renewal Fee and 3) \$4.00 per month per participant fee with a minimum total monthly fee of \$60.00 as per the attached RFP.

BE IT FURTHER RESOLVED the Town of West New York hereby recognizes and authorizes Colonial Life & Accident Insurance Company representatives to enroll its employees in their pre-tax elections by means of Colonial's electronic enrollment systems with electronic signatures, the results of which will be provided back to the municipality for its records and payroll deduction implementation.

BE IT FURTHER RESOLVED the Town of West New York hereby recognizes and authorizes that these enrollment meetings be mandatory for Section 125 and ERISA compliance and consist of group and individual meetings for all benefit eligible employees and which are to be conducted at the worksite during normal working hours and further agrees to provide a complete "site" listing of all employment locations with the number of employees working at each to help determine enrollment schedule and that a roster of employees will be provided and checked against the attendees by an employer representative for all meetings.

BE IT FURTHER RESOLVED the Town of West New York agrees to instruct its managers and supervisors to fully support such mandatory group and individual employee meetings for their subordinates and will wholeheartedly support and encourage employee attendance of said meetings.

BE IT FURTHER RESOLVED the Town of West New York hereby agrees to provide Colonial representatives with a complete employee census and premium or COBRA equivalent premium rates for all benefit plans to be enrolled in a timely manner, which information will be loaded on Colonial's systems solely for employee enrollment purposes.

BE IT FURTHER RESOLVED that the Section 125 Enrollment period will run concurrent with the Open Enrollment period for Colonial Life which shall be in effect from January 1, 2012 and have a plan effective date of January 1, 2012.

BE IT FURTHER RESOLVED that such payroll deductions for participation in Section 125 pre-tax premiums shall take effect with the first payroll after January 3, 2012.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the following:

- 1, Colonial Life & Accident Insurance Company
Benjamin Gallo
17 Brant Avenue, Suite 5
Clark NJ 07066

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
RE: AUTHORIZING VOLUNTARY PAYROLL DEDUCTION BY TOWN
EMPLOYEEES FOR THE PURPOSE OF ADDITIONAL SUPPLEMENTAL
INSURANCE AT NO COST TO THE TOWN OF WEST NEW YORK

WHEREAS, the Town of West New York has employees rendering valuable services,
and

WHEREAS, providing an opportunity for employees to purchase services provided by Colonial Life & Accident Insurance Company through a payroll deduction of which will be on a voluntary basis and could be beneficial to employees at no cost to the Town of West New York,

WHEREAS, providing an opportunity for the employer to obtain valuable communication and enrollment services provided by Colonial Life & Accident Insurance Company and its representatives and could be beneficial to the employer as well as the employees at no cost to the Town of West New York,

NOW, THEREFOR, BE IT RESOLVED that the Town of West New York hereby recognizes and authorizes a payroll deduction for Colonial Life & Accident Insurance Company.

BE IT FURTHER RESOLVED that payroll deductions for Colonial Life & Accident Insurance Company will replace the incumbent supplemental insurance payroll deductions and carrier so as to not create opportunity for duplicity of coverage or burden the payroll administration requirement of the Town of West New York while employees may continue these coverages on an individual basis direct with the incumbent supplemental carrier should they decide to do so.

BE IT FURTHER RESOLVED that the Open Enrollment period for Colonial Life & Accident Insurance Company shall be in effect from January 1, 2012 until December 31, 2012 and have a coverage effective date of January 1, 2012.

BE IT FURTHER RESOLVED that such payroll deductions for participation in Colonial Life & Accident Insurance Company shall take effect with the first payroll after January 3, 2012.

BE IT FUTHER RESOLVED that copies of this Resolution are forwarded to the following:

- 1, Colonial Life & Accident Insurance Company
Benjamin Gallo
17 Brant Avenue, Suite 5
Clark, NJ

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution
Re: Appointing a Fund Commissioner
and Alternate 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 individuals be appointed, effective January 1, 2012, to serve as representatives to the New Jersey Municipal Self Insurers' Joint Insurance Fund:

1. Fund Commissioner: Ernesto Munoz
2. Alternate Fund Commissioner: Nelson Diaz

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, the fund commissioner and the alternate fund commissioner.

Resolution
Re: Appointing a Safety Delegate and Alternate Safety Delegate

Be it resolved by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, that the following individuals be appointed to serve as representatives to the New Jersey Municipal Self Insurers' Joint Insurance Fund:

Safety Delegate: Silvio Acosta
Alternate Safety Delegate: Joseph Rodriguez

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, the Safety Delegate and the Alternate Safety Delegate.

Resolution
Designating Municipal Depositories

BE IT RESOLVED, that the Bank and Banking Institutions listed and designated below, be, and they are hereby designated as the only depositories of all public monies of the Town of West New York, and the Director of Revenue and Finance, Chief Financial Officer, Tax Collector, Town Clerk, Municipal Judge, Court and Violations Clerk and any and all other officials, employees and Departments of the Town of West New York holding, collecting or receiving any funds or monies are hereby directed to deposit same in said named depositories, and designated by the appropriate Director of the Department involved, and depositories being:

Bank of America
TD Bank
Capital One Bank
Provident Savings Bank
Valley National Bank

BE IT FURTHER RESOLVED that any prior resolution or parts of resolutions inconsistent with the provisions of this resolution are hereby rescinded and repealed to the extent of such inconsistency.

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Abolishment of Petty Cash account

WHEREAS, pursuant to NJSA 40A:5-21 the Town of West New York has established a Petty Cash Fund for the purpose of administering costs that may otherwise interfere with and cause unreasonable delays in the payment of Bills; and

WHEREAS, it is no longer necessary and in the financial interests of the Town to maintain a Petty Cash Account; and

WHEREAS, the Town desires to control the expenditure of funds for the benefit of taxpayers.

NOW, THEREFORE BE IT RESOLVED that the Petty Cash Account is hereby abolished and all expenditures will be made in accordance with the rules and regulations governing municipalities.

Resolution

**Re: Authorizing the Town Clerk to advertise
to receive bids for "Snow Removal" on Friday, January 13, 2012 at 10:00 a.m.**

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: "Snow Removal" for the Town of West New York on Friday, January 13, 2012 at 10:00 a.m. in Town Clerk's Office in accordance with specifications on file in the Town Clerk's Office.

RESOLUTION

**Re: APPOINTMENT OF MAYOR FELIX E. ROQUE AS MEMBER OF THE
MANAGEMENT COMMITTEE OF THE
NORTH HUDSON REGIONAL FIRE & RESCUE
(January 1, 2012 – December 31, 2012)**

WHEREAS, the Town of West New York wishes to appoint a member to the Management Committee of the North Hudson Regional Fire & Rescue; and

WHEREAS, Mayor Felix E. Roque is a resident of the Town of West New York; and

WHEREAS, Mayor Felix E. Roque is qualified and available to complete the required term;

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

1. Mayor Felix E. Roque is appointed to serve as Member of the Management Committee of the North Hudson Regional Fire & Rescue, for the term 1/1/12 – 12/31/12.
2. A copy of this resolution shall be kept on file in the office of the Municipal Clerk.

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution

**Re: Appointment of Commissioner Count Wiley as a
Member of the North Hudson Sewerage Authority**

Whereas, a resolution was adopted on June 15, 2011 appointing Mayor Felix E. Roque as a member of the North Hudson Sewerage Authority; and

Whereas, a vacancy exists due to the resignation of Mayor Roque as a member of the North Hudson Sewerage Authority;

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

1. The following person be appointed as a member of the North Hudson Sewerage Authority to fill the unexpired term of Mayor Felix E. Roque as follows:

Name and Address

Term:

Commissioner Count J. Wiley
6010 Monroe Place
West New York, NJ 07093

Term to expire on 1/31/2015

RESOLUTION

Re: Senior Citizen & Veteran Tax Deductions (\$750.00)

WHEREAS, the listed taxpayers named below are Senior Citizens or Veterans and have applied for and given sufficient evidence to receive a deduction from the 2011 pursuant to N.J.S.A 54:4-8.40.

THEREFORE, be it resolved that said deductions are hereby granted and the Tax Collector is hereby directed to issue refunds for the following amount to the property owners.

| Block | Lot | Name | Address | Exempt | Amount |
|-------|-----|----------------|---------------------|---------|----------|
| 54 | 28 | Pablo Miranda | 6015 Monroe Place | Senior | \$250.00 |
| 57 | 21 | Julius Rotella | 6023 Harrison Place | Veteran | 250.00 |
| 136 | 5 | Gladys Mazon | 6008 Madison Street | Senior | 250.00 |

RESOLUTION

Re: Refunds of Tax Lien Premiums (\$9,900.00)

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

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

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

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

December 20, 2011
Regular Meeting

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

| NAME | BLOCK/LOT | CERT. # | AMOUNT |
|---|-------------------|---------|------------|
| PLYM PK TAX SRVS | 92/12 | 09-126 | \$100.00 |
| TOWER LIEN, LLC | 168.01/8.01 C0103 | 10-259 | \$500.00 |
| STRIB CI, LLC | 82/28 | 10-155 | \$2,900.00 |
| U.S. BANK CUST FOR CCTS CAPITAL, LLC | 7/24 | 10-021 | \$3,500.00 |
| TOWER LIEN, LLC | 10/9.02 | 10-023 | \$2,900.00 |
| GRAND TOTAL | | | \$9,900.00 |

RESOLUTION
RE: Refunds of Redemptions (\$33,082.17)

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

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

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

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

| Name | Block/lot | Cert# | Amount |
|---|-------------------|--------|-------------|
| TOWE LIEN, LLC | 168.01/8.01 C0103 | 10-259 | \$6,420.28 |
| | 10/9.02 | 10-023 | \$14,852.78 |
| PLYM PK. TAX SRVS. | 92/12 | 09-126 | \$6,063.53 |
| STRIB CI, LLC | 82/28 | 10-155 | \$3,639.64 |
| U.S. BANK CUST FOR CCTS CAPITAL, LLC | 7/24 | 10-021 | \$2,105.94 |
| GRAND TOTAL | | | \$33,082.17 |

RESOLUTION
RE: Refunds of Overpayment of Taxes (\$6,101.23)

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.

December 20, 2011
Regular Meeting

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

| NAME | BLOCK/LOT | AMOUNT | YEAR |
|------------------------------|-------------------|----------------|------|
| Corelogic | 109/2 | \$1579.92 | 2011 |
| Perello, Alina | 110/5 C0218 | \$737.50 | 2010 |
| Garces, Oscar | 94/16.02 | \$1003.28 | 2011 |
| Garcia, Carlos R | 130/2 C0203 | \$485.62 | 2010 |
| Parekh, Indravadan & Sudha | 17/12 | \$128.85 | 2011 |
| BAC Tax Services Corp | 33/34 C001D | \$718.03 | 2011 |
| David Park | 168.01/8.01 C0416 | \$697.70 (SVC) | 2011 |
| Diaz-Vinasco, Jorge & Martha | 110/5 C0413 | \$699.02 | 2010 |
| MYERS, LINDA | 19/4 C0012 | \$51.31 | 2008 |
| | Grand Total | \$6,101.23 | |

RESOLUTION

RE: Hudson County Board of Taxation Tax Appeals (\$40,079.67)

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 |
|-------------------------------|-----------|------------|------|
| NASHEL & NASHEL TRUST ACCOUNT | 129/8 | \$1,072.17 | 2011 |
| NASHEL & NASHEL TRUST ACCOUNT | 18/6 | \$6,498.00 | 2011 |
| NASHEL & NASHEL TRUST ACCOUNT | 51/2 | \$3,911.80 | 2011 |
| NASHEL & NASHEL TRUST ACCOUNT | 151/16 | \$1,981.89 | 2011 |
| NASHEL & NASHEL TRUST ACCOUNT | 17/2 | \$1,624.50 | 2011 |
| NASHEL & NASHEL TRUST ACCOUNT | 162/13 | \$948.71 | 2011 |
| NASHEL & NASHEL TRUST ACCOUNT | 67/10 | \$1,949.40 | 2011 |
| NASHEL & NASHEL TRUST ACCOUNT | 31/3 | \$2,599.20 | 2011 |

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

| | | | |
|--|-------|-------------|-------------|
| MICHAEL SCHNECK ATTY FOR THE AUF D'H | 125/7 | \$11,371.50 | 2011 |
| MICHAEL SCHNECK ATTY FOR 6025 BERGENLINE | 135/9 | \$3,898.80 | 2011 |
| MARIA GESUALDI ATTY FOR FIGUEROA | 30/3 | \$2,599.20 | 2011 |
| MARIA GESUALDI ATTY FOR CRUZ, OLINDA & NELSON AMAYA | 63/11 | \$1,624.50 | 2011 |
| | | Grand total | \$40,079.67 |

RESOLUTION

Re: State Court Tax Appeals (\$165,434.90)

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 |
|----------------------------|-----------|--------------|------|
| Lasser Hochman, L.L.C | 139/10 | \$3,653.00 | 2008 |
| Attorney Trust Account | | \$6,927.00 | 2009 |
| Nathan P. Wolf Atty. | 53/29 | \$1,831.17 | 2008 |
| For Hudson Hights, LLC | 53/30 | \$1,986.90 | 2008 |
| | 53/31 | \$2,153.37 | 2008 |
| | 53/32 | \$1,831.17 | 2008 |
| Richard P. De Angelis Jr. | 158/10 | \$903.22 | 2011 |
| Atty. for AF & J Realty | 158/11 | \$903.22 | 2011 |
| | 158/15 | \$33,321.74 | 2011 |
| | 159/15 | \$5,646.76 | 2011 |
| | 158/9 | \$903.22 | 2011 |
| Joseph A. Pojanowski Atty. | 47/4 | \$3,341.50 | 2009 |
| For Golden Peak SPE LLC | | \$4,809.75 | 2010 |
| Joseph A. Pojanowski Atty. | 54/37 | \$6,683.00 | 2009 |
| For Golden Peak SPE LLC | | \$9,619.50 | 2010 |
| Joseph A. Pojanowski Atty. | 59/1 | \$3,976.39 | 2009 |
| For Golden Peak SPE LLC | | \$6,413.00 | 2010 |
| Joseph A. Pojanowski Atty. | 93/1 | \$6,683.00 | 2009 |
| For Golden Peak SPE LLC | | \$11,415.14 | 2010 |
| Joseph A. Pojanowski Atty. | 94/11 | \$16,647.35 | 2009 |
| For Golden Peak SPE LLC | | \$19,239.00 | 2010 |
| Joseph A. Pojanowski Atty | 98/3 | \$6,927.00 | 2009 |
| For Golden Peak SPE LLC | | \$9,619.50 | 2010 |
| Grand Total | | \$165,434.90 | |

December 20, 2011
Regular Meeting

Consent Agenda (Cont.):

RESOLUTION
Re: Tax Corrections (528-52nd Street)

WHEREAS, there is an overpayment on the 3rd quarter 2010 Tax bill in the amount of \$273.00 on property located at 528 52ND Street also known as block 109 lot 22 C0302 and

WHEREAS, there is a open balance in the amount of \$376.88 on the 4th quarter 2011 Added Assessment Bill and

WHEREAS, the taxpayer is requesting the over payment in the amount of \$273.00 be moved to credit the 4th quarter 2011 added assessment and the balance of \$103.88 be paid by the taxpayer.

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

RESOLUTION
Re: Extension of Contract of Alpha Dog Solutions for the
Provision of Web Services

WHEREAS, Alpha Dog Solutions continues to provide services to the Town as Internet Services Provider; and

WHEREAS, the contract entered into with Alpha Dog expired on 9/15/11 and the Town is currently in the process of procuring through Competitive Bidding the services of Web Design and Management Services; and

WHEREAS, the Town is desirous to maintain a web site; and

WHEREAS, as it is anticipated that a contract for such services will be awarded in January 2012; 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:

1. The Municipal Administrator be and is hereby authorized to enter into an agreement for the payment of services provided by Alpha Dog at the rates set out in the previously expired contract until such time as the current procurement for Web Services provider is completed in an amount not to exceed \$17,500 and in no event shall extend beyond January 31, 2012.
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.

December 20, 2011
Regular Meeting

It was regularly moved by Commissioner Rodriguez, seconded by Commission Wiley, to **table** the foregoing Resolution, was carried by the following vote:

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

Note: **Commissioner Rodriguez announced that she recommended that this Resolution be tabled in order to afford an opportunity to review expenses, quotes, etc.**

Ordinance #27/11
An Ordinance establishing the position of
Director of the Building Department and Fire Prevention Bureau
for the Town of West New York

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.

The following person wished to be heard:

1. Town Attorney Garcia:

Town Attorney Garcia advised that it is his recommendation to not accept this Ordinance as proposed and that the matter be returned to the Law Department for further review.

It was regularly moved by Commissioner Frias, seconded by Commissioner Vargas, to **reject** the foregoing Ordinance, was carried by the following vote:

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

Mayor opened the Public Portion.

Public Portion:

1. Claire Lima, 309 -60th Street, WNY:

Mrs. Lima complained about her vehicle being vandalized on the day after Thanksgiving (cracked windshield) and about the element of the people congregating in the area of parking garage on Fillmore Place. She complained about drug use in the area and fear of safety of residents. Conversation ensued between Mayor Roque, Comm. Frias and Mrs. Lima regarding exact location, and Mayor Roque assured her that as the Commissioner of the Police Department, he would address the matter immediately. She requested more police presence in the area. Conversation ensued regarding dog defecation on sidewalks and the need for enforcement of our Ordinances. Comm. Wiley commented about cameras being installed in the area and the need to issue summons for violations concerning dog defecation. He asked that she take photos if possible. She also complained about an incident which had occurred pertaining to a female parking enforcement officer when she was unloading her vehicle in the parking garage. Mayor Roque and Comm. Frias advised her that they would review the matter with Mr. Schroeder, Executive Director of the Parking Authority.

December 20, 2011
Regular Meeting

Public Portion (Cont.):

1. Angel Barquin, 432 – 58th Street, WNY:

Mr. Barquin inquired as to whether there was a Resolution terminating Julio Morejon, Esq. as Town Attorney to which Asst. Town Attorney DeMarco responded “No resolution for that”. Mr. Barquin inquired about Resolution R-41 (Extension of Contract between Town and Alpha Dog Solutions) i.e. results of proposals received for web design consulting services. Asst. Town Attorney DeMarco explained the committee review process for reviewing proposals and how the determination as to which company would provide the best services for the best value is made. He further advised that the original scope of services requested needs to be clarified. Mr. Barquin commented that the existing website has “glitches”. Mr. DeMarco advised that the goal is to award a contract for these services at the January 18, 2012 meeting. Mr. Barquin inquired as to the reason former Town Attorney Morejon was terminated to which the Mayor stated “I will give the reason when I give my explanation to the reporter after the conclusion of the meeting.”

It was regularly moved by Commissioner Frias, seconded by Commissioner Rodriguez, to **close the public portion** of the meeting at 10:50 a.m., was carried by the following vote:

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

Note: At this point, oath of office was administered by Town Clerk Carmela Riccie to Town Attorney Gilberto Garcia.

It was regularly moved by Mayor Roque, seconded by Commissioner Rodriguez, to **adjourn** the meeting at 10:55 a.m., 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 Riccie, RMC Town Clerk