

December 20, 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 Monday, December 20, 2010 at 12:00 noon (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 12:00 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 **December 20, 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 Rodriguez seconded by Commissioner Lopez, that the Minutes of Regular Meeting: 11/22/10 (Regular & Work Sessions) 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 12/20/10 (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 NOVEMBER 2010

1. From Construction Code Official Office, reporting the sum of \$29,663.00 collected for the month of November, 2010.
2. From Deputy Director Albert L. Bringa (Police Dept.) reporting the sum of \$2,400.00 collected for the month of November, 2010.
3. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$675.00 Special Licenses collected for the month of November, 2010.
4. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$744.00 for Marriage/death certificates collected for the month of November, 2010.
5. From Maria Alvarez, Registrar of Vital Statistics reporting the sum of \$68.00 for Dogs Licenses Issued for the month of November, 2010.
6. From Frederick J. Tomkins, Acting CFO (Revenue and Finance Department) reporting the sum of \$16,017,249.15 collected for the month November, 2010.
7. From Carmela Riccie, RMC, Town Clerk, reporting the sum of \$72.00 collected for the month of November, 2010.

It was regularly moved by Commissioner Lange, seconded by Commissioner Riccardi 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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Bid Results

Re: Aerial Bucket Truck GMC/TK31403

BID PROPOSAL FORMATION

Proposal Receipt Date: December 10, 2010 Budgeted Amount: \$

Proposal Time: 10:00 a.m. Estimated Amount: \$

Location for proposal: Town Clerk's Office

Proposal for: Aerial Bucket Truck GMC/TK31403

Department of:

Personnel at Opening: Deputy Town Clerk Cosmo A. Cirillo and Jennie DelRio

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

BIDDER #1 (Name) Altec Industries Cost: \$69,974.00
Address) 200 Altec Drive
Elizabethtown, KY 42701

(See bid proposal attached)

Bid Bond: X Check: _____

BIDDER #2 (Name) Beyer Brothers Cost: \$78,889.15
Address) 109 Broad Avenue
Fairview, NJ 07022

(See bid proposal attached)

Bid Bond: X Check: _____

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Bid Results

Re Utility Service Truck GMC/TK10706

BID PROPOSAL FORMATION

Proposal Receipt Date: December 10, 2010 Budgeted Amount: \$

Proposal Time: 10:30 a.m. Estimated Amount: \$

Location for proposal: Town Clerk's Office

Proposal for: Utility Service Truck GMC/TK10706

Department of:

Personnel at Opening: Deputy Town Clerk Cosmo A. Cirillo and Jennie DelRio

Remarks: Time to receive bids was closed at 10:35 a.m.
Reserved decision pending review by law department.

BIDDER #1	(Name)	Beyer Brothers	Cost: \$38,276.71
	Address)	109 Broad Avenue Fairview, NJ 07022	

(See bid proposal attached)

Bid Bond: X Check: _____

Bid Results

Re: Traffic Signals, Stripping & Signing (2nd occasion)

BID PROPOSAL FORMATION

Proposal Receipt Date: December 16, 2010 Budgeted Amount: \$

Proposal Time: 10:00 am Estimated Amount: \$

Location for proposal: Town Clerk's Office

Proposal for: Traffic Signals, Striping & Signing (2nd Occasion)

Department of:

Personnel at Opening: Town Clerk Carmela Riccie & Jennie DelRio

Remarks: Time to receive bids was closed at 10:05 a.m.
NO BIDS RECEIVED (2ND OCCASION)

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RFQ Results
Re: Municipal Court Prosecutor

RFQ PROPOSAL FORMATION

Proposal Receipt Date: December 16, 2010

Proposal Time: 10:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Municipal Court Prosecutor

Personnel at Opening: Town Clerk Carmela Riccio and Jennie DelRio

Remarks: Time to receive RFQs was closed at 10:35 a.m.

RESPONDER #1 (Name) Maurice Giro, Esq.
(Address) 120 Sherman Avenue (Suite 2E)
Jersey City, NJ 07307

RFQ Results
Re: Municipal Court Public Defender

RFQ PROPOSAL FORMATION

Proposal Receipt Date: December 16, 2010

Proposal Time: 11:00 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Municipal Court Public Defender

Personnel at Opening: Town Clerk Carmela Riccio and Jennie DelRio

Remarks: Time to receive RFQS was closed at 11:05 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Carl M. Losito, Esq.
(Address) 75 Summit Avenue, Hackensack, NJ 07601

RESPONDER #2 (Name) Dario, Yacker, Suarez & Albert, LLC
(Address) 314 – 48th Street, Union City, NJ 07087

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RFQ Results

Re: Risk Management Consultant

RFQ PROPOSAL FORMATION

Proposal Receipt Date: December 16, 2010

Proposal Time: 11:30 a.m.

Location for proposal: Town Clerk's Office

Proposal for: Risk Management Consultant

Personnel at Opening: Town Clerk Carmela Riccie and Jennie DelRio

Remarks: Time to receive RFQS was closed at 11:35 a.m.
Reserved decision pending review by review committee.

RESPONDER #1 (Name) Scirocco Financial Group Inc.
(Address) 777 Terrace Avenue (Suite 309)
Hasbrouck Heights, NJ 07604

Consent Agenda

It was regularly moved by Commissioner Lange, seconded by Commissioner Riccardi 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 and R-26 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: Repealing Resolution adopted on 1/7/98
which established a loading zone at 426-52ND, WNY
for: (Couleurs, Inc)**

Whereas, the governing body of the Town of West New York adopted a Resolution on January 7, 1998 establishing a loading zone for a business known as Couleurs, Inc., 426-52nd Street; and

Whereas, said business no longer exists and therefore, there is no further need for said loading zone at said location;

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

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

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

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Consent Agenda (Cont.):

Resolution
Re: Repealing Resolution adopted on 8/19/92
which established a loading zone at 440-52nd Street, WNY
for: (CMR Fashions)

Whereas, the governing body of the Town of West New York adopted a Resolution on August 19, 1992 establishing a loading zone for a business known as CMR Fashions 440-52nd Street; and

Whereas, said business no longer exists and therefore, there is no further need for said loading zone at said location;

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

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

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

Resolution
Re: Repealing Resolution adopted on 8/3/88
which established a loading zone at 401-52nd Street, WNY
for: (Las Brisas)

Whereas, the governing body of the Town of West New York adopted a Resolution on August 3, 1988 establishing a loading zone for a business known as Las Brisas 401-52nd Street; and

Whereas, said business no longer exists and therefore, there is no further need for said loading zone at said location;

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

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

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

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Consent Agenda (Cont.):

Resolution

**Re: Repealing a portion of Resolution adopted on 2/17/99
(Restricted Parking for Handicapped Resident) as follows:
5601 Blvd East, WNY (Victor Ramos)**

Whereas, the governing body of the Town of West New York adopted a Resolution on February 17, 1999 establishing restricted parking for use by handicapped residence; and

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

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

5601 Blvd East, WNY (Victor Ramos)

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

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

Resolution

**Re: Repealing Resolution adopted on 3/1/72
which established a loading zone at 430-436 52nd Street, WNY
for: (Lodge Knitting Mills)**

Whereas, the governing body of the Town of West New York adopted a Resolution on March 1, 1972 establishing a loading zone for a business known as Lodge Knitting Mills 430-436 52nd Street; and

Whereas, said business no longer exists and therefore, there is no further need for said loading zone at said location;

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

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

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

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Consent Agenda (Cont.):

Resolution
Re: To Allow Filing of 2008 Recycling Tonnage Grant
and appointing William Parkinson as Recycling Coordinator
for the Town of West New York

Whereas, the Mandatory Source Separation and Recycling, Act. P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for such tonnage grants for the year 2008 will memorialize the commitment of this municipality to recycling and to indicate the assent of Board of Commissioners to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, therefore, be it resolved by the Mayor and Board of Commissioners of the Town of West New York that West New York hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates William Parkinson Recycling Coordinator to ensure that the application is properly filed; and

Be it further resolved, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution
Re: Approving Participation with the State of New Jersey
Division of Alcoholic Beverage Control Program
(Office of Juvenile Justice and Delinquency Prevention (OJJDP)
enforcing the Underage Drinking Laws State Block Grant Program)

Whereas, the Division of Alcoholic Beverage Control (ABC) is responsible for administering the Office of Juvenile Justice Delinquency Prevention (OJJDP) State Block Grant Program Enforcing the Underage Drinking laws; and

Whereas, the Town of West New York wishes to apply to ABC for funds in connection with a project entitled "West New York Combating Underage Drinking; and

Whereas, the Town of West New York has reviewed said application and finds approval thereof to be in the best interests of the municipality; and

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

Whereas, said project is a joint project between the State of New Jersey (ABC) and the Town of West New York for the purposes therein described;

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

1. As a matter of public policy, the Town of West New York wishes to participate with the State of New Jersey (ABC) to the greatest extent possible;
2. The Division of Alcoholic Beverage Control (ABC) be requested to accept said application on behalf of the Town of West New York;
3. The Appropriate fiscal officer will accept the funds in connection with said project from the ABC and make disbursements in accordance with said application.

RESOLUTION
RE: BUDGET TRANSFERS

BE IT RESOLVED the proper officers are hereby authorized to make the following State Transition Year 2010 transfers from appropriations which have excess funds within the provision of N.J.S.A. 40A:4-58:

	Transfer From:	Transfer To:
Elections O/E	\$ 29,955.00	
Board of Health S/W	\$ 6,923.50	
Prosecutor S/W	\$ 500.00	
Supervised Play O/E	\$ 15,000.00	
Rent Control Board S/W	\$ 0.49	
Rent Control Board O/E	\$ 5,000.00	
Housing Inspections S/W	\$ 9,458.31	
Law Department S/W	\$ 0.04	
Administrative Office S/W	\$ 21,744.01	
Zoning Board O/E	\$ 12,038.15	
Planning Board S/W	\$ 0.42	
Director of Revenue & Finance S/W	\$ 0.45	
Treasurers Office S/W	\$ 27,648.29	
Assessment of Taxes S/W	\$ 0.01	
Assessment of Taxes O/E	\$ 8,100.00	
Collection of Taxes O/E	\$ 4.18	
Purchasing Agent S/W	\$ 0.44	
Police Department O/E	\$ 45,000.00	
Ambulance Squad S/W	\$ 8,377.33	
Emergency Management S/W	\$ 8,223.00	
Director of Public Works S/W	\$ 3,000.48	
Streets & Sewers O/E	\$ 51,000.00	
Street Lighting O/E	\$ 80,000.00	
Garbage & Trash Contractual	\$ 214,000.00	
Division of Parks O/E	\$ 6,500.00	
Municipal Court S/W	\$ 7,055.71	
Unemployment Insurance O/E	\$ 175,000.00	
Group Insurance O/E	\$ 655,000.00	
Centralized Postage O/E	\$ 31,587.18	
Director of Public Affairs S/W		\$ 77,601.48
Town Clerk S/W		\$ 364.44
Prosecutor O/E		\$ 4,800.00

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Consent Agenda (Cont.):

Resolution (Cont.):

Law Department O/E		\$ 78,000.00
Supervised Play O/E		\$ 221,434.55
Personnel Department S/W		\$ 8,851.72
Treasurers Office		\$ 8,500.00
Community Development S/W		\$ 42,833.15
Director of Public Safety S/W		\$ 27,985.38
Police S/W		\$ 706,367.02
No. Hudson Fire & Rescue O/E		\$ 85,697.97
Uniform Fire Safety S/W		\$ 15,885.04
Street & Sewers S/W		\$ 9,464.50
Fire Hydrant Rental O/E		\$ 9,271.97
Recycling O/E		\$ 44,945.56
Garbage & Trash S/W		\$ 2,390.41
Director of Parks S/W		\$ 5,860.54
Division of Parks S/W		\$ 2,176.08
Building Department S/W		\$ 46,587.19
Fuel O/E		\$ 15,000.00
Municipal Court O/E		\$ 7,100.00
Total	\$1,421,116.99	\$1,421,116.99

RESOLUTION

Re: Extending Contract between Town of West New York and Large Doc Solutions for Document Imaging Services

WHEREAS, the Board of Commissioners of the Town of West New York, by prior resolution, authorized the use of competitive contracting in lieu of public bidding pursuant to N.J.S.A. 40A:11-4.1 for the procurement of Document Imaging Services for the Code Enforcement Office; and

WHEREAS, the following competitive bids were received on September 22, 2009 for Document Imaging Services for the Code Enforcement Office; and

<u>Vendor</u>	<u>Bid (as clarified)</u>
Large Doc Solutions Inc.	\$31,800/year

WHEREAS, the sole competitive bid received was evaluated by a project evaluation committee to be established and headed by the Municipal Administrator in accordance with N.J.S.A. 40A:11-4.1 et seq.; and

WHEREAS, the Review Team's Evaluation Report was posted on the Town's website more than 48 hours prior to the adoption of this resolution and award; and

WHEREAS, the Review Team determined that the competitive bid of Large Doc Solutions Inc. met the requirements of the solicitation for Document Imaging Services for the Code Enforcement Office; and

WHEREAS, Large Doc Solutions Inc.'s has reaffirmed that its bid submitted on or before September 22, 2009 stands; and

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

WHEREAS, Large Doc Solutions Inc.'s has clarified as permitted by N.J.A.C. 5:34-4.2(c)(3) that it will provide the services required by the Town under the contract for Document Imaging Services for the Code Enforcement Office, as advertised for \$31,800 for the first year, and \$31,800 for each of the four one-year options the Town may exercise; and

WHEREAS, the Town desires did award such contract to Large Doc in December 2009; and

WHEREAS, services have been provided by Large Doc since that time; and

WHEREAS, the Town desires to extend the contract for a one-year period as provided for therein; and

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

WHEREAS, the receipt of competitive proposals pursuant to N.J.S.A. 40A:11-4.1 et seq. is a fair and open process under the local unit pay to play law, N.J.S.A. 19:44A-20.4 et seq. 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 at Budget Code Current Fund Budget – Uniform Construction Code.

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

1. The above recitals are incorporated as if set forth at length herein.
2. The Mayor and or his designee is authorized to extend the contract of Large Doc Solutions Inc., 15 Walnut Avenue 2nd Floor, Clark, NJ 07066 for "Document Imaging Services for the Code Enforcement Office" in base sum of \$31,800 for a an additional term of one year.
3. All appropriate officials are hereby authorized and directed on behalf of the Town of West New York to make available to the public, to publish, to enter into a contract for same and to perform same and to receive performance, in accordance with the law and specifications providing for same.
4. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
5. A notice of this award shall be published as may be required by law.
6. The Town Clerk shall forward a copy of this Resolution to the bidders on this project.

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Consent Agenda (Cont.):

RESOLUTION
Re: Rejecting Bids for Verrazano Park Improvements

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Town solicited bid proposals to Verrazano Dog Park Improvements; and

WHEREAS, the following bid proposals were received by the Town on April 8, 2009 for Verrazano Dog Park Improvements:

Max Adamo Construction, Inc. Cost: \$138,975.00 (includes items 1 thru 22)
569 Prospect Avenue
Ridgefield, NJ 07657

F & P Contractors, Inc. Cost: \$149,705.00 (includes items 1 thru 22)
659 Washington Avenue
South Amboy, NJ 08879

Helios Construction, Inc. Cost: \$127,255.00 (includes items 1 thru 22)
1321A Allenhurst Avenue
Ocean, NJ 07712

WHEREAS, the Contracts Documents and Bid Specifications constituting Verrazano Dog Park Improvements, provide at the Town as the contracting unit, reserves the right to reject any and all bids; and

WHEREAS, the Town's Engineer, Business Administrator and Purchasing Agent have reviewed the bid proposal submitted by all bidders and have recommended that said bid proposal be rejected as exceeding the Town's estimate and budget for the Verrazano Dog Park Improvements pursuant to N.J.S.A. 40A:11-13.2(a) and (b); and

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

1. All bids received for the Verrazano Dog Park Improvements are rejected as exceeding the Town's estimate and budget for the Verrazano Dog Park Improvements pursuant to N.J.S.A. 40A:11-13.2(a) and (b).

2. That the bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

Resolution
Re: Authorizing the Town Clerk to advertise
to receive bids for "Verrazano and Donnelly 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 and Donnelly Park Improvements" 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: REFUNDS OF OVERPAYMENT OF TAXES

WHEREAS, taxes with respect to the following properties have been inadvertently overpaid in the amounts hereafter stated, and;

WHEREAS, it is necessary to make appropriate refunds for such overpayments;

NOW, THEREFORE BE IT RESOLVED that the following refunds be made with respect to the designated properties and the Collector of Taxes be and she is hereby authorized to adjust her records accordingly.

NAME	BLOCK/LOT	AMOUNT	YEAR
BBY ENTERPRISE ,INC.,C/0 GLOBAL EQUITIES	5/32 C04-J	\$700.00	2010
VIRGO MANAGEMENT, LLC.	38/9 C015C	\$6.98	2010
JOMAR REALTY, LLC	124/1	\$27,007.18	2009
PEREZ, JR VICENTE	154/5	\$2,540.00	2010
LEON, JUANA & ROBERT LEON	162/12.02	\$4,298.63	2010
VALUETREE	152/31	\$1,057.54 *	2009
	GRAND TOTAL	\$35,610.33	

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.

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
CARRIER SERVICES	151/6	09-208	\$206.65
PLYM PK. TAX SRVS.	152/26	09-214	\$16,774.72
SFS LLC	47/1	09-072	\$20,595.34

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

R. ROTHMAN	47/1	10-096	\$16,076.82
ROYAL TAX LIEN SERVICES, LLC	96/18 96/18	09-136 10-181	\$25,477.52 \$7,407.25
EDISON TAX SERVICES, LLC	151/6 151/7	10-236 09-209	\$26,872.64 \$112,613.11
STRIB CI, LLC	81/9 C0403	10-151	\$1,214.57
PAM INVESTORS	38/9 C014E 162/14	10-070 10-251	\$2,544.29 \$1,632.28
U.S. BANK,CUS FOR EMPIRE TAX FD.	152/26 125/20	10-239 10-211	\$15,680.03 \$2,231.41
TOWER LIEN, LLC	168.01/8.03 C0138 15/13 103/10	10-267 10-027 10-187	\$4,103.06 \$21,569.25 \$12,541.21
TOWER LIEN, LLC	42/23 152/26.01 42/33 132/4	10-084 10-240 10-085 10-219	\$13,738.54 \$52,915.51 \$7,082.14 \$15,751.25
PAM INVESTORS	20/39.02	09-030	\$2,346.34
STRIB CI, LLC	130/2 C0214	10-216	\$4,729.35
		GRAND TOTAL	\$384,103.28

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
CARRIER SERVICES	151/6	09-208	\$100.00
PLYM PK. TAX SRVS.	152/26	09-214	\$1,300.00
SFS LLC	47/1	09-072	\$16,000.00

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

R. ROTHMAN	47/1	10-096	\$2,600.00
ROYAL TAX LIEN SERVICES, LLC	96/18	09-136	\$300.00
EDISON TAX SERVICES, LLC	151/7	09-209	\$300.00
PAM INVESTORS	38/9 C014E	10-070	\$1,500.00
U.S. BANK CUST FOR CCTS CAPITAL, LLC	125/20	10-211	\$3,100.00
TOWER LIEN, LLC	168.01/8.03 C0138	10-267	\$100.00
TOWER LIEN, LLC	15/13	10-027	\$5,100.00
TOWER LIEN, LLC	103/10	10-187	\$2,900.00
TOWER LIEN, LLC	42/23	10-084	\$3,900.00
TOWER LIEN, LLC	42/33	10-085	\$2,600.00
TOWER LIEN, LLC	132/4	10-219	\$600.00
PAM INVESTORS	20/39.02	09-030	\$600.00
STRIB CI, LLC	130/2 C0214	10-216	\$900.00
		GRAND TOTAL	\$41,900.00

RESOLUTION
RE: HUDSON COUNTY BOARD OF TAXATION TAX APPEALS

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

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

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

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

NAME	BLOCK-LOT	AMOUNT	YEAR
GARY D. GORDON ATTY FOR 572 REALTY, LLC.	126/49	\$6,413.00	2010

December 20, 2010

Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

GARY D. GORDON ATTY FOR BWS 406, LLC	9/3	\$4,809.75	2010
GARY D. GORDON ATTY FOR 6136 REALTY, LLC	142/16	\$4,489.10	2010
GARY D. GORDON ATTY FOR 60-63 REALTY, LLC	20/1	\$4,809.75	2010
LLAGAMI, ENIDA F	64/15	\$3,206.50	2010
OSWALDO, GONZALEZ ATTY. FOR HUESTIPA A & F AGUIRRE & A A ROMERO	20/12	\$961.95	2010
OSWALDO, GONZALEZ ATTY. HUESTIPA, ANGELA	25/37	\$2,597.27	2010

GRAND TOTAL \$27,287.32

RESOLUTION
RE: TAX SALE CERTIFICATE

WHEREAS, the Tax Collector sold a Tax Sale Certificate# 09-138 at a Tax Sale held on June 12, 2009 to Robert U. Del Vecchio, Pension Trust; and

WHEREAS, the Collector has received the following amount \$1,320.34 for Tax Sale Certificate# 09-138. However this amount was insufficient funds to redeem said Certificates in accordance with N.J.S.A 54:5-60 The Tax Collector is required to collect the full amount to redeem the said Tax Sale Certificate.

NOW, THEREFORE, BE IT RESOLVED that the Collector is hereby authorized to issue a refund for the partial payment made on the listed Tax Sale Certificate.

<u>Name</u>	<u>Block/Lot</u>	<u>Cert#</u>	<u>Amount</u>
Monteagudo, Lazaro	96/28	09-138	\$1,320.34
		Grand total	\$1,320.34

RESOLUTIONS
SENIOR CITIZENS AND VETERANS TAX DEDUCTIONS

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 2010 tax 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.

December 20, 2010

Regular Meeting

Consent Agenda (Cont.):

Resolution (Cont.):

Block	Lot	Name	Address	Exempt	Amount
17	2	Cotia, C	6504 Palisades Ave	Senior	\$250.00
35	1/c001a	Liss, C	6045 Blvd. East	Sur. SP	\$250.00
110	5/c0214	Roura, L	571-53 rd Street	Senior	\$250.00
158	21	Gonzalez, M	6315 Adams Street	Senior	\$250.00
36	30	Vellanti, M	6041 Highland Pl.	Senior	\$250.00
39	7	Conception, J	6022 Park Ave	Senior	\$250.00
128	21	Dobbs, P	562-59 th Street	Senior	\$250.00
162	12.02	Leon, R	566-66 th Street	Veteran	\$250.00
168.01	8.01/425	Schirripa, D	24 Ave Port Imper	Veteran	\$250.00
					TOTAL: \$2250.00

RESOLUTION

ACCEPTING A SPECIFIC BEQUEST FROM THE FREDERICK E.G. VALERGAKIS CHARITABLE TRUST IN THE APPROXIMATE AMOUNT OF \$28,000 FOR THE SPECIFIC PURPOSES OF THE TRUST AND AUTHORIZING THE TOWN ATTORNEY TO TAKE FURTHER ACTIONS AS REQUIRED TO SECURE COMPLIANCE WITH THE TERMS OF THE TRUST

WHEREAS, the Town has been named as a beneficiary of a charitable trust, provided that it agrees to use the funds for the specific purposes set forth in the trust; and

WHEREAS, the Town is willing to abide by the terms of the trust and now wishes to accept the funds offered as a charitable gift to the Town to be used for the purposes of the trust;

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

1. The foregoing recitals are incorporated and adopted as part of this resolution.
2. The Town agrees to accept the bequest from the Frederick E.G. Valergakis Charitable Trust in the approximate amount of \$28,000.
3. The Town Attorney and all other appropriate municipal officials be and are hereby specifically directed to take such further steps as may be necessary or required, including but not limited to in conjunction with the West New York Board of Education, to ensure that the proceeds of the trust are received and utilized to improve the mental health status of children, through activities conducted in the public schools, by a licensed mental health professional.
4. The Town expresses its thanks to the Trustees of the trust and declares its willingness to continue in the future to participate as a recipient of funds for the trust purposes.
5. A certified copy of this resolution shall be sent to the Trustees of the Frederick E.G. Valergakis Charitable Trust in care of counsel for the Trust, and to the West New York Board of Education.
6. A copy of this resolution shall be kept on file in the office of the Municipal Clerk.

December 20, 2010
Regular Meeting

Consent Agenda (Cont.):

AWARDING RESOLUTION
Re: New Utility Service Truck GMC/TK10706 or Equal to
Beyer Bros. Corporation
(\$38,276.71)

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 New Utility Service Truck GMC/TK10706 or Equal, pursuant to and in accordance to the contract for New Utility Service Truck GMC/TK10706 or Equal; and

Whereas, on December 10, 2010, the Town did receive the following bids on the contract for New Utility Service Truck GMC/TK10706 or Equal:

Beyer Bros. Corporation - \$38,276.71
109 Broad Avenue
Fairview, NJ 07022

Whereas, the Town's Business Administrator has recommended the award of a contract for New Utility Service Truck GMC/TK10706 or Equal be awarded to Beyer Bros. Corporation, for a total of \$38,276.71, as the bid submitted by the Beyer Bros. Corporation as the lowest responsible bid for New Utility Service Truck GMC/TK10706 or Equal; 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 Beyer Bros. Corporation, 109 Broad Avenue, Fairview, NJ 07022, on the bid for "New Utility Service Truck GMC/TK10706 or Equal" for a total of \$38,276.71 be and the same is hereby accepted.
2. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into contracts for New Utility Service Truck GMC/TK10706 or Equal with Beyer Bros. Corporation
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.

December 20, 2010
Regular Meeting

Consent Agenda (Cont.):

AWARDING RESOLUTION
Re: Aerial Bucket Truck GMC/TK31403 or Equal
Beyer Bros. Corporation
(\$78,889.15)

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 Aerial Bucket Truck GMC/TK31403 or Equal, pursuant to and in accordance to the contract for Aerial Bucket Truck GMC/TK31403 or Equal; and

Whereas, on December 10, 2010, the Town did receive the following bids on the contract for Aerial Bucket Truck GMC/TK31403 or Equal:

Altec Industries - \$69,974.00
200 Altec Drive
Elizabethtown, KY 42701

Beyer Bros. Corporation - \$78,889.15
109 Broad Avenue
Fairview, NJ 07022

Whereas, the bid proposal by Altec Industries failed to provide an adequate Ownership Disclosure Statement, by failing to reveal owners of its corporate parents as required by the procurement bid forms; and

Whereas, Section 00430 "Ownership Disclosure Statement" of the procurement bid forms states that "[b]idders for this Contract must submit a statement of names and addresses of all stockholders in the corporation or partnership owning 10% or more of its stock in any class. . . . If one or more such stockholder or partner is itself a corporation or partnership, the names and addresses of stockholders holding 10% or more of that corporation's stock or of individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed;" and

Whereas, pursuant to N.J.S.A. 52:25-16.2, no corporation or partnership shall be awarded a contract, the cost of which is to be paid with or without any public funds, unless prior to the receipt of the bid or accompanying the bid of the corporation or partnership there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own a 10% or greater interest therein and, if one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock or the individual partners owning 10% or greater interest in that partnership shall also be listed; and

Whereas, the Appellate Division Case of Muirfield Const. Co., v. Essex County Improvement Auth., 336 N.J. Super. 126 (App. Div. 2000), held that the failure to provide an Ownership Disclosure pursuant to N.J.S.A. 52:25-24.2 is a non-waivable, incurable defect; and

Whereas, the Town's Business Administrator has recommended the award of a contract for Aerial Bucket Truck GMC/TK31403 or Equal be awarded to Beyer Bros. Corporation, for a total of \$78,889.15, as the bid submitted by the Beyer Bros. Corporation as the lowest responsible bid for Aerial Bucket Truck GMC/TK31403 or Equal; 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

December 20, 2010
Regular Meeting

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

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 Altec Industries, Inc. shall be and is hereby rejected as a non-conforming bid, constituting a non-waivable, incurable, material deviation from the for Aerial Bucket Truck GMC/TK31403 or Equal.
2. The bid of Beyer Bros. Corporation, 109 Broad Avenue, Fairview, NJ 07022, on the bid for "Aerial Bucket Truck GMC/TK31403 or Equal" for a total of \$78,889.15 be and the same is hereby accepted.
3. Appropriate officials are hereby authorized and directed on behalf of the Town of West New York to enter into contracts for Aerial Bucket Truck GMC/TK31403 or Equal with Beyer Bros. Corporation
4. The Chief Financial Officer's Certification that funds are available shall be on file at the Town and made a part hereof.
5. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
6. The Town Clerk shall forward a copy of this Resolution to each bidder on this contract.
7. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

RESOLUTION

Re: Authorizing the Town Administrator and Town Attorney to Negotiate Inter-Local Agreements for the Provision of Health Inspection and Related Services of the West New York Health Department to the Towns of Guttenberg, Secaucus, and Weehawken for Calendar Year 2011

WHEREAS, the West New York Health Department has provided various health services to the Towns of Guttenberg, Secaucus and Weehawken for many years and receives payment for such services; and

WHEREAS, other agencies, including the Hudson Regional Health Commission, the North Hudson Community Action Corp, and Associated Humane Societies, among others, have programs to provide certain health services; and

WHEREAS, the various services provided by West New York and other agencies are necessary for the well-being of the residents of the Town and others who benefit from them; and

WHEREAS, past agreements for such services have provided mutual benefits in the form of shared services, and further benefits may be achievable through the exploration and negotiation of more comprehensive agreements for the provision of sharing health related services among the various communities and organizations;

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

December 20, 2010
Regular Meeting

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

1. The Town Administrator is hereby directed and authorized to review the sharing of health services among the Towns of West New York, Guttenberg, Secaucus and Weehawken, and with the other agencies as may be available to receive or provide such services.
2. The Town Administrator is further authorized to negotiate agreements for the provision and sharing of health related services concerning existing shared services, as may be economically feasible, necessary or desirable. In such effort he shall consult with the Town Attorney who is authorized to provide assistance in the formulation, negotiation and structure of such agreements.
3. Any such negotiated agreements shall be subject to ratification by the Board of Commissioners before they shall have force or effect.
4. The Administrator and Town Attorney may consult and negotiate with such other government agencies or other organizations as is useful in achieving agreements potentially favorable to the Town of West New York and shall explore the sharing of health services through inter-local and other agreements or contracts in order to further advise the Board of Commissioners as to the most efficient and cost effective means of receiving and providing health services to the residents of the Town of West New York.

RESOLUTION

Re: Awarding a contract for Risk Management Consultant Services
to Scirocco Financial Group Inc.
(Term: January 1, 2011 through January 1, 2014)

Whereas, the following firms have submitted statement of qualifications ("Statement of Qualifications") to the Town of West New York on or before December 16, 2010, in response to a December 2010, Request for Qualifications for Risk Management Consultant Services:

Scirocco Financial Group Inc.

777 Terrace Avenue

Hasbrouck Heights, NJ 07604

Whereas, upon due review of the Statement of Qualifications it has been determined that Scirocco Financial Group Inc. is properly qualified to provide the services requested in the December 6, 2010, Request for Qualifications for Risk Management Consultant Services; and Whereas, the Town of West New York has resolved to join the New Jersey Municipal Self Insurers' Joint Insurance Fund ("Fund") following a detailed analysis; and

Whereas, the Bylaws of the Fund require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

Whereas, the Bylaws indicate that the Fund shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee; and

Whereas, the Scirocco Financial Group Inc. has offered to provided Risk Management Consultant services at the rate of 6% of the Town's annual assessment as promulgated by the

December 20, 2010
Regular Meeting

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

Fund in accord with the bylaws of the Fund; and

Whereas, N.J.S.A. 40A:11-5(1)(m) provides that a contract for insurance consulting services may be awarded without competitive bidding as per N.J.S.A. 40A:11- 5(1)(a)(ii); and

Whereas, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Town's Administrator has provided the Board of Commissioners with a Certification, dated December 20, 2010, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, describing the solicitation of proposals and describing in detail why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

Whereas, the Commissioners, have determined, on the basis of the foregoing, that it is necessary for the efficient operation of the Town to enter into a contract with Scirocco Financial Group Inc., to provide for the compensation for the services of Scirocco Financial Group Inc. for the provision of services - Risk Management Consultant Services; and

Whereas, N.J.S.A. 40A:11-1, et seq. provides that a contract for Risk Management Consultant may be awarded without competitive bidding; and

Whereas, the contract herein awarded will have been awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.5 et seq. through a publicly advertised Request for Qualifications of December 2010;

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

1. The above recitals are incorporated as if fully set forth herein.
2. That the Town of West New York does hereby appoint Scirocco Financial Group, Inc. as its Risk Management Consultant in accordance with the Fund Bylaws.
3. The Mayor shall be and is hereby authorized to execute an agreement, by and between the Town and Scirocco Financial Group Inc. for the provision of services - in accord with the proposal submitted.
4. Scirocco Financial Group Inc. shall be retained Risk Management Consultant at the rate of 6% of the Town's annual assessment as promulgated by the Fund in accord with the bylaws of the Fund, for a three year term commencing on January 1, 2011.
5. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(m).
6. This award is awarded as a result of a Fair and Open Procedure adopted by the municipality in order to comply with the Pay to Play Law (P.L. 2004 Chapter 19 as amended by P.L. 2005, Chapter 51) N.J.S.A. 19:44-20.5 et seq.
7. A copy of this resolution and the agreement detailing the terms of the retention of Scirocco Financial Group Inc. as Risk Management Consultant, shall be placed on file and made available for public inspection in the Office of the Municipal. Clerk, upon execution by the Town.
8. A notice of this contract award shall be published in the form prescribed by law.

December 20, 2010
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 (01/1/2011 through 12/31/2011) 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 FY 2011-12 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:

December 20, 2010
Regular Meeting

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

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.

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: Authorizing the Town Clerk to advertise
to receive bids for "Striping & Signage"

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: "Striping and Signage" for the Town of West New York in accordance with specifications on file in the Town Clerk's Office.

RESOLUTION –
Re: Award of Verrazano and Donnelly Park Improvements Engineering Design and
Grants/Construction Administration to Maser Consulting

WHEREAS, Maser Consulting, P.A. submitted a proposal to serve as Town Engineer, in response to a May 2010 Request for Qualifications for professional engineering services as may be required by the Town and was qualified to provide such services by the Board of Commissioners, pursuant to resolution dated June 16, 2010, in response to an advertisement for such responses to the Request for Qualifications Statement-Proposals;

WHEREAS, the Commissioner of the Department of Public Works has duly appointed Maser Consulting, P.A., as Town Engineer; and

WHEREAS, the Board of Commissioners, by way of resolution of June 16, 2010, did approve the award of a Contract to Maser Consulting, P.A. to serve as Town Engineer for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Town is in need of engineering services related to the following projects:

Engineering Services for Verrazano Dog Park Design and Grants/Construction Administration

WHEREAS, Maser Consulting, P.A., as Town Engineer, has proposed to provide professional services for Design, Bidding, Construction Administration, Materials Testing and Grants Administration required, in the lump sum not to exceed amounts, in accordance with their proposal memo dated December 17, 2010 (which is for services over and above those outline in their memorandum of October 20, 2010) in the following lump sum amounts:

Design \$15,000 (Lump Sum)
Grants/Construction Administration \$22,000 (Lump Sum)

December 20, 2010
Regular Meeting

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

WHEREAS Maser Consulting, as the Town Engineer is qualified to perform the work as set forth in the Proposal, and

WHEREAS, it is necessary for the efficient operation of the Town of West New York that the work as set out in the Proposal be accomplished; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a “professional service”; and

WHEREAS, N.J.S.A. 40A:9-140 permits a municipality to provide for the compensation of services provided by a municipal engineer at an hourly rate, based upon actual time and expenses for services rendered; and

WHEREAS, this award is made pursuant to a fair and open process, adopted by the Board of Commissioners pursuant to N.J.S.A. 19:44A-20.5 et seq.;

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

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

1. The above recitals are incorporated herein.
2. The Mayor and/or the Director of the Department of Public Works or his or their designee be and they are hereby authorized to execute any document that may be necessary to enter into an agreement(s) with Maser Consulting, P.A. as Town Engineer to perform Engineering Support as detailed herein, to be rendered in accordance with the terms and conditions of the June 16, 2010, appointing resolution and the contract with Maser Consulting (“Contract”) thereby resulting, to the extent he/they may deem the provision of such services by Maser Consulting, P.A., necessary, in a form satisfactory to the Town as evidenced by the Mayor and/or the Director of the Department of Public Works or his or their designee’s signature thereon at the following amounts:

Design \$15,000 (Lump Sum)
Grants/Construction Administration \$22,000 (Lump Sum)

3. Notice of this award shall be published as may be required by law.
4. A copy of this resolution and agreement(s) permitted under this Resolution once executed between the Town and the Town Engineer for the Project shall be kept and maintained on file with the office of the Municipal Clerk and available for public inspection.
5. All work to be done by Maser Consulting for the Town henceforth, until further action by the Governing Body shall be done under the supervision of Joseph R. Venezia, P.E., P.P., C.M.E.
6. The Chief Financial Officer’s Certification that funds are available shall be on file at the Authority and made a part hereof.

December 20, 2010

Regular Meeting

Consent Agenda (Cont.):

Resolution

Re: Authorizing Settlement of Personnel Matter in Regards to Rosemary Suarez

WHEREAS, a proposed agreement settling a personnel grievance matter and all ancillary issues arising therefrom, (which includes the exchange of mutual releases) between the Town of West New York and Rosemary Suarez (“Proposed Agreement”), has been recommended to the Board of Commissioners; and

WHEREAS, the Board of Commissioners having reviewed the recommendation concludes that such Proposed Agreement is in the best interests of the Town and necessary for the efficient operation of the Town; and

WHEREAS, the Terms of the Proposed Agreement constitute a confidential personnel records, not otherwise considered public records subject to disclosure under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.; and

WHEREAS, the Proposed Agreement calls for the Town to pay certain moneys as consideration;

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 Board of Commissioners hereby approves the above referenced Proposed Agreement.
3. The Mayor and Town Clerk are hereby authorized to execute such documents and agreements as may be necessary to pay the consideration due to Rosemary Suarez as per the terms of the Proposed Agreement, (a maximum of \$10,000) when due thereunder, without need of further action by the Board of Commissioners, in a form acceptable to the Town as evidenced by the Mayor’s signature thereon.
4. In accordance with N.J.S.A. 47:1A-1 et seq. the terms of the Agreements, will be kept confidential and not disclosed to any non-party, as such record constitutes a confidential personnel record.
5. A copy of this resolution shall be placed on file and made available for public inspection in the Office of the Municipal Clerk, but the Agreements themselves shall be kept on file only in the personnel file of Rosemary Suarez.

December 20, 2010
Regular Meeting

Bond Ordinance #27/10

A Bond Ordinance of the Town of West New York, County of Hudson, New Jersey, providing for the financing of the installation of an Electronic Smoke Detection System in the Town and appropriating an amount not exceeding \$105,000 therefor and authorizing the issuance of not to exceed \$99,750 in Bonds or Notes of the Town of West New York

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

The foregoing Bond 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 Bond Ordinance, was carried by the following vote:

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

Ordinance #28/10

**An Ordinance repealing Ordinance #40/95 entitled:
“An Ordinance establishing restricted parking in front of one (1)
residence for use by handicapped resident”
(412 – 62nd Street – Jose Herrera)**

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

It was regularly moved by Commissioner Riccardi seconded by Commissioner Lopez to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

December 20, 2010
Regular Meeting

Notice
Ordinance #28/10

**An Ordinance repealing Ordinance #40/95 entitled:
“An Ordinance establishing restricted parking in front of one (1)
residence for use by handicapped resident”
(412 – 62nd Street – Jose Herrera)**

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on December 20, 2010 and ordered published, and will be further considered before final passage at a public hearing on January 19, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: **Town Clerk Carmela Riccie read the foregoing Notice aloud.**

Ordinance #29/10

**An Ordinance approving a Lease between West New York and
440 - 60th LLC for use by the West New York Urban Enterprise Zone
or other Town Offices**

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

It was regularly moved by Commissioner Riccardi seconded by Commissioner Lopez to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

Notice
Ordinance #29/10

**An Ordinance approving a Lease between West New York and
440 - 60th LLC for use by the West New York Urban Enterprise Zone
or other Town Offices**

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on December 20, 2010 and ordered published, and will be further considered before final passage at a public hearing on January 19, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: **Town Clerk Carmela Riccie read the foregoing Notice aloud.**

December 20, 2010
Regular Meeting

Ordinance #30/10

**An Ordinance amending Chapter 296-5 of the Code of the
Town of West New York concerning Precious Metals Transactions**

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

It was regularly moved by Commissioner Riccardi seconded by Commissioner Lopez to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

Notice
Ordinance #30/10

**An Ordinance amending Chapter 296-5 of the Code of the
Town of West New York concerning Precious Metals Transactions**

The foregoing Ordinance was adopted on first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey on December 20, 2010 and ordered published, and will be further considered before final passage at a public hearing on January 19, 2011 at 7:00 p.m. at the Court Chambers, Municipal Building, West New York, New Jersey. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, New Jersey.

Note: Town Clerk Carmela Riccie read the foregoing Notice aloud.

Ordinance #31/10

**An Ordinance approving a Lease of Real Property by the Town with Riviera Towers,
6040 JFK Boulevard East for the primary use of the West New York Police Department
for purposes of storage of vehicles and other equipment**

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

It was regularly moved by Commissioner Riccardi seconded by Commissioner Rodriguez to adopt the introduction of the foregoing Ordinance was carried by the following vote:

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

December 20, 2010
Regular Meeting

Notice
Ordinance #31/10

An Ordinance approving a Lease of Real Property by the Town with Riviera Towers, 6040 JFK Boulevard East for the primary use of the West New York Police Department for purposes of storage of vehicles and other equipment

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Note: Town Clerk Carmela Riccie read the foregoing Notice aloud.

Note: Mayor Vega inquired as to whether there is any other business. Town Clerk Riccie responded, "Not to my knowledge."

Mayor opened the Public Portion.

Public Portion:

1. Annette Martin, 6025 Hudson Avenue, WNY:

Ms. Martin commented that affordable housing is important and that her 85 year old mother had applied to the Housing Authority but was allegedly advised by a current Housing Authority employee that "she was too old to apply". Ms. Martin further commented that Section 8 Housing is provided under Federal and State Law and that age discrimination needs to be addressed. Mayor Vega stated, "You are right. At the end of the meeting, please give me the name of the employee, and I will bring this matter to the attention of the Director of the Housing Authority."

December 20, 2010
Regular Meeting

At 12:10 p.m. a motion was made by Commissioner Riccardi, seconded by Commissioner Lopez to close the public portion 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

Commissioner Lawrence Riccardi

Commissioner Alberto Rodriguez

Mayor Silverio A. Vega
Board of Commissioners

Attest: _____
Carmela Riccie, RMC
Town Clerk