***Town of West New York***

***Hudson County, New Jersey***

***Minutes of Regular Meeting***

***(Regular Session)***

***April 5, 2023***

***Commissioner Victor M. Barrera***

***Commissioner Cosmo A. Cirillo, PhD***

***Commissioner Margarita Guzman***

***Commissioner Yoleisy Yanez***

***Mayor Gabriel Rodriguez***

***Board of Commissioners***

***ATTEST: Adelinny plaza, rmc***

 ***town clerk***

**April 5, 2023**

***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 via Teleconference, on Wednesday, April 5, 2023 at 6:30 P.M. (No Work Session)**:**

Present: Commissioners Barrera, Cirillo, Guzman, Yanez, and Mayor Rodriguez

Absent: None

Also Present: Town Clerk Adelinny Plaza, Town Administrator Luis Baez, and Angelo Auteri, Esq. (Scarinci Hollenbeck)

Meeting commenced at 6:32 P.M.

 Town Clerk Adelinny Plaza made the following announcement:

As presiding officer of this **Regular Meeting** of the Board of Commissioners of the Town of West New York, held on **April 5, 2023 at 6:30 P.M (No Work Session)**, I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given by the Board of Commissioners in the **Resolution** dated and adopted on **December 14, 2022.** Said Resolution was transmitted by the Town Clerk to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk. Notice of this meeting by the **March 29th, 2023** Sunshine Notice was transmitted to the aforementioned newspapers**,** posted on the municipal bulletin board in Town Hall, and on the Town Website.

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

**Note:** **Minutes were taken and transcribed by Town Clerk Adelinny Plaza and Tyara Conil.**

**Minutes of Previous Meetings:**

It was regularly moved by Commissioner Barrera, seconded by Commissioner Guzman that the Minutes of Regular Meetings: **January 25, 2023 (*Regular Meeting*) February 15, 2023 (*Regular Meeting*) and March 15, 2023 (*Regular Meeting*)** be approved. The motion was carried by the following vote:

AYES - Commissioners Barrera, Cirillo, Guzman, Yanez, and Mayor Rodriguez

NAYS - None

ABSENT **-** None

**Payment of Claims: (Claims are available for public inspection in the Town Clerk’s Office)**

It was regularly moved by Commissioner Barrera, seconded by Commissioner Yanez that the Payment of Claims of: **April 5, 2023** be approved. The motion was carried by the following vote:

AYES - Commissioners Barrera, Cirillo, Guzman, Yanez and Mayor Rodriguez

NAYS - None

ABSENT **-** None

**Note:** **Mayor Rodriguez and** **Commissioner Yanez abstained on Purchase Order #35212 and #37865. Commissioner Cirillo abstained on Purchaser Order #37867.**

**April 5, 2023**

***Regular Meeting***

**Consent Agenda:**

It was regularly moved by Commissioner Barrera, seconded by Commissioner Yanez that the following Consent Agenda Items Nos. R23-102 through R23-122 be adopted. The motion was carried by the following vote:

AYES - Commissioners Barrera, Cirillo, Guzman, Yanez, and Mayor Rodriguez

NAYS - None

ABSENT **-** None

**Note: Town Clerk Adelinny Plaza announced that the consent agenda would include items #R23-102 through #R23-122.**

**RESOLUTION #R23-102**

**RE: AUTHORIZING SUBMISSION OF AN APPLICATION TO THE COUNTY OF HUDSON FOR FUNDING UNDER THE 2023 OPEN SPACE, RECREATION, AND HISTORIC PRESERVATION TRUST FUND (WASHINGTON PARK IMPROVEMENT PROJECT)**

WHEREAS, the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations who are sponsored by their local municipality for assistance in the development or redevelopment of park improvements; and,

 WHEREAS, the Town of West New York desires to further the public interest by obtaining a matching grant of approximately $500,000.00 from the County Trust Fund to facilitate the Washington Park Improvement Project which will include the construction of junior-sized turf soccer fields and rehabilitation of the existing basketball courts; and,

 WHEREAS, the Board of Commissioners has reviewed the County Trust Fund Program Statement, and the Trust Fund Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

 WHEREAS, the County of Hudson shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

 WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Hudson for the above-named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of April 28, 2023 as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Town of West New York has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Town of West New York is committed to providing a match for the project in the amount of at least $500,000.00; and,

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

1. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
2. That the Town of West New York agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
3. That this resolution shall take effect immediately.

**RESOLUTION #R23-103**

**RE: CONCERNING PAYMENT OF CLAIMS FOR WORKERS COMPENSATION AND GENERAL LIABILITY FOR THE MONTH OF APRIL 2023**

 WHEREAS the Town of West New York has claims for bills to be paid under workers compensation and general liability; and

 WHEREAS the Town of West New York is self-insured and participates with other communities in the Public Entity Joint Insurance Fund; and

 WHEREAS the PE JIF, and Claims Administrator and the Town Administrator have reviewed all claims and recommend payment, and

WHEREAS the Chief Financial Officer has certified that funds are available for payment of these claims in account 21-75012 for Workers Compensation claims and account 21-75022 for General Liability claims, and

 WHEREAS, the Board of Commissioners must approve payment of these claims; and

 NOW THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Town of West New York do hereby approve of the payment of the following claims:

Workers Compensation: $ 292,548.69

General Liability: $ 35,052.53

**RESOLUTION #R23-104**

**RE:** **AUTHORIZING REFUND OF TAX LIEN REDEMPTIONS AND TAX LIEN PREMIUMS**

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

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

WHEREAS, the Certificates have now been redeemed and the investor is entitled to a refund of said redemption amounts and premium amounts pursuant to N.J.S.A. 54:5-33 and N.J.S.A 54:5-33; 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, that the below listed redemption and premium amounts be paid to the investors in the following amounts, and the Department of Revenue and Finance is hereby authorized to issue said refunds:

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **LIEN HOLDER**  |  |  |  | **TAX** | **REDEMPTION** |  **PREMIUM**  |
| **APRIL**  | **BLK** | **LOT** | **QUAL** | **CERTIFICATE**  |  |  |
| **EVOLVE BANK & TRUST** | **100** | **14** |  | **22-0184** | **$1,317.11**  | **$16,700.00**  |
| **EVOLVE BANK & TRUST** | **20** | **36** | **C0011** | **22-0046** | **$876.40**  | **$3,600.00**  |
| **EVOLVE BANK & TRUST** | **132** | **25** |  | **22-0225** | **$3,200.92**  | **$5,600.00**  |
| **EVOLVE BANK & TRUST** | **123** | **18** |  | **22-0217** | **$5,588.84**  | **$10,700.00**  |
| **EVOLVE BANK & TRUST** | **140** | **9** |  | **22-0237** | **$4,012.54**  | **$8,300.00**  |
| **EVOLVE BANK & TRUST** | **115** | **7** | **C0204** | **22-0202** | **$1,191.55**  | **$4,800.00**  |
| **EVOLVE BANK & TRUST** | **148** | **18** |  | **22-0241** | **$828.20**  | **$11,200.00**  |
| **EVOLVE BANK & TRUST** | **20** | **2** |  | **22-0039** | **$8,282.45**  | **$24,300.00**  |
| **FIG 20, LLC FBO SEC PTY** | **26** | **2** |  | **22-0051** | **$2,060.79**  | **$3,000.00**  |
| **FIG 20, LLC FBO SEC PTY** | **41** | **3** |  | **22-0092** | **$427.92**  |  |
| **FIG 20, LLC FBO SEC PTY** | **113** | **6** |  | **22-0201** | **$3,434.02**  | **$3,000.00**  |
| **FIG CUST FIGNJ19LLC & SEC PTY** | **82** | **1** |  | **20-0255** | **$13,063.58**  | **$2,000.00**  |
| **GLIA GROUP LLC** | **5** | **32** | **C0807** | **20-0017** | **$9,853.62**  | **$5,600.00**  |
| **LB-HONEY BADGER SBMUNI CUST** | **19** | **4** | **C0003** | **22-0033** | **$1,931.55**  | **$4,100.00**  |
| **PRO CAP 8 FBO FIRSTRUST BANK** | **113** | **8** |  | **19-0251** | **$16,486.96**  | **$1,100.00**  |
| **PRO CAP 8 FBO FIRSTRUST BANK** | **14** | **8** |  | **22-0028** | **$8,396.89**  | **$13,700.00**  |
| **US BANK CUST/PC8 FIRSTRUST BANK** | **72** | **40** |  | **21-0178** | **$464.52**  | **$1,800.00**  |
| **US BANK CF TOWER DB X TRUST 2020-1** | **168.01** | **7.06** | **C0117** | **20-0452** | **$3,315.38**  | **$2,000.00**  |
| **USBANK CUST TOWER DBXI** | **168.01** | **8.03** | **C0204** | **21-0401** | **$6,890.30**  | **$3,700.00**  |
| **USBANK CUST TOWER DBXI** | **168.01** | **8.03** | **C0202** | **21-0400** | **$6,940.77**  | **$3,700.00**  |
| **USBANK CUST TOWER DBXII** | **168.01** | **8.03** | **C0228** | **22-0286** | **$2,437.32**  | **$800.00**  |
| **USBANK CUST TOWER DBXII** | **168.01** | **8.01** | **C0426** | **22-0282** | **$3,848.76**  | **$800.00**  |
| **WSFS AS CUST LVTLOPS/FIRSTRUST** | **41** | **16** |  | **22-0093** | **$654.63**  | **$2,200.00**  |
|   |   |   |   |   |   |   |
| **SUBTOTAL:** |   |   |   |   | **$105,505.02**  | **$132,700.00**  |
|   |   |   |   |   |  |  |
| **TOTAL:** |   |   |   |   | **$238,205.02**  |

**RESOLUTION #R23-105**

**RE:** **AUTHORIZING HUDSON COUNTY 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 in the Town of West New York (“Town”); and

 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, relating to said respective properties.

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

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

NAME BLOCK-LOT AMOUNT YEAR

KATES NUSSMAN TRUST

ACCOUNT 168.01/008.01 C0210 $6784.44 2022

 GRAND TOTAL $6,784.44

**RESOLUTION #R23-106**

**RE:** **REFUNDING AMOUNT OF REDUCTION DUE TO STATE COURT TAX APPEAL DECISION**

 WHEREAS, the following property owner has appealed to the Tax Court of New Jersey for a reduction in the Tax Assessment levied upon their property; and

 WHEREAS, the Tax Court of New Jersey, by their judgment, has reduced the said assessments levied upon the said property; 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

 NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of West New do hereby authorize the said payment of taxes be and the same is hereby affirmed to the property owner in the following amount for the years noted pursuant to N.J.S.A. 54:3-21 & 54:3-27.2.

NAME BLOCK-LOT AMOUNT YEAR

MICHAEL SCHNECK TRUST 124 /5 $15,270.00 2020

FOR ABIGAIL HOLDING $30,756.00 2021

 GRAND TOTAL $46,026.00

**RESOLUTION #R23-107**

**RE:** **RATIFYING MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF WEST NEW YORK AND THE CITY OF JERSEY CITY TO FORM STRATEGIC PARTNERSHIP TO PROVIDE PUBLIC HEALTH NURSE CASE MANAGEMENT SERVICES**

WHEREAS, the Town of West New York (the “Town”) and the City of Jersey City (“Jersey City”) share a commitment to providing primary and preventative public health care services to the residents within their jurisdiction; and

WHEREAS, pursuant to N.J.A.C. 8:51, the West New York Health Department and the Jersey City Department of Health are both certified local health departments which are responsible for the provision of public health care services to their residents, which includes the provision of follow-up nursing case management services for lead-burdened children residing in each municipality’s jurisdiction; and

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, the Town and Jersey City seek to capitalize on each municipality’s individual strengths by ratifying a Memorandum of Understanding (“MOU”) to form a strategic joint partnership to work together to provide public health care, nursing case management, and environmental intervention services to lead-burdened children within both jurisdictions at the Jersey City Department of Health and Human Services, located at 1 Jackson Square/City Hall Annex, Jersey City, New Jersey 07305; and

WHEREAS, the MOU establishes joint leadership between the Town and Jersey City to facilitate expanded access to quality public health services, to reduce health care disparities, and to improve the quality of life for the residents within both municipalities; and

WHEREAS, the term of the MOU will be retroactively effective as of July 1, 2022 and shall expire on June 30, 2025, under the guidance of the New Jersey Department of Health; and

WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York have determined that it is in the best interest of the public to authorize the ratification of the MOU with Jersey City to form a strategic partnership to provide public health care and nursing case management services to lead-burdened children within the Town’s jurisdiction at the Jersey City Department of Health and Human Services.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby ratify the Memorandum of Understanding between the Town of West New York and the City of Jersey City to form a strategic partnership to provide public health care and nursing case management services to lead-burdened children within the Town’s jurisdiction at the Jersey City Department of Health and Human Services, located at 1 Jackson Square/City Hall Annex, Jersey City, New Jersey, 07305.

BE IT FURTHER RESOLVED that the term of the MOU shall be retroactively effective as of July 1, 2022 through June 30, 2025, under the guidance of the New Jersey Department of Health.

BE IT FURTHER RESOLVED that the Mayor, Town Administrator and Town Clerk are hereby authorized to take any additional steps to necessary to ratify the Memorandum of Understanding and to further effectuate the purposes set forth herein.

**RESOLUTION #R23-108**

**RE:** **AUTHORIZING CONTRACT FOR EMERGENCY MEDICAL THIRD-PARTY BILLING** **SERVICES TO CORONIS HEALTH RMC, LLC**

WHEREAS, the Town of West New York (the “Town”) solicited proposals through a fair and open process, using a Request for Proposals (“RFP”) for the provision of third-party EMS billing services as required by the Town; and

WHEREAS, on March 2, 2023, the Town received two (2) proposals for the provision of the required third-party EMS billing services as required by the Town for a one (1) year contract period; and

WHEREAS, the Town evaluated the proposals and determined that the proposal submitted by Coronis Health RMC, LLC, located at 50 US Highway 9 North, Building B, Morganville, NJ 07751 is legally sufficient and that the services required will be provided to the Town in a professional and cost-effective manner between May 1, 2023 through April 31, 2024; and

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, the Town seeks to authorize the award of a contract to Coronis Health RMC, LLC, for the provision of third-party emergency medical billing services as required by the Town for a one-year contract period between May 1, 2023 through April 31, 2024, in accordance with the terms and amounts set forth in the proposal, for a total annual contract amount not to exceed $85,000.00.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners do hereby authorize the award of a contract with Coronis Health RMC, LLC, located at 50 US Highway 9 North, Building B, Morganville, NJ 07751 for the provision of third-party emergency medical billing services as required by the Town for a one-year contract period between May 1, 2023 through April 31, 2024, for a total annual contract amount not to exceed $85,000.00, pursuant to the terms and amounts set forth in the proposal.

BE IT FURTHER RESOLVED that the Mayor, the Town Clerk, and/or the Municipal Administrator are hereby authorized to take any additional steps necessary to execute a contract with Coronis Health RMC, LLC and to further effectuate the purposes as set forth in this Resolution.

BE IT FURTHER RESOLVED that notice of the Contract award shall be published and maintained in the Office of Clerk.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that sufficient funds are available for this contract in account number 01-201-22-772-020-99.

**RESOLUTION #R23-109**

**RE:** **RENEWING THE SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF WEEHAWKEN FOR SPECIAL PROJECT INFORMATION TECHNOLOGY SPECIALIST FOR 2022-2023**

WHEREAS, by prior Resolution (#R20-371), the Town of West New York (the “Town”) and the Township of Weehawken (“Weehawken”) entered into a shared services agreement (the “Agreement”) for the use of Special Projects Information Technology Specialist services provided by the Township of Weehawken; and

 WHEREAS, by prior Resolution (R21-295) the Town and Weehawken authorized the renewal of the Shared Services Agreement for a one-year term between November 1, 2021 and October 31, 2022; and

WHEREAS, by prior Resolution (R22-092), the Mayor and Board of Commissioners for the Town of West New York authorized an increase in the Town’s payment from $35,000.00 to include fringe benefits in the amount of $5,740.00, for an increased total annual payment amount of $40,740.00 payable quarterly to Weehawken, for the period between November 1, 2021 through October 31, 2022; and

 WHEREAS, the Town seeks to authorize the renewal of the SSA with Weehawken for the provision of Special Projects Information Technology Services for a one-year period, effective retroactively as of November 1, 2022 through October 31, 2023 for a total annual contract amount not to exceed $40,740.00, payable quarterly to Weehawken.

NOW THEREFORE BE IT RESOLVED that the Mayor and the Board of Commissioners for the Town of West New York do hereby authorize the renewal of the Shared Services Agreement between the Town of West New York and the Township of Weehawken for the provision of Special Projects Information Technology Services for a one-year period, effective retroactively as of November 1, 2022 through October 31, 2023, for a total annual contract amount not to exceed $40,740.00 inclusive of fringe benefits, payable quarterly to Weehawken.

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

BE IT FURTHER RESOLVED that the Mayor, the Town Administrator, and the Town Clerk are hereby authorized to take any necessary steps to effectuate the purposes set forth herein.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the funds necessary to provide payment pursuant to this Agreement are available in account 01-201-20-708-020-99.

**RESOLUTION #R23-110**

**RE:** **AWARDING CONTRACT FOR MUNICIPAL COURT INTERPRETING SERVICES TO SOL’S INTERPRETING SERVICES FOR 2023**

 WHEREAS, the Town of West New York solicited proposals using a fair and open process, through the use of a “Request for Proposals” pursuant to N.J.S.A. 40A:11-4.1, for the provision of municipal court interpreter services as required by the Town on four (4) occasions; and

WHEREAS, on March 10, 2023, the Town received one (1) proposal from Sol’s Interpreting Services, 6118 Meadowview Avenue, North Bergen, NJ 07047, for the provision of Municipal Court Interpreting Services as required by the Town; and

WHEREAS, the Town evaluated the proposal submitted by Sol’s Interpreting Services and determined that the proposal is legally sufficient and that the services will be provided in a professional and cost-effective manner as required by the Town; and

WHEREAS, the Town seeks to authorize the award of a contract for the provision of Municipal Court Interpreting Services to Sol’s Interpreting Services, located at 6118 Meadowview Avenue, North Bergen, NJ 07047, pursuant to the rates set forth in the proposal, for the period between January 1, 2023 and December 31, 2023, for a total contract amount not to exceed $35,000.00.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize the award of a contract to Sol’s Interpreting Services, located at 6118 Meadowview Avenue, North Bergen, NJ 07047, for the provision of Municipal Court Interpreting Services from January 1, 2023 until December 31, 2023, for a total annual contract amount not to exceed $35,000.00 pursuant to the rates set forth in the proposal.

 BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator is hereby authorized to execute and deliver this contract on behalf of the Town, and the Municipal Clerk or Deputy Municipal Clerk is hereby authorized and directed to attest to the execution of this contract and to affix the corporate seal of the Town thereto.

BE IT FURTHER RESOLVED that notice of the Contract award shall be published and maintained in the Office of Clerk.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the necessary $35,000.00 is available for this payment from account 01-201-30-830-020-99 (Municipal Court).

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**RESOLUTION #R23-111**

**RE:** **AUTHORIZING A CONTRACT WITH JOSEPH SMENTKOWSKI INC. FOR CURBSIDE RECYCLING COLLECTION SERVICES FOR 2023**

 WHEREAS, the Town of West New York (“Town”) requires curbside recycling collection services throughout the Town; and

WHEREAS, the Town solicited proposals through a fair and open process, via a Request for Proposals (“RFP”), for the provision of the require curbside recycling collection services as needed by the Town; and

WHEREAS, the Town received one (1) proposal submitted by Joseph Smentkowski Inc., located at 160 James Avenue, Jersey City, NJ 07306, for the provision of the required curbside recycling and collection services as needed by the Town; and

WHEREAS, Option #3 of the proposal submitted by Joseph Smentkotwski Inc. provides an initial two (2) year contract term, at a rate of $564,000.00 per year, for a total two (2) year contract amount of $1,128,000.00 for the provision of the required curbside recycling collection services; and

WHEREAS, Option #3 of the proposal also provides the Town with three (3) one-year extension options following the initial two (2) year term, for curbside recycling collection services pursuant to the following rates per year:

Extension Option Year 1: $576,000.00

Extension Option Year 2: $588,000.00

Extension Option Year 3: $600,000.00

WHEREAS, the Town seeks to authorize a contract with Joseph Smentkowski Inc., located at 160 James Avenue, Jersey City, NJ 07306 pursuant to Option #3 of the proposal submitted to the Town for the provision of the required curbside recycling collection services for an initial two (2) year contract term, for a total two (2) year contract amount not to exceed $1,128,000.00 ($564,000.00 per year).

 NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize the award of a contract to Joseph Smentkowski Inc., located at 160 James Avenue, Jersey City, NJ 07306, for the provision of curbside recycling collection services for an initial two (2) year contract term beginning for the amount of $564,000.00 per year, and a total contract amount not to exceed $1,128,000.00.

BE IT FURTHER RESOLVED that pursuant to Option 3 of the proposal, the Town is provided with three (3) one-year extension options to the contract for curbside recycling collection services following the initial two (2) year term pursuant to the following rates per year:

Extension Option Year 1: $576,000.00

Extension Option Year 2: $588,000.00

Extension Option Year 3: $600,000.00

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the necessary funds are available for this contract from account 01-201-23-786-020-99.

BE IT FURTHER RESOLVED that the Mayor, Town Administrator and the Town Clerk are hereby authorized to take any additional steps necessary to effectuate the purposes set forth herein.

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**RESOLUTION** **#R23-112**

**RE: AUTHORIZING AUCTION OF SURPLUS VEHICLES, TRUCKS, MOTORCYCLES AND EQUIPMENT BY CASPERT MANAGEMENT CO. INC. FOR THE TOWN OF WEST NEW YORK**

WHEREAS, by prior Resolution #R23-048, the Town of West New York (the “Town”) authorized a contract with Caspert Management Co., Inc., located at 11 Oxford Road, North Caldwell, NJ 07006, for the provision of auction services for surplus vehicles, trucks, motorcycles and equipment as required by the Town for a fee in the amount of 5% of the gross sales from the auction, with the right to charge a 13% premium to buyers, which will belong exclusively to Caspert as the vendor, for a total contract amount not to exceed $17,000.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36 the Town can sell vehicles and personal items, by auction, when they are no longer needed for a public purpose; and

WHEREAS, the Town seeks to sell the surplus vehicles, trucks, and motorcycles identified in the attached list, as they are no longer needed by the Town to serve a public purpose, by auction pursuant to the Town’s contract with Caspert Management Co., Inc. for auctioneering services as required by the Town for the 2023 contract period.

NOW THEREFORE BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize the sale of the attached surplus vehicles, trucks and motorcycles that are no longer needed to serve a public purpose for the Town of West New York by auction pursuant to the Town’s contract with Caspert Management Co., Inc. for auctioneering services for the 2023 contract period.

 BE IT FURTHER RESOLVED that the list of surplus vehicles, trucks, and motorcycles to be sold at auction by Caspert Management Co., Inc. is included as an attachment hereto and the Town reserves the right to accept or reject any bid submitted during the auction.

BE IT FURTHER RESOLVED that the vehicles, trucks, motorcycles and property sold at auction, shall be sold “as is” without express or implied warranties, with the successful bidder required to execute a Hold Harmless and Indemnification Agreement with the Town.

BE IT FURTHER RESOLVED that notice of the Auction by Caspert Management Co., Inc. shall also be published in accordance with N.J.S.A. 40A:11-36.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **Department** | **Make** | **Model** | **Vin Number** | **Opening Bid** |
| **1** | **Parking Utility** | **Gmc** | **Sierra 2500HD** | **1GTHK24U84E215432** | **$200**  |
| **2** | **Parks** | **Jeep** | **Grand Cherokee Laredo** | **1J8GR48K77C534499** | **$200**  |
| **3** | **Parks** | **Ford** | **F-250 SD** | **1FTNF2B5XAEB37590** | **$200**  |
| **4** | **Parks** | **Ford** | **Crown Victoria** | **2FALP71W6VX213635** | **$200**  |
| **5** | **Police** | **Chevy** |  **Impala** | **2G1WD5E34E1117230** | **$200**  |
| **6** | **Police** | **Dodge** | **Chager 4 Dr White** | **2B3KA43H28H280236** | **$200**  |
| **7** | **Police** | **Ford** | **Crown Victoria** | **2FAFP71W25X158209** | **$200**  |
| **8** | **Police** | **Ford** | **Crown Victoria** | **2FAFP71W05X158211** | **$200**  |
| **9** | **Police** | **Ford** | **Crown Victoria Ltbl** | **2FAFP71WOWX192697** | **$200**  |
| **10** | **Police** | **Ford** | **E-350**  | **1FDWE35F02HA59821** | **$200**  |
| **11** | **Police** | **Dodge** | **White Durango** | **1D4HB48N64F207292** | **$200**  |

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

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| **12** | **Police** | **Nissan** | **Maxima SE** | **JN1DA31D52T422335** | **$200**  |
| **13** | **Police** | **Chevrolet** | **Impala** | **2G1WF52E949286157** | **$200**  |
| **14** | **Police** | **Gmc** | **Envoy** | **1GKDT13S222437652** | **$200**  |
| **15** | **Police** | **Nissan** | **Xterra** | **5N1ED28Y5YC579900** | **$200**  |
| **16** | **Police** | **Chevrolet** | **Impala** | **2G1WF52E949288913** | **$200**  |
| **17** | **Police** | **Dodge** | **Charger** | **2B3KA43V39H600655** | **$200**  |
| **18** | **Police** | **Dodge** | **Bk/Wt Charger** | **2B3AA4CV2AH116539** | **$200**  |
| **19** | **Police** | **Chevrolet** | **Impala** | **2G1WS551769307241** | **$200**  |
| **20** | **Police** | **Dodge** | **Durango** | **1D4HB48N55F547549** | **$200**  |
| **21** | **Police** | **Ford** | **Explorer** | **1FM5K8AR3EGB54790** | **$200**  |
| **22** | **Police** | **Ford** | **K8at 113 Explorer** | **1FM5K8AR7KGA20084** | **$200**  |
| **23** | **Police** | **Dodge**  | **Grand Caravan** | **2C4RDGCG2DR591778** | **$200**  |
| **24** | **Police** | **KAWASAKI** | **KZ1000-P** | **JKAKZCP201B519007** | **$200**  |
| **25** | **Police**  | **Ford** | **Pick Up White F250** | **1FTNX205X6EA46889** | **$200**  |
| **26** | **Public Works** | **Tennant** | **Green Machine 636** | **4300-3099** | **$200**  |
| **27** | **Public Works** | **Tennant** | **Green Machine 636** | **636-2133** | **$200**  |
| **28** | **Public Works** | **Tennant** | **Green Machine 636** | **636-2134** | **$200**  |
| **29** | **Public Works** | **Gmc** | **Sierra 3500** | **1GDJK34U32E291589** | **$200**  |
| **30** | **Public Works** | **Gmc** | **Sierra 3500HD** | **1GDJC34UX7E142522** | **$200**  |
| **31** | **Public Works** | **Volvo** | **FE Truck** | **4V52AFEC6PR472477** | **$200**  |
| **32** | **Public Works** | **Volvo** | **FE Truck** | **4V52AFEC4PR472476** | **$200**  |
| **33** | **Public Works** | **PICK UP** | **Sierra 3500** | **1GDJK34U92E292570** | **$200**  |
| **34** | **Public Works** | **Gmc** | **Sierra Classic 2500HD** | **1GTHK24U97E164320** | **$200**  |
| **35** | **Public Works** | **Gmc Pickup-** | **Sierra 3500** | **1GDJK34U72E289361** | **$200**  |
| **36** | **Public Works** | **Gmc** | **Sierra 2500HD** | **1GTHK24UX4E231180** | **$200**  |
| **37** | **Senior Citizen** | **International** | **3400 T44E Bus** | **1HVBEABM2YH274906** | **$500**  |
| **38** | **Police** | **Kawasaki**  | **KZ1000-P** | **JKAKZT00JE060227**  | **$200**  |
| **39** | **Public Works** | **FISHER 8' HD** | **FISHER 8' HD** | **1109212095752800.00** | **$100**  |
| **40** | **Public Works** |  **MEYER LP 9.0**  |  **MEYER LP 9.0**  | **1635009403.00** | **$100**  |
| **41** | **Public Works** | **FISHER 8' HD** | **FISHER 8' HD** | **311252001952800.00** | **$100**  |
| **42** | **Public Works** | **WESTERN 8' PRO PLUS** | **WESTERN 8' PRO PLUS** | **6090710716166890.00** | **$100**  |
| **43** | **Public Works** | **WESTERN 8' PRO PLUS** | **WESTERN 8' PRO PLUS** | **15111910274876900.00** | **$100**  |
| **44** | **Public Works** | **MEYER LP 8.0** | **MEYER LP 8.0** | **167509401.00** | **$100**  |
| **45** | **Public Works** | **FISHER 8' MINUTE MOUNT SYSTEM** | **FISHER 8' MINUTE MOUNT SYSTEM** | **NO SERIAL #** | **$100**  |
| **46** | **Public Works** | **FISHER 8' HD** | **FISHER 8' HD** | **311250020228000.00** | **$100**  |
| **47** | **Public Works** | **WESTERN 7.5'**  | **WESTERN 7.5'**  | **15051110310650700.00** | **$100**  |

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

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| **48** | **Parking Utility**  | **500 pieces of Duncan mechanical meters** | **500 pieces of Duncan mechanical meters** |  | **$100**  |
| **49** | **Parking Utility**  | **24 confiscated bikes**  | **24 confiscated bikes**  |  | **$100**  |
| **50** | **Parking Utility**  | **Office Phone** | **Office Phone** | **HU600860462** | **$5**  |
| **51** | **Parking Utility**  | **Office Phone** | **Office Phone** | **HU600486501** | **$5**  |
| **52** | **Parking Utility**  | **Office Phone** | **Office Phone** | **PR101276380** | **$5**  |
| **53** | **Parking Utility**  | **Office Phone** | **Office Phone** | **7CAIF160789** | **$5**  |
| **54** | **Parking Utility**  | **Printer** | **Printer** | **CN34C2PGYT** | **$10**  |
| **55** | **Parking Utility**  | **PC Desktop Monitor** | **PC Desktop Monitor** | **ETLBN0C0328280C1B04001** | **$10**  |
| **56** | **Parking Utility**  | **Speaker**  | **Speaker**  | **CN-OD3431-48220-3BD-092B** | **$10**  |
| **57** | **Parking Utility**  | **Office Phone** | **Office Phone** | **EB200592527** | **$5**  |
| **58** | **Parking Utility**  | **Office Phone** | **Office Phone** | **EB200629513** | **$5**  |
| **59** | **Parking Utility**  | **Office Phone** | **Office Phone** | **EB200659916** | **$5**  |
| **60** | **Parking Utility**  | **Office Phone** | **Office Phone** | **EB200633435** | **$5**  |
| **61** | **Parking Utility**  | **Office Phone** | **Office Phone** | **EB200633459** | **$5**  |
| **62** | **Parking Utility**  | **Speaker**  | **Speaker**  | **CN-OD3431-48220-3BD-01DL** | **$10**  |
| **63** | **Parking Utility**  | **PoE switch** | **PoE switch** | **PS217481G5M** | **$10**  |
| **64** | **Parking Utility**  | **Router** | **Router** | **172254676** | **$10**  |
| **65** | **Parking Utility**  | **PoE switch** | **PoE switch** | **12A69301195** | **$10**  |
| **66** | **Parking Utility**  | **Router** | **Router** | **C0EAE429E4CC** | **$10**  |
| **67** | **Parking Utility**  | **Laptop** | **Laptop** | **5D134825C** | **$25**  |
| **68** | **Parking Utility**  | **Laptop** | **Laptop** |  | **$25**  |
| **69** | **Police** | **Misc Vehicle lights and controls lot #1** |  |  | **$5**  |
| **70** | **Police** | **Misc Vehicle lights and controls lot #2** |  |  | **$5**  |

**RESOLUTION #R23-113**

**RE: TO AUTHORIZE THE PURCHASE OF RADIO COMMUNICATION EQUIPMENT AND ACCESSORIES FROM MOTOROLA SOLUTIONS, INC.**

WHEREAS, the Mayor and the Board of Commissioners for the Town of West New York (“Town”) have determined that portable radio equipment and improvements are required for the three (3) WNYPD Sport Utility Vehicles (“SUVs”) purchased for the West New York Police Department (“WNYPD”); and

WHEREAS, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), the Town may purchase any goods or services, by resolution and without advertising for bids, under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, Motorola Solutions, Inc., located at 64 East Midland Avenue, Paramus, NJ 07653, is an authorized provider of radio communications equipment under New Jersey State Contract #83909 valid between May 1, 2013 and April 30, 2023, which allows the Town to purchase the required radio communications equipment and accessories for the WNYPD without public bidding pursuant to N.J.S.A. 40A:11-5; and

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, Motorola Solutions, Inc. has provided the Town with a proposal for the purchase of the required portable radio equipment and improvements for the three (3) SUVs purchased for the West New York Police Department (“WNYPD”) pursuant to NJ State Contract #83909, for a total amount of $21,221.25; and

WHEREAS, the Temporary Qualified Purchasing Agent has recommended the Town authorize the purchase of the required radio communications equipment and accessories for the three (3) SUVs for the WNYPD from Motorola Solutions, Inc. pursuant to NJ State Contract #83909, in an amount not to exceed $21,221.25.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Board of Commissioners of the Town of West New York, do hereby approve the purchase of the required portable radio equipment and accessories for the WNYPD under NJ State Contract #83909 pursuant to the proposal provided by Motorola Solutions Inc. for a total amount not to exceed $21,221.25.

BE IT FURTHER RESOLVED that the Mayor, the Town Clerk, and the Qualified Purchasing Agent are authorized to take all necessary steps to execute the documents to approve this purchase from Motorola Solutions, Inc. as set forth herein.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the necessary funds are available for this payment from account number 13-286-56-103-000.

**RESOLUTION #R23-114**

**RE: AUTHORIZING THE PURCHASE OF LIGHTING AND UPFIT MODIFICATIONS FOR THREE (3) WNYPD VEHICLES FROM ELITE VEHICLE SOLUTIONS**

WHEREAS, the Town of West New York (“Town”) requires emergency lighting upfit equipment for police vehicles for the West New York Police Department; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), the Town may purchase any goods or services, by resolution and without advertising for bids, under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury, which includes NJ State Blanket Contract #T-0106, PO# 17-FLEET-00749 with Elite Vehicle Solutions; and

WHEREAS, Elite Vehicle Solutions, located at 1000 Bennett Boulevard, Unit 6, Lakewood, NJ 08701, provided the Town with an estimate (#C08424) to purchase the required lighting upfit modifications for the police vehicles and related purchases pursuant to NJ State Blanket Contract #T-0106, PO#17-FLEET-00749, in the amount of $21,000.00 per vehicle, for a total purchase amount of $63,000.00; and

 WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York seek to authorize the purchase of the required lighting upfit modifications for the three (3) police vehicles from Elite Vehicle Solutions, pursuant to NJ State Blanket Contract #T-0106, PO#17-FLEET-00749, in the amount of $21,000.00 per vehicle, for a total purchase amount not to exceed $63,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York, do hereby authorize the purchase of the required lighting upfit modifications from Elite Vehicle Solutions, located at 1000 Bennett Boulevard, Unit 6, Lakewood, NJ 08701 for three (3) vehicles for the WNYPD in the amount not to exceed $21,000.00 per vehicle and a total purchase cost not to exceed $63,000.00 for the three (3) WNYPD vehicles, pursuant to NJ State Blanket Contract #T-0106, PO #17-FLEET-00749.

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for this purchase in Account Number: 13-286-56-103-000 and 01-201-22-762-020-99.

**RESOLUTION #R23-115**

**RE:** **AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE AGREEMENT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-10**

WHEREAS, the Town of West New York (“Town”), pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.11, may by resolution and without advertising for bids, purchase any goods or services through duly formed cooperative purchasing systems; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Town intends to enter into contracts with the attached Referenced Cooperative purchasing system vendors through this resolution and properly executed cooperative agreements, which shall be subject to all the conditions of applicable laws.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Commissioners of the Town of West New York, County of Hudson, State of New Jersey do hereby authorize the Purchasing Agent to purchase certain goods or services from those approved Cooperative Pricing System Contract Vendors on the attached list.

BE IT FURTHER RESOLVED, that the Mayor and Commissioners of the Town of West New York pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Town

of West New York and the Referenced Cooperative Pricing System Contract Vendors shall be based on the term of the appropriate Cooperative Pricing System contract.

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| **Vendor Name** | **Description** | **Award Date** | **Expire Date** | **Amount** |
| J. FLETCHER CREAMER & SON, INC  | BC-Bid-22-46 - AS NEEDED UTILITY CONSTRUCTION & BRIDGE & CULVERT REPAIR  | 4/5/2023  | 2/28/2025 | 75,000.00 |
| JOHNSTON COMMUNICATIONS, INC.  | UCCP 23-2021 TELEPHONE SYSTEM AND EQUIPMENT  | 4/5/2023  | 3/28/2025 | 35,000.00 |
| McCloskey Mechanical | #HCESC-Ser-21A HVAC Services  | 4/5/2023  | 11/2/2023 | 75,000.00 |
| MONTANA COSTRUCTION CORP INC | BC-Bid-22-46 - AS NEEDED UTILITY CONSTRUCTION & BRIDGE & CULVERT REPAIR  | 4/5/2023  | 2/28/2025 | 75,000.00 |
| NORTH JERSEY BOBCAT INC  | ESCNJ 22/23-12 Grounds Equipment  | 4/5/2023  | 2/21/2024 | 25,000.00 |
| PERSISTENT CONSTRUCTION INC | BC-Bid-22-46 - AS NEEDED UTILITY CONSTRUCTION & BRIDGE & CULVERT REPAIR  | 4/5/2023  | 2/28/2025 | 75,000.00 |

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

**RESOLUTION #R23-116**

**RE:** **AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the Town of West New York (“Town”), pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Town has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Town intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey authorizes the Temporary Qualified Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Town of West New York pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Municipal Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Town

of West New York and the Referenced State Contract Vendors shall be based on the term of the appropriate State contract.

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| **Vendor Name** | **Description** | **Award Date** | **Expire Date** | **Amount** |
| CLIFFSIDE BODY CORP.  | 40822 Repairs  | 4/5/2023  | 3/17/2024 | 25,000.00 |
| NIELSEN FLEET INC | 23-FLEET-34887 T0106 - Law Enforcement Firearms Equipment and Supplies | 4/5/2023  | 5/14/2023 | 25,000.00 |
| NIELSEN OF MORRISTOWN INC | 23-FLEET-34928 T0126 - OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES | 4/5/2023  | 3/17/2024 | 25,000.00 |
| PARAMUS FORD  | 40804 R0126 OEM & Non OEM Maint. & Repair Services for Light/Medium Duty Vehicles  | 4/5/2023  | 3/17/2024 | 50,000.00 |
| ROUTE 23 AUTOMALL,LLC  | 40812 T0126 - OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM VEHICLES  | 4/5/2023  | 3/17/2024 | 50,000.00 |
| SAMUELS INC  | 85992 T2761 - NON-OEM AUTOMOTIVE PARTS & ACCESSORIES FOR LIGHT DUTY VEHICLES  | 4/5/2023  | 2/25/2024 | 50,000.00 |
| W. CAMPBELL SUPPLY OF PORT NEWARK, LLC | 89264 T2108 Maintenance & Repair for Heavy Duty Vehicles Class 5 or Higher Over 15,000 LB GVWR | 4/5/2023  | 11/20/2023 | 50,000.00 |

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**RESOLUTION #R23-117**

**RE:** **TO AUTHORIZE ADDITIONAL INCREASE TO EXPENDITURE LIMIT FOR CONTRACT AMOUNT OF NEWSPAPER PUBLICATION UTILIZED BY THE TOWN OF WEST NEW YORK**

WHEREAS, by prior Resolution, the Town of West New York (“Town”) established the annual not to exceed amounts for all written newspaper periodicals/publications utilized by the Town to minimize the Town’s spending and expenditures for such services for 2022; and

WHEREAS, by prior Resolution, the Town authorized an increase to the contract with the newspaper/periodical provider, CAMBIO, for an amended total expenditure limit in the amount of $6,000.00 for the 2022 calendar year; and

WHEREAS, the Town seeks to authorize an additional increase to the contract in the amount of $2,500.00 for services provided by the newspaper/periodical provider, CAMBIO, as required by the Town of West New York during 2022, for an amended total expenditure amount of $8,500.00; and

WHEREAS, the Mayor and the Board of Commissioners for the Town of West New York seek to authorize an increase of $2,500.00 to the expenditure limit of $6,000.00, for an increased total annual contract amount not to exceed $8,500.00 for newspaper/periodical services provided by CAMBIO to the Town of West New York during the 2022 calendar year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize the annual expenditure amount for CAMBIO to be increased by $2,500.00 for newspaper/periodical services provided to the Town during 2022 for an amended total annual contract amount not to exceed $8,500.00.

BE IT FURTHER RESOLVED that the Mayor, Town Administrator and/or the Town Clerk are authorized to take such other and further steps necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the funds necessary to provide payment for this contract increase are available from account number 01-201-20-708-020-99.

**RESOLUTION #R23-118**

**RE: TO AUTHORIZE INCREASE TO EXPENDITURE LIMIT FOR CONTRACT AMOUNT OF NEWSPAPER PUBLICATION UTILIZED BY THE TOWN OF WEST NEW YORK**

WHEREAS, by prior Resolution, the Town of West New York (“Town”) established the annual not to exceed amounts for all written newspaper periodicals/publications utilized by the Town to minimize the Town’s spending and expenditures for such services for 2022; and

WHEREAS, the Town seeks to authorize an increase to the contract in the amount of $1,200.00 for services provided by the newspaper/periodical provider, Nuevo Universal, as required by the Town of West New York during 2022; and

WHEREAS, the Mayor and the Board of Commissioners for the Town of West New York seek to authorize an increase of $1,200.00 to the expenditure limit of $4,000.00, for an increased total annual contract amount not to exceed $5,200.00 for newspaper/periodical services provided by Nuevo Universal to the Town of West New York during the 2022 calendar year.

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York hereby authorize the annual expenditure amount for Nuevo Universal to be increased by $1,200.00 for newspaper/periodical services provided to the Town during 2022 for an amended total annual contract amount not to exceed $5,200.00.

BE IT FURTHER RESOLVED that the Mayor, Town Administrator and/or the Town Clerk are authorized to take such other and further steps necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the funds necessary to provide payment for this contract increase are available from account number 01-201-20-708-020-99.

**RESOLUTION #R23-119**

**RE:** **AUTHORIZING CONSTRUCTION ACTIVITIES OUTSIDE OF PERMISSIBLE HOURS FOR THE 57TH STREET PARKING GARAGE PROJECT**

WHEREAS, Section 135-4A of the Code of the Town of West New York permits construction between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday, and Saturday between 7:00 a.m. and 4:00 p.m.; and

WHEREAS, Section 135-4B of the Code of the Town of West New York allows construction outside of the hours set forth above upon approval of a resolution by the Board of Commissioners; and

WHEREAS, the vendor constructing the 57th Street Parking Garage Project within the Town of West New York has submitted a request to the West New York Building Department to authorize the construction outside of the normal hours of operation to expedite the project planned for that location; and

WHEREAS, the Town of West New York seeks to authorize construction work for the 57th Street Parking Garage Project outside of the normal hours set forth by Section 135-4 of the Code in order to complete the project on an accelerated basis.

 NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby permit construction activities to be performed in connection with the 57th Street Parking Garage Project outside of the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday, and Saturday between 7:00 a.m. and 4:00 p.m.

**RESOLUTION #R23-120**

**RE:** **AUTHORIZING CHANGE ORDER NO. 2 FOR THE 51st-52nd STREET PARKING GARAGE PROJECT**

WHEREAS, the Town of West New York (the “Town”) entered into a contract for the “51st-52nd Street Parking Deck” Project with Culver Construction Management, LLC, as an affiliate of Culver Properties, LLC for the construction of a parking deck located at 511-513 52nd Street and 508 51st Street (Tax Block 108, Lots 8, 9, & 25) within the Town of West New York; and

WHEREAS, the original contract sum for the 51st-52nd Street Parking Deck construction project was $15,768,061.00; and

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

WHEREAS, by prior Resolution, the Town authorized Change Order No. 1 submitted by Culver Construction Management, LLC in the amount of $998,595.57 related to unforeseen earthwork conditions encountered during the project, for an amended total project amount not to exceed $16,766,656.75; and

WHEREAS, Culver Construction Management, LLC has submitted Change Order No. 2 in the amount of $109,985.00 due to unforeseen costs and other factors encountered during the project, for an amended total contract amount of $16,876,641.75; and

WHEREAS, the Temporary Purchasing Agent recommends approval and payment of Change Order No. 2.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby approve Change Order No. 2 in the amount of $109,985.00 related to unforeseen costs and other factors encountered during the “51st-52nd Street Parking Deck” Project with Culver Construction Management, LLC, for an increased total contract amount not to exceed $16,876,641.75 (after Change Order No. 2).

BE IT FURTHER RESOLVED that the Mayor, the Town Administrator and the Town Clerk are authorized to take such other steps as are necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that sufficient funds are available in account 06-215-55-900-001.

**RESOLUTION #R23-121**

**RE: AUTHORIZING THE PURCHASE AND INSTALLATION OF VIDEO SURVEILLANCE EQUIPMENT FOR MILLER PARK PURSUANT TO UNION COUNTY COOPERATIVE PRICING SYSTEM**

WHEREAS, the Town of West New York (the “Town”) has determined that video surveillance equipment must be purchased and installed for Miller Park; and

WHEREAS, pursuant to N.J.S.A. 52:34-6.2(b) and N.J.S.A. 40A:11-11(5), the Town may, without bidding, purchase goods and services through authorized cooperative purchasing programs and systems, including the Union County Cooperative Pricing System (“UCCP”) Contract #8-UCCP 23-2021 for “Electronic Network Equipment, Security and Cabling” (valid through March 28, 2025); and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Town is a member of the Union County Cooperative Pricing System; and

WHEREAS, Johnston Communications (a.k.a. JCT Solutions), located at 36 Commerce Street, Springfield, NJ 07081, provided the Town with a quote (Quote #: JCTQ6596-01) for the purchase and installation of the required video surveillance equipment at Miller Park, pursuant to Union County Cooperative Contract #8-UCCP 24-2021, for a total in the amount of $116,883.96; and

WHEREAS, the Town seeks to authorize the purchase and installation of the required video surveillance equipment at Miller Park pursuant to Union County Cooperative Contract #8-UCCP 23-2021, for a total purchase amount not to exceed $116,883.96.

**April 5, 2023**

***Regular Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize the purchase of video surveillance equipment and installation services for Miller Park from JCT Solutions, located at 36 Commerce Street, Springfield, NJ 07081, pursuant to Union County Cooperative Contract #8-UCCP 23-2021 for “Electronic Network Equipment, Security and Cabling” (valid through March 28, 2025), for a total purchase amount not to exceed $116,883.96.

BE IT FURTHER RESOLVED that the Temporary Qualified Purchasing Agent, the Town Administrator, and the Town Clerk are hereby authorized to take any steps necessary to execute the document necessary to approve this purchase from Johnston Communications and to further effectuate the purposes set forth herein.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the necessary funds are available for this purchase in account number 04-215-55-925-007.

**RESOLUTION #R23-122**

**RE: AUTHORIZING THE TOWN CLERK TO ADVERTISE TO RECEIVE BIDS FOR “SUMMER FOOD SERVICE PROGRAM” ON TUESDAY, MAY 2nd, 2023 AT 11:00 A.M.**

WHEREAS, the Town of West New York (“Town”) seeks bids for the “Summer Food Service Program” on Tuesday, May 2nd, 2023 at 11:00 a.m. in accordance with the bid specifications on file with the Town Clerk’s Office; and

WHEREAS, bid specifications have been prepared and bids will be requested through the Town Clerk’s Office, located at 428 60th Street in the Town of West New York, New Jersey 07093; and

WHEREAS, the Town seeks to authorize the advertisement and receipt of bids for the “Summer Food Service Program” on Tuesday, May 2nd, 2023 at 11:00 a.m.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, authorize the advertisement and receipt of bids for the “Summer Food Service Program” on Tuesday, May 2nd, 2023 at 11:00 a.m.

**April 5, 2023**

***Regular Meeting***

**ORDINANCE #2/23**

**AN ORDINANCE TO AUTHORIZE EARLY VOTING PERIOD FOR THE TOWN OF WEST NEW YORK REGULAR MUNICIPAL ELECTION 2023**

**Note: Town Clerk Adelinny Plaza read the title of the foregoing Ordinance aloud.**

It was regularly moved by Commissioner Barrera, seconded by Commissioner Yanez, to **open the public hearing** on this Ordinance. The motion was carried by the following vote:

AYES - Commissioners Barrera, Cirillo, Guzman, Yanez, and Mayor Rodriguez

NAYS - None

ABSENT - None

**Note: Commissioner Cirillo inquired about the cost for Early Voting. Town Clerk Adelinny Plaza responded that Michael Harper advised he via e-mail that the total cost for Early Voting would be approximately $15,000.00 to $18,000.00. She listed the items eligible for reimbursement – Poll Worker pay, machine programming activation cards and ballots, machine delivery and pick up, posters, supplies and other materials. However, the town will be responsible to pay for the trailers, electrician, and portable restrooms which are not subject for reimbursement from the State. Commissioner Cirillo requested the locations for Early Voting and Town Clerk Plaza advised him that the board of elections have chosen 5800 Jefferson Street and 5101 Park Avenue. Commissioner Cirillo urged the Board of Elections to reconsider and assign an early voting site at the waterfront as he believed that the waterfront residents have been underrepresented and disenfranchised.**

It was regularly moved by Mayor Rodriguez, seconded by Commissioner Barrera, **to close the public hearing and** **adopt** this Ordinance. The motion was carried by the following vote:

AYES - Commissioners Barrera, Cirillo, Guzman, Yanez, and Mayor Rodriguez

NAYS - None

ABSENT - None

**Public Portion:**

It was regularly moved by Mayor Rodriguez and seconded by Commissioner Yanez,

**To open Public Portion of meeting at 6:41 p.m.** The motion was carried by the following vote:

AYES - Commissioners Barrera, Cirillo, Guzman, Yanez, and Mayor Rodriguez

NAYS - None

ABSENT - None

1. **Patrick Cullen, 72 67th Street, West New York, NJ:**

Mr. Cullen read aloud the preamble to the Noise Ordinance from Chapter 266 that was adopted on July 18, 2012. He emphasized the importance of peace and tranquility and urged the Governing Body to reinforce the Ordinance as a result of residents and transient commuters driving with loud music or causing disturbances. Mayor Rodriguez thanked Mr. Cullen and directed him to the Code Enforcement for assistance and suggested for him to speak offline. Commissioner Cirillo clarified that the Public Safety Department handles those complaints. Mr. Cullen inquired about the Town hosted rabies clinic and Mayor Rodriguez advised that it usually takes place in the summer around the month of June. Mr. Cullen complimented the governing body and shared his appreciation. He also announced that his 846-page book about the history of West New York is nearly

**April 5, 2023**

***Regular Meeting***

**Public Portion (Cont.):**

complete and the last entry of the book will be based on this year’s Municipal Election. The book will be sold for $20.00.

1. **Kevin Livermore, 61 Coleman Avenue, Chatham, NJ:**

Mr. Livermore, a former waterfront resident, advocated for an early voting site in the waterfront and urged the Board of Elections to consider same as commuting to the center of town is often difficult.

**Note: Prior to adjourning the meeting Commissioner Yanez announced that this was her last meeting as Commissioner and commended the Mayor and Board of Commissioners for everything they’ve accomplished during their tenure. She thanked the Administrators, CFO, and Town Clerk Plaza. Mayor Rodriguez announced that this was his last meeting and it was a pleasure to serve the Town of West New York as Mayor. He also thanked the Board of Commissioners for their service. Town Clerk Plaza thanked the Mayor and Commissioner Yanez and proceeded to request a motion to adjourn.**

It was regularly moved by Commissioner Barrera and seconded by Commissioner Yanez, **to close the Public Portion of the meeting and Adjourn at 6:52 p.m.** The motion was carried by the following vote:

AYES - Commissioners Barrera, Cirillo, Guzman, Yanez, and Mayor Rodriguez

NAYS - None

ABSENT - None

Commissioner Victor M. Barrera

Commissioner Cosmo A. Cirillo, PhD

Commissioner Margarita Guzman

Commissioner Yoleisy Yanez

Mayor Gabriel Rodriguez

Board of Commissioners

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Adelinny Plaza, RMC

 Town Clerk