***Town of West New York***

***Hudson County, New Jersey***

***Minutes of Special Meeting***

***(Regular Session)***

***September 6, 2023***

***Commissioner Marcos A. Arroyo***

***Commissioner Victor M. Barrera***

***Commissioner Marielka A. Diaz***

***Commissioner Adam W. Parkinson***

***Mayor Albio Sires***

***Board of Commissioners***

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

***town clerk***

**September 6, 2023**

***Special Meeting***

Minutes of a special 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, September 6, 2023 at 6:00 P.M. (No Work Session)**:**

Present: Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires

Absent: None

Also Present: Town Clerk Adelinny Plaza, Administrator Luis Baez, Deputy Town Administrator Jonathan Castaneda, and Samantha Blake, Esq. (Scarinci Hollenbeck)

Meeting commenced at 6:30 P.M.

Town Clerk Adelinny Plaza made the following announcement:

As presiding officer of this meeting, I do hereby certify that the requirements of the Open Public Meetings Act pertaining to this meeting scheduled to be held remotely this: September 6, 2023 at 6:00 p.m. (No Work Session), have been satisfied by the delivery of the 48-hour notice to each of the newspapers circulating in the Town of West New York (The Jersey Journal and the Bergen Record); by posting on the Municipal Bulletin Board; and by filing with the Clerk of the Municipality, with copies to all persons desiring the same.

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

**Note:** **Minutes were taken and transcribed by Town Clerk Adelinny Plaza and Cassandra Bonilla.**

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

It was regularly moved by **Commissioner Parkinson**, seconded by **Commissioner Diaz** that the Payment of Claims of: **September 6, 2023** be approved. The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires

NAYS - None

ABSENT **-** None

**September 6, 2023**

***Special Meeting***

**RESOLUTION #R23-280**

**RE: AUTHORIZING APPOINTMENT OF DIRECTOR OF PUBLIC SAFETY**

**WHEREAS**, pursuant to the Town of West New York Code Section 80-3, the Director of Public Safety shall be the head of the police force and is directly responsible to the Commissioner of the Department of Public Safety for the efficiency and routine day-to-day operations thereof; and

**WHEREAS**, the position of Director of Public Safety is currently vacant; and

**WHEREAS**, Alejandro DeRojas began his law enforcement career as a police officer in the West New York Police Department and ascended to the position of Deputy Chief before his retirement; and

**WHEREAS**, Alejandro DeRojas has the education and experience necessary and is otherwise qualified for the position of Director of Public Safety as a graduate of Columbia University with Bachelor of Arts in Psychology; and

**WHEREAS**, the Town seeks to appoint Alejandro DeRojas for a term of one year with an option of a one-year extension of the term of said contract, to be exercised by the Commissioner of Public Safety; and

**WHEREAS**, the salary for this appointment shall be in accordance with the allowable range set forth in the Town’s salary ordinance.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Board of Commissioners of the Town of West New York that they do hereby authorize the appointment of Alejandro Derojas to the position of Director of Public Safety for a one-year term with an option for a one-year extension to be exercised by the Commissioner of Public Safety.

**BE IT FURTHER RESOLVED**, that the Mayor, Municipal Administrator and/or designee is authorized to execute a contract with Alejandro DeRojas and take any other necessary action to effectuate the purposes of this resolution.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that the necessary funds for this appointment are available from account 01-201-22-762-010-11.

It was regularly moved by **Mayor Sires**, seconded by **Commissioner Arroyo** that the following resolutionbe adopted. The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires

NAYS - None

ABSENT - None

**Note:** Mayor Sires administered the oath of office to Police Director Alejandro DeRojas

**September 6, 2023**

***Special Meeting***

**Consent Agenda:**

It was regularly moved by **Commissioner Parkinson**, seconded by **Commissioner Diaz** that the following Consent Agenda Items **Nos. R23-281 through R23-284 *(excluding R23-280, which was already voted on)*** be adopted. The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires

NAYS - None

ABSENT - None

**RESOLUTION #R23-281**

**RE: AUTHORIZING THE PREPARATION OF AN AREA IN NEED OF REDEVELOPMENT STUDY FOR THE PROPERTY LOCATED AT 5700-5722 MADISON STREET (ALSO KNOWN AS BLOCK 125, LOT 1) AND 5717-5723 MADISON STREET (ALSO KNOWN AS BLOCK 126, LOT 28)**

**WHEREAS**, it is the perception and belief of the Board of Commissioners of the Town of West New York that the area identified as Block 125, Lot 1, more commonly known as 5700-5722 Madison Street, West New York, NJ 07093 and Block 126, Lot 28, more commonly known as 5717-5723 Madison Street, West New York, NJ 07093, may qualify as an “area in need of redevelopment” as that term is defined in the “Local Redevelopment and Housing Law” (N.J.S.A. 40A:12A-1 et seq.); and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, prior to making such determination, the Planning Board of the Town of West New York must be authorized by a Board of Commissioners’ Resolution to undertake a preliminary investigation, including, but not limited to, conducting public hearings on the matter to determine whether the proposed area is a redevelopment area as set forth under N.J.S.A. 40A:12A-5; and

**WHEREAS**, the redevelopment area determination shall authorize the Town of West New York to use all those powers provided by the Legislature for use in a redevelopment area, excluding the power of eminent domain (“Non-Condemnation Redevelopment Area”).

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Town of West New York that pursuant to law, the question of whether the area identified as Block 125, Lot 1, more commonly known as 5700-5722 Madison Street, West New York, NJ 07093 and Block 126, Lot 28, more commonly known as 5717-5723 Madison Street, West New York, NJ 07093, or any portion thereof should be deemed to be “an area in need of redevelopment” is hereby referred to the Planning Board of the Town of West New York for preliminary investigation, public hearing and preparation of a Redevelopment Study and recommendation to the Board of Commissioners as provided by statute.

**BE IT FURTHER RESOLVED** that the redevelopment area determination shall authorize the Town of West New York to use all those powers provided by the Legislature for use in a redevelopment area, excluding the power of eminent domain (“Non-Condemnation Redevelopment Area”).

**September 6, 2023**

***Special Meeting***

**Consent Agenda (Cont.):**

**RESOLUTION #R23-282**

**RE: APPROVING CHANGE ORDER NO. 4 FOR MILLER PARK IMPROVEMENTS, PLAYGROUND & DOG PARK PROJECT WITH ADAMO BROTHERS CONSTRUCTION, INC.**

**WHEREAS**, by prior Resolution, the Town of West New York (“the Town”) authorized a contract with Adamo Brothers Construction, Inc., located at 1033 Alexander Avenue, Ridgefield, NJ 07657, to complete the Miller Park Improvements, Playground, and Dog Park Project in the Town of West New York for an original total contract amount, inclusive of all allowances, of $4,423,000.00; and

**WHEREAS**, by prior Resolution, the Town approved Change Order No. 1 in the amount of $67,334.39, Change Order No. 2 in the amount of $21,699.00, and Change Order No. 3 in the amount of $33,149.00, submitted by RSC Architects on behalf of Adamo Brothers Construction in connection with the Miller Park Improvements, Playground & Dog Park Project to collectively increase the total amount to complete this project to $4,545,182.39 (After Change Order Nos. 1, 2, and 3); and

**WHEREAS**, RSC Architects, the firm overseeing this Project for the Town, has submitted Change Order No. 4 on behalf of Adamo Brothers Construction, Inc. for an increase of $40,677.76 to the total contract for the Miller Park Improvements, Playground & Dog Park Project, for an amended total contract amount of $4,585,860.15 (After Change Order No. 4) and has recommended approval of same by the Town.

**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. 4 as submitted by Adamo Brothers Construction, Inc., located at 1033 Alexander Avenue, Ridgefield, NJ 07657, for an increase in the amount of $40,677.76 for the work required to complete the Miller Park Improvements, Playground and Dog Park Project, for an amended total contract amount of $4,585,860.15 (After Change Order No. 4).

**BE IT FURTHER RESOLVED** that the Mayor, Municipal Administrator, RSC Architects, and the Town Clerk are authorized to take any additional steps necessary to authorize the change orders as set forth herein and to further effectuate the purposes detailed in this Resolution.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that sufficient funds are available for this contract in account number 04-215-55-923-001.

**RESOLUTION #R23-283**

**RE: AUTHORIZING PURCHASE OF FURNITURE & EQUIPMENT FOR MUNICIPAL RESTORATION PROJECT (INSURANCE REIMBURSEMENT)**

**WHEREAS,** the Mayor and the Board of Commissioners for the Town of West New York (“Town”) have determined that furniture and related items are required by the Clerk’s Office and the Municipal Court Department for the Town of West New York; and

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

**WHEREAS**, the HON Company LLC, is an authorized furniture company under New Jersey State Contract #19-FOOD-00927, valid through October 30, 2023, and thus, any purchase

**September 6, 2023**

***Special Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

by the Town pursuant to this contract is exempt from public bidding in accordance with N.J.S.A. 40A:11-5; and

**WHEREAS**, the HON Company LLC has provided the Town with two (2) quotes (Estimates #2491 and #2492) dated August 26, 2023 for the purchase of furniture and related items pursuant to NJ State Contract #19-FOOD-00927; and

**WHEREAS**, the HON Company LLC has provided the Town with a quote (Estimate #2491) dated August 26, 2023 for the purchase of file cabinets and chairs pursuant to NJ State Contract #19-FOOD-00927 in the amount of $44,691.88; and

**WHEREAS**, the HON Company LLC has provided the Town with a quote (Estimate #2492) dated August 26, 2023 for the purchase of case goods and systems pursuant to NJ State Contract #19-FOOD-00927 in the amount of $47,366.59; and

**WHEREAS**, the Temporary Purchasing Agent has recommended that the Town authorize the purchase of furniture and related items from the HON Company LLC pursuant to NJ State Contract #19-FOOD-00927 for a total amount not to exceed $92,058.47; and

**WHEREAS**, the Town of West New York shall seek reimbursement for this purchase from its insurance policy.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and the Board of Commissioners for the Town of West New York, County of Hudson, State of New Jersey hereby authorize the purchase of furniture and related items for the Town of West New York under NJ State Contract #19-FOOD-00927 pursuant to the quotes provided the HON Company LLC (Estimates #2491 and #2492) for a total amount not to exceed $92,058.47.

**BE IT FURTHER RESOLVED** that the Temporary Purchasing Agent shall take all necessary steps to execute the documents to approve this purchase from the HON Company LLC 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 04-215-55-925-010.

**RESOLUTION #R23-284**

**RE:** **AUTHORIZING THE TOWN OF WEST NEW YORK TO SEEK FAIR AND OPEN PROCESS IN COMPLIANCE WITH THE PAY TO PLAY STATUTES FOR THE RETENTION OF RFP’S FOR “SPECIAL PROJECT ARCHITECT” RETURNABLE ON SEPTEMBER 19, 2023 AT 11:00 A.M.**

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

**WHEREAS**, the Mayor and Commissioners of the Town of West New York (“Town”) wish to receive and consider proposals for services as may be needed by the Town, including but not limited to legal/professional services as follows:

Special Project Architect September 19, 2023 at 11:00 am

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

**September 6, 2023**

***Special Meeting***

**Consent Agenda (Cont.):**

**Resolution (Cont.):**

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Town Clerk is authorized and directed to publish and advertise a Request for Proposals for the various legal/professional services as may be needed by the Town, for each separate board or entity requiring separate legal/professional services, including but not limited to: **Special Project Architect**
3. Such Request for Proposals (s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance, of the opening of the responses to the Requests for Proposals received such opening to take place on or before the next regularly scheduled meeting of the Mayor and Council, on or before which time all Statements of Proposals must be submitted by interested parties, for consideration by the Review Committee herein established; and
4. The Procurement Committee, and Town Attorney all in an advisory capacity, will review all Statements of Proposals and to make recommendations to the Mayor and Board of Commissioners of the Town of West New York prior to its next regularly scheduled meeting.

**September 6, 2023**

***Special Meeting***

**Public Portion:**

It was regularly moved by **Mayor Sires** and seconded by **Commissioner Diaz**,

**To open Public Portion of meeting at 6:06 p.m.** The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires

NAYS - None

ABSENT - None

In as much no one wished to be heard, it was regularly moved by **Commissioner Parkinson** and seconded by **Commissioner Diaz**, **to close the Public Portion of the meeting and Adjourn at 6:07 p.m.** The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires

NAYS - None

ABSENT - None

Commissioner Marcos A. Arroyo

Commissioner Victor M. Barrera

Commissioner Marielka A. Diaz

Commissioner Adam W. Parkinson

Mayor Albio Sires

Board of Commissioners

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

Adelinny Plaza, RMC

Town Clerk