

***Town of West New York
Hudson County, New Jersey***

**Minutes of Regular Meeting
(Regular Session)
April 3, 2024**

***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***

April 3, 2024
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 3, 2024 at 6:30 P.M. (No Work Session)**:

Present: Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires
Absent: None
Also Present: Town Clerk Adelinnny Plaza, Tyara Conil (Town Clerk's Office), Town Administrator Luis Baez, Deputy Town Administrator Jonathan Castaneda, and Angelo Auteri, Esq. (Scarinci Hollenbeck),

Meeting commenced at 6:30 P.M.

Town Clerk Adelinnny 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 3, 2024 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 **November 21st, 2023**. 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 27th, 2024** 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 Adelinnny Plaza and Tyara Conil.

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

It was regularly moved by **Mayor Sires**, seconded by **Commissioner Diaz** that the Payment of Claims of: **April 3, 2024** be approved. The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires
NAYS - None
ABSENT - None

Note: Commissioner Barrera abstained on Purchase Order #42668.

April 3, 2024
Regular Meeting

PROCLAMATION

RE: HONORING CLARA DURAN AS 2024 HUDSON COUNTY WOMAN OF THE YEAR



TOWN of WEST NEW YORK
in the County of Hudson, State of New Jersey

Proclamation

WHEREAS, Mayor Albio Sires and the Board of Commissioners of the Town of West New York are pleased to honor and salute the 2024 Hudson County Woman of the Year, Clara Duran; and,

WHEREAS, Clara Duran immigrated to the United States in 1980 with her family from the Dominican Republic, making Weehawken her home until she moved to West New York where she still currently resides; and,

WHEREAS, Clara Duran has worked for the Town of West New York for over fourteen years, completing many duties throughout the years. With an attention to detail and professionalism she has assisted hundreds of West New York residents; and,

WHEREAS, Clara Duran has worked with West New York's senior community throughout her career with great devotion. Time and time again, she has delivered food to homebound residents, volunteered for Senior events, and assisted them in the office, developing a special and compassionate bond; and,

NOW, THEREFORE, BE IT RESOLVED by Mayor Albio Sires and the Board of Commissioners of the Town of West New York, that the citizens of the Town of West New York express their warmest appreciation and gratitude to Clara Duran and extend their sincere congratulations on this recognition and best wishes on all her future endeavors.

Presented on the 26th Day of March 2024 at the William J. Brennan Courthouse in Jersey City, NJ, and memorialized on the 3rd Day of April 2024 at the Board of Commissioners Meeting of the Town of West New York

ATTEST: 

Adelanny Plaza, RMC
Town Clerk



Albio Sires
Mayor

April 3, 2024
Regular Meeting

Consent Agenda:

It was regularly moved by **Commissioner Diaz**, seconded by **Mayor Sires** that the following Consent Agenda Items **Nos. R24-105 through R24-115** be adopted. The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires
NAYS - None
ABSENT - None

RESOLUTION #R24-105

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

New Jersey Cooperative Purchasing Vendors

Vendor Name	Description	Expire Date	NTE Amount
ABSOLUTE FENCE	BC-Bid-24-07 Coop Fencing: Purchase, Installation & Repair Services - Catalog	03/19/2026	\$ 30,000.00
AMERICAN PAPER TOWEL CO, LLC	HCESC-Cat-23-02 Custodial Supplies & Equipment	01/21/2025	\$ 50,000.00
Fox Fence Enterprises Inc	BC-Bid-24-07 Coop Fencing: Purchase, Installation & Repair Services - Catalog	03/19/2026	\$ 30,000.00
JOHNSTON COMMUNICATIONS, INC.	UCCP 24-2021 TELEPHONE SYSTEM AND EQUIPMENT	03/28/2025	\$ 100,000.00
Lubenet, LLC	SCC-0047-22 Automotive and Diesel Lubricants Engine/Gear Oils, Greases, ATF & Hydraulic Oils, Open End	12/12/2024	\$ 100,000.00
RACHLES/MICHELE'S OIL COMPANY INC	BCC Bid #23-34 Deliver Gasoline Diesel and Fuel Oil	3/2/2026	\$ 600,000.00
SAL ELECTRIC	BC-BID-22-19 Licensed Electrical Contractor Services	05/14/2025	\$ 100,000.00
SHERWIN-WILLIAMS CO.	ESCNJ 23/24-16 Paint and Supplies	02/23/2026	\$ 50,000.00
SHI INTERNATIONAL CORP	21-TELE-01360 M0483 - COMPUTER EQUIPMENT, PERIPHERALS & RELATED SERVICES	09/15/2026	\$ 50,000.00
SMART STITCH LLC	BC BID 23-43 Uniform Apparel, Protective Clothing, Footwear and Accessories - COOP	11/28/2025	\$ 100,000.00

RESOLUTION #R24-106

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

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

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.

New Jersey State Contract Cooperative Purchasing Vendors

Vendor Name	Description	Expire Date	NTE Amount
ATLANTIC TACTICAL	17-FLEET-00732 - Law Enforcement Firearms Equipment and Supplies	05/24/2024	\$ 50,000.00
CUSTOM BANDAG INC	20-FLEET-00948 M8000 Tires, Tubes and Services	6/30/2024	\$ 50,000.00
DELL INC	24-TELE-71883 M0483 - COMPUTER EQUIPMENT, PERIPHERALS & RELATED SERVICES	6/30/2025	\$ 50,000.00
M & G AUTO PARTS, INC	85998 T2761 Non OEM Automotive PArts & Accessories for Light Duty Vehicles	02/25/2025	\$ 30,000.00
SAMUELS INC	85992 T2761 - NON-OEM AUTOMOTIVE PARTS & ACCESSORIES FOR LIGHT DUTY VEHICLES	2/25/2025	\$ 50,000.00
SLADE INDUSTRIES, INC.	20-GNSV2-011119 Elevator Maint. Repair, Testing & Inspection #T2946	2/28/2025	\$ 50,000.00
STANS SPORT CENTER,INC	40751 T0118 - SPORTING GOODS - STATEWIDE	07/31/2024	\$ 50,000.00
W.W.GRAINGER	19-FLEET-00677 Facilities Maintenance & Repair & Operations and Industrial Supplies	6/30/2024	\$ 100,000.00

RESOLUTION #R24-107
RE: AUTHORIZING REFUND OF TAX OVERPAYMENTS

WHEREAS, taxes with respect to the following properties have been inadvertently overpaid to the Town of West New York (“Town”) in the amounts hereafter stated; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, and State of New Jersey that the following refunds be issued by the Department of Revenue and Finance with respect to the designated property and the Collector of Taxes be and is hereby authorized to adjust the records accordingly and to include the reimbursement of any applicable interest as a result of these overpayments:

04/03/2024

NAME	BLOCK/LOT	AMOUNT	YEAR
PRANEETH BOMMAREDDY 12 REAGAN WAY KINNELON, NJ 07405	168.01/8.03/C0146	\$ 347.69	2023
GENNADIY & VAKHMINTSAV 24 AVENUE AT PORT IMPERIAL APT 415 WEST NEW YORK, NJ 07093	168.01/8.01/C0415	\$1,186.63	2023

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

PRO CAP 8 FBO FIRSTRUST BANK	66	18		23-0243	\$ 1,035.01	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	68	12		23-0251	\$ 3,242.93	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	70	25		23-0256	\$ 3,725.12	
PRO CAP 8 FBO FIRSTRUST BANK	73	30		23-0273	\$ 353.64	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	127	20		21-0284	\$ 489.15	\$ 1,800.00
PRO CAP 8 FBO FIRSTRUST BANK	81	10		23-0303	\$ 6,756.03	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	97	5		23-0355	\$ 3,461.10	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	115	8		23-0398	\$ 1,146.82	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	128	24		23-0425	\$ 1,340.73	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	134	9		23-0450	\$ 3,314.51	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	140	20		23-0469	\$ 2,384.93	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	141	21		23-0472	\$ 2,040.27	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	148	12		23-0486	\$ 1,045.71	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	152	10		23-0499	\$ 1,792.42	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	157	9		23-0512	\$ 1,128.81	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	158	35		23-0522	\$ 4,538.28	\$ -
TLOA OF NJ LLC	85	35		21-0210	\$ 41,345.48	\$ 34,500.00
TRYSTONE CAPITAL ASSETS, LLC	57	29		23-0228	\$ 7,550.41	
US BANK CUST BV002 TRST & CRDT	154	6		17-0257	\$ 350.53	\$ -
WSFS AS CUST LVTLOPS/FIRSTRUST	80	20		23-0284	\$ 5,823.06	\$ 100.00
WSFS CUST TOWER DBXIII	168.01	7.08	C0409	23-0540	\$ 9,525.40	\$ 100.00
WSFS CUST TOWER DBXIII	168.01	7.08	C0606	23-0543	\$ 16,587.29	\$ 100.00
WSFS CUST TOWER DBXIII	168.01	7.08	C1206	23-0548	\$ 8,953.31	\$ 100.00
WSFS CUST TOWER DBXIII	168.01	8.01	C0323	22-0281	\$ 9,504.88	\$ 3,700.00
SUBTOTAL:					\$ 214,024.98	\$ 68,700.00
TOTAL:						\$ 282,724.98

RESOLUTION #R24-109
RE: AUTHORIZING HUDSON COUNTY TAX APPEAL

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:

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

<u>NAME</u>	<u>BLOCK-LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>YEAR</u>
WEINER LAW GROUP LLP FOR BERGENLINE CAP.	107/35	4901-0 BERGENLINE AVE WEST NEW YORK, NJ 07093	\$129,213.54	2023
75 WISENHOWER PKWY. SUITE 180 ROSELAND, NJ 07068				
GRAND TOTAL			\$129,213.54	

RESOLUTION #R24-110

**RE: AUTHORIZING CHANGE ORDER #4 AND PAY CERTIFICATE #20 TO
DINALLO CONSTRUCTION FOR THE 57TH STREET PARKING GARAGE PROJECT**

WHEREAS, by prior Resolution #R22-220 the Town of West New York (the "Town") awarded a contract to Dinallo Construction, located at 215 State Highway 17 South, Wood-Ridge, NJ 07075, for the 57th Street Parking Garage Project for a total contract amount of \$12,108,000.00; and

WHEREAS, by prior Resolution #R23-093, the Town approved Change Order #1 in the amount of \$450,000.00 with Dinallo Construction for schedule acceleration costs to meet a substantial completion date of December 28, 2023, for an amended total contract amount of \$12,558,000.00; and

WHEREAS, by prior Resolution #R23-302, the Town approved Change Order #2 in the amount of \$600,000.00 and Change Order #3 in the amount of \$455,112.43 with Dinallo Construction for additional unforeseen circumstances and costs incurred in connection with the 57th Street Parking Garage Project, for an amended total contract amount of \$13,613,112.40; and

WHEREAS, Dinallo Construction has submitted Change Order #4 for a decrease in the amount of \$371,703.11 for the 57th Street Parking Garage Project and has submitted Final Payment Certificate #20 in the amount of \$25,661.21 for approval and payment by the Town; and

WHEREAS, the Town seeks to remove Change Order #2 in the amount of \$600,000.00 from the total contract amount for the 57th Street Parking Garage Project; and

WHEREAS, the Town seeks to approve Change Order #4 to Dinallo Construction for a decrease in the amount of \$371,703.11 for an amended total contract amount not to exceed \$12,641,409.32 and authorize payment for Final Pay Certificate #20 in the amount of \$25,661.21 to Dinallo Construction for the 57th Street Parking Garage Project.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby remove Change Order #2 in the amount of \$600,000.00 and approve Change Order #4 for a decrease in the amount of \$371,703.11 for the 57th Street Parking Garage Project for an amended total contract amount not to exceed \$12,641,409.32.

BE IT FURTHER RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York authorize payment for Final Pay Certificate #20 in the amount of \$25,661.21 to Dinallo Construction.

BE IT FURTHER RESOLVED that the Mayor, the Town Clerk and/or the Town Administrator are authorized to execute any documents necessary to effectuate the purposes as set forth herein.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for this contract in account 05-201-55-502-020-99.

April 3, 2024
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Consent Agenda (Cont.):

RESOLUTION #R24-111
RE: AUTHORIZING PAYMENT TO DAIDA FOR MERCURY WEB HOSTING
SERVICES

WHEREAS, the Town of West New York (“Town”) required mercury web hosting services for the period between December 1, 2022 through December 30, 2023; and

WHEREAS, the Town seeks to authorize payment of the invoice (Invoice #DRS-104096) submitted by DAIDA, located at 300 Columbus Circle, Suite I, Edison, NJ 08837, for mercury web hosting services as required by the Town of West New York for the period between December 1, 2022 and November 30, 2023, for a total in the amount of \$18,000.00.

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, do hereby authorize payment of Invoice #DRS-104096 in the amount of \$18,000.00 submitted by DAIDA, located at 300 Columbus Circle, Suite I, Edison, NJ 08837, for the provision of mercury web hosting services as required by the Town for the period between December 1, 2022 and November 30, 2023.

BE IT FURTHER RESOLVED that the Mayor and/or Municipal Administrator is hereby authorized to take any further steps necessary to complete payment of this invoice and to further effectuate the purposes as set forth herein.

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.

RESOLUTION #R24-112
RE: AUTHORIZING CONTRACT WITH DAIDA FOR MERCURY WEB HOSTING
SERVICES
(December 1, 2023 - November 30, 2024)

WHEREAS, the Town of West New York (“Town”) requires web hosting and indexing services; and

WHEREAS, DAIDA, located at 300 Columbus Circle, Suite I, Edison, NJ 08837, submitted a proposal to provide the required mercury web hosting services as required by the Town in the amount of \$19,800.00, for the period between December 1, 2023 through November 30, 2024; and

WHEREAS, the total amount of \$19,800.00 for mercury web hosting services is below the bid threshold and therefore may be awarded by the Town without public bidding; and

WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York seek to authorize a contract with DAIDA for the provision of mercury web hosting services as required by the Town for a total in the amount of \$19,800.00, for the period retroactively effective as of December 1, 2023 to November 30, 2024.

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, do hereby authorize a contract with DAIDA, located at 300 Columbus Circle, Suite I, Edison, NJ 08837 for the provision of mercury web hosting services as required by the Town for a total in the amount of \$19,800.00, for the period between December 1, 2023 to November 30, 2024.

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

BE IT FURTHER RESOLVED, the Town shall pay DAIDA an amount not to exceed \$19,800.00 for the required mercury web hosting services as set forth herein.

BE IT FURTHER RESOLVED that the Mayor, Municipal Administrator and Town Clerk are authorized to take any necessary steps to authorize a contract with DAIDA and to further effectuate the purposes as set forth herein.

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.

RESOLUTION #R24-113

**RE: AUTHORIZING STIPULATION OF SETTLEMENT FOR UNITED STATES
BANKRUPTCY COURT ACTION ENTITLED, IN RE LOVE OF JESUS FAMILY
CHURCH-UNION, INC., CHAPTER 11, CASE NO. 23-14960 (JKS)**

WHEREAS, Love of Jesus Family Church – Union, Inc. is the debtor (the “Debtor”), and the Town of West New York (the “Town”) is a secured creditor in the United States Bankruptcy Court, District of New Jersey action captioned, “*In re: Love of Jesus Family Church – Union, Inc.*,” Chapter 11, Case No. 23-14960 (JKS) (“Bankruptcy Action”) in connection with the property located at 5510 Jefferson Street, Block 121, Lot 2, West New York, New Jersey 07093; and

WHEREAS, Debtor owns the real property located at 5510 Jefferson Street, West New York, New Jersey, Block 121, Lot 2 (the “Property”); and

WHEREAS, Debtor filed a Voluntary Chapter 11 case on June 6, 2023 in the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”); and

WHEREAS, WNY filed a proof of claim asserting that real estate taxes were due arising from the Property for calendar years 2022-2023 in the amount of \$77,900.16, inclusive of interest charges and subject to continuing interest charges (collectively, the “Tax Claim”); and

WHEREAS, Debtor previously filed an action against the Town in the Tax Court of New Jersey, Docket Number 008628-2021 (the “Tax Appeal”) challenging the Tax Claim by asserting that Debtor is religious organization exempt from payment of real property taxes; and

WHEREAS, Debtor remitted payments to WNY for tax years 2021 and 2022 (“Tax Payments”) and Debtor has asserted claims for a refund of real estate taxes paid to the Town of West New York by the Debtor (“Tax Refund”); and

WHEREAS, Debtor and the Town (collectively, the “Parties”) have agreed to resolve any and all disputes arising from the Tax Claim, the Tax Refund, the Tax Payments, and the Tax Appeal by way of a Stipulation of Settlement between the Debtor and the Town of West New York; and

WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York seek to authorize the execution of the Stipulation of Settlement (attached hereto as “Exhibit A” and incorporated herein by reference) between the Love of Jesus Family Church – Union, Inc., and the Town of West New York, to resolve any and all issues, disputes, and claims regarding the Tax Claims, the Tax Refund, the Tax Payments, and the Tax Appeal; and

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

WHEREAS, the Stipulation of Settlement is subject to the approval of the Bankruptcy Court and the New Jersey Tax Court; absent receipt of such approvals will render the Stipulation of Settlement between the Parties null and void.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of West New York do hereby authorize the execution of the Stipulation of Settlement between Love of Jesus Family Church – Union, Inc., and the Town of West New York in connection with the United States Bankruptcy Court, District of New Jersey, Chapter 11 action captioned, “*In re: Love of Jesus Family Church – Union, Inc.*,” Chapter 11, Case No. 23-14960 (JKS) regarding the property located at 5510 Jefferson Street, Block 121, Lot 2, West New York, New Jersey 07093; and

BE IT FURTHER RESOLVED that the Stipulation of Settlement in connection with “*In re: Love of Jesus Family Church – Union, Inc.*,” Chapter 11, Case No. 23-14960 (JKS) is subject to approval by the United States Bankruptcy Court for the District of New Jersey and Tax Court of New Jersey.

BE IT FURTHER RESOLVED that absent approval by both the Bankruptcy Court and the New Jersey Tax Court of the Stipulation of Settlement attached hereto as “Exhibit A” shall render the Stipulation of Settlement null and void.

BE IT FURTHER RESOLVED that the Mayor, the Town Administrator, and the Town Clerk are hereby authorized to take any additional steps necessary to execute the attached Stipulation of Settlement and to further effectuate the purposes set forth in this Resolution.

RESOLUTION #R24-114
RE: ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE (1) RESIDENCE
FOR USE BY HANDICAPPED RESIDENT AS FOLLOWS: 19 64TH STREET, WEST
NEW YORK
(HAROLD JOHN HARTH)

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

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

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Harold John Harth 19 64 th Street West New York, NJ, 07093	South	Begin at a point, along the south side of JFK Boulevard East, 191 feet west from the southwest corner of 64 ^h Street & JFK Boulevard East. Then 20 feet west therefrom.

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

1. First Offense- \$253.00
2. For each subsequent offense \$253.00 and up to 90 days of community service on such terms and in form as the court shall deem appropriate for any combination thereof (Ch 200L, 1989 effective November 29, 1989) and

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

3. In addition, the violator shall bear full cost of towing, removal and storage of violator's vehicle (Ch 200L, 1989 effective November 29, 1989).

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

RESOLUTION #R24-115

RE: AMENDING RESOLUTION #R24-104 TO AUTHORIZE THE PREPARATION OF AN AREA IN NEED OF REDEVELOPMENT STUDY FOR 6600-14 PARK AVENUE BLOCK 4, LOTS 1 & 2, IN THE TOWN OF WEST NEW YORK

WHEREAS, by prior Resolution #R24-104, the Town of West New York (the "Town") authorized a redevelopment study for Block 4, Lot 1, more commonly known as 6600-14 Park Avenue, West New York, NJ, pursuant to the "Local Redevelopment and Housing law", under N.J.S.A. 40A:12A-5 et seq.; and

WHEREAS, the Board of Commissioners seek to amend Resolution #R24-104 to authorize a redevelopment study for Block 4, Lots 1 & 2, more commonly known as 6600-14 Park Avenue, West New York, NJ, to determine whether that area may qualify as an "area in need of development" as defined by the "Local Redevelopment and Housing law", under N.J.S.A. 40A:12A-5 et seq.

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-Condensation Redevelopment Area").

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of West New York do hereby amend Resolution #R24-104 to authorize a redevelopment study to be performed for the property located at Block 4, Lots 1-2, more commonly known as 6600-14 Park Avenue, West New York, New Jersey 07093, by the Planning Board to determine whether that address constitutes an "an area in need of redevelopment" by conducting a preliminary investigation, public hearing and preparation of a Redevelopment Study and making a 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-Condensation Redevelopment Area").

April 3, 2024
Regular Meeting

ORDINANCE #5/24

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, AMENDING SECTION 3 OF ORDINANCE NO. 29/22 OF THE TOWN FINALLY ADOPTED DECEMBER 14, 2022, INCREASING THE APPROPRIATION FOR THE ACQUISITION OF ELECTRIC SHUTTLE BUSES AND ELECTRIC GARBAGE TRUCKS

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

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

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires
NAYS - None
ABSENT - None

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

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires
NAYS - None
ABSENT - None

ORDINANCE #11/24

AN ORDINANCE AMENDING CHAPTER 277, ARTICLE VII, OF THE CODE OF THE TOWN OF WEST NEW YORK (“PARKING PERMIT RATES”)

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

It was regularly moved by **Mayor Sires**, seconded by **Commissioner Parkinson**, to **Adopt the introduction** of the foregoing Ordinance. The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires
NAYS - None
ABSENT - None

NOTICE
ORDINANCE #11/24

AN ORDINANCE AMENDING CHAPTER 277, ARTICLE VII, OF THE CODE OF THE TOWN OF WEST NEW YORK (“PARKING PERMIT RATES”)

Note: Town Clerk Adelinn Plaza read notice of the foregoing Ordinance aloud.

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **April 3, 2024** and ordered published, for consideration before final passage at a public hearing on **May 1, 2024 at 6:30 p.m.** held remotely or in person. Instructions regarding attendance and participation in the meeting will be posted on the Town’s website: <http://www.westnewyorknj.org/>. 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, N.J.

April 3, 2024
Regular Meeting

Public Portion:

It was regularly moved by **Mayor Sires** and seconded by **Commissioner Parkinson, to open Public Portion of meeting at 6:35 p.m.** The motion was carried by the following vote:

AYES - Commissioners Arroyo, Barrera, Diaz, Parkinson, and Mayor Sires
NAYS - None
ABSENT - None

1. Frank Miqueli, 6105 Highland Place, West New York, NJ:

Mr. Miqueli followed up about angle parking. He referenced a petition many residents signed requesting more parking and angled parking throughout Town. He requested a time frame regarding the implantation as residents are in dire need of more parking spaces. Mayor Sires advised that residents have also reached out to him and that this takes time. He stated that that motorists are not allowed to back into parking spaces as another resident previously recommended and these matters take time.

It was regularly moved by **Mayor Sires** and seconded by **Commissioner Diaz, to close the Public Portion of the meeting and Adjourn at 6:40 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