

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

Minutes of Regular Meeting
(Regular Session)
October 2, 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

October 2, 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, October 2, 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, Town Administrator Luis Baez, Deputy Town Administrator Jonathan Castaneda, 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 **October 2, 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 21, 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 **September 25th, 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.

Minutes of Previous Meetings:

It was regularly moved by **Commissioner Parkinson**, seconded by **Commissioner Diaz** that the Minutes of Regular Meeting: **September 18, 2024 (Regular Meeting)** be approved. The motion was carried by the following vote:

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

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 Arroyo** that the Payment of Claims of: **October 2, 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 Parkinson abstained on Purchase Orders #45352 and #45401.

October 2, 2024
Regular Meeting

Consent Agenda:

It was regularly moved by **Commissioner Barrera**, seconded by **Commissioner Parkinson** that the following Consent Agenda Items **Nos. R24-266 through R24-272** be adopted. The motion was carried by the following vote:

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

RESOLUTION #R24-266
RE: REPEALING RESOLUTION ADOPTED ON 5/21/2014
WHICH ESTABLISHED A LOADING ZONE FOR CONDOR WINE COMPANY AT
6006-6008 POLK STREET, WEST NEW YORK

WHEREAS, the governing body of the Town of West New York adopted a Resolution on May 21, 2014 establishing a loading zone for a business known as Condor Wine Company, and;

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York that the above resolution is hereby repealed:

6006-6008 Polk Street, West New York
(Condor Wine Company)

BE IT FURTHER RESOLVED that the Department of Public Safety is directed to remove all signage for the spaces as directed by this resolution.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

RESOLUTION #R24-267
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:

October 2, 2024
Regular Meeting

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

LIEN HOLDER				TAX	REDEMPTION	PREMIUM
BOC OCT 2	BLK	LOT	QUAL	CERTIFICATE		
PRO CAP 8 FBO FIRSTRUST BANK	33	25.01		23-00126	\$ 4,657.36	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	86	16		23-00326	\$ 529.62	\$ -
PRO CAP 8 FBO FIRSTRUST BANK	141	17		23-00471	\$ 46,551.00	\$ 8,000.00
WSFS CUST TOWER DBXIII	85	35		23-00324	\$ 13,893.16	\$ 4,100.00
					\$ 65,631.14	\$ 12,100.00
TOTAL:					\$	77,731.14

RESOLUTION #R24-268
RE: AMENDING RESOLUTION #R24-020 ESTABLISHING THE RATE OF
INTEREST FOR DELINQUENT TAXES FOR 2024

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, the Town of West New York (“Town”) wishes to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes.

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

1. Property taxes shall be due and payable quarterly on February 1st, May 1st, August 1st and November 1st of each year, with a ten-day grace period, after which dates, if unpaid shall become delinquent, with interest charged as set forth below and reverting back to the due date on any quarterly installment of taxes.
2. The rate of interest for delinquent property taxes is fixed at 8% per annum on the first \$1,500.00 of delinquency and 18% per annum on any amount of taxes in excess of \$1,500.00.
3. A 6% year-end penalty will be not assessed.
4. This resolution shall be published in its entirety once in an Official Newspaper of the Town of West New York in accordance with the law.
5. A certified copy of this resolution shall be provided by the Town Clerk to the Tax Collector.

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Consent Agenda (Cont.):

RESOLUTION #R24-269

RE: AUTHORIZING THE EXECUTION OF THE FEDERAL AID AGREEMENT WITH THE NJDOT, DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT FOR FEDERAL GRANT FUNDING FOR THE FY 2022 SAFE ROUTES TO SCHOOLS – DESIGN ASSISTANCE PROGRAM

WHEREAS, the Federal Highway Administration (“FHWA”) has made grant funding of up to \$458,491.48 available for the Town of West New York (the “Town”) for the FY 2022 Safe Routes to Schools – Design Assistance Program; and

WHEREAS, the Legislature of the State of New Jersey (the “State”) has enacted legislation by which certain federal-aid funding may be made available for use on local transportation related projects of public entities qualified to act as Subrecipients for these federal-aid funds in accordance with the intent of federal law; and

WHEREAS, before federal funds are made available for a specific program project, the Subrecipient and the State are required to enter into an agreement to establish terms and conditions applicable to the Subrecipient when receiving federal funding for a designated project facility and to the subsequent operation and maintenance of that completed facility; and

WHEREAS, the Town seeks to authorize the execution of the Federal Aid Cost Reimbursement Agreement (Agreement No. 2024-DT-DLA-516) between the Town of West New York (as the “Subrecipient” or the “Local Public Agency”) and the New Jersey Department of Transportation, Division of Local Aid and Economic Development, whereby the Town shall act as the Sponsor Local Public Agency for a project eligible for funding; and

WHEREAS, pursuant to the Federal Aid Cost Reimbursement Agreement (the “Agreement”), the State may award the Town of West New York funding in the amount of \$458,491.48 to finance the FY 2022 Safe Routes to Schools – Design Assistance Program (the “Project”), for the period of performance; and

WHEREAS, the Period of Performance for this award begins on the date of the Agreement and shall continue in effect until the Project is completed (by December 31, 2028 unless terminated or extended by written authorization of the State) and all payment vouchers have been paid, in accordance with the terms as set forth in the Agreement

WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York seek to authorize the execution of the Federal Aid Cost Reimbursement Agreement (Agreement No. 2024-DT-DLA-516) between the New Jersey Department of Transportation, Division of Local Aid and Economic Development and the Town of West New York, for grant funding in the amount of \$458,491.48, which shall be made available to the Town to reimburse actual, eligible Project costs for the FY 2022 Safe Routes to Schools – Design Assistance Program.

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 Federal Aid Cost Reimbursement Agreement (Agreement No. 2024-DT-DLA-516) between the New Jersey Department of Transportation, Division of Local Aid and Economic Development and the Town of West New York, for grant funding in the amount of \$458,491.48, for the FY 2022 Safe Routes to Schools – Design Assistance Program.

BE IT FURTHER RESOLVED that the Town of West New York agrees to comply with all terms and conditions as set forth in the Federal Aid Cost Reimbursement Agreement.

BE IT FURTHER RESOLVED that the Mayor, the Municipal Administrator, the Town Clerk, and the Chief Municipal Finance Officer are hereby authorized to execute and attest to any and all documents required to authorize the Town to accept the grant funds awarded pursuant to this program and to further effectuate the purposes set forth in this Resolution.

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Consent Agenda (Cont.):

RESOLUTION #R24-270

**RE: AUTHORIZING THE TOWN OF WEST NEW YORK BUILDING DEPARTMENT
TO PROVIDE INSPECTION SERVICES OUTSIDE OF NORMAL HOURS OF
OPERATION AT 508 51ST STREET**

WHEREAS, contractors for the project at 508 51st Street, West New York, NJ 07093 have requested that the West New York Building Department provide inspection services outside of the normal hours of operation to expedite the progress at this project site; and

WHEREAS, the Town of West New York seeks to authorize and allow these inspection services at 508 51st Street subject to an agreement between the parties; and

WHEREAS, such agreement shall set forth rates and payment requirements for inspection services.

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 Mayor, Town Clerk, or other appropriate personnel to take all necessary steps to execute an agreement to authorize the West New York Building Department to perform inspection services outside of the normal hours for the construction project at 508 51st Street, West New York, NJ 07093.

BE IT FURTHER RESOLVED that the West New York Building Department is authorized to take any additional steps necessary to effectuate the purposes as set forth in this resolution.

RESOLUTION #R24-271

**RE: AUTHORIZING PAYMENTS PURSUANT GRIEVANCE ARBITRATION AWARD
IN CONNECTION WITH THE TOWN OF WEST NEW YORK AND RWDSU, U.F.C.W.,
AFL-CIO, CLC Local 108 (PERC DOCKET NO. AR-2023-281) FOR 2021-2023**

WHEREAS, the Town of West New York and Retail, Wholesale, and Department Store Union, Local 108 are parties to a grievance arbitration matter entitled "Town of West New York and Retail, Wholesale and Department Store, Union Local 108, under PERC Docket No. AR-2023-281, JS Case No. 4759; and

WHEREAS, the Town of West New York is authorized to provide contribution payments totaling \$49,600.00 in accordance with the Grievance Arbitration Opinion and Interim Award (PERC Case No. AR-2023-281) to cover eligible crossing guard employees/members of Union Local 108 for 2021 through 2023; and

WHEREAS, the Town shall provide a contribution payment in the amount of \$16,400.00 for 2021; and

WHEREAS, the Town shall provide a contribution payment in the amount of \$20,400.00 for 2022; and

WHEREAS, the Town shall provide a contribution payment in the amount of \$12,800.00 for 2023; and

WHEREAS, the Town seeks to authorize the foregoing contribution payments in accordance with the Grievance Arbitration Opinion and Interim Award (PERC Case No. AR-2023-281) for a total amount not to exceed \$49,600.00, for 2021-2023.

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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 Town to provide contribution payments totaling \$49,600.00 in accordance with the Grievance Arbitration Opinion and Interim Award (PERC Case No. AR-2023-281) to cover eligible crossing guard employees/members of Union Local 108 for 2021 through 2023, as follows:

2021: \$16,400.00
2022: \$20,400.00
2023: \$12,800.00

BE IT FURTHER RESOLVED that the Mayor, the Town Clerk, and the Municipal Administrator are authorized to execute any documents necessary to effectuate the purposes as set forth in this Resolution.

RESOLUTION #R24-272

RE: TO AUTHORIZE THE PURCHASE OF TRAFFIC CONTROL SIGNS, SUPPORTS, HARDWARE & SAFETY DEVICES PURSUANT TO SOMERSET COUNTY COOPERATIVE PRICING SYSTEM BID #2-SOCCP, CONTRACT #CC-0099-24

WHEREAS, the Town of West New York (the "Town") seeks to authorize the purchase of traffic control signs, supports, hardware & safety devices; and

WHEREAS, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.1 et seq., the Town of West New York (the "Town") may, without bidding, purchase goods and services through authorized cooperative pricing systems, including the Somerset County Cooperative Pricing System Bid #2-SOCCP, Contract #CC-0099-24; and

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

WHEREAS, National Highway Products, Inc., located at 301 Riverside Drive, Building D, Millville, NJ 08332, provided the Town with two (2) quotes for the purchase of the required traffic control signs, supports, hardware & safety devices, pursuant to Somerset County Cooperative pricing System Bid #2-SOCCP, Contract #CC-0099-24 (valid through September 24, 2026), for \$32,840.92 (Quote No. QT025135) and \$100,361.74 (Quote No. QT028301), for a total purchase amount of \$132,202.66; and

WHEREAS, the Mayor and the Board of Commissioners of the Town of West New York seek to authorize the purchase of the required traffic control signs, supports, hardware & safety devices from National Highway Products, Inc. pursuant to Somerset County Cooperative Pricing System Bid #2-SOCCP, Contract #CC-0099-24, for a total purchase amount not to exceed \$140,000.00.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Town of West New York do hereby authorize the Town of West New York to purchase the required traffic control signs, supports, hardware & safety devices from National Highway Products, Inc., located at 301 Riverside Drive, Building D, Millville, NJ 08332, pursuant to Somerset County Cooperative Pricing System Bid #2-SOCCP, Contract #CC-0099-24, for \$32,840.92 (Quote No. QT025135) and \$100,361.74 (Quote No. QT028301), and a total purchase amount not to exceed \$140,000.00.

BE IT FURTHER RESOLVED that the Mayor, Town Administrator and the Town Clerk are hereby authorized to execute any necessary steps to authorize the purchase from National Highway Products, Inc. and to further effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the necessary funds are available for this payment from account number 04-215-55-925-009.

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ORDINANCE #29/24

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING GRANTS FOR VARIOUS PROJECTS IN AND FOR THE TOWN OF WEST NEW YORK

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

It was regularly moved by **Commissioner Barrera**, seconded by **Commissioner Diaz**, 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 #30/24

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWN OF WEST NEW YORK AND APPROPRIATING \$7,832,667 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$4,776,000 IN BONDS OR NOTES OF THE TOWN OF WEST NEW YORK TO FINANCE THE SAME

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

It was regularly moved by **Mayor Sires**, seconded by **Commissioner Arroyo**, 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 **Mayor Sires**, 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

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ORDINANCE #31/24

AN ORDINANCE TO AMEND ARTICLE IV, § 114 ENTITLED “LOCATION OF ESTABLISHMENTS HAVING ALCOHOLIC BEVERAGE LICENSES”

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

It was regularly moved by **Mayor Sires**, seconded by **Commissioner Diaz**, 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 #32/24

AN ORDINANCE AMENDING CHAPTER 221 ENTITLED “HOUSING, AFFORDABLE” OF THE TOWN OF WEST NEW YORK MUNICIPAL CODE

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

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

October 2, 2024
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ORDINANCE #33/24

AN ORDINANCE OF THE TOWN OF WEST NEW YORK, IN THE COUNTY OF HUDSON, NEW JERSEY CONSENTING TO THE ASSIGNMENT OF THE FINANCIAL AGREEMENT BY AND BETWEEN THE TOWN OF WEST NEW YORK AND TOLL PARCEL H URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED ON BLOCK 168.01, LOT 7.11 AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWN OF WEST NEW YORK AND LOCATED IN THE WATERFRONT REDEVELOPMENT AREA, FROM TOLL PARCEL H URBAN RENEWAL, LLC TO VISTA POINTE I URBAN RENEWAL, LLC

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

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

Public Portion:

Town Clerk Adelinn Plaza made the following announcement at 6:40 p.m.:

Residents are welcome to address the Mayor and Board of Commissioners on any governmental concern to them, whether or not is scheduled on the agenda. Public comments are limited to 3 minutes per person, and no person shall be permitted to speak more than one regular turn.

1. **Mark Bloomberg, 24 63rd Street, West New York, NJ:**

Mr. Bloomberg called for a referendum to block the construction of a school in Braddock Park and sought assurance that the administration would hold a vote on the issue.

2. **Jiles Gilbert, 112 56th Street, West New York, NJ:**

Mr. Gilbert followed up on the ongoing litigation concerning UCC violations at 112A 56th Street and was informed that the attorneys are actively working on the case.

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Public Portion (Cont.):

It was regularly moved by **Commissioner Parkinson** and seconded by **Mayor Sires, to close the Public Portion of the meeting and Adjourn at 6:48 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