

**Township of Nutley
Board of Commissioners
Meeting Minutes
Tuesday, September 15, 2009
7:00 P.M**

A workshop meeting of the Board of Commissioners of the Township of Nutley was held in the 3rd floor Commission Chambers Conference Room and called to order. Adequate notification was published in the official newspapers of the Township of Nutley. All present joined in the Pledge of Allegiance to the Flag. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT:

Evelyn Rosario, Municipal Clerk, read the following statement: Pursuant to the requirements of the Open Public Meeting Law (Chapter 231, P.L.1975), notice of this meeting was published in the January 8, 2009 issues of the Nutley Sun, the Journal, the Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

ROLL CALL:

Commissioner Scarpelli	- Present
Commissioner Petracco	- Present
Commissioner Evans	- Present
Commissioner Tucci	- Present
Mayor Cocchiola	- Present

The Board of Commissioners at their workshop session reviewed all the agenda items as listed in below minutes.

The Board discussed the resolution regarding the award of a non-fair and open contract to Hendricks Appraisal, Co. for the class IV assessment reviews. The Board requested this resolution be deferred to the next meeting and asked that the Tax Assessor be present at the next meeting of the Governing Body to review the award of this contract.

At this point in the meeting Evelyn Rosario, Municipal Clerk read the following Executive resolution number 238A-09 into the record:

WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that the Township Commission shall now move into closed executive session to discuss:

1. Contract Negotiations
2. Acquisition of Real Property

BE IT FURTHER RESOLVED, that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely

affecting the Township of Nutley pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by statute.

Introduced by Commissioner Evans, seconded by Commissioner Tucci. All ayes on a roll call vote. Commissioner Tucci Absent/Excused

At this point in the meeting the public was asked to leave the conference room.

After executive session the Board of Commissioners moved into the public portion of the meeting.

A regular meeting of the Board of Commissioners of the Township of Nutley was held in the 3rd floor Commission Chambers and called to order. Adequate notification was published in the official newspapers of the Township of Nutley. All present joined in the Pledge of Allegiance to the Flag. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT:

Evelyn Rosario, Municipal Clerk, read the following statement: Pursuant to the requirements of the Open Public Meeting Law (Chapter 231, P.L.1975), notice of this meeting was published in the January 8, 2009 issues of the Nutley Sun, the Journal, the Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

ROLL CALL:

Commissioner Scarpelli	- Present
Commissioner Petracco	- Present
Commissioner Evans	- Present
Commissioner Tucci	- Present
Mayor Cocchiola	- Present

At this point in the meeting Commissioner Tucci read the following resolution into the record.

No. 242-09

WHEREAS, The Nutley High School Football Team of 1939 was invited to go to Florida and play for the National High School Football Championship; and

WHEREAS, a group of Nutley citizens formed a booster club which they named The Third Half Club of Nutley, in order to raise the funds needed to send these student athletes to Florida, where they defeated Suwanee High School by a score of 14-0; and

WHEREAS, The Third Half Club of Nutley has adopted the motto, "Dedicated to the Youth of Nutley"; and

WHEREAS, since 1939, the objectives and purposes of THE THIRD HALF CLUB OF NUTLEY have been to bring together socially and fraternally, men and women who are graduates of Nutley High School, parents of students attending Nutley Schools and all sports-minded citizens; to provide an incentive for participation in athletic events; to help, aid and assist worthy students; to pay tribute to the boys and girls for their participation in the field of athletics and associated activities; and to foster cooperation among citizens, officials and organizations of the Township of Nutley for these purposes; and

WHEREAS, in 2009, The Third Half Club of Nutley is celebrating 70 years of service to the youth of our community,

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex New Jersey, that Saturday, September 26th, 2009 be declared Third Half Club of Nutley Day and on behalf of the generations of Nutley children who have benefited from their good works, we thank and salute THE THIRD HALF CLUB OF NUTLEY for 70 years of continuous service to the Township of Nutley.

Introduced by Commissioner Tucci, seconded by Commissioner Evans. All ayes on a roll call vote.

Commissioner Battaglia came forward and thanked the Governing Body for recognizing the "Third Half Club"

At this point in the meeting Mr. Craig Lombardi, Deputy Director for the Economic Development Corporation of Essex County came forward and a provided a brief presentation. Mr. Lombardi addressed the Board and stated that s part of a program that began this summer and continue through the fall, he is reaching out to the municipalities and making them aware of the various programs available to businesses in Nutley and throughout the County of Essex. The Economic Development Corporation provides general technical assistance to businesses and also offers a business loan program. The Loans can be utilized for working capital, site renovations as well as equipment purchases. Mr. Lomabrdi continued and stated that these loans are offered at a favorable rate fixed at the time of closing. Mr. Lombardi can be reached at 973-621-4454, e-mail: edclombardi@aol.com

MINUTES:

None.

COMMUNICATIONS/CORRESPONDENCE:

None.

REPORTS:

Commissioner Tucci submitted the Shade Tree reports for the months of June, July & August 2009

BILLS:

Evelyn Rosario, Municipal Clerk read the following departmental summary of bills for the approval of the Board of Commissions. (bill list attached to minutes)

Department of Public Affairs	\$ 66,354.28
Department of Revenue & Finance	\$ 2,271,932.16
Department of Public Safety	\$ 20,607.31
Department of Public Works	\$ 376,275.49
Department of Parks & Public Property	\$ 55,399.23
Payroll as of September 4, 2009	\$ 735,749.35
Bill List Grand Total	\$ <u>3,526,317.82</u>

Motion to approve the bills by Commissioner Evans, seconded by Commissioner Tucci. All ayes.

ORDINANCE INTRODUCTIONS:

None.

PUBLIC HEARINGS:

None.

RESOLUTIONS:

No. 238-09

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, NJ that the Township Clerk is hereby authorized to advertise for sealed bids for The Msgr. Owens Park Multi Purpose Field Lighting System.

Bids to be received on October 8, 2009 in the Commission Chambers, Township Hall, at 3:00 pm (prevailing time) at which time they will be publicly opened and read.

Introduced by Commissioner Tucci, seconded by Commissioner Evans. All ayes on a roll call vote.

No. 239-09

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, NJ that the Township Clerk is hereby authorized to advertise for sealed bids for the complete furnishing and installation of one twin jack oil hydraulic passenger elevator in the Public Safety Building.

Bids to be received on October 8, 2009, in the Commission Chambers, Township Hall at 3:00 pm (prevailing time) at which time they will be publicly opened and read.

Introduced by Commissioner Tucci, seconded by Commissioner Evans. All ayes on a roll call vote.

No. 240-09

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, in the County of Essex, NJ that the Township Clerk be and is hereby authorized to advertise for SEALED BIDS for the SURPLUS EQUIPMENT no longer in use by the Township. The equipment is as per attached sheet.

VEHICLE	VIN#
1994 FORD E350 CHAMPION 25 PASSENGER BUS	1FDKE30G8RHB30868 V8 GAS
1995 FORD E350 CHAMPTION 25 PASSENGER BUS	1FDKE30G9SHB00574 V8 GAS
1981 MACK FIRE TRUCK	CF686F
1956 GMC FIRE TRUCK	374PX3401
1968 JEEP PICK UP (4X4 MILITARY)	UNKNOWN
2000 FORD CROWN VIC	2FAP71WOYX110132
1998 FORD CROWN VIC	2FAFP71W6WX119138
2004 FORD CROWN VIC	2FAFP71W24X140274
2004 FORD CROWN VICTORIA	2FAFP71WO4X140273

1992 CHEVROLET CAPRICE
1992 CHEVROLET CAPRICE
1995 CHEVROLET CAPRICE
1996 CHEVROLET CAPRICE

1G1B53E5NW150851
G1BL53EONW150384
1F1BL52PXS153628
2G1WW12M4T9121566

BE IT FURTHER RESOLVED that the equipment is to be sold "AS IS and "WHERE IS". Bids to be received on WEDNESDAY, OCTOBER 7, 2009 at 3:00pm prevailing time in the Commission Chambers, Township Hall, at which time they will be publicly opened and read.

Introduced by Commissioner Evans, seconded by Commissioner Tucci. All ayes on a roll call vote.

No. 241-09

WHEREAS, the Township of Nutley is a member of the Suburban Essex Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2009 unless earlier renewed by agreement between the Governing Body and the Fund; and

WHEREAS, the board desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Township of Nutley agrees to renew its membership in the Suburban Essex Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Suburban Essex Municipal Joint Insurance Fund evidencing the board's intention to renew its membership.

Introduced by Commissioner Tucci, seconded by Commissioner Evans. All ayes on a roll call vote.

No. 243-09

WHEREAS, Anthony Capriglione, 143 Whitford Avenue, Nutley, New Jersey 07110 has applied for renewal of Constable No. 17; and

WHEREAS, the application has been reviewed by the Municipal Clerk and Police Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Anthony Capriglione be re- appointed as Constable No. 17 for a one year term, beginning September 16, 2009.

Introduced by Mayor Cocchiola, seconded by Commissioner Scarpelli. All ayes on a roll call vote.

No. 244-09

WHEREAS, Mary Ann Gabriele is employed by the Department of Public Safety; and

WHEREAS, Mary Ann Gabriele has exhausted all of her available sick leave and other time due; and

WHEREAS, twelve (12) employees of the Department of Public Safety are desirous of transferring a total of 26 days of their accumulated sick leave to Ms. Gabriele; and

WHEREAS, under the circumstances presented herein and in view of Ms. Gabriele's medical situation, and her service to the Department of Public Safety, the Board of Commissioners are desirous of accommodating this request;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey as follows:

The following employees are permitted to transfer days to Mary Ann Gabriele –

Darlene Walsh, Domenic Rhein, Anthony Iannicelli, Greg Damurjian, John Rhein, John Negra, Kathryn Knouff, David Strus, Gerard Green, Chris Lamond, Ryan Mulligan and Joseph Stewart.

All of these employees have provided their consent to said transfers in writing to the Township Clerk.

Introduced by Commissioner Petracco, seconded by Commissioner Scarpelli. All ayes on a roll call vote.

No. 246-09

WHEREAS, the Board of Commissioners of the Township of Nutley recognize Monday, September 28, 2009 as Nutley Family Day to coincide with National Family Day; and

WHEREAS, National Family Day is observed by engaging in activities to strengthen the relationships between parents and children which will further fight against substance abuse and risky behavior; and

WHEREAS, the Board of Commissioners of the Township of Nutley request that all civic organizations, organized clubs, the Nutley Board of Education, and Township employees cancel all evening activities in observance of the day and encourage families to spend quality time together;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, officially calls upon Township of Nutley residents to observe and enjoy September 28, 2009 as Nutley Family Day.

Introduced by Mayor Cocchiola, seconded by Commissioner Evans. All ayes on a roll call vote.

No. 247-09

WHEREAS, raffle applications have been received from the following organizations; and

Father Matthew Kunnath Charitable Foundation, Inc.	License No. 52-09 "On-Premise 50/50 Cash Raffle"	November 10, 2009
The Ferraro Foundation for Science and The Disabled Inc.	License No., 53-09 "Off-Premise Merchandise Raffle"	January 15, 2010

WHEREAS, the applications have been reviewed and approved by the Municipal Clerk and the Police Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the aforementioned licenses are approved and the Municipal Clerk is authorized to issue the licenses.

Introduced by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes on a roll call vote.

No. 248-09

WHEREAS, bids were received for Leaf Removal and Recycling opened and read on August 27, 2009 at 3:00pm prevailing time; and

WHEREAS, the low responsible bidder substantially exceeds the contracting unit's appropriation for the goods and services;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that all bids are rejected.

Introduced by Mayor Cocchiola, seconded by Commissioner Petracco. All ayes on a roll call vote.

No. 249-09

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for "Leaf Removal and Recycling from our Drop Off Site", to be received on behalf of the Board of Commissioners, Commission Chambers, Township Hall, One Kennedy Drive, Nutley, NJ, on Thursday, October 8, at 3:00 P.M. prevailing time, at which time they will be opened and read.

Introduced by Commissioner Scarpelli, seconded by Commissioner Petracco. All ayes on a roll call vote.

No. 250-09

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, NJ that the Township Clerk is hereby authorized to advertise for sealed bids for athletic outdoor bleachers.

Bids to be received on October 7, 2009 in the Commission Chambers, Township Hall, at 3:00 (prevailing time) at which time they will be publicly opened and read.

Introduced by Commissioner Tucci, seconded by Commissioner Evans. All ayes on a roll call vote.

MEETING OPEN TO THE PUBLIC:

No Public Comments

ADJOURNMENT:

Motion to adjourn by Commissioner Scarpelli, seconded by Commissioner Petracco. All ayes. Meeting adjourned at 8:25 p.m.

ATTEST:

Evelyn Rosario, RMC
Municipal Clerk

Commissioner Joseph P. Scarpelli

Commissioner Alphonse Petracco

Commissioner Thomas J. Evans

Commissioner Mauro G. Tucci

Mayor Joanne Cocchiola