

**Township of Nutley
Board of Commissioners
Meeting Minutes
Tuesday, June 19, 2012
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.

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 December 22, 2011 issues of the Nutley Sun, 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 Rogers	- Present
Commissioner Tucci	- Present
Commissioner Evans	- Present
Commissioner Scarpelli	- Present
Mayor Petracco	- Absent/Excused

Commissioner Thomas J. Evans presided over the meeting "Deputy Mayor Evans"

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

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 December 22, 2011 issues of the Nutley Sun, 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 Rogers	- Present
Commissioner Tucci	- Present
Commissioner Evans	- Present
Commissioner Scarpelli	- Present
Mayor Petracco	- Absent/Excused

Commissioner Thomas J. Evans presided over the meeting "Deputy Mayor Evans"

MINUTES:

Commissioner Scarpelli made a motion to approve the March 6, 2012, March 20, 2012, March 29, 2012 (Budget Workshop) and April 3, 2012 Board of Commissioners meeting minutes, motion seconded by Commissioner Tucci. All Ayes on a roll call vote. Mayor Petracco Absent/Excused, Commissioner Rogers abstained.

COMMUNICATIONS/CORRESPONDENCE:

Seeking Permission/VFW Post # 493 Stuart E. Edgar/Pull Tab Raffle (Including Sundays)

It was the consensus of the Governing Body to approve the above listed communication

REPORTS:

None.

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	\$	197,190.48
Department of Revenue & Finance	\$	2,292,851.36
Department of Public Safety	\$	19,005.01
Department of Public Works	\$	535,351.41
Department of Parks & Public Property	\$	67,296.02
Payroll as of June 8, 2012	\$	889,420.19
Bill List Grand Total	\$	<u>4,001,114.47</u>

Motion to approve the bills by Commissioner Evans, seconded by Commissioner Tucci. All ayes. Mayor Petracco Absent/Excused.

ORDINANCE INTRODUCTIONS: (2)

Commissioner Evans/Bond Ordinance No. 3213

"BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF VARIOUS STREETS AND SIDEWALKS IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR, AND AUTHORIZING \$332,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF."

Commissioner Evans made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner Tucci. All Ayes. Mayor Petracco Absent/Excused. Commissioner Evans read by title only.

A public hearing will be held on July 17, 2012

Commissioner Evans/Bond Ordinance No. 3214

"BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$620,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$589,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COSTS THEREOF."

Commissioner Evans made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner Tucci. All Ayes. Mayor Petracco Absent/Excused. Commissioner Evans read by title only.

A public hearing will be held on July 17, 2012.

ORDINANCE PUBLIC HEARINGS:

None.

RESOLUTIONS:

No. 153-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that the Township Treasurer is hereby authorized to refund a tree permit fee collected, in consideration of the fact that the required replacement trees were installed, per Shade Tree Preservation Ordinance. Payment would come from account C-01-904-906:

Roland Gavazi 185 Walnut Street \$200.00

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

No. 154-12

WHEREAS, the Township of Nutley has the need for analog copper phone lines for existing alarm systems and departmental fax lines: and

WHEREAS, NJSA 40A: 11-5 (f) permits the award of Contract without bidding for the supply of any services which is public utility subject to the jurisdiction of the BPU: and

WHEREAS, the proposal from Princeton Hosted Solutions, in the amount of \$37,622.88 per year, will result in a substantial savings and improved quality and is recommended by the Township's Office of Information Technology: and

WHEREAS, the anticipated term of this contract is a (3) three year agreement : and

WHEREAS, Funds are available from Account # 510-237, and have been certified by the Chief Financial Officer, and said certification is attached to this resolution.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Mayor and Township Clerk be and they are hereby authorized to enter into a contract with Princeton Hosted Solutions for the provision of analog phone lines throughout the Township of Nutley.

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

No. 155-12

WHEREAS, the Township of Nutley has the need to acquire support and maitnenace of the Township IP Phone System and Infastructure: and

WHEREAS, NJSA 40A: 11-5 (f) permints the award of Contract without bidding for the supply of any services which is public utility subject to the jurisdiction of the BPU: and

WHEREAS, the proposal from Strategic Products and Services, in the amount of \$18,043.64 per year, will provide mandatroty 24/7/365 Emergency Support and Maintenance and is recommended by the Township's Office of Information Technology Officer: and

WHEREAS, the anticipated term of this contract is a (3) three year agreement : and

WHEREAS, Funds are available from Account # 510-237, and have been certified by the Chief Finacial Officer, and said certification is attached to this resolution.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley , County of Essex, State of New Jersey, that the Mayor and Township Clerk be and they are hereby authorized to enter into a contract with Strategic Products and Services for the provision of IP telephony maintenance and 24/7/ 365 days a year support throughout the Township of Nutley.

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

No. 152-12

WHEREAS, Franciscan Sister of St. Elizabeth has submitted an application to the Code Enforcement Department for interior alterations for a daycare facility at the premises located at 180 Franklin Avenue; and

WHEREAS, the Township of Nutley has offered to waive any municipal permit fees involved with the interior alterations for a daycare facility.

NOW, THEREFORE, BE IT RESOLVED, BY THE Board of the Commissioners of the Township of Nutley, County of Essex, State of New Jersey that all municipal permit fees related to the interior alterations for a daycare facility at the Franciscan Sister of St. Elizabeth located at 180 Franklin Avenue be waived.

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

No. 158-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund an overpayment of the property taxes in the amount of \$ 1,867.58 for the following account.

Block 9701, Lot 5, C01317, 113 River Road, C1317, \$1,867.58

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

No. 159-12

WHEREAS, New Jersey State Statute 54:4-3.30 provides certain war veterans, who have suffered serious disability while in service, full tax exemption of their dwelling house and the lot which it is located.

WHEREAS, the following taxpayer has filed an application for allowance of a full exemption with proper supporting documentation thus making the taxpayer eligible,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that John Bergen Jr. be granted full exemption from payment of property taxes from March 27, 2012 and all subsequent years thereafter on block 3002 lot 21 known as 187 Hillside Avenue.

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

No. 160-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund a subsequent lien payment in the amount of \$215.64 applied to the following block and lot after a redemption was already made.

Block 4000, Lot 24, 174 Grant Avenue, \$215.64

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

No. 161-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayment of the taxes due to successful Tax Court Judgments in the amount of \$15,557.23 for said years.

<u>BLOCK & LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
5900 - 12	17-23 Church Street	\$7,781.59 - 2008
		\$4,754.49 - 2009
		\$3,021.15 - 2010

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

No. 157-12

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 2012 MODEL 20 YARD REAR LOAD REFUSE PACKER OR EQUIVALENT, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, on Thursday, July 12, 2012 at 3:00 P.M. prevailing time, at which time they will be opened and read.

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

No. 167-12

Be It Resolved, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey that the Township Treasurer be and she is hereby authorized to refund \$200.00 to Vesco Foods, LLC, 267 Ridge Road, Lyndhurst, New Jersey, 07071, for an overpayment of Farmers Market Fees.

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

No. 168-12

Be It Resolved, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey that the Township Treasurer be and she is hereby authorized to refund \$150.00 to Zar & Co., LLC, 6 Honeysuckle Lane, Kinnelon, New Jersey, 07405, for an overpayment of Farmer Market Fees.

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

No. 169-12

Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant funded by PSE&G

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Nutley strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Nutley is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by PSE&G;

THEREFORE, the Mayor and Commissioners of the Township of Nutley have determined that the Township should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Commissioners of the Township of Nutley, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by PSE&G.

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

No. 170-12

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Transportation Enhancement Program for Phase III of The Township of Nutley Downtown Beautification and Revitalization Plan

WHEREAS, The Federal Aid Transportation Enhancement Program strives to ensure that transportation enhancements are an integral part of our transportation investment policy; and

WHEREAS, Transportation Enhancement funding is to be used to support non-traditional transportation projects; and

WHEREAS, the Township of Nutley has designed the Township of Nutley Downtown Beautification and Revitalization Plan for streetscape improvement for Franklin Avenue and Chestnut Street; and

WHEREAS, the Township of Nutley has identified Phase III (Harrison Street to Centre Street) of this plan for funding through the NJ DOT Transportation Enhancement Program; and

WHEREAS, the Township of Nutley will assume the responsibility with regard to maintenance and upkeep of this streetscape project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey formally approves the grant application for Phase III of the Township of Nutley Downtown Beautification and Revitalization Plan.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *TE-2012 – Nutley Township – 00003* to the New Jersey Department of Transportation on behalf of the Township of Nutley.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Nutley and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Introduced by Commissioner Scarpelli, seconded by Commissioner Tucci. All eyes on a roll call vote. Mayor Petracco Absent/Excused

No. 156-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey, that the Township Clerk be and she is hereby authorized to advertise for SEALED BIDS for a triple combination pumper fire apparatus for the Nutley Fire Department.

Bids to be received on WEDNESDAY, AUGUST 8, 2012 in the Commission Chambers, Township Hall, Kennedy Drive, at 2:00 pm prevailing time at which time they will be publicly opened and read.

Introduced by Commissioner Scarpelli FOR Mayor Petracco, seconded by Commissioner Rogers. All ayes on a roll call vote. Mayor Petracco Absent/Excused

No. 171-1

BE IT RESOLVED by the Township of Nutley in the County of Essex, New Jersey that the following be appointed as a volunteer to the Nutley Fire Department effective immediately:

Dave Zablocki
181 Hillside Ave.

Jose Rivera
21 Level Court

Introduced by Commissioner Scarpelli FOR Mayor Petracco, seconded by Commissioner Rogers. All ayes on a roll call vote. Mayor Petracco Absent/Excused

No. 162-12

WHEREAS the Nutley Zoning Board of Adjustment received \$175.00 application fee from Mr. A. Russell for a variance to rebuild the garage in same location, and WHEREAS the Nutley Zoning Board of Adjustment has reviewed and determined the application fee of **\$175.00 is due to Mr. A Russell**, due to the fact applicant will comply with the Codes of Nutley, and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the above amount be refunded to Mr. A. Russell.

Introduced by Commissioner Scarpelli FOR Mayor Petracco, seconded by Commissioner Tucci. All ayes on a roll call vote. Mayor Petracco Absent/Excused

No. 163-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses be granted to the following licensees effective July 1, 2012 through June 30, 2013.

BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificates for each establishment listed below for this renewal period.

BE IT FURTHER RESOLVED, that these establishments have been inspected by the Board of Health, Fire Department and Code Enforcement Department of the Township of Nutley and are in satisfactory condition.

American Legion Nutley Post # 70	45 Franklin Avenue	0716-31-030-001	\$150.00
Nutley Post 30 American Vets of World War II T/A Nutley Amvets Post	184 Park Avenue	0716-31-031-001	\$150.00

30			
Columbian Club of Nutley T/A St. Mary's Knights of Columbus	150 Chestnut Street	0716-31-032-001	\$150.00
Nutley New Jersey Lodge 1290 BPO Elks	242 Chestnut Street	0716-31-033-001	\$150.00
Stuart E. Edgar Post No. 493 Veteran of Foreign Affairs T/A VFW Holding Co. of Nutley	271 Washington Avenue	0716-31-035-001	\$150.00
Jim Dandy's of Nutley LLC T/A Jim Dandy's	561-563 Franklin Avenue	0716-32-008-009	\$1,719.36
JJGG LLC (formerly RU POD Inc. T/A Ruthies 3 rd Base)	POCKET LICENSE	0716-33-001-006	\$1,719.36
Castelli Inc T/A Nutley Diner	372 Centre Street	0716-33-006-002	\$1,719.36
Papillion LLC T/A The Game Sports Bar & Grill	350 Passaic Avenue	0716-33-011-006	\$1,719.36
Diamond Spring Café LLC T/A Diamond Spring Café I	116 Harrison Street	0716-33-015-003	\$1,719.36
KJM Inc. T/A American Bistro	24-26 Washington Avenue	0716-33-018-006	\$1,719.36
Jo-Ka Inc. T/A Washington Park Tavern	174 Washington Avenue	0716-33-019-006	\$1,719.36
Conca Brothers Management 4 LLC T/A The Old Canal	2 East Passaic Avenue	0716-33-022-002	\$1,719.36
TBG Inc. T/A Park Pub	789 Bloomfield Avenue	0716-33-023-003	\$1,719.36
South Side Grill LLC T/A Ritacco's Midtown Bar & Grill	223A Franklin Avenue	0761-33-027-009	\$1,719.36
Kishan Restaurant Inc.	238 Franklin Avenue	0716-33-028-004	\$1,719.36
Prahar Corp. T/A Heller & Heller Liquors	200 Franklin Avenue	0716-44-013-007	\$1,287.36
Franklin Wine Shop, Inc. T/A Nutley Wine Shop	558 Franklin Avenue	0716-44-021-006	\$1,287.36
Majagdamba LLC T/A Nutley News & Liquors	98 Centre Street	0716-44-025-010	\$1,287.36

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, that the Municipal Clerk be and she is hereby directed and authorized to issue said licenses for the licensing period of July 1, 2012 through June 30, 2013.

Introduced by Commissioner Rogers FOR Mayor Petracco, seconded by Commissioner Scarpelli. All ayes on a roll call vote. Mayor Petracco Absent/Excused

No. 164-12

WHEREAS, the following Plenary Retail Consumption Licenses have not received Tax Clearance certificates as required by the Division of Alcoholic Beverage prior to the Governing Body acting on the renewals: and

WHEREAS, in order for the licensee to continue operating after 12:00 A.M. July 1, 2012, they must obtain a temporary permit from the Division of Alcoholic Beverage Control: and

WHEREAS, the establishments have submitted their renewal applications along with the appropriate fees to the Office of the Municipal Clerk: and

WHEREAS, the licensee (s) must complete an "Ad Interim Permit" application which must be signed by the Municipal Clerk on behalf of the Governing Body indicating that the Municipality does not object to the issuance of the Ad Interim Permit.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Municipal Clerk is hereby authorized to sign Ad Interim permit applications for the following Plenary Retail Consumption Licenses.

Giant Vending Inc. T/A Franklin Steak House & Tavern	522-526 Franklin Avenue	0716-32-020-009	\$1,719.36
Park Place Pizza T/A Terrazza Ristorante & Bar	507 Franklin Avenue	0716-33-017-007	\$1,719.36
Nutley Pub LTD T/A Nutley Pub	227-229 Centre Street	0716-33-024-004	\$1,719.36

Introduced by Commissioner Rogers FOR Mayor Petracco, seconded by Commissioner Scarpelli. All ayes on a roll call vote. Mayor Petracco Absent/Excused

No. 165-12

WHEREAS, an application has been filed for a person-to-person Transfer of Plenary Retail Consumption License Number 0716-33-024-004, heretofore issued to Nutley Pub LTD T/A Nutley Pub for premises located at 227-229 Centre Street, Nutley, New Jersey 07110; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED, that the Township of Nutley Governing Body does hereby approve, effective June 22, 2012, the transfer of the aforesaid Plenary Retail Consumption License to Nutley Pub Associates LLC T/A Nutley Pub Associates LLC, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to "Nutley Pub Associates LLC T/A Nutley Pub Associates LLC", effective June 22, 2012."

Introduced by Commissioner Rogers FOR Mayor Petracco, seconded by Commissioner Scarpelli. All ayes on a roll call vote. Mayor Petracco Absent/Excused

No. 166-12

WHEREAS, raffle applications have been received from the following organizations; and VFW Post # 493 Stuart E. Edgar, License No. 42-12 Pull Tab, July 10, 2012- July 10, 2013, Nutley High School Soccer Booster Club, License No. 43-12, Off-Premise 50/50 Cash Raffle, November 15, 2012

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 that the licenses are approved and the Municipal Clerk is authorized to issue the licenses.

Introduced by Commissioner Rogers FOR Mayor Petracco, seconded by Commissioner Scarpelli. All ayes on a roll call vote. Mayor Petracco Absent/Excused

MEETING OPEN TO THE PUBLIC:

All persons addressing the Board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the Board, each person shall limit their address to five (5) minutes. All remarks to the Board and its individual members must be addressed to the Mayor. The Mayor may defer citizen comments to the appropriate member of the Board. Dialogue between citizens and others addressing the Board shall be allowed unless the Mayor, or presiding officer, or the majority of the membership of the Board, shall determine that the interests of decorum and/or the expeditious conduct of municipal business are being adversely affected by such dialogue.

Joan Rubino, 48 North Road – Asked for details concerning resolution # 169-12 "Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant funded by PSE&G", Commissioner Scarpelli responded and stated that the amount of the grant is between \$25,000 – \$50,000, the grant is for sustainable products, the Township of Nutley is seeking to obtain a "Charging Station.", Ms. Rubino asked if UNAGENDA21 has any connection with this grant, Commissioner Scarpelli stated that this grant has no connection to UNAGENDA21 that he is aware of.

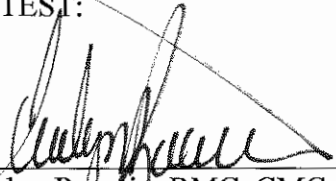
Maria Bozza, 209 Highfield Lane, Addressed Commissioner Evans and asked how she can contact him to speak to him directly. Commissioner Evans stated that she can call his office and speak with him directly.

ADJOURNMENT:

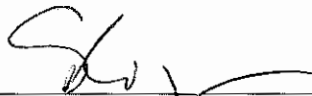
Motion to adjourn by Commissioner Scarpelli, seconded by Commissioner Rogers
All ayes on a roll call vote. Meeting adjourned at 7:43 P.M.

June 19, 2012 meeting transcription approved by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday, March 19, 2013.

ATTEST:



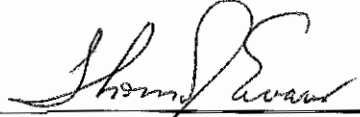
Evelyn Rosario, RMC, CMC
Municipal Clerk



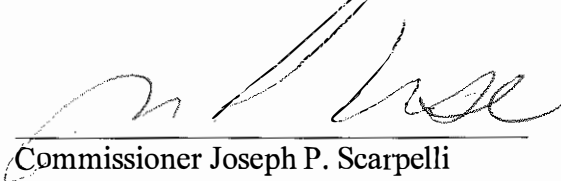
Commissioner Steven Rogers



Commissioner Mauro G. Tucci



Commissioner Thomas J. Eyans



Commissioner Joseph P. Scarpelli

Absent/Excused

Mayor Alphonse Petracco

Attach To Official Minutes

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02428	RUDERMAN & GLICKMAN	2,075.00					2,075.00
12-02513	ESSEX CNTY UTILITY AUTH	116,314.22					116,314.22
12-02520	FUTURE SANITATION	65,805.55					65,805.55
12-02489	KOZYRA & HARTZ,LLC	2,524.94					2,524.94
12-01679	J.W. MANNY	179.50					179.50
12-01848	THE SIGN POST	550.00					550.00
12-02519	LINDA POSTERNOCK	150.00					150.00
12-02408	LINDA POSTERNOCK	150.00					150.00
12-02273	A T & T MOBILITY	358.14					358.14
12-02174	HOME DEPOT	249.23					249.23
12-02175	DELL MARKETING	1,049.14					1,049.14
12-02571	MARIA JO CANOSA	81.00					81.00
12-02572	NOREEN MCMANUS	165.00					165.00
12-02573	TIRE MANAGEMENT	144.00					144.00
12-02574	T/ MONTCLAIR	4,662.33					4,662.33
12-02063	K & K TROPHY MART	346.00					346.00
12-02228	PREFERRED CARPET	607.50					607.50
12-02171	NUTLEY KEY & GLASS	240.00					240.00
12-02287	DELGEN PRESS	169.00					169.00
12-02362	MEDIAGRAPHS	25.00					25.00
12-02288	SANOFI PASTEUR	1,085.75					1,085.75
12-02433	NEXTEL	29.35					29.35
12-00137	NUTLEY PARK SHOPRITE	72.03					72.03
12-01305	NO JERSEY MEDIA GROUP	157.80					157.80
12-02380	TREASURER SCHOOL MONEY		2,120,071.50				2,120,071.50
12-02377	T/N PAYROLL AGENCY ACCT		37,168.53				37,168.53

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02507	VERIZON WIRELESS		48.01	164.36			212.37
12-02456	PETRA TEPPER & L.CUMMINGS		2,811.02				2,811.02
12-02455	PATRICK & S.SCEPPAGUERCIO		2,552.60				2,552.60
12-02454	DINESH DCOSTA		3,007.39				3,007.39
12002453	SUNTRUST MTG.		2,408.37				2,408.37
12-02452	PHILIP & LISA MATTO		1,455.83				1,455.83
12-02451	GMAC MORTGAGE		2,747.36				2,747.36
12-02450	ROBERT &A. GARIANO		2,959.18				2,959.18
12-02449	SERGE & MARY DEMERJAM		4,533.86				4,533.86
12-02180	NO JERSEY MEDIA GROUP		21.95				21.95
12-02095	STAPLES		128.55				128.55
12-01854	STAPLES		197.34				197.34
12-02229	WEST GROUP		140.00				140.00
12-02387	VITAL COMMUNICATIONS		42.55				42.55
12-02413	VITAL COMMUNICATIONS		2,493.20				2,493.20
12-00967	VITAL COMMUNICATIONS		250.00				250.00
12-02421	US BANK CUST FOR PRO CAPITAL		535.44				535.44
12-02422	US BANK CUST FOR PRO CAPITAL		2,275.15				2,275.15
12-02423	EOS ENERGY VENTURES		8,513.91				8,513.91
12-02409	POSTMASTER, NEWARK NJ		3,000.00				3,000.00
12-02398	TOWN OF KEARNY WATER		58,310.53				58,310.53
12-02397	NJ STATE DEPT.OF HEALTH		185.40				185.40
12-02375	CARELLA,BYRNE,CECCHI		31,353.70				31,353.70
12-02292	NBC AUTO PARTS		270.74				270.74
12-02130	HEWLETT PACKARD CORP		129.96				129.96
12-02483	NO JERSEY MEDIA GROUP		531.44				531.44

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02293	BRADLEY TIRE		175.64				175.64
12-00093	LAW FIRM OF PIRO,ZINNA,CIFELLI		4,498.41				4,498.41
12-02232	MONROE SYSTEMS		33.80				33.80
12-01899	NJ PUBLIC SAFETY COALITION			300.00			300.00
12-01891	HEWLETT PACKARD CORP			139.00			139.00
12-02105	HEWLETT PACKARD CORP			2,547.02			2,547.02
12-02392	BRADLEY TIRE			1,924.56			1,924.56
12-02390	ATLANTIC UNIFORM			59.99			59.99
12-02501	NO JERSEY MEDIA GROUP			6.39			6.39
12-02374	NUTLEY PARK SHOP-RITE			116.72			116.72
12-02373	NUTLEY PARK SHOP-RITE			22.32			22.32
12-01785	MAGOCLEN			400.00			400.00
12-00116	NICOLETTE TOWING			12.00			12.00
12-02491	AT & T MOBILITY			65.45			65.45
12-02092	DELGEN PRESS			55.00			55.00
12-01096	FIREFIGHTER ONE			1,200.00			1,200.00
12-02091	ACS FIREHOUSE			1,990.00			1,990.00
12-01948	W.B. MASON CO			132.70			132.70
12-02100	W.B. MASON CO			766.38			766.38
12-01841	W.B. MASON CO			31.76			31.76
12-02436	TURNOUT FIRE & SAFETY			321.85			321.85
12-02435	TURNOUT FIRE & SAFETY			233.94			233.94
12-02523	TURNOUT FIRE & SAFETY			289.99			289.99
12-02522	TURNOUT FIRE & SAFETY			30.00			30.00
12-02521	TURNOUT FIRE & SAFETY			103.00			103.00
12-02434	TURNOUT FIRE & SAFETY			400.00			400.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02378	NJMVC			60.00			60.00
12-02083	NJMVC			180.00			180.00
11-00105	NUTLEY PARK SHOP-RITE			6.00			6.00
12-02247	DEPT.COMMUNITY AFFAIRS			45.00			45.00
12-01818	NBC AUTO PARTS			8.26			8.26
12-02444	NBC AUTO PARTS			77.97			77.97
12-00115	NBC AUTO PARTS			975.68			975.68
12-00118	MAJOR LEAGUE AUTO SPA			227.25			227.25
12-01873	KENNETH VERCAMMEN ESQ			20.00			20.00
12-00064	INHALATION THERAPY			59.00			59.00
12-02176	SOMES INIFORMS			446.50			446.50
12-01580	THE SIGN POST			390.00			390.00
12-00995	SAFE-T			275.00			275.00
11-05575	SAFE-T			4,229.16			4,229.16
12-02429	KING TRANSCRIPTION			444.64			444.64
12-02562	RICHARD COLABELLI			200.00			200.00
12-02582	LINDA BUEL			48.12			48.12
11-05550	D & L PAVING- CDBG				153,666.69		153,666.69
12-02569	D & L PAVING- CDBG C/O #1				10,144.91		10,144.91
12-02598	NO JERSEY DISTRICT WATER				304,740.68		304,740.68
12-00055	ROUTE 23 AUTO MALL				41.28		41.28
12-00045	NEWARK ASPHALT				85.78		85.78
12-00045	NEWARK ASPHALT				634.27		634.27
12-00044	AUTO ZONE				29.47		29.47
12-01125	BAKER PERSONNEL TEMPS				1,100.00		1,100.00
12-00037	AGL WELDING				105.00		105.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-00037	AGL WELDING				46.40		46.40
12-00037	AGL WELDING				54.00		54.00
12-02132	W.E. TIMMERMAN				165.18		165.18
12-00049	TILCON NJ				210.21		210.21
12-00048	SUPERIOR AUTO DISTRIBUTORS				60.00		60.00
12-01590	BARCO PRODUCTS				3,126.30		3,126.30
12-01859	GARDEN STATE HIGHWAY				1,086.00		1,086.00
12-02157	GENERAL BINDING CORP				253.45		253.45
12-02281	AMERICAN HOSE				428.01		428.01
12-01316	BUSCH SYSTEMS				4,196.00		4,196.00
11-05560	PA CONTRACTING INC				26,705.70		26,705.70
12-00058	PA CONTRACTING INC				77.88		77.88
12-00968	VITAL COMMUNICATIONS				150.00		150.00
12-02488	PSE & G				17.02		17.02
12-00047	NORTHEAST AUTO				174.03		174.03
12-00033	NORTHEAST EQUIPMENT				82.36		82.36
11-02550	NATURES CHOICE				888.00		888.00
12-02508	CONSTALLATION NEWENERGY				5,372.42		5,372.42
12-02493	PASSAIC VALLEY WATER COMM				512.00		512.00
12-02567	CARA GRAPHICS				1,753.70		1,753.70
12-01448	VACK VICCHIARIELLO LANDSCP.				1,625.00		1,625.00
12-02348	H & H MACK SALES				103.74		103.74
12-02290	H & H MACK SALES				90.16		90.16
12-01958	DEROCHE CANVAS,INC				406.00		406.00
12-02253	WORK N GEAR				102.00		102.00
12-02236	ROUTE 23 AUTO MALL				586.13		586.13

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02581	PSE & G				16,531.64		16,531.64
12-02407	PASQUALE INTINDOLA					1,198.80	1,198.80
12-02477	GIUSEPPI RUSSO					599.40	599.40
12-02516	JOSEPH PEPE					1,198.80	1,198.80
12-02515	WILLIAM POSTLEWAITE					1,174.80	1,174.80
12-02544	FRANK FERRY					969.00	969.00
12-02545	WILLIAM SPIEZIO					1,198.80	1,198.80
12-00007	BELL RIDGE PLUMBING					215.98	215.98
12-02490	MCGRAW COMMUNICATIONS					4,514.29	4,514.29
12-02492	PSE & G					651.38	651.38
12-02496	PSE & G					1,328.31	1,328.31
12-02406	ANDREW JACKSON					599.40	599.40
12-02405	WILLIAM LOPA					599.40	599.40
12-02404	MICHAEL COZINE					3,812.69	3,812.69
12-02403	LEONARDO VESPUCCI					699.30	699.30
12-02402	ANTHONY ANDRIOLA					1,198.80	1,198.80
12-02165	HOME DEPOT					419.00	419.00
12-00075	J & D IRONWORKS					6,380.00	6,380.00
12-01408	THE SHADE TREE DEPT					1,743.75	1,743.75
12-01746	BEDROCK STONE					400.00	400.00
12-02160	MESCO-MUENZ-ENG SALE					71.51	71.51
12-02020	WORK N GEAR					450.00	450.00
12-01748	RICOH CORP					85.65	85.65
12-02088	VIRIDIAN ENVIRONMENTAL					1,046.25	1,046.25
12-00028	P & A AUTO PARTS					80.03	80.03
12-00028	P & A AUTO PARTS					21.05	21.05

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02241	W.B. MASON					367.20	367.20
12-01737	W.B. MASON					263.04	263.04
12-02275	AMERICAN TIME RECORDER					85.27	85.27
12-02071	AWARDS TROPHY					277.50	277.50
12-02249	K & K TROPHY MART					625.00	625.00
12-00016	AGL WELDING					118.14	118.14
12-00016	AGL WELDING					98.15	98.15
12-00013	GRANT SUPPLIES					156.00	156.00
12-00024	SUPERIOR DISTRIBUTORS					84.36	84.36
12-02479	ADVANCED ENGRAVING					122.00	122.00
12-02279	HOME DEPOT					64.98	64.98
12-00027	TERRE CO					534.00	534.00
12-00019	FRANKS TRUCK CENTER					44.81	44.81
12-02487	VERIZON					207.40	207.40
12-02486	VERIZON					789.78	789.78
12-02173	LOWES COMMERICAL SERV.					94.94	94.94
12-02986	NEGLIA ENGINEERING ASSOC					11,679.32	11,679.32
12-00012	RICCIARDI BROTHERS					19.15	19.15
12-00014	W. ESSEX BLDG.SUPPLY					173.38	173.38
12-01387	DIA GENERAL CONSTRUCTION					10,550.00	10,550.00
12-02417	NUTLEY KEY & GLASS					475.00	475.00
12-02182	APPROVED FIRE PROTECTION					502.31	502.31
12-00670	CABLEVISION-LIGHTPATH INC					3,045.81	3,045.81
12-02580	ROLAND GAVAZI					200.00	200.00
12-01949	METUCHEN CENTER-TEAM					300.00	300.00
12-02177	UNIVERSAL SPORTING GOODS					1,610.00	1,610.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 19, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02099	EAST COAST DESIGNS					497.50	497.50
12-02250	SAMUEL FRENCH					20.00	20.00
12-02476	ALEJANDRO SANTIAGO					100.00	100.00
12-02540	ANTHONY PERGOLA					108.00	108.00
12-02457	ANTHONY PERGOLA					36.00	36.00
12-02458	LISA RISPOLI					35.00	35.00
12-02459	MEGAN ALONSO					140.00	140.00
12-02536	GERARD MCDONOUGH					72.00	72.00
12-02460	GERARD MCDONOUGH					72.00	72.00
12-02462	ANDY DEPCZEK					36.00	36.00
12-02463	ROSEMARIE SELLARI					50.00	50.00
12-02435	MARK SCHREIBER					72.00	72.00
12-02464	MARK SCHREIBER					72.00	72.00
12-02532	MATTHEW FRANCELLO					50.00	50.00
12-02466	MATTHEW FRANCELLO					50.00	50.00
12-02468	MICHELLE WLOSEK					60.00	60.00
12-02469	WILLIAM DAMM					60.00	60.00
12-02531	WILLIAM DAMM					40.00	40.00
12-02470	WILLIAM DAMM					44.00	44.00
12-02467	MIKE CORTESE					50.00	50.00
12-02471	MIKE CORTESE					168.00	168.00
12-02465	DYLAN BAHAW					20.00	20.00
12-02472	DYLAN BAHAW					132.00	132.00
12-02473	DANIEL KOSLECKI					176.00	176.00
12-02474	DENNIS BUCKLEY					36.00	36.00
12-02539	DENNIS BUCKLEY					72.00	72.00

TOWNSHIP OF NUTLEY
BILL LIST
June 19, 2012

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of JUNE 19, 2012:

PAYROLL-REGULAR JUNE 8, 2012:

Department of Public Affairs	16,768.81
Department of Revenue & Finance	59,237.85
Department of Public Safety	594,157.26
Department of Public Works	55,176.27
Department of Parks & Public Properties	78,814.17
Department of Recreation Commission	4,091.47
Water Operations	42,752.90
Due To From General Capital	3,519.91
600 Series	0.00
Accounts Payable	6,049.28
C.E.H.A.	274.06
Sub Total	860,841.98

PAYROLL-OVERTIME JUNE 8, 2012:

Department of Public Affairs	0.00
Department of Revenue & Finance	625.52
Department of Public Safety	12,744.50
Department of Public Works	2,092.67
Department of Parks & Public Properties	8,283.20
Water Operations	4,832.32
600 Series	0.00
Sub Total	28,578.21

TOTAL PAYROLL: 889,420.19

GRAND TOTAL: 4,001,114.47

The Payroll list in the foregoing schedule includes amounts to be deducted for:

Federal Withholding Tax	125,513.10
Social Security	18,080.00
N.J. State Tax	34,432.84
Medicare	12,751.44
Wage Execution	3,522.00
Deferred Compensation	29,747.82
Employee Disability Ins.	4,431.50

**Township of Nutley
County of Essex
State of New Jersey**

**NOTICE OF PENDING BOND ORDINANCE STATEMENT
BOND ORDINANCE NO. 3213**

The Bond ordinance published herewith was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, held on Tuesday, June 19, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held Tuesday, July 17, 2012 in the 3rd Floor Commission Chambers, Town Hall, One Kennedy Drive, Nutley, New Jersey 07110 at 7:00 P.M. During the week prior to and up to and including the date of such meeting, a copy of the bond ordinance will be made available at the Office of the Municipal Clerk Monday through Friday, 8:30 A.M. – 4:30 P.M. to any member of the general public.

**Evelyn Rosario, RMC, CMC
Municipal Clerk**

**Nutley Sun Issue/Thursday, June 28, 2012/Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

Bond Ordinance No. 3213
Introduced by Commissioner Evans
Introduced on June 19, 2012
Public Hearing July 17, 2012
Advertise in the Nutley Sun Issue of Thursday June 28, 2012

Bond Ordinance No. 3213

BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF VARIOUS STREETS AND SIDEWALKS IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR, AND AUTHORIZING \$332,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Nutley, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$350,000, including the sum of \$17,500 as the down payment required by the Local Bond Law. The down payment is now available for capital improvement purposes in the Capital Improvement Fund.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$332,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued, are reconstruction of curbs, sidewalks and roadways, including all work and materials necessary therefor or incidental thereto, all pursuant to plans and specifications on file with the Township, which plans and specifications are hereby approved.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description,

the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained, and the name of the purchaser.

Section 5. The capital budget of the Township of Nutley is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. Any grants or moneys received by the Township for any purpose set forth in Section 3 hereof are hereby appropriated for said purpose set forth in Section 3 hereof and shall be applicable either to the direct payment of the cost of such purpose or to the payment or reduction of the obligations issued or authorized herein. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 7. The following additional matters are hereby determined, declared, recited, and stated:

- (a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and bond anticipation notes provided in this bond ordinance by \$332,500 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$35,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after publication thereof after final adoption, as provided by the Local Bond Law.

#479426

**Township of Nutley
County of Essex
State of New Jersey**

**NOTICE OF PENDING BOND ORDINANCE STATEMENT
BOND ORDINANCE NO. 3214**

The Bond ordinance published herewith was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, held on Tuesday, June 19, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held Tuesday, July 17, 2012 in the 3rd Floor Commission Chambers, Town Hall, One Kennedy Drive, Nutley, New Jersey 07110 at 7:00 P.M. During the week prior to and up to and including the date of such meeting, a copy of the bond ordinance will be made available at the Office of the Municipal Clerk Monday through Friday, 8:30 A.M. – 4:30 P.M. to any member of the general public.

**Evelyn Rosario, RMC, CMC
Municipal Clerk**

**Nutley Sun Issue/Thursday, June 28, 2012/Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

Bond Ordinance No. 3214
Introduced by Commissioner Evans
Introduced on June 19, 2012
Public Hearing July 17, 2012
Advertise in the Nutley Sun Issue of Thursday June 28, 2012

Bond Ordinance No. 3214

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$620,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$589,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COSTS THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Nutley, New Jersey, as general improvements. For the improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$620,000, including the aggregate sum of \$31,000 as the several down payments for the improvements or purposes. The down payments are now available for capital improvement purposes in the Capital Improvement Fund.

Section 2. In order to finance the cost of the improvements or purposes not covered by application of the down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$589,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated costs of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows, and are more particularly described in the plans and specifications on file with the Township, which plans and specifications are hereby approved, including work, materials and all else necessary therefor and incidental thereto:

	Improvement or Purpose	Appropriation & Estimated Cost	Maximum Amount of Bonds or Notes	Period of Usefulness
a.	Purchase of Front Loader Truck	\$120,000	\$114,000	5
b.	Parks & Playgrounds Equipment and Improvements	175,000	166,250	15
c.	Building Renovations and Equipment	175,000	166,250	15
d.	Removal and Installation of Underground Tanks	50,000	47,500	15
e.	Tree Purchase & Planting	50,000	47,500	15
f.	Vehicles Purchase & Equip	50,000	47,500	5

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a).

The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained, and the name of the purchaser.

Section 5. The capital budget of the Township of Nutley is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. Any grants received by the Township for any purpose set forth in Section 3 hereof are hereby appropriated for said purpose set forth in Section 3 hereof and shall be applicable either to the direct payment of the cost of such purpose or to the payment or reduction of the obligations issued or authorized herein. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 7. The following additional matters are hereby determined, declared, recited, and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof, within the limitations of the Local Bond Law, is 12.258 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and bond anticipation notes provided in this bond ordinance by \$589,000. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after publication thereof after final adoption, as provided by the Local Bond Law.

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