

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

PUBLIC MEETING

)
) TRANSCRIPT OF

) PROCEEDINGS:
)

February 5, 2013

7:18 p.m.

BEFORE:

Commissioner Thomas J. Evans

Commissioner Steven Rogers

Commissioner Joseph Scarpelli

Job No. VTNJ - 1670525

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P R O C E E D I N G S

UNIDENTIFIED SPEAKER: Stand for the flag salute.

MAYOR PETRACCO: Madam Clerk?

MADAM CLERK: Yes, Mayor.

Tuesday, February 5th, 2013. Pursuant to the requirements of the Open Public Meeting Law, Chapter 231, P.L. 1975, notice of this meeting was published in the December 13, 2012 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.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci is absent, excused this evening.

Commissioner Evans

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Mayor Petracco is absent, excused this evening.

All present, Mayor, with the exception of Commissioner Tucci and Mayor Petracco are both absent, excused this evening.

Commissioner Evans will preside over the meeting

1 as our Deputy Mayor.

2 DEPUTY MAYOR EVANS: Thank you. We don't have any
3 minutes tonight, correspondence or reports.

4 Move on to bills?

5 MADAM CLERK: Yes, Mayor.

6 Tuesday, February 5, 2013.

7 Public affairs: \$168,660.89;

8 Revenue and Finance: \$7,596,849.11;

9 Public Safety: \$59,641.90;

10 Public Works: \$182,884.31;

11 Parks and Public Property: \$692,819.44;

12 Payroll as of January 18, 2013: \$868,652.81;

13 Payroll as of February 1, 2013: \$818,930.17

14 For a grand total bill list of: \$10,388,438.62.

15 And that's all for bills this evening, Mayor.

16 DEPUTY MAYOR EVANS: Move the bills?

17 COMMISSIONER SCARPELLI: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 DEPUTY MAYOR EVANS: Thank you.

25 MADAM CLERK: Thank you, Mayor.

1 DEPUTY MAYOR EVANS: Thank you. We're going to
2 take a couple of resolutions out of order tonight, since we
3 have some special guests here. So with that, I'll turn it
4 over to Commissioner Rogers.

5 COMMISSIONER ROGERS: Ladies and gentleman,
6 tonight I have two resolutions I'm going to read. One of
7 them involves one of our employees, Peggy Brodowski. Peggy
8 has been a nurse with us for many, many years.

9 In fact, I got to know her real well when soon
10 after I got elected, she started taking my blood pressure.
11 It rapidly increased as time went on and she got me on some
12 medication. So, thanks a lot Peggy.

13 But the resolutions speaks for itself. And this
14 resolution is on behalf of this entire Board of
15 Commissioners and governing body. All the gentlemen up here
16 know Peggy and really, I'm going to miss you, Peg. But this
17 resolution is for you on behalf of the Board of
18 Commissioners and the People of the Township of Nutley.

19 WHEREAS, Margaret Brodowski, devoted daughter of
20 Patrick and Kathleen Costello, and loving sister to Mary
21 Alice, Patrick, Rose, Michael, Martin, Kathleen and Eugene,
22 was born and raised in Bayonne, New Jersey, or as Margaret
23 fondly refers to it, "God's Country"; and

24 WHEREAS, Margaret, herein referred to as "Peggy",
25 graduated from Saint Francis School of Nursing in Jersey

1 City, received a Bachelor of Science in Nursing degree from
2 Jersey City State College and a Master of Arts in Nursing
3 Education degree from New York University; and

4 WHEREAS, Peggy married Thomas Brodowski on
5 September 14~~e~~, 1990, and is the proud and loving mother of
6 Tommy, Andrew, Katie and Molly; and

7 WHEREAS, Peggy began her career in the Township of
8 Nutley in 2002, working in the Department of Public Affairs,
9 as the Public Health Nurse for the Nutley Health Department
10 and has consistently gone above and beyond the call of duty
11 in the role of Public Health Nurse; and

12 WHEREAS, Peggy has dedicated much of her personal
13 and professional time to educating the public about the
14 importance of food allergy awareness, as well as providing
15 comfort and outreach to families of Alzheimer's patients;
16 and

17 WHEREAS, Peggy has earned the respect and
18 admiration of all who know her, and her dedication and
19 commitment to the Township of Nutley has set standards which
20 we should all strive to achieve; and

21 WHEREAS, on January 18~~e~~, 2013, Peggy resigned her
22 position as Public Heal~~h~~ Nurse in the Township of Nutley to
23 pursue a position as Director of Nursing, in the office of
24 Montclair Health Department, with whom the Township shares
25 services;

1 NOW, THEREFORE, BE IT RESOLVED by the Board of
2 Commissioners of the Township of Nutley, County of Essex,
3 State of New Jersey that Peggy Brodowski's dedication and
4 service to the Township of Nutley and its residents be
5 hereby recognized and that the gratitude of this community
6 be hereby extended, as well as our sincerest well wishes for
7 success in her new position.

8 So moved.

9 COMMISSIONER SCARPELLI: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Yes.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPTELLI: Peggy, good luck in the
14 future endeavors. We're going to miss you. Aye.

15 MADAM CLERK: Deputy Mayor Evans?

16 DEPUTY MAYOR EVANS: Peggy, (indiscernible) great
17 opportunity. We're very proud of you. (Indiscernible) to
18 the town -- service. The flu shot didn't hurt that much.
19 Aye.

20 (Pause)

21 (Audio fading in and out)

22 MS. BROWDOWSKI: Thank you, Commissioner Rogers
23 and -- that I worked with for many years (indiscernible) I
24 love you all. Thank you all. And to my family.

25 COMMISSIONER ROGERS: You're welcome.

1 (Applause)

2 MS. BROWDOWSKI: I'm so happy -- Commissioner --

3 DEPUTY MAYOR EVANS: The first thing we're going
4 to do is, I'm going to ask my colleagues and I'm going to
5 ask Judge Cochiola (ph) to come forward because she was part
6 of this team way before I got here. Come on, Judge. Okay.
7 All right. Well, we thank you anyway.

8 JUDGE COCHIOLA: I'm glad I wore the right color
9 for the (indiscernible). I didn't even know.

10 DEPUTY MAYOR EVANS: And we're going to have a
11 picture for your family (indiscernible).

12 (Pause)

13 (Audio fades out entirely 7:26:07 to 7:27:54 -
14 taking pictures, etc.)

15 (Applause)

16 (Pause)

17 DEPUTY MAYOR EVANS: Commissioner Rogers, the
18 second resolution.

19 COMMISSIONER ROGERS: Yeah, I have a second
20 resolution. This resolution is going to be presented to
21 some of the finest people and one of the finest
22 organizations in the Township of Nutley and that's the
23 Nutley Irish American Association.

24 In fact, I call them the beautiful shamrocks of
25 our Township the other night.

1 And again, this is actually a resolution that was
2 to be introduced by Commissioner Tucci. He's not here
3 tonight. He wasn't feeling well, but he made it a point to
4 let me know as we normally do that this is on behalf of the
5 entire Board of Commissioners. This entire Board certainly
6 supports this organization.

7 WHEREAS, On Saturday, March 2nd, 2013, the Irish
8 American Association will hold its 35th Annual St. Patrick's
9 Day Parade; and

10 WHEREAS, The St. Patrick's Day Parade has become
11 an exciting event in the Township of Nutley, which is looked
12 forward to and enjoyed by both spectators and participants
13 alike; and

14 WHEREAS, The Nutley Irish American Association
15 will celebrate its Annual St. Patrick's Day Parade, Grand
16 Marshal Dinner, on Saturday, February 2, 2013 at The Forest
17 Hill Field Club, Bloomfield, N.J. and

18 WHEREAS, this year's Grand Marshal is John Kelly;
19 and

20 WHEREAS, Mr. Kelly is joined by Deputy Grand
21 Marshal, Seamus Burke, and NIAA Member of the Year, Steve
22 Tucholski, along with 2013 Parade Queen, Alicia Bennett as
23 this year's dignitaries; and

24 NOW THEREFORE, BE IT RESOLVED that the Board of
25 Commissioners of the Township of Nutley, County of Essex,

1 join with the citizens of Nutley to salute and congratulate
2 Grand Marshal, John Kelly, Deputy Grand Marshal, Seamus
3 Burke, NIAA Member of the Year, Steve Tucholski and Parade
4 Queen, Alicia Bennett as they are honored here tonight.

5 So moved.

6 COMMISSIONER SCARPELLI: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLLI: Aye.

11 MADAM CLERK: Deputy Mayor Evans?

12 DEPUTY MAYOR EVANS: Aye.

13 (Applause)

14 COMMISSIONER ROGERS: Would the Grand Marshal and
15 company come forward? Looking for Seamus Burke, Mr. Kelly,
16 Mr. Tucholski and Alicia Bennett. Would you come forward?

17 (Pause)

18 (Applause)

19 (Pause)

20 DEPUTY MAYOR EVANS: Let's move on to the
21 ordinance introductions.

22 MADAM CLERK: Mayor the next order of business
23 would be the ordinance introductions.

24 DEPUTY MAYOR EVANS: Thank you. The next
25 ordinance is 3229, which I'll read by title.

1 An ordinance to amend an ordinance to fix the
2 salaries of certain officers and employees of the Township
3 of Nutley, County of Essex, State of New Jersey, effective
4 January 1, 2013e Fire Protection Sub-Code Official part
5 time.

6 I move that this ordinance be passed to a second
7 reading and advertised in the Nutley Sun together with the
8 notice required by law, and further consideration of said
9 ordinance for final passage by the Board of Commission be
10 held at its second reading on March the 5th, 2013e

11 So move.

12 COMMISSIONER SCARPELLI: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLLI: Aye.

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: Aye.

19 Ordinance 3228 for Mayor Petracco.

20 An ordinance to amend an ordinance codified in the
21 Township of Nutley Code, Chapter 532, Article 1, Section 5,
22 entitled; hardship rent increase; capital Improvement or
23 service increase surcharge rent control.

24 I move that this ordinance be passed to a second
25 reading and advertised in the Nutley Sun together with the

1 notice required by law and further consideration of said
2 ordinance or final passage by the Board of Commisioners be
3 held at its second reading on March 5th, 2013e

4 So move.

5 COMMISSIONER SCARPELLI: Second.

6 MADAM CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLLI: Aye.

10 MADAM CLERK: Deputy Mayor Evans?

11 DEPUTY MAYOR EVANS: Aye.

12 Public hearings.

13 MADAM CLERK: Mayor, the next order of business
14 are two public hearings as listed on the agenda.

15 DEPUTY MAYOR EVANS: Thank you. The first public
16 hearing will be for Commissioner Tucci is an ordinance to
17 fix the salaries of certain employees of the township of
18 Nutley in the Parks Department. These individuals were
19 historically paid by voucher for their time for the hours
20 that they worked. Based on the findings of a state auditor,
21 we now have to move them to being employees of the Township
22 on an hourly basis.

23 Anyone like to speak publicly on this ordinance?

24 Move to close the public hearing.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLLI: Aye.

5 MADAM CLERK: Deputy Mayor Evans?

6 DEPUTY MAYOR EVANS: Aye.

7 Move the ordinance.

8 COMMISSIONER SCARPELLLI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLLI: Aye.

13 MADAM CLERK: Deputy Mayor Evans?

14 DEPUTY MAYOR EVANS: Aye.

15 The last public hearing is regarding an ordinance
16 to fix the salary for employee of the Township of Nutley
17 under municipal alliance entitled Municipal Alliance
18 Coordinator. Salary range is between \$2000 and \$3300.

19 Move to close the public hearing?

20 COMMISSIONER SCARPELLLI: Second.

21 MADAM CLERK: Mayor did we open it to the -- we
22 need to open it to the public first.

23 DEPUTY MAYOR EVANS: Would anyone like to speak on
24 this ordinance?

25 Move to close the public hearing.

1 COMMISSIONER SCARPELLI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLLI: Aye.

6 MADAM CLERK: Deputy Mayor Evans?

7 DEPUTY MAYOR EVANS: Aye.

8 Move the ordinance.

9 COMMISSIONER SCARPELLI: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLLI: Aye.

14 MADAM CLERK: Deputy Mayor Evans?

15 DEPUTY MAYOR EVANS: Aye.

16 Commissioner Rogers. Move on to resolutions.

17 COMMISSIONER ROGERS: Resolution 38e-13.

18 WHEREAS, coronary heart disease is the number one
19 cause of death for American men and women; and

20 WHEREAS , more than 64 million Americans suffer
21 from one or more forms of cardiovascular disease, including
22 high blood pressure, coronary heart disease, congestive
23 heart failure, stroke and congenital heart defects; and

24 WHEREAS, a combination of heart healthy nutrition,
25 living a healthy lifestyle and following your healthcare

1 professional's recommendations are all part of reducing an
2 individual's risk for heart disease, heart attack and
3 stroke; and

4 WHEREAS, February is National Heart Health Month,
5 and Go Red For Women is the American Heart Association's
6 national call to increase awareness of heart disease - the
7 leading cause of death in women-and to inspire women to take
8 charge of their heart health; and

9 WHEREAS, the Township of Nutley Department of
10 Public Affairs, through its Health Department, and the
11 American Heart Association are committed to preventing heart
12 disease through public and professional education about the
13 risk factors; and

14 WHEREAS, on Monday, February 11, 2013, the Nutley
15 Department of Health, in conjunction with Barnabas Health,
16 will be presenting a lecture demonstrating the importance of
17 a heart healthy lifestyle, as well as a GO RED Fashion Show,
18 at which time residents are encouraged to Wear Red to show
19 their support;

20 NOW, THEREFORE, BE IT RESOLVED BY the Board of
21 Commissioners, Township of Nutley, that in recognition of
22 the importance of the ongoing effort to prevent heart
23 disease, we do hereby proclaim February 2013 as National
24 Heart Health Month and urge all citizens in Nutley, New
25 Jersey to show their support for preventing heart disease by

1 learning more about their heart health, eating a healthy
2 diet and maintaining an active lifestyle.

3 So moved.

4 COMMISSIONER SCARPELLI: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLLI: Aye.

9 MADAM CLERK: Deputy Mayor Evans?

10 DEPUTY MAYOR EVANS: Aye.

11 COMMISSIONER ROGERS: The other resolution that
12 would be introduced by Commisiioner Tucci.

13 BE IT RESOLVED, by the Board of Commissioners of
14 the Township of Nutley, County of Essex, New Jersey that the
15 Township Treasurer is hereby authorized to refund a tree
16 permit fee collected, in consideration of the fact that the
17 required replacement trees were installed, per Shade Tree
18 Preservation Ordinance. Payment would come from account C-
19 01-904e-906:

20 Stephen Denkowicz 42 Wharton Ave \$50.00

21 Vinney Eng 31 Vine ST \$50.00

22 So moved.

23 COMMISSIONER SCARPELLI: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Deputy Mayor Evans?

4 DEPUTY MAYOR EVANS: Aye.

5 Go ahead.

6 COMMISSIONER SCARPELLI: Whereas, N.J.S.A. 40A:9-
7 154.6g, the Public Works Association of New Jersey provides
8 the schooling along with Rutgers the State University of New
9 Jersey to certify Public Works Manager License; and

10 Whereas, Michael Luzzi has attended classes and is
11 a licensed certified Public Works Manager;

12 Now Therefore, Be It Resolved by the Board of
13 Commissioners, Township of Nutley, County of Essex, State of
14 New Jersey that the Township of Nutley be and is hereby
15 authorize that Michael Luzzi is hereby named the Public
16 Works Manager for the Township of Nutley.

17 COMMISSIONER ROGERS: Second. MADAM CLERK:
18 Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Deputy Mayor Evans?

23 DEPUTY MAYOR EVANS: Aye.

24 COMMISSIONER SCARPELLI: WHEREAS, the Mandatory
25 Source Separation and Recycling Act, P.L. 1987, chapter 102,

1 has established a recycling fund from which tonnage grants
2 may be made to municipalities in order to encourage local
3 source separation and recycling programs; and

4 WHEREAS, it is the intent and the spirit of the
5 Mandatory Source Separation and Recycling Act to use the
6 tonnage grants to develop new municipal recycling programs
7 and to continue and to expand existing programs; and

8 WHEREAS, such a resolution should designate the
9 individual authorized to ensure that the application is
10 properly completed and timely filed.

11 NOW THEREFORE BE IT RESOLVED, by the Board of
12 Commissioners of the Township of Nutley, County of Essex,
13 State of New Jersey, that the Township of Nutley hereby
14 endorses the submission of the 2012 Municipal Recycling
15 Tonnage Grant Application to the New Jersey Department of
16 Environmental Protection and designates Salvatore Ferraro,
17 Recycling Coordinator, Township of Nutley, to ensure that
18 the application is properly filed.

19 I move the resolution.

20 COMMISSIONER ROGERS: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLLI: Aye.

25 MADAM CLERK: Deputy Mayor Evans?

1 DEPUTY MAYOR EVANS: Aye.

2 COMMISSIONER SCARPELLI: WHEREAS the Township of
3 Nutley through the Department of Public Works has a need to
4 acquire the services of an engineering consultant as a non-
5 fair and open contract pursuant to the provisions of
6 N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

7 WHEREAS, the engineering coordinator has
8 determined and certified in writing that the value of the
9 aggregate services provided by the vendor for the term of
10 this contract will exceed \$175,500; and

11 WHEREAS, the anticipated term of this contract is
12 for twelve (12) months, from January 1, 2013 through
13 December 31, 2013; and

14 WHEREAS, Pennoni Associates, Inc. has submitted a
15 proposal dated January 24, 2013 indicating they will provide
16 engineering services according to a fee schedule attached;
17 and

18 WHEREAS, Pennoni Associates, Inc. has completed
19 and submitted a Business Entity Disclosure Certification
20 which certifies that said corporation has not made any
21 reportable contributions to a political or candidate
22 committee in the Township of Nutley in the previous one
23 year, and that the contract will prohibit Pennoni Associates
24 from making any reportable contributions through the term of
25 the contract; and

1 WHEREAS, the contract is not to exceed \$165,000.00
2 for general engineering services and whereas funds are
3 available from account 3-01-404-200 and have been certified
4 by the chief financial officer, said certification being
5 attached to this resolution;

6 NOW, THEREFORE, BE IT RESOLVED that the Board of
7 Commissioners of the Township of Nutley enter into a
8 contract with Pennoni Associates, Inc. as described herein;
9 and

10 BE IT FURTHER RESOLVED that the Business
11 Disclosure Entity Certification and the Determination of
12 Vahe be placed on file with this resolution.

13 BE IT FURTHER RESOLVED that a notice of this
14 action shall be printed once in the Nutley Sun in accordance
15 with the Local Public Contracts Law.

16 Move the resolution.

17 COMMISSIONER ROGERS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLLI: Aye.

22 MADAM CLERK: Deputy Mayor Evans?

23 DEPUTY MAYOR EVANS: Aye.

24 COMMISSIONER SCARPELLLI: The following ordinances
25 are Mayor Petracco's.

1 WHEREAS, the Board of Commissioners of the
2 Township of Nutley honors the heritage of African Americans
3 and acknowledges their many contributions to our Nation, our
4 State and our Township; and

5 WHEREAS, Dr. Carter Godwin Woodson established
6 Black History Week in February, of 1926, choosing a month
7 that marks the birthdays of two important men who greatly
8 impacted the African American population, Abraham Lincoln
9 and Frederick Douglass; and

10 WHEREAS, in the year 1976, the observance was
11 expanded to Black History Month, celebrating freedom,
12 equality, and opportunity and in 1996 renamed "National
13 African American History Month";

14 NOW, THEREFORE BE IT RESOLVED that the Board of
15 Commissioners of the Township of Nutley celebrates National
16 African American History Month 2013 and honors the many
17 achievements and contributions made by African Americans to
18 our economic, cultural and spiritual development in our
19 Nation, our State and our Township.

20 I move the resolution.

21 COMMISSIONER ROGERS: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLLI: Aye.

1 MADAM CLERK: Deputy Mayor Evans?

2 DEPUTY MAYOR EVANS: Aye.

3 COMMISSIONER SCARPELLI: BE IT RESOLVED by the
4 Board of Commissioners of the Township of Nutley, County of
5 Essex, State of New Jersey that Alphonse Petracco and Kathy
6 Rempusheski be appointed as representatives of the Community
7 Development Block Grant Committee expiring December 31,
8 2013.

9 I move the resolution.

10 COMMISSIONER ROGERS: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLLI: Aye.

15 MADAM CLERK: Deputy Mayor Evans?

16 DEPUTY MAYOR EVANS: Aye.

17 COMMISSIONER SCARPELLI: WHEREAS, the Township has
18 the need to acquire the services of a professional to
19 conduct an analysis of the Nutley Police Department pursuant
20 to N.J.S.A. 19:44A-20.4 or 20.5, as appropriate; and

21 WHEREAS, three (3) proposals were solicited and
22 reviewed; and

23 WHEREAS, SDM Protective Consulting LLC has
24 submitted the lowest proposal and otherwise demonstrated the
25 degree of expertise required; and

1 WHEREAS, the proposal will not exceed \$17,500; and

2 WHEREAS, funds are available from account 3-01-
3 308e-205 (subject to the Adoption of 2013 Municipal Budget).

4 NOW, THEREFORE, BE IT RESOLVED, by the Board of
5 Commissioners of the Township of Nutley, County of Essex,
6 State of New Jersey, that the Mayor be and hereby is
7 authorized to enter into a contract with SDM Protective
8 Consulting, LLC as described herein.

9 I move the resolution.

10 (No sound on Audio - 7:34:25 to 7:46:33)

11 MADAM CLERK: Mayor this is introduced by
12 Commissioner Scarpelli, seconded by Deputy Mayor Evans.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLLI: Aye.

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: Aye.

19 COMMISSIONER SCARPELLI: WHEREAS, raffle
20 applications have been received from the following
21 organizations; and

22 UNICO National-Nutley Chapter License No. 18e-13
23 Off-Premise 50/5 0 Cash Raffle April 4, 2013;

24 Nutley Lions Club License No. 19-13 Off-Premise
25 50/50 Cash Raffle April 25, 2013;

1 HAS Good Shepherd Academy License No. 20-13 Off-
2 Premise Super 50/50 Cash Raffle May 3, 2013;

3 HAS Good Shepherd Academy License No. 21-13 On-
4 Premise 50/50 Cash Raffle May 3, 2013

5 HAS Good Shepherd Academy License No. 22-13 On-
6 Premise Merchandise Raffle May 3, 2013;

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

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

14 So moved.

15 COMMISSIONER ROGERS: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLLI: Aye.

20 MADAM CLERK: Deputy Mayor Evans?

21 DEPUTY MAYOR EVANS: Aye.

22 COMMISSIONER SCARPELLLI: WHEREAS, the Nutley
23 Police Department desires to utilize the facilities of the
24 pistol range of the Police Department of the Borough of
25 North Arlington located in the Hackensack Meadowlands, North

1 Arlington, New Jersey;

2 NOW, THEREFORE, BE IT RESOLVED by the Board of
3 Commissioners of the Township of Nutley, County of Essex,
4 State of New Jersey that the Mayor and the Township Clerk be
5 and are hereby authorized to enter into an agreement with
6 the Borough of North Arlington for use of its police pistol
7 range for the period of January 1, 2013 through December 31,
8 2013.

9 I move the resolution.

10 COMMISSIONER ROGERS: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLLI: Aye.

15 MADAM CLERK: Deputy Mayor Evans?

16 DEPUTY MAYOR EVANS: Aye.

17 COMMISSIONER SCARPELLLI: WHEREAS, applications for
18 renewal of video game licenses have been received from the
19 following establishments; and

20 Jo-Ka Inc. T/A Washington Park, 174 Washington
21 Avenue;

22 Park Pub, 180 Bloomfield Avenue;

23 Jim Dandy's, 563 Franklin Avenue;

24 Old Canal Inn, 2 East Passaic Avenue;

25 WHEREAS, the applications have been reviewed by

1 the Code Enforcement Department and the Office of the
2 Municipal Clerk; and

3 WHEREAS, the license fee of three hundred dollars
4 (\$300.00) per machine has been paid.

5 NOW, THEREFORE, BE IT RESOLVED by the Board of
6 Commissioners of the Township of Nutley, County of Essex
7 that the licenses are hereby approved and the Municipal
8 Clerk is authorized to issue the licenses.

9 I move the resolution.

10 COMMISSIONER ROGERS: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLLI: Aye.

15 MADAM CLERK: Deputy Mayor Evans?

16 DEPUTY MAYOR EVANS: Aye.

17 COMMISSIONER SCARPELLLI: WHEREAS, the following
18 establishments have submitted various liquor license permit
19 applications for the St. Patrick's Day Parade event
20 scheduled for Saturday, March 2, 2013; and

21 1. "Old Canal Inn", 2 E. Passaic Avenue
22 Application for Petition to Extend Licensed Premises

23 2. "The Steakhouse", 522-526 Franklin Avenue
24 Application for Petition to Extend Licensed Premises

25 3. "Midtown Bar & Grill" 223A Franklin Avenue

1 Application for Petition to Extend Licensed Premises

2 4. ~~Midtown Bar & Grill~~ 223~~A~~ Franklin Avenue

3 Application for Catering Permit

4 5. "The Game Sports Bar" 350 Passaic Avenue

5 Application for Petition to Extend Licensed Premises

6 6. "Nutley Elks Lodge" 24~~2~~ Chestnut Street

7 Application for Special Permit for Social Affair

8 7. "St. Mary's Knight of Columbus" 150 Chestnut

9 Street Application for Special Permit for Social Affair

10 WHEREAS, the "Old Canal Inn" has submitted an
11 additional "Application for Petition to Extend Licensed

12 Premises" for March 17~~e~~, 2013~~e~~ and

13 WHEREAS, the Division of Alcoholic Beverage
14 Control (ABC) requires the Municipal Clerk and the Chief of
15 Police to sign each application certifying that the
16 Licensing Issuing Authority has no objection to the granting
17 of a Special Permit; and

18 WHEREAS, the Police Department, Code Enforcement
19 Department, Fire Department and the Health Departments have
20 reviewed the applications and verbally provided their
21 support for granting these Special Permits.

22 NOW, THEREFORE BE IT RESOLVED, by the Board of
23 Commissioners of the Township of Nutley, County of Essex
24 that the applications as listed above are hereby
25 conditionally approved and the Municipal Clerk is authorized

1 to:

2 Obtain written approval for each application from
3 the following departments; the Police Department, Code
4 Enforcement Department, Fire Department and the Health
5 Departments.

6 Upon receiving written approvals the Municipal
7 Clerk and Police Chief are authorized to sign each
8 application as required by the Division of Alcoholic Beverage
9 Control (ABC).

10 I move the resolution.

11 COMMISSIONER ROGERS: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLLI: Aye.

16 MADAM CLERK: Deputy Mayor Evans?

17 DEPUTY MAYOR EVANS: Aye.

18 COMMISSIONER SCARPELLI: That's all I have, Mayor.

19 DEPUTY MAYOR EVANS: Thank you.

20 WHEREAS, R.~~S.~~54:67 permits the governing body of
21 each municipality to fix the rate of interest to be charged
22 for non-payment of water charges; and

23 WHEREAS, RS. 54~~e 4e67~~ has been amended to permit
24 the fixing of said rate of 8 percent per annum on the first
25 \$1500.00 of the delinquency and 18 percent per annum on any

1 amount in excess of \$1500.00;

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

5 I. As of January 1, 2013 the Tax Collector is
6 hereby authorized and directed to charge 8 percent per annum
7 on water charges becoming delinquent.

8 2. Any payments not made in accordance with this
9 resolution shall be charged interest from the due date. The
10 8 percent is the minimum allowed by State Statute.

11 So move.

12 COMMISSIONER SCARPELLI: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLLI: Aye.

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: Aye.

19 BE IT RESOLVED, by the Board of Commissioners of
20 the Township of Nutley, in the County of Essex, State of New
21 Jersey, that the Treasurer be and she is hereby authorized
22 to refund overpayment of the property taxes for Block 3501
23 Lot 1 in the amount of \$738.89 tax court judgments.

24 So move.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLLI: Aye.

5 MADAM CLERK: Deputy Mayor Evans?

6 DEPUTY MAYOR EVANS: Aye.

7 BE IT RESOLVED, by the Board of Commissioners of
8 the Township of Nutley, in the County of Essex, State of New
9 Jersey, that the Treasurer be and she is hereby authorized
10 to refund overpayment of water charges for Block 1300 1C2101
11 in the amount of \$75.56e

12 COMMISSIONER SCARPELLLI: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLLI: Aye.

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: Aye.

19 BE IT RESOLVED, by the Board of Commissioners of
20 the Township of Nutley, in the County of Essex, State of New
21 Jersey, that the Treasurer be and she is hereby authorized
22 to refund Senior Citizen property tax deductions for tax
23 year 2012 for Block 300, Lot 6, Block 2503e Lot 8, Block
24 9300, Lot 3 in the amount of \$250.00 for a total amount of
25 \$750.00.

1 So move.

2 COMMISSIONER SCARPELLI: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Deputy Mayor Evans?

8 DEPUTY MAYOR EVANS: Aye.

9 BE IT RESOLVED, by the Board of Commissioners of
10 the Township of Nutley, in the County of Essex, State of New
11 Jersey, that the Treasurer be and she is hereby authorized
12 to refund Veteran property tax deductions for tax year 2012
13 for Block 3802, 13, 7100, Lot 11, 7602, Lot 9, 8004, Lot 18,
14 300, Lot 6, 5601 Lot 6, 5900, 25, 5902, 25, 2401 38, 1400 1
15 C1120, 1200 2 C4804, 1902, Lot 27, 1801 7, 1901 21, 1701 3
16 5304 37, 8701 10, 5205 22, 8401 9 in the amount of \$250 each
17 for a total of \$4,750.

18 So move.

19 COMMISSIONER SCARPELLI: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 MADAM CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Deputy Mayor Evans?

25 DEPUTY MAYOR EVANS: Aye.

1 BE IT RESOLVED, by the Board of Commissioners of
2 the Township of Nutley, in the County of Essex, State of New
3 Jersey, that the Treasurer be and she is hereby authorized
4 to refund overpayments of the property taxes in the amount
5 of \$1,928.67 for tax year 2012.

6 So move.

7 COMMISSIONER SCARPELLI: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLLI: Aye.

12 MADAM CLERK: Deputy Mayor Evans?

13 DEPUTY MAYOR EVANS: Aye.

14

15 WHEREAS, Roche, (aka Hoffman LaRochc) has
16 maintained a campus in Nutley since the 1920's;

17 au d

18 WHEREAS, the Township of Nutley has the need to
19 acquire the consulting services of a professional to conduct
20 the review of the Land Use Policies and Procedures for the
21 Code Enforcement Department; and

22 WHEREAS, N.J.S.A. 40A:11-5 (1)(a)(i) permits the
23 award of a contract without public bidding; and

24 WHEREAS, Angelo Cifelli, Jr. of the Law Firm of
25 Piro, Zinna, Cifelli, Paris & Genitempo, 360 Passaic Avenue,

1 Nutley, has submitted a proposal in the amount not to exceed
2 \$8000.00; and

3 WHEREAS, funds are available from account 3-01-
4 219-205 (subject to the adoption of the 2013 Municipal
5 Budget), and have been certified by the Chief Financial
6 Officer, said certification being attached to this
7 resolution.

8 WHEREAS, the term of this contract is effective
9 February 6, 2013 through December 31, 2013; and

10 NOW, THEREFORE, BE IT RESOLVED, by the Board of
11 Commissioners of the Township of Nutley, County of Essex,
12 State of New Jersey, that the Mayor be and is hereby
13 authorized to enter into a contract with Angelo Cifelli, Jr.
14 Esq. of the Law Firm of Piro, Zinna, Cifelli, Paris &
15 Genitempo as a Professional Service to conduct the review of
16 the Land Use Policies and Procedures for the Code
17 Enforcement Department.

18 BE IT FURTHER RESOLVED that a copy of this
19 Resolution, as well as the Contract shall be placed on file
20 with the Clerk of the Township of Nutley; and a notice in
21 accordance with the Local Public Contracts Law for New
22 Jersey in the form attached hereto shall be published in the
23 Nutley Sun.

24 So move.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Deputy Mayor Evans?

6 DEPUTY MAYOR EVANS: Aye.

7 WHEREAS, Roche, (aka Hoffman LaRoche) has
8 maintained a campus in Nutley since the 1920's; and

9 WHEREAS. Roche is the largest commercial taxpayer
10 in Nutley, generating over 59,000,000 in property taxes
11 yearly; and

12 WHEREAS, the closure of the Roche facility is
13 indicative of a broader issue facing the State of New Jersey
14 and as such is not exclusively a local matter; and the
15 outcome of the closure will be resolved over the next few
16 years; and

17 WHEREAS, the Board of Commissioners of the
18 Township of Nutley are committed to protecting the taxpayers
19 of the Township of Nutley from any undue financial burden
20 arising from the Roche departure; and

21 WHEREAS, Roche has acknowledged their desire to
22 avoid a significant disruption in property tax payments to
23 the Township over the near term; and

24 WHEREAS, in order to achieve a satisfactory
25 resolution overall to our residents, we have a need to

1 engage more actively both with the county and state; and

2 WHEREAS, the Department of Revenue and Finance and
3 the Board of Commissioners have been actively working with
4 our State representatives to provide expanded state aid to
5 our municipality arising from these extraordinary events;
6 and

7 WHEREAS, through this effort Senator Ronald Rice
8 and Assemblyman Ralph Caputo have prepared legislation to
9 provide temporary financial relief arising from the Roche
10 closure for our Township, and benefit other municipalities
11 so affected; and

12 WHEREAS, based on the extraordinary events above,
13 the Board of Commissioners in the Township of Nutley
14 respectfully request that Senator Ronald Rice and
15 Assemblyman Ralph Caputo move forward to introduce such
16 legislation entitled "Corporate Disinvestment Property Tax
17 Relief Act" for the benefit of all Township taxpayers.

18 NOW THEREFORE, BE IT RESOLVED, that the Board of
19 Commissioners of the Township of Nutley, County of Essex
20 wish to commend both Senator Ronald Rice and Assemblyman
21 Caputo for their willingness to help our township, and
22 respectfully request that Senator Ronald Rice and
23 Assemblyman Ralph Caputo take all necessary steps to quickly
24 introduce this new legislation entitled, "Corporate
25 Disinvestment Property Tax Relief Act" and be it further

1 resolved that a copy of this resolution be provided to
2 Governor Chris Christie, Lt. Governor Kim Guadagno, Senator
3 Ronald Rice and Assemblyman, Ralph Caputo.

4 So moved.

5 COMMISSIONER SCARPELLI: Second.

6 MADAM CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Deputy Mayor Evans?

11 DEPUTY MAYOR EVANS: Aye.

12 That concludes our official business for the
13 evening.

14 Would anyone like to address the Board of
15 Commissioners this evening?

16 COMMISSIONER SCARPELLI: Move to adjourn.

17 COMMISSIONER ROGERS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Deputy Mayor Evans?

23 DEPUTY MAYOR EVANS: Aye.

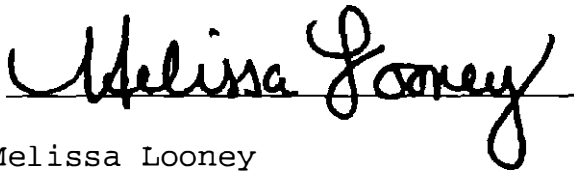
24 (Meeting adjourned at 7:58 p.m.)

25

C E R T I F I C A T I O N

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I, Melissa Looney, certify that the foregoing transcript is
a true and accurate record of the proceedings.

A handwritten signature in black ink that reads "Melissa Looney". The signature is written in a cursive style and is positioned above a horizontal line.

Melissa Looney

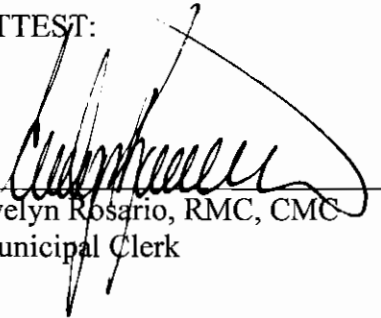
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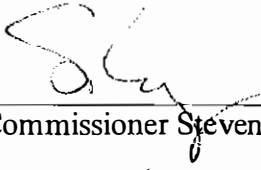
Veritext
200 Old Country Road
Suite 580
Mineola, NY 11501


Date: June 4, 2013

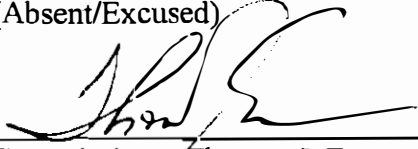
February 5, 2013 meeting transcription approved by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday, July 16, 2013.

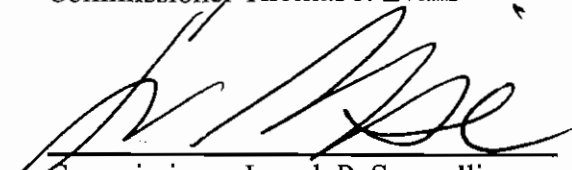
ATTEST:



Evelyn Rosario, RMC, CMC
Municipal Clerk


Commissioner Steven Rogers


Commissioner Mauro G. Tucci
(Absent/Excused)


Commissioner Thomas J. Evans


Commissioner Joseph P. Scarpelli


Mayor Alphonse Petracco
(Absent/Excused)

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY FEBRUARY 5, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00410	FUTURE SANITATION	65,805.55					65,805.55
12-05500	ATLANTIC,TOMORROW	436.49	1,106.66	451.54	647.59	2,320.10	4,962.38
12-05336	IMMEDICANTER	69.00					69.00
12-04102	R.R. DONNELLY	375.00					375.00
12-05124	SPS	479.50					479.50
12-05494	ESSEX COUNTY UTILITIES AUTH	94,495.03					94,495.03
12-05177	HEWLETT PACKARD	1,466.46					1,466.46
12-04909	METROGRAPHICS	595.00					595.00
12-00437	POLAND SPRING	26.88					26.88
12-05192	CDW INC	2,026.98					2,026.98
12-05106	CITY DIRECTORIES	285.00					285.00
13-00106	REGISTRARS ASSOC.	50.00					50.00
13-00113	JMAC SERVICES	2,550.00					2,550.00
13-00411	TREASURER SCHOOL MONEY		2,167,349.00				2,167,349.00
13-00412	T/N PAYROLL AGENCY ACCT.		36,301.99				36,301.99
13-00413	T/N PAYROLL AGENCY ACCT.		33,931.65				33,931.65
13-00414	T/N PAYROLL AGENCY ACCT.		72.40				72.40
13-00415	T/N PAYROLL AGENCY ACCT.		55.04				55.04
13-00416	T/N PAYROLL AGENCY ACCT.		86.84				86.84
13-00417	PASSAIC VALLEY SEWERAGE		721,333.42				721,333.42
13-00418	COUNTY OF ESSEX NJ		4,464,837.25				4,464,837.25
13-00419	COUNTY OF ESSEX NJ		39,835.25				39,835.25
13-00401	NJ DEPT OF LABOR		5,305.10				5,305.10
12-05498	VERIZON WIRELESS		48.05	567.02			615.07
12-04904	HEWETT PACKARD		1,235.65				1,235.65
12-00093	PIRO,ZINNA,CIFELLI,PARIS		2,513.50				2,513.50

Attach To Official Minutes

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY FEBRUARY 5, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-05427	VERITEXT		874.30				874.30
12-04778	W.B. MASON		948.54				948.54
12-05437	EIC INSPECTION AGENCY		184.00				184.00
12-05438	EIC INSPECTION AGENCY		171.00				171.00
12-05439	EIC INSPECTION AGENCY		184.00				184.00
12-05440	EIC INSPECTION AGENCY		184.00				184.00
12-05441	EIC INSPECTION AGENCY		184.00				184.00
12-05442	EIC INSPECTION AGENCY		122.00				122.00
12-05443	EIC INSPECTION AGENCY		368.00				368.00
12-05444	EIC INSPECTION AGENCY		184.00				184.00
12-05445	EIC INSPECTION AGENCY		184.00				184.00
12-05446	EIC INSPECTION AGENCY		184.00				184.00
12-05447	EIC INSPECTION AGENCY		184.00				184.00
12-05448	EIC INSPECTION AGENCY		184.00				184.00
12-05449	EIC INSPECTION AGENCY		184.00				184.00
12-05450	EIC INSPECTION AGENCY		184.00				184.00
12-05451	EIC INSPECTION AGENCY		184.00				184.00
12-05452	EIC INSPECTION AGENCY		184.00				184.00
12-05453	EIC INSPECTION AGENCY		1,568.00				1,568.00
12-05454	EIC INSPECTION AGENCY		368.00				368.00
12-05455	EIC INSPECTION AGENCY		1,213.00				1,213.00
12-05456	EIC INSPECTION AGENCY		368.00				368.00
12-05457	EIC INSPECTION AGENCY		184.00				184.00
12-05459	EIC INSPECTION AGENCY		245.00				245.00
12-05460	EIC INSPECTION AGENCY		184.00				184.00
12-05461	EIC INSPECTION AGENCY		184.00				184.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY FEBRUARY 5, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-05462	EIC INSPECTION AGENCY		184.00				184.00
12-05463	EIC INSPECTION AGENCY		3,070.00				3,070.00
12-05464	EIC INSPECTION AGENCY		184.00				184.00
12-05465	EIC INSPECTION AGENCY		184.00				184.00
12-05466	EIC INSPECTION AGENCY		1,715.00				1,715.00
12-05467	EIC INSPECTION AGENCY		1,542.00				1,542.00
12-05468	EIC INSPECTION AGENCY		686.00				686.00
12-05469	EIC INSPECTION AGENCY		184.00				184.00
12-05470	EIC INSPECTION AGENCY		184.00				184.00
12-05471	EIC INSPECTION AGENCY		184.00				184.00
12-05472	EIC INSPECTION AGENCY		122.00				122.00
12-05473	EIC INSPECTION AGENCY		122.00				122.00
12-05474	EIC INSPECTION AGENCY		122.00				122.00
12-05195	DELL MARKETING		3,928.28				3,928.28
12-04997	ACTION PRINT SOLUTIONS		1,430.00				1,430.00
12-05189	THE PRINTERS PLACE		188.00				188.00
12-04902	W.B. MASON		593.60				593.60
12-05489	US BANK CUSTPRO CAPITLA I		1,286.20				1,286.20
12-00438	POLAND SPRING		59.90				59.90
12-05478	ISAAC MORADI		9,905.47				9,905.47
12-05486	ISAAC MORADI		4,225.86				4,225.86
12-05481	HOWAD HERMAN		110.97				110.97
12-05484	US BANK CUSTPRO CAPITLA I		36,142.08				36,142.08
12-05482	US BANK CUSTTOWER DBW II		46,502.80				46,502.80
12-05483	ROBERT DEL VECCHIO PEN.TRT		368.56				368.56
12-05487	CHUN LI		422.75				422.75

TOWNSHIP OF NUTLEY							
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TUESDAY FEBRUARY 5, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-05249	NATIONAL SCHOOL PRODUCTS			279.93			279.93
12-04302	ACCURATE CONSTRUCTION			24,057.00			24,057.00
12-04966	W.B. MASON			95.36			95.36
12-04844	W.B. MASON			98.92			98.92
12-04920	W.B. MASON			193.18			193.18
12-05015	HEWLETT PACKARD			1,877.71			1,877.71
12-05239	HEWLETT PACKARD			121.24			121.24
12-05016	HEWLETT PACKARD			1,710.26			1,710.26
12-05039	DELTA PRODUCTS			645.65			645.65
12-05369	MOBILE TECH			908.97			908.97
12-03051	LANGUAGE LINE SERV.			54.74			54.74
12-00894	LANGUAGE LINE SERV.			160.79			160.79
12-05425	NBC AUTO PARTS			925.73			925.73
12-05243	DELL MARKETING			1,614.00			1,614.00
12-05227	DELL MARKETING			1,421.56			1,421.56
12-05411	DELL MARKETING			5,411.36			5,411.36
12-05305	DELGEN PRESS			298.00			298.00
12-00064	INHALATION THERAPY			117.40			117.40
12-05409	NO.JERSEY MEDIA GROUP			63.77			63.77
12-05408	NO.JERSEY MEDIA GROUP			104.57			104.57
12-05397	BARRY KOZYRA			65.25			65.25
12-05384	GARY ARAMINI			500.00			500.00
12-05030	REMINGTON ARMS CO			900.00			900.00
12-04257	UNION FIRE EQUIPMENT			1,161.25			1,161.25
12-03511	CI TECH			3,500.00			3,500.00
12-05085	NUTLEY KEY & GLASS			325.00			325.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY FEBRUARY 5, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-05366	CERTIFIED SPEEDMETER			660.00			660.00
12-05173	THE GUN SHOP			2,375.96			2,375.96
12-00439	POLAND SPRING			85.85			85.85
12-05493	ASAP OF NJ			590.00			590.00
12-05428	HOME DEPOT			153.58			153.58
12-05479	TRIANGLE COMMUNICATION			400.00			400.00
12-05480	TRIANGLE COMMUNICATION			1,200.00			1,200.00
12-00106	XEROX CORP			29.70			29.70
12-03486	GARDEN STATE VINYL			365.00			365.00
12-04579	GARDEN STATE VINYL			1,575.00			1,575.00
12-05476	PENNONI ASSOC.			450.00			450.00
12-05349	BARNES & NOBLE			572.26			572.26
12-05388	NUTLEY PARK SHOPRITE			2,445.02			2,445.02
12-05426	NUTLEY PARK SHOPRITE			58.28			58.28
12-05424	P & A AUTO PARTS			40.66			40.66
12-04642	JPR CYCLES			98.38			98.38
12-05255	GRAINGER			112.28			112.28
12-05188	EAGLE FIRE EQUIPMENT			499.65			499.65
13-00128	GERARDD GREEN			38.27			38.27
13-00138	MICRO CENTER			261.81			261.81
12-05228	ATLANTIC UNIFORM				199.96		199.96
12-04668	GARDEN STATE HIGHWAY PROD				4,995.00		4,995.00
12-05204	P & A AUTO PARTS				2,141.02		2,141.02
12-05332	HOME DEPOT				785.16		785.16
12-05434	PSE & G				51.33		51.33
12-05431	PSE & G				18,872.78		18,872.78

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY FEBRUARY 5, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-00030	TUBELITE CO				259.92		259.92
12-00030	TUBELITE CO				17.88		17.88
12-05363	TUBELITE CO				42.00		42.00
12-00030	TUBELITE CO				84.26		84.26
12-04030	NATURES CHOICE				7,879.50		7,879.50
12-04030	NATURES CHOICE				51,000.00		51,000.00
12-00034	ONE CALL CONCEPTS				72.54		72.54
12-05436	SO. JERSEY ENERGY				6,686.43		6,686.43
12-05322	STAPLES				83.30		83.30
12-00049	TILCON NJ				1,060.46		1,060.46
12-05361	INTERNATIONAL SALT				12,417.31		12,417.31
12-05297	JOSEPH RICCIARDI				296.65		296.65
12-04529	POLLARD WATER				1,141.32		1,141.32
12-05232	GRAINGER				643.64		643.64
12-05216	BRADLEY TIRE				1,337.84		1,337.84
12-00440	POLAND SPRING				97.83		97.83
12-05485	PASSAIC VALLEY WATER COM				41,010.47		41,010.47
12-01863	D & L PAVING				30,044.43		30,044.43
12-05125	W.B. MASON				107.85		107.85
12-05032	POM INCORP				907.84		907.84
13-00395	NJSHBP					365,512.62	365,512.62
13-00396	NJSHBP					167,620.23	167,620.23
13-00397	DELTA DENTAL PLAN NJ					12,194.60	12,194.60
13-00398	DELTA DENTAL PLAN NJ					13,668.27	13,668.27
13-00400	C.WALTER SEARLE					10,000.00	10,000.00
13-00128	PREMIER VISION CARE					1,037.00	1,037.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY FEBRUARY 5, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-05475	RICHARD GINGERELLI					311.70	311.70
12-00015	CONTEMPORARY GLASS					424.00	424.00
12-00015	CONTEMPORARY GLASS					6.60	6.60
12-00015	CONTEMPORARY GLASS					9.90	9.90
12-00016	AGL WELDING					98.15	98.15
12-05492	ROBERT MALANGA					2,397.60	2,397.60
12-05491	WALTER DOCKERY					299.70	299.70
12-05490	JOSEPH GABRIELE					599.40	599.40
12-05429	PSE & G					1,256.96	1,256.96
12-05433	PSE & G					22.35	22.35
12-05432	PSE & G					1,182.40	1,182.40
12-05430	PSE & G					16,032.26	16,032.26
12-05477	VERIZON					210.87	210.87
12-04901	W.ESSEX BLDG SUPPLY					906.94	906.94
12-03699	ADVANCED MECHANICAL					750.00	750.00
12-04615	W.B. MASON					178.98	178.98
12-04699	FRANKLIN FLOORS					1,747.00	1,747.00
12-05021	HOOVER TRUCK CENTERS					371.82	371.82
12-05020	HOOVER TRUCK CENTERS					134.55	134.55
12-05203	HOOVER TRUCK CENTERS					33.41	33.41
12-05306	SUPERIOR DISTRIBUTORS					236.90	236.90
12-05346	SUPERIOR DISTRIBUTORS					79.56	79.56
12-03387	PRINCETON HOSTED SOLUTION					2,073.39	2,073.39
12-00011	VIOLA BROTHERS					168.03	168.03
12-05151	VIOLA BROTHERS					187.56	187.56
12-00670	CABLEVISION LIGHTPATH					3,057.06	3,057.06

BILL LIST
February 5, 2013

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of FEBRUARY 5, 2013:

PAYROLL-REGULAR JANUARY 18, 2013:

Department of Public Affairs	17,899.11
Department of Revenue & Finance	59,645.30
Department of Public Safety	423,298.63
Department of Public Works	58,696.18
Department of Parks & Public Properties	85,933.60
Department of Recreation Commission	623.00
Water Operations	44,533.49
Due To From General Capital	3,519.91
600 SERIES	3,803.61
POLICE OUTSIDE DUTY	3,875.00
ACC U VAC	124,546.23

Sub Total **826,374.06**

PAYROLL-OVERTIME JANUARY 18, 2013:

Department of Public Affairs	0.00
Department of Revenue & Finance	106.78
Department of Public Safety	21,570.89
Department of Public Works	5,904.59
Department of Parks & Public Properties	1,542.92
Water Operations	13,153.57

Sub Total **42,278.75**

TOTAL PAYROLL: **868,652.81**

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

Federal Withholding Tax	140,122.15
Social Security	23,670.68
N.J. State Tax	35,861.65
Medicare	12,584.75
Wage Execution	3,546.00
Deferred Compensation	2,752,798.00
Employee Disability Ins.	4,700.14

BILL LIST
February 5, 2013

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of FEBRUARY 5, 2013:

PAYROLL-REGULAR FEBRUARY 1, 2013:

Department of Public Affairs	17,666.47
Department of Revenue & Finance	59,787.15
Department of Public Safety	430,753.46
Department of Public Works	59,416.18
Department of Parks & Public Properties	85,603.39
Department of Recreation Commission	11,807.50
Water Operations	45,122.99
Due To From General Capital	3,519.91
600 SERIES	2,090.36
POLICE OUTSIDE DUTY	3,762.50
ACC-U-VAC	76,402.84
C.E.H.A.	155.66
Sub Total	796,088.41

PAYROLL-OVERTIME FEBRUARY 1, 2013:

Department of Public Affairs	0.00
Department of Revenue & Finance	941.71
Department of Public Safety	6,490.44
Department of Public Works	3,446.39
Department of Parks & Public Properties	2,580.08
Water Operations	9,383.14
Sub Total	22,841.76

TOTAL PAYROLL: 818,930.17

GRAND TOTAL: 10,388,438.62

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

Federal Withholding Tax	100,903.92
Social Security	29,721.93
N.J. State Tax	27,600.69
Medicare	11,903.92
Wage Execution	3,220.00
Deferred Compensation	61,481.83
Employee Disability Ins.	5,420.19

**Township of Nutley
Essex County**

**One Kennedy Drive
Nutley, New Jersey 07110**

ORDINANCE INTRODUCTION

ORDINANCE NO. 3229

NOTICE IS HEREBY GIVEN, that the following Ordinance was introduced and passed upon first reading at a regular meeting of the Board of Commissioners, Township of Nutley, Essex County, New Jersey on the 5th day of February 2013 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Board of Commissioners to be held on the 5th day of March, 2013 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.

Evelyn Rosario, RMC, CMC

Municipal Clerk

Township of Nutley

**Nutley Sun Issue/Thursday, February 14, 2013 Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

Ordinance No. 3229

Introduced by Commissioner Evans

Introduced on Tuesday, February 5, 2013

Public Hearing Tuesday, March 5, 2013

Advertise in the Nutley Sun Issue of Thursday, February 14, 2013

Ordinance No. 3229

“AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2013.”

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

SECTION 1: The salaries of certain officers and employees, either permanent or temporary, as the case may be, of the Township of Nutley, herein mentioned, shall be as follows:

<u>Title</u>	<u>Base Salary Minimum</u>	<u>Base Salary Maximum</u>
<u>DEPARTMENT OF REVENUE & FINANCE</u>		
Fire Protection Sub-Code Official-P/T	\$14,000.00	\$ 15,000.00

Section 1. The annual salaries of the employees of the Departments of Public Works, Water, Parks and Public Property, excepting office employees, shall be on the basis of forty (40) hours per week. When overtime is required, it shall be paid on a "time and one-half" basis. The provisions for overtime as stated in this paragraph shall not apply to the Public Works Superintendent, Municipal Engineer, Construction Code Official/Zoning and Superintendent of Parks/Recreation.

Section 2. Payment of vacation time in advance may be made upon request in writing to the Treasurer at least one month in advance of the pay period requested. Written request must be approved by the Department Head before submission to the Treasurer.

Section3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.

**Township of Nutley
Essex County**

One Kennedy Drive

Nutley, New Jersey 07110

ORDINANCE INTRODUCTION

ORDINANCE NO. 3228

NOTICE IS HEREBY GIVEN, that the following Ordinance was introduced and passed upon first reading at a regular meeting of the Board of Commissioners, Township of Nutley, Essex County, New Jersey on the 5th day of February 2013 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Board of Commissioners to be held on the 5th day of March, 2013 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.

Evelyn Rosario, RMC, CMC

Municipal Clerk

Township of Nutley

**Nutley Sun Issue/Thursday, February 14, 2013 Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

Ordinance No. 3228

Introduced By Mayor Petracco

Introduced on Tuesday, February 5, 2013

Public Hearing Tuesday, March 5, 2013

Advertise in the Nutley Sun Issue of Thursday, February 14, 2013

Ordinance No. 3228

“AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE TOWNSHIP OF NUTLEY CODE, CHAPTER 532, ARTICLE I, SECTION 5, ENTITLED “HARDSHIP RENT INCREASE; CAPITAL IMPROVEMENT OR SERVICE INCREASE SURCHARGE”“RENT CONTROL”

§532-5 Hardship Rent Increase

A Grant of hardship rent increase

(1) An owner or landlord may make an application to the Rent Leveling Board (the “Board”) for increased rents in a building based on economic hardship relating to that building if the landlord is qualified under subsection (2) below wherein the landlord is unable to realize a seven percent (7%) return on investment.

(2) For purposes of this ordinance, a return on investment shall be calculated based on 7% of the total equalized value of land and improvements (as per the county equalization ratio) after accounting for income and allowable expenses.

(3) In computing a rental increase or rebate as provided under this Article, the amount so computed shall be rounded off to the nearest dollar.

(4) A landlord shall be limited to allowance of one hardship rental increase within any twelve-month period.

(5) The Board shall consider the following expenses in determining whether a hardship increase is warranted:

- (a) Heating
- (b) Insurance
- (c) Taxes
- (d) Water
- (e) Repairs
- (f) Reasonable Management Fees Not to exceed 5%
- (g) Miscellaneous: Any and all other expenses deemed by the Board to be reasonable and appropriate.

(6) Financing shall not be considered an expense for the purpose of calculating a hardship.

(7) Any hardship increase granted pursuant to this section shall be included and become part of the base rent for any future charges or rent increases.

(8) No increase in rent, including any increase permitted under §532-2C shall exceed fifteen percent 15% of the present rent at one time. A hardship increase in excess of fifteen percent 15% shall be held in abeyance and implemented in six-month increments until such times as the entire hardship increase is fully established.

B. Application for Hardship Relief

- (1) An original application plus eleven (11) additional copies and all attachments for a hardship rent increase pursuant to this section and which shall be on a form specified by the Board must be filed with the Municipal Clerk no less than thirty (30) days prior to a scheduled Rent Leveling Board Meeting.**
- (2) The following information must be filed along with the application:**

 - (a) A current rent roll which lists the gross rental income for each unit in the building for the current year and for each of the two prior years.**
 - (b) A detailed operating statement, prepared by a licensed accountant and certified to be true and accurate for the current year and for each of the two (2) prior years.**
 - (c) A report detailing the anticipated income for the period of relief, taking into account all automatic or discretionary rental increases. Anticipated income shall include, but not be limited to, income from residential rents, garage rents, parking fees, pet fees, and fees for additional facilities such as laundry and vending income.**
 - (d) Any and all other documents or evidence that the applicant intends to rely upon and that will assist the Board in evaluating landlord's application.**
 - (e) Proof of all federal and state taxes are paid.**
 - (f) Certification by the Township's Code Official that the premises are in compliance with all construction, dwelling and maintenance codes .**
 - (g) Certification by the Township's Tax Collector that all property taxes and municipal utility charges and fees are paid and current.**
 - (h) Application fee of \$100.00 payable to the Township of Nutley.**
- (3) Wherever practicable, the Board may require professionally prepared documentation of any or all pertinent financial data offered in support of an application under this section, except that the Board may exercise its reasonable discretion to waive this requirement if the cost to the applicant, or other considerations, are deemed to outweigh the need and/or probative value for such professional services.**
- (4) If the applicant meets all of the requirements of this section, the application will be deemed complete and the landlord shall be notified in writing by regular mail of a scheduled date for a hearing which shall be held no later than sixty (60) days (unless further extension is consented to by the applicant) after the application is deemed complete by the chairman of the Board or his/her designee.**
- (5) The landlord shall notify all affected tenants in writing of the hearing date no less than ten (10) days prior to the scheduled hearing. In order for the notice to be deemed adequate, it must specify the following:**

 - (a) The date, time and location of the hearing**
 - (b) The purpose of the hearing, the amount of the increase sought and if approved, the amount apportioned to each tenant.
The tenant's right to be heard.**

- (c) Notice that the application and all attendant documents are available for review at the Municipal Clerk's office during regular business hours.

If the Board deems, in its sound discretion that the affected tenants were not provided with adequate notice, the Board may postpone the hearing and direct the landlord to provide proper notice before proceeding on the application or dismiss the application without prejudice. The landlord shall file with the Board no later than the hearing date, a copy of the notice provided to the tenants along with proof of service. Proof of Service can be made by Affidavit of a process server, the landlord or the landlord's designee. If service was perfected via certified mail, submission of the "green cards" to the Board shall suffice.

C. Hearing Requirements; Preponderance of the Evidence.

1. At a hearing, the landlord shall be required to prove the following elements by a preponderance of the evidence:

- (a) Compliance with all notice requirements.
- (b) That accounting practices employed by landlord to calculate operating expenses and that any and all financial statements or documents submitted for evidentiary purposes are in accordance with standard accounting practices and consistent with IRS Codes and Regulations.
- (c) That all reasonable attempts have been made by the landlord reduce or eliminate where possible, any source of hardship giving rise to the application.

2. The Board shall receive and consider any and all proofs that in its sound discretion it deems relevant to its deliberations. The Board shall hear and judge each application impartially and on its own merits without deference to separate and unrelated cases that have no bearing on the equality of treatment for each and every applicant.

3. The Board may require the testimony of any witness it deems necessary to properly conduct its deliberations in order to reach a decision. Those witnesses may include but are not limited to the landlord, accountants, lawyers, financial advisors, managing agents and/or insurance professionals.

4. The Board shall hear and consider affected tenants who may wish to appear and give testimony in support or opposition to the application or those who submit written letters of support or opposition to as they pertain to the application.

D. Escrow Fees

1. If the Board in its sound discretion deems it necessary, the landlord shall deposit with the Township Tax Collector such escrow funds as the Board in its judgment determines to be sufficient to pay all reasonable and necessary costs and fees of any expert(s) the Board deems appropriate to hear an application. In no event shall the required deposit for such escrow funds exceed \$1,500.00. The landlord shall also be required to sign an Acknowledgement and Acceptance of Possible Escrow Funds at the time the application for Hardship Relief is filed with the Township Clerk.

2. Any expert employed by the Board shall be required to sign a retainer agreement with the Board wherein it shall agree to provide all such expert services for either a set fee or hourly fee to be established by the Board. The retainer agreement must include a cap on all charges to be submitted which shall not exceed the amount of money that the landlord is required to pay into escrow.

3. The professional expert(s) shall submit vouchers for all reasonable and necessary fees for the professional services rendered, which fees shall be paid from the escrow account in the manner prescribed by N.J.S.A. 40A:5-16 through 40A:5-18.

4. The expert(s) shall, at the time of submission of any such voucher, forward a copy of same to the applicant and to the Board. In the event that the applicant objects or disputes the reasonableness of any such charges, the applicant shall, not later than five(5) days after receipt of a copy of the voucher, submit a written objection to the Board. In no event shall the Board authorize payment of any such voucher without written notice to landlord. If the Board determines that such payment is warranted, the Board shall advise the landlord of same and invite the landlord to appear at the next regularly scheduled meeting to discuss the voucher. The Board shall also invite the expert who submitted the voucher to offer testimony in support of the voucher. If the Board, at that time determines the payment to reasonable and fair, it shall authorize and direct the payment to be made to the expert.

5. Any remaining money held in escrow shall be returned to the applicant as soon as practicably possible after completion of application.

6. Should any additional funds be required so that the Board may properly complete its deliberations, it may in its discretion require said additional funds to be paid by the landlord to the Tax Collector to be deposited in the escrow account provided the sum total of the deposits do not exceed the amount set forth in paragraph (4)A above.

7. If, in the discretion of the Board, the aforementioned escrow account is deemed necessary for the consideration of any such application(s), the Board shall take no formal action on any application unless and until all escrow funds have been deposited with the Tax Collector of the Township in the amount determined by the Board, and any time limitations set forth in this chapter shall be tolled until such funds are deposited.

**Township of Nutley
Essex County
One Kennedy Drive
Nutley, New Jersey 07110**

**FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 3226**

NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, February 5, 2013.

"AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERD AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2013." (Department of Parks and Public Property)

ALL "AYES" ON A ROLL CALL VOTE

Commissioner Rogers	"AYE"
Commissioner Tucci	"Absent/Excused"
Commissioner Evans	"AYE"
Commissioner Scarpelli	"AYE"
Mayor Petracco	"Absent/Excused"

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

Nutley Sun Issue/Thursday, February 14, 2013/Via E-Mail: publicnotices@northjersey.com

Ordinance No. 3226

Introduced by Commissioner Mauro G. Tucci

Introduced on Thursday, January 3, 2013

Public Hearing Tuesday, February 5, 2013

Advertise in the Nutley Sun Issue of Thursday, January 10, 2013

Ordinance No. 3226

AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2013.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

SECTION 1. THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES, EITHER PERMANENT OR TEMPORARY, AS THE CASE MAY BE, OF THE TOWNSHIP OF NUTLEY HEREIN MENTIONED, SHALL BE AS FOLLOWS:

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

	Minimum	Maximum
Tackle Football Officials	\$10.00 per game	\$40.00 per game
Flag Football Officials	\$10.00 per game	\$40.00 per game
Soccer Referees	\$ 8.00 per game	\$75.00 per game
Basketball Officials	\$ 8.00 per game	\$75.00 per game
Basketball Score Keepers	\$ 7.25 per game	\$40.00 per game
Wrestling Officials	\$ 8.00 per game	\$75.00 per game
Softball Umpires	\$ 8.00 per game	\$75.00 per game
Lacrosse Officials	\$ 8.00 per game	\$75.00 per game
Summer Clinic Instructors	\$10.00 per hour	\$100.00 per hour

SECTION 2. Payment of vacation time in advance may be made upon request in writing to the Treasurer at least one month in advance of the pay period requested. Written requests must be approved by the Department Head before submission to the Treasurer.

SECTION 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.

SECTION 4. To the extent not set forth herein, all total salaries per annum will include longevity as set forth in Nutley Municipal Code Chapter 103.

**Township of Nutley
Essex County
One Kennedy Drive
Nutley, New Jersey 07110**

**FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 3225**

NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, February 5, 2013.

“AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERD AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2012.” (Municipal Alliance Coordinator)

ALL “AYES” ON A ROLL CALL VOTE

Commissioner Rogers	“AYE”
Commissioner Tucci	“Absent/Excused”
Commissioner Evans	“AYE”
Commissioner Scarpelli	“AYE”
Mayor Petracco	“Absent/Excused”

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

**Nutley Sun Issue/Thursday, February 14, 2013/Via E-Mail:
publicnotices@northjersey.com**

Ordinance No. 3225
Introduced by Mayor Petracco
Introduced on Monday, December 31, 2012
Public Hearing Tuesday, February 5, 2013
Advertise in the Nutley Sun Issue of Thursday, January 10, 2013

Ordinance No. 3225

AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2012.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

SECTION I: The salaries of certain officers and employees, either permanent or temporary, as the case may be, of the Township of Nutley, herein mentioned, shall be as follows:

DEPARTMENT OF PUBLIC SAFETY
2012

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Municipal Alliance Coordinator	\$ 2,000.00	\$3,300.00

SECTION 2: All ordinance or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers *Date:* February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 38-13

WHEREAS, coronary heart disease is the number one cause of death for American men and women; and

WHEREAS , more than 64 million Americans suffer from one or more forms of cardiovascular disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke and congenital heart defects; and

WHEREAS, a combination of heart healthy nutrition, living a healthy lifestyle and following your healthcare professional's recommendations are all part of reducing an individual's risk for heart disease, heart attack and stroke; and

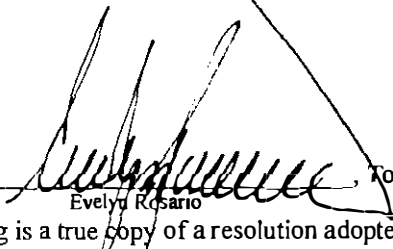
WHEREAS, February is National Heart Health Month, and Go Red For Women is the American Heart Association's national call to increase awareness of heart disease - the leading cause of death in women-and to inspire women to take charge of their heart health; and

WHEREAS, the Township of Nutley Department of Public Affairs, through its Health Department, and the American Heart Association are committed to preventing heart disease through public and professional education about the risk factors; and

WHEREAS, on Monday, February 11, 2013, the Nutley Department of Health, in conjunction with Barnabas Health, will be presenting a lecture demonstrating the importance of a heart healthy lifestyle, as well as a **GO RED** Fashion Show, at which time residents are encouraged to **Wear Red** to show their support;

NOW, THEREFORE, BE IT RESOLVED BY the Board of Commissioners, Township of Nutley, that in recognition of the importance of the ongoing effort to prevent heart disease, we do hereby proclaim February 2013 as National Heart Health Month and urge all citizens in **Nutley, NJ** to show their support for preventing heart disease by learning more about their heart health, eating a healthy diet and maintaining an active lifestyle.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers *Date:* February 5, 2013
Seconded by: Commissioner Joseph P. Scarpelli *No.* 39-13

THE BOARD OF COMMISSIONERS
Hereby Issue This Proclamation

WHEREAS, Margaret Brodowski, devoted daughter of Patrick and Kathleen Costello, and loving sister to Mary Alice, Patrick, Rose, Michael, Martin, Kathleen and Eugene, was born and raised in Bayonne, New Jersey, or as Margaret fondly refers to it, "God's Country"; and

WHEREAS, Margaret, herein referred to as "Peggy", graduated from Saint Francis School of Nursing in Jersey City, received a Bachelor of Science in Nursing degree from Jersey City State College and a Master of Arts in Nursing Education degree from New York University; and

WHEREAS, Peggy married Thomas Brodowski on September 14, 1990, and is the proud and loving mother of Tommy, Andrew, Katie and Molly; and

WHEREAS, Peggy began her career in the Township of Nutley in 2002, working in the Department of Public Affairs, as the Public Health Nurse for the Nutley Health Department and has consistently gone above and beyond the call of duty in the role of Public Health Nurse; and

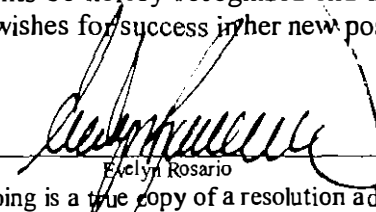
WHEREAS, Peggy has dedicated much of her personal and professional time to educating the public about the importance of food allergy awareness, as well as providing comfort and outreach to families of Alzheimer's patients; and

WHEREAS, Peggy has earned the respect and admiration of all who know her, and her dedication and commitment to the Township of Nutley has set standards which we should all strive to achieve; and

WHEREAS, on January 18, 2013, Peggy resigned her position as Public Health Nurse in the Township of Nutley to pursue a position as Director of Nursing, in the office of Montclair Health Department, with whom the Township shares services;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Peggy Brodowski's dedication and service to the Township of Nutley and its residents be hereby recognized and that the gratitude of this community be hereby extended, as well as our sincerest well wishes for success in her new position.

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held on February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

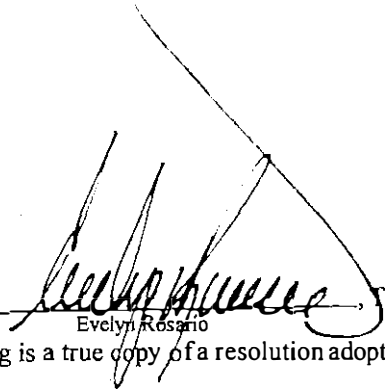
Introduced by: Commissioner Rogers FOR Commissioner Mauro G. Tucci *Date:* February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 30-13

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:

Stephen Denkowicz	42 Wharton Ave	\$50.00
Vinney Eng	31 Vine ST	\$50.00

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers FOR Commissioner Mauro G. Tucci *Date:* February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 52-13

WHEREAS, On Saturday, March 2nd, 2013, the Irish American Association will hold its 35th Annual St. Patrick's Day Parade; and

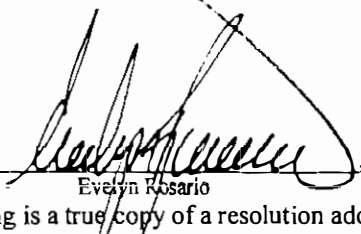
WHEREAS, The St. Patrick's Day Parade has become an exciting event in the Township of Nutley, which is looked forward to and enjoyed by both spectators and participants alike; and

WHEREAS, The Nutley Irish American Association will celebrate its Annual St. Patrick's Day Parade, Grand Marshal Dinner, on Saturday, February 2, 2013 at The Forest Hill Field Club, Bloomfield, N.J.; and

WHEREAS, this year's Grand Marshal is John Kelly; and

WHEREAS, Mr. Kelly is joined by Deputy Grand Marshal, Seamus Burke , and NIAA Member of the Year, Steve Tucholski, along with 2013 Parade Queen, Alicia Bennett as this year's dignitaries; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, join with the citizens of Nutley to salute and congratulate Grand Marshal, John Kelly, Deputy Grand Marshal, Seamus Burke, NIAA Member of the Year, Steve Tucholski and Parade Queen, Alicia Bennette as they are honored here tonight.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Deputy Mayor Thomas J. Evans *Date:* n February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 31-13

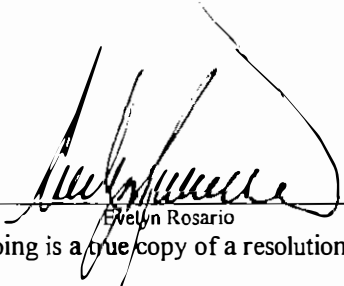
WHEREAS, R.S.54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of water charges; and

WHEREAS, R.S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1500.00 of the delinquency and 18% per annum on any amount in excess of \$1500.00;

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

1. As of January 1, 2013 the Tax Collector is hereby authorized and directed to charge 8% per annum on water charges becoming delinquent.
2. Any payments not made in accordance with this resolution shall be charged interest from the due date.

. . .

I,  Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

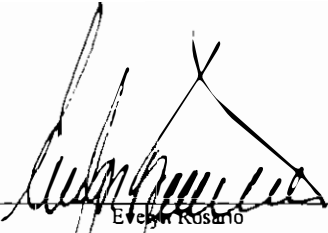
Introduced by: Deputy Mayor Thomas J. Evans *Date:* February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 32-13

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 property taxes in the amount of \$738.89 for said years due to successful tax court judgments.

Block & Lot	Address	Amount
3501 1	70 North Road	\$738.89

. . .

I,  Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

Record of Vote	Commissioner Rogers	Commissioner Tucci	Commissioner Evans	Commissioner Scarpelli	Mayor Petracco
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

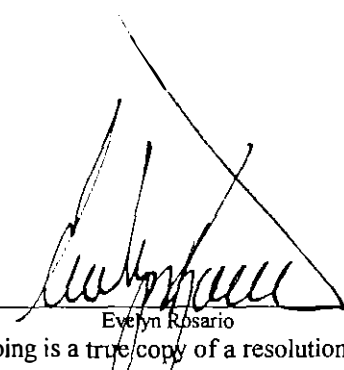
Introduced by: Deputy Mayor Thomas J. Evans *Date:* February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 33-13

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 water charges in the amount of \$75.56.

Block& Lot	Address	Amount
1300 1 c2101	216 Barringer Drive	\$75.56

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

**BOARD OF COMMISSIONERS MEETING
TUESDAY, FEBRUARY 5, 2013**

RESOLUTION # 41-13 NOT USED

. . .

I, Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>					
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

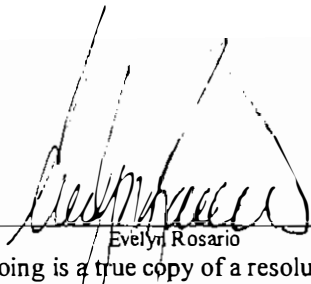
Introduced by: Deputy Mayor Thomas J. Evans *Date:* February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 42-13

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 Senior Citizen property tax deductions for tax year 2012 in the amount of \$750.00. The below listed taxpayers are eligible to receive \$250.00 each.

Block & Lot	Address	Amount
300 6	16 Montclair Ave.	\$ 250.00
2503 8	38 Joerg Ave.	\$ 250.00
9300 3	194 Conover Ave.	\$ 250.00

...

I,  Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

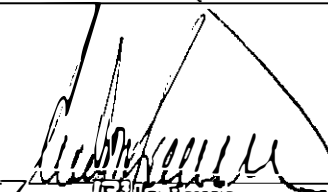
Introduced by: Deputy Mayor Thomas J. Evans Date: February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli No. 43-12 n n n n

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 Veteran property tax deductions for tax year 2012 in the amount of \$4,750.00. The below listed taxpayers are eligible to receive \$250.00 each.

Block & Lot	Address	Amount
3802 13	17 Highfield Lane	\$ 250.00
7100 11	37 Friedland Rd.	\$ 250.00
7602 9	29 Race St.	\$ 250.00
8004 18	148 Columbia Ave.	\$ 250.00
300 6	16 Montclair Ave.	\$ 250.00
5601 6	20 Povershon Rd.	\$ 250.00
5900 25	94 New St.	\$ 250.00
5902 25	420 Centre St.	\$ 250.00
2401 38	25 Oakley Terrace	\$ 250.00
1400 1 C1120	111 Barclay Dr.	\$ 250.00
1200 2 C4804	448 D River Rd.	\$ 250.00
1902 27	182 Lakeside Dr.	\$ 250.00
1801 7	296 Whitford Ave.	\$ 250.00
1901 21	34 Fernwood Terrace	\$ 250.00
1701 3	25 May Place	\$ 250.00
5304 37	42 Cedar St.	\$ 250.00
8701 10	53 Plymouth Rd.	\$ 250.00
5205 22	149 Ridge Rd.	\$ 250.00
8401 9	75 Wilson St.	\$ 250.00

...

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

Record of Vote	Commissioner Rogers	Commissioner Tucci	Commissioner Evans	Commissioner Scarpelli	Mayor Petracco
Yes	X		X	X	
No					
Not Voting					
Absent/Excused		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

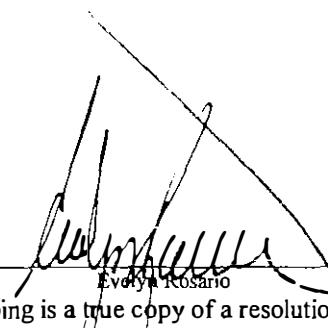
Resolution

Introduced by: Deputy Mayor Thomas J. Evans *Date:* February 5, 2013
Seconded by: Commissioner Joseph P. Scarpelli *No.* 44-13

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 overpayments of the property taxes in the amount of \$1,928.67 for tax year 2012.

Block & Lot	Address	Amount
3800 51	38 Grant Ave.	\$ 1,928.67 5/4/12

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Deputy Mayor Thomas J. Evans Date: February 5, 2013
 Seconded by: Commissioner Joseph P. Scarpelli No. 45-13

WHEREAS, Roche, (aka Hoffman LaRoche) has maintained a campus in Nutley since the 1920's; and

WHEREAS, Roche is the largest commercial taxpayer in Nutley, generating over \$9,000,000 in property taxes yearly; and

WHEREAS, the closure of the Roche facility is indicative of a broader issue facing the State of New Jersey and as such is not exclusively a local matter; and the outcome of the closure will be resolved over the next few years; and

WHEREAS, the Board of Commissioners of the Township of Nutley are committed to protecting the taxpayers of the Township of Nutley from any undue financial burden arising from the Roche departure; and

WHEREAS, Roche has acknowledged their desire to avoid a significant disruption in property tax payments to the Township over the near term; and

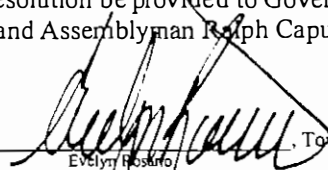
WHEREAS, in order to achieve a satisfactory resolution overall to our residents, we have a need to engage more actively both with the county and state; and

WHEREAS, the Department of Revenue and Finance and the Board of Commissioners have been actively working with our State representatives to provide expanded state aid to our municipality arising from these extraordinary events; and

WHEREAS, through this effort Senator Ronald Rice and Assemblyman Ralph Caputo have prepared legislation to provide temporary financial relief arising from the Roche closure for our Township, and benefit other municipalities so affected; and

WHEREAS, based on the extraordinary events above, the Board of Commissioners in the Township of Nutley respectfully request that Senator Ronald Rice and Assemblyman Ralph Caputo move forward to introduce such legislation entitled "Corporate Disinvestment Property Tax Relief Act", for the benefit of all Township taxpayers.

NOW THEREFORE, BE IT REOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex wish to commend both Senator Ronald Rice and Assemblyman Caputo for their willingness to help our township, and respectfully request that Senator Ronald Rice and Assemblyman Ralph Caputo take all necessary steps to quickly introduce this new legislation entitled, "Corporate Disinvestment Property Tax Relief Act", and be it further resolved that a copy of this resolution be provided to Governor Chris Christie, Lt. Governor Kim Guadagno, Senator Ronald Rice and Assemblyman Ralph Caputo.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

Record of Vote	Commissioner Rogers	Commissioner Tucci	Commissioner Evans	Commissioner Scarpelli	Mayor Petracco
Yes	X		X	X	
Not Voting					
Absent/Excused		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Deputy Mayor Thomas J. Evans Date: February 5, 2013

Seconded by: Commissioner Joseph P. Scarpelli No. 48-13

WHEREAS, the Township of Nutley has the need to acquire the consulting services of a professional to conduct the review of the Land Use Policies and Procedures for the Code Enforcement Department; and

WHEREAS, N.J.S.A. 40A:11-5 (1) (a)(i) permits the award of a contract without public bidding; and

WHEREAS, Angelo Cifelli, Jr. Esq., of the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo, 360 Passaic Avenue, Nutley, New Jersey 07110 has submitted a proposal in the amount not to exceed \$8,000.00; and

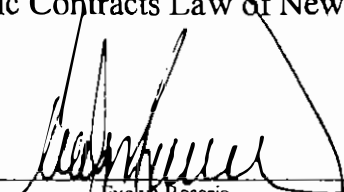
WHEREAS, funds are available from account # 3-01-219-205 (subject to the adoption of the 2013 Municipal Budget), and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

WHEREAS, the term of this contract is effective February 6, 2013 through December 31, 2013; and

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 be and is hereby authorized to enter into a contract with Angelo Cifelli, Jr. Esq. of the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo as a Professional Service to conduct the review of the Land Use Policies and Procedures for the Code Enforcement Department.

BE IT FURTHER RESOLVED that a copy of this Resolution, as well as the Contract shall be placed on file with the Clerk of the Township of Nutley; and a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Nutley Sun.

. . .

I,  Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

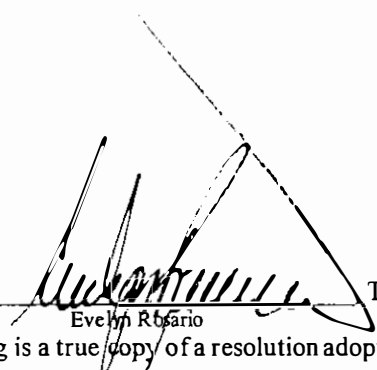
Introduced by: Commissioner Joseph P. Scarpelli *Date:* February 5, 2013
Seconded by: Commissioner Steven Rogers *No.* 34-13

Whereas, N.J.S.A. 40A:9-154.6g.et.seq. the Public Works Association of New Jersey provides the schooling along with Rutgers the State University of New Jersey to certify Public Works Manager License; and

Whereas, Michael Luzzi has attended classes and is a licensed certified Public Works Manager;

Now Therefore, Be It Resolved by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey that the Township of Nutley be and is hereby authorize that Michael Luzzi is hereby named the Public Works Manager for the Township of Nutley.

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* February 5, 2013

Seconded by: Commissioner Steven Rogers *No.* 35-13

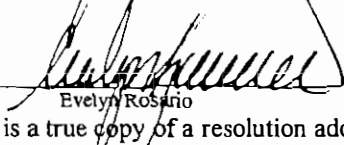
WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, such a resolution should designate the individual authorized to ensue that the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township of Nutley hereby endorses the submission of the 2012 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and designates Salvatore Ferraro, Recycling Coordinator, Township of Nutley, to ensure that the application is properly filed.

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* February 5, 2013
Seconded by: Commissioner Steven Rogers *No.* 40-13

WHEREAS, the Township of Nutley through the Department of Public Works has a need to acquire the services of an engineering consultant as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

WHEREAS, the engineering coordinator has determined and certified in writing that the value of the aggregate services provided by the vendor for the term of this contract will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for twelve (12) months, from January 1, 2013 through December 31, 2013; and

WHEREAS, Pennoni Associates, Inc. has submitted a proposal dated January 24, 2013 indicating they will provide engineering services according to a fee schedule attached; and

WHEREAS, Pennoni Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that said corporation has not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit Pennoni Associates from making any reportable contributions through the term of the contract; and

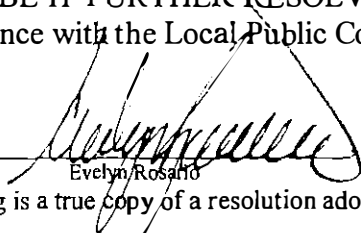
WHEREAS, the contract is not to exceed \$165,000.00 for general engineering services and whereas funds are available from account 3-01-404-200 and have been certified by the chief financial officer, said certification being attached to this resolution,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley enter into a contract with Pennoni Associates, Inc. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Nutley Sun in accordance with the Local Public Contracts Law.

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco Date: February 5, 2013

Seconded by: Commissioner Steven Rogers No. 36-13

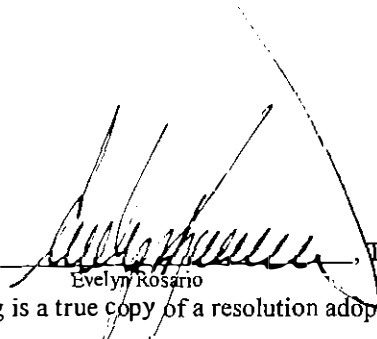
“National African American History Month”

WHEREAS, the Board of Commissioners of the Township of Nutley honors the heritage of African Americans and acknowledges their many contributions to our Nation, our State and our Township; and

WHEREAS, Dr. Carter Godwin Woodson established Black History Week in February, of 1926, choosing a month that marks the birthdays of two important men who greatly impacted the African American population, Abraham Lincoln and Frederick Douglass; and

WHEREAS, in the year 1976, the observance was expanded to Black History Month, celebrating freedom, equality, and opportunity and in 1996 renamed “National African American History Month”;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Nutley celebrates National African American History Month 2013 and honors the many achievements and contributions made by African Americans to our economic, cultural and spiritual development in our Nation, our State and our Township.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

Record of Vote	Commissioner Rogers	Commissioner Tucci	Commissioner Evans	Commissioner Scarpelli	Mayor Petracco
Yes	X		X	X	
No					
Not Voting					
Absent/Excused		X			X

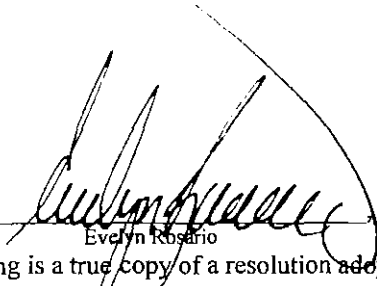
BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* February 5, 2013

Seconded by: Commissioner Steven Rogers *No.* 37-13

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Alphonse Petracco and Kathy Rempusheski be appointed as representatives of the Community Development Block Grant Committee expiring December 31, 2013.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* February 5, 2013

Seconded by: Deputy Mayor Thomas J. Evans *No.* 46-13

WHEREAS, the Township has the need to acquire the services of a professional to conduct an analysis of the Nutley Police Department pursuant to N.J.S.A. 19:44A-20.4 or 20.5, as appropriate; and

WHEREAS, three (3) proposals were solicited and reviewed; and

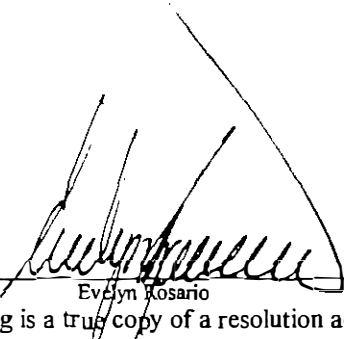
WHEREAS, SDM Protective Consulting LLC has submitted the lowest proposal and otherwise demonstrated the degree of expertise required; and

WHEREAS, the proposal will not exceed \$17,500; and

WHEREAS, funds are available from account 3-01-308-205 (subject to the Adoption of 2013 Municipal Budget).

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 be and hereby is authorized to enter into a contract with SDM Protective Consulting, LLC as described herein.

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>			X	X	
<i>No</i>	X				
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* February 5, 2013

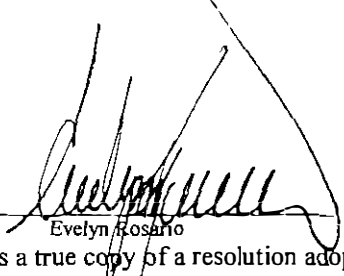
Seconded by: Commissioner Steven Rogers *No.* 47-13

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

UNICO National-Nutley Chapter	License No. 18-13 Off-Premise 50/50 Cash Raffle	April 4, 2013
Nutley Lions Club	License No. 19-13 Off-Premise 50/50 Cash Raffle	April 25, 2013
HAS Good Shepherd Academy	License No. 20-13 Off-Premise Super 50/50 Cash Raffle	May 3, 2013
HAS Good Shepherd Academy	License No. 21-13 On-Premise 50/50 Cash Raffle	May 3, 2013
HAS Good Shepherd Academy	License No. 22-13 On-Premise Merchandise Raffle	May 3, 2013

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.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

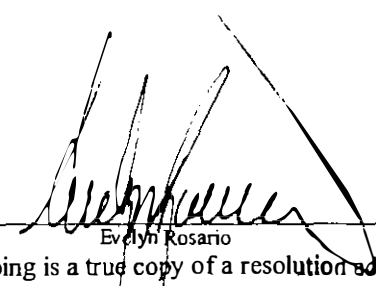
Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* February 5, 2013

Seconded by: Commissioner Steven Rogers *No.* 49-13

WHEREAS, the Nutley Police Department desires to utilize the facilities of the pistol range of the Police Department of the Borough of North Arlington located in the Hackensack Meadowlands, North Arlington, New Jersey;

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 the Township Clerk be and are hereby authorized to enter into an agreement with the Borough of North Arlington for use of its police pistol range for the period of January 1, 2013 through December 31, 2013.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* February 5, 2013

Seconded by: Commissioner Steven Rogers *No.* 50-13

WHEREAS, applications for renewal of video game licenses have been received from the following establishments; and

Jo-Ka Inc. T/A
Washington Park
174 Washington Avenue
(One Machine \$300.00)

Old Canal Inn
2 East Passaic Avenue
(Three Machines \$900.00)

Park Pub
789 Bloomfield Avenue
(One Machine \$300.00)

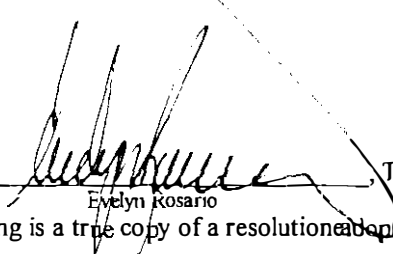
Jim Dandy's
563 Franklin Avenue
(One Machine \$300.00)

WHEREAS, the applications have been reviewed by the Code Enforcement Department and the Office of the Municipal Clerk; and

WHEREAS, the license fee of three hundred dollars (\$300.00) per machine has been paid.

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

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/ Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* February 5, 2013
Seconded by: Commissioner Steven Rogers *No.* 51-13

WHEREAS, the following establishments have submitted various liquor license permit applications for the St. Patrick's Day Parade event scheduled for Saturday, March 2, 2013; and

- | | | |
|------------------------------------|-------------------------|--|
| 1. "Old Canal Inn", | 2 E. Passaic Avenue | Application for Petition to Extend Licensed Premises |
| 2. "The Steakhouse", | 522-526 Franklin Avenue | Application for Petition to Extend Licensed Premises |
| 3. "Midtown Bar & Grill" | 223A Franklin Avenue | Application for Petition to Extend Licensed Premises |
| 4. "Midtown Bar & Grill" | 223A Franklin Avenue | Application for Catering Permit |
| 5. "The Game Sports Bar" | 350 Passaic Avenue | Application for Petition to Extend Licensed Premises |
| 6. "Nutley Elks Lodge" | 242 Chestnut Street | Application for Special Permit for Social Affair |
| 7. "St. Mary's Knight of Columbus" | 150 Chestnut Street | Application for Special Permit for Social Affair |

WHEREAS, the "Old Canal Inn" has submitted an additional "Application for Petition to Extend Licensed Premises" for March 17, 2013; and

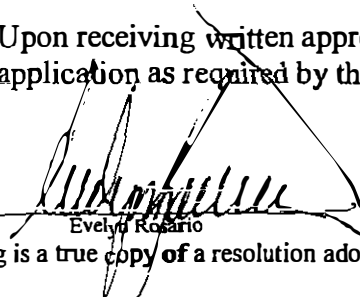
WHEREAS, the Division of Alcoholic Beverage Control (ABC) requires the Municipal Clerk and the Chief of Police to sign each application certifying that the Licensing Issuing Authority has no objection to the granting of a Special Permit; and

WHEREAS, the Police Department, Code Enforcement Department, Fire Department and the Health Departments have reviewed the applications and verbally provided their support for granting these Special Permits.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex that the applications as listed above are hereby conditionally approved and the Municipal Clerk is authorized to:

1. Obtain written approval for each application from the following departments; the Police Department, Code Enforcement Department, Fire Department and the Health Departments
2. Upon receiving written approvals the Municipal Clerk and Police Chief are authorized to sign each application as required by the Division of Alcoholic Beverage Control (ABC)

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 5, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X