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P R O C E E D I N G S

(NOTE: MULTIPLE INSTANCES OF INAUDIBLES DUE TO BLANK OR  
FADING AUDIO)

MAYOR PETRACCO: Madam Clerk.

MADAM CLERK: Yes, Mayor. Tuesday, May 7th, 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 13th 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.

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Here.

MADAM CLERK: All present, Mayor. Mayor, we also  
have Alan Genitempo along with Kevin Harkins present as our  
legal counsel this evening.

MAYOR PETRACCO: Thank you. Okay, can we please

1 have a moment of silence for the men and women who are  
2 serving overseas protecting our Country?

3 (Pause)

4 MAYOR PETRACCO: Thank you. Okay. We will move  
5 over to minutes.

6 MADAM CLERK: We have no minutes this evening,  
7 Mayor.

8 MAYOR PETRACCO: Communications?

9 MADAM CLERK: No communications or correspondence.

10 MAYOR PETRACCO: Any reports?

11 MADAM CLERK: No reports this evening, Mayor.

12 MAYOR PETRACCO: What about the bills?

13 MADAM CLERK: Tuesday, May 7th, 2013 bills, Public  
14 Affairs \$8,631.13, Revenue and Finance, \$6,738,733.28,  
15 Public Safety \$168,492.33, Public Works \$30,143.44, Parks &  
16 Public Property \$983,867.54, payable as of April 26th, 2013  
17 \$797,787.85 for a grand total bills \$8,727,655.57. And  
18 that's all for bills, Mayor.

19 COMMISSIONER EVANS: Move to bills.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Rogers.

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Aye.

6 MADAM CLERK: Thank you, Mayor.

7 MAYOR PETRACCO: Thank you so much.

8 Okay. We'll move onto Ordinance introductions.

9 Commissioner Scarpelli, you're going to pull Ordinance No.  
10 3239?

11 COMMISSIONER SCARPELLI: Yes, Mayor.\

12 MAYOR PETRACCO: Okay. And I have an introduction  
13 of Ordinance No. 3238, an Ordinance to Amend an Ordinance  
14 entitled "an Ordinance to Fix the Salaries of Certain  
15 Officers and Employees of the Township of Nutley, County of  
16 Essex, State of New Jersey, Effective May 1, 2013, mechanic  
17 and mechanic helper. I move that this Ordinance will pass  
18 for a second reading and advertise in the Nutley Sun  
19 together with the notice required by law and that the  
20 further consideration of said Ordinance for final passage by  
21 the Board of Commissioners to be held at its second reading  
22 on June 4th, it looks like, 2013.

23 MADAM CLERK: That's correct, Mayor. Tuesday,  
24 June 4th, 2013.

25 MAYOR PETRACCO: I move the Ordinance.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: Aye. Thank you. We'll move on  
11 to Resolutions. Commissioner Rogers.

12 COMMISSIONER ROGERS: Mayor, I have an Ordinance  
13 recognizing National Nurses Week, May 6th to May 12th, 2013.  
14 Resolution No. 121-13.

15 Whereas, The nearly 3.5 million registered nurses  
16 in the United States comprise our nation's largest health  
17 care profession, and

18 Whereas, The depth and breadth of the registered  
19 nursing profession meets the different and emerging health  
20 care needs of the American population in a wide range of  
21 settings, and

22 Whereas, The American Nurses Association, as the  
23 voice for the registered nurses of this country, is working  
24 to chart a new course for a health nation that relies on  
25

1 increasing delivery of primary and preventive health care,  
2 and

3           Whereas, A renewed emphasis on primary and  
4 preventive health care will require the better utilization  
5 of all of our nation's registered nursing resources, and

6           Whereas, Professional nursing has been  
7 demonstrated to be an indispensable component in the safety  
8 and quality of care of hospitalized patients, and

9           Whereas, The demand for registered nursing  
10 services will be greater than ever because of the aging of  
11 the American population, the continuing expansion of life-  
12 sustaining technology, and the explosive growth of home  
13 health care services, and

14           Whereas, That more qualified registered nurses  
15 will be needed in the future to meet the increasingly  
16 complex needs of health care consumers in this community,  
17 and

18           Whereas, The cost-effective, safe and quality  
19 health care services provided by registered nurses will be  
20 an even -- an ever more important component of the U.S.  
21 health care delivery system in the future, and

22           Whereas, Along with the American Nurses  
23 Association, the Township of Nutley has declare the week of  
24 May 6th to 12th, 2013 as National Nurses Week with the theme  
25 Delivery Quality and Innovation in Patient Care in

1 celebration of the ways in which registered nurses strive to  
2 provide safe and high quality patient care and map out the  
3 way to improve our health care system.

4 Therefore, Be It Resolved That, the resident  
5 of Township of Nutley, County of Essex, State of New Jersey,  
6 celebrate registered nursing accomplishments and efforts to  
7 improve our health care system, and show our appreciation  
8 for the nation's registered nurses not just during this  
9 week, but at every opportunity throughout this year. So  
10 moved.

11 COMMISSIONER SCARPELLI: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 COMMISSIONER ROGERS: Mr. Mayor, one thing I'd  
23 like to bring up with regard to the importance of nurses,  
24 and I can tell you this is one of those things that makes  
25

1 Nutley very unique and special, when residents call us, and  
2 they need a nurse to go to their home, we send them.

3 We also have nurses and professionals calling our  
4 seniors every day and many people vulnerable, every single  
5 day, just to see how they're doing. And this is all being  
6 done by a nursing staff that's very dedicated and committed  
7 to their professional and this Township.

8 MAYOR PETRACCO: Thank you. You have another  
9 Resolution?

10 COMMISSIONER ROGERS: I have another one, yes.

11 Now this next Resolution, I talk about Nutley  
12 being special and unique. This Resolution is something  
13 that's going to be special and unique, maybe in the State of  
14 New Jersey. I had discussions with Commissioner Scarpelli  
15 about this for a while and I know that my colleagues  
16 certainly have expressed their support for this. All  
17 supporters are veterans and so as I read it, you'll see how  
18 unique this is.

19 Mayor and colleagues, this Resolution is  
20 introduced by myself and Commissioner Scarpelli on behalf of  
21 the entire Board of Commissioners, No. 122-13.

22 Whereas, the preservation of basic freedoms and  
23 world peace has always been a valued objective of this great  
24 Country, and  
25



1           Whereas, Thousands of American men and women have  
2 selflessly given their lives in service as peacemakers and  
3 peacekeepers, and

4           Whereas, The Township of Nutley has made great  
5 strides to demonstrate the appreciation and gratitude these  
6 loyal Americans deserve and to commemorate the ultimate  
7 sacrifice they made, and

8           Whereas, Memorial Day is the day of the year for  
9 the Nation to appropriate remember American heroes by  
10 inviting citizens of this Nation to respectfully honor them,  
11 and

12           Whereas, Memorial Day needs to be made relevant to  
13 both present and future generations of Americans, and

14           Whereas, The Township of Nutley provides its  
15 citizens an opportunity to participate in symbolic acts of  
16 support for our veterans and American unity;

17           Now, Therefore, Be It Resolved by the Board of  
18 Commissioners, Township of Nutley, County of Essex, State of  
19 New Jersey, that we honor the military veterans of Nutley,  
20 New Jersey, whose names are inscribed on street signs by  
21 placing a star on said street signs, as a continuous and  
22 lasting remembrance for the sacrifice they have made for our  
23 nation. So moved.

24           COMMISSIONER SCARPELLI: Second.

25           MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye. But I would add that  
6 during my professional experience and services, I've had the  
7 opportunity to meet with many individuals who are across the  
8 disciplines (inaudible - 7:34:49) most recently the  
9 (inaudible - 7:34:52) West Point, West Point, U.S. Army of  
10 West Point.

11 I was just -- last week I was at the Marine Corps.  
12 University down (inaudible - 7:35:02) and I've had the  
13 opportunity to speak with many members of the serving  
14 military (inaudible - 7:35:09). One of the things that  
15 always strikes me about that, it doesn't matter whether  
16 (inaudible - 7:35:15) Idaho or your (inaudible - 7:35:19)  
17 common bond (inaudible - 7:35:20) celebration of those  
18 (inaudible - 7:35:22) is recognized and one of the  
19 organizations that actually does a wonderful job is the  
20 Association of the U.S. Army headed by retired General  
21 Sullivan.

22 I can't imagine the feeling you get sitting in a  
23 room a several thousand people dedicating (inaudible -  
24 7:35:48) of the (inaudible - 7:35:50) of those who have  
25 served and the care that's going into today (inaudible -

1 7:35:53) veterans around (inaudible - 7:35:55) hospital  
2 facilities (inaudible - 7:36:00) financial services  
3 facilities, (inaudible - 7:36:03). I gladly (inaudible -  
4 7:36:07).

5 UNIDENTIFIED SPEAKER: Thank you, Commissioner,  
6 and to that I say, Hoorah, and you know what that means.

7 COMMISSIONER EVANS: (Inaudible - 7:36:11)

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye. Okay. Anything else,  
12 Commissioner Rogers? That's it?

13 COMMISSIONER ROGERS: That's it, Mr. Mayor, and  
14 thank you.

15 MAYOR PETRACCO: You're very welcome.  
16 Commissioner Tucci?

17 COMMISSIONER TUCCI: I do resolve by the Board of  
18 Commissioner in Township of Nutley, County of Essex, State  
19 of New Jersey, that Resolution 100-13 adopted on April 25th,  
20 2013 entitled Change Order No. 1, Professional Billing  
21 Services from July 2nd, 2011 to July 29, 2011 in the amount  
22 of \$958.08, to Neglia Engineering is hereby rescinded.

23 This is a numerical listing --

24 MADAM CLERK: Uh-huh.  
25

1 COMMISSIONER TUCCI: -- that should -- we're just  
2 cleaning up. I move the resolution.

3 COMMISSIONER EVANS: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 COMMISSIONER TUCCI: Whereas, Township of Nutley  
15 entered into a contract via Resolution 154-10 duly adopted  
16 by the Board of Commissioners on June 15th, 2010 for an  
17 amount not to exceed \$48,910.00 with Neglia Engineering, 34  
18 Park Avenue, Lyndhurst, New Jersey 07071, for technical and  
19 management services for the Monsignor Owens Park, Field  
20 Reconstruction Project, and

21 Whereas the Director of Recreation of the  
22 Department of Parks and Public Property recommended the  
23 following change order from said contract:

24 Change Order No. 2, Professional Billing Services  
25 from July 2nd, 2011 to July 29, 2011 in the amount of

1 \$958.08. The money is available from account 3214B and has  
2 been certified by the Chief Financial Officer. Said  
3 certification being attached to this resolution.

4 Now, Therefore, Be It Resolved by the Board of  
5 Commissioners in the Township of Nutley, County of Essex,  
6 State of New Jersey that Change Order No. 2, in the amount  
7 of \$958.08 be and is hereby approved. I move the  
8 resolution.

9 COMMISSIONER EVANS: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Mayor Petracco?

19 MAYOR PETRACCO: Aye.

20 COMMISSIONER TUCCI: Whereas, The Township of  
21 Nutley has received and reviewed the request for  
22 qualifications for 2013 and 2014 for a professional to  
23 provide insurance, accident and safety review board  
24 meetings, and  
25

1           Whereas, C. Walter Searle Agency submitted the  
2 lowest responsible proposal, and

3           Whereas, funds are available from budget account  
4 516-245 and have been certified by the Chief Financial  
5 Officer, said certification being attached to this  
6 Resolution.

7           Now, Therefore, Be It Resolved by Award of  
8 Commissioners of Township of Nutley, the County of Essex,  
9 the State of New Jersey as follows: a contract shall be  
10 entered into between the Township of Nutley and C. Walter  
11 Searle Agency, 410 Franklin Avenue, Nutley, New Jersey, for  
12 2013 and 2014, to conduct Insurance, Accident and Safety  
13 Review Board Meetings at an annual fee not to exceed  
14 \$10,000. A copy of this Resolution as well as the contract  
15 shall be placed on file with the Township Clerk.

16           And, just for the record, I'd like to note that  
17 this amount has not increased over the last several years.  
18 I move the resolution.

19           COMMISSIONER EVANS: Second.

20           MADAM CLERK: Commissioner Rogers?

21           COMMISSIONER ROGERS: Aye.

22           MADAM CLERK: Commissioner Tucci?

23           COMMISSIONER TUCCI: Aye.

24           MADAM CLERK: Commissioner Evans?

25           COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Mayor Petracco?

4 MAYOR PETRACCO: I abstain.

5 COMMISSIONER TUCCI: Whereas, the Township of  
6 Nutley entered into a contract with Zenith Construction  
7 Services of 365 Thomas Boulevard, Orange, New Jersey for  
8 building renovations to the Special Young Adults Facility,  
9 and

10 Whereas, the Director of Parks and Public Property  
11 has recommended the following change order from said  
12 contract. Change Order No. 2, 5,~~0~~00 square foot of asphalt  
13 overlay at the entrance driveway by crossroads in the amount  
14 of \$3,~~5~~00. Change Order No. 3, remove and dispose of all  
15 existing drop ceiling and clean, adjust and paint existing  
16 grid bottoms, flanges and restore loose Certain Teed HH-15~~4~~  
17 Reveal 2X2 ceiling tiles in community room, office,  
18 hallways, etc. in the amount of \$9,~~9~~8~~3~~.68.

19 And we have a deduct change order, Change Order  
20 No. 4, change in window shutters with a credit due of  
21 \$2,~~0~~00. Change Order No. 5, non-replacement of door at the  
22 side of the building but prepped, painted and installed door  
23 closure, a credit due in the amount of \$1,~~2~~00, for a total  
24 of \$9,~~4~~8~~3~~.68.

25

1           The money is available from CDBG funding account  
2    #T-19s909=902 and has been certified by the Chief Financial  
3    Officer, said certification being attached to this  
4    resolution, and

5           Now, Therefore, Be It Resolved, that the Board of  
6    Commissioners and the Township Clerk be and they are hereby  
7    authorized to enter into and sign said contract for the  
8    Township of Nutley. I move the resolution.

9           COMMISSIONER EVANS: Second.

10          MADAM CLERK: Commissioner Rogers?

11          COMMISSIONER ROGERS: Aye.

12          MADAM CLERK: Commissioner Tucci?

13          COMMISSIONER TUCCI: Aye.

14          MADAM CLERK: Commissioner Evans?

15          COMMISSIONER EVANS: Aye.

16          MADAM CLERK: Commissioner Scarpelli?

17          COMMISSIONER SCARPELLI: Aye.

18          MADAM CLERK: Mayor Petracco?

19          MAYOR PETRACCO: Aye.

20          COMMISSIONER TUCCI: That's all I have, Mayor.

21          MAYOR PETRACCO: Okay. Commissioner Evans.

22          COMMISSIONER EVANS: Be It Resolved by the Board  
23    of Commissioners of the Township of Nutley, in the County of  
24    Essex, State of New Jersey, that the Treasurer be and she is  
25    hereby authorized to refund overpayments of the property



1 taxes for Block 9105 (inaudible - 7:41:08) in the amount of  
2 (inaudible - 7:41:09).

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 COMMISSIONER EVANS: Thank you, Mayor.

15 MAYOR PETRACCO: Commissioner Scarpelli.

16 COMMISSIONER SCARPELLI: Whereas, the Township of  
17 Nutley has entered into a contract with Marina C. Perna, at  
18 189 Franklin Avenue, Nutley, New Jersey for the services of  
19 real estate counsel for an original contract amount of  
20 \$11,400, and

21 Whereas, Change Order No. 1 has been authorized in  
22 the amount of \$501.00 from said contract as being necessary,  
23 based on additional attorney review services and property  
24 title services for a total contract amount of \$11,901.00,  
25 and

1           Whereas, the funds are available from Capital  
2 Ordinance 3171A in the amount of \$167.00 and Capital  
3 Ordinance 3172 in the amount of \$334.00 and have been  
4 certified by the Chief Financial Officer (inaudible -  
5 7:41:58).

6           Now, Therefore, Be It Resolved by the Board of  
7 Commissioners of the Township of Nutley, County of Essex,  
8 State of New Jersey, that Change Order No. 1 as attached is  
9 a change from the contract previously made by the Township  
10 of Nutley with Marina C. Perna for the services of real  
11 estate counsel and are hereby authorized and approved.

12 (Inaudible - 7:42:14)s

13           COMMISSIONER ROGERS: Second.

14           MADAM CLERK: Commissioner Rogers?

15           COMMISSIONER ROGERS: Aye.

16           MADAM CLERK: Commissioner Tucci?

17           COMMISSIONER TUCCI: Aye.

18           MADAM CLERK: Commissioner Evans?

19           COMMISSIONER EVANS: Aye.

20           MADAM CLERK: Commissioner Scarpelli?

21           COMMISSIONER SCARPELLI: Aye.

22           MADAM CLERK: Mayor Petracco?

23           MAYOR PETRACCO: Aye.

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

25           MAYOR PETRACCO: Thank you.

1           Whereas, raffle applications have been received  
2           from the following organization, and K of C #14312 Holy  
3           Family Council, License No. 41-13 Off-Premise Bingo Night,  
4           June 15, 2013;

5           Whereas, the application has been reviewed and  
6           approved by the Municipal Clerk and the Police Department.

7           Now, Therefore, Be It Resolved by the Board of  
8           Commissioners of the Township of Nutley County of Essex that  
9           the license is approved and the Municipal Clerk is  
10          authorized to issue the license. I move the Resolution.

11          COMMISSIONER TUCCI: Second.

12          MADAM CLERK: Commissioner Rogers?

13          COMMISSIONER ROGERS: Aye.

14          MADAM CLERK: Commissioner Tucci?

15          COMMISSIONER TUCCI: Aye.

16          MADAM CLERK: Commissioner Evans?

17          COMMISSIONER EVANS: Aye.

18          MADAM CLERK: Commissioner Scarpelli?

19          COMMISSIONER SCARPELLI: Aye.

20          MADAM CLERK: Mayor Petracco?

21          MAYOR PETRACCO: Aye. Whereas, Federal and State  
22          law provide the military members are entitled to excused  
23          leaves of absences from their employment when performing  
24          military duty, and  
25

1           Whereas, under New Jersey law, Municipal employees  
2 are entitled to limited paid leaves of absence when  
3 performing various types of military duty, and

4           Whereas, application State laws are N.J.S.A.  
5 38A:4-4, covering the New Jersey National Guard, Naval  
6 Militia, and State Guard and 38:23-1 applicable of  
7 Reservists, and

8           Whereas, on December 4th, 2001, the Township of  
9 Nutley adopted a resolution recognizing its responsibilities  
10 under the relevant Federal and State laws, and

11           Whereas, once statutory paid military leave runs  
12 out, pay for military members is discretionary with each  
13 municipality and may be continued by local policy.

14           Whereas, the Township of Nutley elected to  
15 authorize differential pay making up the difference between  
16 a military member military pay and his or her municipal pay  
17 for the duration of activation, and

18           Whereas, the Police Officer Vincent Rodrigues was  
19 activated on July 16th, 2012 for duty in Afghanistan and  
20 will cease receiving full pay on May 6th, 2013.

21           Now, Therefore, Be It Resolved by the Board of  
22 Commissioners, Township of Nutley, in the County of Essex,  
23 State of New Jersey, that the Township of Nutley will extend  
24 differential pay to Vincent Rodriguez until release -- his  
25

1 release from active duty in July of 2013. I move the  
2 resolution.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 Before I open up the meeting to the public, for  
15 public comment, I'd just like to thank the Board of  
16 Commissioners and all my friends in the audience for their  
17 concerns on my son, Vincent. Vincent went through a  
18 difficult time the past two weeks. We did get his pathology  
19 retest back yesterday. Although they weren't fantastic,  
20 we're not celebrating, it is something that he could manage  
21 through his life. So we thank God and I'd just like to  
22 thank all of you for your phone calls and your concerns. So  
23 thank you for that.

24 That concludes the business portion of the  
25

1 meeting. Is there anyone this evening that would like to  
2 address the Board of Commissioners?

3 Please state your name and address for the record.

4 MR. ALESSIO: Carmine Alessio, 81 East Centre  
5 Street (inaudible - 7:45:33) -- the opportunity to go to a  
6 Nutley Planning Board meeting in reference to 113 East  
7 Centre Street (inaudible - 7:45:43).

8 I was -- I'm within two hundred feet of this  
9 project (inaudible - 7:45:46) and I picked up the  
10 resolution. I thought that -- I wasn't too happy with the  
11 outcomes and what was conducted at the meeting. So I got a  
12 copy of the resolution (inaudible - 7:46:09) every site plan  
13 from the Planning Board (inaudible - 7:46:12)s

14 It had letter "Q" subject to approval by the Board  
15 of Commissioners so I'm here to address what I noticed about  
16 this resolution (inaudible - 7:46:28) -- came to the  
17 signature sheet (inaudible - 7:46:33) -- my understanding  
18 that there is supposed to be a quorum vote which in this  
19 case there's, I guess you would say, nine board members and  
20 if one is absent, there are alternates.

21 I checked out the sheet to see who approved it and  
22 on the sheet, four members signed. If the meeting was on  
23 March 27th, 2013, then I guess they had a meeting on April  
24 3rd and, like I said, four people had signed this and then I  
25 went even a little deeper into checking it out. It appears

1 (inaudible - 7:47:27) requests on valid board members, term  
2 expirations, two out of the four members' terms have  
3 expired.

4 So, you know, I -- I'm against the project because  
5 I feel that (inaudible - 7:47:45). I don't want to totally  
6 get into (inaudible - 7:47:50) time consuming. Like I said,  
7 letter "Q" says it's subject to approval by the Board of  
8 Commissioners and (inaudible - 7:48:01) an invalid  
9 resolution, I think that's a problem.

10 And I also noticed another thing. This isn't  
11 (inaudible - 7:48:15) the thing is in accordance with the  
12 (inaudible - 7:48:20) law, quorum vote (inaudible - 7:48:26)  
13 -- 55-D23. So (inaudible 7:48:30-1) that but (inaudible -  
14 7:48:34) was that (inaudible - 7:48:37) abide by and  
15 (inaudible - 7:48:40) don't and the resolution (inaudible -  
16 7:48:42) valid.

17 MAYOR PETRACCO: So let me just be clear. Let me  
18 just be clear. So you're saying that you don't think that  
19 resolution is valid because there was only four board  
20 members there that signed off on it that night that the  
21 meeting was there?

22 MR. ALESSIO: Yeah, and two of their terms  
23 (inaudible - 7:49:00) --

24 MAYOR PETRACCO: Well, I --  
25

1 MR. ALESSIO: (Inaudible - 7:49:35) to the  
2 municipal land law, an alternate voter could be on the board  
3 for two years.

4 MAYOR PETRACCO: Uh-huh.

5 MR. ALESSIO: Alternate one (inaudible - 7:49:15)  
6 before alternate two but (inaudible - 7:49:20) board member  
7 is not there like Mr. Scarpelli wasn't there so to have a  
8 quorum of nine (inaudible - 7:49:28) -- Well, let's make it  
9 easy, because seven usually vote but four out of seven wins.  
10 Two of these people (inaudible - 7:49:43) valid as far as  
11 their (inaudible - 7:49:46) --

12 MAYOR PETRACCO: Well, let me say this to  
13 you. Go --

14 MR. ALESSIO: (Inaudible - 7:49:50)

15 MAYOR PETRACCO: I'm glad (inaudible - 7:49:51).  
16 Thank you.

17 MR. ALESSIO: (Inaudible - 7:49:54).

18 UNIDENTIFIED SPEAKER: (Inaudible - 7:49:56) and  
19 I'll be happy to check with him. Depending on what the  
20 terms were, we need to find out who (inaudible - 7:50:37)  
21 there may be holdovers (inaudible - 7:50:39) according to  
22 the statute, they may still be able (inaudible - 7:50:42).

23 MR. ALESSIO: I think you you'd better --

24 UNIDENTIFIED SPEAKER: I heard this was yesterday  
25 (inaudible - 7:50:49) Mr. Alessio?



1 MR. ALESSIO: But I did send Mr. Cozzera (ph) a  
2 certified letter two weeks ago so I wouldn't have to make  
3 the appearance here because I'm not a public speaker. I'm,  
4 you know --

5 UNIDENTIFIED SPEAKER: That's fine.

6 MR. ALESSIO: Not my forte but I get by with it  
7 and he didn't address the issue. And I --

8 UNIDENTIFIED SPEAKER: He never responded?

9 MR. ALESSIO: He never called me or -- I asked for  
10 a written, you know, explanation. In fact, his term has  
11 expired 12/31/2012. So maybe his term should be looked at  
12 too. Now, as far as a voter, I don't think he votes but my  
13 interest is in the voting, the class of the voters, which on  
14 March 27th, we did have a 6 to 1 vote for the project. But  
15 when it -- there something wrong with that because alternate  
16 voters don't cast their vote when the panel has class four,  
17 class two and different classes that are above them.  
18 They're supposed to sit on the board and ask questions and,  
19 like I said, if one member is missing, like Mr. --  
20 Commissioner Scarpelli wasn't there that particular time,  
21 the alternate would be allowed -- alternate one would be  
22 allowed to vote.

23 And alternate one was Mr. Naughton (ph) on the  
24 paperwork side, which is a legal document. Mr. Naughton did  
25 not vote and Mr. Paratacco (ph) voted. He's alternate two.

1 So, you know, there's different things that are legal here  
2 that -- like, you know, are above me but common sense tells  
3 me that there's something wrong here. When you have a  
4 quorum, like I said, and four people vote in the quorum and  
5 two terms are expired. Mr. Jack Barry's (inaudible -  
6 7:52:33) expired and (inaudible - 7:52:36) Paratacco.

7 You know, I mean, I opened this stuff and, you  
8 know, I'm sure you could find every excuse to say they're  
9 not outdated or what not but I believe that it's a valid  
10 complaint from me because I believe that although two out of  
11 the four people seemed to be legit, the other two weren't  
12 and that still doesn't make up, in my opinion, the amount of  
13 people that should have signed this particular document.  
14 And that's basically all I have to say about that.

15 And I would hope that you would consider like, you  
16 know, checking this out because, you know, I have my reasons  
17 why I come here and why, you know, I believe that -- what I  
18 believe is different than what the Planning Board actually  
19 believe. They actually voted for this.

20 But there are a couple of other issues and one of  
21 the other issues that I'm concerned with, (inaudible -  
22 7:53:45) they call it an easement, quote, unquote, call it  
23 (inaudible - 7:53:52) Lane (Inaudible - 7:53:55) industrial  
24 tract of land (inaudible - 7:54:04 - 7:54:12).

25

1           Yes, I have. In fact, I was all over that plan.  
2           But I went through the ranks. I'm going step by step here  
3           and Mr. (indiscernible - 7:54:28) (inaudible - 7:54:29)  
4           never addressed it but that was recently, like the other  
5           day. Yesterday.

6           UNIDENTIFIED SPEAKER: (Inaudible - 7:54:39)s

7           MR. ALESSIO: (Inaudible - 7:54:45)s That was  
8           sent and certified on the 25th of this (inaudible -  
9           7:54:51)s

10           So, you know, like, I mean, I have my doubts  
11           about, like this easement, because when we come down these  
12           Centre Street, it's pretty dangerous to begin with and the  
13           easement -- what the Planning Board is trying to do, they're  
14           trying to establish that this is a street that no one paid  
15           taxes on it, and Mr. Dibiassi (ph) contractors' attorney is  
16           trying to that this -- in good faith, this contractor will  
17           purchase the easement and pay back taxes. Okay. Which  
18           sounds good but it's in a -- it's not a safe appropriate,  
19           sizeable -- it's just a right-of-way.

20           It's been a right-of-way for a hundred years and  
21           you cannot sell a right-of-way. In fact, the law says, the  
22           abut law, which -- I'm becoming an expert at this stuff.

23           (Laughter)

24           MR. ALESSIO: I could qualify for a position. I  
25           mean, I really don't want to but --

1 (Laughter)

2 MR. ALESSIO: -- I'm trying to defend myself.

3 (Inaudible - 7:56:57) vested interest on (inaudible -  
4 7:56:41)

5 UNIDENTIFIED SPEAKER: Sure.

6 MR. ALESSIO: You know, I've got to research this  
7 and according to (inaudible - 7:56:49) you can't build --  
8 you can't build unless you abut the street (inaudible -  
9 7:56:31) property on the street in order to build.

10 So (inaudible - 7:56:37) this is not, like, it's  
11 not an established street, like they (inaudible - 7:56:45)  
12 as can be. It's a right-of-way. (Inaudible - 7:56:49)s

13 UNIDENTIFIED SPEAKER: There are situations where  
14 (inaudible - 7:56:55)s

15 MR. ALESSIO: Yes, there are. I would agree with  
16 that.

17 UNIDENTIFIED SPEAKER: Or, if certain criteria is  
18 met (inaudible - 7:57:04)s

19 MR. ALESSIO: I would hope you do -- would because  
20 I, me as a citizen --

21 MAYOR PETRACCO: Okay. Well, give him a chance,  
22 please.

23 MR. ALESSIO: You know, he interrupted me now it's  
24 my --

25 MAYOR PETRACCO: Okay.

1 MR. ALESSIO: -- turn to interrupt him. You know,  
2 I mean, like, that's how --

3 UNIDENTIFIED SPEAKER: We're not going to  
4 interrupt.

5 MR. ALESSIO: Because my train of thought is not  
6 as professional as his and --

7 MAYOR PETRACCO: Okay.

8 MR. ALESSIO: -- I lose my train of thought.

9 MAYOR PETRACCO: Go ahead.

10 MR. ALESSIO: I'd be the handicapped person here.

11 (Inaudible - 7:57:30). I consulted people. I consulted  
12 attorneys. (Inaudible - 7:57:36) as much as you want.  
13 Okay?

14 But I am a property owner down (inaudible -  
15 7:57:46) these people should -- this person, or whoever owns  
16 the property, should be approached because this is creating  
17 a problem, this easement, which is twenty by a hundred feet,  
18 not - it's not Springer Lane (inaudible - 7:58:03) right -  
19 of-way.

20 You can't like -- years ago, the (inaudible -  
21 7:58:09) history of (inaudible - 7:58:11) right-of-way was  
22 created. It was created. It was a town maneuver to create  
23 something to get back a hundred feet so we can use the tract  
24 of land, which is fine. And it probably could be used that  
25 way, today. But this overdevelopment stuff (inaudible -

1 7:58:29) apartments that doesn't -- that has nothing to do  
2 with the planning of the town, because apartments is not  
3 anything for the (inaudible - 7:58:37) this is our  
4 manufacturing district, our business district. The place is  
5 not for apartments. Okay.

6 And when it comes to -- everything kind of gets  
7 like evolved in a mess over here because then you have the  
8 facilities (indiscernible - 7:58:55) with the schools.  
9 Okay. We're over -- look, I'm just a parent over here. I'm  
10 not going to get into, like, technical stuff.

11 I would like you to take a look at this because it  
12 does say subject to approval by the Board of Commissioners.

13 UNIDENTIFIED SPEAKER: Okay.

14 MR. ALESSIO: And take a look at this, if it was  
15 done, like downsized, to the right size -- I never went in  
16 front of (inaudible - 7:59:22) my expectations (inaudible -  
17 7:59:24) appropriate place could have went and fit in a  
18 little building, couple buildings, by use of a variance, not  
19 by trying to establish, like, this Springer Lane, this is a  
20 road.

21 It's not a road. If you want it to be a road, buy  
22 the person's house next door so you -- he can unload his  
23 house rather than be around all of this congestion  
24 (inaudible - 7:59:48). It's going to be terrible, okay? I  
25 know. I've been there (inaudible - 7:59:54). I live in that

1 terrain. I'm in the jungle down there. Nobody else around  
2 here is in the (inaudible - 8:50:50). I'm down there. I  
3 know what's going on. The way they came across with their  
4 establishing this and -- it's as phony as a \$3 bill. And I  
5 told them right to their face.

6 You know what, I don't want to get into (inaudible  
7 - 8:50:55) twenty thousand, ten thousand for an attorney. I  
8 just want what's right for my community, my area. Okay?  
9 I'm like everybody else here. Okay? I'm not going to stand  
10 at one of these board meetings and have some attorney  
11 (inaudible - 8:50:51) his mouth (inaudible - 8:50:54)  
12 everybody saying, rah, rah, rah when the facts are not  
13 right. That's all. I appreciate you (inaudible - 8:50:52)s

14 MAYOR PETRACCO: Thank you.

15 MR. ALESSIO: I hope that you would, like, you  
16 know, take a look at this.

17 MAYOR PETRACCO: Sure, we will.

18 MR. ALESSIO: Okay.

19 MAYOR PETRACCO: Yep. Thank you. Is there anyone  
20 else this evening that would like to address the board  
21 tonight? No one?

22 COMMISSIONER SCARPELLI: I move that we move to  
23 executive session.

24 COMMISSIONER EVANS: Second.  
25

1           MADAM CLERK: Whereas, the Board of Commissioners  
2 of the Township of Nutley, in the County of Essex, resolve  
3 to proceed to closed executive session (indiscernible -  
4 8:01:09) resolved by the board of commissioners, that the  
5 Township Commissioners shall now move into executive session  
6 to discuss litigation matters and contract matter.

7           Therefore, Be It Resolved that the time of such  
8 discussions may be disclosed to the public shall be run in  
9 such disclosure, may be they would have a personal effect on  
10 the Township of Nutley, pending or anticipate a legal,  
11 personnel or contractual matters and other matters within  
12 the exceptions provided for by statute. Moved by  
13 Commissioner Scarpelli, seconded by Commissioner Rogers.

14           MADAM CLERK: Commissioner Rogers?

15           COMMISSIONER ROGERS: Aye.

16           MADAM CLERK: Commissioner Tucci?

17           COMMISSIONER TUCCI: Aye.

18           MADAM CLERK: Commissioner Evans?

19           COMMISSIONER EVANS: Aye.

20           MADAM CLERK: Commissioner Scarpelli?

21           COMMISSIONER SCARPELLI: Aye.

22           MADAM CLERK: Mayor Petracco?

23           MAYOR PETRACCO: Ayes

24           MADAM CLERK: Okay. It's now 8:01 p.m. and we'll  
25 be moving into executive session.



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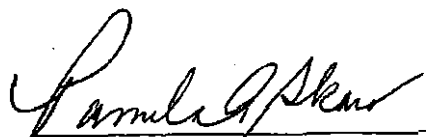
(Audio ended)

(Whereupon, the meeting was adjourned.)

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

I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the proceedings.

  
\_\_\_\_\_  
Pamela A. Skaw

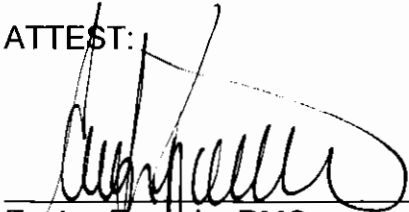
Date: June 24, 2013

**Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Tuesday, May 7, 2013  
7:00 P.M.**

Commissioner Scarpelli made a motion to exit Executive Session seconded by Commissioner Evans, all Ayes on a roll call vote. The Board of Commissioners exited Executive Session at 9:54PM and entered into the Public Session.

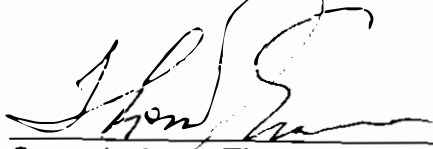
Motion to adjourn by Commissioner Scarpelli, seconded by Commissioner Tucci. All ayes. (Commissioner Rogers Absent/Excused at adjournment). Meeting adjourned at 9:56 PM.

ATTEST:


  
\_\_\_\_\_  
Evelyn Rosario, RMC  
Municipal Clerk

  
\_\_\_\_\_  
Commissioner Steven Rogers

  
\_\_\_\_\_  
Commissioner Mauro G. Tucci

  
\_\_\_\_\_  
Commissioner Thomas J. Evans

  
\_\_\_\_\_  
Commissioner Joseph P. Scarpelli

  
\_\_\_\_\_  
Mayor Alphonse Petracco

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 7, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01368	NJAFF	75.00					75.00
13-01369	NJ MEADOWLANDS COMM	6,951.13					6,951.13
13-01340	ESSEX REG. HEALTH COMM	1,545.00					1,545.00
13-01485	NEWARK BETH ISRAEL MED.CTR.	60.00					60.00
13-01376	TREASURER OF SCHOOL MONEY		2,167,350.00				2,167,350.00
13-01343	T/N PAYROLL AGENCY ACCOUNT		108.51				108.51
13-01363	T/N PAYROLL AGENCY ACCOUNT		35,495.51				35,495.51
13-01334	COUNTY OF ESSEX NJ		4,464,837.25				4,464,837.25
13-01378	UPS		25.86				25.86
13-00364	STAR LEDGER		153.12				153.12
13-0364	STAR LEDGER		33.64				33.64
13-01265	HEWLETT PACKARD CORP		217.26				217.26
13-01267	DELGEN PRESS		119.00				119.00
13-00367	POLAND SPRING		101.83				101.83
13-00594	HENDRICKS APPRAISAL CO		375.00				375.00
13-00453	MAJOR LEAGUE AUTO SPA		5.00				5.00
13-01342	WAGE WORKS		25.00				25.00
13-01392	AT & T MOBILITY		273.97				273.97
13-01394	AT & T MOBILITY		162.24				162.24
13-01299	HOME DEPOT		124.92				124.92
13-01421	BRACH EICHLER & ELWOOD GROUP		7,143.77				7,143.77
13-01420	BRACH EICHLER, DEFAZIO MED.		7,828.82				7,828.82
13-01406	JOHN YANKOWSKI		12.65				12.65
13-01433	JOSEPH & J DE AMORIN		609.80				609.80
13-01463	US BANK FOR PRO CAPITAL		486.16				486.16
13-01431	US BANK FOR PRO CAPITAL		29,307.60				29,307.60

<b>TOWNSHIP OF NUTLEY</b>							
<b>BILL LIST</b>							
<b>TUESDAY MAY 7, 2013</b>							
<b>P.O.</b>	<b>VENDOR</b>	<b>PUBLIC AFFAIRS</b>	<b>REVENUE &amp; FINANCE</b>	<b>PUBLIC SAFETY</b>	<b>PUBLIC WORKS</b>	<b>PARKS &amp; PUBLIC PROPERTY</b>	<b>TOTALS</b>
13-01430	VINCENTY & EILEEN MANION		2,013.30				2,013.30
13-01423	HASMIK BABAYAN		1,532.88				1,532.88
13-01422	LORKIM, INC		15,871.49				15,871.49
13-01434	RAVI ANKAM & S BAGGU		2,880.64				2,880.64
13-01470	RUTGERS UNIVERSITY		199.00				199.00
13-01432	GLORIA DI ANTONIO		989.06				989.06
13-01229	GELTRUDE & CO.		450.00				450.00
13-00152	BEYER-WARNOCK FLEET			105,444.00			105,444.00
12-05052	BEYER-WARNOCK FLEET			15,489.42			15,489.42
13-01270	CABLEVISION			54.95			54.95
13-00734	MONTEGO BAY RESORT			402.32			402.32
13-00732	FBI NTL. ACADEMY ASSOC.			250.00			250.00
13-01221	NJ DIV. OF FIRE SAFETY			30.00			30.00
13-00217	SAFE-T			238.10			238.10
13-01252	FLEMINGTON CHRYSLER DODGE			72.10			72.10
13-01110	NBC AUTO PARTS			35.40			35.40
13-01452	TURNOUT UNIFORMS			12.00			12.00
13-01451	TURNOUT UNIFORMS			319.69			319.69
13-01455	JOHN HOLLAND			143.91			143.91
13-01475	SANDRA CARELLA			70.16			70.16
13-01446	JAMES POMACO, ESQ			200.00			200.00
13-01375	SCARINCI HOLLENBECK			4,941.50			4,941.50
13-01171	TRIANGLE COMMUNICATIONS			332.50			332.50
12-05365	HEWLETT PACKARD			2,149.32			2,149.32
13-01186	SPS			1,122.34			1,122.34
12-05018	DELL MARKETING			6,796.56			6,796.56

<b>TOWNSHIP OF NUTLEY</b>							
<b>BILL LIST</b>							
<b>TUESDAY MAY 7, 2013</b>							
<b>P.O.</b>	<b>VENDOR</b>	<b>PUBLIC AFFAIRS</b>	<b>REVENUE &amp; FINANCE</b>	<b>PUBLIC SAFETY</b>	<b>PUBLIC WORKS</b>	<b>PARKS &amp; PUBLIC PROPERTY</b>	<b>TOTALS</b>
13-01164	SIACA WIPER			120.00			120.00
13-00694	SWIFT ELECTRIC TETERBORO			1,296.00			1,296.00
13-01053	A PLUS AUTO REPAIR			2,002.66			2,002.66
13-00554	LANGUAGE LINE SERVICES			71.80			71.80
13-00536	INTERPORT CONTAINER SOL.			75.00			75.00
13-00828	INHALATION THERAPY			432.68			432.68
13-01377	PENNONI ASSOCIATES			1,480.00			1,480.00
13-00099	MAJOR LEAGUE AUTO SPA			128.00			128.00
13-01345	VERIZON			95.84			95.84
13-00368	POLAND SPRING			109.77			109.77
13-01393	AT & T MOBILITY			45.45			45.45
13-01413	NATIONAL TERMINAL INC			2,874.74			2,874.74
13-01462	NATIONAL TERMINAL INC			9,328.36			9,328.36
13-01415	NATIONAL FUEL OIL			11,109.60			11,109.60
13-01175	W.B. MASON			101.94			101.94
13-01199	W.B. MASON			341.94			341.94
13-01043	W.B. MASON			244.73			244.73
13-00770	W.B. MASON			289.55			289.55
13-01505	NJ MOTOR VEHICLE COMM			240.00			240.00
13-01413	ATHENIA MASON SUPPLY				457.67		457.67
13-00044	P & A AUTO PARTS				219.75		219.75
13-00044	P & A AUTO PARTS				423.74		423.74
13-00062	TILCON NJ				502.84		502.84
13-01293	CABLEVISION				17.56		17.56
13-00043	ONE CALL CONCEPTS				97.08		97.08
13-00061	SUPERIOR DISTRIBUTORS				148.55		148.55

<b>TOWNSHIP OF NUTLEY</b>							
<b>BILL LIST</b>							
<b>TUESDAY MAY 7, 2013</b>							
<b>P.O.</b>	<b>VENDOR</b>	<b>PUBLIC AFFAIRS</b>	<b>REVENUE &amp; FINANCE</b>	<b>PUBLIC SAFETY</b>	<b>PUBLIC WORKS</b>	<b>PARKS &amp; PUBLIC PROPERTY</b>	<b>TOTALS</b>
13-00049	BEYER BORS. COPR				68.65		68.65
13-00045	JOSEPH RICCIARDI PAINTS				74.25		74.25
13-00055	NEWARK ASPHALT				2,074.95		2,074.95
13-00055	NEWARK ASPHALT				159.94		159.94
13-00059	ROUTE 23 AUTO MALL				35.12		35.12
13-00059	ROUTE 23 AUTO MALL				219.50		219.50
13-00059	ROUTE 23 AUTO MALL				327.18		327.18
13-01201	ROUTE 23 AUTO MALL				782.35		782.35
13-01258	H & H MACK SALES				26.19		26.19
13-01039	GARDEN STATE HIGHWAY				767.50		767.50
13-01351	NUTLEY SIGNS				495.00		495.00
13-01014	W.B. MASON				156.97		156.97
13-01013	NBC AUTO PARTS				523.90		523.90
13-00047	AMERICAN HOSE & HYDRAULIC				98.30		98.30
13-00047	AMERICAN HOSE & HYDRAULIC				50.16		50.16
13-01236	FOLEY INC				73.94		73.94
13-00978	FOSTER AND CO				283.90		283.90
13-01256	DAWNBRITE				534.00		534.00
13-01202	TOTAL CENTER MAINTENANCE				1,750.00		1,750.00
12-04049	NEGLIA ENGINEERING ASSOC.				1,799.96		1,799.96
13-01425	PSE & G				59.16		59.16
13-00089	MITCHELL 1 LLC				2,220.00		2,220.00
13-01257	COUNTY CONCRETE				266.57		266.57
13-01250	HEWLETT PACKARD				181.50		181.50
13-01213	CAPITOL SUPPLY				265.62		265.62
13-01317	STEWART BUSINESS SYSTEM				895.57		895.57

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 7, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01241	GEI WIDEFORMAT				876.00		876.00
13-01244	PETER ANDOLINO				145.75		145.75
13-01338	PETER ANDOLINO				282.90		282.90
13-01254	BUY WISE AUTO PARTS				261.00		261.00
13-01316	CARA GRAPHICS				200.16		200.16
13-01396	AT & T MOBILITY				205.06		205.06
13-01407	AT & T MOBILITY				1,265.28		1,265.28
13-00369	POLAND SPRING				152.65		152.65
13-01372	POSTMASTER NEWARK				200.00		200.00
13-00082	TUBELITE CO				226.69		226.69
13-00053	INTERSTATE BATTERY				103.95		103.95
13-00056	NORTHEAST AUTOMOTIVE				35.68		35.68
13-01228	INTERCITY TIRE				477.25		477.25
13-01346	DELGEN PRESS				185.00		185.00
13-01424	CITY OF NEWARK WATER				9,337.73		9,337.73
13-00058	ROBERTS AND SON				130.97		130.97
<b>13-01460</b>	<b>NJSHBP</b>					<b>352,587.26</b>	<b>352,587.26</b>
<b>13-01461</b>	<b>NJSHBP</b>					<b>172,578.06</b>	<b>172,578.06</b>
13-01453	SUB ESSEX INT. INS. FUND					345,013.95	345,013.95
13-01352	DELTA DENTAL PLAN					13,389.64	13,389.64
13-01353	DELTA DENTAL PLAN					12,997.60	12,997.60
13-01356	ADVANCED ENGRAVING					445.50	445.50
13-00988	AIR GROUP					2,950.00	2,950.00
13-00260	AGL WELDING SUPPLY					408.97	408.97
13-01143	WEST ESSEX BLDG.					778.85	778.85
13-00029	WEST ESSEX BLDG.					93.72	93.72



<b>TOWNSHIP OF NUTLEY</b>							
<b>BILL LIST</b>							
<b>TUESDAY MAY 7, 2013</b>							
<b>P.O.</b>	<b>VENDOR</b>	<b>PUBLIC AFFAIRS</b>	<b>REVENUE &amp; FINANCE</b>	<b>PUBLIC SAFETY</b>	<b>PUBLIC WORKS</b>	<b>PARKS &amp; PUBLIC PROPERTY</b>	<b>TOTALS</b>
12-04719	CRAFT-TECH					931.00	<b>931.00</b>
13-01200	COUNTY CONCRETE					981.05	<b>981.05</b>
13-01277	COUNTY CONCRETE					440.62	<b>440.62</b>
13-00991	W.B. MASON					139.90	<b>139.90</b>
13-00996	W.B. MASON					165.14	<b>165.14</b>
13-01159	W.B. MASON					35.51	<b>35.51</b>
13-01207	WORLD DATA PRODUCTS					1,250.00	<b>1,250.00</b>
13-00649	DURABLE RECYCLING					1,490.88	<b>1,490.88</b>
13-01361	VERIZON					178.33	<b>178.33</b>
13-01354	INDIAN HARBOR INS. CO					1,540.63	<b>1,540.63</b>
13-00624	ABADEL PEST CONTROL					125.00	<b>125.00</b>
13-01436	FLAGSHIP DENTAL PLAN					639.16	<b>639.16</b>
13-01386	PSE & G					316.50	<b>316.50</b>
13-01387	PSE & G					16.71	<b>16.71</b>
13-01395	PSE & G					317.48	<b>317.48</b>
13-01680	NJ SHADE TREE FEDERATION					120.00	<b>120.00</b>
13-01379	NJ SHADE TREE FEDERATION					120.00	<b>120.00</b>
13-01417	NRG BUSINESS SOLUTION					297.33	<b>297.33</b>
13-01232	ARCO STEEL CO					790.00	<b>790.00</b>
13-00814	PRINCETON HOSTED SOLUTIONS					3,389.62	<b>3,389.62</b>
13-01323	TOOL REPAIR DOCTOR					44.10	<b>44.10</b>
13-01152	FOREMOST ENTERPRISES					1,950.00	<b>1,950.00</b>
13-01212	AMERICAN HOSE					828.00	<b>828.00</b>
12-05238	FIBAR GROUP					4,004.00	<b>4,004.00</b>
13-01263	FIBAR GROUP					2,002.00	<b>2,002.00</b>
13-01185	FRANKLIN CENTRAL COMM					129.99	<b>129.99</b>

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 7, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-05196	TREE KING					12,150.00	12,150.00
13-01262	FACSIMILE COMM					68.60	68.60
13-01100	AIRMATIC COMPRESSOR					209.23	209.23
13-01397	AT & T MOBILITY					352.44	352.44
13-00018	SUPERIOR DISTRIBUTORS					13.48	13.48
13-00830	TERRE CO					982.35	982.35
13-00830	TERRE CO					275.50	275.50
13-01477	HARRY KIRK					122.74	122.74
13-01129	NATIONAL TERMINAL					9,318.81	9,318.81
13-01130	NATIONAL TERMINAL					8,250.38	8,250.38
13-00713	NATIONAL TERMINAL					6,310.62	6,310.62
13-00855	CABLEVISION LIGHTPATH					3,038.11	3,038.11
13-01260	CORINO'S SERVICE STATION					137.50	137.50
13-01209	WILFRED MC DONALD					70.25	70.25
13-01456	HESS CORP					1,097.92	1,097.92
13-01011	WHIBCO OF NJ					917.46	917.46
13-01486	PAY PAY, INC					30.00	30.00
13-00985	SWANK MOTION PICTURES					346.00	346.00
13-01358	LISA DE TOMA					35.00	35.00
13-01359	MARVEN BONGO					40.00	40.00
13-01360	NUTLEY SOCCER ALUMNI					7,920.00	7,920.00
13-01362	NUTLEY SOCCER ALUMNI					4,410.00	4,410.00
13-01301	NUTLEY PARK SHOPRITE					55.04	55.04
13-01350	NUTLEY PARK SHOPRITE					291.35	291.35
13-01344	NUTLEY PARK SHOPRITE					321.58	321.58
13-01077	V.E. RALPH					328.50	328.50



**TOWNSHIP OF NUTLEY**  
**BILL LIST**  
**May 7, 2013**

**List of payroll submitted for approval by the Board of Commissioners at  
their regular meeting of MAY 7, 2013**

**PAYROLL-REGULAR APRIL 26, 2013:**

Department of Public Affairs	18,095.09
Department of Revenue & Finance	60,642.28
Department of Public Safety	432,539.43
Department of Public Works	58,426.18
Department of Parks & Public Properties	82,187.98
Department of Recreation Commission	4,083.50
Water Operations	44,728.76
Due To From General Capital	3,519.91
600 SERIES	203.80
POLICE OUTSIDE DUTY	20,652.50
C.E.H.A.	528.53
ACC-U-VAC	32,563.84
<b>Sub Total</b>	<b>758,171.80</b>

**PAYROLL-OVERTIME APRIL 26, 2013:**

Department of Public Affairs	0.00
Department of Revenue & Finance	667.38
Department of Public Safety	8,805.26
Department of Public Works	3,289.26
Department of Parks & Public Properties	3,341.81
Water Operations	8,315.95
600 Series	15,196.39
<b>Sub TOTAL:</b>	<b>39,616.05</b>

**TOTAL PAYROLL: 797,787.85**

**GRAND TOTAL: 8,727,655.57**

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

	108,344.44
Federal Withholding Tax	26,304.82
Social Security	30,203.67
N.J. State Tax	11,562.00
Medicare	3,246.00
Wage Execution	26,326.83
Deferred Compensation	5,985.52
Employee Disability Ins.	

# **PULLED NOT INTRODUCED AT THIS MEETING (TUESDAY, MAY 7, 2013)**

**Ordinance No. 3239**

**Introduced by Commissioner Joseph P. Scarpelli**

**Introduced on Tuesday, May 7, 2013**

**Public Hearing Tuesday, June 4, 2013**

**Advertise in the Nutley Sun Issue of Thursday, May 16, 2013**

## **Ordinance No. 3239**

**AN ORDINANCE TO AMEND CHAPTER 700 OF THE CODE OF THE TOWNSHIP OF NUTLEY, ENTITLED "ZONING" ADDING SECTION 700-22.1 "PERMITTED USES IN M-2 ZONING DISTRICT" TO ARTICLE V - GENERAL REGULATIONS.**

**WHEREAS**, The Board of Commissioners for the Township of Nutley adopted a new Master Plan on December 19, 2012; and

**WHEREAS**, the Land Use Element of the new Master Plan provides recommendations for modifications to certain Zone Districts within the Township;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey that Chapter 700 of the Code of the Township of Nutley, is amended as follows:

1. Section 700-22.1 entitled "Permitted uses in M-2 Zoning District" shall be added to Article V – General Regulations;
2. The following uses are permitted in the M-2 Zoning District:
  - A. Any use and building permitted in B-4 District;
  - B. Any use and building permitted in M Zoning District;
3. The following Area shall be comprised within the M-2 District;
  - A. Block 6800 Lots 1,2,3 and 4;
  - B. Block 6801 Lots 2,3,5 and 6;
  - C. Block 6902 Lots 2,3 and 4
  - D. Block 9604 Lots 14;
  - E. Block 9700 Lots 9,10 and 11;
  - F. Block 9701 Lots 3,4,5 and 6;
4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this ordinance are repealed to the extent necessary;
5. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

This Ordinance shall take affect after publication and passage according to law.

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

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3238**

**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 7<sup>th</sup> day of May 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 4<sup>th</sup> day of June, 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**

**Municipal Clerk**

**Township of Nutley**

**The Nutley Sun Issue/Friday, May 16, 2013 Via E-Mail: [publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

**Ordinance No. 3238**

**Introduced on May 7, 2013**

**Introduced by Mayor Alphonse Petracco**

**Public Hearing: Tuesday, June 4, 2013**

**Advertise in the Nutley Sun Issue of May 16, 2013**

**Ordinance No. 3238**

**"AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE MAY 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:

<b><u>Title</u></b>	<b><u>Base Salary Minimum</u></b>	<b><u>Base Salary Maximum</u></b>
<b><u>DEPARTMENT OF PUBLIC SAFETY</u></b>		
Lead Mechanic	\$ 55,000.00	\$80,000.00
Mechanic	\$ 50,000.00	\$70,000.00

**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.

**Section 3.** To the extent not set forth herein, all total salaries per annum will include longevity as set forth in Nutley Municipal Code Chapter 103 or the collective bargaining agreement that may be applicable.

**Section 4.** 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.

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

Introduced by: Commissioner Steven Rogers Date: May 7, 2013  
Seconded by: Commissioner Joseph P. Scarpelli No. 121-13

*Whereas*, The nearly 3.1 million registered nurses in the United States comprise our nation's largest health care profession, and;

*Whereas*, The depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings, and;

*Whereas*, The American Nurses Association, as the voice for the registered nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care, and;

*Whereas*, A renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources, and;

*Whereas*, Professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients, and;

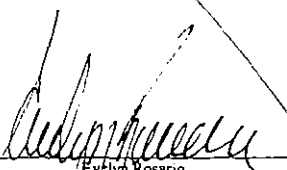
*Whereas*, The demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services, and;

*Whereas*, That more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community, and;

*Whereas*, The cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future, and;

*Whereas*, Along with the American Nurses Association, the Township of Nutley has declared the week of May 6-12, 2013 as **NATIONAL NURSES WEEK** with the theme *Delivering Quality and Innovation in Patient Care* in celebration of the ways in which registered nurses strive to provide safe and high quality patient care and map out the way to improve our health care system;

*Therefore Be It Resolved That*, the residents of Township of Nutley, County of Essex, State of New Jersey, celebrate registered nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's registered nurses not just during this week, but at every opportunity throughout the year.

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 May 7, 2013

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



**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Commissioner Steven Rogers & Commissioner Joseph P. Scarpelli      *Date:* May 7, 2013  
*Seconded by:* Commissioner Joseph P. Scarpelli      *No.* 122-13

**Whereas**, the preservation of basic freedoms and world peace has always been a valued objective of this great country; and

**Whereas**, thousands of American men and women have selflessly given their lives in service as peacemakers and peacekeepers; and

**Whereas**, the Township of Nutley has made great strides to demonstrate the appreciation and gratitude these loyal Americans deserve and to commemorate the ultimate sacrifice they made; and

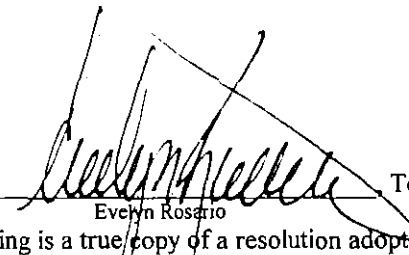
**Whereas**, Memorial Day is the day of the year for the Nation to appropriately remember American heroes by inviting the citizens of this Nation to respectfully honor them; and

**Whereas**, Memorial Day needs to be made relevant to both present and future generations of Americans; and

**Whereas**, the Township of Nutley provides its citizens an opportunity to participate in symbolic acts of support for our veterans and American unity:

**Now therefore be it resolved**, by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, that we honor the military veterans of Nutley, N.J. whose names are inscribed on street signs, by placing a star on said street signs, as a continuous and lasting remembrance for the sacrifice they made for our nation.

. . .

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 May 7, 2013

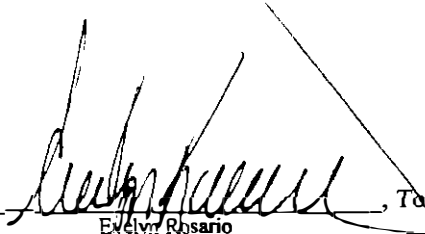
<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* May 7, 2013  
*Seconded by:* Commissioner Thomas J. Evans *No.* 117-13

**BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Resolution 100-13 adopted on April 25, 2013 entitled “Change Order No. 1 Professional Billing Services From July 2, 2011 to July 29, 2011 in the amount of \$958.08 – Neglia Engineering” is hereby rescinded.

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 May 7, 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	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

Introduced by: Commissioner Mauro G. Tucci Date: May 7, 2013  
Seconded by: Mayor Alphonse Petracco No. 118-13

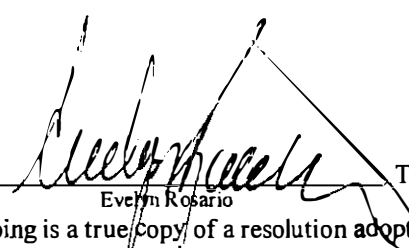
**WHEREAS**, the Township of Nutley heretofore entered into a contract via resolution # 154-10, duly adopted by the Board of Commissioners on June 15, 2010 for an amount not to exceed \$48,710.00 with Neglia Engineering, 34 Park Avenue, Lyndhurst, N.J. 07071 for technical and management services for the Monsignor Owens Park, Field Reconstruction Project; and

**WHEREAS**, The Director of Recreation of the Department of Parks and Public Property has recommended the following change order from said contract:

**CHANGE ORDER NO. 2:** Professional billing services from July 2, 2011 to July 29, 2011 in the amount of \$958.08.

The money is available from Account # 3214B and has been certified by the Chief Financial Officer and said certification is attached to this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order #2 in the amount of \$958.08 be and is hereby approved.

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 May 7, 2013

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

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* May 7, 2013  
*Seconded by:* Commissioner Thomas J. Evans *No.* 119-13

**WHEREAS**, the Township of Nutley has received and reviewed Requests for Qualifications for 2013 and 2014 for a professional to provide Insurance Accident and Safety Review Board Meetings; and

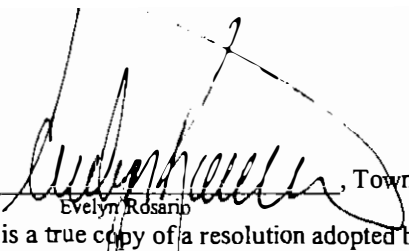
**WHEREAS**, C. Walter Searle Agency submitted the lowest responsible proposal; and

**WHEREAS**, funds are available from Budget Account #516-245, and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

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

1. A contract shall be entered into between the township of Nutley and C. Walter Searle Agency,
2. 410 Franklin avenue, Nutley, N.J. 07110 for 2013 and 2014 to conduct Insurance Accident and Safety Review Board Meetings at an annual fee not to exceed \$10,000.00
3. A copy of this Resolution as well as the Contract shall be placed on file with the Township Clerk.

. . .

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 May 7, 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	X	
<i>No</i>					
<i>Not Voting</i>					ABSTAINED
<i>Absent/Excused</i>					

**BOARD OF COMMISSIONERS**  
**TOWNSHIP OF NUTLEY, NEW JERSEY**

## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* May 7, 2013  
*Seconded by:* Commissioner Thomas J. Evans *No.* 120-13

**WHEREAS,** the Township of Nutley heretofore entered into a contract with Zenith Construction Services of 365 Thomas Blvd., Orange, NJ, 07050 for building renovations to the Special Young Adults facility; and

**WHEREAS,** The Director of the Department of Parks and Public Property has recommended the following change order from said contract:

- |                       |  |             |
|-----------------------|--|-------------|
| <b>CHANGE ORDER #</b> | 2: 5,000 SF of asphalt overlay at the entrance driveway by Cross Roads   | \$ 3,500.00 |
|                       | 3: Remove and dispose all existing drop ceiling, and clean, Adjust and paint existing grid bottoms flanges and install New Certain Teed HH-154 Reveal 2'x2' ceiling tiles in Community room, office, hallways etc. | \$9,987.68  |

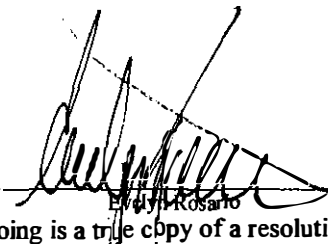
**DEDUCT CHANGE ORDER**

- |              |  |                        |
|--------------|--|------------------------|
| 4:           | Change in window shutters -  | Credit due -\$2,800.00 |
| 5:           | Non replacement of door @ side of the building but prepped, painted and installed door closure | Credit due -\$1,200.00 |
| <b>Total</b> |  | <b>\$9,487.68</b>      |

The money is available from CDBG funding Account #T-19-909-902 and has been certified by the Chief Financial Officer, said certification being attached to this resolution; and

**NOW THEREFORE, BE IT RESOLVED,** that the Board of Commissioners and the Township Clerk be and they are hereby authorized to enter into and sign said contract 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 May 7, 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	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

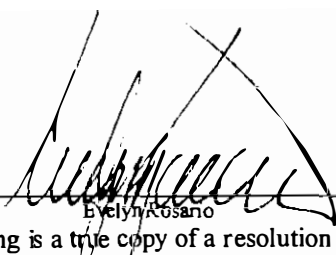
*Introduced by:* Commissioner Thomas J. Evans *Date:* May 7, 2013

*Seconded by:* Commissioner Mauro G. Tucci *No.* 123-13

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 \$2,793.36 for the year 2012.

Block & Lot	Address	Amount
9105     19	18 Entwistle Ave.	\$2,793.36     2/14/12

. . .

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 May 7, 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	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* May 7, 2013

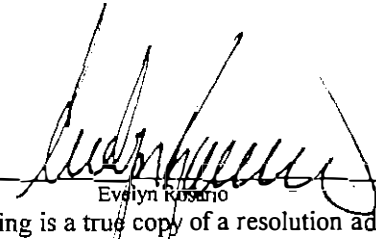
*Seconded by:* Commissioner Steven Rogers *No.* 124-13

**WHEREAS, the Township of Nutley has entered into a contract with Marina C. Perna, 189 Franklin Avenue, Nutley, New Jersey 07110, for the services of real estate counsel for an original contract amount of \$11,400.00; and**

**WHEREAS, Change Order #1 has been authorized in the amount of \$501.00 from said contract as being necessary, based on additional attorney review services and property title services for a total contract amount of \$11,901.00;**

**WHEREAS, funds are available from Capital Ordinance 3171A in the amount of \$167.00 and Capital Ordinance 3172 in the amount of \$334.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;**

**NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Change Order #1, as attached, is a change from the contract previously made by the Township of Nutley with Marina C. Perna for the services of real estate counsel and are hereby authorized and approved.**

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 May 7, 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	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* May 7, 2013

*Seconded by:* Commissioner Mauro G. Tucci *No.* 125-13

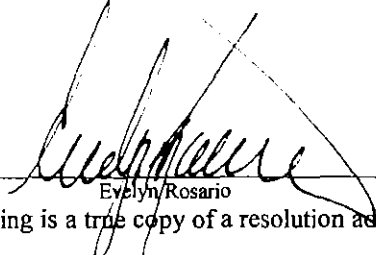
**WHEREAS**, a raffle application has been received from the following organization; and

K OF C # 14712 Holy Family Council	License No. 41-13 Off-Premise BINGO NIGHT	June 15, 2013
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**WHEREAS**, the application has been reviewed and approved by the Municipal Clerk and the Police Department.

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

. . .

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 May 7, 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	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					



**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* May 7, 2013

*Seconded by:* Commissioner Mauro G. Tucci *No.* 126-13

WHEREAS, Federal and State law provide that military members are entitled to excused leaves of absence from their employment when performing military duty; and

WHEREAS, under New Jersey law, Municipal employees are entitled to limited paid leaves of absence when performing various types of military duty; and

WHEREAS, applicable State laws are N.J.S.A. 38A:4-4, covering the New Jersey National Guard, Naval Militia, and State Guard, and 38:23-1, applicable to Reservists; and

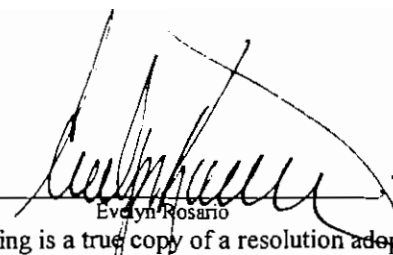
WHEREAS, on December 4, 2001 the Township of Nutley adopted a resolution recognizing its responsibilities under the relevant Federal and State laws; and

WHEREAS, once statutory paid military leave runs out, pay for military members is discretionary with each municipality and may be continued by local policy,

WHEREAS, the Township of Nutley elected to authorize differential pay, making up the difference between a military members military pay and his or her municipal pay for the duration of their activation; and

WHEREAS, Police Officer Vincent Rodriguez was activated on July 16, 2012 for duty in Afghanistan and will cease receiving full pay on May 6, 2013:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey that the Township of Nutley will extend differential pay to Vincent Rodriguez until his release from active duty in July 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 May 7 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	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

*Introduced by:* Commissioner Joseph Scarpelli *Date:* May 7, 2013

*Seconded by:* Commissioner Steven Rogers *No.* 127-13

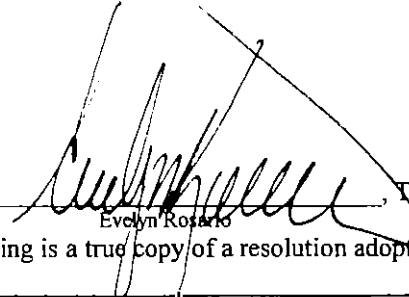
WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

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

1. Litigation Matter
2. Contract Matter

BE IT FURTHER RESOLVED, that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Township of Nutley pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by statute.

. . .

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 May 7, 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	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					