

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

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PUBLIC MEETING ) TRANSCRIPT OF  
) PROCEEDINGS:  
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July 2, 2013

7:00 p.m.

BEFORE:

- Commissioner Steven Rogers
- Commissioner Mauro Tucci
- Commissioner Thomas J. Evans
- Commissioner Joseph P. Scarpelli
- Mayor Alphonse Petracco

Job No. VTNJ - 1735382

1 ALSO PRESENT:  
2 Assemblyman Ralph Caputo  
3 Kevin P. Harkins, Esquire  
4 Evelyn Rosario, Town Clerk  
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P R O C E E D I N G S

1  
2 UNIDENTIFIED SPEAKER: All please rise for the  
3 flag salute.

4 (Pledge of Allegiance)

5 MAYOR PETRACCO: I'm ready when you are,  
6 Madam Clerk.

7 MADAM CLERK: Thank you, Mayor.

8 Tuesday, July 2nd, 2013 -- pursuant to the  
9 requirements of the Open Public Meeting Law, Chapter 231  
10 Public Laws 1975, notice of this meeting was published in  
11 the December 13th, 2012 issues of the Nutley Sun, the Star  
12 Ledger, and the Herald News. A copy of this notice has been  
13 posted on the Nutley town hall bulletin board, and a copy is  
14 on file in the municipal clerk's office.

15 Commissioner Rogers?

16 COMMISSIONER ROGERS: Here.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Here.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Here.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Here.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Here.

25 MADAM CLERK: All present, Mayor.

1 MAYOR PETRACCO: Thank you.

2 Can we move over to minutes?

3 MADAM CLERK: Yes, Mayor. I have several minutes  
4 this evening. I'm going to read them all into the record,  
5 and I'll ask for a motion in a second.

6 Meeting minutes for meetings held August 21st,  
7 2012, September 4th and September 10th, 2012, September 18th  
8 and September 21st, 2012, October 2nd and October 5th, 2012,  
9 October 16th, 2012, November 8th, 2012, November 20th, 2012,  
10 December 4th, 2012, December 18th, 2012, and December 31st,  
11 2012.

12 I need a motion, please.

13 UNIDENTIFIED SPEAKER: Move it.

14 UNIDENTIFIED SPEAKER: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye, and I'll abstain  
23 December 31st.

24 MADAM CLERK: Mayor Petracco?

25 MAYOR PETRACCO: Aye, and I will abstain from

1 October 16th.

2 MADAM CLERK: Thank you, Mayor.

3 MAYOR PETRACCO: Okay. Communications and  
4 correspondence, please.

5 MADAM CLERK: Yes, Mayor, I have one item of  
6 communication. I have the Holy Family Church, 28 Brookline  
7 Avenue, submitting an application requesting approval to  
8 submit the application to the Division of ABC for a social  
9 affair. The event is scheduled for September 19th through  
10 the 22nd for their Italian festival in honor of Our Lady of  
11 Sorrows.

12 We need a motion, please.

13 UNIDENTIFIED SPEAKER: Move it.

14 UNIDENTIFIED SPEAKER: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Aye.

25 MADAM CLERK: That's all for communications this

1 evening, Mayor.

2 MAYOR PETRACCO: And, seeing we have no reports,  
3 we'll move on to bills.

4 MADAM CLERK: Yes, Mayor. Tuesday, July 2nd,  
5 2013, Public Affairs, \$10,635.83; Revenue and Finance,  
6 \$2,404,445.89; Public Safety, \$65,411.57; Public Works,  
7 \$253,093.99; Parks and Public Property, \$913,628.02 payable  
8 as of June 21st, 2013, \$806,268.31, for a grand total bill  
9 of \$4,453,483.61, and that's all for bills this evening,  
10 Mayor.

11 UNIDENTIFIED SPEAKER: Move it (sic)e

12 UNIDENTIFIED SPEAKER: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Aye.

23 MADAM CLERK: Thank you, Mayor.

24 MAYOR PETRACCO: Thank you.

25 Okay. Moving on to ordinance introductions,

1 Commissioner Rogers?

2 COMMISSIONER ROGERS: Ordinance number 3244. This  
3 is an ordinance to amend Chapter 605 of the Code of the  
4 Township of Nutley entitled Smoking. I move that this  
5 ordinance be passed to a second reading and advertised in  
6 the Nutley Sun together with the notice required by law and  
7 that further consideration of said ordinance for final  
8 passage by the board of commissioners be held at a second  
9 reading on August 6th, 2013.

10 So moved.

11 UNIDENTIFIED SPEAKER: 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 Okay. We'll move on to resolutions.

23 Commissioner Tucci?

24 COMMISSIONER TUCCI: Yes. Before I introduce this  
25 resolution, there are a few comments that I want to make,

1 and I know the person I'm going to speak about, Kathy  
2 Ritacco, absolutely did not want me to say anything, and she  
3 very reluctantly came here this evening to be recognized,  
4 but I Have to tell you a better person, a better coworker, a  
5 better citizen of the town of Nutley we will never find.

6 This woman came to work every day with more energy  
7 and more positive attitude than anyone I have ever met in my  
8 life, and I'm a government employee, retired. I worked 30  
9 years in the government, all right, before I became a Nutley  
10 commissioner, and I'm in my 13th year here.

11 What this woman has done for this town is  
12 unparalleled. All right? And this is a very bittersweet  
13 moment for me, and I know I keep getting choked up when I  
14 talk about you, and it should be the other way around, but  
15 this woman has done more for us and deserves our thanks and  
16 our gratitude, and I just hope that this resolution can just  
17 touch upon how much we think of you as a township and what  
18 an impact you made on the lives of all the people in the  
19 town of Nutley. So, having said that, I'd like to read  
20 this.

21 WHEREAS, Kathleen Ritacco has decided that it's  
22 time to retire and spend more time with her family; and

23 WHEREAS, Kathleen Ritacco has been a lifelong  
24 resident of Nutley and a Nutley High School graduate; and

25 WHEREAS, Kathleen and her husband, Frank, of 45



1 have two children, Frank and Benjamin, two daughters-in-law,  
2 Gretchen and Chrissy, and two grandchildren, Cecilia and  
3 Matthew; and

4 WHEREAS, Kathleen Ritacco has worked for the  
5 township of Nutley, Department of Parks and Public Property  
6 since June 28th, 1993 starting as a clerk typist working her  
7 way up to principal clerk typist and serving as the  
8 irreplaceable right hand of Commissioner Tucci; and

9 WHEREAS, on July 1, 2013, Kathleen Ritacco will be  
10 retiring after 20 years of dedicated service to the  
11 citizens, merchants, and employees of the township of  
12 Nutley;

13 NOW, THEREFORE BE IT RESOLVED, that the Board of  
14 Commissioners of the Township of Nutley, County of Essex,  
15 State of New Jersey join with the citizens of Nutley to  
16 honor and congratulate Kathleen Ritacco on her well-deserved  
17 retirement; and

18 BE IT FURTHER RESOLVED that we extend to Kathleen  
19 Ritacco our sincere wishes for a long, happy, and healthy  
20 retirement.

21 I move the resolution.

22 MAYOR PETRACCO: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Before I vote, Kathy, I want  
25 to thank you for your service to the people of this (off-

1 mike) outstanding. There's no other word but outstanding,  
2 and I vote aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Enjoy your retirement. I  
7 think I have one medical claim form that's still  
8 outstanding.

9 (Laughter)

10 COMMISSIONER EVANS: Thank you for all your  
11 service. Just enjoy life. It's just too short.

12 Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Kathy, enjoy your  
15 retirement. Thank you for your patience with the employees,  
16 with the questions that the commissioners always ask you,  
17 and have a good retirement.

18 Aye.

19 MADAM CLERK: Mayor Petracco?

20 MAYOR PETRACCO: I would just like to echo  
21 everybody's thoughts. Kathy, I know us at Public Safety --  
22 we called on you many, many times, and you always answered  
23 the phone with a smile and did whatever you could for  
24 everyone in the township, and the resolution is wonderful  
25 that we're receiving, and good luck to you in your

1 retirement.

2 I get an aye as well.

3 (Applause)

4 UNIDENTIFIED SPEAKER: Come on up, Kath. This is  
5 the part you really regretted. Take the picture.

6 Come on, Frank.

7 (Pause)

8 MAYOR PETRACCO: Okay. Congratulations again.

9 And we can move on to more resolutions.

10 Commissioner Evans?

11 COMMISSIONER EVANS: Thank you.

12 BE IT RESOLVED, by the Board of Commissioners of  
13 the Township of Nutley, in the County of Essex, State of New  
14 Jersey, that the Treasurer be and she is hereby authorized  
15 to refund overpayments of property taxes in the amount of  
16 \$50,230.95 for said years due to successful tax court  
17 judgments -- block 4400, lot 3 for \$2,284 for 2008; \$2,383,  
18 2009; \$2,777, 2010; and \$1,003.61 for 2011; block 1900, lot  
19 29, \$6,879.41 for 2008; \$9,560.60 for 2009; block 1900, lot  
20 30, \$1,692.44 for 2008; \$1,765.90 for 2009; block 7400, lot  
21 1, \$8,058.51 for 2012.

22 So moved.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: Aye.

9 COMMISSIONER EVANS: BE IT RESOLVED, by the Board  
10 of Commissioners of the Township of Nutley, in the County of  
11 Essex, State of New Jersey, that the Treasurer be and she is  
12 hereby authorized to refund overpayment of water charges for  
13 block 7200, lot 40 in the amount of \$535.08.

14 So moved.

15 COMMISSIONER TUCCI: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Mayor Petracco?

25 MAYOR PETRACCO: Aye.

1           COMMISSIONER EVANS: BE IT RESOLVED, by the Board  
2 of Commissioners of the Township of Nutley, in the County of  
3 Essex, State of New Jersey, that the Treasurer be and she is  
4 hereby authorized to refund overpayments of property taxes  
5 for block 2201, lot 7 for the amount of \$2,668.64 for 2013.

6           So moved.

7           COMMISSIONER TUCCI: Second.

8           MADAM CLERK: Commissioner Rogers?

9           COMMISSIONER ROGERS: Aye.

10          MADAM CLERK: Commissioner Tucci?

11          COMMISSIONER TUCCI: Aye.

12          MADAM CLERK: Commissioner Evans?

13          COMMISSIONER EVANS: Aye.

14          MADAM CLERK: Commissioner Scarpelli?

15          COMMISSIONER SCARPELLI: Aye.

16          MADAM CLERK: Mayor Petracco?

17          MAYOR PETRACCO: Aye.

18          COMMISSIONER EVANS: WHEREAS, a resolution was  
19 adopted on August 7th, 2012, awarding a contract to Total  
20 Lawn Care & Landscape Services, LLC, 471 Elizabeth Avenue,  
21 Somerset, New Jersey for property maintenance and brush,  
22 grass, and weed removal; and

23                 WHEREAS, the agreement entered into between Total  
24 Lawn Care & Landscape Services, LLC and the Township of  
25 Nutley on August 7, 2012, was for a period of 1 year with an

1 option to renew for 2 1-year periods;

2 WHEREAS, funds are available from Capital  
3 Ordinance 3216 in the amount of \$10,000.00; and have been  
4 certified by the chief financial officer, said certification  
5 being attached to this resolution.

6 NOW, THEREFORE BE IT RESOLVED by the Township of  
7 Nutley to renew the contract with Total Lawn Care &  
8 Landscape Services, 471 Elizabeth Avenue, Somerset, New  
9 Jersey for property maintenance and brush, grass, and weed  
10 removal, effective August 7th, 2013, for a period of 1 year  
11 pursuant to the previously signed agreement and bid  
12 specifications.

13 So moved.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Aye.

25 COMMISSIONER EVANS: WHEREAS, Chapter 384, Public

1 Laws 1979 requires that a person who is a certified tax  
2 collector be appointed tax collector;

3 WHEREAS, Rosemary Costa, C.F.C. meets the  
4 requirements of said statute and is able to step in  
5 temporarily until a longer term solution for the department  
6 is developed;

7 NOW, THEREFORE BE IT RESOLVED by the Board of  
8 Commissioners of the Township of Nutley, County of Essex,  
9 State of New Jersey that Rosemary Costa, C.F.C. is hereby  
10 appointed tax collector for the term July 1, 2013 through  
11 December 31, 2017, in accordance with N.J.S.A. 40A:9-142.

12 So moved.

13 COMMISSIONER TUCCI: 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 EVANS: WHEREAS, N.J.S.A. 40A:5-4  
25 requires the governing body of every local unit to have made

1 an annual audit of its books, accounts, and financial  
2 transactions, and

3 WHEREAS, the annual report of audit for the year  
4 2012 has been filed by a registered municipal accountant  
5 with the municipal clerk pursuant to N.J.S.A. 40A:5-6 and a  
6 copy has been received by each member of the governing body;  
7 and

8 WHEREAS, R.S. 52:27BB-34 authorizes the local  
9 finance board of the state of New Jersey to prescribe  
10 reports pertaining to the local fiscal affairs, and

11 WHEREAS, the local finance board has promulgated  
12 N.J.A.C. 5:30-6.5, a regulation requiring that the governing  
13 body of each municipality shall, by resolution, certify to  
14 the local finance board of the state of New Jersey that all  
15 members of the governing body have reviewed, as a minimum,  
16 the sections of the annual audit entitled general comments  
17 and recommendations; and

18 WHEREAS, the members of the governing body have  
19 personally reviewed, as a minimum, the annual report of  
20 audit and specifically the sections of the annual audit  
21 entitled general comments and recommendations, as evidenced  
22 by the group affidavit form of the governing body attached  
23 hereto; and

24 WHEREAS, such resolution of certification shall be  
25 adopted by the governing body no later than 45 days after



1 the receipt of the annual audit, pursuant to N.J.A.C. 5:30-  
2 6.5; and

3 WHEREAS, all members of the governing body have  
4 received and have familiarized themselves with, at least,  
5 the minimum requirements of the local finance board of the  
6 state of New Jersey, as stated aforesaid and have subscribed  
7 to the affidavit, as provided by the local finance board,  
8 and

9 WHEREAS, failure to comply with the promulgations  
10 of the local finance board of the state of New Jersey may  
11 subject the members of the governing body to the penalty  
12 provisions of R.S. 52:27BB-52.

13 NOW, THEREFORE BE IT RESOLVED that the Board of  
14 Commissioners of the Township of Nutley, hereby states that  
15 it has complied with N.J.A.C. 5:30-6.5 and does hereby  
16 submit a certified copy of this resolution and the required  
17 affidavit to said board to show evidence of said compliance.

18 So moved.

19 COMMISSIONER TUCCI: 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: Aye.

5 COMMISSIONER EVANS: And, Mayor, my resolution of  
6 174-13 has been tabled to the next meeting.

7 MAYOR PETRACCO: Thank you.

8 Commissioner Evans, you have one more.

9 COMMISSIONER EVANS: Sorry, Joe.

10 This is amendment to the capital budget.

11 WHEREAS, the local capital budget for the year  
12 2013 was adopted on the 25th day of April, 2013; and

13 WHEREAS, it is desired to amend said approved  
14 capital budget section;

15 NOW, THEREFORE BE IT RESOLVED by the Board of  
16 Commissioners of the Township of Nutley, County of Essex,  
17 New Jersey that the following amendments to the approved  
18 capital budget section be made. There is no overall change  
19 in the capital plan. It's a reallocation of class adding a  
20 category by laying the purchase cost of a sewer jet truck  
21 from \$125,000 to \$105,000 and adding in an improvement for  
22 streetscape improvements of \$20,000.

23 BE IT FURTHER RESOLVED, that two certified copies  
24 of this resolution be filed forthwith in the office of the  
25 director of local government services.

1 So moved.

2 COMMISSIONER TUCCI: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Petracco?

12 MAYOR PETRACCO: Aye.

13 Thank you.

14 COMMISSIONER EVANS: Thank you.

15 MAYOR PETRACCO: WHEREAS, an application has been  
16 filed for a person-to-person transfer of plenary retail  
17 consumption license number 0716-32-020-009, heretofore  
18 issued to Giant Vending, Inc. T/A Franklin Steakhouse,  
19 pocket license; and

20 WHEREAS, the New Jersey Division of Taxation  
21 seized the license on August 6th, 2012 and sold the license  
22 at public auction on November 29th, 2012; and

23 WHEREAS, the submitted application form is  
24 complete in all respects, the transfer fees have been paid;  
25 and

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

6           WHEREAS, the applicant has disclosed and the issue  
7 authority reviewed the source of all funds used in the  
8 purchase of the license and the licensed business and all  
9 additional financing obtained in connection with the license  
10 business;

11           NOW, THEREFORE BE IT RESOLVED, that the Township  
12 of Nutley government body does hereby approve, effective  
13 July 3rd, 2013, the transfer of the aforesaid plenary retail  
14 consumption license to Carrino DiMaggio, LLC (pocket  
15 license) and does hereby direct the municipal clerk to  
16 endorse the license certificate to the new ownership as  
17 follows. "This license, subject to all its terms and  
18 conditions, is hereby transferred to Carrino DiMaggio, LLC,  
19 effective July 3rd, 2013.e"

20           I move the resolution.

21           COMMISSIONER TUCCI: Second.

22           MADAM CLERK: Commissioner Rogers?

23           COMMISSIONER ROGERS: Aye.

24           MADAM CLERK: Commissioner Tucci?

25           COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: I abstain.

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 renewal of club license number 0716-32-020-009  
10 be granted to Carrino DiMaggio (pocket license) and said  
11 license to be effective July 1st, 2013 through June 30th,  
12 2014.

13 BE IT RESOLVED, that the State of New Jersey,  
14 Department of Treasury, Division of Taxation has provided  
15 tax clearance certificate for this establishment.

16 NOW, THEREFORE BE IT RESOLVED, by the Board of  
17 Commissioner of the Township of Nutley, County of Essex,  
18 State of New Jersey that the municipal clerk be and she is  
19 hereby directed and authorized to issue the license for the  
20 July 1st, 2013 through June 30th, 2014 licensing period.

21 I move the resolution.

22 COMMISSIONER TUCCI: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Mayor Petracco?

7 MAYOR PETRACCO: I abstain.

8 BE IT RESOLVED, by the Board of Commissioners of  
9 the Township of Nutley, in the County of Essex, State of New  
10 Jersey, that renewal of club license number 0716-31-035-001  
11 be granted to Stuart E. Edgar post number 493 Veteran of  
12 Foreign Wars T/A VFW Holding Co. of Nutley, 271 Washington  
13 Avenue, said license to be effective July 1st, 2013 through  
14 June 30th, 2014e

15 BE IT RESOLVED, that the State of New Jersey,  
16 Department of Treasury, Division of Taxation has provided  
17 tax clearance certificate for this establishment.

18 BE IT FURTHER RESOLVED, that this establishment  
19 has been inspected by the Board of Health, Fire Department,  
20 Police Department, and Code Enforcement Department of the  
21 Township of Nutley and is in satisfactory condition.

22 NOW, THEREFORE BE IT RESOLVED by the Board of  
23 Commissioners of the Township of Nutley, County of Essex,  
24 State of New Jersey that the municipal clerk be and she is  
25 hereby directed and authorized to issue the license for the

1 July 1st, 2013 through June 30th, 2014 licensing period.

2 I move the 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 That concludes our business portion of the  
15 meeting.

16 Madam Clerk, will you just read --

17 MADAM CLERK: Yes, Mayor.

18 All persons addressing the board of commissioners  
19 regarding community concerns should approach the microphone  
20 and provide their name and address for the record. Unless  
21 further time is granted by the board, each person shall  
22 limit their address to five minutes. All remarks to the  
23 board and its individual members must be addressed to the  
24 mayor. The mayor may (indiscernible) to the appropriate  
25 member of the board. Dialogue between citizens and others

1 addressing the board shall be allowed unless the mayor or  
2 presiding officer or the majority of the membership of the  
3 board shall determine that the interests of the  
4 (indiscernible) and/or (indiscernible) conduct of municipal  
5 business are being adversely affected by such dialogue.

6 MAYOR PETRACCO: Is there anyone this evening that  
7 would like to address the board of commissioners?

8 Seeing no one, meeting adjourned.

9 MADAM CLERK: Mayor, I think there's someone  
10 coming forward.

11 MAYOR PETRACCO: Please state your name, address  
12 for the record.

13 MR. RANKO (ph): My name is Christopher Ranko. I  
14 live at 180 Lakeside Drive, Nutley. Bear with me as I try  
15 to remain on topic as I know how contentious that point has  
16 been lately.

17 The issue before us on the subject of Nutley's  
18 table of organization for the police department reflects a  
19 greater issue within these United States today. We are a  
20 nation founded on the idea of fair play. It is this notion  
21 of equality that hard work of the public playing field that  
22 has propelled us forward for over 200 years. How fortunate  
23 are we to live where we live, and especially as we approach  
24 the 237th birth of our nation to see its ideals largely  
25 preserved.



1           It is with no small measure of irony that  
2 (indiscernible) the War of Independence was fought and won  
3 to earn and defend rights so carelessly discarded in these  
4 chambers. We dishonor ourselves when we stifle and free and  
5 honest debate. We are small and mean (sic) when we abuse  
6 our power to suppress criticisms fairly (sic) made and  
7 respectfully offered.

8           It is patently unAmerican to allow this to go  
9 unchallenged. It is unacceptable to me and to any of us  
10 here, to all of us here (indiscernible) peacefully U.S.  
11 citizens, and yet, I am hearing (indiscernible) our elected  
12 officials why they exist at all. It's to serve, serve us,  
13 serve us by honoring the rule of law, especially the U.S.  
14 Constitution, because it has sustained us in very dark  
15 times, because it has set the standard for an ideal.

16           We must continue to strive to meet (indiscernible)  
17 have all the facts (indiscernible) thank God for free speech  
18 again. It looks like an underhanded, dirty trick,  
19 subverting civil service. I expect this to happen in a  
20 lawless town, an unfortunate, helpless city like Camden or  
21 Irvington. Tell me that my tax dollars are going to fund  
22 illegal defense of an unavoidable act of arrogance  
23 (indiscernible).

24           I have a right to a transparent government. I  
25 have a right to a rule of law, due process, and fair play,

1 and, if I have that right, so do the police officers of  
2 Nutley. Officers who sweat out countless hours of studying  
3 and hard work, playing by the rules, all (sic) placing  
4 themselves in line for well-deserved promotions only to see  
5 it derailed for no good reason, no good reason.

6 Now, we have several suits to finance because of a  
7 single individual that apparently believes his title has  
8 conferred experience unearned and unattainable by mere  
9 declaration. I could understand this if I was Russian or  
10 Chinese or lived in a lawless place, a place of caprice and  
11 corruption. I thought I lived in America. Thank you.

12 (Applause)

13 MAYOR PETRACCO: Is there anyone else this evening  
14 that would like to address the board?

15 Please state your name and address for the record.

16 MR. HUMMEL: My name is John Hummel. I live at  
17 512 Centre Street in Nutley, New Jersey.

18 I've been following the other newspaper articles  
19 about what's going on in the town, and I'm a little  
20 concerned about my safety and the safety of the town. I  
21 know we're going to lose our chief on November 1st. He's  
22 got four months left, and there doesn't seem to be anybody  
23 that's coming up to take his job.

24 As we (indiscernible) there is a plan that's in  
25 existence to try and train this person to the best of his

1 ability to give John Hummel the chance to impart his  
2 knowledge to this person and when this is going to take  
3 place. I find that there's nobody that can give me an  
4 answer, and I was wondering if anybody tonight could.

5 MAYOR PETRACCO: Well, I can. Thank you for your  
6 comments.

7 What I am in the process of doing is following the  
8 civil service law. I have been in contact with civil  
9 service to see what all the rules and regulations are. I  
10 want to be clear on one thing tonight.

11 There is no one here, including myself, that is  
12 looking to take anything away from the police officers that  
13 they have earned or they have. In light of our biggest  
14 taxpayer leaving, I am very, very hesitant to promote right  
15 now. I am very hesitant to not look and explore every  
16 option that we have here for the taxpayers.

17 So again, I just want to be clear. There's no one  
18 in this room that I am looking to take any money out of  
19 their pockets, but right now, I just feel that we need to  
20 explore every option and work on a plan through civil  
21 service and through our attorneys to make sure that we get  
22 the best plan in effect that serves everyone, that serves  
23 our police department and that also serves our taxpayers as  
24 well.

25 Anyone else that would like to address the board?

1 Please state your name and address for the record.

2 MR. TUSSA: My name is Gerard Tussa. I am the PBA  
3 president for the Nutley Police Department, PBA Local 33.

4 MAYOR PETRACCO: Your address for the record, sir?

5 MR. TUSSA: 20 Phyllis Drive, Succasunna, New  
6 Jersey.

7 MAYOR PETRACCO: Thank you.

8 MR. TUSSA: First, I'd like to say I'm happy to  
9 see other people here tonight expressing their concerns. We  
10 as the PBA share those concerns. As I asked a couple weeks  
11 ago if anything was being done, I'm happy to hear that  
12 things are being done. Would also like to know, if  
13 possible, if Chief Holland was actually asked for his  
14 opinion or his years of experience in making the  
15 determination for the future of our department.

16 MAYOR PETRACCO: I have talked to John Holland a  
17 lot about moving forward and what my plans may be, and I am  
18 taking his thoughts into consideration, although, as  
19 director of Public Safety and the elected official, you  
20 know, that decision remains mine.

21 MR. TUSSA: Okay. I also received a letter from  
22 retired Chief Robert DeLitta. I don't know if it was  
23 forwarded to the commissioners. If it's not, I would be  
24 more than happy to get copies for you.

25 He expressed his concerns as to what's going on,

1 the instability in the police department, the low morale,  
2 the fact that, up until recently, Chief Holland's opinion  
3 wasn't inquired about. So, when you have two chiefs of  
4 police with over 80 years of experience concerned with the  
5 future of the department and the town, it's something to be  
6 considered.

7 It concerns me. It concerns my members. To hear  
8 that --

9 MAYOR PETRACCO: Just to excuse myself. I did  
10 receive that letter from Chief DeLitta, who I hold at the  
11 highest respect.

12 MR. TUSSA: As do I.

13 MAYOR PETRACCO: As you do. And I did spend two  
14 hours in his living room discussing, you know, what that  
15 letter -- he wrote and what his concerns are. You know, and  
16 just to clear one thing up, too, because I've been reading a  
17 lot of the articles in the newspapers, too, and I don't know  
18 where these facts are coming from. I don't recall saying  
19 them, but it seems to be a pressing issue that -- this mike  
20 doesn't want to cooperate tonight.

21 It seems to be a pressing (sic) issue that I'm  
22 going forward with a director, civilian director. Is that  
23 what you guys are hearing?

24 MR. TUSSA: We actually did hear that, and I don't  
25 know where that came from, either.

1           MAYOR PETRACCO: Did you (indiscernible) --

2           MR. TUSSA: I (indiscernible) well-versed in the  
3 Walsh Act, as am I, and it's not a possibility for a town of  
4 our size. So I don't know where it came from.

5           MAYOR PETRACCO: Okay. Well, I don't know if it  
6 is a possibility or not. I believe it is a possibility, but  
7 I would just like to (indiscernible) a little, just a little  
8 bit tonight. That's not the direction that we're heading  
9 (sic) in.

10           So, you know, I don't recall when I said that or  
11 where I said that, but look, the short of this is this. I  
12 understand what the climate is here tonight. I'm not anti-  
13 police. I'm not anti-fireman. I'm not anti-teacher, and  
14 I'm not anti-anybody in the police department.

15           I have a very unique situation there. We have a  
16 deputy chief that we've hired (indiscernible) there. I  
17 wouldn't say that I wanted to eliminate the deputy chief's  
18 position (indiscernible) somebody very respectfully waited  
19 (sic) for it to be vacant.

20           We also have another very unique situation.  
21 That's that the chief is retiring November 1st. So, with a  
22 lot of pressing issues happening in Nutley such as  
23 (indiscernible) which I know everybody's aware of, it's not  
24 that I want to come here every two weeks and have a fight  
25 with everybody. (Indiscernible) and this is

1 (indiscernible), and, before we just say here's a promotion,  
2 here's a new chief, I think we need to really go through a  
3 drill to make sure everybody gets a fair shake, and we have  
4 a unique situation to reorganize now when there are  
5 vacancies in there.

6 So, as of today, the chief's position, I can very  
7 confidently say up here, very confident that position's  
8 going to be filled. Deputy chief's position -- I'm not so  
9 sure right now, but I have contacted civil service just to  
10 follow the rules. They have instructed me that I don't have  
11 to fill it. That's not a rule that I have to do, but, in  
12 the future, I'm actually looking forward to working with  
13 you, the chief -- I did hire an outside consultant, which  
14 you're aware of. (Indiscernible) paperworks now, and just  
15 come to a conclusion of this.

16 MR. TUSSA: I would love to see -- I also hope  
17 that they ask for 30 more police officers, because I'd love  
18 to see that, too.

19 MAYOR PETRACCO: I didn't hear that.

20 MR. TUSSA: I'd love to see the survey. I'd also  
21 like to see if they'd call for 30 more police officers. I'd  
22 like to see that, too.

23 MAYOR PETRACCO: I understand.

24 MR. TUSSA: Things can get a little safer for us.  
25 In terms of -- again, it's your prerogative what

1 positions you fill and what positions you don't fill.  
2 However, the stability of the police department is my main  
3 concern.

4 That's why I'm here. That's why I was here two  
5 meetings ago. That's why I was here last meeting. That's  
6 why I'm here this meeting, hopefully not for too many more  
7 meetings after that. I'd like to see it resolved, just like  
8 everyone else would.

9 I'm sure you gentlemen don't want to see me come  
10 here as much as I don't want to have to come up here, but my  
11 concerns are still here. They're still legitimate. I'm  
12 happy to see that we're moving forward on this.

13 Now, if we want to get rid of the deputy chief's  
14 position -- I remember the ordinance that was proposed the  
15 last time to eliminate the deputy chief's and create a  
16 second captain, and correct me if I'm wrong, but I believe  
17 the savings was \$9,000. It's not a great deal of money.

18 I think -- if I'm wrong, I think it's about nine  
19 cents per household. I'm sure the taxpayers, as well as  
20 many of my union members are taxpayers in town. They'd love  
21 to see their taxes go down, but they don't want to see their  
22 services go down. They don't want their safety to go down.

23 My concern with the instability of the police  
24 department not knowing what's going to happen trickles out  
25 onto the road. Mistakes can be made. We don't need to have



1 any more mistakes.

2 MAYOR PETRACCO: Gerarde what I'm trying to do is  
3 to strike a very, very difficult balance. Being in my seat,  
4 you know, obviously it's not an easy seat to be in, ande you  
5 knowe although, like I said, I applaud the police  
6 department. You guys do a fantastic job day in and day out.  
7 I'll never argue that point, because I (indiscernible)e

8 MR. TUSSA: I appreciate that.

9 MAYOR PETRACCO: I think we have the finest  
10 department. However, I have to answer to the taxpayers as  
11 well. In striking that balance to ensure safetye which we  
12 will never compromise in this town, and to ensure that the  
13 taxpayers of Nutley can also afford their bills.

14 MR. TUSSA: Yeah.

15 MAYOR PETRACCO: (Indiscernible.)

16 MR. TUSSA: Many of my members are taxpayers in  
17 Nutley. I was a former taxpayer in Nutley. I have family  
18 that lives here. I have friends that live here. I want to  
19 see all those people safe. No one minds paying taxes when  
20 they get the services that are afforded to them.

21 As I said, I'm glad to hear that you've been in  
22 communication with civil service. We would like to see  
23 civil service carried out. That's why the men and women of  
24 Nutley Police Department strive to improve themselves by  
25 taking study groups, by learning their job. They want to

1 see merit rewarded.

2 MAYOR PETRACCO: I understand that, Gerard, and,  
3 just like in the private sector, we would like to see merit  
4 rewarded, too, but unfortunately, the economy that we're in  
5 in the private sector, (indiscernible) taken down every day,  
6 and, you know, the difference is is that, in the private  
7 sector, there's been a lot of people that didn't maintain  
8 their level of income. They're being released from their  
9 companies, and they went home out of pay.

10 So, at this time, like I said, I'm not here to  
11 hurt the police department. I may not be here to give any  
12 more at this time, but I know what the stability of the town  
13 is going to be, what our tax base is going to be, and then,  
14 once I feel that everything has leveled and we have  
15 knowledge of where we're going and what's going to be our  
16 new taxpayer average, then we could start talking about  
17 promotions and things like that.

18 MR. TUSSA: That going to be done before  
19 November 1st, to the best of your ability?

20 MAYOR PETRACCO: What's that?

21 MR. TUSSA: These changes.

22 MAYOR PETRACCO: Excuse me.

23 MR. TUSSA: The changes. I mean, I know Walsh  
24 isn't leaving 'til 2015, and whoever moves in there --  
25 hopefully it'll be someone with lucrative tax base, but my

1 concern was and still remains the stability of the police  
2 department, which will have our number one and number two  
3 positions unfilled as of November 1st (indiscernible).

4 MAYOR PETRACCO: You know, I can't promise you  
5 that tonight, no.

6 MR. TUSSA: Okay. But you are willing to meet  
7 with us and work on this?

8 MAYOR PETRACCO: I sure am.

9 MR. TUSSA: All right. Then, that's why at the  
10 last meeting I tried to mention the lawsuits. I don't want  
11 to see our taxpayers have to foot the bill for lawsuits that  
12 we could prevent or could have prevented.

13 MAYOR PETRACCO: Okay.

14 MR. TUSSA: Millions of dollars in tax revenue  
15 paid out unnecessary is not something that we want.

16 MAYOR PETRACCO: Thank you.

17 MR. TUSSA: Thank you, gentlemen.

18 MAYOR PETRACCO: Thank you.

19 Is there anyone else this evening that would like  
20 to address the board of commissioners?

21 Seeing no one, a motion to adjourn?

22 UNIDENTIFIED SPEAKER: Move to adjourn.

23 MAYOR PETRACCO: (Indiscernible.)

24 MS. HIGH (ph): Hi. Lisa High, 59 Emory (ph)  
25 Avenue. Good evening, Commissioners, Mayor Petracco.

1 I just have a quick question. Is this how we're  
2 going to do things if a promotion or whatever is not given  
3 to somebody? We sue, and we do what we have to do in  
4 evidence (sic) to get our promotions? Because I know in the  
5 business world in my husband's position, in my husband's job  
6 over at ITT (indiscernible) now, promotions --

7 MAYOR PETRACCO: (Indiscernible.) Thank you.

8 MS. HIGH: Better, sir?

9 MAYOR PETRACCO: Yes.

10 MS. HIGH: Over at ITT, there are many positions  
11 that have gone up on the board. People have posted for  
12 them, and, when they go for them, the postings are taken  
13 down. The promotions are not given. The reasons are not  
14 given. Absolutely nothing is given.

15 My husband hasn't gotten a raise probably in about  
16 four or five years now, and it would be wonderful if you  
17 could go up against the board or whatever at ITT and sue  
18 them to get his promotions to get his raises, but it doesn't  
19 work that way. It doesn't work in the real world that way,  
20 and, you know, Mayor, just a (indiscernible).

21 MAYOR PETRACCO: Maybe you should just address the  
22 board, please.

23 MS. HIGH: I should address the board? Okay. You  
24 know, our police officers are very important to us. They do  
25 everything we need in this town. I know when I need them

1 and I call them, they're there in the blink of an eye. I  
2 never have to worry, and it would be wonderful if we could  
3 just -- when a position goes vacant, just move the next  
4 person up the way it's supposed to be, but unfortunately,  
5 with the way our taxes are right now, a lot of us just can't  
6 handle it.

7 I know I can't handle much more. I don't want to  
8 get up and handle nine cents if it's nine cents. I don't  
9 want to move out of Nutley.

10 I've been in Nutley for 27 years now. I love this  
11 town. I love the people of this town. I love every service  
12 that I receive in this town, from the schools to the police  
13 to the firemen, everything, but I cannot afford another tax  
14 increase. I am barely scraping by, and god forbid my  
15 husband gets laid off from ITT. I don't know what I would  
16 do. I know he won't be able to go in there and sue and get  
17 his job back. I do know that, though.

18 So whatever our board can do to help us taxpayers  
19 out, I appreciate it. I help it. I back you. I also back  
20 our police officers, and I hope that everything works well  
21 for them and that they get what they need, not only what's  
22 wanted, but what they need, and just do the best you can for  
23 us. That's all. I appreciate it.

24 Thank you, Commissioners.

25 MAYOR PETRACCO: Thank you.

1           Is there anyone else this evening that would like  
2 to address the board of commissioners?

3           Please state your name and address for the record.

4           MR. HUMMEL: Hi. My name's John Hummel. I live  
5 in 512 Centre Street.

6           I've been listening to what's been going on here,  
7 and we lost a deputy chief. He retired, and we lost a lot  
8 of experience with him when he left the job. Now, we're  
9 about to lose a chief, and we're going to lose somebody who  
10 has a lot of experience in doing his job. Is there anybody  
11 in the department now that can fill those shoes?

12           MAYOR PETRACCO: Oh, I think there's several  
13 people, yes. I think --

14           MR. HUMMEL: We have several that can do their  
15 jobs without having them teach them?

16           MAYOR PETRACCO: Yes, they could take over the  
17 job.

18           MR. HUMMEL: They could step right in and take  
19 over?

20           MAYOR PETRACCO: I do, yes.

21           MR. HUMMEL: (Indiscernible.)

22           MAYOR PETRACCO: Now, John, just to answer your  
23 question, these people have worked with Holland for however  
24 long they've been there. It's not that no one's working  
25 hand-in-hand with the chief or haven't been around him. So

1 --

2 MR. HUMMEL: I understand that.

3 MAYOR PETRACCO: Yeah.

4 MR. HUMMEL: But John Holland --

5 MAYOR PETRACCO: It's not like we're going outside  
6 to hire someone and that they need to sit next to the chief  
7 every day and say, "Hey, how does this place work"? These  
8 are professional people that get paid as professionals to do  
9 their job, and they've been working in the Nutley Police  
10 Department for many years. We have a lot of talent there.

11 MR. HUMMEL: They've been in those positions, but  
12 they haven't been in the deputy chief's position or the  
13 chief's position.

14 MAYOR PETRACCO: Right.

15 MR. HUMMEL: They've been a lieutenant or a  
16 captain and have done things as a lieutenant or a captain,  
17 not as a deputy chief or a chief. I'm saying how do they  
18 bridge that gap. Somebody has to teach them what they did.

19 MAYOR PETRACCO: I don't think that's a big issue.  
20 I think that we have a lot of qualified guys that could step  
21 up and perform their job duties.

22 MR. HUMMEL: Okay. Thank you.

23 MAYOR PETRACCO: Thank you.

24 Is there anyone else this evening that would like  
25 to address the board of commissioners?

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Going once.  
Motion to adjourn?  
UNIDENTIFIED SPEAKER: Move to adjourn.  
UNIDENTIFIED SPEAKER: Second.  
MADAM CLERK: Commissioner Rogers?  
COMMISSIONER ROGERS: Aye.  
MADAM CLERK: Commissioner Tucci?  
COMMISSIONER TUCCI: Aye.  
MADAM CLERK: Commissioner Evans?  
COMMISSIONER EVANS: Aye.  
MADAM CLERK: Commissioner Scarpelli?  
COMMISSIONER SCARPELLI: Aye.  
MADAM CLERK: Mayor Petracco?  
MAYOR PETRACCO: Aye.  
Thank you for coming.  
(Whereupon, these proceedings were concluded at

7:42 PM)



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

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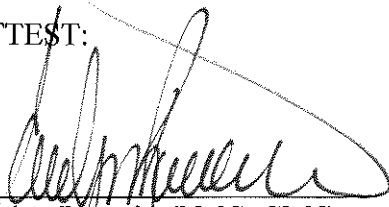
I, Nicole Yawn, certify that the foregoing transcript is a true and accurate record of the proceedingse

Nicole Yawn

Date: September 30, 2013


**July 2, 2013 meeting transcription approved by the Board of  
Commissioners of the Township of Nutley at their meeting held on  
Tuesday, October 15, 2013.**

ATTEST:



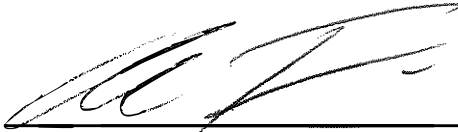
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Evelyn Rosario, RMC, CMC  
Municipal Clerk



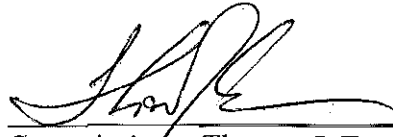
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Commissioner Steven Rogers



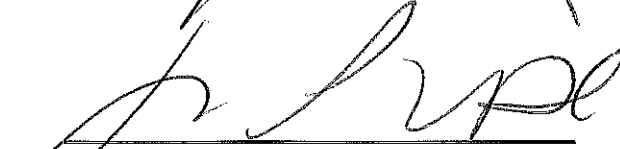
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Commissioner Mauro G. Tucci



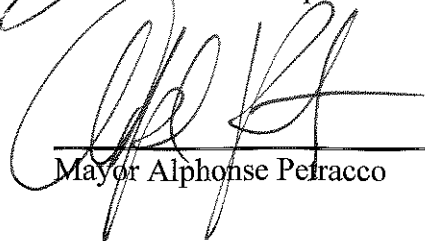
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Commissioner Thomas J. Evans



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Commissioner Joseph P. Scarpelli



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Mayor Alphonse Petracco

**Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Tuesday, July 2, 2013  
7:00 P.M**

A workshop meeting of the Board of Commissioners of the Township of Nutley was held in the 3<sup>rd</sup> floor Commission Chambers Conference Room and called to order. Adequate notification was published in the official newspapers of the Township of Nutley.

**OPEN PUBLIC MEETING STATEMENT:**

Evelyn Rosario, Municipal Clerk, read the following statement Pursuant to the requirements of the Open Public Meeting Law (Chapter 231, P.L.1975), notice of this meeting was published in the December 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.

**ROLL CALL:**

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

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

Prior to entering into public session, the Municipal Clerk read the following executive session resolution. Motion to introduce by Commissioner Evans, seconded by Commissioner Rogers. All Ayes on a roll call vote.  
Entered Executive Session at 7:15PM.

**Resolution # 176-13**

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. Potential Litigation

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.

Commissioner Scarpelli made a motion to exit executive session and enter into public session, seconded by Commissioner Evans. All Ayes. Exited Executive Session at 8:05PM.

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

Introduced by: Commissioner Thomas J. Evans Date: July 2, 2013


Seconded by: Commissioner Steven Rogers No. 176-13

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. Potential Litigation

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,  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 July 2, 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					

TOWNSHIP OF NUTLEY

BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01933	IMMEDICENTER OF CLIFTON	138.00					138.00
13-00881	J.W. MANNY, INC.	294.50					294.50
13-02082	JOANN DUNLEAVY	23.47					23.47
13-02083	NEWARK BETH ISRAEL MEDICAL CENTER	24.00					24.00
13-02084	NJ MEADOWLANDS COMMISSION	10,155.86					10,155.86
13-02126	TREASURER SCHOOL MONEY		2,100,000.00				2,100,000.00
13-02008	T/NUTLEY PAYROLL AGENCY		36,999.16				36,999.16
13-02118	NISIVOCCIA & COMPANY, LLC		57,310.00				57,310.00
13-02119	NISIVOCCIA & COMPANY, LLC		45,890.00				45,890.00
13-02133	T/NUTLEY PAYROLL AGENCY		79.97				79.97
13-02010	VERIZON WIRELESS		48.01	734.98			782.99
13-02066	SAMUEL & KELLY ANN KONZ		1,761.98				1,761.98
13-02065	ERLYNE & QUINCY BULL		2,487.54				2,487.54
13-02064	LISA ANDRIELLO		33.66				33.66
13-00037	RICHARD RENN		505.00				505.00
13-02061	NEW CINGULAR WIRELESS PCS, LLC.		340.00				340.00
13-00453	MAJOR LEAGUE AUTO SPA		13.00				13.00
13-02097	EOS ENERGY VENTURES LLC		2,216.57				2,216.57
13-02098	NISIVOCCIA, LLP		143,500.00				143,500.00
13-02117	THOMAS EVANS		40.24				40.24
13-00367	POLAND SPRING		93.14				93.14
13-01854	HEWLETT PACKARD CORP.		1,350.12				1,350.12
13-02111	US BANK CUST FOR PRO CAPITAL I		2,525.44				2,525.44
13-02129	UNITED STATES POSTAL SERVICE		4,000.00				4,000.00
13-02030	WAGE WORKS		25.00				25.00
13-02013	MULTI PACKAGING SYSTEMS		77.80				77.80

## TOWNSHIP OF NUTLEY

## BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01800	MGLFORMS-SYSTEMS, LLC		690.00				690.00
13-01960	KEV SECURITY CONTRACTORS		109.00				109.00
13-02143	NJ DEPT. OF COMMUNITY AFFAIRS		3,764.00				3,764.00
13-02145	MR. CHUN T LI		77.63				77.63
13-02144	MR. CHUN T LI		208.63				208.63
13-01447	STAPLES			26.84			26.84
12-05083	RICCIPLANNING			1,475.00			1,475.00
13-01809	HEWLETT PACKARD CORP.			942.79			942.79
13-00828	INHALATION THERAPY			48.66			48.66
13-01590	CONSOLIDATED PLASTIC CO. INC.			990.85			990.85
13-01017	GOODYEAR AUTO SERVICE CENTER			1,069.20			1,069.20
13-01866	V.E. RALPH & SON, INC.			323.70			323.70
13-01903	WORLD DATA PRODUCTS			290.38			290.38
13-01548	DELL MARKETING L.P.			2,265.24			2,265.24
13-00101	NBC AUTO PARTS			494.06			494.06
13-00101	NBC AUTO PARTS			344.58			344.58
13-00103	P & A AUTO PARTS			456.78			456.78
13-00103	P & A AUTO PARTS			338.35			338.35
13-01980	NATIONAL FUEL OIL, INC.			9,770.60			9,770.60
13-00098	CITY FIRE EQUIPMENT CO., INC.			350.00			350.00
13-00554	LANGUAGE LINE SERVICES			99.11			99.11
13-00554	LANGUAGE LINE SERVICES			66.69			66.69
13-00549	LANGUAGE LINE SERVICES			5.17			5.17
13-00450	XEROX CORPORATION			34.95			34.95
13-00105	XEROX CORPORATION			29.70			29.70
13-01701	FRANK'S TRUCK CENTER, INC.			75.00			75.00

TOWNSHIP OF NUTLEY

BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01700	FRANK'S TRUCK CENTER, INC.			649.97			649.97
13-02047	UNITED PARCEL SERIVCE			31.36			31.36
13-02127	SANDRA CARELLA			43.30			43.30
13-02105	JOHN HOLLAND			150.53			150.53
13-01862	LEXIS NEXIS RISK SOLUTIONS, INC.			800.00			800.00
13-01860	CHIEF SUPPLY CORP, INC.			235.31			235.31
13-01996	FRANKLIN CENTRAL COMMUNICATIONS			119.99			119.99
13-01217	ACCURATE DOR & HARDWARE			508.65			508.65
13-01868	METROGRAPHICS INC.			110.00			110.00
13-02011	NUTLEY PARK SHOP RITE			85.28			85.28
13-00104	MAJOR LEAGUE AUTO SPA			8.00			8.00
13-00104	MAJOR LEAGUE AUTO SPA			10.00			10.00
13-01640	MILITARY TRANSPORT NJ			375.00			375.00
13-02057	ANGELA TRILIVAS			350.00			350.00
13-02088	NATIONAL TERMINAL			6,077.23			6,077.23
13-00099	MAJOR LEAGUE AUTO SPA			427.00			427.00
13-00102	NICOLETTE TOWING			24.00			24.00
13-00102	NICOLETTE TOWING			12.00			12.00
13-00102	NICOLETTE TOWING			74.00			74.00
13-02108	NATIONAL FUEL OIL, INC.			11,139.63			11,139.63
13-02040	SELECTIVE BUSINESS			29.95			29.95
13-02091	D & M FIREWORKS			11,000.00			11,000.00
13-02005	MALCOLM X SHABAZZ BNAD			500.00			500.00
09-04430	PHILLIPS PREISS GRYGIEL			7,397.50			7,397.50
13-02044	PHILLIPS PREISS GRYGIEL			3,018.75			3,018.75
13-02184	AT & T MOBILITY			5.03			5.03



## TOWNSHIP OF NUTLEY

## BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02197	AT & T MOBILITY			1,996.46			1,996.46
11-03589	BADGER METER, INC.				186,069.56		186,069.56
12-03155	PENNONI ASSOICATES, INC				6,245.00		6,245.00
13-00452	PENNONI ASSOICATES, INC				2,250.00		2,250.00
13-00452	PENNONI ASSOICATES, INC				400.00		400.00
12-01024	PENNONI ASSOICATES, INC				1,000.00		1,000.00
13-02001	PASSAIC VALLEY WATER COMMISSION				45,410.94		45,410.94
13-01998	PSE&G				15.46		15.46
13-01655	SHERWIN WILLIAMS				124.92		124.92
13-01869	CLASSIC TRUCK & TRAILER REPAIR				1,735.00		1,735.00
12-04871	RELIABLE WOOD PRODUCTS				1,280.00		1,280.00
13-00047	AMERICAN HOSE & HYDRAULIC CO				150.00		150.00
13-00048	AUTO ZONE				26.96		26.96
13-01242	FOLEY INCORPORATED				1,425.00		1,425.00
13-01464	HEWLETT PACKARD CORP.				176.44		176.44
13-01274	GENERAL BINDING COPR.				140.37		140.37
13-01495	BUSH SYSTEMS				2,000.00		2,000.00
13-01872	W. B. MASON COMPANY				137.82		137.82
13-00039	ATHENIA MASON SUPPLY INC				196.00		196.00
13-02012	SOUTH JERSEY ENERGY				4,130.08		4,130.08
13-00061	SUPERIOR DISTRIBUTORS				17.60		17.60
13-00044	P & A AUTO PARTS				39.58		39.58
13-00041	GRAINGER				80.05		80.05
13-02032	LOREN MCCREESH				43.21		43.21
13-02203	NJSHBP					353,264.11	353,264.11
13-02204	NJSHBP					173,536.89	173,536.89

## TOWNSHIP OF NUTLEY

## BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
0							
13-02202	FLAGSHIP DENTAL PLAN					639.16	639.16
13-02201	DELTA DENTAL					13,697.53	13,697.53
13-02200	DELTA DENTAL					12,583.23	12,583.23
13-02165	SUB ESSEX JNT. INS FUND					295,934.06	295,934.06
13-02081	DAVID WILSON					629.40	629.40
13-02080	WILLIAM SPIEZIO					1,258.80	1,258.80
13-02079	JOHN MITERKO					1,252.80	1,252.80
13-02078	RICHAD GINGERELLI					623.40	623.40
13-02077	CHARLES GROSS					1,258.80	1,258.80
13-02076	LOUIS MARONE					1,252.80	1,252.80
13-02075	HENRY BAKER					1,258.80	1,258.80
13-01893	MULTI PACKAGING SYS					1,881.00	1,881.00
13-01710	HEWLETT PACKAD					934.85	934.85
13-00080	SPS					1,507.64	1,507.64
13-00022	BELL RIDGE PLUMBING					323.85	323.85
13-01773	APPROVED FIRE PROTECTION					851.22	851.22
13-01775	DELGEN PRESS					139.00	139.00
13-01818	W.B. MASON					776.41	776.41
13-00023	CONTEMPORARY GLASS					208.15	208.15
13-00023	CONTEMPORARY GLASS					31.60	31.60
13-00023	CONTEMPORARY GLASS					45.05	45.05
13-01756	TONYS AUTO BODY					2,063.23	2,063.23
13-01562	PRINTING TECH					465.00	465.00
13-01830	STATE OF NJ DEPT LABOR					490.00	490.00
13-01895	BERGEN REFRIGERATION					749.50	749.50
13-00018	SUPERIOR DISTRIBUTORS					10.02	10.02

## TOWNSHIP OF NUTLEY

## BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00021	ABLE PAINT					106.42	106.42
13-01981	PSE & G					639.63	639.63
13-02002	PSE & G					10,377.40	10,377.40
13-01999	PSE & G					169.04	169.04
13-01983	PSE & G					1,313.45	1,313.45
13-00649	DURABLE RECYCLING					517.68	517.68
13-00813	COLONIAL CONCRETE					358.00	358.00
13-01943	CABLEVISION					119.80	119.80
13-01944	CABLEVISION					8.78	8.78
13-00259	ARROW ELEVATOR					425.00	425.00
13-00011	M & R CAR WASH					114.00	114.00
12-04871	RELIABLE WOOD					480.00	480.00
13-02151	ANTHONY INTILE					629.40	629.40
13-02123	WILLIAM LOPA					617.40	617.40
13-02150	FRED KINGSTON					629.40	629.40
13-02146	VERIZON					178.34	178.34
13-02152	MICHAEL COZINE					3,600.76	3,600.76
13-02148	PHILIP HEFFELFINGER					629.40	629.40
13-02147	JOSEPH KOZIELSKI					629.40	629.40
13-00719	VIOLA BROTHERS					2,115.25	2,115.25
13-00027	VIOLA BROTHERS					63.24	63.24
13-00027	VIOLA BROTHERS					939.47	939.47
13-00021	ABLE PAINT					249.01	249.01
13-00012	NORTHEAST AUTOMOTIVE					72.20	72.20
13-00025	GRANT SUPPLIES					12.00	12.00
13-00260	AGL WELDING					104.90	104.90

## TOWNSHIP OF NUTLEY

## BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00007	BRADLEY TIRE					162.50	162.50
13-02132	ROBERT SCHWARZE					1,258.80	1,258.80
13-00718	RICCARDI BROTHERS					463.10	463.10
13-00024	GRAINGER					146.64	146.64
13-02099	JOSEPH REILLEY					629.40	629.40
13-00012	NORTHEAST AUTOMOTIVE					94.00	94.00
13-00019	TERRE CO					762.05	762.05
13-00008	C & C TIRE					23.50	23.50
13-00023	CONTEMPORARY GLASS					19.30	19.30
13-00624	ABADEL PEST CONTROL					125.00	125.00
13-00370	POLAND SPRING					39.45	39.45
13-00371	POLAND SPRING					62.34	62.34
13-02173	JOSEPHINE LAMEDICIA					1,258.80	1,258.80
13-02174	WILLIAM GASKELL					1,258.80	1,258.80
13-02175	KARL DRONKE JR					1,258.80	1,258.80
13-02159	LIFESAVING TECH					560.00	560.00
13-02067	LIFESAVING TECH					715.00	715.00
13-02068	MARIA CAROSA					40.00	40.00
13-02069	SANDRA FRENCH					40.00	40.00
13-02070	ANNA UGLIAROLO					35.00	35.00
13-02071	A. PULI					79.00	79.00
13-02072	FRANK KOKOS					40.00	40.00
13-02073	NICOLE RUSIGNUOLO					40.00	40.00
13-02074	WILLIAM MARTIN					40.00	40.00
13-01900	HOME DEPOT					17.82	17.82
13-00231	TIFFIN MATS					1,932.00	1,932.00



TOWNSHIP OF NUTLEY

BILL LIST

July 2, 2013

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of JUNE 4, 2013

**PAYROLL-REGULAR JUNE 21, 2013:**

Department of Public Affairs	17,708.51
Department of Revenue & Finance	60,154.13
Department of Public Safety	426,157.15
Department of Public Works	59,208.72
Department of Parks & Public Properties	80,653.53
Department of Recreation Commission	4,997.00
Water Operations	49,949.69
Due To From General Capital	3,519.91
600 SERIES	2,090.36
POLICE OUTSIDE DUTY	14,177.50
C.E.H.A.	2,910.00
ACC-U-VAC	52,647.86

**Sub Total** 774,174.36

**PAYROLL-OVERTIME JUNE 21, 2013:**

Department of Public Affairs	0.00
Department of Revenue & Finance	153.49
Department of Public Safety	17,202.64
Department of Public Works	4,294.76
Department of Parks & Public Properties	3,303.69
Water Operations	7,139.37
600 Series	0.00

**Sub Total** 32,093.95

**TOTAL PAYROLL:** 806,268.31

**GRAND TOTAL:** 4,453,183.61

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

Federal Withholding Tax	96,225.35
Social Security	27,652.58
N.J. State Tax	30,677.19
Medicare	11,692.82
Wage Execution	3,258.00
Deferred Compensation	66,486.83
Employee Disability Ins.	5,191.23



TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JULY 2, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01933	IMMEDICENTER OF CLIFTON	138.00					138.00
13-00881	J.W. MANNY, INC.	294.50					294.50
13-02082	JOANN DUNLEAVY	23.47					23.47
13-02083	NEWARK BETH ISRAEL MEDICAL CENTER	24.00					24.00
13-02084	NJ MEADOWLANDS COMMISSION	10,155.86					10,155.86
13-02126	TREASURER SCHOOL MONEY		2,100,000.00				2,100,000.00
13-02008	T/NUTLEY PAYROLL AGENCY		36,999.16				36,999.16
13-02133	T/NUTLEY PAYROLL AGENCY		79.97				79.97
13-02010	VERIZON WIRELESS		48.01	734.98			782.99
13-02066	SAMUEL & KELLY ANN KONZ		1,761.98				1,761.98
13-02065	ERLYNE & QUINCY BULL		2,487.54				2,487.54
13-02064	LISA ANDRIELLO		33.66				33.66
13-00037	RICHARD RENN		505.00				505.00
13-02061	NEW CINGULAR WIRELESS PCS, LLC.		340.00				340.00
13-00453	MAJOR LEAGUE AUTO SPA		13.00				13.00
13-02097	EOS ENERGY VENTURES LLC		2,216.57				2,216.57
13-02098	NISIVOCCIA, LLP		143,500.00				143,500.00
13-02117	THOMAS EVANS		40.24				40.24
13-00367	POLAND SPRING		93.14				93.14
13-01854	HEWLETT PACKARD CORP.		1,350.12				1,350.12
13-02111	US BANK CUST FOR PRO CAPITAL I		2,525.44				2,525.44
13-02129	UNITED STATES POSTAL SERVICE		4,000.00				4,000.00
13-02030	WAGE WORKS		25.00				25.00
13-02013	MULTI PACKAGING SYSTEMS		77.80				77.80
13-01800	MGL FORMS-SYSTEMS, LLC		690.00				690.00
13-01960	KEV SECURITY CONTRACTORS		109.00				109.00

**TOWNSHIP OF NUTLEY**

**BILL LIST**

**TUESDAY JULY 2, 2013**

<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>
13-02143	NJ DEPT. OF COMMUNITY AFFAIRS		3,764.00				<b>3,764.00</b>
13-02145	MR. CHUN T LI		77.63				<b>77.63</b>
13-02144	MR. CHUN T LI		208.63				<b>208.63</b>
13-01447	STAPLES			26.84			<b>26.84</b>
12-05083	RICCIPLANNING			1,475.00			<b>1,475.00</b>
13-01809	HEWLETT PACKARD CORP.			942.79			<b>942.79</b>
13-00828	INHALATION THERAPY			48.66			<b>48.66</b>
13-01590	CONSOLIDATED PLASTIC CO. INC.			990.85			<b>990.85</b>
13-01017	GOODYEAR AUTO SERVICE CENTER			1,069.20			<b>1,069.20</b>
13-01866	V.E. RALPH & SON, INC.			323.70			<b>323.70</b>
13-01903	WORLD DATA PRODUCTS			290.38			<b>290.38</b>
13-01548	DELL MARKETING L.P.			2,265.24			<b>2,265.24</b>
13-00101	NBC AUTO PARTS			494.06			<b>494.06</b>
13-00101	NBC AUTO PARTS			344.58			<b>344.58</b>
13-00103	P & A AUTO PARTS			456.78			<b>456.78</b>
13.00103	P & A AUTO PARTS			338.35			<b>338.35</b>
13-01980	NATIONAL FUEL OIL, INC.			9,770.60			<b>9,770.60</b>
13-00098	CITY FIRE EQUIPMENT CO., INC.			350.00			<b>350.00</b>
13-00554	LANGUAGE LINE SERVICES			99.11			<b>99.11</b>
13-00554	LANGUAGE LINE SERVICES			66.69			<b>66.69</b>
13-00549	LANGUAGE LINE SERVICES			5.17			<b>5.17</b>
13-00450	XEROX CORPORATION			34.95			<b>34.95</b>
13-00105	XEROX CORPORATION			29.70			<b>29.70</b>
13-01701	FRANK'S TRUCK CENTER, INC.			75.00			<b>75.00</b>
13-01700	FRANK'S TRUCK CENTER, INC.			649.97			<b>649.97</b>
13-02047	UNITED PARCEL SERIVCE			31.36			<b>31.36</b>



**TOWNSHIP OF NUTLEY**

**BILL LIST**

**TUESDAY JULY 2, 2013**

<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>
13-02127	SANDRA CARELLA			43.30			43.30
13-02105	JOHN HOLLAND			150.53			150.53
13-01862	LEXIS NEXIS RISK SOLUTIONS, INC.			800.00			800.00
13-01860	CHIEF SUPPLY CORP, INC.			235.31			235.31
13-01996	FRANKLIN CENTRAL COMMUNICATIONS			119.99			119.99
13-01217	ACCURATE DOR & HARDWARE			508.65			508.65
13-01868	METROGRAPHICS INC.			110.00			110.00
13-02011	NUTLEY PARK SHOP RITE			85.28			85.28
13-00104	MAJOR LEAGUE AUTO SPA			8.00			8.00
13-00104	MAJOR LEAGUE AUTO SPA			10.00			10.00
13-01640	MILITARY TRANSPORT NJ			375.00			375.00
13-02057	ANGELA TRILIVAS			350.00			350.00
13-02088	NATIONAL TERMINAL			6,077.23			6,077.23
13-00099	MAJOR LEAGUE AUTO SPA			427.00			427.00
13-00102	NICOLETTE TOWING			24.00			24.00
13-00102	NICOLETTE TOWING			12.00			12.00
13-00102	NICOLETTE TOWING			74.00			74.00
13-02108	NATIONAL FUEL OIL, INC.			11,139.63			11,139.63
13-02040	SELECTIVE BUSINESS			29.95			29.95
13-02091	D & M FIREWORKS			11,000.00			11,000.00
13-02005	MALCOLM X SHABAZZ BNAD			500.00			500.00
09-04430	PHILLIPS PREISS GRYGIEL			7,397.50			7,397.50
13-02044	PHILLIPS PREISS GRYGIEL			3,018.75			3,018.75
13-02184	AT & T MOBILITY			5.03			5.03
13-02197	AT & T MOBILITY			1,996.46			1,996.46
11-03589	BADGER METER, INC.				186,069.56		186,069.56

**TOWNSHIP OF NUTLEY****BILL LIST****TUESDAY JULY 2, 2013**

<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>
12-03155	PENNONI ASSOICATES, INC				6,245.00		<b>6,245.00</b>
13-00452	PENNONI ASSOICATES, INC				2,250.00		<b>2,250.00</b>
13-00452	PENNONI ASSOICATES, INC				400.00		<b>400.00</b>
12-01024	PENNONI ASSOICATES, INC				1,000.00		<b>1,000.00</b>
13-02001	PASSAIC VALLEY WATER COMMISSION				45,410.94		<b>45,410.94</b>
13-01998	PSE&G				15.46		<b>15.46</b>
13-01655	SHERWIN WILLIAMS				124.92		<b>124.92</b>
13-01869	CLASSIC TRUCK & TRAILER REPAIR				1,735.00		<b>1,735.00</b>
12-04871	RELIABLE WOOD PRODUCTS				1,280.00		<b>1,280.00</b>
13-00047	AMERICAN HOSE & HYDRAULIC CO				150.00		<b>150.00</b>
13-00048	AUTO ZONE				26.96		<b>26.96</b>
13-01242	FOLEY INCORPORATED				1,425.00		<b>1,425.00</b>
13-01464	HEWLETT PACKARD CORP.				176.44		<b>176.44</b>
13-01274	GENERAL BINDING COPR.				140.37		<b>140.37</b>
13-01495	BUSH SYSTEMS				2,000.00		<b>2,000.00</b>
13-01872	W. B. MASON COMPANY				137.82		<b>137.82</b>
13-00039	ATHENIA MASON SUPPLY INC				196.00		<b>196.00</b>
13-02012	SOUTH JERSEY ENERGY				4,130.08		<b>4,130.08</b>
13-00061	SUPERIOR DISTRIBUTORS				17.60		<b>17.60</b>
13-00044	P & A AUTO PARTS				39.58		<b>39.58</b>
13-00041	GRAINGER				80.05		<b>80.05</b>
13-02032	LOREN MCCREESH				43.21		<b>43.21</b>
13-02203	NJSHBP					353,264.11	<b>353,264.11</b>
13-02204	NJSHBP					173,536.89	<b>173,536.89</b>
13-02202	FLAGSHIP DENTAL PLAN					639.16	<b>639.16</b>
13-02201	DELTA DENTAL					13,697.53	<b>13,697.53</b>

**TOWNSHIP OF NUTLEY**

**BILL LIST**

**TUESDAY JULY 2, 2013**

<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>
13-02200	DELTA DENTAL					12,583.23	<b>12,583.23</b>
13-02165	SUB ESSEX JNT. INS FUND					295,934.06	<b>295,934.06</b>
13-02081	DAVID WILSON					629.40	<b>629.40</b>
13-02080	WILLIAM SPIEZIO					1,258.80	<b>1,258.80</b>
13-02079	JOHN MITERKO					1,252.80	<b>1,252.80</b>
13-02078	RICHAD GINGERELLI					623.40	<b>623.40</b>
13-02077	CHARLES GROSS					1,258.80	<b>1,258.80</b>
13-02076	LOUIS MARONE					1,252.80	<b>1,252.80</b>
13-02075	HENRY BAKER					1,258.80	<b>1,258.80</b>
13-01893	MULTI PACKAGING SYS					1,881.00	<b>1,881.00</b>
13-01710	HEWLETT PACKAD					934.85	<b>934.85</b>
13-00080	SPS					1,507.64	<b>1,507.64</b>
13-00022	BELL RIDGE PLUMBING					323.85	<b>323.85</b>
13-01773	APPROVED FIRE PROTECTION					851.22	<b>851.22</b>
13-01775	DELGEN PRESS					139.00	<b>139.00</b>
13-01818	W.B. MASON					776.41	<b>776.41</b>
13-00023	CONTEMPORARY GLASS					208.15	<b>208.15</b>
13-00023	CONTEMPORARY GLASS					31.60	<b>31.60</b>
13-00023	CONTEMPORARY GLASS					45.05	<b>45.05</b>
13-01756	TONYS AUTO BODY					2,063.23	<b>2,063.23</b>
13-01562	PRINTING TECH					465.00	<b>465.00</b>
13-01830	STATE OF NJ DEPT LABOR					490.00	<b>490.00</b>
13-01895	BERGEN REFRIGERATION					749.50	<b>749.50</b>
13-00018	SUPERIOR DISTRIBUTORS					10.02	<b>10.02</b>
13-00021	ABLE PAINT					106.42	<b>106.42</b>
13-01981	PSE & G					639.63	<b>639.63</b>

**TOWNSHIP OF NUTLEY**

**BILL LIST**

**TUESDAY JULY 2, 2013**

<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>
13-02002	PSE & G					10,377.40	<b>10,377.40</b>
13-01999	PSE & G					169.04	<b>169.04</b>
13-01983	PSE & G					1,313.45	<b>1,313.45</b>
13-00649	DURABLE RECYCLING					517.68	<b>517.68</b>
13-00813	COLONIAL CONCRETE					358.00	<b>358.00</b>
13-01943	CABLEVISION					119.80	<b>119.80</b>
13-01944	CABLEVISION					8.78	<b>8.78</b>
13-00259	ARROW ELEVATOR					425.00	<b>425.00</b>
13-00011	M & R CAR WASH					114.00	<b>114.00</b>
12-04871	RELIABLE WOOD					480.00	<b>480.00</b>
13-02151	ANTHONY INTILE					629.40	<b>629.40</b>
13-02123	WILLIAM LOPA					617.40	<b>617.40</b>
13-02150	FRED KINGSTON					629.40	<b>629.40</b>
13-02146	VERIZON					178.34	<b>178.34</b>
13-02152	MICHAEL COZINE					3,600.76	<b>3,600.76</b>
13-02148	PHILIP HEFFELFINGER					629.40	<b>629.40</b>
13-02147	JOSEPH KOZIELSKI					629.40	<b>629.40</b>
13-00719	VIOLA BROTHERS					2,115.25	<b>2,115.25</b>
13-00027	VIOLA BROTHERS					63.24	<b>63.24</b>
13-00027	VIOLA BROTHERS					939.47	<b>939.47</b>
13-00021	ABLE PAINT					249.01	<b>249.01</b>
13-00012	NORTHEAST AUTOMOTIVE					72.20	<b>72.20</b>
13-00025	GRANT SUPPLIES					12.00	<b>12.00</b>
13-00260	AGL WELDING					104.90	<b>104.90</b>
13-00007	BRADLEY TIRE					162.50	<b>162.50</b>
13-02132	ROBERT SCHWARZE					1,258.80	<b>1,258.80</b>

## TOWNSHIP OF NUTLEY

## BILL LIST

TUESDAY JULY 2, 2013

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00718	RICCARDI BROTHERS					463.10	463.10
13-00024	GRAINGER					146.64	146.64
13-02099	JOSEPH REILLEY					629.40	629.40
13-00012	NORTHEAST AUTOMOTIVE					94.00	94.00
13-00019	TERRE CO					762.05	762.05
13-00008	C & C TIRE					23.50	23.50
13-00023	CONTEMPORARY GLASS					19.30	19.30
13-00624	ABADEL PEST CONTROL					125.00	125.00
13-00370	POLAND SPRING					39.45	39.45
13-00371	POLAND SPRING					62.34	62.34
13-02173	JOSEPHINE LAMEDICIA					1,258.80	1,258.80
13-02174	WILLIAM GASKELL					1,258.80	1,258.80
13-02175	KARL DRONKE JR					1,258.80	1,258.80
13-02159	LIFESAVING TECH					560.00	560.00
13-02067	LIFESAVING TECH					715.00	715.00
13-02068	MARIA CAROSA					40.00	40.00
13-02069	SANDRA FRENCH					40.00	40.00
13-02070	ANNA UGLIAROLO					35.00	35.00
13-02071	A. PULI					79.00	79.00
13-02072	FRANK KOKOS					40.00	40.00
13-02073	NICOLE RUSIGNUOLO					40.00	40.00
13-02074	WILLIAM MARTIN					40.00	40.00
13-01900	HOME DEPOT					17.82	17.82
13-00231	TIFFIN MATS					1,932.00	1,932.00
13-02033	A.C. MOORE					159.81	159.81
13-02161	KAREN OCONNOR					40.00	40.00



**TOWNSHIP OF NUTLEY**  
**BILL LIST**  
**July 2, 2013**

**List of payroll submitted for approval by the Board of Commissioners at their regular meeting of JUNE 4, 2013**

**PAYROLL-REGULAR JUNE 21, 2013:**

Department of Public Affairs	17,708.51
Department of Revenue & Finance	60,154.13
Department of Public Safety	426,157.15
Department of Public Works	59,208.72
Department of Parks & Public Properties	80,653.53
Department of Recreation Commission	4,997.00
Water Operations	49,949.69
Due To From General Capital	3,519.91
600 SERIES	2,090.36
POLICE OUTSIDE DUTY	14,177.50
C.E.H.A.	2,910.00
ACC-U-VAC	52,647.86

**Sub Total** **774,174.36**

**PAYROLL-OVERTIME JUNE 21, 2013:**

Department of Public Affairs	0.00
Department of Revenue & Finance	153.49
Department of Public Safety	17,202.64
Department of Public Works	4,294.76
Department of Parks & Public Properties	3,303.69
Water Operations	7,139.37
600 Series	0.00

**Sub Total** **32,093.95**

**TOTAL PAYROLL:** **806,268.31**

**GRAND TOTAL:** **4,349,983.61**

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

Federal Withholding Tax	96,225.35
Social Security	27,652.58
N.J. State Tax	30,677.19
Medicare	11,692.82
Wage Execution	3,258.00
Deferred Compensation	66,486.83
Employee Disability Ins.	5,191.23

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

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3244**

**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 2<sup>nd</sup> day of July 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 6<sup>th</sup> day of August, 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/Thursday, July 11, 2013 Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**



**Ordinance No. 3244**

**Introduced by Commissioner Rogers**

**Introduced on June 18, 2013**

**Advertise in the Nutley Sun Issue of Thursday, July 11, 2013**

**Public Hearing Tuesday, August 6, 2013**

**Ordinance No. 3244**

**AN ORDINANCE TO AMEND CHAPTER 605 OF THE CODE OF THE TOWNSHIP OF NUTLEY, ENTITLED "SMOKING."**

**WHEREAS**, The Board of Commissioners for the Township of Nutley adopted Chapter 605 entitled Smoking on June 21, 1994; and

**WHEREAS**, Chapter 605 prohibits smoking in all municipal buildings, facilities and Township sponsored public events or recreational activities; and

**WHEREAS**, the governing body of the Township of Nutley may make, amend, repeal and enforce such other ordinances, regulations, rule and by-laws not contrary to the laws of the State of New Jersey or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and as may be necessary to carry into effect the powers and duties conferred upon it by law; and

**WHEREAS**, NJSA 26:3D-63 and NJSA 2C:33-13b allow municipalities to pass local ordinances regulating and/or prohibiting smoking in public places; and

**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 605 of the Code of the Township of Nutley is amended as follows in compliance with the "Smoke Free Air Act", Chapter 383 of the State of New Jersey prohibiting smoking on public property:

1. Section 605-1, entitled "Definitions", specifically "SMOKING" shall be amended to be defined as "The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.
2. Section 605-1, entitled "Definitions" shall be amended to include "PARKS AND RECREATION FACILITIES" which is defined as "Shall include, but not be limited to, all public parks, playgrounds, ball fields, publicly owned or leased by the Township of Nutley, and all property owned or leased by the Township of Nutley upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities including all areas adjacent to such facilities, including but not limited to, any parking area driveway or drive aisle."
3. Section 605-1, entitled "Definitions" shall be amended to include "PEDESTRIAN WALKWAY ONE(1)" which is defined as a "Strip of land measuring approximately 25' in width and 105.29' in depth beginning at Franklin Avenue and continuing in easterly direction to Municipal Parking Lot No. 1 (Block 6201 Lot 2.)
4. Section 605-1, entitled "Definitions" shall be amended to include "PEDESTRIAN WALKWAY TWO(2)" which is defined as a "Strip of land measuring approximately 15' in width and 156' in depth beginning at Franklin Avenue and continuing in westerly direction to Municipal Parking Lot No. 2 (Block 5902 Lot 18, f/k/a Block 172 Lot 5.)

5. Section 605-2, section B shall be amended to read "Smoking shall be prohibited in all public parks and recreational facilities owned or leased by the Township of Nutley and all property owned or leased by the Township of Nutley upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area driveway and drive aisle which have been designated with no-smoking signs."
6. Section 605-2, entitled "Smoking Prohibited: exemption" shall be amended to include subsection D which shall read "Smoking is prohibited in Pedestrian Walkway One (1) and Pedestrian Walkway Two (2).
7. Section 605-2, entitled "Smoking Prohibited: exemption" shall be amended to include subsection E which shall read "Smoking shall be prohibited in any vehicle registered to the Township of Nutley"
8. Section 605-3, entitled "Signs" subsection B shall be amended to read "No smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section" shall be clearly, sufficiently and conspicuously posted in all areas regulated by this Chapter."
9. Section 605-3, entitled "Signs" subsection D shall be amended to read "All signs shall be clearly visible to the public and the employees and shall contain letters or a symbol which contrasts in color indicating that smoking is prohibited at the designated area.
10. Section 605-3, entitled "Signs" shall be amended to include subsection E which shall read "Employee smoking areas may be designated in conformance with the "SMOKE FREE AIR ACT" of New Jersey (P.L. 2005, c.383)"
11. Section 605-4 entitled "Disciplinary action; violations and penalties" subsection B shall be amended to read "Any person who violates any provision of this chapter shall be guilty of an infraction punishable by a fine of not less than two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense and one thousand dollars (\$1,000.00) for each subsequent offense and may, at the discretion of the Nutley Municipal Court, be ordered to perform community service in such manner and for such duration as the Court may deem appropriate."
12. Section 605-5, entitled "Enforcement" subsection A shall be amended to read as follows "The Nutley Police Department, Fire Department, Building/Code Enforcement, Recreation Department, Public Works and Health Department of the Township of Nutley shall be responsible for executing or enforcing this chapter against any municipal official, employee or any member of the public in violation hereof and in accordance with New Jersey statute (N.J.S.A. 26:3D-57 et seq., Smoking Prohibited in Public Places and Workplaces).
13. All ordinances or parts of ordinances or resolutions that are in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary, but only to the extent of such conflict and inconsistency;
14. 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 effect after publication and passage according to law.

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

**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* July 2, 2013

*Seconded by:* Mayor Alphonse Petracco *No.* 164-13

**WHEREAS,** Kathleen Ritacco has decided that it is time to retire and spend more time with her family; and

**WHEREAS,** Kathleen Ritacco has been a lifelong resident of Nutley and a Nutley High School Graduate; and

**WHEREAS,** Kathleen and her husband Frank of 45 years, have two children, Frank and Benjamin, two Daughter-in-Laws, Gretchen and Chrissy, and two grandchildren Cecilia and Matthew; and

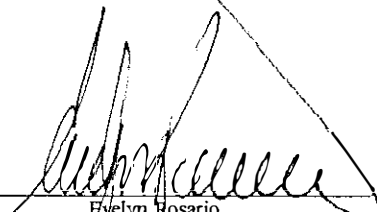
**WHEREAS,** Kathleen Ritacco has worked for the Township of Nutley in The Department of Parks and Public Property since June 28, 1993, starting as a Clerk Typist working her way up to Principal Clerk Typist, and serving as the irreplaceable right hand of Commissioner Tucci; and

**WHEREAS,** on July 1, 2013, Kathleen Ritacco will be retiring after 20 years of dedicated service to the citizens merchants, and employees of the Township of Nutley

**NOW, THEREFORE, BE IT RESOLVED,** that the Board of Commissioners, of the Township of Nutley, County of Essex, State of New Jersey, join with the Citizens of Nutley, to honor and congratulate Kathleen Ritacco on her well-deserved retirement; and

**BE IT FURTHER RESOLVED,** that we extend to Kathleen Ritacco our sincerest wishes for a long, happy and healthy retirement.

. . .

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 July 2, 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

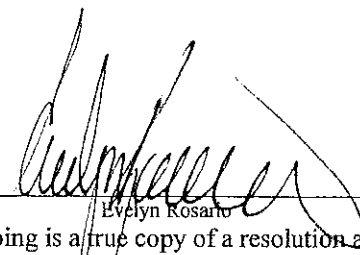
Introduced by: Commissioner Thomas J. Evans Date: July 2, 2013

Seconded by: Commissioner Mauro G. Tucci No. 165-13

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 \$50,230.95 for said years due to successful tax court judgments.

Block & Lot	Address	Amount
4400 3	378 Franklin Avenue	\$2,284.00 – 2008
		\$2,383.00 – 2009
		\$2,777.00 – 2010
		\$1,003.61 - 2011
1900 29	670 Franklin Avenue	\$6,879.41 – 2008
		\$9,560.60 – 2009
		\$11,670.91 – 2011
1900 30	674 Franklin Avenue	\$1,692.44 – 2008
		\$1,765.90 – 2009
		\$2,155.57 – 2011
7400 1	116 Harrison Street	\$8,058.51 – 2012

. . .

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 July 2, 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

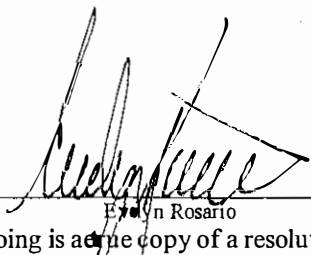
## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* July 2, 2013  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 166-13

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 \$535.08.

Block & Lot	Address	Amount
7200 40	39 Freeman Place	\$535.08

. . .

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 July 2, 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 Thomas J. Evans

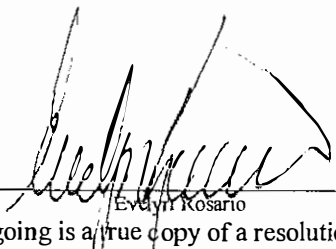
Date: July 2, 2013

Seconded by: Commissioner Mauro G. Tucci

No. 167-13

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 \$2,668.64 for the year 2013.

Block & Lot	Address	Amount
2201 7	30 Funston Pl.	\$ 2,668.64 -02/01/13

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 Conuissioners at a regular meeting held July 2, 2013

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

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

## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* t t July 2, 2013 t

*Seconded by:* Commissioner Mauro G. Tucci *No.* 168-13

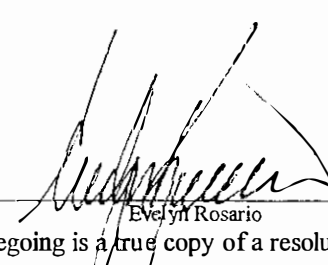
**WHEREAS**, a resolution was adopted on August 7, 2012, awarding a contract to Total Lawn Care & Landscape Services, LLC, 471 Elizabeth Avenue, Somerset, NJ 08873 for Property Maintenance and Brush, Grass and Weed Removal; and

**WHEREAS**, the agreement entered into between Total Lawn Care & Landscape Services, LLC and the Township of Nutley on August 7, 2012, was for a period of one-year with an option to renew for two one-year periods;

**WHEREAS**, funds are available from Capital Ordinance 3216 in the amount of \$10,000.00, and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

**NOW THEREFORE, BE IT RESOLVED** that the Township of Nutley renew the contract with Total Lawn Care & Landscape Services, LLC, 471 Elizabeth Avenue, Somerset, NJ 08873 for Property Maintenance and Brush, Grass and Weed Removal, effective August 7, 2013, for a period of one (1) year, pursuant to the previously signed agreement and bid specifications.

. . .

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 July 2, 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:* July 2, 2013

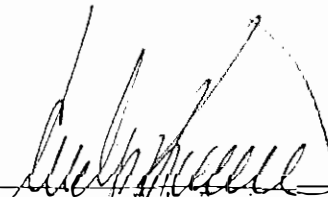
*Seconded by:* Commissioner Mauro G. Tucci *No.* 169-13

**WHEREAS**, Chapter 384, Public Laws 1979 requires that a person who is a certified tax collector be appointed Tax Collector;

**WHEREAS**, Rosemary Costa, C.T.C., meets the requirements of said statute and is able to step in temporarily, until a longer term solution for the department is developed;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners, of the Township of Nutley, County of Essex, New Jersey, that Rosemary Costa, C.T.C., is hereby appointed Tax Collector for the term July 1, 2013 through December 31, 2017, in accordance with N.J.S.A. 40A:9-142.

. . .

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 July 2, 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: July 2, 2013  
 Seconded by: Commissioner Mauro G. Tucci No. 173-13

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled General Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit and specifically the sections of the Annual Audit entitled General Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

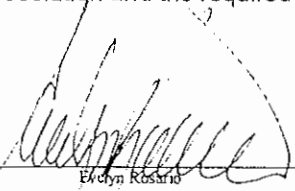
WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52-A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT REOLVED, that the Board of Commissioners of the Township of Nutley, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 July 2, 2013

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

**BOARD OF COMMISSIONERS MEETING  
TUESDAY, JULY 2, 2013**

**# 174-13 NOT USED**

**“CORPORATE DISINVESTMENT  
PROPERTY TAX RELIEF ACT”**

Introduced by: Commissioner Thomas J. Evans

Date: July 2, 2013

Seconded by: Commissioner Mauro G. Tucci

No. t175-13

**RESOLUTION CAPITAL BUDGET AMENDMENT**

WHEREAS, the local capital budget for the year 2013 was adopted on the 25th day of April, 2013; and

WHEREAS, it is desired to amend said approved capital budget section;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, that the following amendments to the approved capital budget section be made:

**FROM**  
**CAPITAL BUDGET (CURRENT YEAR ACTION)**

**PLANNED FUNDING SERVICES FOR CURRENT YEAR-2013**

	<b>Estimated</b>	<b>Capital</b>	<b>Debt</b>
<b>Project</b>	<b>Total Cost</b>	<b>Improvement Fund</b>	<b>Authorization</b>
Purchase of Sewer Jet Truck	\$ 125,000.00	\$ 6,250.00	\$ 118,750.00

**6-YEAR CAPITAL PROGRAM 2013-2018**  
**Anticipated Project Schedule and Funding Requirements**

		<b>Estimated</b>	<b>Funding Amounts</b>
	<b>Estimated</b>	<b>Completion</b>	<b>Per Year</b>
<b>Project</b>	<b>Total Cost</b>	<b>Time</b>	<b>Budget Year 2013</b>
Purchase of Sewer Jet Truck	\$125,000.00	1 Year	\$125,000.00

**YEAR CAPITAL PROGRAM 2013-2018  
PLANNED FUNDING SOURCES FOR CURRENT YEAR AND AMOUNTS**

	<b>Estimated</b>	<b>Capital</b>	<b>Debt</b>
<b>Project</b>	<b>Total Cost</b>	<b>Improvement Fund</b>	<b>Authorized</b>
Purchase of Sewer Jet Truck	\$ 125,000.00	\$6,250.00	\$ 118,750.00

**CAPITAL BUDGET (CURRENT YEAR ACTION)**

**TO**

**PLANNED FUNDING SERVICES FOR CURRENT YEAR-2013**

	<b>Estimated</b>	<b>Capital</b>	<b>Debt</b>
<b>Project</b>	<b>Total Cost</b>	<b>Improvement Fund</b>	<b>Authorization</b>
Streetscape Improvements	\$ 20,000.00	\$ 1,000.00	\$ 19,000.00
Purchase of Sewer Jet Truck	\$105,000.00	\$99,750.00	\$ 5,250.00

**6-YEAR CAPITAL PROGRAM 2013-2018  
Anticipated Project Schedule and Funding Requirements**

	<b>Estimated</b>	<b>Estimated</b>	<b>Funding Amounts</b>
<b>Project</b>	<b>Total Cost</b>	<b>Completion</b>	<b>Per Year</b>
		<b>Time</b>	<b>Budget Year 2013</b>
Streetscape Improvements	\$20,000.00	1 Year	\$ 20,000.00
Purchase of Sewer Jet Truck	\$105,000.00	1 Year	\$105,000.00

PLANNED

3-2018


YEAR AND AMOUNTS

<b>Project</b>	<b>Estimated Total Cost</b>	<b>Total Amount Fund</b>	<b>Debt Authorized</b>
Streetscape Improvements	\$ 20,000.00	\$1,000.00	\$ 19,000.00
Purchase of Sewer Jet Truck	\$105,000.00	\$99,750.00	\$ 5,250.00

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Director, Division of Local Government Serv.

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 \_\_\_\_\_ July 2, 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>
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

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

## Resolution

Introduced by: Mayor Alphonse Petracco Date: July 2, 2013  
 Seconded by: Commissioner Mauro G. Tucci No. 170-13

**WHEREAS**, an application has been filed for a person-to-person Transfer of Plenary Retail Consumption License Number **0716-32-020-009**, heretofore issued to **Giant Vending Inc. T/A Franklin Steakhouse, POCKET LICENSE**; and

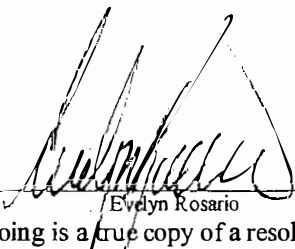
**WHEREAS**, the New Jersey Division of Taxation seized the license on August 6, 2012 and sold the license at Public Auction on November 29, 2012; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid; and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the Township of Nutley Governing Body does hereby approve, effective July 3, 2013, the transfer of the aforesaid Plenary Retail Consumption License to **CARRINO DIMAGGIO, LLC (POCKET LICENSE)** and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to **"CARRINO DIMAGGIO, LLC"**, effective July 3, 2013."

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 July 2, 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:* July 2, 2013

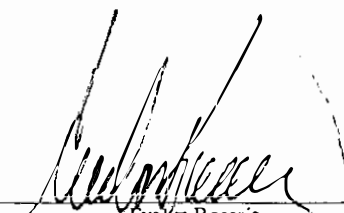
*Seconded by:* Commissioner Mauro G. Tucci *No.* 171-13

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Club License No. 0716-32-020-009 be granted to "Carrino DiMaggio" (POCKET LICENSE), said License to be effective July 1, 2013 through June 30, 2014.

**BE IT RESOLVED**, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for this establishment.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the Municipal Clerk be and she is hereby directed and authorized to issue the license for the July 1, 2013 through June 30, 2014 licensing period.

. . .

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 July 2, 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>					<b>ABSTAINED</b>
<i>Absent/Excused</i>					

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

## Resolution

Introduced by: Mayor Alphonse Petracco Date: July 2, 2013

Seconded by: Commissioner Mauro G. Tucci No. 172-13

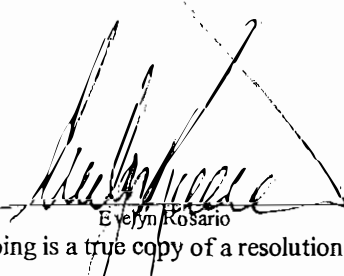
**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Club License No. 0716-31-035-001 be granted to "Stuart E. Edgar Post No. 493 Veteran of Foreign Wars T/A VFW Holding Co. of Nutley", 271 Washington Avenue, said License to be effective July 1, 2013 through June 30, 2014.

**BE IT RESOLVED**, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for this establishment.

**BE IT FURTHER RESOLVED**, that this establishment has been inspected by the Board of Health, Fire Department, Police Department and the Code Enforcement Department of the Township of Nutley and is satisfactory condition.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the Municipal Clerk be and she is hereby directed and authorized to issue the license for the July 1, 2013 through June 30, 2014 licensing period.

. . .

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 July 2, 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>					