

ORIGINAL

TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

Tuesday, September 3, 2013

7:00 PM

Job No. NJ1735382

Transcribed by: Sheri Monroe

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COMMISSIONERS PRESENT:

Commissioner Joseph P. Scarpelli

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans (absent/excused)

Commissioner Steven Rogers

Mayor Alphonse Petracco

P R O C E E D I N G S

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MR. PETRACCO: Okay. Madam Clerk?

THE CLERK: Yes, Mayor.

Tuesday, September 3, 2013 -- pursuant to the requirements of the Open Public Meeting Law, chapter 231 Public Laws 1975, notice of this meeting was published in the December 13th, 2012 issues of the Nutley Sun, the Star Ledger, and the Herald News. A copy of this notice has been posted on the Nutley town hall bulletin board and a copy is on file in the municipal clerk's office.

Commissioner Rogers?

MR. ROGERS: Here.

THE CLERK: Commissioner Tucci?

MR. TUCCI: Here.

THE CLERK: Commissioner Evans is absent/excused this evening.

Commissioner Scarpelli?

MR. SCARPELLI: Here.

THE CLERK: Mayor Petracco?

MR. PETRACCO: Here.

THE CLERK: All present, Mayor, with the exception of Commissioner Evans who is absent/excused this evening.

MR. PETRACCO: Thank you.

Before we get started tonight can we please just have a moment of silence for our troops who are serving

1 overseas and abroad.

2 (Silence)

3 Thank you. Okay. We're going to take some things
4 out of order tonight -- well, let me go over the minutes.
5 I'm sorry, Madam Clerk.

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

8 MR. PETRACCO: Communications and correspondence?

9 THE CLERK: Yes. We have two items under
10 communications and correspondence. The first one is an
11 application been submitted by the Boy Scouts of America for
12 -- an application for a social affair permit to the State of
13 New Jersey Division of ABC for an event to be held on
14 October 18, 2013. I need a motion and a second, please.

15 UNIDENTIFIED MALE: Move.

16 UNIDENTIFIED MALE: Second.

17 THE CLERK: Commission Rogers?

18 MR. ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 MR. TUCCI: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 MR. SCARPELLI: Aye.

23 THE CLERK: Mayor Petracco?

24 MR. PETRACCO: Aye.

25 THE CLERK: And the second item is a communication

1 from (indiscernible) who is Mary Costa (phonetic) notified
2 the Board of Commissioners information concerning the
3 Determination & Award of General Obligation Bond Sale that
4 took place on August 29th, 2013 for 4,700,000.

5 The notification doesn't require a first or a
6 second or roll call, but in order to notify the Board of
7 Commissioners (indiscernible)e

8 And that's all for communications and
9 correspondence.

10 MR. PETRACCO: Thank you. Okay. And seeing no
11 reports, we'll move on to bills.

12 THE CLERK: Yes, Mayor. As of Tuesday, September
13 5th, 2013, Public Affairs \$20,405.01, Revenue & Finance
14 \$2,374,377.43, Public Safety \$46,382.69, Public Work
15 \$100,227.37, Parks & Public Property \$615,341.55, Payroll as
16 of August 30th, 2013 \$792,959.25 for a grand total bills of
17 \$3,950,394.60. And that's all for bills this evening,
18 Mayor.

19 MR. PETRACCO: Move the bills.

20 UNIDENTIFIED MALE: Second.

21 THE CLERK: Commissioner Rogers?

22 MR. ROGERS: Aye.

23 THE CLERK: Commissioners Tucci?

24 MR. TUCCI: Aye.

25 THE CLERK: Commissioner Scarpelli?

1 MR. SCARPELLI: Aye.

2 THE CLERK: Mayor Petracco?

3 MR. PETRACCO: Aye.

4 THE CLERK: Thank you, Mayor.

5 MR. PETRACCO: Okay. Now, we're going to take
6 something out of order. Commissioner Tucci, would you like
7 to go first?

8 MR. TUCCI: Yes, thank you, Mayor.

9 Going back some years once our children were done
10 playing Little League Baseball they would just naturally
11 gravitate to Senior League. Then for whatever reason the
12 Senior League numbers weren't what they should have been and
13 Senior League no longer existed.

14 When you have people that you work with that
15 listen to what people in town want and what our children
16 need we have a positive result like we're going to witness
17 this evening.

18 Frank Demao (phonetic) my new Director of
19 Recreation always listening to people, always talking to
20 people about programs that we have and programs that we need
21 and what we can do better. In speaking to some of our
22 parents, came to me and said, you know, we really need to
23 reestablish our 7th and 8th grade baseball program and here
24 in Nutley our Senior League was an internal league, we never
25 went outside of Nutley. He said I want to change it a

1 little bit if that's okay, I'd like it to be a travel team
2 so we can take our most talented and our brightest and best
3 and continue to cultivate them into some of the finest
4 baseball players in the State of New Jersey.

5 Well, we were smart enough to listen to Frank on
6 this occasion, we reestablished this team and this team
7 tonight is here to be honored because of the outstanding
8 season or outstanding performance in honor of their season.

9 So, I'd like to present this resolution not only
10 to all the players and their parents, but also to my
11 Director of Recreation for an excellent recommendation and
12 this reads as follows,

13 Whereas, the 14U Elite Baseball Team has enjoyed
14 and outstanding inaugural season, posting an overall record
15 of 20 wins and 7 losses; and

16 Whereas, the members of the 14U Elite Baseball
17 Team are Michael Purcell, John Lewis, Jake Ramezzana, Seth
18 Antonicello, Sean Bernardo, Marty Higgins, Gregory Dahl,
19 Sabino Coppola IV, Mark Charles, John Kruse, Devin Ortiz,
20 Doug Edert, Anthony Berardinelli; and

21 Whereas, Head Coach John Isabella, along with
22 Assistant Coach Dominick Auriemma who were also outstanding
23 Nutley High School Baseball Players, worked tirelessly to
24 train and guide these athletes; and

25 Whereas, the members of the 14U Elite Baseball

1 Team were the Montville Travel Baseball League Champions
2 with a record of 11-1;

3 Now therefore, be it resolved, that the Board of
4 Commissioners of the Township of Nutley, County of Essex,
5 join with the citizens of Nutley to honor and congratulate
6 the members and coaches of the 14U Elite Baseball Team, for
7 their exceptional efforts and accomplishments.

8 I proudly move this resolution.

9 MR. SCARPELLI: Second.

10 THE CLERK: Commissioner Rogers?

11 MR. ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 MR. TUCCI: Aye.

14 THE CLERK: Commissioner Scarpelli?

15 MR. SCARPELLI: Aye.

16 THE CLERK: Mayor Petracco?

17 MR. PETRACCO: Aye.

18 MR. TUCCI: Would you please come forward?

19 (Applause)

20 MR. PETRACCO: Mr. Scarpelli?

21 MR. SCARPELLI: Yes, Mayor. It is my pleasure and
22 honor to read this resolution for Loretta Kwapniewski, a
23 long time employee of the township and one of our most
24 conscientious employees.

25 Whereas, Loretta Kwapniewski has been a Nutley

1 resident for 58 years and has a 19 year-old son, Michael;
2 and

3 Whereas, Loretta was employed by the Township of
4 Nutley, Parks and Public Property Department as a part-time
5 Official and Playground Director from 1966 to 1972; and

6 Whereas, Loretta started as a full-time Recreation
7 Supervisor from 1972 through 2003; and

8 Whereas, Loretta then started as a Water Meter
9 Reader with the Department of Public Works from 2003 through
10 2013; and

11 Whereas, Loretta has worked with the Township of
12 Nutley for 46 years and in that time has helped institute
13 programs for girls and women and helped expand the
14 recreation programs; and

15 Whereas, Loretta was also a softball official for
16 25 years for the men and women softball league; and

17 Now, therefore, be it resolved by the Mayor and
18 the Board of Commissioners of the Township of Nutley, County
19 of Essex, State of New Jersey that the significant and
20 professional contributions of Loretta Kwapniewski of the
21 Township of Nutley be hereby recognized. The Board of
22 Commissioners wish you all the happiness and good health to
23 Loretta and her son Michael; and

24 Be it further resolved, that the gratitude of this
25 community be hereby extended to Loretta Kwapniewski for her

1 distinguished contributions and service to the Township of
2 Nutley. I move the resolution.

3 MR. ROGERS: Second.

4 (Applause)

5 THE CLERK: Commissioner Rogers?

6 MR. ROGERS: Aye.

7 THE CLERK: Commissioner Tucci?

8 MR. TUCCI: I vote Aye, but I'd also like to say
9 something. Loretta, as you know started in the Parks
10 Department and she was an outstanding colleague. She had
11 the highest ethical standards one could think of. The
12 programs that she managed and created for us over the years
13 were second to none and I'm just as proud as Commissioner
14 Scarpelli this evening, Loretta, to honor you.

15 MR. SCARPELLI: I didn't vote yet.

16 MR. TUCCI: We have to finish voting.

17 MR. SCARPELLI: I don't think you did either.

18 MR. TUCCI: Aye. Yes.

19 THE CLERK: Okay. Commissioner Tucci?

20 MR. TUCCI: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 MR. SCARPELLI: Aye.

23 THE CLERK: Mayor Petracco?

24 MR. PETRACCO: And before I cast my vote I have to
25 say, Loretta, you are what Nutley is all about to me. You

1 (indiscernible) I don't know Nutley without you to be
2 perfectly honest with you, but you're what the township is
3 all about and you did a great job here and you will be
4 dearly missed and I very proudly vote Aye.

5 (Applause)

6 MR. PETRACCO: Why don't we do the ordinances now.

7 THE CLERK: Mayor, we have an ordinance
8 introduction this evening on the agenda.

9 MR. PETRACCO: Yes, for Commissioner Evans.
10 Commissioner Tucci is going to read that.

11 MR. TUCCI: Yes, thank you, Mayor.

12 This is an ordinance to amend an ordinance
13 codified in the Code of the Township of Nutley, Chapter 700,
14 entitled Zoning, particularly Article 5, (General
15 Regulations)§ Section 9 entitled Permitted Uses in R-1
16 Zoning District & Article 11 (Accessory Buildings, Uses and
17 Fences)§ Section 71 entitled Fences and Retaining Walls, to
18 delete and amend the requirements set forth therein.

19 I move that this ordinance be passed to a second
20 meeting and advertised in The Nutley Sun together with the
21 notice required by law and that further consideration of
22 said ordinance for final passage by the Board of
23 Commissioners to be held at its second meeting of --

24 THE CLERK: Tuesday, October 4th, 2013,
25 Commissioner.

1 MR. TUCCI: I move the ordinance.

2 UNIDENTIFIED MALE: Second.

3 THE CLERK: Commissioner Rogers?

4 MR. ROGERS: Aye.

5 THE CLERK: Commissioner Tucci?

6 MR. TUCCI: Aye.

7 THE CLERK: Commissioner Scarpelli?

8 MR. PETRACCO: He ran downstairs for a minute.

9 THE CLERK: Mayor Petracco?

10 MR. PETRACCO: Aye.

11 And now we have a public hearing also for
12 Commissioner Evans that's going to be read by Commissioner
13 Tucci.

14 MR. TUCCI: Sure. This is an ordinance amending
15 an ordinance, again codified in the Code of the Township of
16 Nutley, Chapter 228, entitled Vehicles and Traffic,
17 particularly Article 2, (Parking of Certain Streets)q
18 Section 13 entitled Parking Prohibited at all to add the
19 location set forth therein and that is Passaic Avenue.

20 MR. PETRACCO: Is there anyone here this evening
21 that would like to comment on Ordinance Number 3248?

22 Seeing no one.

23 MR. TUCCI: I move we close the hearing.

24 MR. PETRACCO: Second.

25 THE CLERK: Commissioner Rogers?

1 MR. ROGERS: Aye.

2 THE CLERK: Commissioner Tucci?

3 MR. TUCCI: Aye.

4 THE CLERK: Commissioner Scarpelli?

5 MR. SCARPELLI: Aye.

6 THE CLERK: Mayor Petracco?

7 MR. PETRACCO: Aye.

8 MR. TUCCI: I move the ordinance.

9 MR. PETRACCO: Second.

10 THE CLERK: Commissioner Rogers?

11 MR. ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 MR. TUCCI: Aye.

14 THE CLERK: Commissioner Scarpelli?

15 MR. SCARPELLI: Aye.

16 THE CLERK: Mayor Petracco?

17 MR. PETRACCO: Aye.

18 Commissioner Tucci, are we going to stay with
19 resolutions? Oh, you read yours. Okay, we took that out of
20 order. And now we'll move on to Commissioner Evans.

21 MR. ROGERS: I will read the resolutions on behalf
22 of Commissioner Evans. Resolution Number 214-13;

23 Whereas, the Township of Nutley entered into a
24 contract with Total Lawn Care & Landscape Services, LLC, 471
25 Elizabeth Avenue, Somerset, New Jersey on August 7th, 2012

1 for property maintenance and brush, grass and weed removal
2 for a period of one year with an option to renew for two one
3 year periods;

4 Whereas, on July 2nd, 2013 the Township of Nutley
5 Board of Commissioners passed a resolution to extend the
6 contract with Total Lawn Care and Landscape Services an
7 additional year from August 7th, 2013 to August 7th, 2014;

8 Whereas, Total Lawn Care and Landscape Services,
9 LLC have been unable to meet the terms of their contract and
10 specifications set forth by the Township of Nutley for
11 proper maintenance and brush, grass and weed removal and
12 therefore is a breach of the agreement;

13 Now, therefore, be it resolved that the Township
14 of Nutley terminate the contract with Total Lawn Care and
15 Landscape Services, LLC, 471 Elizabeth Avenue, Somerset, New
16 Jersey, effective immediately and pay any outstanding
17 balances due to them after submission of the proper
18 documentation. So moved.

19 MR. SCARPELLI: Second.

20 THE CLERK: Commissioner Rogers?

21 MR. ROGERS: Aye.

22 THE CLERK: Commissioner Tucci?

23 MR. TUCCI: Aye.

24 THE CLERK: Commissioner Scarpelli?

25 MR. SCARPELLI: Aye.

1 THE CLERK: Mayor Petracco?

2 MR. PETRACCO: Aye.

3 MR. ROGERS: Resolution 215-13 on behalf of
4 Commissioner Evans.

5 Whereas, the Township of Nutley has a continuing
6 need for lawn care services consistent with the requirements
7 of our property maintenance ordinance; and

8 Whereas, the Township of Nutley has a need to
9 appoint an interim provider of these services through
10 December 31st, 2013; and

11 Whereas, landscapers were permitted to pick up
12 specifications for grass and shrubbery cutting and debris
13 removal services and submit quotes from the Code Enforcement
14 Office effective August 22nd, 2013; and

15 Whereas, four landscapers picked up specification
16 packages, Brancato Landscaping Contractor, LLC was the only
17 landscaping contractor to return specifications to the Code
18 Enforcement Office; and

19 Whereas, Brancato Landscaping Contractor, LLC, 105
20 Ohlson Avenue, Nutley, has agreed to accept the terms of our
21 existing agreement including pricing as follows: .05 per
22 square foot for cutting weeds/grass below 12 inches, .07 per
23 square foot for cutting weeds/grass about 12 inches in
24 height, and \$80 per hour for shrub cutting and debris
25 removal; and

1 Whereas, funds are available from Capital
2 Ordinance 3216 in the amount of \$10,000 and that have been
3 certified by the chief financial officer, said certificate
4 being attached to this resolution.

5 Now, therefore, be it resolved that the Township
6 of Nutley enter into a contract with Brancato Landscaping
7 Contractor, LLC, 105 Ohlson Avenue, Nutley for brush, grass
8 and weed removal until December 31st, 2013. So moved.

9 MR. SCARPELLI: Second.

10 THE CLERK: Commissioner Rogers?

11 MR. ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 MR. TUCCI: I abstain.

14 THE CLERK: Commissioner Scarpelli?

15 MR. SCARPELLI: Aye.

16 THE CLERK: Mayor Petracco?

17 MR. PETRACCO: Aye.

18 Okay. Commissioner Scarpelli, please.

19 MR. SCARPELLI: This is a resolution for the
20 submission of a grant contract.

21 Approval to submit a grant application and execute
22 a grant contract with the New Jersey Department of
23 Transportation for the Park Avenue Improvement Project.

24 Now, therefore, be it resolved, that the mayor and
25 commissioners of the Township of Nutley, in the County of

1 Essex, State of New Jersey, formally approves the grant
2 application for the above stated project.

3 Be it further resolved that the mayor and clerk
4 are hereby authorized to submit an electronic grant
5 application identified as MA-2014 Nutley Township-00204 to
6 the New Jersey Department of Transportation on behalf of the
7 Township of Nutley.

8 Be it further resolved that the mayor and clerk
9 are hereby authorized to sign the grant agreement on behalf
10 of the Township of Nutley and that their signature
11 constitutes acceptance of the terms and conditions of the
12 grant agreement and approves the execution of the grant
13 agreement. I move the resolution.

14 MR. ROGERS: Second.

15 THE CLERK: Commissioner Rogers?

16 MR. ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 MR. TUCCI: Aye.

19 THE CLERK: Commissioner Scarpelli?

20 MR. SCARPELLI: Aye.

21 THE CLERK: Mayor Petracco?

22 MR. PETRACCO: Aye.

23 MR. ROGERS: Approval to submit a grant
24 application and execute a grant contract with New Jersey
25 Department of Transportation for the funding of new

1 sidewalks on Washington Avenue.

2 Now, therefore, be it resolved that the mayor and
3 commissioners of the Township of Nutley formally approve the
4 grant application for the above stated project.

5 Be it further resolved that the mayor and
6 municipal clerk are hereby authorized to submit an
7 electronic grant application identified as SST-2014eNutley
8 Township-00@35 to the New Jersey Department of
9 Transportation on behalf of the Township of Nutley.

10 Therefore, be it resolved that the mayor and
11 municipal clerk are hereby authorized to sign the grant
12 agreement on behalf of the Township of Nutley and that their
13 signature constitutes acceptance of the terms and conditions
14 of the grant agreement and approves the execution of the
15 grant agreement. I move the resolution.

16 MR. ROGERS: Second.

17 THE CLERK: Commissioner Rogers?

18 MR. ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 MR. TUCCI: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 MR. SCARPELLI: Aye.

23 THE CLERK: Mayor Petracco?

24 MR. PETRACCO: Aye.

25 MR. ROGERS: That's all I have, Mayor.

1 MR. PETRACCO: Thank you.

2 Whereas, raffle applications have been received
3 from the following organizations; and Rotary Club of Nutley,
4 License Number 55-13 Off Premise 50/50 cash raffle, November
5 21st, 2013. St. Mary's RC Church, License Number 56-13 Pull
6 Tab, January 7th, 2014 through December 30th, 2014, every
7 Tuesday. St. Mary's RC Church, License Number 57-13 Bingo,
8 January 7th, 2014 through December 30th, 2014, every
9 Tuesday.

10 Whereas, the applications have been reviewed and
11 approved by the municipal clerk and the police department.

12 Now, therefore be it resolved by the Board of
13 Commissioners, Township of Nutley, County of Essex, that the
14 licenses are approved and the municipal clerk is authorized
15 to issue the licenses. I move the resolution.

16 MR. TUCCI: Second.

17 THE CLERK: Commissioner Rogers?

18 MR. ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 MR. TUCCI: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 MR. SCARPELLI: Aye.

23 THE CLERK: Mayor Petracco?

24 MR. PETRACCO: Aye.

25 And my final resolution I will read is jointly

1 with Commissioner Tucci, we'll produce it together.

2 MR. TUCCI: Thank you, Mayor.

3 MR. PETRACCO: Be it resolved by the Board of
4 Commissioners, of the Township of Nutley, County of Essex,
5 New Jersey, that the municipal clerk be and is hereby
6 authorized and directed to advertise for a request of quotes
7 (RFQ's) for Special Redevelopment Counsel.

8 Be it further resolved that the request for the
9 quotes, (RFQ's) shall be due on Friday, September 13th, 2013
10 at 3:00 p.m. addressed to Evelyn Rosario, Municipal Clerk,
11 Nutley Township Hall, One Kennedy Drive, Nutley, New Jersey,
12 07110. I move the resolution.

13 UNIDENTIFIED MALE: Second.

14 THE CLERK: Commissioner Rogers?

15 MR. ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 MR. TUCCI: Aye.

18 THE CLERK: Commissioner Scarpelli?

19 MR. SCARPELLI: Aye.

20 THE CLERK: Mayor Petracco?

21 MR. PETRACCO: Aye.

22 Okay. That concludes our business portion of the
23 meeting. Is there anyone this evening that would like to
24 approach the Board of Commissioners? Please come up.
25 Please state your name and address for the record. We'll

1 get to every one of you, okay. You can come first, sir.

2 Oh, okay, excuse me, Madam Clerk will just read
3 one statement into the record.

4 THE CLERK: All persons addressing the Board of
5 Commissioners regarding community concerns should approach
6 the microphone and provide their name and address for the
7 record.

8 Unless further time is granted by the Board, each
9 person shall limit their address to five minutes. All
10 remarks to the Board and its individual members must be
11 addressed to the mayor. The mayor defer citizen comments to
12 the appropriate member of the Board.

13 Follow up between citizens and others addressing
14 the Board should be (indiscernible). Your name and address,
15 please.

16 MR. STAFFORD: My name is George Stafford, I live
17 at 16 Kitchell Avenue in Wharton, New Jersey and I appear
18 tonight before the Board as the Outreach Director for the
19 New Jersey Highlands Coalition.

20 I have with me a resolution of support for the New
21 Jersey 2004 Highlands Water Protection Act and it is the
22 opinion of The Coalition that the act is under a severe
23 pressure to make changes.

24 And as your community, according to the U.S.
25 Geological Survey, receives between 50 and 75 percent of its

1 drinking water from The Highlands, this is of concern to
2 you. There is a lot of pressure on The Highland Council to
3 make changes to do work arounds, have exemptions and various
4 things.

5 There is also a minority report questioning the
6 scientific basis for The Highlands Act and the regulations
7 that Highlands Act put forth. One of these is increase in
8 the allowable nitrate levels in ground water, which of
9 course becomes drinking water for the 244 communities in
10 Northern Central New Jersey that receive their water from
11 The Highlands.

12 That represents some 5,000,000 people in the State
13 of New Jersey who get some or all of their water from
14 Highland sources.

15 The Highlands Council meets in The Highlands,
16 there's a great deal of pressure from property owners and
17 people who come to meetings. I was directed by The
18 Highlands to reach out to different communities to show that
19 their support for The Highlands Act, we don't get much of
20 that at council meetings, from the receiving communities
21 like yours.

22 I use to be a town councilman in my hometown for
23 ten years, they had a resolution that they wanted me to
24 bring forth that was 950 words long, three pages. Being an
25 old town councilman, I edited that down to about 165 words

1 and it just basically says that you support the tenants of
2 The Highlands Act of 2004, which basically asked the
3 council, which is 15 members for people in The Highlands and
4 counties that are represented in The Highlands, to do a
5 balancing act between property rights and the development
6 rights of the people in The Highlands and the development
7 rights and water rights of the people who receive their
8 water from The Highlands.

9 We don't want the balance to tip in favor of the
10 people in The Highlands when there are so many people in the
11 State of New Jersey that depends on The Highlands for water.

12 So, just to give you an example, if you pave over
13 an acre or roof over acre in The Highlands, given that we
14 get about 45 inches in a normal year, but that acre will
15 produce 4,000,000 gallons of runoff if it's paved over.

16 If it's not paved over and it's a recharge area
17 then a large percentage of that water is going to go into
18 ground water that's going to come to people who the water in
19 a way that it can be utilized.

20 Runoff water, as we all know -- I'd like to say
21 that bodies like this, you get water one of two ways from
22 The Highlands, you either get it out of the tap or it comes
23 through your basement window.

24 So, we want to have, obviously, more coming out of
25 the tap and less in the basement window so that's what this

1 resolution is all about.

2 On the resolution is my contact information, email
3 and telephone. You can call me if you have any questions or
4 if I can enlighten you further or if you'd like me to come
5 back or communicate anything you'd like to do.

6 I'm also going to leave in my little packet here
7 some flyers on our First Annual Highlands Festival that
8 we're having on the 21st and 22nd of this month.

9 There's also a map here which indicates whether
10 the receiving towns and where the towns in The Highlands are
11 and which towns in Essex County get their water and how much
12 they get. So if I can leave this with your clerk for
13 distribution to you, I'll be happy to do that.

14 (Pause)

15 MR. STAFFORD: If you have any questions now, I'd
16 be happy to answer them, if not I'd be more than happy to
17 get back to you at a future date. And if at a future
18 meeting you could put this on your agenda and consider it,
19 we'd appreciate that.

20 MR. PETRACCO: I don't have any questions, but in
21 our form of government, Mr. Scarpelli is in charge of our
22 water.

23 MR. SCARPELLI: I'll take a look at the
24 information. Make sure, Madam Clerk, you can get that out
25 to everybody so we can take a look at it.

1 MR. STAFFORD: If you have a question, please call
2 me or email me, that's not a problem.

3 MR. PETRACCO: Okay. Thanks so much for coming.

4 MR. STAFFORD: I think I got it under five --

5 MR. PETRACCO: You got it under your time limit.

6 MR. STAFFORD: Thank you very much. I appreciate
7 your time.

8 MR. PETRACCO: Thanks again. Anyone else?

9 (Pause)

10 MS. GRAZIANO: My name is Lori Graziano and I live
11 at 25 Wilson Street.

12 MR. GRAZIANO: I'm Sam Graziano and I live at 25
13 Wilson Street, Nutley, New Jersey. We're here with our bird
14 problem. Mr. Rogers and Mr. Tucci knows all about it, which
15 they're doing nothing about it.

16 We keep calling you, Mr. Tucci -- we call Mr.
17 Tucci, I'll get back to you, we don't hear. Rogers is a
18 little better, we call him, he says okay, he calls you, but
19 then they do nothing.

20 We're sitting up here, we got a whole neighborhood
21 with birds -- birds, birds, birds. (Indiscernible) The
22 birds -- I can't open the windows on my house, I can't put
23 my air conditioners on, I've got a wife who sleeps with
24 oxygen, but nobody seems to care.

25 Every time we complain, you send the town out

1 there, they cut a couple of branches and oh, they'll keep
2 quiet now. The problem -- Mr. Rogers, when you became
3 commissioner, you came over to me and said, Mr. Graziano,
4 this is my baby, don't worry about nothing. You know what,
5 you've made me -- there's crap all over the neighborhood.
6 The two of you don't do nothing.

7 Mr. Tucci, the big park man, I look out my window
8 and I look across the street at that park, it's a shame.
9 The weeds are knee high, the (indiscernible) has got grass
10 in it and you do nothing. I wonder what's going on. Are
11 you going to satisfy us or are you just going to ignore us
12 like you've been doing? What have you got to say for
13 yourselves?

14 MR. TUCCI: Are you done?

15 MR. GRAZIANO: Go ahead.

16 MR. TUCCI: Are you done? Because I'd like to
17 respectfully answer you. Number 1, we've been fighting this
18 battle for the last two or three years. We've sent the Fire
19 Department up there to spray the Starlings. And the issue
20 I'm hearing is that we have thousands of Starlings that nest
21 in the trees.

22 We've called the DEP, we've called -- we've even
23 contacted some private firms, is to disrupt them otherwise
24 they keep coming back.

25 MR. GRAZIANO: Whatever you're doing isn't --

1 MR. TUCCI: Let me finish. Let me finish. I
2 listened to you, just please listen to me.

3 We sent the Fire Department there, the Fire
4 Department sprayed them and they would fly away and they
5 come back and they keep coming back.

6 Then what we did in conjunction with Commissioner
7 Rogers is, we bought some chemical sprayers that are not
8 harmful to any of the residents but they're annoying to the
9 Starlings and we put them up there and they're still up
10 there and that worked for a little while. It didn't solve
11 the problem, absolutely.

12 Then what we did is we purchased four sound
13 devices --

14 MR. GRAZIANO: Where? I don't see anything
15 (indiscernible) --

16 MR. TUCCI: Mr. Graziano, please, I know you a
17 long time. Let me finish. I'll be happy to listen to
18 anything you have to say and any suggestions you have.

19 I don't wake up every morning and say, how can I
20 aggravate the people, I listen to them, but how can I keep
21 the Starlings there so that they annoy you and the people on
22 Romano Street and everywhere else? Okay. That's not why we
23 do these jobs, all right.

24 But we put the sound devices in, spent I'm going
25 to say just short of \$10,000 with the batteries that are

1 located up in the trees, that worked for a little while.
2 Unfortunately, it did not solve the problem. I'll
3 absolutely admit to that.

4 Then what we did, we don't go and cut a few
5 branches, we sent a crew in there and we thinned out that
6 whole tree line and to say that I never responded to you and
7 never came to your house is just not true. Because I've
8 been there, I've talked to you, I've received your letters,
9 some that were kind of nice, some that were not so nice.
10 But it didn't deter anything, didn't stop anything from
11 continuing on.

12 We have a couple of more options that we're
13 exploring now to try and get rid of them and it's not all
14 the Starlings, it's the Starlings and the Geese in the
15 parks, which do make a mess. Our people do go out, they do
16 clean the Bocci Court, they clean the fountain, they clean
17 the bench. Maybe we don't have enough people to do it every
18 day or as often as we would like to, but there is an effort.
19 You're not being ignored and short of cutting down that
20 entire tree line, which I understand is your latest
21 suggestion, which I can tell you is not going to happen, we
22 need to find another option.

23 The two latest options that we have and we've been
24 researching this, one is to hire a falconer who comes with
25 several Falcons to scare them away because they're natural

1 predators. The danger with that is, if there are any small
2 dogs or any small animals in the area they may also attack
3 them, so not a real attractive option.

4 The other is to employ an outfit out of Montana
5 that sends out drones to disrupt them and scare them away.
6 The problem is from where your house is and where the tree
7 line begins we scare them, they just keep going back further
8 and as soon as we stop they come right back.

9 If you have a reasonable recommendation on how we
10 can get rid of them, I'd be more than happy to, but for you
11 to stand there and say that we just ignored you and we
12 didn't do anything is just not true.

13 MS. GRAZIANO: I'd like to speak now.

14 MR. TUCCI: Please.

15 MS. GRAZIANO: What I have to say is, last week I
16 read in the Nutley Sun how Nutley (indiscernible) not
17 allowing people to smoke in the alley way (indiscernible) we
18 need clean air across the street from where I live. My
19 daughter came down with Asthma, my eyes are irritated
20 (indiscernible) I go home from work with my eyes
21 (indiscernible) my son can't breathe, he has a heart
22 condition, my mother has a heart condition.

23 (No audio)

24 MS. GRAZIANO: They go away in the winter. They
25 fly away, they come back every year, so what's it solving?

1 It isn't solving anything. I've spoken to a million people
2 about this (indiscernible) chemicals? I don't recall any
3 chemicals.

4 (No audio)

5 MS. GRAZIANO: I am not asking you to cut down the
6 trees. I love the park, I would love to play Bocci Ball, I
7 love that Bocci Ball Court (indiscernible). You can't go
8 over there, you can't sit there. People who live on Romano
9 Street, their decks, the street, everything is covered in
10 feces.

11 I have to go out in my good clothes for work,
12 spray down my car every morning; is that really necessary?
13 I take my -- I don't have health insurance for my -- I have
14 to go all the way to Philadelphia to take my children to
15 special doctors for their health reasons which I believe is
16 because of the (indiscernible).

17 (No audio)

18 MR. TUCCI: Mrs. Graziano, I don't want anyone's
19 child to drink out of any water fountain that isn't 100
20 percent sanitized. We don't want you to wake up every
21 morning and come out and rinse your car off because of the
22 birds. But we have a situation that we're trying to
23 resolve. There is no easy answer. Are you recommending
24 that I hire a company to just exterminate them and kill them
25 all, kill thousands of birds; is that what you want me to

1 do?

2 MS. GRAZIANO: I'm recommending that you
3 (indiscernible)

4 (No audio)

5 MR. GRAZIANO: You talk like this has been going
6 on for two years, this has been going on for eight years.
7 For eight years. How much more can we stand?

8 MR. TUCCI: And what has occurred for eight years?
9 You're going to stand there and say you were ignored for
10 eight years?

11 MR. GRAZIANO: The birds have still been there.
12 Nothing has --

13 MR. TUCCI: Mr. Graziano, you live across the
14 street from a park, that's where birds live.

15 MR. GRAZIANO: No --

16 MR. TUCCI: I recognize the fact and understand
17 that it's an intolerable situation that we're trying to
18 resolve. Unfortunately, this is a force of nature. There
19 is no easy answer. It's not because of an unwillingness to
20 resolve it.

21 (No audio)

22 MR. TUCCI: We have begun to thin out the trees,
23 we continue to thin out the trees. We continue to thin out
24 the trees. We have many trees in town that we need to
25 address, many dangerous situations. And I'm not saying that

1 this can't develop into a dangerous situation as far as
2 health is concerned, that's why Commissioner Rogers and the
3 Health Department are monitoring it.

4 MR. GRAZIANO: We've been living on promises and
5 everybody saying, we're doing this, we're doing that --

6 (No audio)

7 MR. PETRACCO: Commissioner Rogers wanted to say a
8 few words if he can.

9 MR. ROGERS: Mr. Graziano, every phone call, every
10 phone call that you made to me, did I not call back?

11 MR. GRAZIANO: You did call back, but nothing has
12 --

13 MR. ROGERS: Let me finish. Every phone call you
14 made to me before I called you, I called Commissioner Tucci
15 and him and I collaborated on this every single time -- and
16 I'm not talking about one phone call, I'm talking about a
17 lot of phone calls.

18 Every letter and I think there's one or two and
19 also calls from some of your relatives, every single
20 communication to me I responded to and I'll tell you how I
21 responded, not only through a phone call or a letter or an
22 email, but I called Mr. Tucci, all hours of the day, on
23 Sunday or at 6:00 in the morning, while everyone was
24 sleeping, I suppose, and we would look at the area, at 7:00
25 at night, at 8:00 at night. When I found out the birds were

1 flying from one area of town to your section of town at
2 about seven or 8:00 at night, I stood out there with
3 Commissioner Tucci and we were waiting for the birds. We
4 wanted to see actually where they were coming from.

5 But what I'm concerned about is this, to say we've
6 done nothing is not true, is not true and it's unfair to us.
7 And look, I've said to you, you have legitimate concerns and
8 you do. I've said to you, this is a tough situation.

9 I've had my health officers go up there, I've had
10 my health officer call Canada, call another country to find
11 out if we could get some experts in to help us with this and
12 the common denominator of all the experts that I called said
13 this, Mr. Rogers, you're dealing with nature and it is a
14 tough nut to crack.

15 But what I would share with you tonight is exactly
16 what Mr. Tucci offered to you, we have done a lot and we
17 intend to do more. It's an experiment, it's a work in
18 progress. We're fighting nature. There's nothing I can do
19 to fight nature and to try to win that battle now, perhaps
20 there's a technology, perhaps there's something there that
21 we're unaware of yet, but we're going to track it down.

22 But please don't come before the public and lead
23 people to believe that we've done nothing, that's not true.

24 (No audio)

25 MR. ROGERS: -- nothing that's succeeded yet.

1 What are you doing about it? And the answer is, we haven't
2 ignored this and we don't intend to ignore. And to answer
3 your question, go to the experts, we have. We've made phone
4 calls, I just shared with you, we made a phone call to
5 Canada, I did personally.

6 Because, I'm curious myself, I want to know how we
7 can conquer this problem. You know, I was a police officer
8 here for 38 years and 38 years ago I remember we had the
9 same problem up in the Spring Garden section, there were
10 Starlings up there and at that time they tried everything,
11 including having police officers go out and shoot hundreds
12 of birds down out of the trees. Shoot them out of the
13 trees. Even shooting them didn't solve the problem.

14 So, please, believe me, we're not ignoring it.
15 We're doing everything we could. Continue to make your
16 calls, continue -- and I'm sure Commissioner Tucci will --
17 it's not a problem when you call. Call, let us know your
18 concerns.

19 As far as Romano Street is concerned, we've been
20 there too and I've spoken to the owner of that house and he
21 has a problem.

22 MR. GRAZIANO: When was the last time you were
23 there?

24 MR. ROGERS: I was there Friday.

25 MR. GRAZIANO: You were there Friday?

1 MR. ROGERS: I was there Friday, yes.

2 MR. GRAZIANO: How does the Bocci Court look?

3 MR. ROGERS: The Bocci Court does not look good.
4 It doesn't look good.

5 (Speaking simultaneously)

6 MR. ROGERS: Tell me, give me a suggestion. Maybe
7 I've missed something, do you have an idea? Okay. Let's
8 hear it.

9 MS. GRAZIANO: Fine. Summer is almost over
10 (indiscernible) thin out the tree lines, cut them back, cut
11 them down. Because I've lived there all my life and --

12 MR. ROGERS: Mrs. Graziano --

13 MS. GRAZIANO: Let me finish, please.

14 MR. ROGERS: Okay. Go ahead.

15 MS. GRAZIANO: Never had a problem with the birds.
16 Seven years ago is when I noticed (indiscernible).

17 He must be turning over in his grave -- what is
18 going on there because (indiscernible) Bocci Ball Court --
19 nobody can use it. Everybody brags about the parks in
20 Nutley, how gorgeous they are, we have nice parks, they're
21 taken care of -- (indiscernible).

22 Why can't they come and thin it out? I don't
23 understand what (indiscernible).

24 MR. ROGERS: We even talked about -- and this is
25 kind of out of the box, but this is what -- we talked about

1 even putting a giant net over the darn trees to prevent them
2 from coming. But we've tried and we've thought about
3 everything and we're going to continue to do that, but it's
4 a tough nut to -- it's nature. It's like trying to fight a
5 hurricane, it's touch.

6 MR. TUCCI: And we will continue to thin out the
7 trees. Once we can get in there, as far as we can get in,
8 we will get in -- I just sent another young man to school to
9 learn how to climb. We were a little handicapped for
10 awhile, our main climber was out and eventually retired on
11 disability. Now we have a new young man that's learning how
12 to climb, that we're going to send him there to thin the
13 trees out and do everything possible to rectify the
14 situation.

15 (Speaking simultaneously)

16 MR. TUCCI: It's a question of hitting on what's
17 going to work and, unfortunately, so far everything we've
18 done have not deterred the birds from coming back, but we're
19 not stopping.

20 Whether you see us or not, we're not stopping,
21 we're going to continue until eventually we rectify this.
22 We don't want you or anybody else to be in an unhealthy
23 situation. We don't want any of our parks -- and yes, I am
24 Mr. Parks and I wear that label proudly because each and
25 every one of our parks are gorgeous.

1 We have a problem right now in your area, across
2 the street from your house and we also have a Geese problem
3 that we're trying to deal with, but again, these are forces
4 of nature. They're not easy problems to overcome. It's not
5 like a dead tree in front of house that we can come in and
6 remove and rectify the situation and make it safe.

7 MS. GRAZIANO: And there are dead trees there that
8 are not removed.

9 MR. PETRACCO: Mr. Graziano --
10 (speaking simultaneously)

11 MR. TUCCI: We can go back and forth all night
12 long. If someone has a credible recommendation or can help
13 us in any way we're willing to listen.

14 (no audio)

15 MR. FINNELLY: Dave Finnelly, 25 Wilson Street.
16 I've been a tree man for 20 years. I've been in Parks &
17 Recreation for 20 years (indiscernible) and there is a
18 solution,

 I've checked into. Bird Doctor, they had a
19 problem with the European Starlings in Washington Township
20 up the parkway with the firehouse, bird droppings all over.
21 They did the gas treatments and it stopped.

22 MR. TUCCI: What happened with the -- what is the
23 gas treatment? Explain to us what that is?

24 MR. FINNELLY: Non-lethal to humans, it's just a
25 deterrent to the European Starlings, it gets rid of them.

1 The success rate is great.

2 MR. TUCCI: I would love to get that information
3 from you and if that's a solution that will work --

4 MR. FINNELLY: You can get it right online, it's
5 Bird Doctor.

6 MR. TUCCI: We've been online --

7 MR. FINNELLY: They're right out of Paramus.

8 MR. TUCCI: I will call them first thing tomorrow
9 morning. Thank you.

10 MR. FINNELLY: You're welcome.

11 MR. KANE: My name is Timothy Kane, 53 Wilson
12 Street. I appreciate the time to speak about this. I
13 support their concern, my neighbors concern about the
14 Starlings. They're an invasive species, they don't belong
15 here. Eradicating them wouldn't break my heart. Save the
16 Geese, though, they taste delicious. Thank you.

17 The thing is that I've lived in this house for 13
18 years, my wife grew up there. We used to be able to watch
19 the fireworks from our house, the tree line is overgrown. I
20 would support topping the trees, thinning them out
21 significantly.

22 There's other solutions, but I think you need more
23 than one solution. They're an airborne hazard. Jet
24 airplanes are just 100 feet above them. God forbid one of
25 those airplanes sucks in 40 of those thousand birds, it's

1 coming down in somebody's backyard.

2 It is a big, big problem. I know the Geese are an
3 issue, but this is huge. It's stinks. You can't walk your
4 dog. I got a lab, the dog finds dead birds all over the
5 place. It's not healthy, it isn't getting better and I
6 think there's more than one solution that needs to be
7 applied to this situation. Thinning out the trees will
8 help. I believe the gassing issue will help. Eradicating
9 them completely -- they're everywhere.

10 They come from Kearny, they come from down by
11 Clairmont Hospital, they come from the golf course, they
12 come from everywhere, but they roost here. This is where
13 they come to roost.

14 MR. PETRACCO: Why is that? Do you know that?

15 MR. KANE: Because it's a desirable location for
16 them. You get rid of the desirable location, they will move
17 someplace and it will be somebody else's problem. I'm not
18 suggesting that we kick the can down the road. Thinning out
19 the trees will help us, but eradicating them as a pest will
20 help everybody. Thank you.

21 MR. PETRACCO: Thank you.

22 Is there anyone else this evening?

23 Sure, come up.

24 Please state your name and address for the record.

25 MR. DUNN: My name is Gary Dunn, I live at 22

Romano Street on the north side. I also express concerns

with the bird matter. I also have gone through patio

equipment, umbrellas and what not. My concern is property

damage. I've gone through about 20 car covers already.

Now, my only concern is -- maybe different

distress calls. We could try some different distress calls,

it seems that they've gotten immune to the ones we've been

using.

The other matter is right alongside my cyclone

fence, the trees are overhanging and the two cars are

completely getting bombed.

My only concern here -- we're trying to win a war

here, I don't think we're going to win the war, we've got to

try to win a battle. And the only battle I'm asking for is

we could get you to come and trim some of the trees

alongside my fence so my two cars don't get bombed.

I mean, I do have a dog, a small dog, I'm out

there constantly hosing and cleaning all the time. You

know, it's something that I live with and like I said, I

don't think we're going to win the war, but if we could win

a battle that would help. Thank you for your time.

MR. PETRACCO: Thank you.

MR. TUCCI: And Mr. Dunn, just for your

edification, we can absolutely trim those trees back.

MR. DUNN: Thank you.

1 MR. TUCCI: We've done it before and we can do it
2 again and continue.

3 MR. DUNN: Thank you.

4 MR. PETRACCO: Is there anyone else this evening
5 that would like to address the Board of Commissioners?

6 Seeing no one. I need a motion.

7 MR. SCARPELLI: Adjourn.

8 MR. ROGERS: Second.

9 THE CLERK: Commissioner Rogers?

10 MR. ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 MR. TUCCI: Aye.

13 THE CLERK: Commissioner Scarpelli?

14 MR. SCARPELLI: Aye.

15 THE CLERK: Mayor Petracco?

16 MR. PETRACCO: Aye.

17 (Whereupon, these proceedings were concluded at

18 8:12 PM)

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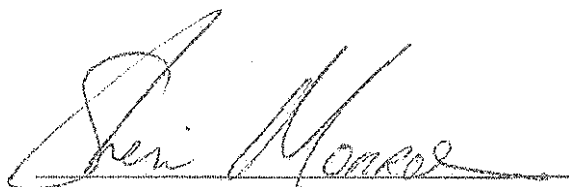
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C E R T I F I C A T I O N

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I, Sheri Monroe, certify that the foregoing transcript is a true and accurate record of the proceedingse

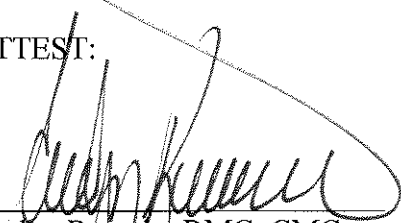
A handwritten signature in cursive script that reads "Sheri Monroe". The signature is written in black ink and is positioned above a horizontal line.

Sheri Monroe, CET**00435


Datee September 28, 2013

**September 3, 2013 meeting transcription approved by the Board
of Commissioners of the Township of Nutley at their meeting held
on Tuesday, October 15, 2013.**


ATTEST:



Evelyn Rosario, RMC, CMC
Municipal Clerk

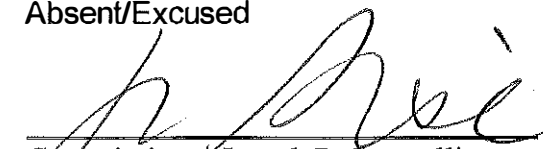


Commissioner Steven Rogers

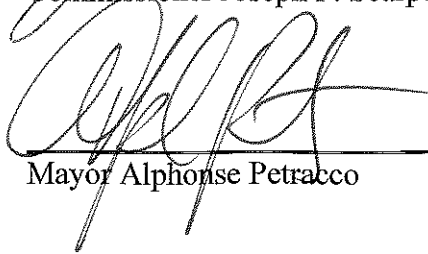


Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans
Absent/Excused



Commissioner Joseph P. Scarpelli



Mayor Alphonse Petracco

TOWNSHIP OF NUTLEY

DEPARTMENT OF
REVENUE AND FINANCE
NUTLEY, NEW JERSEY 07110

Attach To Official Minutes



THOMAS J. EVANS
Director

EVELYN ROSARIO
Municipal Clerk, R.M.C., C.M.C.

ROSEMARY COSTA
Township Treasurer, C.F.O., C.T.C.

TELEPHONE:
(973) 284-4997
FAX:
(973) 284-0102

TO: Mayor Alphonse Petracco
Commissioner Joseph P. Scarpelli
Commissioner Mauro G. Tucci
Commissioner Steven L. Rogers

FROM: Rosemary Costa, Treasurer, C.F.O. 

DATE: September 3, 2013

SUBJECT: Notification of Determination and Award

In accordance with N.J.S.A. 40A: 2-25, I am submitting the certificate of Determination and Award as it pertains to the General Obligation Bond Sale held on August 29, 2013 which will close on September 12, 2013.

Cc: Commissioner Thomas J. Evans

RECEIVED
MUNICIPAL CLERK'S OFFICE
2013 SEP - 3 P 12: 19
TOWNSHIP OF NUTLEY

DETERMINATION AND AWARD CERTIFICATE

I, **ROSEMARY COSTA**, Chief Financial Officer of the Township of Nutley, in the County of Essex, New Jersey (the "Township"), **HEREBY CERTIFY** as follows:

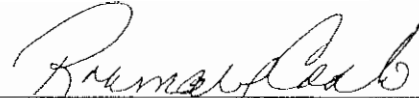
1. Pursuant to due advertisement, the bids attached hereto as Exhibit A were received by electronic bid at the advertised time and place for the sale of the \$4,700,000 General Bonds of 2013 (the "Bonds") of the Township. Each of said bids is in legally acceptable form, and the check, wire transfer or financial surety bond required by the advertised notice was duly and timely received with respect to each such bid.

2. By virtue of authority conferred upon me by resolution (the "Resolution") of the governing body of the Township adopted August 6, 2013 and entitled: "Resolution determining the form and other details of \$4,700,000 General Bonds of 2013 of the Township of Nutley, in the County of Essex, New Jersey, and providing for their sale", the Bonds were awarded to Sterne, Agee & Leach, Inc. as purchaser (the "Purchaser"), at the price bid of \$4,768,103.

3. The Bonds shall bear interest at the rate or rates per annum specified by the Purchaser in its bid, a copy of which is attached hereto as Exhibit B and by this reference incorporated as if set forth in full herein, and the net interest rate with respect to the Bonds in accordance with such bid is 2.222478%.

4. The Bonds shall mature on the dates and in the principal amounts specified in the Resolution, except that if, and to the extent, provided for in the bid of the Purchaser attached hereto as Exhibit B, certain Bonds shall be aggregated into term Bonds and shall be subject to mandatory sinking fund redemption all as more fully described in the Resolution, the notice of sale for the Bonds and the Purchaser's bid.

5. I have caused a copy of this certificate to be filed in the office of the Township Clerk as and for the report to the governing body as required by the Resolution.



Rosemary Costa
Chief Financial Officer

Dated: August 29, 2013

EXHIBIT A

Bids of All Bidders

Bid Results

**Nutley Twp
\$4,700,000 General Bonds of 2013**

The following bids were submitted using **PARITY**[®] and displayed ranked by lowest NIC. Click on the name of each bidder to see the respective bids.

Bid Award*	Bidder Name	NIC
<input checked="" type="checkbox"/> Reoffering	Sterne, Agee & Leach, Inc.	2.222478
<input type="checkbox"/>	Robert W. Baird & Co., Inc.	2.261763
<input type="checkbox"/>	UBS Financial Services Inc.	2.300679
<input type="checkbox"/>	TD Securities	2.907423

*Awarding the Bonds to a specific bidder will provide you with the Reoffering Prices and Yields.

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EXHIBIT B

Bid of Winning Bidder

Upcoming Calendar Overview Result Excel

**Sterne, Agee & Leach, Inc - Birmingham , AL's Bid
Nutley Twp
\$4,700,000 General Bonds of 2013**



For the aggregate principal amount of \$4,700,000.00, we will pay you \$4,768,103.00, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount	Coupon %
09/01/2014	470M	2.0000
09/01/2015	470M	2.0000
09/01/2016	470M	2.0000
09/01/2017	470M	2.0000
09/01/2018	470M	2.0000
09/01/2019	470M	2.0000
09/01/2020	470M	2.2500
09/01/2021	470M	2.7500
09/01/2022	470M	3.0000
09/01/2023	470M	3.0000

Total Interest Cost: \$639,421.94
 Premium: \$68,103.00
 Net Interest Cost: \$571,318.94
 NIC: 2.222478
 Time Last Bid Received On: 08/29/2013 10:59:18 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Sterne, Agee & Leach, Inc, Birmingham AL
 Contact: Mary Ann Ragan
 Title: Sr VP
 Telephone: 205-949-3513
 Fax: 205-949-3604

Issuer Name: Township of Nutley Company Name: _____

Accepted By: _____ Accepted By: _____

Date: _____ Date: _____

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02680	REGISTRAR'S ASSOC. NJ	98.00					98.00
13-02689	CABLEVISION	23.17					23.17
13-00366	POLAND SPRING	37.57					37.57
13-02487	DELGEN PRESS	264.00					264.00
13-02811	ALL-WAY PEST CONTROL	580.00					580.00
13-02908	NUTLEY FAMILY SERVICES	5,416.67					5,416.67
13-02916	T/MONTCLAIR	4,346.50					4,346.50
13-02926	T/MONTCLAIR	9,040.00					9,040.00
13-02917	KEVIN O'BRIEN	50.00					50.00
13-02918	MARIA DI BENEDETTO	50.00					50.00
13-02919	DR RE	100.00					100.00
13-02920	DR. MC COMAS	100.00					100.00
13-02851	TREASURER OF SCHOOL		2,258,237.00				2,258,237.00
13-02855	T/N PAYROLL AGENCY ACCT		35,916.21				35,916.21
13-02785	HODGES PARTY RENTALS		160.00				160.00
13-02776	MGL FORMS		107.00				107.00
13-02850	COSMO BRONGO		2,108.30				2,108.30
13-02849	LILLIAN ZHANG		42,803.64				42,803.64
13-02854	GOVN.FINANCE OFF.ASSOC.		225.00				225.00
13-02515	W.B. MASON CO		125.91				125.91
13-02642	W.B. MASON CO		100.00				100.00
13-02638	W.B. MASON CO		82.96				82.96
13-02716	WEST GROUP		105.00				105.00
13-02592	HEWLETT PACKARD CORP		217.26				217.26
13-00037	RICHARD RENN		505.00				505.00
13-02462	DELGEN PRESS		169.00				169.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00367	POLAND SPRING		88.96				88.96
13-02790	WAGE WORKS		25.00				25.00
13-02907	US BANK CUSTPRO CAP.1		14,058.57				14,058.57
13-00453	MAJOR LEAGUE AUTO SPA		15.00				15.00
13-02846	CEUNION		89.00				89.00
13-02385	W.B. MASON CO		732.00				732.00
13-02712	W.B. MASON CO		49.99				49.99
13-02781	W.B. MASON CO		209.45				209.45
13-02639	HEWLETT PACKARD CORP		81.45				81.45
13-02936	US BANK CUSTPRO CAP.1		16,995.78				16,995.78
13-02940	AT & T MOBILITY		192.15				192.15
13-02281	RUTGERS UNIVERSITY		934.00				934.00
13-02945	NJ STATE HEALTH SERVICES		43.80				43.80
13-02605	MOBILE TECH			378.00			378.00
13-02847	JOHN HOLLAND			146.16			146.16
13-02791	TURN OUT FIRE & SAFETY			411.02			411.02
13-02828	TURN OUT FIRE & SAFETY			218.98			218.98
13-02879	TURN OUT FIRE & SAFETY			554.50			554.50
13-02878	TURN OUT FIRE & SAFETY			150.81			150.81
13-02276	EAGLE POINT GUN SHOP			1,000.00			1,000.00
13-00067	ELITE AUTO BODY			671.32			671.32
13-02295	SOMES UNIFORMS			75.00			75.00
13-02669	NBC AUTO PARTS			529.00			529.00
13-00557	NO.JERSEY MEDIA GROUP			83.40			83.40
13-02508	PENNONI ASSOC.			150.00			150.00
13-00828	INHALATION THERAPY			118.65			118.65

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
13-02794	MCAANJ			75.00			75.00
13-00554	LANGUAGE LINE SERVICE			11.98			11.98
13-00368	POLAND SPRING			164.21			164.21
13-00102	NICOLETTE TOWING CO			12.00			12.00
13-00102	NICOLETTE TOWING CO			12.00			12.00
13-02480	CONTEMPORARY GLASS			520.00			520.00
13-01002	E. COAST EMERGENCY LIGHT.			6,000.00			6,000.00
13-02690	CABLEVISION			54.95			54.95
13-02234	DELGEN PRESS			149.00			149.00
13-02396	DELGEN PRESS			125.00			125.00
13-02795	GUS FORMATO			25.00			25.00
13-02056	ADVANCED ENGRAVING			652.50			652.50
13-02307	MOTOROLA INC			261.60			261.60
13-01797	CELEBRITY FORD			34,156.00			34,156.00
13-02611	MICROCENTER			87.96			87.96
13-02935	LINDA BUEL			88.65			88.65
13-02771	CABLEVISION				17.57		17.57
13-00369	POLAND SPRING				210.29		210.29
13-02773	JOY INTINDOLA				100.00		100.00
13-00043	ONE CALL OCNCEPTS				104.84		104.84
13-02782	CITY OF NEWARK				23,915.84		23,915.84
13-00050	BRADLEY TIRE				99.50		99.50
13-00063	VIOLA BROTHERS				381.18		381.18
13-00047	AMERICAN HOSE & HYDRAULIC				149.42		149.42
13-00047	AMERICAN HOSE & HYDRAULIC				146.36		146.36
13-00058	ROBERTS & SON				135.00		135.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
13-00055	RELIABLE WOOD PRODUCTS				320.00		320.00
13-02800	PASSAIC VALLEY WATER COM				500.00		500.00
13-01371	BLOOMFIELD MASONRY				231.00		231.00
13-00174	DURABLE RECYCLING				1,617.84		1,617.84
13-00046	AGL WELDING				51.40		51.40
13-00041	GRAINGER				74.28		74.28
13-02758	NICOLETTE TOWING CO				85.00		85.00
13-02640	SANITATION EQUIPMENT				102.29		102.29
13-02682	THE SIGN POST				260.00		260.00
13-02641	KEYSTONE PLASTIC				1,340.00		1,340.00
13-02318	SMART SIGN				516.90		516.90
13-02596	DATA CENTER TECH				2,200.00		2,200.00
13-02695	LORCO PETROLEUM SERVICE				80.00		80.00
13-01888	ARETT SALES				1,180.13		1,180.13
13-02446	CAPOZZI OVERHEAD DOOR				802.00		802.00
13-02597	THE KENNEDY CO				3,689.28		3,689.28
13-02696	ATHENIA MASON				393.75		393.75
13-02798	HARVEY WECHTER				100.00		100.00
13-00086	VITAL COMMUNICATIONS				153.00		153.00
13-02369	W.B. MASON				100.40		100.40
13-02458	POLLARD WATER				347.03		347.03
13-02219	POLLARD WATER				638.83		638.83
13-01134	EDIBLE JERSEY				475.00		475.00
13-02659	PSE & G				19.09		19.09
13-02704	PSE & G				73.37		73.37
13-00061	SUPERIOR DISTRIBUTORS				185.80		185.80

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
13-00062	TILCON NJ				198.87		198.87
13-02661	CABLEVISION				86.74		86.74
13-02928	PIRO,ZINNA,CIFELLI				188.99		188.99
13-02799	HODGES PARTY RENTAL				272.50		272.50
13-00062	TILCON NJ				556.82		556.82
13-00040	BELL-RIDGE PLUMBING				13.26		13.26
13-01371	BLOOMFIELD MASONRY				32.90		32.90
13-02299	COUNTY CONCRETE CO				2,597.00		2,597.00
13-02299	COUNTY CONCRETE CO				5,359.75		5,359.75
13-02299	COUNTY CONCRETE CO				1,175.68		1,175.68
13-02287	JESCO INC				16.24		16.24
13-02675	C & S FENCING				1,400.00		1,400.00
13-02245	SAFE SHREDDING				600.00		600.00
13-02939	AT & T MOBILITY				1,397.65		1,397.65
13-02941	CLIFFHANGER PRODUCTION				3,475.00		3,475.00
13-02483	DM FERANDES CONTRACTOR				41,959.98		41,959.98
13-02947	MICHELE MERRIHEW				100.00		100.00
13-02894	NJSHBP					347,340.86	347,340.86
13-02895	NJSHBP					167,952.94	167,952.94
13-02692	CABLEVISION					8.78	8.78
13-02693	CABLEVISION					119.80	119.80
13-02540	HOMEDEPOT					17.97	17.97
13-02457	HOMEDEPOT					27.94	27.94
13-02658	PSE & G					45.43	45.43
13-02905	PSE & G					1,708.30	1,708.30
13-02700	PSE & G					637.27	637.27

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02884	PSE & G					12.21	12.21
13-02883	PSE & G					284.21	284.21
13-02882	PSE & G					67.20	67.20
13-02887	PSE & G					5.09	5.09
13-02886	PSE & G					91.10	91.10
13-02885	PSE & G					4.46	4.46
13-02697	PSE & G					1,538.96	1,538.96
13-02770	PSE & G					8.64	8.64
13-02709	PSE & G					7,758.55	7,758.55
13-02702	PSE & G					22,895.12	22,895.12
13-02386	MEADOWLAND FORD					116.86	116.86
13-02436	W.B. MASON					66.29	66.29
13-02678	LOMBARDY OVERHEAD DOOR					120.00	120.00
13-02497	VERMEER NO. ATLANTIC					182.22	182.22
13-02452	CONFIRE FIRE PROTECTION					283.70	283.70
13-01467	WORK N GEAR					521.70	521.70
13-01468	WORK N GEAR					963.77	963.77
13-01466	WORK N GEAR					252.00	252.00
13-02465	STATE CHEMICAL SOL.					424.09	424.09
13-00259	ARROW ELEVATOR					425.00	425.00
13-00995	TANIS & SONS					2,083.00	2,083.00
12-02742	SPS					1,507.64	1,507.64
13-00018	TERRE CO					3.77	3.77
13-00019	TERRE CO					96.00	96.00
13-00649	DURABLE RECYCLING					807.84	807.84
13-00649	DURABLE RECYCLING					730.80	730.80

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE& FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
13-00012	NORTHEAST AUTOMOTIVE					373.80	373.80
13-00024	GRAINGER					90.55	90.55
13-00018	SUPERIOR DISTRIUBTORS					43.40	43.40
13-01901	ATLAS TREE SERVICE					950.00	950.00
13.02513	MIDLAND RADIATOR					245.00	245.00
13-02407	DRIVE LINE SERVICE					100.83	100.83
13-02593	TRUSTY TREE SERVICE					1,100.00	1,100.00
13-02635	FRANK'S TRUCK CENTER					1,545.39	1,545.39
13-02467	S & D SALES					2,119.50	2,119.50
13-02819	C J DIGIACOMO					50.00	50.00
13-02812	GIUSEPPI RUSSO					629.40	629.40
13-02831	HARRY KIRK					53.50	53.50
13-02833	DAWN GAMMA					100.00	100.00
10-02909	AURORA ENVIRONMENTAL					5,460.00	5,460.00
13-02906	NJNY TREE CLIMBIMNG ADV.					345.00	345.00
13-02900	BETTY SORRENTINO					629.40	629.40
13-02899	DELTA DENTAL PLAN					13,008.16	13,008.16
13-02898	DELTA DENTAL PLAN					12,671.23	12,671.23
13-02893	JOSEPH VILLANO					419.60	419.60
13-00260	AGL WELDING					106.90	106.90
13-00023	CONTEMPORY GLASS					1.85	1.85
13-00022	BELL RIDGE PLUMBING					49.08	49.08
13-01619	OFFICE SOLUTIONS					620.00	620.00
13-02343	PROGRESSIVE BRICK					203.00	203.00
13-02451	SAFETY KLEEN					235.12	235.12
13-02590	HOOVER TRUCK					848.62	848.62

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 3, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02719	CUMMINS POWER SYSTEM					161.69	161.69
13-02797	ADVANCED MECHANICAL					240.00	240.00
13-02494	DRIVE LINE SERVICE					100.83	100.83
13-02805	STRUCTURAL STONE					24.30	24.30
13-02837	MOONEY-GENERAL					155.56	155.56
13-00019	TERRE CO					65.00	65.00
13-02889	VERIZON					179.30	179.30
13-00624	ABADEL PEST CONTROL					125.00	125.00
13-02892	TGI FRIDAYS					706.91	706.91
13-02904	ALL PRO TENNIS					1,100.00	1,100.00
13-02902	JOSEPH GABRIELLE					900.00	900.00
13-02903	WILLIAMS CENTER					1,170.00	1,170.00
13-02656	V.E. RALPH					219.00	219.00
13-02821	MARIA HUGHES					175.00	175.00
13-02822	DOROTHY RAFFAELLI					70.00	70.00
13-02823	DAWN WASSMAN					40.00	40.00
13-02824	JESSICA FIALLOS					175.00	175.00
13-02825	KRISTEN STAMANT					175.00	175.00
13-02827	VIVIAN MISTRETHA					125.00	125.00
13-02820	GINGER RESTAURANT					134.00	134.00
13-02813	CHERYL DESIMONE					95.00	95.00
13-02815	ROBERT TUCKER					175.00	175.00
13-02816	LISA DIMAGGIO					175.00	175.00
13-02817	APRIL KWIATKOWSKI					175.00	175.00
13-02818	JOANNE SENATORE					35.00	35.00
13-02832	WILLIAMS CENTER					135.00	135.00

**TOWNSHIP OF NUTLEY
BILL LIST
SEPTEMBER 3, 2013**

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of SEPTEMBER 3, 2013.

PAYROLL-REGULAR AUGUST 30, 2013:

Department of Public Affairs	16,801.60
Department of Revenue & Finance	57,364.20
Department of Public Safety	414,327.32
Department of Public Works	58,381.78
Department of Parks & Public Properties	74,766.69
Department of Recreation Commission	27,196.00
Water Operations	41,966.55
Due To From General Capital	3,519.91
600 SERIES	76.98
POLICE OUTSIDE DUTY	11,163.75
C.E.H.A.	1,607.63
ACC-U-VAC	35,544.04
Sub Total	742,716.45

PAYROLL-OVERTIME AUGUST 30, 2013:

Department of Public Affairs	0.00
Department of Revenue & Finance	704.29
Department of Public Safety	27,863.30
Department of Public Works	4,755.36
Department of Parks & Public Properties	2,064.17
Water Operations	14,855.68
600 Series	0.00
Sub Total	50,242.80

TOTAL PAYROLL: 792,959.25

GRAND TOTAL: 3,950,394.60

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

Federal Withholding Tax	117,078.77
Social Security	26,624.37
N.J. State Tax	27,702.13
Medicare	11,883.94
Wage Execution	3,258.00
Deferred Compensation	45,261.83
Employee Disability Ins.	5,087.44

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

ORDINANCE INTRODUCTION

ORDINANCE NO. 3249

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 3rd day of September 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 1st day of October , 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, September 12, 2013 Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

ORDINANCE NO. 3249

INTRODUCED BY COMMISSIONER EVANS

INTRODUCED ON TUESDAY, SEPTEMBER 3, 2013

PUBLIC HEARING TUESDAY, OCTOBER 1, 2013

(ADVERTISE IN THE NUTLEY SUN ISSUE OF THURSDAY, SEPTEMBER 12, 2013)

ORDINANCE NO. 3249

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700, ENTITLED ZONING, PARTICULARLY ARTICLE V (GENERAL REGULATIONS), SECTION 9 ENTITLED PERMITTED USES IN R-1 ZONING DISTRICT & ARTICLE XI (ACCESSORY BUILDINGS, USES AND FENCES), SECTION 71 ENTITLED FENCES AND RETAINING WALLS.a, TO DELETE AND AMEND THE REQUIREMENTS SET FORTH THEREIN.

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Section 9 entitled Permitted uses in R-1 Zoning District be amended as follows:

DELETE

D. A noncommercial swimming pool as an accessory use subject to the following:

(3) An approved fence at least five feet high shall surround such structure and shall contain a gate capable of being securely fastened and locked by the owner, except that above ground pools shall be exempt from this section if it complies with applicable state codes.

ADD

D. A noncommercial swimming pool as an accessory use subject to the following:

(3) An approved fence at least four feet high shall surround such structure and shall contain a gate capable of being securely fastened and locked by the owner, except that above ground pools shall be exempt from this section if it complies with applicable state codes.

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Section 71 entitled Fences and Retaining Walls of the Code of the Township of Nutley, is hereby amended to set forth the requirements set forth therein:

Article XI Accessory Buildings, Uses and Fences

§ 700-71. Fences and retaining walls

The yard requirements in this chapter shall not apply to fences and retaining walls. The height and other requirements pertaining to fences and retaining walls shall be as herein set forth.

- A. No fences of any type shall be permitted in any front yard.
 - B. A fence erected along the side lines from the front line of a main structure to the rear line of such structure and within such lines shall not exceed four feet in height and shall be not less than two feet in height and shall be of 50% open construction (i.e., the open spaces in the fence shall be at least the same width of each picket, slat or other construction element of such fence). The setback for any such fence shall be in line with the furthest setback of the adjacent property or the property upon which the fence is being erected, whichever setback is greater.
 - C. A fence erected along the side lines from the rear line of a main structure to the rear property line and along said rear property line and within such lines shall not exceed six feet in height and not be of solid construction. A stockade fence is hereby deemed to be of solid construction.
 - D. A fence erected on any corner lot shall conform to the fence requirements for the adjoining properties.
 - E. If, by the application of the provisions of this chapter, because of the location or position of any interior lots, the owners of lands along a common boundary line are restricted to the erection of fences of one or the other of two maximum heights, then, in such case, notwithstanding such provisions, all owners along said common boundary line shall be permitted to erect a fence of the greater maximum height, provided the fence so erected is the kind or type required by the provisions of this article.
 - F. No permit shall be issued for the construction of any fence, the apparent purpose of which is to obstruct light and air in relation to adjoining property for any fence which shall constitute a hazard, including but not limited to spike, barbed-wire, electrical fences and "spite" type fences. A spite-type fence is any fence that creates a detrimental impact on adjacent surrounding property owners, such as increased restricted use of a vehicle, creates a safety risk or potential motor vehicle damage.
 - G. The finished side of the fence, as determined by the Construction Official, shall face toward the direction of the adjoining properties.
 - H. Notwithstanding the foregoing, a stockade fence with no open construction may be erected in accordance with the location and height limitations contained in Subsection C hereof if the written consent of the adjoining property owner or owners is filed with the Construction Official.
 - I. Notwithstanding the foregoing, fences in all zones other than residential zones shall not exceed eight feet in height, and front yard fences shall also be permitted in such nonresidential zones, not including residential uses, subject to all other provisions of this chapter not inconsistent herewith.
-

J. All fences erected in a residential zone shall be located a minimum of four inches (4") in from the property lines for fences that require a foundation. At no time can a fence either above or below ground encroach on the adjacent property.

K. Temporary fences such as snow fences, silt fences, garden fences and construction fences do not need permits.

§ 700-72 Fees.

Fees shall be as per construction permit fee schedule

§ 700-73 Effect of provisions.

The provisions of this article shall be superseded or supplemented by more stringent requirements relative to swimming pools and screening as specified elsewhere in this chapter and Chapter 600, Site Plan Review.

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

**FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 3248**

NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, September 3, 2013.

“AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING OF CERTAIN STREETS), SECTION 13 ENTITLED PARKING PROHIBITED AT ALL TIMES TO ADD THE LOCATION SET FORTH THEREIN.”

ALL “AYES” ON A ROLL CALL VOTE

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

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

**Nutley Sun Issue/Thursday, September 12, 2013/Via E-Mail:
publicnotices@northjersev.com**

ORDINANCE NO. 3248
INTRODUCED BY COMMISSIONER THOMAS J. EVANS
INTRODUCED ON: AUGUST 6, 2013
PUBLIC HEARING AND ADOPTION: SEPTEMBER 3, 2013

ORDINANCE NO. 3248

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING OF CERTAIN STREETS), SECTION 13 ENTITLED PARKING PROHIBITED AT ALL TIMES TO ADD THE LOCATION SET FORTH THEREIN.

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Article II, Section 13 of Chapter 228 of the Code of the Township of Nutley, entitled Parking Prohibited at All Times, is hereby amended to set forth the ADDITION of the following location:

ADD

Name of Street	Side	Location
Passaic Avenue	West	From 35 feet south of the extended south curbline of Hancox Avenue, south for 19 feet.

BE IT FURTHER ENACTED that all other terms and conditions and locations in Section 13 and Chapter 228 shall remain as heretofore set forth in the Code of the Township of Nutley, except where such a reading would not give meaning to and further the application of this amendment. In such case and in such event, the terms and conditions shall have a meaning consistent with the intent of this amendment; and

BE IT FURTHER ENACTED that the within ordinance shall become effective after passage and publication, pursuant to law.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Mauro G. Tucci Date: a September 3, 2013

Seconded by: Commissioner Joseph P. Scarpelli No. 210-13

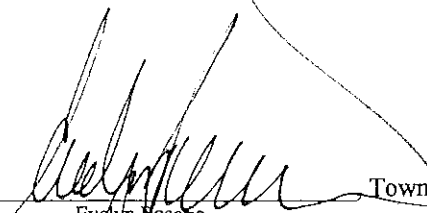
WHEREAS, the 14U Elite Baseball Team has enjoyed an outstanding inaugural season posting an overall record of 20 wins and 7 losses; and

WHEREAS, the members of the 14U Elite Baseball Team are Michael Purcell, John Lewis, Jake Ramezzana, Seth Antonicello, Sean Bernardo, Marty Higgins, Gregory Dahl, Sabino Coppola IV, Mark Charles, John Kruse, Devin Ortiz, Doug Edert, Anthony Berardineli; and

WHEREAS, head coach John Isabella, along with Assistant Coach Dominick Auriemma worked tirelessly to train and guide these athletes; and

WHEREAS, the members of the 14U Elite Baseball Team were the Montville Travel Baseball League Champions with a record of 11-1; and

NOW THEREFORE, BE IT RESOLVED, that the board of Commissioners of the Township of Nutley, County of Essex, join with the Citizens of Nutley to honor and congratulate the members and coaches of the 14U Elite Baseball Team, for their exceptional efforts and accomplishments.

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 September 3, 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>					
<i>Absent/Excused</i>			X		

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers FOR Commissioner Thomas J. Evans *Date:* September 3, 2013

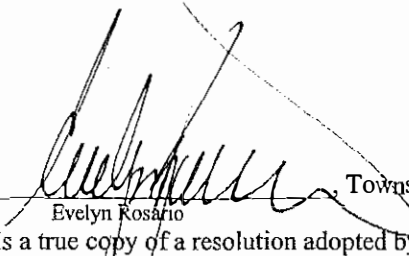
Seconded by: Commissioner Joseph P. Scarpelli *No.* 214-13

WHEREAS, the Township of Nutley entered into a contract with Total Lawn Care & Landscape Services, LLC, 471 Elizabeth Avenue, Somerset, NJ 08873 on August 7, 2012 for Property Maintenance and Brush, Grass and Weed Removal for a period of one-year with an option to renew for two one-year periods;

WHEREAS, on July 2, 2013 the Township of Nutley Board of Commissioners passed a resolution to extend the contract with Total Lawn Care & Landscape Services, LLC for an additional year from August 7, 2013 to August 7, 2014;

WHEREAS, Total Lawn Care & Landscape Services, LLC has been unable to meet the terms of their contract and specifications set forth by the Township of Nutley for Property Maintenance and Brush, Grass and Weed Removal and therefore is in breach of the Agreement;

NOW THEREFORE, BE IT RESOLVED that the Township of Nutley terminate the contract with Total Lawn Care & Landscape Services, LLC, 471 Elizabeth Avenue, Somerset, NJ 08873, effective immediately, and pay any outstanding balances due to them, after submission of the proper documentation.

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 September 3, 2013 **E**

<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>					
<i>Absent/Excused</i>			X		

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers FOR Commissioner Thomas J. Evans *Date:* September 3, 2013

Seconded by: Commissioner Joseph P. Scarpelli *No.* 215-13

WHEREAS, the Township of Nutley has a continuing need for lawn care services consistent with the requirements of our property maintenance ordinance; and

WHEREAS, THE Township of Nutley has a need to appoint an interim provider of these services through December 31, 2013; and

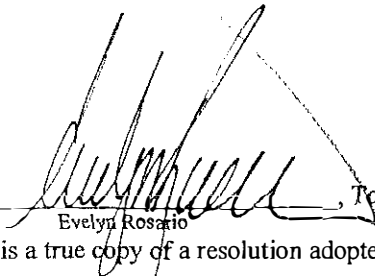
WHEREAS, landscapers were permitted to pick up Specifications for Grass and Shrubbery Cutting and Debris Removal Services and submit quotes from the Code Enforcement Office effective August 22, 2013; and

WHEREAS, four (4) landscapers picked up specification packages. Brancato Landscaping Contractor, LLC was the only Landscaping Contractor to return specifications to the Code Enforcement Office; and

WHEREAS, Brancato Landscaping Contractor, LLC, 105 Ohlson Avenue, Nutley, NJ 07110 has agreed to accept the terms of our existing agreement including pricing as follows: \$.05 per square foot for cutting weeds/grass below 12"; \$.07 per square foot for cutting weeds/grass about 12" in height; and \$80 per hour for shrub cutting and debris removal; and

WHEREAS, funds are available from Capital Ordinance 3216 in the amount of \$10,000, and have been certified by the Chief Financial Officer, said certificate being attached to this resolution.

NOW THEREFORE, BE IT RESOLVED, that the Township of Nutley enter into a contract with Brancato Landscaping Contractor, LLC, 105 Ohlson Avenue, Nutley, NJ 07110, for Brush, Grass and Weed Removal, until December 31, 2013.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 3, 2013

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli

Date: September 3, 2013

Seconded by: Commissioner Steven Rogers

No. 211-13

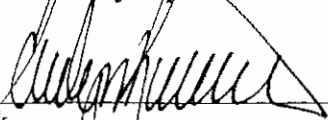
Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Park Avenue Improvement Project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014 Nutley Township-00204 to the New Jersey Department of Transportation on behalf of the Township of Nutley.

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

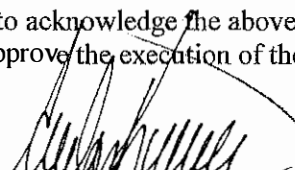
**Certified as a true copy of the Resolution adopted by the Commissioners
On this 3rd day September of , 2013**



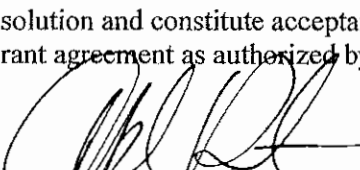
Clerk
Evelyn Rosario

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

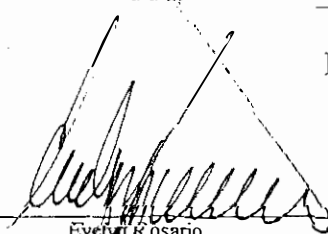
ATTEST AND AFFIX SEAL



Clerk
Evelyn Rosario



Mayor
Alphonse Petracco

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 September 3, 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>					
<i>Absent/Excused</i>			X		

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

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* September 3, 2013

Seconded by: Commissioner Steven Rogers *No.* 212-13

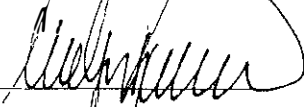
Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for funding of new sidewalks on Washington Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Nutley formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as *SST-2014-Nutley Township-00035* to the New Jersey Department of Transportation on behalf of the Township of Nutley.

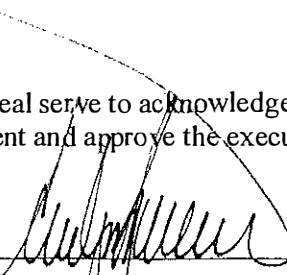
BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Nutley and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

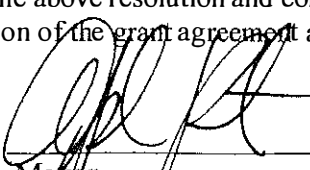
Certified as a true copy of the Resolution adopted by the Council
On this 3rd day of September, 2013

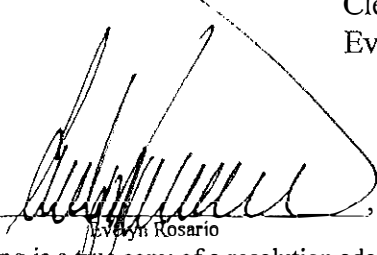

Clerk
Evelyn Rosario

My signature and the Municipal Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST AND AFFIX SEAL


Clerk
Evelyn Rosario


Mayor
Alphonse Petracco


Evelyn Rosario

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 **E** September 3, **2013** **E**

<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>					
<i>Absent/Excused</i>			X		

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli Date: September 3, 2013

Seconded by: Commissioner Steven Rogers No. 216-13

WHEREAS, Loretta Kwapniewski has been a Nutley resident for 58 years and has a 19-year-old son Michael; and

WHEREAS, Loretta was employed by the Township of Nutley, Parks and Public Property Department as a part-time Official and Playground Director from 1966 through 1972; and

WHEREAS, Loretta then started as full-time Recreation Supervisor from 1972 through 2003; and

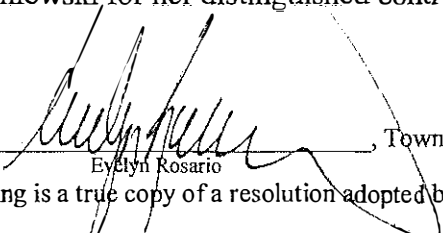
WHEREAS, Loretta then started as a Water Meter Reader with the Department of Public Works from 2003 through 2013; and

WHEREAS, Loretta has worked for the Township of Nutley for 46 years and in that time has helped institute programs for girls and woman and helped expand the recreation programs; and

WHEREAS, Loretta also was a softball official for 25 years for the men and woman softball league; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the significant and professional contributions of Loretta Kwapniewski to the Township of Nutley be hereby recognized, the Board of Commissioners wish all the happiness and good health to Loretta and her son Michael; and

BE IT FURTHER RESOLVED, that the gratitude of this Community be hereby extended to Loretta Kwapniewski for her distinguished contributions and service to the Township of Nutley.

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 3, 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>					
<i>Absent/Excused</i>			X		

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Mayor Alphonse Petracco *Date:* a September 3, 2013 a

Seconded by: Commissioner Mauro G. Tucci *No.* 213-13

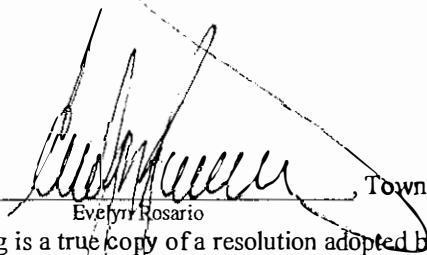
WHEREAS, raffle applications have been received from the following organizations; and

Rotary Club of Nutley	License No. 55-13 Off-Premise 50/50 Cash Raffle	November 21, 2013
St. Mary's RC Church	License No. 56-13 PULL TAB	January 7, 2014 - December 30, 2014 Every Tuesday
St. Mary's RC Church	License No. 57-13 BINGO	January 7, 2014 - December 30, 2014 Every Tuesday

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

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

...

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 September 3, 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>					
<i>Absent/Excused</i>			X		

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco JOINTLY WITH
Commissioner Mauro G. Tucci

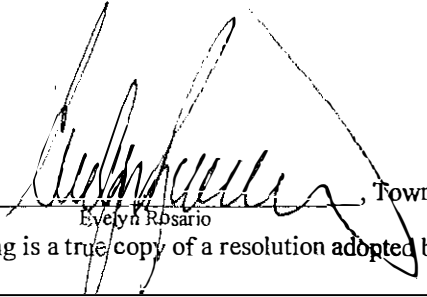
Date: September 3, 2013

Seconded by: Commissioner

No. 217-13

BE IT RESOLVED by the Board of Commissioners, of the Township of Nutley, County of Essex, New Jersey, that the Municipal Clerk be and is hereby authorized and directed to advertise for a request for quotes (RFQ's) for "Special Redevelopment Counsel"

BE IT FURTHER RESOLVED, that the request for quotes (RFQ's) shall be due on Friday, September 13, 2013 at 3:00 P.M. addressed to Evelyn Rosario, Municipal Clerk, Nutley Township Hall, One Kennedy Drive, Nutley, NJ, 07110.

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 September 3, 2013

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



NEW JERSEY HIGHLANDS COALITION
508 Main Street
Boonton, NJ 07005
www.njhighlandscoalition.org

Attach To Official Minutes

RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT

WHEREAS, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources and

WHEREAS, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

WHEREAS, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process.

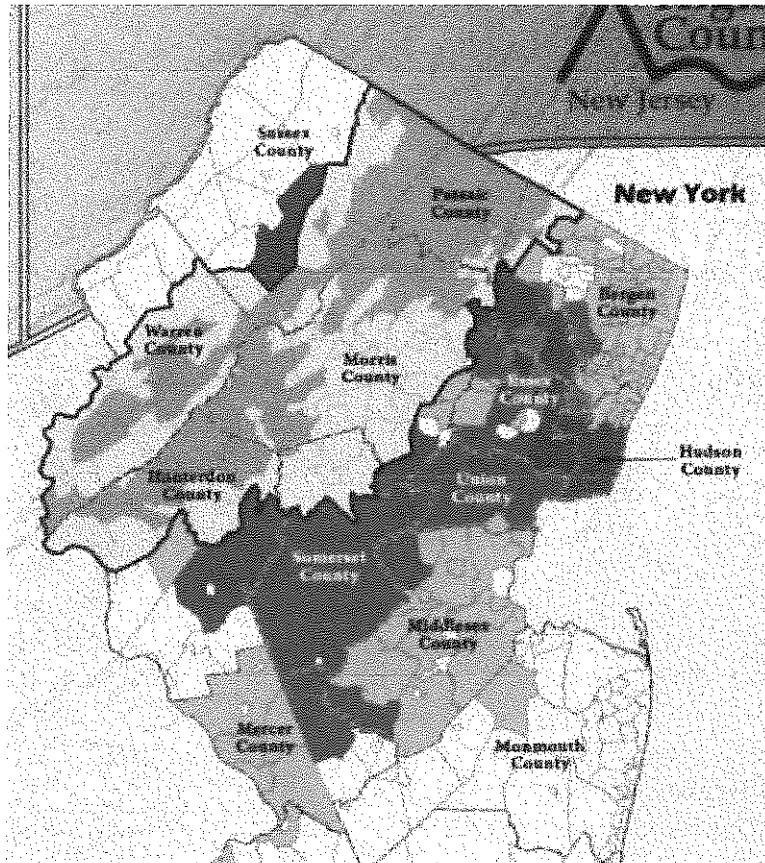
WHEREAS, (insert name of municipality) is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region; and that (insert name of municipality) relies on the resources of the Highlands to meet the current and future needs of its residents.

NOW, THEREFORE, BE IT RESOLVED that the governing body of (insert name of municipality here) wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

George Stafford, Outreach Director, New Jersey Highlands Coalition

973-615-6321 George@njhighlandscoalition.org

Highlands Map with Water Dependent Communities.



Key: Darker green areas indicate the Preservation Area of the Highlands

Lighter green areas indicate the Planning or Voluntary Compliance Area.

Red Area receive greater than 75% of their fresh drinking water from the Highlands.

Purple Areas receive 50 to 75%

Dark blue receive 25 to 50%

Light blue receive up to 25%

Areas in white receive no Highlands drinking water

Next page Essex County Towns

-
- Belleville-over 75%
- Bloomfield-over 75%
- Caldwell-25 to 50%
- Cedar Grove-50 to 75%
- City of Orange up to 25%
- East Orange -none
- Essex Fells up to 25%
- Fairfield 25 to 50%
- Glen Ridge 50 to 75%
- Irvington 25 to 50%
- Livingston up to 25%
- Maplewood 25 to 50%
- Millburn 25 to 50%
- Montclair over 75%
- Newark 50 to 75%
- North Caldwell 25 to 50%
- Nutley 50 to 75%
- Roseland up to 25%
- South Orange none
- Verona over 75%
- West Caldwell 25 to 50%
- West Orange 25 to 50%