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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

)  
PUBLIC MEETING ) TRANSCRIPT OF  
) PROCEEDINGS:  
)

**ORIGINAL**

September 16, 2014

BEFORE:

Mayor Petracco

Commissioner Thomas J. Evans

Commissioner Steven Rogers

Commissioner Joseph P. Scarpelli

Commissioner Mauro G. Tucci

Township Clerk

Job No. VTNJ - 1936738

P R O C E E D I N G S

1  
2           MAYOR PETRACCO: Everyone please stand for the  
3 flag salute.

4           (Pledge of Allegiance)

5           MAYOR PETRACCO: Madam Clerk, whenever you're  
6 ready.

7           MADAM CLERK: Tuesday, September 16th, 2014.  
8 Pursuant to the requirements of the Open Public Meeting Law,  
9 Chapter 231, Public Laws 1975, notice of this meeting was  
10 published in the December 12, 2013 issues of the Nutley sun,  
11 the Star Ledger and the Herald News. A copy of this notice  
12 has been posted on the Nutley Town Hall bulletin board and a  
13 copy is on file in the Municipal Clerk's Office.

14           Commissioner Rogers?

15           COMMISSIONER ROGERS: Here.

16           MADAM CLERK: Commissioner Tucci?

17           COMMISSIONER TUCCI: Here.

18           MADAM CLERK: Commissioner Evans?

19           COMMISSIONER EVANS: Here.

20           MADAM CLERK: Commissioner Scarpelli?

21           COMMISSIONER SCARPELLI: Here.

22           MADAM CLERK:

23           Mayor Petracco?

24           MAYOR PETRACCO: Here.

25           MADAM CLERK: All present, Mayor.

1           MAYOR PETRACCO: Thank you, Madam Clerk.

2           I see we have Minutes.

3           MADAM CLERK: Yes, Mayor, we have several Minutes  
4 this evening.

5           I have meeting minutes for meeting held August 5th  
6 and the continued meeting of August 8th for 2014.

7           I have Executive Session meeting minutes from  
8 meetings held June 10th, July 15th, August 5th and August  
9 19th, 2014.

10          I need a motion, please.

11          COMMISSIONER TUCCI: Move it.

12          COMMISSIONER EVANS: Second.

13          MADAM CLERK: Okay. Moved by Commissioner Tucci,  
14 seconded by Commissioner Evans.

15          Commissioner Rogers?

16          COMMISSIONER ROGERS: "Aye".

17          MADAM CLERK: Commissioner Tucci?

18          COMMISSIONER TUCCI: "Aye".

19          MADAM CLERK: Commissioner Evans?

20          COMMISSIONER EVANS: "Aye".

21          MADAM CLERK: Commissioner Scarpelli?

22          COMMISSIONER SCARPELLI: "Aye".

23          MADAM CLERK: Mayor Petracco?

24          MAYOR PETRACCO: "Aye".

25

1 MADAM CLERK: That's all for minutes this evening,  
2 Mayor.

3 MAYOR PETRACCO: Communications, I see none.  
4 Reports -- we'll move on to the bills.

5 MADAM CLERK: Yes, Mayor.

6 Bill is Tuesday, September 16th, 2014. Public  
7 Affairs, \$73,977.28; Revenue and Finance, \$2,925,846.78;  
8 Public Safety, \$67,457.04; Public Works, \$22,015.47; Parks  
9 and Public Property, \$43,918.69; Payroll as of September  
10 12th, 2014, \$772,802.08 for a grand total bill list of  
11 \$3,906,017.34.

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

13 COMMISSIONER EVANS: Move the bills.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Moved by Commissioner Evans,  
16 seconded by Commissioner Tucci.

17 Commissioner Rogers?

18 COMMISSIONER ROGERS: "Aye".

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: "Aye".

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: "Aye".

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: "Aye".

25 MADAM CLERK: Mayor Petracco?

1           MAYOR PETRACCO: "Aye".

2           MADAM CLERK: That's all for bills this evening,  
3 Mayor. Thank you.

4           MAYOR PETRACCO: Thank you. We're going to take  
5 one item out of order, if we may, before we go on to our  
6 public hearing. Commissioner Evans.

7           COMMISSIONER EVANS: Mayor, with your permission,  
8 I'd like to read a resolution?

9           MAYOR PETRACCO: That'll be fine. Thank you.

10          COMMISSIONER EVANS: This Resolution is on behalf  
11 of the Mayor and the Board of Commissioners which I will  
12 read as follows. Evelyn, this relates to you.

13          WHEREAS, Evelyn Rosario was appointed Municipal  
14 Clerk of the Township of Nutley on September 7th, 2004; and

15          WHEREAS, Evelyn Rosario embraced her duties and  
16 responsibilities with honor and grace, attaining tenure in  
17 2009; and

18          WHEREAS, Evelyn Rosario has earned the respect of  
19 the Board of Commissioners as well as other boards and  
20 departments of the Township and current and former and her  
21 following municipal employees;

22          WHEREAS, Evelyn Rosario is a member of the Essex  
23 County Clerk's Association and has served in multiple  
24 leadership roles within the association; and

25

1           WHEREAS, Evelyn Rosario has set a standard for  
2           which all future municipal clerks should emulate; and

3           WHEREAS, Evelyn Rosario, after ten years of  
4           service to the Township of Nutley has made a decision to  
5           pursue other opportunities.

6           NOW, THEREFORE, BE IT RESOLVED by the Mayor and  
7           Board of Commissioners of the Township of Nutley, County of  
8           Essex, State of New Jersey that Evelyn Rosario is recognized  
9           for her years of dedicated service and the Mayor and Board  
10          of Commissioners further extend their sincere best wishes  
11          for her future success.

12          AND BE IT FURTHER RESOLVED that the gratitude of  
13          this community is hereby extended to Evelyn Rosario for her  
14          ten years of service to the Township of Nutley. So move.

15          COMMISSIONER TUCCI: Second

16          MAYOR PETRACCO: Mauro, if I can. The whole Board  
17          is going to second this Resolution on behalf of our Madam  
18          Clerk.

19          MADAM CLERK: Commissioner Rogers?

20          COMMISSIONER ROGERS: "Aye".

21          MADAM CLERK: Commissioner Tucci?

22          COMMISSIONER TUCCI: "Aye".

23          MADAM CLERK: Commissioner Evans?

24          COMMISSIONER EVANS: Evelyn, thank you for  
25          everything. "Aye".

1 MADAM CLERK: Thank you, Commissioner.

2 Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Yeah, before I say, "aye"  
4 I just want to say it's been a pleasure working with you the  
5 past five and a half years and on behalf of the Department  
6 of Public Works, we wish you the best of luck in your  
7 future.

8 MADAM CLERK: Thank you, Commissioner.

9 COMMISSIONER SCARPELLI: "Aye".

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Madam Clerk, I've never asked you  
12 to face me and I'm used to seeing you from behind but if you  
13 could just (laughter), excuse me guys, I'd just like to say,  
14 you know, Evelyn, when I came here, I was really, really not  
15 from a governmental family or politician family or anything  
16 like that and your help from day one was extraordinary. I  
17 don't think I could ever get a better clerk or a better  
18 friend or a better work partner than I've had. So I wish  
19 you the best. I know it's a healthy and a good opportunity  
20 for you to leave us but I have to say if I talk any more, I  
21 think the tears are going to start flowing. So, I'll say on  
22 the mic, I love you very much and I wish you the best.

23 (Applause)

24 MADAM CLERK: Thank you, Mayor. Thank you  
25 everyone.

1 (Applause)

2 MADAM CLERK: Thank you.

3 (Applause)

4 MAYOR PETRACCO: Before we --

5 MADAM CLERK: Thank you very much, Commissioners.

6 It's been a pleasure to serve this Board and to serve this  
7 community. I will truly miss everyone and thank you, again.

8 MAYOR PETRACCO: Madam Clerk, we just want to give  
9 Commissioner Tucci an opportunity to say something.

10 COMMISSIONER TUCCI: We change the protocol around  
11 here every now and again. I thought we were going to vote  
12 first and then make our comments but -- Joe jumped the gun  
13 again. These young guys, you've got to watch them.

14 Evelyn, you know, and we've had this conversation,  
15 when you first came to this Township, I was not necessarily  
16 a supporter only because I had no clue what the process was.  
17 I didn't know you. I didn't know what your background was,  
18 what your experience was but as we began to work together,  
19 and not just you and I, but you and the Parks Department,  
20 all right, you have the respect and the admiration of not  
21 only myself, but each and every person in our department.  
22 You are a phenomenal clerk.

23 You are a wonderful person. You're a major loss  
24 for this Township. You have large shoes that need to be  
25 filled. The way you conduct yourself with class and dignity



1 is unparalleled. I want to wish you all the best from the  
2 bottom of my heart. I wish you weren't leaving but if you  
3 must, I know you're going to succeed. I know you're going  
4 to do well and you know you always have a home here in  
5 Nutley. God bless you.

6 MADAM CLERK: Thank you, Commissioner, that means  
7 a lot to me. Thank you.

8 MAYOR PETRACCO: And Commissioner Rogers.

9 (Applause)

10 COMMISSIONER ROGERS: You've served with honor and  
11 distinction. I really can't add more to what commissioner  
12 Tucci said but I wish you and pray all of God's blessings  
13 upon you and your family. Thank you very much.

14 MADAM CLERK: Thank you, Commissioner, that means  
15 a lot to me as well.

16 COMMISSIONER ROGERS: Can we at this time all take  
17 a photo, Commissioner?

18 MAYOR PETRACCO: Absolutely.

19 COMMISSIONER EVANS: By the way, I only have to  
20 say thank you because just being polite. You guys changed  
21 the rules so, Evelyn, it's been a wonderful ride for 10  
22 years. I go back to when we started interviewing and we sat  
23 outside on a park bench --

24 MADAM CLERK: Uh-huh.

25

1           COMMISSIONER EVANS:  -- and talked about the  
2 opportunity for you in Nutley to grow and that's why in this  
3 Resolution, you know, I specifically chose the words with  
4 honor and grace.  So we wish you well.  We know that you  
5 will continue to serve the Clerk's Association and you'll  
6 serve as a municipal clerk and continue to carry out those  
7 duties.

8           Thank you for everything you've done for us and  
9 thank you for being here as we transition to the future.  
10 Thank you.

11          MADAM CLERK:  Thank you, Commissioner, that means  
12 a lot to me as well.  Thank you.

13          (Applause)

14          MAYOR PETRACCO:  If there is anyone that would  
15 like to leave before we get started with our business  
16 portion of the meeting, feel free.

17          That's a first.  Okay.  Commissioner Scarpelli.

18          COMMISSIONER SCARPELLI:  I --

19          MAYOR PETRACCO:  You lose one?  Okay, we'll just  
20 take a little break.  A television time out.

21          UNKNOWN SPEAKER:  A commercial.

22          MADAM CLERK:  Are we ready, Mayor?  Are we --

23          MAYOR PETRACCO:  We're --  Commissioner Scarpelli  
24 had a emergency run to the bathroom so --

25          MADAM CLERK:  Okay.

1 UNKNOWN SPEAKER: While he's waiting, I'll share  
2 something with you. How's that, Mayor.

3 MAYOR PETRACCO: See, for those of you in the  
4 back, it's not just the old guys.

5 (Laughter)

6 UNKNOWN SPEAKER: Those of you who have problems  
7 with glasses, in other words, you ever buy reading glasses  
8 and you're breaking them, and the little pads are falling  
9 off, et cetera, well, I used to have that problem up until  
10 two days ago. So I'm in Barnes & Noble and I see this  
11 little box and you open the box and it has this and it has  
12 this and it has this. You know, now I was wearing these  
13 like these and I said, it's a little tough on the temples  
14 and then I realized it has this. So if you have a problem  
15 with these glasses breaking all the time, pick these up at  
16 Barnes & Noble. Okay? Or any store. I don't have stock in  
17 Barnes & Noble so --

18 (Laughter)

19 UNKNOWN SPEAKER: Pretty good, huh? Little box.

20 MAYOR PETRACCO: That is also a first here  
21 tonight.

22 While we do have a minute, I did want to talk to  
23 my assistant today, San Crella (ph) about something that I'm  
24 planning in the near future. What I wanted to do with the  
25 Township, I've seen this somewhere, is where they have a

1 contest, a photo contest of the best pictures around town,  
2 so they have one for the children. There's a couple  
3 categories. There's one for children, photography. And  
4 there's one for adults and there's also a category for  
5 senior citizens. So I will put another task to Ms. Crella  
6 and if any of the other departments would like to join us,  
7 what we want to do is have a contest on the best photos of  
8 Nutley and they'll be three categories; a children's, I  
9 guess our age group, whatever that is, and a senior citizen  
10 one, adult senior citizen. And maybe at our tree ceremony  
11 we could present the winners. Okay?

12 So I think if any of the other departments would  
13 like to join in and they could be historic pictures. They  
14 could be pictures from now or, you know, whatever we can  
15 get.

16 Okay. So, enough said. We will now move on to  
17 the business portion of the meeting.

18 This evening, I have a public hearing on -- which  
19 is for our chief of the police department. It's Ordinance  
20 No. 3297. It's an ordinance to fix the salaries of certain  
21 officers and employees of the Township of Nutley, County of  
22 Essex, State of New Jersey, effective January 1st for each  
23 of the years 2013, 14, 15 and 16. All right.

24 Right here. We did have a minor change to the  
25 language. I'll read it into the record.

1           Section 2, to the extent not set forth herein  
2 longevity, holiday pay and stipend shall be added to all  
3 basic salaries consistent with the provisions of the  
4 Township of Nutley Collective Bargaining Agreement, PBA  
5 Local 33A January 1st, 2013 through December 31st, 2016 of  
6 which the chief is not a member but entitled to.

7           Before we vote on this, I did do a little homework  
8 about these salaries. Our chief's base salary will be  
9 \$147,750. I did conduct a little survey before we came up  
10 with this number. Clifton is -- and these are again our  
11 chiefs' salaries. Clifton is at \$190,000. It's actually  
12 \$190,433. Bloomfield is at 184,000, Bellville is at 180,000  
13 and Lyndhurst, New Jersey is at 190,000 plus. Wayne also is  
14 over the \$200,000 mark. They're at \$219,000.

15           Is there anyone here this evening that would like  
16 to comment on ordinance No. 3297?

17           Seeing no one and with -- well, I guess I should  
18 open this up.

19           UNKNOWN SPEAKER: Just one question, Mayor. Does  
20 those number you quoted, are those base salary numbers?

21           MAYOR PETRACCO: These are all in.

22           UNKNOWN SPEAKER: All in. All right.

23           MAYOR PETRACCO: So with that number will be for  
24 our current chief, our all in number is still subsequently  
25

1 low compared to our neighboring towns. It'll be about  
2 165,000 all in.

3 UNKNOWN SPEAKER: Thank you.

4 MAYOR PETRACCO: Madam Clerk, did I have to make a  
5 motion to open the public hearing?

6 MADAM CLERK: You need to -- a motion to close the  
7 public hearing, Mayor.

8 MAYOR PETRACCO: Oh, okay. We need a motion to  
9 close the public hearing.

10 COMMISSIONER TUCCI: Move it.

11 COMMISSIONER ROGERS: Second.

12 MADAM CLERK: Motion by Commissioner Tucci,  
13 seconded by Commissioner Rogers.

14 Commissioner Rogers?

15 COMMISSIONER ROGERS: "Aye".

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: "Aye" and I believe it's a  
18 bargain.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: "Aye".

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: "Aye".

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: I vote "aye" and just for an  
25 aside note, I'd just like to say that our chief has been in

1 the position, I think, it's almost about a year, actually  
2 coming up on a year. I have to say sometimes in life it's  
3 not where you start but it's where you end up. I am very  
4 proud and pleased to announce that Chief Shromala (ph), as I  
5 call him Tommy, has done a wonderful job this past year. I  
6 couldn't be more proud of him and pleased. He's available  
7 24/7 no matter where he is, he picks up my phone calls. If  
8 he has to come back to the town, sometimes he even beats me  
9 back to the scene which is very unbelievably because he  
10 lives in Fairfield as we know so I want to say, Tom, that  
11 you're doing a great job. I'm very proud of you and pleased  
12 with your performance and I look forward to the next few  
13 years together.

14 (Applause)

15 MAYOR PETRACCO: Okay. Thank you.

16 Commissioner Rogers, resolutions.

17 MADAM CLERK: Mayor, we need a motion to move the  
18 -- to adopt.

19 COMMISSIONER TUCCI: Move it.

20 COMMISSIONER ROGERS: Second.

21 MADAM CLERK: A motion by Commissioner Tucci,  
22 seconded by Commissioner Rogers.

23 Commissioner Rogers?

24 COMMISSIONER ROGERS: "Aye".

25

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: "Aye".

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: "Aye".

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: "Aye".

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: "Aye". Thank you.

9 Okay, Commissioner Rogers.

10 COMMISSIONER ROGERS: Resolution No. 213-14.

11 BE IT RESOLVED that the Board of Commissioners of  
12 the Township of Nutley, County of Essex, State of New  
13 Jersey, approve the renewal of the Shared Services agreement  
14 for the school physician services with the Township of  
15 Nutley, provided by Dr. Mary Ann Alessio, for the 2014-2014  
16 school year. So move.

17 COMMISSIONER SCARPELLI: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: "Aye".

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: "Aye".

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: "Aye".

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: "Aye".



1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: "Aye".

3 COMMISSIONER ROGERS: Resolution 223-14.

4 WHEREAS, N.J.S.A 40A:4-87 provides that the  
5 director of the Division of Local Government Services may  
6 approve the insertion of any special item in the budget of  
7 any county or municipality when such item shall have been  
8 made available by law and the amount thereof was not  
9 determined at the time of the adoption of the budget; and

10 WHEREAS, said Director may also approve the  
11 insertion of any item of appropriation for equal amount.

12 Section 1: NOW, THEREFORE, BE IT RESOLVED, that  
13 the Board of Commissioners of the Township of Nutley, County  
14 of Essex, State of New Jersey, hereby requests the Director  
15 of the Division of Local Government Services to approve the  
16 insertion of an item of revenue in the budget of the year  
17 2014 in the sum of \$7,000.00, which item is now available as  
18 a revenue from the shared Services Agreement with the Nutley  
19 Board of Education for Public Health and Physicians pursuant  
20 to the provisions of statute;

21 Section 2: BE IT RESOLVED that a like sum of  
22 47,000.00 be and the same is hereby appropriated under the  
23 caption of General Appropriations, Operations Excluded from  
24 5% CAPS, Shared Service Agreement the Nutley Board of

25

1 Education for Public Health and Physician Services with the  
2 Health Department, other expenses, \$7,000.00;

3 BE IT FURTHER RESOLVED that the Township Clerk  
4 forward two certified copies of this resolution to the  
5 director of Local Government Services.

6 So move.

7 COMMISSIONER SCARPELLI: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: "Aye".

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: "Aye".

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: "Aye".

14 MADAM CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: "Aye".

16 MADAM CLERK: Mayor Petracco?

17 MAYOR PETRACCO: "Aye".

18 COMMISSIONER ROGERS: Resolution 225-14.

19 WHEREAS, Request for Proposals for Solid Waste,  
20 Bulk Waste, Vegetative Waste, Leaves and Grass were opened  
21 on Wednesday, September 10, 2014; and

22 WHEREAS, only one bid was received by the  
23 municipality, said bid substantially exceeds the cost  
24 estimate for the services; and

25

1           WHEREAS, this is the second rejected bid for the  
2 collection of Solid Waste, Bulk Waste, Vegetative Waste,  
3 Leaves and Grass; and

4           WHEREAS, N.J.S.A. 40A:d1-13.2(a) permits the  
5 rejection of all proposals under such circumstances;

6           NOW THEREFORE, BE IT RESOLVED, by the Board of  
7 commissioners of the Township of Nutley that the bids for  
8 Solid Waste, Bulk Waste, Vegetative Waste, Leaves and Grass,  
9 as advertised, received and opened are hereby rejected.

10           So move.

11           COMMISSIONER SCARPELLI: Second.

12           MADAM CLERK: Commissioner Rogers?

13           COMMISSIONER ROGERS: "Aye".

14           MADAM CLERK: Commissioner Tucci?

15           COMMISSIONER TUCCI: "Aye".

16           MADAM CLERK: Commissioner Evans?

17           COMMISSIONER EVANS: "Aye".

18           MADAM CLERK: Commissioner Scarpelli?

19           COMMISSIONER SCARPELLI: "Aye".

20           MADAM CLERK: Mayor Petracco?

21           MAYOR PETRACCO: "Aye".

22           MAYOR PETRACCO: Is that all you have tonight,  
23 Commissioner Rogers?

24           COMMISSIONER ROGERS: That's it, Mayor. Thank  
25 you.

1           MAYOR PETRACCO: Thank you. Commissioner Tucci.

2           COMMISSIONER TUCCI: Yes.

3           WHEREAS, sealed bids were received for Tree  
4 Pruning Services on august 6th, 2014 in the Township of  
5 Nutley; and

6           WHEREAS, Downes Tree Service Co., 65 Royal Avenue,  
7 Hawthorne, New Jersey was the low bidder; and

8           WHEREAS, funds are available from accounts 4-01-  
9 512-200 and account 5-01-512-200 for a total not to exceed  
10 \$30,000.00 and have been certified by the Chief Financial  
11 Officer, said certification being attached to this  
12 resolution;

13           NOW THEREFORE, BE IT RESOLVED, by the Board of  
14 Commissioners, Township of Nutley, County of Essex, State of  
15 New Jersey, that a contract for Tree pruning be awarded to  
16 Downes Tree Service.

17           I move the resolution.

18           COMMISSIONER EVANS: Second.

19           MADAM CLERK: Commissioner Rogers?

20           COMMISSIONER ROGERS: "Aye".

21           MADAM CLERK: Commissioner Tucci?

22           COMMISSIONER TUCCI: "Aye".

23           MADAM CLERK: Commissioner Evans?

24           COMMISSIONER EVANS: "Aye".

25           MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: "Aye".

2 MADAM CLERK: Mayor Petracco?

3 MAYOR PETRACCO: "Aye".

4 COMMISSIONER TUCCI: WHEREAS, sealed bids were  
5 received for Tree Removal Services on August 6th, 2014 in  
6 the Township of Nutley; and

7 WHEREAS, Downes Tree Service, 65 Royal Avenue,  
8 Hawthorne, New Jersey was the low bidder; and

9 WHEREAS, funds are available from accounts 4-01-  
10 512-200 and account 5-01-512-200 for a total not to exceed  
11 \$30,000.00 and have been certified by the Chief Financial  
12 Officer, said certification being attached to this  
13 resolution.

14 NOW THEREFORE, BE IT RESOLVED by the Board of  
15 Commissioners of the Township of Nutley, County of Essex,  
16 State of New of New Jersey, that a contract for Tree Removal  
17 be awarded to Downes Tree Services Co., Inc.

18 Before I move this, I just want to give a brief  
19 explanation. The amounts listed on the original resolutions  
20 were a bit higher. We reduced them because we, in fact, at  
21 one point, had 85 trees that needed to come down. We have  
22 since gotten that number down to about 25 or 30 with our own  
23 forces and with the help of the Public Works Department, who  
24 I want to publically thank, and we've also caught up  
25

1 substantially on our tree pruning which is allowing us to  
2 save about \$45,000.00.

3 I move the resolution.

4 MAYOR PETRACCO: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: "Aye".

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: "Aye".

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: "Aye".

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: "Aye".

13 MADAM CLERK: Mayor Petracco?

14 MAYOR PETRACCO: "Aye".

15 COMMISSIONER TUCCI: WHEREAS, sealed bids were  
16 received for Monsignor Owens Park Improvements on September  
17 10, 2014 in the Township of Nutley; and

18 WHEREAS, Applied Landscaping Technologies, Inc.,  
19 395 Palisade Avenue, Garfield, New Jersey was the low bidder  
20 at \$153,512.00; and

21 WHEREAS, funds are available from Capital  
22 ordinance No. 3284 in the amount of \$122,019.71, and Capital  
23 ordinance No. 3242D in the amount of 31,492.29, and have  
24 been certified by the Chief Financial Officer, said  
25 certification being attached to this resolution.

1           NOW THEREFORE, BE IT RESOLVED, by the Board of  
2 Commissioners of the Township of Nutley, County of Essex,  
3 State of New Jersey that a contract for Monsignor Owens Park  
4 Improvements be awarded to Applied Landscaping Technologies.

5           This money will be charged to these accounts.  
6 This will be reimbursed by the Essex County Open Space Trust  
7 Fund. This is a grant.

8           I move the resolution.

9           MAYOR PETRACCO: Second.

10          MADAM CLERK: Commissioner Rogers?

11          COMMISSIONER ROGERS: "Aye".

12          MADAM CLERK: Commissioner Tucci?

13          COMMISSIONER TUCCI: "Aye".

14          MADAM CLERK: Commissioner Evans?

15          COMMISSIONER EVANS: "Aye".

16          MADAM CLERK: Commissioner Scarpelli?

17          COMMISSIONER SCARPELLI: "Aye".

18          MADAM CLERK: Mayor Petracco?

19          MAYOR PETRACCO: "Aye".

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

21          MAYOR PETRACCO: Thank you. Commissioner Evans.

22          COMMISSIONER EVANS: Thank you.

23          WHEREAS, N.J.S.A. 40:48-214 allows a municipality  
24 to cut brush, hedges and other plant life from lands under  
25 the direction of the code enforcement officer; and

1           WHEREAS, David Berry, Zoning Officer, has  
2 certified that said unpaid 2013 and prior charges are  
3 subject to tax sale; and

4           The Township enacted Chapter 520, entitled  
5 Property maintenance, which provides that amounts charged to  
6 cut brush, hedges and other plant life by the municipality  
7 shall become a lien on such said lands.

8           NOW THEREFORE, BE IT RESOLVED by the Board of  
9 Commissioners in the -- of the Township of Nutley in the  
10 County of Essex that this Resolution be transmitted to the  
11 tax collector and the said unpaid charges for 2013 and prior  
12 are hereby certified as unpaid and subject to the tax sale.

13           The list contained in here of roughly --  
14 approximately 20 properties provides individual amounts,  
15 lots and blocks for each of these properties.

16           So moved.

17           COMMISSIONER TUCCI: Second.

18           MADAM CLERK: Commissioner Rogers?

19           COMMISSIONER ROGERS: "Aye".

20           MADAM CLERK: Commissioner Tucci?

21           COMMISSIONER TUCCI: "Aye".

22           MADAM CLERK: Commissioner Evans?

23           COMMISSIONER EVANS: "Aye".

24           MADAM CLERK: Commissioner Scarpelli?

25           COMMISSIONER SCARPELLI: "Aye".



1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: "Aye".

3 COMMISSIONER EVANS: BE IT RESOLVED by the Board  
4 of Commissioners of the Township of Nutley, in the County of  
5 Essex, State of New Jersey, that the Treasurer be and she is  
6 hereby authorized to refund overpayment of property taxes in  
7 the amount of \$1,848.43 for Block 300, Lot 54. So moved.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: "Aye".

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: "Aye".

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: "Aye".

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: "Aye".

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: "Aye".

19 COMMISSIONER EVANS: BE IT RESOLVED by the Board  
20 of Commissioners in the County of Essex, State of New  
21 Jersey, that the Treasurer be and she is hereby authorized  
22 to refund overpayments of tax charges in the amount of  
23 \$33,212.51 for the following accounts:

24 Block 7704-17 \$2,155.40

25 Block 9504-13 \$3,054

1                   7200 Lot 3 Code C0322       \$4,909.06 for 2013  
2   \$6,960.87 for 2012  
3   \$6,641.25 for 2011  
4   \$6,339.89 for 2010 and  
5   \$3,205.50 for 2009.

6                   So move.

7                   COMMISSIONER TUCCI:   Second.

8                   MADAM CLERK:   Commissioner Rogers?

9                   COMMISSIONER ROGERS:   "Aye".

10                  MADAM CLERK:   Commissioner Tucci?

11                  COMMISSIONER TUCCI:   "Aye".

12                  MADAM CLERK:   Commissioner Evans?

13                  COMMISSIONER EVANS:   "Aye".

14                  MADAM CLERK:   Commissioner Scarpelli?

15                  COMMISSIONER SCARPELLI:   "Aye".

16                  MADAM CLERK:   Mayor Petracco?

17                  MAYOR PETRACCO:   "Aye".

18                  COMMISSIONER EVANS:   BE IT RESOLVED by the Board  
19                  of Commissioners of the Township of Nutley, County of Essex,  
20                  State of New Jersey, that the Municipal Clerk be and she is  
21                  hereby authorized and directed to advertise for a request  
22                  for qualification to redesign and support the Township's  
23                  municipal website.

24                  BE IT FURTHER RESOLVED that the request for  
25                  qualification shall be due on Wednesday, October 15th, 2014

1 at 3 p.m. addressed to the Municipal Clerk, Town  
2 Nutley, One Kennedy Drive, Nutley New Jersey, at  
3 they will be opened and read. So move.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: "Aye".

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: "Aye".

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: "Aye".

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: "Aye".

13 MADAM CLERK: Mayor Petracco?

14 MAYOR PETRACCO: "Aye".

15 COMMISSIONER EVANS: Resolution 221-14  
16 required tonight and will not be read.

17 Next Resolution. WHEREAS, all governn  
18 must prepare and submit a corrective action plan  
19 the annual audit process in accordance with OMB  
20 133 and 98-01;

21 NOW, THEREFORE, BE IT RESOLOVED by the  
22 Commissioners of the Township of Nutley, County  
23 New Jersey, that the attached corrective plan for  
24 year 2013 is hereby approved.  
25

1 BE IT FURTHER RESOLVED that a copy of this  
2 corrective action plan be kept on file in the Township  
3 Clerk's Office and one certified copy is to be submitted to  
4 the Director of the Division of Local Governmental Services.  
5 So move.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: "Aye".

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: "Aye".

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: "Aye".

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: "Aye".

15 MADAM CLERK: Mayor Petracco?

16 MAYOR PETRACCO: "Aye".

17 COMMISSIONER EVANS: Thank you, Mayor.

18 MAYOR PETRACCO: Commissioner Scarpelli, please.

19 COMMISSIONER SCARPELLI: BE IT RESOLVED by the  
20 Board of Commissioners of the Township of Nutley, County of  
21 Essex, State of New Jersey, that the Township Clerk is  
22 hereby authorized to advertise for sealed bids for 2014  
23 Hancox Avenue and Conover Street improvements in the  
24 Township of Nutley, to be received on behalf of the Board of  
25 Commissioners in the Commission Chambers, Township Hall, 1

1 Kennedy Drive, Nutley, New Jersey on Thursday, October 9th,  
2 2014 at 3 p.m. prevailing time, at which time they will be  
3 opened and read.

4 I move the Resolution.

5 MAHYOR PETRACCO: Second.

6 MADAM CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: "Aye".

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: "Aye".

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: "Aye".

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: "Aye".

14 MADAM CLERK: Mayor Petracco?

15 MAYOR PETRACCO: "Aye".

16 COMMISSIONER SCARPELLI: This is a resolution for  
17 -- to go out for a grant for the Department of  
18 Transportation funding for Park Avenue from Passaic Avenue  
19 to Union Avenue.

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

24 BE IT FURTHER RESOLVED, that the Mayor and Clerk  
25 are hereby authorized to submit an electronic grant

1 application identified as MA-2015 Township of Nutley Park  
2 Avenue Improvement 00142 to the New Jersey Department of  
3 Transportation on behalf of the Township of Nutley.

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

10 I move the resolution.

11 COMMISSIONER ROGERS: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: "Aye".

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: "Aye".

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: "Aye".

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: "Aye".

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Commissioner Scarpelli, what part  
22 of Park Avenue is this?

23 COMMISSIONER SCARPELLI: From Union to Park  
24 Avenue. We've already just paved --

25 MAYOR PETRACCO: Oh, Union.

1 COMMISSIONER SCARPELLI: -- from Washington to  
2 Union and this is where --

3 MAYOR PETRACCO: From union (indiscernible).

4 COMMISSIONER SCARPELLI: Union to (indiscernible)  
5 Park Avenue.

6 MAYOR PETRACCO: Okay. "Aye". Thank you.

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

8 MAYOR PETRACCO: Thank you.

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

11 Nutley High School Soccer Booster Club, License  
12 No. 61-14 Off Premises 50/50 Cash Raffle, November 19, 2014;

13 WHEREAS, the applications have been reviewed and  
14 approved by the Municipal Clerk and the police department.

15 NOW, THEREFORE, BE IT RESOLVED by the Board of  
16 Commissioners of the Township of Nutley, County of Essex,  
17 State of New Jersey that the license is approved and the  
18 Municipal Clerk is authorized to issue the license.

19 I move the resolution.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: "Aye".

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: "Aye".

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: "Aye".

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: "Aye".

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: "Aye".

6 WHEREAS, pursuant to the Fire Service Resource  
7 Emergency Deployment Act, N.J.S.A. 52:14E-14 and the  
8 regulations promulgated thereunder, including, but not  
9 limited to, N.J.A.C. 5:74A-2.2, municipalities in the State  
10 of New Jersey shall adopt fire mutual aid plan,  
11 collectively, the Fire Mutual Aid Plan; and

12 WHEREAS, under the Fire Mutual Aid Plan, each  
13 municipality or fire district must prepare and adopt a local  
14 fire mutual aid plan which sets forth policies and  
15 procedures to coordinate the effective utilization of fire  
16 service resources where the implementation of the Fire  
17 Mutual Aid Plan is determined to be necessary or  
18 appropriate; and

19 WHEREAS, the Fire Mutual Aid Plan must be based  
20 upon the planning criteria, objectives, requirements,  
21 responsibilities and concepts of operations essential for  
22 the implementation of all necessary and appropriate  
23 protective or remedial measures to be taken in response to  
24 emergency incidents; and

25



1           WHEREAS, this agreement has been authorized by the  
2 Township Council and recommended for execution by the  
3 Township of Nutley and by the Essex County Fire Coordinator,  
4 Essex County Fire Chief's Association and Deputy Fire Chief  
5 of the Township of Nutley.

6           NOW, THEREFORE, BE IT RESOLVED by the Board of  
7 commissioners in the Township of Nutley, County of Essex,  
8 State of New Jersey that in consideration of the mutual  
9 promises made hereon, the participating units hereby agree  
10 to the Fire Mutual Aid agreement between participating Essex  
11 County municipalities.

12           I move the resolution.

13           COMMISSIONER TUCCI: Second.

14           MADAM CLERK: Commissioner Rogers?

15           COMMISSIONER ROGERS: "Aye".

16           MADAM CLERK: Commissioner Tucci?

17           COMMISSIONER TUCCI: "Aye".

18           MADAM CLERK: Commissioner Evans?

19           COMMISSIONER EVANS: "Aye".

20           MADAM CLERK: Commissioner Scarpelli?

21           COMMISSIONER SCARPELLI: "Aye".

22           MADAM CLERK: Mayor Petracco?

23           MAYOR PETRACCO: "Aye".

24           BE IS RESOLVED by the Board of Commissioners of  
25 the Township of Nutley in the County of Essex, State of New

1 Jersey, that the treasurer be and she is hereby  
2 authorization to refund overpayment of property taxes -- am  
3 I reading your resolution?

4 MADAM CLERK: (Indiscernible).

5 COMMISSIONER EVANS: It sounds familiar.

6 MAYOR PETRACCO: Okay. But -- here's me.

7 UNKNOWN SPEAKER: Leave him alone. He's on a  
8 roll.

9 MAYOR PETRACCO: I think, Madam Clerk, played a  
10 trick on me and put my stuff out of order the last meeting.  
11 If you like to re-read them all --

12 MADAM CLERK: I apologize.

13 MAYOR PETRACCO: No, that's fine. I believe that  
14 concludes our business portion of the meeting.

15 (Laughter)

16 MAYOR PETRACCO: At this time, our meeting will be  
17 open to the public.

18 Madam Clerk, could you please read our five minute  
19 rule?

20 MADAM CLERK: Yes, Mayor.

21 All persons addressing the Board of Commissioners  
22 regarding community concerns should approach the microphone  
23 and provide their name and address for the record.

24 Unless further time is granted by the Board, each  
25 person shall limit their address to five minutes.

1 All remarks to the Board and its individual  
2 members must be addressed to the Mayor. The Mayor may defer  
3 citizen comments to the appropriate member of the Board.

4 Dialogue between citizens and others addressing  
5 the Board shall be allowed unless the Mayor or presiding  
6 officer or the majority of the membership of the Board shall  
7 determine that the interests of decorum and/or the  
8 expeditious conduct of municipal business are being  
9 adversely affected by such dialogue.

10 Name and address for the record, please.

11 MAYOR PETRACCO: Is there anyone here this evening  
12 that would like to address the Board of Commissioners?  
13 Okay. Whoever'd like to go first. Pick.

14 Please state your name and address for the record  
15 and I'd like to thank everyone for waiting. We did have a  
16 long executive session.

17 MR. HEGLE: First name, John. Last name, Hegle  
18 (ph). 145 Alexander Avenue, Nutley, New Jersey.

19 Good evening, Mayor, Commissioners,  
20 (indiscernible) attorney, Municipal Clerk, congratulations.

21 I'm here tonight relevant to a study that was done  
22 relevant to the police department. I felt tonight was  
23 appropriate because of the chief's pay raise, which I'm in  
24 agreement with, and in light of the events that happened in  
25

1 Newark the last six years, from 2007 to 2013 and what's  
2 happening in neighboring Bloomfield now.

3 It appears that during the January 15th executive  
4 session, it was brought to the attention that SDM Protective  
5 Consulting, LLC performed an analysis of the police  
6 department without first being awarded a contract via a  
7 resolution. The Division of Local Government Services  
8 basically recommends that doing a resolution in a similar  
9 situation should occur in an effort that it should be made  
10 to correct the deficiency then.

11 State public contracts law basically allows that  
12 only the governing body can enter into or modify a public  
13 contract, no matter what the form of government. Therefore,  
14 what was done was basically, at best, inappropriate. Title  
15 40 allows the entire governing body, not just the Mayor, to  
16 deal with the matters involving the police department.

17 Later on February 5th, the Board approved, 2 to 1,  
18 the SDM contract not to exceed seventeen five, based on  
19 three bids. Commissioners Evans and Scarpelli voted for the  
20 contract. Bloomfield Township subsequently hired SDM as  
21 well to the tune of 80,000. So I guess you got a real good  
22 deal (indiscernible) When you look at what the study was,  
23 not such a good deal.

24 The Nutley Commissioners brought up to table a  
25 police organization on November 20th, when they rejected an

1 ordinance introduced, 3 to 2, for a proposed elimination of  
2 the deputy chief's position and adding two police captains.  
3 In that case, Commissioner Scarpelli and Petracco voted,  
4 yes. It may rear its ugly head in the future.

5 I did an OPRA request. I have a copy of the study  
6 from SDM. The best I could do -- it's a \$12,000, basically  
7 a two-page draft. The first three paragraphs really aren't  
8 worth anything. The fourth paragraph states that Nutley has  
9 one chief who supervises a deputy chief and supervises one  
10 captain.

11 The proposal was to eliminate the deputy chief  
12 title and replace it with an additional captain. So you've  
13 have two captains.

14 Later on it states the municipality should then  
15 establish, by ordinance, that in the absence of the chief,  
16 the senior capital should serve in the capacity of the  
17 acting chief. It's really funny because Bloomfield just  
18 made the author or this their police director and he  
19 basically is looking to do the same in Bloomfield. At least  
20 Nutley was smart enough not to fall into what he wanted.

21 The next paragraph, he's just going to move a  
22 lieutenant into a sergeant's position in professional  
23 standards. He's going to move a sergeant into a  
24 lieutenant's position in records. He's going to move a few  
25 people around in patrol. He, whoever did the study. The

1 organization plan, if adopted, would, again, would eliminate  
2 the deputy chief's position. I think what they were looking  
3 to do really was in time eliminate the chief's position and  
4 model after what they're doing in Bloomfield and shame on  
5 Bloomfield.

6 He also wants to put a civilian in charge of the  
7 records. I don't know why you would want to do that but  
8 that's part of it as well.

9 Apparently, you were billed \$9,562.50 for some  
10 work and then you were billed \$2,437.50 for the remainder of  
11 this, what's called a study, I guess.

12 The bids, I did an open public records request  
13 relevant to the bids. The bids were interesting. You have  
14 21 counties in the State of New Jersey, hundreds of  
15 municipal police departments. The bids were submitted by  
16 SDM Protective Consulting Group, LLC, Samuel Anthony DeMayo  
17 (ph). He was the sitting police director for the city of  
18 Newark at the time.

19 You got another bid submitted by Visual Protection  
20 Security Services/Irvington Lexington, that was by Willie  
21 Perez. He was a city of Newark police lieutenant. And you  
22 had Perillo (ph) Consulting, LLC and that was Anthony  
23 Perillo, he's a city of Newark deputy police chief. What a  
24 coincidence, all three bids came out of Newark. And I only  
25

1 say that because my last OPRA request, but I may ask for one  
2 more, had to do with the award letter relevant to this.

3 And the award letter was given to SDM. They bid  
4 12,000. The other two were 15 and 15-5. And they got the  
5 award on February 14th, 2013. Valentine's Day. A  
6 sweetheart of a deal.

7 The award or the executive summary that I read  
8 from was dated 1/11/2013. So actually the award letter post  
9 dated the study. Now, generally, you award the contract to  
10 an individual and then the work is done. But, I guess, in  
11 this particular case, we do the work and then we award the  
12 contract.

13 I basically come to you because I don't understand  
14 why you have three bids out of Newark and you give it to the  
15 one guy from Newark, who was the director of the police  
16 department. His company. Newark isn't an accredited police  
17 department. Nutley is. Newark is under a federal monitor  
18 for abuses of authority. Nutley isn't. (Indiscernible)  
19 Stromolo (ph) who had an unblemished career, who was sitting  
20 on the deputy chief's list, who, as we heard tonight, he's  
21 been doing the chief's duties for a year. I find it  
22 unconscionable that you -- this Township would even enter  
23 into an agreement and then accept as a work product and pay  
24 \$12,000 for quite frankly this piece of minutia that I just  
25 read from.

1           MAYOR PETRACCO: Well, let me interrupt you one  
2 second so I can --

3           MR. HIGLE: Yes.

4           MAYOR PETRACCO: -- answer a question at a time.

5           The report wasn't just two pages and we had,  
6 before we went into our executive session, I talked to my  
7 assistant about that. At the time, Kevin Harkins was out  
8 attorney, our Township attorney, and unfortunately, I think  
9 you know that he did pass away through the -- through this  
10 processo

11           However, I don't know if the full document was  
12 ever released and I've talked to counsel about that tonight.  
13 So, as far as that being the work that was done for \$12,000,  
14 that's not --

15           MR. HIGLE: Well, when I submitted the OPRA  
16 request for this study --

17           MAYOR PETRACCO: Right.

18           MR. HIGLE: -- this is what I got.

19           MAYOR PETRACCO: Well, hopefully --

20           MR. HIGLE: With draft written across it. This is  
21 all I go by and I have the two bills, \$12,000. In fact, the  
22 one bill you received payment and he has dates, he doesn't  
23 have times, like he did on the first bill. I would hope  
24 that he did the work while he was off duty and not on duty  
25 with Newark. I don't know.



1            Relevant to Harkins, God rest his soul, I feared  
2            that he would be brought up because I remember there was an  
3            old saying in Newark, blame the dead guy. So,  
4            unfortunately, he --

5            MAYOR PETRACCO: Well, let me just excuse you one  
6            second. That is not my comment and that is no blame --

7            MR. HIGLE: No, that's my --

8            MAYOR PETRACCO: And -- well, I'm telling you  
9            that's disrespectful because that's not blaming the dead guy  
10           and I will not tolerate that here tonight.

11           MR. HIGLE: Commissioner, you --

12           MAYOR PETRACCO: Kevin Harkins -- it's Mayor.  
13           It's Mayor.

14           MR. HIGLE: (Indiscernible).

15           MAYOR PETRACCO: First of all, it's Mayor.

16           MR. HIGLE: Mayor --

17           MAYOR PETRACCO: And second of all, Kevin Harkins  
18           served this Board with integrity and honor and he was a  
19           friend of all of ours and to make a statement like that, I'd  
20           have to say, I'm very surprised at you.

21           MR. HIGLE: I'm going to ask you a question,  
22           Mayor.

23           MAYOR PETRACCO: You could ask me anything you  
24           like.

25           MR. HIGLE: The entrance to your deli --

1           MAYOR PETRACCO: Right.

2           MR. HIGLE: -- when we discussed this at another  
3 time --

4           MAYOR PETRACCO: Uh-huh.

5           MR. HIGLE: -- didn't you tell me that SDM was a  
6 result of attorney Harkins.

7           MAYOR PETRACCO: Kevin Harkins recommended the,  
8 sure.

9           MR. HIGLE: Okay. That's all I'm saying.

10          MAYOR PETRACCO: Okay. So it's not, blame.

11          MR. HIGLE: Okay. So we did have that discussion  
12 and --

13          MAYOR PETRACCO: Right.

14          MR. HIGLE: And you did say that it was Harkins'  
15 recommendation. I mean, I have no way to ask him,  
16 unfortunately.

17          MAYOR PETRACCO: Right.

18          MR. HIGLE: I do have some questions. Number one,  
19 why the study? Why was the study necessary? Two, relevant  
20 to the bids, how was the request for proposals or the  
21 request for qualifications; what was the method used? Were  
22 there billboards, posters, flyers, newspaper ads, a friend  
23 of a friend? I don't know how you asked for the bids. I  
24 mean, you got three out of Newark.

25

1           MAYOR PETRACCO: I thought you said one was out of  
2 Irvington. All three were out of Newark you say?

3           MR. HIGLE: All Newark guys. Yeah.

4           MAYOR PETRACCO: Huh?

5           MR. HIGLE: They were all Newark guys. The name  
6 of the company was entitled something to do with Irvington.  
7 I can get it for you if you want. It was Willie Perez's  
8 organization. It was Irving Lexington Visual Protection  
9 Security Services. That's -- that was the Irvington.

10           And why does the award letter postdate the study?  
11 Basically, it's relevant to the study; why was the study  
12 done? Two, how was the --

13           MAYOR PETRACCO: Let me answer them in order.

14           MR. HIGLE: Yes.

15           MAYOR PETRACCO: Why was the study done? Because,  
16 at that time, there was a lot of turmoil in my office and  
17 with the police department. We were going through changes  
18 and I thought that it would be a good idea to get an outside  
19 opinion of what was going to come in the future. And,  
20 again, those reports are recommendations, as you know. The  
21 -- it's not something that we have to do as a municipality  
22 or I need to do as the Director of Public Safety. It was an  
23 outside voice. We had a past chief here for over 40 years.  
24 I was relatively new at the time and I thought that -- to  
25 give the taxpayers and the residents of Nutley the best

1 possible scenario moving forward that a second opinion was  
2 needed.

3 MR. HIGLE: (Indiscernible).

4 MAYOR PETRACCO: The bid process, I do remember,  
5 going through that with Kevin. Again, I think I -- I don't  
6 want to say something wrong counsel, but I do remember that  
7 being an issue once we did it like that. Again, when we  
8 went out to bid, I did ask, you know, the past Township  
9 attorney, if he recommended anybody, if he knew anybody in  
10 the legal field. He did. And as far as the resolution  
11 being adopted after the award, again, Kevin and I -- we  
12 talked about that after it was done and probably you're  
13 right, it should have been done before the -- the vote  
14 should have been taken before we did it.

15 Kevin said that we've done it in the past like  
16 that where there was things that were awarded before the  
17 vote. It wasn't a file. I remember him calling up one of  
18 the departments in the State to make sure that we were  
19 within our means and I believe they said, you know, the  
20 proper procedure is to do it that way. We'd rather you do  
21 it that way in the future.

22 MR. HIGLE: Just a hypothetical. Is it possible  
23 that you entered into an agreement with SDM and realized  
24 that you needed to (inaudible) hypothetically is that a  
25 possibility that --

1 UNKNOWN SPEAKER: Mr. Mayor, I don't think you  
2 should be answering hypothetical questions.

3 MAYOR PETRACCO: Okay. Let's just move on.

4 MR. HIGLE: Or is it possible that that's what  
5 happened?

6 UNKNOWN SPEAKER: Let's deal with your statement,  
7 Mr. Higle. Your questions are obviously pointed, they're  
8 obviously having an edge to them. You exceeded your five  
9 minute time period. Why don't you let someone else speak?  
10 The Mayor --

11 MR. HIGLE: Okay.

12 UNKNOWN SPEAKER: -- can answer your questions at  
13 any time.

14 MR. HIGLE: Okay.

15 UNKNOWN SPEAKER: I know they've been answered  
16 before. We don't address hypothetical questions by the  
17 Commissioners.

18 MR. HIGLE: Thank you. (Indiscernible)e Evelyn,  
19 good luck to you.

20 MADAM CLERK: Thank you.

21 MR. HIGLE: I appreciate your assistance with all  
22 the OPRA documents. I wish you luck in Fort (inaudible)e  
23 Mayor, Commissioners, thank you for your time.

24

25

1           MAYOR PETRACCO: Thank you for coming. Is there  
2 anyone else this evening that would like to address the  
3 Board?

4           MR. O'DRIA: Good evening. Michael O'Dria (ph),  
5 133 High Street.

6           I did receive your email, Thomas Evans, yesterday  
7 and you should have spoken to George Abrizzi (ph). This is  
8 my question. Have you and George Abrizzi started lowering  
9 the assessments of the 393 homes on Roche contamination  
10 list?

11           UNKNOWN SPEAKER: Roche?

12           MR. O'DRIA: Roche, Hoffmann LaRoche contamination  
13 list. Have you started lowering the assessments of the 393  
14 homes on that contamination list?

15           UNKNOWN SPEAKER: What do you mean by start  
16 lowering?

17           MR. O'DRIA: Well, my home is contaminated. It  
18 has that stigma. If someone wanted to purchase my home,  
19 which I'm not selling, they're going to -- when they do the  
20 inspection, like anyone -- like any homeowner would do, they  
21 would come to Town Hall and they'll say, oh, wow. There's a  
22 contamination problem with my home because it's the Hoffmann  
23 LaRoche contamination list.

24           Have you started --  
25

1 UNKNOWN SPEAKER: Mr. O'Dria, can I ask you a  
2 question? Because you make a statement that assume some  
3 facts that I don't think are accurate. Because you receive  
4 a letter, a State required letter from Hoffmann LaRoche that  
5 your property was in a certain -- is in a certain distance  
6 of certain --

7 MR. O'DRIA: A block and a half away.

8 UNKNOWN SPEAKER: -- that may exist at Roche, does  
9 not mean that your property is contaminated. I think you're  
10 assuming something that's not really a fact and I'll let the  
11 Commissioner obviously address the issue of the tax but your  
12 statement, in and of itself, is not accurate. I understand  
13 where your concern is. Getting a letter like that is not  
14 welcome or comforting but it doesn't necessarily say that  
15 your property is contaminated.

16 MR. O'DRIA: Mr. Tucci, excuse me, is your home  
17 contaminated? I know you said your home is on that list.  
18 Is your home --

19 COMMISSIONER TUCCI: Excuse me, is my home  
20 contaminated?

21 MR. O'DRIA: Yeah, remember you said that your  
22 home is on that contamination list? The Hoffman Roche  
23 contamination list.

24 COMMISSIONER TUCCI: I'm on -- no. I never said  
25 that. What I did say was that I'm on the notification list

1 and at the corner of my block there is, in fact, a test  
2 well. But there is no hard evidence that says my home is  
3 contaminated.

4 MR. O'DRIA: But are you that list?

5 COMMISSIONER TUCCI: I'm on the notification list  
6 for Hoffmann LaRoche, yes.

7 MR. O'DRIA: Okay. My home, like your home, has a  
8 stigma to it now. Now if I want to sell my home --

9 COMMISSIONER TUCCI: Go ahead.

10 MR. O'DRIAN: -- it's going to be real hard, which  
11 I don't want to do. But my home should be reassessed and  
12 this goes to my other question. Well, statement, comment.

13 Well, basically, back to the question because you  
14 send me an email. You said you were going to speak to  
15 George Abrizzi today, I guess it was, because I got the  
16 email last night. So --

17 COMMISSIONER TUCCI: (Indiscernible) let me answer  
18 your question.

19 MR. O'DRIA: Your -- can I please to him?

20 COMMISSIONER TUCCI: You asked me a question and  
21 then you jumped over here.

22 MR. O'DRIA: No. But you answered it. You  
23 answered my question.

24 UNKNOWN SPEAKER: Michael.

25 MR. O'DRIA: (Indiscernible)e



1 UNKNOWN SPEAKER: Michael.

2 COMMISSIONER TUCCI: Excuse me, you had a follow  
3 up question. Number one, I think you're overreacting.  
4 Number two, I don't agree with you that there's a stigma  
5 attached to my house. And number three, I don't believe my  
6 property is contaminated. So you're jumping to conclusions  
7 and assumptions that are unfounded at this point.

8 I can appreciate your concern. We all have  
9 concerns about a lot of things, all over the world, not only  
10 here in Nutley. But until we have hard facts, let's stay  
11 calm and work through the process.

12 MR. O'DRIA: Okay.

13 COMMISSIONER TUCCI: All right. We're not looking  
14 to create hysteria here.

15 MR. O'DRIA: Okay.

16 COMMISSIONER TUCCI: We're looking to resolve a  
17 situation, repurpose a site, bring in jobs, bring in tax  
18 dollars. All right. And keep this town the way we want it  
19 to be.

20 MR. O'DRIA: Okay.

21 COMMISSIONER TUCCI: Isn't that our objective? Or  
22 do we just want to come here and complain?

23 MR. O'DRIA: I'm not complaining. I didn't --

24 COMMISSIONER TUCCI: (Indiscernible).

25 MR. O'DRIA: I didn't want --

1 COMMISSIONER TUCCI: Let's base --

2 MR. O'DRIA: (Indiscernible).

3 COMMISSIONER TUCCI: -- our comments in fact.

4 MR. O'DRIA: Okay. But --

5 COMMISSIONER TUCCI: Let's get our facts straight  
6 and talk about that.

7 MR. O'DRIA: Okay. So let Mr. Evans, Commissioner  
8 Evans respond.

9 COMMISSIONER TUCCI: I will yield to Commissioner  
10 Evans.

11 COMMISSIONER EVANS: You want to repeat your  
12 question?

13 MR. O'DRIA: My question is, have you and George  
14 Abrizzi started lowering the assessments of the 393 homes on  
15 the Roche -- Hoffmann Laroche contamination list?

16 COMMISSIONER EVANS: No, sir.

17 MR. O'DRIA: No. Okay. This goes to the other  
18 thing. Yesterday, I come home from a hard day work, which I  
19 do normally because I work for a living. And when I come to  
20 my home, I get this -- the new invoice for the next four  
21 quarters of the taxes, I noticed that my property taxes went  
22 up \$377.44, like they go up every single year. Since August  
23 of 2005, my property taxes now have gone up 289.1 percent.

24 I said to you on December 3rd, 2013, I mentioned  
25 this, you know, when does it stop? I mean, if -- and I

1 remember saying on that day in December, to you, Mr. Mayor,  
2 you know if you want to give wage increases to the town  
3 employees, lower my property taxes by eight grand. Do that  
4 for me or do it for all of us because, you know, every  
5 year --

6 MAYOR PETRACCO: Michael.

7 MR. O'DRIA: -- they keep going up.

8 MAYOR PETRACCO: Michael. Michael. Listen. This  
9 is what we have to do here. You have to ask a specific  
10 question. You come to the meetings every other week and  
11 you're very redundant. Please address your comments to the  
12 Commissioner and be specific. You're coming, speaking from  
13 a matter of opinion. Please ask Commissioner Evans what  
14 questions you have because I think you have about 30 seconds  
15 left.

16 MR. O'DRIA: Well, this is my question. Is this  
17 the last time my property taxes are going to go up from now  
18 on? Because every year it seems to go up \$400 average.  
19 When's -- is this the last time it's going to go up or next  
20 year it's going to go up another \$377 and then after that  
21 another 377. It has to stop. I mean, control the spending  
22 and control the wages.

23 COMMISSIONER EVANSe A couple things. One, I --  
24 you're asking me to predict the future and I can't do that.  
25 No one can. The budget -- the amount of the -- the amount

1 of appropriation that is required is based on the cost of  
2 what is required to actually manage the municipality.

3 Your tax bill is not only based upon what it costs  
4 to manage the municipality but also what it costs to manage  
5 the school as well as the county. There are three  
6 components to that.

7 There was a letter that accompanied your tax bill.  
8 I don't know if you read it.

9 MR. O'DRIA: Yeah, I read it.

10 COMMISSIONER EVANS: Did you turn it over?

11 MR. O'DRIA: It went to -- it went from --

12 COMMISSIONER EVANS: Did you turn the bill over?  
13 The letter over just to look at the fact that the municipal  
14 tax levy was lower this year than last year and the school  
15 tax levy was lower this year than last year. However, the  
16 county tax levy was higher. So, overall, the levy, year  
17 over year is lower.

18 The influence on the rate happens to be related to  
19 a lower assessed value of the Township, specifically, driven  
20 by a lower reassessed value for La Roche property. We were  
21 able to offset the loss in tax, which -- for \$2.7 million  
22 which of aid we got this year but in the calculation we did  
23 actually experience an increase in the rate because the  
24 lower assessable base to spread the costs over.

25

1           So this governing body has actually lowered taxes,  
2 has lowered the levy. The way we allocate and spread that  
3 is being influenced at -- today, on the outcome of Roche.  
4 So couple of true factors; we don't know what the outcome of  
5 Roche is going to be but our expectation and our desire is  
6 is that it'll be better than what it is right now. We've  
7 already -- we lost valuation because of demolitions last  
8 year. We've lost -- we will lose valuation because of  
9 demolitions that have already occurred this year and the  
10 change in the use of the site will directly influence that.

11           So we're sort of going in this period where we're  
12 going to have to deal with the lowering of that assessed  
13 value before we know who the new buyer -- owner is, what's  
14 going to happen to that property and what the future value  
15 of that property will be. Those are unknowns, so I can't  
16 predict.

17           What I will point out is is that the Board of  
18 Commissioners works very hard to control the amount of money  
19 we spend. In fact, overall salary increases for the  
20 Township were one percent as you'd see pointed out in that  
21 letter.

22           So I appreciate your frustration. We all have it.  
23 We're working very hard to have the -- to lower the cost of  
24 our operations. We -- because of other factors, we have yet  
25 to be able to pass that through to the tax rate. I am

1 hopeful that we will be able to do that in the future once  
2 we have a more predictable base as to what's happening with  
3 Hoffmann La Roche. I'm looking forward to that day.

4 MR. O'DRIA: All right.

5 MAYOR PETRACCO: Thank you, Michael. I think --  
6 Madam Clerk, is the time up?

7 MADAM CLERK: (Inaudible).

8 MAYOR PETRACCO: Thank you. Is there anyone else  
9 this evening that would like to address to Board of  
10 Commissioners?

11 Please state your name and address for the record.

12 MS. LANDRY: Penny Landry (ph), 135 Lakeside  
13 Drive, Nutley, New Jersey.

14 First, I'd like to say, Evelyn, you may not miss  
15 me but I'm sure going to miss you. Thank you, thank you,  
16 thank you from the bottom of my heart and I wish you the  
17 most wonderful journey. I wish you were staying. I'm going  
18 to miss you.

19 Mayor --

20 MAYOR PETRACCO: Yes, ma'am.

21 MS. LANDRY: I need an update on broadcasting of  
22 the meetings, please, sir.

23 MAYOR PETRACCO: Commissioner Tucci, would --

24 COMMISSIONER TUCCI: Yes --

25 MAYOR PETRACCO: -- you care to --

1           COMMISSIONER TUCCI: We do, in fact, have an  
2 update this evening.

3           MS. LANDRY: Yes.

4           COMMISSIONER TUCCI: We have been notified that  
5 the equipment is in. We are coordinating the installation.  
6 We will be on it first thing tomorrow morning. It either  
7 came in late yesterday or early this morning. So I have my  
8 folks speaking with the media experts to get that stuff  
9 installed so we can begin broadcasting.

10          MS. LANDRY: So maybe next meeting?

11          COMMISSIONER TUCCI: Hopefully.

12          MS. LANDRY: Okay.

13          COMMISSIONER TUCCI: It depends on their schedule  
14 and how quick they can get it in.

15          MS. LANDRY: Oh, thank you so, so much.

16          MAYOR PETRACCO: My mother's rooting on that too,  
17 Penny.

18          MS. LANDRY: Oh, yeah. I know a lot of people are  
19 rooting on it who are --

20          MAYOR PETRACCO: As part of that update, the  
21 website, as I understand it, does not have the ability to  
22 stream video. We have to wait for the website.

23          COMMISSIONER TUCCI: Not yet. Right.

24

25

1           MAYOR PETRACCO: We gave to wait for the website  
2 update and redesign to have the ability to -- the band width  
3 basically --

4           COMMISSIONER TUCCI: Right.

5           MAYOR PETRACCO: -- do that.

6           MS. LANDRY: So we'll have the meetings broadcast  
7 but we won't be able to put them on the website; is that  
8 accurate?

9           COMMISSIONER TUCCI: Won't be on the website yet  
10 but we should be able to broadcast over some of our local  
11 access channels.

12          MS. LANDRY: Could we put them on the Board of  
13 Education's website because --

14          COMMISSIONER TUCCI: That's exactly what we had in  
15 mind, yes.

16          MS. LANDRY: So, will that happen so that at least  
17 people have a place to go?

18          COMMISSIONER TUCCI: Yes. The whole objective  
19 here is not only just to buy the equipment and put it up so  
20 it looks pretty so that people can actually go to it and see  
21 what goes on here, see (indiscernible)e

22          MS. LANDRY: Well, just as a suggestion because  
23 other towns have this, if their website --

24          COMMISSIONER TUCCI: Uh-huh.

25



1 MS. LANDRY: -- does not enable uploading of  
2 streaming of video that you can have a You Tube channel.

3 COMMISSIONER TUCCI: Uh-huh.

4 MS. LANDRY: Okay. So you could have Township of  
5 Nutley You Tube and you just upload it right to there --

6 COMMISSIONER TUCCI: Right.

7 MS. LANDRY: -- and it's free and it could happen  
8 without having to wait because some way or another we had an  
9 RFQ for a website and that resolution was -- went away and  
10 then tonight we have a new resolution for a -- can you  
11 explain what's going on with the new website, sir?

12 MAYOR PETRACCO: The original resolution was  
13 rescinded because there were technical flaws in the RFQ.  
14 We've corrected those and reintroduced the RFQ tonight so  
15 that there'll be -- now back -- I think they're back the  
16 15th for request for response.

17 MS. LANDRY: Okay. So is a copy of that RFQ  
18 available?

19 MAYOR PETRACCO: It'll be available -- it'll be  
20 out tomorrow and it's open to the public.

21 MS. LANDRY: Tomorrow, okay. Good. Thank you.

22 And also --

23 MAYOR PETRACCO: Evelyn, is that correct; it'll be  
24 available -- is there -- realistic. I want to be sure.

25

1           MADAM CLERK: Yes. We're going to actually post  
2 it on the website tomorrow and we're also going to send it  
3 to the newspapers, to the Nutley Sun, so it will be in the  
4 Nutley Sun, next Thursday's edition, but we will -- we'll  
5 have it posted to the website as well.

6           MAYOR PETRACCO: You'll be able to download off  
7 the website.

8           MS. LANDRY: Okay. And when will the job opening  
9 for Township Clerk? The -- what do you call it, made  
10 available to the public?

11          MAYOR PETRACCO: Commissioner Evans, would you  
12 like to field --

13          COMMISSIONER EVANS: It won't be.

14          MS. LANDRY: You will not be letting the public  
15 know that the Township Clerk is open in the Township of  
16 Nutley?

17          COMMISSIONER EVANS: It's not required under civil  
18 service to be posted and we are fortunate in that we have a  
19 licensed clerk that's already in town who will fill that --  
20 those responsibilities starting next week.

21          MS. LANDRY: So we have a new Township Clerk and  
22 what is their name?

23          COMMISSIONER EVANS: Eleni Petis (ph).

24          MS. LANDRY: And was that passed by resolution?

25          COMMISSIONER EVANS: No. Not required.

1 MS. LANDRY: It is not required to be passed by  
2 resolution to hire a replacement township clerk?

3 COMMISSIONER EVANS: Correct.

4 MS. LANDRY: And who makes that decision?

5 COMMISSIONER EVANS: The law.

6 UNKNOWN SPEAKER: I did. In the Walshach (ph)  
7 there are certain provisions of the Walshach -- in case law  
8 that make the commission form of government different when  
9 it comes to appointments of certain positions. I've advised  
10 the Commissioners just that.

11 MS. LANDRY: You've advised them what? I'm sorry.

12 UNKNOWN SPEAKER: Of just that, of just what their  
13 obligations and responsibilities under the Walshach and  
14 their -- and whether things have to be voted on or not. I  
15 provided that to them.

16 MS. LANDRY: Okay. So under this form of  
17 government in -- you don't have to -- please explain that  
18 again. I'm --

19 UNKNOWN SPEAKER: There are certain positions that  
20 must be voted on for appointment and some that do not have  
21 to, many of which do not have to. They can be filled  
22 without the need for a resolution vote by the Commissioners.  
23 It's the way the commission form of government was set up  
24 under the Walshach and one that we're enforcing. So under  
25 this circumstance, clearly, it was not required and the

1 Commissioner who runs the department, who has that position  
2 in his department, has a right to appoint anyone he chooses  
3 to that particular position. Obviously, the person has to  
4 be qualified and have the proper licenses (indiscernible) in  
5 this situation.

6 MS. LANDRY: Okay. So Commissioner Evans has the  
7 right under the Walshach to appoint anyone he chooses that  
8 is qualified to be our township clerk?

9 UNKNOWN SPEAKER: That is correct.

10 MS. LANDRY: Okay. Thank you so much. Thank you.

11 MAYOR PETRACCO: Thank you. Is there anyone here  
12 this evening that would like to address the Board of  
13 Commissioners?

14 We do have a young, pretty lady coming to the mic.  
15 Please state your name and address for the record.

16 MS. GREENGROVE: Well, which address do you want  
17 me to give?

18 MAYOR PETRACCO: Well, how many do you have?

19 MS. GREENGROVE: 3 Kingsland Street. I'm here on  
20 behalf of the Kingsland Manor.

21 MAYOR PETRACCO: And your name? Your name for the  
22 record.

23 MS. GREENGROVE: Dorothy Greengrove (ph).

24 MAYOR PETRACCO: Thank you.

25

1 MS. GREENGROVE: I'm the president. And rather  
2 than approach all of the Commissioners individually I would  
3 like to just say that what we are planning in the future is  
4 on the 19th of October, which is a Sunday afternoon, an  
5 Oktoberfest and we'd love to have all of you come.

6 MAYOR PETRACCO: What's that date, Dottie?

7 UNKNOWN SPEAKER: That's very nice.

8 MAYOR PETRACCO: Dottie, what's that date again?

9 MS. GREENGROVE: Nineteenth.

10 MAYOR PETRACCO: Of October?

11 UNKNOWN SPEAKER: Of October.

12 MS. GREENGROVE: Yes. It happens to be homecoming  
13 weekend for the Township also for the high school.

14 MAYOR PETRACCO: What time is it?

15 MS. GREENGROVE: One o'clock -- well, you'll have  
16 the thing for your next meeting.

17 MAYOR PETRACCO: Sure.

18 MS. GREENGROVE: I have to have the approval.  
19 We're planning on from one to eight.

20 MAYOR PETRACCO: Okay. It sounds very good. We  
21 appreciate the invite.

22 MS. GREENGROVE: We need a celebration around  
23 here.

24 MAYOR PETRACCO: Absolutely. I couldn't agree  
25 more with you. Thank you, Ms. Greengrove.

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

3           Please state your name and address for the record.

4           MR. O'DRIA: Michael O'Dria, 133 High Street. A  
5           simple question. I understand like the policeman's salary  
6           is \$147,750.00? I'm just thinking about -- does that  
7           include his healthcare benefits too?

8           MAYOR PETRACCO: Of course not.

9           MR. O'DRIAN: And how much are healthcare benefits  
10          for town employees? I don't know.

11          MAYOR PETRACCO: I'm not sure. Do we have that  
12          information?

13          UNKNOWN SPEAKER: Depending on what his status is,  
14          there's several different classifications. There's single  
15          members, there's member's spouse, there's member family. I  
16          -- we can give you the amounts for the different categories  
17          but we're prevented by the HIPAA laws and personnel policies  
18          and procedures to disclose exactly what any employee has.

19          MR. O'DRIA: So it doesn't include healthcare  
20          benefits like you said. So it could be anything like  
21          \$10,000 more --

22          UNKNOWN SPEAKER: (Inaudible).

23          MR. O'DRIA: Fifteen thousand dollars more a year.  
24          And do we pay for that, do you -- the citizens, the  
25          taxpayers of this town?

1           MAYOR PETRACCO: Pay for what?

2           MR. O'DRIA: The healthcare benefits?

3           UNKNOWN SPEAKER: I'll answer that question. Yes.

4 We pay for a portion of it and there's a portion that a  
5 contribution that the employee pays based upon what tier and  
6 what level they're at.

7           MR. O'DRIA: Well, my job I pay 30, my employer  
8 pays 70. So what's -- so what is it for a town city  
9 employee? What is it?

10          UNKNOWN SPEAKER: It (indiscernible)

11          UNKNOWN SPEAKER 2: Depending on the amount of  
12 money that they make and what their status is and what  
13 classification they're in.

14          MAYOR PETRACCO: It's a sliding scale. You can  
15 find that information on the State website, the State health  
16 benefits website.

17          MR. O'DRIA: Okay.

18          MAYOR PETRACCO: And they'll provide you the chart  
19 and --

20          MR. O'DRIA: Yeah, it could be like 30, 40, 50-50.

21          MAYOR PETRACCO: I think it goes up and down --

22          UNKNOWN SPEAKER: Or you can OPRA what the  
23 percentage is for different categories.

24          MR. O'DRIA: Okay. Just curious.

25          UNKNOWN SPEAKER: It's public information.

1 MR. O'DRIA: Because I was look at that. All  
2 right. I didn't know it was not included. Just wanted to  
3 know. That's fine.

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

7 MS. LANDRY: Penny Landry, 135 Lakeside. I forgot  
8 a quick question.

9 What is the status of online bill paying? Like  
10 our taxes and our water and all of those online  
11 (indiscernible).

12 MAYOR PETRACCO: Commissioner Evans.

13 COMMISSIONER EVANS: Yeah, I can answer that.

14 We have completed the contract negotiations with a  
15 provider, a merchant provider. We are -- that took longer  
16 than any of us had expected especially me. We -- we'll  
17 begin working with the recreation accounts and then bring it  
18 -- move on to water and then property taxes. So I'm looking  
19 at the first part of next year and we'll get into so that  
20 May tax bills. Sooner if I can get there. I just want to  
21 make sure it's right.

22 Recognize, though, that there is a convenience fee  
23 that is associated with that so that's charged for each  
24 transaction so if someone wanted to pay their property taxes  
25 using a credit card online, they would incur a convenience



1 fee, which would be in addition to whatever the property tax  
2 amount is.

3 MS. LANDRY: Okay. That's fine. Who is the  
4 service provider?

5 COMMISSIONER EVANS: FIS is the initials. I don't  
6 recall what the initials --

7 MS. LANDRY: And there was a bid process for that  
8 because I don't recall seeing that.

9 COMMISSIONER EVANS: No, they're not -- there's  
10 not a bid process. There are special -- provide a special  
11 service that is exempt from that process. But they are  
12 known for their work. Our treasury system is called Edmonds  
13 (ph) that we use and they work very well with that system.

14 MS. LANDRY: Okay. So we contracted with somebody  
15 to be able to do credit cards but we didn't have to go out  
16 for bid on it and they're kind of like the igov (ph) people  
17 that went out of business?

18 COMMISSIONER EVANS: No. No.

19 MS. LANDRY: Oh, okay. All right. I was just  
20 curious. So you're saying next year. We're still going  
21 to --

22 COMMISSIONER EVANS: As soon as I get there. It's  
23 just -- I want to make sure that we've got not only the  
24 ability to take a credit card payment but that we have the  
25 procedures in place to ensure, for example, that that money

1 can be tracked and applied to the right account, that we can  
2 actually reconcile our bank accounts with that type of  
3 information flowing through. So there's process elements  
4 that are part of that.

5 MS. LANDRY: So will we have an option to use  
6 PayPal as well because most people use PayPal and don't  
7 incur that additional cost of an outside company?

8 COMMISSIONER EVANS: I don't think so but I'd have  
9 to get back to you on that. I don't recall off the top of  
10 my head.

11 MS. LANDRY: Would you please look into that and  
12 I'll send you an email asking you --

13 COMMISSIONER EVANS: Please.

14 MS. LANDRY: -- if we will be able to use PayPal  
15 and not incur --

16 COMMISSIONER EVANS: I will find that out.

17 MS. LANDRY: -- an additional cost --

18 COMMISSIONER EVANS: Sure.

19 MS. LANDRY: -- that this FIS company is  
20 apparently going to charge for transaction where with  
21 PayPal --

22 COMMISSIONER EVANS: It's not FIS. It's the  
23 credit card companies.

24 MS. LANDRY: No, I'm saying -- what will FIS be  
25 doing?

1           COMMISSIONER EVANS: They're the merchant service,  
2 they provide the software and the process for being able to  
3 accept it but the credit cards are not FIS. They are  
4 household name credit cards that you would recognize.

5           MS. LANDRY: Okay. Well, just, you know, if you  
6 haven't -- you've already contracted with them so I could  
7 get a copy of the contract?

8           COMMISSIONER EVANS: Where are you with that  
9 (indiscernible)?

10          UNKNOWN SPEAKER: I don't think it's been signed  
11 yet. We're waiting for (inaudible).

12          MS. LANDRY: You're waiting for the signed  
13 contract?

14          UNKNOWN SPEAKER: Negotiating all the --

15          MS. LANDRY: Okay.

16          UNKNOWN SPEAKER: -- definitive terms  
17 (indiscernible).

18          MS. LANDRY: I'm just saying, before you do that,  
19 I mean, look into PayPal because it might be a more cost  
20 effective solution for the municipality and for the  
21 taxpaying citizens. Thank you.

22          MAYOR PETRACCO: Is there anyone else this evening  
23 that would like to address the Board of Commissioners?

24          Seeing no one, move to adjourn.

25          COMMISSIONER SCARPELLI: Move to adjourn.

1           MAYOR PETRACCO:   Second.

2           MADAM CLERK:   Move to adjourn by Commissioner  
3 Scarpelli, seconded by Mayor Petracco.

4           COMMISSIONER ROGERS:   "Aye".

5           MADAM CLERK:   Commissioner Tucci?

6           COMMISSIONER TUCCI:   "Aye".

7           MADAM CLERK:   Commissioner Evans?

8           COMMISSIONER EVANS:   "Aye".

9           MADAM CLERK:   Commissioner Scarpelli?

10          COMMISSIONER SCARPELLI:   "Aye".

11          MADAM CLERK:   Mayor Petracco?

12          MAYOR PETRACCO:   "Aye".

13          MADAM CLERK:   It's now 9:35 p.m. The meeting has  
14 adjourned.

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17                 (Whereupon, the meeting was adjourned.☐

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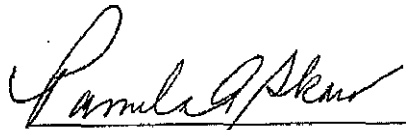
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C E R T I F I C A T I O N

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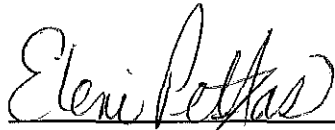
I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the proceedings.

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

Date: October 7, 2014

**Signature Page/Board of Commissioners  
Meeting Minutes, September 16, 2014**

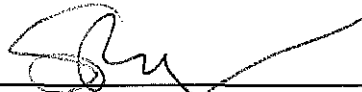
ATTEST:



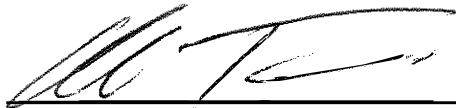
Eleni Pettas, RMC

Municipal Clerk

(Meeting Minutes Approved at the  
October 21, 2014 Board of  
Commissioners Meeting)



Commissioner Steven Rogers



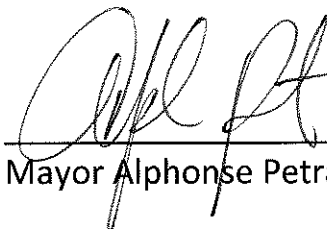
Commissioner Mauro G. Tucci



Commissioner Thomas J. Evans



Commissioner Joseph P. Scarpelli



Mayor Alphonse Petracco

Ordinance No. 3297  
 Introduced by Mayor Alphonse Petracco  
 Introduced on Tuesday, August 19, 2014  
 Public Hearing Tuesday, September 16, 2014

**Ordinance No. 3297**

AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1<sup>ST</sup> FOR EACH OF THE YEARS 2013, 2014, 2015, 2016.

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

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

**POLICE DEPARTMENT**

<b>TITLE</b>	<b>TOTAL ANNUAL SALARY MINIMUM</b>	<b>TOTAL ANNUAL SALARY MINIMUM</b>
Chief of Police (1/1/13-10/31/13)	\$174,808.00	\$174,808.00
	<b>BASE SALARY MINIMUM</b>	<b>BASE SALARY MINIMUM</b>
Chief of Police (11/1/13 – 12/31/14)	\$147,750.00	\$147,750.00
Chief of Police 2014	\$147,750.00	\$147,750.00
Chief of Police 2015	\$155,705.00	\$155,705.00
Chief of Police 2016	\$158,819.10	\$158,819.10

SECTION 2: To the extent not set forth herein, longevity, holiday pay, and stipends shall be added to all base salaries consistent with the provisions of the Township of Nutley Collective Bargaining Agreement, PBA Local 33A, January 1, 2013 through December 31, 2016 of which the Chief is not a member, but entitled to.

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

# TOWNSHIP OF NUTLEY

## THE BOARD OF COMMISSIONERS

Hereby Issue This Resolution

September 16, 2014

**WHEREAS**, Evelyn Rosario was appointed Municipal Clerk of the Township of Nutley on September 7, 2004; and

**WHEREAS**, Evelyn Rosario embraced her duties and responsibilities with honor and grace attaining tenure in 2009; and

**WHEREAS**, Evelyn Rosario has earned the respect of the Board of Commissioners as well as other Boards and Departments of the Township, current and former, and her fellow municipal employees; and

**WHEREAS**, Evelyn Rosario is a member of the Essex County Clerk's Association and has served in multiple leadership roles within the Association; and

**WHEREAS**, Evelyn Rosario has set a standard by which all future Municipal Clerks should emulate; and

**WHEREAS**, Evelyn Rosario, after 10 years of service to the Township, has made a decision to pursue other opportunities;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Evelyn Rosario is recognized for her years of dedicated service, and the Mayor and Board of Commissioners further extend their sincere best wishes for her future success; and

**BE IT FURTHER RESOLVED** that the gratitude of this community be hereby extended to Evelyn Rosario for her 10 years of service to the Township of Nutley.

Introduced by: Commissioner Thomas J. Evans

Introduced on: September 16, 2014

Seconded by:

Mayor Petracco

Commissioner Scarpelli

Commissioner Tucci

Commissioner Rogers

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Alphonse Petracco  
Mayor

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Joseph P. Scarpelli  
Commissioner

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Thomas J. Evans  
Commissioner

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Mauro G. Tucci  
Commissioner

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Steven L. Rogers  
Commissioner

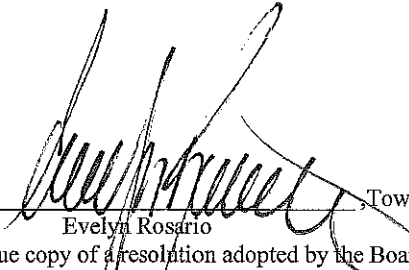


**BOARD OF COMMISSIONERS**  
**TOWNSHIP OF NUTLEY, NEW JERSEY**  
**Resolution**

*Introduced by:* Commissioner Steven Rogerse e *Date:* September 16, 2014

*Seconded by:* Joseph P. Scarpelli e e e e *No.* 213-14

**BE IT RESOLVED** that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, approve the renewal of the Shared-Services Agreement for the school physician services with the Township of Nutley, provided by Dr. Mary Ann Alessio, for the 2014-2015 school year.

  
 \_\_\_\_\_ Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing  
 Evelyn Rosario  
 Is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 16, 2014.

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

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers *Date:* September 16, 2014  
*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 223-14

**WHEREAS, N.J.S.A. 40A: 4-87** provides that the Director of the Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS,** said Director may also approve the insertion of any item of appropriation for equal amount;

**SECTION 1:**

**NOW, THEREFORE, BE IT RESOLVED,** that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2014** in the sum of **\$7,000.00**, which item is now available as a revenue from the **Shared Services Agreement with the Nutley Board of Education for Public Health and Physician Services** pursuant to the provisions of statute;

**SECTION 2:**

**BE IT FURTHER RESOLVED,** that a like sum of **\$7,000.00** be and same is hereby appropriated under the caption of:

**General Appropriations**

**(A) Operations-Excluded from 5% CAPS**

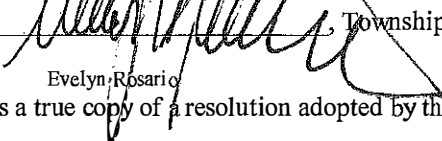
**Shared Service Agreement the Nutley Board of Education for Public Health and Physician Services with**

**HEALTH DEPARTMENT**

**OTHER EXPENSES.....\$ 7,000.00**

**BE IT FURTHER RESOLVED,** that the Township Clerk forward two (2) certified copies of this resolution to the Director of Local Government Services.

. . .

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 16, 2014

<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>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers *Date:* September 16, 2014

*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 225-14

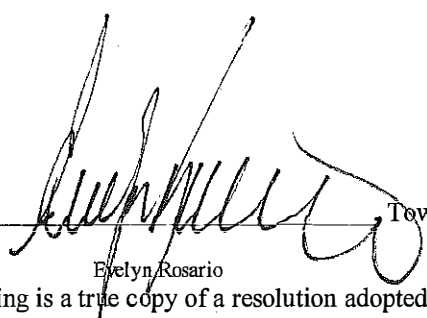
**WHEREAS**, Request for Proposals for “Solid Waste, Bulk Waste, Vegetative Waste, Leaves and Grass” were opened on Wednesday, September 10, 2014; and

**WHEREAS**, only one bid was received by the municipality, said bid substantially exceeds the cost estimate for the services; and

**WHEREAS**, this is the second rejected bid for the collection of “Solid Waste, Bulk Waste, Vegetative Waste, Leaves and Grass”; and

**WHEREAS**, N.J.S.A. 40A: 11-13.2 (a) permits the rejection of all proposals under such circumstances;

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley that the bids for “Solid Waste, Bulk Waste, Vegetative, Waste, Leaves and Grass” as advertised, received and opened are hereby rejected.

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 16, 2014

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

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

**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 16, 2014  
*Seconded by:* Commissioner Thomas J. Evans *No.* 214-14

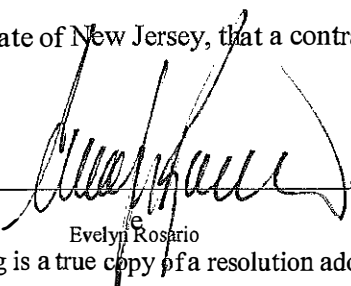
**WHEREAS**, sealed bids were received for Tree Pruning Service on August 6, 2014 in the Township of Nutley; and  
**WHEREAS**, Downes Tree Service Co., Inc. 65 Royal Ave, Hawthorne, NJ 07056 was the low bidder at:

Pruning of street trees have a trunk diameter of 12-16"	<u>\$63.00</u>
Pruning of street trees have a trunk diameter of 17-21"	<u>\$115.50</u>
Pruning of street trees have a trunk diameter of 22-26"	<u>\$163.75</u>
Pruning of street trees have a trunk diameter of 27-31"	<u>\$277.00</u>
Pruning of street trees have a trunk diameter of 32" or greater	<u>\$347.00</u>

**WHEREAS**, funds are available from account # 4-01-512-200, \$10,000.00 and account # 5-01-512-200, \$20,000.00 for a total not to exceed \$30,000.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

**NOW THEREFORE, BE IT RESOLVED**, but the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract for Tree Pruning be awarded to Downs Tree Service Co., Inc.

. . .

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 16, 2014

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

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

**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 16, 2014

*Seconded by:* Mayor Alphonse Petracco *No.* 215-14

**WHEREAS**, sealed bids were received for Tree Removal Service on August 6, 2014 in the Township of Nutley; and

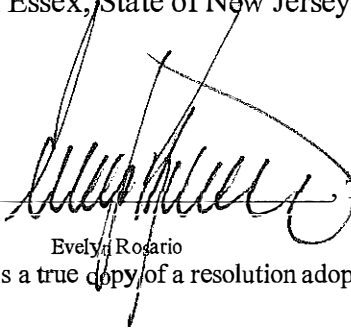
**WHEREAS**, Downes Tree Service Co., Inc. 65 Royal Ave, Hawthorne, NJ 07506 was the low bidder at:

Item No.	Tree size	Option 1	Option 2
1	9-15"	\$415.00	\$315.00
2	16-23"	\$950.00	\$750.00
3	24-35"	\$1,950.00	\$1,450.00
4	36" +	\$2,350.00	\$1,950.00

**WHEREAS**, fund are available from account # 4-01-512-200, \$15,000.00 and account # 5-01-512-200, \$15,000.00 for a total not to exceed \$30,000.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

**NOW THEREFORE, BE IT RESOLVED**, but the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract for Tree Removal be awarded to Downs Tree Service Co., Inc.

...

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 16, 2014

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

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

**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 16, 2014

*Seconded by:* Mayor Alphonse Petracco *No.* 216-14

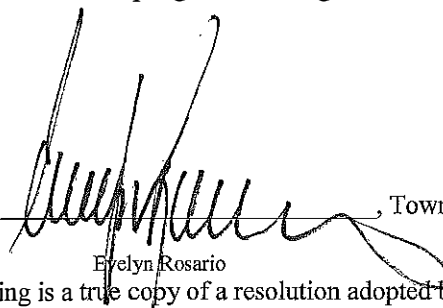
**WHEREAS**, sealed bids were received for Monsignor Owens Park Improvements on September 10, 2014 in the Township of Nutley; and

**WHEREAS**, applied Landscaping Technologies Inc., 395 Palisade Avenue, Garfield, NJ 07026, was the low bidder at:

\$153,542.00

**WHEREAS**, funds are available from Capital Ordinance #3284 in the amount of \$122,019.71, and Capital ordinance #3242D in the amount of \$31,492.29, and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that a contract for Monsignor Owens Park Improvements be awarded to Applied Landscaping Technologies Inc.

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 16, 2014

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

**Board of Commissioners**  
**TOWNSHIP OF NUTLEY, NEW JERSEY**

**RESOLUTION**

INTRODUCED BY COMMISSIONER THOMAS J. EVANS DATE SEPTEMBER 16, 2014

SECONDED BY COMMISSIONER MAURO G. TUCCI NO. 209-14

WHEREAS, N.J.S.A. 40:48-2.14 allows a municipality to cut brush, hedges and other plant life from any lands under the direction of the code enforcement officer; and

WHEREAS, David Berry, Zoning Officer, has certified the said unpaid 2013 and prior charges and are subject to Tax Sale; and

WHEREAS, the Township enacted Chapter 520 entitled Property Maintenance which provides that amounts charged to cut brush, hedges and other plant life by the municipality shall become a lien upon such lands.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners and the Township of Nutley in the County of Essex that this Resolution be transmitted to the Tax Collector and said unpaid charges from 2013 and prior are here certified to be unpaid and subject to tax sale.

CERTIFICATION

I, David Berry, certify that the Township has paid to have brush, hedges or other plant life cut from the addresses and in the amounts listed below.

<u>Address</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
138 Bloomfield Avenue	8900	25	\$ 426.90
144 Bloomfield Avenue	8900	27	\$ 550.00
480 Bloomfield Avenue	4801	44	\$ 240.00
729 Bloomfield Avenue	2304	27	\$ 307.50
78 Brookdale Avenue	2304	5	\$ 1,323.96
438 Centre Street	5902	29	\$ 3,257.25
501 Centre Street	7801	6	\$ 65.45
14 Essex Street	9101	11	\$ 146.04
24 Evelyn Place	6401	23	\$ 780.00
382 Franklin Avenue	4400	4	\$ 2,337.45
13 Glendale Street	502	13	\$ 62.32
47 High Street	3001	13	\$ 1,828.65
61 High Street	3001	10	\$ 1,036.20
188 Hillside Avenue	3100	10	\$ 1,519.68
49 Kingsland Street	301	19	\$ 736.80
14 Moore Place	9201	11	\$ 789.80
109 Mountainview Avenue	4701	4	\$ 4,233.83
284 Passaic Avenue	6500	19	\$ 693.00
286 Prospect Street	5900	39	\$ 523.20
123 Raymond Avenue	5304	15	\$ 707.00
125 Raymond Avenue	5304	14	\$ 714.00
65 Wharton Avenue	600	4	\$ 677.00
191 Whitford Avenue	3404	9	\$ 487.75

I certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

David Berry

Dated: September 16, 2014

I, [Signature] 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 16, 2014.

<u>RECORD OF VOTE</u>	<u>COMMISSIONER ROGERS</u>	<u>COMMISSIONER TUCCI</u>	<u>COMMISSIONER EVANS</u>	<u>COMMISSIONER SCARPELLI</u>	<u>MAYOR PETRACCO</u>
<u>YES</u>	X	X	X	X	X
<u>NO</u>					
<u>NOT VOTING</u>					
<u>ABSENT/EXCUSED</u>					





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

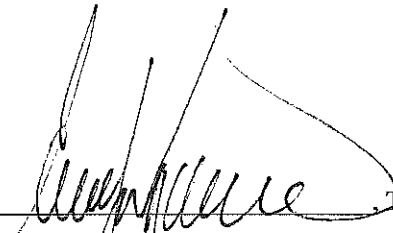
## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* September 16, 2014  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 212-14

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the tax charges in the amount of \$ 33,212.51 for the following accounts.

Block & Lot	Address	Amount
7704e 17	320 Harrison St.	\$ 2,155.40 08/01/14
9504e 13	35 Washington Ave.	\$ 3,000.54 08/01/14
7200 -3- C0322	108-110 Passaic Ave.	\$ 4,909.06 12/31/13
7200 -3- C0322	108-110 Passaic Ave.	\$ 6,960.87 12/31/12
7200 -3- C0322	108-110 Passaic Ave.	\$ 6,641.25 12/31/11
7200 -3- C0322	108-110 Passaic Ave.	\$ 6,339.89 12/31/10
7200 -3- C0322	108-110 Passaic Ave.	\$ 3,205.50 12/31/09

. . .

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 16, 2014

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

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

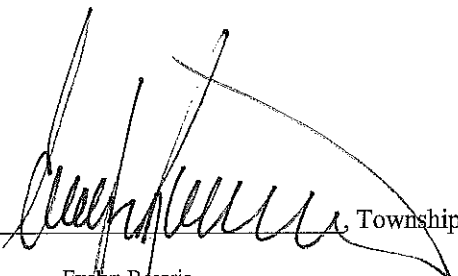
## Resolution

Introduced by: Commissioner Thomas J. Evans Date: September 16, 2014  
 Seconded by: Commissioner Mauro G. Tucci No. 219-14

**BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State Of New Jersey, that the Municipal Clerk be and is hereby authorized and directed to advertise for a Request for Qualifications (RFQ's) to Redesign and Support the Township of Nutley's Municipal Website.

**BE IT FURTHER RESOLVED**, that the Request for Qualifications (RFQ's) shall be due on Wednesday, October 15, 2014 at 3:00 P.M. addressed to the 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 16, 2014

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

**RESOLUTION**

**NO. 221-14**

**NOT USED**

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

## Resolution

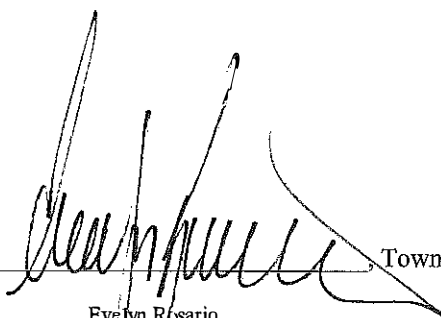
*Introduced by:* Commissioner Thomas J. Evans *Date:* September 16, 2014

*Seconded by:* Commissioner Mauro G. Tucci *No.* 224-14

**WHEREAS, all local government units must prepare and submit a Corrective Action Plan as part of the annual audit process in accordance with OMB A-133 and 98-01;**

**NOW, THEREFORE, BE IT RESOLVED,** by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, that the attached Corrective Action Plan for the audit year 2013 is hereby approved.

**BE IT FURTHER RESOLVED** that a copy of this Corrective Action Plan is to be kept on file in the Township Clerk's Office and one certified copy is to be submitted to Director of the Division of Local Government Services.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the

Evelyn Rosario

foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 16, 2014

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

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

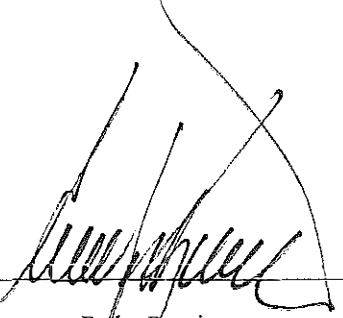
**Resolution**

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* September 16, 2014

*Seconded by:* Mayor Alphonse Petracco *No.* 217-14

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for the 2014 Hancox Avenue and Conover Avenue Improvements, in the Township of Nutley, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, 07110, on Thursday, October 9, 2014 at 3:00pm prevailing time, at which time they will be opened and read.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that

Evelyn Rosario

foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 16, 2014

<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>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

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

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* September 16, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 208-14 e e e

**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 (Passaic Avenue to Union Avenue).**

**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-2015 Township of Nutley Park Avenue Improvement -00142* to the New Jersey Department of Transportation on behalf of the Township of Nutley.**

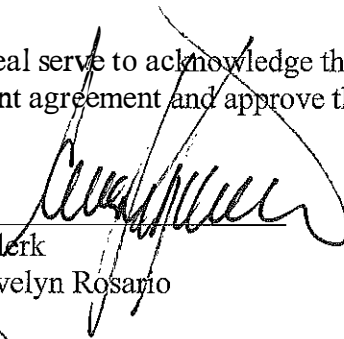
**BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Nutley and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.**

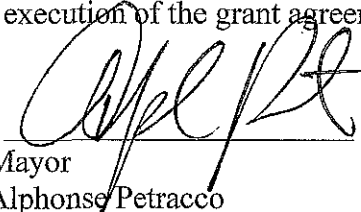
**Certified as a true copy of the Resolution adopted by the Board of Commissioners  
On this day of 16<sup>th</sup> day of October, 2014**

Clerk

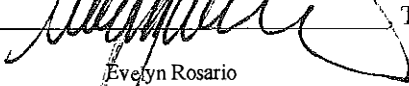
My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

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

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

**BOARD OF COMMISSIONERS**

**TOWNSHIP OF NUTLEY, NEW JERSEY**

**Resolution**

Introduced by: Mayor Alphonse Petracco Date: September 16, 2014

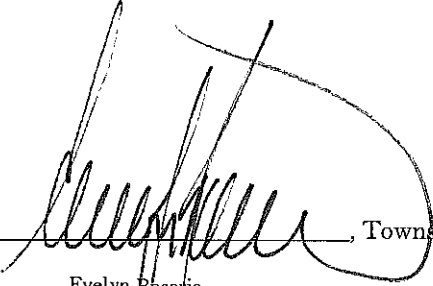
Seconded by: Commissioner Mauro G. Tucci No. 211-14

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

Nutley High School Soccer Booster Club	License No. 61-14 Off-Premise 50/50 Cash Raffle	November 19, 2014
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**WHEREAS**, the applications have been reviewed and approved by the Municipal Clerk and the Police Department.

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

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 16, 2014

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

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

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* September 16, 2014

*Seconded by:* Commissioner Mauro G. Tucci *No.* 220-14

**WHEREAS**, pursuant to the Fire Service Resource Emergency Deployment Act, N.J.S.A. 52:14E-14 and the regulations promulgated thereunder, including but not limited to N.J.A.C. 5:75A-2.2, municipalities in the State of New Jersey shall adopt a fire mutual aid plan (collectively, the "Fire Mutual Aid Plan"); and

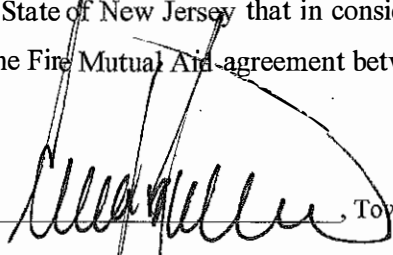
**WHEREAS**, under the Fire Mutual Aid Plan, each municipality or fire district must prepare and adopt a local fire mutual aid plan which sets forth policies and procedures to coordinate the effective utilization of fire service resources where the implementation of the Fire Mutual Aid Plan is determined to be necessary or appropriate; and

**WHEREAS**, the Fire Mutual Aid Plan must be based upon the planning criteria, objectives, requirements, responsibilities and concepts of operation essential for the implementation of all necessary and appropriate protective or remedial measures to be taken in response to emergency incidents; and

**WHEREAS**, this agreement has been authorized by the members of the Township Council and recommended for execution by the Township of Nutley and by the Essex County Fire Coordinator, Essex County Fire Chiefs Association and the Deputy Fire Chief of Township of Nutley;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey that in consideration of the mutual promises made herein, the Participating Units hereby agree to the Fire Mutual Aid agreement between participating Essex County municipalities.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the

Evelyn Rosario

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