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TOWNSHIP OF NUTLEY, NEW JERSEY  
BOARD OF COMMISSIONERS

PUBLIC MEETING ) TRANSCRIPT OF  
) PROCEEDINGS:  
)  
)

February, 2, 2016  
8:07 p.m.

BEFORE:

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

ALSO APPEARING:

- Eleni Pettas, Municipal Clerk
- Alan Genitempo, Counsel to the board

Job No. NJ2231325

Transcribed by: Nicole Yawn

P R O C E E D I N G S

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MAYOR PETRACCO: Madam Clerk?

MADAM CLERK: Yes, Mayor.

Board of commissioners public meeting Tuesday, February 2nd, 2016. The time is now 8:07.

Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the December 24th 2015 issues of the Nutley Sun, the Star Ledger, and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board, and a copy is on file in the municipal clerk's office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Here.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Here.

Thank you. We'll move on to minutes.

MADAM CLERK: Yes, Mayor. We have board of commissioner meeting minutes for December 15th, 2015;

1 December 31st, 2015; and January 5th, 2016.

2 COMMISSIONER TUCCI: Move the minutes.

3 MAYOR PETRACCO: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 Thank you. Communications and correspondence,  
15 please.

16 MADAM CLERK: Yes, Mayor. Holy Family Church has  
17 requested permission to run games of chance at the 25th  
18 Annual Italian Festival on Sunday, September 25th, 2016.

19 I need a motion.

20 MAYOR PETRACCO: Move it.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Aye.

6 MADAM CLERK: The Nutley Chamber of Commerce has  
7 submitted an event application for the annual 5k run to be  
8 held on Sunday, May 1st, 2016.

9 I need a motion.

10 MAYOR PETRACCO: Move it.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 MADAM CLERK: And South Side Grill has submitted  
23 an application for extension of premises for the St.  
24 Patrick's Day Parade on Saturday, March 5th, 2016 (sic) from  
25 12 p.m. to 10 p.m.



1 COMMISSIONER TUCCI: Move it.

2 MAYOR PETRACCO: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Petracco?

12 MAYOR PETRACCO: Aye.

13 Thank you.

14 We'll move on to reports.

15 COMMISSIONER TUCCI: Yes, Mayor. I have a shade  
16 tree report for January 2016.

17 MAYOR PETRACCO: Sure.

18 The bill list, please.

19 MADAM CLERK: Yes, Mayor. The bill list for  
20 Tuesday, February 2nd, 2016. Public Affairs, \$4,365;  
21 Revenue and Finance, \$7,706,728.94; Public Safety,  
22 \$120,774.89; Public Works, \$131,500.15; Parks and Public  
23 Property, \$760,547.86. Total payroll -- \$763,155.75, for a  
24 grand total of \$9,487,072.59.

25 COMMISSIONER EVANS: Move the bills.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSOINER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 Thank you.

13 I see we don't have any ordinance introductions or  
14 public hearings this evening. So we'll move on to  
15 resolutions.

16 Commissioner Rogers?

17 COMMISSIONER ROGERS: Mayor, I'm going to  
18 introduce a resolution regarding (inaudible) of  
19 cardiovascular disease. And I'll just start in the middle  
20 here.

21 WHEREAS, February is National Heart Health Month  
22 and Friday, February 5th, 2016 has been designated as  
23 National Wear Red Day, at which time residents are  
24 encouraged to wear red to inspire women and men to take  
25 charge of their heart health; and

1           WHEREAS, the Township of Nutley Department of  
2 Public Affairs, through its health department and the  
3 American Heart Association, are committed to preventing  
4 heart disease through public and professional education  
5 about the risk factors;

6           NOW, THEREFORE, BE IT RESOLVED by the board of  
7 commissioners of the township of Nutley, county of Essex  
8 that, in recognition of the importance of ongoing efforts  
9 around heart disease, we hereby proclaim February 2016 as  
10 National Heart Health Month and urge all citizens of Nutley  
11 to show their support for preventing heart disease by  
12 learning more about their heart health, eating a healthy  
13 diet and maintaining an active lifestyle.

14           Before I move this, you know, I just think it's so  
15 important that we think about preventing these diseases from  
16 striking us. We get so busy, really busy. And I've always  
17 said that we, as males, are the worst when it comes to  
18 preventive medicine. Women seem to take care more of  
19 themselves than we do. But it's very important to get a  
20 heart specialist, get to a doctor every six months, every  
21 two years to get ourselves checked. Because if you look at  
22 these statistics, they're frightening. There's no reason  
23 why all of these people should be dying as a result of doing  
24 what? Of not going to the doctors regularly.

25           On that note, I move this resolution.

1 COMMISSIONER SCARPELLI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye. I vote yes.

12 And before I do, you just brought a memory to my  
13 attention, Commissioner Rogers. I actually attended the  
14 school teachers -- the middle school school teacher's wake  
15 in Addison (ph) this past week. And I believe it was colon  
16 cancer that he passed from; am I correct?

17 Right? And it was just so sad to see two young  
18 kids and a wife at the casket, you know. And, you know, God  
19 only knows if it could have been prevented or not. But I  
20 urge everybody to take Commissioner Rogers' words of wisdom  
21 seriously, because that's the last thing we want to see up  
22 here is losing anyone. And may he rest in peace. He was  
23 really a terrific guy and a terrific teacher. And he'll be  
24 missed by everyone here in Nutley.

25 So I vote yes. Thank you.

1           Okay. Is that all you have, Commissioner Rogers?

2           COMMISSIONER ROGERS: That's it, Mayor. Thank  
3 you.

4           MAYOR PETRACCO: Commissioner Tucci?

5           COMMISSIONER TUCCI: Yes.

6           WHEREAS, sealed bids were received for tree  
7 removal services on January 7th, 2016 in the township of  
8 Nutley; and

9           WHEREAS, Dujets Tree Experts, 54 Notch Road,  
10 Woodland Park, New Jersey was the low bidder for tree sizes  
11 from 9 to 15 inches all the way up to 36 plus inches ranging  
12 from \$205 all the way to \$1,575; and

13           WHEREAS, the contract is not to exceed \$40,000  
14 from account 6-01-512-200 and have been certified by the  
15 chief financial officer, said certification being attached  
16 to this resolution;

17           NOW, THEREFORE, BE IT RESOLVED by the board of  
18 commissioners, township of Nutley, county of Essex, state of  
19 New Jersey that a contract for tree removal service be  
20 awarded to Dujets Tree Experts, Inc.

21           I move the resolution.

22           COMMISSIONER EVANS: Second.

23           MADAM CLERK: Commissioner Rogers?

24           COMMISSIONER ROGERS: Aye.

25           MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Mayor Petracco?

7 MAYOR PETRACCO: Aye.

8 COMMISSIONER TUCCI: WHEREAS, sealed bids were  
9 received for tree pruning services on January 7th in the  
10 township of Nutley; and

11 WHEREAS, Downes Tree Service, 65 Royal Avenue,  
12 Hawthorne, New Jersey was the low bidder for pruning of  
13 trees ranging from \$40 a tree all the way up to \$350 a tree  
14 for trees with a trunk diameter of 32 inches or greater; and

15 WHEREAS, the contract is not to exceed \$40,000  
16 from account 6-01-512-200 and have been certified by the  
17 chief financial officer, said certification being attached  
18 to this resolution;

19 NOW, THEREFORE, BE IT RESOLVED by the board of  
20 commissioners, township of Nutley, county of Essex, state of  
21 New Jersey that a contract for tree pruning be awarded to  
22 Downes Tree Service, Inc.

23 I move the resolution.

24 COMMISSIONER EVANS: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Mayor Petracco?

9 MAYOR PETRACCO: Aye.

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

11 MAYOR PETRACCO: Thank you.

12 Commissioner Evans?

13 COMMISSIONER EVANS: Thank you, Mayor.

14 WHEREAS, there exists the need by the board of  
15 commissioners (the "Board") of the township of  
16 Nutley (the "Township") for legal counsel to provide ongoing  
17 legal services related to the township's affordable  
18 housing requirements which were fully articulated in  
19 Resolution 160-15 and have been incorporated herein,  
20 and same to be appointed as a non-fair and open contract  
21 pursuant to the provisions of N.J.S.A. 19:44A-20.5 and by  
22 the Agency; and

23 WHEREAS, the above needs are for certain specified  
24 professional services to be rendered or performed  
25 by a person or persons authorized by law to practice a

1 recognized profession, whose profession is regulated by law  
2 within the meaning of N.J.S.A. 20A:11-1; and

3 WHEREAS, the anticipated continued term of this  
4 contract is for 12 months, from January 1 through December  
5 31, 2016; and

6 WHEREAS, John P. Inglesino, of Inglesino, Webster, Wyciskala  
7 & Taylor, has submitted a fee, not to exceed  
8 \$25,000 which is to be charged at an hourly rate of \$215 for  
9 attorneys and an hourly rate of \$100 for paralegal or law  
10 clerk work; and

11 WHEREAS, Inglesino, Webster, Wyciskala & Taylor has  
12 completed and submitted a business entity disclosure  
13 certification which certifies that he and the Firm have not  
14 made any reportable disqualifying contributions to a  
15 political candidate or candidate committee in the Township in  
16 the previous one year that would violate either N.J.S.A.  
17 19:44A-20.5, or the Township's Local Unit Pay to Play  
18 Ordinance adopted by referendum, or any and all relevant  
19 executive orders, or the New Jersey Election Law Enforcement  
20 Commission disclosure requirements, and that the contract  
21 will bar John P. Inglesino of Inglesino, Webster, Wyciskala &  
22 Taylor, LLC from making any reportable disqualifying  
23 contributions through the term of  
24 the contract; and

25 WHEREAS, funds for this purpose are available from

the COAH Trust Account # T-26-909-902 and will be certified



1 by the Chief Financial Officer; and

2 WHEREAS, the Local Public Contracts Law, N.J.S.A.  
3 40A:11-1, as amended, requires that this resolution be  
4 publicly advertised; and

5 NOW, THEREFORE BE IT RESOLVED, by the board of  
6 commissioners of the township of Nutley that in accordance  
7 with the Local Public Contracts Law, does hereby authorize  
8 and approves the award of a professional services contract to  
9 John P. Inglesino, of the firm of Inglesino, Webster,  
10 Wyciskala & Taylor, pursuant to a non-fair and open process  
11 in accordance with the provisions of N.J.S.A. 19:44A-20.5,  
12 as legal counsel in accordance with a contract for  
13 professional services, which shall provide that the legal  
14 counselor any attorney on staff shall be paid a sum not to  
15 exceed \$25,000 at an hourly rate of \$215 for legal services  
16 by attorneys and \$100 for services performed by a paralegal  
17 or law clerk work; and

18 BE IT FURTHER RESOLVED, that the mayor and clerk  
19 are hereby authorized and directed to execute, seal and  
20 deliver said contract for professional services on behalf of  
21 and in the name of the Township; and

22 FURTHER RESOLVED, that a copy of the resolution  
23 shall be published as required by law within ten days of its  
24 passage.

25 So move.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 COMMISSIONER EVANS: WHEREAS, the Township of  
13 Nutley has a continuing need for the services of special  
14 development counsel through a non-fair and open contract as  
15 a professional service pursuant to the provisions of  
16 N.J.S.A. 19:44 A-20.4 and 20.5, as appropriate; and

17 WHEREAS, Inglesino, Webster, Wyciskala & Taylor,  
18 LLC., 600 Parsippany Road, Suite 204, Parsippany, New  
19 Jersey 07054 has ably and continuously provided these  
20 services since October 1, 2013; and

21 WHEREAS, the Law Firm of Inglesino, Webster,  
22 Wyciskala & Taylor, LLC., has submitted a fee schedule for  
23 2016 to provide such services, for a total which is not to  
24 exceed\$75,000; and

25 WHEREAS, the anticipated continued term of this

1 contract is for 12 months, January 1, 2016 through  
2 December 31, 2016; and

3 WHEREAS, the Law Firm of Inglesino, Webster,  
4 Wyciskala & Taylor, LLC., has completed and submitted a  
5 business entity disclosure certification which certifies  
6 that they have not made any reportable disqualifying  
7 contributions to a political or candidate committee in the  
8 township of Nutley in the previous one year, and that the  
9 contract will prohibit them from making any reportable  
10 contributions through the term of the contract; and

11 WHEREAS, funds are available from account # 6-01 -  
12 226-205 and will be certified by the chief financial  
13 officer, said certification is subject to adoption of the  
14 2016 Municipal Budget;

15 NOW, THEREFORE, BE IT RESOLVED that the board of  
16 commissioners of the township of Nutley, county of Essex,  
17 state of New Jersey contract for special development counsel  
18 as follows:

19 A, that the mayor and township clerk are hereby  
20 authorized and directed to finalize the 2016 contract and  
21 execute an agreement with Inglesino, Webster, Wyciskala &  
22 Taylor, LLC, 600 Parsippany Road in Parsippany, New  
23 Jersey 07054, for a term beginning January 1, 2016 through  
24 December 31, 2016, in the amount not to exceed \$75,000.

25 B, a copy of this resolution, as well as the

1 contract, shall be placed on file with the clerk.

2 So move.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 COMMISSIONER EVANS: BE IT RESOLVED by the board  
15 of commissioners of the township of Nutley, in the county of  
16 Essex, state of New Jersey that the treasurer be and she is  
17 hereby authorized to refund overpayments of property taxes  
18 in the amount of \$1,784.01 for block 6902, lot 11 for the  
19 year 2015.

20 So move.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 COMMISSIONER EVANS: My last resolution, 44-16, is  
8 being tabled to the next meeting. Thank you.

9 MAYOR PETRACCO: Commissioner Scarpelli, please?

10 COMMISSIONER SCARPELLI: BE IT RESOLVED by the  
11 board of commissioners of the township of Nutley, county of  
12 Essex, state of New Jersey that the township clerk is hereby  
13 authorized to advertise, pending authorization from the New  
14 Jersey Department of Transportation once a week for three  
15 consecutive weeks in the Nutley Sun and Star Ledger with a  
16 minimum of ten working days from the date of the last  
17 advertisement for sealed bids for the Department of  
18 Transportation's Safe Routes to School Program for the  
19 township of Nutley to be received on behalf of the board of  
20 commissioners in the commission chambers, Township Hall, 1  
21 Kennedy Drive, Nutley, New Jersey on Wednesday, March 2nd,  
22 2016 at 3:00 p.m. prevailing time, at which time they will  
23 be opened and read.

24 I move the resolution.

25 COMMISSIONER ROGERS: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: Aye.

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

12 MAYOR PETRACCO: Thank you, Commissioner  
13 Scarpelli.

14 WHEREAS, raffle applications have been received  
15 from the following organizations: Holy Family Church,  
16 license number 4-16, money wheel/ten games of chance,  
17 Thursday, September 22nd through Sunday, September 25th,  
18 2016; Holy Family Church Rosary Altar Society, license  
19 number 5-16, on premise merchandise raffle Saturday,  
20 April 9th, 2016.

21 WHEREAS, the applications have been reviewed and  
22 approved by the municipal clerk and the police department;

23 NOW, THEREFORE, BE IT RESOLVED by the board of  
24 commissioners, township of Nutley, county of Essex, state of  
25 New Jersey that the aforementioned licenses are approved and

1 the municipal clerk is authorized to issue those licenses.

2 (Inaudible).

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 Thank you.

15 WHEREAS, the Nutley Office of Emergency Management  
16 has been awarded Emergency Management Agency Assistance  
17 Subgrant Program (EMAA) subgrant award number FY15-EMPG-  
18 EMAA-0716 from the New Jersey State Police Office of  
19 Emergency Management Agency available for successful  
20 applicants funded through the FY2015 Emergency Management  
21 Performance Grant for the dates of July 1, 2015 through  
22 June 30, 2016; and

23 WHEREAS, the Subgrant, consisting of a total  
24 amount of \$14,000 (including \$7,000 Federal Award and  
25 \$7,000 Local Matching Funds) which the Township of Nutley

1 Office of Emergency Management will satisfy with the Office  
2 of Emergency Management's existing salaries and wages.

3 BE IT RESOLVED, by the township of Nutley's mayor,  
4 chief financial officer and emergency management coordinator  
5 are hereby authorized to sign the required Grant  
6 application/Subgrant Award Documents with the New Jersey  
7 State Police, Office of Emergency Management.

8 BE IT FURTHER RESOLVED, that copies of this  
9 resolution shall be forwarded to the New Jersey State Police  
10 Office of Emergency Management, the Essex County Office of  
11 Emergency Management; the director of the Division of Local  
12 Government Services; Office of Emergency Management, the  
13 mayor and the chief financial officer of the Township of  
14 Nutley.

15 I move the resolution.

16 COMMISSIONER TUCCI: Second.

17 MADAM CLERK: 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           BE IT RESOLVED by the board of commissioners of  
3 the township of Nutley, county of Essex, state of New Jersey  
4 that, in accordance with the provisions of R.S. 40A:4-59,  
5 the following transfer(s) of 2015 appropriation reserves be  
6 the same and are hereby authorized and approved. From  
7 gasoline account 5-01-342-200, \$5,000 to police Operating O  
8 & E, 5-01-308-200 for \$5,000.

9           I move the resolution.

10          COMMISSIONER TUCCI:   Second.

11          MADAM CLERK:   Commissioner Rogers?

12          COMMISSIONER ROGERS:   Aye.

13          MADAM CLERK:   Commissioner Tucci?

14          COMMISSIONER TUCCI:   Aye.

15          MADAM CLERK:   Commissioner Evans?

16          COMMISSIONER EVANS:   Aye.

17          MADAM CLERK:   Commissioner Scarpelli?

18          COMMISSIONER SCARPELLI:   Aye.

19          MADAM CLERK:   Mayor Petracco?

20          MAYOR PETRACCO:   Aye.

21          I think I missed one resolution.

22          UNIDENTIFIED SPEAKER:   -- cameras (ph)?

23          MAYOR PETRACCO:   -- copy of it? Thank you.

24          Okay. This is resolution 43-16. Oh, this is the  
25 last one. Okay.

1           WHEREAS, the Department of Public Safety, Township  
2 of Nutley wishes to purchase camera viewing software from an  
3 authorized vendor under the State of New Jersey Cooperative  
4 Purchasing Program; and

5           WHEREAS, the purchase of goods and services by  
6 local contracting units is authorized by the Local Public  
7 Contracts Law, N.J.S.A.40A: II-12; and

8           WHEREAS, SHI International Corp., located at 290  
9 Davidson Avenue, Somerset, New Jersey 08873 has been awarded  
10 New Jersey State Contract #89851 for the purchase of camera  
11 viewing software for the period of 9/01/2015 to 6/30/2020;  
12 and

13           WHEREAS, the cost for the purchase of the camera  
14 viewing software is \$60,000; and

15           WHEREAS, the utilization of this contract is  
16 recommended on the grounds that it represents the best price  
17 available; and

18           WHEREAS, funds are available from Account #5-01-  
19 213-211 in the amount of \$60,000 and have been certified by  
20 the chief financial officer, said certification being  
21 attached to this resolution; and

22           NOW, THEREFORE, BE IT RESOLVED by the board of  
23 commissioners of the township of Nutley that SHI  
24 International Corp. be awarded a contract for the purchase  
25 of camera viewing software in accordance with New Jersey

1 State Contract #89851.

2 I move the resolution.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 Thank you. That concludes our business portion of  
15 the meeting.

16 Madam Clerk, please read our five-minute rule.

17 MADAM CLERK: Yes, Mayor. All persons addressing  
18 the board of commissioners regarding community concerns  
19 should approach the microphone and provide their name and  
20 address for the record. Unless further time is granted by  
21 the board, each person shall limit their address to five  
22 minutes. All remarks to the board and its individual  
23 members must be addressed to the mayor.

24 The mayor may defer citizens' comments to the  
25 appropriate member of the board. Dialogue between citizens

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

6 MAYOR PETRACCO: Thank you.

7 Is there anyone here this evening that would like  
8 to address the board of commissioners?

9 Please state your name and address for the record.

10 MR. MOORE: Rory Moore (ph), 462 Chestnut Street.

11 Mr. Petracco, I got the clock. I appreciate  
12 Mr. Tucci and you last meeting -- you addressed the trees.  
13 And Dave Berry appeared back today, which I thought was  
14 very, very good. But I wanted to express from this side. If  
15 I put an OPRA in for landscaper -- the tree report. And it's  
16 filed in 2014 and updated 2016. That might raise a concern  
17 to me.

18 When I put in for the building department and I  
19 asked for another one, that a letter that Mr. DiBiasi (ph)  
20 sent to the town for a change order -- apparently it doesn't  
21 exist. And he cites an expert report. So I asked for a  
22 copy of their expert report. There isn't any.

23 Can you -- could you try to understand what it's  
24 like for a citizen to try to ask a question? And when we --  
25 I receive something like this, it doesn't raise a flag for

1 me? Because when -- the construction permit -- which I got  
2 the first cover, which is okay -- not once on here on an  
3 itemized list are the trees.

4 So I realize what you're saying under your  
5 ordinances. But a reasonable person reads the ordinances  
6 and expects an answer similar to what the ordinance is and  
7 you don't receive that, where do you go? It just prompts  
8 another OPRA to get an explanation.

9 I just spoke to Mr. Berry, and he was under the  
10 impression he wasn't allowed to contact me on an OPRA  
11 request. And I told him he (inaudible) if at any time when  
12 my OPRAs doesn't make sense. I would say to anybody to pick  
13 the phone up and call, because I could clarify it over the  
14 phone. But is there an appreciation that you have -- the  
15 ordinances that you write the best way that you can -- and  
16 when a citizen asks a question, it might be difficult.

17 MAYOR PETRACCO: Do you want to comment,  
18 Commissioner Tucci, or --

19 COMMISSIONER TUCCI: Sure, that's possible. And  
20 actually, after the last meeting, the mayor, myself, and you  
21 had a conversation about the clarity of the ordinance. And  
22 it was a great recommendation. And what we're doing is  
23 we're clarifying the language so that it's crystal clear as  
24 to what the requirements are and what people need to do and  
25 what they don't need to do.

1 MR. MOORE: Yes.

2 COMMISSIONER TUCCI: I can appreciate your  
3 comments, yeah.

4 MR. MOORE: But could we eliminate the angst to  
5 say that it's being combative (ph) or it would be  
6 argumentative about it if somebody is actually trying to  
7 find an answer to a question? The answer to the question,  
8 which may be legitimate, may have concerns. Isn't much  
9 easier just to pick the phone up and find out why you have  
10 two dates on a document?

11 MAYOR PETRACCO: I would say that we encourage  
12 that.

13 MR. MOORE: I would think that, too.

14 MAYOR PETRACCO: Yeah, I would -- you know what,  
15 Mr. Moore? I would encourage that. If any Nutley resident  
16 or, for that matter, anybody that comes to one of our  
17 meetings, I would always encourage that, if you have a  
18 question, to try to reach out to one of your elected  
19 officials, especially the commissioners, and try to resolve  
20 that matter before coming to a meeting and having a debate  
21 up here. Unfortunately, if you're not able to resolve it,  
22 you know, via a meeting, then you are always welcome to come  
23 and state your case, you know, in front of the board of  
24 commissioners.

25 MR. MOORE: As I clarified with Mr. Berry, it's

1     okay to pick the phone up and call. And I would feel it's  
2     the same way. Because an OPRA's the only way to get an  
3     answer to a question. And then, that's the way we have to  
4     live with it. And there shouldn't be a --

5             MAYOR PETRACCO: What I do, just so you know, in  
6     my department -- and I think the board of commissioners  
7     would agree in all our departments -- is that, you know, the  
8     OPRA request takes a lot of time and man hours away from our  
9     employees doing the job to provide services for our  
10    community, which is to the utmost importance to, I know,  
11    myself and the board of commissioners. So again, if you  
12    have a question or any other Nutley resident has a question,  
13    I would encourage you to pick up the phone and to speak to  
14    ne of our commissioners here or myself, depending on what  
15    department your question is with. And then, if for some  
16    reason, you can't resolve the matter, then you could always  
17    OPRA it, you know, for whatever reason.

18            So I would applaud that, Rory, because it causes  
19    -- we know what your legal rights are. And it causes a  
20    tremendous burden on the people that are trying to do their  
21    job every day. And then to put all these OPRA requests on  
22    top of it, it really binds them down. So we would encourage  
23    it.

24            MR. MOORE: I appreciate what you and Mr. Tucci.  
25    I thought that was admirable.

1           MAYOR PETRACCO: Well, we appreciate that. Thank  
2 you so much.

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

5           MR. KABUCHI: Agban Kabuchi (ph), 41 Cathedral  
6 Avenue, Nutley. Yeah, I have some questions on the -- some  
7 of these ordinances that you passed. Is there any reason  
8 why our tree department can't take care of that -- those two  
9 tree awards?

10          MAYOR PETRACCO: The tree awards?  
11 Commissioner Tucci?

12          COMMISSIONER TUCCI: Yeah. Yeah, there is.

13          MR. KABUCHI: Forty thousand and forty thousand.

14          COMMISSIONER TUCCI: We do many trees. And if  
15 you'd like, I'd be happy to share all of our reports, our  
16 shade tree reports that we pretty much do every month. But  
17 there are certain trees where we just don't have the  
18 equipment, all right, to take down.

19                 On the removals, most of those require a crane.  
20 We don't own a crane in the township. So it's cheaper for  
21 us, all right, to actually contract that. And even with the  
22 prunings on some of the trees -- and we have a vast forest  
23 of trees here in Nutley. We do what we can with our shade  
24 tree department. And we have a younger department now  
25 because some of the older fellas have retired. And we have



1 new folks who are coming up who are doing an outstanding  
2 job. But there's just some stuff that we don't have the  
3 ability to do.

4 MR. KABUCHI: All right.

5 COMMISSIONER TUCCI: And that necessitates these  
6 contracts.

7 MR. KABUCHI: Very good. Thank you.

8 What is that award contract for special  
9 development counsel? What is that supposed to be?

10 COMMISSIONER EVANS: That relates to the Hoffman-  
11 LaRoche transaction and legal counsel representing the  
12 township as part of the action that's going on there.

13 MR. KABUCHI: We don't have any attorneys here  
14 that could do that?

15 MAYOR PETRACCO: It's required -- the areas of  
16 special expertise and large-scale commercial. And that's  
17 them.

18 MR. KABUCHI: Okay, we (indiscernible).

19 UNIDENTIFIED SPEAKER: And, Commissioner, is that  
20 the kind of fee that would be returned to us via the  
21 developer?

22 COMMISSIONER EVANS: Yes, as part of the  
23 redevelopment agreement, --

24 MR. KABUCHI: Good. All right. That's good for  
25 us to know.

1 COMMISSIONER EVANS: -- we would get reimbursed.

2 MAYOR PETRACCO: Sure it is.

3 MR. KABUCHI: What's a SID district? Can anybody  
4 tell me?

5 MAYOR PETRACCO: We actually tabled that tonight.  
6 We didn't read that resolution. So when we read it, you  
7 could feel free to comment, or we could go over it then.  
8 But we tabled that one tonight.

9 MR. KABUCHI: You passed it.

10 COMMISSIONER EVANS: No, we didn't. COMMISSIONER

11 TUCCI: No, we didn't.

12 MAYOR PETRACCO: No, we tabled it.

13 MR. KABUCHI: Oh, you didn't vote on that one?

14 COMMISSIONER EVANS: No.

15 MR. KABUCHI: Okay.

16 MAYOR PETRACCO: Yeah.

17 MR. KABUCHI: I missed that.

18 And sealed bids for Safe Routes to School -- our  
19 police department can't do that?

20 MAYOR PETRACCO: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Safe Routes to School --  
22 it's a project involving sidewalks, crosswalks, traffic  
23 signals. It's going out to bid for a contractor to come and  
24 do that work. So it's not really --

25 MR. KABUCHI: They're going to do construction

1 work?

2 COMMISSIONER SCARPELLI: Construction.

3 MR. KABUCHI: Oh, okay. All right. All right.

4 And I see we got an award for the emergency  
5 management agency assistance subgrant program. That's quite  
6 a tongue twister. What was that all about?

7 MAYOR PETRACCO: Well, that's from emergency  
8 management. It's from the state, and it's a matching grant  
9 where we could use those funds in O&E, our emergency  
10 management group.

11 MR. KABUCHI: So it could be used for a whole  
12 range of things?

13 MAYOR PETRACCO: Well, for emergency management  
14 specifically.

15 MR. KABUCHI: Thank you very much.

16 MAYOR PETRACCO: My pleasure. Thanks for coming.

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

19 MS. LANDRY: Penny Landry, 135 Lakeside Drive. To  
20 the SID issue, my -- I've been thinking a lot about this.  
21 On November 2014, this board authorized a contact with JGSC  
22 Group for \$17,200 for the following: a business district  
23 inventory, a consumer survey, and a strategic plan for the  
24 Nutley Economic Development Advisory Committee. So first, I  
25 want to acknowledge Commissioner Evans for agreeing to table

1 the resolution, which was to hire the same group for \$20,000  
2 to now do another study about establishing a SID.

3 I thank Commissioner Tucci for recommending it,  
4 and I thank you for agreeing to it. By resolution, this  
5 \$17,000 was supposed to do much more than just a survey. It  
6 was specifically stated in the resolution that a strategic  
7 plan would come out of the monies that was paid to this  
8 group.

9 It also was recommended in the back room, where I  
10 have asked before that those type of conversations be had  
11 out here so that the people who are unable to attend can get  
12 this information directly from you instead of, you know,  
13 passed down. So had that been out here, then everybody  
14 would know the explanation about why we decided to put a  
15 hold on the SID and what a SID means. And one of the  
16 recommendations that came up was to invite the  
17 businesspeople to a presentation as to what we are thinking  
18 about doing.

19 Well, I have requested and so far been denied that  
20 the Economic Development Advisory Committee meetings be open  
21 to businesses and citizens so that we can learn these things  
22 so we do have an avenue. And yet, those meetings are  
23 closed. The Economic Development Advisory Committee -- it  
24 was requested when the new website was put up that that be  
25 listed as a committee with its members listed and that the

1 minutes of those meetings be made available on the website  
2 to the business community and to the taxpayers of Nutley.

3           It is not listed on the website. The minutes have  
4 to be OPRA'd, and the meetings are still closed. So I am  
5 here to once again this year -- because the first request  
6 was made two years ago -- to request that for the business  
7 owners of Nutley and for the concerned citizens who are very  
8 concerned about growing business and about marketing our  
9 township -- that these committee meetings be expanded to  
10 include interested citizens and business owners and that  
11 there are several committees by township code that have not  
12 been enacted by this current body, different advisory  
13 committees, et cetera.

14           So I'd like to just once again ask you to please  
15 -- the advisory committees that do exist for the planning  
16 board, for several different things -- and I can send you a  
17 list -- that you enact them and that you put it out there  
18 for people who want to be involved, that we kind of expand  
19 our circle. Because there are some great people moving into  
20 the town who have great new skill sets and great new ways of  
21 looking and thinking about things. And I see that our  
22 planning board has remained the same.

23           The same people were reappointed. The same people  
24 were reappointed to the zoning board. And after 15, 20  
25 years, some of these people serving on the boards that maybe

1 it's time to give some other citizens a chance.

2 MAYOR PETRACCO: Actually, --

3 MS. LANDRY: So --

4 MAYOR PETRACCO: -- so just for the record and not  
5 to get long-winded, there were some changes. There are some  
6 new people.

7 MS. LANDRY: Would you care to share those?

8 MAYOR PETRACCO: You know what? Penny, what I'll  
9 do is -- I know that right off the top of my head, I know  
10 that we -- Billy Algieri is a new member. Louis Fusaro is a  
11 new member.

12 MS. LANDRY: Algieri was on it before.

13 MAYOR PETRACCO: No, he wasn't.

14 MS. LANDRY: William?

15 MAYOR PETRACCO: Yeah, I appointed him.

16 MS. LANDRY: On the planning board?

17 MAYOR PETRACCO: Was it you said for 15 years.

18 MS. LANDRY: Oh, no, --

19 MAYOR PETRACCO: The point -- no, but I'm --

20 MS. LANDRY: I'm saying -- oh, no, he was -- he is  
21 not a new appointee.

22 MAYOR PETRACCO: Yes, he is. He's only been there  
23 for a couple of years, the most, if that. Peter Sirica's a  
24 new appointment on the zoning board. So there's a few new  
25 people. And Mary Ryder just became a member, a full-time --

1 MS. LANDRY: And you do the appointments for both  
2 the planning and the zoning board?

3 MAYOR PETRACCO: Gary Marino as well.  
4 Go ahead. What?

5 MS. LANDRY: You do both the planning and the  
6 zoning board appointments?

7 MAYOR PETRACCO: I do. The mayor does.

8 MS. LANDRY: And the rent control board?

9 MAYOR PETRACCO: Yes.

10 MS. LANDRY: So all boards are appointed by you?

11 MAYOR PETRACCO: I believe so.

12 MS. LANDRY: Okay. All right. So just a request.  
13 Thank you.

14 MAYOR PETRACCO: Yeah. Thank you so much.

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

17 Seeing no one, --

18 COMMISSIONER SCARPELLI: I just have one thing,  
19 Mayor, if you don't mind. I just --

20 MAYOR PETRACCO: Commissioner Scarpelli, just for  
21 the record, I never mind.

22 COMMISSIONER SCARPELLI: I just want to thank the  
23 people of Nutley for their patience over the last weekend  
24 with the storm that we had. We had close to 30 inches of  
25 snow. And I know that DPW was out there for a day-and-a-

1 half. So I'd like to thank them.

2 And I'd like to thank all of our public employees,  
3 because they're all out there. And it just was a monumental  
4 effort. And 28 inches, 30 inches of snow is a lot of snow.  
5 So thank you all for your patience in helping us.

6 MAYOR PETRACCO: Thank you,  
7 Commissioner Scarpelli. And I think it was an excellent job  
8 and an excellent effort in your department as well as all  
9 the departments. And I know I saw you out there personally.  
10 So thank you for your efforts as well.

11 Now, we need a motion to adjourn.

12 COMMISSIONER SCARPELLI: Move to adjourn.

13 COMMISSIONER ROGERS: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Thank you.

21 Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Aye.

25 Thank you. Good night.



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MADAM CLERK: And the time is now 8:42.  
(Whereupon, these proceedings were concluded at 8:42  
PM)

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



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Nicole Yawn

<b>&amp;</b>	<b>2015</b> 2:25 3:1 4:24	<b>5</b>	<b>acknowledge</b> 31:25
<b>&amp;</b> 12:6,10,21 13:10 14:17,22 15:4,21 21:8	16:19 19:21 21:5 <b>2016</b> 1:11 2:5 3:1,18 4:8 5:16,20 6:22 7:9 9:7 12:4 14:22 15:1 15:2,14,20,23,24 17:22 18:18,20 19:22 24:16	<b>5,000</b> 21:7,8 <b>5-01</b> 22:18 <b>5-01-308-200</b> 21:8 <b>5-01-342-200</b> 21:7 <b>5-16</b> 18:19 <b>54</b> 9:9 <b>5k</b> 4:7 <b>5th</b> 3:1 4:24 6:22	<b>act</b> 2:7 <b>action</b> 29:12 <b>active</b> 7:13 <b>addison</b> 8:15 <b>address</b> 23:20,21,23 24:8,9 28:4 31:18 35:16 <b>addressed</b> 24:12 <b>addressing</b> 23:17 24:1
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<b>1</b> 14:20 15:1,23 17:20 19:21 <b>1,575</b> 9:12 <b>1,784.01</b> 16:18 <b>10</b> 4:25 <b>100</b> 12:8 13:16 <b>11</b> 16:18 <b>11-1</b> 12:2 13:3 <b>12</b> 4:25 12:4 15:1 22:7 <b>120,774.89</b> 5:22 <b>131,500.15</b> 5:22 <b>135</b> 31:19 <b>14,000</b> 19:24 <b>15</b> 9:11 33:24 34:17 <b>15th</b> 2:25 <b>160-15</b> 11:19 <b>17,000</b> 32:5 <b>17,200</b> 31:22 <b>1975</b> 2:7 <b>19:44</b> 14:16 <b>19:44a</b> 11:21 12:16 13:11 <b>1st</b> 4:8 12:4	<b>30</b> 19:22 35:24 36:4 <b>31</b> 15:2,24 <b>31st</b> 3:1 <b>32</b> 10:14 <b>350</b> 10:13 <b>36</b> 9:11 <b>3:00</b> 17:22	<b>7,000</b> 19:24,25 <b>7,706,728.94</b> 5:21 <b>75,000</b> 14:24 15:24 <b>760,547.86.</b> 5:23 <b>763,155.75</b> 5:23 <b>7th</b> 9:7 10:9	<b>affairs</b> 5:20 7:2 <b>affordable</b> 11:17 <b>mentioned</b> 18:25 <b>agban</b> 28:5 <b>agency</b> 11:22 19:16 19:19 31:5 <b>ago</b> 33:6 <b>agree</b> 27:7 <b>agreeing</b> 31:25 32:4 <b>agreement</b> 15:21 29:23 <b>ahead</b> 35:4 <b>alan</b> 1:22 <b>algeri</b> 34:10,12 <b>allowed</b> 24:1 25:10 <b>alphonse</b> 1:18 <b>altar</b> 18:18 <b>amended</b> 13:3 <b>american</b> 7:3 <b>amount</b> 15:24 16:18 19:24 22:19
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# AGENDA

**TOWNSHIP OF NUTLEY  
BOARD OF COMMISSIONERS  
PUBLIC MEETING  
TUESDAY, FEBRUARY 2, 2016/7:00P.M.**

**Notice Pursuant to NJ.S.A 10:4-8(d)**

This agenda for the next regular meeting of the Township of Nutley Board of Commissioners, and the resolutions on the agenda, reflect the agenda and proposed resolutions to the extent known at the time of posting, pursuant to NJ.S.A. 10:4-8(d). The agenda and resolutions are tentative. They are subject to amendment additions or deletions prior to the meeting. Any inquiries concerning the agenda and its contents should be directed to the Municipal Clerk's Office at (973) 284-4955.

**PLEDGE OF ALLEGIANCE:**

**SUNSHINE NOTICE:**

Pursuant to the requirements of the Open Public Meeting Act (Chapter 231, P.L.1975), notice of this meeting was published in the December 24, 2015 issues of The Nutley Sun, The Star Ledger and The Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

**ROLL CALL:**

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

**MINUTES:**

December 15, 2015  
December 31, 2015  
January 5, 2016

**COMMUNICATIONS/CORRESPONDENCE:**

- ❖ Holy Family Church is Requesting Permission to Run Games of Chance at the 25<sup>th</sup> Annual Italian Festival on Sunday September 25, 2016
- ❖ The Nutley Chamber of Commerce has submitted an Event Application for the Annual 5K Run to be held on Sunday, May 1, 2016
- ❖ South Side Grill has Submitted an Application for Extension of Premises for the St. Patrick's Day Parade on Saturday, March 5, 2016/from 12:00 P.M to 10:00P.M

**PROCLAMATION:**

**REPORTS:**

- ❖ Commissioner Tucci/Department of Parks and Recreation/ January 2016 Monthly Shade Tree Report

**BILLS:**

**ORDINANCE INTRODUCTIONS:**

**ORDINANCE PUBLIC HEARINGS:**

**RESOLUTIONS: (12)**

**Commissioner Rogers :(1)**

**No. 42-16** / National Heart Health Month

**Commissioner Tucci(2)**

**No. 45-16**/Award of Contract for Tree Removal Services/Dujets Tree Experts, Inc. 54 Notch Rd Woodland Park New Jersey 07424/Not to Exceed \$40,000.00

**No. 46-16**/Award of Contract for Tree Pruning Service to Downes Tree Co., Inc., 65 Royal Ave, Hawthorne, New Jersey/ Not to Exceed \$40,000.00

**Commissioner Evans :( 4)**

**No. 39-16** / Authorize Firm of Inglesino, Webster, Wyciskala & Taylor, LLC as Counsel Concerning Affordable Housing Obligations/January 1, 2016 through December 31, 2016/Not to Exceed \$25,000.00

**No. 40-16** / Award Contract for Special Development Counsel/Inglesino, Webster, Wyciskala & Taylor, LLC/600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054/January 1. 2016 through December 31, 2016/ Not to Exceed \$75,000.00

**No. 41-16** / Refund Overpayments of Property Taxes/ Block 6902 and Lot 11/Amount of \$1,784.01

**No. 44-16**/ Conduct Feasibility Study For Establishing A Special Improvement District (SID)/ Not to Exceed \$20,000.00

**Commissioner Scarpelli :( 1)**

**No. 37-16** / Authorize Advertisement for Sealed Bids for Safe Routes to School to be received on Wednesday, March 2, 2016 at 3:00 p.m.

**Mayor Petracco :(4)**

**No. 38-16** / Authorize Raffle Applications for Holy Family Church

**No.43-16**/ Purchase Camera Viewing Software Under New Jersey Cooperative Purchasing Program/ SHI International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873/Total Amount \$60,000.00

**No. 47-16**/OEM Award from Emergency Management Agency Assistance Subgrant Program (EMAA)/ Total Amount \$14,000.00

**No. 48-16** / Authorize 2015 Appropriation Reserves/Department of Public Safety/Budget Transfer in the Amount of \$5,000.00

**MEETING OPEN TO THE PUBLIC:**

**ADJOURNMENT:**

**REMINDER:**

The next Board of Commissioners meeting is scheduled for Tuesday, February 16, 2016 at 7:00 P.M., Nutley Town Hall, 3<sup>rd</sup> Floor Commission Chambers.

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

## Resolution

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* February 2, 2016  
*Seconded by:* Commissioner Steven L. Rogers *No.* 37-16

**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, pending authorization from the New Jersey Department of Transportation, once a week for three (3) consecutive weeks in the Nutley Sun and Star Ledger with a minimum of ten (10) working days from the date of last advertisement for sealed bids for the Department of Transportation's "Safe Routes to School Program for the Township of Nutley", 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 Wednesday, March 2, 2016 at 3:00 P.M. prevailing time, at which time they will be opened and read.

. . .

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse 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: February 2, 2016  
 Seconded by: Commissioner Mauro G. Tucci No. 38-16

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

Holy Family Church	License No. 4-16 Money Wheel / 10 Games of Chance	Thursday, September 22, through Sunday, September 25, 2016
Holy Family Church / Rosary Altar Society	License No. 5-16 On-Premise Merchandise Raffle	Saturday, April 9, 2016

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

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

. . .

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Deputy Mayor Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse 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**

<i>Introduced by:</i>	Commissioner Thomas J. Evans along with the Board of Commissioners	<i>Date:</i>	February 2, 2016
<i>Seconded by:</i>	Commissioner Mauro G. Tucci	<i>No.</i>	39-16

**RESOLUTION OF THE TOWNSHIP COMMISSIONERS OF THE TOWNSHIP OF NUTLEY AUTHORIZING THE ENGAGEMENT OF INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC AS COUNSEL FOR THE TOWNSHIP OF NUTLEY CONCERNING LITIGATION RELATED TO THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, there exists the need by the Board of Commissioners (the "Board") of the Township of Nutley (the "Township") for legal counsel to provide ongoing legal services related to the Township's affordable housing requirements which were fully articulated in Resolution N0. 160-15 and have been incorporated herein, and same to be appointed as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 by the Agency; and

**WHEREAS**, the above needs are for certain specified professional services to be rendered or performed by a person or persons authorized by law to practice a recognized profession, whose practice is regulated by law within the meaning of N.J.S.A. 20A:11-1, et. seq., as amended; and

**WHEREAS**, the anticipated continued term of this contract is for twelve (12) months, from January 1, 2016 through December 31, 2016; and

**WHEREAS**, John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC (the "Firm") has submitted a fee, not to exceed \$25,000.00 which is to be charged at an hourly rate of \$215.00 for attorneys and hourly rate of \$100.00 for paralegal or law clerk work; and

**WHEREAS**, John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC (the "Firm") has completed and submitted a Business Entity Disclosure Certification which certifies that he and the Firm have not made any reportable disqualifying contributions to a political candidate or candidate committee in the Township in the previous one year that would violate either N.J.S.A. 19:44A-20.5, or the Township's Local Unit Pay to Play Ordinance adopted by referendum, or any and all relevant Executive Orders, or the New Jersey Election Law Enforcement Commission disclosure requirements, and that the contract will bar John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC from making any reportable disqualifying contributions through the term of the contract; and


**WHEREAS**, funds for this purpose are available from the COAH Trust Account # T-26-909-902 and will be certified by the Chief Financial Officer; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., as amended, requires that this Resolution be publicly advertised; and

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley that in accordance with the Local Public Contracts Law, hereby authorizes and approves the award of a professional services contract to John P. Inglesino, Esq., of the firm of Inglesino, Webster, Wyciskala & Taylor, LLC pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, as legal counsel in accordance with a contract for professional services, which shall provide that the legal counsel or any attorney on staff shall be paid a sum not to exceed \$25,000.00 at an hourly rate of Two Hundred Fifteen Dollars (\$215.00) for legal services by attorneys and an hourly rate of One Hundred Dollars (\$100.00) for services performed by a paralegal or law clerk work; and

**FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized and directed to execute, seal and deliver said contract for Professional Services on behalf of and in the name of the Township; and

**FURTHER RESOLVED**, that a copy of this Resolution shall be published as required by law within ten (10) days of its passage.

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

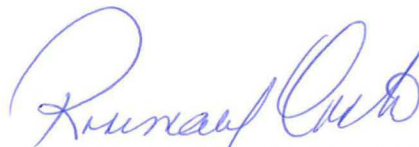
Purpose: Professional Services-COAH Counsel-Inglesino

**Account: T-26-909-902**

**Fund: COAH Trust Fund**

**Amount: \$25,000.00**

**Date: February 2, 2016**



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Rosemary Costa  
Treasurer, C.F.O.

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

**Resolution**

*Introduced by:* Commissioner Thomas J. Evans along with the Board of Commissioners *Date:* February 2, 2016

*Seconded by:* Commissioner Mauro G. Tucci *No.* 40-16

**WHEREAS**, the Township of Nutley has a continuing need for the services of Special Development Counsel through a non-fair and open contract as a professional service pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

**WHEREAS**, Inglesino, Webster, Wyciskala & Taylor, LLC., 600 Parsippany Road Suite 204, Parsippany New Jersey 07054 has ably and continuously provided these services since October 1, 2013; and

**WHEREAS**, the Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., has submitted a fee schedule 2016 to provide such services, for a total which is not to exceed \$75,000.00; and

**WHEREAS**, the anticipated continued term of this contract is for twelve (12) months, from January 1, 2016 through December 31, 2016; and

**WHEREAS**, the Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable disqualifying contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, funds are available from account # 6-01-226-205 and will be certified by the Chief Financial Officer, said certification is subject to adoption of the 2016 Municipal Budget;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey contract for Special Development Council as follows:

- A.** That Mayor and Township Clerk are hereby authorized and directed to finalize 2016 contract and execute an agreement with Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road in Parsippany, New Jersey 07054, for a term beginning January 1, 2016 through December 31, 2016, in the amount not to exceed \$75,000.00.
- B.** A copy of this Resolution, as well as the contract, shall be placed on file with the Clerk.

. . .

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					



AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.


**Purpose: Professional Services-Special Development Counsel**

**Account: 6-01-226-205**

**Fund: Current Fund**

**Amount: Not to Exceed \$75,000.00- Subject to Adoption of the 2016 Budget**

**Date: February 2, 2016**

  
\_\_\_\_\_  
Rosemary Costa  
Treasurer, C.F.O


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

## Resolution

Introduced by: Commissioner Thomas J. Evans Date: February 2, 2016  
 Seconded by: Commissioner Mauro G. Tucci No. 41-16

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the property taxes in the amount of **\$1,784.01** for said years due to successful tax court judgments.

Block & Lot/Qual.	Address	Amount/Year
6902 – 11	150 Washington Ave.	\$1,784.01/2015

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

Record of Vote	Commissioner Steven L. Rogers	Commissioner Mauro G. Tucci	Commissioner Thomas J. Evans	Commissioner Joseph P. Scarpelli	Mayor Alphonse Petracco
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

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

**Resolution**

*Introduced by:* Commissioner Steven L. Rogers *Date:* February 2, 2016  
*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 42-16

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

**WHEREAS**, heart disease is a killer that strikes more women than men, and is more deadly than all forms of cancer combined. Heart disease claims the lives of one in three women, which translates to roughly one death each minute; and

**WHEREAS**, the symptoms of heart disease can be different in women and men, and are often misunderstood; and

**WHEREAS**, Ninety percent of women have one or more risk factors for developing heart disease; and

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

**WHEREAS**, February is National Heart Health Month, and Friday, February 5, 2016, has been designated as National Wear Red Day, at which time residents are encouraged to Wear Red to inspire women to take charge of their heart health; and

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

**NOW, THEREFORE, BE IT RESOLVED BY** the Board of Commissioners, Township of Nutley, County of Essex, that in recognition of the importance of the ongoing effort to prevent heart disease, we do hereby proclaim February 2016 as

**National Heart Health Month**

and urge all citizens in Nutley, NJ to show their support for preventing heart disease by learning more about their heart health, eating a healthy diet and maintaining an active lifestyle.

. . .

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse 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:* February 2, 2016  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 43-16

**WHEREAS**, the Department of Public Safety, Township of Nutley wishes to purchase camera viewing software from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A.40A: II-12; and

**WHEREAS**, SHI International Corp., located at 290 Davidson Avenue, Somerset, New Jersey 08873 has been awarded New Jersey State Contract #89851 for the purchase of camera viewing software for the period of 9/01/2015 to 6/30/2020; and


**WHEREAS**, the cost for the purchase of the camera viewing software is \$60,000.00; and

**WHEREAS**, the utilization of this contract is recommended on the grounds that it represents the best price available; and

**WHEREAS**, funds are available from Account #5-01-213-211 in the amount of \$60,000.00 and have been certified by the chief financial officer, said certification being attached to this resolution; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley that SHI International Corp. be awarded a contract for the purchase of camera viewing software in accordance with New Jersey State Contract #89851.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					



**AFFIDAVIT**

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

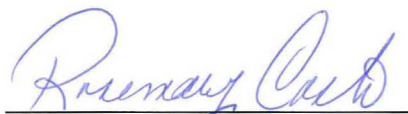
**Purpose: Purchase of Camera Viewing Software-SHI International**

**Account: 5-01-308-213**

**Fund: Current Fund**

**Amount: \$60,000.00-Subject to Adoption of the 2016 Budget**

**Date: February 2, 2016**



Rosemary Costa  
Treasurer, C.F.O.

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

**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* February 2, 2016  
*Seconded by:* Commissioner Thomas J. Evans *No.* 45-16

**WHEREAS**, sealed bids were received for Tree Removal Service on January 7, 2016 in the Township of Nutley; and

**WHEREAS**, Dujets Tree Experts, Inc. 54 Notch Rd, Woodland Park, NJ 07424 was the low bidder at:

Item No.	Tree size	Option 1	Option 2
1	9-15"	\$205.00	\$185.00
2	16-23"	\$375.00	\$355.00
3	24-35"	\$905.00	\$805.00
4	36" +	\$1,575.00	\$1,395.00

**WHEREAS**, the contract is not to exceed \$40,000.00 from #6-01-512-200, 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, and State of New Jersey that a contract for Tree Removal Service be awarded to Dujets Tree Experts, Inc.

. . .

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

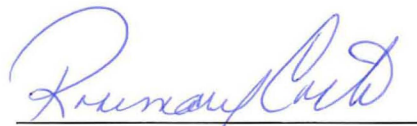
**Purpose: Tree Removal Service-Dujets**

**Account: 5-01-512-200**

**Fund: Current Fund**

**Amount: \$40,000.00-Subject to Adoption of the 2016 Budget**

**Date: February 2, 2016**



Rosemary Costa  
Treasurer, C.F.O.

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

**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* February 2, 2016

*Seconded by:* Commissioner Thomas J. Evans *No.* 46-16

**WHEREAS**, sealed bids were received for Tree Pruning Service on January 7, 2016 in the Township of Nutley; and


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

Pruning of street trees have a trunk diameter of 12-16"	<u>\$40.00</u>
Pruning of street trees have a trunk diameter of 17-21"	<u>\$65.00</u>
Pruning of street trees have a trunk diameter of 22-26"	<u>\$165.00</u>
Pruning of street trees have a trunk diameter of 27-31"	<u>\$275.00</u>
Pruning of street trees have a trunk diameter of 32" or greater	<u>\$350.00</u>

**WHEREAS**, the contract is not to exceed \$40,000 from Account #6-01-512-200, 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 Tree Pruning be awarded to Downes 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 February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					



AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

**Purpose: Tree Pruning-Downes**

**Account: 6-01-512-200**

**Fund: Current Fund**

**Amount: Not to Exceed \$40,000.00--Subject to Adoption of the 2016 Budget**

**Date: February 2, 2016**



**Rosemary Costa**  
**Treasurer, C.F.O.**

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

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* February 2, 2016  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 47-16

**RESOLUTION AUTHORIZING THE TOWNSHIP OF NUTLEY OFFICE OF EMERGENCY MANAGEMENT TO ACCEPT FUNDS FROM A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2015 OF EMERGENCY MANAGEMENT AGENCY ASSISTANCE PROGRAM FUNDING AND FOR THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF NUTLEY TO AMEND THE BUDGET AND CERITFY THE AVAILABILITY OF FUNDS**


**WHEREAS**, the of Nutley Office of Emergency Management has been awarded Emergency Management Agency Assistance Subgrant Program (“EMAA”) subgrant award number FY15-EMPG-EMAA-0716 from the New Jersey State Police Office of Emergency Management Agency available for successful applicants funded through the FY2015 Emergency Management Performance Grant for the dates of July 1, 2015 through June 30, 2016; and

**WHEREAS**, the Subgrant, consisting of a total amount of \$ 14,000 (including \$7,000 Federal Award and \$7,000 Local Matching Funds) which the Township of Nutley Office of Emergency Management will satisfy with the Office of Emergency Management’s existing salaries and wages.

**BE IT RESOLVED**, by the Township of Nutley’s Mayor, Chief Financial Officer and Emergency Management Coordinator are hereby authorized to sign the required Grant Applications/ Subgrant Award Documents with the New Jersey State Police, Office of Emergency Management.

**BE IT FURTHER RESOLVED**, that copies of this Resolution shall be forward to the New Jersey State Police Office of Emergency Management, the Essex County Office of Emergency Management; the Director of the Division of Local Government Services; Office of Emergency Management, the Mayor and the Chief Financial Officer of the Township of Nutley.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse 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:* February 2, 2016  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 48-16

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that in accordance with the provision of R.S. 40A: 4-59, the following transfer(s) of **2015 Appropriation Reserves** be and the same are hereby authorized and approved:

**DEPARTMENT OF PUBLIC SAFETY**

<u>FROM:</u>		<u>TO:</u>	
Gasoline		Police O/E	
5-01-342-200	\$ 5,000.00	5-01-308-200	\$5,000.00
<b>Total</b>	<b>\$ 5,000.00</b>	<b>Total</b>	<b>\$ 5,000.00</b>

...

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse 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:* February 2, 2016  
*Seconded by:* Mayor Alphonse Petracco *No.* 49-16

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the public body is of the opinion that such circumstance exists; and


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

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

1. Litigation

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

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that  
 Eleni Pettas  
 the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 2, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					