

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli Date: January 2, 2019
 Seconded by: Commissioner Mauro G. Tucci No. 1-19

WHEREAS, bids for the 2017 Various Roadway Improvements project were received and opened on Wednesday, June 14, 2017; and

WHEREAS, D&L Paving Contractors, Inc., 675 Franklin Avenue, New Jersey, 07110 was the low bidder; and

WHEREAS, the bid for the 2017 Various Roadway Improvements was in the base bid amount of \$367,719.15, Alternate Bid No. 1 in the amount of \$17,269.25 and Alternate Bid No. 2 in the amount of \$45,771.09, for a total contract bid of \$430,759.49; and

WHEREAS, the Township of Nutley entered into a contract with D&L Paving Contractors, Inc. for the amount of \$430,759.49; and

WHEREAS, Change Order No. 1 for the base bid has been authorized for a decrease in the amount of (\$57,268.64) and Alternate No. 1 has been authorized for an increase in the amount of \$2,144.00 and Alternate No. 2 has been authorized for a decrease in the amount of (\$6,227.71); and

WHEREAS, the original contract amount is being decreased in the amount of (\$61,352.35) to be credited to Ordinance No. 3295A/G-04-113-401 and to reflect an adjusted contract price of \$369,407.14.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order No. 1 as attached, is a change from the contract previously made by the Township of Nutley with D&L Paving Contractors, Inc., for the Project known as 2017 Various Roadway Improvements and is hereby authorized and approved.

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 January 2, 2019

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</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

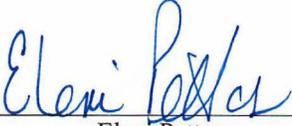
Resolution

Introduced by: Mayor Joseph P. Scarpelli *Date:* January 2, 2019

Seconded by: Commissioner Mauro G. Tucci *No.* 2-19

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Jonathan Bruno be appointed the Public Defender for the Township of Nutley, effective January 1, 2019 and expiring December 31, 2019.

. . .

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 January 2, 2019

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</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:* January 2, 2019
Seconded by: Commissioner Thomas J. Evans *No.* 3-19

WHEREAS, sealed bids were received for Plumbing, Heating, Air Conditioning and Refrigeration Service and Purchase on Wednesday December 27, 2018 in the Township of Nutley; and

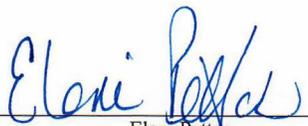
WHEREAS, Advanced Mechanical Corp, 9 Falstrom Ct, Passaic, New Jersey 07055 was the low bidder at:

Service Per Hour Rate HVAC	\$80.00
Plumbing Per Hour Rate	\$80.00

WHEREAS, the contract is not to exceed \$90,000 and funds are available from Account No. 9-01-508-200 for services contingent upon adoption of the 2019 budget, with an option to extend for one year, 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 Plumbing, Heating, Air Conditioning and Refrigeration Service and Purchase be awarded to Advanced Mechanical Corp.

. . .

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 January 2, 2019

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</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.

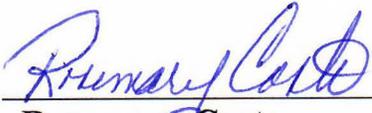
Purpose: Plumbing/HVAC-Advanced Mechanical

Account: 9-01-508-200

Fund: Current Fund

Amount: \$90,000.00-Subject to Adoption 2019 Municipal Budget.

Date: January 2, 2019



Rosemary Costa
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli Date: January 2, 2019
 Seconded by: Commissioner Mauro G. Tucci No. 4-19

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

Nutley Youth Baseball Club, Inc.	License No. 1-19 Off-Premise 50/50 Cash Raffle	Saturday, March 30, 2019
Nutley Junior Raider Booster Club	License No. 2-19 On-Premise Merchandise Raffle	Sunday, February 10, 2019
Nutley Junior Raider Booster Club	License No. 3-19 On-Premise 50/50 Cash Raffle	Sunday, February 10, 2019

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 raffle licenses.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held January 2, 2019

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</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:* _____ January 2, 2019 _____
Seconded by: _____ Commissioner Thomas J. Evans _____ *No.* _____ 5-19 _____

WHEREAS, sealed bids were received on December 12, 2018 for recreation uniforms, equipment, and supplies in the Township of Nutley; and

WHEREAS, **BSN Sports, Inc., P.O. Box 49, Jenkintown, PA 19046** submitted a proposal as per the attached sheet;

WHEREAS, funds are available from accounts T-24-909-901 through T-24-909-915 in an amount not to exceed \$27,800.00, and have been certified by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey, that a contract for recreation uniforms, equipment, and supplies be awarded to **BSN Sports, Inc., P.O. Box 49, Jenkintown, PA 19046** as per the attached sheet, and the Mayor and the Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley.

...

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held _____ January 2, 2019 _____
Eleni Pettas

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</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: Recreation Uniforms-BSN Sports

Account: T-24-909-901;T-24-909-915

Fund: Recreation Commission Trust Fund

Amount: \$27,800.00-Funds in the amount of \$198,799.56 are currently on deposit in the Recreation Commission Trust Fund and available for program expenditure. Other funding is subject to collection of program registration fees and other program revenues.

Date: January 2, 2019



Rosemary Costa
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Mauro G. Tucci Date: January 2, 2019
 Seconded by: Commissioner Thomas J. Evans No. 6-19

WHEREAS, sealed bids were received on December 12, 2018 for recreation uniforms, equipment, and supplies in the Township of Nutley; and

WHEREAS, Dot Designing, LLC, 242 Possum Hollow Road, Monroe Township NJ 08831 submitted a proposal as per the attached sheet;

WHEREAS, funds are available from accounts T-24-909-901 through T-24-909-915 in an amount not to exceed \$21,000.00, and have been certified by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey, that a contract for recreation uniforms, equipment, and supplies be awarded to **Dot Designing, LLC, 242 Possum Hollow Road, Monroe Township NJ 08831** as per the attached sheet, and the Mayor and the Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley.

...

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held January 2, 2019

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</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: Recreation Uniforms-Dot Design

Account: T-24-909-901-T-24-909-915

Fund: Recreation Commission Trust Fund

Amount: \$21,000.00-Funds in the amount of \$198,799.56 are currently on deposit in the Recreation Commission Trust Fund and available for program expenditure. Other funding is subject to collection of program registration fees and other program revenues.

Date: January 2, 2019



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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli Date: January 2, 2019

Seconded by: Commissioner Mauro G. Tucci No. 7-19

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-59, the following transfer(s) of **2018 Appropriation Reserves** be and the same are hereby authorized and approved:

DEPARTMENT OF PUBLIC WORKS

<u>FROM:</u>		<u>TO:</u>	
Mayor's Office S/W 8-01-011-100	\$10,000.00	Celebration of Public Events 8-01-018-200	\$10,000.00
Total:	\$10,000.00	Total:	\$10,000.00

. . .

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 January 2, 2019

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
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:* _____ January 2, 2019 _____
Seconded by: _____ Commissioner Mauro G. Tucci _____ *No.* _____ 8-19 _____

WHEREAS, given the recent retirement of the Township Construction Official, the Township desires to conduct an independent review of Code Enforcement Department in order to ensure that the Department is compliant with the most current practices and procedures of both the State Uniform Construction Code and our local Zoning Code; and

WHEREAS, the Township has a need to hire an attorney, as a professional service, who possesses the specialized knowledge and experience to conduct the above review through a non-fair and non-open process pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5 as appropriate and N.J.S.A. 20A:11-1, et, seq., as amended;

WHEREAS, Mr. Timothy J. Cunningham is the former Director of the N.J. Division of Community Affairs where he has had oversight of all municipalities across the State of New Jersey and meets the criteria above; and

WHEREAS, Mr. Timothy J. Cunningham of Archer & Greiner, Attorneys at Law located at 10 Highway 35, Red Bank, New Jersey 07701 has submitted a proposal to conduct this review for an amount not to exceed \$16,000.00; and

WHEREAS, the Law Firm 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 that would violate N.J.S.A. 19:44A 20.5, or the Township's Local Unit Pay To Play Ordinance or NJ Election Law Enforcement Commission disclosure requirements, and that the contract will bar Timothy J. Cunningham from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available in account number 9-01-218-205, which have been certified by the Chief Financial Officer subject to the adoption of the 2019 Municipal Budget, said certification being attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey does hereby resolve and authorize:

- A.** That Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver a 2019 contract for professional services with Mr. Timothy J. Cunningham of Archer & Greiner, Attorneys at Law located at 10 Highway 35, Red Bank, New Jersey 07701 in accordance with

N.J.S.A. 19:44A 20.5 for a term beginning January 1, 2019 through June 30, 2019 for an amount not to exceed \$16,000.00.

- B. A copy of this Resolution, as well as the contract and the Business Disclosure Entity Certification and Business Entity Disclosure of Campaign Contributions shall be placed on file with the Clerk.
- C. A copy of the Resolution shall be published as required by law within 10 days of its passage.

• • •

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 January 2, 2019

<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 Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</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 SERVICE-Tim Cunningham

Account: 9-01-218-200

Fund: Current Fund

Amount: \$16,000.00-Subject to Adoption 2019 Municipal Budget.

Date: January 2, 2019



Rosemary Costa
Treasurer, C.F.O.