

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

**Resolution**

*Introduced by:* \_\_\_\_\_ Commissioner Thomas J. Evans \_\_\_\_\_ *Date:* \_\_\_\_\_ June 6, 2019 \_\_\_\_\_  
*Seconded by:* \_\_\_\_\_ Commissioner Mauro G. Tucci \_\_\_\_\_ *No.* \_\_\_\_\_ 147-19 \_\_\_\_\_

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

**WHEREAS**, the Annual Report of Audit for the year **2018** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

(\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

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

I,  \_\_\_\_\_, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 6, 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 Thomas J. Evans Date: June 6, 2019  
 Seconded by: Commissioner Mauro G. Tucci No. 148-19

**WHEREAS**, the Township of Nutley Department of Revenue and Finance has the need to acquire an Electronic Tax Sale Contractor on behalf of the Township; and

**WHEREAS**, ROK INDUSTRIES, d/b/a NJ TAX LIEN INVESTORS.COM, 306 Harlingen Road, Belle Mead, NJ 08502 is the only Certified Electronic Tax Sale Contractor in the State of New Jersey; and

**WHEREAS**, ROK INDUSTRIES, d/b/a NJ TAX LIEN INVESTORS.COM, 306 Harlingen Road, Belle Mead, NJ 08502 has submitted a proposal stating they will provide such services at the **same rate as 2018** of \$15.00 per line item, not to exceed **\$4,500.00**; and

**WHEREAS**, funds are available from Account No. 9-01-206-298 and will be certified by the Chief Financial Officer, upon adoption of the 2019 Budget. These funds are provided for in the proposed 2019 Budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with **ROK INDUSTRIES, d/b/a NJ TAX LIEN INVESTORS.COM**, 306 Harlingen Road, Belle Mead, NJ 08502 for Electronic Tax Sale Services at a rate of \$15.00 per line item, not to exceed **\$4,500.00** in accordance with a proposal dated **May 30, 2019**.
2. A copy of this Resolution as well as the Contract shall be placed on file with the Township 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 June 6, 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					

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-ELECTRONIC TAX SALE-ROK

**Account:** 9-01-206-200

**Fund:** Current Fund

**Amount:** Not to Exceed \$4,500.00 - Subject to Adoption of 2019 Municipal Budget.

**Date:** June 4, 2019

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

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

**Resolution**

*Introduced by:* Commissioner Alphonse Petracco *Date:* June 6, 2019  
*Seconded by:* Commissioner Steven L. Rogers *No.* 149-19

**WHEREAS**, the Township of Nutley Police Department has determined the need to dispose of certain municipal vehicles and equipment that are no longer useful and / or have come to the end of their practical term of services; and

**WHEREAS**, the Township of Nutley Police Department has identified a 1990 Van (Ambulance) Mileage 8790, VIN 1FDKE30M5LHA98281 as not practical to continue in service with the Township; and

**WHEREAS**, the Township of Nutley, has gone out to bid on May 22, 2019 through Resolution No. 125-19 and has received one offer from Marczaks, Inc., 247 Central Avenue, Metuchen, New Jersey 08840 for \$10.00; and

**WHEREAS**, there was a misprint in the newspaper advertisement for the minimum bid of \$100.00 which was stated in Resolution No. 125-19; and

**WHEREAS**, the Nutley Police Department has made a determination to reject the \$10.00 bid for the 1990 Van (Ambulance) Mileage 8790, VIN 1FDKE30M5LHA98281;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey rejects the offer in the amount of \$10.00 from Marczaks, Inc., 247 Central Avenue, Metuchen, New Jersey 08840.

. . .

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 June 6, 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

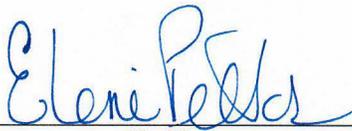
**Resolution**

*Introduced by:* Commissioner Alphonse Petracco *Date:* June 6, 2019  
*Seconded by:* Commissioner Steven L. Rogers *No.* 150-19

**BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the following volunteers are being appointed as Assistant Chiefs of the Nutley Fire Department effective June 6, 2019 until June 6, 2020:

Michael Spagnuolo	Hose Company 2
Jose Rivera	Hose Company 1

. . .

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 June 6, 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:* June 6, 2019  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 151-19

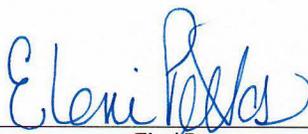
**WHEREAS**, The Fourth of July, also known as Independence Day is a National Holiday celebrated annually commemorating the adoption of the Declaration of Independence; and

**WHEREAS**, the Township of Nutley in observance of Independence Day will be hosting Fourth of July festivities and a firework display on or about Thursday, July 4, 2019; and

**WHEREAS**, Garden State Fireworks, P.O. Box 403, Millington, NJ 07946 is the vendor performing the firework activities for the Township of Nutley;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township authorizes the discharge and use of fireworks by its vendor on or about July 4, 2019 with a rain date for the next clear night.

. . .

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 June 6, 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:* June 6, 2019  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 152-19

**FOR GENERAL PLANNING SERVICES**

**WHEREAS**, the Township of Nutley has a continuing need to retain Professional Services of a Licensed Planner TOPOLOGY, L.L.C., to provide professional planning services, primarily related to the ongoing redevelopment of the Hoffmann-La Roche and the Ciccolini Properties in the Township of Nutley; and

**WHEREAS**, this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A 19:44 A-20.4 or 20.5. of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law; and

**WHEREAS**, after completing interviews of several potential candidates the Board of Commissioners has determined that TOPOLOGY, L.L.C., located at 60 Union Street, #1-N, Newark, New Jersey 07105 is best suited to provide these services to the Township of Nutley; and

**WHEREAS**, TOPOLOGY, L.L.C., 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 No. 9-01-226-200 subject to the adoption of the 2019 Municipal Budget and will be certified by the Chief Financial Officer, and/or will be reimbursed by escrow accounts set up by each respective developer of the property; and

**WHEREAS**, the anticipated term of this contract is for twelve (12) months, from July 3, 2019 through July 2, 2020; and

**WHEREAS**, TOPOLOGY, L.L.C., continues to provide professional planning services at a cost not to exceed \$50,000.00; and

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey does hereby designate TOPOLOGY, L.L.C., as the Planner and enter into an agreement/contract prepared by the Township Attorney, in an amount not to exceed Fifty Thousand Dollars \$50,000.00 to be evenly divided.

. . .

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 June 6, 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

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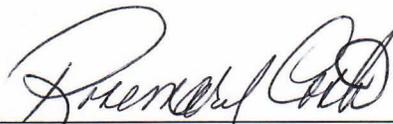
**Purpose:** PROFESSIONAL SERVICES-PLANNER-Topology

**Account:** 9-01-226-200; Escrow Accounts

**Fund:** Current Fund/Special Trust/Escrow Fund

**Amount:** Not to Exceed \$50,000.00 (\$50,000.00, Subject to Adoption of 2019 Municipal Budget; Escrow Accounts Where Appropriate, respectively).

**Date:** June 4, 2019

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

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

**Resolution**

*Introduced by:* Commissioner Alphonse Petracco *Date:* June 6, 2019  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 153-19

**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 to move into closed executive session to discuss:

1. Contract Negotiations

**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.

. . .

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<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>					