BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* February 16, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *50-16*

WHEREAS, the Township of Nutley has a need to acquire the services of a professional real estate appraiser to assist with real estate appraisals, tax appeals and tax court appearances and to complete the necessary procedures to ensure the capture of added assessments arising from ongoing improvement activities in the Township of Nutley as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

WHEREAS, the tax assessor has determined and certified in writing that the value of the aggregate services provided by the vendor for the year will exceed $17,500; and

WHEREAS, Hendricks Appraisal Company, LLC, 7 Hutton Avenue, West Orange, NJ 07052 has submitted a fee schedule for providing such services, the total of which is not to exceed $60,000.00; and

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

WHEREAS, Hendricks Appraisal Company, 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 will be available from account # 6-01-204-205, subject to adoption of 2016 Municipal Budget and will be certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey authorizes the Mayor to enter into a contract with Hendricks Appraisal Company, LLC; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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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 16, 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					

A16-12

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-Tax Appeals-Hendricks**

Account: **6-01-204-205**

Fund: **Current Fund**

Amount: **Not to Exceed$60,000.00 Subject to Adoption of the 2016 Municipal Budget**

Date: **February 16, 2015**

Rosemary Costa
Treasurer, C.F.O.

I hereby certify that this is a true copy of an resolution adopted by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey on 2/16/16

Eleni Pettas

Eleni Pettas, RMC
Municipal Clerk

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* February 16, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *51-16*

WHEREAS, the Township of Nutley has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Nutley intends to utilize the online auction services of **propertyroom.com**; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9 and 2008-21R;

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

1. Township is hereby authorized to sell the surplus personal property as indicated in Schedule A at an online auction website entitled **propertyroom.com**; and
2. The terms and conditions of the agreement entered into between **propertyroom.com** and the **Township of Nutley** are available at **propertyroom.com** and in the Township Clerk's office; and
3. A certified copy of the within Resolution be forwarded by the Township Clerk to the following:
   - Division of Local Government Services
   - Chief of Police
   - Chief Financial Officer

SCHEDULE A

Item Description Make/Model		**Serial Number VIN Number**
Neopost IJ90		3670312

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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 16, 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:	Mayor Alphonse Petracco	*Date:*	February 16, 2016
Seconded by:	Commissioner Mauro G. Tucci	*No.*	*52-16*

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 REDEVELOPMENT OF THE FORMER HOFFMANN LAROCHE CAMPUS

WHEREAS, the Township of Nutley ("Township") has recently been named as a third party defendant in the litigation captioned as Bautista, et al v. Hoffmann-LaRoche, Inc., et al v. Township of Nutley, et al (Docket No. ESX-L-008724-14); and

WHEREAS, accordingly, there exists the need by the Board of Commissioners of the Township (the "Board") for legal counsel to represent the Township in said litigation, same to be appointed non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 by the Township; 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 performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized training study, as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, said professional services cannot reasonably be described by written specifications, and

WHEREAS, funds are available for this purpose and a Certificate of Availability has been filed by the Chief Financial Officer of the Township in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2; 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 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 contributions through the term of the contract; 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.

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 an hourly rate of Two Hundred Fifteen and 00/100 Dollars ($215.00) for legal services by attorneys and an hourly rate of One Hundred Dollars and 00/100 ($100.00) for services performed by a paralegal or law clerk work; and

FURTHER RESOLVED, that the Chief Financial Officer has executed a Certification of Funds for the contract and that sufficient funds are available for said contract; and

FURTHER RESOLVED, that cost of services will not exceed $75,000.00 from budget account # 6-01-012-200 and is subject to the adoption of the 2016 Municipal Budget; 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 the Business Disclosure Entity Certification and Business Entity Disclosure of Campaign Contributions shall be placed on file with this Resolution; and

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

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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 16, 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					

A16-14

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: **Legal Counsel HLR-Bautista-Inglesino**

Account: **6-01-012-200**

Fund: **Current Fund**

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

Date: **February 16, 2016**

Rosemary Costa
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by:	Mayor Alphonse Petracco On Behalf of the Board of Commissioners	*Date:*	February 16, 2016
Seconded by:	Commissioner Mauro G. Tucci	*No.*	*53-16*

BE IT RESOLVED, by the Board of Commissioners, in the Township of Nutley, County of Essex, State of New Jersey, that the attorneys to the Planning Board, Zoning Board of Adjustment, Rent Leveling Board, and Economic Development Advisory Committee be compensated, at the discretion of the Mayor, via stipend for exploratory work or work performed above and beyond their normal and customary duties on their respective Boards for additional issues within the Township of Nutley.

BE IT FURTHER RESOLVED, that the stipend will be in accordance with the government rate of $125.00 per hour.

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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 16, 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					

I hereby certify that this is a true copy of an resolution adopted by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey on 2/16/16

Eleni Pettas

Eleni Pettas, RMC
Municipal Clerk

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco *Date:* February 16, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *54-16*

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

RESOLUTION OF PARTICIPATION

A RESOLUTION APPROVING PARTICIATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Township of Nutley Police Department wishes to apply for funding of approximately $60,000.00 with a match of $156,384.42 for an approximate project total cost of $216,384.42 for a project under the 2016 State of New Jersey Safe and Secure Communities Grant Program, and

WHERAS, the Nutley Board of Commissioners has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Township of Nutley Police Department for the purpose described in the application;

NOW THEREFORE, BE IT RESOLVED by the Nutley Board of Commissioners that:

1. As a matter of public policy, the Township of the Nutley Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications of said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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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 16, 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: Mayor Alphonse Petracco *Date:* February 16, 2016
Seconded by: Commissioner Mauro G. Tucci *No.* 55-16

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

Lions Club Nutley	License No. 6-16 Off-Premise 50/50 Cash Raffle	Thursday, April 28, 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 16, 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 16, 2016

Seconded by: Commissioner Joseph P. Scarpelli *No.* *56-16*

WHEREAS, N.J.S.A. 40A:61-1, et seq. the Uniform Shared Services and Consolidation Act ("Act") authorizes and empowers local units to enter into agreements with other local entities regarding shared services and;

WHEREAS, the Township and the Board of Education recognize the value of inter-local cooperation as a way of reducing duplication and overlap of services; and

WHEREAS, the Township and the Board of Education have previously entered into such an Agreement in order to define the respective rights and obligations of the Township and the Board of Education regarding the employ of a physician / school physician to provide health services;

NOW THEREFORE BE IT RESOLVED, that the Township of Nutley and the Nutley Board of Education wish to extend the existing Shared Services Agreement for **Physician / School Physician Services** for the period **September 1, 2015 through August 31, 2016** for which the Township will be compensated $7,000.00, to be paid in ten equal installments of $700.00.

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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 16, 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 Joseph P. Scarpelli *Date:* February 16, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *57-16*

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. **Potential Litigation**
2. **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.

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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 16, 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					