BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Steven L. Rogers *Date:* June 8, 2016

Seconded by: Commissioner Alphonse Petracco *No.* *153-16*

WHEREAS, 2016 marks the 22nd year of "National Men's Health Week"; and

WHEREAS, this week serves to help educate men and their families about the importance of positive health attitudes and preventive health practices; and

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women; and

WHEREAS, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will result in reducing mortality of disease; and

WHEREAS, men who are educated about the value of preventive health practices will be more likely to participate in health screenings; and

WHEREAS, New Jersey Men's Health Week will focus on a broad range of men's health issues, including heart disease, diabetes and prostate, testicular and colon cancer; and

WHEREAS, the residents of the State of New Jersey, are encouraged to increase awareness of the importance of a healthy lifestyle, regular exercise and medical check-ups;

NOW THEREFORE BE IT RESLOVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, in the State of New Jersey hereby recognize, June 13 through June 19, 2016 as

Men's Health Week

and encourage residents to pursue health practices and early detection efforts.

. . .

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 8, 2016

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Mauro G. Tucci *Date:* June 8, 2016

Seconded by: Commissioner Thomas J. Evans *No.* *154-16*

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; and

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

1. The 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 Resolution be forwarded by the Township Clerk to the following
   - Chief of Police
   - Chief Financial Officer

SCHEDULE A	
Dodge Ram 3500 Van, 2002	2B5WB35ZX2K124106
GMC 3500, 2000	1GDHC33J3YF415012
Clark/Michigan 35GMCT, 1985 (front end loader)	807B 9110CB
Dodge Durango 4x4, 2002	1B4HS48N22F207992
Toro 325-D, 1993 (riding mower)	30795-90514
Toro 345, 1989 (riding mower)	30789-90201

• • •

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 8, 2016

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Mauro G. Tucci *Date:* June 8, 2016

Seconded by: Commissioner Thomas J. Evans *No.* *155-16*

WHEREAS, The Township of Nutley Ordinance # 665-22, Preservation of Trees states that Tree Removal Permits must be obtained for a cost of $50.00 per tree; and

WHEREAS, The Township of Nutley, Department of Parks and Public Property authorizes a refund for each tree permit submitted upon the planting of a new tree on the said property; replacement tree(s) size and species must be approved in advance by the Township Forester; and

WHEREAS, funds will be available from account C-01-904-905; and

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 Treasurer is authorized to refund the Tree Permit Fee collected as per the Shade Tree Preservation Ordinance to

Andrew Hunton	*32 Howe Avenue*	*$50.00*

. . .

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 June 8, 2016

Record of Vote	***Commissioner Steven L. Rogers***	***Commissioner Mauro G. Tucci***	***Commissioner Thomas J. Evans***	***Commissioner Alphonse Petracco***	***Mayor Joseph P. Scarpelli***
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:* June 8, 2016
Seconded by: Commissioner Mauro G. Tucci *No.* *156-16*

WHEREAS, New Jersey State Statute 54:4-3.30 provides certain war veterans, who have suffered serious disability while in service, **full tax exemption** of their dwelling house and the lot which it is located; and

WHEREAS, the following taxpayer has filed an application for allowance of a full exemption with proper supporting documentation thus making the taxpayer eligible; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that **Leonidas W. Zois** be granted full exemption from payment of property taxes from May 5, 2016 and all subsequent years thereafter on **Block 7200 Lot 3 QC0102 known as 108-110 Passaic Ave. A-2**

. . .

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 8, 2016

Record of Vote	*Commissioner Steven L. Rogers*	*Commissioner Mauro G. Tucci*	*Commissioner Thomas J. Evans*	*Commissioner Alphonse Petracco*	*Mayor Joseph P. Scarpelli*
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:* June 8, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *157-16*

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 tax charges in the amount of **$1,037.69** for the following accounts.

Block & Lot/Qual.	Address	Amount/Year
5302 - 23	22 NEWMAN AVE.	$250.00/2015
4000 - 15	165 WALNUT ST.	$250.00/2015
1701 - 04	21 MAY PLACE.	$250.00/2015
2304 - 20	749 BLOOMFIELD AVE.	$125.00/2015
6700 - 04	200 WASHINGTON AVE.	$128.62/2016
2200 - 07	688 BLOOMFIELD AVE.	$34.07/2016

. . .

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 8, 2016

Record of Vote	*Commissioner Steven L. Rogers*	*Commissioner Mauro G. Tucci*	*Commissioner Thomas J. Evans*	*Commissioner Alphonse Petracco*	*Mayor Joseph P. Scarpelli*
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:* June 8, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *158-16*

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 overpayment of water charges in the amount of **$ 1,040.92** for the following account(s):

Block & Lot/Qual.	Address	Reason for Action	Refund Overpayment	Year
903/60	70 Cathedral Ave., Clifton	Overpayment	$1,040.92	2015/2016
		Totals	$1,040.92	

. . .

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 8, 2016

Record of Vote	*Commissioner Steven L. Rogers*	*Commissioner Mauro G. Tucci*	*Commissioner Thomas J. Evans*	*Commissioner Alphonse Petracco*	*Mayor Joseph P. Scarpelli*
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:* June 8, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *159-16*

WHEREAS, due to the delay in approval of the state aid figures in the 2016 Budget, the Essex County Board of Taxation is unable to certify tax rates for the year 2016; and

WHEREAS, without a 2016 certified tax rate the Tax Collector of the Township of Nutley will be unable to issue 2016 tax bills in a timely manner;

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

1. The Tax Collector of the Township of Nutley is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Nutley for the third installment of **2016** taxes. The Tax Collector shall proceed and take such action as is permitted and required by Chapter 72, Public Laws of 1994, and N.J.S.A. 54:4-66.2 and 54:4-66.3.

2. The total **estimated tax levy** for **2016** is hereby set at $**107,423,103.00**. The total **estimated tax rate** for **2016** is hereby set at **$3.361.**

. . .

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 8, 2016

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* June 8, 2016
Seconded by: Commissioner Steven L. Rogers *No.* *160-16*

WHEREAS, Adam Wayman has submitted an application to become a volunteer firefighter in the Township of Nutley; and

WHEREAS, this application has been accepted by the Chief and Deputy Chief: and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Adam Wayman will become a recruit within the Fire Department effective immediately.

BE IT FURTHER RESOLVED that Adam Wayman will have 18 months to successfully complete all requirements set forth by the Chief and Deputy Chief in order to be assigned the rank of volunteer firefighter in the Nutley Fire Department.

. . .

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 8, 2016

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli *Date:* June 8, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* 161-16

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

St. Mary's Roman Catholic Church	License No. 29-16 Off-Premise 50/50 Cash Raffle	Friday, October 21, 2016
VFW Post # 493 Stuart E. Edgar	License No. 30-16 Daily Pull Tab	June 27, 2016 through June 27, 2017

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

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 June 8, 2016

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli *Date:* June 8, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* *162-16*

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

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

SECTION 1:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2016** in the sum of **$59,433.17**, which item is now available as a revenue from the **Clean Communities Program Grant** pursuant to the provisions of statute; and

SECTION 2:

BE IT FURTHER RESOLVED, that a like sum of **$59,433.17** be and same is hereby appropriated under the caption of:

General Appropriations

(A) Operations-Excluded from 5% CAPS

CLEAN COMMUNITIES PROGRAM GRANT .....$ 59,433.17

SECTION 3:

BE IT FURTHER RESOLVED, that the above is the result of revenues available from the **FY 2016 Clean Communities Program Grant.**

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

. . .

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 8, 2016

Record of Vote	*Commissioner Steven L. Rogers*	*Commissioner Mauro G. Tucci*	*Commissioner Thomas J. Evans*	*Commissioner Alphonse Petracco*	*Mayor Joseph P. Scarpelli*
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:*	June 8, 2016
Seconded by:	Commissioner Alphonse Petracco	*No.*	*163-16*

EMERGENCY AWARD OF ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR SOLID WASTE, BULK WASTE, VEGETATIVE WASTE AND WHITE GOODS COLLECTION SERVICES FOR THE TOWNSHIP OF NUTLEY

WHEREAS, on November 1, 2014 the Township of Nutley entered into a contract with Future Sanitation, Inc. to provide solid waste, bulk waste, white goods and vegetative waste collection and other services, which contract was to expire on October 31, 2019; and

WHEREAS, as part of that contract Future Sanitation, Inc. was required to provide a performance bond for the full length of the contract; and

WHEREAS, Future Sanitation, Inc. breached the contract by not providing the required performance bond, despite numerous requests by the Township that they do so, and Future Sanitation, Inc. having admitted to their breach of the contract; and

WHEREAS, providing solid waste collection services is a matter of public health and the collection of the garbage and the production of the performance bond is a key element to the contract; and

WHEREAS, the Commissioners have entered into an agreement with Future Sanitation, Inc. wherein Future Sanitation, Inc. will enter into an Assignment and Assumption Agreement with F. Basso, Jr. Rubbish Removal Inc., (hereinafter "Basso") located at P.O. Box 51 Harrison, New Jersey 07029 and 55-93 South 20th Street, Irvington, New Jersey 07111. Basso has agreed to assume all obligations and responsibilities as required in the original contract of November 1, 2014 and to do so until the contract's expiration on October 19, 2019; and

WHEREAS, the Township Attorney having reviewed the Assignment and Assumption Agreement and found it to be acceptable; and

WHEREAS, that Basso has or will provide, within 3 days of the date of this Resolution a fully enforceable performance bond for the remainder of 2016 and will provide annually the proper renewal of said performance bond; and

WHEREAS, Basso will be paid on a pro-rata basis for work performed up through June 9th, 2016 on which date Basso will assume the full obligations of the original contract.

WHEREAS, funds are available from account No. 6-01-138-263 and have been certified by the Chief Financial Officer, said certification being attached to this resolution; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby accept the Assignment and Assumption Agreement between Future Sanitation, Inc., and Basso and that Basso will officially take over the original November 1, 2014 Contract on June 9, 2016.

. . .

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 8, 2016

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

A16-25

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: **Trash/Vegetative Disposal -Basso-Assignment/Assumption from Future**

Account: **6-01-138-263**

Fund: **Current Fund**

Amount: **$633,360.00 (06/09/2016-12/31/2016)**

Date: **June 8, 2016**

Rosemary Costa
Treasurer, C.F.O

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* June 8, 2016

Seconded by: Commissioner Thomas J. Evans *No.* *164-16*

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. Property Acquisition
2. 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.

. . .

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 8, 2016

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