TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

PUBLIC MEETING

TRANSCRIPT OF

PROCEEDINGS:

April 5, 2016

BEFORE:
Mayor Petracco
Commissioner Mauro Tucci
Commissioner Steven Rogers
Commissioner Joseph P. Scarpelli
Township Clerk

Job No. VTNJ – 2289139
PROCEDINGS

(Pledge of Allegiance)

MAYOR PETRACCO: Madam Clerk.

MADAM CLERK: Yes, Mayor. Board of Commissioners
Public Meeting Tuesday, April 5th, 2016. The time is now
7:51.

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

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 is absent
excused.

Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Here.

Thank you Madam Clerk we'll move to minutes

MADAM CLERK: Minutes. We have Board of
Commissioner meeting minutes for March 1st, 2016 and March 15th, 2016.

COMMISSIONER TUCCI: Move then

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye. We'll move on to communications, please.

MADAM CLERK: Holy Family Church has requested permission to utilize the Yanticaw Park near Park Place for five consecutive Sundays starting April 10th through May 8th from 4 to 6 p.m. Permission to utilize the Yanticaw Park has been granted and the permits have been waived by the County Parks and Recreation Director, Dan Salvante.

I need a motion.

COMMISSIONER TUCCI: Move it.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
MADAM CLERK: Friends of the Nutley Library has submitted a Social Affair Permit Application to have a book signing and evening tea at the Nutley Public Library on Sunday, May 8th, 2016 from 6:30 to 9:00 p.m.
COMMISSIONER TUCCI: Move it.
COMMISSIONER SCARPELLI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
MADAM CLERK: The Franklin Steakhouse has submitted an Extension of Premises Application for the Franklin Spring Festival to be held on Friday, April 29th, 2016 between 6 and 10 p.m.
COMMISSIONER TUCCI: Move it.
COMMISSIONER SCARPELLI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
MADAM CLERK: And Southside Grill has submitted an Extension of Premises Application for the Franklin Spring Festival to be held on Friday, April 29th from 6 to 10 p.m.
COMMISSIONER TUCCI: Move it.
COMMISSIONER SCARPELLI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
MADAM CLERK: And that's it for communications, Mayor. MAYOR PETRACCO: Thank you. We'll move on to reports. Commissioner Scarpelli.
COMMISSIONER SCARPELLI: Yes, Mayor. I have
various reports for the end of 2015 beginning of 2016.

MAYOR PETRACCO: Thank you. Commissioner Tucci.

COMMISSIONER TUCCI: Yes. I have a Shade Tree Report for the month of March, 2016.

MAYOR PETRACCO: Thank you.

We'll move on to bills.

MADAM CLERK: The bill list for Tuesday, April 5th, 2016.

Public Affairs, $7,814.55; Revenue and Finance, $2,339,300.03; Public Safety, $65,087.91; Public Works, $167,047.83; Parks and Public Property, $1,132,459.70; total payroll $762,078.92; for a grand total of $4,473,788.94.

COMMISSIONER TUCCI: Move the bills.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye. Thank you.

MADAM CLERK: You're welcome, Mayor.

MAYOR PETRACCO: Okay. And, first of all, let me apologize to everyone for being in the back room a little
longer than we wanted to be because we knew we had quite a few guests. And these gentlemen look like they're very strong and I hope we didn't keep you waiting too long.

But we're going to skip through our agenda this evening to get right to you guys. We have a -- a couple special guests here.

Commissioner Tucci.

COMMISSIONER TUCCI: Yes. Thank you, Mayor.

This evening, I have the honor of presenting a Resolution for one of the longest standing sports in the history of the Township and that's the sport of Crew.

For I've known firsthand how hard it is and how much dedication and commitment goes into this sport because two of my four children were members of the Nutley High School Crew Team. So before I even read this Resolution, I want to commend all of our -- our youngsters who participate; all of our coaches; and all of the parents who make an equal sacrifice to follow our children, all right, and to route them on, all right, traveling miles and sometimes hundreds of miles for a race that may last three minutes. All right.

But it's a wonderful sport. But having said that;

WHEREAS, Nutley -- Nutley High School Crew began rowing on the Passaic in 1942 with founding coach, Bill Bennet and for the last 75 years has provided a great team experience for Nutley student athletes; and
WHEREAS, in the early 1980s, the women's program was instituted and quickly became a formidable force in high school rowing; and

WHEREAS, the Nutley High School Crew coaches imbue their student athletes with the quintessential Nutley characteristic of earned bravado backed by hard work and team accountability, Nutley High School Crew has competed against the best teams in the United States and Canada; and

WHEREAS, the Nutley Crew student athletes maintain the highest levels of academic achievement while enduring a grueling training and racing schedule and have gone on to lead top college programs and are renowned for their grit and determination; and

WHEREAS, Nutley Crew Alumni and their children have returned to the program to row, coach and contribute to the Township as civic and educational leaders; and

WHEREAS, the Nutley High School Crew Program has benefited from the unwavering support of the Nutley Board of Education and the Nutley Crew Boosters.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, the County of Essex, State of New Jersey, join with the citizens of Nutley to recognize and applaud the multi-generational 75-year effort of the Nutley rowers and extends our heartfelt best wishes for continued success in the future. The legacy of
Bill Bennett has been honored by Nutley Crew's exemplary student athletes.

I proudly move this Resolution.

MAYOR PETRACCO: Second.

(Applause)

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Before I cast my vote, I want to thank you, parents and grandparents, (inaudible) a lot of work into this (inaudible) one of the reasons why Nutley, New Jersey made its place in this Country (inaudible) carrying on a tradition (inaudible).

I'm looking at you fellows and ladies and I'm realizing that, you know, you've got a lot of good character. Character's everything in life. When you're on the river as a team and (inaudible) what's more importantly when you're out on the streets of this community (inaudible) seen some of you. I've seen some of you helping senior citizens whether you're shoveling snow or raking leaves or (inaudible) the extra mile.

Thank you. Thank you so much for being (inaudible) character (inaudible) to honor to this community, parents (inaudible).

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Yes. I think I've already said enough but I just want to add one thing. I think the
ladies and gentlemen that participate in this sport, I think
you guys are phenomenal and just keep up the good work. You
make us proud every day. I vote yes.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Yes. I just want to
congratulate the -- all the people who participated, all
over the last 75 years and when you're out there, in early
March, and it's pretty cold on that river, you know, it
takes a special kind of person to -- to do that. So I vote
yes.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: I would just like to add to that
coldness, Commissioner Scarpelli. A couple years ago I
opened up a business on that river in Lyndhurst. And I have
to tell you, I've never grown up on Park Avenue in Nutley.
I've never realized how cold and windy it gets on the
Passaic River.

And, from my balcony, I was able to watch the
girls and the boys and the coaches, by the way, row up and
down that river in the rain and the snow, going through the
ice and some other articles that may be found in that river
at some times, and I have to tell you, God bless you and --
and -- and to the parents, I know many of you from my store
coming in the day before to get some lunch or some drinks
for the kids because even Petracco's Deli doesn't open up at
the odd and Godley hours that you have to leave town to make
those meets in Philadelphia or wherever you guys are travelling.

So it's really a team effort and a lot of
commitment by not only the children but also their parents
and coaches. So that's what Nutley's about. We have a lot
of heart here -- here and we do what we have to do and you
guys are really committed to your sport.

So I very proudly vote yes.

COMMISSIONER TUCCI: Mayor, if -- if we can, I'd
-- that's right.

(Applause)

COMMISSIONER TUCCI: Give them a round of
applause.

(Applause)

COMMISSIONER TUCCI: All right. This might be a
bit of a challenge but would everyone please come forward
and the coaches so we can take a photo.

(Pause)

MAYOR PETRACCO: Tall guys get in the back.

(Pause)

(Applause)

COMMISSIONER TUCCI: While -- while we're getting
back in order, I also would like to thank Brian Intindola
(ph) who gave us the subject matter for that Resolution. It
was very well done and the information he provided was --
was unbelievably great. So thank you, Brian.

(Applause)

COMMISSIONER TUCCI: Our next presentation is
equally important to -- to -- for a woman who had dedicated
herself to this Township, all right? And who has the inner
peace that we're all seeking. And in a couple of moments,
you're going to figure out what that is. Some of you
already know. I see a smiling in the back.

WHEREAS, Mary Anne Griese and her late husband,
Richard, moved to the Township of Nutley in 1966 where they
raised their three children, Rich, Steven and Bill; and

WHEREAS, Mary Anne Griese began her career with
the Department of Parks and Recreation as the Township's
Yoga Instructor in 1991; and

WHEREAS, Mary Anne gave generously of her time and
dedicated work, bringing the healing benefits of yoga to the
good people of Nutley, specializing in both Kripalu Yoga and
Phoenix Rising Yoga Therapy and has been introducing people
to yoga therapy for three decades; and

WHEREAS, throughout her career, Mary Anne has set
an example of dedication which has been an inspiration to
her students and fellow instructors; and
WHEREAS, on April 13th, 2016, Mary Anne Griese also known by her students as Maryanda (ph) will be retiring after 25 years of service with the Township of Nutley.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners, of the Township of Nutley, County of Essex, State of New Jersey, join with the citizens of Nutley to extend our sincere appreciation for Mary Anne Griese's 25 years of dedicated service and congratulate her on her well-earned retirement.

All of the best wishes for continued success, happiness and good health in the future.

I move this resolution.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Mary Anne, thank you so much and God bless you (inaudible).

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Mary Anne, enjoy your retirement.

MADAM CLERK: And Mayor Petracco?

MAYOR PETRACCO: Mary Anne, why don't you come to the podium just for one second so everybody will know who you are, number one.
(Applause)

MARY ANN GRIESE: (Indiscernible).

MAYOR PETRACCO: I -- I just had a couple comments and I just wanted everyone in the room to see who you are because I had the pleasure of meeting you a few years back myself and I -- I could tell all these young people in this audience, this woman, standing before us, is really what Nutley is all about.

It's someone who cares from the bottom on her heart. She -- she doesn't have a bad bone in her whole body. All she does is speak so highly of this town, all the time, and, most importantly, the people. And I am so sad, Mary Anne, that you are leaving. I -- I can't tell you. I really am.

I -- and I didn't -- I found this out this evening and, I have to tell you, our friendship means everything to me and I know we still have one your sons here in town that walks all over town. God bless him.

And, again, I can't stress enough on what a premier person, resident you have been to us and friends of this Board of Commissioners.

So we wish you luck. God bless you and I know you'll always have a special place in my heart.

Commissioner Tucci, would you like to read the plaque at this time?
COMMISSIONER TUCCI: Yes. Yes.

Mary Anne, we're also going to be presenting you with this plaque. I'd just like to read it for everyone's benefit.

It says; with are greatest appreciation, we hereby present Mary Anne Griese for your 25 years of dedicated and inspirational service to the Department of Parks and Recreation Yoga Program. All the best wishes for continued success, happiness and good health in the future. Presented by Nutley Board of Commissioners, April, 2016.

(Applause)

MS. GRIESE: Thank you.

(Applause)

(Pause)

(Laughter)

MAYOR PETRACCO: (Indiscernible).

MS. GRIESE: Can you hear me?

UNIDENTIFIED SPEAKER: Yes.

MS. GRIESE: I'm used to talking in front of a crowd without a microphone.

(Inaudible) I love Nutley. Nutley with (inaudible) our boys (inaudible) when that (inaudible) like that (inaudible).

(Applause)

COMMISSIONER TUCCI: You're the best.
MS. GRIESE: You're the best. That's what I always say, you're the best.

(Laughter)

(Pause)

UNIDENTIFIED SPEAKER: Hey, then everything's set in place. I can go (inaudible).

(Laughter)

MS. GRIESE: (Inaudible) much prettier than (inaudible).

(Laughter)

COMMISSIONER TUCCI: (Indiscernible) (inaudible).

MS. GRIESE: Come visit (inaudible) come visit.

COMMISSIONER TUCCI: Mary Anne (inaudible).

(Pause)

MAYOR PETRACCO: Let's hear it for Mary Anne one more time, guys.

(Applause)

MAYOR PETRACCO: Okay. At this point, we are going to give everyone a chance to exit if you do not want to hear the rest of the meeting, our business portion of the meeting, wow. Packed (inaudible) therefore, we're going to take a little break.

Thank you for coming.

(Pause)

MAYOR PETRACCO: Okay, Madam Clerk. Why don't we
Mayor Petracco: Commissioner Tucci, do you want to finish up your Reso's?

Commissioner Tucci: Sure, Mayor. Thank you.

WHEREAS, the Township of Nutley entered into a contract with Sal Electric, 83 Fleet Street, Jersey City, New Jersey for electrical services; and

WHEREAS, the Director of Parks and Public Property has recommended the following change order from said contracts: Change Order No. 1, electrical services in the amount of $8,000.

The money is available from account 6-01-508-200 and has been certified by the Chief Financial Officer, said certification being attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, that Change Order 1 in the amount of $8,000 be and is hereby approved.

I move the Resolution.

Commissioner Scarpelli: Second.

Commissioner Rogers: Aye.

Commissioner Tucci: Aye.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: WHEREAS, the Township of Nutley entered into a contract with Viridian Environmental Consultants, P.O. Box 3009, Upper Montclair, New Jersey, for environmental services; and

WHEREAS, the Director of Parks and Public Property has recommended the following Change Order from said contract: Change Order No. 1, environmental services in the amount of $5,454.39.

Money is available from account 6-01-508-200 and has been certified by the Chief Financial Officer; said certification being attached to this Resolution.

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, in the amount of $5,454.39 be and is hereby approved.

I move the Resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: WHEREAS, the Township of Nutley has a need to acquire specialized professional services through a fair and open process pursuant to the provision of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Department of Parks and Public Property has a need to acquire specialized professional services for underground storage tank services: removal, remediation, reporting and closure; and

WHEREAS, the Municipal Clerk is hereby authorized and directed to advertise for a Request for Qualifications for underground storage tank services: removal, remediation, reporting and closure.

NOW, THEREFORE, BE IT RESOLVED that the Request for Qualifications shall be due on Wednesday, April 20th, 2016 at 3 p.m., addressed to the Municipal Clerk, Nutley Township Hall, One Kennedy Drive, Nutley, New Jersey, 07110.

I move the Resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
COMMISSIONER TUCCI: WHEREAS, sealed bids were received by the Department of Parks and Public Property for the renovation of the deteriorating facade at 44 Park Avenue; and

WHEREAS, Grove Contracting, 17 Bahr Circle, Verona, New Jersey was the low bidder at 59,500; and

WHEREAS, the Township has received three bids for the renovation of the deteriorating facade at 44 Park Avenue and the lowest bid in the amount of 59,500 was received from Grove Contracting; and

WHEREAS, funds are available from Capital Ordinance 2899K in the amount of $36,439.74 and Capital Ordinance 3323K in the amount of $23,060.26; 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 the renovation of the deteriorating facade at 44 Park Avenue be awarded to Grove Contracting, 17 Bahr Circle, Verona, New Jersey.
I move the Resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: WHEREAS, THE Department of Parks and Public Property of the Township of Nutley desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately $25,000 to fund the following project:

Tree removal and maintenance of various places in Nutley following significant loss and damage of trees after severe storm conditions over the past few years; and

WHEREAS, the Department of Parks and Public Property resolves that Mauro Tucci, as Commissioner of the Department, is authorized (a) to make application for such a grant; (b) if awarded, to execute the grant agreement with the State for a grant in the amount of not less $1 and not more than $25,000, and (c) to execute any amendments thereto, as well as any amendments thereto which do not
increase the Grantee's obligations; and

WHEREAS, the Department of Parks and Public Property of the Township of Nutley authorize and hereby agrees to match any award from the Community Stewardship Incentive Program provided by the Department of Environmental Protection with the capital expenditure in the amount of ten percent in compliance with the match requirements of the agreement. The availability of this match is subject to the adoption of the 2016 Municipal Budget and will be certified by the Chief Financial Officer; and

WHEREAS, the Township of Nutley, as the Grantee, agrees to comply with all applicable Federal, State and Municipal laws, rules and regulations in its performance pursuant to the agreement.

I move the Resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.
COMMISSIONER TUCCI: That's all I have, Mayor.

MAYOR PETRACCO: Thank you. Why don't we move to Commissioner Rogers?

COMMISSIONER ROGERS: (Inaudible) 83-16. This Resolution is to heighten the awareness of oral cancer. I won't read the whole thing (inaudible) I'll read (inaudible) and then the (inaudible).

WHEREAS, oral cancer will claim 7,600 lives annually and an estimated 35,000 new cases will be diagnosed each year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners (inaudible) County of Essex, State of New Jersey (inaudible) April, 2016 (inaudible) month;

BE IT FURTHER RESOLVED, that we urge all residents in the Township of Nutley (inaudible) facts and information about oral cancer (inaudible) diligent in performing self-examinations and regularly visiting your oral (inaudible) surgeon or dentist for an oral examination. (Inaudible).

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER ROGERS: Resolution 84-16. This is to heighten public awareness of public health.

WHEREAS, public health is the practice of preventing disease and promoting good health within groups of people (inaudible) countries; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey recognize April 4th to April 10th, 2016 (inaudible);

BE IT FURTHER RESOLVED that the Nutley Health Department encourages all (inaudible) the many innovative, important and pertinent health initiatives (inaudible) Department to enhance and promote a healthy quality of life.

So move.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.
Is that all you have, Commissioner?

COMMISSIONER ROGERS: (No audible response).

MAYOR PETRACCO: Thank you. Commissioner Scarpelli for Commissioner Evans, please.

COMMISSIONER SCARPELLI: I'll read the -- I have four for Commissioner Evans and one for myself.

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 property taxes in the amount of $8,621.55 for the said years due to successful tax court judgments.

52 East Centre Street, Unit 3, $1843.93 for the year 2010; 52 East Centre Street, Unit 3, $1931.58 for the year 2011; 52 East Centre Street, Unit 1, $4,066.78 for the year 2011; and 252 Grant Avenue, $779.26 for the year 2015.

I move the Resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: BE IT RESOLVED by the Board of Commissioner 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 tax charges in the amount of $4,524.62 for the following accounts:

Lot 5801-47 $215.61 for the year 2016; Lot 8102-16, $1508.34 for the year 2015; Lot 9205-17, $2,750.63 for 2016; and Block 1500-05, $50.04 for the year 2016.

I move the Resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: WHEREAS, N.J.S.A. 54:5-33 provides that the redemption of a tax sale certificate is not made within five years of the date of sale, the premium payment made, if any, shall be turned over to the Treasurer of the municipality, become part of the funds of the
WHEREAS, the following certificates have yet to be redeemed and have premiums on deposit with the Township (inaudible) the five-year time limit dictated by statute:

Certificate No. 200875 dated 11/20/2008 for Block 9106/15 in the amount of $600;

Certificate No. 200978 date of certificate 12/3/09, Block 8600, Lot 1, for $4,300;

For a grand total of $4,900.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, of the Township of Nutley, County of Essex, New Jersey, that the above premiums totaling $4900 be turned over to the Treasurer and become part of the general municipal revenue for this year.

I move the Resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: WHEREAS, the Tax
Collector of this municipality has previously issued tax certificates to U.S. Bank (inaudible) for TLCF 2012A LLC for the following block and lots;

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the tax collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the tax collector.

NOW, THEREFORE, BE IT RESOLVED, that the tax collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss of Affidavit and the payment of a fee of a hundred dollars per certificate, to issue appropriate duplicate tax sale certificates to the said purchaser covering the certificate loss as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.;

BE IT FURTHER RESOLVED that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that the said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

Certificate No. 201437 in the amount of $292.37; Certificate 201450 in the amount of $1,041.68; and Certificate No. 500013 in the amount of $397.50
I move the Resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: By Resolution BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Township Treasurer be and she is hereby authorized to refund $50 to Joanne Patchunka, 47 Vincent Place, Apartment 205, Nutley, New Jersey for a refund of payment for a Municipal Parking Permit.

I move the Resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

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

MAYOR PETRACCO: Thank you.

WHEREAS, the Township of Nutley, Department of Public Safety has the need to acquire the services of labor counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate;

and

WHEREAS, the Director of Public Safety has determined and certified in writing that the value of the acquisition will exceed 17,500;

WHEREAS, the anticipation term of this contract is January 1st, 2016 through December 31st, 2016 and may be extended as approved by the governing body; and

WHEREAS, the law offices of Scarinci and Hollenbeck, LLC, Valley Brook Avenue, Lyndhurst, New Jersey, has submitted a proposal indicating (inaudible) they provide labor counsel at the rate of $125.00 per hour;

WHEREAS, the firm of Scarinci and Hollenbeck has completed the Business Entity Disclosure Certification which certifies that the firm has not made any reportable disqualifying contributions to a political or candidate's committee in the Township of Nutley (inaudible) contract will prohibit the firm of Scarinci and Hollenbeck from
making any reportable disqualifying contributions through
the term of the contract; and

WHEREAS, the funds are available from account 6-
01-012-205 and will not exceed $50,000 and will be
appropriated in the 2016 Budget and have been certified by
the Chief Financial Officer said certification being attached
to this Resolution; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of
Commissioners, Township of Nutley, County of Essex, State of
New Jersey authorizes a contract with the firm of Scarinci
and Hollenbeck as described hereon; and

BE IT FURTHER RESOLVED that the Business
Disclosure Entity (inaudible) and Determination of the Value
be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that the notice of this --
that this notice of this action shall be printed in the
Nutley Sun in accordance with the Local Public Contract
Laws.

I move the Resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

WHEREAS, raffle applications have been received from the following organization:

   Nutley Irish American Alliance, Inc. that an off-premise merchandise raffle, Friday, May 13th, 2016;
   Nutley (Junior Raider Club, 50/50 cash raffle on Friday May 20th, 2016;
   Nutley Junior Raider Club, on-premises merchandise raffle, Friday, May 20th;
   Holy Family Charitable Giving Fund, Inc., on-premise merchandise raffle, Friday, May 13th;
   Holy Family Charitable Giving Fund, off-premise 50/50 raffle, Friday, May 13th, 2016;
   Holy Family Charitable Giving Fund, Inc., bingo, Friday, May 13th, 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, 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.
COMMISSIONER TUCCI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.

That concludes a very nice commissioner meeting with some really qualified representatives of the public receiving some awards.

At this time, is there anyone that would like to address the Board of Commissioners for public comment?
Seeing no one, we need a motion to adjourn.
COMMISSIONER SCARPELLI: Move to adjourn.
COMMISSIONER TUCCI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
Thank you for coming.

MADAM CLERK: The time is now 8:31.

(Whereupon, the meeting was adjourned.)
CERTIFICATION

I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the April 5, 2016 proceedings.

[Signature]

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