TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

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PUBLIC MEETING ) TRANSCRIPT OF
) ) PROCEEDINGS:
)

October 6, 2015
7:34 p.m.

BEFORE:
Commissioner Steven L. Rogers
Commissioner Mauro Tucci
Commissioner Thomas J. Evans
Commissioner Joseph Scarpelli
Mayor Alphonse Petracco

ALSO APPEARING:
Eleni Pettas, Municipal Clerk
Alan Genitempo, Counsel to the board

Job No. NJ2154948
Transcribed by: Nicole Yawn
PROCEEDINGS

MAYOR PETRACCO: Could everyone please (indiscernible) for the flag salute?

(Pledge of Allegiance)

MAYOR PETRACCO: Madam Clerk?

MADAM CLERK: Yes, Mayor.

Board of commissioners public meeting Tuesday, October 6th, 2015. The time is now 7:34.

Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the December 11th, 2014 issues of the Nutley Sun, the Star Ledger, and the Herald News. 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?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Here.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Here.
MADAM CLERK: All present, Mayor.

MAYOR PETRACCO: Thank you.

We're going to get right down to our presentation and not bore you with our business part of the meeting this evening. I'm going to turn it over to our counsel for introductions, if we may.

MR. GENITEMPO: Thank you.

Gentlemen, you want to come sit down so you could observe the presentation?

UNIDENTIFIED SPEAKER: Sure.

MR. GENITEMPO: And would the Hackensack and Seton Hall people please join us up here?

(Pause)

MR. GENITEMPO: Okay. Good evening, everybody.

On behalf of the board of commissioners, I would like to thank the public for attending tonight's presentation by Hackensack University Medical Center and Seton Hall University.

Since June of 2012, the Nutley officials first learned of Roche's plan to close the facility, the board of commissioners have committed to work with Roche and the city of Clifton to transition the present facility to a new development that will have a positive impact for our taxpayers and improve the quality of life of our residents. Obviously and as we addressed to you in a prior presentation
in 2014, our first priority would be to attract a large pharmaceutical company to replace Roche so that there would be a seamless transition to our community. After consulting with experts, that scenario became less and less possible, and the strong probability that the site would remain vacant for many years to come.

The board of commissioners recognized the challenges that existed in balancing those issues, and they shared with Roche the concerns expressed by our residents, both publicly and privately. Tonight we would like to present to you two entities well-known to our community, Hackensack University Medical Center and Seton Hall University, about their exciting and historic plans to start a medical school and research facility on a 13-acre property on the Roche site of which 11 acres are in Nutley.

Let me introduce who is here tonight. We are pleased to welcome Robert Garrett, president and CEO of Hackensack University Health Network.

Robert, welcome.

(Applause)

MR. GENITEMPO: Robert Glenning, executive vice president and chief financial officer of Hackensack University Medical Center.

(Applause)

MR. GENITEMPO: Jose Lozano, chief of staff and
vice president of Hackensack University Medical Center.

(Applause)

MR. GENITEMPO: Jose?

We have Kevin DeSimone.

Is Kevin here?

Kevin DeSimone, vice president of government affairs and --

(Applause)

MR. GENITEMPO: And Dr. Jeff Boscamp, vice president of academic affairs, who we've got to meet many times over several years, right, (indiscernible).

Welcome.

(Applause)

MR. GENITEMPO: On behalf of Seton Hall, we are equally pleased to welcome Eric Lillquist. He was the associate president (ph) for academic projects. And Dan Kalmanson, associate vice president of public affairs and marketing.

Welcome.

(Applause)

MR. GENITEMPO: Tonight you will hear from representatives of both organizations about their vision for the site and what the future would look like right here in Nutley. And we're going to call this phase one.

Before we turn the floor over to Hackensack and
Seton Hall, I would like to welcome Dan Loughlin, of James Lang LaSalle, an internationally known real estate broker that was retained by Hoffmann-La Roche to repurpose the 118-acre site, which formally contained Roche's headquarters. Once we hear from all presenters, we will open up the floor for questions. We know that you will have questions about what happens beyond phase one, and we promise you that there is more to come.

Tonight we would like to focus on phase one, the medical school and research facility and answer as many of your questions as we can. At this time, I'd like to turn the microphone over to Dan Loughlin, international director of James Lang LaSalle.

Thank you, Dan.

MR. LOUGHLIN: Thank you. That's Jones Lang.

MR. GENITEMPO: I'm sorry.

MR. LOUGHLIN: We go by JLL now. Thank you.

Good evening. I've been asked to provide kind of a market overview and update on the status of a number of pharmaceutical large research and development campuses in the region that have been, you know, vacated by their primary users, that have been put on the market for sale. And I'm going to go through that with you just to give you kind of a sense of where the market is.

All right. So over the last five or ten years,
there's been a significant exodus of big pharma, you know, research operations from the metropolitan New York area. Examples of this are recently, you know, large vacated research campuses, Roche Nutley and Clifton being one. Some of the specific challenges of these sites are they're big, large century (ph) utility plant driven utility infrastructure.

They're really designed for a single occupant and a single user. And research from these companies has changed. They're now sort of decentralizing their research where they're putting, you know, innovation centers and research centers in Seattle; La Joya, California; Cambridge, Massachusetts, where you see a lot of innovation and discovery uses being transitioned to.

Some of the experience we've had and some of the active requirements -- you know, the former Sanofi campus in Bridgewater, New Jersey, 110 acres, 1.2 million square feet. The former North American Research had a (indiscernible) for a Sanofi eventis (ph). This property was sold to a venture called Advance CrossHarbor.

They basically took the worst section of the property, which was all research buildings, and we were able to successfully multi-tenant those buildings. And we needed a combination for Bridgewater Township, because the property was originally zoned for a single occupant.
We were successful in getting Ashland Chemical in there, a pharmaceutical. And then, today we signed a lease with Nestle Nutritional Health Sciences for about 200K square feet. So this 1.2 million square foot campus will probably have 5 or 6 different occupants than the front 40 acres, that will be more contained, a mixed-use development of some multi-family housing, retail, and hotels.

The former Mort (ph) summer campus. This is, you know, 90 acres of -- 1.5 million square feet and 13 buildings in Southern New Jersey. This is the former, you know -- went back to Ciba Geigy, Shering (ph) Plow and then Merck. Just kind of gives you a sense of the consolidation of the big pharm. industry as well.

That property is under contract and was announced maybe a month or so ago. Celgene is going to buy that property. But they're going to use a portion of it. There's a research building known as S-7 (ph) in the back, which is their primary interest. And then, some of these office buildings in the front will likely be repurposed to third party occupants.

The other campus, Merck, is a new one across from Kean University. It's a 55-acre parcel, 1.2 million square feet of pilot plant and scale manufacturing and research. That property was shut down by Merck about three years ago. And the property's under contract with a company that does a
lot of business in this area, Russo Development. And they plan to demolish everything on that property and make that into a mixed-use site.

There's a New Jersey Transit line right at the property. There's a station and then Kean University across the street. So they're going to develop kind of a complementary collaborative mixed-use development with the college and use the urban transit access on the property.

The former Lucent Holmdel campus, known as Bell Labs at one time -- this property has been on the market for close to ten years and was purchased recently by a company called Somerset Development, Ralph Zucker's company. He has taken parcels of this property and has rezoned some of it for residential use. But he's also taken the existing building and kind of repositioning it, repurposing it to make it both office, health care, hotel, and some other uses. But the property is about 80 percent vacant.

The Pfizer Pearl River facility just over the state line in Pearl River is almost 10 million square feet, of which -- and about 500 acres -- excuse me -- 5 years ago retained about 600,000 square feet on that site. The rest of it they've sold to a company called IRG, a gentleman by the name of Stu Lichter, who is really an expert in taking sort of antiquated facilities and converting them and repositioning them for multi-tenanted communities.
So, I mean, some of the keys to these properties and their successful disposition and redevelopment is really -- we found, out of all these properties that we've been marketing for a period of five years, there's really no single user in the market that's looking for 2 million square feet or a million-and-a-half square feet.

Celgene is a little bit of a -- you know, carved out a little bit of a nuance, because this Merck property is right next to their headquarters in Summit, New Jersey. They have a lot of leased facilities around there, near the area. And they were able to consolidate some of their leased facilities onto this campus. And again, as I mentioned, they're not planning to use the entire campus.

But I think what's driving the redevelopment and the value of these properties is recognizing that it's not a single-user campus anymore. You have to be open to subdividing it or making it into other mixed uses or leveraging what the demand in the marketplace is now to drive value in the property.

In the case of Sanofi, you know, we had a couple of, you know, key users, Ashland Chemical and Amneal Pharmaceutical and now Nestle. They really drove the development of that site and the value of it, as I think Hackensack and Seton Hall will do here.

The other thing we need to recognize is the
essential utility plants are significant infrastructure, and
there's a lot of value there that you can leverage as you
kind of think about your redevelopment. And some of the
stronger users, you know, want that kind of utility
infrastructure to support their operations.

So H.U. and Seton Hall at the former Roche Nutley
campus -- you know, their interest in occupying the major
building on the campus, 123 and 123A, is really -- that's a
very -- it's a 470,000 square foot R&D building. Very
difficult to find a user for that building. This is a
unique opportunity for them to occupy this, what would
otherwise be a rather difficult building to find a tenant
for.

You know, they're an economic driver. They're
going to be the economic driver for a lot of collaborative
and other kind of uses for the property. They will drive,
you know, hotel and hospitality. They'll drive some market-
based non-prematory (ph) residential uses. They'll drive
neighborhood retail.

There is dust transportation at the site. There's
a real demand in the market for attracting millennials, you
know, my kids coming out of school. They all want to live
in a city or a mixed-use community. They don't want to live
out in the suburbs, like I do.

And then, again, we have, you know, Route 3. And
you have bus mass transportation there. So I think the site
is -- you know, is prime for this type of redevelopment
consideration. Thank you.

(Applause)

(Pause)

MR. GENITEMPO: Thank you, Dan.

And any questions to Dan can be -- we're going to
go through all the presentations first, and then, we'll
address questions at the same time.

I'd like to -- it's my pleasure to welcome to
Nutley the president and CEO of Hackensack University Health
Network, Robert Garrett.

Rob?

(Applause)

MR. GARRETT: Thank you. It's good to be in
Nutley. I appreciate the invitation tonight from the board
of commissioners. And I'm very happy, on behalf of
Hackensack University Health Network and Seton Hall to
present to all of you what we believe is (indiscernible)
Project, but a historic project.

Seton Hall University and Hackensack University
Health Network have entered into a historic partnership to
create a new school of medicine. Both organizations (off-
mike) long-standing roots in this area, in New Jersey.
We've been in the area for over 100 years, and we're really
excited about this project for this area and for the state
of New Jersey. We think that creating a new school of
medicine in the state of New Jersey in Nutley and in Clifton
will, again, be historic. It will be a game changer, not
just for our two organizations, but will be a game changer
for Nutley, Clifton, and for our entire state.

Our intention is to create a four-year school of
medicine. It will be New Jersey's only private medical
school. It'll be a not-for-profit private medical school.
And I'm going to go into the reasons why we think it's
important and why there's a need for a new medical school in
our region, in our area.

Okay. So, you know, people ask all the time why a
new school of medicine. I think there's a few reasons.
Number one, there's a physician shortage here in this area
in our state and across the nation. And with the Affordable
Care Act being rolled out, Obamacare, it's really growing
more and more acute.

Seton Hall is for academic excellence, and we
believe we can create a school that really fulfills that
mission. We also believe that we can attract cutting edge
scientists and researchers that really are going to be doing
some cutting edge research that will complement the school
of medicine significantly.

And the last reason for the school of medicine is
we think it's going to be a major (indiscernible) for the
region. Just to give you an example, when the school of
medicine was (off-mic). In the first year of operation,
we'll be creating (off-mic) as the school grows as well.

And think about it. When Hoffmann-La Roche left
how many jobs left with that company relocating. So we're
not going to be able, from day one, to recreate all of those
jobs, but we're certainly going to get a good, healthy
start.

So this slide really talks about the physician
shortage. And this is a slide that illustrates what it's
going to be like nationally. Many studies have been done,
and there's good evidence to indicate that we're going to be
at least 130,000 physicians short in the nation.

Many of those physicians that are going to be in
short supply are primary care physicians, which are sorely
needed in our area up here in northern New Jersey. There's
also specialists that are in short supply like general
surgeons, OB/GYN physicians and pediatricians and pediatric
sub-specialists. So our school will be focused on trying to
recruit and retain those types of physicians that are in
short supply.

This next slide really brings it home to New
Jersey. So I mentioned about 130,000 physicians that we're
short in the nation. And in New Jersey, almost 3,000
physicians will be needed by the year 2020, again, in some of those specialties that I just spoke about.

This slide really indicates that where physicians are trained they're more likely to practice medicine. If a doctor -- I should say studies medicine outside of the state of New Jersey, they are twice, twice as likely to set up practice outside of New Jersey. We are losing talent from our own state.

Maybe there's -- you know, you all know relatives or friends who have gone to medical school. They're going to medical school in droves out of the state and actually offshore. So there's a real need for a new medical school to really keep those students in state, because they will be twice as likely to stay here and set up their practice and really serve our communities very, very well.

This slide talks a little bit about the excellence that Hackensack University Medical Center is known for. There's a lot of awards that our team has received over the years. And, you know, the takeaway message here is we're focused on quality.

U.S. News and World Report, as an example, has ranked Hackensack as the number one hospital in the state of New Jersey for many, many years. We're ranked amongst the top 50 consistently in the nation. And that pursuit of excellence, that focus on quality will be a major objective.
in creating a new school of medicine.

This slide really indicates that if you look at U.S. News and World Report, they have what they call the honor roll. And these are the top 14 or 15 hospitals or health (off-mic) of them has their own medical school. So one of the objectives for Hackensack University Medical Center is to get on this honor roll list.

The reason why we want to start a new school of medicine, because each of these hospitals -- their major characteristic is that they have their own school of medicine. We don't at Hackensack, and we think we can certainly move from that top 50 to the top 10 or 15 in the entire nation by creating our own school of medicine.

Seton Hall University also is very well-renowned in New Jersey and actually across the nation for excellence, for focus on quality. They are ranked very, very high in U.S. News and World Report. And that ranking continues to get better and better.

(Off-mic) Seton Hall is one of the top colleges in the entire nation. (Off-mic) recognizes Seton Hall for being one of the most affordable universities, any university in the nation. So Seton Hall itself is very distinguished by a lot of awards. And I think with their focus on quality and Hackensack's focus on quality we've really formed a very, very strong venture for the right
reasons.

So it's one thing to form New Jersey's only private medical school. That's historic in and of itself. But (off-mic) to us (off-mic) focus on a very innovative curriculum at this new medical school.

So with the vision of Seton Hall University, there is a plan to relocate (indiscernible) and allied health school (off-mic) a large campus and integrate those schools within the school of medicine. And some of those schools, as I mentioned a minute ago, include the college of nursing, allied health schools like medical sciences, physical therapy, athletic training, occupational therapies, speech and language pathology, masters programs in health administration, Ph.D. programs in health sciences as well.

(Off-mic) doctors are -- medical students are educated in one silo. (Off-mic) educated in another silo. Some of these other health professionals are educated in their own silos. When they get out of school, they have to function as a team. Health care is a team sport.

When they're in a hospital or they're in an ambulatory care center, they've got to function as a team. So we're going to do something that I believe has not been done really anywhere in the nation. We're going to create a real integrated program where all of these health professionals will be educated and trained together. So
they will be functioning as a team. And that's the way health care delivery is going in the future. So we're going to really give them a head start on that team approach.

So this slide talks about the future of medical education and talks about the integration and training of multi disciplines in a single classroom setting. All of those disciplines, medical students, nursing students and some of those other allied health students.

Our design in the new -- on the new campus at Hoffmann-La Roche will reflect this new curriculum, this innovation in the way that medical students are educated. You can see on the top part of that slide there's what we call a learning studio. Students are going to be taught, not in large auditoriums, but in small classroom settings around a round table. And that's really the state-of-the-art in terms of how medical students' education will be delivered in the future.

Then on the bottom, there's a skills lab, which is really -- many people call it a simulation lab, where a simulation will occur that really mirrors what happens in a health care setting like in a hospital setting. And students will be able to really learn. There'll be ICU beds. There'll be operating room tables actually right on the campus so that they can learn in a simulation setting.

This is the lobby of the building 123 that was
spoken about earlier on the Hoffmann-La Roche campus. It's a beautiful lobby. It makes for a spectacular entranceway. There's a six story atrium in the lobby. And we intend to do some renovations there, but we're going to take advantage of what was a beautiful building.

I have to say that the Hoffmann-La Roche company poured literally tens of millions of dollars into this campus before they abandoned it. So we intend to use much of it as is. We're going to do some renovations, obviously, to really make it come alive as a medical school, as an academic setting.

But as an example, the research laboratories -- we're going to be able to move in pretty much as is. There'll be some renovations up there, but we'll be able to use a lot of those research laboratories as they exist today.

This was the auditorium off the lobby. Some of the board of commissioners were present back in January when the governor was there and some of the other elected officials addressed the crowd for that historic announcement. And I always smile when I see this slide, because our colleagues at Hoffmann-La Roche were really smiling from ear to ear that day when they were in this room.

And the reason for that is that, believe it or not
-- and this just shows how state-of-the-art these facilities are. Believe it or not, that press conference that day in January was the first time that that room was actually used. So it was built. It was renovated, and it was never used until we announced this new school of medicine. So it just gives you an idea of the state-of-the-art facilities.

This is a library. And when I first saw this picture, I didn't know about what you guys (off-mic) for the books. There are no books. It's all digital. And this is the library of the future, and it's a rendering of what the library's going to look like at this new school of medicine.

This is a common gathering area. I talked about that team spirit before and the fact that we're going to be training these disciplines all together. We also want them to be able to share their experiences, socialize. We're going to create a place where they all can gather together to share their experiences.

This is an entranceway to the faculty suite. I don't know how the faulty offices look today. But I'll tell you what. If I was a faculty, I'd kind of like the way this looks. It's pretty attractive. There's going to be some great offices for faculty meetings.

Before I get to that, though, I'm going to introduce a video. It's just a short video that we're going to show that really summarizes our goals, our vision in this
school of medicine. We're actually showing it to potential
donors. So I don't know if anybody has their checkbook with
them tonight, but we're accepting all donations, of course.

But take a look at the video, because I think
you'll really find that it really does a good job in
summarizing what our vision is for this very historic school
of medicine.

(Video Played)

(Video Stopped)

MR. GARRETT: I don't see any checkbooks out yet.

But I hope that gave you a little idea of our vision and
where we're going here. And I just want to conclude by
giving you a little bit of our projected timeline and what's
been accomplished so far.

So Hackensack and Seton Hall signed a definitive
agreement to form our partnership. And that was signed in
June. You know, we're going through a series of events now,
including recruiting a new founding dean for the medical
school. That founding dean will recruit faculty. That
founding dean will put together this innovative, creative
curriculum that I spoke about a few minutes ago.

We're coming before you this evening. We're going
to be coming before the folks in Clifton as well. We hope,
if all goes well, that we'll be able to start the
construction of the new building in January or at least in
the first quarter of 2016. And we also have to go through a
parallel process to get the medical school accredited. And
that's one of the major responsibilities of the founding
dean as well.
We have to go through an accrediting body called
the LCME, which is the Liaison Committee for Medical
Education. And that's a division of the American Medical
Association. So there's a lot of moving parts in terms of
the approval process.
But as we said in the video, if all goes well,
we'll start the first programs on the campus in the fall of
2017. So I hope that gives you a little bit of an overview.
We are incredibly excited about this project. We all have
the opportunity to really create a first rate school of
medicine and something that really will be a game changer, I
think, for this town, for the region, and for the state of
New Jersey. So I thank you very, very much.

(MR. GENITEMPO: Apologize for the microphone,
Counsel. That's really the presentation.
Eric Lillquist, from Seton Hall, the provost is
going to answer any questions that you might have.
Is there anything you want to say, Eric? Or just
end the questions?
(MR. LILLQUIST: I just want to add (off-mic) --
(Audio Gap for about 30 seconds)

MR. LILLQUIST: If I may start with a question. I know it was addressed a little bit in the video, but maybe a little bit more about the research or goals of the group and maybe talk about that.

MR. GARRETT: Sure. So the -- in terms of research, the idea is that about -- and I think it was described before. The 2 buildings, 123 and 123A, will be almost a half a million square feet. Our anticipation is about 60 percent of that space will be for academics and about 40 percent for our research.

We are not -- and I talked about it in the video about relocating existing research from the main campus at Hackensack University Medical Center, where we're doing some exciting research in cancer, in cardiac disease, pulmonary infectious disease, and other specialties. We're also in the process of speaking to some very exciting researchers that are seriously considering relocating their research to this Hoffmann-La Roche campus.

They're excited because the labs are state-of-the-art. They're excited because of its location and its proximity to the metropolitan area. And they're excited, frankly, in affiliating with Seton Hall and with Hackensack. So we expect that we will fill that 40 percent of the building, which will be about 200K square feet, real state-
of-the-art research.

   You know, I mentioned in the video, too, a
regenerative medicine institute. And that's something that
we're looking to develop. We're out there actually trying
to raise money to start that. I mean, that could literally
change the face of medicine if it was successful, really
wiping out a lot of chronic diseases that afflict all of us
today. So we could really be seeing some ground breaking,
historic, exciting research on this campus at Hoffmann-La
Roche.

   MR. GENITEMPO: One other question I had is
-- and discussed at other meetings is in terms of the people
that'll be working here, in terms of the income levels and
the effect it may have on the economics of the
municipalities, Clifton and Nutley. Can you address that a
little bit also?

   MR. GARRETT: The economic impact you're speaking
of?

   MR. GENITEMPO: The economic impact.

   MR. GARRETT: Yeah. So there's a few things. I
mentioned a little bit about the jobs that will be created
with the school of medicine. You know, they'll be temporary
jobs.

   In terms of construction, they'll be permanent
jobs, professional jobs, clerical jobs. But you know what?
When -- the studies will show wherever there's a vibrant health care system, a university and, in particular, a medical school, it provides a huge economic stimulus to the area, because you're going to have faculty. You're going to have students.

As a matter of fact, just from year 1, with the medical school and with the health schools, the allied health schools and the college of nursing, we're expecting to have 2,500 students on that campus. So it'll be very, very vibrant. And think about it. They'll be utilizing facilities throughout Nutley, throughout Clifton, throughout the entire region that really will provide a great economic stimulus.

So it's not just about the jobs that are going to be created. It's about the economics, the stimulus that it creates by having a vibrant campus. And don't forget. Our project, which will serve as the anchor tenant on the redevelopment of the entire property, hopefully, will attract other tenants to the property that will also provide an economic stimulus to this community.

So at this part of the program what I'd like to do is we'll move the microphone to the center. Please come up. Just state your name and address the question to me, and I'll forward it to the appropriate person so we can start that.
MR. MURPHY: Hi. My name is Brian Murphy. I'm a Nutley resident for the past 15 years. And, you know, what you really brought to light to me is how there's going to be a lot of moving parts, a lot of organizations that's going to require a lot of coordination. And like you said, there's going to be a lot of jobs created, a lot of commercial opportunities.

And I was thinking that maybe the best way of communicating is through like a central website where you have the different pieces. And you could say okay, you know, we need contractors to do this. We need --, you know, we're opening this. We're -- you know, maybe send some lunch trucks in or something like that. You know?

Where people can see both the progress and the opportunities right there in front of them. Because like most people, I would not know of anything unless I come to a place like this and find out.

MR. GARRETT: Brian, that's a great point. I think that's a great question. We'll endeavor to do that. I think that will be -- I think that kind of information would be very, very powerful. And people can really track the progress. So we'll definitely -- we'll talk amongst ourselves and see if we can't pull that together.

MR. MURPHY: All right, great.

MR. GARRETT: And thank you for your comments.
(Pause)

MR. THOMAS: Good evening. My name is Allen Thomas. I'm a Nutley resident, longer than Brian has been, which is amazing.

Thank you all for coming. We're very honored to have you all here. I have two questions.

One -- many of us are concerned about the tax impacts that the school itself will have. I mean, are you going to buy the property? Will it make it tax exempt, we assume? Or are you going to be leasing the property? What will that do to the taxes?

And the second thing -- and I mean this most humbly. What do you need from us to get this going?

MR. GARRETT: Let's take the second question first, right? Yeah.

MR. GENITEMPO: I thought that would be the easier one.

MR. GARRETT: That is, Alan. Thank you, Alan.

Because not a lot has been in public, it looks like nothing's been going on behind the scenes. And that's absolutely not true.

We have had all the commissioners in their respective departments and the ARC meetings and financial meetings have been working behind the scenes with most of
these gentlemen and their consultants and our consultants. We have a planner. We have a financial adviser. We have special development counsel. We have a person reviewing the master plan.

And there's a series of events that are going to take place very shortly. And the commissioners may be entertaining certain voting to move this forward. So what we need is support. And I think that's what you were going to say, for the idea.

This plan is not going to solve the economic deficit when Hoffmann-La Roche left. It's just not going to do it. I think, you know, Dan can speak to that. What we are attempting to do, if I may speak for the commissioners, is to replace those rateables as best we can. And what the purpose of this project is or at least, hopefully, the result -- and it's not just based on a whim. We have informational data that we're basing it on that this is going to drive companies to come and fill the other buildings.

This is only building 123 and 123A. That's all the medical school is going to be, building 1, building 76, building 102 are empty and ready for tenants. And based on our discussions with Roche and potential developers, they have very, very strong prospective tenants ready to take those spaces that will work in conjunction with the medical
school in terms of medical science.

    And that's very exciting. And I think we're going
to be excited and you're going to be, hopefully, excited to
see that. So from a tax perspective, Allen, we'll have a
financial arrangement ultimately (off-mic) gentlemen and
their organizations. Ultimately, we seek to have it as one
giant engine to (off-mic) more rateables. So that's the
best we can answer it.

    We're still working on the numbers. And
hopedly, very shortly, we'll get more information,
especially when we move to phase two of the project, which
is the rest of the site.

    Can you come up?

    MR. ENGRASIO: My name is Dave Engrasio (ph). I
live in town. Thank you guys for coming.

    Basically, you're telling us that there's not
going to be any property taxes collected from the medical
center; is that what you're telling us?

    MR. GARRETT: That's not what I'm saying.
There are different types of funding methods. There are
regular tax collection. There is pilots. There is RAV
bonds. There are different types of things that can help
fund these type of developments.

    We are working on a financial arrangement with
these groups that would pay taxes. So that's part of the
answer. We've gotten -- successfully gotten money from the state to help with the transition since Roche has left. And we're working on that as a continuous issue also.

The goal of the commissioners is to have no effect, ultimately, on the tax base. That's the goal. And, you know, if it all works -- and we think it can -- probably get there.

MR. ENGRASIO: Thank you.

MR. GARRETT: You're welcome.

MS. TYREMAN: Hi. Kerry Tyreman (ph), resident of Nutley for 22 years now. I'm wondering -- the campus, the redevelopment of it -- is it going to be an open campus for our community, or is it going to be closed off as such as Roche was?

MR. GARRETT: It's going to be an open campus. There's going to be, most likely, new roads created, new buildings created, some retail, some mixed, some residential. We're not really sure yet. We're still working on that. But, yes, it will be not a closed off campus like it was in the past.

Depending on who's going to be responsible for what properties, that may, you know, have some effect on the roads. But for the most part, it will be open. It will be a different type of campus.

MS. TYREMAN: Thank you.
MR. LEVARRO: A little back woods. My name is Patrick Levarro (ph). I'm a town resident for 50 years. Who owns this property? Hoffmann-La Roche or Seton Hall? Like you buy a house, did they put a down payment yet in Hackensack, or this is only talk that can fall down in the pit?

MR. GARRETT: That's a great question.

MR. LEVARRO: Where do we stand?

MR. GARRETT: Hoffmann-La Roche owns the property. Right now, they own the property. Legally, that's the position.

MR. LEVARRO: Okay.

MR. GARRETT: Ultimately, they will provide a lease to these gentlemen. They will lease the property from Hoffmann-La Roche. And ultimately, Hoffmann-La Roche will sell the property to a developer, who will then be responsible for maintaining the buildings and having a relationship with these people.

You want to expound on that?

MR. GENITEMPO: You said it very well. I think that's the sequence and the process. So right now, as was just stated, Hoffmann-La Roche currently owns the property.

MR. LEVARRO: So, in other words, do you have blueprints and everything else on these buildings?
MR. GENITEMPO: We do. We do. We've done a lot of work, and we've worked very closely with the leaders from Nutley. We worked very closely with the folks from Hoffmann-La Roche.

The potential developer we've also been meeting with. So we've -- a lot of hard work has been happening behind the scenes. And hopefully, it's all going to come together really over the next few months.

MR. LEVARRO: All right. Thank you.

MR. RUBENS: Hi. Alex Rubens (ph). I'm a 40-year resident of Nutley. And my question is about the development of the property itself. You alluded -- the real estate market fellow alluded to the millennials want to have a campus as an environment for them to live.

And the development of a mixed residential and work -- you know, it looks like they're building their own little town within that property, you know, between Kingsland and Route 3. And there's a two-mile square town around it that is, you know, in need of, you know, more revitalization, you know, to let that spread out. How can we get them into, you know, the rest of the community, you know, rather than stay in their little crucible that they're looking to make?

MR. GARRETT: Oh, well, here we go. If you remember last year -- I don't know if you came to the
presentation of the Perkins Eastman plant.

MR. RUBENS: Yeah.

MR. GARRETT: That really was a
development of the whole site. And I picture that now with
the medical school in the middle is probably something that
you're going to -- we're going to end up with.

One of the big discussions that the commissioners
are having with the (off-mic) everyone else is how to
integrate the site with Franklin Avenue, with the rest of
the town, walking paths, bike paths, you know. There's a
connection with the park to Franklin Avenue from that site.

So, yes, there will be some work, I'm sure, on the
property. But the goal is to integrate with the township,
with the downtown, and help revitalize that particular area
also. We don't know exactly yet. We're still working.

We have to work with the developer to come up with
the final plan. And then, you will see it, because it'll be
here, up there. And you'll get a chance to see it before
it's ever approved by the commissioners.

MR. GENITEMPO: Tony Ionorone (ph), 60
years, Tony? What is it?

MR. IONORONE: Fifty-six.

MR. GENITEMPO: All right.

MR. IONORONE: And I'm also former associate
general counsel and associate vice president at Roche. I'd
like to get a little more clarification on the payments. Obviously, as long as Roche owns the property and is leasing it, they're liable for the taxes. If and when the new organization buys it, they, apparently, would be tax exempt. I'm wondering then if there would be some sort of payment in lieu of taxes such as Princeton does with the municipality there.

MR. GENITEMPO: Unfortunately, Tony's an attorney. He knows this stuff better than most of us. So thank you, Tony.

But, no, you're right. I mean, it's going to be a pilot agreement with the school. Roche does owe the taxes now. But unfortunately, because of all the buildings that have come down and the low assessment of the property, that's what's lowered the taxes.

Commissioner Evans and the other commissioners have been able to get aid from the state to make up that difference. Our goal is to build that number back up so that, with the pilot and with all the other rateables that will come online, we'll be okay. And that's the goal. And the numbers -- you know, I don't want to say they look positive. But it's not a dooms day scenario.

MR. IONORONE: It'll work out.

MR. GENITEMPO: It's not a dooms day scenario. It'll work out.
MR. IONORONE: Just a couple other questions. I noticed in your presentation that you were not planning to provide residential space on your own, that you were going to rely on third parties. Your schedule would bring students and faculty in in less than two years. Do you have any plans for getting that done?

MR. GARRETT: So as -- and Eric might want to comment on this. You know, it's our understanding that, you know, medical students in particular don't require dormitory type of housing. They tend to want to live in garden style types of apartments. And I think that's probably what will be planned for the site, or they'll look in the local area to see what would be available.

But, yeah, it's an aggressive timeline but one that we're very, very focused on and one that we think we can achieve. And it may be phased in over a period of months or a year, but we're focused. And we're going to get it done in 2017.

MR. IONORONE: I have about 50 questions, but I'll just ask one more, just one more.

MR. GARRETT: Eric, did you want to further comment on that?

MR. LILLQUIST: I'll just (off-mic) --

(Audio gap)

MR. IONORONE: Just one last question then. To be
a truly ranked national medical school, I think it requires
having students other than from New Jersey. I would see you
give preference to New Jersey students. But what would you
see as an ideal ratio of in-state and out-of-state medical
students at your school?

MR. GARRETT: I think there should be a multi-mix.
But I'm going to ask the experts. I'm going to ask maybe
Dr. Boscamp. And Eric might want to comment on this one as
well, what they would see as a healthy mix.

From my perspective, you know, I think it'd be a
ture mix of New Jersey residents because, as I said in my
presentation, there's a drain. There's a talent drain
leaving the state. So we want to obviously, you know, give
some priority there. But honestly, we also want to attract
the best of the best.

Because, as I said in the presentation, where
students go to school -- that's where they tend to practice.
So we want to be able to really make this a first-rate, a
top-tier excellent school of medicine, which I believe, with
Seton Hall's reputation and Hackensack's reputation, we can.

Jeff, would you want to comment a little more?

DR. BOSCAMP: Sure. So I think you said it
exactly right, Bob. I mean, we want to basically reverse
the drain. While we would love to have New Jersey (off-
mic), we are still going to be looking for the best and the
brightest (off-mic) find, and that pool is out there. And we think that we've got the exciting curriculum that Bob talked about, the fact that we're going to take this inter-professional education that's never been done successfully across the country. The way that we're talking in this building is extremely (off-mic).

(Audio gap)

DR. BOSCAMP: -- schools of allied health and medical schools and try to train them together. But they've never done it in one building where (off-mic) cultures and think. I think this building gives an opportunity to do that. It's never been seen.

So we think -- excuse me. We think when we roll that out that -- and students see this along with the innovation that we're going to do, standard medical school curriculum (off-mic) not get carried away. Because I'm just so excited about what's going to happen.

We've always done a two and two curriculum. So for two years, you study basic (off-mic) very little patient (off-mic).

(Audio gap)

MR. IONORONE: Where would they do that? Like --

UNIDENTIFIED SPEAKER: (Indiscernible) like --

MR. IONORONE: At Mountainside in Hackensack? Would that be where they do their clinical work?
UNIDENTIFIED SPEAKER: So (off-mic) --

(Audio gap)

UNIDENTIFIED SPEAKER: -- down here.

(Audio gap)

DR. BOSCAMP: They're not just going to be (off-mic). We're going to have our world-class surgeons (off-mic) tell them about how this surgeon -- everything we're going to teach across four years (off-mic) don't just memorize things. You understand why. That's going to be a curriculum (off-mic) by students (off-mic).

MR. IONORONE: Yeah. Just one more. How many students do you anticipate when you're fully operative with four years?

MR. GARRETT: There'll be 2,500 students, including the nursing school and the allied health schools. And the school of medicine will be 125 students per class, so about 500 students in total.

And, Tony, just what -- I just wanted to echo what Dr. Boscamp said. And, you know, Hackensack University Medical Center, being the flagship hospital, being the academic medical center will serve as a major teaching site. And that's what makes this campus, this Hoffmann-La Roche campus so attractive because of its location.

Think about it. It's halfway situated between Seton Hall University and Hackensack University Medical
Center. It could not be located more perfectly. Students will train in all 11 hospitals of what's going to become Hackensack Meridian Health. But Hackensack University Medical Center will be the major training site.

MR. IONORONE: I asked about Mountainside, because that's part of Hackensack.

MR. GARRETT: Mountainside is part of Hackensack, yes.

MR. IONORONE: So it's about ten miles deep (ph)?

MR. GARRETT: Yeah.

MR. IONORONE: Okay. I'll reserve my other 50 questions for another time.

MR. GARRETT: Mountainside (off-mic). We will use that talent to be a part of this as well.

MS. LANDRY: Hello. My name is Pennie Landry, and I'm a new Nutleyite. I've lived here six years.

First, I applaud your courage and your vision and what you're about as far as innovative education. I'm from a medical family, so I appreciate what you're up to.

My concern -- well, my first question is what is the average age in the U.S. of a medical student.

MR. GARRETT: So, basically, in our country, (off-mic) --

MS. LANDRY: I know. Yeah, uh-huh.

(Audio gap)
MS. LANDRY: And what would that age be, the average age of a medical student?

MR. GARRETT: So it would be (off-mic).

MS. LANDRY: Okay, 22 to 26? And what about a nursing student?

MR. GARRETT: (Off-mic).

MS. LANDRY: It could be over, correct? And what --

MR. GARRETT: (Off-mic).

MS. LANDRY: Okay, twenties to thirties, correct, you would think?

MR. GARRETT: They're not in their thirties, right.

MS. LANDRY: Okay. And what percentage of them are married?

MR. GARRETT: On entry, very few.

MS. LANDRY: Very few?

MR. GARRETT: Right.

MS. LANDRY: Do you have any statistics, real numbers to support that?

MR. GARRETT: It really depends, I think, on schools and (indiscernible).

MS. LANDRY: And how long is the curriculum? Is it a four-year, six-year?

MR. GARRETT: Four-year.
MS. LANDRY: Four years? So let's say you start at 27. You graduate and become a doctor when you're 30 maybe?

MR. GARRETT: No, no, you become a doctor when you're 26.

MS. LANDRY: Twenty-six?

MR. GARRETT: Un-huh.

MS. LANDRY: Where does the intern process take place?

MR. GARRETT: That does not happen on this campus.

MS. LANDRY: Okay.

MR. GARRETT: That takes place in a hospital.

MS. LANDRY: All right. So you're saying that you're going to be graduating people as doctors when they're 27, 28. But you don't have any idea about how many of them are married?

MR. GARRETT: No, I mean, --

MS. LANDRY: Okay. The reason for my question is you're anticipating 2,500 students.

MR. GARRETT: I just want to add that we -- you know, there may be a small percentage that are married, but we're going to have a chapel on campus. So --

MS. LANDRY: Oh, good.
MR. GARRETT: -- it may be a lot more. I don't know.

MS. LANDRY: Okay, good. The reason for my question is that you're going to have 2,500 students and there are going to be children that come along with some of these students. Okay? We have an overcrowded K-12 school situation right now.

Twenty-five hundred people -- let's just say a third of them have children. They're not going to want to live very far from where they're in school. So my question is is there any part of this plan that addresses the overcrowding in our K-12 schools that we currently have.

Because I'm excited about all the new people moving to Nutley. I'm also concerned that we have children going to school in trailers right now.

(Audio gap)

MS. LANDRY: Okay.

(Audio gap)

MS. LANDRY: Okay. Which brings me to my next question. What about your faculty? What's the average age in the faculty? And are they married, and do they have children?

MR. GARRETT: Well, university faculty (off-mic) married and do have children. I'll say that the vast majority of Seton Hall faculty do not live in South
Orange.

MS. LANDRY: South Orange?

MR. GARRETT: Yeah.

MS. LANDRY: Okay.

MR. GARRETT: The main university is in South Orange. (Off-mic) ball number. But (off-mic) percentage actually live in South Orange.

(Audio gap)

MS. LANDRY: Okay. So the issue of potential residents living in Nutley impacting the school system, you know, as it relates in school has not been addressed? Okay, thanks.

Can I ask one more?

Or, Alan, do you have a --

MR. GENITEMPO: Let me just add a comment. We hope they come and move to Nutley.

MS. LANDRY: I do, too.

MR. GENITEMPO: We hope they do. So thank you.

Go ahead, Penny.

MS. LANDRY: Nutley authorized a $17,500 contract with the Banker Group, correct?

MR. GENITEMPO: Correct.

MS. LANDRY: To review the financial impact to Nutley of the Roche campus redevelopment. Has the review been completed?
MR. GENITEMPO: No.

MS. LANDRY: No? It's still under review?

MR. GENITEMPO: Currently.

MS. LANDRY: Do you anticipate a date by which the review for the $17,500 contract will be available?

MR. GENITEMPO: Very, very soon.

MS. LANDRY: Very, very soon. Okay.

MR. GENITEMPO: I would be more specific if I could. But very soon, within the next two to four weeks. Let's say that.

MS. LANDRY: Got it, Alan. Okay.

The two buildings proposed for the hospital, currently 23A, 23B, the two beautiful buildings --

MR. GARRETT: 123A, 123B.

MS. LANDRY: Okay. Are they currently -- are you currently in the lease negotiations with Roche, or do you have a lease?

MR. GARRETT: Based on our meetings with both Bob's group and Hoffmann-La Roche, they have negotiated the terms of a lease. Obviously, the --

MS. LANDRY: They have negotiated the terms of the lease?

MR. GARRETT: Correct, correct.

MS. LANDRY: Thank you.

MR. GARRETT: As far as we were told,
they have. And it's part of the whole process of evaluation
of the finances of the site. That will be announced at some
point, I assume, when they do sign the lease. This is kind
of like a domino effect. Okay?

They need to get approvals from the towns to
rezone the property, which will set in motion a series of
other events leading to ultimately the full development of
the site. So this is like step one, even though we've been
going through a lot of steps in the last couple of years.

This is like step one. Once this goes through and
everything hopefully will just fall right into place.

MS. LANDRY: Okay. So you actually are in lease
negotiations? And you may or may not have a lease?

MR. GARRETT: Yes.

MS. LANDRY: Okay. I have a couple of questions
about tuition.

MR. GENITEMPO: You said one more question before.

MS. LANDRY: I'm sorry, Alan. I'll sit down.

MR. GENITEMPO: Why don't we give somebody else a
chance? And then, you could always come back.

MS. LANDRY: Okay. All right, I'll come back.

MR. SIMKO: Hi. My name's John Simko. I'm the
director of the Nutley Museum. So this is a little bit of a
history question. And it's interesting because I'm looking
at the mural behind you. Annie Oakley is sitting there
seemingly guarding the historical society, the building
directly behind her.

And I don't know if the piece of property fits
into exactly where you guys would be. And this is more a
discussion I'd like to have in the future with you, with the
commissioners, especially with Commissioner Tucci and the
mayor. There is a piece of property that is just South of
the South gate, the first entrance that you get to if you're
heading North on Kingsland Avenue that is still a grassy
plot. So nothing's been built on it yet.

And it's probably within 100 feet if not on the
very spot that a circus that Annie Oakley had put together
to get together a Red Cross -- a nice medical connection --
a Red Cross chapter in Nutley. There was an amateur circus
that Clara Barton even attended. Very important event in
Nutley history as well.

And my question is whether there could be any
talks about perhaps turning over something as small as a
quarter acre to the town of Nutley to put an Annie Oakley
park there, a gazebo there, which would almost mimic the
shape of the training pavilion where the circus took place
would be a wonderful extension of our park system, a very
small plot of land. And so, it's just something I'd like to
put out there. And maybe I'd follow-up with the
commissioners to talk with you guys about.
MR. GARRETT: John, you could just provide that information to us, and we'll communicate it. And you never know. Let's see what could happen.

MR. SIMKO: Excellent. Thanks.

MR. CASARELLI: Hello. Nicholas Casarelli (ph), resident of Nutley for all 18 years that I'm alive and student at Seton Hall. I'll ask the question for the nice lady back there. What will the tuition be for the medical school?

(Applause)

MR. GARRETT: I'm passing this one to my colleague.

DR. BOSCAMP: As Bob explained earlier, we're subject to accreditation by the LCME. And so, tuition will be set in an amount that's responsible both for the funding of the medical school but also in a way that doctors are (off-mic) excessive amounts of debt and thereby impinging (off-mic) stage, particularly before we've been through accreditation. Can't really talk any more specifically (off-mic).

UNIDENTIFIED SPEAKER: (Off-mic).

DR. BOSCAMP: Yeah, there, of course, will be, you know, use of financial aid and scholarships as part of that process.

MR. GARRETT: And quickly, to add to
that, (off-mic) --

(Audio gap)

MS. CARIAZAS: Hi there. My name is Christina Cariazas (ph). And I've been a 13-year resident of Nutley. And you mentioned not having student housing as far as dormitories and mostly, they're commuters. Are you going to reach out to New Jersey Transit or to Camp (ph) and try to get more transportation in this area? Maybe even bring the train back?

MR. GENITEMPO: There is -- you don't have to say how many years you've lived in Nutley.

MS. CARIAZAS: Oh, I'm sorry.

MR. GENITEMPO: Ask a question.

MS. CARIAZAS: I was following everybody else.

MR. GENITEMPO: That seems to be the pattern all of a sudden. But anyway, we've had and they have had -- we have all had numerous discussions with New Jersey Transit, first, on trying to activate the train line, which is going to be a problem. Because it doesn't end anywhere. It's a straight line. So that's pretty much been a dead end all the way around.

New Jersey Transit has been definitely involved in discussions with us about park and ride, transportation to and from the site, how to get buses there to New York City, because they want to integrate New York City into this also.
So there has been many, many discussions about that. Nothing's been finalized, but it is definitely on the table.

MS. CARIAZAS: Thank you.

MR. GENITEMPO: You're welcome.

MR. LEVARRO: Patrick Levarro. I'm a little confused. Who owns the property where Nutley is --

MR. GENITEMPO: Hoffmann-La Roche.

MR. LEVARRO: Now, these people that want to buy Seton Hall and Hackensack -- they're going to lease it from Hoffmann-La Roche?

MR. GENITEMPO: The way it is right now. The way it is right now, Pat, because --

MR. LEVARRO: Why?

MR. GENITEMPO: -- things could change. And we don't know for sure. Hackensack and Seton Hall are going to sign a lease with Hoffmann-La Roche.

MR. LEVARRO: Okay.

MR. GENITEMPO: When Hoffmann-La Roche sells the property to the developer, they will assign that lease to the developer. And the developer will then own the property.

MR. LEVARRO: Nutley will never own that property?

MR. GENITEMPO: Nutley doesn't own it now and does not plan on owning the property, no.

MR. LEVARRO: That's what I wanted to know.
MR. GENITEMPO: It's within the Nutley border.

MR. LEVARRO: If we buy the property, then we're in a hole? All right. That's all.

MR. GENITEMPO: Okay.

Anyone else?

Ms. Landry, one more question? One more will be good.

MS. LANDRY: Transfer property or to lease property, the DEP has to release an NFA regarding the environmental cleanup. Do you have the NFA, no further action?

MR. GENITEMPO: These gentlemen are not privy to that part of it. That's Roche's -- Hoffmann-La Roche's responsibility and the potential owner. They are just the tenants in the property that's going to constitute the medical school.

MS. LANDRY: Okay, great. Well, we'll leave the environmental thing alone.

Repeatedly there has been mention of the potential redeveloper, the developer, that you guys have met with the developer as part of being the anchor for the site. When will this potential developer be -- redeveloper be named?

And can you name them now?

MR. GENITEMPO: No, but soon.
MS. LANDRY: No?

MR. GENITEMPO: You have to understand this is a --

MS. LANDRY: It was a yes or no.

MR. GENITEMPO: Yeah, I know. I always give you yes or nos now, because that's what you want.

MS. LANDRY: All right. So the answer's no.

Thanks.

MR. GENITEMPO: Yeah, the answer is no.

MS. LANDRY: Thank you.

MR. GENITEMPO: But there have been a lot of discussions, and there's a lot of moving parts. And it's very complicated and very confidential until the deals are actually done.

MS. LANDRY: Okay.

MR. GENITEMPO: So --

MS. LANDRY: So they're --

MR. GENITEMPO: -- we expect soon to be able to present something to the public. And by then, you will know.

MS. LANDRY: Okay. Soon is like -- because there was a statement that was made -- I think I actually wrote it down. It was in the paper.

It was in 2014, Alan. It was actually your statement.
MR. GENITEMPO: Really?

MS. LANDRY: Yeah, imagine that. And it said that

MR. GENITEMPO: Can't wait to hear what I said.

MS. LANDRY: It was a letter from Ming Woo (ph) to
the mayors of Nutley and Clifton from Perkins Eastman's
company. Remember the one that came up with the three
schemes?

MR. GENITEMPO: Yes, I do.

MS. LANDRY: What is the status of that, by the
way?

MR. GENITEMPO: Of what?

MS. LANDRY: The Perkins Eastman's schemes.

MR. GENITEMPO: The Perkins Eastman scenario was a
study funded by Roche to kind of get some ideas of what
could go on the property, what would work for redevelopment.
There's no agreement with them. They're not part of the
redevelopment process.

MS. LANDRY: Okay.

MR. GENITEMPO: But we have been able to gain
information. And it was helpful in kind of formulating the
questions that needed to be answered.

MS. LANDRY: Okay.

MR. GENITEMPO: Not only by these gentlemen, but
also by the potential developer.
MS. LANDRY: And I do want to --

MR. GENITEMPO: They are not involved anymore.

MS. LANDRY: I do want to clarify, to be sure, that Nutley did pay 150,000 and Clifton did pay 150,000. Because 299,000 was paid by the 2 towns, correct?

MR. GENITEMPO: But Roche funded that study. They reimbursed us.

MS. LANDRY: They reimbursed us?

MR. GENITEMPO: For every dollar of it.

MS. LANDRY: Oh, great news.

MR. GENITEMPO: Yes.

MS. LANDRY: Great news.

MR. GENITEMPO: Thank you.

MS. LANDRY: Okay. It actually says -- this one was from Perkins Eastman. And it says the redevelopment process by the redeveloper is expected to begin 2015. So that is off the table right now?

MR. GENITEMPO: Well, we're still in 2015.


MR. GENITEMPO: You never know. Let's be hopeful.

MS. LANDRY: You never know?

MR. GENITEMPO: We're hopeful.

MS. LANDRY: We're hopeful that redevelopment outside of the hospital will start in 2015.

MR. GENITEMPO: Yeah.
MS. LANDRY: And we're hopeful that soon we will know the name of the --

MR. GENITEMPO: Don't forget -- Penny, don't forget there are three buildings besides the building that they're going to occupy --

MS. LANDRY: Oh, I know.

MR. GENITEMPO: -- that are ready to be occupied.

MS. LANDRY: Okay.

MR. GENITEMPO: The one advantage that Nutley has is the buildings are ready to go. So tenants can move in much quicker than having to construct new buildings on the site.

MS. LANDRY: Perfect.

MR. GENITEMPO: So that's an advantage that we have.

MS. LANDRY: Okay. Thank you.

MR. GENITEMPO: You're welcome. Thank you.

Dr. Scarpelli?

I'm going to turn it over to the commissioners of they want to make any -- question.

COMMISSIONER SCARPELLI: Yeah, I'm going to ask a question. Joe Scarpelli. I'm the commissioner of public works. Very excited personally about this and the economic drivers.

And when we were talking about the economic
impacts, Mr. Garrett kind of slipped and he said the academic impacts and kind of got my mind going as I was sitting here. What can we do to tap into that potential? We have a state-of-the-art medical facility here, a medical school. How can we tap into that through our students? If there was summer (ph) academy or initiative programs, something that will help our students here in Nutley.

MR. GARRETT: Absolutely. I mean, but we want to be partners with you, with your students. We right now at Hackensack have a lot of programs where we have -- I know even in the children's hospital we have a summer scholar program. We have a lot of outreaches to communities. And we would love to partner with you. I don't know.

Jeff, would you want to add anything to that? I mean, because there's a lot that we're doing now in terms of outreach. So the folks from Seton Hall and Hackensack really need to talk about that and see what your needs are in terms of your students and really expose them to what's going to be an historic medical school right in their town.

So we'd love to get people interested in premed and sciences and math. I mean, those are things that we can hopefully partner with all of you on.

DR. BOSCAMP: I mean, I think it's going to be (off-mic) Bergen County academies now (off-mic). And we're
going to be putting in what's probably roughly a 30,000, 30, 40,000 simulation labs that we (off-mic) EMTs will likely have an opportunity to train there and be part of this. And, in fact, across all the schools. So we've already -- our minds are really working about how we can engage the community, both in Nutley and Clifton. I think there'll be tremendous opportunities (off-mic).

MS. SEMBLITCH: Clara Semblitch (ph), resident of Nutley for 15 years, 150 Ridge Road. What kind of public relations work is being done right now to recruit the class of 2017?

MR. GARRETT: (Off-mic) CME of doing anything to do any recruiting until you achieve accreditation. (Off-mic).

(Audio gap)

MR. GARRETT: -- and not do anything with students until we get that initial accreditation. We are, by the way, listed. And you can look on the website of the LCME (off-mic) medical education as an applicant school. So we've already taken the initial steps towards accreditation.

MR. GENITEMPO: Okay. Before we conclude, I just want to give the commissioners each an opportunity to either ask a question or make a statement.

UNIDENTIFIED SPEAKER: (Off-mic)?

MR. GENITEMPO: Of course. Just don't
forget how many years. You have to put that.

COMMISSIONER EVANS: Yeah. Why, Ed? My name is
Tom Evans. I'm a commissioner in town.

And regardless, Alan, I've been here for 60 years.
So since I heard 56, I had to be 60. So just to -- I have a
simple question.

Dan, we've been talking about the medical school.
We've been talking about the opportunity, the brand. It's a
very exciting opportunity for us and when you think about
the brand aspect. But you mentioned in your presentation a
couple of comments that just triggered for me a question
that I think needs to be -- I would like an answer to.

The two buildings that we're looking at to house
the medical school initially, right, some almost 500,000
square feet designed as a single tenant building, I think
you had said. So if the medical school doesn't go there,
what was the interest in the market for a building like
that?

MR. KALMANSON: Honestly, very little. Very
little.

COMMISSIONER EVANS: I didn't mean it as a leading
question. I just better understanding since you actually do
a lot of marketing and promoting. I think, you know, one of
the -- that's the reason why I was asking is that, as
commissioners, we have to make some very important
decisions. But one of those decisions is as so -- if I'm looking at A and A looks pretty good, what would B look like? And so, this is 13 acres in the heart of the campus. And so, if you can just expand on that a little bit.

MR. KALMANSAN: Sure. That's a great question. Honestly, the building is so large and so -- it's not easy to operate, either. It's all -- you know, if you know the mechanical systems of a laboratory building, it's a lot of what they call once through air. So there's a lot of utility infrastructure that needs to support those buildings.

They're expensive to operate. They're not easy to divide or make into a multi-tenanted situation that meets codes. So really, the vision of the future of that building was not great.

As you know, Hoffmann-La Roche has demolished a number of buildings on the campus. It'd be a shame for that building to be demolished just because of the quality of the building and the way it was constructed. So there's not any companies or very few companies that are looking to lease or acquire a block of space of 450 to 500,000 square feet of laboratory space.

Most of what the companies are doing now, as I mentioned before, if they're kind of decentralizing their discovery, innovation. And hopefully, in areas of the
country where they have access to different talent and they have access to different collaborative relationships and M&A activities. That's why you see all these companies are acquiring one another. It's almost as if their research pipeline is more of an M&A activity than it is just this sort of central, behind the gates, you know, real estate function.

So the question really is if you asked me as a professional opinion, that building -- well, it could sit for many, many years just like the Lucent Holmdel facility and the Merck Union facility, where these properties are being demolished and redeveloped. And I think this is a perfect -- really a perfect solution, in my mind, to this building. It's a great use. It's a great sort of community use as well. And it's a perfect economic driver to start the redevelopment of this major campus.

MR. GARRETT: I just want to also recognize Ralph (indiscernible) here. Thank you, (indiscernible), for coming.

Alan, you had one more question?

MR. THOMAS: Yeah. Actually, I just want to ask the question I asked before. What is the near the best now? I heard hints about subdividing what is now 1 big 100 plus acre lot. So I assume now we're going to subdivide 13 acres of it off?
MR. GARRETT: Let me give you details on that, because there's nothing wrong (ph). A subdivision application has been submitted to subdivide just the part for the medical school into four separate lots on the Nutley side. Part of it shares with Clifton, 2 lots in Clifton, 4 lots in Nutley from Building 123 all the way to Kingsland Avenue.

Once that -- if that subdivision is approved, part of it will include buildings 123 and 123A. And other sections will be for potential future growth on the site. But right now, the subdivision application is to segregate that section, that 11 acres that's in Nutley into separate subdivided lots so they can be treated separately. And ultimately, there'll be a zone (off-mic) of the zone ultimately if the medical school is going to come -- go forward.

MR. GARRETT: It's because a certain spot they want to reserve for (indiscernible) on the campus, to maintain a campus atmosphere. And the other is for potential growth of other buildings, perhaps (off-mic) subdivide into four lots. But that's the plan.

MR. IONORONE: A comment and a question. That's something that you mentioned that triggered this in my mind. People don't understand that the biggest user of power at Roche was research not manufacturing. And when you
mentioned the once through air, you people have to understand that the air is not recirculated. So in winter, the air has to be constantly heated, because there's always new air coming in. And in summer, it has to be constantly cooled. So it's a tremendous user of power.

But I'm wondering what the plan is with the cogeneration plant. Because 123 must be tied into that. And the cogeneration plant was designed to generate enough electricity for the site. I have always wondered what is going to be done with that or there's going to be some shared use or if someone like public service is going to take it over.

MR. GARRETT: Right now, you're right. All the buildings on the site are connected to the cogeneration plant. That's going to have to be a design issue going forward as to how that's going to work. It's one of the advantages of the site, really, that makes it attractive to these type of tenants. So there's no real answer to your question. The engineers are going to figure that out, Tony.

MR. IONORONE: Yeah, it's --

MR. GARRETT: If I had an answer, I'd give it to you.

MR. IONORONE: It's good because cogeneration plant -- it runs on two modified jet engines. So it uses
gas, which right now, is the cheapest -- almost the cheapest form of energy you could use. So it would seem to me that that's something you should certainly explore, because otherwise, you're going to have a tremendous electric bill. And this way, with a shared facility like that, you could really save a lot of money. Just adding that in.

MR. GENITEMPO: Commissioner Rogers?

COMMISSIONER ROGERS: Let me just ask them. First of all, thank you for your presentation tonight. I'm going to ask you to think about something. I don't know if this is possible, but it's something that I would really like you to think about.

You talked about jobs. You talked about the need for people with skill sets, with talents. We have a lot of people in Nutley with skill sets and talents who are unemployed. So I would ask that, if it's possible, that you consider them when these jobs are available, that you give our residents priority to get these jobs.

(Applause)

COMMISSIONER ROGERS: This will help in many ways. Obviously, they live here. They'll pour the money back into the economy, the local economy here. They'll be able to support their families, and it'll help us all around. So I would ask you to think about that. And I appreciate your time.
MR. GARRETT: Absolutely, we will give that, not only serious thought, but we'll take action on that. I can tell you that Hackensack's history is that we start -- obviously, our flagship is in the city of Hackensack. We're the biggest employer in the city of Hackensack. We give folks in Hackensack priority.

Some of our other hospitals in the municipalities that they're in they also give priority to those municipalities, whether it's Westwood for Pascack Valley Hospital or it's Montclair for Mountainside Hospital. So absolutely, it's part of our philosophy. And with our partner, Seton Hall, we'll give that some real significant consideration. Thank you.

MR. GENITEMPO: So we're going to -- the commissioners are going to resume their seats. I just want to thank everybody for their attention to the presentations and their attention to our guests. And (off-mic). Thank you.

(Applause)

MAYOR PETRACCO: Guys, before everybody gets up and leaves, we just have a couple comments that we want to address before everybody runs out of here.

The first -- this is the first comment that I would like to say. I would like to say thank you so much for all of you coming. It's really an honor and privilege
to be sitting on the same stage and to be part of history tonight. I think, you know, moving forward is really an historic time in Nutley.

The one thing I want to say -- and then, I'll pass it over to the commissioners. All the commissioners have worked unbelievably hard on this. Also, when we first started to talk to Perkins and Eastman and also the broker in the deal, I have to tell you it was really doom and gloom for Nutley.

I left some of these meetings saying maybe it's even time for me to get out of here, because when Perkins and Eastman first talked, their fill-in rate was 25 years from the time Roche exited. So to be able to do something and partner with two institutions like Hackensack and Seton Hall is really saying something and I might add in that type of timeframe that we're able to get this done. So again, I just wanted the general public to know this is a team effort.

We need your help, too, to get this done. I want to congratulate everyone for coming. The more public involvement -- I want to thank everybody for acting as professionals and ladies and gentlemen tonight. I've been at some of these meetings or saw some televised where there was fur flying at these things and things like that. But I've got to say it's probably my proudest moment to be the
mayor of Nutley and to see how Nutley people act and to have
Hackensack and Seton Hall up on this same stage.

Commissioners?

COMMISSIONER TUCCI: Yes, thank you, Mayor. And
I'm going to echo some of the remarks that my colleagues
have already made. First of all, I'd like to thank our
representatives from Hackensack and Seton Hall for being
with us this evening and giving us this presentation so our
people can see exactly what your vision is.

You know, if I can draw a comparison, the siting
of this medical school is like the field of dreams. If you
build it, they will come. Well, in order for us to
repurpose that Roche site, we need this medical school.
Because this medical school will then draw all the other
smaller pharma companies and some larger companies that may
want to site on this Roche property.

Mayor Petracco and I were appointed by this board
of commissioners as the representatives to the Joint
Repurposing Committee. And we've been meeting with Roche,
with Hackensack, with Seton Hall, with the realtor for the
last two-and-a-half years to try and get to where we are.

The Perkins Eastman study, all right, while it was
a vision or several visions in the form of three schemes
identified what the possibilities could be. I have to let
you know, though, during the course of that entire exercise,
the mayor's thrust was always not only the financial impact on the community, but also the physical impact on the community and how we integrate this medical school into the entire township. Now, Nutley never was and hopefully some day will be a college town. As you all know, this medical school will front Nichols Park.

There has been discussion about integrating the front of that medical building with the park and possibly the creation of walkways and bike paths right down to Franklin Avenue, which will be a true integration. And we can get the benefit of not only the medical professionals and the students, but we can add another component to our community.

The educational opportunities not only for our students, but for the students in the surrounding communities is tremendous. All right? The reputations of these two institutions is impeccable. And the fact that they want to come to Nutley when there is so many other places they can be is really a testament to the vision and the foresight that they have. And I'd just like to thank everyone here tonight for having that vision and for coming here in Nutley.

(Applause)

MAYOR PETRACCO: Commissioner Evans?

COMMISSIONER EVANS: Bingo. So a couple things.
First off, I want to, for myself, be clear categorically that the best option for us moving forward is to have that medical school there. There isn't a choice, in my mind.

The options that exist for waiting to identify a potential buyer -- and as you heard, a building that's for a single tenant, a half a million square feet in the center of the campus has very little demand and very little interest. Hoffmann-La Roche has demonstrated, just as many corporations have, is that they don't want to carry that infrastructure. So they'll demolish that building.

That further hurts the township. That hurts us as taxpayers, which all of the commissioners are absolutely aligned on is that we need to come to a solution that fully represents the maximum value that we can get from a tax standpoint but also add other things to it. It adds to our quality of life. Adds to the importance of being a Nutleyite. Creates job opportunities for us.

And so, when you look at this, it starts to bring all of those in to play. Recognizing that the announcement for Roche was a dramatic one, because it immediately idled 120 plus acres of property. And Roche could easily have gone to a tax court and simply said it's idle. We're shutting it down. We want to walk away from this property. Thank you very much, and we're out of here.

And that's happened in other towns. That didn't
happen here. Roche has been consistently committed to cleaning up the property, identifying the highest and best use, buyer for the property. And we've been fortunate in that recognizing that whatever we're talking about, while it's not 25 years, it's not a week.

We're still talking about a number of years before the conversion of this property is completed. So when you take it from Roche to its as converted basis, we need to be able to manage ourselves through that. And we've been successful in that, with the help of the state, we've been able to adjust the value of that property.

But we've been able to supplement that with aid, which this year is about $5.5 million, which is so important. Because what it has enabled the JRC to do, enabled the commissioners to do is to take a little bit of a longer term view to say this is the right decision versus what's the fastest, quickest way I can convert that to something else.

Because we know that, while that would be a short-term solution, that would not be a long-term recommended action. So with the putting of all the pieces together, with everyone working hard -- and I go back two-and-a-half to three years with you guys on this and the things that we have been doing is it's always been with that single focus, how do we continue to build the brand of Nutley, the meaning
to be a Nutleyite, maximize the potential revenue with the absolute clarity that Roche will not be here in the future. Right? It's gone. And so, our job is to maximize that value opportunity on the things that we are all stating.

So we're working down that path. The question was asked earlier is it taxable. Yes, it is. Right now, it is. And we know as well -- and just full disclosure. It's not subject to full taxation. So there is a portion of tax that will be paid, but not full taxation. And those are negotiations that the commissioners are in the middle of and I'm in the middle of to make sure that we maximize the value of what that tax is. But please, just understand that this is the key to unlocking the development of the entire site and maximizing that value.

MAYOR PETRACCO: Thank you, Commissioner.

(Applause)

MAYOR PETRACCO: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Thank you, Mayor.

I first want to thank our residents for coming out tonight and showing their interest. You know, this is a big project that we've been waiting for a long time. You know, you had very insightful questions.

I'd like to thank Hackensack and Seton Hall for coming out and giving a great presentation. We look forward to partnering with you. We look forward to the economic
engine that this is going to create and the academics that we hope we can tap into. And I'm very excited that this is the first step in what's going to be a challenging process, as Commissioner Evans said.

There's more steps to come, but this is step one. And we are very excited. I'm very excited about moving forward on this. Thank you.

MAYOR PETRACCO: Thank you, Commissioner.

(Applause)

MAYOR PETRACCO: Commissioner Rogers?

COMMISSIONER ROGERS: You know, when Roche told us they were leaving, we took a negative. And obviously, the negative was that they were leaving. And we turned it into a positive. We turned it into an opportunity, an opportunity to revitalize this community, an opportunity that would bring to us the job growth that's needed, an opportunity that would help develop some of the best schools in the state of New Jersey.

And, yes, we've been talking with school board members. You've got a real dedicated school board in this community. And they've been collaborating with us, because there are a lot of questions about student population and taxes, et cetera.

But one thing I know that we've all been thinking about was the future and thinking about, not only those of
us who live here today, but what about our children. What about our grandchildren? Nutley is a family town. Not too many people leave this community. They grow up, and they stay here.

That's a good thing for a community. It's been a great, great thing for Nutley. And you have the Nutley historian here tonight. You have people who have been here for many years with knowledge and commitment and dedication to this town. And we want to keep that.

Not too many communities have the volunteers that step up to the plate when someone is in need. You have one citizen of this town who's in need, and hundreds rally behind them. You don't get that everywhere.

So that's the type of character that we want to keep and maintain. And we want to pass that on. We really want to pass that on to our children and grandchildren.

That's what's exciting about this venture that we're moving forward on. It's a journey. It's a tough journey. A lot of people had a lot of anxiety over this. But I could tell you this board of commissioners -- I'm the new guy on the block here. I've never seen a group of dedicated men and women as I have here working night and day.

And what a great group of citizens we have in town. You're here tonight.
We wondered, didn't we? We wondered. Well, you're here tonight. So I thank you. And we're in good hands. So have patience, and just think about the kids. We're going to be doing it for them as well as for us. Thank you.

(Applause)

MAYOR PETRACCO: Thank you, Commissioner Rogers.

And just in closing, first, I would like to recognize and thank Assemblyperson Ralph Caputo. He's been taking the lead at Roche, and he's always there for us. He's our representative in Nutley.

Ralph, thank you so much for always being there for us.

(Applause)

MAYOR PETRACCO: I'd just like to just touch on a two-second thing real quick that Commissioner Rogers started to touch on. I would really like to say that being the mayor here in Nutley and working with the board of commissioners has really been a privilege. Some people say that we might have egos at times.

But I have to tell you when this Roche property came up, we really were a great team. And I just want to thank all of you for being that way to take the Nutley residents first, and really, it was a team effort from all of us. Everybody had their parts.
I'd just like to thank Commissioner Tucci. Him and I did go to Roche with the Joint Repurposing Committee. And I have to tell you, Mauro, it was a pleasure working with you. I would want no one other than you by my side for that.

Because Mauro has governmental experience that I didn't necessarily have at the time.

And I just want to thank you for taking the lead. Commissioner Evans did so much with the state aid. Tom, I want to thank you for that.

All the commissioners had their roles in this, and it's really been a team effort. And I really think that we are going to be part of history in Nutley. And hopefully, 50, 100 years from now, we could be known as the board and the residents that made the right choices for this town and that our grandchildren could prosper from it.

Now, the last statement I have is for Hackensack and Seton Hall. One thing I could tell you is Nutley people don't forget anything. Believe me, they hold my feet to the fire all the time.

We are asking, as Commissioner Rogers said, when these jobs come up, we do -- we'd really appreciate if Nutley residents would get a crack at it. So I would like to thank everyone for coming. We're going to take a small break. So if everybody doesn't want to stay for the rest of
our meeting, you could feel free to leave at this time.

Thank you for coming.

(Applause)

(Recess)

MAYOR PETRACCO: Okay. Madam Clerk, where were we?

MADAM CLERK: Minutes.

MAYOR PETRACCO: Okay. I see minutes.

MADAM CLERK: Ready? We have board of commissioner meeting minutes for September 1st, 2015 and September 15, 2015 and September 23rd, 2015.

MAYOR PETRACCO: We need a motion.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Okay. We'll move on to communications and correspondence.
MADAM CLERK: We have several this evening, Mayor. The first one is the township -- Nutley Board of Commissioners has submitted an event application to host its First Annual Franklin Fall Festival on Friday, October 23rd, 2015.

I need a motion.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: I'm voting aye on all of them, except, at the advice of counsel, I have to abstain on number three.

MADAM CLERK: We're only on number one, Commissioner.

MAYOR PETRACCO: We're on number one.

COMMISSIONER ROGERS: Pardon me? Oh, you're voting on one. Okay. I'm sorry.

Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.

MADAM CLERK: There are two places that have submitted petitions to extend the licensed premises for the First Annual Franklin Fall Festival. One is Bella Luce's, and the other one is Jim Dandy's.

I need a motion.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: There are two other establishments that have submitted applications for catering permits to participate in the Nutley's First Annual Franklin Fall Festival on Friday, October 23rd. One is Luna Wood Fire Tavern, and the other is Conca Brothers.

I need a motion.

COMMISSIONER ROGERS: Move it.
MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Madam Clerk, I have to change a vote on something. I got a little confused (indiscernible).

MADAM CLERK: Okay.

MR. GENITEMPO: Commissioner, let me just clarify. Number three you and I had discussed you were going to abstain on that one.

COMMISSIONER ROGERS: Yes.

MR. GENITEMPO: On my advice. So just correct the record.

COMMISSIONER ROGERS: Okay.

MR. GENITEMPO: Madam Clerk, just as to number three, --

MADAM CLERK: Jim Dandy's?

MR. GENITEMPO: -- the commissioner revote on that one, please.

MADAM CLERK: Sure. Should we do the whole thing over?

MR. GENITEMPO: No, just take his vote over.

MADAM CLERK: Okay.

Commissioner Rogers?

COMMISSIONER ROGERS: Abstain.

MADAM CLERK: Great. Thank you.
MAYOR PETRACCO: Okay. Now we're voting on number four, which is --

MADAM CLERK: Number four and number five for Luna Wood Fire Tavern and Conca Brothers.

MAYOR PETRACCO: Right.

MADAM CLERK: Right? I need a motion, please.

COMMISSIONER SCARPELLI: Move it.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: Nutley Thriving Survivors has submitted an event application to host their annual walk beginning and ending in the front of John Walker Middle School on Friday, October 16th, 2015 between the hours of 6:00 p.m. and 9:00 p.m.

COMMISSIONER SCARPELLI: Move it.

MAYOR PETRACCO: Second.
MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: (No audible response).

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: The Kingsland Manor with the historic restoration of Nutley has submitted an application for a social affair permit to host a wine tasting event at the Kingsland Manor on 3 Kingsland Street on Saturday, November 14th between the hours of 7:00 p.m. and 10:00 p.m. I need a motion.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPHELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
MADAM CLERK: And the chamber of commerce has submitted an event application to host Santa's arrival at the Nutley Park oval on Friday, November 27th, 2015 between the hours of 2:00 p.m. and 3:00 p.m. with a rain date of Saturday, November 28th, 2015 between the hours of 11:00 a.m. and 12:00 p.m.
COMMISSIONER TUCCI: Move it.
COMMISSIONER EVANS: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPHELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.
MADAM CLERK: And that's it for communications.
MAYOR PETRACCO: Okay. I believe we have some public hearings. But before I move on to Commissioner Evans, I just want to say that we always forget the people
that you really love in your life. And I want to thank our
counsel tonight, Alan Genitempo.

You did -- and I apologize for not recognizing you
before. You did an unbelievable job with that presentation.
You've done fantastic work with this Roche property. And
please, accept my apology for not recognizing you before.
But from the bottom of my heart and I'm sure all the
commissioners, Alan, you've done a fantastic job from start
to finish. You're really what the definition of a Nutleyite
is. We really appreciate your work and your concern for
your town.

MR. GENITEMPO: Thank you, Mayor. No apology is
necessary. Thank you.

(Applause)

MAYOR PETRACCO: I'd like to do the bill list
first.

Yes, Madam Clerk, I was just getting to that.

MADAM CLERK: Thank you. Public Affairs,
$81,410.08; Revenue and Finance, $2,562,429.86; Public
Safety, $130,012.06; Public Works, $143,485.22; Parks and
Public Property, $752,661.51. Total payroll, $773,943.16,
for a grand total of $4,443,941.89.

I need a motion.

COMMISSIONER EVANS: Move the bills.

COMMISSIONER TUCCI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.

Thank you.
Okay. Commissioner Evans?
COMMISSIONER EVANS: Thank you, Mayor.

We have several public hearings tonight regarding ordinances. The first ordinance is ordinance 3319, which amends chapter 20 of our property maintenance code as it relates to the maintenance of vacant and abandoned properties in the township.

MAYOR PETRACCO: Is there anyone here this evening that would like to comment on this ordinance?
MS. LANDRY: Penny Landry, 135 Lakeside Drive.
Question -- the fee that will be levied, according to this ordinance, is levied towards who?
COMMISSIONER EVANS: It would be the owner of the property. The property is in charge. So the owner
themselves who may be vacating the property or the bank that
takes over the responsibility for the property.

MS. LANDRY: And what is the cost to the township
to maintain an abandoned property on an annual basis?

COMMISSIONER EVANS: Well, we don't actually have
the responsibility to maintain them. They're still owned by
-- they're owned privately. So it's the bank's
responsibility. We have the responsibility to enforce our
ordinances.

From time to time, we will have the -- go on
property, once we get permission to do that, to cut the
grass and do basic maintenance like that. And that's
generally -- when we do that, it's several thousand dollars
a year.

The fee attached to that, though, actually becomes
a lien on the property. The property does not -- if the
owner does not pay that fee, the property is then subject to
tax sale.

MS. LANDRY: So if property is abandoned, the
grass overgrows. It becomes an eyesore. Okay? You're
saying you have to contact the owner to go and -- okay. But
I thought that this ordinance was to make it easier to
identify who the owners were.

COMMISSIONER EVANS: That's correct. So the --

MS. LANDRY: And I do recall a bill a couple of
months ago for way in excess of a couple of thousand dollars for taking care of these abandoned properties.

COMMISSIONER EVANS: Yeah.

MS. LANDRY: And to that note, how many properties right now are abandoned in Nutley?

COMMISSIONER EVANS: I don't have the exact number. I would say it's somewhere between 10 and 20 would be fair. But I do not have an exact number with me tonight.

MS. LANDRY: Okay. Because I had read 25 recently.

COMMISSIONER EVANS: It changes.

MS. LANDRY: So we don't actually have -- say, if a property's been abandoned for a year, we're going in. We're doing the cutting of the lawn, making sure that it's safe for the neighborhood. We don't actually have a dollar figure for that?

COMMISSIONER EVANS: I mean, it's several thousand dollars. It's not -- it's not a tremendously large number, because we're talking about cutting grass.

MS. LANDRY: Okay.

COMMISSIONER EVANS: So it's -- so if we do it, it's a couple a hundred dollars a property.

MS. LANDRY: Well, that's very -- that can get expensive.

COMMISSIONER EVANS: It can. It can. It can.
But the idea of the ordinance is to actually make it easier for the code office to identify the responsible party.

MS. LANDRY: And that would not be in the tax records?

COMMISSIONER EVANS: Well, when that person exits -- sometimes when they exit, they don't tell us they're leaving. It's required --

MS. LANDRY: So the -- and we don't know who the bank that has the mortgage on that property would be?

COMMISSIONER EVANS: You know, it's interesting, because you would think that that's like a real simple thing. And it's surprising how difficult that becomes to actually get to the person in a bank structure who's responsible.

MS. LANDRY: Okay.

COMMISSIONER EVANS: So it takes a lot of effort. The idea of this is to, one, have the ordinance on the books so that we might -- for example, a bank or a mortgage company, when they search, they'll find this ordinance and that responsibility. So we're going to help them find us. That's one.

Two, where we have those instances where we know properties are a problem, we have the ability to identify that owner. And also, understand, for some of them, the bank takes over that property. So who's taking over the
responsibility? It's to help us make sure that -- and here's another -- there's another aspect of this.

If we do not go through the proper investigation to identify the responsible party and give them the first opportunity to fix the problem, if we then go on that property, we're not able to attach a lien. It becomes a taxpayer cost. So we don't want that to happen.

And most importantly around it, it remains private property. So the township doesn't have the automatic right to go onto somebody's private property and do that without doing the proper (indiscernible).

MS. LANDRY: Well, I would just request to the board of commissioners, before passing that, that you revisit it and take a look at increasing the fee to what is the average cost of maintaining a lawn on a property for one year, which I think is more than $250. I could be wrong. But I just -- that is my, as a citizen, my right to make the request that the fee be revisited based upon actual cost to maintain an abandoned property, which the town takes on, correct, once it's identified who this person is.

Which you said that this will allow us to identify the person and just to move it maybe from $250 to 500. Thank you.

COMMISSIONER EVANS: To be clear, to be clear, the fee is a two-step fee. The first year, it's 250. The
second year, it's 500. And just to also be very clear, if a 
property is abandoned by the owner and the bank or whoever 
is responsible for that maintains that property, there are 
no services that are required by the township of that 
property. It does not automatically become the town's 
responsibility.

MS. LANDRY: It is, however, a great thing that 
the town does so that neighborhoods are not unsightly. So I 
want just to be perfectly clear, my recommendation in the 2-
step process is to have the first year fee be 500 and the 
second year be 1,000.

MAYOR PETRACCO: We actually -- Penny, just to cut 
this short a little bit, we actually talked about that 
already in the back room. And Commissioner Evans already 
agreed to take a look at that as time progresses on this. 
So we could always amend the lease.

MR. GENITEMPO: Commissioner, just so I'm 
sure, we eventually recoup those fees?

COMMISSIONER EVANS: Yes, because at the tax sale.

MR. GENITEMPO: So we recoup all the fees?

MS. LANDRY: Right. So it would be great to 
recoup more for the township rather than less. So that's 
why I am requesting the increase in the fee.

MAYOR PETRACCO: I understand.

MS. LANDRY: Thank you.
MAYOR PETRACCO: We had that conversation.

COMMISSIONER TUCCI: Mayor, if I might?

Ms. Landry, this is a registration fee. We do not remove ourselves from placing a lien on the property for actual expenses incurred. All right? So this is just a first step.

And I asked many of the same questions that you're raising out here while we were in the back. And this also strengthens the hand of our legal department. So the 250 and the 500 are only registration fees. So it's not that they're just paying those amounts and then walking away from any other expenses. They're still responsible for those other expenses. And Commissioner Evans' office will, in fact, attach those charges --

COMMISSIONER EVANS: That's good.

COMMISSIONER TUCCI: -- to that property.

MS. LANDRY: Right. And it also -- what do you anticipate -- how many people do you anticipate actually registering?

COMMISSIONER EVANS: I anticipate -- my anticipation would be few, because I don't want to see --

MS. LANDRY: Few?

COMMISSIONER EVANS: -- abandoned properties. So we haven't had a major issue with it. I think we've had a handful. But it's important, to your point, which is the
reason why we're doing this, is we don't want the residents around that piece of property to live with it.

MS. LANDRY: Yes, thank you.

COMMISSIONER EVANS: We want to figure out a way --

MS. LANDRY: And that is appreciated.

COMMISSIONER EVANS: -- to be able to respond faster. And many times, people complained to us that we're not fast enough. But part of it's because we have to secure that legal right to do it.

MS. LANDRY: Thank you.

COMMISSIONER EVANS: And this will help that.

MS. LANDRY: Okay. Thank you.

MAYOR PETRACCO: Thank you, Commissioners.

Is there anyone else this evening that would like to address the board on ordinance number 3319?

Seeing no one, I move to close the public hearing.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Move the ordinance.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: The next ordinance tonight is 3320, which is a modification of our code around exempt signs under Section 700. It is basically adding that where you have properties that are subject to demolition and there's significant work that's going on, that a sign be put up that provides, basically, timing around it, a start date, a finish date, the nature of the work, possibly a sketch or a photograph so that it would provide greater disclosure to the residents and the township as to when a property is being improved that there is an indication of what that
improvement is going to be.

Sometimes we find that once they get approvals to start, there's a significant delay. So this is just really doing something easy that helps communicate in the town what's going on.

MAYOR PETRACCO: Thank you.

Is there anyone this evening that would like to address the board of commissioners on ordinance number 3320? Seeing no one, --

COMMISSIONER EVANS: Move to close the public hearing.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: The next ordinance is --

MADAM CLERK: Commissioner, you know --

MAYOR PETRACCO: To move it.
COMMISSIONER EVANS: Oh, I'm sorry. Move the ordinance.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Maybe we can. Can we take the next three ordinances and talk about them together rather than -- it's basically every -- the next three ordinances are all capital.

UNIDENTIFIED SPEAKER: Discuss them all together?

COMMISSIONER EVANS: Okay. So why don't we take them one at a time?

The next ordinance is a capital budget ordinance, specifically 3321, which is to dedicate funding to continue to improve our roadways and sidewalks as part of the actions that we have been funding over the last couple of years.

MAYOR PETRACCO: Is there anyone here this evening
that would like to comment on this ordinance?

No one?

COMMISSIONER EVANS: Move to close the public hearing.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Move the ordinance.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Now, the next ordinance, 3322, relates to funding for capital budgeting and improvement for our water utility, specifically for relining of sewer lines as most significant appropriation contained in here.

MAYOR PETRACCO: Is there anyone here this evening that would like to comment on this ordinance?

Seeing no one, --

COMMISSIONER EVANS: Move to close the public hearing.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: The final ordinance is --

MADAM CLERK: Commissioner?
COMMISSIONER EVANS: Oh, I'm sorry. Move the ordinance.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: I don't want Steve to feel bad.

The last capital ordinance we have is 3323, which this is capital that relates to the overall improvements that we need to make for the township. We do this on an annual basis. It's part of our capital management plan that ensures that we continue to maintain our debt at a stable, low level and to avoid doing anything that's disruptive to the management of our debt service.

MAYOR PETRACCO: Is there anyone here this evening that would like to comment on this ordinance?

MS. LANDRY: Penny Landry, 135 Lakeside Drive.
Just to clarify, this is bond ordinance 3323?

COMMISSIONER EVANS: Yes.

MS. LANDRY: And it is for authorizing the issue of bonds in the amount of $1,346,730, correct?

COMMISSIONER EVANS: Yep.

MS. LANDRY: Item C, acquisition and purchase of a new and additional postage machine for use by revenue and finance, $20,000. My question is is there a postage machine in the tax assessor's office.

COMMISSIONER EVANS: The postage machine is $13,000.

MS. LANDRY: Okay. It's an appropriation and estimated cost?

COMMISSIONER EVANS: Right.

MS. LANDRY: Thirteen. I'm sorry. Thirteen. $13,000 postage machine. My question is is there a postage machine in the tax assessor's office.

COMMISSIONER EVANS: No.

MS. LANDRY: No? So would this machine be used by multiple offices?

COMMISSIONER EVANS: It's used by the whole township.

MS. LANDRY: By the entire township? I was just wondering, because it says for use by the department of revenue and finance.
COMMISSIONER EVANS: Yeah, some of the language is because of bond counsel.

MS. LANDRY: Okay.

COMMISSIONER EVANS: So because of the fact that postage and the machine itself is in the revenue and finance department, it's listed under revenue and finance. And that's really to deal with the structure of our government.

MS. LANDRY: Okay. That's perfectly understandable. It just seems like $13,000 for a postage machine for one department seemed a little high. So I'm glad you clarified that.

The next one is for $90,000 for a garbage truck. Is this garbage truck replacing an outdated garbage truck?

COMMISSIONER EVANS: I would let Commissioner Scarpelli address that.

MS. LANDRY: And how will this garbage truck be used?

COMMISSIONER SCARPELLI: Well, first of all, this is probably going to be a two or three-year appropriation, because $90,000 will not buy a garbage truck.

MS. LANDRY: Yeah.

COMMISSIONER SCARPELLI: So we have vehicles that are recycling vehicles that are over 20 years old. So they're on their last leg, and we have parts that we are taking from vehicles that are no longer running to keep them
running. It's hard to get parts. So we're planning ahead before those vehicles are no longer in service.

MS. LANDRY: So we're appropriating 90,000 this year, possibly 90 next and 90 the next in order to replace a garbage truck for recycling?

COMMISSIONER SCARPELLI: Yes.

MS. LANDRY: All right. Good. Thank you.

And have we considered lease versus purchase?

We've done --

COMMISSIONER SCARPELLI: When you look at a lease purchase, you have to finance that year-to-year. And we can't bond it over how many years? Five years?

MS. LANDRY: Five. Okay. So you have looked at it? And what --

COMMISSIONER SCARPELLI: I think it's --

MS. LANDRY: It works better than purchase?

COMMISSIONER SCARPELLI: In our opinion, it's a better way to go.

MS. LANDRY: Better way to go? Okay. Thanks.

H is a $25,000 firewall server for use by the department of revenue and finance. Is that also town-wide?

COMMISSIONER EVANS: Yes.

MS. LANDRY: Okay. Thank you.

Okay. Improvement is $472,000. Improvement of municipally-owned buildings. Could you tell me what
buildings that money is being allocated towards?

COMMISSIONER EVANS: I'll let Commissioner Tucci address that.

COMMISSIONER TUCCI: I can answer that.

It's all the buildings in the township. It's this building. It's the public safety building. It's the public works building. It's the parks department building and all of the other buildings we have throughout the township.

And these are for improvements ranging from replacement of air conditioning units, heating units, windows, and anything that's necessary, plumbing, electrical, anything mechanical, basically, the parks department is the landlord for the entire township. So we need to have sufficient funds available in the event that something happens so we can respond.

MS. LANDRY: All right. I was just wondering, because the next one is for improvement of municipal-owned buildings for $50,000. And I was just wondering why they weren't all lumped together and why this one for the public works garage was separated out. The first one is for 472 for improvement of buildings. I is 50,000 for --

COMMISSIONER EVANS: Renovation of the roof.

COMMISSIONER TUCCI: It's for the roof.

COMMISSIONER EVANS: Right, it is for the roof.

It's for the renovation of the roof at the department of
public works garage. And that's been identified separately. It could have been included. Just the nature of that improvement is a long-term, and bond counsel -- at the advice of bond counsel, was separated out.

MS. LANDRY: And who is bond counsel?

COMMISSIONER EVANS: Robert Bindfield (ph).

MS. LANDRY: Say it again, please.

COMMISSIONER EVANS: Robert Bindfield.

MS. LANDRY: Robert Bindfield?

COMMISSIONER EVANS: Yes, and it's -- I'm drawing a blank on the firm, for some reason. But it's --

MAYOR PETRACCO: We could get --

COMMISSIONER EVANS: But I could give you --

MAYOR PETRACCO: Just get back to her.

MS. LANDRY: Okay. If somebody could get back with me.

MAYOR PETRACCO: We'll have Mr. Genitempo furnish that information for you.

MS. LANDRY: Okay, great.

MR. GENITEMPO: Hawkins Delafield.

MAYOR PETRACCO: There you go.

MS. LANDRY: Hawkins Delafield. Okay. Thank you. And the other one is $45,500 for improvement of municipally-owned buildings. And it's broken out. So that's the same reason as before?
COMMISSIONER EVANS: Yes, yes.

MS. LANDRY: Okay. Before you guys vote on this in the public hearing, I would just like to say that, in the future, when there is a public hearing -- I sent six emails and did not get a response from any of you -- requesting that this bond ordinance that was going before public hearing be put on the Nutley, New Jersey.org website so that citizens who might have been interested in showing up to speak for this bond ordinance might have had the opportunity to review it prior to the public hearing.

Now, I was told by Mr. Genitempo, who graciously answered me, that he would discuss with you, because it has been the tradition that ordinance are not -- ordinances are not put on the website until they have been passed. But I'm asking you -- I know it's not a legal obligation. But I'm asking you, as I stated in my email, to consider it somewhat of a moral obligation to the citizens of Nutley to provide the information prior to public hearings so that people have the opportunity to --

MAYOR PETRACCO: Madam Clerk, let me ask a question. Is our agenda on the website before the meeting starts?

MADAM CLERK: Always.

MAYOR PETRACCO: So why couldn't -- if somebody wanted to see that, Penny, why couldn't they just go --
MADAM CLERK: They can go on --

MAYOR PETRACCO: -- or what guy (ph)?

MS. LANDRY: They would have to OPRA it, as I understand.

MADAM CLERK: No, you don't. You don't have to --

MAYOR PETRACCO: No, I don't think so.

MS. LANDRY: But why couldn't it just be on the website?

MADAM CLERK: You don't have to OPRA it.

MS. LANDRY: So that --

MAYOR PETRACCO: Well, --

MS. LANDRY: Most municipal websites have. They have the agenda. And then, they have the articles, the ordinances.

MAYOR PETRACCO: All right. Listen. Why don't we will discuss that, and we'll see what the board wants to do.

Is there any other questions regarding this ordinance?

MS. LANDRY: No. I'm just asking you to consider it and that, --

MAYOR PETRACCO: Well, --

MS. LANDRY: -- you know, nobody responded to my five emails. So I thought I'd bring it up here. Except Mr. Genitempo. Thank you.
MAYOR PETRACCO: Well, you know what? Just to let you know, too, Penny. You know, Alan Genitempo is our counsel, and he is the lead. And he is actually, you know, probably not getting paid enough. But he is getting paid to perform those duties.

I know myself, a business owner, along with all these other people up here, you know, that are tremendously busy and trying to make money for our families. So you know what? We do steer that -- and I know that I do -- into Alan's hands to answer a lot of those emails.

MS. LANDRY: And I do appreciate that. And you are my elected leaders.

MAYOR PETRACCO: Right.

MS. LANDRY: So I feel like it is my right to be able to come up here and ask you to please --

MAYOR PETRACCO: It absolutely is your right. But --

MS. LANDRY: -- on the new website, if you would thoughtfully consider providing documents for the citizens of Nutley --

MAYOR PETRACCO: We're a township, township.

MS. LANDRY: -- prior to public hearings so that --

MAYOR PETRACCO: Thank you.

MS. LANDRY: -- people don't have to drive to town
hall to get them. Thank you.

MAYOR PETRACCO: Okay.

Is there anyone else this evening that would like to comment on this ordinance?

COMMISSIONER EVANS: Move to close the public hearing.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Move the ordinance.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Before we just move on, I did not mention -- and I think it's important to mention -- that when we introduced our budget back in the spring and we adopted it, the capital budget in that particular budget at that time was for $2,992,000. The capital ordinances that we approved tonight are for $2,400 and roughly 38,000, which is roughly $528,000 less than what we thought we would need for the year when we adopted the budget earlier. So that was done through a lot of negotiation, discussion with all of you to be able to reduce the capital requests for this year.

MAYOR PETRACCO: Thank you, Commissioner.

We will now move on to resolutions.

Commissioner Tucci?

COMMISSIONER TUCCI: Yes. WHEREAS, the governing body of the Township of Nutley, Department of Parks and Public Property desires to further the public interest by obtaining a grant from the state of New Jersey in the amount of approximately $3,000.00; and

WHEREAS, the grant will fund the Green Communities Grant, Community Forestry Management Plan; and
WHEREAS, the governing body of the Township of Nutley authorizes Mauro G. Tucci, director of Parks and Public Property to (a) make an application for such a grant, (b) if awarded, to execute a grant agreement with the state of New Jersey for a grant in an amount not less than $3,000, and (c) to execute any amendments thereto which do not increase the grantee's obligation; and

WHEREAS, the Board of Commissioners of the Township of Nutley authorizes and hereby agrees to match 50 percent of the total amount, in compliance with the match requirements of the agreement; and

WHEREAS, 100 percent of the match will be made up of in-kind services; and

WHEREAS, the grantee agrees to comply with all applicable federal, state and municipal laws, rules, and regulations in its performance pursuant to the agreement.

NOW, THEREFORE BE IT RESOLVED that the board of commissioners of the township of Nutley, county of Essex, state of New Jersey, enter into a grant with the state of New Jersey Department of Environmental Protection.

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: This next resolution I am introducing, but I'm introducing it on behalf of the entire board of commissioners. And this is relative to the Nutley-Belleville Columbus Day dinner that was held last week.

WHEREAS, On Sunday, October 11, 2015, the Nutley-Belleville Columbus Day & Italian Heritage Month Parade Committee celebrated its 33rd Annual Columbus Day Parade festivities commemorating Columbus' historic voyage to the New World; and

WHEREAS, the parade committee has a long history of commemorating Columbus Day each year in the Township of Nutley, which is looked forward to and enjoyed by both spectators and participants alike; and

WHEREAS, The Nutley-Belleville Columbus Day & Italian Heritage Month Parade Committee will celebrate its Annual Honoree Dinner -- or it did celebrate it on
Wednesday, September 30th, 2015 at Nanina's in the Park, Belleville, New Jersey; and

WHEREAS, this year's grand marshal is Vincent Micco; and

EREAS, Mr. Micco is joined by the lifetime achievement award recipient, Louis A. Garruto, the Italian heritage award recipient, Dr. Dominic Rubino, Belleville woman of the year, Diane Stanzione, Belleville man of the year, Eugene Romano, Nutley woman of the year, Mel Priolo, Nutley man of the year, Alan Genitempo, 2015 Renaissance man, Gerard DiPopolo, 2015 Italian business leader, Pasquale Custode along with the 2015 Bella Signorina's Kristen Vitale from Belleville and Alana Gabriele from Nutley as this year's dignitaries; and

NOW THEREFORE, BE IT RESOLVED that the board of commissioners of the township of Nutley, county of Essex, join with the citizens of Nutley to salute and congratulate all the honorees.

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: This next resolution, again, I'm introducing on behalf of the entire board. This was a bit of a surprise to us, but this is where one of our own, Mayor Petracco, has been selected as an honoree by the county of Essex.

WHEREAS, on Wednesday, October 7th, 2015, the Essex County Board of Chosen Freeholders will celebrate the accomplishments and achievements of outstanding Essex County Italian-American men and women in honor of Italian Heritage Month; and

WHEREAS, Alphonse Petracco has been selected as an honoree for 2015; and

WHEREAS, in addition to his efforts to promote Italian heritage and culture, Alphonse Petracco is a local business owner, an elected official to the Nutley Board of Commissioners since 2008, a member of countless service organizations and clubs, including the Nutley Unico, Nutley Elks and is a trustee of the library board; and

WHEREAS, Alphonse became mayor in 2008 and currently serves as director of public safety for the
township, in which capacity he oversees police, fire and
emergency rescue squad; and

WHEREAS, Alphonse and his wife, Fran, have been
married for 22 years and have 3 children, Alphonse, Vincent,
and Salvatore; and

NOW THEREFORE, BE IT RESOLVED that the board of
commissioners of the township of Nutley, in the county of
Essex, state of New Jersey, join with the citizens of Nutley
to congratulate Alphonse Petracco as he will be honored
tomorrow.

Congratulations, Mayor.

MAYOR PETRACCO: Thank you.

COMMISSIOPNER TUCCI: I proudly move the
resolution.

(Appause)

MAYOR PETRACCO: Thank you so much.

MADAM CLERK: Is there a second?

COMMISSIONER EVANS: I seconded.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Mayor, I know that you
couldn't do this without a great family. You're a good dad
and a good husband.

Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye. And I think it's important that, given the fact that you were honored this year, that you help me get honored next year.

(Laughter)

MAYOR PETRACCO: I'll leave that one alone, Tom.

(Laughter)

COMMISSIONER EVANS: Congratulations.

MAYOR PETRACCO: Thank you.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Congratulations, Mayor.

Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: I feel a little silly voting on my own resolution, but I would -- yeah, I should abstain. But I'd just like to thank the board of commissioners and everybody involved. It's a great honor.

Thank you, Commissioner, for reading that. It's an honor.

COMMISSIONER TUCCI: Congratulations. Well-deserved.

WHEREAS, the duly-authorized representatives from the Township of Nutley in good faith have negotiated a 3-year collective bargaining agreement with the Teamsters Local 97 and the municipal employees they represent
concerning wages, hours, terms, and other conditions of employment for the term January 1, 2013 through December 31st, 2015.

And by the way, I'm reading this. This is on behalf of both myself and Commissioner Scarpelli, who both have Teamster employees in our departments.

WHEREAS, the agreement has been lawfully and properly ratified by the Teamsters Local 97 and Nutley's authorized representatives and approved by the board of commissioners; and

WHEREAS, the Teamsters Local 97 seeks to extend the terms of such agreement for an additional year (to December 31st, 2016); and

WHEREAS, the Teamsters Local 97 and the board of commissioners have approved and find it in the best interests of the township that the above mentioned amendment to the agreement be executed;

NOW THEREFORE, BE IT RESOLVED, that the board of commissioners of the Township of Nutley, county of Essex, state of New Jersey hereby authorizes extension of said agreement.

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: WHEREAS, the Township of Nutley is in need of purchasing a synthetic turf cleaner for our athletic fields at Monsignor Owens and Father Glotzbach; and

WHEREAS, the township will purchase a Verti Top Tow Behind Synthetic Turf Cleaner with Vacuum from the Middlesex Regional Educational Services Commission, a state of New Jersey Approved co-op; and

WHEREAS, funds are available from capital ordinance #3242D in the amount of $13,608.75 and have been certified by the chief financial officer, and 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 as follows, the mayor and township
clerk are hereby authorized to purchase the Verti Top Tow
Behind Synthetic Turf Cleaner with Vacuum from the Middlesex
Regional Educational Services Commission, a New Jersey State
Approved co-op.

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: WHEREAS, the Township of
Nutley through the department of parks and recreation has a
need to acquire specialized and professional services for
the removal of underground tanks; and

WHEREAS, the anticipated term of this contract is
for 12 months from the date of contract award; and

WHEREAS, Viridian Environmental Consultants, P.O.
Box 3009, Upper Montclair, New Jersey has submitted a
proposal indicating they will provide such services for a
sum not to exceed $12,000; and

   WHEREAS, Viridian Environmental Consultants has
completed and submitted a business entity disclosure
certification, which certifies that said corporation has not
made any reportable contributions to a political or
candidate committee in the township of Nutley in the
previous one year, and that the contract will
prohibit Viridian Environmental Consultants from making any
reportable contributions through the term of the
contract; and

   WHEREAS, funds are available from account 3214D in
the amount of $12,000 and have been certified by the chief
financial officer, said certification being attached to this
resolution;

   NOW, THEREFORE BE IT RESOLVED that the board of
commissioners of the Township of Nutley, county of Essex,
state of New Jersey, enter into a contract with Viridian
Environmental Consultants as described herein; and

   BE IT FURTHER RESOLVED that the business
disclosure entity certification and the determination of
value be placed on file with this resolution; and

   BE IT FURTHER RESOLVED that a notice of this
action shall be printed once in the Nutley Sun, in
accordance with Local Public Contracts Law.
I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: 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.

Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor.

WHEREAS, the Nutley Zoning Board of Adjustment received $3,000 from Evelyn Kalooky for the properties at 4 Parallel Street and 171 Bloomfield Avenue for escrow fees for a major subdivision; and

WHEREAS, the funds are available from escrow account No. T-15-911-961; and

WHEREAS, the Nutley Zoning Board of Adjustment has reviewed and determined that the escrow fee is due back to Mrs. Evelyn Kalooky;
NOW, THEREFORE BE IT RESOLVED by the board of commissioners of the Township of Nutley, state of New Jersey, that the above amount be refunded to Mrs. Evelyn Kalooky, as stated herein.

And so moved.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: The next two resolutions, 288-15 and 293-15, I will combine, with the permission of counsel.

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 water charges in the amount of $7,249.62 and overpayment of tax charges for $228.13 for the accounts listed herein.
So move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: WHEREAS, the Nutley Zoning Board of Adjustment received $250 from Eduardo Colon, of Body Delights, located at 206 Franklin Avenue for an application fee for a sign variance; and Funds are available in account C-01-904-903; and The zoning board of adjustment has reviewed and made a determination that the application fee of $250 is due to Mr. Eduardo Colon;

NOW, THEREFORE BE IT RESOLVED by the board of commissioners of the Township of Nutley, county of Essex, state of New Jersey that the above amount be refunded to Mr. Eduardo Colon, as stated herein.

And so move.
COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Thank you, Mayor.

MAYOR PETRACCO: Yes.

COMMISSIONER SCARPELLI: WHEREAS, Nutley is a member of the Morris County Cooperative Pricing Council; and WHEREAS, the Morris County Co-Op awarded a bid for road resurfacing (Contract #6-CAT. E - Infrared Pavement Restoration) to D&L Paving Contractors, 601 Franklin Avenue, Nutley, New Jersey, for the period of January 1st, 2015 to December 31st, 2015; and WHEREAS, Nutley wishes to perform infrared pavement restoration on various roadways in Nutley, New Jersey; and WHEREAS, contracts that exceed the bid threshold are required to be awarded by resolution; and
WHEREAS, funds are available from Account No. 5-01-806-277 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 be awarded to D&L Paving Contractors, not to exceed $5,000 and that the mayor and township clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.
WHEREAS, bids were received for New Jersey Department of Transportation project known as Safe Routes to School, which were opened and read on Wednesday, August 12th, 2015 at 3:00 p.m. prevailing time; and

WHEREAS, all bids received exceed the engineer's estimate and project budget;

NOW, THEREFORE BE IT RESOLVED by the board of commissioners, of the Township of Nutley, county of Essex, state of New Jersey, that all bids received are rejected.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: WHEREAS, Hoffman-La Roche, 340 Kingsland Street, Nutley, New Jersey, has
submitted to the Township of Nutley a New Jersey Department of Environmental Protection application for treatment works approval for certification and consent by the Township of Nutley; and

EREAS, NJDEP requires that a treatment works approval be obtained in order to pretreat and discharge construction dewatering and storm water fluids from the Roche site in support of ongoing remediation activities in accordance with sewer use permit no. 24630003; and

WHEREAS, the treatment works approval application has been reviewed by Dominic Ferry, licensed sewer operator for the Township of Nutley and found to be acceptable for signature;

NOW, THEREFORE, BE IT RESOLVED by the board of commissioners of the Township of Nutley, county of Essex, state of New Jersey, that Dominic Ferry, licensed sewer operator, is hereby authorized to sign the applicable certification and consent sections of the NJDEP treatment works application on behalf of the Township of Nutley.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: 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, Commissioner.

Commissioner Rogers?
COMMISSIONER ROGERS: I have none, Mayor. Thank you.

MAYOR PETRACCO: Very nice of you to come this evening. Thank you.

MR. GENITEMPO: Mayor, if I may? If you want to combine 282-15 and 283-15, that would be okay. Just referencing the amounts and the two different years, I think.

MAYOR PETRACCO: 282 and --

MR. GENITEMPO: 282 and 283 are basically the same.

MAYOR PETRACCO: Yes, I was going to get to that.
MR. GENITEMPO: Different years.
MAYOR PETRACCO: Okay. So would you like me to read one?
MR. GENITEMPO: Well, just read 282-15. And then, we'll just indicate that 283-15 is for different amounts but for 2015.

MAYOR PETRACCO: Okay.

WHEREAS, the Township of Nutley Police Department wishes to apply for funding of approximately $60,000 with a match of $147,981.40 for an approximate project total cost of $207,981.04 for a project under the 2014 State of New Jersey Safe and Secure Communities Program Grant; and

WHEREAS, 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 below;

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 applicants.
3. The division of criminal justice shall be responsible for the receipt and review of the applications or said funds.

4. The division of criminal justice shall initiate allocations to each applicant as authorized.

That, I believe, is for 2014? And the amounts for 2015, if I could get there.

Counsel, if you could help me through this.

MR. GENITEMPO: The original request -- 60,000 with a match of 152,140.66 with approximate project total costs of $212,140.66 for 2015. And you can vote jointly on both of those.

MAYOR PETRACCO: Okay. I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye. And we're voting for both, right?

MR. GENITEMPO: Both, yes.

COMMISSIONER EVANS: And it's aye for both.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye for both.

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. Rather than read this whole resolution, just for time's sake, this is for our property room, which, I guess, I'll read the end of it, to allow our agencies to put an auction together to get rid of all the unused things that we've had collected over years in our property room.

So with that being said, I'll move this resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

WHEREAS, the following plenary retail distribution liquor license has not received a tax clearance certificate
as required by the division of alcoholic beverage prior to
the governing body acting on the renewal; and

WHEREAS, in order for the licensee to continue
operating after 12:00 a.m. September 18th, 2015, a temporary
permit from the division of alcoholic beverage control must
be obtained; and

WHEREAS, the establishment has submitted their
renewal application along with the appropriate fees to the
office of the municipal clerk: and

WHEREAS, the licensee must complete an ad interim
permit application, which must be signed by the municipal
clerk on behalf of the governing body indicating that the
municipality does not object to the issuance of the ad
interim permit.

NOW, THEREFORE BE IT RESOLVED, by the board of
commissioners of the Township of Nutley, in the county
of Essex, state of New Jersey, that the municipal clerk is
hereby authorized to sign the ad interim permit application
for the following plenary retail distribution liquor
license.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers? Excuse me.

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI:        Aye.

MADAM CLERK:      Commissioner Evans?

COMMISSIONER EVANS:    Aye.

MADAM CLERK:      Commissioner Scarpelli?

COMMISSIONER SCARPELLI:    Aye.

MADAM CLERK:      Mayor Petracco?

MAYOR PETRACCO:     Aye. This resolution is Put the Brakes on Fatalities Day, October 10th, 2015. October 10th, 2015, has been declared Put the Brakes on Fatalities Day by the mayor and board of commissioners of the Township Of Nutley;

Across the nation, traffic crashes caused approximately 32,675 fatalities in 2014 and are the leading cause of death for young people ages 15 to 34; and, in New Jersey, 556 individuals lost their lives in traffic crashes in 2014; and

Alcohol-related crashes accounted for 27 percent of the state's traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and,

Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

60 motorcyclists, 11 bicyclists and 170 pedestrians were killed in New Jersey in traffic-related crashes in 2014; and
Safer driving behaviors such as buckling up every ride, obeying posted speed limits, stopping for pedestrians in crosswalks and using crosswalks when walking, avoiding aggressive driving behaviors, never driving impaired, wearing proper safety gear while riding a motorcycle or Bicycle, and focusing solely on driving by avoiding distractions can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE BE IT RESOLVED that I, the Township of Nutley Mayor Alphonse Petracco, do hereby proclaim October 10, 2015 Put the Brakes on Fatalities Day and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the state.

And I might add to this, too -- and I don't see it in here. I'm a little surprised that texting is an unbelievable -- and cell phone use is an unbelievable cause of these accidents. Just real quick, I remember seeing a commercial of a mom getting a text message. And she says in the commercial it was the last text message I got from my son before he drove off a cliff and killed himself. Well, please encourage yourself to be disciplined and your youngsters at home to please not text or use your phone and drive.

I move the resolution.
BE IT RESOLVED by the board of commissioners of the Township of Nutley, county of Essex, state of New Jersey that Louis Minichini, an employee in the department of public safety, be granted a medical leave of absence without pay effective September 15th, 2015 through October 31st 2015.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.
COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

That concludes our business portion of the meeting.

Is there anyone here this evening that would like to address the board of commissioners?

Seeing no one -- would you like to address the board, sir?

(Pause)

MR. RUBENS: Alex Rubens, 354 Hillside Ave. That was a very informative and enlightening presentation about the medical school coming to town. And the point that Commissioner Rogers made about the town having a history, like the historian pointed out, from the collage that we have a long history here and all this development that's been going around in town where homes that people raised families in -- you know, kids and dogs.

And, you know, it's like having a yard. And the zoning board allows them to have a developer come in, buy up the property, tear down that home, and put up a five -- multi-unit monstrosity that adds to the traffic, congests the schools. And, you know, it's like it deteriorates the character and the community and the charm that the town has.

It's becoming institutionalized, you know, to the
point of starting to look like Jersey City. Not that there's anything wrong with Jersey City. But, you know, that's not what Nutley wants and shouldn't be allowed to fall down.

You know, it's like from its high mark. Just a comment, you know, that I had, you know, an observation, you know, of all the things that have been changing around here.

MAYOR PETRACCO: Well, I'd just like to address your comment. And if any of the board of commissioners would like to jump in.

You know, it's really a more complex story than just, you know, saying that, you know, -- none of us would -- we would all prefer the character of Nutley -- and I'm from Nutley my whole life as well -- to stay the same. But unfortunately, you know, you do have to make progress in life. And things are changing everywhere, just not in Nutley.

And some of the projects that have been done in Nutley -- some of these 5 units that went up, some of the 20 units that went up and some more -- we can't have it both ways. We can't complaint about our taxes and say oh, my god, I'm getting taxed out of here and all that stuff and then say well, we don't want development, either. So what we try to do on this board is we try to strike a balance.

And we say look, you know, how can we balance
everything that's going on. Because we don't want it to become barren or desolated in Nutley where no one could afford to live here. So when we make these decisions with the board of commissioners, I know that we always try to strike a balance, which would work best.

Now, if Commissioner Evans would like to jump in.

But with some of the deficit that we had from Roche, you know, leaving and some of the buildings they knocked down, I have to say thank god for some of the building that went on in Nutley. Because if we had not had that come online when we lost some revenue, it could have been devastating to our homeowners.

So, Commissioner, would you like to add to that?

COMMISSIONER EVANS: No, Mayor, I think you said it well. I think it's important to understand that we need to strike a balance. And when you think about the areas -- so like, in the middle of a residential area knocking down a small house to build a very large house that doesn't fit into the neighborhood -- I agree with you we've got to be careful about that type of development. But we --

MR. RUBENS: Case in point. There's that property on Franklin Avenue. I'm not sure what the exact address is. It's between Dr. Testa's (ph) and Mr. Garruto's (ph) offices there. And I believe it's 130-year-old building and 130-year-old home. And the zoning board approved, you know, its
demolition to put up another multi-use --

COMMISSIONER EVANS: Yes. And those things will happen. But that's on Franklin Avenue, right? Which is, you know, a continuation of where our business district is and the opportunity to have those services. We've had major renovation and improvement happen on East Centre Street, where we had abandoned structures that were neglected. And it actually wasn't driving any tax revenue. But they were just there.

But now, if you drive down there, you'll see a significant amount of improvement. So we've tried to be smart about it but also recognize that those rateables are positively contributing to the stabilizing, to a degree, the negative effects of what's happened with Roche over a few years.

If you remember prior to the announcement of the Roche closing, the South side of Kingsland -- they demolished the buildings that were there. There was quite a significant impact for us. But without the improvement, we can't tax.

MR. RUBENS: So talk about the South side of Kingsland. They're continuing over there with whatever EPA cleanup and demolition that's been going on.

COMMISSIONER EVANS: That's right.

MR. RUBENS: At 2:00 in the morning.
COMMISSIONER EVANS: You know, just your point of
-- we just heard about some of the overnight activities.
We've been hearing about it. And I understand that's being
looked at to check why that is necessary and if they did.
Because we do -- I do have noise ordinances that should
prevent them from disrupting residents that are in that
area.

MR. RUBENS: And they start as early as, you know,
first light during the summer. At 6:00 in the morning they
were out there. You know, in the middle of the night one
night, you know. And it's not just the train that comes
through.

MAYOR PETRACCO: I mean, we can enforce that, and
I think Commissioner Evans has said that -- this is the
first I'm hearing of it. So I'm sure that we will look into
that first thing in the morning.

MR. RUBENS: I mean, I'm not right on the property
like some of my neighbors on the 300 block of Hillside are.
And I'm surprised nobody else has, you know, voiced concerns
about that.

MAYOR PETRACCO: We are very sensitive to the
quality of life issues here in Nutley. So we will look into
that. I know I will, too.

MR. GENITEMPO: Mayor, we did get some
calls on that, and we did coordinate with Roche. And, you
know, we are trying (off-mic).

MR. RUBENS: Yeah, and you have those other construction projects on Kingsland Ave. You know, talking about Franklin and Kingsland and Passaic and Kingsland that hear construction continuously. You know, it's like during all the hours of the day.

MAYOR PETRACCO: Well, we'll look into that and see what hours of the days that they're building and if it needs to be (indiscernible). You know, we'll follow our (indiscernible), and I'll have the police department check -- make checks there.

MR. RUBENS: Okay. And now you have all these buildings that, you know, haven't even been built up. How many of them are sitting empty or, you know, not fully populated?

MAYOR PETRACCO: Of what buildings?

MR. RUBENS: Oh, any of these, you know, multi-use buildings that are (indiscernible).

MAYOR PETRACCO: I think they're all occupied.

COMMISSIONER EVANS: The ones at -- the new ones that are up they're full, and there's a waiting list to get in them.

MR. RUBENS: The ones that are like, you know, some retail and apartments above?

COMMISSIONER EVANS: The ones that are retail and
apartments above -- they're the newer ones. They're not --
you know, because then, it's like
with all these -- and you mentioned, you know, about the
medical school bringing people with families and kids. And
the schools are already -- you know, it's like the
presentation that the Roche people made, you know, earlier.
They used some statistic, about like .62 kids per so many
units out there. The schools cannot take on .62 kids, you
know, at this point.

Let alone -- you know, it's like they're bursting
at the seams. And like she said, we've got kids in
trailers. You know, it's like that's another concern. I'm
surprised the board of ed. hasn't, you know, pushed, you
know, like you guys more aggressively on this. Because that
is a big problem there. Kids are on top of each other.

MAYOR PETRACCO: We're well-aware of that problem
about the over-crowding in the grammar schools especially.
And we've been working hand-in-hand with the board of
education, which has been a joint effort between the board
of commissioners and the board of ed. to resolve some of
that.

But just to clarify that, too -- and please,
anyone that would like to jump in. I've actually learned a
lot about the school footprint. Because when I graduated --
although I'm much younger than anybody on the board. I
graduated in 1983. And our class size was over 500. And
the class sizes have really diminished.

What's eating up the space in Nutley is not
necessarily the population, but it's all the special ed.
programs and all the other things that they're doing to
shrink our existing footprint. So again, the board of
commissioners and the board of ed. are working on some kind
of plan to address that problem.

So it's not that -- you know, when we were kids
here in Nutley, our class sizes were much, much bigger. And
we didn't have these issues. It's all the mandates that are
pressed on the school board from the state. And, of course,
the state just hands us the list of problems, but they don't
fund the issues to resolve them. So we're working as a
joint -- on a joint effort to resolve some of that.

MR. RUBENS: Congratulations on your award there.

MAYOR PETRACCO: Thank you so much.

MR. RUBENS: And Saturday is another game day.

You know? So your traffic resolution would hopefully -- you
know, have a positive effect, you know, on Franklin Avenue.

MAYOR PETRACCO: Right.

MR. RUBENS: You know, so come to the game and
watch the band. The show is really excellent this year.

MAYOR PETRACCO: You know what? And I knew I
recognized you, too. I noticed that the band actually was
practicing on the field the other night with headlights from
a car.

MR. RUBENS: Yes.

MAYOR PETRACCO: I'm going to ask Ms. Carella
-- Mrs. Carella -- excuse me -- tomorrow to see if the fire
department could have some light towers given -- I've been
trying to get to you guys, but I just haven't had time. So
when you guys are out there late, it would be, you know, our
pleasure to contribute, you know, any light towers if we
need any extra ones. You know, we'll get them, and we'll
put them out on the field that night for you.

MR. RUBENS: Thank you.

MAYOR PETRACCO: So if you want to give Sam your
number. This way, you guys could work that out. But I
don't want to see car lights on fields. It'll be our --

MR. RUBENS: The show looks better in the light
than the dark anyway.

MAYOR PETRACCO: Well, they're doing a great job.

But thank you for coming tonight.

MR. RUBENS: Thank you.

MAYOR PETRACCO: Is there anyone else that would
like to address the board of commissioners?
MS. LANDRY: This is going to be quick. Lakeside Drive. I just have to say that, to the point that Mr. Evans made about the Centre Street, you know, there's going to come a point with this school issue -- there are 88 new kindergarteners in Washington School. And that's the school that the East Centre Street kids come from.

While all these new apartments that are being built -- maybe helping us out on the tax end to make up for what was lost for Roche. It'll end up being a wash if we have to pass a referendum to build new schools. So at some point, we have to look at the two things together.

And I just ask that -- because it's inevitable. There will be residential at Roche on a part of Roche. We all know that. There's no denying it. So we have to figure out, given there's going to be new residential, how do we work that into our school system.

MAYOR PETRACCO: Well, that's what we are working on with the board of ed.

MS. LANDRY: Without it costing the taxpayers any more money, please. Thank you.

MAYOR PETRACCO: Thank you.

Is there anyone else this evening that would like to address the board of commissioners?

COMMISSIONER TUCCI: Mayor, just one comment before we adjourn. I see the commissioner making a move
there.

I just want to publicly commend and thank our attorney, Alan Genitempo, for the outstanding job he did this evening. He made it look easy.

And with all the professionals that we had here this evening and the representatives from Seton Hall and Roche and the realty company, Alan, you handled yourself like the true professional that you are. And I just want to thank you.

And for the entire board of commissioners, everyone out there needs to know that everything we do concerning Hoffmann-La Roche or East Centre Street or a festival or anything else that goes on in this town, while we may agree and disagree on specific items, we're always a unified front. And everything that we do is for the betterment of this community.

So this has been a team effort. This team effort will continue, and this town will just continue to thrive under this leadership. So I just want to thank everyone for that, and it's an honor for me to serve with all of you.

MAYOR PETRACCO: Thank you, Commissioner.

Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Do we need to continue, or can we adjourn?

MAYOR PETRACCO: Say it again.
MADAM CLERK: We're going into executive.

COMMISSIONER SCARPELLI: We need to go into executive. Okay. Then I move that we go into executive --

MR. GENITEMPO: Not so congratulated, am I?

(Laughter)

COMMISSIONER SCARPELLI: Move we go into the executive.

COMMISSIONER ROGERS: Second.

MR. GENITEMPO: To discuss litigation and contract negotiation.

COMMISSIONER SCARPELLI: Litigation and contract negotiations.

MAYOR PETRACCO: Second.

Go ahead.

MADAM CLERK: WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, Public Law 1975 permits the exclusion of the public from meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances exist; and

WHEREAS, the board of commissioners of the Township of Nutley in the county of Essex in the 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 contract negotiation and litigation.

BE IT FURTHER RESOLVED that the time when such a discussion may be disclosed to the public shall be when that 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.

Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: And the time is now 10:30.

(Pause)

(Moved to Closed Executive Session)

MADAM CLERK: We have a motion to adjourn, right?

MAYOR PETRACCO: Motion to adjourn?

COMMISSIONER SCARPELLI: Second.
COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: The time is 11:27.

(Whereupon, these proceedings were concluded at 11:27 PM)
I, Nicole Yawn certify that the foregoing transcript is a true and accurate record of the proceedings.

Nicole Yawn

Nicole Yawn
AGENDA
TOWNSHIP OF NUTLEY
BOARD OF COMMISSIONERS
PUBLIC MEETING
TUESDAY, OCTOBER 6, 2015 / 7:00P.M.

PLEDGE OF ALLEGIANCE:

SUNSHINE NOTICE:
Pursuant to the requirements of the Open Public Meeting Act (Chapter 231, P.L.1975), notice of this meeting was published in the December 11, 2014 issues of The Nutley Sun, The Star Ledger and The Herald News. 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.

ROLL CALL:
Commissioner Rogers
Commissioner Tucci
Commissioner Evans
Commissioner Scarpelli
Mayor Petracco

MINUTES:
September 1, 2015
September 15, 2015
September 23, 2015 (Special Meeting)

COMMUNICATIONS/CORRESPONDENCE:
1. The Township of Nutley Board of Commissioners has submitted an Event Application to host Nutley’s 1st Annual “Franklin Fall Festival” on Friday, October 23, 2015 between the hours of 6:00PM and 10:00PM.
2. Bella Luce has submitted a Petition to Extend Licensed Premises to participate in Nutley’s 1st Annual “Franklin Fall Festival” on Friday, October 23, 2015 between the hours of 6:00PM and 10:00PM.
3. Jim Dandy’s has submitted a Petition to Extend Licensed Premises in order to participate in Nutley’s 1st Annual Franklin Fall Festival Event on Friday, October 23, 2015 at 563 Franklin Avenue between the hours of 6:00PM and 10:00PM.
4. The Luna Wood Fired Tavern has submitted an Application for Catering Permit to participate in Nutley’s 1st Annual “Franklin Fall Festival” on Friday, October 23, 2015 between the hours of 6:00PM and 10:00PM.
5. Conca Brothers Management 4 LLC has submitted an Application for Catering Permit to participate in Nutley’s 1st Annual “Franklin Fall Festival” on Friday, October 23, 2015 between the hours of 6:00PM and 10:00PM.
6. Nutley Thriving Survivors has submitted an Event Application to host their Annual Walk beginning and ending in front of John H. Walker Middle School on Friday, October 16, 2015 between the hours of 6:00PM and 9:00PM.
7. The Kingsland Manor Historic Restoration of Nutley has submitted an Application for Social Affair Permit to host a Wine Tasting event at the Kingsland Manor on 3 Kingsland Street on Saturday, November 14, 2015 between the hours of 7:00PM and 10:00PM.
8. The Nutley Chamber of Commerce has submitted an Event Application to host Santa’s Arrival at the Nutley Park Oval on Friday, November 27, 2015 between the hours of 2:00PM and 3:00PM (with a rain date of Saturday, November 28, 2015, between 11:00AM and 12:00PM).

PROCLAMATION:

PUBLIC PRESENTATION:
Hoffman LaRoche, Hackensack University Medical Center, and Seton Hall University

REPORTS:

BILLS:

ORDINANCE INTRODUCTIONS:

ORDINANCE PUBLIC HEARINGS (5):

COMMISSIONER EVANS/ORDINANCE NO. 3319
“AN ORDINANCE AMENDING CHAPTER 520 (PROPERTY MAINTENANCE) TO PROVIDE FOR THE MAINTENANCE OF VACANT AND ABANDONED PROPERTIES IN THE TOWNSHIP OF NUTLEY AND TO ESTABLISH A REGISTRATION FEE FOR SUCH PROPERTIES.” (INTRODUCED ON AUGUST 18, 2015)

COMMISSIONER EVANS/ORDINANCE NO. 3320
“AN ORDNANCE TO AMEND AN ORDNANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700 ARTICLE XII SECTION 700-78 F” (INTRODUCED ON AUGUST 18, 2015)

COMMISSIONER EVANS/BOND ORDINANCE NO. 3321
“BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF VARIOUS ROADWAYS AND SIDEWALKS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $783,750 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.” (INTRODUCED ON SEPTEMBER 1, 2015)

COMMISSIONER EVANS/BOND ORDINANCE NO. 3322
“BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $297,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $297,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.” (INTRODUCED ON SEPTEMBER 1, 2015)
COMMISSIONER EVANS/BOND ORDINANCE NO. 3323
“BOND ORDINANCE APPROPRIATING $1,346,730, AND AUTHORIZING THE ISSUANCE OF $1,279,393 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY.”
(INTRODUCED ON SEPTEMBER 1, 2015)

RESOLUTIONS (18):

Commissioner Rogers:
None.

Commissioner Tucci (5):
No. 281-15/Authorize Grant Agreement with the State of New Jersey Department of Environmental Protection/Green Communities Grant/Approximate Amount of $3,000.00
No. 290-15/Salute and Congratulate Annual Honorees for Nutley-Belleville Columbus Day and Italian Heritage Month Parade Committee
No. 291-15/Congratulate Mayor Alphonse Petracco, 2015 Honoree in Honor of Italian Heritage Month
No. 292-15/Authorize Extension of Collective Bargaining Agreement with Teamsters Local 97/Extend for One Additional Year, Ending December 31, 2016
No. 294-15/Authorize Purchase of Synthetic Turf Cleaner for Monsignor Owens/Amount of $13,608.75
No. 298-15/Award Contract for Removal of Underground Tanks/Viridian Environmental Consultants, P.O. Box 3009, Upper Montclair, New Jersey/Period of 12 Months from Contract Award Date/Amount of $12,000.00

Commissioner Evans (4):
No. 287-15/Authorize Refund of Escrow Fees/4 Parallel Street and 171 Bloomfield Avenue/Amount of $3,000.00
No. 288-15/Refund Overpayment of Water Charges/Various Block and Lots/Total Amount $7,249.62
No. 293-15/Refund Overpayment of Tax Charges/Various Block and Lots/Total Amount $228.13
No. 299-15/Refund Zoning Board of Adjustment Application Fee for Sign Variance/Property at 206 Franklin Avenue/Amount of $250.00

Commissioner Scarpelli (3):
No. 295-15/Award Contract for Infrared Pavement Restoration/D&L Paving Contractors, 601 Franklin Avenue, Nutley, New Jersey/Period of January 1, 2015 to December 31, 2015
No. 296-15/Reject All Bids Received for “Safe Routes to School” Bid
No. 297-15/Authorize Signature of NJDEP Treatment Works Approval Application/Pretreatment and Discharge of Construction, Dewatering and Stormwater Fluids by Hoffman LaRoche
Mayor Petracco (6):
No. 282-15/Authorize Participation with 2014 State of New Jersey Safe and Secure Communities Grant Program/Project Total Cost of $207,981.04
No. 283-15/Authorize Participation with 2015 State of New Jersey Safe and Secure Communities Grant Program/Project Total Cost of $212,140.66
No. 284-15/Authorize Sale of Surplus Personal Property via Propertyroom.com Online Auction Services/Various Items
No. 286-15/Proclaim October 10, 2015 as “Put the Brakes on Fatalities Day”
No. 289-15/Grant Medical Leave of Absence without Pay/Louis Minichini, Department of Public Safety/Effective September 15 through October 31, 2015

MEETING OPEN TO THE PUBLIC:

ADJOURNMENT:

REMINDER:
The next Board of Commissioners meeting is scheduled for Tuesday, October 20, 2015 at 7:00 P.M., Nutley Town Hall, 3rd floor Commission Chambers.
ORDINANCE NO. 3319
INTRODUCED BY: COMMISSIONER THOMAS J. EVANS
INTRODUCED ON: AUGUST 18, 2015
PUBLIC HEARING: OCTOBER 6, 2015

ORDINANCE NO. 3319

TITLE: AN ORDINANCE AMENDING CHAPTER 520 (PROPERTY MAINTENANCE) TO PROVIDE FOR THE MAINTENANCE OF VACANT AND ABANDONED PROPERTIES IN THE TOWNSHIP OF NUTLEY AND TO ESTABLISH A REGISTRATION FEE FOR SUCH PROPERTIES

WHEREAS, the Township of Nutley currently has over 25 structures that have been identified by Code Enforcement as vacant or abandoned, in whole or part; and

WHEREAS, many owner of or other parties responsible for these structures, neglect them, and fail to maintain, adequately secure them, or restore them to productive use; and

WHEREAS, many of these structures are in violation of state and local housing and property maintenance statutes, regulations or municipal ordinances; and

WHEREAS, vacant land and vacant and abandoned structures cause considerable harm to the health, safety and general welfare of the community, including diminution of neighboring property values, loss of property tax revenues, accumulation of trash and debris, increased risk of fire, potential increases in criminal activity, and public health risks, and

WHEREAS, the Township of Nutley incurs considerable expense in addressing the problems resulting from vacant and abandoned structures, including but not limited to police calls, fire calls and property inspections; and

WHEREAS, it is in the public interest for the Township of Nutley to establish minimum standards of accountability for the owners or other persons or entities responsible for abandoned or vacant land and structures in order to protect the health, safety and general welfare of the residents of the Township of Nutley; and

WHEREAS, it is in the best interests of the Township of Nutley to inspect vacant properties, require registration of such properties by their owners, and ensure compliance with this Ordinance.

NOW THEREFORE BE IT ORDAINED, by the Municipal Board of Commissioners that the following of the Township of Nutley is hereby adopted.
520-2 Purpose

The purpose of this Section is to require accountability from the owners of vacant and abandoned properties within the Township of Nutley by establishing a system of registration and the maintenance plan approval, and impose the fees to fund these efforts, which will protect public health, safety and general welfare of the citizens and improve unsightly neighborhoods, require secure structures, prevent structural deterioration, and protect neighborhood property values and safety.

Definitions

The following words, terms and phrases, when used in this division, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned Property defined in accordance with N.J.S.A. 55:19-78 means improved real property that has not been legally occupied for six months, and which meets any one of the criteria set forth in N.J.S.A. 55:19-78.

Vacant Property means any property used or to be used as a residence, which is (i) not legally occupied or (ii) at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be re-occupied without repair or rehabilitation; provided, however, that any property with all “building systems” in working order that is also being actively marketed by its owner for sale or rental, shall not be deemed vacant.

Evidence of Vacancy means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for six or more months. Such conditions include, but are not limited to, overgrown or dead vegetation, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, the absence of window coverings such as curtains, blinds or shutters, the absence of furnishings or personal items consistent with residential habitation, statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned.

Owner means any person, co-partnership, agent, operator, firm, association, corporation, or fiduciary having a legal or equitable interest in the Property, or appears on the official records of the state, country, or municipality as holding title to the property; or otherwise exercises control of the property, including the trustee or guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Property means any unimproved or improved real property, or portion thereof, located in the Township of Nutley, including the buildings or structures located on the property regardless of condition.

General Requirements

a. Effective October 1, 2015 the Owner of any property, which is, becomes or is found to be vacant shall within sixty (60) days (or within thirty (30) days of assuming ownership
of such property) file a registration statement for each such property with the Code Enforcement office on forms provided by Code Enforcement for such purposes. The registration shall remain valid until the subsequent October 1. The Owner shall be required to renew the registration annually as long as the Property remains vacant or abandoned and shall pay a registration or renewal fee in the amount prescribed in Fees.

b. The Owner of property, which was vacant prior to October 1, 2015, shall file a registration statement for that property on or before October 31, 2015. The registration statement shall include the information required of this Chapter, as well as any additional information that the Code Enforcement Department may reasonably require.

c. The Owner shall notify the C.E.D. within thirty (30) day of any change in the registration information by filing an amended registration statement on a form provided by the C.E.D. for such purpose.

d. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Nutley against the Owner or Owners of the property.

Registration Requirements

The Owner shall provide the following information to C.E.D. on a form or form(s) prescribed by C.E.D.

a. Name, address, email address and contact telephone number of the Owner;

b. Name, address, email address and contact telephone number of any local agent(s) or representatives for the property;

c. Name, address, email address and contact telephone number of the person assigned to the property for the security and maintenance of the property;

d. Common address and tax assessor’s block and lot designation of the Property;

e. The date, on which the Property became vacant;

f. Proof of utility (gas, electric, water) connections or disconnections, and

g. Any other information reasonably required by the C.E.D. ensure the safety of all persons and to prevent neglect.

h. By designating an authorized agent under the provisions of this section, the Owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice of process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent’s designation for the purposes of this section until the Owner notifies the C.E.D. of a change of an authorized agent or until the Owner files a new annual registration statement.
Property Inspection

After filing a registration statement or a renewal of a registration statement and upon reasonable notice, the Owner of any Vacant Property shall provide access to the Township to conduct an exterior and interior inspection of the building to determine compliance with the municipal code, during the period covered by the initial registration or any subsequent renewal.

Requirements for Owners of Vacant Property

The Owner of any Property that has become Vacant, and any person maintaining, operating or collecting rent for any such Property shall, within 30 days:

a. enclose and secure the property against unauthorized entry in accordance with the applicable provisions of the Code of the Township of Nutley;

b. post a sign affixed to the Property indicating the name, address and telephone number of the Owner, the Owner’s authorized agent for the purpose of service of process (if designated pursuant to this Chapter) and the person responsible for day-to-day supervision and management of the Property, if such person is different from the Owner or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18” x 24”; and

c. secure the Property from unauthorized entry and maintain the sign until the Property is again legally occupied or demolished or until repair or rehabilitation of the Property is complete.

Vacant Property Deemed Abandoned Property; List of Abandoned Property to be Maintained by the Remedies for Abandoned Property

If the Construction Official of C.E.D. determines that Vacant Property as defined herein has been abandoned as defined in N.J.S.A. 55:19-81, the Construction Official shall place the property on a list of Abandoned Properties to be maintained by the C.E.D. in accordance with N.J.S.A. 55:19-55. The Abandoned Property list shall become effective either upon the expiration date of the period for appeal with respect to any property placed on the list or upon the denial of an appeal brought by the Owner. Thereafter, the municipality may pursue any statutory remedy with respect to properties on the Abandoned Property list, including the sale of tax sale certificate subject to the condition that the purchase or assignee shall be obligated to complete any rehabilitation or repairs required to render the Property eligible for removal from the Abandoned Property list.

Collection of cost of abatement shall be pursuant to Chapter 520 Article V, Section 520-27.
Fees

The initial registration fee for each Vacant Property shall be Two Hundred Fifty Dollars ($250.00). The fee for subsequent renewals shall be Five Hundred Dollars ($500.00). The renewal fee for the annual registration shall be due by October 1\textsuperscript{st} of each year. The registration fee will not be prorated or refunded.

Violations and Penalties

Any person violating any of the provisions of this chapter shall, upon conviction, be punished as provided for in Chapter 520 Article V, Section 520-28.

A. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

B. This Ordinance shall be part of the Township of Nutley Code as though codified and fully set forth therein. The Township shall have this Ordinance codified and incorporated in the official copies of the Township of Nutley Property Maintenance code.

C. This Ordinance shall take effect at the time and in the manner as provided by law.

D. The Township Clerk and the Township Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

APPROVED: __________________________

APPROVED: __________________________
ORDINANCE #3320
INTRODUCED BY: COMMISSIONER THOMAS J. EVANS
INTRODUCED ON: AUGUST 18, 2015
PUBLIC HEARING: OCTOBER 6, 2015

ORDINANCE NO. 3320

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700 ARTICLE XII SECTION 700-78 F

Chapter 700 Article XII Section 700-78 F: Exempt Signs

AMENDMENT TO SECTION F:

F. Temporary signs denoting the architect, engineer or contractor, when placed upon the site under construction or demolition, provided such signs shall be limited to one sign per site and shall not exceed 16 square feet in area per sign face. Sign shall provide a start and proposed finished date, a sketch or photograph of the proposed building.

Signs shall be located not less than five feet beyond the front property line; shall not be illuminated, and shall be limited to a time period of 30 days from the start of said services unless granted additional time by the Construction Official. Contractor signs are allowed in all zoning districts and shall require a permit. The fee for the sign permit shall be one hundred dollars.

BE IT FURTHER ENACTED that all other terms and conditions and locations in Chapter 700 shall remain as heretofore set forth in the Code of the Township of Nutley, except where such a reading would not give meaning to and further the application of this amendment. In such case and in such event, the terms and conditions shall have a meaning consistent with the intent of this amendment; and

BE IT FURTHER ENACTED that the within ordinance shall become effective after passage and publication, pursuant to law.
BOND ORDINANCE #3321
INTRODUCED BY: COMMISSIONER THOMAS J. EVANS
INTRODUCED ON: TUESDAY, SEPTEMBER 1, 2015
PUBLIC HEARING: TUESDAY, OCTOBER 6, 2015

ORDINANCE #3321
BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF VARIOUS ROADWAYS AND SIDEWALKS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $783,750 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Nutley, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of $825,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of $41,250 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said $825,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of $783,750 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding $783,750 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the reconstruction and resurfacing of various roads and sidewalks in and by the Township so as to provide roadway pavements at least equal in
useful life or durability to a roadway pavement of Class B construction (as such term is used or
referred to in section 40A:2-22 of said Local Bond Law), together with all milling, paving, curbing,
guide rails, reflectors, dividers, drainage facilities, sanitary sewer facilities, signage, structures,
equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on
and in accordance with the plans and specifications therefor on file or to be filed in the office of
the Township Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said
purpose is $783,750.

(c) The estimated cost of said purpose is $825,000, the excess thereof over the
said estimated maximum amount of bonds or notes to be issued therefor being the amount of the
said $41,250 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared,
recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a
current expense and is a property or improvement which the Township may lawfully acquire or
make as a general improvement, and no part of the cost thereof has been or shall be specially
assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local
Bond Law, according to the reasonable life thereof computed from the date of the said bonds
authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been
duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof
has been filed in the office of the Director of the Division of Local Government Services in the
Department of Community Affairs of the State of New Jersey, and such statement shows that the
gross debt of the Township as defined in said Local Bond Law is increased by the authorization of
the bonds and notes provided for in this bond ordinance by $783,750, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding $75,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the
Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.
ORDINANCE #3322
BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $297,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $297,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Nutley, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of $297,000, said sum being inclusive of all appropriations heretofore made therefor.

Section 2. For the financing of said improvement or purpose and to meet the said $297,000 appropriation, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of $297,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding $297,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water supply and distribution system in and by the Township, including the installation of new water main linings and new fire hydrants, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.
(b) The estimated maximum amount of bonds or notes to be issued for said purpose is $297,000.

(c) The estimated cost of said purpose is $297,000.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Township determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by $297,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding $27,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

(e) This bond ordinance authorized obligations of the Township solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to issued for a purpose which is self-liquidating within the meaning and limitations of section
40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph of (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Township.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and, unless paid from revenues of the water supply and distribution system of the Township, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.
Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.
ORDINANCE #3323
BOND ORDINANCE APPROPRIATING $1,346,730, AND AUTHORIZING THE ISSUANCE OF $1,279,393 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Township of Nutley, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum, except as described in Section 3(i) hereof, being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to $1,346,730 including the aggregate sum of $67,337 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said $1,346,730 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of $1,279,393 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding $1,279,393 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:
<table>
<thead>
<tr>
<th>IMPROVEMENT OR PURPOSE</th>
<th>APPROPRIATION AND ESTIMATED COST</th>
<th>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Acquisition by purchase of new and additional equipment, including LED radar signs for use by the Police Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</td>
<td>$ 12,000</td>
<td>$ 11,400</td>
</tr>
<tr>
<td>(b) Acquisition by purchase of new and additional equipment, including a LED message board traffic trailer for use by the Police Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</td>
<td>20,000</td>
<td>19,000</td>
</tr>
<tr>
<td>(c) Acquisition by purchase of new and additional equipment, including a postage machine for use by the Department of Revenue and Finance of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</td>
<td>13,000</td>
<td>12,350</td>
</tr>
<tr>
<td>(d) Acquisition by purchase of new and additional equipment, including self-contained breathing apparatus for use by the Fire Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</td>
<td>116,000</td>
<td>110,200</td>
</tr>
<tr>
<td>(e) Improvement of municipally-owned properties and facilities in and by the Township, including the removal of underground fuel storage tanks and soil remediation at Township Hall, Tremont Garage and Public Safety Building, together with for all the aforesaid all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</td>
<td>45,000</td>
<td>42,750</td>
</tr>
<tr>
<td>(f) Acquisition by purchase of new and additional vehicular equipment for use by the Department of Parks and Public Property of the Township, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</td>
<td>100,000</td>
<td>95,000</td>
</tr>
<tr>
<td>(g) Acquisition by purchase of new and additional vehicular equipment, including one (1) garbage truck</td>
<td>90,000</td>
<td>85,500</td>
</tr>
</tbody>
</table>
for use by the Department of Public Works of the Township, together with all accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(h) Acquisition by purchase of new and additional equipment, including a firewall server for use by the Department of Revenue and Finance of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(i) Acquisition by purchase of new and additional firefighting equipment for the preservation of life and property in the Township, including one (1) aerial ladder truck for use by the Fire Department of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the $160,000 hereby appropriated therefor being a partial appropriation therefor (and supplemental to a $198,000 appropriation made therefor in 2013) and the total cost thereof is estimated to be $900,000

(j) Improvement of municipal parks and playgrounds in and by the Township, together with all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(k) Improvement of municipally-owned buildings and facilities in and by the Township, by the renovation thereof, together with all equipment, structures, site work, furnishings, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(l) Improvement of municipally-owned buildings in and by the Township, including the renovation of the roof of the Department of Public Works garage, together with all equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(m) Acquisition by purchase of new and additional vehicular equipment for use by the Department of Public Works of the Township, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in
accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(n) Improvement of municipally-owned buildings in and by the Township, including the renovation of the emergency management operations center, together with all equipment, structures, site work, furnishings, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(o) Improvement of municipally-owned buildings in and by the Township, including the renovation of the courtroom in the Public Safety Building, together with all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

(p) Acquisition by purchase and the planting of trees at various locations in and by the Township, together with all landscaping, equipment, site work, work and materials necessary therefor or incidental thereto

<table>
<thead>
<tr>
<th>Description</th>
<th>Budgeted Cost</th>
<th>Approved Cost</th>
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<tbody>
<tr>
<td>(n) Improvement of municipally-owned buildings in and by the Township,</td>
<td>45,500</td>
<td>43,225</td>
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<td>including the renovation of the emergency management operations center,</td>
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<td>together with all equipment, structures, site work, furnishings, work and</td>
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<td>materials necessary therefor or incidental thereto, all as shown on and in</td>
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<td>accordance with the plans and specifications therefor on file or to be</td>
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<td>filed in the office of the Township Clerk and hereby approved</td>
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</tr>
<tr>
<td>(o) Improvement of municipally-owned buildings in and by the Township,</td>
<td>7,800</td>
<td>7,410</td>
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<tr>
<td>including the renovation of the courtroom in the Public Safety Building,</td>
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<tr>
<td>together with all equipment, structures, site work, work and materials</td>
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<td>necessary therefor or incidental thereto, all as shown on and in accordance</td>
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<td>with the plans and specifications therefor on file or to be filed in the</td>
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<tr>
<td>office of the Borough Clerk and hereby approved</td>
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<tr>
<td>(p) Acquisition by purchase and the planting of trees at various locations</td>
<td>20,000</td>
<td>19,000</td>
</tr>
<tr>
<td>in and by the Township, together with all landscaping, equipment, site</td>
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<tr>
<td>work, work and materials necessary therefor or incidental thereto</td>
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<td></td>
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<tr>
<td>Totals</td>
<td>$1,346,730</td>
<td>$1,279,393</td>
</tr>
</tbody>
</table>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 12.32 years.
(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by $1,279,393, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding $122,430 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad
valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.


WHEREAS, the Governing Body of the Township of Nutley, Department of Parks and Public Property desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately $3,000.00; and

WHEREAS, the grant will fund the “Green Communities Grant, Community Forestry Management Plan;” and

WHEREAS, the Governing Body of the Township of Nutley authorizes Mauro G. Tucci, Director of Parks and Public Property to (a) make an application for such a grant, (b) if awarded, to execute a grant agreement with the State of New Jersey for a grant in an amount not less than $3,000.00, and (c) to execute any amendments thereto which do not increase the Grantee’s obligation; and

WHEREAS, the Board of Commissioners of the Township of Nutley authorizes and hereby agrees to match 50% of the total amount, in compliance with the match requirements of the agreement; and

WHEREAS, 100% of the match will be made up of in-kind services; and

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

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, enter into a grant with the State of New Jersey Department of Environmental Protection.

I, [Signature], 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 [Date].

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Steven L. Rogers</th>
<th>Commissioner Mauro G. Tucci</th>
<th>Commissioner Thomas J. Evans</th>
<th>Commissioner Joseph P. Scarpelli</th>
<th>Mayor Alphonse Petracco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>No</td>
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<td>Not Voting</td>
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<td>Absent/Excused</td>
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</tbody>
</table>
STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

RESOLUTION OF PARTICIPATION

A RESOLUTION APPROVING PARTICIPATION 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 $147,981.40 for an approximate project total cost of $207,981.04 for a project under the 2014 State of New Jersey Safe and Secure Communities Program Grant Program, and

WHEREAS, 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 or said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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 October 6, 2015.
Resolution

Introduced by: Mayor Alphonse Petracco    Date: October 6, 2015
Seconded by: Commissioner Mauro G. Tucci    No. 283-15

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

RESOLUTION OF PARTICIPATION

A RESOLUTION APPROVING PARTICIPATION 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 $152,140.66 for an approximate project total cost of $212,140.66 for a project under the 2015 State of New Jersey Safe and Secure Communities Program Grant Program, and

WHEREAS, 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 or said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

... 

1, Eleni Petras, 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 October 6, 2015.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Steven L. Rogers</th>
<th>Commissioner Mauro G. Tucci</th>
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<th>Mayor Alphonse Petracco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>No</td>
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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

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Serial Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make/Model</td>
<td>VIN Number</td>
</tr>
<tr>
<td>2008 Ford Crown Victoria</td>
<td>2FAFP71V28X152485</td>
</tr>
<tr>
<td>(Unit 22)</td>
<td></td>
</tr>
<tr>
<td>2006 Ford Crown Victoria</td>
<td>2FAHP71W66X156201</td>
</tr>
<tr>
<td>(Unit 62)</td>
<td></td>
</tr>
<tr>
<td>2007 Ford Crown Victoria</td>
<td>2FAHP71U28X103179</td>
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<tr>
<td>(Unit 4)</td>
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<tr>
<td>1999 Ford Crown Victoria</td>
<td>2FAFP71W8XX177351</td>
</tr>
<tr>
<td>(Traffic Safety)</td>
<td></td>
</tr>
<tr>
<td>1998 Ford Crown Victoria</td>
<td>2FAFP71W5WX119132</td>
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</tbody>
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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 October 6, 2015

<table>
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<tr>
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</table>
WHEREAS, the following Plenary Retail Distribution Liquor License has not received a Tax Clearance certificate as required by the Division of Alcoholic Beverage prior to the Governing Body acting on the renewal: and

WHEREAS, in order for the licensee to continue operating after 12:00 A.M. September 18, 2015, a temporary permit from the Division of Alcoholic Beverage Control must be obtained: and

WHEREAS, the establishment has submitted their renewal application along with the appropriate fees to the Office of the Municipal Clerk: and

WHEREAS, the licensee must complete an “Ad Interim Permit” application which must be signed by the Municipal Clerk on behalf of the Governing Body indicating that the Municipality does not object to the issuance of the Ad Interim Permit.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Municipal Clerk is hereby authorized to sign the Ad Interim permit application for the following Plenary Retail Distribution Liquor License.

<table>
<thead>
<tr>
<th>Liquor License No.</th>
<th>Establishment Name</th>
<th>Business Address</th>
<th>Type of License</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0716-44-001-007</td>
<td>PRAHAR CORP. T/A HELLER &amp; HELLER LIQUORS</td>
<td>200 Franklin Avenue</td>
<td>Plenary Retail Distribution License</td>
<td>$195.00</td>
</tr>
</tbody>
</table>

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 October 6, 2015.

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Resolution

October 10, 2015, has been declared “Put the Brakes on Fatalities Day®” by the Mayor and Board of Commissioners of the Township Of Nutley;

WHEREAS, Across the nation, traffic crashes caused approximately 32,675(est.) fatalities in 2014, and are the leading cause of death for young people ages 15 to 34; and,

WHEREAS, In New Jersey, 556 individuals lost their lives in traffic crashes in 2014; and,

WHEREAS, Alcohol-related crashes accounted for 27.0 percent of the State’s traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and,

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey’s roadways, as people opt for alternative modes of transportation; and,

WHEREAS, 60 motorcyclists, 11 bicyclists and 170 pedestrians were killed in New Jersey in traffic-related crashes in 2014; and,

WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE BE IT RESOLVED that I, the Township of Nutley Mayor Alphonse Petracco, do hereby proclaim October 10, 2015, “Put the Brakes on Fatalities Day®”, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

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 __ October 6, 2015 ____________.
BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans  Date: October 6, 2015
Seconded by: Commissioner Mauro G. Tucci  No. 287-15

WHEREAS, the Nutley Planning Board received $3,000.00 from Mrs. Evelyn Kalooky for the properties at 4 Parallel Street and 171 Bloomfield Avenue for escrow fees for a major subdivision; and

WHEREAS, funds are available from escrow account No. T-15-911-961; and

WHEREAS, the Nutley Planning Board has reviewed and determined that the escrow fee of $3,000.00 is due to Mrs. Evelyn Kalooky;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the above amount be refunded to Mrs. Evelyn Kalooky.

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 October 6, 2015.

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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 water charges in the amount of $7,249.62 for the following accounts.

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<tr>
<th>Block &amp; Lot/Qual.</th>
<th>Address</th>
<th>Amount/Year</th>
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<tbody>
<tr>
<td>1000 – 1 – C5099</td>
<td>598 Hartford Dr.</td>
<td>$6,986.84/2015</td>
</tr>
<tr>
<td>5201 - 17</td>
<td>45 Glenview Rd.</td>
<td>$262.78/2015</td>
</tr>
</tbody>
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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 October 6, 2015.

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BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Louis Minichini, an employee in the Department of Public Safety, be granted a medical leave of absence without pay effective September 15th, 2015 through October 31st 2015.
WHEREAS, On Sunday, October 11, 2015, the Nutley-Belleville Columbus Day & Italian Heritage Month Parade Committee will celebrate its 33rd Annual Columbus Day Parade festivities commemorating Columbus’ historic voyage to the New World; and

WHEREAS, The Parade Committee has a long history of commemorating Columbus Day each year in the Township of Nutley, which is looked forward to and enjoyed by both spectators and participants alike: and

WHEREAS, The Nutley-Belleville Columbus Day & Italian Heritage Month Parade Committee will celebrate its Annual Honoree Dinner, on Wednesday, September 30, 2015 at Nanina’s in the Park, Belleville, N.J.; and

WHEREAS, this year’s Grand Marshal is Vincent Micco; and

WHEREAS, Vincent Micco is joined by the Lifetime Achievement Award recipient, Louis A. Garruto, the Italian Heritage Award recipient, Dr. Dominic Rubino, Belleville Woman of the Year, Diane Stanzione, Belleville Man of the Year, Eugene Romano, Nutley Woman of the Year, Mel Priolo, Nutley Man of the Year, Alan Genitempo, Esq., 2015 Renaissance Man, Gerard DiPopolo, 2015 Italian Business Leader, Pasquale Custode along with the 2015 Bella Signorina’s Kristen Vitale from Belleville and Alana Gabriele from Nutley as this year’s dignitaries; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, join with the citizens of Nutley to salute and congratulate Grand Marshal, Vincent Micco, Lifetime Achievement Award recipient, Louis A. Garruto, Italian Heritage Award recipient, Dr. Dominic Rubino, Belleville Woman of the Year, Diane Stanzione, Belleville Man of the Year, Eugene Romano, Nutley Woman of the Year, Mel Priolo, Nutley Man of the Year, Alan Genitempo, Esq., 2015 Renaissance Man, Gerard DiPopolo, 2015 Italian Business Leader, Pasquale Custode and Bella Signorina’s Kristen Vitale and Alana Gabriele as they are honored here tonight.
Resolution

WHEREAS, on Wednesday, October 7, 2015, the Essex County Board of Chosen Freeholders will celebrate the accomplishments and achievements of outstanding Essex County Italian-American men and women in honor of Italian Heritage Month; and

WHEREAS, Alphonse Petracco has been selected as an honoree for 2015; and

WHEREAS, in addition to his efforts to promote Italian Heritage and Culture, Alphonse Petracco is a local business owner, an Elected Official to the Nutley Board of Commissioners since 2008, a Member of Countless Service Organizations and Clubs including the Nutley Unico, Nutley Elks and is a Trustee of the Library Board; and

WHEREAS, Alphonse became Mayor in 2008 and currently serves as Director of Public Safety for the Township, in which capacity he oversees the Police, Fire and Emergency Rescue Squad; and

WHEREAS, Alphonse and his wife Fran have been married for 22 years and have three children Alphonse, Vincent and Salvatore; and

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 congratulate Alphonse Petracco as he is honored here tonight.

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 October 6, 2015.

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Resolution

WHEREAS, the duly authorized representatives from the Township of Nutley in good faith have negotiated a 3 year Collective Bargaining Agreement with the Teamsters Local 97 and the Municipal Employees they represent concerning wages, hours, terms and other conditions of employment for the term January 1, 2013 through December 31, 2015; and

WHEREAS, the agreement has been lawfully and properly ratified by the Teamsters Local 97 and Nutley’s authorized representatives and approved by the Board of Commissioners; and

WHEREAS, the Teamsters Local 97 seek to extend the terms of such agreement for an additional year (to December 31, 2016); and

WHEREAS, the Teamsters Local 97 and the Board of Commissioners have approved and find it in the best interest of the Township that the above mentioned amendment to the agreement be executed;

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey hereby authorizes extension of said agreement.

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 October 6, 2015.

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</table>
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 $228.13 for the following accounts.

<table>
<thead>
<tr>
<th>Block &amp; Lot/Qual.</th>
<th>Address</th>
<th>Amount/Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1801 - 5</td>
<td>288 Whitford Avenue</td>
<td>$124.92/2014</td>
</tr>
<tr>
<td>9106 - 2</td>
<td>32 Gless Avenue</td>
<td>$103.21/2012</td>
</tr>
</tbody>
</table>

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 October 6, 2015.
Resolution

Introduced by: Commissioner Mauro G. Tucci Date: October 6, 2015
Seconded by: Commissioner Thomas J. Evans No. 294-15

WHEREAS, the Township of Nutley is in need of purchasing a Synthetic Turf Cleaner for our athletic fields at Monsignor Owens and Father Glotzbach; and

WHEREAS, the Township will purchase a Verti Top Tow behind Synthetic Turf Cleaner with Vacuum from the Middlesex Regional Educational Services Commission (Contract #MRESC CO-OP 14/15-04 65 MCESCCPS), a New Jersey State Approved CO-OP; and

WHEREAS, funds are available from Capital Ordinance # 3242D in the amount of $13,608.75, and have been certified by the Chief Financial Officer, and said Certification is 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 as follows, the Mayor and Township Clerk are hereby authorized to purchase the Verti Top Tow behind Synthetic Turf Cleaner with Vacuum from the Middlesex Regional Educational Services Commission, a New Jersey State Approved CO-OP.

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 October 6, 2015.

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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:  Purchase of Synthetic Turf Cleaner (MRESC Co-Op)

Account:  Ord. #3242D

Fund:  General Fund

Amount:  $13,608.75

Date:  October 6, 2015

Rosemary Costa
Treasurer, C.F.O.
WHEREAS, Nutley is a member of the Morris County Cooperative Pricing Council; and

WHEREAS, the Morris County Co-Op awarded a bid for road resurfacing (Contract #6 -CAT. E – Infrared Pavement Restoration) to D&L Paving Contractors, 601 Franklin Avenue, Nutley, New Jersey 07110, for the period of January 1, 2015 to December 31, 2015; and

WHEREAS, Nutley wishes to perform Infrared Pavement Restoration on various roadways in Nutley, New Jersey; and

WHEREAS, contracts that exceed the bid threshold are required to be awarded by resolution; and

WHEREAS, funds are available from Account No. 5-01-806-277 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 be awarded to D&L Paving Contractors, not to exceed $5,000.00 and that the Mayor and Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley.
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: Road Resurfacing

Account: 5-01-806-277

Fund: Current Fund

Amount: $5,000.00

Date: October 6, 2015

Rosemary Costa
Treasurer, C.F.O.
WHEREAS, bids were received for New Jersey Department of Transportation project known as “Safe Routes to School,” which were opened and read on Wednesday, August 12, 2015 at 3:00PM prevailing time; and

WHEREAS, all bids received exceed the Engineer’s Estimate and project budget;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that all bids received are rejected.

Eleni Pettas
Township Clerk

Record of Vote

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A RESOLUTION AUTHORIZING THE TOWNSHIP OF NUTLEY TO SIGN A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) TREATMENT WORKS APPROVAL APPLICATION FOR THE PRETREATMENT AND DISCHARGE OF CONSTRUCTION DEWATERING AND STORMWATER FLUIDS BY HOFFMAN-LA ROCHE IN SUPPORT OF ON-SITE REMEDIATION ACTIVITIES IN ACCORDANCE WITH SEWER USE PERMIT NO. 24630003.

WHEREAS, Hoffman-La Roche (Roche), 340 Kingsland Street, Nutley, New Jersey, 07110 has submitted to the Township of Nutley a New Jersey Department of Environmental Protection (NJDEP) Application for Treatment Works Approval for Certification and Consent by the Township of Nutley; and

WHEREAS, NJDEP requires that a Treatment Works Approval be obtained in order to pretreat and discharge construction dewatering and storm water fluids from the Roche site in support of ongoing remediation activities in accordance with sewer use permit no. 24630003; and

WHEREAS, the Treatment Works Approval Application has been reviewed by Dominic Ferry, Licensed Sewer Operator for the Township of Nutley and found to be acceptable for signature;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Dominic Ferry, Licensed Sewer Operator, is hereby authorized to sign the applicable Certification and Consent Sections of the NJDEP Treatment Works Application on behalf of the Township of Nutley.

I, __________, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held __ October 6, 2015 __.

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<th>Record of Vote</th>
<th>Commissioner Steven L. Rogers</th>
<th>Commissioner Mauro G. Tucci</th>
<th>Commissioner Thomas J. Evans</th>
<th>Commissioner Joseph P. Scarpelli</th>
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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-Underground Tank Removal Engineer
Account: Ord. #3214D
Fund: General Capital Fund
Amount: $12,000.00
Date: October 6, 2015

Rosemary Costa
Treasurer, C.F.O.
Resolutions

Introduced by: Commissioner Mauro G. Tucci

Seconded by: Commissioner Thomas J. Evans

Date: October 6, 2015

No. 298-15

WHEREAS, the Township of Nutley through the Department of Parks and Recreation has a need to acquire specialized and professional services for the removal of underground tanks; and

WHEREAS, the anticipated term of this contract is for twelve (12) months from the date of contract award; and

WHEREAS, Viridian Environmental Consultants, P.O. Box 3009, Upper Montclair, New Jersey 07043 has submitted a proposal indicating they will provide such services for the sum not to exceed $12,000.00; and

WHEREAS, Viridian Environmental Consultants has completed and submitted a Business Entity Disclosure Certification which certifies that said corporation has not made any reportable contributions to a political or candidate committee in the township of Nutley in the previous one year, and that the contract will prohibit Viridian Environmental Consultants from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available from account 3214-D in the amount of $12,000.00, and have been certified by the chief financial officer, said certification being attached to this resolution;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, enter into a contract with Viridian Environmental Consultants as described herein; and

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

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

Record of Vote

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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 October 6, 2015.
Resolution

Introduced by: Commissioner Thomas J. Evans Date: October 6, 2015
Seconded by: Commissioner Mauro G. Tucci No. 299-15

WHEREAS, the Nutley Zoning Board of Adjustment received $250.00 from Mr. Eduardo Colon, of Body Delights, located at the property of 206 Franklin Avenue for an application fee for a sign variance; and

WHEREAS, funds are available from account No. C-01-904-903; and

WHEREAS, the Nutley Zoning Board of Adjustment has reviewed and determined that the application fee of $250.00 is due to Mr. Eduardo Colon;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the above amount be refunded to Mr. Eduardo Colon.


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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
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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 October 6, 2015.
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. Contract Negotiations
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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List of payroll submitted for approval by the Board of Commissioners at their regular meeting of OCTOBER 6, 2015:

PAYROLL-REGULAR-SEPTEMBER 25, 2015:

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Sub Total: 740,358.35

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Sub Total: 33,584.81

TOTAL PAYROLL: 773,943.16

GRAND TOTAL: 4,443,941.89

The Payroll list in the foregoing schedule includes amounts to be deducted for:

Federal Withholding Tax: 95,781.76
Social Security: 23,212.26
N.J. State Tax: 29,048.34
Medicare: 11,032.34
Wage Execution: 5,964.00
Deferred Compensation: 23,574.06
Employee Disability Ins.: 4,937.75