

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

PUBLIC MEETING

TRANSCRIPT OF

PROCEEDINGS:

ORIGINAL
2014 MAR 28 A 11:42
RECEIVED
MUNICIPAL CLERK'S OFFICE
TOWNSHIP OF NUTLEY

January 24, 2014

7:00 p.m.

BEFORE:

Commissioner Steven Rogers

Commissioner Thomas J. Evans

Commissioner Joseph P. Scarpelli

ALSO PRESENT:

Alan Genitempo, Esq.

Job No. NJ1832039

Transcribed By: Nicole Yawn

1 P R O C E E D I N G S

2 (Due to the microphone cutting in and out during
3 some portions of the audio, there are notations of (off-
4 mike).)

5 UNIDENTIFIED SPEAKER: Please stand for the
6 pledge.

7 (Pause)

8 MAYOR PETRACCO: Okay. Go ahead.

9 MADAM CLERK: Friday, January 24th, 2014 --
10 pursuant to the requirements of the Open Public Meeting Law,
11 chapter 231 Public Laws 1975, adequate notice of this
12 meeting was emailed to the Nutley Sun and the Herald News on
13 Tuesday, January 21st, 2014. Notice of this meeting was
14 posted on the Nutley website and duly posted on the Nutley
15 town hall bulletin board. A copy is on file in the
16 municipal clerk's office.

17 Commissioner Rogers?

18 COMMISSIONER ROGERS: Here.

19 MADAM CLERK: Commissioner Tucci is absent/excused
20 this morning (sic).

21 Commissioner Evans?

22 COMMISSIONER EVANS: Here.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Here.

25 MADAM CLERK: Mayor Petracco is absent/excused

1 this evening. Commissioner Evans will preside over the
2 meeting as our deputy mayor for this morning.

3 COMMISSIONER EVANS: Thank you, Evelyn. We don't
4 have any minutes, communications?

5 MADAM CLERK: Yes, Mayor. We have one item of
6 communication. It's from the Nutley Junior Raider Booster
7 Club. They're requesting permission from the board to hold
8 a raffle at the Nutley High School softball team's
9 (indiscernible) on Sunday, February 9th, 2014.

10 I need a motion, please.

11 UNIDENTIFIED SPEAKER: Move.

12 UNIDENTIFIED SPEAKER: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Deputy Mayor Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 MADAM CLERK: Thank you.

20 COMMISSIONER EVANS: Bills?

21 MADAM CLERK: Yes, Mayor. Friday, January 24th,
22 2014 -- bill list -- Public Affairs, \$165,799.03; Revenue
23 and Finance, \$2,681,879.89; Public Works, \$43,108.31.
24 Payroll as of January 17th, 2014 - \$768,261.67, for a grand
25 total bill list of \$3,659,048.90. And that's all for bills

1 this morning, Mayor.

2 UNIDENTIFIED SPEAKER: Move the bills.

3 UNIDENTIFIED SPEAKER: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Deputy Mayor Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Thank you, Mayor.

11 COMMISSIONER EVANS: Ordinance introductions --
12 first, ordinance 3275, an ordinance to amend an ordinance
13 codified in the code of the township of Nutley, chapter 131
14 entitled police department, particularly article 3, extra
15 duty assignments. The correct public hearing date is
16 Tuesday, February 18th, 2014.

17 MADAM CLERK: Thank you, Mayor.

18 COMMISSIONER EVANS: I have an ordinance
19 introduction, which is to delete handicap parking spaces
20 which are no longer required. Ordinance 3276, an ordinance
21e to amend an ordinance codified in the code of township of
22 Nutley, chapter 228 entitled vehicles and traffic,
23 particularly article 7, special zones and areas, section 29A
24 entitled handicapped parking to delete locations set forth
25 therein.

1 I move that this ordinance be passed to a second
2 reading and advertised in the Nutley Sun together with the
3 ordinance required by law and that further consideration of
4 said ordinance for final passage by the board of
5 commissioners be held at its second reading on
6 February 18th, 2014. So moved.

7 UNIDENTIFIED SPEAKER: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Deputy Mayor Evans?

13 COMMISSIONER EVANS: Aye.

14 3277, an ordinance to amend an ordinance codified
15 in the code of the township of Nutley, chapter 228 entitled
16 vehicles in traffic, particularly article two, parking in
17 certain streets, section ten entitled stopping or standing
18 prohibited during certain streets to delete and add
19 locations set forth therein.

20 I move that this ordinance be passed to a second
21 reading and advertised in the Nutley Sun together with the
22 notice required by law and that further third consideration
23 of said ordinance for final passage by the board of
24 commissioners be held in its second reading on
25 February 18th, 2014. So moved.

1 UNIDENTIFIED SPEAKER: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Deputy Mayor Evans?

7 COMMISSIONER EVANS: Aye.

8 3278, I'm reading into the record for
9 Mayor Petracco an ordinance to amend an ordinance entitled
10 ordinance to fix the salaries of certain officers and
11 employees of the township of Nutley, county of Essex, state
12 of New Jersey effective January 1 for the assistant
13 municipal prosecutor.

14 I move that this ordinance be passed to a second
15 reading and advertised in the Nutley Sun together with the
16 notice required by law and that further consideration of
17 said ordinance for final passage by the board of
18 commissioners be held at its second reading on
19 February 18th, 2014. So moved.

20 UNIDENTIFIED SPEAKER: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Deputy Mayor Evans?

1 COMMISSIONER EVANS: Aye.

2 We have one public hearing with regard to 3274,
3 which is an amendment of the chapter 700, n particular the
4 terminology and articles of our sign ordinance.

5 (Off-mike)

6 UNIDENTIFIED SPEAKER: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Deputy Mayor Evans?

12 COMMISSIONER EVANS: Move the ordinance.

13 COMMISSIONER SCARPELLI: Second.

14 COMMISSIONER EVANS: Oh, excuse me. I move the
15 ordinance.

16 MADAM CLERK: And that was seconded by
17 Commissioner Scarpelli? Okay.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Deputy Mayor Evans?

23 COMMISSIONER EVANS: Thank you.

24 Resolutions -- Commissioner Rodgers?

25 COMMISSIONER ROGERS: Resolution number 2415.

1 WHEREAS, heart disease is a killer that strikes
2 more women than men and is more deadly than all forms of
3 cancer combined. Heart disease claims the lives of one in
4 three women, which translates to roughly one death each
5 minute; and

6 WHEREAS, more than 64 million Americans suffer
7 from one or more forms of cardiovascular disease, including
8 high blood pressure, coronary heart disease, congestive
9 heart failure, stroke, and congenital heart defects; and

10 WHEREAS, a combination of heart health nutrition,
11 living a healthy lifestyle and following your health care
12 professional's recommendations are all part of reducing an
13 individual's risk for heart disease, heart attack and
14 stroke; and

15 WHEREAS, February is National Heart Health Month
16 and Go Red for Women is the American Heart Association's
17 national call to increase awareness of heart disease, the
18 leading cause of death in women and to inspire women to take
19 charge of their heart health; and

20 WHEREAS, the township of Nutley Department of
21 Public Affairs through its health department and the
22 American Heart Association are committed to preventing heart
23 disease through public and professional education about the
24 risk factors; and

25 WHEREAS, on Monday, February 10th, 2014, the

1 Nutley Health Department, in conjunction with the Montclair
2 Health Department and Clara Mass Hospital, will be
3 presenting a lecture demonstrating the importance of a heart
4 healthy lifestyle as well as Go Red fashion show, at which
5 time residents are encouraged to wear red to show their
6 support;

7 NOW, THEREFORE, BE IT RESOLVED by the board of
8 commissioners, township of Nutley that, in recognition of
9 the importance of the ongoing effort to prevent heart
10 disease, we do hereby proclaim February 2014 as National
11 Heart Health Month and urge all citizens in Nutley, New
12 Jersey to show their support for preventing heart disease by
13 learning more about their heart health, eating a healthy
14 diet, and maintaining an active lifestyle.

15 So moved.

16 COMMISSIONER SCARPELLI: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Deputy Mayor Evans?

22 COMMISSIONER EVANS: Aye.

23 Thank you.

24 Commissioner Rogers, would you read (off-mike)?

25 COMMISSIONER ROGERS: Yes.

1 Resolution 6-14 --

2 BE IT RESOLVED by the board of commissioners of
3 the township of Nutley in the county of Essex, New Jersey
4 that the township clerk be and she is hereby authorized to
5 advertise for sealed bids for electrical services. Bids to
6 be received on Thursday, February 13th, 2014 in the
7 commission chambers, township hall, Kennedy Drive at 3:00
8 p.m. prevailing time, at which time they will be publicly
9 opened and read.

10 So moved.

11 COMMISSIONER SCARPELLI: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Deputy Mayor Evans?

17 COMMISSIONER EVANS: Aye.

18 COMMISSIONER ROGERS: Resolution 7-14 --

19 BE IT RESOLVED by the board of commissioners of
20 the township of Nutley, county of Essex, New Jersey that the
21 township clerk be and she is hereby authorized to advertise
22 for sealed bids for plumbing services. Bids to be received
23 on Thursday, February 13th, 2014 in the commission chambers,
24 township hall, Kennedy Drive at 3:00 p.m. prevailing time,
25 at which time they will be publicly opened and read.

1 So moved.

2 COMMISSIONER SCARPELLI: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Deputy Mayor Evans?

8 COMMISSIONER EVANS: Aye.

9 COMMISSIONER ROGERS: Resolution number 8-14 --

10 WHEREAS, the township of Nutley has the need to

11 acquire vision care network plan services on behalf of the

12 township; and

13 WHEREAS, such services may be acquired as a non-

14 fair and open contract pursuant to provisions of N.J.S.A.

15 19:44 A-20.4 or 20.5 as appropriate; and

16 WHEREAS, Premier Vision Care, P.O. Box 1591,

17 Livingston, New Jersey submitted a proposal indicating that

18 they will provide the services for the sum of \$1,938; and

19 WHEREAS, the funds are available from account

20 number 526-245 and have been certified by the chief

21 financial officer.

22 NOW, THEREFORE, BE IT RESOLVED that the board of

23 commissioners of the township of Nutley authorizes the

24 commissioner of parks and public property to enter into a

25 contract with Premier Vision Care.

1 So moved.

2 COMMISSIONER SCARPELLI: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Deputy Mayor Evans?

8 COMMISSIONER EVANS: Aye.

9 COMMISSIONER ROGERS: Resolution 9-14 --

10 BE IT RESOLVED by the board of commissioners of

11 the township of Nutley, county of Essex, New Jersey that in

12 accordance with the provision of R.S. 40A 4-58, the

13 following transfers of appropriations in the 2013 budget be

14 and the same are hereby authorized and approved. The

15 Department of Public Property and Parks -- other insurance,

16 3-01-522-200, \$2,917.22 to clothing and uniform maint.

17 allowance. 3-01-504-207, \$2,000 to heating oil, 3-01-528-

18 235, \$917.22. And total is \$2,917.22.

19 So moved.

20 COMMISSIONER SCARPELLI: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Deputy Mayor Evans?

1 COMMISSIONER EVANS: Aye.

2 COMMISSIONER ROGERS: Resolution 11-14 --

3 WHEREAS, the county of Essex recreation and open
4 space trust fund, county trust fund, provides grants to
5 municipal governments for assistance in the development or
6 redevelopment of municipal recreational facilities; and

7 WHEREAS, the township of Nutley desires to further
8 the public interest by obtaining a grant from the county
9 trust fund for the reuse of the current roller hockey rink
10 and purchase of new bleachers in Monsignor Owens Memorial
11 Park; and

12 WHEREAS, the township of Nutley is respectfully
13 requesting \$150,000 to offset the total cost of the project,
14 \$217,157.29 from the county trust fund for the express
15 purpose of installing drainage and artificial turf to create
16 a soccer field and purchase of new bleachers; and

17 WHEREAS, Commissioner Tucci has reviewed the
18 county trust fund program statement and the trust fund
19 municipal program park improvement application and
20 instruction and desires to make an application for said
21 grant by providing an application and refurnishing such
22 documents as may be required; and

23 WHEREAS, the county of Essex shall determine
24 whether the application is complete and in conformance with
25 the scope and intent of the county trust fund; and

1 WHEREAS, the township of Nutley is willing to use
2 the county trust fund in accordance with such rules,
3 regulations, and applicable statutes and is willing to enter
4 into an agreement with the county of Essex for this project.

5 NOW, THEREFORE, BE IT RESOLVED by the board of
6 commissioners of the township of Nutley that it is hereby
7 authorized to submit the above completed project application
8 to the county of Essex by the deadline of February 3rd, 2014
9 as established by the county and that the township of Nutley
10 agrees to comply with all applicable federal, state, and
11 local laws, rules and regulations in its performance of the
12 project and that this resolution shall take effect
13 immediately. The balance of the project will be paid
14 through the township of Nutley from capital improvements.

15 So moved.

16 COMMISSIONER SCARPELLI: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Deputy Mayor Evans?

22 COMMISSIONER EVANS: Aye.

23 COMMISSIONER ROGERS: Resolution 26-14 --

24 WHEREAS, the township of Nutley heretofore entered
25 into a contract with Optimum Lightpath, Incorporated,

1 Jericho quadrangle, Jericho, New York via resolution number
2 68-13, duly adopted by the board of commissioners on
3 March 5th, 2013 for Internet and long distance phone
4 service;

5 WHEREAS, the director of recreation of the
6 department of parks and public property has recommended the
7 following change order from such contract -- change order
8 number one, additional services;

9 WHEREAS, the funds are available from account
10 number 3-01-510-237 and has been certified by the chief
11 financial officer and said certification is attached to this
12 resolution.

13 NOW, THEREFORE, BE IT RESOLVED by the board of
14 commissioners in the township of Nutley, county of Essex
15 that change order number one, \$860.04 be and is hereby
16 approved.

17 So moved.

18 COMMISSIONER SCARPELLI: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Deputy Mayor Evans?

24 COMMISSIONER EVANS: Aye.

25 COMMISSIONER ROGERS: That's it, Mr. Mayor.

1 COMMISSIONER EVANS: Thank you.

2 Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: WHEREAS, the township of
4 Nutley through the department of public works has a need to
5 acquire the services of an engineering consultant as a non-
6 fair and open contract pursuant to provisions of N.J.S.A.
7 19:44 A-20.4 or 20.5, as appropriate; and

8 WHEREAS, the engineering coordinator has
9 determined and certified in writing with the value that the
10 value of the aggregate services provided by the vendor for
11 the term of the contract will exceed \$17,500; and

12 WHEREAS, the anticipated term of the contract is
13 for 12 months from January 1st, 2014 through December 31st,
14 2014;

15 WHEREAS, Pennoni Associations, Inc. has submitted
16 a proposal dated December 27th, 2013 indicating they will
17 provide engineering services according to a fee schedule
18 attached;

19 WHEREAS, Pennoni Associates has completed and
20 submitted a business entity disclosure certification which
21 certifies that said corporation has not made any reportable
22 contributions to a political or candidate committee in the
23 township of Nutley in the previous one year, and that the
24 contract will prohibit Pennoni Associates from making any
25 reportable contributions through the term of the contract;

1 and

2 WHEREAS, the contract is not to exceed \$165,000
3 for general engineering services and whereas funds are
4 available from account number 4-01-404e-200 and have been
5 certified by the chief financial officer, said certification
6 be attached to this resolution;

7 NOW, THEREFORE, BE IT RESOLVED by the board of
8 commissioners, township of Nutley enter into a contract with
9 Pennoni Associates as described herein; and

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

13 BE IT FURTHER RESOLVED that a notice of this
14 action shall be printed once in the Nutley Sun in accordance
15 with the local public contracts law.

16 Move the resolution.

17 COMMISSIONER ROGERS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Deputy Mayor Evans?

23 COMMISSIONER EVANS: Aye.

24 COMMISSIONER SCARPELLI: The rest of these
25 resolutions are Mayor Petracco's.

1 WHEREAS, due to an incorrect appointment date,
2 resolution 26-13 needs to be rescinded and replaced with the
3 following.

4 BE IT RESOLVED by the township of Nutley, county
5 of Essex, state of New Jersey that the following be
6 appointed as members to the Nutley Fire Department
7 Headquarters Company effective September 15th, 2013.
8 Michael Ferraro, Ryan Lucas, Alan Nardiello.

9 I move the resolution.

10 COMMISSIONER ROGERS: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Deputy Mayor Evans?

16 COMMISSIONER EVANS: Aye.

17 COMMISSIONER SCARPELLI: BE IT RESOLVED by the
18 board of commissioners of the township of Nutley, county of
19 Essex, state of New Jersey that Alfonse Petracco and Kathy
20 Rempusheski be appointed as representatives of the community
21 development block grant committee expiring December 31st,
22 2014.

23 I move the resolution.

24 COMMISSIONER ROGERS: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Deputy Mayor Evans?

5 COMMISSIONER EVANS: Aye.

6 COMMISSIONER SCARPELLI: WHEREAS, raffle
7 applications have been received from the following
8 organizations with the list and the dates that are in the
9 resolution.

10 WHEREAS, applications have been reviewed and
11 approved by the municipal clerk and the police department;

12 NOW, THEREFORE, BE IT RESOLVED by the board of
13 commissioners, township of Nutley, county of Essex that the
14 licenses are approved and the municipal clerk is authorized
15 to issue the licenses.

16 I move the resolution.

17 COMMISSIONER ROGERS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Deputy Mayor Evans?

23 COMMISSIONER EVANS: Aye.

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

25 COMMISSIONER EVANS: Thank you.

1 WHEREAS, the township of Nutley has the need to
2 acquire the services of a registered municipal accountant to
3 conduct an annual audit of the township books, accounts,
4 financial transactions within five months after the close of
5 the fiscal year as a non-fair and open contract pursuant to
6 the provisions of N.J.S.A. 19:44 A-20.4 or 5 as appropriate;

7 WHEREAS, the chief financial officer has
8 determined and certified in writing the value of the
9 aggregate services provided by the vendor for the year will
10 exceed \$17,500; and

11 WHEREAS, the anticipated term of this contract is
12 for 12 months from January 1, 2014 through December 31st,
13 2014;

14 WHEREAS, Nisivoccia & Company, certified public
15 accountants of 200 Valley Road, Suite 300, Mt. Arlington has
16 submitted a fee schedule for providing such services, the
17 total of which is not to exceed \$146,370;

18 WHEREAS, Nisivoccia & Company has completed and
19 submitted a business entity disclosure certification which
20 certifies they have not made any reportable contributions to
21 a political or candidate committee in the township in the
22 previous one year and that the contract will prohibit them
23 from making any reportable contributions through the term of
24 the contract;

25 WHEREAS, funds are available from account 4-01-

1 222-205 and 4-05-706-205 and have been certified by the
2 chief financial officer, said certification being attached
3 to this resolution;

4 NOW, THEREFORE, BE IT RESOLVED that the board of
5 commissioners of the township of Nutley authorizes the mayor
6 to enter into a contract with Nisivoccia & Company,
7 certified public accountants; and

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

11 So moved.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Deputy Mayor Evans?

17 COMMISSIONER EVANS: (Off-mike.)

18 BE IT RESOLVED by the board of commissioners of
19 the township of Nutley, county of Essex (off-mike) be and
20 she is hereby authorized to refund overpayment of taxes in
21 the amount of \$6,521.05 for said years due to successful tax
22 court judgments. Block 3802, lot 24, 6902, lot 2, 6902, lot
23 2 for all years 2013, 2012.

24 So moved.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Deputy Mayor Evans?

6 COMMISSIONER EVANS: BE IT RESOLVED by the board
7 of commissioners of the township Nutley in the county of
8 Essex, state of New Jersey that the treasurer be and she is
9 hereby authorized to refund overpayments of water charges
10 for block 1400 1 C1073 for \$164.04; block 400, lot 16 for
11 \$198.36 and block 9402, lot 22 for \$229.76, for a total of
12 \$592.16. (Off-mike.)

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Deputy Mayor Evans?

18 COMMISSIONERS EVANS: BE IT RESOLVED by the board
19 of commissioners of the township of Nutley, county of Essex,
20 New Jersey that the treasurer be and she is hereby
21 authorized to refund overpayments of property taxes for
22 block 5701, lot 81 for \$2,457.46 for 2013 and block 7304,
23 lot 11 for \$1,741.76, for a total of \$4,199.22. (Off-mike.)

24 COMMISSIONER SCARPELLI: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Deputy Mayor Evans?

5 COMMISSIONER EVANS: WHEREAS, the township of
6 Nutley, pursuant to N.J.S.A. 40:11-11, may be resolution
7 and without advertising for bids, purchase any goods and
8 services under the approved cooperative purchasing program;
9 and

10 WHEREAS, the township of Nutley (off-mike) timely
11 basis to purchase goods and services utilizing the following
12 cooperative purchasing programs (off-mike) Somerset County,
13 Morris County (off-mike);

14 WHEREAS, the township of Nutley intends to enter
15 into contracts with the attached referenced vendors through
16 this resolution and properly executed contracts, which shall
17 be subject to all the conditions applicable (off-mike);

18 NOW, THEREFORE, BE IT RESOLVED that the township
19 of Nutley authorizes the purchasing agent to purchase
20 certain goods or services from the approved Essex County,
21 Somerset County, Morris County, (off-mike) police
22 cooperative purchasing vendors on the attached list,
23 pursuant to all conditions of the individuals contracts; and

24 BE IT FURTHER RESOLVED that the governing body of
25 the township of Nutley pursuant to N.J.A.C. 5:30-5.5(b), the

1 certification of available funds, shall either certify the
2 full maximum amount against the budget at the time the
3 contract is awarded or no contract shall be chargeable or
4 certified until such time as the goods or services are
5 ordered or (off-mike) certification of availability (off-
6 mike);

7 THEREFORE, BE IT RESOLVED that the duration of the
8 contracts (off-mike) vendors (off-mike).

9 COMMISSIONER SCARPELLI: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Deputy Mayor Evans?

15 COMMISSIONER EVANS: Aye.

16 WHEREAS, the township of Nutley, pursuant to
17 N.J.S.A. 40:A:11-12a and N.J.A.C. 5:34 (off-mike) may be
18 resolution and without advertising for bids purchase any
19 goods or services under the state of New Jersey cooperative
20 purchasing program for any state contracts entered into on
21 behalf of the state by the Division of Purchase and Property
22 in the Department of the Treasury;

23 WHEREAS, the township of Nutley has the need (off-
24 mike);

25 WHEREAS, the township of Nutley intends (off-mike)

1 vendors through this resolution and properly executed
2 contracts, which shall be subject to all of the conditions
3 applicable to the current state contracts; (off-mike)
4 purchasing agent to purchase certain goods and services from
5 those approved New Jersey state contract vendors on the
6 attached list, pursuant to all conditions of the individual
7 state contracts; and

8 BE IT FURTHER RESOLVED that the governing body of
9 the township of Nutley, pursuant to N.J.A.C 5:30-5.5(b), the
10 certification of available funds, shall either certify the
11 maximum amount against the budget at the time the contract
12 is awarded or no contract shall be chargeable or certified
13 (off-mike) goods or services or (off-mike) prior to placing
14 the order (off-mike) certification of availability funds is
15 made by the chief financial officer; and

16 BE IT FURTHER RESOLVED that the duration of the
17 (off-mike) 2014.

18 So moved.

19 COMMISSIONER SCARPELLI: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 MADAM CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Deputy Mayor Evans?

25 COMMISSIONER EVANS: Last ordinance is the

1 introduction of a temporary budget to ensure that we (off-
2 mike) improvements on our capital debt as well as operating
3 budget. By law, this needs to be introduced (off-mike) as
4 part of the new year (off-mike);

5 WHEREAS, the New Jersey statutes 40A:4-19 provides
6 (off-mike) debt services to be paid in 2014 prior to the
7 time of the final (off-mike) 2014 budget, temporary
8 appropriations shall be made for the amount of debt service
9 in the manner and time therein provided; (off-mike)
10 subsequent to December 20th, 2013; and

11 WHEREAS, debt service will become due during the
12 first six months of (off-mike);

13 NOW, THEREFORE, BE IT RESOLVED by the
14 commissioners of the township of Nutley, the following
15 temporary appropriations (off-mike). Current fund --
16 interest on bonds, \$87,000 (off-mike) trust interest,
17 \$10,250, for a total debt service in the current fund of
18 (off-mike).

19 The operating account for the water trust (off-
20 mike) fund principal of \$26,000, for a total debt service in
21 the water utility of (off-mike).

22 COMMISSIONER SCARPELLI: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Deputy Mayor Evans?

3 COMMISSIONER EVANS: WHEREAS, 40A:4-19 local
4 budget law provides that where any contracts, commitments,
5 or payments are to the final adoption (off-mike) temporary
6 appropriations be made for the purposes and amounts required
7 in the manner and time therein provided; and

8 WHEREAS, the date of this resolution is within the
9 first (off-mike); and

10 WHEREAS, the total appropriations (off-mike) 2014
11 budget, less appropriations (off-mike) are as follows.

12 Current fund (off-mike) the 2013 budget (off-mike) capital
13 improvement fund debt service (off-mike) current fund (off-
14 mike) water utility (off-mike).

15 (Off-mike) following temporary appropriations be
16 made and that (off-mike) for her records. Each of the areas
17 of the budget for the mayor's office, the five operating
18 departments as well as areas of our budget for pensions,
19 sewer and so on are outlined in the budget.

20 Alan, I don't have to read each one of these, do
21 I? The total sum to the total ask (sic) of \$11,471,734
22 (off-mike) for the water (off-mike).

23 COMMISSIONER SCARPELLI: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Deputy Mayor Evans?

4 COMMISSIONER EVANS: Thank you.

5 UNIDENTIFIED SPEAKER: Deputy Mayor, there was one
6 resolution that was not (off-mike).

7 COMMISSIONER EVANS: Okay. Do we (off-mike) --

8 UNIDENTIFIED SPEAKER: Yeah, I have it.

9 COMMISSIONER SCARPELLI: WHEREAS, on
10 December 17th, 2012, JJGG, LLC submitted a place-to-place
11 transfer of plenary retail consumption liquor license number
12 0716-33-001-006; and

13 WHEREAS, on January 16th, 2014, J. Grueter of JJGG
14 submitted a written request to withdraw his application
15 request for the place-to-place transfer of plenary retail
16 consumption liquor license number 0716-33-001-006;

17 NOW, THEREFORE, BE IT RESOLVED by the board of
18 commissioners, township of Nutley, county of Essex that the
19 request of Mr. J. Grueter of JJGG, the place-to-place
20 transfer of plenary retail consumption liquor license number
21 0716-33-001-006 be and is hereby withdrawn.

22 I move the resolution.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Deputy Mayor Evans?

3 COMMISSIONER EVANS: Aye.

4 That concludes the formal portion of our meeting.

5 Would anyone like to address the board?

6 Hearing no one, I move to close the public

7 session.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Deputy Mayor Evans?

13 COMMISSIONER EVANS: Aye.

14 (Whereupon, these proceedings were concluded)

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C E R T I F I C A T I O N

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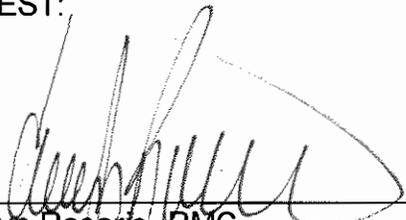
I, Nicole Yawn, certify that the foregoing transcript is a true and accurate record of the proceedings.

Nicole Yawn

Date: March 21, 2014

**Signature Page/Board of Commissioners
Meeting Minutes, January 24, 2014**

ATTEST:



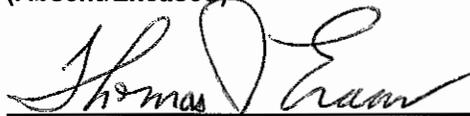
Evelyn Rosario, RMC
Municipal Clerk
(Meeting Minutes Approved at the)
(April 15, 2014 Board of)
(Commissioners Meeting)



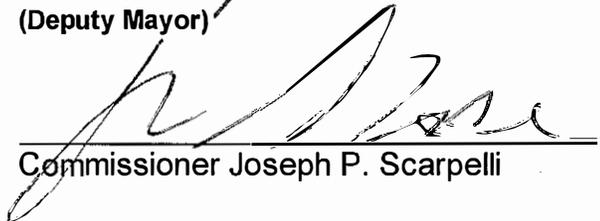
Commissioner Steven Rogers



Commissioner Mauro G. Tucci
(Absent/Excused)



Commissioner Thomas J. Evans
(Deputy Mayor)



Commissioner Joseph P. Scarpelli

Mayor Alphonse Petracco
(Absent/Excused)

Township of Nutley
One Kennedy Drive
Nutley, New Jersey 07110

Sunshine Notice
Board of Commissioners
Re-Scheduled Meeting Notice
Friday, January 24, 2014 @ 9:00 AM

PLEASE TAKE NOTICE the Board of Commissioners meeting of Tuesday, January 21, 2014 at 7:00 P.M., was cancelled on Tuesday on January 21, 2014 due to the inclement weather.

PLEASE TAKE NOTICE the meeting has been re-scheduled to Friday, January 24, 2014 at 9:00 AM.

PLEASE TAKE NOTICE the meeting will be held at the Nutley Township Hall, One Kennedy Drive, Nutley, NJ 07110, 3rd Floor Commission Chambers.

PLEASE TAKE FURTHER NOTICE that ACTION will be taken at this meeting.

Evelyn Rosario
Municipal Clerk
Township of Nutley
January 21, 2014

The Nutley Sun/Via E-Mail on Tuesday, January 21, 2014/ publicnotices@northjersey.com
The Herald News/Via E-Mail on Tuesday, January 21, 2014/ publicnotices@northjersey.com

TOWNSHIP OF NUTLEY

BILL LIST

FRIDAY JANUARY 24, 2014

P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-04760	ESSEX COUNTY UTILITIES AUTH	99,993.48					99,993.48
	FUTURE SANITATION INC	65,805.55					65,805.55
	TREASURER SCHOOL MONEY		2,205,491.00				2,205,491.00
	TOWNSHIP PAYROLL AGENCY		340,047.89				340,047.89
	TOWNSHIP PAYROLL AGENCY		61.61				61.61
	US BANK CORP TRUST SERV.		12,526.18				12,526.18
	US BANK CORP TRUST SERV.		37,772.02				37,772.02
13-04755	LILLIAN ZHANG		3,472.21				3,472.21
13-04750	SBMUNICUST-LB-HONEYBADGER		25,162.01				25,162.01
13-04751	ISAAC MORADI		13,007.09				13,007.09
13-04752	US CJUST FOR TLCJ 2012A		3,968.84				3,968.84
13-04753	US BANK FOR PROCAPITAL I		1,747.59				1,747.59
13-04754	MTAG SERVICES		38,623.45				38,623.45
11-03589	BADGER METER INC				29,850.00		29,850.00
13-04758	STATE OF NJ DIV. OF TAXATION				2,109.28		2,109.28
13-04706	CITY OF NEWARK WATER				11,149.03		11,149.03
	BILL LIST DEPT. TOTALS	165,799.03	2,681,879.89		43,108.31		2,890,787.23

At the Board of Commissioners meeting held on Friday, January 24, 2014 the following announcement was made: Ordinance No. 3275 was duly introduced by Mayor Petracco at the Board of Commissioners meeting held on Tuesday, January 7, 2014. The correct public hearing date for Ordinance No. 3275, entitled "AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 131, ENTITLED "POLICE DEPARTMENT" PARTICULARLY ARTICLE III (Extra Duty Assignments), Section 16 Entitled "Rates and Charges" is Tuesday, February 18, 2014.

Ordinance No. 3275
Introduced by Mayor Petracco
Introduced on January 7, 2014
Public Hearing February 18, 2014

Ordinance No. 3275

"AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 131, ENTITLED "POLICE DEPARTMENT" PARTICULARLY ARTICLE III (EXTRA DUTY ASSIGNMENTS), SECTION 16 ENTITLED "RATES AND CHARGES"

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Section 16 of Chapter 131 of the Code of the Township of Nutley, Rates and Charges, is hereby amended to read as follows:

Hourly rates for optional extra duty Assignments shall be in accordance with the collective bargaining agreement between the Township of Nutley and PBA-SOA Local 33; and

131-16 "Rates and Charges:

Police Extra Duty Assignments shall include;

1. Road Construction or other details that require traffic control by a Police Officer shall be paid in accordance with CBA.
2. Mandatory Extra Duty Assignments shall be paid at a rate of time and ½ in accordance with the annual salary ordinance

(Examples shall include) Parades, Carnivals, On Street Event's and other activities that require a mandatory police presence in the interest of Public Safety.

3. Police Security: Details that do not require traffic control or an in street presence shall be paid at a rate of \$30.00/Hr.
4. Police Security for 177 Washington Avenue shall be paid at a rate of \$25.00/Hr. In accordance with prior negotiated contract

A minimum charge of two hours shall apply to all extra duty assignments, excluding Street Construction; and

A minimum charge of four hours shall apply to each road construction extra duty assignment excluding township funded projects; and

A minimum fee equaling two hours will be charged for any entity that cancels a scheduled request for Police coverage with less than two hours' notice to the Township.

An additional Administrative fee of \$5.00/Hr. per officer shall be charged for each hour worked during Extra Duty Assignments.

The Administrative fee shall be waived for all Extra Duty Assignments performed for Municipal Government Departments, the Nutley Board of Education and other times as determined by the Director of Public Safety.

All such administrative fees shall be the responsibility of the individual or entity requesting services under this article.

A Vehicle maintenance/fuel surcharge fee of \$9.00/Hr. per vehicle shall also be applied to any Extra Duty work which requires use of township vehicle. This fee will be used to reimburse the township for fuel use and wear on township vehicles during such use. Requirements for need of such vehicles shall be determined by the Chief of Police or his designee. The vehicle fee shall be waived for all Extra Duty Assignments performed for Municipal Government Departments, the Nutley Board of Education and other times as determined by the Director of Public Safety.

All persons requesting Police Officers for Extra Duty assignments shall complete and return a Police Service Request Contract before any Officer(s) will be scheduled. Any persons/Businesses or corporation not having an annual Police Service Request Contract on file shall be subject to a retainer deposit in an amount not less than the estimated cost for service. All retainer fees shall be payable to the township treasurer and deposited into a retainer account. Any unused balances of retainer will be refunded to customer after completion of contracted work and all bills have been paid in full.

This ordinance shall become effective after passage and publication, pursuant to law.

ORDINANCE NO. 3276
INTRODUCED ON FRIDAY, JANUARY 24, 2014
INTRODUCED BY COMMISSIONER EVANS
PUBLIC HEARING TUESDAY, FEBRUARY 18, 2014

ORDINANCE NO. 3276

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE VII (SPECIAL ZONES AND AREAS), SECTION 29A ENTITLED HANDICAPPED PARKING, TO DELETE THE LOCATIONS SET FORTH THEREIN.

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Article VII, Section 29A of Chapter 228 of the Code of the Township of Nutley, entitled Handicapped Parking, is hereby amended to set forth the DELETION of the following locations:

Section 29A. Streets.

In accordance with the provisions of N.J.S.A. 39:4-197.5, the following street locations are designated as handicapped parking spaces. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Delete

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Centre Street	South	Beginning at a point 230 feet east of Myrtle Avenue east for 20 feet
Centre Street	South	Beginning at a point 172 feet west of Woodland Avenue, west for 20 feet
Essex Street	South	Beginning at a point 85 feet west of Ernest Street west for 22 feet
High Street	North	Beginning at a point 39 feet west of Funston Place, continuing in a westerly direction for 20 feet.
Highfield Lane	South	Beginning at a point 188 feet west of the extended curblineline of Conduit Place, continuing in a westerly direction for a distance of 22 feet.
Howard Place	West	Beginning at a point 543 feet west of Bloomfield Avenue north for 20 feet
St. Mary's Place	East	Beginning at a point 75 feet south of Hunt Place, south for a distance of 22 feet
Walnut Street	East	From 358 feet north of Washington Avenue north for 22 feet
Walnut Street	East	From 410 feet north of Washington Avenue north for 22 feet

BE IT FURTHER ENACTED that all other terms and conditions and locations in Article VII, Section 29A, Chapter 228 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.

ORDINANCE NO. 3277
INTRODUCED ON FRIDAY, JANUARY 24, 2014
INTRODUCED BY COMMISSIONER EVANS
PUBLIC HEARING TUESDAY, FEBRUARY 18, 2014

ORDINANCE NO. 3277

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING ON CERTAIN STREETS), SECTION 10 ENTITLED STOPPING OR STANDING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS TO DELETE AND ADD THE LOCATION SET FORTH THEREIN.

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Section 10 of Chapter 228 of the Code of the Township of Nutley, entitled Stopping or Standing Prohibited During Certain Hours On Certain Streets, is hereby amended to set forth the DELETION & ADDITION of the following locations:

No person shall stop or stand a vehicle between the hours specified on any day upon any of the streets or parts of streets described:

Delete

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Centre Street	South	All	From Union Avenue east for 100 feet.

Add

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Centre Street	South	All	From Union Avenue east for 45 feet.

BE IT FURTHER ENACTED that all other terms and conditions and locations in Section 10 and Chapter 228 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.

ORDINANCE# 3278

**INTRODUCED BY: DEPUTY MAYOR THOMAS J. EVANS FOR MAYOR ALPHONSE PETRACCO
INTRODUCED ON: FRIDAY, JANUARY 24, 2014
PUBLIC HEARING BY MAYOR ALPHONSE PETRACCO ON TUESDAY, FEBRUARY 18, 2014**

ORDINANCE NO. 3278

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2014."

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

SECTION 1

The salaries of certain officers and employees, either permanent or temporary, as the case may be, of the Township of Nutley, herein mentioned, shall be as follows:

NON-UNION EMPLOYEES

LEGAL DEPARTMENT

TITLE	BASE SALARY MINIMUM	BASE SALARY MAXIMUM
Assistant Municipal Prosecutor	\$ 30,000.00	\$ 45,000.00

SECTION 2

The annual salaries of the employees of the Departments of Public Works, Water, Parks and Public Property, excepting office employees, shall be on the basis of forty (40) hours per week. When overtime is required, it shall be paid on a "time and one-half" basis. The provisions for overtime as stated in this paragraph shall not apply to the Public Works Superintendent, Municipal Engineer and Construction Code Official/Zoning.

SECTION 3

Payment of vacation time in advance may be made upon request in writing to the Treasurer at least one month in advance of the pay period requested. Written request must be approved by the Department Head before submission to the Treasurer.

SECTION 4

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.

SECTION 5

To the extent not set forth herein, all total salaries per annum will include longevity as set forth in Nutley Municipal Code Chapter 103.

Ordinance No. 3274
Introduced by Commissioner Evans
Introduced on December 17, 2013
Public Hearing: Friday, January 24, 2014

Ordinance No. 3274

“AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700, ENTITLED ZONING, PARTICULARLY ARTICLE III, TERMINOLOGY & ARTICLE XII, SIGNS”

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Chapter 700 of the Code of the Township of Nutley, entitled Zoning, Article III, Terminology and Article XII Signs is hereby amended.

ARTICLE III
Terminology

Definitions.

As used in this article, the following terms shall have the meanings indicated:

DELETE

B. Definitions.

AWNING

A temporary or permanent roof-like cover attached to or projecting from a building, as an appurtenance to the building. It may function as a protection from weather and sunlight or may be ornamental.

AWNING, RETRACTABLE

An awning which is manufactured to be rolled easily up or down. Lettering or logos on retractable awnings shall be included in the permitted surface display area for signs.

AWNING SIGN

A sign on any part of an awning, and shall be considered a business sign, and shall be subject to all sign regulations established in Article XII of this chapter.

ADD

B. Definitions.

ADVERTISING SIGN

A sign which directs attention to a business, commodity, service or entertainment, conducted, sold or offered elsewhere than upon the premises or not exclusively related to the premises.

“A” FRAME SIGN

An “A”-shaped temporary and easily movable ground sign with a message on two sides, for advertising commodities, services or entertainment, conducted upon the premises where the sign is located. “A” frame signs shall be no greater than two (2) feet x three (3) feet on each side and shall be constructed of material compatible with the building where it is situate. “A” frame signs shall be prohibited from being located in any Township, County or State right-of-way.

ANIMATED SIGN

Any sign that uses movement or change of lighting to depict action or the illusion of movement or create a special effect or scene.

APPLIED LETTER

A type of wall sign utilizing letters or a logo, individually mounted on the facade of the structure to form the sign message.

AREA IDENTIFICATION SIGN

A sign to identify a common area containing a group of structures, or a single structure, such as a residential subdivision, apartment complex or shopping center, located at the entrance or entrances of the area. Such signs may or may not consist of a fence or wall or archway with letters or symbols affixed thereto.

AWNINGS and CANOPIES

Roof-like coverings, either retractable or non-retractable, extending over a walkway, sidewalk or exterior place, supported by a frame attached to the building and/or ground with a surface made of fabric or a more rigid material, such as plastic or metal, and either retractable against the building or fixed in place.

AWNING SIGN

Any sign that is part of, attached to or printed on an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

BANNER

Any sign printed or displayed upon cloth or other flexible material, with or without frames. National flags, state or municipal flags or the official flag of any not-for-profit institution shall not be considered banners for the purposes of this chapter.

BEACON

A stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention; except, however, this term is not intended to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Agency or similar agencies.

BILLBOARD or OUTDOOR ADVERTISING SIGN

A sign which directs attention to a business, industry, profession, political candidate, groups of candidates for public office, commodity, service or entertainment not necessarily sold or offered upon the premises where the sign is located.

BUILDING MARKER

Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

BUILDING SIGN

Any sign attached to any part of a building, as contrasted to a freestanding sign.

BULLETIN BOARD

Any sign erected by a charitable, educational or religious organization or public body, which is erected upon the same premises as said institution, for purposes of announcing changing events.

BUSINESS SIGN

A sign which directs attention to a permitted business, industry, profession, commodity, service or entertainment sold or offered upon the premises where such sign is located upon the premises and which sign shall be deemed an integral part of that profession, office, business, commercial enterprise or industry. A "For Sale" or "To or For Rent" sign relating only to the premises on which it is displayed shall be deemed a business sign.

CANOPY

See "Awnings and Canopies."

CANOPY SIGN

See "Awning Sign."

CHANGEABLE MESSAGE

A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign, including, without limitation, electronic or digital message boards or tickers.

COMMERCIAL MESSAGE

Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

DIRECTIONAL SIGN

A sign intended to direct or point toward a place or which gives directions. Such signs shall carry no advertising copy describing the activities carried on at the premises where such signs are located.

DIRECTORY SIGN

A sign listing the tenants or occupants of a building.

DISPLAY SURFACE AREA

The net geometric area enclosed by the display surface of the sign, including the outer extremities of all letters, characters and delineations, the surfaces upon which they are presented, voids between elements of the sign or any element of the display that goes beyond the primary surface, whichever is greatest; provided, however, that display surface area shall not include the structural supports for freestanding signs; provided, further, that each side of a double-faced sign as defined shall be considered in determining the display surface area.

ERECT

To construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way bring into being or establish, but not including any of the foregoing activities when performed as incidental to the normal maintenance or repair of a sign or sign structure.

ESTABLISHMENT

An economic unit where business is conducted or services or industrial operations are performed. More than one establishment could be located at a single street address.

EXEMPT SIGNS

Any sign which does not require a sign permit to be issued by the Township for their installation.

EXTERNALLY ILLUMINATED SIGN

Any illuminated sign whose illumination is derived from an external artificial source outside the display portion of the sign.

FACADE

The total wall surface, including door and window area, of a building's principal face. A mansard roof shall be considered as part of the facade.

FLAG

Any fabric or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other not-for-profit institution.

FLASHING SIGN

An illuminated sign, the illumination of which is not kept constant in intensity at all times when in use. Illuminated signs that indicate the time, temperature, weather or similar public service information, without other ancillary advertising or information, shall not be considered flashing signs.

FLAT SIGNS

Any sign attached or erected parallel to, or painted upon, the outside wall, fascia, awning, canopy or parapet of a building and not extending more than 9 inches from such outside wall, fascia, awning, canopy or parapet.

FREE STANDING OR GROUND SIGN

Any sign supported by permanent structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure, not exceeding five (5) feet in height.

ILLUMINATED SIGN

A sign which is lighted by a self-contained interior light or by lights projected or directed onto it.

INCIDENTAL SIGN

A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as parking, directional and warning signs, and signs reading "loading only," "telephone," "open/closed," "hours of operation" and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

INTERNALLY ILLUMINATED SIGN

Any sign whose sole source of artificial illumination is contained within the display portion of the sign, including neon-type signs and internally and backlit signs.

MARQUEE

A type of canopy with a permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building and possibly supported in part from the ground, generally constructed above an entrance.

MARQUEE SIGN

Any sign attached to, in any manner, or made a part of a marquee.

NAMEPLATE SIGN

A sign which states the name or address, or both, of the occupant of the premises where the sign is located and not exceeding 1 and 1/2 square feet in area.

NEON SIGN

Self-luminous electric signs usually constructed of glass tubing containing a vapor or gas configured to form a display or lettering.

NONCONFORMING SIGN

Any sign that does not conform to the requirements of this chapter.

OFFICIAL SIGN

Any sign, symbol or device erected and maintained by the federal government, State of New Jersey, County of Essex, the Township or a public utility for the purpose of informing or guiding the public or for the protection and promotion of the health, safety, convenience and general welfare of the public.

OUTDOOR ADVERTISING SIGN

See "Billboard."

OVERHANGING SIGN

A sign suspended from a building marquee, awning, canopy or a wooden or metallic bar where such sign is located within the public right-of-way or other than parallel to the building facade.

PENNANT

Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually, but not necessarily, in series, designed to move in the wind.

PERSON

Any individual, association, company, corporation, firm, organization, partnership, private or governmental entity.

POLITICAL SIGN

Signs advancing the candidacy of any candidate or group of candidates for public office.

PORTABLE SIGN

Any sign not permanently attached to the ground or other permanent structure, or a sign designated to be transported, including but not limited to signs designed to be transported by means of wheels; A-frame and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

PROFESSIONAL SIGN

A sign listing only the name, profession, degree and/or specialty of each practitioner.

PROJECTING SIGN

Any sign affixed to a building or wall in such a manner that its leading edge extends more than one foot beyond the surface of such building or wall. Projecting signs shall be designed of material compatible with the building to which it is affixed and is no greater than two (2) feet x three (3) feet if four sided or thirty – six inches (36") in circumference if circular or oval in shape

PUMP ISLAND CANOPY SIGN

A flush-mounted sign on the vertical surface and canopy, which is the ornamental or protective roof-like structure erected above the pumps of a gasoline station.

PYLON SIGN

Any business sign supported by uprights, braces or masonry wall which is attached to the ground and is not attached to any building, exceeding 5 feet in height to the top of the sign. Pylon signs are prohibited in all zones. An example of a pylon sign is a gas station sign.

REAL ESTATE SIGN

A temporary sign placed upon the property for the purpose of advertising to the public the availability for sale, rent or lease of said property.

REAL ESTATE OPEN HOUSE SIGN

A sign which directs attention to a business, commodity, service or entertainment, conducted, sold or offered elsewhere than upon the premises or not exclusively related to the premises.

RIGHT-OF-WAY

That portion of the highway intended for the use of pedestrians and utilities between the curb line of a roadway and the property line.

ROOF SIGN

Any sign erected, constructed and maintained upon or over the roof of any building with the principal support of the roof structure or parapet wall.

SETBACK

The distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

SHOPPING CENTER OR MALL

A building or group of related buildings of more than three units having a common entrance or with more than one entrance not on a public road or highway.

SIGN

Shall mean and include every object, device, frame, figure, character, mark, point, fixture, graphic design, picture, stroke, stripe, trademark, model, emblem, placard, symbol, display, light, logo or reading matter which is used or intended to be used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, colors, illumination or projected images, when the same is placed in the view of the general public, either outdoors or indoors. Any of the above which is not placed out of doors, but which is illuminated with artificial or reflected color or otherwise made visible from out of doors, shall be considered a sign within the meaning of this chapter, when placed in such a way as to be used to attract attention or convey information to motorists or pedestrians.

SIGN STRUCTURE

The method employed to support any sign except a window sign.

TEMPORARY SIGN

Any sign that is used only temporarily and is not permanently mounted, with the exception of “Open House” Real Estate signs, all temporary signs must bear the date of original installation affixed in the lower right hand corner of such sign.

WALL SIGN

Any sign that shall be affixed parallel to the wall or printed or painted on the wall of any building in such a manner as to read parallel to the wall on which it is mounted; provided, however, said wall sign shall not project above the top of the wall or beyond the end of the building. For the purposes of this chapter, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign.

WINDOW

A glass area presented to the public for purposes of display.

WINDOW SIGN

A sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes of glass or is hanging within 18 inches inside of the window and is visible from the exterior of the window.

EXEMPT SIGNS.

The following signs shall not require a sign permit to be issued by the Township for their installation and shall be permitted as follows:

- A. Temporary civic, cultural and public service window posters, when posted inside windows of commercial establishments, provided they are only permitted in one window per establishment and do not, individually or combined, occupy more than 20% of the total area of said window or 5 square feet, whichever is less. Temporary window signs are permitted on ground-floor windows only. Temporary civic, cultural and public service banners shall also be permitted to be posted on areas designated by the Township of Nutley Public Works Department as public areas. Any such banner shall comply with the requirements of this ordinance and may be erected up to two (2) weeks prior to the advertised event and must be removed *no later than five (5) days* following the advertised event.
- B. Temporary promotional or special sales signs in windows of a commercial establishment when advertising that commercial establishment, provided they do not, individually or combined with other window signs, exceed 50% of the total area of the display window or 16 square feet, whichever is less. Temporary signs advertising a business opening or change in ownership of a commercial establishment, located on the premises of the commercial establishment, are also permitted, provided such signage is placed in only one window per establishment per street frontage and *does not* exceed 50% of the window or an area of 16 square feet, whichever is less. All temporary signs shall have the date of installation printed clearly on the lower right-hand corner, as viewed from the

exterior, and shall be permitted for a period not to exceed 30 days. Temporary promotional signs are permitted on ground-floor windows only. When more than one establishment is located at a single street address, the aggregate size of the signs for all establishments permitted by this subsection shall not exceed 50% of any one window or 16 square feet, whichever is less.

- C. Temporary signs of a nonprofit or charitable organization located on the premises of such organization, provided such signs shall not exceed one per premises per event and do not exceed 32 square feet in area. Said signs shall be put in place no earlier than 60 days before the event and shall be removed within five (5) days after completion of said event.
- D. One bulletin board sign not exceeding 12 square feet in surface display area shall be permitted for a house of worship or private, public and parochial schools, provided that, if not attached to the facade of the building, it shall be located no closer than 10 feet to the street line and not exceeding five feet in height. Such signs may be illuminated by direct exterior lighting, provided that the latter is so screened that light is not directed or reflected toward any adjacent residence or street.
- E. Incidental signs, and signs posting property as "private property", "no trespassing" or similar signs, which do not exceed 2 square feet in area. No such signs shall be neon signs. No property or structure shall contain more than five (5) incidental signs.
- F. Temporary signs denoting the architect, engineer or contractor, when placed upon the site under construction, provided such signs shall be limited to one sign per site and shall not exceed 16 square feet in area per sign face. 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. Contractor signs are allowed in all zoning districts and shall require a permit.
- F. Flags or emblems of religious, educational, civic or governmental organizations flown from supports on the building or grounds occupied by the organizations and the American flag, wherever flown in accordance with the laws and rules promulgated by the federal government.
- G. All signs located within buildings that are not visible to the public from the outside of said building.
- H. Banners and flags used to signify a "Grand Opening" or special occasion, provided such banners and flags which shall require a permit may be erected up to two (2) weeks prior to the event and are removed within 30 days of the date first erected.
- I.

ARTICLE XII

Signs

DELETE

Prohibited signs.

No advertising signs, projecting signs, flashing signs, moving or fluttering signs or signs with moving parts or roof signs shall be erected or maintained in any district created under this chapter. No signs shall be erected which have high reflection by the use of special preparations such as fluorescent paint or glass. The following signs shall be prohibited: signs which consist of banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners or other similarly moving devices. These devices, when not part of any sign, are similarly prohibited.

ADD

General Provisions.

Purpose. The attractiveness of the Township of Nutley (the "Township") contributes to the general welfare and economic well-being of its citizens, property owners and business enterprises. The reasonable control of signage promotes a desirable visual environment and enhances public safety. The purposes of the regulations and standards that follow are:

- A. To encourage the effective use of signs as a means of communication,
- B. To maintain and enhance the aesthetic environment and the Township's ability to attract beneficial sources of economic development,
- C. To improve pedestrian and traffic safety,
- D. To attempt to minimize the possible adverse effect of signs on nearby public and private properties values,
- E. To prevent unnecessary and dangerous vehicular traffic distractions,
- F. To enable fair and consistent enforcement of these regulations. This section is adopted under the zoning authority of the Township in furtherance of the more general purposes set forth in this chapter.

Applicability.

The effect of this section, as more specifically set forth herein, is:

- A. To require the continuation of the Township's existing permit system to allow a variety of types of signs subject to the standards and the permit procedures of its local ordinances;
- B. To allow certain signs that are small, unobtrusive and incidental to the use of the respective buildings on which they are located, subject to the requirements of this chapter, but without a requirement for permits;
- C. To provide for temporary signs without commercial messages in limited circumstances; and
- D. To prohibit all signs not expressly permitted by this chapter.

Prohibited signs.

The following signs shall be prohibited:

- A. Fluorescent signs.
- B. Neon signs or lighting, except when used in a window to advertise a particular product sold by the establishment seeking to install the sign, which shall be limited to no more than two such signs per street frontage.
- C. Marquee signs, except for uses that typically utilize such signs.
- D. Signs on roofs, dormers and balconies.
- E. Billboards, billboard signs or. No sign otherwise lawful under this section shall be prohibited because of this provision.
- F. Signs mounted upon the exterior side or rear walls of any building or structure, except as otherwise permitted hereunder.
- G. Animated, moving or revolving signs and signs using blinking, flashing, vibrating, flickering, tracer or sequential lights, which display movement or the illusion of movement, including interior signs visible from the exterior of the premises, except for clocks, temperature displays, or signs commonly known as barber poles used in conjunction with barbershops.
- H. Changeable message signs, except when utilized in connection with municipal, Township school or houses of worship property.

- I. Signs erected, painted or composed of fluorescent, phosphorescent or similar material.

Banners, strings of banners and pinwheels, strings or streamers of flags, pennants, spinners or other similar devices strung across, upon, over or along any premises or building, whether part of a sign or not. . These items shall not be affixed to public service utility pole, telephone utility pole or any other pole, street sign, traffic signal pole, tree or installation on or along any public street, public right-of-way or any other public property, or on any public building.

- J. Balloons and inflatable signs.

- K. Signs attached to vehicles. It shall be unlawful to use a vehicle or a trailer to display a sign in circumvention of this section. Printed signage on the sides of commercial vehicles shall not be precluded hereunder.

- L. A-frame signs, except as permitted herein.

- M. Signs painted on the exterior walls or facade of a building.

- N. Signs on accessory buildings or structures.

- O. It shall be unlawful for any person to erect, locate, relocate or maintain any sign which falsely identifies the premises or occupant of any premises or building, or which falsely advertises for sale on any premises or in any building any product or service not available therein.

- P. Whenever there is a change in occupancy of a building or premises, including any vacancy of such building or premises, the message of any sign or signs which identify or advertise an individual, business, service, product or other item that is no longer present or available in the building or on the premises, and any attendant or incidental supporting framework or signage structure shall be promptly removed.

- Q. Any other type of sign not otherwise permitted.

- R. Pylon Signs - Any business sign supported by uprights, braces or masonry wall which is attached to the ground and is not attached to any building, exceeding 5 feet in height to the top of the sign. Pylon signs are prohibited in all zones. An example of a pylon sign is a gas station sign

Lighting and illumination.

Any sign permitted by the provisions of this chapter may be illuminated as permitted in this section, except that real estate signs shall be non-illuminated. Signs may be externally illuminated, provided that they comply with the following standards. For the purpose of administering this section, an "internally illuminated" sign shall be defined as a sign that is

illuminated by a light source that shines through the letters or logos from the back of the sign. "externally illuminated" signs shall be defined as signs that are illuminated by a light source that shines directly on the surface of a sign or which shines on the wall upon which applied letters are installed, and which light source is designed specifically to illuminate only the sign or applied letters.

- A. Internally Illuminated Signs - Internally illuminated signs are allowable
- B. Externally Illuminated Signs. - Externally illuminated signs shall only be permitted where the sources of illumination are shielded in such a manner that light is not directed to the street or adjoining property.
- C. No sign shall be lighted by means of flashing or intermittent illumination.
- D. Floodlights or spotlights used for the illumination of signs, whether or not such lights are attached to or separate from the building, shall not project light beyond the sign. Gooseneck reflectors and lights shall be permitted; provided, however, that the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.
- E. In no instance shall the light intensity of any illuminated sign exceed 75 foot-candles measured with a standard light meter measured at any point in front of the sign at a distance that is no greater than the smallest horizontal or vertical dimension of said sign.
- F. All sign lighting shall be turned off no later than 30 minutes after the closing, except signs in residential zones shall not be lit beyond 10:00 p.m.

A-frame signs

A-frame signs shall be permitted as follows:

- A. The area of each signboard, single-sided, does not exceed six square feet;
- B. The signboard is constructed of building compatible material;
- C. Letters are painted, vinyl die cut or legibly handwritten;
- D. The sign shall not be located within the County, State or Township right-of-way, and sidewalks, and its location does not interfere with pedestrian or vehicular circulation;
- F. The information displayed is limited to daily specials and/or hours of operation; and
- G. The sign is removed at the end of the business day.
- H. No more than one (1) A-frame sign shall be permitted for use in connection with any structure

I. Signs in R-1A, R-IAA, R-1, R-2 and R-3 Zoning Districts.

In R-1 A, R-1 AA, R-1, R-2 and R-3 Zoning Districts, no sign shall be permitted except the following: a nameplate sign bearing the name of the residence or professional person residing on the premises and, in the case of a professional person, indicating his profession, provided that such sign shall not exceed 1 and 1/2 square feet in area; a temporary sign not exceeding 12 square feet in display area pertaining to the lease or sale of the lot or buildings on which it is placed. Not more than one nameplate for each dwelling unit or more than one "for sale" sign per lot shall be permitted. In single-structure multifamily dwellings, one identification sign shall be permitted for each multifamily dwelling. Such sign shall be a facade sign or a ground sign limited to eight square feet in area. If a ground sign, the sign shall be no higher than five feet above the ground and shall be set back 18 feet from the front property line.

Signs in B-1 and B-2 Zoning Districts.

A. In Zoning Districts B-1 and B-2, no sign or any portion thereof shall be permitted except the following business signs:

- 1) Flat signs which shall not project more than nine inches beyond the building facade.
- 2) Any illuminated flat signs, which shall not project more than nine inches beyond the building facade.
- 3) Projecting signs provided same are designed of material compatible with the building to which it is affixed and is no greater than two (2) feet x three (3) feet if four sided or thirty- six inches (36") in circumference if circular or oval in shape.

B. The permitted total surface display area of business signs for a premises shall not exceed, in number of square feet, the figure produced by the application of the following formulas:

- 1) For premises not located on a corner lot, the maximum signage surface area shall be no greater than the building frontage width in linear feet multiplied by a factor of 1 ½.

Building Width x 1.5 = Maximum Square Footage

- 2) In the case of a corner lot, such square foot display area may be increased by the number of square feet equal to 1/3 of the product obtained by multiplying the number of linear feet in the length of the building that faces the secondary street by 1 ½. The increased display area shall only be utilized by the erection of a permitted sign on that part of the premises which fronts the secondary street on the corner lot.

$$\frac{\text{Secondary Street Building Length}}{3} \times 1.5 = \text{Maximum Square Footage for Corner Lot Secondary Street Display}$$

- 3) For premises on a lot abutting a public parking lot, the maximum permitted signage surface area shall be no greater than the building frontage width in linear feet for the primary street multiplied by a factor of 1 ½, plus the sum of the building frontage width in linear feet for the section abutting the public parking lot multiplied by a factor of 1 ½, then multiplied by a reduction factor of one third (1/3) which said increased display area shall only be utilized by the erection of a permitted sign on that part of the premises which abuts said public parking lot.

$$\frac{\text{Building Width fronting Public Parking}}{3} \times 1.5 = \text{Maximum Square Footage for Building Side Display Abutting Public Parking Lot}$$

C. In no event shall the maximum display area for a premises exceed 150 square feet.

Signs in B-1, B-2, B-3, B-3A, B-4 and M-O Zoning Districts.

- A. In Zoning Districts B-3, B-3A, B-4 and M-O, no sign or portion thereof shall be permitted except the following business signs:
- 1) Signs permitted in B-1 and B-2 Districts.
 - 2) Ground signs not exceeding five feet in height, which shall not be erected within five feet of any property line and which shall have a maximum display area not exceeding 25 square feet.
- B. The permitted total surface display area of business signs, including ground signs, shall be the number of square feet determined by the application of the formula set forth above, including the exception for a corner lot and the exception where premises abut a public parking lot. In no event shall the maximum display area for a premises exceed 150 square feet. The total surface display shall include both sides of a double-faced sign.

Signs in M and M-1 Zoning Districts.

In Zoning Districts M and M-1, the controls governing signs shall be the same as those for the B-3, B-4 and M-O Zoning Districts, except that in no event shall the maximum display area for a premises exceed 200 square feet.

Private schools, clubs and permitted institutional uses.

Private schools, clubs and permitted institutional uses may identify themselves with one nameplate sign not exceeding nine square feet of surface display area, provided that, if the sign is not attached to the facade of the building, it shall be set back from the street line a distance of 18 feet.

Garden apartment and townhouse developments.

Bulletin board directory signs not exceeding 12 square feet of surface display area shall be permitted in garden apartment and townhouse developments, provided that only one such sign shall be maintained for each street frontage upon which the garden apartment or townhouse development fronts, that such sign or signs shall be set back from the street line a distance of 18 feet and that only backlighting shall be used to provide artificial illumination.

Termination of business.

At the termination of a business, commercial or industrial enterprise, all signs pertaining thereto shall be removed from the public view within 30 days from the date the premises are vacated. Removal shall include the face of the sign and any framing, brackets or supports. Any replacement signs shall require new sign permits. Responsibility for violation shall reside with the property owner, according to the latest tax roll's listing.

Location of signs using the colors red, amber or green.

Signs in which the colors red or amber or green are used in direct illumination or in high reflection by the use of special preparations such as fluorescent paint or glass shall not be located within 100 feet of any approved traffic light or other safety device using red or green.

Required signature on signs.

All applications for signs herein permitted shall be signed by the owner of the property or his authorized or designated agent.

Political signs.

A. For purposes of this section, the term "political signs" shall be defined as signs advancing the candidacy of any candidate or group of candidates for public office; and any such signs posted or displayed on licensed motor vehicles in operating conditions; provided, however, that no such vehicle is parked or placed in any location for the primary purpose of displaying any such sign, it being the intention of this section to eliminate the distracting or unsightly condition created by the parking or standing of motor vehicles bearing signs at or adjacent to trafficked areas for the purpose of displaying such sign.

B. Restrictions. [Amended 3-18-2008 by Ord. No. 30541

- 1) No political sign shall be permitted on any public service utility pole, telephone utility pole or any other pole, street sign, traffic signal pole, tree or installation on or along any public street,[or] public right-of-way or any other public property. or on any public building.
- 2) Any political sign erected on a vacant lot shall conform to the square foot limitations of political signs in the zone in which it is located and be set back from the street at least 10 feet, and there shall be no more than five political signs placed on any vacant lot or property
- 3) Political signs in R-1A, R-1AA, R-1, R-2 and R-3 Zoning Districts shall not exceed four (4) square feet for each sign set at least 15 feet back from the property. No permit shall be required for any political sign in these zones.
- 4) Political signs in B-1, B-2, B-3, B-3A, B-4, M-O, M and M-1 Zoning Districts shall not exceed sixteen (16) square feet and shall meet the setback requirements for temporary signs in those districts where the signs are posted. Each candidate shall be limited to twelve (12) signs in these zones (exclusive of signs at a designated campaign headquarters) located in the Township for which a permit shall be required. The number of signs on each property in these zones will be limited to the number of public offices available for each category. For example: if three Board of Education Seats are up for election ,three signs would be permitted regardless of the number of candidates.
- 5) Any privately owned building or part thereof designated and serving as the campaign headquarters of any candidate or groups of candidates for election for public office, shall be permitted one or more signs not exceeding a total of thirty (30) square feet cumulatively in B-2, B-3, B-3A, B-4, M-O, M and M-1 Zoning Districts or a total of sixteen (16) square feet cumulatively in R-1A, R-1AA, R-1, R-2 and R-3 Zoning Districts.
- 6) No such sign shall be erected, posted or displayed more than 30 days prior to

the date of the election to which such sign pertains, and any such sign shall be removed not more than five calendar days after the date of such election.

7) Political Billboards are prohibited.

Awnings and awning signs.

A. Awnings are permitted in all zoning districts.

B. Awning signs shall be permitted only in Zoning Districts B-1, B-2, B-3, B-3A, B-4, M, M-O and M-1.

1) Awnings and awning signs which are located in a zoning district wherein awning signs are permitted shall be subject to the following minimum design standards:

- a. Awnings and awning signs shall project no more than three feet from the facade of the building to which they are attached, but not farther than the awnings on the same side of the street within 200 feet on either side.
- b. Awnings and awning signs or any other type of projecting sign which projects over a street right-of-way shall be subject to an indemnification and hold harmless agreement between the store or the property owner and the Township, in a form acceptable to the Township, such that the Township is not held responsible for the loss of or damage to property or injury to persons occurring in or about the premises of the property owner by reason of installation and presence of said awnings.
- c. Any lettering or logos displayed on the awning sign shall be included in the permitted surface display area established in Article XII of this chapter.
- d. The lettering or logos on awnings shall represent no more than 35% of the total permitted surface display area for signs for the subject premises.
- e. No lettering or logo is permitted on the side of the awning.
- f. Awnings that are lit by external lights that are intended to highlight the awning and are not for security reasons shall be considered an awning sign.

- g. Segmented lighting on an awning sign shall be prohibited.
- h. The surface display area of an awning sign shall include the area that has any lettering or logos displayed and any area which is lighted internally or externally, whether or not the lighted area has lettering or logos.
- i. The minimum height above the sidewalk for awnings and the awning signs shall be at least seven feet six inches at the lowest point of the awning, but not higher than the awnings on the same side of the street within 200 feet on either side. Awnings signs shall not extend over the second story, nor over 12 feet six inches above grade, whichever is less.
- j. Awnings and awning signs shall meet all requirements of the Uniform Construction Code.
- k. Awnings shall be limited to: tan, brown, hunter green, Navy blue, black, maroon.

Signs-Old Towne District.

A. In addition to all signage permitted in B-1 and B-2 Zoning Districts, the following signs shall also be permitted in the Old Towne District:

- 1) "A"-frame signs;
- 2) Projecting signs provided same are designed of material compatible with the building to which it is affixed and is no greater than two (2) feet x three (3) feet if four sided or thirty-six inches (36") in circumference if circular or oval in shape.

For the purpose of this section, the term "Old Towne District" shall mean, that area of the Township (i) on Passaic Avenue from Chestnut Street to Nutley Avenue and (ii) on Chestnut Street from Park Drive to Passaic Avenue.

BE IT FURTHER ENACTED that all other terms and conditions and locations in Articles II & XII, 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.

Board of Commissioners Meeting –

Friday, January 24, 2014

Resolution No. 10-14 NOT USED

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 25-14

WHEREAS, heart disease is a killer that strikes more women than men, and is more deadly than all forms of cancer combined. Heart disease claims the lives of one in three women, which translates to roughly one death each minute; and

WHEREAS, more than 64 million Americans suffer from one or more forms of cardiovascular disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke and congenital heart defects; and

WHEREAS, a combination of heart healthy nutrition, living a healthy lifestyle and following your healthcare professional's recommendations are all part of reducing an individual's risk for heart disease, heart attack and stroke; and

WHEREAS, February is National Heart Health Month, and Go Red For Women is the American Heart Association's national call to increase awareness of heart disease - the leading cause of death in women-and to inspire women to take charge of their heart health; and

WHEREAS, the Township of Nutley Department of Public Affairs, through its Health Department, and the American Heart Association are committed to preventing heart disease through public and professional education about the risk factors; and

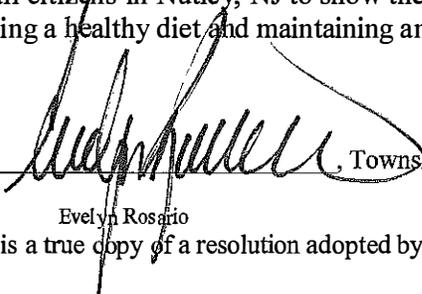
WHEREAS, on Monday, February 10, 2014, the Nutley Department of Health, in conjunction with the Montclair Health Department and Clara Maass Hospital, will be presenting a lecture demonstrating the importance of a heart healthy lifestyle, as well as a **GO RED** Fashion Show, at which time residents are encouraged to **Wear Red** to show their support;

NOW, THEREFORE, BE IT RESOLVED BY the Board of Commissioners, Township of Nutley, that in recognition of the importance of the ongoing effort to prevent heart disease, we do hereby proclaim February 2014 as

National Heart Health Month

and urge all citizens in Nutley, NJ to show their support for preventing heart disease by learning more about their heart health, eating a healthy diet and maintaining an active lifestyle.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that

Evelyn Rosario

foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

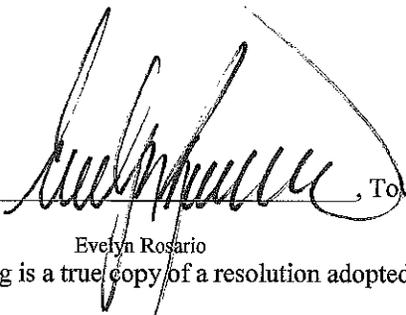
Introduced by: Commissioner Rogers FOR Commissioner Mauro G. Tucci *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 6-14

BE IT RESOLVED, by the board of Commissioners of the Township of Nutley in the County of Essex, New Jersey,, that the Township Clerk be and she is hereby authorized to advertise for **SEALED BIDS** for **ELECTRICAL SERVICES**.

Bids to be received on Thursday, February 13, 2014 in the Commission Chambers, Township Hall, Kennedy Drive, at 3:00PM prevailing time at which time they will be publicly opened and read.

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

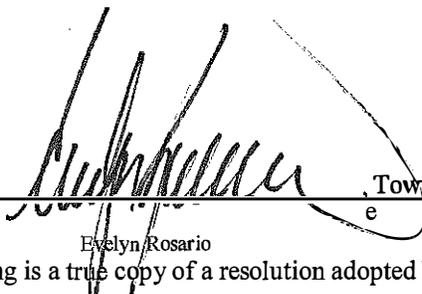
Introduced by: Commissioner Steven Rogers FOR Commissioner Mauro G. Tucci *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 7-14

BE IT RESOLVED, by the board of Commissioners of the Township of Nutley in the County of Essex, New Jersey,, that the Township Clerk be and she is hereby authorized to advertise for **SEALED BIDS** for **PLUMBING SERVICES**.

Bids to be received on Thursday, February 13, 2014 in the Commission Chambers, Township Hall, Kennedy Drive, at 3:00PM prevailing time at which time they will be publicly opened and read.

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers FOR Commissioner Mauro G. Tucci *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 8-14

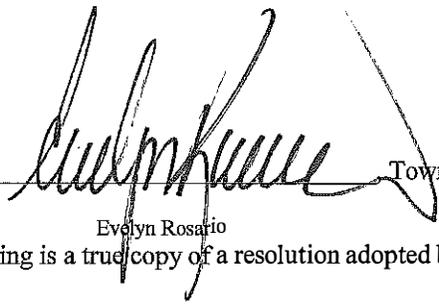
WHEREAS, the Township of Nutley has the need to acquire vision care network plan services on behalf of the Township; and

WHEREAS, such services may be acquired as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

WHEREAS, Premier vision Care, P.O. Box 1591, Livingston, N.J. 07039 submitted a proposal indicating they will provide the services for the sum of \$1,938.00; and

WHEREAS, funds are available from account #526-245, and have been certified by the Chief Financial Officer.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley authorizes the Commissioner of Parks and Public Property to enter into a contract with Premier Vision Care.

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers FOR Commissioner Mauro G. Tucci *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 11-14

WHEREAS, the Essex County Recreation and Open Space Trust Fund (“County Trust Fund”), provides grants to municipal governments for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Township of Nutley desires to further the public interest by obtaining a grant from the County Trust Fund for the reuse of the current roller hockey rink and purchase of new bleachers in Monsignor Owens Memorial Park and,

WHEREAS, the Township of Nutley is respectfully requesting \$150,000 to offset the total cost of the project, \$217,157.29, from the County Trust Fund for the express purpose of installing drainage and artificial turf to create a soccer field and purchase of new bleachers and,

WHEREAS, the Commissioner Tucci has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for said grant by providing an application and furnishing such documents as may be required; and,

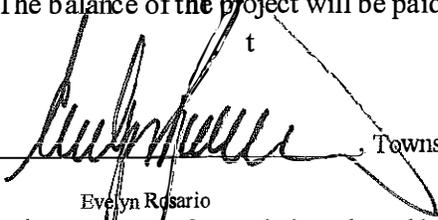
WHEREAS, the County of Essex shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the Township of Nutley is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Essex for this project.

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

1. That it is hereby authorized to submit the above completed project application to the County of Essex by the deadline of February 3, 2014, as established by the County; and,
2. That the Township of Nutley agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and,
3. That this resolution shall take effect immediately.
4. The balance of the project will be paid through the Township of Nutley from Capital improvements.

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers Commissioner Mauro G. Tucci *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 26-14

WHEREAS, the Township of Nutley heretofore entered into a contract with Optimum Lightpath, Inc., 200 Jericho Quadrangle, Jericho, NY 11753 via resolution # 68-13 duly adopted by the Board of Commissioners on March 5, 2013 for internet and long distance phone service; and

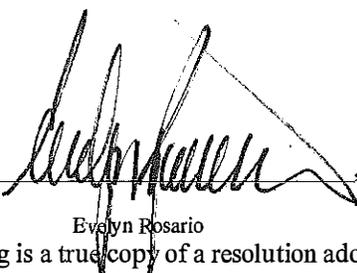
WHEREAS, The Director of Recreation of the Department of Parks and Public Property has recommended the following change order from said contract:

CHANGE ORDER NO. 1: Additional Services

WHEREAS, the funds are available from account 3-01-510-237 and has 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 in the Township of Nutley, County of Essex, that Change Order #1, \$860.04 be and is hereby approved.

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli Date: January 24, 2014

Seconded by: Commissioner Steven Rogers No. 18-14

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

WHEREAS, the engineering coordinator has determined and certified in writing that the value of the aggregate services provided by the vendor for the term of this contract will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for twelve (12) months, from January 1, 2014 through December 31, 2014; and

WHEREAS, Pennoni Associates, Inc. has submitted a proposal dated December 27, 2013 indicating they will provide engineering services according to a fee schedule attached; and

WHEREAS, Pennoni Associates, Inc. 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 Pennoni Associates from making any reportable contributions through the term of the contract; and

WHEREAS, the contract is not to exceed \$165,000.00 for general engineering services and whereas funds are available from account 4-01-404-200 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 enter into a contract with Pennoni Associates, Inc. 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 Contracts Law.

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 January 24, 2014

Record of Vote	Commissioner Rogers	Commissioner Tucci	Deputy Mayor Evans	Commissioner Scarpelli	Mayor Petracco
Yes	X		X	X	
No					
Not Voting					
Absent/Excused		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 12-14

WHEREAS, the Township of Nutley has a need to acquire the services of a Registered Municipal Accountant to conduct an annual audit of the Township of Nutley's books, accounts and financial transactions within five (5) months after the close of its fiscal year as a Non-Fair and Open Contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

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

WHEREAS, the anticipated term of this contract is for twelve (12) months, from January 1, 2014 through December 31, 2014; and

WHEREAS, Nisivoccia & Company LLP Certified Public Accountants and Consultants, 200 Valley Road, Suite 300, Mt. Arlington, NJ 07856 has submitted a fee schedule for providing such services, the total of which is not to exceed \$146,370.00; and

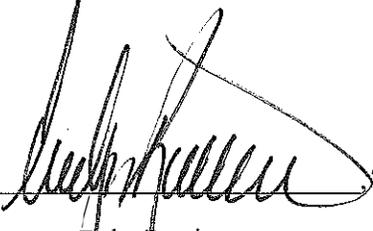
WHEREAS, Nisivoccia & Company LLP Certified Public Accountants and Consultants, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available from account no. 4-01-222-205 and 4-05-706-205 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 authorizes the Mayor to enter into a contract with Nisivoccia & Company LLP Certified Public Accountants and Consultants; and

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

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

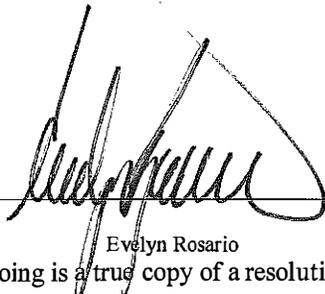
Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) *Date:* January 24, 2014

Seconded by: Commissioner Joseph Scarpelli *No.* 14-14

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 \$592.16.

Block & Lot	Address	Amount
1400 1 C1073	121 Cambridge Ave.	\$164.04
400 16	54 Cathedral Ave.	\$198.36
9402 22	78 Union Ave.	\$229.76

. . .

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 January 24, 2014

Record of Vote	Commissioner Rogers	Commissioner Tucci	Deputy Mayor Evans	Commissioner Scarpelli	Mayor Petracco
Yes	X		X	X	
No					
Not Voting					
Absent/Excused		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

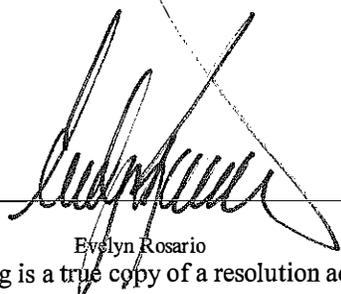
Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 15-14

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 property taxes in the amount of \$4,199.22 for the following accounts.

Block & Lot	Address	Amount
5701 81	21 Bank St.	\$ 2,457.46 -11/08/13
7304 11	73 Evergreen Ave.	\$ 1,741.76 -05/09/12

. . .

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 January 24, 2014

Record of Vote	Commissioner Rogers	Commissioner Tucci	Deputy Mayor Evans	Commissioner Scarpelli	Mayor Petracco
Yes	X		X	X	
No					
Not Voting					
Absent/Excused		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) *Date:* January 24, 2014

Seconded by: Commissioner Joseph Scarpelli *No.* 16-14

WHEREAS, the Township of Nutley, pursuant to N.J.S.A. 40A:11-11 may by resolution and without advertising for bids, purchase any goods or services under an approved Cooperative Purchasing Program; and

WHEREAS, the Township of Nutley has the need on a timely basis to purchase goods or services utilizing the following Cooperative Purchasing Programs; and

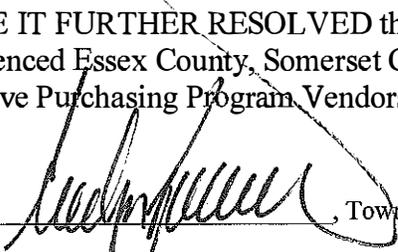
Essex County
 Somerset County
 Morris County
 Union County
 Cranford Police

WHEREAS, the Township of Nutley intends to enter into contracts with the attached Referenced Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Nutley authorizes the Purchasing Agent to purchase certain goods or services from the approved Essex County, Somerset County, Morris County, Union County and Cranford Police Cooperative Purchasing vendors on the attached list, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Nutley pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Township of Nutley and the Referenced Essex County, Somerset County, Morris County, Union County and Cranford Police Cooperative Purchasing Program Vendors shall be from January 1, 2014 to December 31, 2014.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that

the Evelyn Rosario foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 17-14

WHEREAS, the Township of Nutley, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

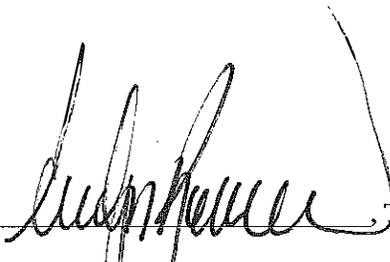
WHEREAS, the Township of Nutley has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Nutley intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Nutley authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Nutley pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Township of Nutley and the Referenced State Contract Vendors shall be from January 1, 2014 to December 31, 2014.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that

the Evelyn Rosario foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 23-14

WHEREAS, New Jersey Statutes 40A: 4-19 provides that where debt service is to be paid in 2014 prior to the time of the final adoption of the 2014 Budget, temporary appropriations should be made for the amount of such debt service in the manner and time therein provided;

WHEREAS, the date of this resolution is subsequent to December 20, 2013, and

WHEREAS, debt service will become due during the first six months of 2014;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, that the following temporary appropriations be made:

CURRENT FUND

INTEREST ON BONDS	\$ 87,000.00
4-01-816-200	
N.J.E.I.T.-TRUST- INTEREST	10,250.00
4-01-819-253	

TOTAL DEBT SERVICE **\$ 97,250.00**

WATER OPERATING

N.J.E.I.T.-TRUST- INTEREST	\$ 9,400.00
4-05-718-253	
N.J.E.I.T.-FUND-PRINCIPAL	26,000.00
4-05-717-255	

TOTAL DEBT SERVICE **\$ 35,400.00**

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the

Evelyn Rosario

foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held

January 24, 2014

Record of Vote	Commissioner Rogers	Commissioner Tucci	Deputy Mayor Evans	Commissioner Scarpelli	Mayor Petracco
Yes	X		X	X	
No					
Not Voting					
Absent/Excused		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) *Date:* January 24, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 24-14

WHEREAS, 40a: 4-19 Local Budget Law provides that where any contracts, commitments or payments are to be made prior to the final adoption of the **2014** Budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty (30) days of **2014**; and

WHEREAS, the total appropriations in the 2014 Budget, less appropriations made for capital improvement fund, debt service, and public assistance are as follows:

Current Fund	\$ 43,701,847.00
Water Utility	\$ 4,087,270.00

WHEREAS, twenty-six and one-quarter percent of the total appropriations in the 2013 Budget less appropriations for capital improvement fund, debt service, and public assistance in the said 2013 Budget is as follows:

Current Fund	\$ 11,471,734.84
Water Utility	\$ 1,072,908.38

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, New Jersey, the following temporary appropriations be made and that a certified copy of this resolution transmitted to the Chief Financial Officer for her records:

MAYOR'S OFFICE	TEMPORARY APPROPRIATIONS
Township Attorney S/W	15,653.00
4-01-012-100	
Township Attorney O/E	26,329.00
4-01-012-200	
Municipal Land Use Law (NJSA 40,550-1):	
<i>Board of Adjustment S/W</i>	6,523.00
4-01-014-100	
Board of Adjustment O/E	2,546.00
4-01-014-200	
Planning Board S/W	6,523.00
4-01-015-100	
Planning Board O/E	3,413.00
4-01-015-200	
Rent Leveling Board S/W	1,891.00
4-01-016-100	
Rent Leveling Board O/E	604.00
4-01-016-200	
Celebration of Public Events, Ann. Or Holiday	13,125.00
4-01-018-200	
Municipal Prosecutor S/W	15,653.00
4-01-013-100	
Municipal Prosecutor	289.00
4-01-018-200	
DEPARTMENT TOTAL	92,798.00
DEPARTMENT OF PUBLIC AFFAIRS	TEMPORARY APPROPRIATIONS
Director of Public Affairs S/W	591.00
4-01-102-100	
Director of Public Affairs O/E	263.00
4-01-102-200	
Nutley Public Health Reserve O/E	1,969.00
4-01-104-200	
Dept. of Health-Local Health Agency S/W	127,011.00
4-01-110-100	
Dept. of Health-Local Health Agency O/E	24,662.00
4-01-110-200	
Immunization Program O/E	2,625.00
4-01-114-200	
Military Veteran Affairs Bureau S/W	10,802.00
4-01-112-100	
Military Veteran Affairs Bureau O/E	1,969.00
4-01-112-200	
Assoc For Ret. Children O/E	263.00
4-01-11-200	
Montclair Nursing Services S/W	3,675.00
4-01-117-100	
Montclair Nursing Services O/E	131.00

4-01-117-200	
Mental Health Program-Contractual O/E	2,625.00
4-01-118-200	
Services of Nutley Family Service Bureau	17,063.00
4-01-120-200	
Animal Regulation O/E	7,613.00
4-01-134-200	
Air Pollution Control-Contract	919.00
4-01-136-200	
Garbage & Trash Removal-Contract	633,883.00
4-01-138-200	
DEPARTMENT TOTAL	\$836,064.00
<u>DEPARTMENT OF REVENUE & FINANCE</u>	<u>TEMPORARY APPROPRIATIONS</u>
Director of Revenue & Finance S/W	\$ 591.00
4-01-202-100	
Director of Revenue & Finance O/E	263.00
4-01-202-200	
Assessment of Taxes S/W	51,713.00
4-01-204-100	
Assessment of Taxes O/E	29,400.00
4-01-204-200	
Legal Expense- Special Counsel	6,563.00
4-01-205-200	
Collection of Taxes S/W	47,250.00
4-01-206-100	
Collection of Taxes O/E	9,161.00
4-01-206-200	
Treasurer's Office S/W	120,488.00
4-01-208-100	
Treasurer's Office O/E	12,206.00
4-01-208-200	
Township Clerk's Office S/W	35,569.00
4-01-210-100	
Township Clerk's Office O/E	11,156.00
4-01-210-200	
Information Services S/W	38,325.00
4-01-212-100	
Information Services O/E	16,538.00
4-01-212-200	
Municipal Election	15,750.00
4-01-231-200	
Expense, Stationary, & Printing	23,914.00
4-01-220-200	
Annual Audit O/E	22,050.00
4-01-222-200	
Printing & Legal Advertising O/E	3,150.00
4-01-224-200	

Econ Redevelopment Project	26.00
4-01-226-100	
Econ Redevelopment Project- Other Exp.	30,188.00
4-01-226-200	
N.J.E.I.T Administration Fee O/E	1,575.00
4-01-228-200	
Construction Code Official S/W	86,625.00
4-01-218-100	
Construction Code Official O/E	10,500.00
4-01-218-200	
Admin. Of Twp. Ordinances S/W	66,938.00
4-01-219-100	
Admin. Of Twp. Ordinances O/E	2,625.00
4-01-219-200	
Elevator Inspection Fees	9,450.00
4-01-217-200	
Grant Writer O/E	10,500.00
4-01-209-200	
DEPARTMENT TOTAL	\$ 662,514.00
<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>TEMPORARY APPROPRIATIONS</u>
Director of Public Safety S/W	\$ 591.00
4-01-302-100	
Director of Public Safety O/E	263.00
4-01-302-200	
Police S/W	2,151,014.00
4-01-308-100	
Police O/E	105,000.00
4-01-308-200	
Police Clothing Allowance	35,438.00
4-01-310-200	
Purchase of Police Vehicles	90,000.00
4-01-332-200	
First Aid Organization O/E	13,125.00
4-01-312-200	
First Aid Squad LOSAP	3,938.00
4-01-313-200	
Fire S/W	992,670.00
4-01-314-100	
Fire O/E	39,997.00
4-01-314-200	

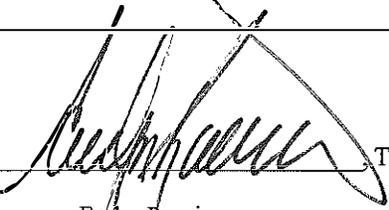
Fire LOSAP	3,150.00
4-01-315-200	
Fire Clothing Allowance	15,750.00
4-01-316-200	
Haz Mat Stipend	2,363.00
4-01-317-200	
Office of Emergency Management S/W	15,094.00
4-01-318-100	
Office of Emergency Management O/E	2,678.00
4-01-318-200	
Historic Preservation Commission	26.00
4-01-319-200	
Uniform Fire Safety S/W	5,494.00
4-01-321-100	
Public Defender S/W	3,814.00
4-01-324-100	
Public Defender O/E	79.00
4-01-324-200	
Municipal Court S/W	81,833.00
4-01-325-100	
Municipal Court O/E	9,844.00
4-01-325-200	
E-Ticketing O/E	11,813.00
4-01-326-200	
DEPARTMENT TOTAL	\$ 3,583,974.00
DEPARTMENT OF PUBLIC WORKS	TEMPORARY APPROPRIATIONS
Director of Public Works S/W	\$591.00
4-01-402-100	
<i>Director of Public Works O/E</i>	263.00
4-01-402-200	
Engineering Services & Costs S/W	35,700.00
4-01-404-100	
Engineering Services & Costs O/E	49,245.00
4-01-404-200	
Traffic Maintenance S/W	28,403.00
4-01-406-100	
Traffic Maintenance O/E	4,463.00
4-01-406-200	
Road Repair & Maintenance S/W	171,150.00
4-01-408-100	
Road Repair & Maintenance O/E	56,569.00

4-01-408-200	
Snow Removal S/W	60,000.00
4-01-416-100	
Snow Removal O/E	65,500.00
4-01-416-200	
Sewer Systems S/W	13,125.00
4-01-420-100	
Sewer Systems O/E	6,536.00
4-01-420-200	
Parking Lot & Meter Maintenance S/W	38,325.00
4-01-426-100	
Parking Lot & Meter Maintenance O/E	8,400.00
4-01-426-200	
Weed & Leaf Removal S/W	2,625.00
4-01-418-100	
Weed & Leaf Removal O/E	131.00
4-01-419-200	
Leaf Removal- Landscapers	6,563.00
4-01-421-200	
Leaf Removal Tipping	16,538.00
4-01-422-200	
Emergency Hire	394.00
4-01-423-100	
Recycling Program S/W	178,500.00
4-01-424-100	
Recycling Program O/E	6,694.00
4-01-424-200	
<i>Department Total</i>	\$ 749,715.00
<u>DEPARTMENT OF PARKS & PUBLIC PROPERTY</u>	<u>TEMPORARY APPROPRIATIONS</u>
Director of Parks & Pub Prop S/W	\$ 591.00
4-01-502-100	
Director of Parks & Pub Prop O/E	263.00
4-01-502-200	
Parks & Playgrounds S/W	259,427.00
4-01-504-100	
Parks & Playgrounds O/E	22,509.00
4-01-504-200	
Recreation Committee of Nutley S/W	73,789.00
4-01-506-100	
Recreation Committee of Nutley O/E	5,696.00
4-01-506-200	
Public Buildings & Grounds S/W	116,060.00
4-01-508-100	
Public Buildings & Grounds O/E	18,506.00
4-01-508-200	
Telephone Services S/W	11,122.00
4-01-510-100	
Shade Tree Commission S/W	78,750.00

4-01-512-100	
Shade Tree Commission O/E	9,319.00
4-01-512-200	
Debris Removal	2,756.00
4-01-514-200	
Workers' Compensation Premium	204,839.00
4-01-516-200	
Other Insurance Premium	179,047.00
4-01-522-200	
Group Insurance Plans for Employees	1,566,593.00
4-01-526-200	
Sr. Citizens' Transportation S/W	0.00
4-01-017-100	
Sr. Citizens' Transportation /E	0.00
4-01-017-200	
<i>Department Total</i>	\$ 2,549,267.00
UTILITIES	TEMPORARY APPROPRIATIONS
Gasoline	\$ 94,631.00
4-01-342-200	
Fuel Oil	17,063.00
4-01-528-200	
Electricity	105,000.00
4-01-529-200	
Street Lighting O/E	82,425.00
4-01-414-200	
<i>Telephone Services O/E</i>	40,688.00
4-01-510-200	
Total Utilities	\$ 339,807.00
TOTAL OPERATIONS (Item 8(A)) WITHIN "CAPS"	\$ 8,814,139.00
B. Contingent	5,250.00
4-01-232-200	
TOTAL OPERATIONS INCLUDING CONTINGENT WITHIN "CAPS"	\$8,819,389.00
E. Deferred Charges and Statutory Expenditures-Municipal Within "CAPS"	TEMPORARY APPROPRIATIONS
(2) Statutory Expenditures, Contribution to:	
P.E.R.S.-ERIP	\$ 114,517.00
4-01-254-200	
P.E.R.S.	1,046,215.00
4-01-241-200	
P.F.R.S.	7,931.84
4-01-243-200	

P.F.R.S.-ERIP	100,204.00
4-01-245-200	
Social Security System (O.A.S.I.)	223,125.00
4-01-242-200	
Consol. Police & Fireman's Pension Fund	0.00
4-01-243-200	
Award of Damages to Disabled Policeman (N.J.S.A. 40:47-12.10-12.11)	1,591.00
4-01-246-200	
Total Deferred Charges & Statutory Expenditures Within "CAPS"	\$ 1,493,583.84
H-1 Total General Appropriations for Municipal Purposes Within "CAPS"	\$10,312,972.84
Operations Excluded From "CAPS"	TEMPORARY APPROPRIATIONS
Sanitation: Passaic Valley Sewer Commission O/E	749,543.00
4-01-252-200	
Maintenance of Free Public Library	402,000.00
4-01-019-200	
Municipal Alliance Program O/E	5,775.00
4-01-618-200	
Matching Funds-Municipal Alliance Program O/E	1,444.00
4-01-619-200	
TOTAL APPROPRIATIONS -EXCLUDED FROM "CAPS"	\$ 1,158,762.00
TOTAL GENERAL APPROPRIATIONS	\$ 11,471,734.84

APPROPRIATIONS FOR WATER UTILITY	TEMPORARY APPROPRIATIONS
Operating:	
Salaries & Wages	\$ 387,679.00
4-05-701-100 \$ 25,463.00	
4-05-702-100 362,216.00	
Other Expenses	59,194.00
4-05-701-200 3,938.00	
4-05-702-200 55,256.00	
North Jersey District Water Supply Comm.	320,250.00
4-05-703-200	
Town of Kearny Water	0.00
4-05-715-200	
City of Newark N.J. Water Purchase	36,750.00
4-05-704-200	
Passaic Valley Water Commission	131,250.00
4-05-705-200	
Annual Audit	15,619.00
4-05-706-200	
Group Insurance Plans for Employees	84,788.00
4-05-707-200	
<u>Deferred Charges and Statutory Expenditures</u>	
Statutory Expenditures	
Contributed To:	
Social Security System (O.A.S.I.)	37,378.38
4-05-722-200	
Total Water Utilities Appropriations	\$ 1,072,908.38

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
Yes	X		X	X	
No					
Not Voting					
Absent/Excused		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* January 24, 2014
Seconded by: Commissioner Steven Rogers *No.* 19-14

WHEREAS, due to an incorrect appointment datet, resolution 267-13 needs to be rescinded and replaced with the following:

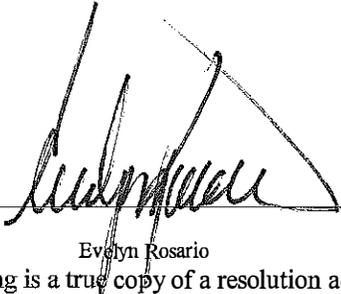
BE IT RESOLVED by the Township of Nutley, County of Essex, State of New Jersey that the following be appointed as members of the Nutley Fire Department Headquarters Co., effective September 15, 2013:

Michael Ferraro
65 River Road
Nutley, NJ

Ryan Lucas
90 Hawthorne Avenue
Nutley, NJ

Alan Nardiello
41 Linden Place
Nutley, NJ

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

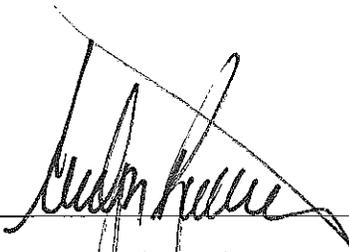
Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* January 24, 2014

Seconded by: Commissioner Steven Rogers *No.* 20-14

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State
Of New Jersey, that Alphonse Petracco and Kathy Rempusheski be appointed as representatives of the
Community Development Block Grant Committee expiring December 31, 2014.

...

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that
the
Evelyn Rosario
foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scar pelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* January 24, 2014

Seconded by: Commissioner Steven Rogers *No.* 21-14

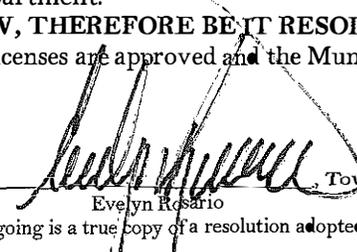
WHEREAS, raffle applications have been received from the following organizations; and

Holy Family Catholic Church	License No. 09-14 On-Premise Merchandise Raffle	March 8, 2014
Nutley Jr. Raider Booster Club Inc. Nutley High School Softball	License No. 10-14 On-Premise Tricky Tray Raffle	February 9, 2014
Nutley Jr. Raider Booster Club Inc. Nutley High School Softball	License No. 11-14 On-Premise 50/50 Cash Raffle	February 9, 2014
Nutley Music Booster Association	License No. 12-14 On-Premise 50/50 Cash Raffle	February 14, 2014
Nutley Music Booster Association	License No. 13-14 On-Premise Merchandise Raffle	February 14, 2014
PTO Thomas Jefferson School	License No. 14-14 On-Premise 50/50 Cash Raffle	March 27, 2014
PTO Thomas Jefferson School	License No. 15-14 On-Premise Merchandise Raffle	March 27, 2014
PTO Thomas Jefferson School	License No. 16-14 On-Premise CASINO NIGHT	March 27, 2014
HSA Good Shepherd Academy	License No. 17-14 On-Premise Tricky Tray Raffle	May 9, 2014
HSA Good Shepherd Academy	License No. 18-14 On-Premise 50/50 Cash Raffle	May 9, 2014
HSA Good Shepherd Academy	License No. 19-14 Off-Premise Super 50/50 Cash Raffle	May 9, 2014
Gail's Angels Foundation Inc.	License No. 20-14 Off-Premise Merchandise Raffle	July 17, 2014
BPOE#1290 Nutley Lodge	License No. 21-14 Off-Premise 50/50 Cash Raffle	March 14, 2014
BPOE#1290 Nutley Lodge	License No. 22-14 On-Premise Merchandise Raffle	March 14, 2014
St. Mary's RC Church	License No. 23-14 Off-Premise 50/50 Cash Raffle	June 21, 2014

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

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, that the licenses are approved and the Municipal Clerk is authorized to issue the licenses.

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

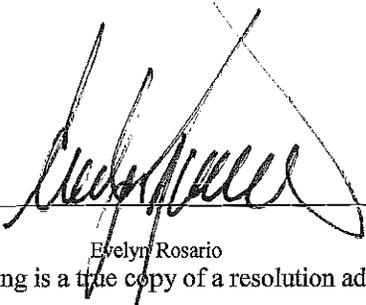
Introduced by: Commissioner Joseph P. Scarpelli FOR Mayor Alphonse Petracco *Date:* January 24, 2014
Seconded by: Commissioner Steven Rogers *No.* 22-14

WHEREAS, on December 17, 2012 JJGG, LLC, submitted a "Place-to-Place" transfer of Plenary Retail Consumption Liquor License No. 0716-33-001-006 ; and

WHEREAS, on January 16, 2014 Mr. J. Grueter of JJGG, LLC submitted a written request to withdraw his application request for the "Place-to-Place" transfer of Plenary Retail Consumption Liquor License No. 0716-33-001-006.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex that at the request of Mr. J. Grueter of JJGG, LLC, the "Place-to-Place" transfer of Plenary Retail Consumption Liquor License No. 0716-33-001-006 be and is hereby withdrawn.

. . .

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 January 24, 2014

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Deputy Mayor Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X		X	X	
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			X