TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING TRANSCRIPT OF PROCEEDINGS:

February 4, 2014
7:00 p.m.

BEFORE:
Commissioner Steven Rodgers
Commissioner Mauro Tucci
Commissioner Thomas J. Evans
Mayor Alphonse Petracco

ALSO PRESENT:
Alan Genitempo, Esq.

Job No. NJ1815708

Transcribed By: Nicole Yawn
Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Tuesday, February 4, 2014  
7:00 P.M

A workshop meeting of the Board of Commissioners of the Township of Nutley was held in the 3rd floor Commission Chambers Conference Room and called to order. Adequate notification was published in the official newspapers of the Township of Nutley.

OPEN PUBLIC MEETING STATEMENT:
Evelyn Rosario, Municipal Clerk, read the following statement Pursuant to the requirements of the Open Public Meeting Law (Chapter 231, P.L.1975), notice of this meeting was published in the December 12, 2013 issues of the Nutley Sun, the Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

ROLL CALL:
Commissioner Rogers - Present
Commissioner Tucci - Present
Commissioner Evans - Present
Commissioner Scarpelli - Absent/Excused
Mayor Petracco - Present

The Board of Commissioners at their workshop session reviewed all the agenda items as listed in attached minutes.

Prior to entering into public session, the Municipal Clerk read the following executive session resolution. Motion to introduce by Commissioner Rogers, seconded by Commissioner Tucci. All Ayes on a roll call vote. Entered Executive Session at 7:24PM.

Resolution # 39-14
WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that the Township Commission shall now move into closed executive session to discuss:

1. Litigation Matter
2. Potential Litigation
BE IT FURTHER RESOLVED, that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Township of Nutley pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by statute.

Commissioner Scarpelli made a motion to exit executive session and enter into public session, seconded by Commissioner Rogers. All Ayes. Exitd Executive Session at 7:50PM.
PROCEEDINGS

(Due to microphone gaps during a portion of the question/answer period, there are several off-mike notations.)

MAYOR PETRACCO: Madam Clerk?

MADAM CLERK: Tuesday, February 4th, 2014 -- pursuant to the requirements of the Open Public Meeting Law, chapter 231 Public Laws 1975, notice of this meeting was published in the December 12th, 2013 issues of the Nutley Sun, the Star Ledger, and the Herald News. A copy of this notice has been posted on the Nutley town hall bulletin board and a copy is on file in the municipal clerk's office.

Comissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMmissioner TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Scarpelli is absent/excused this evening.

Mayor Petracco?

MAYOR PETRACCO: Here.

MADAM CLERK: All present, Mayor, with the exception of Commissioner Scarpelli, who is absent/excused this evening.
MAYOR PETRACCO: Okay. Thank you.

I see we have some minutes.

MADAM CLERK: Yes, Mayor, I have several minutes this evening. I'll read the dates into the record.


I need a motion, please.

UNIDENTIFIED SPEAKER: I move it.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: All except September 17th, where I abstain.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER RODGERS: Correction. The 17th and November 19th.

MADAM CLERK: September 17th, Commissioner?

COMMISSIONER RODGERS: Yes, September 17th and November (off-mike).

MADAM CLERK: Okay.

Commissioner Tucci?

COMMISSIONER TUCCI: Aye, with the exception of November 7th.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye, with the exception of
September 17th and October 1.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: Thank you.

MAYOR PETRACCO: Thank you.

MADAM CLERK: Thank you, Mayor.

MAYOR PETRACCO: Communications and correspondence, please?

MADAM CLERK: Yes, Mayor, I have two items this evening. I have the Old Foundation requesting permission to submit a social affair permit for alcoholic beverages for an event to be held at the Nutley Parks and Recreation on March 29th, 2014.

I need a motion, please.

UNIDENTIFIED SPEAKER: Move it.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: And the last item I have is from the
Nutley Junior Raider Booster Club requesting permission that, due to the possibility of inclement weather on Sunday, February 9th, they may have to cancel their pending event that they have scheduled. They're looking to host their event either on February 23rd or March 2nd as alternate dates in the event that they have to reschedule due to the inclement weather, and we need permission -- we need to provide them with permission.

I need a motion, please.

UNIDENTIFIED SPEAKER: I'll move it.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Okay. Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: And that's all for communications this evening, Mayor.

MAYOR PETRACCO: Thank you.

Reports -- I see we have none. We'll move to the bills.

MADAM CLERK: Yes, Mayor. Bill list Tuesday,
February 4th, 2014 -- Public Affairs, $7,233.66; Revenue and Finance, $7,675,589.16; Public Safety, $18,752.87; Public Works, $82,513.93; Parks and Public Property, $609,582.17. Payroll as of February 1st, $1,961.54. Payroll as of January 31st, 2014, $763,587.83, for a grand total bill list of $9,165,221.66. And that's all for bills this evening, Mayor.

MAYOR PETRACCO: Okay.

We need a motion.

UNIDENTIFIED SPEAKER: Motion.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: That's all for bills this evening, Mayor. Thank you.

MAYOR PETRACCO: Okay. Thank you.

We'll move on to resolutions.

Commissioner Rodgers, you have none?

COMMISSIONER RODGERS: I have none.
MAYOR PETRACCO: Okay.

We'll move on to Commissioner Tucci.

COMMISSIONER TUCCI: Yes, thank you, Mayor.

WHEREAS, sealed bids from Monsignor Owens Field
Bleachers were opened and read on December 17, 2013; and

WHEREAS, the lowest responsible bid was
significant higher than the costs budgeted by the
municipality; and

WHEREAS, N.J.S.A. 40A:11-13.2 permits the
rejection of all bids under such circumstances;

NOW, THEREFORE, BE IT RESOLVED by the Board of
Commissioners that all bids heretofore advertised, received
and opened are hereby rejected.

I move the resolution.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: WHEREAS, the township of
Nutley has a need to acquire specialized professional
services for a consultant and risk manager for the township
of Nutley through a fair and open process pursuant to
N.J.S.A. 19:4420.5; and

WHEREAS, C. Walter Searle Insurance, 410 Franklin
Avenue, Nutley, New Jersey has completed and submitted a
request for qualification for risk manager which complies
with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, a contract for professional risk
management consulting services is requires in the bylaws of
the Suburban Essex Liability Joint Insurance Fund and this
contract is valid from January 1, 2014 through December
31st, 2014 and shall not exceed $34,500 and the funds are
available from the Suburban Essex Joint Insurance Fund;

NOW, THEREFORE, BE IT RESOLVED that the Board of
Commissioners of the township of Nutley, county of Essex,
New Jersey authorizes a contract to be entered into with C.
Walter Searle Insurance as ascribed herein; and

BE IT FURTHER RESOLVED that the response to the
request for qualifications for risk manager be placed on
file with this resolution; and

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

I move the resolution.

COMMISSIONER RODGERS: Second.
MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: I abstain.

COMMISSIONER TUCCI: I'm going to have to excuse myself.

MAYOR PETRACCO: You're excused.

COMMISSIONER TUCCI: Thank you.

MAYOR PETRACCO: Okay. Commissioner --

MADAM CLERK: Mayor, just for the record, Commissioner Tucci is exiting the chambers --

MAYOR PETRACCO: Yes.

MADAM CLERK: -- at 7:59 p.m.

MAYOR PETRACCO: Good night.

Commissioner Evans?

COMMISSIONER EVANS: Thank you.

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 Veteran property tax deductions in the amount of $250 each, for a total of $3,250 for the 13 properties listed in
this resolution.

So moved.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: BE IT RESOLVED by the Board of Commissioners of the township of Nutley, county of Essex, New Jersey that the treasurer be and she is hereby authorized to refund Senior Citizen property tax deductions in the amount of $250 for the year 2013, for a total of $1,000 for the four properties that are listed in this resolution.

So moved.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: BE IT RESOLVED by the Board.
of Commissioners, township of Nutley, county of Essex, state of New Jersey that the treasurer be and she is hereby authorized to refund overpayments of water charges for block 1001C5036 in the amount of the $34.62, and, for block 8204, lot 36 for $133.59, for a total of $168.21.

So moved.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: WHEREAS, the township of Nutley has a need to acquire the services of a professional real estate appraiser to assist with real estate appraisals, tax appeals, and state court appearances and to complete the necessary procedures to ensure we capture added assessments arising from ongoing improvement activities in the township of Nutley as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 5 as appropriate;

WHEREAS, the tax assessor has determined and certified in writing that the value of the aggregate services provides by the vendor for the year will exceed $17,500; and
WHEREAS, Hendricks Appraisal Company, LLC, 7 Hutton Avenue in West Orange, New Jersey has submitted a fee schedule for providing such services, the total of which will not exceed $60,000;

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

WHEREAS, Hendricks Appraisal has completed and submitted a business entity disclosure certification that 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 4-01-204-205 (subject to the adoption of the 2014 municipal budget) 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 that the mayor enter into a contract with Hendricks Appraisal Company, LLC; and

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

So moved.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

I will read Commissioner Scarpelli's resolution.

BE IT RESOLVED by the Board of Commissioners of the township of Nutley, county of Essex, New Jersey that, in accordance with the provisions of R.S. 40A:4-59, the following transfer of the 2013 appropriation reserves be and the same are hereby authorized approved from water operations, salary and wage 3-05-702-100 for $5,000 to water Op. O/E 3-05702-200, $5,000, for a total of $5,000.

I move the resolution.

COMMISSIONER RODGERS: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.
Okay. WHEREAS, the following establishments have submitted various liquor license permit applications for the St. Patrick's Day Parade event scheduled for Saturday, March 1st, 2014; and

1 is the Nutley Elks Lodge, 242 Chestnut Street.
2 is Old Canal Inn, 2 E. Passaic Avenue.
3 is St. Mary's Knight of Columbus, 150 Chestnut Street.

4, Midtown Bar & Grill, 223A Franklin Avenue.
5 is Midtown Bar & Grill, 223A Franklin Avenue.

Okay. I think these are applications for special permit for social affairs. That was for Nutley Elks. Application for a petition to extend license on premises is for the Old Canal Inn. Application for special a special permit for a social affair is for St. Mary's Knights of Columbus. Midtown Bar and Grill application for a petition to extend licenses premises and Midtown Bar also application for a catering permit.

WHEREAS, the Division of Alcoholic Beverage Control (ABC) requires the municipal clerk and the chief of police to sign each application certifying that the licenses issuing authority has no objection to the granting of a special permit.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the township of Nutley, county of Essex.
that the applications as listed above are hereby
conditionally approved and the municipal clerk is authorized
to, one, obtain written approval for each application from
the following departments; the police department,
code enforcement department, fire department and the health
department.

Two, upon receiving written approvals, the
municipal clerk and police chief are authorized to sign each
application as required by the Division of Alcoholic
Beverage Control, the (ABC).

I move the resolution.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

WHEREAS, the Nutley Police Department desires to
utilize the facilities of the pistol range of
the Police Department of the Borough of North Arlington
located in the Hackensack Meadowlands, North Arlington, New
Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Board of
Commissioners of the township of Nutley, county of Essex,
state of New Jersey that the mayor and the township clerk be
and are hereby authorized to enter into an agreement with
the borough of North Arlington for the use of its police
pistol range for the period of January 1st, 2014 through
December 31st, 2014.

I move the resolution.

COMMISSIONER RODGERS: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

WHEREAS, the township of Nutley heretofore entered
into a contract with Premier Security Electronics, 253 Main
Street, Suite 213, Matawan, NJ 07747 to provide a new
surveillance and access system for the Public Safety
Building; and

WHEREAS, the director of the Department of Public
Safety has recommended the following change orders from said
contract; and

WHEREAS, said change order is required to expand
the ICeyscan System for eight additional readers and
the installation of a deadbolt electric strike on the armory
door; and

WHEREAS, the proposed change order exceeds the
amount of the original contract award by $5,180.00. Change
Orders #18 - expansion of eight additional readers for the
Keyscan System is $4,688.00, #19 - furnish and install
deadbolt electric strike on armory door, $492.00, a total of
$5,180.00.

WHEREAS, the money is available from Federal
Forfeiture, Account #T-25 909-902 and has been certified by
the chief financial officer, said certification being
attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of
Commissioners of the township of Nutley that change orders
#18 and 19 in the amount of $5180.00 be and are hereby
approved.

I move the resolution.

COMMISSIONER RODGERS: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

WHEREAS, the raffle applications have been
received from the following organization and HSA Washington
School PTO, license number 24-14 on-premise 50/50 cash
raffle May 9th, 2014, HSA Washington School PTO, license
number 25-14; on-premise Tricky Tray raffle, May 9th, 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 move the resolution.

COMMISSIONER RODGERS: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

This is National African-American history month.

WHEREAS, the Board of Commissioners of the township of Nutley honors the heritage of African-Americans and acknowledges their many contributions to our nation, our state, and our township; and

WHEREAS, Dr. Carter Godwin Woodson established black history week in February of 1926, choosing a month that marks the birthdays of two important men that greatly impacted the African-American population, Abraham Lincoln and Frederick Douglass; and
WHEREAS, in the year 1976 observance was expanded
to black history month, celebrating freedom, equity, and
opportunity and in 1996, renamed national African-American
history month.

NOW, THEREFORE, BE IT RESOLVED by the Board of
Commissioners of the township of Nutley celebrates national
African-American history month 2014 and honors the many
achievements and contributions made by African-Americans to
our economic, cultural, and spiritual development in our
nation, our state, and our township.

I move the resolution.

COMMISSIONER RODGERS: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Okay, that concludes our business portion of the
meeting.

Before we open up the meeting, Madam Clerk, will
you read our five-minute rule?

MADAM CLERK: Yes, Mayor. All persons addressing
the board of commissioners regarding community concerns
should approach the microphone and provide their name and
address for the record. Unless further time is granted by
the board, each person shall limit their address to five
minutes. All remarks for the board and its individual
members must be addressed to the mayor. The mayor may defer
citizen comments to the appropriate member of the board.
Dialogue between citizens and others addressing the board
shall be allowed unless the mayor or presiding officer of
the majority of the membership of the board shall determine
that the interests of the (indiscernible) and expeditious
conduct of municipal business are being adversely affected
by such dialogue.

MAYOR PETRACCO: Okay.

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

Please come up. Please state your name and
address for the record.

MS. LANDRY: Penny Landry, 135 Lakeside Drive,
Nutley, New Jersey 07110.

How's everybody?

MAYOR PETRACCO: Fine, thank you. Yourself?

MS. LANDRY: Good, thanks.

MAYOR PETRACCO: Good.

MS. LANDRY: Okay. Hopefully, three will be a
charm, and it'll work this time. This is the third time
that I've submitted this recommendation, and there's been a
lot of conversation going back and forth via email, but I'll try one more time. Okay.

The town clerk regarding minutes, communication, a formal request is submitted again by Penny Landry, 135 Lakeside Drive, asking the board of commissioners to consider revising or amending -- and/or amending the current system for providing meeting minutes for all Nutley boards and committees on the nutleynewjersey.org website.

Recommendation one, within one week or five working days of all meetings, the audio file of minutes is to be uploaded to the minutes section of the website designated for each meeting. When the outside company contracted for minute transcription returns the document of the minutes to the town clerk, the audio file will be replaced by the minutes PDF form.

An alternate recommendation is that, if town charter, which I couldn't find this anywhere in the town charter, does not allow for audio minutes, the responsible commissioners for each of the boards will investigate alternative transcription services or methods that can provide meeting minutes in a timely manner to the citizens of Nutley.

Now, continuing with this, I have contacted the town attorney, who told me that this letter had been forwarded to each of you and that the board does not and has
never had this type of letter placed on the communications section for public meetings. I was also told that it was not read as a recommendation or a communication because these are the only types of communications that are considered.

Now, I don't know where this is in the rule book, that only these types of communications can be considered, but I'm asking the board to reconsider putting issues of importance like minutes and systems for minutes before you so that you can, like, take a look at it so we can get what we need to make good decisions, especially come election time. Okay? So these are the only types of -- according to Mr. Genitempo, these are the only types of communications that can be submitted.

So my question to you is where is it in town charter that it says the only types of communications that can be submitted to this board are raffles on Sunday, amending raffles, special car sales, social affair permits, liquor licenses, on sales and tax sales statements.

Is there anybody that would like to address this?

MAYOR PETRACCO: I thought that your last request was to post the minutes of the meetings up on the website.

So, Counsel, I wasn't privy to all these exchanges. So --

MR. GENITEMPO: I mean, I can clarify.
Ms. Landry, you had asked me why your letter was not being considered (off-mike), and what I told you was not that the charter does or doesn't allow it. What I told you was (off-mike) post certain types of correspondence in which the commissioners are needed or required to take action, like we did tonight on a social affair application or a raffle, that we don't traditionally take every piece of correspondence that's directed to the township and put it on the agenda.

Now, I did not send your letter to the commissioners. It's my understanding that the letter had already been given (off-mike). We have taken steps, since you brought it to our attention, the audible (off-mike) get our electronic consultant in, who has checked things. We found some problems with some of the wiring, which was fixed, and I believe that this system is operating properly now and we don't have that problem. So we wanted to (off-mike) your bringing that to our attention.

I believe that our minutes now will be current, and we're working on trying to move them to the agenda (off-mike) so that they do go on the website quicker. I don't think we can post the audio recordings right from the meeting. It has not been voted upon by the commissioners. (Off-mike) body that hears the (off-mike) at times.

So I don't know that you and I had that
conversation yet, and I apologize if we didn't. I know that
we've been going back and forth --

MS. LANDRY: No, we didn't.

MR. GENITEMPO: -- a lot, and I know I lost track
of where we were last (off-mike). So I think that the
commissioners have to decide for themselves whether they
want to change the process.

One of the reasons we have this process is because
(off-mike) of alternate methods of recording are
significant. Court reporters or stenographers are extremely
expensive, and that was the method in the previous years
ago. Everything is going to recording. There are problems
with it. There's no doubt. We're going to monitor that
situation (off-mike) so that an audible recordings don't
exist or don't have (off-mike)

MS. LANDRY: And thank you for that update.

However, that does not address the communication, what types
of communications can be --

MR. GENITEMPO: I think that -- what I'm trying to
tell you is that we've traditionally allowed certain types
of communications. Your letter, although I think is
artfully written and (off-mike), is not the type of
correspondence that we -- we get a lot of correspondence in
the township. We can't decide which ones we're going to
post and which ones we're not because we may agree or
disagree with the letter.

We post things on the agenda for communications and correspondence that, as you can see from historically -- I gave you the list that Ms. Rosario (ph) gave me of what we have posted in the last year so you could see the types of correspondence that we do. Those are correspondence --

MAYOR PETRACCO: Counsel?

MR. GENITEMPO: -- that require us to take action.

Yes?

MAYOR PETRACCO: Excuse me one moment. The timer went off, and I think there's more people that would like to address the board this evening. Can we maybe meet with Ms. Landry after the meeting on the side and you could discuss that and just bring her up to date?

MR. GENITEMPO: Sure, I have no problem.

Ms. Landry, I'm willing to speak with (off-mike).

MS. LANDRY: Absolutely.

MAYOR PETRACCO: Just to keep the meeting moving forward. And, if you --

MS. LANDRY: Yeah, I appreciate that. Just to end that on this whole issue of minutes, I want to be very forthcoming. I don't know if you have been contacted by the state of New Jersey, but a formal complaint has been submitted with a case number against the planning board of Nutley for violations to the Sunshine Law. Thank you.
MAYOR PETRACCO: Okay. And, if you would like to come up again after everybody has a chance, feel free. Is there anyone else this evening that would like to address the board of commissioners? Yes, sir, come on up.

MR. SCHMIDT: Fred Schmidt (ph), 41 Coeyman Avenue here in Nutley. Just a couple questions. I think a couple are very easy yes and no answers. The other one might garner (sic) some opinion.

Has a timeline been set for a decision on the development or potential development of the Roche properties?

MAYOR PETRACCO: Right now -- and we could all jump in on this. There hasn't been any official decisions made, but tonight, what we decided to do as a board is we're going to open it up to public comments. I think the date was March 12th?

Am I correct? March 12th we're going to have a special meeting, and then, we're going to bring everybody up to date, probably have a PowerPoint presentation. So I know a couple of people came out tonight. So I apologize. If you have any questions regarding Roche, if you guys could just hang in there and, very respectfully, hold those questions 'til March 12th, we'll be glad to answer them all.
MR. SCHMIDT: The next two are about Roche. So --

MAYOR PETRACCO: Okay.

MR. SCHMIDT: That's okay.

MAYOR PETRACCO: No, you could -- maybe we could help you out. What's the question?

MR. SCHMIDT: I think the next one is what would you say is your primary goal regarding the potential development of the property or properties.

MAYOR PETRACCO: Well, I'll answer for myself. My primary goal is to obviously hold our tax base there and not affect the quality of life that Nutley residents are accustomed to having.

UNIDENTIFIED SPEAKER: Sure. A couple things. Absolutely agree that understanding what the revenue, potential revenue, the future revenue flows would be is an important (off-mike)

Second is -- they're not in any order of priority -- is that whatever is developed there doesn't (off-mike) harm (off-mike) the business community of Nutley (off-mike) significant investment, obviously, you know, (off-mike) that are the Lancaster (sic) Avenue, Washington Avenue, and (off-mike).

So whatever happens at Roche has to be considered (off-mike) well-being of the community and (off-mike) that what is there, not only is good for the Roche property, but
also contributes to attracting residents to our community, which would actually (off-mike) our values of our (off-mike) value of our (off-mike) all things that (off-mike) as well as making sure that everything that needs to be done (off-mike) environmental cleanup of the soil and things like that (off-mike). That's the short list.

UNIDENTIFIED SPEAKER: I concur with my colleagues that primarily, to make sure that the primary concern is that there will not be a more negative impact on our taxpayers, on our property owners.

UNIDENTIFIED SPEAKER: And just a point of clarification. We don't own that property. (Off-mike) anything else (off-mike) private owner. The private owner is seeking to sell it. They're going through a process to help him, and, for Roche, you know, being a good citizen-type (off-mike) understand what we would think would be most (off-mike), but, at the end of the day, they are the owners of that (off-mike).

MR. SCHMIDT: That sort of ties into the last question, if I may ask three. Is it a joint committee of Clifton and Nutley representation or Nutley or Clifton? How does that (off-mike)?

MAYOR PETRACCO: We've been working hand-in-hand with Clifton, Roche, and even at the state level. So we have not left any stones unturned, so to speak, and, you
know, we're really hoping for a positive result there.

UNIDENTIFIED SPEAKER: Recognize that, whatever
that result is, when we say positive, is some point in the
future. (Off-mike) is going to be a point (off-mike)
property will transition and be sold (off-mike) is a long-
term horizon. (Off-mike.)

MR. SCHMIDT: Thank you very much. Appreciate it.

MAYOR PETRACCO: Thank you.

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

MS. GERECHOFF: Elaine Gerechoff (ph), 7 Donna
Court. It's actually not a question (indiscernible). (Off-
mike) an East Coast movie studio (off-mike) far from the
Roche property.

MAYOR PETRACCO: What is it?

MS. GERECHOFF: East Coast movie studio, like MGM,
Paramount. I mean, you're right next to New York. You have
-- would bring such business to the whole community, really.
But I know you said run with it. I don't know who to call.
So I'm, you know, --

MAYOR PETRACCO: No, actually, I was going to say
that -- actually, I was going to say you're the second
person that actually came to me.

MS. GERECHOFF: I talked to you at the store (off-
mike).
MAYOR PETRACCO: Right. So there was another person that came and said that. You know? And I guess that they know a lot more about movies than I do. The last movie I attended, I think, was in 1983, but, at any rate, there seems to be a demand for something like that.

I know they had a place in Secaucus. A lot of these films are now shot in New York City, and I know that there's, for some reason, all these studios are filled up. So I'm going to actually get on my phone, and I'm going to start, you know, researching.

MS. GARAČOFF: It's shaded. It's perfect. The piece of property --

MAYOR PETRACCO: Yeah.

MS. GARAČOFF: -- is so big and so close to New York.

MAYOR PETRACCO: It's --

MS. GARAČOFF: Half the stars live in Jersey anyways.

MAYOR PETRACCO: It all starts out with a dream, right?

MS. GARAČOFF: Yep.

MAYOR PETRACCO: Yep.

MS. GARAČOFF: Now, maybe my son can get a job here instead of (off-mike).

(Laughter)
MAYOR PETRACCO: Okay.

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

Please state your name and address for the record.

MR. OTREA: Michael Otrea (ph), 133 High Street.

My immediate question is this. What are you guys doing to reverse the tax burdens that we here and the homeowners of Nutley, New Jersey are paying? Because it's getting very extremely high, and I mentioned this to you before.

Surrounding states -- they all pay 275 percent less in property taxes than we do. Yes, they do.

I got friends who live in --

MAYOR PETRACCO: 275 percent less than we do?

MR. OTREA: Yes, I'm close to $11,400 a year. My family members in the Bronx, Queens, New York, Pennsylvania, Virginia, Delaware, they pay $3,200 a year.

I know you -- and the thing is you work in the private sector. You have your own store. I don't know why you feel -- I don't know. Doesn't this affect you in any way? I mean, is there something that I don't know about that --

MAYOR PETRACCO: Well, --

MR. OTREA: It's like the burden falls on all of us, especially the ones who do work in the -- 87 percent that do work in the private sector that live in this town.
I mean, what are you guys doing to reverse the tax burden that we homeowners are having to carry on our backs? Because, little by little, I see signs going up, a little bit more than usual, home for sale, home for sale. I mean, eventually, when you kick everyone out of -- when you cleanse the homeowners who work in the private sector out of this town, there's no one left to tax, and I know, like I said before, this started with Corzine. Chris Christie has done nothing for us.

And I hope you put that in the Nutley Sun, because the last three times, you didn't write anything about that, whoever's here for the Nutley Sun.

He has done nothing for us. I mean, he put the two percent cap that you guys always take advantage of. I knew --

MAYOR PETRACCO: How do we take advantage of it?

MR. Odria: Because the thing is -- because my property taxes keep going up $500 a year since 2006. No, it has not -- not once has my property tax burdens have gone down. What? Do I need a kid for that or something? I don't have a kid. You know, I have a kid. I'm a homeowner.

MAYOR PETRACCO: Right.

MR. Odria: That's my baby. You know? And, when I moved here -- I'm going to say it again. When I moved here more than 15 years ago, my property tax burden pre-2005
was $3,000 a year, $3,016, to be more exact. Now, it's $11,350 a year. I mean, what's going on?

MAYOR PETRACCO: Well, let --

MR. OTTEN: I mean, 13 percent of the people that live in the state in this town, in this country and on our cities work for the public sector. I work in the private sector. The market forces dictate my salaries, but, for some reason, when you work in the public sector, that's not even an issue. I mean, what are you guys doing to --

MAYOR PETRACCO: Let us answer --

MR. OTTEN: -- (indiscernible)?

MAYOR PETRACCO: -- you know, the first part of your question. Because, if you get two-part --

MR. OTTEN: That's the (indiscernible).

MAYOR PETRACCO: Yeah, first of all, it's very true. I do own a store in town, and I do -- I am in the private sector. So, yes, I feel your pain, and I pay taxes here and a lot of them. Okay? So I can speak for myself, and I'll ask the commissioners to join us in, and I know it's your second time or third time coming to our board, and trust me, I feel your pain.

And I know sitting here I've done everything in my power to control taxes. I'm sure you read my name in the paper. I'm sure that you've seen some petitions against me in this room where there was 300 cops, firemen. I've laid
off police officers and firemen in the past to strike a
budget to lower the costs of our operating expenses here, 
negotiated PBA contracts, FMBA contracts to the lowest pay 
raises ever in history, to my knowledge. So we're all 
trying to lower these taxes or keep them the same, for that 
matter.

Commissioner Evans told you the last time, you
know, the buck just doesn't stop with the board of 
commissioners. We have a board of ed. here. We have county 
taxes we pay. So, you know, I could say that we've 
controlled our costs as much as we can because, you know, we 
all are working with skeleton crews now, and it's very 
difficult, especially in public safety.

You know, when people call for a cop, they want 
that cop to respond in a couple of minutes. When, God 
forbid, your house is on fire, people want their fire 
department there. Well, it costs money to do that.

You know, so we can't have it both ways. We can't 
have all these services, our grade school system, all that 
stuff. It's not free. Now, we strike a balance here, and 
we start picking and choosing where we could cut, but we've 
made a lot of cuts in the six years that I've been here, and 
we've tried very, very hard to control these taxes from 
going up.

I don't think that it's just a Nutley problem,
taxes. Like you said, Delaware, Pennsylvania, West
Virginia. You know, the taxes are high in the state of New
Jersey.

I've had talks with Commissioner Evans about this.
You know, everybody thinks that, you know, Passaic, Verona,
Cedar Grove -- all those towns are much cheaper, and I'll
let Commissioner Evans jump in here. You know, he's told me
that they aren't. You know? So --

MR. Tiff..: No, the towns surrounding are just as
much as we are. I mean, I have family members that want to
buy property in Irvington. I mean, Irvington is not a great
neighborhood, but taxes are at $11,000 a year. Well, I'm
just saying it's ridiculous. I mean, how can you buy a
house now?

Don't you feel like you guys got to do something
to lower the property taxes? Honestly, you know what?
These cops and these firemen or whatever they are -- they
could get paid whatever they want. I don't care, but, as
long as my property taxes burdens are brought to pre-2005
burdens, they can get paid all they want, but, if their pays
are costing me pain and suffering, why do I have to suffer?

I'm not making a lot of money. Like I said, I
work in the private sector. The market forces dictate my
salary. When it's a bad economy, my clients don't buy from
me. I'm a commissioned salesperson, and, when I don't sell
stuff, I made a lot less money, and the thing is my clients
are welcome to my (indiscernible). They can see where I
work. I mean, it could be cars. It could be anything.
But, when they're not buying stuff from me, I could be on
the other side of the township, and I could be that client,
that client who's probably a homeowner just like me living
in this state, living in the surrounding Essex area, Bergen
County. They're probably feeling the same pain I am.

If they -- what I'm trying to say is what the
public sector and the government does to the people, to the
87 percent that work in the private sector in this state it
affects them. They can't be buying stuff to create profit
to pay taxes, because they're oppressed.

They can't spend, and, when they can't spend, I
don't get money. When I don't get money, it's very hard for
me to pay my taxes, but, if I have to pay these high taxes,
I just imagine they are. They're probably paying the same
thing. That's why they're not spending money.

You know, I mean, you sell food. Usually, food
does pretty good.

MAYOR PETRACCO: No, I --

MR. OTT: But I can understand that.

MAYOR PETRACCO: Listen, the economy affects all
of us, including myself, and it's been a struggle. Trust
me.
MR. OUIRA: Well, one thing I have noticed, since I own property in this town -- since my property taxes have gone up since 2006, 275 percent more than what I was paying back in 2005, I got to Shop Rite, and I shop. Yes, the food is more expensive, but I say to myself those guys who own Shop Rite -- they probably have to pay some kind of property taxes, too, but, since, you know, obviously the high property taxes that they've got to pay -- they're not going to eat it up. They're going to pass it off on the cost of the consumer, the people who shop in there, and I have to pay more in food.

I mean, you guys got to do something. I mean, don't you guys -- I mean, with all respect, but don't you want to get reelected? I mean, surely, I mean, if you lower the property taxes here, the 87 percent will be behind you. I know the cops -- you had a problem with the cops and all that. You know, to me that's not a concern, but, if you want to get reelected, lower the property taxes. Go in reverse. Don't go up.

Be that. You could be a real hero to the people, a true leader to us. Thank you.

MAYOR PETRACCO: Yeah, sure.

COMMISSIONER EVANS: Thank you for coming tonight and sharing your point of view. The comment on rise in property taxes has been before us for ten years, and, as a
community, we have done -- as a board of commissioners, we've done quite a bit to try and manage the growth in property taxes, to significantly lower your property taxes. So, to give it some context, an example, to lower your annual property tax $100 as a municipality, we have to approximately eliminate $1 million in costs.

MADAM CLERK: You're not being recorded if you're not speaking into the microphone.

COMMISSIONER EVANS: And so, --

MR. ODIFIA: Back to what I said. For God's sakes, do it.

COMMISSIONER EVANS: And, yes. So, to your point, we have been. So, in my own department, I used to have a purchasing agent. I don't have one anymore. I used to have a payroll supervisor. I don't have one anymore. I used to have an additional resource in the clerk's department, which I don't have anymore.

I used to have two people who did water billing. I don't have two anymore. I have one. So, to manage costs, we've been eliminating resources.

We used to have more firemen and more police officers in this town, and we have fewer today. So let me just help you.

MR. ODIFIA: (Indiscernible.) You just brought up a good point.
COMMISSIONER EVANS: Just let me help you. No, so, when you look at that, when it comes to managing resources, we've been doing that. It's small dollars. To look for the change that you're looking for we've also had to deal with other things such as there's been a very dramatic growth in the annual costs of pensions by the state of New Jersey that municipalities have to absorb. We've absorbed that.

Very significant costs, as you know, year in and year out, around health care, and that's been changed because now employees, public sector employees now have to contribute to the cost of their health care, which they didn't have to before. Those things have been put in place as well, and that's just on the municipal side.

And I shared with you the last time that what we do as a board and a level of controlling costs represents 35 percent of your tax bill. Fifty percent of your tax bill is the school board, the cost of educating our children. That's our most significant cost, and 17 percent of your tax bill goes to the county for being part of Essex County.

When I look at Nutley as a municipality within Essex County, of the 22 territories and municipalities in Essex County, we rank 6th among the lowest property taxes, because we've been trying to manage it down, but, to be able to address your point which says since 2005, my taxes have
gone up 200 and something percent, --

MR. (Indiscernible.)

COMMISSIONER EVANS: Two hundred and seventy-five percent.

MR. (Indiscernible.)

COMMISSIONER EVANS: Right, right. There is --

MR. (Indiscernible.)

COMMISSIONER EVANS: Yeah, it's a significant number. What we've tried to do and what we continue to do is also point out where we believe that there are inequities. So, for example, for the state of New Jersey, we have been with them year in and year out asking for more municipal aid from the state. Why? Because Nutley gets less aid than Belleville does. Gets less aid than Bloomfield. Gets less aid in Clifton.

So we're eliminating all these costs over that period of time. One of the things we lost in this same period of time is $1 million in state aid. So, while we've reduced our costs at the municipal level, we lost $1 million in state aid, which offset the benefits of all the hard work of this board of commissioners.

What you're asking for -- and I appreciate your angst. It's a very complex question, but I have asked those questions at the state level. Why does Belleville get $16 million more in school aid than Nutley? Why does Belleville get $3 million more in municipal aid than Nutley?

The reason is those lenders are significant in the ability to help manage our property taxes, because
everything that we do as a governing body is influenced by a very simple formula. What's the revenue that we can get from other sources? What's the revenue that can be generated from our commercial and business property owners? What has to be borne by a residential taxpayer? And we look at that all the time.

We also have an annual program of looking at assessed values, and the reason why we do that is because assessed values is part of the formula that controls the amount of the county tax that we're allocated, and we've been able to hold that down to basically sometimes less than a percent or about a percent a year -- to hold that down. All the work that we have done has been able to hold the rate of growth in tax down.

Unfortunately, without significant structural change, reducing your tax bill back to what it was in 2005 or some significant number is an extraordinary challenge for us as a municipality, but we confer, as all commissioners do, with the Board of Education to ask them to make good decisions. We are with the county all the time trying to make sure that we only pay what we have to pay.

We're down with the state and we've been before them arguing for state aid, and I personally went down there as a sitting commissioner. I've been down there every year for nine years trying to change formulas, because there are
formulas in play, and, unless you can change the formula, I just can't get the money. So arguing and basically advocating for Nutley is what we do.

So, as the revenue and finance commissioner, I've been doing that every year for nine years. I appreciate the frustration, because it's my frustration, too, that, with all the work that these gentlemen have done and what we've been trying to work at hasn't been enough to reduce the tax.

The only thing that we achieved was that, in 2012, we were actually able to reduce the municipal levy by $66,000, which meant overall costs to Nutley did not rise in that year. In fact, they went down $66,000, which was a non-event, because it was peanuts to whatever your personal tax bill was.

So we've been trying to do this. We've looked at structural changes such as in Georgia. In certain districts in Georgia, if you don't have any children in the school system and you're 60 years old, you no longer pay a school tax, which says you basically pay a higher tax one year (sic).

As far as that being in New Jersey, that's not allowed by state law. All right? State statute and the state law would have to change.

There's uniformity in the tax rate that says the assumptions that are applied to a business owner are the
same assumptions that apply to a residential taxpayer. In other states, those assumptions are different. In New Jersey, they're the same.

So we're out there and as well as the League of Municipalities is out there advocating for property tax reform, but, with that, while we've been able to reduce our costs, while we've been able to do significant things within contracts to slow the rate of growth, for example, in payroll taxes to slow the anticipated growth in retirement level payouts that some other municipalities deal with, we've been able to take care of those. We just haven't been able to address your point, which is to dramatically drop your tax, which would require us in a very significant way to reduce spending and costs by multiples of millions of dollars, which is not one person here or there.

It's fundamentally changing the service structure and eliminating whole departments. It's a very complex problem. So I appreciate your frustration, but it remains an ongoing complex problem for us to address.

MR. Odria: There's two points you brought up. As for the school thing, you know, if I had a child, the only thing I'd want my kid to go school for here in this town or any town learn how to read, write, and arithmetic, and science. Everything else is just I don't care about. I mean, if we could cut things in school, do it. But, as long
as the kids know how to read, write, arithmetic, and history, I'm fine with that.

The other issues -- well, I'm sorry to say, but, you know, academics is -- I mean, learning your reading, writing, and arithmetic is much more important than doing other things in the school. I mean, maybe cut some programs there.

Another thing you brought up -- I do remember this, and I got this information from you through the Nutley Sun. Now, we're talking about one public sector employee. There was some police officer who said, like, if we didn't give him his promotion, you know, we would be -- he would be getting $195,000 a year pay increase.

I forgot his name, but I said to myself one police officer making $195,000 a year. I learned that from you, and I'm saying to myself if that's just one your public sector employees getting that amount, I can just imagine the ones before that person. No wonder my property taxes are going up ceiling high. I mean, and I remember that whole barrage that happened to you back in July.

COMMISSIONER EVANS: Yep.

MR. Odria: This one woman --

COMMISSIONER EVANS: Oh, were you here?

MR. Odria: Yeah, I was in the back. I was observing the whole horror (sic).
COMMISSIONER EVANS: You should have spoke that night.

MR. OTRIA: I spoke to you afterwards.

COMMISSIONER EVANS: You should have came up to the mike.

MR. OTRIA: I saw the whole thing. And this one woman got -- the thing is that police officer -- from what I remember, he brought a lawyer, and he said -- she said if you don't get my client, you know, his promotion, I'm going to take the town to court and I'm going to sue them, and we could win as much as $400,000, something like that. I said my god, somebody's going to sue the town.

But this one woman got up, and she said to you and to the fellow police officers, hey, you know, I grew up in this town, and, you know, I understand. You know, I took care of some of your kids. I know you, but she said something that made a lot of sense. "Shouldn't we all just be happy that we have a job"?

COMMISSIONER EVANS: Absolutely.

MR. OTRIA: But, because of you, my eyes were opened that night because of what happened that night. Okay? I said oh, my god, we paid these guys this much. I mean, --

MAYOR PETRACCO: Oh, look. You know, let me say this to you. Because I --
MR. Odria: I just imagine how much we pay the teachers. I just imagine how much we pay --

MAYOR PETRACCO: Well, let me say this.

MR. Odria: You know?

MAYOR PETRACCO: I don't want to drag on the meeting, especially if other people want to speak, but I'd be glad to talk to you after the meeting on the side, but I can assure you I put my head on my pillow every night very soundly knowing that I represent the taxpayers of this town, and I fought for the taxpayers. You know? And I will continue to do that as long as I'm in office, but it's very difficult to strike a balance.

You know, like I said before, you do want to be fair to the police officers, the firemen, all the town workers, the teachers, so forth and so on. They have to live. They have to make a fair wage, too, and we have to be very sympathetic to the taxpayers, to people that are paying for it. So it's that balance that we strike here every day to try to provide the services that everybody has come accustomed to in Nutley and still try to absorb it without raising your taxes.

And it's very difficult to strike that balance, but I could assure you everybody that sits on this board is very conscious of what the taxes are. We pay them ourselves. Our salaries have -- I know my salary has not
gone up in pace with the property tax increases. So we feel your pain.

MR. ODRIA: With due respect, --

MAYOR PETRACCO: We feel your pain, and I applaud you for coming, but now, I'm going to have to cut you off because, if there's someone else here -- if you'd like to see me after the meeting, I would love to talk to you. Okay? Thank you.

Is there anyone this evening that --

Ms. Greengrove (ph), sure. Thank you for waiting.

MS. GREENGROVE: Dorothy Greengrove, 31 Overlook Terrace. I'm here to represent seniors in Nutley.

I'm glad to see that one of the things that you are considering or is being considered for (indiscernible) is a continuous care or unit. So many of my friends have had to move, leave their churches, their friends, and everything else around them because there's nothing in the area.

In fact, I'd be even willing to do research, if I had to, to go to these places. I know there's one in Roseland. One of my friends went to Cedarcrest up in Compton Plains. Another one went to Harrowgate (ph) in Lakewood, and maybe some day I'll need something like that.

(Laughter)

I'd like to stay at my own house as long as I can,
but, you know, you never know what's in the future for you. So I'd really like you to push for that, if you can, and, as I said, I'm willing to volunteer my services to do some research, if you need it. I'll contact the places that are necessary to, you know, bring it to town.

Not only that, but we're talking about Board of Education. They're not going to go to school. They don't have to go on to the schools because there's no more room in the schools, and I think that would also help, as far as keeping the School Board budget down because they don't have to continue with that. So I just -- you know, as I said, if you want my help, I'm out there to help you, but I'd like you to push for it.

MAYOR PETRACCO: Thank you.

MS. GREENGROVE: Okay.

MAYOR PETRACCO: And we will.

MS. GREENGROVE: Thank you.

MAYOR PETRACCO: Is there anyone else this evening that would like to address -- please.

MS. LANDRY: Penny Landry, 135 Lakeside Drive, Nutley, New Jersey 07110.

MAYOR PETRACCO: Thank you.

MS. LANDRY: This is about assessed values. As Commissioner Evans said, we are constantly looking at assessed values of properties. So I did my own property
research, and I looked at all 8,600, whatever the number is
on the Essex County Tax Board and created a spreadsheet. I
do have a job, but I do also have a lot of energy.

Just in case you all want to know what I do, I am
creating a company that will create jobs for young autistic
adults, and I hope that will be able to be value to the
school (off-mike) and to the autistic children of our
community.

In my spare time, however, I went through all of
the property records and discovered that, in 2010, 2011, and
2012, all property values zoned R1A, R1AA, and R1AAA
decreased between 3 -- and I forgot all my notes. I try not
to print -- between 3 and upwards to $50,000 land value
reductions, reductions, okay, in those properties zoned R1A,
R1AA, R1AAA. So I went with my question to Mr. Librizzi
because I took two homes, mine and a property on Edgewood
that had a similar lot size, but my lot is zoned R1, and
this lot is zoned R1AAA.

Now, unfortunately, my land assessment on my lot,
R1, is $20,000 higher than the same size lot, R1AAA, most
desirable land. And there are many instances of this across
the board.

Mr. Librizzi, when I emailed him for an answer,
sent me a bunch of documents and whatever, and then, I
emailed him back and said you still haven't answered my
question, and he said, "My answer was thorough and complete. I have no further comment. Be guided accordingly.""  

So I went to the state, and now, I'm waiting for the state to tell me what the answer to my question is, because somebody on our staff is unable to answer a taxpayer's very direct, specific question. So I think that, when you're doing the budget, we need to look at competency levels, okay, and see if there is some way that we can maybe reduce the budget by hiring somebody who brings a different skill set to the game.  

Because this whole budget thing -- I mean, I've looked at the budget, and, you know, $25,000 copiers and this and that and whatever. I still think that there's some things that we can do to improve the processes and systems to be more efficient. I definitely think we have some redundancies. Like I have no intention of going to get a pap smear at the town services hall or whatever, and I don't think that a lot of women here in town -- we got an email saying that you could get a pap smear for $20 over at --

(Laughter)

MS. LANDRY: I mean, you know, come on. I mean, people have insurance, and, if not, they have Obamacare, and do we really need to do breast exams here? You know? So I think we do need to provide that, but maybe we can, like, consolidate it with Belleville or somebody else and offer
it, you know, once or twice a month instead of having full-
time people here to do that.

So I guess my question is is there a part of the
budget planning process where citizens can have some input.

MAYOR PETRACCO: The quick answer to that -- I
believe that, when we adopt our budget, there's a public
portion meeting for the public to comment, sure.

MS. LANDRY: When is that?

MAYOR PETRACCO: That's in June, isn't it?

COMMISSIONER EVANS: No, it's -- well, we haven't
scheduled it yet, but we -- it would be -- a public notice
would be out, and it's a public workshop session on the
budget where the commissioners come together collectively to
discuss the budget itself. So there will be a public notice
when it comes out. Generally, it's the late March
timeframe.

MS. LANDRY: Late March?

COMMISSIONER EVANS: Late March timeframe,
generally.

MS. LANDRY: Because I spoke to a commissioner,
and he said the budget would be done by March. When will
the budget be done?

COMMISSIONER EVANS: Generally, it's -- there's a
question that I'm waiting on and answer to that will hold
and delay, possibly delay when we actually can introduce and
adopt the budget, because I'm waiting for state aid
information. And so, once I get that notification, I'll be
able to address it, but the state dictates when we have to
adopt.

MS. LANDRY: And what is the current dictate?

COMMISSIONER EVANS: Well, it's usually in
February, but they've now delayed it another 30 days, and a
lot of it has got to do with the state's readiness to give
information. So they could delay it, and we'll find out.

MS. LANDRY: Okay.

COMMISSIONER EVANS: But --

MS. LANDRY: Because right now, we're just
assuming it's delayed 'til March 30th.

COMMISSIONER EVANS: But --

MS. LANDRY: We just make that assumption. So
then, the public workshop session will happen prior to
March 30th?

COMMISSIONER EVANS: Yes.

MS. LANDRY: Okay. And it will be a public notice
in the newspapers?

COMMISSIONER EVANS: It's every year. There's no
special treatment. It's every year we announce a public
workshop session, and residents are welcome to come.

MS. LANDRY: Okay. So, since you know you have
until March 30th, and you guys can really schedule this
meeting anytime, right, before March 30th, correct?

COMMISSIONER EVANS: Uh-huh.

MS. LANDRY: Mayor?

COMMISSIONER EVANS: Yeah.

MAYOR PETRACCO: Yes.

MS. LANDRY: So you're saying that -- okay. Today is the 4th. So, sometime between now and at least a week before the final budget, you'll have a meeting where people can show up and have them put into the budget, correct?

COMMISSIONER EVANS: Yes, yes, there's a process

--

MAYOR PETRACCO: Right.

COMMISSIONER EVANS: -- that we have to go through. Right now, we're in the process of closing last year's books, right, to open up the books for the coming year. At our last meeting, we had to adopt a temporary budget.

MS. LANDRY: Yes, I saw that.

COMMISSIONER EVANS: Right, by state statute and by formula.

MS. LANDRY: Saw that, yes.

COMMISSIONER EVANS: We do that, and then, what happens is is that each of the departments are given a worksheet for which they have to then sit down and review to determine what's the level of appropriation they're going to
need for the coming year.

MS. LANDRY: And all of the department heads have that worksheet now?

COMMISSIONER EVANS: Not yet.

MS. LANDRY: Oh, okay.

COMMISSIONER EVANS: They will. It'll be going out.

MS. LANDRY: Okay.

COMMISSIONER EVANS: It'll be going out. And then, when it comes back to my department, my treasurer summarizes all of that. We also work with the outside auditors, because, under public sector, the auditors actually help -- actually pull the budget together and summarize that. And then, once that's ready, we will then have a public meeting on the budget.

Right now, none of the departments have submitted what they expect their costs to be for the coming year. So, once we get it all pulled together, we then have a public meeting where we discuss, you know, what does it look like and what we can do to manage those costs.

MS. LANDRY: And that meeting will be here, that public workshop session?

COMMISSIONER EVANS: It's here. Yeah, it's here.

MS. LANDRY: Okay.

COMMISSIONER EVANS: It's generally the conference
session in the back.

MS. LANDRY: Okay. All right. And a final thing just real quick because I know that --

UNIDENTIFIED SPEAKER: Just before you continue, but my question is I thought that we adopt a budget on the floor here where there's public addresses (sic).

UNIDENTIFIED SPEAKER: Yeah, --

UNIDENTIFIED SPEAKER: That's what I thought was traditionally June.

COMMISSIONER EVANS: That's (indiscernible) public works up. So, before we actually bring a budget introduction to the floor, we have these workshops.

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER EVANS: And the private can come to that to listen to the commissioners discussing. We then introduce the budget, and then, once the budget is introduced, it's available for public comment.

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER EVANS: Just like an ordinance. Same thing on an ordinance when we introduce.

MS. LANDRY: Okay. So, if anyone has input into the budget, they have to do it outside of a general forum, correct?

COMMISSIONER EVANS: I'm not clear on your question.
MS. LANDRY: Okay. So you said this workshop does not have public input. No public input at the budget workshop. So they are spectators?

COMMISSIONER EVANS: Yes.

MS. LANDRY: Okay.

COMMISSIONER EVANS: But it's a public --

MS. LANDRY: So -- yes.

COMMISSIONER EVANS: It's a public meeting because, under the Sunshine Law, --

MS. LANDRY: Uh-huh.

COMMISSIONER EVANS: -- when the commissioners come together, we have to give notice, and we have that conversation.

MS. LANDRY: Okay. So my question to the board -- what is the process for the taxpaying citizens of Nutley who have input into the budget?

COMMISSIONER EVANS: Once the budget is introduced, it has a period where it's available for public comment. So we make it available. We make it -- you could pick up copies of it here or at town hall. I think we make them at the library or --

MS. LANDRY: Can they be put online?

MADAM CLERK: (Indiscernible.)

COMMISSIONER EVANS: Yeah, yeah.

MS. LANDRY: Okay. I couldn't find it for the
last couple of years. So --

COMMISSIONER EVANS: Yeah, but we have residents who prefer hard copies, too. So --

MS. LANDRY: Well, I'm definitely supporting green Nutley. So --

COMMISSIONER EVANS: Thank you. I appreciate that. And so, there is a public comment -- you know, once it's introduced, right, then we have a hearing or we have a public meeting where we then open the budget for conversation to the public.

MS. LANDRY: Great. Thank you.

COMMISSIONER EVANS: It's the same -- it's just as tonight, if we had an ordinance that was -- you would follow the normal process, right? We would have an ordinance that would be introduced. There is no discussion on it. It's just a matter of introduction. Then we say, at a future date, there's a public hearing on this. Right? It's the same principle. Then the public can come and comment on that ordinance before the governing body --

MS. LANDRY: Before it's approved as an ordinance?

COMMISSIONER EVANS: Absolutely, absolutely.

MS. LANDRY: Beautiful.

COMMISSIONER EVANS: The budget follows the same process.

MS. LANDRY: Beautiful. Thank you.
COMMISSIONER EVANS: And you were asking about the workshop session, that, if you wanted to come and listen to that conversation before we get to the point of introducing the budget, you're welcome to do that, because that's an open to the public session.

MS. LANDRY: Thank you. I will definitely be there. And I believe that the tax revenue department is under your --

COMMISSIONER EVANS: I am the revenue and finance commissioner.

MS. LANDRY: Okay. So I know that you can't -- as you have told me before, that you cannot direct people within the departments in which you work, because how this whole thing started was with the permit office.

COMMISSIONER EVANS: Uh-huh.

MS. LANDRY: Which, by the way, I still haven't broken ground. We have a lot of snow. Anyway, I'll get there, though. Can you at least have a conversation with Mr. Librizzi about R1A, R1AA, and R1AAA as to why those land values have gone down four years in a row, while our 1, the little less desirable lots, haven't changed and that there are certain sections, blocks in this town that their land reassessments haven't changed in five years?

COMMISSIONER EVANS: Uh-huh.

MS. LANDRY: And I've looked at every single house
in this community, and there's no rhyme or reason to it, and Mr. Librizzi has pretty much said, "I have no further comment to you, Ms. Landry." And so, where do I go, except the next level?

COMMISSIONER EVANS: Sure. So a couple things. George Librizzi is a highly qualified tax assessor. Assessing methodology is something that he has been trained in and he has gone to school for and so on. His methodology and his approach -- he reports to the Essex County Board of Taxation. Joan Durkin, as you know, is the Essex County tax administrator.

What he looks at -- any adjustment that he's making to property values -- it must be approved by the Essex County Tax Board. So he doesn't work independently. It's not his position to do that, but, as he makes that determination -- and I don't have an answer as to why land values would change in one section and not change in another. I don't.

Some of it goes back to when the township itself went through a revaluation in 2005 timeframe. So whatever those bases are that were established at that time I don't know. So I can't comment on it. I'm not a qualified assessor.

MS. LANDRY: Okay.

COMMISSIONER EVANS: But I believe I will contact
him and ask him about his response to you and what that is, and, if you don't -- I believe, you know, from his perspective, he believes he's answered, as you had said. If there's something in his explanation that you don't understand, I'll ask him to clarify that.

MS. LANDRY: Right. Thank you. I appreciate it. Thank you.

You all stay warm and safe.

MAYOR PETRACCO: Thank you.

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

Seeing no one, before we vote on that, just an announcement. School is closed tomorrow. That's what I was doing on my phone. I didn't mean to be rude. School is officially closed tomorrow because of the snow coming in and the hazardous ice storm that they're predicting.

Is there anyone else that would like to address the board?

Seeing no one, we need a motion.

UNIDENTIFIED SPEAKER: Make the motion.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rodgers?

COMMISSIONER RODGERS: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.
MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

(Whereupon, these proceedings were concluded at 8:11 PM)
CERTIFICATION

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

Date: February 19, 2014

Nicole Yawn
Signature Page/Board of Commissioners
Meeting Minutes, February 4, 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

Commissioner Thomas J. Evans

Commissioner Joseph P. Scarpelli
(Absent/Excused)

Mayor Alphonse Petracco
Resolved by the Board of Commissioners of the Township of Nutley that the Township Commission shall now move into closed executive session to discuss:

1. Litigation Matter
2. Potential Litigation

BE IT FURTHER RESOLVED, that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Township of Nutley pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by statute.

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 February 4, 2014.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpetti</th>
<th>Mayor Petracco</th>
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List of payroll submitted for approval by the Board of Commissioners at their regular meeting of FEBRUARY 4, 2014:

PAYROLL-REGULAR FEBRUARY 1, 2014:
Department of Public Affairs
Department of Revenue & Finance 1,961.54
Department of Public Safety 0.00
Department of Public Works 0.00
Department of Parks & Public Properties 0.00
Department of Recreation Commission 0.00
Water Operations 0.00
Due To From General Capital 0.00
600 SERIES 0.00
POLICE OUTSIDE DUTY 0.00
C.E.H.A. 0.00

Sub Total 1,961.54

PAYROLL-OVERTIME FEBRUARY 1, 2014:
Department of Public Affairs 0.00
Department of Revenue & Finance 0.00
Department of Public Safety 0.00
Department of Public Works 0.00
Department of Parks & Public Properties 0.00
Water Operations 0.00
600 Series 0.00

Sub Total 0.00

TOTAL PAYROLL: 1,961.54

The Payroll list in the foregoing schedule includes amounts to be deducted for:
Federal Withholding Tax 271.39
Social Security 122.95
N.J. State Tax 54.04
Medicare 28.76
Wage Execution 0.00
Deferred Compensation 0.00
Employee Disability Ins. 0.00
List of payroll submitted for approval by the Board of Commissioners at their regular meeting of FEBRUARY 4, 2014:

**PAYROLL-REGULAR JANUARY 31 2014:**

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**Sub Total** 729,800.17

**PAYROLL-OVERTIME JANUARY 31, 2014:**

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**Sub Total** 33,787.66

**TOTAL PAYROLL:** 763,587.83

**GRAND TOTAL:** 9,165,221.16

The Payroll list in the foregoing schedule includes amounts to be deducted for:

- Federal Withholding Tax 111,195.58
- Social Security 25,694.51
- N.J. State Tax 27,605.08
- Medicare 11,369.79
- Wage Execution 4,043.50
- Deferred Compensation 25,306.83
- Employee Disability Ins. 5,154.10
WHEREAS, sealed bids for "Monsignor Owens Field Bleachers" were opened and read on December 17, 2013; and

WHEREAS, the lowest responsible bid was significantly higher than the cost budgeted by the municipality; and

WHEREAS, N.J.S.A. 40A: 11-13.2 permits the rejection of all bids under such circumstances.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners that all bids heretofore advertised, received and opened are hereby rejected.
Board of Commissioners  
Township of Nutley, New Jersey

Resolution

Introduced by: Commissioner Mauro G. Tucci  
Date:  February 4, 2014

Seconded by: Commissioner Steven Rogers  
No.  31-14

Whereas, The Township of Nutley has a need to acquire specialized professional services for a Consultant and Risk Manager for the Township of Nutley; through a fair and open process pursuant to NJSA 19:44 20.5 and,

Whereas, C. Walter Searle Insurance, 410 Franklin Avenue, Nutley, N.J. 07110, has completed and submitted a Request for Qualifications for Risk Manager which complies with the provisions of N.J.S.A. 19:44 A-20.5; and

Whereas, a contract for professional risk management consulting services is required in the by-laws of the Suburban Essex Liability Joint Insurance Fund, and this contract is valid from January 1, 2014 through December 31, 2014 shall not exceed $34,500.00, and the funds are available from the Suburban Essex Joint Insurance Fund.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey authorizes a contract to be entered into with C. Walter Searle Insurance, as described herein; and

BE IT FURTHER RESOLVED that the response to the Request for Qualifications for Risk Manager 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

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<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
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<td>Absent/Excused</td>
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ABSTAINED
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 Senior Citizen property tax deductions for tax year 2013 in the amount of $1,000.00. The following listed taxpayers are eligible to receive $250.00 each.

<table>
<thead>
<tr>
<th>Block&amp; Lot</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1400</td>
<td>137 Stratford Ave.</td>
<td>$250.00</td>
</tr>
<tr>
<td>4001</td>
<td>17 Durant Pl.</td>
<td>$250.00</td>
</tr>
<tr>
<td>4701</td>
<td>382 Chestnut St.</td>
<td>$250.00</td>
</tr>
<tr>
<td>8104</td>
<td>11 Lincoln St.</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

I, ________ Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 4, 2014.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
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<tr>
<td>Absent/Excused</td>
<td>X (Exited the Meeting@ 7:59PM)</td>
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<td>X</td>
</tr>
</tbody>
</table>
BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund Veteran property tax deductions for tax year 2013 in the amount of $3,250.00. The following listed taxpayers are eligible to receive $250.00 each.

<table>
<thead>
<tr>
<th>Block&amp; Lot</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 20</td>
<td>16 Windsor Place</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>600 11</td>
<td>41 Wharton Ave</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>3800 41</td>
<td>9 Hetherington Rd.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>4101 12</td>
<td>24 Chestnut St.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>4900 7</td>
<td>35 Sylvan Pl.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>5104 7</td>
<td>104 Stanley Ave.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>5206 16</td>
<td>106 Cedar St.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>5402 19</td>
<td>33 Hickory Rd.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>7201 5</td>
<td>103 OakRidge Ave.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>7601 8</td>
<td>91 Stager St.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>8401 17</td>
<td>39 Wilson St.</td>
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</tr>
<tr>
<td>9205 5</td>
<td>58 Brookline Ave.</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>9700 11</td>
<td>1 River Rd. Unit 3B</td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>

I, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 4, 2014.

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</tbody>
</table>
BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the water charges in the amount of $168.21.

<table>
<thead>
<tr>
<th>Block&amp; Lot</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 1 C5036</td>
<td>535 Coventry Dr.</td>
<td>$34.62</td>
</tr>
<tr>
<td>8204 36</td>
<td>96 Hopper Ave.</td>
<td>$133.59</td>
</tr>
</tbody>
</table>

I, [Signatures], Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 4, 2014.

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

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

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

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

WHEREAS, Hendricks Appraisal Company, LLC 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 4-01-204-205 (Subject to Adoption of 2014 Municipal Budget) 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 Hendricks Appraisal Company, LLC; and

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

I, Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 4, 2014.
BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-59, the following transfer(s) of 2013 Appropriation Reserves be and the same are hereby authorized and approved:

**DEPARTMENT OF PUBLIC WORKS & WATER**

<table>
<thead>
<tr>
<th>FROM:</th>
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<tr>
<td>$5,000.00</td>
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<td>Total</td>
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<td>$5,000.00</td>
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WHEREAS, the following establishments have submitted various liquor license permit applications for the St. Patrick’s Day Parade event scheduled for Saturday, March 1, 2014; and

1. “Nutley Elks Lodge” 242 Chestnut Street Application for Special Permit for Social Affair
2. “Old Canal Inn”, 2 E. Passaic Avenue Application for Petition to Extend Licensed Premises
3. “St. Mary’s Knight of Columbus” 150 Chestnut Street Application for Special Permit for Social Affair
4. “Midtown Bar & Grill” 223A Franklin Avenue Application for Petition to Extend Licensed Premises
5. “Midtown Bar & Grill” 223A Franklin Avenue Application for Catering Permit

WHEREAS, the Division of Alcoholic Beverage Control (ABC) requires the Municipal Clerk and the Chief of Police to sign each application certifying that the Licensing Issuing Authority has no objection to the granting of a Special Permit.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex that the applications as listed above are hereby conditionally approved and the Municipal Clerk is authorized to:

1. Obtain written approval for each application from the following departments; the Police Department, Code Enforcement Department, Fire Department and the Health Departments

2. Upon receiving written approvals the Municipal Clerk and Police Chief are authorized to sign each application as required by the Division of Alcoholic Beverage Control (ABC)

[Signature]

Evelyn Rosario
Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 4, 2014.

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WHEREAS, the Nutley Police Department desires to utilize the facilities of the pistol range of the Police Department of the Borough of North Arlington located in the Hackensack Meadowlands, North Arlington, New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the Mayor and the Township Clerk be and are hereby authorized to enter into an agreement with the Borough of North Arlington for use of its police pistol range for the period of January 1, 2014 through December 31, 2014.

Record of Vote

<table>
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</table>

I, Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 4, 2014.
WHEREAS, the Township of Nutley heretofore entered into a contract with Premier Security/Electronics, 253 Main Street, Suite 213, Matawan, NJ 07747 to provide a new Surveillance and Access System for the Public Safety Building; and

WHEREAS, the Director of the Department of Public Safety has recommended the following change orders from said contract; and

WHEREAS, said change order is required to expand the Keyscan System for 8 additional readers and the installation of a deadbolt electric strike on the armory door; and

WHEREAS, the proposed change order exceeds the amount of the original contract award by $5,180.00

Change Orders

#18 – Expansion of 8 additional readers for the Keyscan System $4,688.00
#19 – Furnish and install deadbolt electric strike on armory door $ 492.00

TOTAL $5,180.00

WHEREAS, the money is available from Federal Forfeiture, Account #T-25 909-902 and has been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that change orders #’s 18 and 19, in the amount of $5180.00, be and are 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 February 4, 2014.
WHEREAS, raffle applications have been received from the following organizations; and

<table>
<thead>
<tr>
<th>Organization</th>
<th>License No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>HSA Washington School PTO</td>
<td>License No. 24-14</td>
<td>May 9, 2014</td>
</tr>
<tr>
<td></td>
<td>On-Premise 50/50 Cash Raffle</td>
<td></td>
</tr>
<tr>
<td>HSA Washington School PTO</td>
<td>License No. 25-14</td>
<td>May 9, 2014</td>
</tr>
<tr>
<td></td>
<td>On-Premise Tricky Tray Raffle</td>
<td></td>
</tr>
</tbody>
</table>

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, [Signature], Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 4, 2014.

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</table>
“National African American History Month”

WHEREAS, the Board of Commissioners of the Township of Nutley honors the heritage of African Americans and acknowledges their many contributions to our Nation, our State and our Township; and

WHEREAS, Dr. Carter Godwin Woodson established Black History Week in February, of 1926, choosing a month that marks the birthdays of two important men who greatly impacted the African American population, Abraham Lincoln and Frederick Douglass; and

WHEREAS, in the year 1976, the observance was expanded to Black History Month, celebrating freedom, equality, and opportunity and in 1996 renamed “National African American History Month”;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Nutley celebrates National African American History Month 2014 and honors the many achievements and contributions made by African Americans to our economic, cultural and spiritual development in our Nation, our State and our Township.

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 February 4, 2014.