

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

PUBLIC MEETING

)
) TRANSCRIPT OF

) PROCEEDINGS:
)

May 6, 2014

7:10 p.m.

BEFORE:

Commissioner Steven Rogers (Absent/Excused)

Commissioner Joseph Scarpelli

Commissioner Mauro Tucci

Mayor Alphonse Petracco

Commissioner Thomas J. Evans

Job No. VTNJ - 1871244

P R O C E E D I N G S

1
2 MAYOR PETRACCO: Madam Clerk, I think we are
3 finally --

4 MADAM CLERK: Mayor, are we ready?

5 MAYOR PETRACCO: -- officially ready. I see we
6 have a couple guests tonight?

7 MADAM CLERK: Yes.

8 MAYOR PETRACCO: So however we are -- we're going
9 to --

10 MADAM CLERK: I'll open the -- I'll read the
11 public statement, do a roll call and introduce the guests
12 that we have this evening, if that's okay?

13 MAYOR PETRACCO: That'll be fine.

14 MADAM CLERK: Ready, Mayor?

15 MAYOR PETRACCO: I am ready, thank you.

16 MADAM CLERK: Tuesday, May 6th, 2014. Pursuant to
17 the requirements of the Open Public Meeting Law, Chapter
18 231, Public Laws 1975, notice of this meeting was published
19 in the December 12th, 2013 issues of the Nutley Sun, the
20 Star Ledger, and the Herald News. A copy of this notice has
21 been posted on the Nutley Town Hall bulletin board and a
22 copy is on file in the Municipal Clerk's Office.

23 Commissioner Rogers is absent/excused this
24 evening.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Here.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Here.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Here.

6 MADAM CLERK: Mayor Petracco?

7 MAYOR PETRACCO: Here.

8 MADAM CLERK: All present, Mayor, with the
9 exception of Commissioner Rogers who was absent/excused this
10 evening.

11 MAYOR PETRACCO: Okay.

12 MADAM CLERK: And we have a couple of guests this
13 evening. We have Mr. Steven Pearlman of Inglesino,
14 Wyciskala & Taylor along with Mr. Derek Orth. They're here
15 to speak on behalf of resolution number 95-13 concerning the
16 North Jersey District Water Supply Commission and their
17 proposed bond issues. And we also have Raymond Sarinelli of
18 Nisivoccia LLC, Certified Public Accountants, along with
19 Rosemary Costa who are here to speak on behalf of the public
20 hearing schedule for the 2014 municipal budget.

21 MAYOR PETRACCO: Who's introducing that
22 resolution?

23 MADAM CLERK: That would be Commissioner Evans.

24 MAYOR PETRACCO: Okay. Okay, so are we going to
25 take that out of -- how do you guys want to do the --

1 COMMISSIONER EVANS: The public hearing or the --

2 MAYOR PETRACCO: Well, I don't -- no.

3 MR. PEARLMAN: I can handle the bonds in like less
4 than five minutes. I know you've got a lot with your
5 budget, so --

6 MAYOR PETRACCO: Right, okay.

7 MR. PEARLMAN: -- do you want me to come up and
8 knock it out?

9 MAYOR PETRACCO: Yeah, that's fine. That's --
10 just the order that you guys like to take it is fine with
11 me.

12 MR. PEARLMAN: No problem. By the way, if you got
13 Wyciskala right, you get extra points.

14 MADAM CLERK: Wyciskala, okay.

15 MR. PEARLMAN: I want to introduce Derek Orth with
16 Inglesino Wyciskala & Taylor. John used to be my partner,
17 as you know, on the redevelopment stuff. I've now moved,
18 started my own firm in Bloomfield. I'm seven minutes from
19 home in Montclair, so Pearlman & Miranda hooked up with an
20 old friend who's Bill Miranda. But I am subbing to John's
21 firm on the bond stuff. Okay? And John's firm is
22 technically general counsel for North Jersey District Water
23 Supply Commission.

24 They've got in Wanaque North and Wanaque South,
25 about 95 million of bonds that they need to do, about 70

1 million worth of capital projects. That's something they've
2 been storing up for quite a long period of time. If you're
3 in Wanaque South, you're, I think what roughly 7 and a half
4 percent are Wanaque South. In order to go forward with the
5 bond issue, you need two-thirds by MGD approval of the South
6 members.

7 You hear a big number like that, you might think
8 it's scary. The reality is that North Jersey's debt service
9 is fortuitously -- falls off a cliff in 2017. So the way
10 they're structuring these deals, and there are both North
11 deals and South deals, and they're going to go to the EIT,
12 the Environmental Infrastructure Trust which gives at least
13 half of its money at zero interest. So they're going about
14 it the right way getting as cheap money as they can as
15 possible, and right now interest rates are low.

16 They're literally going to do what they do what
17 they call (indiscernible) debt service. So they're going to
18 basically start amortizing after the cliff. And what does
19 that mean to you? It means that they won't affect your
20 present user rates. So they literally don't expect an
21 increase from what you're paying in 2014, which is why even
22 though it sounds like a lot of money, the bottom line is
23 they've structured it in a way, on purpose, to not affect
24 your user rates.

25 And they've been saving up to do this for many

1 years. This is one of those they have not been issuing
2 serially every year. They've been waiting, and waiting, and
3 waiting. It's a combination of the pushing and needs and
4 low interest rates, and it's the right time and let's do it
5 all together. They're also combining it with a refunding to
6 help the net value of that keeps the rates where they are.

7 How -- can I answer questions?

8 COMMISSIONER SCARPELLI: I guess that was our
9 major concern was how was it going to affect our rates.

10 MR. PEARLMAN: Understood.

11 COMMISSIONER SCARPELLI: So, and then, I don't
12 know if you had any input on what some of the capital
13 improvements are and how they're going to -- may affect our
14 system.

15 MR. PEARLMAN: We have a whole -- I mean,
16 literally, as you can see, this is like two pages worth of
17 details. Why don't I do this, read the categories because I
18 think that gives you a sense --

19 MAYOR PETRACCO: Do we have that in our packets
20 or --

21 MR. PEARLMAN: You do, you do. There is a -- and

22 MAYOR PETRACCO: I want to find it here.

23 MR. PEARLMAN: This is not the final list. I just
24 want to caution people, but this is the list of what they're
25 looking at.

1 MAYOR PETRACCO: I'm just trying to keep it in
2 order.

3 MR. PEARLMAN: And the categories are to maintain
4 the facility's dams and pipelines. They're estimating that
5 total cost is about 25 million. Resiliency, which is an
6 important term you've read these days.

7 COMMISSIONER EVANS: I don't think we have it.

8 MR. PEARLMAN: You don't have it?

9 COMMISSIONER TUCCI: No, we don't have that.

10 MR. PEARLMAN: You know what you have, what you
11 have is this. You have the --

12 COMMISSIONER SCARPELLI: The resolution --

13 MR. PEARLMAN: Well, this isn't just your
14 resolution. You have this memo that outlines, by category,
15 the total amounts of these categories. I'm happy to leave a
16 copy and you guys can look at it in detail, but I do want to
17 make it clear -- there you go -- that the Commission
18 reserves the right to change these projects because DEP may
19 say yes or no. They're going forward with studies. They're
20 going to do what is the most needed projects, the bottom
21 line.

22 MAYOR PETRACCO: So this is all for the
23 infrastructure and is that --

24 MR. PEARLMAN: Uh-huh, yeah.

25 MAYOR PETRACCO: -- that's exactly what it's for?

1 MR. PEARLMAN: Yeah, so through the categories,
2 the (indiscernible) facilities dams and pipelines that's
3 total infrastructure. Resiliency is post-Sandy. Regulatory
4 compliance is our good friends at PGA and DEP, right? Our
5 good friends?

6 MAYOR PETRACCO: Our good friends, very good
7 friends, yes.

8 MR. PEARLMAN: And then security, and Al and I
9 were talking about security, IT, and safety is another big
10 category. And then water treatment.

11 COMMISSIONER TUCCI: Now do they just reserve the
12 right to change the projects or --

13 MR. PEARLMAN: Not the amounts.

14 COMMISSIONER TUCCI: Not the amounts. So the
15 amount will state --

16 MR. PEARLMAN: You're doing a maximum amount --

17 COMMISSIONER TUCCI: Right.

18 MR. PEARLMAN: -- and the effect on your rates is
19 not going to change.

20 COMMISSIONER TUCCI: Right. So --

21 MR. PEARLMAN: Which is a key question.

22 COMMISSIONER TUCCI: So we're going to give them a
23 total budget, they're going to --

24 MR. PEARLMAN: That's it. And we're going to mix
25 and match.

1 COMMISSIONER TUCCI: -- move it around as they see
2 necessary to keep the facility running and keep it state of
3 the art.

4 MR. PEARLMAN: That's it. That's it.

5 COMMISSIONER EVANS: Steve, just got a quick
6 question.

7 MR. PEARLMAN: Please.

8 COMMISSIONER EVANS: Given the location of the
9 South Reservoir, and the location of Nutley, water doesn't
10 flow uphill, okay? So we have to get water from Passaic
11 Valley water, we have a wheeling charge --

12 MR. PEARLMAN: Okay.

13 COMMISSIONER EVANS: -- that brings it over. In
14 looking at this list and where you're saying is that they've
15 been managing things, I don't know if it's under
16 consideration, but is there anything that you could take
17 back to them to figure out how we could get water to Nutley
18 from Wanaque South so that we could eliminate the extra cost
19 of a wheeling charge?

20 MR. PEARLMAN: A wheeling through Passaic Valley
21 water?

22 COMMISSIONER EVANS: Yeah.

23 MR. PEARLMAN: The answer is yes. You're in
24 South -- South is where the extra allocation just came in,
25 right? The safe yield increase?

1 There is a -- it happens infrequently but in the
2 water world, DEP allows you to contract out based on safe
3 yield. Safe yield is a function of what they think is going
4 to be there at the worst times, because they don't want to
5 contract out something that won't happen.

6 The safe yield just increased in Wanaque South.
7 And I believe letters went out to all the Wanaque South
8 communities asking if you were interested. So if you are
9 interested in increasing your percentage MGD, it's take or
10 pay, so if you increase, you know, whether you need it or
11 not, you know, you've got to pay, but you could increase
12 your -- because of this available safe yield, you actually
13 could increase your allocation from North Jersey directly.

14 I can't speak to your contracts with Passaic
15 Valley Water. I don't want to be deemed interfering with
16 those. I don't know whether you can get in or out of those,
17 but from a North Jersey standpoint, we could service them.

18 COMMISSIONER EVANS: Yeah, so it's not a question
19 of volume from use, right, for that allocation, it's
20 actually a physical --

21 MR. PEARLMAN: It's a physical movement?

22 COMMISSIONER EVANS: -- movement to say how do you
23 get, recognizing that South is at a lower elevation than
24 Nutley, you know, you would have to pipe and pump --

25 MR. PEARLMAN: Right.

1 COMMISSIONER EVANS: -- water, and so -- to get it
2 to us directly, right? And so probably in the past, you
3 know, that's how many towns got these huge water towers --

4 MR. PEARLMAN: Sure.

5 COMMISSIONER EVANS: -- right, which we've always
6 been -- you know, historically again, the question is with
7 today's technology --

8 MR. PEARLMAN: Yeah, is there a way to get it to
9 you without waiting for --

10 COMMISSIONER EVANS: -- is there just -- just a
11 question -- revisit it.

12 MR. PEARLMAN: I'll take it back. We'll take it
13 back and I don't know the answer off the top of my head, but
14 we'll be happy to take it back and get back to you,
15 Commissioner.

16 COMMISSIONER SCARPELLI: So, just to make clear,
17 not allocation, just actual Wanaque South water.

18 MR. PEARLMAN: Fine, that's fine.

19 COMMISSIONER EVANS: Because for us what it does
20 is it actually lowers our cost because we --

21 MR. PEARLMAN: Yeah, if you don't have to pay the
22 loans.

23 COMMISSIONER EVANS: -- have to pay South plus a
24 wheeling charge.

25 MR. PEARLMAN: But again, I caution, whatever I'm

1 going to come back with, I don't know what your contracts
2 are with Passaic Valley Water, so --

3 MAYOR PETRACCO: Steve, how many municipalities
4 pull from there?

5 MR. PEARLMAN: Wanaque South and Wanaque North
6 total, what is it Derek, it's --

7 MR. ORTH: It's 12 total.

8 MR. PEARLMAN: Yeah, 12 total, right.

9 MAYOR PETRACCO: Are you all located around
10 Nutley? And isn't Nutley, Belleville, Bloomfield or is
11 it towns that are sporadic?

12 MR. PEARLMAN: Yeah, I mean, it's actually --
13 you're in Passaic County, Essex County, we touch Hudson
14 County, and did I say Essex? Yeah. So, I think that's it.

15 MAYOR PETRACCO: Okay.

16 MR. PEARLMAN: All right.

17 MAYOR PETRACCO: Any questions?

18 MR. PEARLMAN: Yeah, this system goes back to the
19 early 1900's.

20 MAYOR PETRACCO: Right.

21 MR. PEARLMAN: Yeah, Wanaque -- the actual
22 enabling statute actually authorized a Wanaque North --
23 excuse me, a North Jersey District Water Supply Commission
24 and a South Jersey District -- South Jersey District was
25 never formed. And the New Jersey Water Supply Authority

1 that's out in Clinton, those reservoirs out there, that
2 effectively did the job.

3 And one of the things that we're trying to do, and
4 I was talking to you a little bit earlier, Al, about this
5 master plan. Forever, they've been trying to wheel water
6 through York in this pump station, and politics and cost,
7 and they've been unable to do it. I've heard this project
8 for 25 years. What's the relevance? They can never get it
9 done.

10 You tend -- when we have droughts in this State,
11 they tend to be regional and if we can get that pump station
12 -- (indiscernible) pump station connected, you can then move
13 water from the middle of the state to the north and vice
14 versa should one system be out. But it's been a parochial
15 political nightmare and I've not yet seen a governor who's
16 taken it on as a real issue, but there seems to be a new
17 impetus for it and hopefully. If that ever happened, our
18 drought conditions would be severely helped. And it would
19 connect those systems.

20 COMMISSIONER TUCCI: Steve, the refunding of the
21 existing bonds, are the rates much more favorable now --

22 MR. PEARLMAN: Yes.

23 COMMISSIONER TUCCI: -- then they were when -- are
24 they old bonds or a mixture?

25 MR. PEARLMAN: Yeah, well, no. There's -- the

1 refunding aspect's small. It's not a big -- they actually
2 did a decent sized refunding last year for Wanaque South.

3 What they're doing now is when rates dropped
4 originally, that when people did the long-term refundings,
5 and as you recall, I know you know this, (indiscernible)
6 long-term refunding under the crazy rules from the feds that
7 I don't agree with. So what happens is, when you get within
8 the call date within 90 days, you can do as many of them as
9 you'd like.

10 COMMISSIONER TUCCI: Right.

11 MR. PEARLMAN: So since rates are so historically
12 low, they not only did the one long-term refunding, they're
13 doing now these smaller (indiscernible).

14 COMMISSIONER TUCCI: The smaller stuff. So
15 they're cleaning up.

16 MR. PEARLMAN: They're cleaning everything up.

17 COMMISSIONER TUCCI: Okay.

18 MR. PEARLMAN: Yeah, like when you refinance your
19 home, you can keep refinancing because rates go low. Of
20 course, in the eyes of the federal government, you can't do
21 that. Why should we be able to save -- all right?

22 MAYOR PETRACCO: Okay.

23 MR. PEARLMAN: Good luck on your budget.

24 MAYOR PETRACCO: Thank you so much.

25 COMMISSIONER TUCCI: All right, thank you.

1 MAYOR PETRACCO: Steve, thanks for coming by.
2 Appreciate it.

3 MR. PEARLMAN: My pleasure. Good seeing
4 everybody.

5 COMMISSIONER TUCCI: Good luck with the new firm.

6 MR. PEARLMAN: Thank you.

7 COMMISSIONER EVANS: Safe travels.

8 UNIDENTIFIED SPEAKER: Very good seeing you.

9 UNIDENTIFIED SPEAKER: Take care, Steve.

10 COMMISSIONER TUCCI: You can tell the veterans,
11 they do their business and get out.

12 MAYOR PETRACCO: Yeah, smart. Okay, we're going
13 to move on to the regular agenda or are we going to --

14 COMMISSIONER EVANS: We can go through --
15 tonight's the public hearing on the budget?

16 MAYOR PETRACCO: Yes.

17 COMMISSIONER EVANS: There haven't been any
18 changes to the budget since it was introduced. Just as a
19 reminder, this budget represents for the Township municipal
20 portion is a \$50,445,000 budget, which is \$245,000 increase
21 over the prior year or roughly a half of percent increase in
22 appropriations.

23 When you factor in the revenues we have plus the
24 additional aid from the transitional aid, our -- which we're
25 allowed to include in the introduction of our budget, our

1 tax levy for 2014 actually goes down by \$252,000 to
2 38,379,000 versus 38,632,000 from last year. So we're
3 looking at a .65 reduction in the levy. So basically
4 there's no change to what we had talked about previously.
5 What that means in terms of the tax rate, given the fact
6 that the assessed values have gone down \$89 million this
7 year, of that 85.8 million is Roche, the tax rate does
8 increase roughly 2 points on the municipal level. So it
9 reflects the \$72 increase on average per household.

10 MAYOR PETRACCO: On our side?

11 COMMISSIONER EVANS: On our side. Now based on
12 where we are and what we can see so far is with the aid
13 applied to the school board, the school board announced last
14 week that they're going up \$216 per household but that was
15 before the aid. So the -- once you adjust it for the aid,
16 they're only going up \$92. And the county is going up
17 roughly \$32 with the aid. So total, on average for a house,
18 \$314,000, we're looking at \$196 increase for the total
19 municipality. Our -- the municipal share of that is \$72.

20 When I look at the -- how the levy has changed
21 over a four year period from 2011 to 2014, the actual tax
22 levy is up over a four year period .8 percent or \$309,000.
23 When I look at the assessed values over that same period,
24 the assessed values are down \$332 million, 85 of that is the
25 Roche adjustment this year.

1 So the tax rate is actually up 11 points during
2 that same period. One point is actually for cost, the other
3 10 points is actually for a reduction in assessed values, or
4 the shifting of costs throughout. So when I look at the
5 trend over a period of time, we've been working hard to
6 manage our cost. So tonight we're introducing the budget as
7 it's done.

8 So what I hope to do is just give the high level
9 indicators on the budget and then go into the public
10 hearing. But before I do that, any of the Commissioners
11 who'd like to comment on their particular departmental
12 budget, we should provide everybody that opportunity.

13 As I shared with you earlier, the Revenue and
14 Finance Department, I'm up 3.97 percent, but for two
15 reasons. One is it includes the \$250,000 that we've added
16 for the Roche professional fees and 145,000 for pensions.

17 When I factor those adjustments, the rest of my
18 department has a zero increase. So we've been maintaining
19 our cost. So if any of you guys feel as though you need to
20 say something, you know, I just want to make sure you
21 provide that opportunity before we go into --

22 MAYOR PETRACCO: The only questions that I --
23 there's only one question that I have and I've been asked
24 that question so I want to ask it is, on our side, Tom, are
25 we allowed to use any surplus to bring our side of the

1 portion down?

2 COMMISSIONER EVANS: We do.

3 MAYOR PETRACCO: We already added it?

4 COMMISSIONER EVANS: Absolutely. So our --

5 MAYOR PETRACCO: What -- go ahead.

6 COMMISSIONER EVANS: -- surplus that is applied,
7 you know, we generate a surplus every year. 75 percent of
8 the surplus that we generate is already applied to the levy
9 year in and year out to reduce the levy. So, we return it
10 back to the taxpayers. 25 percent of the surplus we retain,
11 which actually helps us manage our cash flow throughout the
12 year so that -- since we only collect revenue four times a
13 year on the tax dates, you run the government 12 months a
14 year, that actually helps us stay out of temporary notes for
15 funding the government in the interim period. And that's
16 been a practice that we've been following for a very long
17 time.

18 MAYOR PETRACCO: So we use 75 percent of our
19 surplus.

20 COMMISSIONER EVANS: Right, exactly.

21 MAYOR PETRACCO: And we just --

22 COMMISSIONER EVANS: And in some years, we've
23 actually generated a higher surplus, but what we've done,
24 we've used that money to offset the costs of the snowstorms
25 that we've had, the blizzards that we've had, and some of

1 those major costs without having to add an additional cost
2 charged to the taxpayers to cover our share of those storms.
3 So those -- we've been able to use it, in fact, to make sure
4 that we're funding our accrued sick and vacation
5 liabilities, so that's properly funded. So none of the
6 municipal budgets actually have to account for that because
7 we have that in reserve.

8 MAYOR PETRACCO: The only other question I have is
9 a question --

10 COMMISSIONER EVANS: Does that -- does that --

11 MAYOR PETRACCO: No, that makes sense. So it's
12 your -- you were applying 75 percent. 25 percent of it is
13 used as not zero balance so we could run a business.

14 The only other question I have real quick is with
15 some of this -- Governor Christie's changes with the
16 pensions and how -- what he's doing with retirees and things
17 like -- retirees, is that -- does that affect us in any way?
18 Are we paying for retirees' pensions or is that a state
19 obligation?

20 COMMISSIONER EVANS: We've --

21 MAYOR PETRACCO: I don't know the answer, that's
22 why I'm asking it.

23 COMMISSIONER EVANS: Yeah, so the pension is State
24 pensions, so the State actually makes the pension payments
25 to all retirees. What we're required to do as a

1 municipality is they tell us how much we have to fund as our
2 portion of funding those State pension liabilities. So we
3 get a calculation and a bill from the State each year which
4 tells us what our share -- our fair share is.

5 MAYOR PETRACCO: For retirees and present -- well,
6 for retirees obviously.

7 COMMISSIONER EVANS: Well, it's for the payments
8 of the retirees as well as towards that --

9 MAYOR PETRACCO: Contribution?

10 COMMISSIONER EVANS: -- total liability which the
11 State collects. It's their job to fund the pension fund.
12 It's the State -- we just -- the municipalities just get a
13 bill. So, if the State isn't funding it, right, so they're
14 not asking us for more money because they're not making
15 those pensions, that's all part of how the State budget is
16 prepared. We're not involved with that.

17 COMMISSIONER TUCCI: And actually we have to do --
18 well, I guess the CFO has to recertify, what is it, at the
19 end of the year --

20 COMMISSIONER EVANS: Yeah.

21 COMMISSIONER TUCCI: -- for next year as to
22 eligibility of all of our employees.

23 COMMISSIONER EVANS: Yeah, so we provide them that
24 information and then they calculated what our bill is for
25 the coming year.

1 UNIDENTIFIED SPEAKER: Yeah, and it's -- the bill
2 is based on your payroll. It's a percentage of your
3 payroll. So it's not based on what you're paying out this
4 year or what you paid out last year, it's actuarially
5 calculated based on first quarter of the preceding year's
6 payroll. And then that estimated payment (indiscernible)
7 with liability over time. So, it's not really based on what
8 you're actually paying out. It's way more complicated than
9 that.

10 MAYOR PETRACCO: I understand that. I guess my
11 question is, is that -- would that lower the exposure the
12 municipality has as far as, like I know now Christie's been
13 talking about making retirees pay into their pension as
14 well, because in the past they haven't paid anything. Am
15 I --

16 UNIDENTIFIED SPEAKER: Is it a pension or into
17 their health insurance? Retirees paying towards their
18 pension?

19 MS. COSTA: They could take a contribution every
20 payroll, so --

21 COMMISSIONER TUCCI: There was a cutoff date.
22 Folks were -- some folks were grandfathered in.

23 MAYOR PETRACCO: Right.

24 COMMISSIONER TUCCI: All right and don't have to
25 pay towards their health benefits and retirement, but after

1 a certain -- health benefits, not pension. After a certain
2 date, like anyone retiring today would have to pay a
3 percentage of that health benefit cost.

4 COMMISSIONER EVANS: But that's a retiree payment
5 of healthcare, it's not an additional contribution as a
6 retiree towards their pension.

7 COMMISSIONER TUCCI: No, it's got nothing to do
8 with pension, it's all about healthcare, yeah.

9 COMMISSIONER EVANS: I just want to be clear this
10 is healthcare not pension.

11 COMMISSIONER TUCCI: Yeah, you know, this is just
12 healthcare.

13 COMMISSIONER SCARPELLI: The employees always
14 contribute towards their pension and we've, even though at
15 some point, previous to me being on the Board, was an
16 opportunity for us not to contribute what we continued to
17 contribute, correct?

18 COMMISSIONER EVANS: That's correct.

19 COMMISSIONER SCARPELLI: And then the State for
20 those 14 years or so did not contribute to the pension
21 system.

22 MAYOR PETRACCO: That was the Whitman years,
23 right?

24 COMMISSIONER SCARPELLI: It started there.

25 COMMISSIONER TUCCI: Well there was a borrowing

1 that started in those early years.

2 COMMISSIONER EVANS: Yeah, it was just simple --

3 COMMISSIONER TUCCI: And I'm sure they had all
4 good intentions of paying it back but --

5 UNIDENTIFIED SPEAKER: Yeah, I guess at one point,
6 but those -- that -- their State payment is for State
7 employees, not for municipal employees. You've been funding
8 your share, you or the municipalities weren't given a recess
9 or whatever they call it and for indoor -- I think it did
10 start with the bond -- with the Whitman years when she
11 bonded three or four years and put all the money in, and
12 then there were no budget payments, and then that just
13 continued. That was for the State employees' share.
14 Your --

15 COMMISSIONER EVANS: So is it fair to say, based
16 upon what you were just saying, because I had a question on
17 this and I didn't have time to look, that since Nutley has
18 always paid its pension contribution --

19 UNIDENTIFIED SPEAKER: Right.

20 COMMISSIONER EVANS: -- that the pension is
21 associated with the Nutley employees is protected that the
22 liability and exposure on the pension fund itself is a State
23 level liability and not a municipal liability?

24 UNIDENTIFIED SPEAKER: Yes, your accrued liability
25 and your actuarial calculations are up to date for the

1 municipal share of the PERS pension system funding. The
2 actuarial calculations for the State are not up to date.
3 They're way behind and they've been deficient. And I guess
4 the '14-'15 budget would be the first year that the full
5 liability, actuarially calculated liability has been paid
6 in, I think, 12 years and it -- when it was at 8.8 billion
7 was the payment.

8 COMMISSIONER TUCCI: No, I think this year's --
9 the anticipate payment is 2.8 --

10 UNIDENTIFIED SPEAKER: 2.8 billion.

11 COMMISSIONER TUCCI: I thought it was 2.4 and it's
12 the increases in both PDRS and in police and fire, all
13 right, which normally would have gone in, I believe, are
14 offsetting part of that payment. But that's not my
15 question. My question is this, all right, having said
16 that --

17 COMMISSIONER EVANS: Can we talk about budget --

18 COMMISSIONER TUCCI: -- do they -- no. I don't
19 know what they do on the State level. We have our hands
20 full at this level.

21 Is -- do they inter-fund the municipal portion of
22 PERS and the State portion? Because when you read these
23 articles in the paper, and they talk about the unfunded
24 liability and how we need to do X,Y, and Z to solidify them
25 and make them fiscally solvent, all right, does that -- is

1 there an inter-funding that goes on or are -- do mur
2 pensions solid and on the State pensions --

3 UNIDENTIFIED SPEAKER: I think he's saying do they
4 co-mingle.

5 UNIDENTIFIED SPEAKER: Well, in theory, they're
6 not supposed to. But what actually takes place, I don't
7 know that we'll ever have that real answer. In theory,
8 they're not supposed to, but I wouldn't believe that if I
9 were a municipal --

10 COMMISSIONER TUCCI: Okay, well but
11 theoretically --

12 UNIDENTIFIED SPEAKER: They're not supposed to be
13 comingled.

14 COMMISSIONER TUCCI: -- they're not supposed to.
15 That's a good answer.

16 COMMISSIONER EVANS: Theoretically, they're not
17 supposed to do that and theoretically they don't do that,
18 and since we've always paid our pension contribution
19 actuarially, whatever that payment requires, and our
20 employees in Nutley are protected against this exposure.

21 COMMISSIONER TUCCI: No, he's saying he doesn't
22 know the answer to that.

23 COMMISSIONER EVANS: I'm saying theoretically
24 because they're not supposed to do that, we're technically
25 -- we would be protected.

1 COMMISSIONER TUCCI: One would think. Yes, I
2 agree. Yes, one would think.

3 COMMISSIONER EVANS: Yeah, that's what I'm talking
4 about. That's all -- theoretically, if they didn't do that,
5 we're okay. If they did that maybe we have some exposure.
6 I got it.

7 COMMISSIONER SCARPELLI: That's interesting.

8 UNIDENTIFIED SPEAKER: Mr. Evans, I think the --
9 unless you were going to do --

10 COMMISSIONER EVANS: Six to one odds.

11 UNIDENTIFIED SPEAKER: -- this new State aid that
12 we received, they're now requiring us to add the County and
13 State -- or the county and school share into our budget.

14 COMMISSIONER EVANS: Yes.

15 UNIDENTIFIED SPEAKER: So we won't be authorized
16 to adopt a budget tonight. You're going to amend that.

17 COMMISSIONER EVANS: Right.

18 UNIDENTIFIED SPEAKER: So, you'll have the hearing
19 and then you're going to present an amendment as
20 (indiscernible) to a public hearing.

21 COMMISSIONER EVANS: That's right. We also have
22 the fact that the state budget is still being discussed. So
23 we were going to hold until we got clearance from the State
24 to adopt. So -- and I don't know if we got that from the
25 State but --

1 UNIDENTIFIED SPEAKER: My understanding was that
2 our budget has been approved for amendment and adoption.

3 COMMISSIONER EVANS: I just wanted to clarify.
4 Yeah, so we have time to clarify that?

5 UNIDENTIFIED SPEAKER: Yeah.

6 COMMISSIONER EVANS: Okay.

7 MAYOR PETRACCO: Just one question on the total
8 appropriation, we're going up \$245,075.77 --

9 COMMISSIONER EVANS: Yeah.

10 MAYOR PETRACCO: -- and the anticipated revenue,
11 it's being offset by the 497,376 --

12 COMMISSIONER EVANS: Correct.

13 MAYOR PETRACCO: -- where is that coming from?

14 COMMISSIONER EVANS: State aid.

15 MAYOR PETRACCO: So that's direct State aid, so
16 we're actually less -- we're asking for less from our
17 residents.

18 COMMISSIONER EVANS: Correct.

19 MAYOR PETRACCO: All right, in -- as far as
20 appropriations are concerned.

21 COMMISSIONER EVANS: Correct.

22 MAYOR PETRACCO: Okay, so just for everyone's
23 edification, so why do we have that \$72 increase?

24 COMMISSIONER EVANS: Because the simple
25 calculation is the assessed value -- the tax rate of the

1 calculation of total appropriate, total dollars divided by
2 the assessed value of the Town.

3 MAYOR PETRACCO: Right.

4 COMMISSIONER EVANS: So, which means that,
5 embedded base, when we're talking about the increase here of
6 the adjustment, the base -- the full base has to be
7 collected as well --

8 MAYOR PETRACCO: Right.

9 COMMISSIONER EVANS: -- and so it's spread over a
10 lower number. So a small numerator into the denominator
11 equals an increase in the tax rate. So, it's just how
12 you --

13 MAYOR PETRACCO: I just felt that was important
14 that everyone --

15 COMMISSIONER EVANS: Yeah.

16 MAYOR PETRACCO: -- understand that --

17 COMMISSIONER EVANS: Yeah.

18 MAYOR PETRACCO: -- because if you look at it
19 you'll say, well, wait a minute why -- you know, why are the
20 taxes going up? The increase is only 245. It's offset by
21 497 and, you know, we have a negative number but the
22 number's going up. But people need to understand that there
23 is a structural situation that we need to address in that
24 base number. That's what's driving it based upon the
25 assessments and the valuation (indiscernible).

1 COMMISSIONER EVANS: Exactly, but we've been
2 managing the cost side. Market is managing the assessed
3 value side. And so what I said earlier, just -- which now
4 -- you know, so let's go back to that a second. So if you
5 from 2011 to 2014, the appropriation side is up .8 percent
6 or \$309,000 over a four year period. So from a cost side,
7 you know, our levy we're doing a really good job of keeping
8 cost stable over that four year period. Unfortunately,
9 we've had a 9 percent reduction in assessed values during
10 that same period, right, or \$332 million.

11 So if you take that lower number, right, on the
12 assessed value which is the numerator, that actually --
13 divide into that, that actually takes the rate up in that
14 same period 11 points. One point related to cost, 10 points
15 related to change in value.

16 COMMISSIONER SCARPELLI: And how much for this
17 year is the change in value directly affected by Roche?

18 COMMISSIONER EVANS: The -- I would say that the
19 two points is really related -- predominantly related to the
20 lower assessed values. It's not cost because we're only --
21 our levy's going down \$252,000. So it would attribute the
22 two points to the lower assessed values principally arising
23 from Roche. We had an \$89 million reduction in assessed
24 values, 85 of which was the Roche adjustment.

25 So, while we got aid to fix what we -- what our

1 base was for last year, we didn't -- we can't adjust and
2 couldn't get aid to adjust for what was the effect on your
3 base in that future year which is where we are now.

4 Next year when we go back, we'll be able to adjust
5 for that carry that forward and see what we can do next
6 year.

7 COMMISSIONER TUCCI: Right and hopefully the
8 longer term prognosis is as the market continues to improve
9 and go up, this structural deficit, for lack of a better
10 term, all right, should eliminate itself, correct?

11 COMMISSIONER EVANS: Yeah, so one of the things
12 that's actually a plus is outside of the Roche adjustment,
13 the assessed values in Nutley adjusted \$4 million, which is
14 small compared to what it's been since 2008. So it will
15 actually suggest that things are stabilizing. We haven't
16 seen the turn, but we're not necessarily (indiscernible).
17 So, it's just the beginning. We'll have to wait and see.

18 Now then you add to it is we're preparing for what
19 the starting point is for Roche going forward. Whatever
20 happens there going forward could have a positive effect too
21 as we move forward. So, this will change your
22 (indiscernible).

23 COMMISSIONER TUCCI: So basically we're at a
24 waiting game for this to turn around and for us to once
25 again be on much more positive side. Because I don't want

1 to characterize this as us being on a negative side because
2 we're not because we are controlling costs --

3 COMMISSIONER EVANS: That's the point.

4 COMMISSIONER TUCCI: -- but -- exactly, but as --

5 COMMISSIONER EVANS: We're wading through this,
6 but we're managing our way through it. That's sort of --
7 that's the message around all of this is that we're managing
8 our way through it.

9 COMMISSIONER TUCCI: And that's what's important.
10 I don't know if there's any press here other than Phil. I
11 see Phil here writing.

12 MAYOR PETRACCO: (Indiscernible) was here.

13 COMMISSIONER TUCCI: There she is. I'm sorry, I
14 couldn't see you. But that's an important point to make so
15 people understand and they don't think their Board of
16 Commissioners are just a bunch of drunken sailors spending
17 money, you know, however they see fit.

18 MAYOR PETRACCO: And not -- and just for the
19 record, also, with the aid from Christie, I mean it could've
20 been a very different picture here in Nutley.

21 COMMISSIONER EVANS: Yes.

22 MAYOR PETRACCO: And I think that that needs to
23 be put out.

24 COMMISSIONER EVANS: Yes, so the other side of it
25 is if you look at the estimated tax increase of \$196 per

1 household with the aid, if we didn't get the aid, that
2 number would have been \$175 on average per household higher
3 at \$371. So the aid -- having the aid saved on average \$175
4 per household.

5 MAYOR PETRACCO: On a \$350,000 --

6 COMMISSIONER EVANS: On a \$314,000 home.

7 MAYOR PETRACCO: 314.

8 COMMISSIONER EVANS: So a \$600,000 home will save
9 \$350.

10 COMMISSIONER TUCCI: And to zero out any increase
11 this year, what would that number be?

12 COMMISSIONER EVANS: Another 7 or \$800,000.

13 COMMISSIONER TUCCI: Would bring us to zero and
14 that's --

15 COMMISSIONER EVANS: Yeah, roughly. Because it's
16 roughly about --

17 COMMISSIONER TUCCI: Right, and that's without,
18 you know, obviously we have no control over what the school
19 district does or what the county does. That's just the
20 municipal piece.

21 COMMISSIONER EVANS: Right, on the municipal piece
22 to actually do it for the full municipality, that's probably
23 closer to somewhere like 1.5 million to flatten it out
24 completely.

25 COMMISSIONER TUCCI: So that's a goal for us to

1 work towards.

2 MAYOR PETRACCO: Okay. So that is our budget
3 introduction review.

4 COMMISSIONER EVANS: Yeah.

5 MAYOR PETRACCO: Okay, so now we will move the
6 meeting along. Let's see. We've gone over that. I have an
7 ordinance. I have ordinance number 3283. This is about a
8 bus stop.

9 So the problem that I'm having with some residents
10 is that where the bus stop is located right now is on
11 Nutley, right? Nutley Avenue and Washington Avenue and it's
12 an older woman who owns the house and the bus -- she has
13 access to pull in her driveway, the bus stop is right at her
14 door.

15 So what we're trying to accomplish by moving it to
16 Highfield Lane is that the house that sits on Highfield Lane
17 down the street is sideways. So when those people pull in
18 their driveway, they can pull all the way in and the bus
19 stop is out here. So when these people pull in, they enter
20 their house because the house is sideways. Their front door
21 is over here. Opposed to the house on Nutley Ave and
22 Washington Avenue, her front door is right here, her
23 driveway's right here, and the bus stop is right here. So,
24 we're trying to --

25 COMMISSIONER EVANS: Did Jack review this?

1 MAYOR PETRACCO: Yeah.

2 COMMISSIONER EVANS: What did he say about it?

3 MAYOR PETRACCO: He's not here.

4 COMMISSIONER EVANS: He's not in favor of it?

5 MAYOR PETRACCO: How come?

6 UNIDENTIFIED SPEAKER: Because he feels that it
7 was moved -- it was originally in front of the businesses
8 and the businesses all complained that it was taking up
9 parking places, so he feels that, you know, it can't be
10 moved back there and it shouldn't be moved in front of the
11 next house. He just -- he has an issue of it.

12 This woman stayed -- actually sat in her car for
13 two hours two weeks ago because she was afraid to get out of
14 her car.

15 COMMISSIONER EVANS: And the reason she was afraid
16 to get out of her car was?

17 UNIDENTIFIED SPEAKER: Because there was somebody
18 standing there waiting for the bus in front of her house.

19 COMMISSIONER EVANS: Right.

20 UNIDENTIFIED SPEAKER: She's --

21 COMMISSIONER EVANS: There's a reason for that
22 which we should take off line.

23 UNIDENTIFIED SPEAKER: It is -- it's directly in
24 front -- it's unfortunate but, you know, it can actually be
25 moved back there.

1 COMMISSIONER EVANS: Could we hold this and
2 discuss it?

3 MAYOR PETRACCO: Yeah, absolutely.

4 COMMISSIONER TUCCI: Is there a better spot? What
5 you're proposing, is that a -- like a neutral zone that
6 won't affect -- obviously it will eliminate her problem but
7 won't create a problem for someone else?

8 UNIDENTIFIED SPEAKER: It'd be the next block, the
9 house is on Highfield Lane, the entrance to it. And the
10 house is on Highfield Lane, so there's no, you know,
11 encumbrance onto the resident's property.

12 COMMISSIONER TUCCI: Right.

13 UNIDENTIFIED SPEAKER: It's on just the main
14 Washington Avenue. There's no --

15 MAYOR PETRACCO: The problem is that and I've
16 taken a look at this myself, is that this poor woman's door
17 is right by the bus stop. I mean, she doesn't have a big
18 front yard. So imagine our parents, our moms, and she
19 alone, right?

20 UNIDENTIFIED SPEAKER: Yeah, her husband died a
21 couple years ago.

22 MAYOR PETRACCO: And it's, you know, and to your
23 point, we don't want to take it and push it to the next
24 person's problem too.

25 COMMISSIONER EVANS: I just would like to better

1 understand his --

2 MAYOR PETRACCO: Yeah, but we could -- I think
3 that's a good idea.

4 COMMISSIONER EVANS: -- objection to it, just to
5 be clear.

6 MAYOR PETRACCO: And Nicki, (indiscernible) worked
7 on this, I'm sure, and the chief?

8 UNIDENTIFIED SPEAKER: We've -- and we have the
9 (indiscernible) as well, yes.

10 MAYOR PETRACCO: Well, maybe we could have a
11 little powwow with this --

12 UNIDENTIFIED SPEAKER: Sure. This has been going
13 around for a while.

14 MAYOR PETRACCO: I know it has and I know she'll
15 be disappointed that we're going to hold it, but we're going
16 to get it right.

17 UNIDENTIFIED SPEAKER: She'll be okay.

18 MAYOR PETRACCO: Yeah, we're going to -- we're
19 trying to get it right. Okay. So that -- we're going to
20 hold that then --

21 MADAM CLERK: Mayor, we'll hold this to until the
22 next meeting?

23 MAYOR PETRACCO: Yeah, we'll put it on the next
24 meeting. So, we'll pull it and put it back up. And just,
25 please, let's get together immediately on this, okay?

1 UNIDENTIFIED SPEAKER: No problem.

2 MAYOR PETRACCO: Because I know that woman's
3 really troubled.

4 Commissioner Evans, you have a public hearing
5 tonight?

6 COMMISSIONER EVANS: I also have an ordinance
7 introduction as well. It's a zoning change to allow for
8 commercial schools in B3, B3A, B4 zones.

9 We have a situation where -- I may get it wrong,
10 but if you're in a B3A versus a B3, which means if you're on
11 the north side of Franklin -- north side of Center Street on
12 Franklin Avenue, for example, right, you are not allowed to
13 put a commercial school in without going for a variance. If
14 you're on the south side of Franklin Ave -- south of Center
15 Street, you're allowed to because that's a -- I think that's
16 a B3 zone versus a B3A, right?

17 So what this -- we're finding is that if people
18 who want to put in like a karate school or a dance studio,
19 things like that, that depending upon where they think they
20 want to put it, you either have to go further into -- and
21 some of the costs for the variances for the businesses have
22 been significant: 8, \$10,000.

23 So what this does, it basically says in the B3 and
24 B4, which is the business district, a commercial school is
25 allowed.

1 COMMISSIONER SCARPELLI: It just -- we discussed
2 this at the planning board level and what it does, it just
3 opens up more opportunities for those stores to be built and
4 a business.

5 COMMISSIONER EVANS: And it's -- without having --

6 COMMISSIONER SCARPELLI: Without going for a
7 variance.

8 MAYOR PETRACCO: Is it only a school though?

9 COMMISSIONER EVANS: Commercial school.

10 COMMISSIONER SCARPELLI: Commercial school.

11 MAYOR PETRACCO: Period.

12 COMMISSIONER SCARPELLI: Dance school, yeah.

13 COMMISSIONER EVANS: Karate school, right.

14 COMMISSIONER SCARPELLI: Karate, Tai kwon do.

15 COMMISSIONER TUCCI: Have we been approached by
16 folks in --

17 COMMISSIONER EVANS: Yeah, the complaints have
18 been in the Code Office for a while, you know, complaining
19 why -- and again, why do they get a school without a
20 variance. How come I have to go and -- we're looking at the
21 map saying well, because in this zone it's allowed, because
22 of that zone -- and what we really date it back to was in
23 the retail district, you know, many years ago, there was
24 restrictions on, which I think is B3A.

25 MAYOR PETRACCO: Correct.

1 COMMISSIONER EVANS: Right, because they wanted to
2 create a retail district out of that, right? So that really
3 hasn't been able to happen, so it's an artificial
4 constraint. And we're just recognizing it after all these
5 to take it out to just allow for these offices to -- these
6 buildings to be occupied.

7 COMMISSIONER TUCCI: So with this change, a
8 commercial school can be located in any district in this
9 zone.

10 COMMISSIONER EVANS: Any business zone.

11 MAYOR PETRACCO: What kind of schools are you
12 getting interest in?

13 COMMISSIONER SCARPELLI: Well, the Tai Kwon Do
14 that's opening where -- next to where --

15 COMMISSIONER EVANS: Another one is a yoga. The
16 new thing is all these yogas.

17 MAYOR PETRACCO: So that's considered a school?

18 COMMISSIONER EVANS: Yeah, anything that says I
19 have students, I offer classes, is considered a school.

20 MAYOR PETRACCO: Okay.

21 COMMISSIONER SCARPELLI: You could see some of
22 these not only in town, they're opening like cooking schools
23 and --

24 COMMISSIONER EVANS: Yes, any of them.

25 COMMISSIONER SCARPELLI: -- there's a lot more

1 opportunity for those stores to be built without going for a
2 variance.

3 COMMISSIONER EVANS: Yeah, so just -- so with the
4 Planning Board, with the Board of Adjustment, and, you know,
5 just going through that whole review, you know, everybody
6 agreed that that -- this was long overdue.

7 MAYOR PETRACCO: Okay.

8 COMMISSIONER SCARPELLI: And I keep going back to
9 Commissioner Evans' point, historically, it was so people
10 could stroll from business to business and shop where, you
11 know, it's been a long time since we've had that. So --

12 COMMISSIONER EVANS: And the interesting thing,
13 not one of these schools that have gone before the Board of
14 Adjustment have been denied.

15 COMMISSIONER SCARPELLI: They're good use. They
16 bring people from out of town into town which is helpful.

17 COMMISSIONER EVANS: Okay.

18 MAYOR PETRACCO: All right, so we're --

19 COMMISSIONER EVANS: I have this --

20 MAYOR PETRACCO: Okay.

21 COMMISSIONER EVANS: Then I have a hearing on a
22 handicapped parking spot on Gonnelli Street. Also we had
23 the public hearing -- you know that we go through the
24 appropriation cap. We're allowed 2 and a half percent, we
25 do one percent increase to 3 and a half percent. It's a

1 paper adjustment so every year we have to do the resolution
2 on that.

3 The purpose of it is in the event we had some
4 extraordinary appropriations that we had to do in a single
5 year, by having a capped bank, we wouldn't be allowed to do
6 that in the event we needed it. The bank lasts for two
7 years and then it falls off. So you just keep regenerating
8 the bank to have it again. Is that right?

9 UNIDENTIFIED SPEAKER: Yeah.

10 COMMISSIONER EVANS: So, that's all that is. It's
11 create a memo adjustment.

12 COMMISSIONER TUCCI: Have we had the need to use
13 the bank?

14 COMMISSIONER EVANS: No. I mean, looking at our
15 history, no. We would avoid that at all costs. And where
16 we had potentially the need, we were able to use surplus for
17 the storms to offset.

18 MAYOR PETRACCO: Okay. Commissioner Rogers, do
19 you have much? Commissioner Scarpelli? Who wants to read
20 Commissioner Scarpelli's? I'm sorry, Commissioner Rogers?

21 COMMISSIONER SCARPELLI: I'll read it, that's
22 fine.

23 MAYOR PETRACCO: Okay. So he has the World Lupus
24 Day.

25 COMMISSIONER SCARPELLI: World Lupus Day, Food

1 Allergy Week, Bike to Work Week, and National Nurses week.

2 MAYOR PETRACCO: Okay, Commissioner --

3 COMMISSIONER TUCCI: He's declared everything.

4 COMMISSIONER SCARPELLI: As long as he doesn't
5 declare war.

6 COMMISSIONER TUCCI: He might be doing that. I
7 think he's at the Air Force Academy.

8 MAYOR PETRACCO: Do you want to keep going,
9 Commissioner Scarpelli on your stuff?

10 COMMISSIONER SCARPELLI: Sure. I'm going out
11 for --

12 MAYOR PETRACCO: I feel like we're lagging around
13 tonight.

14 COMMISSIONER SCARPELLI: Authorize the go out to
15 bid for Roadway Improvements which is our paving.

16 MAYOR PETRACCO: Excuse me?

17 UNIDENTIFIED SPEAKER: I said, you're still at it?

18 MAYOR PETRACCO: We're still at it, yeah.

19 UNIDENTIFIED SPEAKER: He's so rude.

20 COMMISSIONER SCARPELLI: Also last year we
21 introduced a cracked sealing program which takes some of our
22 roads that were recently paved, not in the last two or three
23 years, but maybe like five or six years, and cracked sealed
24 them which where the cracks develop, and that helps to
25 preserve the road and give us a little bit more life. That

1 was a new program we put in last year.

2 The Highlands water protection planning act. I
3 think last year somebody came from the Highlands and spoke
4 to us and kind of fell through the cracks. And we picked
5 that up to introduce that tonight.

6 It's Public Works Week, I guess we'll have to
7 share that with one of Commissioner Rogers' weeks, but --
8 and then authorize grant application for TAP, which is
9 Transportation Alternative Program. It's a federal program.
10 They used to be TE, the transportation enhancement. Now
11 it's TAP and that's for Chestnut Street and Old Towne
12 Beautification Project.

13 MAYOR PETRACCO: Okay.

14 COMMISSIONER SCARPELLI: That's all I have.

15 MAYOR PETRACCO: Thank you. Commissioner Tucci?

16 COMMISSIONER TUCCI: I have a lot this evening,
17 Mayor. I just have a bid advertisement once again for the
18 Owens Field Bleachers. One of these days we're actually
19 going to build this thing. We're going to keep advertising
20 until we get it right.

21 COMMISSIONER SCARPELLI: It's weeks?

22 MAYOR PETRACCO: Okay, I have a volunteer -- a
23 Nutley Volunteer Fire Department, K. Drittij. Okay,
24 Drittij. Authorizing the bid advertisement for police and
25 crossing guard uniforms. And I have an authorization of

1 various raffle licenses. That's all I have. We are going
2 to need an executive session after the meeting, counsel, and
3 I think we are ready to hit the slope.

4 COMMISSIONER EVANS: Can I go through my
5 resolutions?

6 MAYOR PETRACCO: You didn't -- go ahead, Tom.
7 Absolutely. Commissioner Evans, would you like to add
8 anything tonight?

9 COMMISSIONER EVANS: Just to be clear, in the
10 usual stuff, I have to do this bond thing with Joe, but the
11 usual stuff around refunds of overpayments and, you know,
12 joining the cooperative. But the important parts are the
13 fact that we are awarding contract tonight to Millennium
14 Strategies for grant writing. We did -- we went through the
15 RQ process.

16 And we have to introduce this amendment to the
17 municipal budget because as Ray mentioned, the Town will
18 receive the entire 2.75 million of aid and we will be
19 responsible for writing checks out to the county to the
20 school. So it'll just come to us and then we're going to do
21 this. We have to amend our budget to include that to allow
22 us to write those checks later this year.

23 That's it. That's all I have.

24 MAYOR PETRACCO: Okay. Madam Clerk.

25 MADAM CLERK: We're ready, Mayor. I just need a

1 few minutes to set up in the front so if you could just --

2 MAYOR PETRACCO: Okay, do you want us to hang out
3 back here?

4 MADAM CLERK: No, you can go to the front, just --
5 I will --

6 (Off the record)

7 (On the record)

8 MAYOR PETRACCO: Everyone please rise for the flag
9 salute.

10 (Pledge of Allegiance)

11 (Pause)

12 MAYOR PETRACCO: Madam Clerk?

13 MADAM CLERK: Tuesday, May 6th, 2014. Pursuant to
14 the requirements of the Open Public Meeting Law, Chapter
15 231, Public Laws 1975, notice of this meeting was published
16 in the December 12th, 2013 issues of the Nutley Sun, the
17 Star Ledger, and the Herald News. A copy of this notice has
18 been posted on the Nutley Town Hall bulletin board and a
19 copy is on file in the Municipal Clerk's Office.

20 Commissioner Rogers is absent/excused this
21 evening.

22 Commissioner Tucci?

23 COMMISSIONER TUCCI: Here.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Here.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Here.

3 MADAM CLERK: Mayor Petracco?

4 MAYOR PETRACCO: Here.

5 MADAM CLERK: All present, Mayor, with the
6 exception of Commissioner Rogers, who is absent/excused this
7 evening.

8 Mayor, we also have Raymond Sarinelli present as
9 well from Nisivoccia, our accountants, along with Rosemary
10 Costa, our CFO/Treasurer for the Township of Nutley.

11 MAYOR PETRACCO: Thank you, Madam Clerk.

12 Usually I save announcements for the end of the
13 meeting but tonight I'm going to give one in the beginning
14 of the meeting so I don't forget because I tend to forget.
15 At our next Commission meeting, I'm going to have a
16 proclamation for Officer David Struss. I don't know if
17 anybody read about that in the newspaper about how he saved
18 people's lives off duty at a Dunkin Donuts in Clifton. It
19 was all over the news. Someone stabbed someone to death in
20 Clifton at that Dunkin Donuts and our Officer Struss bravely
21 tackled the gentleman down to the ground and wrestled the
22 knife out of him. It could have been a lot worse than it
23 was. Unfortunately, there was a loss of life there, but I'm
24 just so pleased to announce and just to recognize Officer
25 Struss for his really heroic efforts there. So at the next

1 Commission meeting, if anyone would like to attend, Officer
2 Struss will be getting a proclamation. Thank you.

3 Okay, Madam Clerk.

4 MADAM CLERK: Yes, Mayor. We have minutes this
5 evening, meeting minutes from meetings held
6 March 14th, 2014, March 18th, 2014, April 1st, 2014. I
7 need a motion, please?

8 MAYOR PETRACCO: Move them.

9 COMMISSIONER EVANS: Second.

10 MADAM CLERK: Okay, moved by Mayor Petracco,
11 seconded by Commissioner Evans?

12 MAYOR PETRACCO: Yes.

13 COMMISSIONER EVANS: Yes.

14 MADAM CLERK: Okay.

15 Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Aye.

23 MADAM CLERK: That's all for minutes this evening,
24 Mayor.

25 MAYOR PETRACCO: Okay. Communications, I see we

1 have none. Reports none. I guess we'll move to bills.

2 MADAM CLERK: Yes, Mayor. Bill list Tuesday,
3 May 6th, 2014. Public Affairs, \$72,972.63; Revenue &
4 Finance, \$6,923,841.79; Public Safety, \$481,248.67; Public
5 Works, \$62,147.91; Parks and Public Property, \$626,032.21.

6 Payroll as of April 25th, 2014, \$754,223.02. For
7 a grand total bill list of \$8,920,466.23. And that's all
8 for bills this evening, Mayor.

9 COMMISSIONER EVANS: Move the bills.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Aye.

19 MADAM CLERK: That's all for bills, Mayor. Thank
20 you.

21 MAYOR PETRACCO: Thank you so much.

22 Okay, we will now move on to ordinance
23 introductions. Commissioner Evans?

24 COMMISSIONER EVANS: Yes, I have an ordinance 3282
25 which I'll read by its title, "an ordinance to amend an

1 ordinance codified in the Code of the Township of Nutley,
2 Chapter 700, entitled zoning, particularly Article III,
3 terminology, Article V, general regulations and attachment
4 3, schedule of regulations as to bulk, height, and other
5 requirements in business districts."

6 Principally, this is an amendment of our Code for
7 the business districts to allow commercial school activities
8 in all of our business districts, so B3, B3A, and B4. It's
9 part of our actions to administrative cleanup and to promote
10 business development in Nutley. I move that this ordinance
11 be passed to a second reading and advertised in the Nutley
12 Sun together with the notice required by law and that
13 further consideration of said ordinance for final passage by
14 the Board of Commissioners be held in its second record on
15 June 3rd, 2014. So move.

16 COMMISSIONER TUCCI: Second.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Aye.

25 Okay, I am going to pull for the record ordinance

1 number 3283. We're going to pull that this evening. That
2 will be on the next meeting. And we are going to move on to
3 public hearings. Commissioner Evans?

4 COMMISSIONER EVANS: Yes, I have a public hearing
5 tonight for ordinance 3283, which is to amend the parking --
6 allowable parking on Highfield Lane to remove a restriction
7 on Nutley Ave beginning on the northerly curve line of
8 Nutley Ave extending about 120 feet north therefrom.

9 MAYOR PETRACCO: Is there anyone here this evening
10 that would like to comment on this ordinance? Hearing no
11 one

12 COMMISSIONER EVANS: Close the public hearing.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 COMMISSIONER EVANS: Move the ordinance.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 COMMISSIONER EVANS: I have a second public
8 hearing tonight, 3281, which is -- establishes a cap bank
9 under State statute N.J.S.A. 40A:4-45.14. And basically it
10 allows the Township -- if we were to have a need to, to
11 increase our appropriation to three and a half percent from
12 two and a half percent.

13 This is a paper entry that would allow us in the
14 future if we had a need to increase our appropriation, we
15 could use the cap bank to cover it. Historically, by the
16 way, we have not had a need to use this, but since they
17 basically expire every two years, we do renew it every year.

18 MAYOR PETRACCO: Is there anyone here this evening
19 that would like to comment on ordinance number 3281? Please
20 state your name and address for the record.

21 MS. LANDRY: Pennie Landry, 135 Lakeside Drive.

22 For clarification, what is the current percentage?

23 COMMISSIONER EVANS: Two and a half percent, and
24 this would allow us to increase to three and a half percent.
25 We don't -- we didn't use it this year --

1 MS. LANDRY: Then why do we need to increase it to
2 3.5?

3 COMMISSIONER EVANS: Because it's a paper entry
4 that -- it says next or the year after if an emergency of
5 some sort required emergency expenditure, for example, we
6 would be able to appropriate more by using this bank.

7 MS. LANDRY: And could you define appropriate?

8 COMMISSIONER EVANS: Appropriation is a technical
9 term under the State budget which basically -- expenditures,
10 money to spend.

11 MS. LANDRY: Okay, so you would -- what you're
12 saying is by changing it from 2.5 to 3.5, that would give
13 this Board of Commissioners a one percent increase in
14 spending tax payer money --

15 COMMISSIONER EVANS: Additional.

16 MS. LANDRY: -- additionally --

17 COMMISSIONER EVANS: In the event it was needed in
18 a future year.

19 MS. LANDRY: Okay, so --

20 COMMISSIONER EVANS: Not this year.

21 MS. LANDRY: -- why can't we leave it at 2.5 given
22 that's where it is and we didn't use it, so why increase it
23 a percentage?

24 COMMISSIONER EVANS: It's good management.

25 MS. LANDRY: Well would it also be good management

1 to leave it at 2.5?

2 COMMISSIONER EVANS: It's actually -- the best
3 management is not to spend.

4 MS. LANDRY: Right, so why do we need to up it a
5 percentage if we're trying not to spend?

6 COMMISSIONER EVANS: Because it's a good
7 management practice to have the reserve just in case we need
8 it.

9 MS. LANDRY: Okay, and so all of the Commissioners
10 are approving the one percent increase in the
11 appropriations, is that correct?

12 COMMISSIONER EVANS: If -- there is no increase in
13 appropriation.

14 MS. LANDRY: But it allows you a one percent
15 increase in case of an emergency, like in case we have
16 another Roche, correct?

17 COMMISSIONER EVANS: That would be an example,
18 some extraordinary costs if we could not fund within the two
19 and a half per cap limit, we need to go to the bank. We
20 would be able to do that --

21 MS. LANDRY: Okay, so to clarify, the cap is now
22 2.5 and you are approving or wanting to approve by amendment
23 increasing the cap to 3.5, correct?

24 COMMISSIONER EVANS: Cap bank.

25 MS. LANDRY: Cap bank. I would just like it noted

1 for the record that I totally disagree as a citizen, tax
2 paying stay of a citizen with improving the cap one percent
3 when it is not needed. Thank you.

4 MAYOR PETRACCO: Commissioner Evans, is this also
5 for an emergency such as a storm related --

6 COMMISSIONER EVANS: Yes.

7 MAYOR PETRACCO: -- like something -- like if
8 Sandy were to reoccur.

9 COMMISSIONER EVANS: Yeah, in the event we had
10 significant appropriation increases, which would be
11 utilities, gas, you know, those types of things, anything
12 that would be normal. We got a very significant insurance
13 bill increase. The things that are normal that happen in
14 the business that it would allow us to protect ourselves in
15 that future year. It's not current spending. We don't have
16 a need for it. Historically, we've never used a cap. We
17 just provide for the paper entry to have the bank available.

18 MAYOR PETRACCO: In case of an emergency.

19 COMMISSIONER EVANS: In case of an emergency yeah.

20 MAYOR PETRACCO: Okay.

21 COMMISSIONER SCARPELLI: Commissioner Evans, can I
22 ask a question? What would happen if we didn't have the
23 bank and we had one of those extraordinary (inaudible), what
24 would be our alternative?

25 COMMISSIONER EVANS: We would need to actually --

1 we haven't had to do that, but I think that would require --
2 I'm not sure, but it might require a referendum to go above.

3 MAYOR PETRACCO: And in a case that we would need
4 to use these appropriations, would it take a full Board vote
5 of approval to do that?

6 COMMISSIONER EVANSE As any appropriation for the
7 budget, absolutely.

8 MAYOR PETRACCO: Thank you. Please state your
9 name and address for the record.

10 MR. ODRIA: Michael Odria. 133 High Street.

11 I just want to know as a property taxed --
12 extremely property taxed homeowner of this Town, and there's
13 many of us, let's say it goes from 2.5 to 3.5 because of an
14 emergency, does that mean that that extra percentage is
15 going to make our property taxes go up even higher in the
16 event that we have to do that?

17 COMMISSIONER EVANSE If we were not able to get
18 aid to offset it, or use a reserve to offset it, yes.

19 MR. ODRIA: Okay, I just wanted that stated so
20 it's understood by the homeowners of this Town. I know this
21 is being recorded, but me as a homeowner, I'm against it. I
22 mean, I'm property taxed enough and I don't want -- I'm
23 trying to stop from wage increases, any excuse to raise my
24 property taxes anymore because I'm burnt and I'm spent and
25 enough's enough. I know you want that extra percentage just

1 in case, but it seems like whenever we give a little, the
2 Town, we end up losing anyway. We end up paying more. I
3 mean, it just doesn't stop.

4 But I just want to say as a homeowner of this
5 Town, I'm against this.

6 COMMISSIONER EVANS: I appreciate your concern. I
7 really do. The Board, and you'll see with the introduction
8 of the public discussion on our budget, we are working very
9 hard to maintain our costs and manage the taxes so that we
10 will always try to avoid it.

11 Historically, while we've had to cap bank in
12 place, since it expires every two years, we've never used
13 it. So, it's just good management to have it.

14 MR. ODRIA: But even though you use it or not, my
15 property taxes still go up \$500 a year anyway.

16 MAYOR PETRACCO: Is there anyone else this evening
17 that would like to comment on ordinance number 3281. Seeing
18 no one.

19 COMMISSIONER EVANS: Move to close the public
20 hearing.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Mayor Petracco?

4 MAYOR PETRACCO: Aye.

5 COMMISSIONER EVANS: Move the ordinance.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Before I vote, I just want to
9 characterize, I just want to clarify this, all right? This
10 is like having a line of credit. All right? You live
11 within your budget but in the event of an extraordinary
12 circumstance, you have the ability to respond and respond
13 quickly, whether it's a health and safety issue, whether
14 it's a -- some other type of catastrophic issue that we can
15 be confronted with. And for that reason, I vote yes.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: And I would just like to make a
22 comment also. Living through Sandy and seeing what the
23 Township and how we recovered very quickly unlike a lot of
24 our neighboring Towns, I think also it's a good reason to
25 have this in place. And to also have the ability to vote on

1 it as needed. So, I vote yes.

2 Okay, we will move on to (inaudible), Commissioner
3 Evans?

4 COMMISSIONER EVANS: Okay, we've got -- we'll move
5 to the public hearing on the budget before we move
6 resolutions.

7 Okay, so tonight we have the public hearing on the
8 budget. We will not adopt the budget tonight. But we will
9 hold the public hearing. We have an amendment to the budget
10 tonight to recognize that the State -- the additional aid,
11 transitional aid that we are getting, the \$2,750,000. We've
12 been asked by the State to include that entire amount in the
13 municipal portion of the budget and then later this year,
14 once the State adopts its budget, we would, in effect,
15 simply write a check to the school board and to the county
16 for their shares. So we have to reflect that
17 administratively in the budget tonight, so we will not adopt
18 -- I will have a delay adoption for two weeks, but we will
19 hold the public hearing.

20 As it relates to the 2014 budget, the municipal
21 appropriation is \$50,446,000 which reflects a \$245,000
22 increase over last year of .5 percent, one-half percent
23 increase. And when we look at our revenues, so our spending
24 side is up one-half a percent. When we look at our revenue
25 side, recognizing the addition of the aid that we have from

1 the State, our revenues have increased \$497,000.

2 So as a result, the tax levy for 2014 actually
3 reflects a decrease of \$252,000 or .65 percent. So the tax
4 levy -- so reflecting what the Town municipality, the
5 municipal portion of the budget manages is -- actually
6 reflects a lower levy or charge to the residents of the
7 Town.

8 What's interesting about this, as I remarked
9 earlier, is that between 2011 and 2014, the appropriation
10 and municipal levy to the taxpayers is up roughly \$309,000
11 or .8 percent and this is the second time in the four year
12 period that we've actually reflected a lower levy to the
13 Township. While we've been experiencing a lot to manage our
14 cost side, the volatility has been in the assessed values of
15 the Town. So over that same period of time, assessed values
16 in the Town have gone down \$332 million or roughly a 9
17 percent reduction in assessed values.

18 The reason why I say that and it's important is
19 the tax rate calculation is very simple. You divide your
20 costs by the assessed value of the Town and it calculates
21 the rate. So given that environment, while we do have a
22 lower tax levy, a lower bill to the Township, the assessed
23 values are lower as well, recognizing the reduction of \$85
24 million to gross. So, as a result, the municipal portion of
25 the tax bill will reflect an average increase to taxpayers

1 of \$72. So without the aid for the municipality, the
2 increase would have \$181, but given the State aid, we were
3 able to reduce that to \$72.

4 In addition, while it's not part of our hearing
5 tonight, but just for reference purposes, the school board
6 increase after applying aid is \$92 and the county portion
7 would be \$32. So the total expected tax increase for a
8 resident whose property's value at \$314,000 is \$196 for the
9 year.

10 I need to open the public hearing. Second on the
11 motion?

12 MADAM CLERK: I need a --

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Motion by Commissioner Evans to open
15 the public hearing for the municipal budget and seconded by
16 Commissioner Tucci?

17 COMMISSIONER TUCCI: Yes.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: What are we doing?

20 COMMISSIONER EVANS: Motion to open a public
21 hearing.

22 COMMISSIONER TUCCI: Open the public hearing.
23 Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Mayor Petracco?

4 MAYOR PETRACCO: Aye. Okay, is there anyone that
5 would like to address the Board of Commissioners about this
6 year's budget?

7 MS. LANDRY: Pennie Landry, 135 Lakeside Drive.

8 In a newspaper article, it said that the
9 traditional aid was \$969,360 and yeah, we're talking about
10 2.75 million. So where is the 969,360 number coming from?

11 COMMISSIONER EVANS: That's a great question.

12 Just make sure this is on. That's a great question. The
13 total aid we're receiving is 2,750,000. That's divided into
14 three pieces: the municipal portion, the school portion, and
15 the county portion. The municipal portion of that 2 million
16 750 is the 969,000 you refer to.

17 MS. LANDRY: Right, thank you. Line item -- page
18 11, sheet 11, current fund anticipated revenues continued.
19 Line 6, amount to be raised by taxes for support of
20 municipal budget. It's a bunch of x's. What is that
21 number?

22 COMMISSIONER EVANS: There is no number on that
23 line. It's divided into its sub-parts underneath, A, B, and
24 C. There is no amount for that line item.

25 MS. LANDRY: Okay, so you're saying that that

1 37,139,000 is the tax that will be collected on the assessed
2 value of homes in Nutley?

3 COMMISSIONER EVANS: Yes, but you would also have
4 to add to it the line below that which is the library. So
5 including the library it's the 38,379,000 and change.

6 MS. LANDRY: Okay, so last year we collected
7 38,631,000. This year we're collecting 38,379,000 correct?

8 COMMISSIONER EVANS: Right, we're collecting less.

9 MS. LANDRY: We're -- okay, not much less but
10 we're also raising certain things. Like in the Department
11 of Revenue and Finance, salaries and wages for IT are going
12 up and for assessment of taxes. Assessment of taxes,
13 salaries, and wages are going from 197,000 to \$230,000.
14 Does this also include benefits and insurance?

15 COMMISSIONER EVANS: No.

16 MS. LANDRY: No, okay. Where is that line item?
17 We are paying \$230,000 a year for assessment of taxes plus
18 an additional 116,000 in other expenses.

19 COMMISSIONER EVANS: That's correct.

20 MS. LANDRY: What is included in other expenses
21 for \$116,000 for assessment of taxes?

22 COMMISSIONER EVANS: Sure, and part of that is the
23 legal cost for legal services, as well as legal experts who
24 support the assessing office.

25 MS. LANDRY: Okay, so that's legal --

1 COMMISSIONER EVANS: In part.

2 MS. LANDRY: -- in addition to Mr. Genitempo, who
3 I believe is --

4 COMMISSIONER EVANS: Right.

5 MS. LANDRY: -- his salary increased to 100,000
6 from 46, is that correct?

7 COMMISSIONER EVANS: No.

8 MS. LANDRY: Okay, can you give me what the
9 increase in the prosecuting attorney's salary was, please?

10 COMMISSIONER EVANS: That's under the Mayor's
11 Office. Do you have --

12 MAYOR PETRACCO: I don't have a copy of the budget
13 in front of me.

14 MS. LANDRY: No, no, there's an increase on the
15 line item, I have to find it. It said prosecuting attorney
16 -- or prosecutor -- Township prosecutor. I'll get my copy.
17 So that 116 -- sorry, let me be -- yeah, 116. That includes
18 outside -- excuse me, that includes outside contracts for
19 Hendrix (ph), I believe it is?

20 COMMISSIONER EVANS: Would it include Mark
21 Hendrix, yes it would include --

22 MS. LANDRY: Okay, so if our tax assessor, who I
23 believe makes now -- what was it -- what will his new salary
24 be in the new budget, our tax assessor?

25 COMMISSIONER EVANS: I don't have that in front of

1 me.

2 MS. LANDRY: Well, then we'll find it. Just hang
3 on a second. Do you have a guess?

4 COMMISSIONER EVANS: I'm sorry.

5 MS. LANDRY: Do you have a guess?

6 COMMISSIONER EVANS: About a buck twenty --
7 120,000 with him.

8 MS. LANDRY: Well, last year it was 132.

9 COMMISSIONER EVANS: Whatever. I don't have it
10 front of me, so --

11 MS. LANDRY: Tax assessor, base salary maximum
12 132, base salary minimum 90. So you're saying it's about
13 120,000 a year.

14 COMMISSIONER EVANS: Within the range, yeah. It's
15 somewhere -- it's about 120.

16 MS. LANDRY: And he got a two percent increase?

17 COMMISSIONER EVANS: That would be correct.

18 MS. LANDRY: Okay and then we have a keyboarding
19 clerk, a clerk 1, and a clerk 2. And the total is \$230,000
20 in taxes, salaries, and wages does not include benefits and
21 insurance, plus an additional \$116,000 to assess taxes. I
22 have to say that that is out of line and ridiculous that we
23 have to hire outside people when Mr. Librizzi is a certified
24 tax instructor -- tax assessment instructor and a certified
25 tax assessor, okay?

1 To the issue of Mr. Librizzi outside of the budget
2 if I can just address this now. I called twice to speak to
3 Mr. Librizzi because Mr. Genitempo, you did not have him
4 call me. Mr. Evans, you did not have him call me. I called
5 at 2:30 one day --

6 UNIDENTIFIED SPEAKER: Ms. Landry, this is a
7 hearing on the budget. This is a hearing on the budget.
8 You'll have a chance --

9 MS. LANDRY: I just want to say for his salary, I
10 called at 2:30 one day, he's at lunch. I called at 4:30 one
11 day, he's at lunch. So what are his hours?

12 COMMISSIONER EVANS: He works for the Township
13 between 8:30 and 4:30 every day.

14 MS. LANDRY: Okay, and how many assessments are
15 done on an average day?

16 COMMISSIONER EVANS: I don't know.

17 MS. LANDRY: You don't know?

18 COMMISSIONER EVANS: No.

19 MS. LANDRY: You're the Department of Revenue.
20 That's your department, isn't it?

21 COMMISSIONER EVANS: Do you have a specific
22 question on the budget?

23 MS. LANDRY: Yes, I do. Give me a guess. How
24 many assessments are done on an average day in Nutley?

25 COMMISSIONER EVANS: I will not guess.

1 MS. LANDRY: Okay, we have 8,000 homes.

2 COMMISSIONER EVANS: Yes.

3 MS. LANDRY: Okay, that's -- let's just say that
4 he works 300 days. He can't get the assessments done
5 without outside help to the tune of \$116,000?

6 COMMISSIONER EVANS: Thank you for the question.
7 The outside counsel is for legal as it relates to municipal
8 land use law. And we are well represented to have legal
9 counsel for that. It's a specialized area of the law. It's
10 not something that is generally covered by the Township
11 attorney. So it is required and important that we do have
12 that.

13 As far as Mr. Hendrix's services, he is a
14 specialist in his area and when we actually do have to go
15 for an appeal when we are dealing with something as complex
16 as Roche or some of the other businesses in Town, it's
17 important to have the expert advice to support the Town's
18 position as we negotiate -- the Township negotiates through
19 that. So it's a normal expense.

20 MS. LANDRY: Right, so while we're on that, that
21 would be in addition to the line item in Revenue and
22 Finance, an increase of \$365,000 for economic development.
23 Is that 365 in addition to that part of that 116?

24 COMMISSIONER EVANS: No. Thank you for raising
25 the 365 because that represents a 3.97 percent increase in

1 my budget. Once you adjust my budget for the Roche cost,
2 which is an increase of \$250,000 specific to handle the
3 legal cost for Roche and the other matters that are related
4 to zoning and other things that will happen with that
5 property, right? I also have an additional increase for
6 Town-wide pensions in my budget for 145,000. So the total
7 of that is my \$365,000 increase. And when you factor that
8 in, my budget in Revenue and Finance has a zero increase.

9 MS. LANDRY: I would think that would be our
10 budget. This is the Township budget, correct, or --

11 COMMISSIONER EVANS: It is absolutely, but it's
12 the specific budget that I'm responsible for.

13 MS. LANDRY: Okay, but it's still our budget.

14 COMMISSIONER EVANS: Yes, I take your point --

15 MS. LANDRY: Okay, thank you. Thank you.

16 COMMISSIONER EVANS: I take your point and your
17 criticism.

18 MS. LANDRY: It's not a criticism.

19 COMMISSIONER EVANS: No, it certainly is.

20 MS. LANDRY: I'm just asking questions.

21 COMMISSIONER EVANS: It certainly is.

22 MS. LANDRY: It's our budget.

23 COMMISSIONER EVANS: It is the Township's budget.
24 Absolutely. It's every resident and --

25 MS. LANDRY: Thank you, Mr. Evans, and I would

1 appreciate it if you would refer to it as such and give the
2 citizens the opportunity to speak about their budget.

3 COMMISSIONER EVANS: I'll take that under
4 consideration.

5 MS. LANDRY: Thank you, sir.

6 MAYOR PETRACCO: Thank you. Is there anyone else
7 that would like to comment on our budget? Seeing no one.

8 COMMISSIONER EVANS: Close the public hearing.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Mayor Petracco?

17 MAYOR PETRACCO: Aye.

18 COMMISSIONER EVANS: Before we conclude on the
19 budget, I just want to offer the Commissioners any further
20 comments. We're not adopting tonight, just to recognize
21 because we do have to process the amendment which I'll read
22 as part of the resolutions. But if you wish to comment, be
23 my guest.

24 MAYOR PETRACCO: Commissioner Scarpelli, anyone?

25 COMMISSIONER SCARPELLI: I just think there was a

1 lot of hard work going into garnering that additional aid
2 from the State and I think we were all involved somewhere
3 along the process of advocating for that aid and I think
4 when you look at that, that's the biggest portion of the
5 budget that I think may be the biggest significant effect on
6 it.

7 So I think everyone who was involved in that
8 deserves a pat on the back. Thank you.

9 MAYOR PETRACCO: Thank you.

10 COMMISSIONER TUCCI: As I mentioned previously in
11 the back when we were going through the agenda items, what
12 we're looking at as far as a tax increase, the \$72 that we
13 speak about on that home -- that 314,000. This is a cost
14 that is not a direct result of the appropriations for this
15 year and for this budget. This is a direct result of the
16 market and the devaluation of property not only in Nutley,
17 in Essex County, in the State of New Jersey, but across the
18 country.

19 So as the real estate market continues to improve,
20 and I can tell you firsthand as someone who is in the market
21 actively looking for one of my children, the supply is very
22 short. The numbers are going up. The values are holding,
23 but we have some ground to make up. So as the real estate
24 market corrects itself and we make up for the loss in value,
25 this budget will only get better.

1 Specifically in my parks department, I can speak
2 to what we've done to hold the line on insurance costs.
3 We're only up three percent in the property and general
4 liability and workers comp and environmental liability area.

5 As far as health insurance is concerned, because
6 of the additional employee contributions, we're only up one
7 percent. So my total budget, all right, is up less than one
8 percent, all right, because of the management and because
9 we're constantly paying attention to this budget, and
10 because we make the hard decisions.

11 Now as someone who pays over \$22,000 a year in
12 property taxes, I share the concern of all the Nutley
13 residents, all right? And all the folks that come to this
14 mic week after week, all right? It's going to get better.
15 We can't allow it to get any worse, but at the same time, we
16 need to maintain our standard of living while we don't price
17 our people right out of town.

18 So, that's our objective. At times it does get
19 very trying. It gets trying for us and I know it becomes
20 very frustrating, but it's something that we're going to
21 work through and hopefully during the course of this year
22 and the next few years, as we see this market turn around,
23 our budget perspective is going to be a whole lot better.

24 Thank you.

25 MAYOR PETRACCO: Thank you, Commissioner.

1 I do have a couple comments myself. And I think
2 it is very difficult to pass any kind of a tax increase in
3 this climate over to the residents. However, I've been up
4 here for the last seven years and it's all about striking a
5 balance. I have the biggest budget on the municipal side
6 having public safety. There's a price of doing business to
7 keep your Town safe. I think it's a priority. I've been to
8 other communities where there was accidents and people that
9 got hurt. I waited 45 minutes for an ambulance to come.
10 The average response time in Nutley is 2 minutes.

11 I know people that were involved in accidents in
12 some of our neighboring towns, car accidents. Now you're --
13 they're asking you to drive in. If there's no injuries,
14 they're asking you to actually drive to the police station.

15 So, it is a team effort. It is frustrating for
16 all of us as well as Commissioner Tucci has said. You know,
17 we're all paying high taxes as well. And I think that it's
18 also a combination of the past and things that the Governor
19 is now implicating in the so-called toolbox that we're
20 getting, that we're able to slow the progress down and slow
21 the pain down. But unfortunately it doesn't happen
22 overnight.

23 I'm very proud of public safety. We had a very
24 low increase this year and we are still able to give Nutley
25 residents an excellent, excellent service year in and year

1 out. And that is also a team effort. It starts with our
2 chiefs on the police/fire side, our EMS, our ambulance
3 squad, and also I think we need to recognize the
4 volunteerism that goes into this Town that we haven't
5 mentioned tonight, of all the people that help out to
6 control the cost. Because if we were paying every penny and
7 we didn't have the volunteers, our taxes would be higher.

8 I think it's very important to point out too
9 tonight that we do contribute to the county tax. And it's a
10 big dollar amount that we all -- we send them. You know,
11 also, the school board. I'm an advocate of education and I
12 really feel that we need to invest in our schools here in
13 Nutley. People move to this Town because of the education
14 system, because of the parks, because it's a safe community.

15 So, you know, it depends on what -- who you're
16 talking to and what their immediate needs are. You know,
17 I've talked to people about Roche. Some people are under
18 the impression that they don't want any residential there.
19 They don't want a lot of different things there. But
20 they're in a fortunate situation where they don't mind if
21 their taxes go up. They have told me, I don't care if weeds
22 grow out of there, just please don't put residential, add
23 more traffic and things like that.

24 So it does matter who you are explaining to and
25 what their financial obligations are and their abilities are

1 to do. You know, and then I've met with a lot of people in
2 Town also that can't afford to pay any more in taxes and
3 they're saying to me, just do whatever you have to do there.
4 Please, my kids are in 10th and 11th grade at Nutley High
5 School. I'm trying to get them through the school system
6 without having to change them. So, whatever you have to do
7 there, just please do it, but don't let our taxes increase.

8 I was part -- I gave you your turn, please give me
9 mine. Thank you. Listen, we're not going to start yelling
10 out and all that stuff. We're going to act as professionals
11 tonight. Okay, thank you.

12 I did travel to Trenton with Commissioner Evans on
13 a lot of painstaking work. We were in our County
14 executive's offices through the summertime pleading for this
15 State aid that we received. So, it's a team effort. I've
16 been with Commissioner Tucci all summer long and up until
17 just the other day at Roche trying to figure this out, and
18 what's the best uses? What's the best practices? What's
19 the quality of life issues there?

20 So, we do not get together here twice a month and
21 don't consider the taxpayers. We do. And we work really,
22 really hard on it and like I started, the tools that have
23 been put in place with this two percent cap, I've called
24 down to Trenton a million times and I say I don't understand
25 it. We're struggling to keep services for our residents,

1 but our taxes still keep going up. And their answers to me
2 is that it didn't take overnight to start this problem, it's
3 not going to take overnight to cure the problem.

4 I worked with Commissioner Scarpelli as well on
5 Roche and many other issues of -- and countless hours. So
6 one thing I could say is that we are united here and we're
7 working at the best -- in the best interest of the taxpayers
8 here. And basically, we're volunteers ourselves and it gets
9 very complicated as we go forward, but I could tell you we
10 are all conscious of people, quality of life, and what their
11 taxes are.

12 Any other -- anybody want to add to anything
13 tonight? Commissioner?

14 COMMISSIONER EVANS: No, we just we have to -- as
15 I said in our opening comments, this budget reflects a
16 reduction in our levy of \$252,000. So we're actually asking
17 less of the taxpayers from an appropriation side. You know,
18 unfortunately, we're in this volatile market as Commissioner
19 Tucci expanded upon and it remains with us. Hopefully it's
20 turning and we have to -- we're going to be patient and work
21 our way through that.

22 We will not adopt tonight given the amendment to
23 account for this State aid and we'll wait basically two
24 weeks before we can actually adopt our budget.

25 MAYOR PETRACCO: Thank you. Okay, we'll now close

1 the public portion of our meeting?

2 COMMISSIONER EVANS: Yeah, close the public
3 hearing.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: We closed the public for budget.

6 MAYOR PETRACCO: We did already?

7 MADAM CLERK: Yes, we did.

8 COMMISSIONER EVANS: Okay, we'll hold on the
9 adoption until the next meeting.

10 MAYOR PETRACCO: All right. Okay, we'll move onto
11 resolutions, then. Commissioner Scarpelli, you'll read
12 Commissioner Rogers' this evening.

13 COMMISSIONER SCARPELLI: Thank you, Mayor.

14 Whereas, lupus is an autoimmune disease that can
15 cause severe damage to the tissue and organs in the body
16 and, in some cases, death; and

17 Whereas, more than five million people worldwide
18 suffer the devastating effects of this disease and each year
19 over a hundred thousand young women, men and children are
20 newly diagnosed with lupus, the great majority of whom are
21 women of childbearing age; and

22 Whereas medical research efforts into lupus and
23 the discovery of safer, more effective treatments for lupus
24 patients are under-funded in comparison with diseases of
25 comparable magnitude and severity; and

1 Whereas, many physicians worldwide are unaware of
2 symptoms and health effects of lupus, causing people with
3 lupus to suffer for many years before they obtain the
4 correct diagnosis and medical treatment; and

5 Whereas, there is a deep, unmet need worldwide to
6 educate and support individuals and families affected by
7 lupus; and

8 Whereas, there is no need urgent need to increase
9 -- and where there is an urgent need to increase awareness
10 in communities worldwide of the debilitating impact of
11 lupus;

12 Now therefore be it proclaimed, by the Board of
13 Commissioners of the Township of Nutley in the County of
14 Essex, May 10, 2014 be recognized as World Lupus Day, a day
15 on which lupus organizations around the globe call for
16 increases in public and private sector funding for medical
17 research on lupus, targeted education programs for health
18 professionals, patients and the public, and worldwide
19 recognition of lupus as a significant public health issue.

20 I move the resolution.

21 MAYOR PETRACCO: Second.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Mayor Petracco?

4 MAYOR PETRACCO: Aye.

5 COMMISSIONER SCARPELLI: Whereas, as many as 15
6 million Americans have food allergies; nearly 6 million are
7 children under the age of 18~~e~~ and

8 Whereas, research shows that the prevalence of
9 food allergy is increasing among children; and

10 Whereas, eight foods cause 90 percent of all food
11 allergy reactions in the United States: shellfish, fish,
12 milk, eggs, tree nuts, peanuts, soy, and wheat. Symptoms of
13 a food-allergic reaction can include hives, vomiting,
14 diarrhea, respiratory distress, and swelling of the throat;
15 and

16 Whereas, according to the Centers of Disease
17 Control and Prevention, food allergy results in more than
18 300,000 ambulatory care visits a year involving children
19 under age 18. Reactions typically occur when an individual
20 unknowingly eats a food containing an ingredient to which
21 they are allergic; and

22 Whereas, there is no cure for food allergy, and
23 scientists do not understand why, strict avoidance of the
24 offending food is the only way to prevent an allergic
25 reaction; and

1 Whereas, anaphylaxis is a serious allergic
2 reaction that is rapid in onset and may cause death; and

3 Whereas, Food Allergy Research & Education is a
4 national, nonprofit organization dedicated to ensuring the
5 safety and inclusion of individuals with food allergies
6 while relentlessly seeking a cure;

7 Therefore be it resolved that the Board of
8 Commissioners, in the Township of Nutley, County of Essex,
9 State of New Jersey, recognize May 11-17, 2014 as Food
10 Allergy Awareness Week in the Township of Nutley.

11 I move the resolution.

12 MADAM CLERK: I need a second, please.

13 MAYOR PETRACCO: Second.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 COMMISSIONER SCARPELLI: Whereas, for more than a
23 century the bicycle has been an utilitarian, economical,
24 environmentally sound and effective means of personal
25 transportation, recreation and fitness; and

1 Whereas, the Township of Nutley encourages the use
2 of bicycles as a means of transportation; and

3 Whereas the Township of Nutley recognizes
4 bicyclists as a legitimate roadway users and therefore are
5 entitled to legal and responsible use of all roadway
6 facilities in Nutley except highways constructed to
7 interstate standards; and

8 Whereas the Township of Nutley encourages the
9 increased use of the bicycle, benefiting all citizens of
10 Nutley by improving air quality, reducing traffic congestion
11 and noise, decreasing the use of and dependence upon finite
12 energy sources, and fostering exercise; and

13 Whereas, the Township of Nutley recognizing the
14 use of bicycles as a viable mode of transportation,
15 endeavors to promote safe and responsible bicycling and is
16 committed to incorporating the development of bicycle
17 facilities in the vision of revitalizing downtown Nutley;
18 and

19 Whereas, the League of American Bicyclists has
20 established May as National Bicycle Month, as well as May 17
21 [sic] through 16 as Bike to Work Week, and Friday May 16th
22 as Bike to Work Day;

23 Now therefore be it resolved by the Board of
24 Commissioners, County of Essex, State of New Jersey to
25 encourage all citizens to ride their bicycles to work, to

1 the store, to the park, around the neighborhoods, and with
2 friends and family to promote the personal and societal
3 benefits achieved from bicycling.

4 I move the resolution.

5 COMMISSIONER TUCCI: Second.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 One more, Commissioner.

15 COMMISSIONER SCARPELLI: (Indiscernible) own.

16 MAYOR PETRACCO: And then your own, okay.

17 COMMISSIONER SCARPELLI: Whereas nearly 3.1
18 million registered nurses in the United States comprise our
19 national largest health care profession; and

20 Whereas the depth and breadth of the registered
21 nursing profession meets the different and emerging health
22 care needs of the American population in a wide range of
23 settings; and

24 Whereas, the American Nurses Association, as the
25 voice for the registered nurses of this country, is working

1 to chart a new course for a healthy nation that relies on
2 increasing the delivery of primary and preventive health
3 care; and

4 Whereas, a renewed emphasis on primary and
5 preventive health care will require the better utilization
6 of all of our nation's registered nurses' resources; and

7 Whereas, professional nursing has been
8 demonstrated to be an indispensable component in the safety
9 and quality of care of hospitalized patients; and

10 Whereas, the demand for registered nursing
11 services will be greater than ever because of the aging of
12 the American population, the continuing expansion of life-
13 sustaining technology, and the explosive growth of home care
14 services; and

15 Whereas, that more qualified registered nurses
16 will be needed in the future to meet increasing complex
17 needs of health care consumers in the country -- community;
18 and

19 Whereas, the cost-effective, safe and quality
20 health care services provided by registered nurses will be
21 an ever important component of the U.S. health care delivery
22 system in the future; and

23 Whereas, along with the American Nurses
24 Association, the Township of Nutley has declared the week of
25 May 6-12, 2014 as National Nurses Week and the theme Nurses:

1 Leading the Way in celebration of the ways in which
2 registered nurses strive to provide safe and quality patient
3 care and map out the way to improve our health care system;

4 Therefore, be it resolved that the residents of
5 Nutley, County of Essex, State of New Jersey, celebrate
6 registered nursing's accomplishments and efforts to improve
7 our health care system and show our appreciation for the
8 nation's registered nurses not just during the week, but at
9 every opportunity throughout the year.

10 I move the resolution.

11 MAYOR PETRACCO: Second.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Mayor Petracco?

19 MAYOR PETRACCO: Aye.

20 COMMISSIONER SCARPELLI: Do you want me to
21 continue, Mayor?

22 MAYOR PETRACCO: Yeah, sure.

23 COMMISSIONER SCARPELLI: Why not.

24 MAYOR PETRACCO: If you can.

25 COMMISSIONER SCARPELLI: Be it resolved by the

1 Board of Commissioners of the Township of Nutley, County of
2 Essex, State of New Jersey that the Township Clerk is hereby
3 authorized to advertise for sealed bids for the 2013 Roadway
4 Improvements, in the Township of Nutley, to be received on
5 behalf of the Board of Commissioners, in the Commission
6 Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ 07110,
7 on Wednesday, May 28, 2014 at 3:00 P.M. prevailing time, at
8 which time they will be opened and read.

9 I move the resolution.

10 MAYOR PETRACCO: Second.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Aye.

19 COMMISSIONER SCARPELLI: Be it resolved by the
20 Board of Commissioners of the Township of Nutley, County of
21 Essex, State of New Jersey that the Township Clerk is hereby
22 authorized to advertise for sealed bids for the 2014 Crack
23 Sealing Program, in the Township of Nutley, to be received
24 on behalf of the Board of Commissioners, in the Commission
25 Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ 07110,

1 on Wednesday, May 28, 2014 at 3:00 P.M. prevailing time, at
2 which time they will be opened and read.

3 I move the resolution.

4 MAYOR PETRACCO: Second.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Petracco?

12 MAYOR PETRACCO: Aye.

13 COMMISSIONER SCARPELLI: Whereas, New Jersey
14 Highlands Water Protection and Planning Act (The Highlands
15 Act) was enacted in order to protect the State's water
16 supplies and other significant resources and

17 Whereas, The Highlands Act was passed with
18 overwhelming bipartisan support in both the New Jersey State
19 Senate and New Jersey State Assembly; and

20 Whereas, subsequent in 2008, the New Jersey
21 Highlands Water Protection and Planning Council adopted the
22 New Jersey Highlands Regional Master Plan, and proceeded
23 with a program for its implementation through a Plan
24 Conformance Process.

25 Whereas, the Township of Nutley is a municipality

1 that receives all or a portion of its drinking water from
2 sources within the Highland Region and that the Township of
3 Nutley relies on the resources of the Highlands to meet the
4 current and future needs of its residents.

5 Now, therefore, be it resolved that the governing
6 body of the Township of Nutley wishes that it be known that
7 we strongly support the goal, policies and objectives of the
8 2004 Highlands Water Protection and Planning Act and the
9 Highlands Regional Master Plan.

10 I move the resolution.

11 MAYOR PETRACCO: Second.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Mayor Petracco?

19 MAYOR PETRACCO: Aye.

20 COMMISSIONER SCARPELLI: Whereas, public works
21 services provided in the Township of Nutley are an integral
22 part of our citizens' everyday lives; and

23 Whereas, the support of an understanding and
24 informed citizenry is vital to the efficient operation of
25 public works systems and programs such as water, sewers,

1 streets and highways, engineering services and recycling
2 collection; and

3 Whereas, the health, safety and comfort of this
4 community greatly depends on these facilities and services;
5 and

6 Whereas, the quality and effectiveness of these
7 facilities, as well as their planning, design, and
8 construction, are vitally dependent upon the efforts and
9 skill of public works officials; and

10 Whereas, the efficiency of the qualified and
11 dedicated personnel who staff public works departments is
12 materially influenced by the people's attitude and
13 understanding of the importance of the work they perform;
14 and

15 Whereas, this year's theme "Building for Today,
16 Planning for Tomorrow" is a tribute to all Public Works
17 employees who create the foundation of a stronger, more
18 livable community; and

19 Whereas, the year 2014 marks the 54th Annual
20 Public Works Week sponsored by the American Public Works
21 Association;

22 Now, therefore, be it resolved by the Board of
23 Commissioners of the Township of Nutley, County of Essex,
24 State of New Jersey do hereby proclaim the week of May 18,
25 2014 as National Public Works Week in the Township of Nutley

1 and call upon all citizens and civic organization to
2 acquaint themselves with the issues in providing public
3 works and to recognize the contributions which public works
4 employees make every day to our health, safety, comfort and
5 quality of life.

6 I move the resolution.

7 MAYOR PETRACCO: Second.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Mayor Petracco?

15 MAYOR PETRACCO: Aye.

16 COMMISSIONER SCARPELLI: Whereas, the Township of
17 Nutley continues to develop projects that will improve
18 access and maintenance on public roads and sidewalks; and

19 Whereas, the Township of Nutley's Engineering
20 Department has provided plans specifically designed to
21 address and improve traffic flow/safety issues and
22 maintenance on our roads and sidewalks; and

23 Whereas, the Township of Nutley has designed the
24 Olde Towne Beautification Project for streetscape and safety
25 improvements for Chestnut Street transit hubs; and

1 Whereas, the Township of Nutley, Department of
2 Public Works will assume all responsibility with regard to
3 maintenance and upkeep of this project; and

4 Whereas, the Township of Nutley, Department of
5 Public Works will assign Salvatore Ferraro,
6 Engineering/Chief Project Coordinator - Construction, who
7 will serve as the responsible charge for the project.

8 Now, therefore, be it resolved that the Mayor and
9 Commissioners of the Township of Nutley, in the County of
10 Essex, State of New Jersey formally approves the grant
11 application for the Old Towne Beautification Project.

12 Be it further resolved that the Mayor and Clerk
13 are hereby authorized to submit an electronic grant
14 application identified as TA-2013-Nutley Olde Towne
15 Beautification Project 00005 to the New Jersey Department of
16 Transportation.

17 Be it further resolved that the Mayor and Clerk
18 are hereby authorized to sign the grant agreement on behalf
19 of the Township of Nutley and that their signatures
20 constitute acceptance of the terms and conditions of the
21 grant agreement and approves the execution of the grant
22 agreement.

23 Hereby move the resolution.

24 MAYOR PETRACCO: Second.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Mayor Petracco?

7 MAYOR PETRACCO: Aye.

8 COMMISSIONER SCARPELLI: I hope that's all I have,
9 Mayor.

10 MAYOR PETRACCO: Thank you so much, Commissioner.
11 Okay, I think that brings us to Commissioner
12 Tucci.

13 COMMISSIONER TUCCI: Yes. I'm not proclaiming
14 anything. I only have one resolution.

15 Be it resolved by the Board of Commissioners of
16 the Township of Nutley, County of Essex, State of New
17 Jersey, that the Township Clerk be and she is hereby
18 authorized to advertise for sealed bids of Owens Field
19 Bleachers, once again.

20 Specifications are available in the Purchasing
21 Department, Township Hall, One Kennedy Drive, Nutley, New
22 Jersey.

23 Bids to be received on Wednesday, May 28th, 2014
24 in the Commission Chambers, Third Floor, Township Hall,
25 Kennedy Drive, at 3:00 P.M., prevailing time, at which time

1 they will be publicly opened and read.

2 I move the resolution.

3 COMMISSIONER EVANS: Second.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 Okay, Commissioner -- is that all you have

13 Commissioner Tucci?

14 COMMISSIONER TUCCI: That's all I have, Mayor.

15 MAYOR PETRACCO: Thank you. Commissioner Evans

16 and Commissioner Scarpelli.

17 COMMISSIONER EVANS: I'm going to read a
18 resolution regarding the bond authorization for the North
19 Jersey Water District Supply. I'm just going to read the
20 title and then the now therefores and paraphrase that given
21 the length of the resolution.

22 Resolution of the Township of Nutley, in the
23 County of Essex, State of New Jersey consenting to the
24 issuance of certain bonds for the Wanaque South project by
25 the North Jersey District Water Supply Commission

1 authorizing the execution of a continuing disclosure
2 agreement in connection therewith and determining certain
3 other matters related thereto.

4 Now, therefore, it be resolved by the Local Unit
5 as follows:

6 1. In accordance with Section 203 of the Service
7 Contract, the Local Unit, which is Nutley, hereby consents
8 to the undertaking of the projects and issuance of the bonds
9 to finance the projects in an amount which, together with
10 the bonds issued for the Wanaque North Project, shall not
11 exceed \$95 million.

12 2. The Mayor, the Chief Financial Officer and
13 Clerk of the Township are hereby each severally authorized
14 and directed to execute and deliver each Local Unit
15 Disclosure Continuing Agreement in substantially the form as
16 attached as Exhibit A hereto.

17 3. The Clerk in the local unit is hereby
18 authorized and directed upon execution of each local unit
19 continuing disclosure agreement in accordance with the terms
20 of Section 2 above to attest to the Authorized Officer's
21 execution of such documents, and is hereby further
22 authorized and directed to affix thereupon the corporate
23 seal of the Township of Nutley.

24 4. Upon the execution and attestation of and, if
25 required, the placing of the seal upon the local unit

1 Continuing Disclosure Agreement as contemplated by Section 2
2 and 3 thereof, the authorized officer is hereby authorized
3 and directed to (a) deliver the fully executed, attested,
4 and sealed documents to the other parties thereto; and to
5 perform such other actions as authorized -- as the
6 authorized officer deems necessary, desirable and convenient
7 in relation to the execution and delivery thereof.

8 5. The Local Unit hereby authorizes the
9 preparation and distribution of financial statements and
10 demographic and other information concerning the local unit
11 to be contained in each preliminary official statement and
12 final official statement to be issued by the Commission in
13 connection with the marketing of the bonds.

14 6. The Local Unit hereby authorizes the
15 performance of any act and the execution or acknowledgment
16 and delivery of any other document, instrument, or closing
17 certificate that the authorized officer, after consultation
18 with the consultants deems necessary, desirable, or
19 convenient to undertake the project and achieve the net
20 savings to be generated by the refunding and the Local Unit
21 hereby directs the authorized officer to execute or
22 acknowledge, and to cause the clerk to attest and affix the
23 seal, where required, upon any such document, instruments,
24 or closing certificates to execute any certificate, the
25 authorization of actions -- of which actions shall be

1 conclusively evidenced by the execution or acknowledgment,
2 attestation, affixation and delivery as the case may be
3 thereof for such persons.

4 7. The bonds of each series shall be designated
5 by the year of issuance of such bonds.

6 8. The resolution shall take effect immediately.

7 9. Upon adoption thereof, the Clerk of the Local
8 Unit shall forward certified copies of this resolution to
9 counsel for the Local Unit, Alan Genitempo, Township
10 attorney, to Todd R. Caliguire, Executive Director of the
11 Commission, and to Derek Orth, Esquire, of Inglesino,
12 Wyciskala -- I'm going to pass on that one, and Taylor.
13 Yeah, I'll pass on that one, General Counsel to the
14 Commission.

15 So moved.

16 COMMISSIONER SCARPELLI: Second.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Aye.

25 COMMISSIONER EVANS: Be it resolved, by the Board

1 of Commissioners in the Township of Nutley, in the County of
2 Essex, State of New Jersey that the Treasurer be and she is
3 hereby authorized to refund overpayment of property taxes
4 for Block 200 Lot 11 for \$1,792.53 and for Block 4201 Lot 19
5 for \$4,136.73, for a total of \$5,929.26.

6 So moved.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Mayor Petracco?

15 MAYOR PETRACCO: Aye.

16 COMMISSIONER EVANS: Be it resolved, by the Board
17 of Commissioners in the Township of Nutley, in the County of
18 Essex, State of New Jersey, that the Treasurer be and she is
19 hereby authorized to refund overpayments of water charges
20 for Block 7501 Lot 1 for \$429.

21 So moved.

22 COMMISSIONER TUCCI: Second.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Aye.

6 COMMISSIONER EVANS: A resolution authorizing the
7 Township of Nutley to enter into a cooperative pricing
8 agreement.

9 Whereas, N.J.S.A. 40A:11-11(5) authorizes
10 contracting units to establish a Cooperative Pricing System
11 and to enter into Cooperative Pricing Agreements for its
12 administration; and

13 Whereas, the Middlesex Regional Educational
14 Services Commission, here in after referred to as the "Lead
15 Agency" has offered voluntary participation in Cooperative
16 Pricing System for the provision and performance of goods
17 and services;

18 Whereas, on May 6, 2014, the governing body of the
19 Township of Nutley, State of New Jersey, duly considered
20 participation in the Cooperative Pricing System for the
21 provision and performance of goods and services;

22 Now therefore be it resolved as follow:

23 This resolution shall be known and may be cited as
24 the Cooperative Pricing Resolution of the Township of
25 Nutley.

1 Pursuant to the provisions of N.J.S.A. 40A:11-
2 11(5), Mayor Alphonse Petracco is hereby authorized to enter
3 into a Cooperative Pricing Agreement with the Lead Agency.

4 The Lead Agency shall be responsible for complying
5 with the provisions of the Local Public Contracts Law and
6 other provisions of the revised statutes of the State of New
7 Jersey.

8 So moved.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Mayor Petracco?

17 MAYOR PETRACCO: Aye.

18 COMMISSIONER EVANS: Whereas, the Township of
19 Nutley has a need to acquire the services of an attorney as
20 municipal tax counsel and to provide legal counsel services
21 concerning "Municipal Tax Appeals" in the Township of Nutley
22 as a non-fair and open contract pursuant to provisions of
23 N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

24 Whereas, the tax assessor has determined and
25 certified in writing that the value of the aggregate

1 services provided by the vendor for the year will exceed
2 \$17,500; and

3 Whereas, the Law Firm of Piro, Zinna, Cifelli,
4 Paris & Genitempo, 360 Passaic Avenue, Nutley, New Jersey
5 has submitted a fee schedule for providing such services,
6 the total of which is not to exceed \$40,000; and

7 Whereas, the anticipated term of this contract is
8 for 12 months from January 1, 2014 through December 31,
9 2014; and

10 Whereas, the Law Firm of Piro, Zinna, Cifelli,
11 Paris & Genitempo has completed a Business Entity Disclosure
12 Certification which certifies that they have not made any
13 reportable contributions to a political or candidate
14 committee in the Township of Nutley in the previous one
15 year, and that the contract will prohibit them from making
16 any reportable contributions through the term of the
17 contract; and

18 Whereas, funds are available from account no. 4-
19 01-204-200 and have been certified by the chief financial
20 officer, said certification being attached to here said
21 certification is subject to the adoption of the 2014
22 Municipal Budget;

23 Now, therefore be it resolved by the Board of
24 Commissioners of the Township of Nutley authorizes the Mayor
25 to enter into a contract with the Law Firm of Piro, Zinna,

1 Cifelli, Paris & Genitempo;

2 And be it further resolved that the Business
3 Disclosure Entity Certification and the Determination of
4 Value be placed on file with this resolution.

5 So move.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 MADAM CLERK: Mayor Petracco?

14 MAYOR PETRACCO: Aye.

15 COMMISSIONER EVANS: Whereas, the Township of
16 Nutley has a need to acquire Grant Consulting Services
17 through a fair and open process pursuant to N.J.S.A. 19:44
18 20.5; and

19 Whereas, Millennium Strategies, 60 Roseland
20 Avenue, Caldwell has completed and submitted a Request for
21 Qualifications for Grant Consulting Services which complies
22 with the provisions of N.J.S.A. 19:44A-20.5; and

23 Whereas, the Township formed a committee to
24 consider all proposals based upon a range of criteria,
25 including technical, management and cost; and

1 Whereas, based upon the recommendation of the
2 committee, Millennium Strategies provides the best overall
3 service to the Township; and

4 Whereas, the term of this contract is for 13
5 months, from January 1, 2014 through December 31, 2014; and

6 Whereas, funds are available from account 4-01-
7 209-205 (subject to the adoption of the 2014 Municipal
8 Budget) and have been certified by the chief financial
9 officer, said certification attached to this resolution,

10 Now, therefore, be it resolved, by the Board of
11 Commissioners of the Township of Nutley, County of Essex as
12 follows:

13 1. A contract shall be entered into between the
14 Township of Nutley and Millennium Strategies located at 60
15 Roseland Avenue, Caldwell, New Jersey for grant consulting
16 services.

17 2. A copy of this Resolution as well as the
18 contract shall be placed on file with the Township Clerk.

19 So moved.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Mayor Petracco?

3 MAYOR PETRACCO: Aye.

4 COMMISSIONER EVANS: As we mentioned earlier, we
5 need to introduce a budget amendment to reflect specifically
6 the adjustment of additional State aid for the school board
7 and to the county. So as we previously -- in our previous
8 municipal budget, we had roughly \$969,000 in our budget for
9 transitional aid. This will increase that amount to
10 \$2,750,000 to cover all three aspects of the property tax
11 bill: county, municipality, and school.

12 Whereas, the local municipal budget for the year
13 2014 was approved on the 1st day of April 2014, and

14 Whereas, the public hearing on said budget had
15 been held and advertised, and

16 Whereas, it is desired to amend said approved
17 budget,

18 Now, therefore, be it resolved by the governing
19 body of the Township of Nutley, County of Essex that the
20 following amendment to the approved budget for 2014 be made.

21 General revenues: Miscellaneous Revenues, State
22 aid without offsetting appropriations from \$969,380 to
23 \$2,750,103. Total revenues would increase from
24 \$50,445,888.45 to \$52,226,661.15.

25 Be it further resolved that three certified copies

1 of this resolution be filed forthwith with the Office of the
2 Director of local governmental services for the
3 certification of the local municipal budge as amended.

4 Further -- be it further resolved that the
5 complete amendment, in accordance with the provisions of
6 N.J.S.A. 40A:4-9 be published in the Nutley Sun, the May
7 15th issue of the Nutley Sun, and that a public hearing will
8 be held regarding the amendment on May 20th, 2014 at
9 7:00 P.M.

10 It is hereby certified that this is a true copy of
11 the resolution amending the budget, adopted by the governing
12 body on May 6th, 2014.

13 So moved.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Aye.

23 COMMISSIONER EVANS: Thank you, Mayor.

24 MAYOR PETRACCO: Thank you.

25 Be it resolved by the Township of Nutley in the

1 County of Essex, New Jersey that the following be appointed
2 as a volunteer to the Nutley Fire Department effective
3 immediately: Ken Drittij, 50 Weston Street, Nutley, New
4 Jersey.

5 I move the resolution.

6 COMMISSIONER SCARPELLI: Second.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 MADAM CLERK: Mayor Petracco?

14 MAYOR PETRACCO: Aye.

15 Be it resolved by the Board of Commissioners of
16 the Township of Nutley, County of Essex, State of New
17 Jersey, that the Township Clerk be and she is hereby
18 authorized to advertise for sealed bids for the police and
19 cross guard uniforms.

20 Specifications are available in the Purchasing
21 Department, Town Hall, One Kennedy Drive, Nutley, New
22 Jersey.

23 Bids to be received on Wednesday, June 4th, 2014
24 in the Commission chambers, third floor, Township Hall,
25 Kennedy Drive, at 3:00 P.M. prevailing time, at which time

1 they will be publicly opened and read.

2 I move the resolution.

3 COMMISSIONER SCARPELLI: Second.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 Whereas, applications have been received from the
13 following organizations, and

14 The PTO of Nutley, Lincoln School, license number
15 45-14 on-premise 50/50 cash raffle on May 30th, 2014;
16 Shelter Love Events Inc., license number 46-14, on-premise
17 50/50 cash raffle, May 22nd, 2014.

18 Whereas, the application have been reviewed and
19 approved by the Municipal Clerk and the Police Department.

20 Now, therefore be it resolved by the Board of
21 Commissioners, the Township of Nutley, County of Essex,
22 State of New Jersey that the licenses are approved and the
23 Municipal Clerk is authorized to issue the licenses.

24 I move the resolution.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: Aye.

9 This concludes our business portion of the
10 meeting. Is there anyone that would like to address the
11 Board of Commissioners? Before we do, Madam Clerk, are you
12 going to read our statement?

13 MADAM CLERK: Yes, Mayor. I just need one second.

14 All persons addressing the Board of Commissioners
15 regarding community concerns should approach the microphone
16 and provide their name and address for the record. Unless
17 further time is granted by the Board, each person shall
18 limit their address to five minutes.

19 All remarks to the Board and its individual
20 members must be addressed to the Mayor. The Mayor may defer
21 citizen comments to the appropriate member of the Board.
22 Dialogue between citizens and others addressing the Board
23 shall be allowed unless the Mayor, or presiding officer, or
24 the majority of the membership of the Board shall determine
25 that the interest of decorum enter expeditious conduct of

1 municipal business are being adversely affected by such
2 dialogue.

3 Name and address for the record, please.

4 MAYOR PETRACCO: Before we start, Madam Clerk.

5 MADAM CLERK: Yes.

6 MAYOR PETRACCO: Just a couple footnotes for
7 tonight's meeting. I've been very lenient up here. The
8 public portion of the meeting is for comment. If there's --
9 and we do have a five minute rule that we're going to try to
10 hold to. This way these meetings don't get too long. If
11 somebody needs to have a discussion with a Commissioner,
12 please ask that Commissioner that after the meeting you
13 would like to talk to them rather than tie up the mic.

14 So, saying that, please state your name and
15 address and for the record.

16 MR. MAGNIFICO: Jack Magnifico, 160 Park Avenue.
17 Resident of this Town for 60 some odd years.

18 A couple of questions. The first one is this,
19 going by what you had here, Commissioner Rogers prepares a
20 what they call a bicycle run. We don't have bicycle paths
21 in this town. Some of the roads are so close together when
22 you park two cars, the kids or our people who are using that
23 road, you'd have mortality here unbelievable. All right? I
24 don't think it's a good proposal and I think it stinks.

25 COMMISSIONER TUCCI: I will add that we have

1 beautiful parks to ride our bikes through.

2 MR. MAGNIFICÓ: You what?

3 COMMISSIONER TUCCI: We have beautiful parks to
4 ride our bikes through.

5 MR. MAGNIFICO: I'm not talking -- it says going
6 to work. I'm not saying to play or stuff in parks. We have
7 the most beautiful of them all. But going to work on our
8 public roads is dangerous, superiorly dangerous.

9 MAYOR PETRACCO: Please, just for the record,
10 please contact his office tomorrow and just discuss that
11 with him, being that he's not here tonight?

12 MR. MAGNIFICO: (Indiscernible)?

13 MAYOR PETRACCO: Yeah, please.

14 MR. MAGNIFICO: Okay, that's number one.

15 Mr. Tucci?

16 COMMISSIONER TUCCI: Yes, sir.

17 MR. MAGNIFICO: Have we done anything about Van
18 Riper?

19 COMMISSIONER TUCCI: About getting what? I'm
20 sorry.

21 MR. MAGNIFICO: Van Riper.

22 COMMISSIONER TUCCI: Have we done anything?
23 We've --

24 MR. MAGNIFICO: Yeah. Have you talked to the lady
25 there?

1 COMMISSIONER TUCCI: Uh-huh.

2 MR. MAGNIFICO: Okay, thank you.

3 COMMISSIONER TUCCI: Yes, I have.

4 MR. MAGNIFICO: I just want to make sure -- I'm
5 trying very desperately to get this Town -- to get the
6 burden off the Town by the American Legion utilizing that
7 building as a post because don't forget, that post is the
8 second oldest post in the United States. All right, it's a
9 historical post. That's why I fight so hard for it.

10 COMMISSIONER TUCCI: If I might, Jack --

11 MR. MAGNIFICO: And I've got all the records.

12 COMMISSIONER TUCCI: -- I'd just like to clarify
13 this for everyone.

14 What Jack is speaking of is a marriage between the
15 Veterans Associations and the Van Riper trust. All right,
16 and the Van Riper trust has a building, all right, on River
17 Road that is in need of major repair. The Veteran's group
18 has some resources to make those repairs and to make that
19 building usable, all right, and also utilize it as a
20 headquarters, which was a wonderful idea that Jack had.

21 COMMISSIONER EVANS: Absolutely. That's a great
22 idea.

23 COMMISSIONER TUCCI: So we are pursuing that with
24 the folks at the Van Riper Trust and we will continue that
25 as long as everyone is still committed to. And it's my

1 understanding as everyone is, and hopefully we're going to
2 make that a reality in short order at no cost to the
3 Township.

4 It was close.

5 MR. MAGNIFICO: I'm just backing up a few years.
6 Bill, thank you for fixing that road, but we have a -- who
7 do I send a bill to for a tire? We have a manhole on River
8 Road that is actually a water drain, or whether it was
9 Department of -- not yours, but maybe it's the water
10 company. I don't know. But that hole has to be one foot
11 deep around and the sewer is literally falling into it.
12 When you hit it, it does damage. And it cost me \$145 to get
13 the tire part fixed.

14 COMMISSIONER SCARPELLI: River Road is a county
15 road, Jack.

16 MR. MAGNIFICO: It's a county road? Well, I'm
17 going to ask the Town to do me a favor. Give me the cement
18 and I'll put it in myself. I'm serious. That's
19 unbelievable. Anyway, thank you for the East Center Street,
20 though. You fixed that up very nicely. I really appreciate
21 it.

22 Now, I'm a very diligent reader of the Nutley Sun
23 and all the other papers, and I'm going to give this to
24 Evelyn so she can give one out to each one of you.

25 I'm very diligent. I'm getting very diligent.

1 I'm trying to get -- and I know --

2 MAYOR PETRACCO: Thank you.

3 MR. MAGNIFICO: -- Mr. Evans and Mr. Tucci and the
4 rest of you that are going into (indiscernible) trying to
5 get (indiscernible) on Roche to do what's right for our Town
6 tax-wise and everything else.

7 I worked in the theatrical stage operation for 50
8 years, and I know the income that can be derived from a
9 theatrical center. Every studio, every platform has a
10 minimum of 12 employees. I don't know how many -- I know we
11 can have studios in it, if we could talk somebody into it, I
12 believe, if you'll read this thing, that you could get the
13 Governor and politicians, I talked to one this morning,
14 interested in assisting the Hoffman La Roche project in the
15 direction of --

16 MAYOR PETRACCO: Just please wrap up.

17 MR. MAGNIFICO: Huh?

18 MAYOR PETRACCO: Just please, the time's up.

19 Please, just please wrap up.

20 MR. MAGNIFICO: I don't have enough time in this
21 world. You know, I'm very short on it. So, I want to make
22 sure that I --

23 MAYOR PETRACCO: Jack, just so you know, to --
24 regarding this, I have Linda Diacheysn here this evening who
25 is the chief's secretary.

1 MR. MAGNIFICO: I know. We had a good talk.

2 MAYOR PETRACCO: And, yeah, she has really made a
3 lot of phone calls to the film and stuff like that.

4 MR. MAGNIFICO: Yeah, I know she's done it. And
5 everybody else, I know you all have done it, but I think
6 we've got to push it a little harder because the revenue
7 that we could derive, this Town could derive from the
8 employees, people that would move into Town like I did 40 --
9 well, 60 years ago.

10 MAYOR PETRACCO: Do you have a contact, Jack, that
11 we could use?

12 MR. MAGNIFICO: I have put it on there. Talk to
13 him.

14 MAYOR PETRACCO: Excuse me?

15 MR. MAGNIFICO: His name is Matt Friedman (ph),
16 and the number's right on there. It's on the paper that I
17 gave you.

18 MAYOR PETRACCO: I'll give you mine.

19 MR. MAGNIFICO: It's on the bottom on the paper.
20 All right, I think that would be very --

21 MAYOR PETRACCO: Okay, thank you.

22 MR. MAGNIFICO: All right? I have one more
23 question. I know, I'm a nut. I agree with you, but that's
24 me. I asked you a long time ago if we have any idea of how
25 many residents live in the apartment complexes in the Town

1 of Nutley.

2 COMMISSIONER EVANS: You know, Jack, I asked the
3 rent levelling Board that question and based upon what they
4 track, they track 1,500 units. They track 1,500 units under
5 the rent levelling board, average 2 people per unit, about
6 3,000 residents.

7 MR. MAGNIFICO: How many?

8 COMMISSIONER EVANS: About 3,000. That's the
9 closest I could get speaking to them.

10 MR. MAGNIFICO: I don't know who told you that,
11 but if I give you a figure. We have in our Arbor Hills, we
12 have almost 1,000 people. There were 438 units. Each one
13 of them have 2 people, 3 people, 4 people. Now they're
14 building 1, 2, 3 more behind us, right? Which is on East
15 Center Street. This guy is going up so fast you can't catch
16 his breath, all right? He's doing a heck of a job.

17 My point is, what revenue can assist us in getting
18 our taxes for the people who live here so they don't have to
19 move out?

20 COMMISSIONER EVANS: It's an interesting question,
21 Jack.

22 MR. MAGNIFICO: I just bring it up for --

23 COMMISSIONER EVANS: No, and I do, I think it's an
24 interesting question because the -- any of the owners of
25 apartment buildings in Nutley pay taxes.

1 MR. MAGNIFICO: I know that.

2 COMMISSIONER EVANS: Right, they pay taxes. And
3 when you look at the history around the number of children
4 the apartments actually contribute to the school system,
5 they actually subsidize the school system for the
6 residential taxpayers.

7 MR. MAGNIFICO: Taxes (indiscernible). Okay.

8 You know my property, Mr. Librizzi is a very nice
9 person. Unfortunately, when I bought that property and I
10 improved on it et cetera, et cetera, I started out with a
11 tax of 2,500. And when I put the second floor on there, it
12 went up to like 3,500, 4,000. Do you know what I'm paying
13 now? \$85,000 a year for which I get no services from the
14 Town of Nutley. None. No garbage. No snow removal. None.
15 Why do I pay such heavy taxes? The valuation?

16 COMMISSIONER EVANS: Yes.

17 MR. MAGNIFICO: The building basically hasn't been
18 changed since 1992 when I finished the second floor. The
19 only thing different is when I had the fire, we had it
20 vacated, et cetera, as you know.

21 COMMISSIONER EVANS: Yeah.

22 MR. MAGNIFICO: And I put offices in there for
23 doctors, and that doesn't make it any more valuable. My
24 revenue is only -- my revenue, total income on that building
25 monthly is \$37,000, of which you get 8,000 -- \$7,936 and

1 some odd change, the Town does, on a monthly basis.

2 You know, I plead with you. The company that I
3 sold my business to, I -- matter of fact, as Mr. Genitempo
4 will tell you, sent me a letter or you would still have that
5 company in my building. They sent me a letter telling me
6 that they couldn't afford the taxes in the State of New
7 Jersey and the Town, and they moved out.

8 Well, a lot of people are going to do that. A lot
9 of businesses are going to do that. What's going to happen
10 to our Town? God bless.

11 MAYOR PETRACCO: God bless you too. Thank you.

12 MR. ODRIA: Michael Odria, 133 High Street. It's
13 just a comment because that's what we're going to do is
14 comment.

15 First of all, I'd like to Mr. Tucci, I truly
16 really sympathize with your situation. \$22,000 a year in
17 property taxes, that is obscene. But I would like to let
18 you know this, you mentioned something before -- because
19 this is a comment. Because you commented, I'm going to
20 comment. You said something about the market getting
21 better. And when you say that to a homeowner, a Nutley
22 homeowner, when you say the market gets better then things
23 are going to get better, you said, I hope when you say that
24 you mean that -- well, first of all, I'm not looking to sell
25 no matter how bad or how good the market gets.

1 I bought a -- you know, I spent 16 years of my
2 life so far, going on 17 paying off my home, you know, I'm
3 not trying to be a -- how could I say this, you know,
4 someone who's living off the government. I actually work.
5 You know, I earn a paycheck. It's hard because I work in
6 the private sector and I'm a commissioned employee. But I'm
7 not looking to sell, no matter how good the property -- the
8 market gets and talking about real estate. I'm not looking
9 to sell.

10 COMMISSIONER TUCCI: Good. Glad to hear that.

11 MR. ODRIA: But as you say, as the market gets
12 better, I hope you mean as the market's better for all of us
13 that -- and things get better, I hope you mean the property
14 tax levels are going to go down. That's what I'm hoping you
15 mean when you said that before.

16 COMMISSIONER TUCCI: Let me clarify this for you,
17 okay, in no uncertain terms. When I speak about the market
18 getting better, it's in the context of property taxes.

19 MR. ODRIA: That's what I'm talking about.

20 COMMISSIONER TUCCI: Because the values have gone
21 down. As the values increase, all right, we eliminate some
22 of that structural deficit, if you will, that's built in
23 that we can't address through annual appropriations. So
24 that's what I'm talking about.

25 Believe me, by no means do I want you or anyone

1 else as the market gets better to even consider selling
2 their homes. We want more good people to come into Nutley.
3 We don't want to lose our good people. And the fact that
4 you're here week after week, all right, speaking to
5 different topics, speaking to taxes, speaking to how -- the
6 spending, it's a testament to the fact that you care about
7 what goes on in this Town and that's a good thing. And we
8 may not always agree. We may not always have the same
9 perspective, but the fact that you take your time and I also
10 am in the private sector. I have my own business, as you
11 may or may not know.

12 MR. ODRIA: I do know.

13 COMMISSIONER TUCCI: I work seven days a week.
14 All right, I pay these high taxes because I love this Town.
15 It's a great place. There's no place better: proximity-
16 wise, and what we offer in neighborhoods, all right,
17 volunteerism, parks, schools. You can go right down the
18 list: services.

19 We're all in this together. All right? We don't
20 always agree and Commissioners don't always agree. But at
21 the end of the day, I think we're all here for the same
22 reason. We're all here to keep this Town sustainable, to
23 keep this Town affordable, and to keep all our good people
24 here.

25 So, that's the context that I speak to when I talk

1 about property values. All of -- just about all of my
2 children live in this Town, and my baby who's 28 years old,
3 with a baby, is presently looking for a house. So that's
4 why I can speak to the shortage of supply of housing in Town
5 and the increase in prices.

6 MR. ODRIA: Well, the reason why people are moving
7 out, like one of my neighbors behind my house, she said I'm
8 done. One of my neighbors is going to put her house up for
9 sale that she's lived there for like, I think maybe 18
10 years. She's done. She can't take it anymore. Her and her
11 husband are moving, I think, to Pennsylvania where the
12 property taxes are \$3,300 a year. You know, and she's done.

13 COMMISSIONER TUCCI: The whole situation is very
14 unfortunate but we're in the richest real estate market in
15 the country.

16 MR. ODRIA: Well, since you have a lot of
17 experience in the private sector, as a business owner, I'm
18 sure like in your business, if you can't afford it, you
19 don't buy it.

20 COMMISSIONER TUCCI: You don't buy it. You're
21 absolutely right.

22 MR. ODRIA: And that's the way it should go.

23 COMMISSIONER TUCCI: Right, and I have to tell
24 you, and I can let every Commissioner speak for themselves
25 but in my department, the dollars that I don't spend are

1 returned. And over the last four years, it was over a
2 million dollars. Even though the dollars are appropriated
3 does not necessarily mean that we spend each and every one
4 of them. These are our dollars, our collective dollars.

5 MR. ODRIA: Well, it's all our dollars.

6 COMMISSIONER TUCCI: Right, and we spend --

7 MR. ODRIA: Even the State aid, because I pay for
8 State aid through my State taxes.

9 COMMISSIONER TUCCI: Right.

10 MR. ODRIA: You know, I mean, I'm still paying --
11 it doesn't matter if it's town, city, or state, or federal,
12 I'm still paying into that big bank account. You know, it's
13 -- you know, the less -- you know, we should control our
14 spending, control -- do it the way they do it in the private
15 sector because like --

16 COMMISSIONER TUCCI: Listen, I totally agree with
17 you. And do I think we do a good job? Yes, I do. Do I
18 think we can do a better job? Absolutely. And I think
19 everyone here will also attest to that.

20 MR. ODRIA: Well, with all due respect to you and
21 the rest of the council, I mean in all honesty, take it from
22 me, I mean, I've thought of running for elected office but,
23 you know, I don't want to do that. But I thought about it,
24 but I'll say one thing, if I was in that chair or in the
25 Governor's chair, or even in the presidential chair, if one

1 my constituents or one of my fellow citizens had to pay one
2 nickel more in any form of taxes, for me as the leader, I
3 would take that as a failure as a leader. That's for me
4 because we have to lower them. We have to do something
5 because \$70 billion admitted out of the mouth of our own
6 Governor has let it walk right out under his watch.

7 COMMISSIONER TUCCI: Listen, I understand your
8 frustration and I feel your frustration, but unfortunately,
9 there's only so much we can do at this level because there
10 are some things that are just beyond our control. If we
11 could control them, absolutely. We don't want any of our
12 residents to suffer. We don't want anyone to pay one nickel
13 more than they absolutely have to.

14 MR. ODRIA: I mean, in all honesty, you seem like
15 a nice guy and everything but I'll be honest, if you were my
16 boss and you came to me and said, Michael Odria, look you
17 have a choice -- and this has happened to me personally and
18 I had to make the decision to keep the job, my boss comes up
19 to me and says, look, you're going to have to take a pay
20 cut, or if not, we've got to let you go. You know what,
21 I'll take the pay cut because I don't want to be on
22 unemployment. I don't want to be on welfare. You know,
23 that's -- you know, but thank you very much.

24 And I've got to say one other thing. This other
25 gentleman at 86 Chestnut, that is an excellent tax rebate,

1 \$4,100 very good. Thank you very much, Mr. Tucci.

2 COMMISSIONER TUCCI: You're welcome.

3 MR. ODRIA: Thank you.

4 MAYOR PETRACCO: Is there anyone else this evening
5 that would like to address the Board of Commissioners?

6 MS. LANDRY: Pennie Landry, 135 Lakeside Drive.
7 Three comments. I found the line item. Municipal
8 prosecutor sheet 15(g) or (q), salaries and wages in 2013
9 were \$59,630, for 2014, an increase of \$40,000 to \$100,823.
10 So that's a \$40,000 increase for the municipal prosecutor.

11 Also in our --

12 MAYOR PETRACCO: Pennie, before you continue. Can
13 you give me that line item again, please?

14 MS. LANDRY: 15(g) or (q), (g) -- (h)(g). 15(g)
15 municipal prosecutor \$59,630 in 2013. For 2014, \$100,823.
16 For collection of taxes, sheet 14, an increase in 2013
17 collection of taxes, salaries, and wages was \$180,000, an
18 increase of \$60,000 in salaries and wages for collection of
19 taxes. My comment is that's excessive.

20 Township Clerk's Office, an increase of \$5,000. I
21 think that there needs to be an increase there. Less
22 increases in assessment of taxes and a collection of taxes,
23 and more to our Township Clerk's Office.

24 The last thing is that regarding our tax assessor,
25 there seems to be -- I checked the Essex County tax records

1 today regarding Lot 18 Edgewood. And per the owner of 18
2 Edgewood, his lot is 69 by 132, however on the Essex County
3 tax records, it shows 59 by 132.

4 So my comment is that perhaps we need to make sure
5 from an assessment standpoint that all of the lot sizes are
6 correct with the Essex County tax records because this 69 to
7 59 difference in lot size would make a difference in the
8 assessment of taxes on that lot.

9 So while Mr. Librizzi works 8:30 to 4:30, perhaps
10 he can have time to make sure that the records at the Essex
11 County tax office, online, whatever, are accurate. Thank
12 you.

13 COMMISSIONER EVANS: Mayor, I'd like to comment on
14 that.

15 MAYOR PETRACCO: Yes.

16 COMMISSIONER EVANS: My lot is an irregular lot.
17 While my front edge, as I was trying to clarify is 69 feet
18 versus 59 feet, if you look at the dimensions of my entire
19 lot, it's considered an irregular lot and that is noted on
20 my property tax record. So when they -- when you have
21 irregular lots, it's how it's adjusted to get the total
22 square footage correct.

23 So it is accurate at the Essex County level and at
24 the Town level.

25 MS. LANDRY: Pennie Landry, 135 Lakeside Drive.

1 So it can be one lot size at the county level and a
2 different lot size at the Township level?

3 COMMISSIONER EVANS: No, I didn't say that.

4 MS. LANDRY: Okay, so explain.

5 COMMISSIONER EVANS: I'm saying at the municipal
6 level and at the county level, all I simply said was while
7 the front edge -- the one dimension of my property which I
8 was referring to that night is 69 feet versus 59 feet. If
9 you look at the dimensions of my entire property, they're
10 different lengths, which under the measurement routine makes
11 it an irregular lot.

12 So if you look at my property tax record, which
13 I'm sure you already have, you will note it says IRR next to
14 the dimensions which means irregular lot. So the dimensions
15 are adjusted to get the total square footage of the lot
16 correct.

17 MS. LANDRY: Right, so you say it's 69. Essex
18 County says it's 59. And you're saying you can say 69
19 because it's irregular, or 59 because it's irregular?

20 COMMISSIONER EVANS: I'm saying the one dimension
21 -- I'm sorry. I'm trying to be very clear and I don't want
22 you to be confused so that's why I'm trying to clarify this.

23 The -- and I appreciate the fact that, you know,
24 because I did get a call from the newspaper today wanting to
25 ask me questions about my lot, my property at 18 Edgewood

1 Avenue at your request.

2 So I want it to be clear that all I'm trying to be
3 clear about is that if you look at a lot, there's roughly,
4 on average, four sides to any property. The front edge
5 dimension, which I was referring to that night, which all
6 I'm trying to do is be clear with, is that it's 69 feet
7 across. Right? So when you read my dimension, it says 59,
8 but you have to be clear that it's an irregular lot.

9 So, if you look down the one side of the lot, if
10 you look down the other side of the lot, the two sides,
11 they're different lengths. If you cross it at the back,
12 it's not 69 at the back, it's smaller at the back. They
13 call that an irregular lot. So given the fact that all the
14 dimensions are different lengths, the average front edge is
15 59 and the total square footage for the property would be
16 correct. So if you multiplied it out, it would be the
17 correct square footage.

18 Many of the lots in Nutley are irregular lots, so
19 that's the way they correct it.

20 MS. LANDRY: Okay, and so is there, from a tax
21 assessment standpoint, the likelihood that a lot will be
22 reassessed downward five years in a row, such as yours was,
23 because it is irregular?

24 COMMISSIONER EVANS: My lot and my property, which
25 you single out --

1 MS. LANDRY: No, no there's lots of them that have
2 been --

3 COMMISSIONER EVANS: Exactly, in fact in my --

4 MS. LANDRY: -- many that have gone down.

5 COMMISSIONER EVANS: -- exactly right. In my
6 particular neighborhood, which I'm part of, there's 496
7 homes that were adjusted. Not just --

8 MS. LANDRY: Downward -- land assessments went
9 downward.

10 COMMISSIONER EVANS: The -- the land assessments
11 did not change. The overall assessed value changed.

12 MS. LANDRY: But your land assessment changed?

13 COMMISSIONER EVANS: No, it did not.

14 MS. LANDRY: According to the Essex County tax
15 records, it did.

16 COMMISSIONER EVANS: Ma'am, I want to be very
17 respectful. And I'm trying to be patient and be very clear.
18 So, please, one more time.

19 When the assessor looks at the assessed value of a
20 property in a compliance plan, it's based upon what the
21 total value is, not the improvement value or the land value,
22 just what is the total value of that property.

23 If a determination is made that says that property
24 has to go up or down in a compliance plan, under the State
25 law, the only factor within assessed value -- the assessed

1 value for that property, which is two components,
2 improvements and land, the only factor that they're able to
3 adjust is the land value. So, it's not a specific
4 adjustment to the land. It's simply an adjustment to bring
5 the total value into what it should be.

6 So, while you continue to point out --

7 MS. LANDRY: So the land does go down?

8 COMMISSIONER EVANS: The land portion goes down --

9 MS. LANDRY: Okay.

10 COMMISSIONER EVANS: -- as a way to make the
11 adjustment, but it's --

12 MS. LANDRY: Okay, now --

13 COMMISSIONER EVANS: -- not saying that my land
14 value has gone down and your land value has stayed the same
15 because it's not in a comparison of land values. It's
16 simply a comparison of total value.

17 MS. LANDRY: I know, and because the land goes
18 down, the total value goes down. But in New Jersey, land
19 value actually goes up. It's the actual house, the
20 structural component that goes down in value. Land value
21 goes up.

22 COMMISSIONER EVANS: So, yes and I appreciate that
23 because one would say logically without understanding it say
24 why are land values going down? Right, does that make
25 sense?

1 MS. LANDRY: And so you're saying your land value
2 did go down.

3 COMMISSIONER EVANS: Ma'am, don't. I'm not -- I'm
4 trying to be clear, all right? What I'm trying to explain
5 is if you look at my property or any property that's had an
6 adjustment, you might see land value going down. And your
7 first reaction is, that doesn't make sense. Why did it go
8 down?

9 MS. LANDRY: Well, did anybody else's land value
10 in here go down? Did anybody else's house/land value go
11 down over the past five years? Yours did? Did yours,
12 Mr. Tucci? No?

13 COMMISSIONER TUCCI: I don't think so.

14 MS. LANDRY: Did anybody else's land value go
15 down?

16 COMMISSIONER EVANS: And your point is?

17 MS. LANDRY: Well, I'm just saying --

18 COMMISSIONER EVANS: No, I know that, but your
19 point is actually --

20 MS. LANDRY: (Indiscernible) went down and others
21 didn't.

22 COMMISSIONER EVANS: Excuse me.

23 MS. LANDRY: That's all I have to say, but thank
24 you.

25 COMMISSIONER EVANS: Actually your point is more

1 than that and I appreciate --

2 MS. LANDRY: Thank you. I appreciate your
3 explanation.

4 COMMISSIONER EVANS: -- I appreciate that you --

5 MS. LANDRY: I do understand it now. I totally
6 understand.

7 COMMISSIONER EVANS: I appreciate it and that's
8 what I'm hoping to do because it's been very difficult --

9 MS. LANDRY: Thank you. Some go down and others
10 don't. It's (indiscernible).

11 COMMISSIONER EVANS: I'm sorry, you're speaking
12 over me. I'm trying to finish my point.

13 MS. LANDRY: I'll sit to the --

14 COMMISSIONER EVANS: Thank you.

15 It's pleasing to me that you now understand it
16 because it's been difficult over the several months to get
17 this point across. Okay? So yes, my land value went down
18 as a way to make an adjustment of the assessed value.
19 That's all it is. Many values in town were adjusted the
20 same way. You single out my property, but my property is
21 one of many in town that have been adjusted.

22 So, just -- I'm glad you now appreciate the fact
23 that land value is not being adjusted. Improvements on
24 property are being ignored. The only thing that the
25 assessor is allowed to adjust is simply the land value.

1 In order to adjust the improvement, just to be
2 really, really clear, instead of doing a compliance plan,
3 the Essex County tax board would order a revaluation of the
4 Town by an independent company that would walk through every
5 single home in town and look at the improvements, and the
6 land, and make all of those adjustments. And we went
7 through that in 2005.

8 MS. LANDRY: Well, I'm happy to report that
9 tomorrow at 10 o'clock, my home is being looked at by
10 outside contact, whoever, the -- if I can get my land value
11 to go down too. So, we'll see what happens, thank you.

12 COMMISSIONER EVANS: Have you filed an appeal?

13 MS. LANDRY: Not yet.

14 COMMISSIONER EVANS: Great. That's -- under the
15 law, that's exactly what you do. I'm very, very happy
16 you've done that.

17 MR. MAGNIFICO: I'm back. Just for my
18 edification, land value is on just houses, or do we also go
19 to commercial buildings?

20 COMMISSIONER EVANS: I'm not quite sure, Jack, but
21 I believe the -- and when a compliance is (indiscernible) to
22 the land value.

23 MR. MAGNIFICO: The only reason I'm asking --

24 COMMISSIONER EVANS: Commercial property might be
25 done differently because it's based on what rent is.

1 MR. MAGNIFICO: -- my assessments, or whatever we
2 want to call them, my taxes, have never gone down since I
3 put the second floor on.

4 COMMISSIONER EVANS: Yeah, Jack, it's based upon
5 what your building -- it's not your assessed value, what's
6 your building worth?

7 MR. MAGNIFICO: \$2,784,000.

8 COMMISSIONER EVANS: What's it assessed for?

9 MR. MAGNIFICO: 1 million -- I think 1.7
10 something.

11 COMMISSIONER EVANS: So it's assessed for 1.7, but
12 it's worth 2 million 7? Your adjustments would not go down.
13 A market price is worth more than what it's assessed for.

14 MR. MAGNIFICO: Tom, this has nothing to do with
15 you. I know that, but between last year and this year, it
16 went up \$5,000.

17 COMMISSIONER EVANS: I appreciate that.

18 MR. MAGNIFICO: I would not mind -- I have no
19 choice. I have to pay it or -- it gets, you know, papers,
20 you're , et cetera, et cetera. But I would love to know,
21 except for the help of individuals that I ask what I get,
22 thank God, why should I -- I have put in sidewalks through
23 Dunkin Donuts that are heated --

24 COMMISSIONER EVANS: Yes, I know.

25 MR. MAGNIFICO: -- so that the kids don't get

1 hurt.

2 COMMISSIONER EVANS: Jack, you did a beautiful job
3 improving your property.

4 MR. MAGNIFICO: Yeah, but doing that beautiful job
5 hasn't helped me. All it's done is take money out of my
6 pocket. The Town has never offered to give me -- I'm still
7 waiting while you're -- you're going to do the curbs. I
8 know, I heard about it. I saw it. Don't waste a lot of
9 money because trucks park on there for Dunkin Donuts and I
10 can't stop them.

11 But in the meantime, back at the ranch, the whole
12 purpose I'm -- the whole thing I'm trying to find out, Tom,
13 is maybe one of these days I go back to \$70,000.

14 COMMISSIONER EVANS: I would hope, Jack. We're
15 working really hard towards it. I would hope.

16 MR. MAGNIFICO: It's mind boggling.

17 COMMISSIONER EVANS: Commissioner Tucci said
18 earlier, you know, none of us -- no matter when we have to
19 introduce the budget, we're not excited over it. We work
20 hard and we're proud of the work that we did, but we always
21 strive to do better.

22 MR. MAGNIFICO: We talk about Pennsylvania. The
23 taxes in Pennsylvania make us look like robbers. I mean, I
24 have a house --

25 MAYOR PETRACCO: That's exactly right and that's

1 because it's a State problem in New Jersey. It's not
2 defined to Nutley. If you go to the other Towns surrounding
3 us, it's the same thing. It's a State of New Jersey
4 problem. It's not like we're paying 12,000 per household
5 and Bellville's paying 2,000. It's compatible around. You
6 know, and it's a state problem. And I have to applaud
7 Christie to somewhat. He's challenged it and he's trying to
8 fix it.

9 And, Jack, to your point too, let me just say -- I
10 want to answer one thing for you because you come up here a
11 lot and you say that the taxes have gone up and, you know,
12 since you've owned the building all that stuff. I own some
13 buildings myself. The values go up, so do the rents. The
14 rents go up that you -- I collect. I'm hoping that your
15 rents have stayed in tune with that.

16 You know, and then you came to the mic when I was
17 having problems with the police department. And you came up
18 there and you said to me, knock off the nonsense. And you
19 know what, when you said to me knock off the nonsense, I had
20 a bunch of cops in here because I was trying to control
21 cost. So that goes back to my point that you have to strike
22 a balance. You can't have it both ways.

23 You can't come over here and say, Mayor Petracco,
24 what are you doing with these cops? Make them happy. Pay
25 them what they want. Give them what they want. And then on

1 the other hand say, well, I want my taxes to go down. It's
2 about striking a balance. True?

3 MR. MAGNIFICO: A lot of things are true but
4 (inaudible).

5 MAYOR PETRACCO: Please speak into the mic.

6 MR. MAGNIFICO: Speak loud enough.

7 When I moved into this Town, we had a member of
8 this Town, it was good buddy of mine in the theater. And I
9 asked him, is there anything for sale? At the time, I
10 bought a GI house out in Long Island. My time of traveling,
11 1954 to 1957 or '58, whatever it was, went from 45 minutes
12 to an hour to two hours. I said, this is crazy. I've got
13 to find something where my family can be with -- I can be
14 with my family. So I found Nutley through Sandy.

15 Well, I've been very proud of this Town and I
16 think most of you know that. It's the only Town, if you
17 look on a map, that's surrounded by nothing but you can't
18 get in. You can't get in, you've got route 3 at the
19 railroad. You've got the other thing.

20 When they had all those riots in Newark, your
21 police department was able to go in one spot and stop
22 anybody from coming in here.

23 MAYOR PETRACCO: Our police department.

24 MR. MAGNIFICO: Well, you're the Mayor now. But
25 the point is that we have a good Town.

1 MAYOR PETRACCO: We do.

2 MR. MAGNIFICO: Keep it that way. But
3 unfortunately, if we continue to assess all of our people,
4 especially the ones that are working through jobs, husband
5 and wife, they're not going to be able to stick up with it.

6 Don't forget, I realize that almost half of our
7 monies go for education, which doesn't bother me at all.
8 But in the meantime, you've got to live.

9 MAYOR PETRACCO: Thank you.

10 MR. ODRIA: Michael Odria, 133 High Street.

11 MAYOR PETRACCO: Is there anyone else that would
12 like to speak? Okay, go ahead, Michael.

13 MR. ODRIA: Mayor Petracco?

14 MAYOR PETRACCO: Yes.

15 MR. ODRIA: You said it before, you just said it.
16 Every other -- all New Jersey's the same way, \$12,000
17 property taxes, 22, my God, all over New Jersey. You know
18 what, what you should do is be rebellious. Be the one that
19 says no more.

20 MAYOR PETRACCO: That's very easy for us to do.

21 MR. ODRIA: No, but seriously, no more.

22 MAYOR PETRACCO: No, no, no. Let me stop you
23 because, you know, we're getting long-winded tonight and I
24 have to tell you my patience are running a little thin now
25 is that you can't come up to the mic and say start cutting,

1 like I want a police officer to respond in two minutes. I
2 want nice parks. I want the DPW to fix our water problems
3 and our water leaks, and so forth, and our infrastructure.
4 You can't have it both ways.

5 MR. ODRIA: Yeah, but you can't punish the
6 homeowners in the Town.

7 MAYOR PETRACCO: So would you rather us say, we're
8 not going to invest in education. We're not going to have a
9 police department. We're not going to have a fire
10 department. Because it costs money to run a Town. Now,
11 we've done everything in our power, and I know I have, to
12 cut costs. I don't know if you read the Nutley Sun, open it
13 up sometime --

14 MR. ODRIA: I do.

15 MAYOR PETRACCO: -- and my name's in it a lot
16 because that's what I've done the last seven years that I'm
17 here is cut, cut, cut. But there comes a point when you
18 have to stop because then you're going to affect the quality
19 of life. You're going to affect the safety of our children.
20 You're not going to have a Town that anyone's going to want
21 to live in.

22 So, it's easy to be a critic from a safe distance
23 and stand on that side of the microphone and say you should
24 do this. You should do that. You should do this. It
25 doesn't necessarily work that way. We have cut. We have

1 done our job. But now we're coming to a point where
2 Commissioner Evans has argued our State aid, along with all
3 of us, for the last 10/12 years. We feel we don't get our
4 fair portion. Belleville and Bloomfield, our neighboring
5 towns, get a lot more than we do. So what I've urged you
6 and I've urged everybody that comes to these meetings, and
7 everybody that I see in the street, petition Governor
8 Christie.

9 MR. ODRIA: I do.

10 MAYOR PETRACCO: Okay.

11 MR. ODRIA: I call him up.

12 MAYOR PETRACCO: You know, but to come up here --

13 MR. ODRIA: And Loretta Weinberg (ph) too.

14 MAYOR PETRACCO: -- week after week and say cut.

15 I work in the private sector. I work around the clock. My
16 taxes are almost \$20,000 in this town and I own a few other
17 properties in this Town, okay? I pay a lot of money in
18 taxes, but I'm willing to pay them, do you know why?
19 Because I send my kids to the school system here. I feel
20 safe in this Town. Okay? So there's a price for that.
21 It's not free.

22 MR. ODRIA: Okay, but we should top the mindset of
23 this. You're a fellow homeowner. I'm a fellow homeowner.
24 Just because -- you shouldn't feel like, hey, just because
25 of this and that I've got to -- I've just got to submit. I

1 mean, you said so yourself to me. You said, you know, we
2 give four percent automatic wage increases to some Town and
3 City employees. And I'm thinking, in this bad economy?

4 MAYOR PETRACCO: No, Michael, I never said that.

5 MR. ODRIA: Yeah, you did.

6 MAYOR PETRACCO: No, no, no. We don't give four
7 percent raises to anyone here. Okay? There's a cap of a
8 two percent that governs this body. We don't give four
9 percent raises. We've been giving two percent raises, and
10 now people are paying into their pensions. They're paying
11 into -- for their healthcare.

12 But, look, I'm not going to debate this any
13 longer. You know, we're -- we have an executive session.
14 If you'd like to call me tomorrow, I'd be glad to take your
15 phone calls, but I'm going to say this for the last time
16 here too. This is not here for a discussion, a debate.
17 This is a public portion of the meeting.

18 MR. ODRIA: It's a comment.

19 MAYOR PETRACCO: Which everybody has a right to
20 address the mic for a comment, but we're not going to have
21 these long discussions week after week up here. If you'd
22 like, and I'm saying this very respectfully to everyone here
23 tonight, you need to talk to a Commissioner, please feel
24 free to pick up the phone and call them. If for some
25 reason, myself included, okay, that Commissioner doesn't get

1 back to you. They don't pay you any mind. They don't
2 respect you, whatever, exercise your vote two years from
3 now.

4 MR. ODRIA: Yes, that's my --

5 MAYOR PETRACCO: That's what I'm saying. So if
6 you feel that this board is doing a good job, or I'm doing a
7 good job, then next time the reelection is the process --
8 you exercise your vote. If you don't feel I'm doing a good
9 job, then -- or anybody else on this Board, exercise your
10 vote that way.

11 But I'm not going to entertain this any longer
12 that we're going to have these discussions in these chambers
13 upon these microphones any longer.

14 MR. ODRIA: Well, I think --

15 MAYOR PETRACCO: Okay, so if you -- I'm going to
16 ask you to sit very respectfully. I'm going to thank you
17 for coming today. If you have any further questions, please
18 call me tomorrow.

19 MR. ODRIA: Well, this is not a question. It's my
20 final comment.

21 MAYOR PETRACCO: Go ahead, Michael.

22 MR. ODRIA: My final comment is this. I guess the
23 reason why the people do it on this microphone is because
24 everything should be out in the open, first of all. No one
25 should be getting special favors in this Town.

1 And the second this is this. This is my last --
2 my comment, if you guys -- if I see a decrease in my
3 property taxes, like this guy got \$4,100, this rebate, trust
4 me, I will vote for you guys again. You will have my vote.

5 MAYOR PETRACCO: Is there anyone else this evening
6 that would like to address the Board? Are you getting up,
7 sir?

8 COMMISSIONER SCARPELLI: I move we go into
9 executive session.

10 MAYOR PETRACCO: Thank you. Thank you for coming.

11 MADAM CLERK: Okay, motion by Commissioner
12 Scarpelli.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Seconded by Commissioner Tucci. I'm
15 going to read the resolution into the record, gentlemen, and
16 that I'm going to do a roll call.

17 Whereas, the Board of Commissioners of the
18 Township of Nutley, in the County of Essex desires to
19 proceed to closed executive session; and

20 Now, therefore, be it resolved by the Board of
21 Commissioners that the Township Commission shall now move
22 into executive session to discuss a litigation matter and
23 acquisition of property.

24 Be it further resolved that the time when such
25 discussions may be disclosed to the public shall be when

1 such disclosure may be made without affecting the Township
2 of Nutley pending or anticipated legal, personnel,
3 contractual matters and other matters within the exceptions
4 provided for by statute.

5 It was moved by Commissioner Scarpelli, seconded
6 by Commissioner Tucci.

7 Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 MADAM CLERK: Mayor Petracco?

14 MAYOR PETRACCO: Aye.

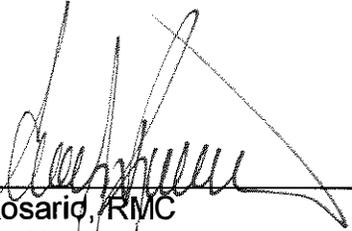
15 MADAM CLERK: It is now 9:48 p.m., gentlemen,
16 we're going to enter into executive session.

17 (Meeting was adjourned at 9:48 P.M.Ⓢ

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**Signature Page/Board of Commissioners
Meeting Minutes, May 6, 2014**

ATTEST:



Evelyn Rosario, RMC
Municipal Clerk
(Meeting Minutes Approved at the
(July 1, 2014 Board of)
(Commissioners Meeting)

Commissioner Steven Rogers
(Absent/Excused)



Commissioner Mauro G. Tucci



Commissioner Thomas J. Evans



Commissioner Joseph P. Scarpelli



Mayor Alphonse Petracco

TOWNSHIP OF NUTLEY									
BILL LIST									
TUESDAY MAY 6, 2014									
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS		
14-01247	UPS	18.10	16.13				34.23		
14-01096	SAL ELECTRIC CO	389.85					389.85		
14-01229	FUTURE SANITATION	65,805.55					65,805.55		
14-01293	NJAFP	75.00					75.00		
14-01292	TREASURER STATE OF NJ	800.00					800.00		
14-01244	CABLEVISION	16.51					16.51		
14-01148	IMMEDICANTER	138.00					138.00		
14-00651	POLAND SPRING	27.98					27.98		
14-00635	MAJOR LEAGUE AUTO SPA	5.00					5.00		
14-01328	ERICA MARFIEWIECZ	100.00					100.00		
14-01327	CHRISTIPHER STANCEL DVM	200.00					200.00		
14-00339	W.B. MASON CO	149.78					149.78		
14-01117	DELGEN PRESS	377.00					377.00		
14-01116	THE SIGN POST	165.00					165.00		
14-01247	BALL CHAIN MFG	212.50					212.50		
14-01135	STAPLES	82.96					82.96		
14-01150	HJ.W. MANNY	120.00					120.00		
14-01205	MEDIAGRAPHICS	25.00					25.00		
14-01220	DELGEN PRESS	278.00					278.00		
14-00757	DELGEN PRESS	477.00					477.00		
14-01320	FRANKLIN CENTRAL COMM	119.99					119.99		
14-01016	MOORE MEDICAL	2,390.29					2,390.29		
14-01364	MEREDITH BLANK	151.99					151.99		
14-01399	PATRICIA CRUZ	25.54					25.54		
14-00370	THE SIGN POST	80.00					80.00		
14-00709	SANOFI PASTEUR	160.95					160.95		

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01079	W.B. MASON CO	265.44					265.44
14-01363	KATHLEEN MANKOWICH	315.20					315.20
14-01318	COUNTY OF ESSEX NJ		4,605,135.14				4,605,135.14
14-01210	TREASURER OF SCHOOL MONEY		2,205,492.00				2,205,492.00
14-01232	T/N PAYROLL AGENCY ACCT.		32,524.29				32,524.29
14-01236	T/N PAYROLL AGENCY DCRP		511.20				511.20
14-01279	UPS		9.17	20.34			29.51
14-01235	VERIZON WIRELESS		48.05	1,028.30			1,076.35
14-01027	SPS		764.00				764.00
14-01316	NJ DEPT OF LABOR		19,379.61				19,379.61
14-01238	WAGE WORKS		25.00				25.00
14-01080	VERITEXT		1,592.60				1,592.60
14-01028	NBC AUTO PARTS		25.51				25.51
14-01204	US POSTAL SERVICE		4,000.00				4,000.00
14-01109	RUTGERS CENTER		18.00				18.00
14-01224	US BANK CUST PRO CAP		2,423.16				2,423.16
14-00572	MAJOR LEAGUE AUTO SPA		41.00				41.00
14-01282	US BANK/SASS MUNI VI		2,487.92				2,487.92
14-01283	US BANK CUST TLCF		3,090.80				3,090.80
12-01284	US BANK CUST TLCF		629.08				629.08
12-01285	US BANK CUST TLCF		742.76				742.76
12-01286	US BANK CUST TLCF		2,783.90				2,783.90
12-01287	US BANK FOR TLCF 2012A		928.00				928.00
12-01303	US BANK FOR PRO CAPITAL I		873.93				873.93
12-01288	STEVEN HOROWITZ		2,648.64				2,648.64
14-00911	INGLESINO,PEARLMAN		3,623.35				3,623.35

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-00576	W.B. MASON		177.51				177.51
14-00429	W.B. MASON		297.84				297.84
14-00581	W.B. MASON		92.42				92.42
14-00647	W.B. MASON		69.99				69.99
14-00900	W.B. MASON		161.17				161.17
14-00913	W.B. MASON		349.90				349.90
14-00887	W.B. MASON		186.88				186.88
13-01683	W.B. MASON		68.99				68.99
14-00652	POLAND SPRING		135.10				135.10
14-01082	METROGRAPHICS		184.00				184.00
14-01289	CHASE HOME TRG		1,546.61				1,546.61
14-00951	STAPLES		357.15				357.15
14-01026	SPS		2,278.00				2,278.00
14-00108	RICHARD RENN		505.00				505.00
14-01195	P & A AUTO PARTS		316.19				316.19
14-01219	GOV. FINANCE OFF.		90.00				90.00
14-01360	NJ DEPT COMM.AFFAIRS		2,973.00				2,973.00
14-01295	US BANK PRO CAPITAL I		7,081.63				7,081.63
14-01331	ISAAC MORADI		709.30				709.30
14-01344	US BANK CUST/EMP/VI		15,444.67				15,444.67
14-00624	ULINE, INC		312.95				312.95
14-00912	DELGEN PRESS		150.00				150.00
14-00772	NEOPOST INC		47.00				47.00
14-00631	W.B. MASON		151.83				151.83
14-01208	HEWLETT PACKARD		341.42				341.42
14-01112	NJSACOP			120.00			120.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01069	NUTLEY FREE LIBRARY			382,673.00			382,673.00
14-01153	AT & T MOBILITY			45.45			45.45
14-01155	AT & T MOBILITY			63.69			63.69
14-00667	AT & T MOBILITY			2,797.16			2,797.16
14-00991	AT & T MOBILITY			2,272.66			2,272.66
14-01011	NBC AUTO PARTS			8.82			8.82
14-01239	NBC AUTO PARTS			387.50			387.50
14-01297	NBC AUTO PARTS			31.25			31.25
14-00096	NBC AUTO PARTS			513.75			513.75
14-01166	NUTLEY PARK SHOPRTIE			46.42			46.42
14-01168	BURGER KING			72.87			72.87
14-00430	IMMEDICANTER OF CLIFTON			481.00			481.00
14-00932	LEXIS NEXIS RISK SOLUTIONS			1,279.85			1,279.85
14-01017	FREE SPIRIT PUBLISHING			606.28			606.28
14-01030	DAVID WEBER OIL CO			431.20			431.20
14-01068	CERTIFIED SPEEDOMETER			594.00			594.00
14-01100	EAGLE POINT GUN SHOP			48.00			48.00
14-01114	MOBILE TECH			203.00			203.00
14-00997	MUNICIPAL RECORD			199.50			199.50
14-00554	MATTHEW BENDER			1,251.22			1,251.22
14-00998	CHIEF SUPPLY CORP			1,121.42			1,121.42
14-00094	MAJOR LEAGUE AUTO SPA			245.00			245.00
13-04515	WEST GROUP			1,911.50			1,911.50
14-01152	SO BERGEN FIRE CHIEFS			200.00			200.00
14-01167	SELECTIVE BUSINESS MACH			115.00			115.00
14-01103	NJ PUBLIC SAFETY ASSCRED.			99.00			99.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01511	DELGEN PRESS			65.00			65.00
14-00922	DELGEN PRESS			125.00			125.00
14-00278	R & R RADAR INC			620.10			620.10
14-01099	STATE TOXICOLOGY LAB			315.00			315.00
14-01000	RICCIPLANNING			1,265.00			1,265.00
13-04680	FRANKLIN FLOORS			3,141.00			3,141.00
13-04610	JEN ELECTRIC			2,144.00			2,144.00
14-01246	CABLEVISION			66.40			66.40
14-01245	CABLEVISION			36.40			36.40
14-00702	W.B. MASON CO			323.09			323.09
14-00533	W.B. MASON CO			206.94			206.94
14-00890	W.B. MASON CO			553.45			553.45
14-00773	W.B. MASON CO			82.55			82.55
14-00616	W.B. MASON CO			66.36			66.36
14-00662	W.B. MASON CO			57.75			57.75
14-00535	W.B. MASON CO			122.11			122.11
14-00839	W.B. MASON CO			262.34			262.34
14-00426	W.B. MASON CO			21.34			21.34
14-00427	W.B. MASON CO			39.57			39.57
14-00241	LANGUAGE LINE SERVICE			51.35			51.35
14-00406	XEROX CORP.			34.95			34.95
14-01322	TURNOUT UNIFORMS			1,409.43			1,409.43
14-01323	TURNOUT UNIFORMS			302.09			302.09
14-01332	TURNOUT FIRE & SAFETY			555.93			555.93
14-01296	TURNOUT FIRE & SAFETY			69.07			69.07
14-00707	BUY WISE AUTO			591.34			591.34

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01266	VERIZON			95.84			95.84
14-00573	NO JERSEY MEDIA GROUP			53.28			53.28
14-01273	NATIONAL TERMINAL			4,357.65			4,357.65
14-00892	OCEAN PLACE RESORT			781.92			781.92
14-00354	INHALATION THERAPY			140.75			140.75
14-01305	PENNONI ASSOCIATES			1,050.00			1,050.00
14-01304	PENNONI ASSOCIATES			450.00			450.00
1400097	NICOLETTE TOWING			12.00			12.00
13-02871	SCARINCI HOLLENBECK			1,298.38			1,298.38
14-00159	ABSOLUTE FIRE PROTECTION			112.95			112.95
14-01261	ABSOLUTE FIRE PROTECTION			829.51			829.51
14-00288	DRAEGER SAFETY			950.00			950.00
14-00279	DRAEGER SAFETY			45.00			45.00
13-04593	TRIANGLE COMM			5,241.00			5,241.00
13-04592	TRIANGLE COMM			29,118.00			29,118.00
14-01131	PETER ANDOLINO			549.01			549.01
14-00917	TONYS AUTO BODY			1,058.95			1,058.95
14-01233	NJ LAW JOURNAL			175.95			175.95
13-04673	VIOLA BROTHERS			1,487.21			1,487.21
14-01302	MOBILE TECH			1,038.00			1,038.00
1401226	SPS			638.00			638.00
14-01203	BATTERIES & BULBS			21.95			21.95
14-01342	NATIONAL TERMINAL			4,427.08			4,427.08
14-01343	NATIONAL FUEL OIL			14,511.50			14,511.50
14-01301	MOBILE TECH			1,410.00			1,410.00
14-01206	ILLUSSION MAKER				2,300.00		2,300.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01073	FRANK'S AUTO GLASS				295.00		295.00
14-00037	AGL WELDING SUPPLY				52.24		52.24
14-00940	3 WEST PRODUCTIONS				200.00		200.00
14-00941	PETER ANDOLINO				149.95		149.95
14-00654	POLAND SPRING				94.99		94.99
14-01243	CABLEVISION				17.57		17.57
14-00052	NORTHEAST AUTO				34.00		34.00
14-00049	MOBILE TECH				185.00		185.00
14-00042	BRADLEY TIRE				50.00		50.00
14-00072	VITAL COMMUNICATIONS				153.00		153.00
14-01128	INTERCITY TIRE				540.50		540.50
13-04616	DITSCHMAN/FLEMINGTON				42,352.00		42,352.00
14-00657	W.B. MASON				31.44		31.44
14-00061	VIOLA BROTHERS				42.19		42.19
14-00066	GRAINGER				65.54		65.54
14-00067	MAJOR LEAGUE AUTO				6.00		6.00
14-00064	ATHENIA MASON				75.80		75.80
14-01093	NORTHEAST SWEEPER				205.00		205.00
14-00305	DELUXE INTERNATIONAL				3,639.50		3,639.50
14-00669	FOSTER & CO.				172.89		172.89
14-00073	BUY WISE AUTO				198.47		198.47
14-00073	BUY WISE AUTO				865.36		865.36
14-00066	GRAINGER				92.53		92.53
14-00038	AMERICAN HOSE				225.00		225.00
14-00069	ONE CALL CONCEPTS				132.18		132.18
14-00042	BRADLEY TIRE				20.00		20.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01252	TILCON NJ				2,212.68		2,212.68
14-00804	ZEP SALES				83.18		83.18
14-01074	GARDEN STATE HIGHWAY				228.70		228.70
14-01218	METRO HYDRAULIC JACK				118.00		118.00
14-01314	MOBILE TECH				60.00		60.00
14-01271	TOTAL CENTER MAINTENANCE				3,749.20		3,749.20
14-01379	DOMINIC FERRY				70.00		70.00
13-00452	PENNONI ASOCIATES				2,170.00		2,170.00
13-00452	PENNONI ASOCIATES				1,260.00		1,260.00
14-01306	NJSHBP-ACTIVE					368,208.11	368,208.11
14-01307	NJSHBP-RETIREE					175,636.29	175,636.29
14-01228	DELTA DENTAL PLAN					12,869.12	12,869.12
12-01294	DELTA DENTAL PLAN					13,305.16	13,305.16
14-01184	MOONEY GENERAL PAPER					2,236.58	2,236.58
14-00817	A-1 PLUS AUTO GLASS					85.00	85.00
14-01022	FRANKLIN CENTRAL COMM					20.00	20.00
14-00934	ARCO STEEL CO					1,195.00	1,195.00
13-04549	WHIBCO OF NJ					1,792.79	1,792.79
14-01104	C & C TIRE					589.41	589.41
14-01187	FRANKLIN CENTRAL COMM					383.99	383.99
14-01188	JERSEY POWER EQUIP					25.60	25.60
14-01181	J & D IROWORKS					1,570.00	1,570.00
14-00942	ARTISTIC FENCE					1,192.36	1,192.36
14-01186	WESTERN PEST CONTROL					183.00	183.00
14-00826	W.B. MASON					298.00	298.00
13-04212	WEST ESSEX BLDG					2,711.88	2,711.88

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MAY 6, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-00030	GRANT SUPPLIES					3.78	3.78
14-00027	BELL RIDGE PLUMBING					74.77	74.77
14-00316	SPS					1,507.64	1,507.64
14-00022	TERRE & CO					50.25	50.25
14-01262	PSE & G					16,553.26	16,553.26
14-01249	PSE & G					350.24	350.24
14-01250	PSE & G					3,224.04	3,224.04
14-01256	PSE & G					1,170.83	1,170.83
14-01265	PSE & G					11.06	11.06
14-01277	PSE & G					4.47	4.47
14-00015	NORTHEAST AUTO					319.90	319.90
14-00007	AMERICNA HOSE					22.80	22.80
14-00016	WWK					34.16	34.16
13-00764	RELIABLE WOOD					980.00	980.00
14-00028	CONTEMPORAY GLASS					9.90	9.90
14-00028	CONTEMPORAY GLASS					39.60	39.60
14-00241	THE COPY SHOP					344.18	344.18
14-00008	ATHENIA MASON					60.98	60.98
14-00099	ARROW ELEVATOR					425.00	425.00
14-00013	HOOVER TRUCK CENTER					173.50	173.50
14-00032	VIOLA BROTHERS					1,146.75	1,146.75
14-01345	FLAGSHIP DENTAL PLANS					629.61	629.61
14-00163	GANN LAW BOOKS LAW PUBLI					160.00	160.00
14-00014	M & R CAR WASH					80.00	80.00
14-00664	ABADEL PEST CONTROL					125.00	125.00
14-00655	POLAND SPRING					30.37	30.37

TOWNSHIP OF NUTLEY
BILL LIST
May 6, 2014

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of MAY 6, 2014:

PAYROLL-REGULAR APRIL 25, 2014:

Department of Public Affairs	22,339.35
Department of Revenue & Finance	63,799.79
Department of Public Safety	455,784.57
Department of Public Works	61,060.56
Department of Parks & Public Properties	74,041.58
Department of Recreation Commission	3,264.73
Water Operations	40,209.33
Due To From General Capital	3,623.27
600 Series	2,511.54
Police Outside Duty	4,760.00

Sub Total **731,394.72**

PAYROLL-OVERTIME APRIL 25, 2014:

Department of Public Affairs	0.00
Department of Revenue & Finance	127.43
Department of Public Safety	8,095.15
Department of Public Works	3,692.31
Department of Parks & Public Properties	3,418.11
Water Operations	7,495.30
600 Series	0.00

Sub Total **22,828.30**

TOTAL PAYROLL: **754,223.02**

GRAND TOTAL: **8,920,466.23**

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

Federal Withholding Tax	90,292.90
Social Security	23,996.48
N.J. State Tax	27,033.42
Medicare	10,912.77
Wage Execution	4,057.50
Deferred Compensation	25,619.83
Employee Disability Ins.	5,154.10

Ordinance No. 3282
Introduced by Commissioner Evans
Introduced on May 6, 2014
Public Hearing: June 3, 2014

Ordinance No. 3282

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700, ENTITLED ZONING, PARTICULARLY ARTICLE III, TERMINOLOGY, ARTICLE V, GENERAL REGULATIONS AND ATTACHMENT 3, SCHEDULE OF REGULATIONS AS TO BULK, HEIGHT AND OTHER REQUIREMENTS IN BUSINESS DISTRICTS

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, Article V General Regulations and Attachment 3, Schedule of Regulations and to Bulk, Height and other Regulations in Business Districts are hereby amended to ADD the following;

ARTICLE III
Terminology

700-3 B. Definitions

ADD

COMMERCIAL SCHOOL

A school limited to special instructions, including but not limited to, art, business, dancing school, fine art, handicraft, music, physical training or trades.

ARTICLE V General Regulations

700-15 Permitted uses in B-1 Zoning District

ADD

Commercial School

700-16 Permitted uses in B-2 Zoning District

ADD

Commercial School

700-18 Permitted uses in a B-3A Zoning District

ADD

Commercial School

700-19 Permitted uses in a B-4 Zoning District

ADD

Commercial School

BE IT FURTHER ENACTED that all other terms and conditions and locations in Articles III,V and Attachment 3, 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.

ORDINANCE NO. 3280

INTRODUCED ON APRIL 1, 2014

INTRODUCED BY COMMISSIONER EVANS

PUBLIC HEARING AND ADOPTION: TUESDAY, MAY 6, 2014

ORDINANCE NO. 3280

“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 ADD 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 ADDITION 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.

Add

Name of

<u>Street</u>	<u>Side</u>	<u>Location</u>
----------------------	--------------------	------------------------

Gonnelli Street	South	Beginning at a point 85 feet south of Coppola Street south for a distance of 20 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. 3281
Introduced by Commissioner Evans
Introduced on April 1, 2014
Public Hearing and Adoption: May 6, 2014

Ordinance No. 3281

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Board of Commissioners of the Township of Nutley in the County of Essex finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 3.0 % increase in the budget for said year, amounting to \$ 1,127,818.68 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of Townships of Nutley shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to

Page 2/Ordinance No. 3281

\$ 1,315,788.46, and that the CY 2014 municipal budget for the Township of Nutley be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli for Commissioner Steven Rogers Date: May 6, 2014

Seconded by: Mayor Alphonse Petracco No. 90-14

WHEREAS, lupus is an autoimmune disease that can cause severe damage to the tissue and organs in the body and, in some cases, death; and

WHEREAS, more than five million people worldwide suffer the devastating effects of this disease and each year over a hundred thousand young women, men and children are newly diagnosed with lupus, the great majority of whom are women of childbearing age; and

WHEREAS medical research efforts into lupus and the discovery of safer, more effective treatments for lupus patients are under-funded in comparison with diseases of comparable magnitude and severity; and

WHEREAS, many physicians worldwide are unaware of symptoms and health effects of lupus, causing people with lupus to suffer for many years before they obtain a correct diagnosis and medical treatment; and

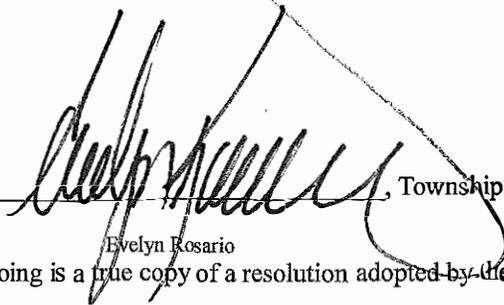
WHEREAS, there is a deep, unmet need worldwide to educate and support individuals and families affected by lupus; and

WHEREAS, there is an urgent need to increase awareness in communities worldwide of the debilitating impact of lupus;

NOW THEREFORE BE IT PROCLAIMED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, May 10, 2014 be recognized as

WORLD LUPUS DAY

A day on which lupus organizations around the globe call for increases in public and private sector funding for medical research on lupus, targeted education programs for health professionals, patients and the public, and worldwide recognition of lupus as a significant public health issue

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli for Commissioner Steven Rogers *Date:* May 6, 2014
Seconded by: Mayor Alphonse Petracco *No.* 91-14

WHEREAS, as many as 15 million Americans have food allergies; nearly 6 million are children under the age of 18; and

WHEREAS, research shows that the prevalence of food allergy is increasing among children; and.

WHEREAS, eight foods cause 90% of all food allergy reactions in the U.S.: shellfish, fish, milk, eggs, tree nuts, peanuts, soy, and wheat. Symptoms of a food-allergic reaction can include hives, vomiting, diarrhea, respiratory distress, and swelling of the throat; and

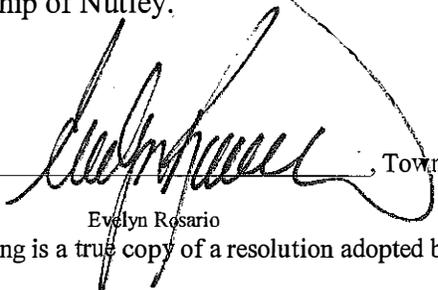
WHEREAS, according to the Centers for Disease Control and Prevention, food allergy results in more than 300,000 ambulatory care visits a year involving children under 18. Reactions typically occur when an individual unknowingly eats a food containing an ingredient to which they are allergic; and

WHEREAS, there is no cure for food allergy, and scientists do not understand why. Strict avoidance of the offending food is the only way to prevent an allergic reaction; and

WHEREAS, anaphylaxis is a serious allergic reaction that is rapid in onset and may cause death; and.

WHEREAS, Food Allergy Research & Education (FARE) is a national, nonprofit organization dedicated to ensuring the safety and inclusion of individuals with food allergies while relentlessly seeking a cure;

THEREFORE BE IT RESLOVED THAT, the Board of Commissioners, in the Township of Nutley, County of Essex, State of New Jersey, recognize May 11-17, 2014 as **Food Allergy Awareness Week** in the Township of Nutley.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli for Commissioner Steven Rogers *Date:* May 6, 2014

Seconded by: Commissioner Mauro G. Tucci *No.* 92-14

WHEREAS, For more than a century the bicycle has been an utilitarian, economical, environmentally sound and effective means of personal transportation, recreation and fitness; and

WHEREAS, the Township of Nutley encourages the use of bicycles as a means of transportation; and

WHEREAS the Township of Nutley recognizes bicyclists as a legitimate roadway users and therefore are entitled to legal and responsible use of all public roadway facilities in Nutley except highways constructed to interstate standards; and

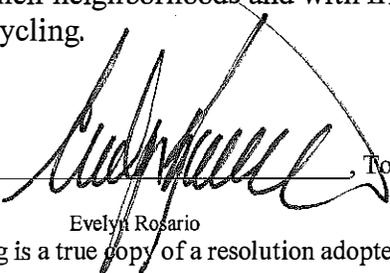
WHEREAS the Township of Nutley encourages the increased use of the bicycle, benefiting all citizens of Nutley by improving air quality, reducing traffic congestion and noise, decreasing the use of and dependence upon finite energy sources, and fostering exercise; and

WHEREAS, the Township of Nutley recognizing the use of bicycles as a viable mode of transportation, endeavours to promote safe and responsible bicycling and is committed to incorporating the development of bicycle facilities in the vision for revitalizing downtown Nutley; and

WHEREAS, the League of American Bicyclists has established May as National Bicycle Month, as well as May 12 – 16 as Bike to Work Week and Friday, May 16th as Bike to Work Day;

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, encourage all citizens to ride their bicycles to work, to the store, to the park, around their neighborhoods and with friends and family to promote the personal and societal benefits achieved from bicycling.

. . .

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli for Commissioner Steven Rogers *Date:* May 6, 2014

Seconded by: Mayor Alphonse Petracco *No.* 93-14

Whereas, The nearly 3.1 million registered nurses in the United States comprise our nation's largest health care profession, and

Whereas, The depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings, and

Whereas, The American Nurses Association, as the voice for the registered nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care, and

Whereas, A renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources, and

Whereas, Professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients, and

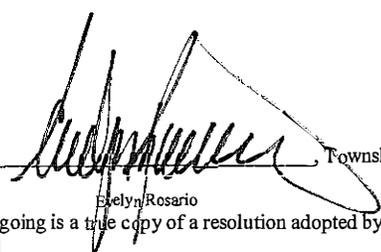
Whereas, The demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services, and

Whereas, That more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community, and

Whereas, The cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future, and

Whereas, Along with the American Nurses Association, the Township of Nutley has declared the week of **May 6-12, 2014** as **NATIONAL NURSES WEEK** with the theme **Nurses: Leading the Way** in celebration of the ways in which registered nurses strive to provide safe and high quality patient care and map out the way to improve our health care system;

Therefore Be It Resolved That, the residents of Township of Nutley, County of Essex, State of New Jersey, celebrate registered nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's registered nurses not just during this week, but at every opportunity throughout the year.

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

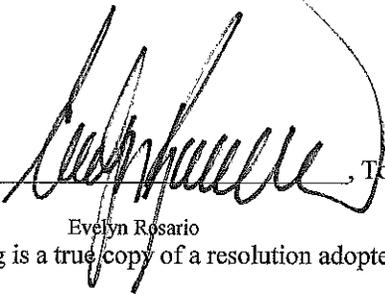
Introduced by: Commissioner Mauro G. Tucci *Date:* May 6, 2014

Seconded by: Commissioner Thomas J. Evans *No.* 94-14

BE IT RESOLVED by the Board of Commissioners of the township of Nutley, County of Essex, State of New Jersey, that the township Clerk be and she is hereby authorized to advertise for SEALED BIDS for OWENS FIELD BLEACHERS.

Specifications are available in the Purchasing Department, Township Hall, One Kennedy Drive, Nutley, NJ.

Bids to be received on Wednesday, May 28, 2014 in the Commission Chambers, Third Floor, Township Hall, Kennedy Drive, at 3:00 PM, 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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans AND Commissioner Joseph P. Scarpelli *Date:* May 6, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 95-14

RESOLUTION OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, CONSENTING TO THE ISSUANCE OF CERTAIN BONDS FOR THE WANAQUE SOUTH PROJECT BY THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION, AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH AND DETERMINING CERTAIN OTHER MATTERS RELATED THERETO

WHEREAS, the North Jersey District Water Supply Commission (the “*Commission*”) is a public body corporate and politic of the State of New Jersey (the “*State*”), organized and existing under and by virtue of the laws of the State and, in particular, N.J.S.A. 58:5-1 *et seq.*, as amended and supplemented (the “*Act*”), for the purpose of, among other things, providing local government water supplies;

WHEREAS, the Township of Nutley (the “*Local Unit*”), a municipal corporation of the State located in the County of Essex, and the Commission have previously entered into that certain “*Agreement*” dated as of April 13, 1982, among the City of Bayonne, the Township of Bloomfield, the Township of Cedar Grove, the Town of Kearny, the City of Newark, the Township of Nutley and the Township of Wayne (including the Local Unit, each a “*Contracting Local Unit*”), as amended, and as the same may be further amended or supplemented in accordance with its terms (collectively, the “*Service Contract*”);

WHEREAS, the Service Contract sets forth the terms and conditions of the relationship between the Local Unit, the other Contracting Local Units and the Commission in connection with the Commission’s “Wanaque South Project” (as defined in the hereinafter defined General Bond Resolution, as amended);

WHEREAS, pursuant to and in accordance with the provisions of the Act and other applicable law, the Commission adopted a bond resolution entitled “General Bond Resolution of the North Jersey District Water Supply Commission Securing One or More Series of Wanaque South Project Revenue Bonds” on August 22, 1986 (the “*General Bond Resolution*”), providing for, among other things, the issuance pursuant to one or more supplemental resolutions (each a “*Supplemental Resolution*”) of one or more series of Bonded Indebtedness (as defined in the General Bond Resolution, as amended), including specifically Additional Bonds and Subordinated Indebtedness (each as defined in the General Bond Resolution, as amended), which may be issued by the Commission in order to finance and refinance the Commission’s share of the costs of the acquisition, construction and improvement of the Wanaque South Project;

WHEREAS, payment of the principal of (including mandatory sinking fund installments, if any) and interest on such Bonded Indebtedness (including Additional Bonds) is primarily secured by the Revenues (as defined in the General Bond Resolution, as amended) in accordance with the terms of the Act and the General Bond Resolution, as amended;

WHEREAS, on September 15, 1986, pursuant to the provisions of the General Bond Resolution and a certain "First Supplemental Bond Resolution" adopted by the Commission on August 22, 1986 (the "*First Supplemental Bond Resolution*"), the Commission issued its "Wanaque South Project Revenue Bonds, Series 1986-A" (the "*1986-A Bonds*") and its "Wanaque South Project Revenue Bonds, Series 1986-B" (the "*1986-B Bonds*"), and together with the 1986-A Bonds, the "*1986 Bonds*";

WHEREAS, the proceeds of the 1986 Bonds were used (i) to refund certain short-term project notes issued by the Commission to provide interim financing for a portion of the cost of acquiring and constructing the Wanaque South Project, and (ii) to finance the costs incurred in connection with the authorization, issuance and delivery of the 1986 Bonds;

WHEREAS, on August 8, 1989, pursuant to the provisions of the General Bond Resolution, as amended, and a certain "Second Supplemental Bond Resolution" adopted by the Commission on July 13, 1989 (the "*Second Supplemental Bond Resolution*"), the Commission issued its "Wanaque South Project Revenue Bonds, Series 1989-A" (the "*1989-A Bonds*");

WHEREAS, the proceeds of the 1989-A Bonds were used (i) to finance a portion of the Costs of the Wanaque South Project (the "*1989-A Project*"), including a ratable share of the costs of designing, acquiring and constructing facilities, machinery and equipment to be utilized in the disposal of sludge, (ii) to finance the costs incurred in connection with the authorization, issuance and delivery of the 1989-A Bonds, and (iii) to finance capitalized interest and reserves with respect to the 1989-A Bonds;

WHEREAS, on December 18, 1991, pursuant to the provisions of the General Bond Resolution, as amended, and a certain "Third Supplemental Bond Resolution" adopted by the Commission on November 22, 1991 (the "*Third Supplemental Bond Resolution*"), the Commission issued its "Wanaque South Project Revenue Bonds, Series 1991" (the "*1991 Bonds*");

WHEREAS, the proceeds of the 1991 Bonds were used to finance (i) the payment of the costs of additional improvements to the Commission's Wanaque South Project water supply facilities, (ii) an allocable share of the costs of the Commission's sludge processing facility, (iii) the costs incurred in connection with the authorization, issuance and delivery of the 1991 Bonds, and (iv) capitalized interest with respect to the 1991 Bonds;

WHEREAS, pursuant the provisions of the General Bond Resolution and a certain "Fourth Supplemental Bond Resolution" adopted on December 4, 1992 (the "*Fourth Supplemental Bond Resolution*"), the Commission amended certain provisions of the General Bond Resolution;

WHEREAS, pursuant to the provisions of the General Bond Resolution and a certain “Fifth Supplemental Bond Resolution” (the “*Fifth Supplemental Bond Resolution*”), the Commission authorized the issuance of Subordinated Indebtedness and such Subordinated Indebtedness was never issued;

WHEREAS, on January 28, 1993, pursuant to the provisions of the General Bond Resolution and a certain “Sixth Supplemental Bond Resolution” adopted on December 4, 1992 (the “*Sixth Supplemental Bond Resolution*”), the Commission issued its “Wanaque South Project Revenue Refunding Bonds, Series 1993” (the “*1993 Bonds*”);

WHEREAS, the proceeds of the 1993 Bonds were used (i) to currently refund the Commission’s Outstanding 1986-B Bonds; (ii) to advance refund the Commission’s Outstanding 1986-A Bonds, 1989-A Bonds and 1991 Bonds, (iii) to make a deposit to the Commission’s General Fund, and (iv) to finance the costs incurred in connection with the authorization, issuance and delivery of the 1993 Bonds;

WHEREAS, on November 4, 1999, pursuant to the provisions of a certain “Resolution Providing for the Issuance of Subordinate Wanaque South Project Water System Bonds of the North Jersey District Water Supply Commission and for the Rights of the Holders Thereof, and Authorizing \$1,075,000 Principal Amount Thereof” adopted on July 16, 1999 (as amended and supplemented, the “*Subordinate General Bond Resolution*”) providing for, among other things, the issuance pursuant to one or more supplemental resolutions of one or more series of Bonded Indebtedness (as defined in the General Bond Resolution, as amended), including specifically Additional Bonds, a certain “First Supplemental Subordinate Resolution” adopted on August 20, 1999 (the “*First Supplemental Subordinate Resolution*”), and a certain “Second Supplemental Subordinate Resolution” adopted on August 20, 1999 (the “*Second Supplemental Subordinate Resolution*”), the Commission issued its Subordinate Wanaque South Project Water System Bond, 1999 Series 1 (the “*1999 Series 1*”) and its Subordinate Wanaque South Project Water System Bond, 1999 Series 2 (the “*1999 Series 2*”, and together with the 1999 Series 1, the “*1999 Subordinate Bonds*”);

WHEREAS, the proceeds of the 1999 Subordinate Bonds were used to finance (i) a portion of the costs of improving, reconstructing and renovating certain existing water supply facilities of the Commission, and (ii) the costs incurred in connection with the authorization, issuance and delivery of the 1999 Subordinate Bonds;

WHEREAS, on November 9, 2000, pursuant to the provisions of the Subordinate General Bond Resolution, a certain “Third Supplemental Subordinate Resolution” adopted on August 18, 2000 (the “*Third Supplemental Subordinate Resolution*”), and a certain “Fourth Supplemental Subordinate Resolution” adopted on August 18, 2000 (the “*Fourth Supplemental Subordinate Resolution*”), the Commission issued its Subordinate Wanaque South Project Water System Bond, 2000 Series 1 (the “*2000 Series 1*”) and its Subordinate Wanaque South Project Water System Bond, 2000 Series 2 (the “*2000 Series 2*”, and together with the 2000 Series 1, the “*2000 Subordinate Bonds*”);

WHEREAS, the proceeds of the 2000 Subordinate Bonds were used to finance (i) the remaining costs of improving, reconstructing and renovating certain existing water supply facilities of the Commission, and (ii) the costs incurred in connection with the authorization, issuance and delivery of the 2000 Subordinate Bonds;

WHEREAS, pursuant to the General Bond Resolution and a certain “Seventh Supplemental Bond Resolution” adopted January 15, 1993 (the “*Seventh Supplemental Bond Resolution*”), the Commission amended certain provisions of the General Bond Resolution and authorized the sale of option rights;

WHEREAS, on March 15, 2003, pursuant to the provisions of the General Bond Resolutions, a certain “Eighth Supplemental Bond Resolution” adopted on April 19, 2002 (the “*Eighth Supplemental Bond Resolution*”), a certain “Ninth Supplemental Bond Resolution” adopted on April 19, 2002 (the “*Ninth Supplemental Bond Resolution*”), and a clarifying resolution (with respect to issuing tax-exempt and taxable bonds) adopted on March 21, 2003, the Commission issued its Wanaque South Project Revenue Refunding Bonds, Series 2003A (the “*2003A Bonds*”) and its Wanaque South Project Revenue Refunding Bonds, Series 2003B [Taxable] (the “*2003B Bonds*”, and together with the 2003A Bonds, the “*2003 Bonds*”);

WHEREAS, the proceeds of the 2003A Bonds were used to (i) currently refund a portion of the Commission’s outstanding 1993 Bonds (being 75% of the principal amount of each maturity), and (ii) to finance a portion of the costs incurred in connection with the authorization, issuance and delivery of the 2003A Bonds. The proceeds of the 2003B Bonds were used (i) to currently refund a portion of the Commission’s outstanding 1993 Bonds (being 25% of the principal amount of each maturity), and (ii) to finance a portion of the costs incurred in connection with the authorization, issuance and delivery of the 2003B Bonds;

WHEREAS, on October 15, 2003, pursuant to the provisions of the Subordinate General Bond Resolution, a certain “Fifth Supplemental Subordinate Resolution” adopted on July 18, 2003 (the “*Fifth Supplemental Subordinate Resolution*”), a certain “Sixth Supplemental Subordinate Resolution” adopted on July 18, 2003 (the “*Sixth Supplemental Subordinate Resolution*”), and a certain “Seventh Supplemental Subordinate Resolution” adopted on July 18, 2003 (the “*Seventh Supplemental Subordinate Resolution*”), the Commission issued its Subordinate Wanaque South Project Water System Bond, 2003 Series 1 (the “*2003 Series 1*”) and its Wanaque South Project Water System Bond, 2003 Series 2 (the “*2003 Series 2*”, and together with the 2003 Series 1, the “*2003 Subordinate Bonds*”);

WHEREAS, the proceeds of the 2003 Subordinate Bonds were used (i) to finance costs of improving, reconstruction and renovating certain existing water supply facilities of the Commission, and (ii) to finance the costs incurred in connection with the authorization, issuance and delivery of the 2003 Subordinate Bonds;

WHEREAS, on November 9, 2006, pursuant to the provisions of the Subordinate General Bond Resolution, and a certain “Eighth Supplemental Subordinate Resolution” adopted on July 26, 2006 (the “*Eighth Supplemental Subordinate Resolution*”), the Commission issued its Subordinate Wanaque South Project Water System Bonds, 2006 Series 1 (the “*2006 Series 1*”)

and its Subordinate Wanaque South Project Water System Bonds, 2006 Series 2 (the “2006 Series 2”, and together with the 2006 Series 1, the “2006 Subordinate Bonds”);

WHEREAS, the proceeds of the 2006 Subordinate Bonds were used to finance (i) the costs of construction, improvement or acquisition of certain facilities of the Commission, and (ii) the costs incurred in connection with the authorization, issuance and delivery of the 2006 Subordinate Bonds;

WHEREAS, on July 3, 2013, pursuant to the provisions of the General Bond Resolution, and a certain “Tenth Supplemental Bond Resolution” adopted on April 24, 2013 (the “*Tenth Supplemental Bond Resolution*”), the Commission issued its Wanaque South Project Revenue Refunding Bonds, Series 2013A (the “*2013 Bonds*”, and together with the 1986 Bonds, the 1989-A Bonds, the 1991 Bonds, the 1993 Bonds, the 1999 Subordinate Bonds, the 2000 Subordinate Bonds, the 2003 Bonds, the 2003 Subordinate Bonds, and the 2006 Subordinate Bonds may be collectively referred to herein as the “*Prior Bonds*”);

WHEREAS, the proceeds of the 2013 Bonds were used to (i) refund all or a portion of the Commission’s Outstanding 2003A Bonds, (ii) to finance the costs incurred by the Commission in connection with the authorization, issuance and delivery of the 2013 Bonds, and (iii) to make a deposit to the Debt Service Reserve Fund for the 2013 Bonds;

WHEREAS, the Commission has identified certain capital projects, together with any other projects authorized under the bond documents authorizing the Commission New Money Bonds (as defined below), that need to be undertaken in connection with the Wanaque South Project (collectively, the “*Projects*”) that may be financed through a combination of (i) the issuance of one or more series of bonds by the Commission and sold to the public (collectively, the “*Commission New Money Bonds*”) through either a competitive or negotiated sale as determined in the best interest of the Commission in consultation with its hereinafter defined Consultants and (ii) the issuance of bonds by the Commission (the “*Commission NJEIT Bonds*”, and together with the Commission New Money Bonds, the “*Bonds*”) and sold to the New Jersey Environmental Infrastructure Trust (“*NJEIT*”) and the State through the NJEIT Financing Program;

WHEREAS, a portion of the Projects may be financed in an aggregate principal amount not to exceed, together with the Wanaque North Project, \$95,000,000, through any combination of Commission New Money Bonds and Commission NJEIT Bonds as determined by the Commission to be in the best interests of the Commission and the Contracting Local Units;

WHEREAS, pursuant to the provisions of the General Bond Resolution, as amended, and a supplemental resolution to be adopted in connection with the Commission New Money Bonds to be designated as the “Eleventh Supplemental Bond Resolution to be adopted by the Commission prior to the issuance of the Commission New Money Bonds (as the same are to be further amended upon issuance of the Commission New Money Bonds by the Executive Director’s Certificate pursuant to Section 2.6 thereof, the “*Eleventh Supplemental Bond Resolution*”, and together with the General Bond Resolution, the First Supplemental Bond Resolution, the Second Supplemental Bond Resolution, the Third Supplemental Bond

Resolution, the Fourth Supplemental Bond Resolution, the Fifth Supplemental Bond Resolution, the Sixth Supplemental Bond Resolution, the Seventh Supplemental Bond Resolution, the Eighth Supplemental Bond Resolution, the Ninth Supplemental Bond Resolution, and the Tenth Supplemental Bond Resolution, as the same may be further amended and supplemented from time to time in accordance with its terms, the “*Bond Resolution*” the Commission will issue, as Additional Bonds pursuant to the provisions of Section 2.3 of the General Bond Resolution, as amended, the Commission New Money Bonds in the aggregate principal amount which shall not exceed, together with the Commission NJEIT Bonds and any bonds issued for the Wanaque North Project, \$95,000,000;

WHEREAS, pursuant to the provisions of the Subordinate General Bond Resolution, as amended, and a supplemental resolution to be adopted in connection with the Commission NJEIT Bonds to be designated as the “Ninth Subordinate Supplemental Bond Resolution to be adopted by the Commission prior to the issuance of the Commission NJEIT Bonds (as the same are to be further amended upon issuance of the Commission NJEIT Bonds by the Executive Director’s Certificate in accordance therewith, the “*Ninth Subordinate Supplemental Bond Resolution*”, and together with the Subordinate General Bond Resolution, the First Subordinate Supplemental Bond Resolution, the Second Subordinate Supplemental Bond Resolution, the Third Subordinate Supplemental Bond Resolution, the Fourth Subordinate Supplemental Bond Resolution, the Fifth Subordinate Supplemental Bond Resolution, the Sixth Subordinate Supplemental Bond Resolution, the Seventh Subordinate Supplemental Bond Resolution and the Eighth Subordinate Supplemental Bond Resolution, as the same may be further amended and supplemented from time to time in accordance with its terms, the “*Subordinate Bond Resolution*” the Commission will issue, as Additional Bonds pursuant to the provisions of the Subordinate General Bond Resolution, as amended, the Commission NJEIT Bonds in the aggregate principal amount which shall not exceed, together with the Commission New Money Bonds and any bonds issued for the Wanaque North Project, \$95,000,000;

WHEREAS, the Commission, in consultation with its Consultants shall determine when each of the Bonds shall be issued, which Bonds may be issued simultaneously, separately, or in any such order as the Commission and its Consultants determine to be in the best interests of the Commission and the Contracting Local Units;

WHEREAS, each series of the Bonds shall be secured by a pledge of the Revenues and such other collateral as is provided for in the General Bond Resolution, as amended;

WHEREAS, each series of Bonds shall be issued in such amounts (provided, that the aggregate principal amount of Bonds plus any bonds issued for the Wanaque North Project shall not exceed \$95,000,000), subject to redemption (optional, mandatory, special, extraordinary or otherwise) and contain such other financial terms as the Commission, in consultation with the Consultants, determines to be in the best interests of the Commission and the Contracting Local Units;

WHEREAS, the proceeds of the respective series of Bonds will be used to (i) fund certain capital projects that need to be undertaken in connection with the Wanaque South Project, (ii) finance the costs incurred in connection with the authorization, issuance and delivery of the

respective series of Bonds, including without limitation, a bond insurance premium (if any) relating to the Bonds and (iii) fund a debt service reserve fund, if necessary;

WHEREAS, pursuant to and in accordance with the provisions of the Act, prior to the issuance of the Bonds, the Commission shall cause to be filed with the Clerks of each Wanaque South Project Contracting Municipalities (as defined in the General Bond Resolution and the Subordinate General Bond Resolution), including the Local Unit, copies of the General Bond Resolution, the Eleventh Supplemental Bond Resolution, the Subordinate General Bond Resolution and the Ninth Subordinate Supplemental Bond Resolution and notice of a public comment to be held by the Commission regarding the issuance of the respective series of Bonds;

WHEREAS, the Eleventh Supplemental Bond Resolution and the Ninth Subordinate Supplemental Bond Resolution shall collectively be referred to as, the “Supplemental Bond Resolutions”;

WHEREAS, pursuant to the terms of the Supplemental Bond Resolutions, the Commission and the Trustee will enter into one or more disclosure agreements entitled “Commission Continuing Disclosure Agreement, Wanaque South Project Revenue Bonds, Series _____” to be dated as of the first day of the month of issuance of the respective series of Bonds (each a “*Commission Continuing Disclosure Agreement*”) in order to satisfy certain of the secondary market disclosure requirements of Rule 15c2-12 (“*Rule 15c2-12*”) promulgated by the Securities and Exchange Commission (the “*SEC*”) pursuant to the Securities Exchange Act of 1934, as amended (the “*Securities Exchange Act*”);

WHEREAS, if it is determined that the Local Unit is a materially obligated person within the meaning and for the purposes of Rule 15c2-12 in connection with the issuance of any series of the Bonds, the Local Unit, the Commission and the Trustee must each enter into one or more “Local Unit Continuing Disclosure Agreement, Wanaque South Project Revenue Bonds, Series _____” each to be dated as of the first day of the month of issuance of the respective series of the Bonds (each a “*Local Unit Continuing Disclosure Agreement*” and together with the Commission Continuing Disclosure Agreement, the “*Continuing Disclosure Agreements*”);

WHEREAS, in connection with the Commission EIT Bonds, the Commission shall enter into loan agreements with the EIT (the “*Trust Loan Agreement*”) and the State (the “*Fund Loan Agreement*”) and together with the Trust Loan Agreement, the “*Loan Agreements*”) evidencing their rights and obligations under the Commission EIT Bonds;

WHEREAS, a portion of the Bonds may be sold pursuant to the terms of one or more bond purchase agreements (each a “*Bond Purchase Agreement*” and collectively, the “*Bond Purchase Agreements*”) between the Commission and one or more underwriters to be selected by the Commission through a fair and open process (each an “*Underwriter*”), the financial terms of which shall be inserted by the authorized officer of the Commission pursuant to the authority delegated in the respective Supplemental Bond Resolutions;

WHEREAS, in order to market the Bonds, each Underwriter will require the Commission to execute and deliver a “Preliminary Official Statement” and a final “Official

Statement” in connection with each series of Bonds, all in accordance with the requirements of the Bond Purchase Agreements and applicable state and federal securities law; and

WHEREAS, among the terms of the Bond Purchase Agreements is the requirement that the Commission execute a tax certificate (the *Tax Certificate*) prior to or contemporaneously with the issuance of each series of the Bonds to enable bond counsel to the Commission to render its opinion that the interest on the Bonds will be excludable from the gross income of the owners thereof for federal income tax purposes.

NOW, THEREFORE, BE IT RESOLVED by the Local Unit as follows:

Section 1. In accordance with Section 203 of the Service Contract, the Local Unit hereby consents to the undertaking of the Projects and the issuance of the Bonds to finance the Projects in an amount which, together with the bonds issued for the Wanaque North Project, shall not exceed \$95,000,000.

Section 2. The Mayor, the Chief Financial Officer and the Clerk of the Local Unit (collectively, the “*Authorized Officer*”) are hereby each severally authorized and directed to execute and deliver each Local Unit Continuing Disclosure Agreement in substantially the form attached as Exhibit A hereto, with such changes thereto as the Authorized Officer, after consultation with counsel to the Local Unit, bond counsel to the Commission, general counsel to the Commission and other professional advisors to the Commission (the “*Consultants*”), deems in his or her sole discretion to be necessary, convenient or desirable to consummate the transactions contemplated hereby, which execution thereof shall constitute conclusive evidence of the Authorized Officer’s approval of the form thereof.

Section 3. The Clerk of the Local Unit (the “*Clerk*”) is hereby authorized and directed, upon the execution of each Local Unit Continuing Disclosure Agreement in accordance with the terms of Section 2 hereof, to attest to the Authorized Officer’s execution of such documents, and is hereby further authorized and directed to affix thereupon the corporate seal of the Local Unit.

Section 4. Upon the execution and attestation of and, if required, the placing of the seal upon each Local Unit Continuing Disclosure Agreement as contemplated by Sections 2 and 3 hereof, the Authorized Officer is hereby authorized and directed (a) to deliver the fully executed, attested and sealed document to the other parties thereto and (b) to perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 5. The Local Unit hereby authorizes the preparation and the distribution of financial statements and demographic and other information concerning the Local Unit (a) to be contained in each Preliminary Official Statement and final Official Statement to be issued by the Commission in connection with the marketing of the Bonds and/or (b) to be used by any rating agency (“*Rating Agency*”) providing a rating on the Bonds or by any bond insurer (“*Bond*

Insurer”) insuring the Bonds. In furtherance of such authorization, the Local Unit hereby directs the Authorized Officer to take such action as the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with the preparation and distribution of such information (i) for inclusion in each Preliminary Official Statement and each final Official Statement and/or (ii) to any such Rating Agency or Bond Insurer.

Section 6. The Local Unit hereby authorizes the performance of any act and the execution or acknowledgement and delivery of any other document, instrument or closing certificate that the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient to undertake the Projects and achieve the net savings to be generated by the Refunding, and the Local Unit hereby directs the Authorized Officer to execute or acknowledge, and to cause the Clerk to attest and affix the seal, where required, upon, any such document, instrument or closing certificate or to execute any certificate, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such persons. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the Local Unit in connection with the preparation and distribution of (i) the Preliminary Official Statement is “deemed final” for the purposes and within the meaning of Rule 15c2-12 and (ii) the Official Statement constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that each Local Unit Continuing Disclosure Agreement complies with Rule 15c2-12, (c) a determination that any information provided by or on behalf of the Local Unit or relating to the Local Unit, each Local Unit Continuing Disclosure Agreement or the transactions contemplated thereby in connection with the preparation and distribution of each Preliminary Official Statement and Official Statement complies with Section 10 and Rule 10b-5 of the Securities Exchange Act, (d) a determination that all legislative actions taken by the Local Unit in connection with the Refunding, including without limitation the authorization of the Service Contract, as of the date of issuance of the Bonds, have not been altered, amended, supplemented or repealed and as such, are in full force and effect, (e) a tax certificate in such form as prepared by Bond Counsel to the Commission to be relied upon by the Commission in providing its Tax Certificate and Bond Counsel in rendering its opinion regarding the tax exempt status of the Bonds, and (f) any representations, warranties or covenants required by any Bond Insurer and/or Rating Agency deemed necessary by counsel to the Commission for the issuance of the Bonds.

Section 7. The Bonds of each series shall be designated by the year of the issuance of such Bonds.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Clerk of the Local Unit shall forward certified copies of this resolution to the Authorized Officer, to Alan Genitempo, Esq., counsel to the Local Unit, to Todd R. Caliguire, Executive Director of the Commission and to Derek Orth, Esq., of Inglesino, Wyciskala & Taylor, LLP, general counsel to the Commission.

EXHIBIT A

[Attach Form of Local Unit Continuing Disclosure Agreement]

CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the "Agreement") dated as of _____, 2014 by and among the North Jersey District Water Supply Commission (the "Commission"), the _____ of _____, in the County of _____, New Jersey (the "Local Unit") and M&T Bank, Jersey City, New Jersey, as trustee (the "Trustee") under the general bond resolution of the Commission adopted by the Commission on August 22, 1986, as amended and supplemented (the "Resolution"), is executed and delivered in connection with the issuance of the Commission's \$ _____ principal amount of Wanaque South Project Revenue Bonds, Series 2014__ (the "Bonds"). Capitalized terms used in this Agreement which are not otherwise defined in the Resolution shall have the respective meanings specified above or in Article IV hereof. The parties agree as follows:

ARTICLE I

THE UNDERTAKING

Section 1.1. Purpose; Commission Determination. This Agreement is being executed and delivered solely to assist the Underwriter in complying with subsection (b)(5) of the Rule. The Commission has determined that the Local Unit constitutes a material "obligated person" in connection with the issuance of the Bonds, as the term "obligated person" is defined in the Rule, because it currently pays under the South Service Contract an amount in excess of 10% of the revenues received by the Commission under the South Service Contract in a fiscal year.

Section 1.2. Annual Financial Information. (a) The Local Unit shall provide Annual Financial Information with respect to each fiscal year of the Local Unit, commencing with the fiscal year ending [December 31, 2013], by no later than 270 days after the end of its fiscal year, to the MSRB and the Trustee. If the Trustee has not received the Annual Financial Information thirty (30) days prior to the date specified in the preceding sentence, the Trustee shall provide notice in writing to the Local Unit that the Annual Financial Information is required to be provided by such date.

(b) The Trustee shall provide, in a timely manner, notice of any failure of the Local Unit to provide the Annual Financial Information by the date specified in subsection (a) above to the MSRB, the Local Unit and the Commission.

Section 1.3. Audited Financial Statements. If not provided as part of Annual Financial Information by the date required by Section 1.2(a) hereof because not available, the Local Unit shall provide Audited Financial Statements of the Local Unit, when and if available, to the MSRB.

Section 1.4. Additional Disclosure Obligations. The Local Unit acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Local Unit, and that under some circumstances compliance with this Agreement, without

additional disclosures or other action, may not fully discharge all duties and obligations of the Local Unit under such laws.

Section 1.5. Additional Information. Nothing in this Agreement shall be deemed to prevent the Local Unit from disseminating any other information, using the means of dissemination set forth in this Agreement or any other means of communication, or including any other information in any Annual Financial Information hereunder, in addition to that which is required by this Agreement. If the Local Unit chooses to do so, the Local Unit shall have no obligation under this Agreement to update such additional information or include it in any future Annual Financial Information.

Section 1.6. No Previous Non-Compliance. The Local Unit represents that, except as disclosed in the Official Statement, in the previous five (5) years, it has not failed to comply in any material respect with any previous undertaking in a written contract or agreement specified in paragraph (b)(5)(i) of the Rule.

ARTICLE II

OPERATING RULES

Section 2.1. Reference to Other Filed Documents. It shall be sufficient for purposes of Section 1.2 hereof if the Local Unit provides Annual Financial Information by specific reference to documents (i) available to the public on the MSRB Internet Website (currently www.emma.msrb.org) or (ii) filed with the SEC.

Section 2.2. Submission of Information. Annual Financial Information may be provided in one document or multiple documents, and at one time or in part from time to time.

Section 2.3. Dissemination Agents. The Issuer may from time to time designate an agent to act on its behalf in providing or filing notices, documents and information as required of the Local Unit under this Agreement, and revoke or modify any such designation.

Section 2.4. Transmission of Notices, Documents and Information. (a) Unless otherwise required by the MSRB, all notices, documents and information provided to the MSRB shall be provided to the MSRB's Electronic Municipal Markets Access (EMMA) system, the current Internet Web address of which is www.emma.msrb.org.

(b) All notices, documents and information provided to the MSRB shall be provided in an electronic format as prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB.

Section 2.5. Fiscal Year. (a) The Local Unit's current fiscal year is [January 1 to December 31] and the Local Unit shall promptly notify (i) the MSRB and (ii) the Trustee of each change in its fiscal year.

(b) Annual Financial Information shall be provided at least annually notwithstanding any fiscal year longer than twelve (12) calendar months.

ARTICLE III

EFFECTIVE DATE, TERMINATION, AMENDMENT AND ENFORCEMENT

Section 3.1. Effective Date; Termination. (a) This Agreement shall be effective upon the issuance of the Bonds.

(b) The Local Unit's and the Trustee's obligations under this Agreement shall terminate upon a legal defeasance, prior redemption or payment in full of all of the Bonds.

(c) This Agreement, or any provision hereof, shall be null and void in the event that the Commission (1) delivers to the Trustee an opinion of Counsel, addressed to the Commission and the Trustee, to the effect that those portions of the Rule which require this Agreement, or such provision, as the case may be, do not or no longer apply to the Bonds, whether because such portions of the Rule are invalid, have been repealed, or otherwise, as shall be specified in such opinion and (2) delivers copies of such opinion to the MSRB.

Section 3.2. Amendment. (a) This Agreement may be amended, by written agreement of the parties, without the consent of the holders of the Bonds (except to the extent required under clause (4)(ii) below), if all of the following conditions are satisfied: (1) such amendment is made in connection with a change in circumstances that arises from a change in legal (including regulatory) requirements, a change in law (including rules or regulations) or in interpretations thereof, or a change in the identity, nature or status of the Issuer or the type of business conducted thereby, (2) this Agreement as so amended would have complied with the requirements of the Rule as of the date of this Agreement, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, (3) the Commission shall have delivered to the Trustee an opinion of Counsel, addressed to the Commission and the Trustee, to the same effect as set forth in clauses (1) and (2) above, (4) either (i) the Commission shall have delivered to the Trustee an opinion of Counsel or a determination by a reputable law firm, in each case unaffiliated with the Commission (such as bond counsel) and acceptable to the Commission, addressed to the Commission and the Trustee, to the effect that the amendment does not materially impair the interests of the holders of the Bonds or (ii) the holders of the Bonds consent to the amendment to this Agreement pursuant to the same procedures as are required for amendments to the Resolution with consent of holders of Bonds pursuant to Article XI of the Resolution as in effect on the date of this Agreement and (5) the Issuer shall have delivered copies of such opinion(s) and amendment to the MSRB.

(b) This Agreement may be amended, by written agreement of the parties, without the consent of the holders of the Bonds, if all of the following conditions are satisfied: (1) an amendment to the Rule is adopted, or a new or modified official interpretation of the Rule is issued, after the effective date of this Agreement which is applicable to this Agreement, (2) the Commission shall have delivered to the Trustee an opinion of Counsel, addressed to the

Commission and the Trustee, to the effect that performance by the Commission and Trustee under this Agreement as so amended will not result in a violation of the Rule and (3) the Commission shall have delivered copies of such opinion and amendment to the MSRB.

(c) This Agreement may be amended by written agreement of the parties, without the consent of the holders of the Bonds, if all of the following conditions are satisfied: (1) the Commission shall have delivered to the Trustee an opinion of Counsel, addressed to the Commission and the Trustee, to the effect that the amendment is permitted by rule, order or other official pronouncement, or is consistent with any interpretive advice or no-action positions of Staff, of the SEC, and (2) the Commission shall have delivered copies of such opinion and amendment to the MSRB.

(d) To the extent any amendment to this Agreement results in a change in the type of financial information or operating data provided pursuant to this Agreement, the first Annual Financial Information provided thereafter shall include a narrative explanation of the reasons for the amendment and the impact of the change in the type of operating data or financial information being provided.

(e) If an amendment is made pursuant to Section 3.2(a) hereof to the accounting principles to be followed in preparing financial statements, the Annual Financial Information for the fiscal year in which the change is made shall present a comparison between the financial statements or information prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles. Such comparison shall include a qualitative and, to the extent reasonably feasible, quantitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information.

Section 3.3. Benefit; Third-Party Beneficiaries; Enforcement. (a) The provisions of this Agreement shall constitute a contract with and inure solely to the benefit of the holders from time to time of the Bonds, except that beneficial owners of Bonds shall be third-party beneficiaries of this Agreement. The provisions of this Agreement shall create no rights in any person or entity except as provided in this subsection (a) and subsection (b) of this Section.

(b) The obligations of the Local Unit to comply with the provisions of this Agreement shall be enforceable (i) in the case of enforcement of obligations to provide financial statements, financial information, operating data and notices, by any holder of Outstanding Bonds, or by the Trustee on behalf of the holders of Outstanding Bonds or (ii) in the case of challenges to the adequacy of the financial statements, financial information and operating data so provided, by the Trustee on behalf of the holders of Outstanding Bonds; provided, however, that the Trustee shall not be required to take any enforcement action except at the direction of the holders of not less than a majority in aggregate principal amount of the Bonds at the time Outstanding who shall have provided the Trustee with adequate security and indemnity. The holders' and Trustee's rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the Issuer's obligations under this Agreement. In consideration of the third-party beneficiary status of beneficial owners of Bonds pursuant to subsection (a) of this Section, beneficial owners shall be deemed to be holders of Bonds for purposes of this subsection (b).

(c) Any failure by the Local Unit or the Trustee to perform in accordance with this Agreement shall not constitute a default or an event of default under the Resolution, and the rights and remedies provided by the Resolution upon the occurrence of a default or an event of default shall not apply to any such failure.

(d) This Agreement shall be construed and interpreted in accordance with the laws of the State, and any suits and actions arising out of this Agreement shall be instituted in a court of competent jurisdiction in the State; provided, however, that to the extent this Agreement addresses matters of federal securities laws, including the Rule, this Agreement shall be construed in accordance with such federal securities laws and official interpretations thereof.

ARTICLE IV

DEFINITIONS

Section 4.1. Definitions. The following terms used in this Agreement shall have the following respective meanings:

(1) “Annual Financial Information” means, collectively, (a) the financial information and operating data for each fiscal year of the type included in the Official Statement under the caption “HISTORICAL [AND FORECASTED] OPERATING RESULTS”; and (b) the information regarding amendments to this Agreement required pursuant to Sections 3.2(c) and (d) of this Agreement. Annual Financial Information shall include Audited Financial Statements, if available, or Unaudited Financial Statements of the Local Unit.

The descriptions contained in clause (i) above of financial information and operating data constituting Annual Financial Information are of general categories of financial information and operating data. When such descriptions include information that no longer can be generated because the operations to which it related have been materially changed or discontinued, a statement to that effect shall be provided in lieu of such information. Any Annual Financial Information containing modified financial information or operating data shall explain, in narrative form, the reasons for the modification and the impact of the modification on the type of financial information or operating data being provided.

(2) “Audited Financial Statements” means the annual financial statements, if any, of the Local Unit audited by such auditor as shall then be required or permitted by State law. Audited Financial Statements shall be prepared in accordance with generally accepted auditing standards applicable to the Local Unit; provided, however, that pursuant to Section 3.2(a) hereof, the Local Unit may from time to time, if required by federal or State legal requirements, modify the accounting principles to be followed in preparing its financial statements. The notice of any such modification required by Section

3.2(a) hereof shall include a reference to the specific federal or State law or regulation describing such accounting principles, or other description thereof.

(3) "Counsel" means GluckWalrath LLP or other nationally recognized bond counsel or counsel expert in federal securities laws.

(4) "MSRB" means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934 or any successor thereto or to the functions of the MSRB contemplated by this Agreement.

(5) "Official Statement" means the Official Statement of the Commission relating to the Bonds.

(6) "Rule" means Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934 (17 CFR Part 240, §240.15c2-12), as in effect on the date of this Agreement, including any official interpretations thereof issued either before or after the effective date of this Agreement which are applicable to this Agreement.

(7) "SEC" means the United States Securities and Exchange Commission.

(8) "South Service Contract" means that certain "Agreement" dated as of April 13, 1982, among the City of Bayonne, the Township of Bloomfield, the Township of Cedar Grove, the Town of Kearny, the City of Newark, the Town of Nutley and the Township of Wayne, as amended, as the same may be further amended or supplemented in accordance with its terms.

(9) "State" means the State of New Jersey.

(10) "Unaudited Financial Statements" means the same as Audited Financial Statements, except that they shall not have been audited.

(11) "Underwriter" means _____.

ARTICLE V

MISCELLANEOUS

Section 5.1. Duties, Immunities and Liabilities of Trustee. Article IX of the Resolution is hereby made applicable to this Agreement as if this Agreement were (solely for this purpose) contained in the Resolution. The Trustee shall have only such duties under this Agreement as are specifically set forth in this Agreement, and the Commission agrees, to the extent permitted by law, to indemnify and save the Trustee, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or

performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Trustee's negligence or willful misconduct in the performance of its duties hereunder. Such indemnity shall be separate from and in addition to that provided to the Trustee under the Resolution. The obligations of the Commission under this Section shall survive resignation or removal of the Trustee and payment of the Bonds.

Section 5.2. Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have each caused this Agreement to be executed by their duly authorized representatives all as of the date first above written.

**NORTH JERSEY DISTRICT WATER
SUPPLY COMMISSISON**

By: _____
Name: Todd R. Caliquire
Title: Executive Director

_____ OF _____, IN THE
COUNTY OF _____, NEW JERSEY

By _____
Name:
Title:

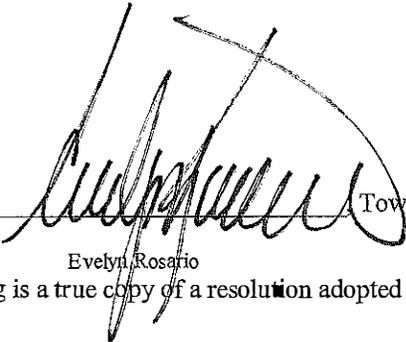
THE BANK OF NEW YORK MELLON, as
Trustee

By _____
Name:
Title:

I, Evelyn Rosario, Clerk of the Township of Nutley, State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Municipal Council of the Township of Nutley at a meeting held on May 6, 2014 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed the corporate seal of the Township of Nutley this 7th day of May, 2014.

 EVELYN ROSARIO
 CLERK OF THE TOWNSHIP OF NUTLEY

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held May 6, 2014

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

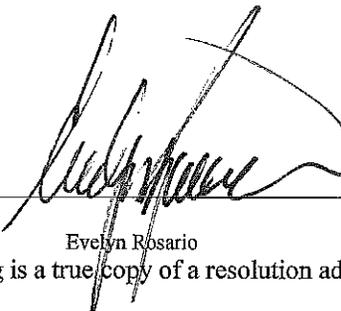
BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* May 6, 2014
Seconded by: Commissioner Mauro G. Tucci *No.* 96-14

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 \$5,929.26 for the following accounts.

Block & Lot	Address	Amount
200 11	462 Kingsland St.	\$ 1,792.53 -11/08/13
4201 19	86 Chestnut St.	\$ 4,136.73 -05/07/13

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

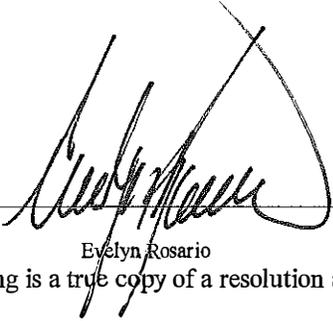
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* April 1, 2014
Seconded by: Commissioner Mauro G. Tucci *No.* 97-14

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 \$429.00

Block & Lot	Address	Amount
7501 1	160 Franklin Ave	\$429.00

. . .

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* May 6, 2014

Seconded by: Commissioner Mauro G. Tucci *No.* 101-14

A RESOLUTION AUTHORIZING THE TOWNSHIP OF NUTLEY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, here in after referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the provision and performance of goods and services;

WHEREAS, on May 6, 2014, the governing body of the Township of Nutley, County of Essex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

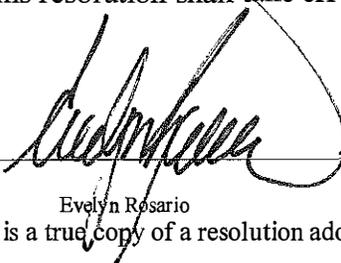
This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Nutley.

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), Mayor Alphonse Petracco is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1) and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage.

. . .

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* May 6, 2014

Seconded by: Commissioner Mauro G. Tucci *No.* 107-14

WHEREAS, the Township of Nutley has a need to acquire the services of an Attorney as Municipal Tax Counsel to provide legal counsel services concerning "Municipal Tax Appeals" 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, the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo, 360 Passaic Avenue, Nutley, New Jersey 07110 has submitted a fee schedule for providing such services, the total of which is not to exceed \$40,000.00; and

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

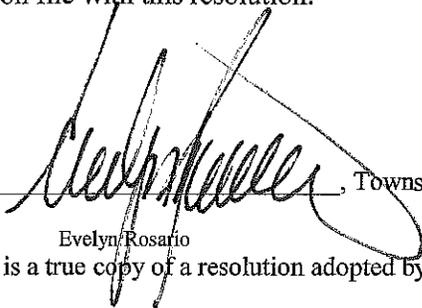
WHEREAS, the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available from account no. 4-01-204-200 (Subject to 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 the Mayor to enter into a contract with the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo; 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 May 7, 2014

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

TOWNSHIP OF NUTLEY
RESOLUTION # 108-14
TO AMEND INTRODUCED BUDGET

Whereas, the local municipal budget for the year 2014 was approved on the 1st day of April, 2014, and

Whereas, the public hearing on said budget has been held as advertised, and,

Whereas, it is desired to amend said approved budget,

Now, Therefore, Be It Resolved by the Governing Body of the Township of Nutley, County of Essex that the following amendments to the approved budget of 2014 be made:

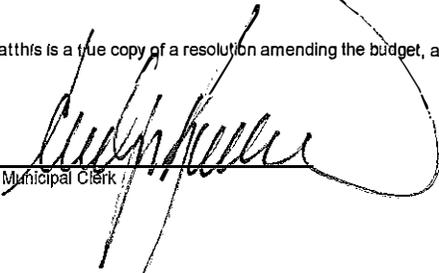
Recorded Vote (Insert last names)	AYES	{ { { { {	TUCCI EVANS SCARPELLI PETRACCO							
				NAYS	{ { {	ABSTAINED	{ { {	ABSENT	{ { {	ROGERS
								FROM		TO
General Revenues :										
3. Miscellaneous Revenues - Section B : State Aid Without Offsetting Appropriations										
								\$	969,380.00	\$ 2,750,153.00
									3,617,010.00	5,397,783.00
Total Section B : State Aid Without Offsetting Appropriations										
3. Miscellaneous Revenues - Section C : Dedicated Uniform Construction Code Fees										
Offset with Appropriations (N.J.S. 40A:4-36 and N.J.A.C.5:23-4.17)										
								\$	300,000.00	\$ 290,500.00
									300,000.00	290,500.00
Total Section C : Dedicated Uniform Construction Code Fees Offset with Appropriations										
3. Miscellaneous Revenues - Section D : Special Items of Revenue Anticipated										
With Prior Written Consent of the Director of Local Government Services - Shared										
Municipal Service Agreements Offset With Appropriations:										
								\$	5,000.00	\$ 14,500.00
									5,000.00	14,500.00
Total Section D : Shared Municipal Service Agreements Offset With Appropriations										
Summary of Revenues										
3. Miscellaneous Revenues										
									3,617,010.00	5,397,783.00
									300,000.00	290,500.00
									5,000.00	14,500.00
									6,447,449.04	8,228,222.04
Total Miscellaneous Revenues										
									12,066,291.04	13,847,064.04
5. Subtotal General Revenues (Items 1,2,3 and 4)										
									<u>50,445,888.15</u>	<u>52,226,661.15</u>
7. Total General Revenues										
General Appropriations:										
(A) Operations - Excluded from "CAPS"										
									0.00	1,317,978.00
									0.00	462,795.00
									4,509,306.00	6,290,079.00
									4,765,398.15	6,546,171.15
Total Operations - Excluded from "CAPS"										
Detail:										
									4,735,398.15	6,516,171.15
Other Expenses										
									7,551,562.15	9,332,335.15
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"										
									7,551,562.15	9,332,335.15
(O) Total General Appropriations -Excluded from "CAPS"										
									46,110,542.15	47,891,315.15
(L) Subtotal General Appropriations {Items (H-I) and (O)}										
									<u>50,445,888.15</u>	<u>52,226,661.15</u>
9. Total General Appropriations										

Be It Further Resolved, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

Be It Further Resolved, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the Nutley Sun in the issue of May 15, 2014, and that said publication contain notice of public hearing on said amendment to be held at Nutley Town Hall on May 20, 2014, at 7:00 o'clock (p.m.).

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 6th day of May, 2014

Certified by me:
May 6th, 2014


Municipal Clerk

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* May 6, 2014

Seconded by: Commissioner Mauro G. Tucci *No.* 109-14

WHEREAS, the Township of Nutley has a need to acquire Grant Consulting Services through a fair and open process pursuant to N.J.S.A. 19:44 20.5 and,

WHEREAS, Millennium Strategies, 60 Roseland Avenue, Caldwell NJ, 07006 has completed and submitted a Request for Qualifications for Grant Consulting Services which complies with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township formed a committee to considered all proposals based upon a range of criteria, including technical, management and cost; and

WHEREAS, based upon the recommendation of the committee, Millennium Strategies provides the best overall service to the Township; and

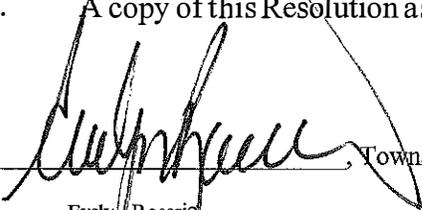
WHEREAS, the term of this contract is for twelve (12) months, from January 1, 2014 through December 31, 2014; and

WHEREAS, funds are available from account no. 4-01-209-205 (Subject to 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, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, as follows:

1. A contract shall be entered into between the Township of Nutley and Millennium Strategies LLC, 60 Roseland Avenue, Caldwell, New Jersey 07006 for Grants Consulting Services.
2. A copy of this Resolution as well as the Contract shall be placed on file with the Township Clerk.

. . .

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* May 6, 2014
Seconded by: Mayor Alphonse Petracco *No.* 98-14

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for the 2013 Roadway Improvements, in the Township of Nutley, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, 07110, on Wednesday, May 28, 2014 at 3:00 P.M. prevailing time, at which time they will be 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 . . . [Click here to enter a date.](#)

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

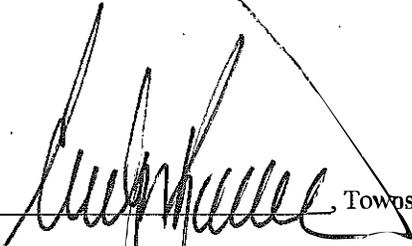
BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* May 6, 2014

Seconded by: Mayor Alphonse Petracco *No.* 99-14

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for the 2014 Crack Sealing Program, in the Township of Nutley, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, 07110, on Wednesday, May 28, 2014 at 3:00 P.M. prevailing time, at which time they will be 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 Click here to enter a date.

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* May 6, 2014

Seconded by: Mayor Alphonse Petracco *No.* 100-14

**RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004
HIGHLANDS WATER PROTECTION AND PLANNING ACT**

WHEREAS, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources and

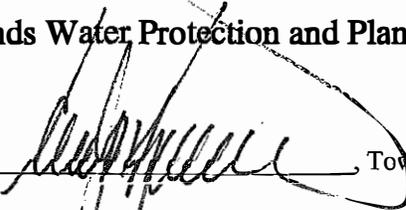
WHEREAS, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

WHEREAS, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process.

WHEREAS, the Township of Nutley is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region; and that the Township of Nutley relies on the resources of the Highlands to meet the current and future needs of its residents.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Nutley wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

. . .

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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* May 6, 2014

Seconded by: Mayor Alphonse Petracco *No.* 103-14

WHEREAS, public works services provided in the Township of Nutley are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, engineering services and recycling collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform; and

WHEREAS, this year's theme "*Building for Today, Planning for Tomorrow*" is a tribute to all Public Works employees who create the foundation of a stronger, more livable community; and

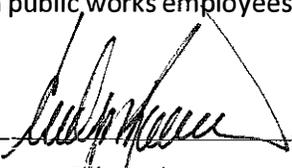
WHEREAS, the year 2014 marks the 54th Annual National Public Works Week sponsored by the American Public Works Association;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey do hereby proclaim the week of May 18, 2014 as

NATIONAL PUBLIC WORKS WEEK

in the Township of Nutley and call upon all citizens and civic organizations to acquaint themselves with the issues in providing public works and to recognize the contributions which public works employees make every day to our health, safety, comfort and quality of life.

...

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 May 6, 2014

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

**BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY**

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* May 6, 2014

Seconded by: _____ *No.* 105-14

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2014 Transportation Alternative Program for Township of Nutley Olde Towne Beautification Project.

WHEREAS, the Township of Nutley continues to develop projects that will improve access and maintenance on public roads and sidewalks; and

WHEREAS, the Township of Nutley's Engineering Department has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads and sidewalks; and

WHEREAS, the Township of Nutley has designed the Olde Towne Beautification Project for streetscape and safety improvements for Chestnut Street transit hubs; and

WHEREAS, the Township of Nutley, Department of Public Works will assume all responsibility with regard to maintenance and upkeep of this project; and

WHEREAS, the Township of Nutley, Department of Public Works will assign Salvatore Ferraro, Engineering / Chief Project Coordinator – Construction, who will serve as the *responsible charge* for the project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey formally approves the grant application for the Olde Towne Beautification Project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *TA-2014-x-NutleyOldeTowneBeautificationPr-00005* to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Nutley and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**Certified as a true copy of the Resolution adopted by the Commissioners
On this 6th day of May, 2014.**

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Clerk

Mayor

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 _____ May 6, 2014

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

**BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY**

Resolution

Introduced by: Mayor Alphonse Petracco *Date:* May 6, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 102-14

BE IT RESOLVED by the Township of Nutley in the County of Essex, New Jersey that the following be appointed as a volunteer to the Nutley Fire Department effective immediately:

Ken Drittij
50 Weston Street
Nutley, NJ

. . .

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

May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

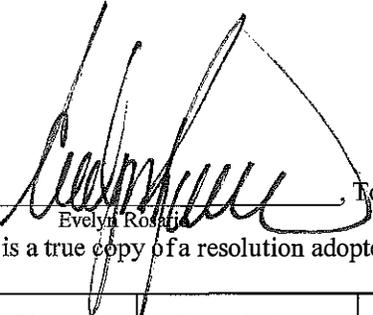
Introduced by: Mayor Alphonse Petracco *Date:* May 6, 2014
Seconded by: Commissioner Joseph P. Scarpelli *No.* 104-14

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk be and she is hereby authorized to advertise for SEALED BIDS for POLICE and CROSSING GUARD UNIFORMS.

Specifications are available in the Purchasing Department, Township Hall, One Kennedy Drive, Nutley, NJ.

Bids to be received on WEDNESDAY, June 4, 2014 in the Commission Chambers, Third Floor, Township Hall, Kennedy Drive, at 3:00 pm, 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 May 6, 2014 .

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

BOARD OF COMMISSIONERS

TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco *Date:* May 6, 2014

Seconded by: Commissioner Joseph P. Scarpelli *No.* 106-14

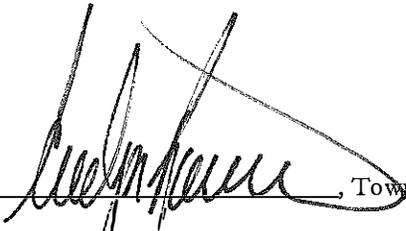
WHEREAS, raffle applications have been received from the following organizations; and

PTO Nutley Lincoln School	License No. 45-14 On-Premise 50/50 Cash Raffle	May 30, 2014
Shelter Love Events Inc.	License No. 46-14 On-Premise 50/50 Cash Raffle	May 22, 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, State of New Jersey 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 May 6, 2014

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* May 6, 2014

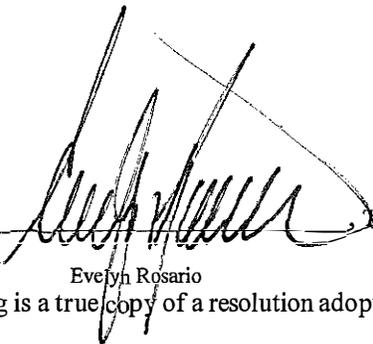
Seconded by: Commissioner Mauro G. Tucci *No.* 110-14

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
2. Acquisition of Property

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 May 6, 2014

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