



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

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

5 MAYOR PETRACCO: Madam Clerk?

6 MADAM CLERK: Yes, Mayor? Are we ready?

7 MAYOR PETRACCO: We are ready.

8 MADAM CLERK: Okay. Tuesday, June 17th, 2014 --  
9 pursuant to the requirements of the Open Public Meeting Law,  
10 chapter 231 Public Laws 1975, notice of this meeting was  
11 published in the December 12th, 2013 issues of the Nutley  
12 Sun, the Star Ledger, and the Herald News. A copy of this  
13 notice has been posted on the Nutley town hall bulletin  
14 board, and a copy is on file in the municipal clerk's  
15 office.

16 Commissioner Rogers?

17 COMMISSIONER ROGERS: Here.

18 MADAM CLERK: Commissioner Tucci is absent/excused  
19 this evening. Commissioner Evans is absent/excused this  
20 evening.

21 Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Here.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Here.

25 MADAM CLERK: All present, Mayor, with the

1 exception of Commissioner Tucci and Commission Evans, who  
2 are both absent/excused this evening.

3 MAYOR PETRACCO: Thank you.

4 Commissioner Scarpelli, I understand you have a  
5 presentation this evening.

6 COMMISSIONER SCARPELLI: Yeah, we have a  
7 presentation from the American Forest and Paper Association,  
8 the recycling award.

9 Tim, you want to come up to the microphone and  
10 just give your name and affiliation and whatever you want to  
11 say tonight?

12 MR. CRAWFORD: Yes, thank you, Commissioner  
13 Scarpelli and the town. It's great to be here. I'm Tim  
14 Crawford, senior vice president of Soundview Paper, head of  
15 operations in technology. We purchased Marcal Paper two  
16 years ago, and we're members of the American Forest and  
17 Paper Association.

18 Very glad to be here today, and, on behalf of the  
19 American Forest and Paper Association, AF&PA is a national  
20 trade association that serves to advance sustainable pulp  
21 and paper packaging and wood products manufacturing industry  
22 in the United States. I'm excited to present to  
23 Commissioner Scarpelli and the township of Nutley with the  
24 2014 AF&PA community recycling award for creativity and  
25 volume.

1 Paper recycling is a great environmental success  
2 story in this nation. It was the start of Marcal and  
3 continues today with Soundview Paper. More than 60 percent  
4 of the paper consumed in the United States has been  
5 recovered from recycling each year since 2009.

6 The successes over the years would not be possible  
7 without the efforts that you have here in this community in  
8 the businesses and schools' recycling programs like those  
9 presented this year as you being the AF&PA recycling award  
10 winners. You've expanded and grown your program since its  
11 start in 1981. Mixed Paper, our corrugated cardboard  
12 shredded paper are now accepted recycling, and you often  
13 exceed the state recycling requirements.

14 The township of Nutley program is particularly  
15 intriguing thanks to the breadth and depth of the paper  
16 recovery efforts currently that you have in place, and it's  
17 something the AF&PA wants to promote throughout the United  
18 States in each state. The creativity you've shown to raise  
19 recycling awareness among your residents ranges from  
20 outreach during community events to your relationship with  
21 the public library to recycle older books, and engaging the  
22 Nutley school district.

23 The township of Nutley provides a great example in  
24 this country of outstanding paper recycling programs that  
25 exceed expectations, and it's the reason your program was

1 selected as the winner of the 2014 AF&PA community recycling  
2 award for creativity and volume. AF&PA received many high-  
3 quality entries, and the panel of judges had their work cut  
4 out for them, but they all agreed that your program was the  
5 most deserving for this award.

6 For recognizing that we share your commitment of  
7 leadership in increasing the recovery of paper for  
8 recycling, it is my great pleasure and privilege to present  
9 the township of Nutley with the 2014 AF&PA community  
10 recycling awards for creativity and volume. To help others  
11 learn from your program, we have developed a case study that  
12 is featured in our website on the AF&PA website.

13 Congratulations on your achievement, and we look  
14 forward to seeing where you will go from here with this very  
15 impressive program. Thank you very much.

16 MAYOR PETRACCO: Thank you so much.

17 (Applause)

18 COMMISSIONER SCARPELLI: We're very proud to  
19 accept this award. This is a group effort among all the  
20 departments of the township, along with the schools, and  
21 we've been promoting recycling, expanding it continually,  
22 and we will continue to do that, and, on behalf of the town,  
23 I'd like to say thank you.

24 MR. CRAWFORD: Absolutely. Thank you.

25 (Applause)

1 UNIDENTIFIED SPEAKER: So it's not just an award.  
2 We (off-mike).

3 UNIDENTIFIED SPEAKER: I'll take that.

4 (Laughter)

5 (Pause)

6 MAYOR PETRACCO: Thank you so much for coming this  
7 evening. We appreciate it.

8 Okay. We will now move on to minutes, please.

9 MADAM CLERK: Mayor, we have no minutes this  
10 evening.

11 MAYOR PETRACCO: Communications?

12 MADAM CLERK: No communications this evening,  
13 Mayor.

14 MAYOR PETRACCO: How about some reports?

15 MADAM CLERK: No reports this evening.

16 MAYOR PETRACCO: I guess we'll move on to our  
17 bills.

18 MADAM CLERK: Okay. Bill list Tuesday, June 17th,  
19 2014 -- Public Affairs, \$138,640.14; Revenue and Finance,  
20 \$2,301,118.15; Public Safety, \$64,343.88; Public Works,  
21 \$59,044.23; Parks and Public Property, \$35,767.32. Payroll  
22 as of June 6th, 2014, \$777,243.40, for a grand total bill  
23 list of \$3,376,157.12. And that's all --

24 COMMISSIONER SCARPELLI: Move the bills.

25 COMMISSIONER ROGERS: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS:

3 COMMISSIONER ROGERS: (No audible response.)

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 CLERK: Mayor Petracco?

7 MAYOR PETRACCO: Aye.

8 MADAM CLERK: Thank you, Mayor.

9 MAYOR PETRACCO: Okay. Thank you.

10 We will now move on to ordinance introductions. I  
11 will start with the first ordinance introduction, ordinance  
12 number 3288.

13 This is, very briefly, a bus stop that we're  
14 eliminating on the corner of Nutley Ave. and Washington  
15 Avenue. An ordinance to amend an ordinance codified in the  
16 code of the township of Nutley, chapter 228 entitled  
17 vehicles in traffic, particularly article 7, special zones  
18 and areas, lane use reservation, section 28 entitled bus  
19 stops to delete the location set forth on set forth therein.

20 I move that this ordinance be passed to the second  
21 reading and advertised in the Nutley Sun together with the  
22 notice required by law and that further consideration of  
23 said ordinance for final passage by the board of  
24 commissioners to be held on July 15th, 2014. I move the  
25 ordinance.

1 COMMISSIONER SCARPELLI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: (No audible response.)

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Mayor Petracco?

7 MAYOR PETRACCO: Aye. Thank you.

8 My second ordinance introduction -- it's ordinance  
9 number 3289, an ordinance to amend an ordinance entitled an  
10 ordinance to fix the salaries of certain officers and  
11 employees of the township of Nutley, County of Essex, state  
12 of New Jersey effective January 1st, 2014. Municipal court  
13 clerk -- I know I read this in the back, Madam Clerk, but  
14 shall I read it, a letter from our Judge Cocchiola out here?  
15 Is that okay?

16 MADAM CLERK: It's not necessary, Mayor.

17 MAYOR PETRACCO: Not necessary? Okay.

18 I move that this ordinance be passed to the second  
19 reading and advertised in the Nutley Sun together with the  
20 notice required by law and that further consideration of  
21 said ordinance to final passage by the board of  
22 commissioners to be held at its second reading on, again,  
23 July 15th, 2014. I move the ordinance.

24 COMMISSIONER ROGERS: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: (No audible response.)

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Aye. Thank you.

6 Now, we will move on to resolutions.

7 Commissioner Rogers?

8 COMMISSIONER ROGERS: Resolution number 145-14 --

9 WHEREAS, requests for proposals for solid waste,  
10 bulk waste, vegetative waste, leaves and grass were opened  
11 on Wednesday, May 28th, 2014; and

12 WHEREAS, only one bid was received by the  
13 municipality, said bid substantially exceeds the cost  
14 estimate for the services.

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

17 NOW, THEREFORE, BE IT RESOLVED by the board of  
18 commissioners of the township of Nutley that the bids for  
19 solid waste, bulk waste, vegetative waste, leaves and grass  
20 as advertised, received, and opened are hereby rejected; and

21 BE IT FURTHER RESOLVED THAT the township clerk be  
22 and is hereby authorized to again advertise for sealed bids  
23 solid waste, bulk waste, vegetative waste, leaves and grass;

24 BE IT FURTHER RESOLVED that bids are to be  
25 received on Tuesday, August 26th, 2014 in the commission

1 chambers, township hall at 3:00 p.m. prevailing time, at  
2 which time they will be opened and read.

3 So moved.

4 COMMISSIONER SCARPELLI: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: Aye.

11 Commissioner Tucci is reading his.

12 Commissioner Rogers?

13 COMMISSIONER ROGERS: Let's go to Commissioner

14 Evans, and I'll read Commissioner --

15 MAYOR PETRACCO: Okay, that's fine.

16 COMMISSIONER ROGERS: Resolution 140-14, on behalf  
17 of Commissioner Evans.

18 BE IT RESOLVED by the board of commissioners of  
19 the township of Nutley in the county of Essex, state of New  
20 Jersey the treasurer be and she is hereby authorized to  
21 refund overpayments of the property taxes in the amount of  
22 \$2,016.99 for the following accounts. Block 8304, lot 9,  
23 address 12 Blum Lane, amount \$2,016.99, 08/08/13.

24 So moved.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: This is Commissioner  
9 Tucci's resolution.

10 WHEREAS, the township of Nutley heretofore entered  
11 into a contract with Neglia Engineering, 34 Park Avenue,  
12 Lyndhurst, New Jersey for technical and management services  
13 for the Monsignor Owens Park field reconstruction project;  
14 and

15 WHEREAS, the director of recreation of the  
16 Department of Parks and Public Property has recommended the  
17 following change order from said contract. Change order  
18 number four, professional billing services in the amount of  
19 \$135. The monies are available from ordinance number 3214-B  
20 and has been certified by the chief financial officer and  
21 said certification is attached to this resolution.

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 that change number for \$135 be and is  
25 hereby approved.

1 I move the resolution.

2 COMMISSIONER ROGERS: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: (No audible response.)

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: Aye.

9 COMMISSIONER SCARPELLI: Let's see. The next  
10 three are my resolutions.

11 BE IT RESOLVED by the board of commissioners,  
12 township of Nutley, county of Essex, state of New Jersey  
13 that the township clerk is hereby authorized to advertise  
14 for sealed bids for the Park Avenue section one in the  
15 township of Nutley to be received on behalf of the board of  
16 commissioners in the commission chambers, township hall, 1  
17 Kennedy Drive, Nutley, New Jersey 07110 on Wednesday,  
18 July 9th, 2014 at 3:00 p.m. prevailing time, at which time  
19 they will be opened and read.

20 I move the resolution.

21 COMMISSIONER ROGERS: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: (No audible response.)

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Aye.

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: Aye.

3 COMMISSIONER SCARPELLI: WHEREAS, bids were  
4 received for the 2013 various road improvements opened and  
5 read on May 28th, 2014 at 3:00 p.m. prevailing time; and

6 WHEREAS, the low responsible bidder requests to  
7 withdraw due to a calculation error;

8 WHEREAS, the township attorney, township engineer  
9 have reviewed pursuant to N.J.S.A. 40A:11-23.3, the township  
10 of Nutley accepts bid withdrawal requests.

11 NOW, THEREFORE, BE IT RESOLVED by the board of  
12 commissioners township of Nutley, county of Essex, state of  
13 New Jersey that the low bid is rejected.

14 I move the resolution.

15 COMMISSIONER ROGERS: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: (No audible response.)

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 COMMISSIONER SCARPELLI: WHEREAS, the township of  
23 Nutley in accordance with the local public contracts  
24 advertised for sealed bids for the 2013 roadway  
25 improvements; and

1           WHEREAS, on May 28th, 2014, six sealed bids were  
2 received from the following vendors. Stanziale  
3 Construction, \$510,416.65; D&L Paving Contractors,  
4 \$32,121.14; A.J.M. Contractors, Inc., \$556,090; BLS  
5 Contracting, \$608,544; Cifelli & Sons, \$657,649; Reivax  
6 Contracting, \$669,867. Due to an error in calculation on  
7 the bid form, the vendor requested to withdraw this bid.  
8 That's an asterisk at Stanziale Construction.

9           WHEREAS, the township attorney and township  
10 engineer have reviewed the above listed bid packages  
11 pursuant to N.J.S.A. 40A:11-23.3, the township of Nutley  
12 accepts contractor requests for a bid withdrawal; and

13           WHEREAS, A.J.M. Contractors, Incorporated, 300  
14 Kuller Road, Clifton, New Jersey was the second responsible  
15 lowest bidder; and

16           WHEREAS, the base bid for the 2013 roadway  
17 improvements in the amount of \$556,090, alternate bid number  
18 1 in the amount of \$145,887.50, alternate bid number 2 in  
19 the amount of \$49,160, alternate bid number 3 in the amount  
20 of \$53,199, alternate bid number 4 in the amount of \$57,519  
21 and alternate bid number 5 in the amount of \$86,525, for a  
22 total bid amount of \$948,380.50; and

23           WHEREAS, funds are available from ordinance number  
24 3243 in the amount of \$802,493 in account number 4-01806277  
25 in the amount of \$145,887.50 and is certified by the chief

1 financial officer, said certification being attached to this  
2 resolution.

3 NOW, THEREFORE, BE IT RESOLVED by the board of  
4 commissioners, township of Nutley, county of Essex, state of  
5 New Jersey hereby award the bid for 2013 road improvements  
6 to A.J.M. Contractors not to exceed \$948,380.50 and that the  
7 mayor and township clerk are hereby authorized to enter into  
8 and sign said contract for the township of Nutley.

9 I move the resolution.

10 COMMISSIONER ROGERS: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Mayor Petracco?

16 MAYOR PETRACCO: I have a question. I'm confused.  
17 According to this ordinance -- and just maybe you could just  
18 bring me up to speed. The second last bidder is not D&L?

19 UNIDENTIFIED SPEAKER: No, because that would be  
20 just for the base award, but, when you put all the  
21 alternates in, A.J.M. becomes the lowest bidder.

22 MAYOR PETRACCO: And that number is in this  
23 resolution then, or --

24 UNIDENTIFIED SPEAKER: \$948,380.50.

25 MAYOR PETRACCO: Okay. And the first bidder

1 wanted to withdraw?

2 UNIDENTIFIED SPEAKER: First bidder withdrew his  
3 bid.

4 MAYOR PETRACCO: Okay.

5 UNIDENTIFIED SPEAKER: Based on a -- and it's  
6 allowed by statute if they have a calculation error, and  
7 that was reviewed by the board, our board attorney, and the  
8 township engineer. They have five days to withdraw the bid,  
9 and they did that in writing.

10 MAYOR PETRACCO: And then, this went back out to  
11 bid, or you just --

12 UNIDENTIFIED SPEAKER: No, we just go to the next  
13 lowest bidder.

14 MAYOR PETRACCO: Okay. Thank you.

15 Aye.

16 MADAM CLERK: That was aye, right, Mayor?

17 MAYOR PETRACCO: Yes, ma'am.

18 MADAM CLERK: Thank you, Mayor.

19 MAYOR PETRACCO: Okay.

20 Thank you, Commissioner.

21 UNIDENTIFIED SPEAKER: Go ahead, Mayor.

22 MAYOR PETRACCO: Thank you.

23 BE IT RESOLVED by the board of commissioners of  
24 the township of Nutley, county of Essex, state of New Jersey  
25 that Alan Genitempo, Esquire be appointed as township

1 attorney effective January 1st, 2014 through May 31st, 2016.

2 I move the resolution.

3 COMMISSIONER ROGERS: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Before I cast my vote, boy,  
6 these are great opportunities to really say how you feel  
7 about some public employees. I've worked with a lot of  
8 people in my lifetime, public service here and in the  
9 military, but what an honor and pleasure to work with a guy  
10 like Alan Genitempo.

11 I don't say that lightly. This fellow has to put  
12 up with five commissioners, has to put up with a lot, a lot,  
13 a lot night and day. If you call the guy in the morning,  
14 he's there. You call the guy Sundays, he's there. You call  
15 the guy at night, he's available.

16 And sometimes we take it for granted. At the --  
17 you know, I don't like to use the word lucky. I like to use  
18 the word blessed. We're blessed to have a fellow like him  
19 onboard.

20 So, Alan, I do this with honor, and thank you very  
21 much for your help.

22 And I vote yes.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: I just add onto and  
25 dovetail on what Commissioner Rogers said. During the time

1 that Mr. Harkins was sick, Mr. Genitempo really did yeoman's  
2 work in carrying on two jobs at once of being a prosecutor  
3 and being the town attorney. So kudos to him in doing that.

4 And I proudly vote yes.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: I would just like to echo those  
7 statements.

8 I very proudly vote yes. Thank you.

9 BE IT RESOLVED by the board of commissioners of  
10 the township of Nutley, county of Essex, state of New Jersey  
11 that Angelo Servidio, Esquire be appointed as the municipal  
12 prosecutor effective January 1st, 2014 through May 31st,  
13 2016.

14 I move the resolution.

15 COMMISSIONER ROGERS: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 BE IT RESOLVED by the board of commissioners of  
23 the township of Nutley, county of Essex, state of New Jersey  
24 that James Pomaco, Esquire be appointed as public defender  
25 effective January 1st, 2014 through May the 31st, 2016.

1 I move the resolution.

2 COMMISSIONER ROGERS: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco? Mayor Petracco?

8 MAYOR PETRACCO: I vote yes.

9 Just a question that I have, Alan. These are two-

10 year appointments?

11 MR. GENITEMPO: They can be appointments up to --

12 they can be up to three (off-mike) retroactive to the 1st.

13 MAYOR PETRACCO: So, just for the record, are they

14 three-year appointments or --

15 MR. GENITEMPO: (Off-mike.)

16 MAYOR PETRACCO: So they can be up to?

17 MR. GENITEMPO: (No audible response.)

18 MAYOR PETRACCO: Okay.

19 MR. GENITEMPO: (Off-mike) after you can always

20 (off-mike)a

21 MAYOR PETRACCO: Okay.

22 MR. GENITEMPO: It's at your discretion.

23 MAYOR PETRACCO: Okay, fine. Thank you.

24 WHEREAS, schedule -- excuse me.

25 WHEREAS, sealed bids for furnishing and delivering

1 police dispatchers and crossing guard uniforms and equipment  
2 were publicly opened and read on June 4th, 2014; and

3 WHEREAS, Turnout Uniforms is the lowest bidder;  
4 and

5 WHEREAS, the funds in the amount of \$48,000 are  
6 available in an appropriation entitled 4-1-310-200 police  
7 and dispatch maintenance and allowance and the funds in the  
8 amount of \$5,700 are available in the appropriation entitled  
9 4-01-308-200 crossing guards allowance and has been  
10 certified by the chief financial officer, said certification  
11 being attached to this resolution.

12 NOW, THEREFORE, BE IT RESOLVED by the board of  
13 commissioners of the township of Nutley, county of Essex,  
14 New Jersey that a contract for furnishing and delivering  
15 police dispatchers and crossing guard uniforms and equipment  
16 consistent with the 2014 clothing voucher allocation be and  
17 is hereby awarded to Turnout Uniforms, 195 Patterson Avenue,  
18 Little Falls, New Jersey 07424.

19 I move the resolution.

20 COMMISSIONER ROGERS: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Mayor Petracco?

1           MAYOR PETRACCO: Aye.

2           BE IT RESOLVED by the board of commissioners of  
3 the township of Nutley, in the county of Essex, state of New  
4 Jersey that the renewable plenary retail consumption  
5 license, plenary retail distribution license and club  
6 license be granted to the following licensees effective  
7 July 1st, 2014 through June 30th, 2015.

8           BE IT RESOLVED that the state of New Jersey  
9 Department of Treasury, Division of Taxation has provided  
10 tax clearance and certificates for each establishment listed  
11 below for this renewal period.

12           BE IT FURTHER RESOLVED that the establishments  
13 have been inspected by the Board of Health, fire department,  
14 code enforcement department, and Police Department of the  
15 Township of Nutley and are in satisfactory condition.  
16 American Legion post 70 T/A American Legion Post 70, 24  
17 Franklin Avenue, first floor 0816-31-030-002, \$150; Nutley  
18 Post 30 American Vets of World War II, T/A Nutley and Vets  
19 Post 30, 184 Park Avenue 0716-31-031-001, \$150; Columbian  
20 Club of Nutley, T/A St. Mary's Knights of Columbus, 150  
21 Chestnut Street 0716-31-032-001, \$150.

22           MR. GENITEMPO: Mayor? Mayor?

23           MAYOR PETRACCO: Yes.

24           MR. GENITEMPO: If you want, you could just read  
25 the names and the addresses. That's fine for the record.

1           MAYOR PETRACCO: I really appreciate that,  
2 Counselor. Thank you so much.

3           MR. GENITEMPO: It might save you a half-hour.

4           MAYOR PETRACCO: Are you saying I'm a slow reader?

5           Stuart E. Edgar Post number 493 Veteran of Foreign  
6 Wars, T/A VFW Holding Company of Nutley, 275 Washington  
7 Avenue; Jim Dandy's of Nutley, LLC, T/A Jim Dandy's, 561-563  
8 Franklin Avenue; Castelli, Inc., T/A Nutley Diner, 372  
9 Centre Street; Diamond Springs Café, LLC, T/A Diamond  
10 Springs Café, 116 Harrison Street, 35 Evergreen Avenue;  
11 MAR2NAT, LLC, T/A MEAL, 431-437 Kingsland Street; Terrazza,  
12 LLC, 507 Franklin Avenue, KJM, T/A American Bistro, 24-26  
13 Washington Avenue; Jo-Ka, Inc., Jo-Ka, Inc., T/A Washington  
14 Park Tavern, 174 Washington Avenue.

15           All these amounts I do not have to read into, the  
16 fees?

17           MR. GENITEMPO: No.

18           MAYOR PETRACCO: Okay. I move the resolution.

19           MADAM CLERK: Mayor, there's a page -- there's a  
20 second page, Mayor.

21           MAYOR PETRACCO: Oh, I'm so sorry. Conca Brothers  
22 Management, 4, LLC, T/A The Old Canal Inn, 2 East Passaic  
23 Avenue; TBG, Inc., T/A Park Pub, 789 Bloomfield Avenue;  
24 Southside Grill, LLC, T/A Ritacco's Midtown Bar and Grill,  
25 223A Franklin Avenue; FSH Holding, LLC, T/A Franklin Steak

1 House, 238 Franklin Avenue; The Foursum, LLC, T/A The Brook  
2 Tavern, 522-526 Franklin Avenue; PRAHAR Corp., T/A Heller &  
3 Heller Rickers, 200 Franklin Avenue; Franklin Wine Shop,  
4 Inc., T/A Nutley Wine Shop, 558 Franklin Avenue; MAJAGDAMBA,  
5 LLC, T/A Nutley News and Liquors, 98 Centre Street.

6 NOW, THEREFORE, BE IT RESOLVED by the board of  
7 commissioners of the township of Nutley, county of Essex  
8 that the municipal clerk be and she is hereby directed and  
9 authorized to issue said licenses for the licensing period  
10 of July 1st, 2014 through June 30th, 2015.

11 I move the resolution.

12 COMMISSIONER ROGERS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: (No audible response.)

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Aye.

19 Okay.

20 WHEREAS, the following club liquor license has not  
21 received a tax clearance certificate as required by the  
22 Division of Alcoholic Beverage prior to the governing body  
23 acting on the renewal; and

24 WHEREAS, in order for the licensee to continue  
25 operating after 12:00 a.m., July 1st, 2014, a temporary

1 permit from the Division of Alcoholic Beverage Control must  
2 be obtained; and

3 WHEREAS, the establishment has submitted their  
4 renewal application along with the appropriate fees to the  
5 office of the municipal clerk; and

6 WHEREAS, the licensee must complete and add  
7 interim permit application which must be signed by the  
8 municipal clerk on behalf of the governing body indicating  
9 that municipality does not object to the issuance of the ad  
10 interim permit.

11 NOW, THEREFORE, BE IT RESOLVED by the board of  
12 commissioners of the township of Nutley, in the county of  
13 Essex, state of New Jersey that the municipal clerk is  
14 hereby authorized to sign an ad interim permit applications  
15 for the following club liquor license. Nutley Pub  
16 Associates, LLC, T/A Nutley Pub Associates, 227-229 Centre  
17 Street.

18 I move the resolution.

19 COMMISSIONER ROGERS: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: (No audible response.)

22 MADAM CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Mayor Petracco?

25 MAYOR PETRACCO: Aye.

1           WHEREAS, an application has been filed for a  
2 place-to-place transfer expansion of premises of plenary  
3 retail consumption license number 0716-33-016-010 MAR2NAT,  
4 LLC, T/A MEAL, 431-437 Kingsland Avenue, Nutley, New Jersey  
5 07110 for purpose of expanding the premises under license  
6 wherein the sale, service, and storage of alcoholic  
7 beverages are authorized.

8           WHEREAS, the submitted application form is  
9 complete in all respects, the transfer fees have been paid,  
10 and the liquor license has been properly renewed for the  
11 current license term.

12           NOW, THEREFORE, BE IT RESOLVED by the township of  
13 Nutley Board of Commissioners does hereby approve effective  
14 Friday, June 20th, 2014 the expansion of aforesaid plenary  
15 retail consumption license number 0716-33-016-010 located at  
16 431-437 Kingsland Street, Nutley, New Jersey 07110 to place  
17 under the license the area delineated in the application  
18 from and the sketch of the licensed premises attached  
19 thereto.

20           I move the resolution.

21           COMMISSIONER SCARPELLI: Second.

22           MADAM CLERK: Commissioner Rogers?

23           COMMISSIONER ROGERS: Aye.

24           MADAM CLERK: Commissioner Scarpelli?

25           COMMISSIONER SCARPELLI: Aye.

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: Just that one paragraph?

3 I'll read this into the record. I skipped a  
4 piece. I missed this whole (off-mike).

5 Okay. Go ahead.

6 MADAM CLERK: Okay, the resolution 153-14 was  
7 introduced by Mayor Alphonse Petracco, seconded by  
8 Commissioner Joseph Scarpelli. I'm going to read you the  
9 roll call.

10 Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Mayor Petracco?

15 MAYOR PETRACCO: Aye.

16 And I have one more resolution, the last one.

17 BE IT RESOLVED by the board of commissioners,  
18 township of Nutley in the county of Essex, state of New  
19 Jersey that the renewal of plenary consumption license be  
20 granted to JJGG, LLC, license number 0716-33-001-007  
21 effective July 1st, 2014 through June 30th, 2015.

22 BE IT RESOLVED that the state of New Jersey  
23 Department of Treasury, Division of Taxation has provided  
24 tax clearance certificate for said license.

25 BE IT FURTHER RESOLVED the director of the

1 Division of Alcoholic Beverage Control has reviewed the  
2 special ruling N.J.S.A. 33:1-12.39 petition submitted by  
3 JJGG, LLC and has considered all the facts and circumstances  
4 related to the inactive status of the license and has  
5 determined that the licensee has established good cause in  
6 accordance with the statutory requirements to warrant an  
7 application for renewal of license number 0716-33-001-007  
8 for the 2014-2015 license term.

9 NOW, THEREFORE, BE IT RESOLVED by the board of  
10 commissioners of the township of Nutley, county of Essex,  
11 state of New Jersey that the license be and is hereby  
12 renewed for the licensing period of July 1st, 2014 through  
13 June 30th, 2015.

14 I move the resolution.

15 COMMISSIONER ROGERS: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 And I would also like to thank our very -- we're  
23 very, very lucky to have our clerk, Ms. Evelyn Rosario,  
24 because -- thank you. Please give her a round of applause,  
25 ladies and gentlemen.

1 (Applause)

2 MADAM CLERK: Thank you, Mayor.

3 (Applause)

4 MADAM CLERK: Thank you.

5 MAYOR PETRACCO: You can't imagine the work that  
6 goes into these liquor licenses and all the rules and  
7 regulations.

8 So, Evelyn, Madam Clerk, I really thank you for  
9 your professionalism and to get this work done. I know it's  
10 not easy, and it takes up a lot of your time. Thank you so  
11 much. It's a privilege.

12 MADAM CLERK: Thank you, Mayor.

13 MAYOR PETRACCO: It's a privilege to serve behind  
14 you.

15 Okay. With that being said, we are completed with  
16 our business portion of the meeting.

17 Madam Clerk, would you please read our five-minute  
18 rules?

19 MADAM CLERK: Sure, Mayor. All persons addressing  
20 the board of commissioners regarding community concerns  
21 should approach the microphone and provide their name and  
22 address for the record. Unless further time is granted by  
23 the board, each person shall limit their address to five  
24 minutes.

25 All remarks for the board and its individual

1 members must be addressed to the mayor. The mayor may defer  
2 citizen comments to the appropriate member of the board.  
3 Dialogue between citizens and others addressing the board  
4 shall be allowed unless the mayor or presiding officer of  
5 the majority of the membership of the board shall determine  
6 that the interests of decorum and of the expeditious conduct  
7 of municipal business are being adversely affected by such  
8 dialogue.

9 Name and address, please?

10 MAYOR PETRACCO: Okay. Is there anyone this  
11 evening that would like to address the board of  
12 commissioners?

13 Please step up, and please state your name and  
14 address for the record.

15 MS. LANDRY: Pennie Landry, 135 Lakeside Drive,  
16 Nutley, New Jersey 07110. I once again submitted a  
17 communication, which was not added. So I'd like to read it.

18 Hello, Mr. -- somebody help me out with his name,  
19 Kozyra, Kozyra?

20 MAYOR PETRACCO: What is it?

21 MS. LANDRY: Kozyra and Mr. Genitempo. I am again  
22 respectfully submitting my communication originally  
23 submitted December 2013 for the planning board and to the  
24 board of commissioners.

25 In an email dated January 2nd, 2014, Mr. Kozyra

1 informed that, quote, "Your request for your recommendations  
2 to be read at the 1/8/14 planning board meeting will be  
3 added to the agenda," which did not happen. It is my  
4 understanding that you, as attorneys, are paid by Nutley tax  
5 dollars to direct both the citizens and our elected  
6 officials on township process, and, while this communication  
7 does not fall under traditional types of communications, I  
8 am certain that you can come up with a way to have this  
9 communication meet some form of new business criteria and  
10 have the communication read into the BOC meeting  
11 communications segment on June 17th, 2014.

12 The request that was not accepted and not read  
13 into the -- added to the agenda as a business communication  
14 is as follows. "It is requested that an amendment be made  
15 to the Nutley master plan goals to revise the current  
16 implementation timeline titled additional measures, actions,  
17 steps item. The actions step item is prepare an annual  
18 report to the board of commissioners and to the planning  
19 board assessing the implementation of the Nutley Township  
20 master plan."

21 "The requested amendment is that on the current  
22 document that was adopted by this board of commissioners in  
23 2012 -- the timeline reads the annual report is a medium-  
24 range strategy, 2 to 5 years. It is requested that the  
25 annual report timeline be changed to s or short-term

1 strategy of one year or less,d' which I don't know where you  
2 all went to school, but where I went to school -- excuse me?  
3 Annual means one year.

4 Currently in our township master plan, we have  
5 annual report timeline two to five years. I have made this  
6 request since December. I do not think it is unreasonable  
7 for the people, the citizens of Nutley to receive an annual  
8 report on our township master plan. I also do not  
9 understand why the citizens of Nutley who do not own a  
10 business are denied the opportunity to submit communications  
11 to this board as agenda items and have them repeatedly  
12 denied.

13 I am also requesting that this board and its  
14 attorney look at ways in which the citizens of Nutley can  
15 submit as agenda items to this board things that are  
16 important to all of us as citizens, one of which is our  
17 master plan and how it relates to the health, well-being,  
18 fiscally and otherwise, for our entire community. So I ask  
19 you. When citizens submit things that it not be based on  
20 that traditionally we have not accepted these types of  
21 communications, but that you be open to new communications  
22 from our citizens, whether you have received them in the  
23 past years that you have sat or the past 20 years of elected  
24 officials.

25 This is a new day. We have new issues. We have

1 new concerns. We have new people living here. We have new  
2 voices, and, respectfully, I ask that you respect submitted  
3 communications and, in the tradition of only certain types  
4 of communications being accepted and be open to a new  
5 process and to new voices. Thank you.

6 MAYOR PETRACCO: Is there anyone else this evening  
7 that would like to address the board of commissioners?

8 MR. ODRIA: Good evening. Michael Odria, 133 High  
9 Street. I am here to -- this is my comment, by the way.  
10 It's just a comment.

11 I am here tonight to inform our commissioners plus  
12 the town people that I followed the tax appeal process, and  
13 I was denied a reassessment of my home by the Essex County  
14 Board of Taxation. I want it to be known that I am greatly  
15 dissatisfied with the level of service provided by  
16 Commissioner Evans. I wish he was here -- plus our tax  
17 assessor, George Librizzi.

18 After researching tax assessment reductions to  
19 select members of our community, I feel that I am the victim  
20 of tax property assessment discrimination and request that  
21 the commissioners investigate potential tax discrimination  
22 in our tax assessor's office. Thank you.

23 Week after week, I come here, and you guys give  
24 tax rebates. A gentleman who lives at -- a person who lives  
25 at 86 Chestnut Street got \$4,100 back. Another person at

1 Block 5102, lot 6 got \$3,400 back, and the list goes on.

2 Someone at 16 Rickford Avenue got \$2,538 back,  
3 and, as per Thomas Evans, as per his advice during our town  
4 hall -- previous town hall meeting, I did follow the  
5 process, and, when I got back home from work on Saturday, I  
6 got this. Denied.

7 MAYOR PETRACCO: Michael, who was that denial  
8 letter from?

9 MR. ODRIA: Essex County Board.

10 MAYOR PETRACCO: Could we take a look at that?

11 MR. ODRIA: Sure.

12 MAYOR PETRACCO: Would you give it to the clerk,  
13 please?

14 MR. ODRIA: Just in case you want to do that, I  
15 did make you an exact copy.

16 MAYOR PETRACCO: You made us an exact copy?

17 MR. ODRIA: Just in case you were going to ask.

18 MAYOR PETRACCO: Thank you.

19 UNIDENTIFIED SPEAKER: Thank you.

20 MAYOR PETRACCO: Thank you.

21 MR. ODRIA: But I still haven't finished my  
22 comment. So I'm just letting you know.

23 MAYOR PETRACCO: (Indiscernible) can take  
24 (indiscernible).

25 MR. ODRIA: It's just a couple of -- like a minute

1 or two more.

2 MAYOR PETRACCO: Continue.

3 MR. ODRIA: Okay. Since I'm on this list of homes  
4 that Roche (ph) gave me, 380 plus, I've got to say any home  
5 that's on this list of potential contamination by benzene  
6 and other cancer-causing toxins, their reassessment should  
7 be slashed in half so that property taxes should be cut  
8 right in half. Because I can't even sell my home since it's  
9 on this list. Not that I'm looking to sell it, but I am  
10 afraid of cancer.

11 And another thing I would have to comment about --  
12 it's ironic around the time I had the tax appeal deadline,  
13 all of a sudden after that, I got the letter saying -- like  
14 380 plus homes got this letter saying there's a potential  
15 that your home has been contaminated by Roche's spill in the  
16 sewer. Why did it have to come after the tax appeal?  
17 Because I can really use this information before I did my  
18 tax appeal. No wonder I got denied.

19 (Pause)

20 And not only that. I paid \$25 for that that I  
21 could really used myself, and I'm being honest about that.

22 (Pause)

23 MAYOR PETRACCO: Are you waiting for me? Oh, I  
24 just want to be clear on -- can you explain to me what you  
25 did, Michael? Is it -- did you --

1 MR. ODRIA: Oh, the process is that --

2 MAYOR PETRACCO: And I'm just going to hand this  
3 over to the commissioners.

4 MR. ODRIA: The process is you've got to give your  
5 comparables. I gave them 11 comparables instead of just 5,  
6 and everyone who sold the house and my comparables sold them  
7 for about as much as I think close to 75, \$80,000 less than  
8 what they wanted their houses sold for. I gave them a  
9 letter, and I still -- and the funny thing is, while I was  
10 at this tax court thing -- see, when you go to tax court,  
11 you go to South Orange, and you wait in the courtroom just  
12 like this, and the Nutley residents/citizens sits on this  
13 side. George Librizzi sits on this side.

14 And I think a tax -- aside from this tax court, a  
15 tax lawyer for the town, and Georgia Librizzi has a  
16 secretary with him. And one thing I noticed about George  
17 Librizzi -- before I even got up there, he said to a woman,  
18 a person fighting for a lower assessment of the house or her  
19 taxes.

20 He said to the woman well, you know, if you fix up  
21 your porch, if you paint this, you know, the potential of  
22 what your home could be worth, and that immediately told me  
23 that this guy is not assessing our houses on the actual  
24 values of our homes. He's actually assessing the value of  
25 our homes under potential of what it could be worth, after

1 you put \$80,000 or \$50,000 of home fix-up. I mean, --

2 MAYOR PETRACCO: The only question I wanted to  
3 talk -- the only issue is this property. I just wanted to  
4 be clear on this, and you know, I'm not going to answer for  
5 Commissioner Evans.

6 MR. ODRIA: I know.

7 MAYOR PETRACCO: So let me just say this. You  
8 know, when Commissioner Evans is in, it's his department. I  
9 would say that you should take this up with him, but, just  
10 for my own knowledge, this is -- you went to tax court?

11 MR. ODRIA: Yeah.

12 MAYOR PETRACCO: And you were denied? They said  
13 that your taxes are fairly assessed?

14 MR. ODRIA: Yes.

15 MAYOR PETRACCO: Okay. So then, --

16 MR. ODRIA: And --

17 MAYOR PETRACCO: -- there is not another appeal  
18 that you could make?

19 MR. ODRIA: Can I make another appeal? I think I  
20 can in 45 days.

21 MAYOR PETRACCO: Okay. So this is -- but, just  
22 for clarification, just for the record, this is a document  
23 from the county of Essex?

24 MR. ODRIA: Yes.

25 MAYOR PETRACCO: So this has -- really, it's not a

1 Nutley issue, because it was pushed to the county, correct?

2 MR. ODRIA: Yeah, it went to the county because  
3 the reason why, since you're bringing up that, last March  
4 2013, I walked into George Librizzi's office. I had -- what  
5 do you call that? I had an appraisal of my home of  
6 \$300,000.

7 I showed it to him, a professional appraisal, and  
8 he said no, your house has been appraised at 355. But he  
9 said let me look at your appraisal. Call me. I'll call you  
10 back in a week, and a week later, he did not call me. I  
11 called him back, and he said to me well, Mr. Odria, you have  
12 your appraisal. The town has ours. We're going to go with  
13 ours. Have a nice day. Click, and that was it.

14 That's the way I was treated, and then, you have  
15 to ask yourself why am I here.

16 MAYOR PETRACCO: But who were you treated that way  
17 --

18 MR. ODRIA: Librizzi did that to me.

19 MAYOR PETRACCO: Okay. So then, fast forward.  
20 Then you did go to the county?

21 MR. ODRIA: Yeah.

22 MAYOR PETRACCO: And, just for the record, is the  
23 county saying -- so I know I'm reading this correctly. So  
24 the county is saying that your total assessed value is  
25 \$354,000?

1 MR. ODRIA: Yeah.

2 MAYOR PETRACCO: The county is --

3 MR. ODRIA: No, Librizzi made it that way, and I  
4 went to contest it, and somehow, between the county and  
5 Librizzi, they're agreeing, but Librizzi could have fought  
6 for me and -- but see, Librizzi could have fought for me and  
7 said you know what? Maybe you should lower his assessment.  
8 I mean, look at his house. The garage is falling apart. It  
9 needs a new paint job. The stairs are broken.

10 MAYOR PETRACCO: Okay. You know what, Mike? I  
11 just wanted to be clear what the document was.

12 MR. ODRIA: Yeah.

13 MAYOR PETRACCO: And I -- what I would recommend  
14 is, you know, Commissioner Evans will be here at the next  
15 meeting, that, if you have a question or you want to --

16 MR. ODRIA: Yeah, and (indiscernible) here.

17 MAYOR PETRACCO: -- bring it -- if you want to  
18 bring this. I'll forward this to his office, if you like.  
19 I'll give this to Commissioner Evans, and, if you want to  
20 give him a call or if you want to come to the next meeting,  
21 that's fine. Is that okay?

22 MR. ODRIA: You can have a copy of it.

23 MAYOR PETRACCO: Okay, that's fine.

24 MR. ODRIA: Should I put my phone number on it?

25 MAYOR PETRACCO: Sure.

1 MR. ODRIA: The thing is I wish George Librizzi  
2 would be more on our side since, honestly, I'm the employer  
3 of this town, and I think he's my employee.

4 MAYOR PETRACCO: Okay.

5 MR. ODRIA: But honestly, I didn't want to bring  
6 it to you. I wanted to address it to him. I was really  
7 hoping --

8 MAYOR PETRACCO: No, no, I'm not addressing.

9 MR. ODRIA: No, I know you've got enough on your  
10 plate.

11 MAYOR PETRACCO: Thank you. I sure do.

12 MR. ODRIA: Thank you for the comment.

13 MAYOR PETRACCO: Thank you. You're very welcome.  
14 We'll forward this to Commissioner Evans.

15 Excuse me?

16 Please. Yeah, please forward that to  
17 Commissioner Evans.

18 Is there anyone else this evening?

19 Mr. Magnificao?

20 Please state your name and address for the record.

21 MR. MAGNIFICA0: Jack Magnificao, 160 Park Avenue,  
22 Nutley, New Jersey. I've got only really two things to say  
23 -- ask the commissioners a question.

24 I read in the Nutley Sun that we're going to get  
25 another development gentleman (indiscernible).

1           MAYOR PETRACCO: You have to speak up a little bit  
2 into the mike.

3           MR. MAGNIFICAO: That we're supposed to get  
4 another development on Franklin Avenue, apartments and  
5 general retail stores. Are you aware of that?

6           MAYOR PETRACCO: Yes, I am.

7           MR. MAGNIFICAO: Were the commissioners involved  
8 in that?

9           COMMISSIONER SCARPELLI: I was.

10          MR. MAGNIFICAO: What did you think of it?

11          COMMISSIONER SCARPELLI: Well, Jack, let's start  
12 from the beginning. It's a mixed-use property in a mixed-  
13 use zone. So --

14          MR. MAGNIFICAO: What are you -- excuse me. May I  
15 ask you a question?

16          COMMISSIONER SCARPELLI: Sure.

17          MR. MAGNIFICAO: What do you consider mixed use?

18          COMMISSIONER SCARPELLI: Mixed use is retail and  
19 residential.

20          MR. MAGNIFICAO: And what do you consider in our  
21 town to be residential?

22          COMMISSIONER SCARPELLI: Residential --

23          MR. MAGNIFICAO: I'm talking about for Nutley, New  
24 Jersey.

25          COMMISSIONER SCARPELLI: You want to talk

1 residential what you consider residential or what the law  
2 considers residential?

3 COMMISSIONER SCARPELLI: I think we should stick  
4 to the law.

5 MR. MAGNIFICAO: We have to stick to the law,  
6 because, if they take you to court, they'll win anyway, but  
7 that's not the point.

8 COMMISSIONER SCARPELLI: Correct. That is the  
9 point. That is the point.

10 MR. MAGNIFICAO: I know. I realize that, but what  
11 I'm concerned about is the development in our town of these  
12 mixed-use apartments and retail stores, and East Centre  
13 Street, the perfect example. As you know, I used to do  
14 business with every one of those manufacturers as a label  
15 man, and it's breaking my heart to see us turn into another  
16 Bronx, all apartments and --

17 COMMISSIONER SCARPELLI: As you know, Jack, last  
18 meeting I introduced an ordinance to limit the number of --  
19 limit the residential, not only in East Centre Street, but  
20 that whole corridor, and I will be at the next town meeting  
21 --

22 MR. MAGNIFICAO: Okay.

23 COMMISSIONER SCARPELLI: We'll have a public  
24 hearing on that.

25 MR. MAGNIFICAO: Okay. Good.

1           COMMISSIONER SCARPELLI: But, when you look at  
2 next year's -- from a planning perspective, when you look at  
3 downtown, that's where you want to have mixed use. You want  
4 to have retail, and you have residential, because those  
5 residential people will then be able to shop in those  
6 businesses. That's the reason that you want mixed use in  
7 downtown, and that's why it's zoned that way.

8           MR. MAGNIFICAO: All right, Mr. Scarpelli, I'm  
9 going to ask you one question about that mixed use --

10          COMMISSIONER SCARPELLI: Sure.

11          MR. MAGNIFICAO: -- on our main avenue. When you  
12 do that, what's going to happen to the people that have had  
13 businesses along there? Is it going to help them or  
14 (indiscernible)?

15          COMMISSIONER SCARPELLI: Sure, it's going to help  
16 them. It's built -- it's a built-in consumer. It's a  
17 built-in buyer. They need to eat. They need to shop. They  
18 need -- so, yeah, that is going to help them.

19          MR. MAGNIFICAO: Joe, I've gone down there -- now,  
20 lately, I've gone down Franklin Avenue. I've gone down both  
21 ends. There's a lot of stores empty, and that concerns me,  
22 because I moved to this town many, many hears ago for one  
23 purpose. It's a liveable community, but, if it gets to be  
24 another Bronx, God bless us.

25          COMMISSIONER SCARPELLI: Well, I don't agree with

1 what you're talking about downtown becoming the Bronx. I  
2 think it's good planning to have mixed use downtown, and I  
3 think it helps the business community by doing that, and, if  
4 you look at any planning documents, they'll tell you that  
5 mixed use in your downtown is what you need. It spurs (sic)  
6 business.

7 MR. MAGNIFICAO: I hope it works, because you've  
8 got to live with it. I won't be around. In the meantime,  
9 the other question that I have --

10 COMMISSIONER SCARPELLI: There was an apartment  
11 there, Jack. It wasn't like there wasn't a residential  
12 there. It replaced another residential building, and it  
13 added a retail store.

14 MR. MAGNIFICAO: According to the Sun, right, it's  
15 two floors of retail and two floors of apartments. That's  
16 what it said in the paper.

17 COMMISSIONER SCARPELLI: It's a 700-square-foot  
18 retail business with 15 apartments.

19 MR. MAGNIFICAO: Right, and we'll see what  
20 happens. I asked Mr. Tucci to check something for me. He's  
21 not here now, but I would love to find out what's happening  
22 with that -- the old house next to the ATT.

23 MAYOR PETRACCO: ITT?

24 MR. MAGNIFICAO: Huh?

25 MAYOR PETRACCO: Old Town? Are you talking about

1 the historic house?

2 MR. MAGNIFICAO: Yeah.

3 MAYOR PETRACCO: Next to IT&T? I would 'til  
4 Commissioner Tucci's available for comment on that.

5 MR. MAGNIFICAO: Okay. I just wish that we could  
6 get hold of that. As you know, the American Legion is in  
7 need of help for our town. Yeah. People don't realize  
8 this, and, you know, I say this real quick.

9 That the veterans organizations in our town are  
10 dissipating rapidly only because of the long session of war  
11 we had with these people, and the kids coming back don't  
12 have time to devote to veterans problems. As a result,  
13 they're dwindling, and they're posing down, et cetera, et  
14 cetera, and I hate like heck to see that, the American  
15 Legion dissipate completely because they're not getting --  
16 they're not in a place where they can do a lot of  
17 showmanship like they did in 1918. We'll see what happens.

18 MAYOR PETRACCO: Is there any way that -- you  
19 know, it's funny you should come up here, Jack, and say  
20 that, and I know that, you know, I really wanted to start  
21 this meeting -- you know, we have to get back on track with  
22 our moment of silence for our troops that served overseas --  
23 Commissioner Rogers. We used to start our meeting with a  
24 moment of silence for all the lives that had been lost in  
25 the wars, and obviously, we see Iraq starting to bubble over

1 again, and it's very upsetting to, I know, all of us.

2 But leading into that, I know that I visit all of  
3 the -- you know, the veterans organizations, and my question  
4 was did you guys ever think of maybe consolidating some of  
5 these troops (sic).

6 MR. MAGNIFICAO: Well, this is one of the reasons  
7 I'm trying to --

8 (Applause)

9 MAYOR PETRACCO: That's the first round of  
10 applause I ever got up here. Thank you so much. Don't  
11 stop, please.

12 (Applause)

13 MR. MAGNIFICAO: This is the first thing -- what  
14 happened years and years ago, real fast, and I'll get off of  
15 the step here. In 1918, when the gentlemen came back from  
16 the first World War, they formed the American Legion, the  
17 second one in the country.

18 MAYOR PETRACCO: American Legion?

19 MR. MAGNIFICAO: Yeah.

20 MAYOR PETRACCO: Okay.

21 MR. MAGNIFICAO: They were chartered August 18th,  
22 1918 by Teddy Roosevelt.

23 MAYOR PETRACCO: All right.

24 MR. MAGNIFICAO: And I got the original picture,  
25 but that's not the point. The point is that many years

1 later, there was an ethnic dispute about the men that came  
2 back, and they branched out, and they formed -- one group  
3 formed the VFW, and one group formed the AmVets. But they  
4 all formed out of one place, the American Legion, which is a  
5 very interesting story, all of which is dedicated by me, and  
6 I'll swear on God by their books I have the original records  
7 that were written.

8 MAYOR PETRACCO: Okay.

9 MR. MAGNIFICAO: But, in the meantime, back at the  
10 ranch, they are eventually going to have to do it, and the  
11 AmVets has already put forward plans to them if they're  
12 interested. We're going to find out down in the future.  
13 You're right. They're going to have to consolidate. We'll  
14 see (indiscernible) --

15 MAYOR PETRACCO: If there's anything we could do  
16 to help at all, --

17 MR. MAGNIFICAO: I know that.

18 MAYOR PETRACCO: I mean, we're all committed to  
19 the veterans, and we appreciate. You know? So alls you  
20 have to do is ask. You know that.

21 MR. MAGNIFICAO: Sometime. I asked about knocking  
22 down my taxes. It hasn't happened.

23 MAYOR PETRACCO: The taxes might not so soon, but  
24 we're always here to help the veterans.

25 Is there any -- thank you for your comments, Jack.

1           Is there anyone else this evening that would like  
2 to address the board?

3           MS. ROSIS (ph)α My name is Carol Rosis. I've  
4 been living in Nutley for about 20 years.

5           MAYOR PETRACCOⓄ What's your address, please?

6           MS. ROSIS: 28 Cottage Place.

7           MAYOR PETRACCOⓄ Thank you.

8           MS. ROSIS: I'm a single mom raising two  
9 daughters. When I first moved here, the taxes were  
10 approximately \$5,600, and now I pay \$18,600. I constantly  
11 have to freelance searching for jobs to try to cover, make  
12 ends meet. So I'm raising two girls on my own. Very  
13 difficult.

14           I also -- I was very fortunate to make it on this  
15 contamination lottery list. You know what's the most  
16 ridiculous part of this? Is that I can't even put up a  
17 vegetable garden.

18           MAYOR PETRACCOⓄ Why not?

19           MS. ROSIS: I'm on the list, the wonderful  
20 Hoffman, the Roche list. Contamination. My dream of  
21 investing my money in my home (indiscernible) --

22           MAYOR PETRACCO: Well, let me say this to you.  
23 Let me say this to you. First of all, you know, the way  
24 it's been explained to us time and time over again that it's  
25 deep ground water that's the contamination. It's deep

1 ground water.

2 MS. ROSIS: But still, (indiscernible) --

3 MAYOR PETRACCO: Hear me out. And I understand  
4 your concerns. I don't know if I would want to grow  
5 vegetables over that myself. What they're finding at Roche  
6 is very common through the whole state of New Jersey. It's  
7 really not just unique to Nutley.

8 MS. ROSIS: (Indiscernible.)

9 MAYOR PETRACCO: However, we are addressing that  
10 issue, and, you know, Roche is a gold standard company, and  
11 they have spent millions of dollars to make sure that this  
12 --

13 MS. ROSIS: Yes.

14 MAYOR PETRACCO: -- goes the correct way.

15 MS. ROSIS: And, if it's throughout New Jersey,  
16 then we wouldn't have a list like this. I do agree with  
17 Michael. I believe the taxes should be cut across the  
18 board, everybody who's on the list, because the truth is we  
19 can't quite sell our property. What is the value of this  
20 property? We're kind of up against a wall.

21 At the other end, there's no tax relief nowhere.  
22 I mean, I know. I'm a single mom. I have to go out there,  
23 and I have to work, and I work around the clock. I mean,  
24 really, the truth of the matter is I can't even afford  
25 health insurance. I can't, because I'm chasing after this

1 tax bill. It's ridiculous.

2 MAYOR PETRACCO: Well, --

3 MS. ROSIS: It's even embarrassing to mention to  
4 people. I mean, I talk to friends, and they have their  
5 vegetable garden, and it's wonderful. I can't even say  
6 that. I can't even put a vegetable garden in my land. It's  
7 ridiculous paying this kind of tax. At least my dream of  
8 that vegetable garden --

9 MAYOR PETRACCO: Well, let me just say this. I  
10 hear your frustrations, and I applaud you for coming up to  
11 the mike tonight and saying what you've said, but it is a  
12 very unfortunate situation. When I took office, the last  
13 thing in the world I thought would happen is that Roche  
14 would be exiting Nutley in our terms. You know?

15 And here's a little glimmer of hope, too. At  
16 least they're cleaning the mess up. At least you know what  
17 is in your back yard. You know, I'm sure that there's a lot  
18 of yards around the state of New Jersey, including my own  
19 that, you know what, they're not being tested. So God only  
20 knows what's under those soils and all that stuff.

21 So, you know, it's something that's being  
22 addressed. I understand you with the tax -- your tax  
23 frustration. I also work around the clock, and, you know,  
24 also we all pay taxes here, and we're doing the best that we  
25 can to control those costs. However, you know, the people

1 in Nutley -- I like to say that they're accustomed to the --  
2 to all that is given to them through the services of the  
3 town.

4 I've been in other towns where I waited for an  
5 ambulance to show up for 45 minutes, and I don't mean 44  
6 minutes, either. So these services that are provided to us  
7 in Nutley -- they're superior, and, as they're superior, we  
8 do our best to control the costs of them. You know?

9 And again, we can't have it both ways here. And  
10 --

11 MS. ROSIS: No, we can't.

12 MAYOR PETRACCO: And we can't have it both ways.  
13 We can't -- you know, Mr. Magnificao before was asking  
14 Commissioner Scarpelli about a property that's being  
15 developed. Well, we can't have it from each side. We can't  
16 say we're not going to develop, we're not going to put  
17 residential in Roche, we're not going to do this, we're not  
18 going to do that, we're not -- but, if we don't do these  
19 things, then your taxes are going to go up.

20 So what we do in office is what we're trying to do  
21 up here, and I'll speak for my colleagues as well, and, if I  
22 speak out of turn, please correct me. What we try to do  
23 here, Miss, is strike a balance. We try to strike a  
24 balance, and I have to tell you it's a very difficult  
25 balance to strike.

1           We try to consider the people that are struggling  
2           in our town. We try to consider the education process in  
3           our town. We try to consider where we are geographically  
4           and how expensive it is to live in this area, and the taxes  
5           are high everywhere. This is a New Jersey problem.

6           You know, when you're paying for pensions and  
7           benefits and things of those sorts and Chris Christy's been  
8           in there for six or seven years now trying to address those  
9           issues. You know? Our payments to our, you know, pension  
10          contributions for our medical coverage, all that stuff is  
11          through the roof, and it's very difficult to say okay, we're  
12          not going to give our employees health benefits, we're not  
13          going to give them a salary of -- you know, that's -- but we  
14          need to --

15          MS. ROSIS: You could freeze salaries. You could  
16          freeze salaries, too. You could consider it.

17          MAYOR PETRACCO: But we need to be -- we need to  
18          be competitive, and no one knows it better than I. Okay?  
19          And, you know, I've done a lot of cutting in public safety,  
20          but I cannot continue to cut and compromise safety, because  
21          no one wants to live in a town that's not safe. So what  
22          does it go back to? It goes back to trying to strike a  
23          balance here, and it's not easy sitting in these seats today  
24          while the private sector is suffering.

25          MS. ROSIS: Uh-huh.

1           MAYOR PETRACCO: People do not have discretionary  
2 money to spend, and people are having a tough time. Their  
3 jobs aren't like they were 10 years ago, 12 years ago. We  
4 just lost 6,000 jobs in our town from Roche closing. So I  
5 want you to know tonight we are trying our best.

6           We don't sit up here and say hey, let's raise the  
7 taxes so we could chase people out of here. We spend a lot  
8 of hours, pretty much as volunteers to this community,  
9 trying to figure out, trying to strike a balance where we  
10 could compromise and give the best end result that we can  
11 give, and I have to tell you it hasn't been easy, and, when  
12 you throw a Roche exiting and losing all those tax dollars  
13 on top of it, believe me, we've had a lot of sleepless  
14 nights up here trying to figure it out so we can keep you in  
15 town. Because we don't want anyone, anyone leaving our town  
16 because they can't afford it, and I want to be clear on  
17 that.

18           MS. ROSIS: And I would speak on behalf of my  
19 sister. She also applied for the tax appeal, and she was  
20 denied also. She didn't come in today, because she probably  
21 thought it was useless.

22           MAYOR PETRACCO: Miss, we don't make the  
23 processes, either. You know, there's processes in place.  
24 You know, again, we do our best job that we can. But, you  
25 know, if they go down to the county, there's a process.

1 MS. ROSIS: Right.

2 MAYOR PETRACCO: It's for all the residents, and  
3 they can do that, but we don't make those rules.

4 MS. ROSIS: No, but --

5 MAYOR PETRACCO: And I just wanted to be clear on  
6 that.

7 MS. ROSIS: No, but Librizzi doesn't really  
8 support anyone.

9 MAYOR PETRACCO: Who doesn't?

10 MS. ROSIS: No, Librizzi. Librizzi. He does not.

11 MAYOR PETRACCO: Well, you k now, if you like to  
12 --

13 MS. ROSIS: He goes against everyone, everyone.  
14 I've dealt with him, too, in the past.

15 MAYOR PETRACCO: Well, that's a Commissioner Evans  
16 question that you're more than welcome to come back and ask.  
17 And thank you. Miss? Miss? I just want you to know that I  
18 understand your frustration. I applaud you for coming up  
19 here. We're considering everything that you said, and we're  
20 really trying to do the best job we can.

21 Mr. Magnificao, if you're going to speak, you have  
22 to go to the mike.

23 MR. MAGNIFICAO: I got a question for you. On  
24 this master plan -- I'm sorry. Joe.

25 MAYOR PETRACCO: That's Joe.

1 MR. MAGNIFICAO: If you could forgive me.

2 MAYOR PETRACCO: That's all right. I've been  
3 called worse. Go ahead. Commissioner Scarpelli, it should  
4 be. Go ahead.

5 MR. MAGNIFICAO: Scarpelli.

6 COMMISSIONER SCARPELLI: Yes, sir?

7 MR. MAGNIFICAO: On this master plan, --

8 COMMISSIONER SCARPELLI: Yes.

9 MR. MAGNIFICAO: -- does the town people or does  
10 the town -- I'm not talking it's your fault, but does the  
11 town have the right to change the codes where we're allowing  
12 people to flatten this and flatten that and then put up  
13 apartments and stuff? Do we have that right?

14 COMMISSIONER SCARPELLI: Well, the townspeople  
15 always have the right to object to any application. The  
16 master plan -- we had a lot of public input. It took over  
17 two years to develop the master plan. There were -- I don't  
18 know if you were at any of them, Jack, but we were down at  
19 the parks and rec. building, had a presentation. We went  
20 over a whole bunch of things there.

21 MR. MAGNIFICAO: No, that's all right. I'm just  
22 asking you do we have the right. In other words, in the  
23 future, down the road, in the future, down the road, --

24 COMMISSIONER SCARPELLI: Any application before  
25 the zoning or planning board the public has a right to sit,

1 listen, ask questions of the experts, and then voice their  
2 objections at the end.

3 MR. MAGNIFICAO: This is just like are we going to  
4 be having the same right at Hoffman?

5 COMMISSIONER SCARPELLI: Excuse me?

6 MR. MAGNIFICAO: Will we have the same right with  
7 the Hoffman property?

8 COMMISSIONER SCARPELLI: Hoffman LaRoche will be a  
9 public -- at least we're going down the road of making that  
10 a very public process. Right now, the planning board, at  
11 our request, at the board of commissioners' request, is  
12 seeing if that property meets the statutes for an area in  
13 need of redevelopment. We're going through the process of  
14 picking a planner now, and that will also be a public  
15 process.

16 There'll be a public hearing at the planning  
17 board. When they decide if it's an area that meets the  
18 designation, it'll then come back to the board of  
19 commissioners. We'll have to do a redevelopment plan, which  
20 will also need public input and a public process. So  
21 there'll be plenty of opportunities as we move down the road  
22 for the public to have input.

23 MR. MAGNIFICAO: And when does the planning board  
24 meet?

25 COMMISSIONER SCARPELLI: The planning board meets

1 on Wednesdays. The next meeting I don't have off the top of  
2 my head, but they meet on Wednesday nights.

3 MR. MAGNIFICAO: Who's on the planning board?

4 COMMISSIONER SCARPELLI: I am.

5 UNIDENTIFIED SPEAKER: I am.

6 MR. MAGNIFICAO: Who, besides you?

7 COMMISSIONER SCARPELLI: I don't have a list in  
8 front of me, but --

9 MR. MAGNIFICAO: Who's this Wilson? Did he get  
10 fired (sic)?

11 COMMISSIONER SCARPELLI: I don't -- the chairman  
12 is Phil McGovern (ph). That's the chairman.

13 MR. MAGNIFICAO: Just curious, because I -- well,  
14 I would like to -- I'd love to protect our town. I hate to  
15 see us --

16 COMMISSIONER SCARPELLI: I think that this board  
17 of commissioners and the planning and zoning board members  
18 all have the best interests of the town at heart. They're  
19 residents of the town, Jack.

20 MR. MAGNIFICAO: I don't --

21 COMMISSIONER SCARPELLI: And taxpayers.

22 MR. MAGNIFICAO: I don't think that you -- our  
23 commissioners -- and I mean this sincerely -- are in the  
24 position that they would want to hurt the town themselves,  
25 personally. Because each and every -- you lived here a long

1 time. But I'm concerned about some of the influences of  
2 some of these people from outside could affect us. That's  
3 all. I've seen it happen, and I'm just concerned about it.  
4 So that's why I ask.

5 COMMISSIONER SCARPELLI: We both share that  
6 concern, Jack. We share the concern --

7 MR. MAGNIFICAO: Wait a minute. What's my  
8 concern? When I moved here, this was to me like heaven,  
9 like heaven. It's isolated -- highway, parkway, railroad,  
10 et cetera, et cetera and all houses and a couple of  
11 industries. Industries left. The houses are disappearing,  
12 and big structures are going up, and it just feels like a --

13 MAYOR PETRACCO: You know what, Jack? That's like  
14 -- you know, and again, I don't want to be long-winded, and  
15 I know (indiscernible). No, but I just want you to hear  
16 this, and please comment on it.

17 It's, you know, on one breath, you come up to the  
18 mike and you say, you know, the taxes, the taxes, the taxes.  
19 But then, like what do you want us to do? Because I'm  
20 getting confused as far as, you know, then you say to  
21 Commissioner Scarpelli, ah, you know, like why are you guys  
22 approving these apartments. Well, if we don't approve  
23 something with Roche leaving now, you can't have -- what I'm  
24 trying to say is you can't have it both ways.

25 It's either we have to develop some stuff, or your

1 taxes are going up. Which is it?

2 MR. MAGNIFICAO: I agree with you. I agree with  
3 you 100 percent. You've got to get revenue from someplace.  
4 I understand that. But all I'm concerned about is that we  
5 don't destroy our residential love.

6 MAYOR PETRACCO: Well, that's why I keep saying  
7 that we're here to strike a balance, and it's becoming very  
8 difficult. You know, we have people --

9 MR. MAGNIFICAO: (Indiscernible.)

10 MAYOR PETRACCO: -- coming up, our taxes, my  
11 taxes, my taxes, and then, it's like, you know, you're  
12 damned if you do and you're damned if you don't. You're in  
13 such a position up here where, you know, there's -- look,  
14 let me say this to you, because I want everyone to know how  
15 I feel, Commissioner Rogers.

16 You know what happens a lot in my private life?  
17 People of all walks in Nutley come up to me, and some people  
18 say to me, "You know what, Al? I don't want residential on  
19 Hoffman LaRoche. I don't care what you do. Let the weeds  
20 grow out of it. I want industry there, and I want big  
21 pharma there, and I want that." Well, I say well, if we do  
22 that, from Perkins Eastman or Planters, they said that's  
23 about 20 years away, maybe 30. I don't care. I'll wait.  
24 I'll pay the taxes.

25 But then, when you talk to somebody that's

1 struggling in town and they say to you, "Look, Al, I don't  
2 care what you do. Put a million apartments up there,  
3 because I can't have my taxes go up one more penny." So,  
4 you know, it's all who you talk to of all the different  
5 opinions that we get. You know?

6 So, that's what I want to be clear on is we're  
7 trying to strike a balance. And what we're trying to do is  
8 we're trying to get -- my definition of elected official is  
9 that we have to be a voice of the people. So whatever the  
10 majority of the people want in Nutley that's what we're  
11 trying to capture.

12 It's not just up to the commissioners. It's up to  
13 what everyone wants here. This is not my town. It's our  
14 town.

15 MR. MAGNIFICAO: I know. Let me make a real  
16 short, fast statement. In 2004, my wife got sick. I had a  
17 great, prosperous label business, right? And I put it up  
18 for sale, right? (Indiscernible) boys came in, promised to  
19 stay here with the business. We had 12 employees out of  
20 Nutley, all worked in my business.

21 Three years later, that gentleman over there, my  
22 lawyer, and he -- I got a letter from him telling me they  
23 were moving out. And I said you can't, you've got a five-  
24 year lease with me. You got this and that, and the  
25 attorneys said to me Jack -- they told me the reason.

1           We are 25 percent higher in our business tax with  
2           our business taking profit out of our business. So we're  
3           moving, and they said to me you take -- if they take you to  
4           court, Jack, you're going to lose. We had to let them go,  
5           right? We let them go, and fortunately, my building was  
6           paid off. So I -- but think of the --

7           MAYOR PETRACCO: You could weather the storm.

8           MR. MAGNIFICAO: Huh?

9           MAYOR PETRACCO: You could weather the storm.

10          MR. MAGNIFICAO: That's right. But there's a lot  
11          of people that can't.

12          MAYOR PETRACCO: I understand. Thank you, Jack.

13          MS. LANDRY: Pennie Landry, 135 Lakeside Drive,  
14          Nutley, New Jersey 07110. I have my court date with  
15          Mr. Librizzi next week, and I look forward to meeting him,  
16          given that he has never returned my call, and I have called  
17          him six additional times since the last time I was here, and  
18          Mr. Genitempo said that he would have him call me, and he  
19          has not returned my call. So I will meet with him at the  
20          tax appeal date next week. I will report how that went,  
21          which I'm not anticipating that it goes very well.

22          MAYOR PETRACCO: Ms. Landry, just pull that mike  
23          down a little bit.

24          MS. LANDRY: Okay.

25          MAYOR PETRACCO: Thank you so much.

1 MS. LANDRY: I have a question for  
2 Commissioner Evans, and I'd just like to have it be in the  
3 minutes. As you know, it took seven-and-a-half weeks for me  
4 to get a permit for my accessory building. I went through  
5 the process. My permit was given to me and my fiancé, and  
6 my name is now on the deed. So I am officially a homeowner  
7 in Nutley, which Mr. Librizzi questioned.

8 So I get my permit. We start construction, and I  
9 do want to acknowledge Mr. Barry for the improvements that  
10 he's made in the department. I had a wonderful conversation  
11 with him. He is an asset to this township. He's young.  
12 He's bright, and he definitely is making a difference.

13 So we start our process, and an inspector shows  
14 up, and he says you have to have a retaining wall. So I get  
15 my architect's plans out with the approval from the  
16 township. Well, there's no retaining wall, but now, I have  
17 to have a retaining wall. I'm like well, how does that  
18 work. He said well, we can come in and say that now you  
19 need a retaining wall.

20 Okay. I'm not one to argue. Go to my architect,  
21 get new plans drafted up, pay a \$70 permit fee, hire  
22 somebody to build a -- well, it was 3,000 at the time --  
23 retaining wall. Okay? So I leave for Rome. Everything's  
24 set. I come back from Rome. The retaining wall is  
25 different than the plan. So I say to my contractor, "What's

1 the deal? This is different than the permit, the plan that  
2 was approved by the township of Nutley.'

3 He says, "Well, the inspector said I had to do it  
4 this way.'" I said, "Well, but the drawing from the  
5 architect is this.'" I said, "The way it's now done is not  
6 what I wanted, and it's \$2,000 more in materials costs.'

7 He said, "Penny, I had to do it." I said, "Why"?  
8 And do you know what he said to me? He said, "Because I am  
9 scared of the repercussions of what will happen if I had not  
10 done what he told me to do.'" So now, my retaining wall is  
11 different than what my architect drew and what was approved  
12 by the town.

13 So I met with the inspector today and asked him.  
14 I said, "Off the record, is there anything that you said to  
15 my contractor that had my retaining wall end up different  
16 than what is on the architect's plans"? And he said, "I  
17 told him, Penny, to follow the architect's plans, and I also  
18 had said to him if this were my retaining wall, I'd do it  
19 this way.'

20 So my contractor did it his way. And then, I  
21 asked our inspector, "Who is going to pay to make the change  
22 to have this wall be what was approved by a permit by the  
23 town done to permit"? And he said, "Well, I guess you  
24 will.'

25 Now, an additional \$2,000 on a \$5,000 retaining

1 wall that was not in the original permit, that is not to  
2 architectural drawing, and I'm not scared of the  
3 repercussions. I'm here saying that, according to every  
4 contractor I have talked to, they are scared of what happens  
5 in Commissioner Evans' department. And I am not happy since  
6 December with Commissioner Evans' taxation department, the  
7 fact that our tax assessor will not return calls, the fact  
8 that our tax assessor is rude, the fact that our tax  
9 assessor does not stand up for the people.

10 I am not happy with our permit department. Now,  
11 you may be happy with the response time of the ambulances,  
12 but we're not happy with a lot of other services in this  
13 town, and unfortunately, the two departments with which I  
14 have the most issue, as do many people who I speak with are  
15 Commissioner Evans' departments. And yet, in our form of  
16 government, no one can do anything for the citizens of  
17 Nutley but the departments that are headed by Commissioner  
18 Evans. That is a sad, sad state of affairs, because his  
19 budget, his payroll is about eight times what everybody  
20 else's is.

21 If you look at the bills list from today, look  
22 where the money is spent. And yet, nobody can do anything  
23 about it. I'm asking you as commissioners to look into the  
24 inefficiencies of the departments and look to see is this  
25 form of government truly serving our people when there is no

1 accountability. And everybody can just say we can't do  
2 anything about it because it's not our department.

3 And then, when you ask the department head,  
4 Mr. Evans, to do something about it, he says I have no  
5 authority. This is sad. We have 24,000 people depending on  
6 you to make good decisions, not to try to make good  
7 decisions, to make good decisions for all of us, and not to  
8 say you have to bring that to him, you have to bring that to  
9 him, you have to do that.

10 And then, you go to them, and they say we can't do  
11 anything about it. I'm sad for our community. There are  
12 many, many issues going on right now, and people are trying  
13 instead of doing, and they're passing the buck, and I just  
14 have a true issue, and I have gone to the governor with this  
15 George Librizzi issue.

16 And I will not stop until the leadership of this  
17 community addresses the fact that George Librizzi is paid a  
18 full-time salary, has a \$60,000 contract with ~~Kindrix~~ <sup>Hendricks</sup> (ph)  
19 to do extra work and an attorney, and he is also the tax  
20 assessor for three other towns where he does the same work  
21 one day a week, one hour a day. And I am asking the  
22 commissioners to have courage to address this issue for the  
23 citizens of Nutley, respectfully. Thank you.

24 MAYOR PETRACCO: Thank you.

25 Is there anyone else this evening that would like

1 to address the board of commissioners?

2 Seeing no one.

3 COMMISSIONER SCARPELLI: Move to adjourn.

4 COMMISSIONER ROGERS: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: (No audible response.)

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: Aye. Thank you.

11 MADAM CLERK: It is now 8:57 p.m. The meeting has  
12 officially adjourned.

13 (Whereupon, these proceedings were concluded at  
14 8:57 PM)

15

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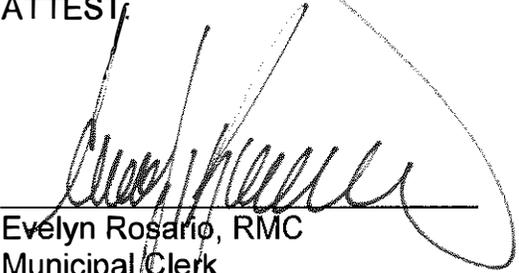
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**Signature Page/Board of Commissioners  
Meeting Minutes, June 17, 2014**

ATTEST:



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Evelyn Rosario, RMC  
Municipal Clerk  
(Meeting Minutes Approved at the)  
(Tuesday, August 5, 2014 Board of)  
(Commissioners Meeting)

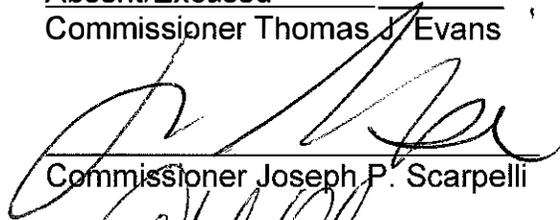


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Commissioner Steven Rogers

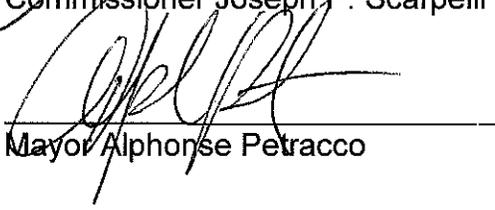
Absent/Excused  
Commissioner Mauro G. Tucci

Absent/Excused  
Commissioner Thomas J. Evans



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Commissioner Joseph P. Scarpelli



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Mayor Alphonse Petracco

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01670	A PERSONAL TOUCH FLRST	35.00					35.00
14-01383	METROGRAPHICS	250.00					250.00
14-01890	NOREEN MCMANUS	82.50					82.50
14-01891	NJ MEADOWLANDS COMM	11,759.04					11,759.04
14-01928	ESSEX CNTY.UTILITIES AUTH	119,981.77					119,981.77
14-01914	CABLEVISION	16.51					16.51
14-01894	NUTLEY PARK SHOPRITE	23.82					23.82
14-01815	TONYS AUTO BODY	4,580.70					4,580.70
14-01465	DELGEN PRESS	49.00					49.00
14-01528	DELGEN PRESS	145.00					145.00
14-01533	W.B. MASON	398.78					398.78
14-01489	W.B. MASON	122.92					122.92
14-01605	W.B. MASON	61.83					61.83
14-01369	BALL CHAIN MFG	219.50					219.50
14-00909	GLAXO SMITH KLINE	694.80					694.80
14-01930	COURTNEY JOHNSON	150.00					150.00
14-01931	PATTY CRUZ	68.97					68.97
14-01703	TREASURER SCHOOL MONEY		2,205,492.00				2,205,492.00
14-01725	T/N PAYROLL AGENCY		33,245.67				33,245.67
14-01732	T/N PAYROLL AGENCY DCRP		190.77				190.77
14-01752	EDMUNDS ASSOCIATES		4,351.69				4,351.69
14-01877	NJ E-Z PASS		100.00		250.00		600.00
14-01834	US POSTAL SERVICE		8,000.00				8,000.00
14-01487	DELGEN PRESS		79.00				79.00
14-01630	WEST GROUP		540.00				540.00
14-01856	NJ STATE LEAGUE MUN.		342.00				342.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01858	THE STAR LEDGER		475.53				475.53
14-01860	STATE NJ EMPLOYER ACCT.		2,105.99				2,105.99
14-01861	US BANK CUST PRO CAPITAL		672.72				672.72
14-00213	VITAL COMM.		255.00				255.00
14-01693	STAPLES		60.50				60.50
14-01506	MILLENIUUM STRATEGIES		6,666.00				6,666.00
14-01506	MILLENIUUM STRATEGIES		3,333.00				3,333.00
14-01506	MILLENIUUM STRATEGIES		3,333.00				3,333.00
14-01506	MILLENIUUM STRATEGIES		3,333.00				3,333.00
14-01700	PIRO,ZINNA,CIFELLI,PARIS		2,114.80				2,114.80
14-01700	PIRO,ZINNA,CIFELLI,PARIS		4,214.00				4,214.00
14-01700	PIRO,ZINNA,CIFELLI,PARIS		4,806.14				4,806.14
14-01700	PIRO,ZINNA,CIFELLI,PARIS		3,300.56				3,300.56
14-01868	US BANK CUST FOR PRO CAP		715.76				715.76
14-01512	INTNL INST. MUNICIPAL CLK		210.00				210.00
14-01869	THE STAR LEDGER		46.40				46.40
14-01889	FRANK AMADIO, JR		2,356.11				2,356.11
14-01892	LASSER, HOCHMAN, LLC		5,818.00				5,818.00
14-01893	JOSHI SAMEER		130.31				130.31
14-01917	WAGE WORKS		25.00				25.00
14-01384	DOCUSAFE		4,445.00				4,445.00
14-01511	PATERSON STAMP WORKS		55.20				55.20
14-01735	NJ DIV OF ABC		75.00				75.00
14-01727	PROGRESSIVE BUSINESS		230.00				230.00
14-00097	NICOLETTE TOWING			24.00			24.00
13-04602	W.B. MASON			4,497.83			4,497.83

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01200	W.B. MASON			5,299.65			5,299.65
14-01585	W.B. MASON			125.98			125.98
14-01839	THE SIGN POST			85.00			85.00
14-00392	SAFE-T			2,611.31			2,611.31
13-04320	ABSOLUTE FIRE PROTECTION			735.52			735.52
14-01468	CLEAN AIR CO			425.00			425.00
14-01771	NATIONAL TERMINAL			6,967.39			6,967.39
14-01682	BATTERIES & BULBS			95.80			95.80
14-01681	BATTERIES & BULBS			47.52			47.52
14-01683	BATTERIES & BULBS			29.97			29.97
14-01543	P & A AUTO PARTS			190.68			190.68
14-01466	P & A AUTO PARTS			95.65			95.65
14-01545	CONSOLIDATED PLASTIC			359.00			359.00
14-01738	OLIVIA MARZOCCA			200.00			200.00
14-01491	FRANKS TRUCK CENTER			1,622.32			1,622.32
14-01863	TURNOUT FIRE & SAFETY			218.98			218.98
14-01864	TURNOUT FIRE & SAFETY			639.55			639.55
14-01865	TURNOUT FIRE & SAFETY			494.83			494.83
14-01866	TURNOUT FIRE & SAFETY			490.69			490.69
14-01867	TURNOUT FIRE & SAFETY			390.20			390.20
14-01431	HELMETS R US			470.00			470.00
14-01677	FREE SPIRIT PUBLISHING			44.97			44.97
14-01542	PRINTING TECH			225.00			225.00
14-01731	TRIANGLE COMM.			285.00			285.00
14-00098	P & A AUTO PARTS			51.87			51.87
14-01838	THE SIGN POST			65.00			65.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-00354	INHALATION THERAPY			158.00			158.00
14-01631	NUTLEY PARK SHOPRITE			37.86			37.86
14-01809	A PERSONAL TOUCH FLORIST			350.00			350.00
14-01498	SANDRA CARELLA			213.98			213.98
14-00846	CAPASSO PAINTING			1,375.00			1,375.00
14-01746	HODGES PARTY RENTAL			687.75			687.75
13-02305	GTBM INC			6,196.77			6,196.77
14-01903	PERKINS EASTMAN ARCHIT.			12,133.70			12,133.70
14-01608	HEWLETT PACKARD			494.68			494.68
14-.1589	HEWLETT PACKARD			634.35			634.35
14-01636	GOODYEAR AUTO SERVICE			538.85			538.85
14-01637	GOODYEAR AUTO SERVICE			1,019.55			1,019.55
14-01638	SPOHRER COMPRESSOR			543.12			543.12
14-01816	VALIC FINANCIAL ADVISORS			12,075.00			12,075.00
14-00092	AUTO ENERGY			328.20			328.20
14-01843	NUTLEY PARK SHOPRITE			23.62			23.62
14-01768	NUTLEY PARK SHOPRITE			140.24			140.24
14-01816	NJ PUBLIC SAFETY ACCRED.			99.00			99.00
14-01810	BRADLEY TIRE			505.50			505.50
14-00050	NEWARK ASPHALT				256.99		256.99
14-01602	HOME DEPOT				311.54		311.54
14-00037	AGL WELDING				321.42		321.42
14-00045	DELUXE INTERNATIONAL				222.46		222.46
14-00052	NORTHEAST AUTO				116.75		116.75
14-01767	CITY OF NEWARK				12,582.79		12,582.79
14-01742	CABLEVISION				59.95		59.95

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01609	TERRE CO				343.84		343.84
14-01413	DELGEN PRESS				98.00		98.00
14-00283	CAPOZZI OVERHEAD DOOR				280.00		280.00
14-01493	W.B. MASON				215.96		215.96
14-01460	AMERICAN STENCIL				73.00		73.00
14-01766	HOME DEPOT				115.00		115.00
14-00055	ROBERTS & SON				25.76		25.76
14-00065	BELL RIDGE PLUMBING				97.15		97.15
14-00037	AGL WELDING				55.40		55.40
14-00038	AMERICAN HOSE				172.46		172.46
14-00038	AMERICAN HOSE				234.86		234.86
14-00046	DURABLE RECYCLING				881.28		881.28
14-00046	DURABLE RECYCLING				2,385.00		2,385.00
14-00059	TICLON NJ				1,038.50		1,038.50
14-01645	PETER ANDOLINO				136.00		136.00
14-01494	DELGEN PRESS				145.00		145.00
14-01699	FOSTER & CO				17.85		17.85
14-01280	THE KENNEDY CO				3,816.00		3,816.00
14-01563	RHOMAR IND				2,254.94		2,254.94
14-01387	BIO SHINE				405.51		405.51
14-00070	P & A AUTO				23.94		23.94
14-01551	W.B. MASON				269.04		269.04
14-00047	GRANT SUPPLIES				10.45		10.45
14-00066	GRAINGER				31.14		31.14
14-00066	GRAINGER				274.18		274.18
14-00046	DURABLE RECYCLING				839.52		839.52

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01882	PSE & G				17.51		17.51
14-00039	AUTOZONE				49.49		49.49
14-00064	ATHENIA MASON				126.25		126.25
14-00073	BUY WISE AUTO				69.95		69.95
14-00058	SUPERIOR DISTRIBUTORS				276.98		276.98
14-00072	VITAL COMMUNICATIONS				153.00		153.00
14-01791	COLANERI BROTHERS				20.50		20.50
14-01723	FRANKS AUTO GLASS				345.00		345.00
14-01471	WORK N GEAR				786.25		786.25
14-01472	WORK N GEAR				708.50		708.50
14-01473	WORK N GEAR				118.99		118.99
14-01216	BIO SHINE				651.80		651.80
14-01461	SHERWIN WILLIAMS				1,260.90		1,260.90
14-01444	FOSTER & CO				311.39		311.39
14-00270	DELUXE INTERNATIONAL				275.21		275.21
14-00299	PENNONI ASSOCIATES				1,250.00		1,250.00
14-00299	PENNONI ASSOCIATES				2,250.00		2,250.00
14-00299	PENNONI ASSOCIATES				135.00		135.00
14-00299	PENNONI ASSOCIATES				900.00		900.00
14-00299	PENNONI ASSOCIATES				720.00		720.00
14-00299	PENNONI ASSOCIATES				3,055.83		3,055.83
14-01291	J & B CERAMIC TILE				17,200.00		17,200.00
14-00021	SUPERIOR DISTRIUBUTORS					4.06	4.06
14-00664	ABADEL PEST CONROL					125.00	125.00
14-00193	ABADEL PEST CONROL					550.00	550.00
14-00033	JOSEPH RICCARDI PAINTS					310.10	310.10

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-00032	VIOLA BROTHERS					894.73	894.73
14-00029	GRAINGER					20.29	20.29
14-00028	CONTEMPORARY GLASS					28.60	28.60
14-00028	CONTEMPORARY GLASS					31.45	31.45
14-00655	POLAND SPRING					39.69	39.69
14-00034	WEST ESSEX BUILDING					100.44	100.44
14-01193	TERRE CO					76.00	76.00
14-01606	TERRE CO					508.25	508.25
14-00006	AGL WELDING					119.80	119.80
14-00020	STORR TRACTOR CO					106.98	106.98
14-00016	WWK					29.00	29.00
14-00015	NORTHEAST AUTO					260.85	260.85
14-00030	GRANT SUPPLIES					96.05	96.05
14-00030	GRANT SUPPLIES					9.75	9.75
14-00030	GRANT SUPPLIES					28.98	28.98
14-01690	GRANT SUPPLIES					940.00	940.00
14-00026	ABLE PAINT					48.39	48.39
14-01586	FRANKS TRUCK CENTER					1,733.51	1,733.51
14-01669	A-1 PLUS AUTO GLASS					160.00	160.00
14-01642	SAFETY-KLEIN					246.40	246.40
14-01615	WEST GROUP					360.00	360.00
14-01317	CANDORIS TECH					1,999.99	1,999.99
14-01217	AQUARIUS IRRIGATION					30.76	30.76
14-01165	DOBSON TURF					389.00	389.00
14-01822	MARION CUNDIOFF					1,258.80	1,258.80
14-01847	LORETTA KWAPNIEWSKI					629.40	629.40

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 17, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-01848	LUCILLE SIMONIAN					629.40	629.40
14-01849	CHARLES GROSS					1,258.80	1,258.80
14-01850	ROBERT MALANGA					1,258.80	1,258.80
14-01851	JOSEPH REGO					1,258.80	1,258.80
14-01852	SAL CETRULO					629.40	629.40
14-01886	LOUIS MARONE					1,258.80	1,258.80
14-01888	LEONADO VESPUCCI					1,258.80	1,258.80
14-01607	APPROVED FIRE PROTECT.					1,105.44	1,105.44
14-01673	METRO HYDRAULIC JACK					338.00	338.00
14-00032	VIOLA BROTHERS					35.70	35.70
14-01653	RELIABLE WOOD					3,050.00	3,050.00
14-01689	MAGIC TOUCH CONSTRCT.					317.50	317.50
14-01601	PIONEER PAINT					1,155.00	1,155.00
14-00029	GRAINGER					29.05	29.05
14-00013	HOOVER TRUCK					77.33	77.33
14-00031	NATIONAL BUILDING					322.70	322.70
14-01779	HESS CORP					200.82	200.82
14-00099	ARROW ELEVATOR					425.00	425.00
14-00026	ABLE PAINT					97.45	97.45
14-00027	BELL RIDGE PLUMBING					333.56	333.56
14-00012	FRANKS GMC TRUCK					14.11	14.11
14-00022	TERRE CO					267.24	267.24
14-00021	SUPERIOR DISTRIUBUTORS					93.97	93.97
14-00033	JOSEPH RICCARDI PAINTS					130.05	130.05
14-00030	GRANT SUPPLIES					66.34	66.34
14-00030	GRANT SUPPLIES					71.04	71.04



**TOWNSHIP OF NUTLEY  
BILL LIST  
JUNE 17, 2014**

**List of payroll submitted for approval by the Board of Commissioners at  
their regular meeting of JUNE 17, 2014:**

**PAYROLL-REGULAR JUNE 6, 2014:**

Department of Public Affairs	19,568.25
Department of Revenue & Finance	64,469.14
Department of Public Safety	462,280.65
Department of Public Works	60,732.32
Department of Parks & Public Properties	74,821.84
Department of Recreation Commission	8,408.17
Water Operations	40,265.09
Due To From General Capital	3,623.27
600 Series	7,121.02
C.E.H.A.	2,987.55

**Sub Total** 744,277.30

**PAYROLL-OVERTIME JUNE 6, 2014:**

Department of Public Affairs	0.00
Department of Revenue & Finance	224.18
Department of Public Safety	13,516.01
Department of Public Works	2,758.09
Department of Parks & Public Properties	7,428.89
Water Operations	9,038.93
600 Series	0.00

**Sub Total** 32,966.10

**TOTAL PAYROLL:** 777,243.40

**GRAND TOTAL:** 3,376,157.12

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

Federal Withholding Tax	95,129.84
Social Security	24,421.48
N.J. State Tax	28,045.76
Medicare	11,218.71
Wage Execution	4,057.50
Deferred Compensation	24,709.83
Employee Disability Ins.	5,154.10

Township of Nutley  
Essex County  
One Kennedy Drive  
Nutley, New Jersey 07110

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3289**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was introduced and passed upon first reading at a regular meeting of the Board of Commissioners, Township of Nutley, Essex County, New Jersey on the 17<sup>th</sup> day of June, 2014 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Board of Commissioners to be held on the 15<sup>th</sup> day of July , 2014 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.**

**Evelyn Rosario  
Municipal Clerk  
Township of Nutley**

**The Nutley Sun Issue/Thursday, June 26, 2014 Via E-Mail: [publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

ORDINANCE # 3289  
INTRODUCED BY: MAYOR ALPHONSE PETRACCO  
INTRODUCED ON: JUNE 17, 2014  
PUBLIC HEARING: JULY 15, 2014

ORDINANCE NO. 3289

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

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

SECTION 1

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

NON-UNION EMPLOYEES

MUNICIPAL COURT

<u>TITLE</u>	<u>BASE SALARY MINIMUM</u>	<u>BASE SALARY MAXIMUM</u>
Clerk 1	\$ 10.00/hour	\$ 20.00/hour

SECTION 2

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

SECTION 3

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

SECTION 4

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

SECTION 5

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

**Township of Nutley  
Essex County  
One Kennedy Drive  
Nutley, New Jersey 07110**

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3288**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was introduced and passed upon first reading at a regular meeting of the Board of Commissioners, Township of Nutley, Essex County, New Jersey on the 17<sup>th</sup> day of June, 2014 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Board of Commissioners to be held on the 15<sup>th</sup> day of July , 2014 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.**

**Evelyn Rosario  
Municipal Clerk  
Township of Nutley**

**The Nutley Sun Issue/Thursday, June 26, 2014 Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

**ORDINANCE NO. 3288**  
**INTRODUCED BY MAYOR PETRACCO**  
**INTRODUCED ON TUESDAY, JUNE 17, 2014**  
**PUBLIC HEARING: TUESDAY, JULY 15, 2014**

**ORDINANCE NO. 3288**

**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; LANE USE RESERVATIONS), SECTION 28 ENTITLED BUS STOPS, TO DELETE THE LOCATION SET FORTH THEREIN.**

**BE IT ENACTED** by the Board of Commissioners of the Township of Nutley that Section 28 of Chapter 228 of the Code of the Township of Nutley, entitled Special Zones and Areas; Lane Use Reservations, is hereby amended to set forth the Deletion of the following location:

**228-28. Bus Stops.**

The locations described are hereby designated as bus stops. No vehicle other than an omnibus picking up or discharging passengers shall be permitted to occupy said location between the hours indicated.

O. Along Washington Avenue, northbound on the easterly side thereof at:

**Delete**

**Street**

**Hours**

Nutley Avenue (far side): beginning at the northerly curblin  
Of Nutley Avenue and extending northerly 120 feet therefrom.

All

BE IT FURTHER ENACTED that all other terms and conditions and locations in Section 28 and Chapter 228 shall remain as heretofore set forth in the Code of the Township of Nutley, except where such a reading would not give meaning to and further the application of this amendment. In such case and in such event, the terms and conditions shall have a meaning consistent with the intent of this amendment; and

BE IT FURTHER ENACTED that the within ordinance shall become effective after passage and publication, pursuant to law.

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

Introduced by: Commissioner Steven Rogers Date: June 7, 2014

Seconded by: Commissioner Joseph P. Scarpelli No. 145-14

**WHEREAS**, Request for Proposals for “Solid Waste, Bulk Waste, Vegetative, Waste, Leaves and Grass” were opened on Wednesday, May 28, 2014; and

**WHEREAS**, only one bid was received by the municipality said bid substantially exceeds the cost estimate for the services; and

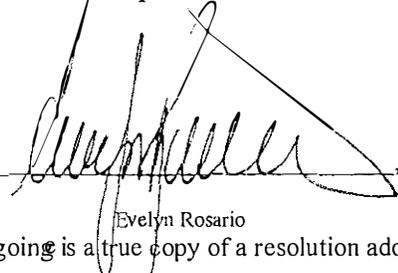
**WHEREAS**, N.J.S.A. 40A: 11-13.2 (a) permits the rejection of all proposals under such circumstances.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley that the bids for “Solid Waste, Bulk Waste, Vegetative, Waste, Leaves and Grass” as advertised, received and opened are hereby rejected; and

**BE IT FURTHER RESOLVED**, that the Township Clerk be and is hereby authorized to again advertise for sealed bids “Solid Waste, Bulk Waste, Vegetative, Waste, Leaves and Grass.”

**BE IT FURTHER RESOLVED**, that bids are to be received on Tuesday, August 26, 2014 in the Commissioner Chambers, Township Hall at 3:00 pm (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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Commissioner Joseph P. Scarpelli FOR  
Commissioner Mauro G. Tucci *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 144-14

**WHEREAS,** Whereas, The Township of Nutley heretofore entered into a contract with Neglia Engineering, 34 Park Avenue, Lyndhurst, N.J. 07071 for technical and management services for the Monsignor Owens Park, Field Reconstruction Project; and

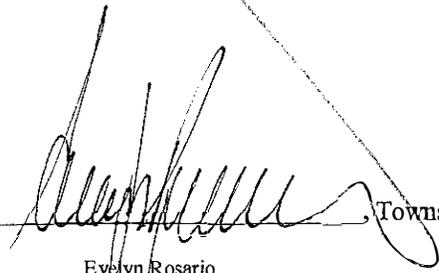
**WHEREAS,** The Director of Recreation of the Department of Parks and Public Property has recommended the following change order from said contract:

**CHANGE ORDER NO. 4:** Professional billing services in the amount of \$135.00.

The money is available from Ordinance # 3214B and has been certified by the Chief Financial Officer and said certification is attached to this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order #4, \$135.00 be and is hereby approved.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

*Introduced by:* Commissioner Steven Rogers FOR  
Commissioner Thomas J. Evans

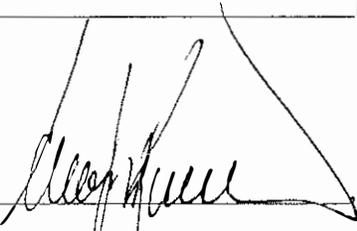
*Date:* June 17, 2014

*Seconded by:* Commissioner Joseph P. Scarpelli

*No.* 140-14

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 \$2,016.99 for the following accounts.

Block & Lot	Address	Amount
8304 9	12 Blum Lane	\$ 2,016.99 – 08/08/13

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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

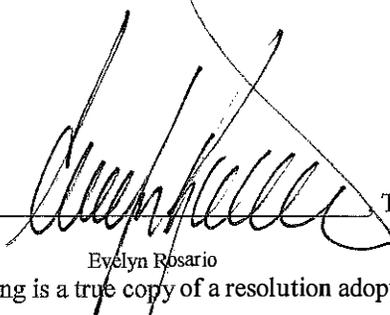
**Resolution**

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 146-14

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 Park Avenue, Section 1, 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, July 9, 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

Evelyn Rosario

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

June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

Introduced by: Commissioner Joseph P. Scarpelli Date: June 17, 2014

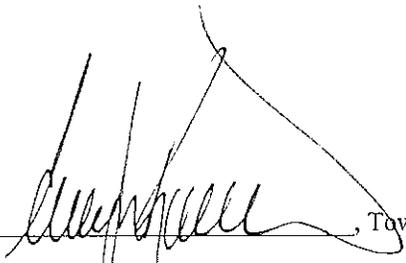
Seconded by: Commissioner Steven Rogers No. 147-14

**WHEREAS, bids were received for 2013 Various Roadway Improvements opened and read on May 28, 2014 at 3:00pm prevailing time; and**

**WHEREAS, the low responsible bidder requested to withdraw due to a calculation error; and**

**WHEREAS, the Township Attorney and Township Engineer have reviewed and pursuant to N.J.S.A. 40A:11-23.3 the Township of Nutley accepts bid withdraw request;**

**NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, low bid is rejected.**

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 June 17, 2014

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

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 148-14

WHEREAS, the Township of Nutley, in accordance with the Local Public Contracts Law, advertised for sealed bids for 2013 Roadway Improvements; and

WHEREAS, on May 28, 2014 six sealed bids were received from the following vendors;

Vendor:	Base Amount
Stanziale Construction, LLC*	\$510,416.65
D&L Paving Contractors	\$532,121.14
A.J.M Contractors, Inc.	\$556,090.00
DLS Contracting, Inc.	\$608,544.00
Cifelli & Sons, Inc.	\$657,649.00
Reivax Contracting	\$669,867.00

\* Due to an error in calculation on the bid form the vendor requested to withdraw this bid.

WHEREAS, the Township Attorney and Township Engineer have reviewed the above listed bid packages pursuant to N.J.S.A. 40A:11-23-3 the Township of Nutley accepts contractor request of bid withdraw; and

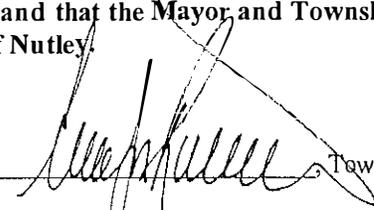
WHEREAS, AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011 was the second responsible lowest bidder; and

WHEREAS, Base Bid for the 2013 Roadway Improvements in the amount of \$556,090.00, Alternate Bid #1 in the amount of \$145,887.50, Alternate Bid #2 in the amount of \$49,160.00, Alternate Bid #3 in the amount of \$53,199.00, Alternate Bid #4 in the amount of \$57,519.00 and Alternate Bid #5 in the amount of \$86,525.00 for a total bid amount of \$948,380.50; and

WHEREAS, funds are available from Ordinance #3243A in the amount of \$802,493.00 and Account #4-01-806-277 in the amount of \$145,887.50 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby award the bid for 2013 Roadway Improvements to AJM Contractors, not to exceed \$948,380.50 and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley.

. . .

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 June 17, 2014  
held \_\_\_\_\_

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

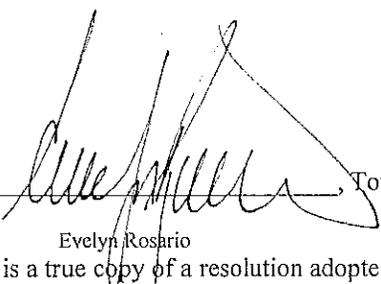
**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 141-14

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Alan Genitempo, Esq. be appointed as Township Attorney effective January 1, 2014 through May 31, 2016.

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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

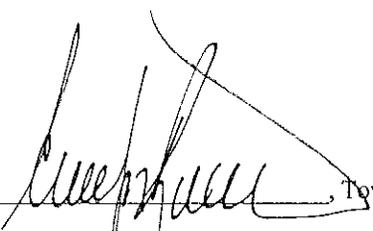
**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 142-14

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Angelo Servidio, Esq. be appointed as Municipal Prosecutor effective January 1, 2014 through May 31, 2016.

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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

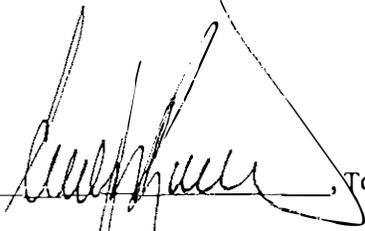
## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 143-14

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that James Pomaco, Esq. be appointed as Public Defender effective January 1, 2014 through May 31, 2016.

...

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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

X

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 149-14

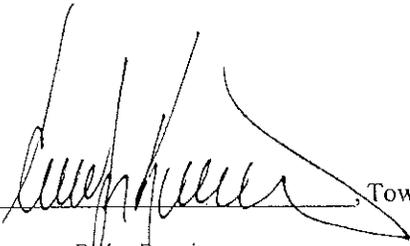
WHEREAS, sealed bids for furnishing and delivering POLICE, DISPATCHERS and CROSSING GUARD UNIFORMS and EQUIPMENT were publicly opened and read on June 4, 2014; and

WHEREAS, Turnout Uniforms is the lowest bidder; and

WHEREAS, the funds, in the amount of \$48,000.00 are available in an appropriation entitled 4-01-310-200 "Police and Dispatcher Maintenance & Allowance" and the funds, in the amount of \$5,700 are available in an appropriation entitled 4-01-308-200 "Crossing Guards Allowance" and has been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that a contract for furnishing and delivering POLICE, DISPATCHERS AND CROSSING GUARD UNIFORMS and EQUIPMENT, consistent with the 2014 clothing voucher allocation be and is hereby awarded to Turnout Uniforms, 195 Patterson Avenue, Little Falls, NJ 07424.

. . .

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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

*Introduced by:* Mayor Alphonse Petracco

*Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers

*No.* 150-14

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses be granted to the following licensees effective July 1, 2014 through June 30, 2015.

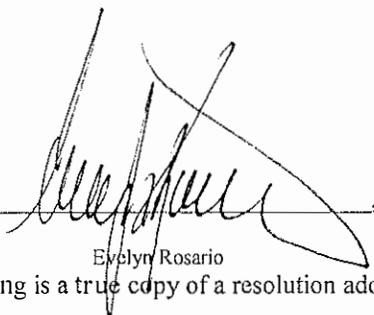
**BE IT RESOLVED**, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificates for each establishment listed below for this renewal period.

**BE IT FURTHER RESOLVED**, that these establishments have been inspected by the Board of Health, Fire Department, Code Enforcement Department and the Police Department of the Township of Nutley and are in satisfactory condition.

American Legion Post #70 T/A American Legion Nutley Post 70	24 Franklin Avenue, 1 <sup>st</sup> Floor	0716-31-030-002	\$150.00
Nutley Post 30 American Vets of World War II T/A Nutley Amvets Post 30	184 Park Avenue	0716-31-031-001	\$150.00
Columbian Club of Nutley T/A St. Mary's Knights of Columbus	150 Chestnut Street	0716-31-032-001	\$150.00
Nutley New Jersey Lodge 1290 BPO Elks	242 Chestnut Street	0716-31-033-001	\$150.00
Stuart E. Edgar Post No. 493 Veteran of Foreign Wars T/A VFW Holding Co. of Nutley	271 Washington Avenue	0716-31-035-001	\$150.00
Jim Dandy's of Nutley LLC T/A Jim Dandy's	561-563 Franklin Avenue	0716-32-008-009	\$1,719.36
Castelli Inc T/A Nutley Diner	372 Centre Street	0716-33-006-002	\$1,719.36
Diamond Spring Café LLC T/A Diamond Spring Café	116 Harrison Street/ 35 Evergreen Avenue	0716-33-015-003	\$1,719.36
MAR2NAT LLC T/A MEAL	431-437 Kingsland Street	0716-33-016-010	\$1,719.36
Terrazza, LLC	507 Franklin Avenue	0716-33-017-009	\$1,719.36
KJM Inc. T/A American Bistro	24-26 Washington Avenue	0716-33-018-006	\$1,719.36
Jo-Ka Inc. T/A Washington Park Tavern	174 Washington Avenue	0716-33-019-006	\$1,719.36

Conca Brothers Management 4 LLC T/A The Old Canal Inn	2 East Passaic Avenue	0716-33-022-002	\$1,719.36
TBG Inc. T/A Park Pub	789 Bloomfield Avenue	0716-33-023-003	\$1,719.36
South Side Grill LLC T/A Ritacco's Midtown Bar & Grill	223A Franklin Avenue	0716-33-027-009	\$1,719.36
FSH Holdings LLC T/A Franklin Steak House	238 Franklin Avenue	0716-33-028-005	\$1,719.36
The Foursum LLC T/A The Brook Tavern	522-526 Franklin Avenue	0716-33-029-008	\$1,719.36
PRAHAR CORP T/A Heller & Heller Liquors	200 Franklin Avenue	0716-44-013-007	\$1,287.36
Franklin Wine Shop Inc. T/A Nutley Wine Shop	558 Franklin Avenue	0716-44-021-006	\$1,287.36
MAJAGDAMBA LLC T/A Nutley News & Liquors	98 Centre Street	0716-44-025-010	\$1,287.36

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex that the Municipal Clerk be and she is hereby directed and authorized to issue said licenses for the licensing period of July 1, 2014 through June 30, 2015.

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 June 18, 2012

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced* by: Mayor Alphonse Petracco *Date:* June 17, 2014

*Seconded* by: Commissioner Steven Rogers *No.* 151-14

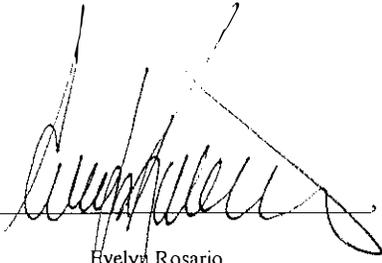
**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to JJGG, LLC, license number 0716-33-001-007 effective July 1, 2014 through June 30, 2015.

**BE IT RESOLVED**, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for said license.

**BE IT FURTHER RESOLVED**, the Director of the Division Alcoholic Beverage Control has reviewed the Special Ruling (N.J.S.A. 33:1-12.39) petition submitted by JJGG, LLC and has considered all the facts and circumstances related to the inactive status of this license and has determined that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of license number 0716-33-001-007 for the 2014-2015 license term.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the license be and is hereby renewed for the licensing period of July 1, 2014 through June 30, 2015.

. . .

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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* June 17, 2014

*Seconded by:* Commissioner Steven Rogers *No.* 152-14

**WHEREAS**, the following Club Liquor License has not received a Tax Clearance certificate as required by the Division of Alcoholic Beverage prior to the Governing Body acting on the renewal: and

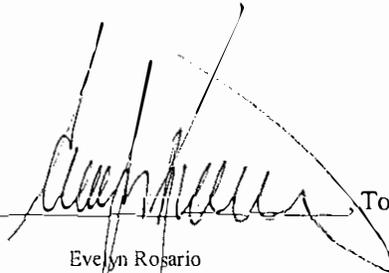
**WHEREAS**, in order for the licensee to continue operating after 12:00 A.M. July 1, 2014, a temporary permit from the Division of Alcoholic Beverage Control must be obtained: and

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

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

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

Nutley Pub Associates, LLC T/A Nutley Pub Associates	227-229 Centre Street	0716-33-024-005	\$1,719.36
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I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		

**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

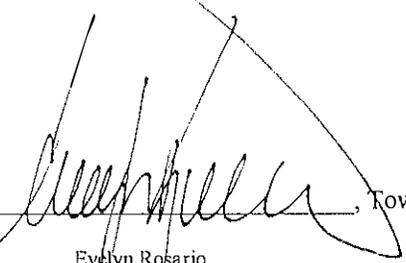
*Introduced by:* Mayor Alphonse Petracco *Date:* June 17, 2014

*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 153-14

WHEREAS, an application has been filed for a place –to–place transfer (EXPANSION OF PREMISES) of Plenary Retail Consumption License No. 0716-33-016-010, MAR2NAT LLC T/A MEAL, 431-437 Kingsland Street, Nutley New Jersey 07110 for purposes of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term;

NOW, THEREFORE BE IT RESOLVED that the Township of Nutley, Board of Commissioners does hereby approve, effective Friday, June 20, 2014 the expansion of the aforesaid Plenary Retail Consumption License No. 0716-33-016-010 located at 431-437 Kingsland Street, Nutley, New Jersey 07110 to place under the license the area delineated in the application form and the sketch of licensed premises attached thereto

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 June 17, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X	X		