TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS
PUBLIC MEETING
TRANSCRIPT OF
PROCEEDINGS

July 1, 2014
7:07 p.m.

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

Job No. VTNJ - 1897294
PROCEDINGS

MADAM CLERK: Tuesday, July 1, 2014. Pursuant to
the requirements of the Open Public Meeting Law, Chapter
231, P.L. 1975, notice of this meeting was published in the
December 12, 2013 issues of the Nutley Sun, the Star Ledger
and the Herald News. A copy of this notice has been posted
on the Nutley Town Hall bulletin board and a copy is
available in the Municipal Clerk's Office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Here.

MADAM CLERK: Gentlemen, please speak clearly. We
do have the microphones on (indiscernible).

Mayor, all present.

MAYOR PETRACCO: Thank you. The first thing, I
have a proclamation for an Eagle Scout Sergio Ciccolello
that I would like to do as soon as possible.

We have some guests here tonight, right?
MADAM CLERK: Mayor, we have Mr. Paul Ricci and Mr. Phillip McGovern who is going to discuss matters involving Ordinance #3286, which was introduced by Commissioner Scarpelli at our meeting held on June 10th.

MAYOR PETRACCO: Okay. Are we going to do that first? Do you guys want to go around and read what we have on our agenda first?

COMMISSIONER TUCCI: Let's go to the agenda and then we'll go to that and then it will flow better.

MAYOR PETRACCO: Okay. Commissioner, thank you. Okay. So we have a couple communications and correspondence on. Commissioner Evans, you have an introduction this evening?

COMMISSIONER EVANS: Yes, Mayor. One, I have an ordinance introduction for Grant monies received for the purchase of generators in the amount of $556,000. Because grants are rewarded off cycle with our budget process, they have to introduce as an ordinance and then do the budget amendment to accept the funding. So this would allow the purchase of generators that I believe through Public Safety they are looking at them as one for backup here, one for the police, I think one for the --

COMMISSIONER TUCCI: It was actually a joint application between public safety and the parks department.

COMMISSIONER EVANS: Was it? Yeah.
COMMISSIONER TUCCI: Yeah. And we have generators for public safety, for town hall, for the parks department, the rescue squad --

COMMISSIONER EVANS: Right, for the warming center.

COMMISSIONER TUCCI: Right.

COMMISSIONER EVANS: Right.

COMMISSIONER TUCCI: It's all shelter related in the event that we go down. The power, again, we have the capability of staying up five days.

COMMISSIONER EVANS: Yeah.

UNIDENTIFIED SPEAKER: Five days?

COMMISSIONER TUCCI: Yeah. And there was a match that was tagged along on this federal money, but the match is being satisfied by the state.

COMMISSIONER EVANS: So, (indiscernible) the introduction of the ordinance (indiscernible) the administration (indiscernible) so we can accept the money?

MAYOR PETRACCO: Okay.

COMMISSIONER EVANS: The next ordinance that I have is actually to amend some of the fees in the tax collector's office. So, we have a lot of requests for tax sales certificates. We have a lot of repeating requests for that. Nutley historically doesn't charge a fee (indiscernible). We're just adjusting our fees to be
consistent with the neighboring towns for those things. It primarily affects tax lien holders. It won't really affect residents because most of the time if we have that, it's only one time if they need it. This is -- addresses those repeat requests that we get. It's a small ordinance for that purpose.

I also have an ordinance introduction, which modifies Chapter 700 of the zoning code, which modifies the setback requirements for filters, pumps and things that relate to pools from 8 feet to 4 feet. And also since we allow now outside cafés to be open year-round, it sets up some requirements for what would be necessary for those outdoor cafés, but restricts the addition of doors or windows so that it remains outside.

So just really all of this has been discussed with the planning board and voted on. We obtained the approval. Given the timing of the year, we just pulled this out of all the administrative adjustments. People are interested in pools, we wanted to have this ordinance on the books.

The other administrative changes will be on the books before the first meeting I August.

UNIDENTIFIED SPEAKER: So this ordinance has to do with outside seating?

COMMISSIONER EVANS: Structural elements for outside cafés. So, it sets up border requirements, but it
prevents people from -- since it's year round, it prevents them from putting up something that's a more permanent structure where you add doors and windows, which seals it in, which basically creates a room. So, it allows it -- allows the set up of it, but it doesn't allow for the extension of the building itself, because that would fall under a different criteria.

UNIDENTIFIED SPEAKER: So, I understand, so if you have a café or whatever and you have outdoor and you get the canvas walls that are, say you have a -- how can I say it, like a rollup -- I'm lost for words, not shade --

UNIDENTIFIED SPEAKER: Awning.

UNIDENTIFIED SPEAKER: -- awning. Thank you. You have an awning and then you put the sides and things like that. So is that going to be allowable if it's removable or --

COMMISSIONER EVANS: Yes. If I'm getting it right that if it rolls down to allow for blocking the wind so people can sit outside, it's a temporary thing, I think that's allowable. But --

UNIDENTIFIED SPEAKER: Or keeping bugs out.

COMMISSIONER EVANS: Yeah, keeping bugs out, screening. But, just keep your --

UNIDENTIFIED SPEAKER: Brick walls are out.

COMMISSIONER EVANS: Brick walls are out, windows
or -- storm doors are out, heating and plumbing and air conditioning are out, because it's basically outdoor. So it just allows for, one, setting our and demarking what the boundaries are for it, with planters and structure, but you can't put up walls, you can't put up --

UNIDENTIFIED SPEAKER: But you can have heating and cooling apparatus --

COMMISSIONER EVANS: Apparatus.

UNIDENTIFIED SPEAKER: -- as long as it's not closed and meets the definition of a room.

COMMISSIONER EVANS: Exactly. Exactly. And really, it's the idea is that it goes far enough for it to allow for the temporary accommodation, but doesn't allow for a permanent structure.

UNIDENTIFIED SPEAKER: And what about the pool part of it?

COMMISSIONER EVANS: Basically today, under our ordinance, you need an 8 foot setback from the border for a replacement of a pool filter, pump and others. So, given a lot of lots, one of the things that was coming up is a lot of people were being sent to board of adjustment for a pool simply because of the 8 foot setback requirement, so there is an expense to the taxpayer to do that. This ordinance amendment reduces that to 4 feet, which should eliminate a lot of that.
COMMISSIONER TUCCI: And just for the record, this was not initiated by me, but what it does, it gives people relief, because now instead of sighting their pools 11 feet from the property line, because there's also a regulation that the (indiscernible) has to be 6 foot away from the pool and the filter can't be any closer than 3 foot to the pool. This allows them to put it in that 4 foot area.

COMMISSIONER EVANS: Exactly.

COMMISSIONER TUCCI: So it gives a lot of people relief. And usually when they go to the board of adjustment anyway, they're granted the variance, so this just makes it much more convenient.

COMMISSIONER EVANS: And this is just really part of a lot of the things that we realize that need to be cleaned up in our zoning and going through that with the board and getting their support for it, it's just executing it now.

MAYOR PETRACCO: Do you have one more is that --

COMMISSIONER EVANS: That was it. You want to do public hearings at the same time?

UNIDENTIFIED SPEAKER: Yeah.

COMMISSIONER EVANS: I have a public hearing for no stopping or standing in two locations, one on New Street, one on Franklin Avenue to allow for handicap bus drop off to preserve access in those two spots and that's a -- I have a
public hearing on that ordinance tonight.

    MAYOR PETRACCO: Commissioner Scarpelli?

    COMMISSIONER SCARPELLI: I have an ordinance

introduction for appropriating and acquiring $237,000 grant
from the Department of Transportation and that's for
construction of Park Avenue from Washington to Union.

    I also had scheduled a public hearing on the M-2
zone. We're going to table that public hearing to the next
meeting if that's okay with counsel, but we want to have the
discussion tonight. So, after we get done with our agenda,
we can discuss the zoning and questions and answers.

    MAYOR PETRACCO: Okay. Commissioner Tucci, I
believe.

    COMMISSIONER TUCCI: I just have a public hearing
this evening on the ordinance allowing me to spend $150,000
grant that we received from Essex County Open Space. And
this money is going to be to repurpose the former roller
hockey rink and a portion of the dollars will go towards the
new bleachers (indiscernible).

    MAYOR PETRACCO: Commissioner Rogers?

    COMMISSIONER ROGERS: I have a resolution tonight
that will authorize us to hire a consultant to work with us
on specifications for solid waste bids. It's a necessity
now. There are so many complex laws and policy that frankly
we're not aware of and we should be aware of, so we're going
to have to bring a consultant in. In the long run, it will save us. It is something that I think is going to be a (indiscernible).

MAYOR PETRACCO: Okay. I have a public hearing myself tonight. Items #3287. This is to fix the salaries, the one that I introduced, I guess, a couple of meetings ago for the attorneys.

I also have a couple raffle applications for Holy Family. I have a renewal of a liquor license resolutions and I think that's all we have.

Commissioner Evans, you read your --

COMMISSIONER EVANS: I didn't comment on my resolutions. I just have three.

MAYOR PETRACCO: Would you like to?

COMMISSIONER EVANS: Yes. Thank you. One is just a resolution that we need to -- on the Audit report for the (indiscernible) for 2013. And then an overpayment of some property taxes. I also have a resolution for the payment of some Gov I bills that have been outstanding and we're now satisfied that they should be paid.

MAYOR PETRACCO: Okay. All right. I just want to make an announcement if I can just to keep the board up to speed. Commissioner Tucci and I attended the board education meeting on Monday night, which was last night, it seems like it was just yesterday and it was, to offer them
help as we discussed as a board as far as (indiscernible) on
the Township's name would it be or -- what would be the
proper terminology?

COMMISSIONER TUCCI: Basically what we're talking
about is a paper transfer.

MAYOR PETRACCO: Exactly.

COMMISSIONER TUCCI: Of the (indiscernible) from
the Board of Education to the Township, which opens up a lot
of grant opportunities for us, including Green Acres, Open
Space, CDBG, just I happen to have a list here. I have all
my notes from last night. Historic preservation, if
necessary, Township capital, private foundations and major
sports grants.

Now, for them, for anyone who may have any
trepidation about doing this, what we also offered as an
option to them was for their attorney to draw up an
agreement for 99 years with an option for 99 more 99 year
terms for them to have care, custody and control. Nothing
will change. They'll still schedule it, they'll still
program it. The only thing we want to do is fix it. And
this gives us opportunities that they don't have to bring in
non-tax dollars -- well, non-local tax dollars to get that
done.

UNIDENTIFIED SPEAKER: It's in essence, the same
thing we did with the squad building.
COMMISSIONER TUCCI: Exactly. Exactly. And we were received very well last night and we're waiting to hear back from them. And then once we do, we'll set up a mechanism to sit down and discuss what we believe it should be, it's pretty obvious, but we can get into greater specificity.

MAYOR PETRACCO: If they do want to go forward.

COMMISSIONER TUCCI: If they want to go forward with it, yeah.

MAYOR PETRACCO: So, and we were invited there to, you know --

COMMISSIONER TUCCI: Yes.

MAYOR PETRACCO: -- and I think that it's -- what I said was, obviously I still have kids in the school system, every time I go to (indiscernible) somebody is grabbing at me, grabbing at you, I'm sure they grab at everybody that goes about the appearance of it. And for that to be our centerpiece jewel, so to speak, I think it's something that if we can correct it and really if we can correct it without going to the taxpayers, I think we're obligated to do that in any way we can. So, we're hoping for a quick response and to be able to file some grants.

COMMISSIONER TUCCI: Yeah, this way we can get moving on it. There is one deadline that's going to be tight. Green Acres that ends the end of July. So depending
on how quick a response we get, we'll have to check with our grants people to see if we can submit an application while the transaction is pending if in fact they agree to it. But the reality was and the bottom line was that they need to take their dollars and direct their dollars to education to make our school system the best it can be. We can help in this area in a lot of different ways. We've done it before.

Back in, what, 2000, when we got the money from the state and --

UNIDENTIFIED SPEAKER: (Indiscernible).

COMMISSIONER TUCCI: Exactly was involved. This is a no-brainer. So, they should do what they do best and we can help them in some areas that we have a bit of expertise in.

MAYOR PETRACCO: Thank you. Okay. So that's our announcement. Are we going to -- do you want to go through with the presentation now?

COMMISSIONER SCARPelli: Yeah.

I gave everybody a map, but just for clarity, the M-1 zone is all these properties here. This is East Center Street, this is Washington Avenue, Park Avenue. So it's all M-1 now. M-1 allows for everything in the B-4 zone, everything in the manufacturing zone and garden apartments. So, to make this as simple as possible, the lots that are in yellow, that will be the M-2 zone. All that dos is take out
the garden apartments out of that allowable use.

That map, which I also gave you kind of picks out and goes through each of the blocks and lots from the zoning. So, you can look at that on your own. I think that's a little bit harder to understand and may take some time to look at it, but that's basically it.

Why do I think this is a good idea? One, it's what the master plan calls for. I think we have too much intensity and density in that area in my opinion. And I think when we look at what we have going on with the overcrowding in the schools, I think we have to somewhere stem the tide of open family residential.

And I also gave you a handout, which dictates all the multi-family dwellings in that area along with Cambridge Heights and where the children are coming from and how many are in each of the schools. And that came from Board of Education. So that's the gist of why I wanted to -- what we wanted to -- what I proposed in the ordinance and on request of the mayor, I've postponed the public hearing, but I did bring Mr. Ricci, our planner and Mr. McGovern from the planning board to give their perspective on the proposed ordinance.

UNIDENTIFIED SPEAKER: Before we get into the presentation, could I just ask one very simple question? Can you tell me what the definition is of a garden
apartment? Because I have a picture in my mind of what a
garden apartment is and I don't think it's exactly what the
definition describe.

COMMISSIONER SCARPELLI: I'd have to look up the
exact definition, but essentially it is an apartment style
living, I guess it would be three stories or left with a
maximum density of 20 units per acre.

UNIDENTIFIED SPEAKER: And is that state wide or
is that just --

COMMISSIONER SCARPELLI: That's specific to your
M-1 Zone, also your R-3 Zone as well. So --

UNIDENTIFIED SPEAKER: And what is that average
around the area and --

COMMISSIONER SCARPELLI: In that general area
itself? I --

UNIDENTIFIED SPEAKER: Not in our area. I mean,
what is average, like, throughout Essex County or
(indiscernible)? I mean, what do we -- what's the density?
You said it's 20 per acre?

COMMISSIONER SCARPELLI: Well, in your M-1 Zone
and the R-3 zone, it allows for a density of 20 units per
acre. That's going to vary in the area in the state
dramatically obviously it's the more urban to more suburban
you get. That's the character (indiscernible). That's why
your master planning zone it's a zone for a character that
you're looking for in your community.

To give you a barometer, like townhouses start to max out in terms of (indiscernible) about -- at around 20 units per acre, you can't really lay out a townhouse much denser than that. So, relatively speaking for apartment style development, 20 acres wouldn't be considered an overly -- a high standard for that style of (indiscernible) per se.

But if you're in a rural area of the state, obviously 20 acres -- 20 units per acre, they would obviously see that differently.

If you're obviously get into more urban areas and around transit, per se, it's not uncommon for densities to exceed 100 units (indiscernible) per se. But for a garden apartment, density -- for garden apartments, generally speaking, 20 units is not a high density for that type of (indiscernible).

Where to begin. I wasn't aware that there were going to be graphics available, so I put together a quick graphic. And what I did, I was given some information about -- because I know school children is an issue in a township. I did a site survey, looked at the land uses out there, saw how the site is developing. I also reviewed the master plan and what the master plan recommendations were for that area. If people don't know, I was the principal author of that -- of similar statements. I know that they did change from
what I wrote to the final form and there are a couple of modern inconsistencies in what the master plan is saying. But I'm going to do my best to walk us through what's out there, how the proposed changes would potentially cause an impact of resulting in zoning changes to the properties and maybe some -- and what really that means in everyday terms, per se.

What I did was I took the aerial photography that allows me to place the lot lines on this map. And so this aerial photographer is taken in approximately 2012. In orange it shows your existing zoning and I labeled the existing zoning in place. And then clearly the properties that are in color are clearly the properties that are being considered to be rezoned today.

If you look to the left, I essentially identified what those land uses are. If I could take a step back, your master -- the ordinance discusses the master plan. I just want to pull that section out. And there is another section in the master plan that I believe is more centrally focused to this area because the section that's mentioned in the ordinance, in my opinion, focuses more on the Washington Avenue corridor of the overlay. But all the conclusions are the same that what you see in the ordinance and they're raised on Paged 322 to 334 in the master plan. And the master plan does make specific recommendations for this
And to put this all in context -- I'm going to discuss the implications in a second, but this is a starting point, the first thing as a planner, traditionally an ordinance would refer to the planning board. The first thing that I'm traditionally asked to do is to make a determination in my opinion whether any proposed ordinance is consistent with the master plan. Your attorney would advise you as to that. If something is inconsistent with your master plan, traditionally require a majority plus one vote. If something is consistent, it would just be majority vote of the committee as part of your voting process.

I'm going to do my best to summarize this. And I don't want to be -- if I have a few minutes here, I'll kind of go through this slowly, but it discusses that under the issue section, it goes back to in 2003, 120 unit garden apartment complex was approved at 57 East Center Street. In December 2007, a 71 unit garden apartment complex was approved at 65 {indiscernible}. This was started to be prepared in 2000 in April when it was adopted in 2012.

The new developments adjoin existing garden apartment complexes located in -- it identifies several blocks, 113 River Road, and 25 River Road. Recent development approvals and existing land uses in the M-1 district kind of transforms the M-1 district from primarily
a manufacturing district to a district containing numerous medium to high density residential development.

During the public visioning meeting, the public expressed concern over the number of high density developments that have recently been approved in the township. And they expressed the desire to evaluate the impact that continued construction of medium to high density residential housing would have on the townships infrastructure.

It goes on to say -- and it makes several recommendations and -- may I read this whole thing? Because it's really right on point for what you're --

MAYOR PETRACCO: Sure.

COMMISSIONER SCARPELLI: -- you're discussing. And then we need to talk about what has happened since the master plan was adopted. We think to, I think, evaluate everything that's gone on in the community in my opinion.

COMMISSIONER TUCCI: And the basis for the recommendation.

COMMISSIONER SCARPELLI: Yes. Portions of the M-1 District south of East Centre Street lack frontage on East Centre Street with the exception of one property located at the intersection of River Road and East Centre Street. So, if you look at the map, clearly we're talking about the one property is Block 9700, Lot 9 shaded in orange and then the
properties that lack frontage on East Centre Street would include the purple 9604, 14 and properties that are behind the row of smaller lots on East Centre Street into B-4.

So we're really talking about the M-1 portion specifically here.

MAYOR PETRACCO: So, I gotta stop you, because this is getting a little confusing.

COMMISSIONER SCARPELLI: Yeah, I agree with you.

MAYOR PETRACCO: So, 9700, the lot there, that's on the corner of East Centre and River Road. So what is that, the security building there, I believe?

COMMISSIONER SCARPELLI: (Indiscernible) office.

MAYOR PETRACCO: Office space? Okay. Then from there, you jump to 9604, which is in purple.

COMMISSIONER SCARPELLI: Yes.

MAYOR PETRACCO: Okay. So, why is that orange and why is that purple?

COMMISSIONER SCARPELLI: If you look to the left under the existing land use chart, it shows --

MAYOR PETRACCO: Commercial?

COMMISSIONER SCARPELLI: -- yes, how those properties are being utilized currently as industrial or as an office space. That's how they're being utilized today. If you go out to the back of 9604, I was out there it's a -- it's identified industrial. It's eyewitnesses a building
where people pretty much staging cars out there, but it's considered industrial (indiscernible).

MAYOR PETRACCO: And that's part of the M-1 zone?

COMMISSIONER SCARPELLI: That is correct.

MAYOR PETRACCO: Okay.

COMMISSIONER SCARPELLI: The building that adjoins, that's the building that's being under construction right now. That fronts to -- if I could point it out, the property right here just to the north and straight up of the purple 9604-14, that's the property that's currently being developed right now, by Mr. Mecket (ph) as part of a recent improvement.

MAYOR PETRACCO: For how many units?

COMMISSIONER SCARPELLI: That was approved as -- I wasn't part of that approval, but it's identified as --

UNIDENTIFIED SPEAKER: It's around 80.

COMMISSIONER SCARPELLI: Something 4? Give me a second here.

MAYOR PETRACCO: And was that part of that warehouse that was there? Are we looking at that whole --

COMMISSIONER SCARPELLI: It's 82.

MAYOR PETRACCO: Are we looking at this here, these here, this whole group?

COMMISSIONER SCARPELLI: Yes.

UNIDENTIFIED SPEAKER: (Indiscernible) approved
for redevelopment (indiscernible).

MAYOR PETRACCO: Well just to -- excuse me. If I go through and look at the whole area, just so I'm clear and if I start on the upper right side, 6801, 2 and 3, which are in yellow, that's the proposed new M-2 zone, that's currently within the M-1 zone?

COMMISSIONER SCARPELLI: Correct.

MAYOR PETRACCO: Correct. And what we're looking at there is the existing apartment buildings that are there and these are two single family homes? They're yellow.

COMMISSIONER SCARPELLI: Actually the apartment buildings there are not proposed to be rezoned.

MAYOR PETRACCO: I understand, but I'm saying in the yellow --

COMMISSIONER SCARPELLI: Single family, red represents commercial or restaurant.

MAYOR PETRACCO: Right. Just so I know what I'm looking at.

COMMISSIONER SCARPELLI: Yes.

MAYOR PETRACCO: 6801, 2, and 3, those are two single family homes that are being proposed to change the zone in that area from the M-1 to M-2, correct?

COMMISSIONER SCARPELLI: Correct.

UNIDENTIFIED SPEAKER: But that's commercial it says here according to your chart, 6801.
MAYOR PETRACCO: And 2, those are yellow or single family?

COMMISSIONER SCARPELLI: 6800 (indiscernible).

MAYOR PETRACCO: So those are yellow, right? And those are proposed to change or no?

COMMISSIONER SCARPELLI: Yeah.

MAYOR PETRACCO: They're proposed to change (indiscernible). So those are proposed to change, so two single family homes are proposed to change.

COMMISSIONER SCARPELLI: Everything that's showing color is proposed to be changed. That's what I'm showing. This is the proposed lots. That are being contemplated for rezoning.

MAYOR PETRACCO: No, it can't be. No, because that's -- what the -- the apartment building that's existing that's not proposed to change, so that's just --

COMMISSIONER SCARPELLI: Yeah, but just the colored ones.

MAYOR PETRACCO: Right. It's the same, two, 1-family houses.

UNIDENTIFIED SPEAKER: Yeah, just the two homes. The two on the corner.

MAYOR PETRACCO: And next to that on the corner of River Road and Park Avenue --

UNIDENTIFIED SPEAKER: Is a bank.
MAYOR PETRACCO: That's the bank. And then behind that is -- isn't that the town building? So it's town property. Across the street is Dunkin Donuts, right?

UNIDENTIFIED SPEAKER: Right. On the corner.

MAYOR PETRACCO: And then next to that is --

UNIDENTIFIED SPEAKER: Warehouse.

MAYOR PETRACCO: -- I think is it warehousing?

UNIDENTIFIED SPEAKER: Yeah, now it is. It's new.

UNIDENTIFIED SPEAKER: I have the warehouses one further down.


UNIDENTIFIED SPEAKER: Yes.

UNIDENTIFIED SPEAKER: And then the warehouse.

MAYOR PETRACCO: And then the warehouse. And then behind that is the paving company?

UNIDENTIFIED SPEAKER: Correct.

MAYOR PETRACCO: And then if you go up -- if you go up Park Avenue, you hit the carpet store and then parkway auto body and then east of College, right? And that's all development.

We come down River Road, there's a little sort of pie slice that is being proposed to --

COMMISSIONER SCARPELLI: Right, 9701.

MAYOR PETRACCO: -- right, change to M-2. And then on the corner of River Road, 9700, that's being
proposed to change.

If you go up to 9701-4, the big blue, that's town property, correct?

UNIDENTIFIED SPEAKER: Correct.

MAYOR PETRACCO: And then next to that is a -- I think a commercial office building?

UNIDENTIFIED SPEAKER: With a weird, it's encased in another zone so it's (indiscernible).

MAYOR PETRACCO: It sort of splits over the --

UNIDENTIFIED SPEAKER: It's a lot within a lot.

MAYOR PETRACCO: And then if we continue then over in the corner is 9604. That's PNC, isn't it? Manufacturing?

UNIDENTIFIED SPEAKER: Yes.

MAYOR PETRACCO: That's sort of slice.

UNIDENTIFIED SPEAKER: Right. It's the one in the back of the curve.

MAYOR PETRACCO: Okay. All right. Fine. I know what I'm looking at.

COMMISSIONER SCARPELLI: Thank you. I'm just going to read quickly again from the master plan so you know what the master plan said. It says, portions of the M-1 District south of East Centre Street lack (indiscernible) on East Centre Street (indiscernible), with the exception of one property located at the intersection of River Road and
East Centre Street. The limited roadway frontage and lack of exposure to a primary roadway limit the attractiveness of a number of non-residential uses within the balance of the M-1 district south of East Centre Street for redevelopment.

However, given the proximity to Route 21 and Route 3, a potential for a warehouse or self storage facility exists. The range of permitted uses, should therefore be expanded to permit self storage facilities, which are relatively passive non-residential uses. While self storage facility or similar use may locate in this area in accordance with the change in zoning, consideration should be given to determining if the area meets the criteria to be designated in need of redevelopment or a redevelopment plan can be (indiscernible) for the entire area. Such action may result in a (indiscernible) of additional economic development (indiscernible).

And then it goes on to make some other statements (indiscernible) specific and it recommends to rezone the existing M-1 district on Park Avenue (indiscernible) to B-4, (indiscernible) zone. Rezone the portion of the M-1 district near Park Avenue and River Road to B-4. Properties on River Road south of Park Avenue should remain M-1. Those River Road properties north of Park Avenue should be rezoned B-4.

The planning board should analyze the existing M-1
districts and their uses. The existing property directly
behind the B-4 zone properties on East Centre Street should
be rezoned B-4. And it goes on to say that some of the lot
sizes should be increased and the like.

So, (indiscernible) is that this is consistent
with the master plan, the changes. I have to point out
though that since the national plan was adopted immediately
right after that, the property that I was talking to that's
just north of 9604-14, that was approved by the zoning board
and there was a couple actions in the area that were
approved by the zoning board to permit residential there.
So, essentially the M-1 district in this area here currently
today upon it being built out, with the exception of the
purple property, and maybe this triangular piece in the
corner on the north western side in that zone is pretty much
all (indiscernible) and that is the prevailing land use.

When I look at this in practical terms and believe
as Commissioner Evans kind of pointed to some of the land
uses, most of the proposed changes, particularly -- with the
exception of 6801 and 2, which are single family homes, the
properties on Park Avenue, they're all commercial. So by
re zoning all of those, essentially what you're doing is you
would recognize the existing character of those properties
as being non-residential. Essentially you're limiting the
potential for maybe future residential development there.
Realistically speaking, when we look at this -- when you look at really the soft sites, the easier and developed sites out there where you may see, I think what you're really looking at as part of this rezoning is -- and I think this may be mislabeled, so I rely on sometimes digital information. What I'm showing as Block 6800, Lot 2, which is the painting facility, that actually may be 6800, Lot 1. That's a potential soft site that I can see becoming apartments. 9701-3, the purple sites, that's a site that could potentially be partially used to add on to the adjoining site in the M-1 Zone. And clearly, 9604, Lot 14, that's the most attractive site.

UNIDENTIFIED SPEAKER: Which one was that? I'm sorry.

COMMISSIONER SCARPELLI: The purple site. That would be the most attractive site for residential development given that it's completely surrounded currently by residential development.

This site is a site that you also have to consider because you can see that the access to this site is by what I refer to as a pole -- it's a flag lot, per se, I think it's really an easement that's giving access from East Centre Street to that rear portion. So whatever gets proposed there, you're going to have vehicular activity of that use going by those residential apartments. And that's
something to consider as well.

And if you look at -- I also was provided some school information regarding recent developments that occurred. They were from 57 East Centre Street, building 2014, 65 River Road, Riverview Court, built in 2009, 101 and 113 River Road, was built in 1981 and 25 River Road, which was built in 1968, 181 River Road, which was built in 1962 and 121 River Road, Arbor Hills, which was built in 1970.

I was provided with this information by Mr. Barry. I'd be happy to let you speak to him, but essentially what it said was out of the total of 737 units, there were 115 school children generated there. And what I did was, I took from -- if I was a planner and I was asked as part of my planning review to estimate the number of school children that would be created during the project, planners readily rely on a methodology that's prepared by the State, the Center for Urban Policy Research. And in that book, it has multipliers that you apply to different forms of development. I applied those multipliers for these forms of development basing them on rental apartments and if I was going to guesstimate how many children would be based on the state numbers. Where you have 115 students, the State's numbers are pretty accurate. It said there would be 123.4 students there.

UNIDENTIFIED SPEAKER: Where do we have --
UNIDENTIFIED SPEAKER: Okay. I have new numbers, so that's probably -- I have numbers as of June.

COMMISSIONER SCARPELLI: So I'm just trying to say -- what I'm trying to give you a barometer for is what's out there if 9701-3 -- I think you need to understand potential impact. If 9703 and 9604-14, for example, were developed as apartments, 9604-14 at 1.25 acres, I raised the numbers a little bit to be conservative in the analysis. That would generate roughly 31.25 units there based on land area. And 9701-3 is 1.64 acres. It's surrounded by industrial space, so it doesn't lay out well for apartments by itself. But if you just on raw land area there in theory approximately 72 units could be generated, which would generate around 11 kids. If that went just say the zoning board approved the variances there or whatever. That's what you would anticipate at a build out there.

MAYOR PETRACCO: So that just raises a question for me. So, say somebody buys that lot, 9701, right. They put how many apartments did you say?

COMMISSIONER SCARPELLI: Well, this is the thing, the way the property is proposed to be rezoned, I kind of have a couple qualifying questions. It's surrounded by a building. And I mean, I'm not sure if it could really ever be built in that fashion, because it's essentially the outer portion of the build out around the central building. So --
UNIDENTIFIED SPEAKER: (Indiscernible) soft spot in there. But if the building comes down -- I mean, if the center building is that meant to be included in the rezoning?

UNIDENTIFIED SPEAKER: Sure.

UNIDENTIFIED SPEAKER: Okay. Because I had that as not being part of it.

UNIDENTIFIED SPEAKER: If you add that center in, it would add an additional 2.6 kids to the total based on these numbers. So you're looking at around -- I'm just trying to tell you pros and cons.

UNIDENTIFIED SPEAKER: Yeah, about 14

MAYOR PETRACCO: And based on how many apartments on that specific lot?

COMMISSIONER SCARPELLI: And that would be applying 0.71 acres to that portion is times -- I upped it a little bit to be conservative -- 25 units per acre where 20 would be --

MAYOR PETRACCO: So what would be the total number you think they could put on that specific property, 9701?

MAYOR PETRACCO: 9701-3, both pieces, the whole part?

MAYOR PETRACCO: Both pieces.

COMMISSIONER SCARPELLI: It would be 1.64 plus .071. Just give me a quick second here.
MAYOR PETRACCO: You don't have to add it up. I mean, approximately.

COMMISSIONER SCARPELLI: I combined it as all three -- if you did all three together, you would see about -- based on the averages we're seeing -- about 14 children in those areas.

UNIDENTIFIED SPEAKER: I think the question we have to ask ourselves, do we want to increase the potential for more school children knowing what we know? No matter what the number is.

MAYOR PETRACCO: But we can't control that.

UNIDENTIFIED SPEAKER: I'm just trying to --

UNIDENTIFIED SPEAKER: Can you define for me the concept of fiscal zoning?

COMMISSIONER SCARPELLI: Fiscal zoning is a concept when you make land use decisions based upon fiscal implications, not on what is technically the best use for a specific piece of property.

UNIDENTIFIED SPEAKER: So my question is, if we were to sit here and introduce an ordinance based on an consideration that says it would increase capacity, enrollments in our school which would require us to address those capacity issues, are we allowed to consider that in making a zoning decision?

UNIDENTIFIED SPEAKER: Okay. Let me answer that
question in two ways. The zoning board, planning board when
reviewing an application for variance in that capacity
cannot consider fiscal implications.

When you master plan and when you look at your
community from a master planning perspective, you're allowed
to have areas that you design for economic development,
preservation, and conservation. So, under a master plan the
cost of the fiscal zoning is no longer an issue because you
can plan for your -- like I said, areas of growth and
preservation.

When I mentioned the school children, I mention it
because when you make decisions, whether it's even at the
planning or the zoning board level, it's important for a
school board or a community to understand the implications
of it, so it can be, in theory, properly planned for
accordingly. And that's why typically you'll see maybe a
fiscal impact statement as part of certain types of
development. And that's the reason, not -- we shouldn't be
making land use decisions (indiscernible).

UNIDENTIFIED SPEAKER: I'm just trying to
understand. If the intent of this ordinance is to restrict
apartments in part because of the implication it has of
increased volume in our schools, then we as a board, are
making the decision, not under the master planning process,
but under an ordinance and zoning process that says, we want
to introduce an ordinance that limits the additional
capacity of the school. And I'm not sure --

COMMISSIONER SCARPELLI: If you're going to
introduce an ordinance --

UNIDENTIFIED SPEAKER: I don't think that's what
the ordinance is saying. I think it's one of the
considerations, but I don't think that's -- that's a little

UNIDENTIFIED SPEAKER: (Indiscernible)

UNIDENTIFIED SPEAKER: It's eliminating
residential. It's eliminating the garden apartments in that
zone. That's what it's doing. There's an intensity abuse,
there's density. There's issues with police, fire, besides
all the issues with the school.

UNIDENTIFIED SPEAKER: What are the police and
fire issues?

UNIDENTIFIED SPEAKER: You don't think with more
intense use and more density, we're going to have increase
of fire and police?

UNIDENTIFIED SPEAKER: I don't have an opinion.
It's (indiscernible).

UNIDENTIFIED SPEAKER: The only thing I'll comment
about that is, I mean, specifically this area, we haven't
had an uptake in calls to those properties, fire, the only
thing and even with fire, the planning for fire, all these
buildings are now sprinklered, so you're taking down
warehouses that were not sprinklered, to my knowledge and
putting in all -- the best fire rating possible and bringing
it up to code.

I think -- I just want to listen.

UNIDENTIFIED SPEAKER: (Indiscernible). Whatever
you guys decide is what you decide.

UNIDENTIFIED SPEAKER: I mean, I think it's --
when it comes down to it, the way I see it when you talk
about the master plan, the master plan is (indiscernible),
but we have to recognize is there have been changes since
the master plan in terms of new units being developed.

UNIDENTIFIED SPEAKER: I'm just trying to ask
questions so I understand. Given what reality of what is
here today, is the master plan, as it's written, still
relevant today or should it be refreshed because of -- to
recognize what's happened?

UNIDENTIFIED SPEAKER: Well, I mean, I think we're
really talking about a few properties. I think a majority
of the properties, they're established businesses and uses
that are non-residential. And I think they really don't
have much of a need for discussion. I think it's clear that
the properties next to the university that they can easily
be rezoned to the new M designation. You're talking about
Dunkin Donuts and those properties, they're all commercial.
I don't think -- at least from a planning standpoint and my perspective, I think they are easy properties to resolve. I think really the area focus is really on 9604-14, 9701-13 and the remaining part in the middle, possibly 9700-9 but that's an office building. Maybe not as much and potentially I'll defer so much to local knowledge here, but the (indiscernible) site as well may be a soft site we could see a change in land use over time. I think that's really the heart of the discussion here, whether everything should be rezoned M-2 or should there be consideration of not anything going.

Keeping in mind by rezoning all the properties I mentioned, you are taking away in theory redevelopment opportunities of those sites for residential, but they are established businesses. (Indiscernible) the municipal land use law is quite clear and it says that specifically reasonable consideration should be given to the existing character of the area. So as a planner, when I see established land uses in place, you're recognizing that existing character in the area and you're rezoning as such. So I think that's also consistent, very clearly consistent with the master plan. So I think you have a very strong public purpose involved in the rezoning of those properties. The reason I say and that's why in your elected officials and you get to make the difficult decisions, 9604-14 I mean,
that area, I mean, has changed since the master plan was
adopted in multiple residential developments occurred in
that area. And my concern for that property is that I just
would not personally like to see an intensive use that is
non-residential surrounded with being accessed from East
Centre Street --

UNIDENTIFIED SPEAKER: So are you saying then that
should be a residential piece?

UNIDENTIFIED SPEAKER: Well I'm saying it's
surrounded by residential and I would be -- in anything
else, if it's not residential, you want to really encourage
low intensity use there.

(Indiscernible)

UNIDENTIFIED SPEAKER: Such as what?

(Audio cutting out)

UNIDENTIFIED SPEAKER: In the master plan at that
point mentioned like a self storage facility because once
it's filled it has very little vehicular (indiscernible).

UNIDENTIFIED SPEAKER: So you would say -- so I'm
clear on this. So we have all pretty high end apartments
over here now and people are paying anywhere from 1800 to
2500, $3000 so you're saying that this piece here should be
a storage facility?

(Audio cutting in and out)

(Break between workshop and meeting)
MADAM CLERK: Mayor, would you like to move to the front now? Mayor, are we moving to the front or are we going to --

MAYOR PETRACCO: Yes.

MADAM CLERK: I just need a few seconds to set up the machine.

MAYOR PETRACCO: Okay.

(Pause) 8:40:38

MAYOR PETRACCO: Everyone please stand for the flag salute.

(Pledge of Allegiance)

MAYOR PETRACCO: Madam Clerk?

MADAM CLERK: Yes, Mayor. Tuesday, July 1, 2014.

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

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Here.

MADAM CLERK: All present, Mayor.

MAYOR PETRACCO: Thank you so much and I apologize for the big long wait tonight. I have a special guest here, my friend Sergio. Sergio, can you come up to the podium. I have a proclamation for Sergio. Sergio is someone -- come on up. Come right to that mic. Sergio is someone that I've known for a long, long time. How old are you now, Serg?

MR. CICCOLELLO: 35.

MAYOR PETRACCO: 35. I think when he was 15, he worked at Petracco's Deli for me and he brought a lot of sunshine there and a lot of joy to all of us, especially my mom. So I'm very pleased to announce tonight that Sergio has become an Eagle Scout and his family is here to celebrate our proclamation.

I was at the ceremony. You did fantastic there Serg. I was never so proud of you in my life. You really, really were great there. So I have a proclamation that I'm going to read for you tonight.

(Applause)

MAYOR PETRACCO: They're all clapping for you, Serg, not me.
MR. CICCOLELLO: All right.

MAYOR PETRACCO: So I'm going to read your
proclamation now if I could see it.

Whereas Sergio Michael Ciccolello was born May 8th
-- I'm sorry, May 3rd, 1979, and whereas Sergio, son of Tina
and Iggie Ciccolello and brother of John and Nikko, lived in
Nutley for 38 years before recently moving to Lincoln Park.

And whereas Sergio became interested in the Boy
Scouts 20 years again and is now a member of Troop #364 in
Bellville. And whereas Sergio attained rank within the Boy
Scout establishment and recently performed a service project
for the Eagle Scout pledge.

And whereas Sergio's service project required him
to make 100 -- that's 100 baskets for distributions to the
senior citizens at Valentine's Day luncheon and whereas in
addition to being recognized by the Boy Scout of America,
Sergio also received awards from the Nutley Elks, the Double
Elks, the General Lodge Order of the Elks and the New Jersey
State Council of the Knights of Columbus.

Now, therefore be it resolved by the Board of
Commissioners, Township of Nutley, County of Essex, State of
New Jersey, that Sergio Ciccolello be commended and
recognized for his outstanding completion of his Eagle Scout
service project and for providing good will and kindness to
Nutley's senior citizens.
This is a proclamation, so we don't need a vote.

Serg, will, you come up front?

(Applause)

(Pause)

(Applause)

MAYOR PETRACCO: Serg, if you guys would like to leave if you don't want to stay for the whole meeting, we can give you guys a little opportunity to go, if you want to. I figured that.

Also, in attendance, we have Bike Mike here. Hi, Bike Mike. I just wanted to say hello. Thank you so much for coming, guys. Bye you guys. By Serg.

MR. CICCOELLO: Bye.


Now, we're going to take Mr. Scalera out of order.

Thank you for waiting, sir.

(Pause)

MR. SCALERA: Thank you Mayor and good evening to the Commissioners. First, I'd like to introduce my assistant in our Homeland Security on this project. His name is Will Drew.

He's been traveling the state with me. We've been down to -- we were in Hamilton, down to Camblin and back up here to Nutley tonight. So we're all over the state working
on this project.

So, first I'd like to first thanks for making time tonight. I understand that you had a longer meeting in the back, so I apologize. This is a very important project in the State of New Jersey and actually to the federal government.

So, a few years ago, back in after the 9/11 report was written we started working on (indiscernible) and public safety nationwide. Around 2005 and (indiscernible) we had done the first trial at the public safety building with an 18 foot tractor trailer from (indiscernible) from New Jersey. And before FirstNet was even thought about where we are today, we actually did phone to radio, radio to phones over all technology.

From there, thanks to a lot of senators and congressmen of the United States and in (indiscernible), we were able to get Spectrum to be able to build a public safety network nationwide.

When I was still in the legislature and the chairman of Homeland Security, we actually brought this initial funding in. The project had a few hiccups. The federal government found out it wasn't being built right. They stopped it. It's now formed. They call it FirstNet. FirstNet is the new national carrier. They're under the Department of Commerce. They will own the public
safety network nationwide. And I try to explain that
FirstNet will be like the Verizon is to the public sec, to
the commercial people. FirstNet will be building the
national network.

They have two billion currently available.
They're going through a spectrum auction. By the end of
July they will have $7 billion to begin building that
national network.

Back to 2010 under the original legislation, seven
entities were given waivers in funding to begin building
pilot projects across the country. New Jersey, Charlotte,
North Carolina, Adams County, excuse me, New Mexico, Adams
County, Colorado, two in Los Angeles in Bay (indiscernible)
it's called, the bay area, (indiscernible) Harris County,
Texas.

Harris County, Texas is currently partially live.
Adams County is currently live with nine sites. New Jersey
should be the next one live if everything goes right. Ours
is a total deployable test network for the United States.
So we are building deployables.

There will be trailers that will be permanently
deployed as a real network for at least three years. They
were made up and the fee -- all of the costs for maintaining
them and the insurance and all that stuff is borne by the
state. The back wall, the network, all that supplied. The
municipalities will get use of the system for free. Communities that will host a tower get free equipment for every police car, fire truck and EMS in their municipality. Townships that do not, so right now I could tell you that coming down from -- and it would cover the Route 21 corridor where we are and you'll hear it in the presentation that Passaic is hosting a site, excuse me, Patterson is hosting a site, Clifton is hosting a site, Bellville is hosting a site and then we have multiple sites in Newark.

We're looking for a site in this area. It can be on this side of the river or the other, but in this area. I'm going to go through the presentation. I'm from Nutley. I'd like us to get the free equipment. We'll talk about that.

So, if it's a town let's say right now Lyndhurst isn't getting a site. They will get two routers, one for each police car, one for a fire truck, one for an ambulance. They can try things and do things on the network, but won't be able to switch over and save funds, because you can actually cut back on the Verizon bills.

So, I'm going to go through the presentation, let you see what the network can do, how it can -- how it will work. You have packages in front of you that has JerseyNet as its termed in New Jersey. There's a website for it.
There's information. You'll see the website, the front page is there.

You'll also find out all of the documents from FirstNet that are there on how that will work.

So, there was legislation and governance in place, so the national public safety network was borne by a house resolution.

FirstNet is responsible for (indiscernible) and operating the network and as a technology advisory board defined by FirstNet. The funding, as I said, there will be $7 billion. There's $135 million that's also gone out to the states. That's separate from this pot of money. That's for us to prepare to build a rural network. And there's up to $300 million for research and development.

Currently, New Jersey has $39 million in a grant, $10 million in matching funds coming from New Jersey transit. Our project is about $50 million.

The spectrum is -- and (indiscernible) block in the 20 megahertz, so I try and break that down so that Verizon is in Band 13, your cell phone, AT&T is in Band 17.

Band 14 nationwide is for public safety, transportation and energy only and we'll talk about some of that.

We have 20 megahertz of spectrum available. If you're in the commercial spectrum today, you may have five up and five down. We're going to have 10 up and 10 down for
public safety only. A large amount of spectrum available. It's 700 megahertz narrow band, but it's not, as you know a radio. So, a radio was a frequency, your devices in the future will be all IP addressed. Your radio will look like a radio, feel like a radio, but it will actually be smart technology inside as we move forward.

The public safety -- if we're in the T-Band, it doesn't affect Nutley, but in the T-band in 11 years, whoever is on that, also has to give up their frequencies, town close to us in that problem is Montclair, some channels in New York City, Camden, Atlantic City are all in that T-band, it creates a different problem for them than we have. And then the secondary use is all by legislation and we'll talk about transportation energy as we go forward.

So public safety, LT, public safety gets to ride on LT economy scale. The equipment is not new. It's the same equipment that Verizon and AT&T are using, just in a different band, so it's much more available and much less to maintain than if we have hundreds of P25 radio networks all across the state and interoperability.

Tracing devices and equipment, one spectrum nationwide. So, can you imagine I have -- my device, I was a 9/11 responder, Katrina responder. We had no communications. And you get there with your radio, well it doesn't work when you go in another jurisdiction. Just
Nutley alone, if we go to Bloomfield, or Bellville or Lyndhurst, we all need different radios, different spectrums, we have to hold two radios as the chief, three radios, depending on who they are, set up a communications vehicle. Well, as communications moves forward in the next three to five years over this network, your one device -- your one device and mission critical, right, we're talking two types of voice.

We can do voice today and some of these applications will be given out in the trial process. So, for an example if your detectives are sitting watching a house tomorrow, they'll have their radio with them. They'll be able to use this, which cannot be picked up by a scanner and it's visually encrypted, to talk between themselves of who they're watching, how they're watching. They can send pictures between each other, talk video between each other on devices such as this.

But it's not mission critical, meaning you can't go running into the fire. We can't be stopping cars on the road and police, we must maintain our P25 system. And that's really going to be a three to five to ten year transition. But we can do LT over this.

In the future though, if we went on (indiscernible) A to Bellville, you would go to the command post. And as you go into a mall today, you'll see scan code
and barcodes, you can see what's going on in the mall. You'll scan a code that will put this on the channel Bellville wants you on. You're in the right talk group. You can get text messaging, (indiscernible) and emergency alerts from that scene.

When you leave that scene and go two networks away, it's wiped out and you can't access them anymore. So, it will be an automatic thing.

So mutual aid if we go to New York City, I would go to command post, same device I used in Nutley. I could always talk back in Nutley. I go up and scan my code and I can now have the New York City channel that I need to talk on at that (indiscernible). That's how smooth it will be.

Think about how that would have worked on 9/11. Think about how that would work in a lot of emergencies. Let's just talk -- we had a meeting the other day, a recap with what happened with the (indiscernible) shooting. Three different command posts showed up, threw everybody on radio channels. They had different communications officers running between vehicles trying to figure out who is on what channel, how to get them together, how the guys from RHSP were going to talk to (indiscernible) police. It was a large problem.

Can you imagine, we set up, we say, okay you're with this mutual aid group, scan that bar code. You're with
fire, scan that bar code and they go all in the same talk
groups and we could send information by text and email also.
That's the future that's three to five to ten, but that's
the network we're talking long term.

(Audio going in and out). His battery was running
dead. Sorry about that.

So, as I'm waiting for that, what we're building
is a total deployable network. So as we talk about the
commercial network today, how many cell phones worked truly
through Sandy here? Right. They went down after 12 hours,
they went down. They came out and got some generators up,
some companies and some cell towers took longer. As the
national network gets built, the commercial network has --
is connected by either single fiber -- which you know about
fiber you're installing here. But single fiber or single
path microwave, it has 12 hours of battery.

So, if we lose one link, if the microwave went
down, that tower is down. Fiber went down, the tower is
down. Twelve hours it goes down.

As the real towers, the national network gets
built, it will be triple redundant through a path microwave
and fiber with sub 50 milliseconds fail over. So you'd have
to lose this one path of fiber, the second path of fiber and
you have to also lose, excuse me, both paths of microwave
and you'd lose the fiber.
On top of that, besides 12 hours of batter, it will have 72 hours of generator. So the network is much more resilient and hardened. The deployables we're doing are very similar to that. So, our deployables, the (indiscernible), which is actually going to be up at Montclair State University, which is the big system, will have satellite backup, fiber backup and microwave. That will be very difficult to take down because it has direct satellite that will go all the way back to the State Police (indiscernible) and be able to keep communications up. I don't care if the state was cut in half, we'd be able to keep that up.

All of our units will have dual path microwave though. So, if a unit was in Nutley, it would be dual path, redundant microwave without the fiber because they're deployables. And still have 12 hours of battery and 72 hours of generator. So, even if the storm came through, it would be much more resilient than a commercial network.

Let's say the real network is built and we have a tower go down in north Jersey. We will then bring a deployable up and one -- you might need two deployables for one tower, because a 420 foot tower covers a large area, two deployables, because you need two to replace one. We'd bring two deployables up and within six hours, roughly, by the time we drive them up and set them up, the whole network
is back. So the public safety network is going to be very redundant also have backups and the capacity to come up (indiscernible). So it will be much more resilient and redundant for that.

The equipment in the vehicles, so there's a couple things. So the things that are ready for prime time -- and we're only going to buy on our money, as I call it, the government right now, is the devices that will transition to the national network. So if you were to host a site, you would get a router for every one of the vehicles, police, fire and EMS. Those routers connect to this national network.

They also create a 200 foot wifi around the vehicle. And as more vehicles come together, that becomes a larger area network. So, you can get out of the vehicle and take tablets with you out of the vehicle. You can do video sharing. We're going to supply applications called Vivio (ph), that allows you to do -- seven officers can video conference at a scene without using a radio and do that. You'd be able to, for example, if you have access to the system, into the school video. We've done active shooters. So we can actually, we've done this.

We can have Google glasses on and shoot the video of the school (indiscernible). And when officers go in, with a gun in his hands, there's a lot of prototype. Where
we're going to do that, how we're going to do that. NJIT is in the Governor's Executive Order to be the clearance for Homeland Security for technology. They're going to be our LT and applications and communications lab. And tomorrow, this network has drawn a lot of attention, tomorrow, the Department of Justice is here. They're going to bring a grant and personnel to work with NJIT to work on this network with us and write a paper on the New Jersey network.

So, that's a really big plus for us that the feds want to be involved. The Department of Homeland Security is bringing Google here in a contract to work with NJIT over our network.

But after we test things there up at the Morris County Police and Fire Academy we have the 911 center, police, fire, EMS training. So I'll give you an example. There's been a shirt developed for a firefighter. The firefighter puts the shirt on when he comes on duty. When he goes to the scene, the incident commander or safety officer can open up a tablet or a computer and check all the vitals on the officers and geolocate them, so if there's a collapse, you'll know that they're 25 feet in and maybe 5 feet up. You won't know exactly because they don't have building plans, but it will track the firefighter remotely for safety. And that can be used for bomb squads, hazmat teams, regular officer, it wouldn't be practical.
So, the benefits for this LTE is a powerful new technology, has greater interoperability, enhances interagency cooperation. So, can you imagine now that we have video here in Nutley that -- on a camera and we'll get to some of that and we want to show it to Bellville. Well, over the network, we do it live. And not so that it's just in the dispatch center, so that we can show it to the officer in the car. We can show it portably to the officer in the field.

We're also working on facial recognition in the state of New Jersey with New York City. It's actually a live working project. So, we will have -- we are doing a joint agreement, so when we do a facial recognition search in Jersey, it will also search in New York City at the same time and vice versa.

And by next year, we will have a mobile app on this network that will allow facial recognition live out over the air also on this live network.

So, as standard protocols built in. Built in roaming, so as I told you, we can go to California, we can to go Bellville. As we get there, it will work. So even, let's say this, you want a fire chief or a police chief to always be on duty. He can be in California and be listening to the police channel in Nutley if he needed to like he was standing in Nutley. It would roam across the network.
Has great quality of service. It has high capacity. It has low latency and it's a much faster technology and 3G will be just rolling out 4G when this rolls out.

It's cost effective, so it's a simplified all IP architecture. It's lower operating costs on this type of system. Compliments existing narrow band networks.

So, can you imagine this, we talked about mission critical is not coming soon, but let's say -- and I've done this all over and I've really asked this question of Chief Stromolo (ph), but most police chiefs do not carry radios, but sometimes they need to be on the radio. So we can actually put an application on a commercial device that will connect over to this LTE device that will allow this phone to talk on a P25 radio.

So we can make handheld LTE devices talk on radio, non-mission critical, right. I don't want to be running down the street trying to talk to the guy the P25, but if a chief or the detectives needed to do that, they could do it from their LTE device and that equipment is all also coming in the network. So it supports geographically redundant, so it's a little bit different, right.

On a radio system, we have today, it's a repeater of the (indiscernible) park and the line goes down, we can go to a local system off the building or we can go to
simplex. With this type of system because LTE is in range, you would never lose the whole community. And if it can’t be repaired readily, they can bring out a deployable in the two hours, the deployable arrives, set it up, again any place and bring the network back up. So even after a storm, we can become much more resilient.

As well as, let's say the -- if we had this equipment and the super bowl was coming for the situation, as the Super Bowl, Verizon and AT&T brought in extra (indiscernible) to boost up their network. We could do the same thing to boost up the network for public safety.

In fact, what happened at the Super Bowl, nine Homeland Security cameras were set up for the Super Bowl. Verizon came over and said, how are you receiving those cameras. They said, over the Verizon network. They said, we're not allowing them to use the spectrum, because they were making money on Verizon that day.

We had to rig up a mesh network to receive the Homeland Security cameras. Those came cameras went to the Miss America pageant. They were all (indiscernible) up. Guess what happened (indiscernible) cell phones, the security cameras went down. Burlington, New Jersey, we just had the air show. Three cameras down there. The first two days it was cloudy, no problem. The last day everybody showed up. Guess what went down? The cameras because they
work over the commercial network. Public safety cannot rely on the commercial network, that's why this whole process is being (indiscernible).

So, transition from P25. So, P25 radio the officers carry today can only do voice. But as we get to LTE, we can take (indiscernible) and I'm using -- we're integrating a lot of other things, Atlantic City, over 2000 cameras. How to receive it, where do we store it, so we're going to do it electronically now. They don't have to watch it all, it's going to be in vehicles, but they can get access any car or any place over the LTE network at any time.

The field personnel. I love talking about that. So an officer gets out on a motor vehicle stop and he doesn't have back up there yet. All of the sudden, something's going wrong, he needs help. He hits his panic button. The camera on the front of the car comes live and transmits into the police desk. The police desk now sees what's happening so they can tell the backup car what's going on.

Or say maybe he got shot from another direction. They can also call into the electronic unit in the car and look at all four of the cameras looking back. So, maybe it was a car came from another direction and hit him. Maybe it was something else that occurred, so it gives greater access
and accountability.

So the way we do vehicle data in the cars today is they tape all day long. We get to the public safety building, upload it at the end of the day, we wind up with a storage capacity problem. Not just here, everybody does. Now the way it works, the car is getting an electronic MDVR, you never ever download it. It sits in the car for 30 days, but any of those 30 days you need to see it over LTE, you can access that car at any time.

So, it also creates that you don't have to have all that storage and capacity on hand.

Sure, that's okay.

Street individual surveillance. We can talk about -- so we can -- so for an example, through our existing street cameras in Nutley we can bring them into the system. But I'll give you an example of what's being built for this network. So, we're doing a lot of work with a lot of federal agencies as well as the state police surveillance (indiscernible).

Verizon has raised the rates and we've kind of changed the way we're doing business (indiscernible). We actually are going to be building for this -- and I'll use for an example, and I'll use Commissioner Tucci. We want a watch a (indiscernible), but we have no cameras there, but we want to watch it for the next week or two. You can go
down and mount this on the pole. It's solar powered -- you put the bracket on the pole, drop it on, it looks like a Cable Vision box. It's solar powered. It has the electronic storage inside and the officer can access it over LTE. Even a car arriving on scene, if he wants to see what was just there, can access the box. So you can mount them and move them around the town (indiscernible).

(No sound)

Sure.

(No sound)

MR. SCALERA: Cameras you want, we're not telling you where to put them. It's if you want to put them up, there's a way to access it.

(No sound)

MR. SCALERA: Right. It's your choice. So -- MAYOR PATRACCO: (indiscernible) could, but as we discussed, Fred, and I -- we talked privately, I mean, for the police department, it is a very good tool, like you said, how they had to go up on poles in the past for hours to get something like that. Now, in a few minutes they could use that for surveillance, which we could desperately use.

MR. SCALERA: Say you have a complaint of speeding on a block and you don't know if it's going on and you want to see it. You can mount this camera, just go up with the
fire department bucket truck, mount it there and see what's really happening at night on that street or who is drag racing, are they drag racing.

If there's damage -- somebody is damaging the park each night or we're having a break in every night in the municipal parking lot on a car, we can put up a portable unit for a day, two, three, you could technically leave it up full time. You can mount it and leave it up 24/7 if you want to -- and it will store up there electronically and the only time you could see it is when you access it over the network.

MAYOR PATRACCO: And it's solar.

MR. SCALERA: And it's solar powered. So you don't wire it, you don't do anything with it.

So we're supplying the devices. We're not buying cameras for everybody, but well I just have to be honest about that. We're buying the devices. We'll give you the connections for that, because that takes a different unit than the car takes. We'll supply all that, so, in Atlantic City, just large -- they have 2000 cameras.

UNIDENTIFIED SPEAKER: So, excuse me, that's more cameras than they have gamblers there, but that's another story.

MR. SCALERA: Well, (indiscernible).

UNIDENTIFIED SPEAKER: So if we wanted to purchase
cameras --

MR. SCALERA: Yes.

UNIDENTIFIED SPEAKER: And site them around town, whether it's in our parks, you know, different crime areas or areas that we just want to watch, we have that ability to do that?

MR. SCALERA: That's correct.

UNIDENTIFIED SPEAKER: All right. And this is all wireless?

MR. SCALERA: All wireless.

UNIDENTIFIED SPEAKER: And how quickly could something like that be realized?

MR. SCALERA: Well, we're making -- so I don't want to talk about what they're going to look like, but they'll be discreet.

UNIDENTIFIED SPEAKER: No, no, I don't care what would they look like, how long before the system is in place where we could utilize that.

MR. SCALERA: This whole network will be fully operational by June of next year. We start installing -- it's out on scope of work on state contract right now. We will hopefully have the first systems, that's the brains, the first four of those arriving in November. And then between November and next June, all the other 27 sites will come up.
UNIDENTIFIED SPEAKER: So, you're going to have the -- I'll call them the portable units, for lack of a better term?

MR. SCALERA: That is correct, sir.

UNIDENTIFIED SPEAKER: The cows and what have you. And then what do you move to after the cows?

MR. SCALERA: So, that's -- they will stay up. The commitment that Homeland Security Director was making is that they will stay up until the national FirstNet network comes in.

UNIDENTIFIED SPEAKER: And that's that three to five years?

MR. SCALERA: (Indiscernible) three to five. So we're hopefully going to be on the earlier side of three. So, in Los Angeles, and here is what we're working towards because we're going to be this demo site. We're going to have a lot of data. Los Angeles is trying to guilt built under a pilot project, needs 200 towers for Los Angeles County.

The state of New Jersey needs between 120 to 150 through the whole state, so we're a much easier build than a lot of other areas. Even New York City is higher because of the density in the buildings. So we think after proving out our pilot, we're in very good shape to look to be one of the early deployments.
Again, Will and I are working full time on that second project to get everything required and to be eligible to be one of the first out of the box on the net.

Now, there's a good and bad to that. So, why we have the network up, you can use all this bandwidth and everything for free. And we're going to be cutting a contract. So right now it's your Verizon air cards in the car, $50 or $60 a month. If you break over the bandwidth the fees are going. Every community is being notified, state contract is going to be changing, that's going up.

So, for an example, the state police this year, if they kept using Verizon the way they were, their fees would go up $250,000 for the year on the Verizon network.

We just met with a federal agency today. Each one of their wireless deployments that currently use Verizon for their short term use is running $10,000 because of the spectrum and bandwidth.

So, what -- let me come back with your current. So, your Verizon today will become only roaming, meaning that when you go out of the network, so you'll have coverage most of Montclair, most of Bloomfield, all of Bellville, all of Lyndhurst, all around your local around, but say you went to -- the chief went to Livingston. Livingston wouldn't have the network. By statute even permanently after the real network comes, as a backup, you roam over to the
commercial, but you only get that limited bandwidth and only your old applications. You wouldn't get all the video and all those things.

So, Harris County, which is the first that's currently working with Verizon now, so we'll know those rates soon. So what's it going to be just have them in the car, but not use it on standby, so if you need it's there? So, they estimate that to be about 1/3 the cost of what you're currently paying for in Verizon in the usage case today. So you cut the Verizon air card bill by about a third.

So, Harris County is doing -- one good thing, they're up first, they're in the middle of negotiations with Verizon. In the next month or two, I'm sure we'll have an idea what that cost is.

The commercial carriers, the only money they're going to have left in the market place is the roaming. Because everybody will be going over to the national network.

UNIDENTIFIED SPEAKER: Fred, just very quickly, the mobile unit,

MR. SCALERA: Trailer?

UNIDENTIFIED SPEAKER: Trailer, where would they be located?

MR. SCALERA: So the one and I had seen
Commissioner Tucci, he gave me permission to drive around with Jason. So, the spot we located, so outside the fenced in area, you have a big dumpster and behind it, there's a bunch of old benches piled up. We -- that's two parking spaces. We need two parking spaces. It would fit behind that dumpster.

UNIDENTIFIED SPEAKER: Okay. So we don't run into -- and I see Alan (ph) twitching over there -- so we don't run into a similar problem that we ran into with the staging area, because this is a state and federal initiative, will this exempt us from any green acres regulations?

MR. SCALERA: I was prepared for that question. So, two things, one is because it's a temporary structure in the first place and the state is also exempt from that and that's a supplying we're handling all the permits, yes. But remember something, these will come into the -- they will come into the building department in Nutley and apply for a temporary structure permit.

So, one other thing, why they're also allowed, is these trailers -- and believe me, we've put a lot of design into them -- we are not allowed to break the ground. So, we are not allowed to put a stake in the ground. We are not allowed -- so let me just tell you about the design of the trailer.

So the trailer is physically 8x16. The
(indiscernible) will come out four feet each side to make it a 16x16 square. Under the (indiscernible) similar to what you see on the fire truck, we've come out with 3x3 plates so that if it's on soil or on pavement, it has a bigger dispersion.

When the tower goes up the guide wires will attach to the top of the jacks. I wanted to do a way to prepare it for a -- we have designed it for 60 mile an hour winds. I wanted the hurricane strapping. Hurricane strapping means that I have to put a stake in the ground, so we can't do that. So the hurricane straps will come off to a post and 1000 pound plates wills it on those posts, so that it's stable through those winds. So there's no stakes, there's no ground breaking, no problem with green acres because it's one state, two it's a temporary structure it's exempt and three, is we're not breaking the ground.

UNIDENTIFIED SPEAKER: Fred, would there be fencing around it or any protection around it?

MR. SCALERA: We're going to have cameras --

UNIDENTIFIED SPEAKER: (Indiscernible) Necessary.

MR. SCALERA: So there's nothing really necessary to be around. It's just like sitting next to the dumpster, it's a trailer. It's an all enclosed system. If it goes forward, we bring you an MOA between the state, so we are physically insuring the trailers. The only thing that's
asked of the municipality is that we go on your insurance
rider if somebody was to climb on it and fall. That's
basically --

UNIDENTIFIED SPEAKER: So it just in summary, what
I'm hearing is a mobile unit --

MR. SCALERA: Sure.

UNIDENTIFIED SPEAKER: -- that would be parked
somewhere, which would not violate anything with green acres
or things like that.

MR. SCALERA: Right.

UNIDENTIFIED SPEAKER: It has a tower. The tower
will go up how many feet?

MR. SCALERA: (indiscernible) feet.

UNIDENTIFIED SPEAKER: (Indiscernible) Feet. So,
how -- is that higher than the towers that we --

MR. SCALERA: No, that's 120 tower down there.

UNIDENTIFIED SPEAKER: So it's shorter than the --

MR. SCALERA: Half the height.

UNIDENTIFIED SPEAKER: So it would be half the
height.

UNIDENTIFIED SPEAKER: there would be no conflict
with the existing tower that's there?

MR. SCALERA: No, none whatsoever, because you can
actually (indiscernible). So, we -- if I could, we're not
allowed to even touch terrestrial, I would love to just --
because I can mount on that tower because we actually own it and so -- but we're not -- I'm -- for example, Garfield is a beautiful water tower to use, but I can't (indiscernible), I'm putting a trailer lower than the water tower because I'm not allowed to mount on terrestrial.

It has to be -- the goal of this deployable is tested deployable, not to say it wasn't deployable when we put things on physical structures.

UNIDENTIFIED SPEAKER: And given the Verizon cards that we use today, the mobile cards that are required, that with this system, we have the potential to reduce or eliminate that cost?

MR. SCALERA: We're estimating about a third, you'll be paying a third of what you're paying. I'll know that probably in about two real months when Harris County is going through the first test of that right now.

UNIDENTIFIED SPEAKER: So, reduced cost and all the equipment that's necessary to support this, the State provides that at no cost to the municipality?

MR. SCALERA: You get all the equipment for free and that equipment when the real network comes -- it transitions to the real network, so the cars are all set up for the permanent network.

UNIDENTIFIED SPEAKER: Does that equipment become the ownership of the municipality or does it stay --
MR. SCALERA: Ownership of the municipality and we include like one year -- we're covering the one year warranty and service. In our contract, the vendor will do the installation, so it's installed by the vendor, so it's installed properly, all that stuff.

UNIDENTIFIED SPEAKER: And replacement of equipment as it needs to for the cars, the cameras, all the things you're referring to?

MR. SCALERA: I'm sorry?

UNIDENTIFIED SPEAKER: You're referring to cameras and different things.

MR. SCALERA: Well, so we can't go out and replace everybody's camera, so what we've done and that's why I kind of go back. So in Atlantic City they have a large project going. They were about to buy routers for their cars. We've stopped it. They're going to buy the new compliant ones.

We're having them now as they buy their video systems, buy the ones that you don't need to download anymore, it will be stationary. As well as license plate recognition and that's really -- the problem here is Passaic runs theirs differently than Burgan, Essex doesn't have a central place, so we have some issues. But we're going to do -- I'd like to do the 21 corridor with them. I don't know if we will, but I'll explain what we're doing, what's
different than everybody's doing today in Camden Atlantic City because we're definitely doing it there, because it's a straight run.

UNIDENTIFIED SPEAKER: Just more specifically, as far as the equipment is concerned, the initial equipment that we're provided comes from the state.

MR. SCALERA: That's correct.

UNIDENTIFIED SPEAKER: We get to keep that equipment?

MR. SCALERA: Correct.

UNIDENTIFIED SPEAKER: But in the future, we'd have to pay for the replacement of that equipment?

MR. SCALERA: Well, it's going to last you at least -- I mean, it's a router. It's going to last you multiple years.

UNIDENTIFIED SPEAKER: So initially it's a thank you from the state. The follow-up is we have to support that.

MR. SCALERA: That's correct.

UNIDENTIFIED SPEAKER: Whatever that -- and do we know what those equipment costs would be?

MR. SCALERA: Each router will be going out on bid and they'll be on contract. So even if you're a large city, the most we're going to have to a city is 50 because we can only buy so many inside the grant. So the (indiscernible)
50 range here so 50 is our max, even if we go to Patterson, then we'll have them on state contract, they can buy more if they'd like to do that, but we'll get at least 50 of their vehicles live in Patterson. Fifty is our magic number as the max, because -- so it's -- and it's more difficult Route 21 corridor because we didn't have to, but Will and I in doing the design work did, so the Route 21 corridor is what the state got approval to cover. We made the decision though that that's ridiculous if Patterson comes on Route 21 they have coverage, they go back into Patterson, they have no coverage. Well the same thing in Nutley. You go (indiscernible) 21.

So, if Nutley takes this site, Nutley will be triangulated. There's a site going at the Clifton Fire House by Route 3 by Kohl's. There's a site going to go at the Bellville Fire House on Franklin Avenue in Bellville. And then this site in Nutley. That would actually triangulate and then there's a major site going up at Montclair State that will come through the top of Passaic, Patterson, Montclair and even touch up in the Bloomfield area. So, Nutley will have triangulated coverage throughout the whole community from those three sites.

UNIDENTIFIED SPEAKER: And what would that cost me? Just to follow up on what Commissioner Evans said, what would that cost me to replace that router?
MR. SCALERA: The router for the vehicle we estimate they'll come in -- we're not -- about $1500.

UNIDENTIFIED SPEAKER: Okay.

MR. SCALERA: That's the ones we're giving for free.

UNIDENTIFIED SPEAKER: $1500 per router?

MR. SCALERA: Per router.

UNIDENTIFIED SPEAKER: Okay. So if we had 50 routers at $1500 --

MR. SCALERA: Right, so you're getting those for free. Besides the routers, though, you're also going to get -- and we don't get -- air cards and dongles. So if you want to -- so let's just say the police chief wants to have a tablet he can carry around all over the town in his hand. So, most tablets and things aren't made in band 14 and that's three to five years out on devices.

UNIDENTIFIED SPEAKER: Right.

MR. SCALERA: You know, I talk about that, but with a dongle, so we bought these tablets here, Windows that will take a dongle on the side. My office building where I am in the Homeland Security in Newark fully in the network and I'll be able to go around the city of Newark with a tablet in my hands and do anything the car can do. So, we're also going to supply a lot of those smaller devices, they're much -- they're probably in the hundred dollar
UNIDENTIFIED SPEAKER: And the commitment for funding moving forward, 100 percent on both the federal level and the state level?

MR. SCALERA: So the sustainment of this project in the agreement is the state has to maintain it. Homeland Security will be picking up the sustainment costs until the national network comes in.

UNIDENTIFIED SPEAKER: So, it sounds like at a federal level, funding comes from a federal level until the network is in place and then it becomes a state responsibility.

MR. SCALERA: So, a couple of things. So, the only federal funding is to build the network. The state had to do the agreement to sustain it. That's one part.

Then when the national network comes through, of course you have to pay per unit to be on, but we -- so, for -- I'll get into a different model, but the trailers stay with the State so that they become our emergency deployment if a tower goes down from a Sandy or a storm.

UNIDENTIFIED SPEAKER: Just a final question, and it's more of a summary type question. By moving to this type of system, I'm hearing two things. One is that in the event of an emergency, we have a better ability to communicate.
MR. SCALERA: And recover if it was done.

UNIDENTIFIED SPEAKER: Right. Which we had a lot of difficulty with during Sandy.

MR. SCALERA: Sure.

UNIDENTIFIED SPEAKER: And so it's basically in an emergency. The other that I was hearing is that in addition to the emergency type service, there's an improved capability day to day in the use of these -- the vehicles and the equipment to provide police services or public safety services.

MR. SCALERA: (Indiscernible) bandwidth can't share all that video out to the cars, but you will be able to do video out to the cars. We're going to supply some of the video applications like Vivio (Ph) that allows the officer -- say he's out there before -- he's one 21 and the rescue squad is coming and they have an extrication, he can take a tablet out of the car, be sending the video back and the squad could see, wow, we're not calling enough things or unsecured need this tow truck or the fire is larger than this. They can actually send live video from a handheld device at a scene.

So the capability -- and that's only touching the surface, so just if I can have just two more minutes to cover two different issues and I guess we'll go back. This is kind of the transition from the (indiscernible) to the
terrestrial as a FirstNet slide. But, let's take license plate recognition the way it works today and the way it can work.

So, the way we're setting it up and we had units down in Atlantic City, they're not operational right now. But, crimes happen in Atlantic City and they go from Atlantic City to (indiscernible) or they go up and down the parkway. So we're going to have now -- so an incident occurs and we have a license plate in Atlantic City. When they enter in the computer it's live at the units that are stationary on Route 130 and the expressway. They're stationary out at the parkway north and south and east and west. And then there's stationary at the entrance to Camden as well as in one or two cars in Camden Atlantic City.

So you'll know if a guy did something bad in Atlantic City and he goes out the expressway, you'll know he went north or south, call the state police, he went off the parkway. You'll know if he went past there -- let's see what happens, you'll know if he goes into the city of Camden. It's going to alert that he just drove in Camden. And then a car -- if a car drives past him, police car in Camden or they may see him, it will pick the plate up.

That doesn't work in live time today because of bandwidth. That's that -- we all want to do that in this car in the north but because there's three counties and
every county operates differently, we may not able to bring that live in the north, that's an issue.

And one last thing on -- about transportation and energy, we just met with the BPU this week and the BPU has been talking about to do smart grid. Now, not in the northeast, but in other parts of the country, Chattanooga, Tennessee and you can look it up online is the most connected community in America. You buy your water, your electric, your sewer, your TV, your cable, you buy everything from the City of Chattanooga and they have fiber to your home.

So, we are going to be developing -- we met with the BPU, we're going to be bringing the five utilities in the state together for a test. And I've actually done it live out in Las Vegas. So, your electric meter now is live over LTE. So no more meter readers, they read the meter live any time they want. So if you're doing a house closing and you want a real reading, you call them on the phone, they can give you a reading. But let's take the important point.

Take a fire. When we have a fire, we need the truck to show up and disconnect the electric from the house. A lot of times they can't get to the wire because the hoses are in the way, the trucks in the way. If the building is unsafe, they can't go pull the meter off the house because
they can't go near the building. What does public service do? They have to shut down a grid. Now, the public service or in our case, public service shows up with an iPad or a tablet and he stands next to the commander (indiscernible) house, hits a button. There's a meter panel, there's a (indiscernible) and there's a meter. The (indiscernible) disconnects (indiscernible), they pull the meter off the house and the electric is off. Much safer for the responders.

SWAT teams want power off, power on. I'm standing next to the incident commander. SWAT teams go in, I hit the button it turns the power off on the house. They go in, they have the guy, I hit the button, power comes back on.

Now, let's take a Sandy. How many emergency responders did we pay to stand in buildings because wires were on a house and they might be sparked. We couldn't shut the power off. Now, during those disasters, over LTE, right from Public Service's main station, they'll be able to turn the power off on the meter without even coming out. Or on a gas meter, it's being developed for gas also.

So we've actually met with BPU already. They're going to work on this. We're going to do a three year pilot with BPU and testing for a roll out in the future as the national network comes through also. Why is that good for us? I won't even go through the rest of the slides, I think
you've heard enough. So Com (ph) energy in Michigan made that change. Com energy owns all -- is the energy company for the state of Michigan. In the 2009 town legislation, they testified and said, listen, if energy, if we can use this for smart grid, we'll build it and let public safety use it for free. So the government saw it as a way of some more money. So our goal is if the utilities come on board, public safety will wind up paying less for use of the national network as it comes through.

It's also going to tie into the Next Gen 911 and the new dispatch consoles that are coming out with a white paper in August. So, Next Gen 911, you'll be able to send video and pictures in so the desk would have them, but now with the LTE, and an LTE connected console, you'll be able to send that also out to the officer in the field, the person you're looking for. So it's really a network of the future for public safety.

In closing, we were ahead of this for many years, England just signed a contract with Votophone (ph) there is a votophone to build this network and have it running nationwide in England by 2016 with mission critical voice. So I'll be interested to see how they do that and how it works out. So we were the leader in deploying it. England right now is kind of jumped out and is going to be the first, probably, in the market in operation as a nation.
Canada is not far behind it.

Sorry we're not so long, Mayor. I want to be sure I answered --

MAYOR PATRACCO: No, listen, do you know what, Fred, as always I can't thank you enough and I know that you look out for our town unconditionally. So, I'm very excited about it. When I met with the chief and Freddy and the deputy chief of the fire department, (indiscernible), they were really, really foaming at the mouth to bring this in. So, I mean, for first responders, I think it's really an upscale, state of the art, in the future technology that is great that we're getting it for free. I mean, you know the saying, if it's for free it's for me, so --

MR. SCALERA: And Mayor --

UNIDENTIFIED SPEAKER: It's for free for now.

MR. SCALERA: That's what I said, no, no. When the national network comes you have to make your own decision anyhow, so you can go back to Verizon or go to the national network.

UNIDENTIFIED SPEAKER: And this is basically a statewide network that inheritably will benefit Nutley because of all things that you've outlined for us tonight. Can you get us what some of the costs will be on an annualized basis as to what our requirements would be to maintain the system and to continue participating?
MR. SCALERA: Well, this one you have no cost.
It's the national network.

UNIDENTIFIED SPEAKER: No this one, I'm talking about the national network.

MR. SCALERA: The national network --
UNIDENTIFIED SPEAKER: That's three to five years out.

MR. SCALERA: The general manager hasn't even been hired to FirstNet yet. Those figures haven't been compiled --

MAYOR PATRACCO: And Fred, Fred, and that's three to five years out?

MR. SCALERA: Yes, it is.

MAYOR PATRACCO: So we have -- we'll have a free service for the next three to five years?

MR. SCALERA: This is free, the state paying for it until that comes and then by mandate we have to turn this (indiscernible). So --

UNIDENTIFIED SPEAKER: Okay.

MR. SCALERA: We don't control that end.

UNIDENTIFIED SPEAKER: Just consistent with Commissioner Tucci's question, you don't have to provide it tonight, just a better sense of what the downstream costs could be so we better understand that.

MR. SCALERA: So I think the first one will be
with the Verizon roaming costs is going to be out of Harris County because they're doing that now. So, I figure some of these -- Adams County, Colorado -- that's Harris County - Adams County, Colorado just went live. They're next going to be looking at the roaming features and costs. But they're terrestrial pilots, so we may be able to learn a little bit more about the costs. Because just costs we'll be paying, so the (indiscernible) require them and that's why we're in Camden today. We have to install new fiber. We're covering satellite cost for backup. The state is putting quite a bit of funds in for this pilot to make this also work.

So I think maybe we can take some of that and break it down (indiscernible) costs per user on this network. Not charge you, but give you a cost of whatever it costs just with those costs.

UNIDENTIFIED SPEAKER: Yeah, if we have a general idea.

MR. SCALERA: We might be able to do that in the future.

UNIDENTIFIED SPEAKER: The bottom line is that we do have a capital plan in place for the township. We have to make choices as a result of that, so just in the future this becomes another choice around what we have to invest in each year. So for my sake, I just want to be more aware of
what that future cost is as to what kind of choice that's going to be.

MR. SCALERA: So the one good thing also though is, so now Will and I are working now to identify sites -- our next year and a half project is working on identifying Government owned sites because Government owned sites will be the best way and most affordable for New Jersey. So let's say this (indiscernible) site works and we want to use the real tower also Nutley would pay a lower fee -- anybody who brings infrastructure to the project permanently on the big network also pays a different fee than somebody who doesn't bring infrastructure. The federal government knows they can't build everything.

So people who bring something to the infrastructure also wind up with lower costs on the national network.

MAYOR PATRACCO: Right. Just a question about the costs, am I thinking correctly, as we turn to this technology, are we going to be able to save some money in public safety by eliminating those roaming charges and things such as that?

MR. SCALERA: Well, you're only going to (indiscernible) roaming charges, you're not paying the full usage. We're estimating with Harris County talking about the roaming charges is about a third of what they're
currently paying for their bill.

UNIDENTIFIED SPEAKER: If I understood you correctly, I think the answer is yes. Because there's a lower cost associated with the installed routers over time versus the costs we incur today with Verizon.

MAYOR PATRACCO: So then what would we need to prepare for the future in capital? Are we thinking from three to five years as the national turns on?

UNIDENTIFIED SPEAKER: That's the questions we just asked for more information to better understand what that future costs.

MAYOR PATRACCO: Excuse me one second, so I understand it clearly. So, for the next three to five years, there should not be a cost associated with this, but moving forward into the fifth year, that's when the national --

UNIDENTIFIED SPEAKER: Actually if I heard correctly, for the next three to five years, there actually should be a cost reduction with an uptake in costs for the capital requirements. Based upon the need, based upon the routers or whatever the need to do those replacements and that could be staged.

MR. SCALERA: So let me just say and (indiscernible) question about capital. So let's say mission critical voice -- comes out in five years, you would
need a capital budget then if you wanted to take voice and
everything to this one device. A device that's coming out
next year that's being tested at the -- the public safety
lab is actually Boulder, Colorado. It's a device that's
going to be P25 radio, so it does have mission critical
embedded with the band 14, LTE device inside it. So, those
will be available probably in two years on the market. So,
we wanted to go to those that could be a capital cost if you
wanted to tie the technologies together. So, except for --
so that might be some costs, but that's not now, that would
be down the road. And again, you don't have to go to that
equipment.

UNIDENTIFIED SPEAKER: Right and with the
reduction in costs we do have the potential for this to be
awash.

MR. SCALERA: Sure over the years, yes.

UNIDENTIFIED SPEAKER: Yeah, if you average it
over time, absolutely.

MR. SCALERA: Averaging over time, yes that could
be true also.

UNIDENTIFIED SPEAKER: I think that's important to
point out because all this sounds great, but obviously
there's always a cost associated with it. But as long as
there is a cost savings on the other side, I think it's a
win-win.
MR. SCALERA: So, Mayor, you don't have to (indiscernible) tonight. You can meet around the commissioners for the next two to three weeks you just let me know. Otherwise, I have to -- I mean, I have to -- I'll say it honestly, (indiscernible) goes to me, because they know I'm (indiscernible) here. They'll say, we'll take two if you give us more stuff. So, you know, I'm like (indiscernible).

UNIDENTIFIED SPEAKER: They're real good that way.

MR. SCALERA: They're good that way, you know. So I (indiscernible) we're still on for Nutley, but I'll let you know. But my point is, you don't have to let me know tomorrow, but (indiscernible).

MAYOR PATRACCO: Well, I could tell you that I'm a yes now. So if you guys want to --

MR. SCALERA: I don't want to put the commission on the spot, sir.

MAYOR PATRACCO: No. I'm just saying after reviewing everything that we talked about the other day and tonight I know that I'm a yes. I know that my department benefits the most being public safety, but if these guys want to commit to you tonight or get back to you, whatever you want to do.

UNIDENTIFIED SPEAKER: Yeah, I'd like to see whatever information you can find us. It sounds phenomenal,
but I'd just like to see what that cost --

MR. SCALERA: So all you have to do is if you give
me a tentative yes, the MOA that has to be done between us,
you have to -- it's under the department of purchasing, so
you'd actually just adopt a resolution for it. So we can
come out with a separate, maybe one of the premeetings in
the back. We'll come in with the MOA, discuss the MOA and
then you can make it final that night.

UNIDENTIFIED SPEAKER: That's not going to be
another ten minute presentation, is it? Okay.

(Laughter)

UNIDENTIFIED SPEAKER: I think it's a great idea.
I think we're all inclined to sign on and to reap all the
benefits of this, and in the mean time, pending that
additional information we asked for if you want to go ahead
and start developing that MOA or (indiscernible) for Nutley.

MR. SCALERA: So the general one is being finished
now and we'll be glad to come back out and I'll work it
through the mayor if that's okay.

And I just have to, one last plug I have to give,
the governor that actually asked me to come back or brought
me back to do this project and with Will here, he gets a lot
of credit for this, because he's really made a serious
commitment to get this public safety up for the state, so he
deserves a lot of credit also.
UNIDENTIFIED SPEAKER: Just from my standpoint tonight, I think what you've described has a lot of potential. I would be more inclined to support it if I just had more specifics as to what the initial start up costs are, what the longer term (indiscernible) costs are.

MR. SCALERA: There's no start up.

UNIDENTIFIED SPEAKER: I understand, but I'd just like to -- you shared all of that very quickly in this --

MR. SCALERA: That's the MOA, all that's in writing.

UNIDENTIFIED SPEAKER: And I appreciate we're only going through a ten minute presentation on this. So, the essence of that, if you can provide that data and summarize that, that would help me as I think about the long term implications.

MR. SCALERA: So that's what's going to come out -- we did that all (indiscernible) the MOA so that you'd understand that up front.

UNIDENTIFIED SPEAKER: It's all included in that (indiscernible).

MR. SCALERA: It's all included, so if you adopt it, you know all the rules.

UNIDENTIFIED SPEAKER: If preparing the MOA lays out all of that information then I would support preparing an MOA because we would need that information for a
decision.

MR. SCALERA: So the MOA is -- so what we did is the MOA will be the same one we give to your community as well as (indiscernible) state or NJIT and then we -- if you need to attach an addendum to it when you pass the resolution or something, you just attach addendum. It goes back to the DAG, if he signs off, then we're (indiscernible).

UNIDENTIFIED SPEAKER: So, just an MOA would provide the commissioners with the ability to read the agreement, understand what's in it and counsel if we need to do any addendums to it, fine. I'm fine with following that process.

MR. SCALERA: That's correct. That's the policy. So we're actually -- so we spent -- again, all the hours Will and I spend in a day around the state doing this and working on this, but the MOA again, we were -- originally it was going to be an MOU and you know what MOUs get to be like. So finally we put it under the purchasing department of the State, which you're used to adopting resolutions for and drew up all the MOA. It also allows you to say, listen, we want some changes and it should be not that difficult. So we've done it, they limit the paperwork, but tell you everything you're getting up front and what the costs are.

UNIDENTIFIED SPEAKER: So, Fred, if you could
forward me the MOA, I'll hand it out.

MR. SCALERA: So it's been all approved up to the
top -- the attorney general himself is actually just
reviewing it. We probably should have it in the next week
or two and then I'll forward it out and then you can forward
it out and let us know.

UNIDENTIFIED SPEAKER: Mr. Genitempo, do we need
to do anything officially to give a tentative yes or --

MR. GENITEMPO: No, I don't think we can do that.

MAYOR PETRACCO: Okay. Thank you, Fred.

UNIDENTIFIED SPEAKER: Thank you, Fred.

UNIDENTIFIED SPEAKER: Thank you so much.

UNIDENTIFIED SPEAKER: Appreciate it.

MAYOR PETRACCO: Thank you.

(Pause)

UNIDENTIFIED SPEAKER: Aren't you proud he's a
Nutley boy?

UNIDENTIFIED SPEAKER: He's done well.

MAYOR PETRACCO: Thank you so much, Fred. Thank
you, Will. Appreciate you coming out tonight.

UNIDENTIFIED SPEAKER: Fred, one more thing, could
you get me a diagram of what the unit will look like and
where it will be cited?

MR. SCALERA: So I will send you -- so we have it
out on the scope of work now. They come in July 11th, so we
put the rough -- I can probably almost give you, so if you
give me another week or two with that, if I'm down close
I'll put one of those two out and I'll send you over what
somebody submitted.

UNIDENTIFIED SPEAKER: At your convenience.

MR. SCALERA: No, but I'm just saying to you, but
if you go on the website, you could see some similar ones of
what --

UNIDENTIFIED SPEAKER: I know you're working
through the mayor's office and I have no problem with that,
but I just want to see where it's going and how it's going
to interact with everything else that (indiscernible).

MR. SCALERA: No problem.

UNIDENTIFIED SPEAKER: I'm going to hold on my
other questions. I don't want to go over the ten minutes.

UNIDENTIFIED SPEAKER: Sorry for prolonging it.

MAYOR PETRACCO: Madam clerk, are you still with
us?

(Laughter)

MAYOR PETRACCO: Thanks for looking at for Nutley
as you always do. Thank you so much. Thank you for
attending.

UNIDENTIFIED SPEAKER: Motion to adjourn. No, no.

UNIDENTIFIED SPEAKER: Second.

(Laughter)
MAYOR PETRACCO: Okay. We did the proclamation. I believe we have to move on to minutes, Madam Clerk?

MADAM CLERK: Yes, Mayor. I have meeting minutes from meetings held May 6th and May 20th, 2014. I need a motion please.

UNIDENTIFIED SPEAKER: Motion
UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.
MAYOR PETRACCO: Aye.

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

MAYOR PETRACCO: Okay. Move on to the -- oh, I'm sorry, I see communications.

MADAM CLERK: Yes, Mayor. I have two items of communication this evening. The first one is from the Holy Family Church. Holy Family Church has requested permission to hold the following raffles on Thursday, September 25th,
2014 through Sunday, September 28th, 2014. It would be for an on premise super 50/50 cash raffle, on premise hourly 50/50 cash raffle and the games of chance, the money wheel. I need a motion, please?

UNIDENTIFIED SPEAKER: Move it.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

MADAM CLERK: The second item of communication I have is also from Holy Family Church. They're submitting an application for a social affair permit to serve alcohol at their event scheduled for September 25th, 2014 through September 28th, 2014. I need a motion, please?

UNIDENTIFIED SPEAKER: Move it.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco.
MAYOR PETRACCO: Aye.
MADAM CLERK: That's all for communications correspondence this evening, Mayor.
MAYOR PETRACCO: Let's move on to the bills.

Public Affairs: $71,394.83
Revenue and Finance: $2,002,310.59
Public Safety: $61,816.60
Public Works: $391,685.90
Parks and Public Property: $659,475.64
Payroll as of June 20th, 2014: $864,108.03
For a grand total bill list of: $4,480,791.51.
And that's all for bills this evening, Mayor.

UNIDENTIFIED SPEAKER: Move the bills.
UNIDENTIFIED SPEAKER: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

MADAM CLERK: Thank you, Mayor.

MAYOR PETRACCO: Thank you. Okay. We'll move on to ordinance introductions. Commissioner Evans.

COMMISSIONER EVANS: Ordinance 3290, which I'll read by title.

"Ordinance providing for the acquisition of generators by the Township of Nutley, in the county of Essex, New Jersey appropriating $556,240.00 therefore from grant monies received from the New Jersey department of law and public safety for the cost therein." So it's not a municipal appropriation. It's acknowledging the receipt of a grant.

I move that this ordinance be passed to a second reading and advertised in the Nutley Sun together with the notice required by law and that further consideration of said ordinance for final passage by the Board of
Commissioners be held at its second reading on August 5th, 2014, so move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: "An ordinance to amend an ordinance codified in the code of the Township of Nutley, chapter 320 entitled fees."

I move that this ordinance be passed to a second reading and advertised in the Nutley Sun together with the notice required by law and that further consideration of said ordinance for final passage by the Board of Commissioners be held at its second reading on August 5th, 2014, so move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco.
MAYOR PETRACCO: Aye.
COMMISSIONER EVANS: "An ordinance to amend an ordinance codified in the code of the Township of Nutley, chapter 700, entitled zoning, particularly Article V, general regulations and article vii, use regulations."
I move that this ordinance be passed to a second reading and advertised in the Nutley Sun together with the notice required by law and that further consideration of said ordinance for final passage by the Board of Commissioners be held at its second reading on August 5th, 2014, so move.
COMMISSIONER ROGERS: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: I abstain.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Thank you, Mayor.

MAYOR PETRACCO: Okay. Thank you, Commissioner Scarpelli.

COMMISSIONER SCARPELLI: Ordinance #3292.

"Ordinance providing for reconstruction of the roadway on Park Avenue (section 2), in the Township of Nutley, county of Essex, New Jersey appropriating $237,000.00 therefore from grant monies received from the New Jersey department of transportation for the cost thereof."

I move that this ordinance be passed to a second reading and advertised in the Nutley Sun together with the notice required by law and that further consideration of said ordinance for final passage by the Board of Commissioners be held at its second reading on August 5th, 2014. I move the ordinance.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

UNIDENTIFIED SPEAKER: Public hearing.

MAYOR PETRACCO: Is that all you have?

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

MAYOR PETRACCO: Okay. We will move on to public hearings. Commissioner Tucci?

COMMISSIONER TUCCI: Yes. This is an ordinance providing for improvements to Monsignor Owens Park. The improvements will consist of repurposing what was formerly the roller hockey rink into a mini-soccer rink. And also the non-handicap portion of the bleachers that we will be installing at Monsignor Owens Park.

MAYOR PETRACCO: Is there anyone here this evening that would like to comment on Ordinance #3284? Being no one.

COMMISSIONER TUCCI: I move we close the public hearing.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: Move the ordinance.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

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

MAYOR PETRACCO: thank you. Commissioner Evans?

COMMISSIONER EVANS: Yes. 3285 is an ordinance to eliminate allowable parking in front of an address on New Street and an address on Franklin Avenue to preserve this space for medical services drop off for handicapped
individuals so that they have easy access to the curb.

MAYOR PETRACCO: Is there anyone here this evening that would like to address the Board of Commissioners on Ordinance #3285?

COMMISSIONER EVANS: Move to close the public hearing.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

Okay. We are tabling tonight --

MADAM CLERK: You need to move the ordinance, Mayor.

MAYOR PETRACCO: I'm sorry.

COMMISSIONER EVANS: Move the ordinance.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco.
MAYOR PETRACCO: Aye.
Okay. We're tabling Commissioner Scarpelli's ordinance #3286.

COMMISSIONER TUCCI: We're going to postpone that to the next commission meeting.

MAYOR PETRACCO: Okay. We're postponing it.

MADAM CLERK: Okay. Mayor, for the record, Ordinance #3286 we're going to postpone the public hearing to the next meeting scheduled for Tuesday, July 15th, 2014.

MAYOR PETRACCO: Yes, we are. Okay. And I have an Ordinance #3287, 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 1st, 2014.

Is there anyone this evening that would like a -- is there anyone this evening that would like to address the Board of Commissioners on Ordinance #3287?

MS. LANDRY: No, but I have a question. Penny
Landry, 135 Lakeside Drive. If someone in the public showed up for a public hearing to address something and now it's postponed, so they've sat here three hours and it just gets postponed and they can't speak to it? Is that the law, Mr. Genitempo?

I showed up here to speak to Ordinance #3286, which was scheduled and publicized as a public hearing. And now it's been postponed. So --

MAYOR PETRACCO: 3286?

MS. LANDRY: Yes.

MAYOR PETRACCO: I mean, if I -- it's the zoning ordinance. I mean, counsel, I have --

MS. LANDRY: So, now if the public shows up to speak to something that was publicized, can we speak to it?

MAYOR PETRACCO: Excuse me, one second.

Counsel, I personally have no problem if she wants to ask a question about the ordinance, she has been here, as long as we're not breaking any kinds of laws.

MR. GENTITEMPO: No, it's just not part of the public hearing because the public hearing is not open on it. So --

MS. LANDRY: But it was publicized.

UNIDENTIFIED SPEAKER: But it will be part of the public record.

MR. GENTITEMPO: It will be part of the record of
this --

UNIDENTIFIED SPEAKER: Of this meeting, but not specific --

MR. GENTITEMPO: That's correct.

MAYOR PETRACCO: So then you --

MR. GENTITEMPO: My suggestion would be to do it under the public comment portion.

MS. LANDRY: Okay. I'll do it under public comment. Thank you.

MAYOR PETRACCO: Thank you and I'm sorry about that.

Okay. Seeing no one for Ordinance #3287, I move the ordinance.

COMMISSIONER EVANS: Second.

MAYOR PETRACCO: I'm sorry, I close the public portion of the meeting, Madam Clerk. My mistake.

MADAM CLERK: Mayor Petracco made a motion to close the public hearing and --

COMMISSIONER ROGERS: Second.

MADAM CLERK: Seconded by Commissioner Rogers.

Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Hold on a second.

MADAM CLERK: We're voting on Ordinance #3287.
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Tucci, that was Aye?
COMMISSIONER TUCCI: That was an eye, yes.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco.
COMMISSIONER TUCCI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco.
MAYOR PETRACCO: Aye.
Thank you. Commissioner Rogers, we'll move on to resolutions.
COMMISSIONER ROGERS: Resolution #159-14 it's an award contract consultant solid waste disposal, recycling and public affairs and law and policy DeFeo and Associates,
15 Washington Valley Road, Warren Township, New Jersey not to exceed $17,500, so move.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

MADAM CLERK: Okay. Thank you.

COMMISSIONER TUCCI: That was an aye, Madam Clerk, I had my mic off.

MADAM CLERK: I'm sorry, Commissioner, did I -- COMMISSIONER TUCCI: I said, that was an aye. I had my mic off, for the record.

MADAM CLERK: Thank you, Commissioner.

MAYOR PETRACCO: Okay. Is that all you have, Commissioner Rogers?

COMMISSIONER ROGERS: That's all I have, Mayor.

Thank you.

MAYOR PETRACCO: Commissioner Tucci has no
resolutions this evening. We should move on to Commissioner Evans.

COMMISSIONER EVANS: Whereas N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions and;

Whereas, the Annual Report of Audit the 2013 has been filed by the Registered Municipal Accountant with the Municipal Clerk pursuant N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body: and

Whereas, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and the Local Finance Board has promulgated N.J.A.C. 5:36.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum the sections of the annual audit entitled General Comments and Recommendations; and

Whereas the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit and specifically the sections of the Annual Audit entitled General Comments and Recommendations, as evidenced by the group affidavit loan of the governing body attached
Whereas, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

Whereas all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the local Finance Board, and;

Whereas failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of RS 52:27BB-52 to wit a local officer or a member of a local governing body who after a day fixed for compliance fails or refuses to obey an order of the director of the local governmental services under the provisions of this article, shall be guilty of misdemeanor upon conviction and may be fined not more than $1000 or imprisoned for not more than one year or both in addition shall forfeit his office.

Now, Therefore Be it Resolved, that the Board of Commissioners of the Township of Nutley, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby
submit a certified copy of this resolution and the required affidavit said Board to show evidence of said compliance.
So move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Be it resolved by the Board of Commissioner of the Township of Nutley, County of Essex, State of New Jersey the treasurer be and she is hereby authorized to refund overpayments of property taxes for Block 8204, Lot 36 in the amount of $1,648.75 for the year 2014. So move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

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

COMMISSIONER EVANS: WHEREAS, the Township of Nutley entered into a contract with C3 Holdings, LLC located at 548 Franklin Avenue, Nutley, NJ by way of Resolution number 285-10 dated December 21, 2010 and Gov Interact located at 548 Franklin Avenue, having acquired C3 Holdings, LLC, and Gov Delivery, located at 408 St. Peter Street, Saint Paul, MN, having acquired and succeeded Gov Interact (hereinafter Gov I) in providing patented computer software currently being used in connection with the website and provided email and technology services to the township originally for a period of two-years with an option to renew for two one-year periods; and

WHEREAS, the original contract was awarded under N.J.S.A. 40A 11-5(i)(dd) which provides for the award of a contract without public bidding for the provision or performance of goods or services for the support or maintenance of computer hardware and software; and

Whereas, the original proposal and contract provided for the services to be provided for $24,000.00
annually; and

Whereas the Gov I has provided the services needed by the Township to maintain its website and technology and there remains outstanding the following invoices from: Gov Interact 21378, 10042, 21968, 10352, 22423 -- these are all invoices -- 20228 and 20826 and Gov Delivery Invoice 2075, for the dates 1/1/12 to 12/31/2013, and whereas the Township attorney having reviewed the invoices and contract with C3 Holdings, LLC.; and

Whereas funds are available from the following budget accounts totaling $24,000.00 for each calendar year 2012 and 2013 and have been certified by the Chief Financial Officer, said certification being attached thereto.

It is now therefore, be it further resolved that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby award the contract for 2012 and '13 to Gov Interact/Delivery and shall make payment of invoices as listed above. So move.

COMMISSIONER SCARPELLI: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Mayor Petracco.
MAYOR PETRACCO: Aye.
Is that all you have Commissioner?
COMMISSIONER EVANS: Yes, sir.
MAYOR PETRACCO: Thank you. Whereas the raffle applications have been received from the following organizations and Holy Family Church, Holy Family Catholic Church, license number 47-14 Raffle Super 50/50, cash raffle September 28th, 2014. Holy Family Catholic Church license number 48-14 on premise hourly 50/50 cash raffle September 25th, 2014 through September 28th, 2014. Holy Family Catholic Church, license number 49-14 games of chance and money wheel, September 25th, 2014 through September 28th, 2014.
Whereas the applications have been received and approved by the municipal clerk and the police department, now therefore be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, that the licenses are approved and the municipal clerk is authorized to issue the license. I move the resolution.
UNIDENTIFIED SPEAKER: Second.
MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

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 #0716-33-011-006 "Papillion LLC T/A the Game Sports Bar & Grill", 350 Passaic Avenue, Nutley, New Jersey 07110 be granted effective July 1, 2014 through June 30, 2015.

Be it resolved that the licensee has paid the renewal fee of $1,719.36; and be it resolved, that the State or New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for Liquor License #0716-33-11-066 for this renewal period.

Be it further resolved, that this establishment has been inspected by the Board or Health, Fire Department, Code Enforcement Department of the Township of Nutley and is in satisfactory condition.

Now, therefore be it resolved by the Board of commissioners of the Township or 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 move the resolution.

COMMISSIONER EVANS: Second.

UNIDENTIFIED SPEAKER: I have a question on this before we vote. Is there a transfer coming on this or --

MADAM CLERK: There is a pending transfer, yes.

UNIDENTIFIED SPEAKER: Thank you.

MADAM CLERK: Motion by Mayor Petracco. I'm sorry, I need a second.

COMMISSIONER EVANS: Second.

MADAM CLERK: Second by Commissioner Evans.

Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

Okay. That concludes are very, very long business portion of the meeting this evening. We will open it now to
public comment. Before we do, Madam Clerk, please read our five minute rule.

MADAM CLERK: All persons addressing the board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the Board, each person shall limit their address to five minutes.

All remarks to the board and its individual members must be addressed to the mayor. The mayor may defer citizen comments to the appropriate member of the board. Dialogue between citizens and others addressing the board shall be allowed unless the mayor or presiding officer or the majority of the membership of the board shall determine that the interest of decorum and/or expeditious contact of municipal business are being adversely affected by such dialogue. Name and address, please?

MAYOR PETRACCO: Okay. Is there anyone here this evening that would like to address the board of Commissioner, please come up. And thank you so much for waiting patiently this evening. Again, we do apologize for the lengthy meeting in the back tonight.

MS. LANDRY: That's okay and it's all right. So, I'd like to address Ordinance #3286. Do I address Commissioner Scarpelli or do I address you?

MAYOR PETRACCO: You could address me and then
I'll --

MS. LANDRY: Okay. I would like to state that I am against 328 --

MADAM CLERK: We need your name and address for the record.


Well, first I have a question. Mr. McGovern in the premeeting said, as chairman of the planning board, and I quote, you need to create an overlay zone that make sense. Does Ordinance #3286 create an overlay zone.

MAYOR PETRACCO: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: No, it does not.

MS. LANDRY: It does not. Okay. Thank you. Does Ordinance #3286 create a new zone for Nutley called M-2 Industry?

COMMISSIONER SCARPELLI: Yes.

MS. LANDRY: That is a new zone never before had in our township. Thank you. As per our master plan, is this the same master plan that was referred to tonight that's on the website, the Nutley New Jersey.

COMMISSIONER SCARPELLI: I believe so.

MS. LANDRY: I believe so.

COMMISSIONER SCARPELLI: It was approved in 2012.

MS. LANDRY: Okay. Because I've read it three or
four times and some of these chapters and sections are not there as I recall but I'd like to be able to go back and make sure that they are actually on the website. Because I've actually downloaded the planning -- the master plan that's on the website and read it four times and these are things I haven't seen. So I'd like to be able to go back to the Nutley New Jersey website and make sure that these chapters and sections are as on the public website.

MAYOR PETRACCO: If there's something missing that you know, just please --

MS. LANDRY: And that's what I'd just like to make sure because I don't have a computer here to go and make sure especially this sub J, par -- subpar J Industry and Manufacturing. I just need to double check on that.

The part that I have an issue with in Chapter 5 is number 5, zoning attachment 4, schedule of regulations, E, says minimum lot size per dwelling square foot shall be blank. I don't think that we should have anything left blank, as in fill in the blank. So I'd like to see something other than shall be blank put there.

And then objection to Number 6, all ordinances or parts of ordinances or resolutions that are in conflict or inconsistent with provisions of this ordinance are hereby repealed to the extent necessary, but only to the extent of such conflict and inconsistency. That's a lot of mumbo
jumbo that I don't think people can understand. And so I'd like some clarity from a legal perspective as to exactly what that means.

And then Number 7, which is wide open to interpretation and I think needs to be nailed down a little bit better as it relates to this ordinance and I'll read it. If any article -- if any article, section, subsection, term or condition of this ordinance is declared invalid or illegal for any reason, the balance of the ordinance shall be deemed severable and shall remain in full force and effect.

I think developers would have a field day with this one, so I would just ask that that be rewritten to give --

COMMISSIONER SCARPELLI: I'll defer to counsel, but I think some of that language is boiler plate language.

MR. GENTITEMPO: That's called the savings clause and what it means is if for some reason in the future, any part of the ordinance is deemed illegal or not appropriate. The rest of the ordinance is not affected. It's a very basic clause. It's in many, many statutes and ordinances in the (indiscernible).

MS. LANDRY: Okay. I'll look it up. And when will the next public comment on this issue be?

MAYOR PETRACCO: What was the question?
UNIDENTIFIED SPEAKER: July 15th?

MADAM CLERK: That's correct. Tuesday, July 15th.

MS. LANDRY: July 15th. That's a big day.

Several things.

Okay. I have another thing. You want me to quickly do it, or you want me to sit down and come back.

MAYOR PETRACCO: I didn't hear you.

MS. LANDRY: I'm done with that. Do you want me to sit down and come back?

MAYOR PETRACCO: No, no. Answer your questions please.

MS. LANDRY: Okay. I'm going as quick as I can. About this Mr. Scalera's presentation, FirstNet, Mayor, respectfully, I ask you to thoughtfully and thoroughly consider this. A, for a number of reasons. As Mr. Scalera said, first that comes under the Department of Commerce. And I quote, he said, first that --

MAYOR PETRACCO: I thought it came under Homeland Security.

MS. LANDRY: Department of Commerce.

MAYOR PETRACCO: No, homeland Security.

MS. LANDRY: If you look it up, it comes under -- I read the whole thing before I got here. Department of Commerce. FirstNet -- and I quote, Mr. Scalera, formerly known as the Public Safety Network, he even said it if you
go back and listen to the minutes, he said Department of Commerce. So, since this is recorded you can see that.

MAYOR PETRACCO: Okay.

MS. LANDRY: Because FirstNet, according to Mr. Scalera what FirstNet wants to be is the Verizon of the national government. They want to take money away from public companies and create a company Verizon service provider, okay. So the people who work for Verizon, who are taxpayers, whatever, business is being taken away from the sector, the public sector by the government. They're creating their own Verizon. So they want us to say goodbye to Verizon for three years. And I asked Mr. Scalera. If you listen to his presentation, because he's a fast talker, he said, a one year warranty. He also said five times, installed by the vendor. You think the vendor is the government or do you think we're going to have to pay to have the vendor come in here and install all these free things that he was talking about.

He also said that it's guaranteed that we could save you at least a third by not doing business with Verizon anymore but there's no guarantee after the federal government takes it over. None whatsoever.

Also, look at our track record with getting money from the state, not so good. So I ask you to thoughtfully and thoroughly consider this. There are only six states
involved in this right now and only seven total locations.

Look at what the government did with Obamacare. The
government should not be doing things like this. The
federal government needs to run the federal government and
let business do business in America, okay. Like, security,
because I have a question for you, Mr. Rogers. You have a
background, extensive background. One thing Mr. Scalera
told me is that -- because I asked him as the president of
the board of education, was he going to do this presentation
which by the way, he's talking about backup in case of
emergencies and his PowerPoint presentation was down for 20
minutes because he didn't have a backup battery. Sorry.
Okay. I mean, I'm really sorry that happened to the man,
it's embarrassing. It really is, okay. Anyway, he said,
no. And the reason why he said no. He said, it is not for
the school safety, it is only for police to access the
schools.

So I have a question for you, Mr. Rogers, I
understand that you were involved in the implementation of
the Bellville School system security system; is that
correct?

COMMISSIONER ROGERS: That's not true.

MS. LANDRY: It's not? Okay. Well, with your
extensive security background, would what Mr. Scalera talked
about today, okay, would that be of benefit to the citizens
outside of the police department, the police department being able to monitor via camera, is there any benefit to this black box sitting on a parking lot somewhere with a tower coming out of it, is that any benefit to the citizens of this town other than the police being able to look into the schools and track car licenses?

COMMISSIONER ROGERS: Well, first of all, I have to see all of the details.

MS. LANDRY: Thank you.

COMMISSIONER ROGERS: That's number one. But number two, based on my experience, yes it would be a tremendous benefit in a number of ways. He talked about officer safety. I know what that's all about. I know when he talked about --

MS. LANDRY: He talked about officer safety?

COMMISSIONER ROGERS: Well, when he talked about a police officer making a stop and possibly getting injured or being in a situation where that officer could be hurt, yes he did talk about that. He talked about how the cameras would turn around and no doubt would help the police identify what they're running into.

The second thing is, a great tool, which I didn't hear him mention, but it was a tool for evidentiary in nature. In other words, a crime is being committed, you've got this video tape that would be a tremendous asset for
prosecution purposes in a court of law. But even more so, if you have a hostage situation, if you have a situation, for example, where the police are responding into a school or an industrial complex where there are hostages, where there is a violent situation, the cameras could do a lot more to feed the police intelligence information than any other item you could think of. So it would be a big help in that nature. But like I said, we've got to see what, on paper, what he's actually talking about.

MS. LANDRY: Right. And this same system though, from your expertise, is available through private companies, correct?

COMMISSIONER ROGERS: Well, yeah. But I -- like I said, I have to see --

MS. LANDRY: Okay good. So all I'm asking, because it --

COMMISSIONER ROGERS: I have to see what --

MS. LANDRY: -- it looked like there was a yes going on here, but it didn't look like we were informed enough to make a good decision. So respectfully, and I appreciate your inquiry into the revenue potential, long term cost of this system, so respectfully for the citizens, I ask that you thoroughly and completely, each of you, go through this before it just gets a pass, you know, that yeah, Frank Scalera says it's a good thing, so let's do it.
UNIDENTIFIED SPEAKER: Ms. Landry, just one comment just so you know that I did meet with Freddie privately to --

MS. LANDRY: Yeah, he told me.

UNIDENTIFIED SPEAKER: -- for a couple hours.

MS. LANDRY: He told me you were in.

UNIDENTIFIED SPEAKER: I went through it with the chief of police, the deputy chief of the fire department as well and it seemed like that they were very excited about the things that it could enable us to do. Also, just for the record, Freddie Scalera has been a resident of Nutley his whole life as well. He was the deputy chief, he belonged -- in the fire department. Just so you know, I'm -- I don't know if you're aware of that.

MS. LANDRY: Yeah, I know.

UNIDENTIFIED SPEAKER: But you know what, he's been -- and then when he was a (indiscernible). He always looked out for the Township of Nutley, his hometown. So it's not like we have a stranger coming in here looking to sell us something that we don't know anything about, but I appreciate what you're saying. We will do our due diligence before we give it the stamp of approval.

MS. LANDRY: That would be wonderful. Thank you so much. I appreciate it.

UNIDENTIFIED SPEAKER: My pleasure.
MS. LANDRY: Also, could we let the public know about things like this? Maybe the public would like some input into a decision of that magnitude that impacts us from a public safety standpoint? I mean, what do we think about this whole thing and being part of this federal government program? I mean, the federal government couldn't get Obamacare website up. I'm scared to death about them coming in and being our public safety. I mean, if Verizon can give us modems and whatever and you can negotiate a better deal with them, let's stick with the people who, the businesses as much as we can and that would be appreciated. Thank you.

MAYOR PETRACCO: Okay. Is there anyone else this evening that would like to address the board?

MS. ODRIA: Michael Odria 133 High Street. As our -- as per our conversation in an open forum last time I was here, I was really here to see this gentleman right over here, Thomas Evans because he advised me months ago to do what other Nutley residents do here, to get and fill out the tax appeal and basically try to fight for my property taxes, my assessment to be lowered, to get my property tax lowered. I followed your advice, I did it. I was denied. I was denied my tax appeal.

Now, while I was denied, just even tonight, some resident here, Block 8204, Lot 36 got a $1600 rebate. A lucky Nutley resident and good for that person, 86 Chestnut
Street got a $1,400 rebate, I guess after doing their tax appeal. The list goes on. This other person over here, I'm sorry, at Block 5102, Lot 6, got a $3,400 property tax rebate. My question is, why was I discriminated?

    Look, I know you guys just passed an ordinance 3287 tonight and it seems like I always hear this ordinance getting passed, no matter what number it is. Like some township employees are getting their wages, I guess increased, but the fix. Well, I'd like to get a property tax fix too. And I followed your advice and I was denied. And I -- and last time I was here, if you remember I requested an investigation of the tax assessor's office. I guess Lebreese (ph) and the rest of the people there. Why was I property tax discriminated from getting my house reassessed lower so I could have my property taxes lowered?

Because --

    UNIDENTIFIED SPEAKER: Mr. Odria, do you have any information of -- pertinent information that you've been discriminated against? Do you have any evidence to that effect or are you just making a blanket charge? Because if you do have evidence, I am more than happy to listen to it and I'm sure the commissioner would allow me to do an investigation. But if you're going to go up to the microphone and just because you didn't get your tax appeal granted, you're going to accuse people of discrimination, I
would ask you to be careful about that in the public record. If you have evidence, we will investigate it. And I make that offer to you on the record.

If you have evidence, bring it to me and I will do so in my duties as township attorney. Okay.

MR. ODRIA: Well, the thing is --

MR. GENTITEMPO: We take that charge very seriously. If you're going to stand there and allege that you've been discriminated against, okay.

MR. ODRIA: The only person who didn't get their property taxes were --

MR. GENTITEMPO: Not everybody gets a tax appeal granted, Mr. Odria. They have to prove to the tax court that they are entitled to it. We don't make that --

MR. ODRIA: Well, I did bring --

MR. GENTITEMPO: Excuse me. We don't make that decision at this level. It's made at the county tax board. So, for you to say that somehow this commission or these commissioners or the people in this department had anything to do with denying your tax appeal, you're wrong.

MR. ODRIA: I'm not saying they did.

MR. GENTITEMPO: Well, you're accusing someone --

MR. ODRIA: Me and Mr. LeBreezie did go at it, like last March 2013 when I respectfully asked him for my property taxes to be cut and all that. And even I had an
appraisal of my house that was $55,000 less than what the
town thought my house was worth. And I got back to him when
he was supposed to get back to me a week later, because he --
- I showed him what I had. He said, well -- he never called
me back. This was back in March 2013. He called me -- I
had to call him back and I said well --

MR. GENTITEMPO: Mr. Ordia, did you have a hearing
before the County Tax Board?

MR. ORDIA: Yeah.

MR. GENTITEMPO: Was any of these commissioners or
the tax employees on that hearing board.

MR. ORDIA: I'm not accusing them, but LeBreezie
was there.

MR. GENTITEMPO: I'm asking you, was anybody from
Nutley on the hearing board hearing your tax appeal?

MR. ORDIA: Well, LeBreezie was there.

MR. GENTITEMPO: He was there on behalf of the
township, correct?

MR. ORDIA: Yeah.

MR. GENTITEMPO: Okay. He's not there on behalf
of you and he's not there on behalf of the County Tax Board.
He's there representing the Township. So what I'm asking
you is, were other people denied their tax appeals also?

MR. ORDIA: I do know of another person that was
denied.
MR. GENTITEMPO: So all I'm asking you is, respectfully, is if you have evidence that you believe you've been discriminated against, factual evidence I will be more than happy to hear it from you at anytime you want to. I'll give you my office number, you can come down to see me. I'll be more than happy to take it from you, okay. And I will take it seriously and I will take it to the test and I will question people. But for you to get to the microphone and accuse people of something like that, I think is inappropriate, especially when you're putting names on the record. So, I'll offer that to you. I'm not going to interrupt your public statement, this is your public statement, but please keep that in mind. Thank you.

MR. ODRIA: I do have that in mind, but as you are a witness at the town meeting, all these other people are getting their property taxes assessments lowered, which causes their property tax to go down and you know, and I'm just saying, like, I do what you advise me to do and I went out of my way to do it and I did show 11 comparables and those guys just knocked them all out, one at a time, bam, bam, bam. They -- it came down to one, but I still lost. And the thing is, Mr. Genitempo, I think I'm the employer in this town. I am a property tax paying homeowner who has been living here for about 15, 16 years, and I gotta say when I look to the left of me at the tax court and I see
Lebreezie and the tax county lawyer and I forgot his name
and the secretary I'm thinking they must be like close to
$240,000 salaries persecuting me. I mean, I'm trying to --

MR. GENTITEMPO: Mr. Odria, that comment is out of
order. You're not being persecuted. You're availing
yourself of your right to file a tax appeal. All the
Commissioner did was advise you of what your rights were.
He didn't give you advice. You took your right and you did
it. Now, if you have a concern about the decision that was
made, you have a right to appeal that decision, do you not?
 Didn't they advise you at the tax board that if you didn't
agree with their decision you could appeal it to the
Superior Court?

MR. ODRIA: Yeah, but before we continue with
that, I did give you a copy of my tax appeal and I gave you
my number, Mayor Petracco and I think Commissioner Rogers
(indiscernible) I do recall and then none of you guys called
me back. Or even Thomas Evans, because I was under the
impression either you're going to look at it or Thomas Evans
-- you were going to pass it along to Thomas Evans, have him
give me a call, maybe we could work something out. Because
the thing is I'm getting property taxed out of this town.
I'm getting killed here. This is America, you know what I
mean?

I mean, I used to have a comfortable property tax
burden, now it's just getting obscene. Even my neighbors are, like, losing it. Because it's just getting out of hand, and now the thing is, in the future, in about this thing with Scalera and implementing this new LTE thing. All right, the federal government, I think or the state government is going to pay for it for the first three or four, three years. And if I get to survive in this town another three years, then I gotta worry about some cost that's going to be added onto all our property tax to pay for that.

I mean, look, the Nutley cops here, I gotta say one thing, maybe I might not agree with all the town city employees and their wages and their wage increases, especially in the private sector, we're not getting wage increases. And we don't get the golden parachute pension plan or the win for life pension plan, but I gotta say the Nutley cops do a good enough job with -- from what I've seen -- I'm very happy, they're not like the Bloomfield cops because we know what goes on in -- if you watch the media about what's going on with the Bloomfield cops or the Bellville cops, I gotta say the Nutley cops are good cops. But, you know, I'm trying to survive here and there are many sinking ships in this town. I could be wrong, but I think there's 130 homes at this moment up for sale. People can't afford to live here anymore, they're leaving.
Like I said before, months before to you guys, you guys are allowing the cleansing of the middle class right out of this town. And when the cleansing of the middle class of this town finally happens, I'm not middle class anymore, I'm lower middle class and it's just getting lower. But at one point, all the middle class is finally taken out of this town, eliminated, the people who can afford to buy those homes at one point, they're going to have a property tax breaking point and they're going to be the second wave of people coming to these mics and saying, what are you guys doing? What's going on? Because 80 percent of this town works in the private sector and we're suffering, believe it or not.

And just to let you know, I did take your advice, sir. You told me months ago that if you want to get a property tax cut, go to the board of ed meetings. I did that. I did ask them and I told them, control your budget, it's getting ridiculous, it's getting out of hand. Basically don't use our children to make money from the 89 percent of this town who work in the private sector. I told them flat out, half our property tax burden comes from you guys and you guys really gotta control your budget too.

So, it's not just here I'm coming. I'm going over there and I'm going to try to bring people over there too because even my neighbors are losing it too. I talked to my
neighbors. They may not be here because they got kids and all that and I do it because I don't want my ship is sinking and I'm doing my best to save it.

Now, so just to be clear, you can't help me with this or can you?

UNIDENTIFIED SPEAKER: I can't help you with the decision of the Essex County Tax Board. That's their decision. We have no authority at this level. I have no authority within my department or any of the Board of Commissioners have any authority to overturn a decision of the Essex County Tax Board. Your right of appeal is as town counsel referred to is to the tax court at the superior level if you feel as though there's merit and there is a basis to go and do that.

I can only tell you that I appreciate the fact that you went because you did avail yourself what's allowed by law for you to do, you were able to voice your opinion against and independent body. None of the members of the Essex County Tax Board are affiliated with the governing body of the Township of Nutley. That's an independent body and it has its own authority. So you were able to do that and that's where you have the ability to exercise your right.

MR. ODRIA: You know what I find amazing -- excuse me.
UNIDENTIFIED SPEAKER: I am disappointed that they didn't agree with your position, because any taxpayer in Nutley who can -- who needs to have a tax adjustment and can get one, I'm very supportive of that. I only ask is that have you sat down with George Lebreezie to review your tax record to determine whether or not your actual record of what your house is is accurate?

MR. ODRIA: Well, like I said before, no I didn't do that this time, because I gave this same decision to you guys and I gave a couple -- like you said, like you have a copy and I did. But also Lebreezie knows that my house is one of the 380 plus houses that's having a contamination problem with rochet (ph). And still, I get denied a reassessment of my home. I can't even sell my home for what I want, not that I'm looking to sell, because I'm not, but I can't even sell my home for what I want, because not only the property taxes are extremely high, but on top of that, my home, plus 380 plus homes are part of that Rochet contamination list. Even with that information that Lebreezie had, and Commissioner O'Brien at Essex County because I amended my tax appeal, I still got denied. I mean, what does it take to lower the assessment of my house? I mean, really, think about it. I'm like your house Mr. Tucci, you said your house is on that list. What does it take? I mean, how much more can the people of this town
take, at least the 380 homes that are on that list? What is it going to take? I don't know what else to do.

UNIDENTIFIED SPEAKER: In his carrying out his procedures, he will need to look at all of the homes that are on that list to determine whether or not there is an impairment of value and then he will do those as part of that valuation. He won't do that as a one-off. He'll have to do that -- and he does that under the calenderization of his procedures, those adjustments would not be made until later in this year. So, whatever needs to be done as it relates to those properties would be part of his evaluation that would occur later this year.

MR. ODRIA: So then, since you are his superior, should I give you a copy of the list of homes so you can directly give it to him and say, look, these homes are a little bit different this year. There's a problem with them.

MAYOR PETRACCO: We have a copy of that, it's not necessary.

MR. ODRIA: So my understanding what you're telling me is he going to reassess the homes that are on that list?

MAYOR PETRACCO: I have no idea. He has to make that evaluation, so once that evaluation is made, there will be a determination. But I can't guarantee that or tell you
that he will or won't. It's as -- he's the expert in that
space and he has to make that determination.

MR. ODRIA: Okay. But you're going to mention it
to him?

MAYOR PETRACCO: Absolutely. I already have.

MR. ODRIA: Okay. And when do you think we would
find out? I'm just curious, when do you think --

MAYOR PETRACCO: It will be later in the year. So
when the tax book is adjusted, so it would be in the
December --

MR. ODRIA: Like November or something?

MAYOR PETRACCO: Actually the latest it could be
adjusted would be January 1, so I would suspect sometime in
the fourth quarter when he does the evaluation.

MR. ODRIA: Because I'm going to say it on record,
I'm at $11,351. And honestly, if it goes up than that for
the next invoice thing, whatever, I honestly gotta say, you
guys lost my vote and you're going to lose many votes for
those of you who choose to be in these positions again,
because the word is going to get out, so are things
beneficial for all of us, especially me, that would do
something about the reassessments of the houses on that list
and lower them. Because like I said, before, some lucky
Nutley resident out of the many, except me, literally got a
$4,137 tax rebate that you announced and I do keep copies of
this, of these agendas. And I notice this time that this
gentleman at 8204 Lot 36, I actually had to write down the
number of what you said. I was waiting for you to say it so
I could have it ready.

All right. That's what I said. Thank you very
much for the time.

MAYOR PETRACCO: Thank you, Michael.

Is there anyone else this evening who would like
to address the board of Commissioners?

MS. LANDRY: It's just going to take a second.

MAYOR PETRACCO: Go right ahead. You waited long
enough.

MS. LANDRY; 135 Lakeside Drive. Pennie Landry.
I had my tax appeal and guess what, I got turned down too.
I knew it was going to happen. The reasons were kind of
silly and I do have something I'd like you to look into
because there were two that day. We followed the process.
I spent countless hours with my real estate agent, did the
comps, turned them in to the tax office. As a matter of
fact, Joe talked to Sharon when he went to do them the day
Joe came into the office and he talked to you. And we had
it in a red folder. And the gentleman who accepted the
paperwork, the comps, gave Joe back the red folder, said, we
don't need the folder. And I intentionally put it in a red
folder because some of the departments tend to lose things.
So I thought I'll put it in a red folder, they'll see that.

So the first thing the judge under oath ask us is did you turn in your comps to the Township of Nutley. Well, yes we did. And there were four people sitting over here paid for by taxpayer dollars, Mr. Lebreezie, the woman I don't know who she is, his assistant, or whatever, Mr. Hendrix, who is a $60,000 contract and then the attorney who has the $40,000 contract both to assist Mr. Lebreezie. So those four people paid by taxpayer dollars are under oath to testify against us as they testified against Michael.

So, the judge says, did you turn in your comps to the tax assessor's office. Yes, ma'am, we did. Do you have the comps? We didn't get them. What? We never got your comps. Well, we turned them in. Well, we didn't get them. So I asked the judge, I just happen to have a copy just in case our township continued with their inefficiencies losing things and misplacing things that happen to have the name Tucci on them. So, she looks at Lebreezie, she looks at the three of them. They go, yeah, we'll take a little 15 minute recess and go look at your comps.

So they do. They come back and the attorney -- I don't know his name -- says, did you personally measure these houses? Excuse me? You mean did I go knock on these strangers' doors and take a tape measure and say, hey I'm going through the tax appeal process and I need to measure
your house for my comps. Do you mean did I do that? No, I did not do that. So our attorney, okay, the $40,000 contract that we approved two months ago, says to me, well I can't accept these measurements here that you have in your comps because they're from a real estate website.

I went, like Trulia and Zillow, the same one everybody else uses. We can't accept those. I said, well Mr. Hendrix has his measurements from when he did the assessment of my house and all the other houses. Can we use his? Because my town paid $1500 or $2000 to have Mr. Hendrix come over to my house and measure it. Can we use his? Well, no, that would be a conflict of interest. Amazing.

So guess what, when it came time for our township to present their evidence, their comparables, you know what happened? They decided not to submit them. Do you know why? Because there were a lot of inaccuracies. So respectfully I thanked the judge for her time, packed up my things, left, went home and cried for two days at the pathetic way that these things are run for the people.

And you know what, before I left, I said, let me see what happens to the next person. So the second person gets up, everybody gets sworn in and same four people from the township sitting over there. The judge says, did you turn in your comps? Yes, ma'am, I did. Do you have the
comps? We never got them. Two people, coincidence?

Inefficiency, I don't know what you call that. But the two
hearings that day, somehow or another, our tax assessor's
office didn't get the comps. Imagine that. Thank you.

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

Seeing no one.

COMMISSIONER SCARPELLI: Move to adjourn.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco.

MAYOR PETRACCO: Aye.

MADAM CLERK: It is now 10:37 p.m. The meeting is
adjourned.

(Meeting adjourned at 10:37 p.m.)
WHEREAS, Sergio Michael Ciccolello was born May 3, 1979; and

WHEREAS, Sergio, son of Tina and Iggy Ciccolello, and brother of John and Niko, lived in Nutley for 38 years before recently moving to Lincoln Park; and

WHEREAS, Sergio became interested in the Boy Scouts 20 years ago and is now a member of Troup # 364 in Belleville; and

WHEREAS, Sergio attained rank within the Boy Scout establishment and recently performed a service project for the Eagle Scout Badge; and

WHEREAS, Sergio’s service project required him to make 100 baskets for distribution to Senior Citizens at a Valentine’s Day Luncheon; and

WHEREAS, in addition to being recognized by the Boy Scouts of America, Sergio also received awards from the Nutley Elks, the Belleville Elks, the Grand Lodge Order of the Elks and the NJ State Council of the Knights of Columbus; and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, TOWNSHIP OF NUTLEY, COUNTY OF ESSEX STATE OF NEW JERSEY, that Sergio Ciccolello be commended and recognized for his outstanding completion of his Eagle Scout service project and for providing goodwill and kindness to Nutley Senior Citizens.
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# TOWNSHIP OF NUTLEY

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**Sub Total** 832,647.28

**PAYROLL-OVERTIME JUNE 20, 2014:**

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**Sub Total** 31,460.75

**TOTAL PAYROLL:** 864,108.03

**GRAND TOTAL:** 4,480,791.58

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

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Ordinance No. 3290
Introduced by Commissioner Evans
Introduced on July 1, 2014
Public Hearing August 5, 2014

Ordinance No. 3290

"ORDINANCE PROVIDING FOR THE ACQUISITION OF GENERATORS BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING $ 556,240.00 THEREFORE FROM GRANT MONIES RECEIVED FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY FOR THE COST THEREOF."

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 improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Nutley, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of $556,240.00 for the improvement or purpose described therein which amount is made available from the Township’s Municipal Aid Program Grant monies received from the New Jersey Department of Law and Public Safety Hazard Mitigation Grant Program.

SECTION 2.

The improvement hereby authorized and the purpose for which the appropriation of grant money is made available is to provide for the ACQUISITION OF GENERATORS including all work and materials necessary therefore or incidental thereto.

SECTION 3.

The capital budget of the Township of Nutley is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 4.

The purposes described in Section 2 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

SECTION 5.

This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided
Ordinance No. 3291
Introduced by Commissioner Evans
Introduced on July 1, 2014
Public Hearing August 5, 2014

Ordinance No. 3291
"AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE
CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 320 ENTITLED
FEES."

ARTICLE V
Tax Collector's Office

320-6 Fees

A. **Imposition of service charge; tender of future payments**

A service charge in the amount of twenty dollars ($20.) shall be imposed on any taxes, fees or
other charges due to the Township of Nutley where a check or draft has been submitted to the
township toward the payment of such taxes, fees or other charges, and such check or draft is
returned for insufficient funds. The Board of Commissioners authorizes the appropriate municipal
officer to demand that future payments be tendered in cash or by certified or cashier's check on
any account where a check tendered for payment on such account is returned for insufficient
funds. In addition, the service charge aforesaid may be collected in any manner authorized by

B. **The following fees shall be charged for copies of public documents and records:**

1. Duplicate tax bills: The Tax Collector shall provide an initial duplicate copy of a tax bill at
no cost to the property owner, $5 for all other initial requests; $25 for each subsequent
copy of a tax bill for the same tax year requested by the same person or organization,
pursuant to N.J.S.A. 54:4-64.

2. Duplicate certificate of redemption: $25; $50 for each subsequent request.

3. Duplicate of certificate of tax sale: $100.

4. Tax Lien Redemption Calculation Requests: In accordance with N.J.S.A. 54:4-54:

   (a) In accordance with N.J.S.A. 54:5-54, the Tax Collector shall provide to any party
   entitled to redeem a certificate pursuant to this section (N.J.S.A. 54:5-54) two
calculations of the amount required for redemption within a calendar year at no
cost. For each subsequent calculation requested from the Tax Collector, there
shall be a fee of $50. A request for a redemption calculation shall be made in
writing to the Tax Collector.
In accordance with N.J.S.A. 54:5-97.1, the Tax Collector may charge a lienholder of a tax lien $50 for the calculation of the amount due to redeem the tax lien as required pursuant to N.J.S.A. 54:5-97.1. Any request for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the Tax Collector nor the municipality shall be liable for an incorrect calculation. The fee paid to the municipality shall not become part of the lien and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.
Ordinance No. 3293
Introduced by Commissioner Evans
Introduced on Tuesday, July 1, 2014
Public Hearing Tuesday, August 5, 2014

Ordinance No. 3293
AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700, ENTITLED ZONING, PARTICULARLY ARTICLE V, GENERAL REGULATIONS AND ARTICLE VII, USE REGULATIONS

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Chapter 700 of the Code of the Township of Nutley, entitled Zoning, Article V, General Regulations and Article VII, Use Regulations are hereby amended as follows;

ARTICLE V, GENERAL REGULATIONS

§ 700-8 Permitted uses in R-1 Zoning District

D. A noncommercial swimming pool as an accessory use, subject to the following:

(6) All pumps, heaters and filtration systems shall be kept at a maximum distance from all property lines and shall be at least four feet from any property line.

ARTICLE VII, USE REGULATIONS

§ 700-41 Outdoor cafes and sidewalk cafes

F.(5) Layout plan.

(a) Three sets of a proposed layout plan containing scaled drawings clearly illustrating the number, type of materials, color and location of all tables, chairs, umbrellas or other furnishings or fixtures intended to be located in the cafe. The perimeter of the cafe shall be defined and set off by an enclosure, which may include live plantings. The enclosure shall define the perimeter of the area to be used as a cafe and shall separate it from the pedestrians traversing the adjacent sidewalk. The enclosure shall not contain doors or windows and shall be open at all times to the air from a height of not more than three feet. Awnings or outdoor umbrellas extending over the enclosure are permitted but must conform to all existing regulations, including the municipal Sign Ordinance.

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

BE IT FURTHER ENACTED that the within ordinance shall become effective after passage and publication, pursuant to law.
This ordinance relaxes the setback requirements for pool pumps, heaters and filtration systems from eight feet from any property line to four feet from a property line.

Prior to 2011 outdoor cafes and sidewalk cafe operations were permitted from April 1st to November 1st of the Calendar year. Ordinance 3156, adopted January 4, 2011 permits operation throughout the calendar year. With year round operations in effect, this ordinance would require a permanent enclosure that shall not contain doors or windows but would permit air conditioning and heating equipment.

These amendments have been reviewed and approved by the Township of Nutley Planning Board.
Ordinance No. 3292
Introduced by Commissioner Scarpelli
Introduced on July 1, 2014
Public Hearing August 5, 2014

Ordinance No. 3292
ORDINANCE PROVIDING FOR RECONSTRUCTION OF THE ROADWAY ON PARK AVENUE (SECTION 2), IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING $237,000.00 THEREFORE FROM GRANT MONIES RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE COST THEREOF.

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 improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Nutley, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of $237,000.00 for the improvement or purpose described therein which amount is made available from the Transportation Trust Fund monies received from the New Jersey Department of Transportation.

SECTION 2.
The improvement hereby authorized and the purpose for which the appropriation of grant money is made available is to provide for, PARK AVENUE SECTION 2 including all work and materials necessary therefore or incidental thereto.

SECTION 3.
The capital budget of the Township of Nutley is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 4.
The purposes described in Section 2 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

SECTION 5.
This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.
Ordinance No. 3284

AN ORDINANCE PROVIDING FOR MONSIGNOR OWENS MEMORIAL PARK IMPROVEMENT PROJECT IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING $150,000.00 THEREFORE FROM GRANT MONIES RECEIVED FROM THE ESSEX COUNTY OPEN SPACE TRUST FUND 2014 LOCAL AID PROGRAM FOR THE COST THEREOF.

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 improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Nutley, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of $150,000.00 for the improvement or purpose described therein which amount is made available from the Township's Municipal Aid Program Grant monies received from the Essex County Open Space Trust Fund 2014 Local Aid Program.

SECTION 2.

The improvement hereby authorized and the purpose for which the appropriation of grant money is made available is to provide for the MONSIGNOR OWENS MEMORIAL PARK IMPROVEMENTS PROJECT, including all work and materials necessary therefore or incidental thereto.

SECTION 3.

The capital budget of the Township of Nutley is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 4.

The purposes described in Section 2 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

SECTION 5.

This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.
Ordinance No. 3285
Introduced by Commissioner Evans
Introduced on June 10, 2014
Public Hearing July 1, 2014

ORDINANCE NO. 3285
AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING ON CERTAIN STREETS), SECTION 14 ENTITLED PARKING PROHIBITED DURING CERTAIN HOURS, TO ADD THE LOCATIONS SET FORTH THEREIN.

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Section 14 of Chapter 228 of the Code of the Township of Nutley, entitled Parking Prohibited During Certain Hours, is hereby amended to set forth the Addition of the following location:

228-14. Parking prohibited during certain hours.

No person shall park a vehicle between the hours specified any day upon any of the streets or parts of street described;

Add

<table>
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<th>Name of Street</th>
<th>Side</th>
<th>Hours</th>
<th>Location</th>
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<tbody>
<tr>
<td>Franklin Avenue</td>
<td>West</td>
<td>All</td>
<td>From 200 feet south of Albany Avenue, south for 30 feet</td>
</tr>
<tr>
<td>New Street</td>
<td>South</td>
<td>All</td>
<td>From 143 feet west of Franklin Avenue, west for 20 feet</td>
</tr>
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BE IT FURTHER ENACTED that all other terms and conditions and locations in Section 14 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.
Public Hearing deferred to the next Board of Commissioners meeting scheduled for Tuesday, July 15, 2014.

Ordinance No. 3286
Introduced by Commissioner Scarpelli
Introduced on June 10, 2014
Public Hearing July 1, 2014

Ordinance No. 3286
AN ORDINANCE TO AMEND CHAPTER 700 OF THE CODE OF THE TOWNSHIP OF NUTLEY, ENTITLED “ZONING” ADDING SECTION 700-22.1 “PERMITTED USES IN M-2 ZONING DISTRICT” TO ARTICLE V - GENERAL REGULATIONS.

WHEREAS, The Board of Commissioners for the Township of Nutley adopted a new Master Plan on December 19, 2012 (the “2012 Master Plan”); and

WHEREAS, the Land Use Element of the 2012 Master Plan provides recommendations for modifications to certain Zone Districts within the Township; and

WHEREAS, Chapter 3, Subpart B “Land Use Issues to be Addressed in the Master Plan” of the 2012 Master Plan specifically includes a review of the Permitted Uses and Bulk Requirements of East Center Street (the B-4 Zone) as well as several special development areas which were evaluated for potential redevelopment/rehabilitation, in areas including the Washington Avenue/East Center Street corridors; and

WHEREAS, Chapter 3, Section 6.5 of the 2012 Master Plan encaptioned “General Commercial” provides, “Located along Washington Avenue and East Centre Street, the General Commercial Area represents a special future economic development opportunity for the Township. These areas are not viewed as sites for increased residential development or mixed-use development”; and

WHEREAS, Chapter 3, Subpart J, “Industry and Manufacturing” provides: “the Industry and Garden Apartment district (M-1), located in the south eastern area of the Township adjacent to East Centre Street, is an area in transition. Historically this area consisted of manufacturing and industrial uses, which benefited from an adjacent freight line. However, over time, garden apartment buildings have replaced manufacturing uses. The M-1 district permits: storage and sales facilities for building materials; laboratories for research analysis, design and/or experimentation; takeout food establishments; automotive sales agencies, laundries, dry-cleaning and dyeing plants; printing establishments; commercial greenhouses; light assembly uses; manufacturing uses; commercial warehouses; and garden apartments in accordance with standards from the R-3 district”; and

WHEREAS, the 2012 Master Plan further provides for a “Washington Avenue/East Centre Street Corridor Overlay District” that is described in pertinent part as follows:
"Areas along Washington Avenue and East Centre Street outside of the Downtown are predominantly non-residentially zoned. From a planning perspective, there are concerns relating to the future layout and scale of development within these areas.... This Master Plan discourages residential development in this overlay district, and instead encourages commercial development compatible with the existing area. The overlay district would allow the types of non-residential uses that are of a lower intensity than the Downtown which are compatible with residential uses. The proposed boundaries of the overlay district are depicted on the Land Use Plan. The overlay district should also include design guidelines and bulk standards such as open space, landscaping, signage, setbacks, connectivity, and screening. The standards in the overlay district would be more restrictive than those required in the underlying zone district.

WHEREAS, while the 2012 Master Plan recommends rezoning this area from M-1 to B-4, which is more conforming with the existing character of this area it is the intention of this Ordinance to create a new M-2 zone to permit uses consistent with the M and B-4 districts.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey that Chapter 700 of the Code of the Township of Nutley is amended as follows:

1. Section 700-4, entitled “Establishment; Zoning Map”, subsection A shall be amended to read “The territory of the Township of Nutley is hereby divided into the following 16 classes of zoning districts:” and shall include zone M-2 Industry;

2. Section 700-22.1 entitled “Permitted uses in M-2 Zoning District” shall be added to Article V – General Regulations;

3. The following uses are permitted in the M-2 Zoning District:
   A. Any use and building permitted in B-4 District;
   B. Any use and building permitted in M Zoning District;

4. The following Area shall be comprised within the M-2 District;
   A. Block 6800 Lots 1,2,3 and 4;
   B. Block 6801 Lots 2,3,5 and 6;
   C. Block 6902 Lots 2,3 and 4
   D. Block 9604 Lots 14;
   E. Block 9700 Lots 9;
   F. Block 9701 Lots 3,4, and 6;

5. Zoning Attachment four (4) entitled “Schedule of Regulations as to Bulk, Height and Other Requirements, Industrial Districts” shall be amended to include M-2 District with following criteria:
   A. Type of Use shall read Industry;
   B. Minimum Lot Size Area(ft.) shall read 10,000;
   C. Minimum Lot Size Width(ft.) shall read 100;
D. Minimum Lot Size Depth(ft.) shall read 100;
E. Minimum Lot Size Per Dwelling (sq. ft.) shall be blank;
F. Minimum Yard Dimensions Front(ft.) shall read 20;
G. Minimum Yard Dimensions Rear(ft.) shall read Height of Building; 50 if adjacent to R Zone;
H. Minimum Yard Dimensions 1 Side(ft.) shall read 10;
I. Minimum Yard Dimensions Both Sides (ft.) shall read 20;
J. Maximum Height Stories shall read 4;
K. Maximum Height Feet shall read 50;
L. Maximum Lot Coverage (percent) shall read 50%;
M. Maximum Impervious Surface Coverage (percent) shall read N/A;

6. All ordinances or parts of ordinances or resolutions that are in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary, but only to the extent of such conflict and inconsistency;

7. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

This Ordinance shall take affect after publication and passage according to law.
ORDINANCE NO. 3287
AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2014."

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

SECTION 1
The salaries of certain officers and employees, either permanent or temporary, as the case may be, of the Township of Nutley, herein mentioned, shall be as follows:

**NON-UNION EMPLOYEES**

**LEGAL DEPARTMENT**

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<th>TITLE</th>
<th>BASE SALARY MINIMUM</th>
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<td>$800.00/meeting</td>
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<tr>
<td>Attorney, Planning Board</td>
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<tr>
<td>Attorney, Planning Board - Special Meeting</td>
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<td>$800.00/meeting</td>
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<tr>
<td>Attorney, Rent Leveling Board</td>
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<tr>
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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.
WHEREAS, the Township of Nutley has the need to retain the services of a consultant who specializes in Solid Waste Disposal, Recycling and Public Affairs and law and policy to provide consulting advice and services to the Health Department in connection with the Township's Solid Waste and Disposal Bid Specification, and

WHEREAS, NJSA 40A:11-5 (1) (a)(i) permits the award of a contract without public bidding; and

WHEREAS, Wayne DeFeo, of the DeFeo and Associates, 15 Washington Valley Road, Warren Township, NJ 07059 has submitted a proposal of an hourly rate of $175.00 per hour, not to exceed $17,500.00; and

WHEREAS, funds are available from account # 4-01-138-205 and have been certified by the Chief Financial Officer, said certification being attached to this resolution; and

WHEREAS, the term of this contract is effective July 1, 2014 through June 30, 2015; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Mayor be and is hereby authorized to enter into a contract with Wayne DeFeo of DeFeo Associates, 15 Washington Valley Road, Warren, NJ 07059 as a Professional Service.

BE IT FURTHER RESOLVED that a copy of this Resolution, as well as the Contract shall be placed on file with the Clerk of the Township of Nutley; and a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Nutley Sun.

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

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
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<td>X</td>
<td>X</td>
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<td>Absent/Excused</td>
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</tbody>
</table>
WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:275B-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled General Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit and specifically the sections of the Annual Audit entitled General Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:275B to wit:

R.S. 52:275B-52-A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services); under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, the 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 July 1, 2014.
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 $1,648.75 for the following accounts.

<table>
<thead>
<tr>
<th>Block &amp; Lot</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>8204 36</td>
<td>96 Hopper Ave.</td>
<td>$1,648.75</td>
</tr>
<tr>
<td>02/07/14</td>
<td>02/07/14</td>
<td>02/07/14</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>No</td>
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<tr>
<td>Not Voting</td>
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<tr>
<td>Absent/Excused</td>
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</tbody>
</table>
WHEREAS, the Township of Nutley entered into a contract with C3 Holdings, LLC located at 548 Franklin Avenue, Nutley, NJ by way of Resolution number 285-10 dated December 21, 2010 and Gov Interact located at 548 Franklin Avenue, Nutley, NJ, having acquired C3 Holdings, LLC, and Gov Delivery, located at 408 St. Peter Street, STE 600, Saint Paul, MN, 55102, having acquired and succeeded Gov Interact (hereinafter Gov I) in providing patented computer software currently being used in connection with the website and provided email and technology services to the township originally for a period of two-years with an option to renew for two one-year periods; and

WHEREAS, the original contract was awarded under N.J.S.A. 40A:11-5(i)(dd) which provides for the award of a contract without public bidding for the provision or performance of goods or services for the support or maintenance of computer hardware and software; and

WHEREAS, the original proposal and contract provided for the services to be provided for $20,000.00 annually; and

WHEREAS, the Gov I has provided the services needed by the Township to maintain its website and technology and there remains outstanding the following invoices from: Gov Interact 21378, 10042, 21968, 10352, 22423, 20228 and 20826 and Gov Delivery 2075, for the dates 1/1/12 to 12/31/2013, and the Township Attorney having reviewed the invoices and contract with C3 Holdings, LLC.; and

WHEREAS, funds are available from the following budget accounts totaling $24,000.00 for each calendar year 2012 and 2013 and have been certified by the Chief Financial Officer; said certification being attached hereto:

<table>
<thead>
<tr>
<th>Year</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-01-220-209</td>
<td>$4,000.00</td>
<td>3-01-110-205</td>
</tr>
<tr>
<td>2-01-308-209</td>
<td>$4,000.00</td>
<td>3-01-220-205</td>
</tr>
<tr>
<td>2-01-314-209</td>
<td>$4,000.00</td>
<td>3-01-308-205</td>
</tr>
<tr>
<td>2-01-408-209</td>
<td>$4,000.00</td>
<td>3-01-314-205</td>
</tr>
<tr>
<td>2-01-506-209</td>
<td>$4,000.00</td>
<td></td>
</tr>
</tbody>
</table>

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 contracts for 2012 and 2013 to GovInteract/GovDelivery and shall make payment of the invoices as listed above.

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 July 1, 2014.

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

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

<table>
<thead>
<tr>
<th>Organization</th>
<th>License Type</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holy Family Catholic Church</td>
<td>Off-Premise Super 50/50 Cash Raffle</td>
<td>September 28, 2014</td>
</tr>
<tr>
<td>Holy Family Catholic Church</td>
<td>On-Premise Hourly 50/50 Cash Raffle</td>
<td>September 25, 2014 through September 28, 2014</td>
</tr>
<tr>
<td>Holy Family Catholic Church</td>
<td>Games of Chance &amp; Money Wheel</td>
<td>September 25, 2014 through September 28, 2014</td>
</tr>
</tbody>
</table>

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

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

Record of Vote

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I, Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held July 1, 2014.
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 # 0716-33-011-006 “Papillion LLC T/A The Game Sports Bar & Grill”, 350 Passaic Avenue, Nutley, New Jersey 07110 be granted effective July 1, 2014 through June 30, 2015.

BE IT RESOLVED, that the licensee has paid the renewal fee of $1,719.36; and

BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for Liquor License # 0716-33-011-006 for this renewal period.

BE IT FURTHER RESOLVED, that this establishment has been inspected by the Board of Health, Fire Department, Code Enforcement Department of the Township of Nutley and is in satisfactory condition.

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 license for the licensing period of July 1, 2014 through June 30, 2015.

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

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

July 1, 2014
Signature Page/Board of Commissioners
Meeting Minutes, July 1, 2014

ATTEST:

Evelyn Rosario, RMC
Municipal Clerk
(Meeting Minutes Approved at the
September 2, 2014 Board of
Commissioners Meeting)

Commissioner Steven Rogers

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Joseph P. Scarpelli

Mayor Alphonse Petracco