

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

PUBLIC MEETING

) TRANSCRIPT OF

) PROCEEDINGS:

October 21, 2014

7:00 p.m.

BEFORE:

Commissioner Steven L. Rogers

Commissioner Mauro Tucci

Commissioner Joseph Scarpelli

Mayor Alphonse Petracco

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TOWNSHIP OF NUTLEY

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

2 (Pledge of Allegiance)

3 MAYOR PETRACCO: Madam Clerk?

4 MADAM CLERK: Yes, Mayor. Board of commissioners  
5 public meeting Tuesday, October 21st, 2014.

6 Pursuant to the requirements of the Open Public  
7 Meeting Law, chapter 231, notice of this meeting was  
8 published in the December 12th, 2013 issues of the Nutley  
9 Sun, the Star Ledger, and the Herald News. A copy of this  
10 notice has been posted on the Nutley town hall bulletin  
11 board, and a copy is on file in the municipal clerk's  
12 office.

13 Commissioner Rogers?

14 COMMISSIONER ROGERS: Here.

15 MADAM CLERK: Commissioner Tucci?

16 Commissioner Tucci?

17 COMMISSIONER TUCCI: Here.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER EVANS: Here.

20 MADAM CLERK: Commissioner Scarpelli?

21 MR. SCARPELLI: Here.

22 MADAM CLERK: Mayor Petracco?

23 MAYOR PETRACCO: Here.

24 MADAM CLERK: All present, Mayor, except for  
25 Commissioner Evans, absent/excused this evening.

1 MAYOR PETRACCO: Thank you.

2 We'll move on to minutes, please.

3 MADAM CLERK: Yes, Mayor, we have emergency  
4 meeting minutes for 2012.

5 MAYOR PETRACCO: Okay.

6 MADAM CLERK: June 26th, 2012. I need a motion.

7 UNIDENTIFIED SPEAKER: Move it.

8 UNIDENTIFIED SPEAKER: (Indiscernible) together?

9 UNIDENTIFIED SPEAKER: We'll do them together,  
10 yes.

11 MADAM CLERK: All together?

12 UNIDENTIFIED SPEAKER: Move it.

13 UNIDENTIFIED SPEAKER: Move the minutes.

14 UNIDENTIFIED SPEAKER: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Aye.

23 UNIDENTIFIED SPEAKER: Excuse me.

24 MADAM CLERK: We also --

25 UNIDENTIFIED SPEAKER: Excuse me. Madam Clerk,

1 were the minutes for all of 2012?

2 MADAM CLERK: For emergency meetings for all of,  
3 yes, 2012.

4 UNIDENTIFIED SPEAKER: Then I need to correct my  
5 vote. I need to abstain on October 28th of 2012. I was  
6 absent/excused.

7 MADAM CLERK: Thank you, Commissioner.  
8 We also have September 16, 2014 minutes.  
9 We need a motion, please.

10 UNIDENTIFIED SPEAKER: Moved.

11 UNIDENTIFIED SPEAKER: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Mayor Petracco?

19 MAYOR PETRACCO: Aye.

20 Thank you. We'll move on to communications and  
21 correspondence, please.

22 MADAM CLERK: Yes, we have this evening the  
23 Friends of Nutley Singers are requesting permission to hold  
24 a Sunday raffle on March 8th, 2015.

25 Need a motion.

1 UNIDENTIFIED SPEAKER: Moved.  
2 UNIDENTIFIED SPEAKER: Second.  
3 MADAM CLERK: Commissioner Rogers?  
4 COMMISSIONER ROGERS: Aye.  
5 MADAM CLERK: Commissioner Tucci?  
6 COMMISSIONER TUCCI: Aye.  
7 MADAM CLERK: Commissioner Scarpelli?  
8 COMMISSIONER SCARPELLI: Aye.  
9 MADAM CLERK: Mayor Petracco?  
10 MAYOR PETRACCO: Aye.  
11 MADAM CLERK: We also have Holy Family Church  
12 requesting permission to hold a Sunday raffle on  
13 December 7th, 2014.  
14 UNIDENTIFIED SPEAKER: Move it.  
15 UNIDENTIFIED SPEAKER: Second.  
16 MADAM CLERK: Commissioner Rogers?  
17 COMMISSIONER ROGERS: Aye.  
18 MADAM CLERK: Commissioner Tucci?  
19 COMMISSIONER TUCCI: Aye.  
20 MADAM CLERK: Commissioner Scarpelli?  
21 COMMISSIONER SCARPELLI: Aye.  
22 MADAM CLERK: Mayor Petracco?  
23 MAYOR PETRACCO: Aye.  
24 Okay. We have one report?  
25 COMMISSIONER TUCCI: Yes, I have a report for the

1 Shade Tree Department for August of 2014, Mayor.

2 MAYOR PETRACCO: Thank you.

3 Okay. We'll move on to bills, please.

4 MADAM CLERK: Yes, Mayor. Public Affairs,  
5 \$187,754.67; Revenue and Finance, \$2,417,437.62; Public  
6 Safety, \$446,253.95; Public Works, \$411,555.69; Parks and  
7 Public Property, \$55,725.00. Total payroll is \$769,748.10,  
8 for a grand total of \$4,288,475.03.

9 UNIDENTIFIED SPEAKER: Move the bills.

10 UNIDENTIFIED SPEAKER: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Aye.

19 Thank you.

20 Before we start our business portion of the  
21 meeting, I would just like to commend the board of  
22 commissioners for tonight is actually a historic night where  
23 we're going to televise our meetings, finally. With that  
24 being said -- thank you.

25 (Applause).

1           MAYOR PETRACCO: With that being said, I would  
2 like to give a special thanks to Commissioner Tucci for  
3 making this happen, for all your hard work and your  
4 departments and the I.T. guys. So I know you have a few  
5 comments. Thank you, Commissioner.

6           COMMISSIONER TUCCI: Yes, thank you, Mayor.

7           And I'd like to thank all the commissioners,  
8 because this was something that everyone signed onto as soon  
9 as we brought it up, and it was long overdue, and this will  
10 afford our folks who are not able to attend our meetings to  
11 be informed about the issues facing the township and the  
12 business that we're conducting here.

13           There's a few thank yous -- and I'll be brief --  
14 that I absolutely need to make this evening. The first is  
15 Mr. Jim Kelly, who facilitated the installation of the  
16 equipment and the coordination of the broadcasting of these  
17 meetings, in addition to securing high school students to  
18 produce and operate the cameras.

19           Our student operators this evening who are in the  
20 back operating the controls are Dante Entendola (ph) and  
21 Dante Bacaturo (ph), and absent this evening but who will be  
22 with us at future meetings is Jack Van Chilk (ph).

23           All right. I'd also like to thank my staff at the  
24 Parks Department, Frank DeMaio, who is in the back, Howie  
25 Kirk (ph), and a fellow who really pushed and really helpful

1 right from the beginning, Phil White (ph), who's always here  
2 at all of our meetings.

3 This evening, we're going to be filming. All  
4 right? And, pending a quality review by Mr. Kelly, this  
5 meeting will be broadcast from Wednesday, October 22nd, all  
6 right, to Sunday, October 26th at 9:00 p.m. on Optimum  
7 channel 77 and Verizon channel 42.

8 We have a protocol that we're going to be  
9 following this evening, and I'd just like to briefly go over  
10 this. First of all, every speaker will be afforded five  
11 minutes to make a statement or ask a question. The second  
12 item is mutual respect will be afforded to both speakers and  
13 commissioners alike. Contentious behavior or personal  
14 attacks will result in the termination of speaker's time,  
15 which will be determined by the mayor.

16 And lastly, grandstanding will not be tolerated by  
17 either the commissioners or the public as the purpose of  
18 broadcasting these meetings is to afford those unable to  
19 attend the opportunity to stay informed as to township  
20 business. So, if we all respect each other and we respect  
21 these four golden rules, I'm sure we're embarking on  
22 something that is not only historic, but something that's  
23 going to keep all of our townspeople informed.

24 Thank you, Mayor.

25 MAYOR PETRACCO: Thank you so much, Commissioner.

1 Well-said.

2 Okay. We have no ordinance introductions. We  
3 don't have any public hearings tonight. We have a  
4 proclamation.

5 Commissioner Rogers?

6 COMMISSIONER ROGERS: Ladies and gentlemen, we  
7 have another bit of history happening this evening. It was  
8 125 years ago that the First Baptist Church of Nutley was  
9 founded here.

10 Some of the elders of that church, the pastor and  
11 members are here tonight, and I'm going to read this  
12 proclamation on behalf of this entire governing body where  
13 also, I feel safe to say that I could read this proclamation  
14 on behalf of every governing body from this point going back  
15 to 125 years, because I know that the founding fathers of  
16 this town and those who have come way before we were here  
17 would be thrilled to honor the First Baptist Church.

18 The Board of Commissioners of the Township of  
19 Nutley hereby issue this proclamation.

20 WHEREAS, the First Baptist Church of Nutley, New  
21 Jersey was formed in 1889 by a group of residents who met at  
22 the home of Mr. William and Nanny (ph) Robinson, on Chestnut  
23 Street. Services were conducted in their home for  
24 approximately one year, after which they moved to a room in  
25 the Nutley Town Hall, due to an increase in membership and

1 continued worshipping there for the next two years; and

2 WHEREAS, the Rising Mount Zion Baptist Church was  
3 founded on Passaic Avenue, where services were held until  
4 1907, after which it moved to its present location to 1315  
5 Harrison Street; and

6 WHEREAS, Reverend Filmore Smith (ph) became the  
7 first pastor at the Harrison Street location but was  
8 replaced by Reverend Wm. Fitzgerald due to illness,  
9 Reverend Fitzgerald remained pastor for eight years until  
10 1915; and

11 WHEREAS, Reverend Fitzgerald was succeeded by  
12 Reverend R.M. Johnson, who passed away the following year,  
13 Reverend Martin became the successor of Reverend Johnson.  
14 In 1926, Reverend Norman Wall Alton, Sr. became the pastor,  
15 and he led the church of 8 years; and

16 WHEREAS, in 1936, Reverend George Riley (ph) of  
17 Patterson became pastor and, under his pastorate,  
18 reorganized the church, officially changing the name from  
19 Rising Mount Zion Baptist Church to the First Baptist Church  
20 of Nutley. Reverend Riley served as pastor until his death  
21 in 1949; and

22 WHEREAS, Reverend Joseph J. Napier (ph) succeeded  
23 Reverend Riley as pastor, serving from May 1950 to 1959; and

24 WHEREAS, the First Baptist Church elected  
25 Reverend Laurence (ph) Roberts on July 24th, 1960, where he

1 pastured until his retirement in 1995; and

2 WHEREAS, under the pastorate of Reverend Roberts,  
3 the congregation grew tremendously as did the angelic choir,  
4 which traveled extensively throughout the United States and  
5 abroad; and

6 WHEREAS, Reverend Charles (indiscernible) Hayes  
7 succeeded Reverend Roberts as pastor in 1996 until 1999; and

8 WHEREAS, Reverend Robert E. Coles (ph) was elected  
9 as the pastor of the First Baptist Church in 1999 and served  
10 for 4 years; and

11 WHEREAS, in September 2005, Reverend Eddie Spencer  
12 (ph), IV was called to serve and led the congregation, which  
13 grew spiritually and physically under his pastorate. He  
14 reinstated the mid-week Bible study and involved the  
15 church in a community project known as Angel Food Network,  
16 which provides food for families at low cost.

17 Reverend Spencer relocated to North Carolina in 2010; and

18 WHEREAS, Reverend Brian Z. Evans (ph), the current  
19 pastor of the First Baptist Church of Nutley, New Jersey was  
20 elected to lead the congregation on November 11th, 2010;

21 THEREFORE, BE IT RESOLVED by the board of  
22 commissioners of the township of Nutley and enjoining the  
23 entire community of Nutley in celebrating the 125th  
24 anniversary of the First Baptist Church of Nutley, New  
25 Jersey and wish -- and I must emphasize sincerely wish the

1 entire congregation and clergy Godspeed, continued success,  
2 and all those who have been touched by this house of  
3 worship.

4 So moved.

5 UNIDENTIFIED SPEAKER: Second.

6 MAYOR PETRACCO: No, it's a proclamation.

7 Would you like them to come up?

8 COMMISSIONER ROGERS: Yes.

9 Would you all come up? And we'll take a picture.

10 Thank you.

11 (Applause)

12 (Pause)

13 MAYOR PETRACCO: Good evening, Pastor. Thank you  
14 for coming.

15 PASTOR EVANS: Thank you for the invitation and  
16 the acknowledgement.

17 First, before I say thank you to you, I have to  
18 give all praises to my Lord and Savior Jesus Christ, who is  
19 first and foremost. I am humbled that there is recognition.  
20 To be honest, 125 years ago, we probably wouldn't be  
21 considered as important. Not because of you, but because of  
22 the ways of society then.

23 But now, here we are 125 years later representing  
24 and loving, not just ourselves, but a community. It is very  
25 important that we all acknowledge our God, who has been so

1 good and so gracious to us for all of these years. But,  
2 even now, we are grateful for those of you who stand in  
3 leadership within the community for taking the time out to  
4 recognize us, recognizing the church, and continuously doing  
5 what you are doing to uphold the community.

6 We at the First Baptist Church of Nutley are very  
7 appreciative, not only to God, but for you all for allowing  
8 us the opportunity to come out for being recognized and for  
9 being noticed for the works that we are doing. And, because  
10 of this, my words are to you thank you, and the best is yet  
11 to come to Nutley, New Jersey.

12 God bless you all, and thank you.

13 (Applause)

14 MAYOR PETRACCO: Thank you so much.

15 (Applause)

16 MAYOR PETRACCO: Thank you so much.

17 Yep. Thank you.

18 If you guys want to take a minute, if you would  
19 like to stay for the meeting, or, if you'd like to take a  
20 minute to exit, you're more than welcome. Thank you so much  
21 for coming.

22 (Pause)

23 MAYOR PETRACCO: Okay. We move on to resolutions.  
24 Commissioner Rogers?

25 COMMISSIONER ROGERS: Well, I'll tell you just one

1 -- I love this town. I mean, the things we do here. What a  
2 remarkable bunch of colleagues I have here. They're really  
3 good guys, really good.

4 Okay. The resolution number 251-14 is a  
5 resolution that will promote and heighten the awareness of  
6 Alzheimer's. Now, one of the things that we're doing in the  
7 Department of Health is we are going to be getting bracelets  
8 that residents will be able to use to put on the relatives  
9 who are suffering from Alzheimer's Disease.

10 We have found, for example, that some of the  
11 residents who are younger who have elderly parents don't  
12 have the money and don't have the means or know how to deal  
13 with this. So we're going to be heightening the awareness  
14 of Alzheimer's. We're going to be holding some workshops  
15 and having one-on-one counseling sessions with some of the  
16 families that are affected by this disease.

17 So I introduce this resolution. And I'm going to  
18 read the last part of it. I'm introducing it as is listed,  
19 but I'm going to simply say that this is Alzheimer's Disease  
20 Awareness Month for the month of November; and

21 BE IT FURTHER PROCLAIMED that we recognize  
22 individuals, families, friends, and caregivers dealing with  
23 the devastating effects of Alzheimer's Disease, the  
24 researchers who are seeking the cause or causes and cure and  
25 the educational programs and support services provided by

1 local and national Alzheimer's organizations.

2 So moved.

3 COMMISSIONER SCARPELLI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 COMMISSIONER ROGERS: Resolution 250-14 -- similar  
13 to Alzheimer's. This deals with diabetes.

14 I'm learning that there are a lot of children, a  
15 lot of teenagers who are suffering from this disease, and we  
16 are going to be heightening awareness in the month of  
17 November of this disease. And we will be assisting any  
18 resident who needs that assistance.

19 As listed, I'm introducing it.

20 NOW, THEREFORE, BE IT RESOLVED that the board of  
21 commissioners of the township of Nutley, county of Essex,  
22 state of New Jersey declare November as National Diabetes  
23 Awareness Month and recognize November 14th as World  
24 Diabetes Day. Healthy living and diabetes and the World  
25 Diabetes Day them for 2014-2016.

1 BE IT FURTHER RESOLVED that we urge all residents  
2 to educate themselves on diabetes and how complications can  
3 be prevented or delayed by properly managing blood glucose,  
4 blood pressure, and cholesterol level by eating healthy,  
5 being physically active, and to quit smoking.

6 So moved.

7 COMMISSIONER SCARPELLI: Second. Aye.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Mayor Petracco?

15 MAYOR PETRACCO: Aye.

16 COMMISSIONER ROGERS: Thank you, Mayor. That's  
17 all I have.

18 MAYOR PETRACCO: You're very welcome.

19 COMMISSIONER ROGERS: Oh, I'm sorry. The other  
20 resolution.

21 There are two resolutions that I'm going to  
22 introduce regarding our garbage contract, but I'd like to  
23 make a statement and certainly invite my colleagues to speak  
24 about this issue.

25 We were able to make a very cost-effective

1 contract. We had a contract that we didn't get an increase  
2 in over five years. And one could imagine with the economy  
3 the way it's been and the increases in costs of doing  
4 business, we had a challenge. We had a real challenge.

5 But, because of the collective work that this  
6 board of commissioners did -- and I can't say enough about  
7 the work that our town attorney put into this -- we were  
8 able to bring a very cost-effective garbage collection  
9 pickup program that is going to save tax dollars and, at the  
10 same time, maintain the level of service that we have. This  
11 is a work in progress.

12 There's going to be a request from us for the  
13 residents to have patience. We had a lot of ideas that  
14 we're talking about. And I'm going to tell you something.  
15 There was one idea the mayor had that I think was really  
16 significant.

17 The mayor had this idea -- and it comes along the  
18 lines, Mayor, with the prevention of crime, that maybe the  
19 garbage company could encourage their employees to wear  
20 uniforms or to wear some insignia that they are, in fact,  
21 sanitation workers.

22 And, Counsel, I believe they've agreed to do that.

23 So, Mayor, I've got to tell you. Pretty good  
24 idea, and they've agreed to do it.

25 MAYOR PETRACCO: Thank you.

1           COMMISSIONER ROGERS: But, you know, there's a  
2 biblical proverb that says there's safety in a multitude of  
3 counselors. So we got some good counsel here, and that was  
4 a good idea.

5           So it's a work in progress, but we're going to  
6 need our residents to be very patient with us. There are  
7 going to be some, you know -- look, there may be a misstep  
8 here, a misstep there regarding pickup. But what I want to  
9 emphasize is that it's going to save tax dollars the way we  
10 did this, and the services are going to be maintained.

11           And one added note. This is very important.  
12 Garbage collection for the Nutley School District is zero.  
13 We will hear a shared service tonight that we're going to  
14 get into with the Nutley Board of Education. They will pay  
15 nothing for their garbage pickup.

16           There are some other things in here that are  
17 certainly going to be beneficial to the community. Doesn't  
18 go into effect until November 1st. Beginning tomorrow,  
19 we're going to get the word out through our local press,  
20 through social media, through FaceBook. Through every  
21 imaginable way, we're going to get the word out.

22           So we would just appreciate that the townspeople  
23 be patient. I'm not going to ask Commissioner Scarpelli,  
24 who, by the way -- I'll tell you. This fellow here -- he  
25 was very, very instrumental in helping us pull this together

1 with the combining of recycling and vegetation and all the  
2 complex things that go into this.

3 So, Commissioner, I thank you, and certainly, I'll  
4 pass it to you, and then, I would like to hear from our  
5 colleagues.

6 COMMISSIONER SCARPELLI: Look, Commissioner, I  
7 think this is going to maintain our level of service. And,  
8 as we go forward, that gets more and more difficult, to  
9 maintain the level of service and try to keep the lid on  
10 taxes. Sometimes something has to give. But we were able  
11 to maintain the level of service.

12 Some of the reporting that has been a little  
13 confusing is that there will be no change in the recycling  
14 pickup days. They will remain the same.

15 Going forward, we're going to, again, ask patience  
16 in picking up the leaves. That may take us another week or  
17 so before we get to that. Beginning of November, the leaves  
18 will be picked up by the trash collector. So that's not  
19 going to change for the residents.

20 They're going to still put it out at curbside and  
21 someone's going to pick it up. It's just not going to be  
22 the Public Works Department picking it up.

23 MAYOR PETRACCO: Yeah, I'd just like to say, as I  
24 said in the back, that our last commission meeting, when the  
25 attorney that represented the township on the garbage

1 contract -- I asked the question how do we fare as far as  
2 other towns are concerned. And he said that Nutley is  
3 really stellar, the services that we provide as far as  
4 garbage is concerned and for the price that we deliver it to  
5 our residents is really an unbelievable trait in our  
6 township.

7 Because a lot of other communities are charging  
8 for, you know, different amounts of garbage. If you put out  
9 more than two bags, so forth and so on, that there's a  
10 charge for it. So I'd like to thank Commissioner Rogers as  
11 well and Commissioner Scarpelli for a job well-done.

12 You know, the people of Nutley are really used to  
13 getting services, and we want to make sure that that  
14 continues in the future, especially, you know, now that  
15 costs are rising. Thank you.

16 Commissioner Tucci?

17 COMMISSIONER TUCCI: Mayor, if I might. And I  
18 don't want to be redundant.

19 The biggest challenge we're going to have with  
20 this change, all right, is moving from three zones to two  
21 zones. So those of us who have collection dates of  
22 Wednesday and Saturday will be moving to another collection  
23 date.

24 So we just need to be mindful of that. But  
25 Commissioner Rogers, I'm sure, is going to do an excellent

1 outreach programs. All the commissioners are going to help.  
2 We're going to have posters with maps on them so people can  
3 not only read about what the change is, but can also see  
4 what the change is and can refer to it.

5 And we just ask that everyone just be patient  
6 while we go through this. We have an excellent service. We  
7 provide things that other towns don't even think about  
8 providing at a cost that's really, really economical.

9 And again, we just want to ask you for your  
10 patience while we move through this change. And ultimately,  
11 I'm sure it's going to be a smooth transition and our  
12 residents will be served in the manner that they're  
13 accustomed to.

14 COMMISSIONER ROGERS: Okay. Thank you. And I'm  
15 going to read the resolution. Before I do, Commissioner  
16 Evans isn't here, but he was also instrumental in helping us  
17 with the numbers. He was very, very helpful with that.

18 Okay. Mayor, can I read the resolution?

19 MAYOR PETRACCO: Sure, please.

20 COMMISSIONER ROGERS: Okay. Resolution 257-14,  
21 contract amendment. Township of Nutley, a municipal  
22 corporation of the state of New Jersey, hereinafter referred  
23 to as Township and Future Sanitation, Incorporated,  
24 hereinafter referred to as Contractor.

25 WHEREAS, the Township advertised and received

1 sealed bid proposals for the collection, removal, and  
2 disposal of all solid waste services thereafter entered into  
3 a contract dated May 2010;

4 WHEREAS, the specifications pursuant to which  
5 Contractor was awarded its contract with the Township  
6 provided for the collection, removal, and disposal of solid  
7 waste from all specified locations within the municipality;  
8 and

9 WHEREAS, a copy of the contract is annexed hereto  
10 as Exhibit A and is incorporated herein and made a part  
11 hereof;

12 WHEREAS, the Township advertised on two occasions  
13 for collection, removal, and disposal of solid waste and, on  
14 both occasions, only Contractor placed the sole bid;

15 WHEREAS, the Township extended the contract for 90  
16 days pursuant to paragraph 12 of the contract for July,  
17 August, and September 2014, the first addendum;

18 WHEREAS, the Township requires an additional 30  
19 days of time to negotiate and enter into a long-term  
20 agreement with the Contractor;

21 WHEREAS, funds are available and have been  
22 certified by the chief financial officer from said  
23 certification attached hereto from account number 4-01-138-  
24 200 for \$78,900 monthly, for a total of \$78,900 for the  
25 period October 1st, 2014 through October 31st, 2014.

1           NOW, THEREFORE, in consideration of the terms and  
2 conditions herein set forth and the promises and agreements  
3 as accepted by Contractor pursuant to its bid under the  
4 advertised specifications and contract, it is agreed between  
5 the parties as follows. One, pursuant to a local public  
6 contracts law, Township exercises its right to continue its  
7 service under a negotiated price for the then-current term  
8 for a period not to exceed 30 days beyond the expiration of  
9 the first addendum. And, during such period, all of the  
10 terms, conditions, and provisions of the contract and bid  
11 specifications shall continue in effect.

12           Two, the monthly price paid for the contract  
13 service and transport to disposal shall increase from 72,000  
14 to 78,900 per month; and

15           IN WITNESS WHEREOF, the Township has caused this  
16 instrument to be signed by its mayor, attested to by its  
17 township clerk, and its municipal seal to be hereunto  
18 affixed, pursuant to a resolution of the Township board of  
19 commissioners, passed for that purpose and the Contractor  
20 has likewise signed and sealed this contract amendment on  
21 the day and year first above written.

22           So moved.

23           COMMISSIONER SCARPELLI: Second.

24           MADAM CLERK: Commissioner Rogers?

25           COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 COMMISSIONER ROGERS: Okay, Mr. Mayor. One more.  
8 Resolution 258-14.

9 BE IT RESOLVED that the board of commissioners of  
10 the township of Nutley, county of Essex, state of New Jersey  
11 approve a shared-services agreement with the Nutley Board of  
12 Education for the solid waste removal by Future Sanitation  
13 and Recycling for a period of five years commencing on  
14 November 1st, 2014 through October 31st, 2019.

15 So moved.

16 COMMISSIONER SCARPELLI: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Aye.

25 MR. GENITEMPO: Commissioner, there's one more.

1 COMMISSIONER ROGERS: There is.

2 MR. GENITEMPO: I'm sorry. 256-14. That's for  
3 the (indiscernible) the one (indiscernible).

4 COMMISSIONER ROGERS: Okay. Resolution 256-14.  
5 Thank you, Counselor.

6 WHEREAS, the township advertised for bids on two  
7 occasions and received sealed bid proposals on two occasions  
8 from Future Sanitation, Incorporated on May 29th, 2014, and  
9 then, on September 10th, 2014 for the collection, removal,  
10 and disposal of all solid waste, bulk waste, vegetative  
11 waste, and white goods; and

12 WHEREAS, the specifications pursuant to which  
13 Contractor has submitted and filed its bid proposal with the  
14 Township provided for the collection, removal, and disposal  
15 of solid waste from all specified locations within the  
16 municipality; and

17 WHEREAS, the specifications contained various  
18 municipal options and the Contractor has submitted its bid  
19 proposals for each option; and

20 WHEREAS, a copy of the bid specifications and  
21 proposal, collectively Addendum No. 1 to specifications, are  
22 annexed hereto as Exhibit A, be and are incorporated herein  
23 and made a part thereof; and

24 WHEREAS, the Township has rejected both of the  
25 Contractor's bids by resolution number 145-14 dated

1 June 17th, 2014 and by resolution number 225-14 dated  
2 September 16rg, 2014 and in accordance with state law, the  
3 parties having their right to negotiate a contract in the  
4 best interests of the citizens of Nutley; and

5 WHEREAS, the Township and Contractor, having  
6 agreed to the terms of the contract to the Contractor for a  
7 term of five years commencing on November 1st, 2014 through  
8 October 31st, 2019, and, in consideration of the full and  
9 proper performance by Contractor of its obligations of  
10 collection, removal, and disposal, the Township agrees to  
11 pay the Contractor the total sum of \$4,734,000 for  
12 collection, removal, and transportation for disposal of all  
13 collected items of solid waste, bulk waste, and white goods,  
14 as per the specifications.

15 WHEREAS, furthermore, in consideration for the  
16 collection, removal, and transportation for disposal of all  
17 vegetative waste, brush, leaves, and grass clipping and for  
18 the proper performance by Contractor of its obligations the  
19 Township agrees to pay Contractor a monthly sum of \$14,700  
20 for the period of time from each April 15th through  
21 December 15th \$117,600 on an annual basis for the full  
22 period of this contract up through December 15th, 2019.

23 WHEREAS, funds are available and have been  
24 certified by the chief financial officer from said  
25 certification attached hereto from account number 4-01-138-

1 200 for 78,900 monthly, for a total of 157,800 for the  
2 period November 1st, 2014 through December 31st, 2014.

3 IN WITNESS WHEREOF, the Township has caused this  
4 instrument to be signed by the mayor, attested to it by its  
5 township clerk and its municipal seal to be hereunto  
6 affixed, pursuant to resolution of the Township council, in  
7 this case, the commission, passed for that purpose and the  
8 Contractor has likewise signed and sealed this contract  
9 amendment on the day and year first written above.

10 So moved.

11 COMMISSIONER SCARPELLI: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Mayor Petracco?

19 MAYOR PETRACCO: Aye.

20 COMMISSIONER ROGERS: Thank you, Mayor. That's  
21 it.

22 MAYOR PETRACCO: Thank you.

23 Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Thank you, Mayor.

25 WHEREAS, resolution 244-14 was adopted at the

1 board of commissioners meeting held on October 14th, 2014  
2 for AJM Contractors, 300 Kuller Road, Clifton, New Jersey  
3 for 2014 Hancox Avenue and Conover Avenue improvements; and

4 WHEREAS, the said resolution contained a  
5 typographical error and shall be amended; and

6 WHEREAS, bids for 2014 Hancox Avenue and Conover  
7 Avenue received and opened on October 9th, 2014;

8 WHEREAS, the base bid for the 2014 Hancox Avenue  
9 and Conover Avenue improvements in the amount of \$238,551  
10 and alternate bid number 1 was in the amount of \$203,349,  
11 for a total bid of \$441,900; and

12 WHEREAS, the award of this contract is subject to  
13 the availability and appropriation of sufficient funds from  
14 Essex County Community Development Block Grant account  
15 number T-19-909-901, the base bid the amount of 194,000,  
16 account number 4-01-806-277 in the amount of \$42,551 and  
17 ordinance number 3243A in the amount of \$2,000 and account  
18 number T-19-909-901 for the alternate bid number one in the  
19 amount of \$160,908, account number 4-01-806-277 in the  
20 amount of \$8,445.81 and ordinance number 3243A in the amount  
21 of \$33,995.19 and subject to this caveat, have been  
22 certified by the chief financial officer, said certification  
23 being attached to this resolution.

24 NOW, THEREFORE, BE IT RESOLVED by the board of  
25 commissioners, township of Nutley, county of Essex, state of

1 New Jersey that a contract be awarded to AJM Contractors for  
2 the total bid in the amount not to exceed \$441,900 and that  
3 the mayor and township clerk are hereby authorized to enter  
4 into and sign said contract for the township of Nutley,  
5 subject to final approval and funding by Essex County  
6 Community Development Block Grant.

7 I move the resolution.

8 COMMISSIONER ROGERS: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERSE Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCIe Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLIe Aye.

15 MADAM CLERK: Mayor Petracco?

16 MAYOR PETRACCOe Aye.

17 COMMISSIONER SCARPELLIe BE IT RESOLVED by the  
18 board of commissioners of the township of Nutley, county of  
19 Essex, state of New Jersey that the township treasurer be  
20 and she is hereby authorized to refund \$300 to Angelo  
21 Azzinari, Angelo's Landscaping, 96 Stager Street, Nutley,  
22 New Jersey for a refund of payment for the purchase of  
23 Landscape Drop-off Tickets.

24 I move the resolution.

25 COMMISSIONER ROGERSE Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: Aye.

9 COMMISSIONER SCARPELLI: BE IT RESOLVED by the  
10 board of commissioners, township of Nutley, in the county of  
11 Essex, state of New Jersey that the township treasurer be  
12 and she is hereby authorized to refund \$150 to Saverio  
13 Guagliardo, Saverio Maintenance, LLC, 27 Spring Street,  
14 Nutley, New Jersey for a refund of payment for the purchase  
15 of Landscape Drop-off Tickets.

16 I move the resolution.

17 COMMISSIONER ROGERS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Mayor Petracco?

25 MAYOR PETRACCO: Aye.

1           COMMISSIONER SCARPELLI: BE IT RESOLVED by the  
2 board of commissioners of the township of Nutley, in the  
3 county of Essex, state of New Jersey that the township  
4 treasurer be and she is hereby authorized to refund \$300 to  
5 Anthony Meola, A. Meola Landscaping, 308 Walnut Street,  
6 Nutley, New Jersey for a refund of payment for the purchase  
7 or Landscape Drop-off Tickets.

8           I move the resolution.

9           COMMISSIONER ROGERS: Second.

10          MADAM CLERK: Commissioner Rogers?

11          COMMISSIONER ROGERS: Aye.

12          MADAM CLERK: Commissioner Tucci?

13          COMMISSIONER TUCCI: Aye.

14          MADAM CLERK: Commissioner Scarpelli?

15          COMMISSIONER SCARPELLI: Aye.

16          MADAM CLERK: Mayor Petracco?

17          MAYOR PETRACCO: Aye.

18          COMMISSIONER SCARPELLI: BE IT RESOLVED by the  
19 board of commissioners of the township of Nutley, county of  
20 Essex, state of New Jersey that the township clerk is hereby  
21 authorized to advertise for sealed bids for 2014-2015  
22 acceptance of recycling vegetative waste to include leaf and  
23 grass clippings to be received on behalf of the board of  
24 commissioners, Commission Chambers, township Hall, One  
25 Kennedy Drive, Nutley, New Jersey on Wednesday,

1 November 12th, 2014 at 3:00 prevailing time, at which time,  
2 they will be opened and read.

3 I move the resolution.

4 COMMISSIONER ROGERS: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Petracco?

12 MAYOR PETRACCO: Aye.

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

14 MAYOR PETRACCO: Thank you.

15 Commissioner Tucci, will you please read  
16 Commissioner Evans' resolutions?

17 COMMISSIONER TUCCI: Yes, I will, Mayor. Thank  
18 you.

19 BE IT RESOLVED by the board of commissioners of  
20 the township of Nutley in the county of Essex, state of New  
21 Jersey that the treasurer be and she is hereby authorized to  
22 refund overpayment of the water charges in the amount of  
23 \$76.78 for the following account: block and lot 3500-12,  
24 address, 160 Satterthwaite in the amount of \$76.78.

25 I move the resolution.

1 MAYOR PETRACCO: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Mayor Petracco?

9 MAYOR PETRACCO: Aye.

10 COMMISSIONER TUCCI: BE IT RESOLVED by the board  
11 of commissioners of the township of Nutley, county of Essex,  
12 state of New Jersey that the treasurer be and she is hereby  
13 authorized to refund overpayments of the tax charges in the  
14 amount of \$2,239.81 for the following accounts: block and  
15 lot 9105-10, address, 26 Ernest Street in the amount of  
16 \$2,239.81.

17 I move the resolution.

18 MAYOR PETRACCO: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Mayor Petracco?

1           MAYOR PETRACCO: Aye.

2           COMMISSIONER TUCCI: BE IT RESOLVED by the board  
3 of commissioners of the township of Nutley, county of Essex,  
4 state of New Jersey that the treasurer be and she is hereby  
5 authorized to refund overpayments of the water charges in  
6 the amount of 971.52 for the following accounts: block and  
7 lot 9000-47, address, 213-217 Harrison Street in the amount  
8 of 971.52.

9           I move the resolution.

10          MAYOR PETRACCO: Second.

11          MADAM CLERK: Commissioner Rogers?

12          COMMISSIONER ROGERS: Aye.

13          MADAM CLERK: Commissioner Tucci?

14          COMMISSIONER TUCCI: Aye.

15          MADAM CLERK: Commissioner Scarpelli?

16          COMMISSIONER SCARPELLI: Aye.

17          MADAM CLERK: Mayor Petracco?

18          MAYOR PETRACCO: Aye.

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

20          MAYOR PETRACCO: Thank you.

21          I have one resolution, a raffle application.

22          WHEREAS, a raffle application has been received  
23 from the following organizations: Friends of Nutley  
24 Singers, Inc., license number 66-14, off-premise 50/50 cash  
25 raffle, March 8th, 2015 Holy Family church, license number

1 67-14, tricky tray, December 7th, 2014; Nutley Irish  
2 American Alliance, license number 68-14, on-premise 50/50  
3 cash raffle, November 15th, 2014; Nutley Irish American  
4 Alliance, license number 69-14, on-premise merchandise  
5 raffle, a nite at the races, November 15th, 2014.

6 WHEREAS, the applications have been reviewed and  
7 approved by the municipal clerk and the police department.

8 NOW, THEREFORE, BE IT RESOLVED by the board of  
9 commissioners, township of Nutley, county of Essex, state of  
10 New Jersey that the aforementioned licenses are approved and  
11 the municipal clerk is authorized to issue the licenses.

12 I move the resolution.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 Thank you. That is the end of our business part  
23 of our meeting. I'll be opening it up to the public in one  
24 minute.

25 Before that, I'd just like to say to everyone here

1 tonight and everyone that hopefully is going to be watching  
2 -- hopefully, we'll have a big audience. I really think  
3 Nutley is a very, very special place. We have our own  
4 little green ball here, and we are really looking to  
5 preserve it.

6 With Roche exiting Nutley and taking 4 to 5,000  
7 people out of the mix every day, I am almost getting down on  
8 my hands and knees to beg the people of Nutley to do  
9 something that we can control. And that's keep our business  
10 district, our mom and pop stores going. Because, in the  
11 current economic stage that we're in, it's one of the  
12 biggest complaints our board gets as far as businesses  
13 closing, open stores, vacant stores.

14 And I just would like to say to the Nutley  
15 residents tonight that that's something that we can control.  
16 That's something that we can help with. You know, if we are  
17 more proactive in doing this, I would think that a lot more  
18 businesses would want to come.

19 I've read around town that alls we have is pizza  
20 shops and hair salons. I would love to see a hardware  
21 store, even some type of franchise here, maybe a Gap some  
22 day. But, without us patronizing the stores that we have,  
23 quite frankly, people are not looking to open up businesses  
24 in town.

25 So again, it's something that we can control as

1 all our residents. So please, if you have the opportunity,  
2 please patronize these Nutley businesses, because I would  
3 sure hate to see Franklin Ave. not look -- and Chestnut  
4 Street and Washington and all the surrounding streets where  
5 there's businesses. I would sure hate to see that look  
6 differently five to ten years from now.

7 We're working very diligently. I feel that we're  
8 making progress on Roche. Hopefully, there'll be news  
9 shortly out of there, and hopefully, there'll be something  
10 very positive. But meanwhile, like I said from the  
11 beginning, when you take 4 to 5,000 people out of the  
12 formula for these local shops, it makes it very difficult.

13 If any of the commissioners would like to echo  
14 that, please feel free.

15 Okay. Okay.

16 Madam Clerk, please read our five-minute rule.

17 MADAM CLERK: All persons addressing the board of  
18 commissioners regarding community concerns should approach  
19 the microphone and provide their name, address for the  
20 record. Unless further time is granted by the board, each  
21 person shall limit their address to five minutes. All  
22 remarks to the board and its individual members must be  
23 addressed to the mayor.

24 The mayor may defer citizens' comments to the  
25 appropriate member of the board. Dialogue between citizens

1 and others addressing the board shall be allowed, unless the  
2 mayor or presiding officer or the majority of the membership  
3 of the board shall determine that the interests of decorum  
4 and/or the expeditious conduct of municipal business are  
5 being adversely affected by such dialogue.

6 MAYOR PETRACCO: Thank you, Madam Clerk.

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

9 Please state your name and address for the record.

10 MS. CLARK: Terry Clark (ph), 45 Hampton Place,  
11 Nutley. Mr. Mayor, I have a very brief story to tell and  
12 just because I have some questions.

13 Back in September -- I believe it was September  
14 4th or 7th. It was like the very early onset of the school  
15 district opening up. They had a public forum. It was over  
16 at the high school. And all the people who were experts on  
17 the facilities had come in and they were talking about plans  
18 that they had for the facilities, and they had opened it up  
19 to the public.

20 And, during that time, Mr. Lasidik (ph) got up,  
21 and he spoke about, you know, everything, all the  
22 programmings that are going on in district and how the  
23 facilities are being used. And, during that time, there was  
24 some discussion. There was actually questions.

25 And the question came about, "Were there any joint

1 meetings between the BOC and the BOE. And he alluded to  
2 the fact that there were, that they had met, that their  
3 groups had met in some form.

4 And, at that point, I really just wanted to know a  
5 little bit more information. Because, as you know, I hang  
6 out at the board of ed. meetings. That's where I'm like a  
7 fixture over there.

8 MAYOR PETRACCO: Right.

9 MS. CLARK: And so, I just kind of was curious as  
10 to what was going on. So I went to Madeline Cuccuza, and I  
11 put in my OPRA request, and she got back to me. And she  
12 said there are -- you know, any type of paperwork, if the  
13 board of commissioners and the board of ed. meet, it's  
14 really handled through the town clerk.

15 So I brought my OPRA here, and I received an  
16 actual letter from the town clerk saying that there were no  
17 joint meetings. Now, I went to this meeting. I heard it  
18 from the superintendent, and I was a little confused. So I  
19 did a little bit more digging, and I found out yes, there  
20 were meetings.

21 Maybe they weren't meetings in the joint sense of  
22 it or the official sense, but there were meetings. So I dug  
23 a little deeper, and I contacted Mr. Genitempo, who was kind  
24 enough to come back and tell me that yes, there were  
25 meetings, but they were not actual joint meetings.

1           So my question here is, if there were meetings --  
2 because somehow, I'm standing, and I keep saying the word  
3 joint, and that seems to be an area of concern. But, if  
4 there were meetings between two members or more than two  
5 members of two bodies of government, shouldn't there be some  
6 sort of agenda or minutes or even saying to the public,  
7 "Gee, you know what? We met, and we discussed blah, blah,  
8 blah"?

9           You know, I mean, because I know that comes up all  
10 the time at the board of ed. They'll say okay, we met with  
11 this one, and we discussed this. So my question is --  
12 because my OPRA stated, "Were there any meetings between  
13 members of the BOC and BOE within the 2012-2013 school year  
14 and the 2013-2014, last two years, basically"?

15           I understand that there was an actual joint  
16 meeting, big one, between everybody in 2011. So I'm digging  
17 a little bit more, Mr. Mayor, and I hate to step on people's  
18 toes. But, you know, I just think it's an area of concern  
19 if somebody such as the superintendent says in a public  
20 forum, "Yes, we had a meeting," and then, we're not hearing  
21 like what was discussed and what was the purpose.

22           So I'm just kind of leaving that with the board of  
23 ed., because, like I said, -- I mean, not the board of ed.  
24 -- board of commissioners. Because, like I said, you know,  
25 it's already been decided yes, there were meetings. But my

1 question is to as to what was going on.

2 MAYOR PETRACCO: Well, first of all, yes, there  
3 was meetings. That was number one.

4 Counsel, would you like to jump in here?

5 MR. GENITEMPO: Yeah. No, maybe I wanted to  
6 clarify for Ms. Clark, because we did have some --

7 MS. CLARK: Uh-huh.

8 MR. GENITEMPO: Did we speak?

9 MS. CLARK: No, it was through email.

10 MR. GENITEMPO: Email, right.

11 MS. CLARK: Thank you.

12 MR. GENITEMPO: That the meetings that were two  
13 meetings that I recall were the board of ed. -- some of the  
14 members came here in executive session. There is nothing  
15 being kept from the public on those.

16 MS. CLARK: Uh-huh.

17 MR. GENITEMPO: I think some of those meeting  
18 minutes have actually been released after redactions. There  
19 are certain parts of executive meetings that cannot be  
20 revealed until the reason for the confidentiality has been  
21 lifted.

22 MS. CLARK: Right.

23 MR. GENITEMPO: And, in this situation, you know,  
24 the reason that we gave for the meetings was potential  
25 property acquisition.

1 MS. CLARK: Okay.

2 MR. GENITEMPO: There was a request by some of the  
3 -- by the superintendent, and they didn't have a quorum.  
4 They could not bring a quorum here. That would have  
5 required what you're asking, for proper notice and an actual  
6 joint meeting.

7 So the superintendent came with a couple board  
8 members to express, you know, their thoughts regarding some  
9 issues of property. And I really don't want to say more  
10 than that.

11 MS. CLARK: Uh-huh.

12 MR. GENITEMPO: Because it could jeopardize what  
13 we may be working together. So there are only two that I  
14 recall. I don't think there were any others.

15 There was a potential for a joint meeting.

16 MS. CLARK: Uh-huh.

17 MR. GENITEMPO: That we tried to schedule on a  
18 weekend to discuss those issues in public. It just never  
19 got it together.

20 MS. CLARK: Okay, yeah.

21 MR. GENITEMPO: And the best way to do it was  
22 really in an executive meeting. And I believe Commissioner  
23 Tucci and Mayor Petracco actually appeared at a board of ed.  
24 meeting also.

25 MS. CLARK: Right, right, I do remember that, yes,

1 yes.

2 MR. GENITEMPO: To express some issues there. So  
3 those are the only meetings, and I've been in town since  
4 early 2013, that I recall.

5 MS. CLARK: Right.

6 MR. GENITEMPO: And that's the ones I expressed to  
7 you. But I believe some of those meeting minutes have been  
8 redacted and produced. I believe that Ladisik basically  
9 revealed some of the information of that meeting at his  
10 public meeting that you're referring to.

11 MS. CLARK: Uh-huh, uh-huh.

12 MR. GENITEMPO: So I don't want to say more,  
13 because we're still working on a couple things --

14 MS. CLARK: Okay.

15 MR. GENITEMPO: -- that may be beneficial to  
16 everyone. And I think revealing it might be a problem. So  
17 that's the only thing I would like to say.

18 MS. CLARK: Okay. And I just have one more  
19 question.

20 I went to the zoning board meeting last month, and  
21 I got up in front of the zoning board. And this was in  
22 regards to the Passaic and Kingsland project. And I asked  
23 them about the impact fees from the board of ed. And they  
24 said that would be assigned by the board of commissioners.  
25 Is that true?

1           Okay. I just wanted to know. So you would assign

2           --

3           MAYOR PETRACCO: Well, I've already said on the  
4           mike -- and there's recorded minutes of this -- is that I  
5           would -- you know, again, as long as it's legal to do.

6           MS. CLARK: Uh-huh.

7           MAYOR PETRACCO: I would insist that, if there is  
8           any impacts on any of the municipal services or with the  
9           board of ed., that these contractors -- we now have to hold  
10          their feet to the fire.

11          MS. CLARK: Uh-huh.

12          MAYOR PETRACCO: And it shouldn't be -- the burden  
13          shouldn't be placed on the taxpayer. It should be placed on  
14          the developer and the people that are, you know, turning a  
15          profit to develop in our town.

16          So that I will see through to make sure that  
17          whatever legal rights the municipality has that we'll be  
18          fighting for impact fees.

19          MS. CLARK: Okay. All right. Thank you.

20          And I understand that these meetings are now being  
21          taped?

22          MAYOR PETRACCO: They are.

23          MS. CLARK: That is awesome, because I know I  
24          stood right here like eight years ago and asked. So thank  
25          you very much.

1           MAYOR PETRACCO: Yeah. We actually have a close-  
2 up of you, too, this evening.

3           MS. CLARK: Really? And I'm not dressed up.  
4 Thank you. Thank you.

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

7           Please state your name and address for the record.

8           MR. ODRIA: Michael Odria, 133 High Street. It's  
9 just a comment.

10           To the way you, Mr. Mayor, the way you ended your  
11 address to the board and to the rest of us here, as a Nutley  
12 town resident, I would love to eat at the Nutley Diner  
13 again. I would love to eat the Franklin Steakhouse again.  
14 I would love to go to the Nutley Bike Shop and buy a Schwinn  
15 Rocket III \$650 bicycle.

16           But the thing is, on November 1st, coming up, from  
17 November 1st to the 10th, I'm going to have to pay a \$3,000  
18 property tax quarterly bill. That's what I used to pay when  
19 I first moved to this town and for a couple years after  
20 that.

21           That's the reason why, unfortunately -- I try my  
22 best, but I just cannot support the stores and businesses in  
23 this town as much as I would like to, because literally, all  
24 the expendable cash that I make in my job, private sector,  
25 commissioned salesperson I just can't do it, because I'm

1 fighting to save my home by paying my bills, especially my  
2 property tax bills and my water taxes that have gone up I'm  
3 thinking like another 100 percent over the course of the  
4 past four years.

5 And no one else lives in my home, except for the  
6 same people that have been living there for the past couple  
7 of 16 years. But I just wanted to mention that to the  
8 board.

9 MAYOR PETRACCO: Michael, if I may comment with  
10 you at the mike, too. First of all, I'd like to apologize  
11 to you tonight on the record as well. Because one of the  
12 meetings, one of the past meetings, you came up to the mike,  
13 and I said please don't be redundant, and I thought you took  
14 offense to that. It got back to me that you did.

15 So I wanted to apologize. You're more than  
16 welcome to speak at that mike any time. We just try to  
17 limit, you know, the time that is being spent. And, you  
18 know, we do try to get out of here in a timely fashion. So  
19 my apologies.

20 As far as patronizing Nutley businesses, whatever  
21 you could do -- if you're doing a little, we all appreciate  
22 it, and thank you for that.

23 MR. ODRIA: I do accept your apology, Mr. Mayor.

24 MAYOR PETRACCO: Thank you.

25 Is there anyone else this evening that would like

1 to address the board of commissioners?

2 MS. LANDRY: Penny Landry, 135 Lakeside Drive,  
3 Nutley, New Jersey. Before the timer starts, the first  
4 thing I'd like to say, Madam Clerk, thank you. I think  
5 you're doing an excellent job, and thank you for all your  
6 help.

7 The second thing I'd like to do is to have a  
8 little clarification. I mean, I know that this side of the  
9 room has rules. Could our side of the room have a couple of  
10 rules on the five minutes, too?

11 Would that be okay, Mayor?

12 MAYOR PETRACCO: We have granted a -- especially  
13 you, Ms. Landry -- a little longer than the five-minute  
14 rule.

15 MS. LANDRY: Okay.

16 MAYOR PETRACCO: So we'll be --

17 MS. LANDRY: Well, now, it was -- here's the  
18 request. Since we are under the five-minute rule, that, if  
19 I ask a yes or no question, a yes or no answer would be  
20 appreciated. And you can always say I won't answer. Okay?  
21 Because sometimes it goes off in kind of a spin thing. And,  
22 since we're limited to time, --

23 MAYOR PETRACCO: Okay.

24 MS. LANDRY: Okay? Is that fair enough?

25 MAYOR PETRACCO: Thank you.

1 MS. LANDRY: Okay.

2 MAYOR PETRACCOe Yes.

3 MS. LANDRY: And then, the other clarification on  
4 the five-minute rule is is that five minutes per topic. So  
5 like, if I had wanted to talk about Roche and then, I also  
6 wanted to talk about economic development, do I get five  
7 minutes per topic, or is that a whole --

8 MAYOR PETRACCO: Why don't we -- if you're not  
9 going to be too longer than five minutes tonight, why don't  
10 you give the board of commissioners a chance to discuss that  
11 privately? And then, we'll see how we want to continue, and  
12 I'll get back to you with that answer.

13 MS. LANDRY: Okay. So all I want to say about  
14 that is just make sure you refer to the New Jersey Laws,  
15 Open Public Meeting Act laws.

16 MAYOR PETRACCOe Absolutely. That's why our  
17 attorney's here.

18 MS. LANDRY: Okay. Thanks. Okay, good.

19 So my first topic, since I'm limited to one, first  
20 and only will be Roche. Who is the attorney or the name of  
21 the firm representing Nutley in the administrative claim  
22 filed by Roche against Nutley regarding our sewer? So  
23 again, name of the firm and the name of the attorney.

24 MAYOR PETRACCO: Counsel?

25 MR. GENITEMPOe John Hipp has been assigned to

1 represent Nutley with regard to (indiscernible) tort claims  
2 notice filed by Hoffman LaRoche.

3 MS. LANDRY: Okay. It's now a tort claim?  
4 Because, at the Roche meeting, they said it was an  
5 administrative claim.

6 MR. GENITEMPO: Penny, you and I heard them say  
7 administrative (audio gap). I don't know what that is  
8 (audio gap).

9 MS. LANDRY: Okay. Thank you, sir.

10 And, Mr. Hicks' (sic) firm is?

11 MR. GENITEMPO: Hipp, H-I-P-P.

12 MS. LANDRY: And that's the name of his firm?  
13 John Hipp? Okay. Thank you.

14 Second, has Nutley conducted any soil testing on  
15 its own on land outside of the Roche property? Yes or no?

16 MAYOR PETRACCO: Counsel?

17 MR. GENITEMPO: Outside the Roche property?

18 MS. LANDRY: Yes.

19 MR. GENITEMPO: No.

20 MS. LANDRY: No soil testing done on any land  
21 outside of Roche property?

22 MR. GENITEMPO: Not as of yet. We (indiscernible)  
23 that may (indiscernible)

24 MS. LANDRY: Okay. Great.

25 In June, Commissioner Scarpelli told the Nutley

1 Sun that the township would conduct its own assessment  
2 regarding the integrity of the sewer line. Has a company  
3 been hired to assess the sewer?

4 UNIDENTIFIED SPEAKER: Yes.

5 MS. LANDRY: Yes? What is the name of that  
6 company?

7 UNIDENTIFIED SPEAKER: Hatch Mott MacDonald.

8 MS. LANDRY: Ash?

9 UNIDENTIFIED SPEAKER: Hatch. Hatch Mott  
10 MacDonald. H-A-T-C-H.

11 MS. LANDRY: Hatch? Okay. Thank you.

12 And has the assessment of the sewer line been  
13 started?

14 UNIDENTIFIED SPEAKER: Yes, they are doing a  
15 review of the sewer system for the Roche property -- are  
16 working on a report.

17 MS. LANDRY: Great. Thank you.

18 Also, in June, Commissioner Rogers told the Sun  
19 that his Health Department would investigate any cancer risk  
20 concerns in the township. Has there been a formal  
21 investigation started or completed by the Health Department  
22 regarding cancer concerns in Nutley?

23 UNIDENTIFIED SPEAKER: No.

24 MS. LANDRY: No? Thank you.

25 Oh, six. Has the board of commissioners given a

1 response to Roche regarding the contamination feasibility  
2 plans provided at the public meeting in Lyndhurst?

3 MAYOR PETRACCO: Can you repeat the question?

4 MS. LANDRY: Has the Township of Nutley Board of  
5 Commissioners given any type of response to Roche regarding  
6 the feasibility plans that were permitted at the public  
7 meeting in Lyndhurst? And, before you answer, I'd like to  
8 say thank you to Commissioner Scarpelli, to Mr. Evans, and  
9 Mr. Genitempo for attending the meeting and to  
10 Mr. Scarpelli, Commissioner Scarpelli and Evans.

11 MAYOR PETRACCO: Counsel?

12 MR. GENITEMPO: The answer is yes and no. We are  
13 in constant contact with Hoffman LaRoche on all those  
14 issues. We have not filed a formal reply to their (audio  
15 gap).

16 MS. LANDRY: Okay.

17 MR. GENITEMPO: We are in contact with them on  
18 those (indiscernible).

19 MS. LANDRY: Okay. So --

20 UNIDENTIFIED SPEAKER: Mr. Genitempo? Plus, our  
21 experts were there that night also.

22 MR. GENITEMPO: That's correct.

23 MS. LANDRY: Okay.

24 MR. GENITEMPO: Hatch Mott was there, and so was  
25 Mr. Hipp was there. And also, our township engineer was

1 there.

2 MAYOR PETRACCO: Madam Clerk, was that the time --

3 MS. LANDRY: So to that, --

4 MAYOR PETRACCO: Was that the timer?

5 MADAM CLERK: Yes.

6 MAYOR PETRACCO: Okay. Thank you.

7 MS. LANDRY: Could I have one more minute?

8 MAYOR PETRACCO: Yes, you may.

9 MS. LANDRY: Thank you, Mayor.

10 MAYOR PETRACCO: Thank you.

11 MS. LANDRY: When will the Roche joint committee  
12 be providing any updates? Because it was said that the  
13 joint committee is still meeting. And yet, we haven't seen  
14 any type of a report that I've been able to locate from the  
15 joint committee. And yet, they're still meeting. When will  
16 the township people be receiving any type of update from  
17 (indiscernible)?

18 MAYOR PETRACCO: Counsel, I don't mind answering  
19 that question.

20 Ms. Landry, Commissioner Tucci and I have met a  
21 bunch of times. Actually, it's taken up a lot of our time  
22 with that joint committee.

23 MS. LANDRY: And I appreciate that.

24 MAYOR PETRACCO: And I appreciate you saying that.  
25 Instead of vacationing this summer, we both spent our summer

1 at Roche. This is a work in progress, and there has been a  
2 lot of twists and turns in the road. There's been a lot of  
3 speculation.

4 We are trying to attract the best use for that  
5 property. And, in order to do that, we're trying to send  
6 out the right bait. So, in a fisherman's term, if you're  
7 fishing for a blue fish, you use one bait. We're trying to  
8 catch a Mako shark here. We're trying to get the best  
9 repurpose partner, user, I should say, in there.

10 It's very important to the commissioner and I, and  
11 I won't speak for him. But it's very important to myself  
12 and I believe Commissioner Tucci that, not only do we get a  
13 tax ratable back in Roche, but we create jobs in Roche.

14 I know I'm not looking for \$10 an hour warehouse  
15 jobs or \$10 an hour, you know, merchant services jobs,  
16 retail jobs. We're looking for jobs that are going to  
17 attract quality people. Hopefully, it'll be up around the  
18 six figure mark. And what I believe is then that, in turn,  
19 will drive our housing market back up to where it needs to  
20 be.

21 So there has been a lot of talks in the beginning  
22 that have fell through. So it's really, really a work in  
23 progress. There's also -- you know, we don't want to go to  
24 the public and speculate. When we come to the public with  
25 what we have to say and what we've learned as a body here,

1 we want it to be a fact.

2 We want to know that we're under -- that Roche is  
3 under contract with someone. And we want to make sure that  
4 we're giving the public the right information one time.

5 So I ask you please, be patient and know that this  
6 body is really breaking their backs and putting in a lot  
7 more time than we all signed up for. You know, when we all  
8 took office this past time, if someone would have ever said  
9 to us that Roche would be exiting, we would think it was a  
10 joke.

11 In fact, when Roche called me, I did think it was  
12 a joke. So we've been working very diligently the last  
13 couple of years, and again, we want to get it right. And we  
14 want to get the right use in there so it benefits everyone  
15 in town.

16 MS. LANDRY: And your time is a million percent  
17 appreciated. However, the patience of the taxpayers is  
18 wearing a little thin, because the taxes keep increasing,  
19 and the information that is forthcoming is somewhat limited.  
20 So maybe just a message from the mayor or an update letter.

21 MAYOR PETRACCO: Well, as you're aware, though,  
22 the taxes are not increasing because of Roche. Because, as  
23 you're aware, that Nutley receives state aid.

24 MS. LANDRY: For one year.

25 MAYOR PETRACCO: One year.

1 MS. LANDRY: So we don't even know if that state  
2 aid is coming next year, correct?

3 MAYOR PETRACCO: Well, you know what? We have had  
4 a promise from Governor Christie, and we hope that  
5 continues.

6 MS. LANDRY: Okay.

7 MAYOR PETRACCO: But the process is is that you  
8 have to --

9 MS. LANDRY: Go back and ask.

10 MAYOR PETRACCO: Well, you have to go through the  
11 process again.

12 MS. LANDRY: Okay.

13 MAYOR PETRACCO: Commissioner Tucci, would you  
14 like to comment on --

15 COMMISSIONER TUCCI: Yeah, I'd just like to add  
16 something, Mayor.

17 Ms. Landry, unfortunately, much of what we're  
18 discussing at Roche is highly confidential because of the  
19 type of folks that they're speaking to and the type of folks  
20 that they're looking to bring into town. Their negotiations  
21 and their discussions with them are very sensitive.

22 So we understand the frustrations of those of you  
23 out there waiting to hear something positive about Roche.  
24 What we can tell you is that to date, there are many issues  
25 that we're dealing with, and there are many positives. And

1 hopefully, as soon as humanly possible, when we can divulge  
2 more information, we will without jeopardizing any of the  
3 potential tenants that could be coming in.

4 And, as the mayor said, we're not just looking to  
5 fill that property up with buildings and 8 or \$10 an hour  
6 jobs. We're looking to put something there that'll be world  
7 class and something that'll follow in the footsteps of Roche  
8 for many years to come.

9 MS. LANDRY: So we hired Maser Consulting to look  
10 at the Roche redevelopment project; is that correct?

11 COMMISSIONER TUCCI: Maser Consulting was hired by  
12 the planning board to do the report on declaring the area in  
13 need of redevelopment.

14 MS. LANDRY: Okay. So Maser was hired by the  
15 planning board to do a report --

16 COMMISSIONER TUCCI: Correct.

17 MS. LANDRY: -- on --

18 COMMISSIONER TUCCI: To make a recommendation back  
19 to this board of commissioners.

20 MS. LANDRY: Regarding?

21 COMMISSIONER TUCCI: That an area in need of  
22 redevelopment, yes.

23 MS. LANDRY: Roche being an area in need of  
24 redevelopment?

25 COMMISSIONER TUCCI: Correct.

1 MS. LANDRY: Okay. So do we think it's an area in  
2 need of redevelopment?

3 COMMISSIONER TUCCI: These are legal terms, and  
4 there are tools that will be afforded to us that will help  
5 us, excuse me, in the repurposing of that. So, yes, this  
6 body does, in fact, feel that that was a necessary step.

7 MS. LANDRY: Okay. Great. Thank you.

8 Finally, Mayor, Commissioner Tucci, I know I drove  
9 you guys crazy since December about this. And I thank you  
10 from the bottom of my heart. Thank you very much.

11 MAYOR PETRACCO: Thank you.

12 MS. LANDRY: You all have a great evening.

13 MAYOR PETRACCO: Thank you.

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

16 Commissioner Rogers?

17 COMMISSIONER ROGERS: Mr. Odria, that's how you  
18 pronounce your lastname?

19 MR. ODRIA: Odria.

20 COMMISSIONER ROGERS: Odria. You're welcome to  
21 come to my office any time. Maybe we'll be able to lend you  
22 some assistance with some of the difficulties that you're  
23 running into. We have a whole host of programs where we've  
24 been able to help citizens who run into very difficult  
25 times.

1 Everything's kept confidential. You come in, and  
2 we'll see what we can do to help you out. Okay?

3 MAYOR PETRACCO: You have to come to the mike if  
4 you're going to speak. And please state your name and  
5 address one more time.

6 MR. ODRIA: Michael Odria, 133 High Street. I do  
7 appreciate that, Commissioner Rogers. But you know what? I  
8 just can't do that.

9 MR. ROGERS: Okay.

10 MR. ODRIA: Because I work. I'm not --

11 MR. ROGERS: Well, --

12 MR. ODRIA: I mean, my parents didn't bring me to  
13 this country --

14 MR. ROGERS: Here's the --

15 MR. ODRIA: I mean, I'm sorry. I was born in this  
16 country.

17 MR. ROGERS: Yeah.

18 MR. ODRIA: My parents didn't come from another  
19 country for me to be born here to seek assistance from the  
20 federal, the state, or the local government.

21 MR. ROGERS: Okay.

22 MR. ODRIA: You know, I have a work ethic.

23 MR. ROGERS: Okay.

24 MR. ODRIA: But the only thing I can say --  
25 because, like I say, one of my heroes growing up is Ronald

1 Reagan and other heroes, too, musicians, too. But, you  
2 know, watching him and watching his first four years as  
3 president, because that's the ones that really matter to me,  
4 you know, he imposed limited government.

5 MR. ROGERS: Well, this is not a handout. This is  
6 a helping hand. He happens to be --

7 MR. ODRIA: Yeah, I don't -- to me, --

8 MR. ROGERS: He happens to be my hero, too. But  
9 --

10 MAYOR PETRACCO: Michael, what I would recommend  
11 that you do -- after the meeting, if you'd like to talk to  
12 Commissioner Rogers --

13 COMMISSIONER ROGERS: Yeah, why don't you come see  
14 me? Because we'll help you. Okay? We'll help you out.  
15 You may not want it, but it's available. Okay? Thank you.

16 MAYOR PETRACCO: Thank you, Michael.

17 MR. ODRIA: Thank you.

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

20 Seeing no one, need a motion.

21 COMMISSIONER SCARPELLI: Before I move, Mr. Mayor,  
22 I just want to invite the commissioners and all the public  
23 to join in the Scarpelli Civic Association autism walk this  
24 Sunday. You're all invited. We've led that walk in the  
25 past, and my offer is out there for you guys to join me, and

1 we're leading that again.

2 MAYOR PETRACCO: What time and where?

3 COMMISSIONER SCARPELLI: 10:00. I'll give you the  
4 time to be there, though.

5 MAYOR PETRACCO: At the Nutley Oval?

6 COMMISSIONER SCARPELLI: At the Nutley Oval.

7 MAYOR PETRACCO: Okay.

8 We need a motion to adjourn.

9 COMMISSIONER SCARPELLI: Move to adjourn.

10 UNIDENTIFIED SPEAKER: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Aye.

19 Thank you.

20 MADAM CLERK: Thank you. And the time is now

21 8:29.

22 (Whereupon, these proceedings were concluded at

23 8:29 PM)

24

25

**AGENDA**  
**BOARD OF COMMISSIONERS**  
**PUBLIC MEETING / 7:00P.M.**  
**TOWNSHIP OF NUTLEY**  
**TUESDAY, OCTOBER 21, 2014**

**PLEDGE OF ALLEGIANCE:**

**SUNSHINE NOTICE:**

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

**ROLL CALL:**

Commissioner Rogers  
Commissioner Tucci  
Commissioner Evans  
Commissioner Scarpelli  
Mayor Petracco

**MINUTES:**

Emergency Meeting Minutes 2012  
September 16, 2014

**COMMUNICATIONS/CORRESPONDENCE: (2)**

1. Friends of Nutley Singers Requesting Permission to Hold Sunday Raffle on March 8, 2015
2. Holy Family Church Requesting Permission to Hold a Sunday Raffle on December 7, 2014

**REPORTS (1):**

Commissioner Tucci/Parks & Public Property/Shade Tree Report for August 2014

**BILLS:**

**ORDINANCE INTRODUCTIONS:**

**ORDINANCE PUBLIC HEARINGS:**

**PRESENTATION (1):**

**Commissioner Rogers:**

125th Anniversary of the First Baptist Church of Nutley, NJ

**RESOLUTIONS (14):**

**Commissioner Rogers (5):**

No. 250-14/Declare November as National Diabetes Awareness Month

No. 251-14/Declare November as Alzheimer's Disease Awareness Month

No. 256-14/Agreement between Township of Nutley & Contractor/ Collection Removal & Disposal of Solid Waste

No. 257-14/Agreement Between Township of Nutley and Future Sanitation/For Payment of Services for the Period of October 1, 2014 through October 31, 2014

No. 258-14/Shared Services Agreement/ Township of Nutley & Board of Education/Solid/ November 1, 2014 through October 31, 2019

**Commissioner Tucci:**

None.

**Commissioner Evans (3):**

No. 246-14/Authorize Refund Overpayment of Water Charges/Block 3500 Lot 12/\$76.78

No. 249-14/Authorize Refund Overpayment of Tax Charges/Block 9105 Lot 10/\$2,239.81

No. 252-14/Authorize Refund Overpayment of Water Charges/Block 9000 Lot 47/\$971.52

**Commissioner Scarpelli (5):**

No. 244A-14/Amendment To Resolution 244-14/Award of Contract to AJM Contractors for Hancox Avenue & Conover Avenue Improvements/Clerical Error

No. 253-14/Refund Payment for Purchase of Landscape Drop-Off Tickets/Angelo Azzinari, Angelo's Landscaping, 96 Stager Street, Nutley, NJ/\$300.00

No. 254-14/Refund Payment for Purchase of Landscape Drop-Off Tickets/Saverio Guagliardo, Saverio Maintenance LLC, 27 Spring Street, Nutley, NJ/\$150.00

No. 255-14/Refund Payment for Purchase of Landscape Drop-Off Tickets/Anthony Meola, A. Meola Landscaping, 308 Walnut Street, Nutley, NJ/\$300.00

No. 256A-14/Authorize Advertisement of Sealed Bids/2014-2015 Acceptance of Recycling Vegetative Waste to Include Leaf and Grass Clippings/Wednesday, November 12, 2014 at 3:00P.M./ Commission Chambers, Nutley Township Hall, One Kennedy Drive, Nutley, NJ

**Mayor Petracco (1):**

No. 245-14/ Authorize Various Raffle Licenses

**MEETING OPEN TO THE PUBLIC:**

**ADJOURNMENT:**

**REMINDER:**

The next Board of Commissioners meeting is scheduled for Thursday, November 6, 2014 at 7:00 P.M., Nutley Town Hall, 3<sup>rd</sup> floor Commission Chambers.

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-03194	NJLM	220.00					220.00
14-03434	TIRE MANAGEMENT	391.00					391.00
14-03455	NJ MEADOWLANDS COMM.	10,712.89					10,712.89
14-03456	FUTURE SANITATION INC	78,900.00					78,900.00
14-02973	VIOLA BROTHERS	803.90					803.90
14-03225	J & G ENTERPRISES	160.00					160.00
14-03457	ESSEX CNTY UTILITIES AUTH	96,438.19					96,438.19
14-03463	MADELINE GOGLIA	108.74					108.74
14-03485	CUSTODIAN OF PETTY CASH	19.95					19.95
14-03428	TREASURER SCHOOL MONEY		2,316,739.00				2,316,739.00
14-03357	T/N PAYROLL AGENCY		32,442.03				32,442.03
14-03377	T/N PAYROLL AGENCY		259.54				259.54
14-03355	VERIZON WIRELESS		48.01	999.45			1,047.46
14-02557	HATCH,MOTT, MCDONALD		9,498.81				9,498.81
14-02529	CDW GOVERNMENT		60.00				60.00
14-03318	NJ STATE LEAGUE OF MUNIC		85.00				85.00
14-01506	MILLENIUUM STRATEGIES		3,333.00				3,333.00
14-01895	PIRO,ZINNA,CIFELLI,PARIS		1,429.35				1,429.35
14-01700	PIRO,ZINNA,CIFELLI,PARIS		3,753.80				3,753.80
14-03425	GEORGE LIBRIZZI		23.00				23.00
14-03462	EIC INSPECTION AGENCY		102.00				102.00
14-03461	ESSEX CNTY CODE ENFORMT.		100.00				100.00
14-03454	WAGE WORKS		25.00				25.00
14-02689	BRANCATO LANDSCAPING #4		413.67				413.67
14-02689	BRANCATO LANDSCAPING #3		634.00				634.00
14-03472	CABLEVISION		8.79				8.79

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-03490	US BANK CUST FOR TLCF		3,314.73				3,314.73
14-03486	CUSTODIAN OF PETTY CASH		12.25				12.25
14-03497	OUR LADY OF DELIVERANCE		3,288.84				3,288.84
14-03496	US BANK CUST FOR TLCF		3,123.94				3,123.94
14-03495	US BANK CUST FOR PRO CAPITAL		5,303.98				5,303.98
14-03491	MR MORADI		5,382.31				5,382.31
14-03531	WELLS FARGO TAX SERVICE		28,056.57				28,056.57
14-03262	HOME DEPOT			88.80			88.80
14-03224	MICRO CENTER			39.99			39.99
14-03293	MICRO CENTER			424.98			424.98
14-00364	LANGUAGE LINE SERVICE			15.44			15.44
14-00421	LANGUAGE LINE SERVICE			25.69			25.69
14-00094	MAJOR LEAGUE AUTO SPA			315.00			315.00
14-00661	MAJOR LEAGUE AUTO SPA			5.00			5.00
14-00097	NICOLETTE TOWING			12.00			12.00
14-02387	GRAINGER			14.54			14.54
14-03288	NUTLEY FREE LIBRARY			397,980.00			397,980.00
14-03197	POLICE & FIRE PROM.PROF.			50.00			50.00
14-03295	BURGER KING			148.48			148.48
14-02883	CERTIFIED SPEEDMETER SERV.			1,500.00			1,500.00
14-03118	CERTIFIED SPEEDMETER SERV.			429.00			429.00
14-03011	POWER DMS			3,060.00			3,060.00
14-03183	PLAINFIELD CONSULTATION			425.00			425.00
14-03208	FRANKLIN CENTRAL COMM			458.49			458.49
14-02762	BATTERIES & BULBS			150.21			150.21
14-03128	NFPA INTERNATIONAL			301.45			301.45

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-03132	AUTOMOTIVE ENERGY CO			316.20			316.20
14-02958	STATE LINE FIRE & SAFETY			7,435.00			7,435.00
14-03361	TURNOUT UNIFORMS			164.03			164.03
14-03362	TURNOUT UNIFORMS			299.98			299.98
14-03363	TURNOUT UNIFORMS			120.00			120.00
14-03364	TURNOUT UNIFORMS			55.00			55.00
14-03365	TURNOUT UNIFORMS			656.50			656.50
14-03366	TURNOUT UNIFORMS			404.98			404.98
14-03367	TURNOUT UNIFORMS			4.00			4.00
14-03368	TURNOUT UNIFORMS			662.50			662.50
14-03369	TURNOUT UNIFORMS			250.00			250.00
14-03370	TURNOUT UNIFORMS			129.98			129.98
14-03372	TURNOUT UNIFORMS			129.98			129.98
14-03373	TURNOUT UNIFORMS			375.00			375.00
14-03374	TURNOUT UNIFORMS			250.00			250.00
14-03380	TURNOUT UNIFORMS			713.99			713.99
14-03381	TURNOUT UNIFORMS			129.98			129.98
14-03382	TURNOUT UNIFORMS			444.00			444.00
14-03383	TURNOUT UNIFORMS			250.00			250.00
14-03384	TURNOUT UNIFORMS			225.00			225.00
14-03385	TURNOUT UNIFORMS			32.50			32.50
14-03386	TURNOUT UNIFORMS			656.50			656.50
14-03387	TURNOUT UNIFORMS			336.99			336.99
14-03388	TURNOUT UNIFORMS			49.99			49.99
14-03389	TURNOUT UNIFORMS			119.98			119.98
14-03390	TURNOUT UNIFORMS			232.94			232.94

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-03391	TURNOUT UNIFORMS			74.98			74.98
14-03392	TURNOUT UNIFORMS			120.00			120.00
14-03393	TURNOUT UNIFORMS			110.00			110.00
14-03394	TURNOUT UNIFORMS			52.99			52.99
14-03396	TURNOUT UNIFORMS			482.95			482.95
14-03397	TURNOUT UNIFORMS			299.96			299.96
14-03398	TURNOUT UNIFORMS			201.07			201.07
14-03399	TURNOUT UNIFORMS			69.99			69.99
14-03400	TURNOUT UNIFORMS			404.98			404.98
14-03401	TURNOUT UNIFORMS			44.97			44.97
14-03402	TURNOUT UNIFORMS			209.00			209.00
14-03403	TURNOUT UNIFORMS			201.99			201.99
14-03404	TURNOUT UNIFORMS			130.00			130.00
14-03405	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			60.00			60.00
14-02753	TURNOUT UNIFORMS			79.99			79.99
14-02753	TURNOUT UNIFORMS			29.99			29.99
14-02753	TURNOUT UNIFORMS			34.98			34.98
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			157.08			157.08
14-02753	TURNOUT UNIFORMS			60.00			60.00
14-02753	TURNOUT UNIFORMS			20.00			20.00
14-02753	TURNOUT UNIFORMS			60.00			60.00
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			75.10			75.10
14-02753	TURNOUT UNIFORMS			270.05			270.05

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-02753	TURNOUT UNIFORMS			31.10			31.10
14-02753	TURNOUT UNIFORMS			31.10			31.10
14-02753	TURNOUT UNIFORMS			60.10			60.10
14-02753	TURNOUT UNIFORMS			20.00			20.00
14-02753	TURNOUT UNIFORMS			75.10			75.10
14-02753	TURNOUT UNIFORMS			31.10			31.10
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			15.10			15.10
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			31.10			31.10
14-02753	TURNOUT UNIFORMS			167.08			167.08
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			196.36			196.36
14-02753	TURNOUT UNIFORMS			129.99			129.99
14-02753	TURNOUT UNIFORMS			129.99			129.99
14-02753	TURNOUT UNIFORMS			20.00			20.00
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			152.98			152.98
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			4.99			4.99
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			74.99			74.99
14-02753	TURNOUT UNIFORMS			109.99			109.99
14-02753	TURNOUT UNIFORMS			11.10			11.10

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-02753	TURNOUT UNIFORMS			16.00			16.00
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			11.10			11.10
14-02753	TURNOUT UNIFORMS			61.00			61.00
14-02753	TURNOUT UNIFORMS			31.10			31.10
14-02753	TURNOUT UNIFORMS			64.00			64.00
14-02753	TURNOUT UNIFORMS			159.99			159.99
14-02753	TURNOUT UNIFORMS			76.10			76.10
14-02753	TURNOUT UNIFORMS			73.10			73.10
14-02753	TURNOUT UNIFORMS			72.10			72.10
14-02753	TURNOUT UNIFORMS			171.09			171.09
14-02753	TURNOUT UNIFORMS			156.10			156.10
14-02753	TURNOUT UNIFORMS			31.10			31.10
14-00092	AUTO ENERGY			1,007.68			1,007.68
14-00354	INHALATION THERAPY			53.57			53.57
14-00098	P & A AUTO PARTS			302.80			302.80
14-00096	NBC AUTO PARTS			385.61			385.61
14-03296	SAL ELECTRIC CO			2,297.18			2,297.18
14-03420	PENNONI ASSOCIATES			220.00			220.00
14-03415	PENNONI ASSOCIATES			1,910.00			1,910.00
14-00071	JOSEPH RICCARDI PAINTS			13.90			13.90
14-03276	ABSOLUTE FIRE PROTECTION			3,250.53			3,250.53
14-03134	GEN-EL IND.			96.92			96.92
14-03124	PATERSON STAMP WORKS			56.90			56.90

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-02736	CHIEF SUPPLY CORP			921.29			921.29
14-03081	MICHAEL FOWLIN			1,500.00			1,500.00
14-03424	NUTLEY SHOP-RITE			399.96			399.96
14-03487	CUSTODIAN OF PETTY CASH			188.24			188.24
14-03322	HOSE COMPANY #1			465.00			465.00
14-03230	PRINTING TECH			265.00			265.00
14-03353	CDW GOVERNMENT			1,135.00			1,135.00
14-03014	NEXT WAVE PRINGTIN SOUR			290.00			290.00
14-02086	SAFE-T			1,190.31			1,190.31
14-03512	BELL PAESE			250.00			250.00
14-03460	UPS			33.12			33.12
14-03522	THOMAS STRUMOLO			55.60			55.60
14-03516	THOMAS STRUMOLO			207.38			207.38
14-03511	APRUZZESE,MCDERMOTT			2,642.50			2,642.50
14-03085	ORIENTAL TRADING			57.50			57.50
14-03294	PETER ANDOLINO			549.00			549.00
14-02743	COLANERI BROTHERS				53.40		53.40
14-03234	UPS				189.12		189.12
14-00057	STONE IND				588.00		588.00
14-00057	STONE IND				318.00		318.00
14-03337	CITY OF NEWARK				14,239.54		14,239.54
14-03141	WORRALL COMM.				26.39		26.39
14-00050	NEWARK ASPHALT				102.05		102.05
14-03352	STATE OF NJ				2,262.27		2,262.27
14-03351	GERARD BERROS				100.00		100.00
14-03349	GERARD BERROS				100.00		100.00

<b>TOWNSHIP OF NUTLEY</b>							
<b>BILL LIST</b>							
<b>TUESDAY OCTOBER 21, 2014</b>							
<b>P.O.</b>	<b>VENDOR</b>	<b>PUBLIC AFFAIRS</b>	<b>REVENUE &amp; FINANCE</b>	<b>PUBLIC SAFETY</b>	<b>PUBLIC WORKS</b>	<b>PARKS &amp; PUBLIC PROPERTY</b>	<b>TOTALS</b>
14-03142	NO JERSEY MEDIA GROUP				71.75		<b>71.75</b>
14-03379	DAVID RUBIN				200.00		<b>200.00</b>
14-00066	GRAINGER				64.12		<b>64.12</b>
14-03348	AT & T MOBILITY				1,072.27		<b>1,072.27</b>
14-03164	TRAFFIC SAFETY				3,825.00		<b>3,825.00</b>
14-03176	MGL FORMS				150.00		<b>150.00</b>
14-03076	FOSTER & CO				163.27		<b>163.27</b>
14-03488	CUSTODIAN OF PETTY CASH				38.15		<b>38.15</b>
14-03167	ZEP SALES				1,273.35		<b>1,273.35</b>
14-02554	T.M. FITZGERALD				4,160.00		<b>4,160.00</b>
14-03422	BRADLEY TIRE				1,099.80		<b>1,099.80</b>
14-03315	DELUXE INTERNATIONAL				259.34		<b>259.34</b>
14-03316	DELUXE INTERNATIONAL				434.98		<b>434.98</b>
14-03198	DELUXE INTERNATIONAL				2,462.57		<b>2,462.57</b>
14-03321	DUNELLEN AUTO GLASS				250.00		<b>250.00</b>
14-03330	PETER ANDOLINO				524.35		<b>524.35</b>
14-03411	WELDON ASPHALT/CONCRETE				9,153.06		<b>9,153.06</b>
14-03412	WELDON ASPHALT/CONCRETE				2,585.00		<b>2,585.00</b>
14-00052	NORTHEAST AUTO				14.45		<b>14.45</b>
14-03464	POSTMASTER NEWARK NJ				4,000.00		<b>4,000.00</b>
14-00056	ROUTE 23 AUTO MALL				68.89		<b>68.89</b>
14-00065	BELL RIDGE PLUMBING				55.44		<b>55.44</b>
14-03442	HARVEY WECHTER				100.00		<b>100.00</b>
14-00037	AGL WELDING				59.47		<b>59.47</b>
14-03160	VIOLA BROTHERS				755.76		<b>755.76</b>
14-02317	A.J.M. CONTRACTORS				6,039.00		<b>6,039.00</b>

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY OCTOBER 21, 2014							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
14-02027	A.J.M. CONTRACTORS				171,907.47		171,907.47
14-02027	A.J.M. CONTRACTORS				38,740.68		38,740.68
14-02027	A.J.M. CONTRACTORS				39,871.62		39,871.62
14-02027	A.J.M. CONTRACTORS				24,426.00		24,426.00
14-02027	A.J.M. CONTRACTORS				79,751.13		79,751.13
14-03314	PASSAIC VALLEY SEWER.COM					125.00	125.00
14-03203	MIDLAND RADIATOR					165.00	165.00
14-03269	C & C TIRE					1,490.97	1,490.97
14-03289	C & C TIRE					443.00	443.00
14-03312	MULTI PACKAGING SYS					1,624.00	1,624.00
14-03299	STORR TRACTOR CO					923.58	923.58
14-03298	STEEL FAB					277.40	277.40
14-03220	TERRE CO					390.00	390.00
14-02922	MOONEY-GENERAL PAPER					2,094.70	2,094.70
14-03232	TANIS & SON					1,008.50	1,008.50
14-02955	GRAINGER					170.52	170.52
14-03019	CLIFFSIDE BODY CORP					1,279.00	1,279.00
14-03096	ANDY MATT					1,492.50	1,492.50
14-02947	C & C TIRE					203.20	203.20
14-03213	HOME DEPOT					591.05	591.05
14-03282	HOME DEPOT					68.88	68.88
14-03359	NATIONAL TERMINAL					3,587.02	3,587.02
14-03340	DIRECT ENERGY BUSINESS					90.76	90.76
14-03334	DIRECT ENERGY BUSINESS					69.85	69.85
14-00020	STORR TRACTOR CO					827.03	827.03
14-00014	M & R CAR WASH					150.00	150.00

<b>TOWNSHIP OF NUTLEY</b>							
<b>BILL LIST</b>							
<b>TUESDAY OCTOBER 21, 2014</b>							
<b>P.O.</b>	<b>VENDOR</b>	<b>PUBLIC AFFAIRS</b>	<b>REVENUE &amp; FINANCE</b>	<b>PUBLIC SAFETY</b>	<b>PUBLIC WORKS</b>	<b>PARKS &amp; PUBLIC PROPERTY</b>	<b>TOTALS</b>
14-00548	PRINCETON HOSTED SOLUT.					1,745.89	<b>1,745.89</b>
14-00008	ATHENIA MASON SUPPLY					77.25	<b>77.25</b>
14-00012	FRANKS GMC TRUCK					343.78	<b>343.78</b>
14-00019	ROBERTS & SON					148.00	<b>148.00</b>
14-00015	NORTHEAST AUTO					86.60	<b>86.60</b>
14-00015	NORTHEAST AUTO					49.00	<b>49.00</b>
14-00034	WEST ESSEX BLDG.					71.68	<b>71.68</b>
14-01193	TERRE CO					178.56	<b>178.56</b>
14-03099	DELGEN PRESS					135.00	<b>135.00</b>
14-03104	TUBE LITE CO					970.37	<b>970.37</b>
14-00352	CABLEVISION LIGHTPATH					3,028.09	<b>3,028.09</b>
14-03153	NJ SHADE TREE FEDERATION					220.00	<b>220.00</b>
14-03090	CABLEVISION					8.78	<b>8.78</b>
14-03416	PSE & G					669.06	<b>669.06</b>
14-03174	PSE & G					118.98	<b>118.98</b>
14-03173	PSE & G					4.25	<b>4.25</b>
14-03175	PSE & G					4.25	<b>4.25</b>
14-03177	PSE & G					11.97	<b>11.97</b>
14-03172	PSE & G					719.91	<b>719.91</b>
14-03171	PSE & G					1,536.40	<b>1,536.40</b>
14-03157	PSE & G					22,866.56	<b>22,866.56</b>
14-03105	NJ LEAGUE OF MUNICIPAL					165.00	<b>165.00</b>
14-03489	CUSTODIAN OF PETTY CASH					50.78	<b>50.78</b>
14-03284	MICKEY'S RIDES N MORE CO					1,000.00	<b>1,000.00</b>
14-03489	CUSTODIAN OF PETTY CASH					54.00	<b>54.00</b>
14-03195	TJ'S SPORTWIDE TROPHY					110.00	<b>110.00</b>



**PAYROLL SHEET**  
**Tuesday, October 21, 2014**

**List of payroll submitted for approval by the Board of Commissioners at their regular meeting of OCTOBER 21, 2014:**

**PAYROLL-REGULAR OCTOBER 10, 2014:**

Department of Public Affairs	19,733.12
Department of Revenue & Finance	60,719.03
Department of Public Safety	449,133.05
Department of Public Works	62,513.72
Department of Parks & Public Properties	75,385.27
Department of Recreation Commission	4,999.14
Water Operations	41,004.11
Due To From General Capital	3,623.27
600 Series	8,971.16
POLICE OUTSIDE DUTIES	18,926.14
C.E.H.A.	1,173.76
ACC-U-VAC	0.00
ZONING	0.00
<b>Sub Total</b>	<b>746,181.77</b>

**PAYROLL-OVERTIME OCTOBER 10, 2014:**

Department of Public Affairs	0.00
Department of Revenue & Finance	245.64
Department of Public Safety	11,131.38
Department of Public Works	3,630.28
Department of Parks & Public Properties	1,779.57
Water Operations	6,779.46
600 Series	0.00
<b>Sub Total</b>	<b>23,566.33</b>

**TOTAL PAYROLL: 769,748.10**

**GRAND TOTAL: 4,288,475.03**

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

Federal Withholding Tax	93,136.31
Social Security	23,710.75
N.J. State Tax	27,843.43
Medicare	11,006.08
Wage Execution	3,843.50
Deferred Compensation	24,132.90
Employee Disability Ins.	5,088.49

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

**Resolution**

Introduced by: e e e e Commissioner Steven Rogers e e e Date: October 21, 2014 e  
 Seconded by: e e Commissioner Joseph Scarpelli e No. 250-14

**WHEREAS**, over 29 million children and adults in the United States have diabetes and another 86 million Americans have pre-diabetes and are at risk for developing type 2 diabetes; and

**WHEREAS**, the increase in Type 2 diabetes among our Nation's children is linked to the rise of childhood obesity and by encouraging our sons and daughters to develop healthy habits today, we help ensure they have a brighter, healthier tomorrow; and

**WHEREAS**, Two out of three people with diabetes die from heart disease or stroke; and is the leading cause of kidney failure and the leading cause of new cases of blindness among adults; and

**WHEREAS**, recent estimates project that as many as one in three American adults will have diabetes in 2050 unless we take steps to Stop Diabetes; and

**WHEREAS**, The American Diabetes Association estimates that the total national cost of diagnosed diabetes in the United States is \$245 billion; and

**WHEREAS**, Diabetes is the seventh leading cause of death listed on U.S. death certificates;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey declare **NOVEMBER** as

**NATIONAL DIABETES AWARENESS MONTH**

And recognize, November 14<sup>th</sup>, as **World Diabetes Day**  
**Healthy Living and Diabetes** is the World Diabetes Day theme for 2014-2016.

**BE IT FURTHER RESOLVED**, that we urge all residents to educate themselves on diabetes, and how complications can be prevented or delayed by properly managing blood glucose, blood pressure and cholesterol level by eating healthy, being physically active and to quit smoking.

*Eleni Pettas*

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

Eleni Pettas

Is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held October 21, 2014

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

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

## Resolution

*Introduced by:* Commissioner Steven Rogers *Date:* October 21, 2014

*Seconded by:* Commissioner Joseph Scarpelli *No.* 251-14

**WHEREAS**, Alzheimer's disease is a progressive degenerative disease of the brain causing deterioration in memory and thinking, as well as judgment and reasoning ability; it also affects behavior, emotions and the ability to perform self-care; and

**WHEREAS**, according to the Center for Disease Control and Prevention, Alzheimer's is the sixth leading cause of death for older adults; and

**WHEREAS**, according to the Center for Disease Control and Prevention, approximately 5 million people in the United States are living with Alzheimer's; and

**WHEREAS**, Alzheimer's is the most common form of dementia; and

**WHEREAS**, it is estimated that about a half million Americans younger than age 65 have some form of dementia, including Alzheimer's disease. This is referred to as young onset or early onset; and

**WHEREAS**, Alzheimer's disease costs the United States \$100 billion per year in diagnosis, extended care, family caregiver illness and lost wages according to the National Institute on Aging; and

**WHEREAS**, the annual cost of caring for one individual with Alzheimer's disease ranges from nearly \$18,500 to more than \$36,000, depending on the stage of the disease; and

**WHEREAS**, neither Medicare nor most private health insurance covers the long term services and support most people with dementia need; and

**NOW, THEREFORE BE IT PROCLAIMED** by the Board of Commissioner of the Township of Nutley, County of Essex, in the State of New Jersey, that the month of November be recognized as:

### ALZHEIMER'S DISEASE AWARENESS MONTH

**BE IT FURTHER PROCLAIMED**, that we recognize individuals, families, friends and caregivers dealing with the devastating effects of Alzheimer's disease, the researchers who are seeking a cause or causes and cure, and the educational programs and support services provided by local and national Alzheimer's organizations.

. . .

I, Eleni Petras, 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 October 21, 2014

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

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers e e e e *Date:* October 21, 2014

*Seconded by:* e Commissioner Joseph Scarpelli *No.* 256-14

**WHEREAS**, the TOWNSHIP advertised for bids on two occasions and received sealed bid proposals on two occasions from Future Sanitation, Inc. on May 29, 2014 and then on September 10, 2014 for the collection, removal and disposal of all Solid Waste, Bulk Waste, Vegetative Waste and White Goods; and

**WHEREAS**, the Specifications pursuant to which CONTRACTOR has submitted and filed its bid proposal with the TOWNSHIP provided for the Collection, Removal and Disposal of Solid Waste from all specified locations within the municipality; and

**WHEREAS**, the Specifications contain various municipal options and the CONTRACTOR has submitted its bid proposals for each option, and

**WHEREAS**, a copy of the Bid Specifications and proposal (collectively, "Addendum #1 to Specifications") are annexed hereto as Exhibit "A", be and are incorporated herein and made apart hereof; and

**WHEREAS**, the TOWNSHIP has rejected both of the CONTRACTOR'S bids by Resolution No. 145-14, dated June 17, 2014 and by Resolution No. 225-14, dated September 16, 2014 and in accordance with State law the parties having the right to negotiate a contract in the best interests of the citizens of Nutley; and

**WHEREAS**, the TOWNSHIP AND CONTRACTOR having agreed to the terms of a contract to the CONTRACTOR for a term of five (5) years commencing on November 1, 2014 through October 31, 2019. In consideration of the full and proper performance by CONTRACTOR of its obligations of collection, removal and disposal, the TOWNSHIP agrees to pay to CONTRACTOR the total sum of Four Million Seven Hundred Thirty Four Thousand and 00/100 (\$4,734,000.00) Dollars for collection, removal, and transportation for disposal of all collected items of solid waste, bulk waste and white goods as per the Specifications.

**WHEREAS**, Furthermore, in consideration for the collection removal, and transportation for disposal of all vegetative waste, brush, leaves and grass clippings and for the proper performance by CONTRACTOR of its obligations, the TOWNSHIP agrees to pay CONTRACTOR a monthly sum of \$14,700.00 for the period of time from each April 15 through December 15 (\$117,600.00 on an annual basis) for the full period of this contract up through December 15, 2019.

**WHEREAS**, Funds are available and have been certified by the Chief Financial Officer from said Certification attached hereto from Account # 4-01-138-200 for \$78,900.00 monthly for a total of \$157,800.00 for the period November 1, 2014 through December 31, 2014.

**IN WITNESS WHEREOF**, the TOWNSHIP has caused this instrument to be signed by its Mayor, attested to by its TOWNSHIP Clerk and its municipal seal to be hereunto affixed, pursuant to a Resolution of the TOWNSHIP Council, passed for that purpose and the CONTRACTOR has likewise signed and sealed this contract amendment on the day and year first above written

Eleni Petras Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing  
 Eleni Petras

Is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held October 21, 2014 o

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

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers *Date:* October 21, 2014

*Seconded by:* Commissioner Joseph Scarpelli *No.* 257-14e

**CONTRACT AMENDMENT**

TOWNSHIP OF NUTLEY, A Municipal Corporation of the State of New Jersey, hereinafter referred to as "TOWNSHIP" and FUTURE SANITATION, Inc., hereinafter referred to as "CONTRACTOR"

**WHEREAS**, the TOWNSHIP advertised and received sealed bid proposals for the collection, removal and disposal of all Solid Waste ("Services") and thereafter entered into a contracted dated May 2010 ("Contract");

**WHEREAS**, the Specifications pursuant to which CONTRACTOR was awarded its Contract with the TOWNSHIP provided for the Collection, Removal and Disposal of Solid Waste from all specified locations within the municipality; and

**WHEREAS**, a copy of the Contract is annexed hereto as Exhibit "A" and is incorporated herein and made a part hereof;

**WHEREAS**, the TOWNSHIP advertised on two occasions for Collection, Removal and Disposal of Solid Waste and on both occasions only CONTRACTOR placed the sole bid;

**WHEREAS**, the TOWNSHIP extended the Contract for ninety (90) days pursuant to paragraph 12 of the Contract for July, August and September 2014 (the "FIRST ADDENDUM");

**WHEREAS**, the TOWNSHIP requires an additional thirty (30) days of time to negotiate and enter into a long term Agreement with CONTRACTOR;

**WHEREAS**, Funds are available and have been certified by the Chief Financial Officer from said Certification attached hereto from Account # 4-01-138-200 for \$78,900.00 monthly for a total of \$78,900.00 for the period October 1, 2014 through October 31, 2014.

**NOW, THEREFORE**, in consideration of the terms and conditions herein set forth and the promises and agreements as accepted by CONTRACTOR pursuant to its bid under the advertised specifications and Contract, it is agreed between the parties as follows:

- (1) Pursuant to the Local Public Contracts Law, TOWNSHIP exercises its right to continue its service under a negotiated price for the then current term for a period not to exceed thirty (30) days beyond the expiration of the FIRST ADDENDUM, and, during such period, all of the terms, conditions and provisions of the Contract and Bid Specifications shall continue in effect.
- (2) The monthly price paid for the contract service and transport to disposal shall increase from \$72,000.00 to \$78,900.00 per month; and

**IN WITNESS WHEREOF**, the TOWNSHIP has caused this instrument to be signed by its Mayor, attested to by its TOWNSHIP Clerk and its municipal seal to be hereunto affixed, pursuant to a Resolution of the Township Board of Commissioners, passed for that purpose and the CONTRACTOR has likewise signed and sealed this contract amendment on the day and year first above written

Eleni Petras, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing  
Eleni Petras

Is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held \_\_\_\_\_ October 21, 2014

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

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers *Date:* October 21, 2014

*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 258-14 e e e

**BE IT RESOLVED** that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, approve a Shared-Services Agreement with the Nutley Board of Education for the Solid Waste Removal by Future Sanitation & Recycling for a period of five (5) years commencing on November 1, 2014 through October 31, 2019.

  
\_\_\_\_\_, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing  
Eleni Pettas

Is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held October 21, 2014

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



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

**Resolution**

*Introduced by:* Read by Commissioner Mauro G. Tucci for Commissioner Thomas J. Evans *Date:* October 21, 2014

*Seconded by:* Mayor Alphonse Petracco *No.* 249-14

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the tax charges in the amount of \$2,239.81 for the following accounts.

<b>Block&amp; Lot</b>	<b>Address</b>	<b>Amount</b>
<b>9105 - 10</b>	<b>26 Ernest Street</b>	<b>\$2,239.81 08/01/14</b>

...

I, *Eleni Petta*, 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 October 21, 2014

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



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

**Resolution**

Introduced by:           e          e          e          Commissioner Joseph P. Scarpelli          e          e           Date:           e          October 21, 2014          e          

Seconded by:           e          Commissioner Steven Rogers           No.           244A-14          

**WHEREAS, Resolution 244-14 was adopted at the Board of Commissioners meeting held on October 14, 2014 for AJM Contractors, 300 Kuller Road. Clifton, NJ 07011 for 2014 Hancox Avenue and Conover Avenue Improvements; and**

**WHEREAS, the said resolution contained a typographical error and shall be amended; and**

**WHEREAS, bids for 2014 Hancox Avenue and Conover Avenue received and opened on October 9, 2014 and**

**WHEREAS, the base bid for the 2014 Hancox Avenue and Conover Avenue Improvements in the amount of \$238,551.00 and the Alternate Bid #1 was in the amount of \$203,349.00 for a total bid of \$441,900.00; and**

**WHEREAS, the award of this contract is subject to the availability and appropriation of sufficient funds from Essex County Community Development Block Grant Account #T-19-909-901, the base bid the amount of \$194,000.00, Account #4-01-806-277 in the amount of \$42,551.00 and Ordinance#3243A in the amount of \$2,000.00 and Account #T-19-909-901 for the Alternate Bid #1 in the amount of \$160,908.00, Account #4-01-806-277 in the amount of \$8,445.81 and Ordinance #3243A in the amount of \$33,995.19 and subject to this caveat, have been certified by the Chief Financial Officer, said certification being attached to this resolution;**

**NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to AJM Contractors, for the total bid in the amount not to exceed \$441,900.00 and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley subject to final approval and funding by Essex County Community Development Block Grant.**

. . .

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

Eleni Pettas

foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held October 21, 2014

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

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

**Resolution**

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* October 21, 2014  
*Seconded by:* Commissioner Steven Rogers *No.* 253-14

**Be It Resolved**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey that the Township Treasurer be and she is hereby authorized to refund \$300.00 to Angelo Azzinari, Angelo's Landscaping, 96 Stager Street, Nutley, New Jersey, 07110, for a refund of payment for the purchase of Landscape Drop-off Tickets.

. . .

I, Eleni Pettas o           , 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 October 21, 2014

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

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

## Resolution

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* October 21, 2014  
*Seconded by:* Commissioner Steven Rogers *No.* 254-14

**Be It Resolved**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey that the Township Treasurer be and she is hereby authorized to refund \$150.00 to Saverio Guagliardo, Saverio Maintenance, LLC, 27 Spring Street, Nutley, New Jersey, 07110, for a refund of payment for the purchase of Landscape Drop-off Tickets.

. . .

I, Eleni Petras, 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 October 21, 2014

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

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

## Resolution

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* October 21, 2014  
*Seconded by:* Commissioner Steven Rogers *No.* 255-14

**Be It Resolved,** by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey that the Township Treasurer be and she is hereby authorized to refund \$300.00 to Anthony Meola, A. Meola Landscaping, 308 Walnut Street, Nutley, New Jersey, 07110, for a refund of payment for the purchase of Landscape Drop-off Tickets.

. . .

I, Eleni Pettas, 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 October 21, 2014

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

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

## Resolution

Introduced by:           e  e  Commissioner Joseph P. Scarpelli  e  e           Date:   e  October 21, 2014  e    
 Seconded by:                           Commissioner Steven Rogers                           No.                           256A-14                          

**BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for “2014-2015 Acceptance of Recycling Vegetative Waste to include Leaf and Grass Clippings” to be received on behalf of the Board of Commissioners, Commission Chambers, Township Hall, One Kennedy Drive, Nutley, NJ, on Wednesday, November 12, 2014 at 3:00 P.M. prevailing time, at which time they will be opened and read.

. . .

I, Eleni Pettas, 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 October 21, 2014

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

# BOARD OF COMMISSIONERS

## TOWNSHIP OF NUTLEY, NEW JERSEY

### Resolution

**Introduced by:** Mayor Alphonse Petracco **Date:** October 21, 2014  
**Seconded by:** Commissioner Mauro G. Tucci **No.** 245-14

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

Friends of the Nutley Singers Inc.	License No. 66-14 Off-Premise 50/50 Cash Raffle	March 8, 2015
Holy Family Church	License No. 67-14 Tricky Tray	December 7, 2014
Nutley Irish American Alliance	License No. 68-14 On-Premise 50/50 Cash Raffle	November 15, 2014
Nutley Irish American Alliance	License No. 69-14 On-Premise Merchandise Raffle (A Nite at the Races)	November 15, 2014

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

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

. . .

I, Eleni Petras, 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 October 21, 2014

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

**Signature Page/Board of Commissioners  
Meeting Minutes, October 21, 2014**

ATTEST:



Eleni Pettas, RMC

Municipal Clerk

(Meeting Minutes Approved at the  
November 25 Board of  
Commissioners Meeting)



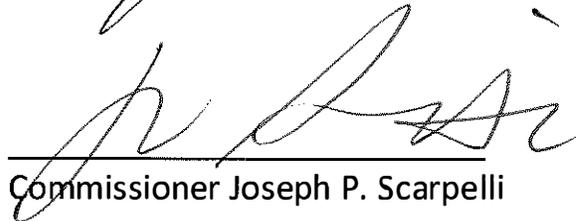
Commissioner Steven Rogers



Commissioner Mauro G. Tucci



Commissioner Thomas J. Evans



Commissioner Joseph P. Scarpelli



Mayor Alphonse Petracco