TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

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

Job No. NJ1955265
Transcribed by: Nicole Yawn
PROCEEDINGS

(Pledge of Allegiance)

MAYOR PETRACCO: Madam Clerk?

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

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

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Here.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Here.

MADAM CLERK: All present, Mayor, except for Commissioner Evans, absent/excused this evening.
MAYOR PETRACCO: Thank you.
We’ll move on to minutes, please.

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

MAYOR PETRACCO: Okay.

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

UNIDENTIFIED SPEAKER: Move it.

UNIDENTIFIED SPEAKER: (Indiscernible) together? Yes.

MADAM CLERK: All together?

UNIDENTIFIED SPEAKER: Move it.

UNIDENTIFIED SPEAKER: Move the minutes.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

UNIDENTIFIED SPEAKER: Excuse me.

MADAM CLERK: We also --

UNIDENTIFIED SPEAKER: Excuse me. Madam Clerk,
were the minutes for all of 2012?

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

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

MADAM CLERK: Thank you, Commissioner.

We also have September 16, 2014 minutes.

We need a motion, please.

UNIDENTIFIED SPEAKER: Moved.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Thank you. We’ll move on to communications and correspondence, please.

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

Need a motion.
requesting permission to hold a Sunday raffle on December 7th, 2014.

UNIDENTIFIED SPEAKER: Moved.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

MADAM CLERK: We also have Holy Family Church requesting permission to hold a Sunday raffle on December 7th, 2014.

UNIDENTIFIED SPEAKER: Move it.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Okay. We have one report?

COMMISSIONER TUCCI: Yes, I have a report for the
Shade Tree Department for August of 2014, Mayor.

MAYOR PETRACCO: Thank you.
Okay. We’ll move on to bills, please.

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

UNIDENTIFIED SPEAKER: Move the bills.
UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Thank you.

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

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

COMMISSIONER TUCCI: Yes, thank you, Mayor.

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

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

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

All right. I’d also like to thank my staff at the Parks Department, Frank DeMaio, who is in the back, Howie Kirk (ph), and a fellow who really pushed and really helpful
right from the beginning, Phil White (ph), who’s always here at all of our meetings.

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

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

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

Thank you, Mayor.

MAYOR PETRACCO: Thank you so much, Commissioner.
Well-said.

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

Commissioner Rogers?

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

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

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

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

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

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

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

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

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

WHEREAS, the First Baptist Church elected Reverend Laurence (ph) Roberts on July 24th, 1960, where he
pastured until his retirement in 1995; and

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

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

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

WHEREAS, in September 2005, Reverend Eddie Spencer (ph), IV was called to serve and led the congregation, which grew spiritually and physically under his pastorate. He reinstituted the mid-week Bible study and involved the church in a community project known as Angel Food Network, which provides food for families at low cost. Reverend Spencer relocated to North Carolina in 2010; and

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

THEREFORE, BE IT RESOLVED by the board of commissioners of the township of Nutley and enjoining the entire community of Nutley in celebrating the 125th anniversary of the First Baptist Church of Nutley, New Jersey and wish -- and I must emphasize sincerely wish the
entire congregation and clergy Godspeed, continued success,
and all those who have been touched by this house of
worship.

So moved.

UNIDENTIFIED SPEAKER: Second.

MAYOR PETRACCO: No, it’s a proclamation.

Would you like them to come up?

COMMISSIONER ROGERS: Yes.

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

Thank you.

(Appause)

(Pause)

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

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

First, before I say thank you to you, I have to
give all praises to my Lord and Savior Jesus Christ, who is
first and foremost. I am humbled that there is recognition.

To be honest, 125 years ago, we probably wouldn’t be
considered as important. Not because of you, but because of
the ways of society then.

But now, here we are 125 years later representing
and loving, not just ourselves, but a community. It is very
important that we all acknowledge our God, who has been so
If you guys want to take a minute, if you would like to stay for the meeting, or, if you'd like to take a minute to exit, you're more than welcome. Thank you so much for coming.

(Mayor Petracco: Okay. We move on to resolutions.)

Commissioner Rogers?

Commissioner Rogers: Well, I'll tell you just one
-- I love this town. I mean, the things we do here. What a remarkable bunch of colleagues I have here. They’re really good guys, really good.

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

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

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

**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 the cause or causes and cure and the educational programs and support services provided by**
local and national Alzheimer's organizations.

So moved.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

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

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

As listed, I'm introducing it.

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 14th as World Diabetes Day. Healthy living and diabetes and the World Diabetes Day them 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.

So moved.


MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER ROGERS: Thank you, Mayor. That’s all I have.

MAYOR PETRACCO: You’re very welcome.

COMMISSIONER ROGERS: Oh, I’m sorry. The other resolution.

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

We were able to make a very cost-effective
contract. We had a contract that we didn’t get an increase in over five years. And one could imagine with the economy the way it’s been and the increases in costs of doing business, we had a challenge. We had a real challenge.

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

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

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

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

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

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

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

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

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

So we would just appreciate that the townspeople be patient. I'm not going to ask Commissioner Scarpelli, who, by the way -- I'll tell you. This fellow here -- he was very, very instrumental in helping us pull this together
with the combining of recycling and vegetation and all the complex things that go into this.

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

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

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

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

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

MAYOR PETRACCO: Yeah, I’d just like to say, as I said in the back, that our last commission meeting, when the attorney that represented the township on the garbage
contract -- I asked the question how do we fare as far as
other towns are concerned. And he said that Nutley is
really stellar, the services that we provide as far as
garbage is concerned and for the price that we deliver it to
our residents is really an unbelievable trait in our
township.

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

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

Commissioner Tucci?

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

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

So we just need to be mindful of that. But
Commissioner Rogers, I’m sure, is going to do an excellent
outreach programs. All the commissioners are going to help. We’re going to have posters with maps on them so people can not only read about what the change is, but can also see what the change is and can refer to it.

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

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

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

Okay. Mayor, can I read the resolution?

MAYOR PETRACCO: Sure, please.

COMMISSIONER ROGERS: Okay. Resolution 257-14, contract amendment. Township of Nutley, a municipal corporation of the state of New Jersey, hereinafter referred to as Township and Future Sanitation, Incorporated, 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 thereafter entered into
a contract dated May 2010;

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 90
days pursuant to paragraph 12 of the contract for July,
August, and September 2014, the first addendum;

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

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

Two, the monthly price paid for the contract service and transport to disposal shall increase from 72,000 to 78,900 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.

So moved.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
Resolution 258-14.

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 and Recycling for a period of five years commencing on November 1st, 2014 through October 31st, 2019.

So moved.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.
COMMISSIONER ROGERS: There is.

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

COMMISSIONER ROGERS: Okay. Resolution 256-14.

Thank you, Counselor.

WHEREAS, the township advertised for bids on two occasions and received sealed bid proposals on two occasions from Future Sanitation, Incorporated on May 29th, 2014, and then, on September 10th, 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 contained 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 No. 1 to specifications, are annexed hereto as Exhibit A, be and are incorporated herein and made a part thereof; and

WHEREAS, the Township has rejected both of the Contractor’s bids by resolution number 145-14 dated
June 17th, 2014 and by resolution number 225-14 dated September 16th, 2014 and in accordance with state law, the parties having their 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 the contract to the Contractor for a term of five years commencing on November 1st, 2014 through October 31st, 2019, and, in consideration of the full and proper performance by Contractor of its obligations of collection, removal, and disposal, the Township agrees to pay the Contractor the total sum of $4,734,000 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 clipping and for the proper performance by Contractor of its obligations the Township agrees to pay Contractor a monthly sum of $14,700 for the period of time from each April 15th through December 15th $117,600 on an annual basis for the full period of this contract up through December 15th, 2019.

WHEREAS, funds are available and have been certified by the chief financial officer from said certification attached hereto from account number 4-01-138-
200 for 78,900 monthly, for a total of 157,800 for the period November 1st, 2014 through December 31st, 2014.

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

So moved.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER ROGERS: Thank you, Mayor. That’s it.

MAYOR PETRACCO: Thank you.

Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Thank you, Mayor.

WHEREAS, resolution 244-14 was adopted at the
board of commissioners meeting held on October 14th, 2014 for AJM Contractors, 300 Kuller Road, Clifton, New Jersey 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 9th, 2014;

WHEREAS, the base bid for the 2014 Hancox Avenue and Conover Avenue improvements in the amount of $238,551 and alternate bid number 1 was in the amount of $203,349, for a total bid of $441,900; 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 number T-19-909-901, the base bid the amount of 194,000, account number 4-01-806-277 in the amount of $42,551 and ordinance number 3243A in the amount of $2,000 and account number T-19-909-901 for the alternate bid number one in the amount of $160,908, account number 4-01-806-277 in the amount of $8,445.81 and ordinance number 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, 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 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 move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: BE IT RESOLVED by the
board of commissioners of the township of Nutley, county of
Essex, state of New Jersey that the township treasurer be
and she is hereby authorized to refund $300 to Angelo
Azzinari, Angelo’s Landscaping, 96 Stager Street, Nutley,
New Jersey for a refund of payment for the purchase of
Landscape Drop-off Tickets.

I move the resolution.

COMMISSIONER ROGERS: Second.
COMMISSIONER SCARPELLI: BE IT RESOLVED by the board of commissioners, 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 to Saverio Guagliardo, Saverio Maintenance, LLC, 27 Spring Street, Nutley, New Jersey for a refund of payment for the purchase of Landscape Drop-off Tickets.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: 

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.
COMMISSIONER SCARPELLI: 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 to Anthony Meola, A. Meola Landscaping, 308 Walnut Street, Nutley, New Jersey for a refund of payment for the purchase or Landscape Drop-off Tickets.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER SCARPELLI: 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, New Jersey on Wednesday,
November 12th, 2014 at 3:00 prevailing time, at which time, they will be opened and read.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

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

MAYOR PETRACCO: Thank you.

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

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

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

I move the resolution.
MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER TUCCI: BE IT RESOLVED by the board of commissioners of the township of Nutley, 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: block and lot 9105-10, address, 26 Ernest Street in the amount of $2,239.81.

I move the resolution.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?
MAYOR PETRACCO: Aye.

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

I move the resolution.

MAYOR PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

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

MAYOR PETRACCO: Thank you.

I have one resolution, a raffle application.

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

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

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

Before that, I'd just like to say to everyone here
tonight and everyone that hopefully is going to be watching -- hopefully, we'll have a big audience. I really think Nutley is a very, very special place. We have our own little green ball here, and we are really looking to preserve it.

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

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

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

So again, it's something that we can control as
all our residents. So please, if you have the opportunity,
please patronize these Nutley businesses, because I would
sure hate to see Franklin Ave. not look -- and Chestnut
Street and Washington and all the surrounding streets where
there's businesses. I would sure hate to see that look
differently five to ten years from now.

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

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

Okay. Okay.

Madam Clerk, please read our five-minute rule.

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

The mayor may defer citizens' comments to the
appropriate member of the board. Dialogue between citizens
and others addressing the board shall be allowed, unless the
mayor or presiding officer or the majority of the membership
of the board shall determine that the interests of decorum
and/or the expeditious conduct of municipal business are
being adversely affected by such dialogue.

MAYOR PETRACCO: Thank you, Madam Clerk.

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

Please state your name and address for the record.

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

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

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

And the question came about, "Were there any joint
meetings between the BOC and the BOE. And he alluded to the fact that there were, that they had met, that their groups had met in some form.

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

MAYOR PETRACCO: Right.

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

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

Maybe they weren't meetings in the joint sense of it or the official sense, but there were meetings. So I dug a little deeper, and I contacted Mr. Genitempo, who was kind enough to come back and tell me that yes, there were meetings, but they were not actual joint meetings.
So my question here is, if there were meetings -- because somehow, I'm standing, and I keep saying the word joint, and that seems to be an area of concern. But, if there were meetings between two members or more than two members of two bodies of government, shouldn't there be some sort of agenda or minutes or even saying to the public, "Gee, you know what? We met, and we discussed blah, blah, blah"?

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

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

So I'm just kind of leaving that with the board of ed., because, like I said, -- I mean, not the board of ed. -- board of commissioners. Because, like I said, you know, it's already been decided yes, there were meetings. But my
question is to as to what was going on.

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

Counsel, would you like to jump in here?

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

MS. CLARK: Uh-huh.

MR. GENITEMPO: Did we speak?

MS. CLARK: No, it was through email.

MR. GENITEMPO: Email, right.

MS. CLARK: Thank you.

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

MS. CLARK: Uh-huh.

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

MS. CLARK: Right.

MR. GENITEMPO: And, in this situation, you know,
the reason that we gave for the meetings was potential
property acquisition.
MS. CLARK: Okay.

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

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

MS. CLARK: Uh-huh.

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

There was a potential for a joint meeting.

MS. CLARK: Uh-huh.

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

MS. CLARK: Okay, yeah.

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

MS. CLARK: Right, right, I do remember that, yes,
MR. GENITEMPO: To express some issues there. So those are the only meetings, and I’ve been in town since early 2013, that I recall.

MS. CLARK: Right.

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

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

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

MS. CLARK: Okay.

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

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

I went to the zoning board meeting last month, and I got up in front of the zoning board. And this was in regards to the Passaic and Kingsland project. And I asked them about the impact fees from the board of ed. And they said that would be assigned by the board of commissioners. Is that true?
Okay. I just wanted to know. So you would assign

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

MS. CLARK: Uh-huh.

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

MS. CLARK: Uh-huh.

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

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

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

And I understand that these meetings are now being
taped?

MAYOR PETRACCO: They are.

MS. CLARK: That is awesome, because I know I
stood right here like eight years ago and asked. So thank
you very much.
MAYOR PETRACCO: Yeah. We actually have a close-up of you, too, this evening.

MS. CLARK: Really? And I’m not dressed up.

Thank you. Thank you.

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

Please state your name and address for the record.

MR. ODRIA: Michael Odria, 133 High Street. It’s just a comment.

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

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

That’s the reason why, unfortunately -- I try my best, but I just cannot support the stores and businesses in this town as much as I would like to, because literally, all the expendable cash that I make in my job, private sector, commissioned salesperson I just can’t do it, because I’m
fighting to save my home by paying my bills, especially my property tax bills and my water taxes that have gone up I'm thinking like another 100 percent over the course of the past four years.

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

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

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

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

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

MAYOR PETRACCO: Thank you.

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

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

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

Would that be okay, Mayor?

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

MS. LANDRY: Okay.

MAYOR PETRACCO: So we’ll be --

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

MAYOR PETRACCO: Okay.

MS. LANDRY: Okay? Is that fair enough?

MAYOR PETRACCO: Thank you.
MS. LANDRY: Okay.

MAYOR PETRACCO: Yes.

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

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

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

MAYOR PETRACCO: Absolutely. That’s why our attorney’s here.

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

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

MAYOR PETRACCO: Counsel?

MR. GENITEMPO: John Hipp has been assigned to
represent Nutley with regard to (indiscernible) tort claims notice filed by Hoffman LaRoche.

MS. LANDRY: Okay. It's now a tort claim?

Because, at the Roche meeting, they said it was an administrative claim.

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

MS. LANDRY: Okay. Thank you, sir.

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

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

MS. LANDRY: And that's the name of his firm?


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

MAYOR PETRACCO: Counsel?

MR. GENITEMPO: Outside the Roche property?

MS. LANDRY: Yes.

MR. GENITEMPO: No.

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

MR. GENITEMPO: Not as of yet. We (indiscernible)

that may (indiscernible)e

MS. LANDRY: Okay. Great.

In June, Commissioner Scarpelli told the Nutley
Sun that the township would conduct its own assessment regarding the integrity of the sewer line. Has a company been hired to assess the sewer?

UNIDENTIFIED SPEAKER: Yes.

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

UNIDENTIFIED SPEAKER: Hatch Mott MacDonald.

MS. LANDRY: Ash?


And has the assessment of the sewer line been started?

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

MS. LANDRY: Great. Thank you.

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

UNIDENTIFIED SPEAKER: No.

MS. LANDRY: No? Thank you.

Oh, six. Has the board of commissioners given a
response to Roche regarding the contamination feasibility
plans provided at the public meeting in Lyndhurst?

MAYOR PETRACCO: Can you repeat the question?

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

MAYOR PETRACCO: Counsel?

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

MS. LANDRY: Okay.

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

MS. LANDRY: Okay. So --

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

MR. GENITEMPO: That's correct.

MS. LANDRY: Okay.

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

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

MS. LANDRY: So to that, --

MAYOR PETRACCO: Was that the timer?

MADAM CLERK: Yes.

MAYOR PETRACCO: Okay. Thank you.

MS. LANDRY: Could I have one more minute?

MAYOR PETRACCO: Yes, you may.

MS. LANDRY: Thank you, Mayor.

MAYOR PETRACCO: Thank you.

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

MAYOR PETRACCO: Counsel, I don’t mind answering that question.

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

MS. LANDRY: And I appreciate that.

MAYOR PETRACCO: And I appreciate you saying that.

Instead of vacationing this summer, we both spent our summer
at Roche. This is a work in progress, and there has been a lot of twists and turns in the road. There's been a lot of speculation.

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

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

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

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

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

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

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

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

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

MS. LANDRY: For one year.

MAYOR PETRACCO: One year.
MS. LANDRY: So we don’t even know if that state aid is coming next year, correct?

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

MS. LANDRY: Okay.

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

MS. LANDRY: Go back and ask.

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

MS. LANDRY: Okay.

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

COMMISSIONER TUCCI: Yeah, I’d just like to add something, Mayor.

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

So we understand the frustrations of those of you out there waiting to hear something positive about Roche. What we can tell you is that to date, there are many issues that we’re dealing with, and there are many positives. And
hopefully, as soon as humanly possible, when we can divulge more information, we will without jeopardizing any of the potential tenants that could be coming in.

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

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

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

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

COMMISSIONER TUCCI: Correct.

MS. LANDRY: -- on --

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

MS. LANDRY: Regarding?

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

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

COMMISSIONER TUCCI: Correct.
MS. LANDRY: Okay. So do we think it’s an area in need of redevelopment?

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

MS. LANDRY: Okay. Great. Thank you.

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

MAYOR PETRACCO: Thank you.

MS. LANDRY: You all have a great evening.

MAYOR PETRACCO: Thank you.

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

Commissioner Rogers?

COMMISSIONER ROGERS: Mr. Odria, that’s how you pronounce your last name?

MR. ODRIA: Odria.

COMMISSIONER ROGERS: Odria. You’re welcome to come to my office any time. Maybe we’ll be able to lend you some assistance with some of the difficulties that you’re running into. We have a whole host of programs where we’ve been able to help citizens who run into very difficult times.
Everything’s kept confidential. You come in, and we’ll see what we can do to help you out. Okay?

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


MR. ROGERS: Okay.

MR. ODRIA: Because I work. I’m not --

MR. ROGERS: Well, --

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

MR. ROGERS: Here’s the --

MR. ODRIA: I mean, I’m sorry. I was born in this country.

MR. ROGERS: Yeah.

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

MR. ROGERS: Okay.

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

MR. ROGERS: Okay.

MR. ODRIA: But the only thing I can say -- because, like I say, one of my heroes growing up is Ronald
Reagan and other heroes, too, musicians, too. But, you
know, watching him and watching his first four years as
president, because that’s the ones that really matter to me,
you know, he imposed limited government.

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

MR. ODRIA: Yeah, I don’t -- to me, --

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

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

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

MAYOR PETRACCO: Thank you, Michael.

MR. ODRIA: Thank you.

Is there anyone else this evening that would like
to address the board of commissioners?
Seeing no one, need a motion.

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

MAYOR PETRACCO: What time and where?

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

MAYOR PETRACCO: At the Nutley Oval?

COMMISSIONER SCARPELLI: At the Nutley Oval.

MAYOR PETRACCO: Okay.

We need a motion to adjourn.

COMMISSIONER SCARPELLI: Move to adjourn.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Thank you.

MADAM CLERK: Thank you. And the time is now 8:29.

(Whereupon, these proceedings were concluded at 8:29 PM)
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 244-1e/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 3:00 P.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:

REMEMBER:
The next Board of Commissioners meeting is scheduled for Thursday, November 6, 2014 at 7:00 P.M., Nutley Town Hall, 3rd floor Commission Chambers.
### TOWNSHIP OF NUTLEY
**BILL LIST**
**TUESDAY OCTOBER 21, 2014**

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## TOWNSHIP OF NUTLEY
### BILL LIST
#### TUESDAY OCTOBER 21, 2014

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<th>P.O.</th>
<th>VENDOR</th>
<th>PUBLIC AFFAIRS</th>
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<th>PUBLIC WORKS</th>
<th>PARKS &amp; PUBLIC PROPERTY</th>
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**TOTAL BILL LIST DEPT. TOTALS:**

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<th>REVENUE &amp; FINANCE</th>
<th>PUBLIC SAFETY</th>
<th>PUBLIC WORKS</th>
<th>PARKS &amp; PUBLIC PROPERTY</th>
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<td>187,754.67</td>
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<td>411,555.69</td>
<td>55,725.00</td>
<td>3,518,726.93</td>
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**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:

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Department of Public Affairs</td>
<td>19,733.12</td>
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<tr>
<td>Department of Revenue &amp; Finance</td>
<td>60,719.03</td>
</tr>
<tr>
<td>Department of Public Safety</td>
<td>449,133.05</td>
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<tr>
<td>Department of Public Works</td>
<td>62,513.72</td>
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<tr>
<td>Department of Parks &amp; Public Properties</td>
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<tr>
<td>Department of Recreation Commission</td>
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<tr>
<td>Water Operations</td>
<td>41,004.11</td>
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<tr>
<td>Due To From General Capital</td>
<td>3,623.27</td>
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<tr>
<td>600 Series</td>
<td>8,971.16</td>
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<tr>
<td>POLICE OUTSIDE DUTIES</td>
<td>18,926.14</td>
</tr>
<tr>
<td>C.E.H.A.</td>
<td>1,173.76</td>
</tr>
<tr>
<td>ACC-U-VAC</td>
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<tr>
<td>ZONING</td>
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<tr>
<td><strong>Sub Total</strong></td>
<td><strong>746,181.77</strong></td>
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### PAYROLL-OVERTIME OCTOBER 10, 2014:

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<tr>
<td>Department of Revenue &amp; Finance</td>
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<tr>
<td>Department of Public Safety</td>
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<td>Department of Public Works</td>
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<td>Department of Parks &amp; Public Properties</td>
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<td>Water Operations</td>
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<td>600 Series</td>
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<tr>
<td><strong>Sub Total</strong></td>
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**TOTAL PAYROLL:**  
**769,748.10**

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

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

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<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
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<td>Social Security</td>
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<td>N.J. State Tax</td>
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<tr>
<td>Medicare</td>
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<tr>
<td>Wage Execution</td>
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<td>Deferred Compensation</td>
<td>24,132.90</td>
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<tr>
<td>Employee Disability Ins.</td>
<td>5,088.49</td>
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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 14th, 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 is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held October 21, 2014.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td></td>
<td></td>
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<td>No</td>
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<tr>
<td>Not Voting</td>
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<tr>
<td>Absent/Excused</td>
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</tbody>
</table>
WHEREAS, 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 Petragas, 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.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarrelli</th>
<th>Mayor Petracco</th>
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<td>Absent/Excused</td>
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</table>
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 part 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 Vettas, 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.
BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven Rogers Date: October 21, 2014
Seconded by: Commissioner Joseph Scarpelli No. 257-14

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

Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing resolution adopted by the Board of Commissioners at a regular meeting held October 21, 2014

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
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<td>Absent/Excused</td>
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</table>
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.

Record of Vote

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
</tr>
</thead>
<tbody>
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<td>Yes</td>
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</tbody>
</table>
BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayment of the water charges in the amount of $76.78 for the following account.

<table>
<thead>
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<th>Address</th>
<th>Amount</th>
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</thead>
<tbody>
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<td>3500 - 12</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Rogers</th>
<th>Commissioner Tucci</th>
<th>Commissioner Evans</th>
<th>Commissioner Scarpelli</th>
<th>Mayor Petracco</th>
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</thead>
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</tbody>
</table>
BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the tax charges in the amount of $2,239.81 for the following accounts.

<table>
<thead>
<tr>
<th>Block &amp; Lot</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>9105 - 10</td>
<td>26 Ernest Street</td>
<td>$2,239.81 08/01/14</td>
</tr>
</tbody>
</table>

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.

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</table>
BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the water charges in the amount of $971.52 for the following accounts.

<table>
<thead>
<tr>
<th>Block &amp; Lot</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>9000-47</td>
<td>213-217 Harrison St.</td>
<td>$971.52</td>
</tr>
</tbody>
</table>

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.

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

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</table>
Be It Resolved, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey that the 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.
Resolution

Introduced by: Commissioner Joseph P. Scarpelli
Seconded by: Commissioner Steven Rogers
Date: October 21, 2014
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.

Record of Vote

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Resolution

Introduced by: Commissioner Joseph P. Scarpelli  
Seconded by: Commissioner Steven Rogers  
Date: October 21, 2014  
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.

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</table>
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.

Record of Vote

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

<table>
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<tr>
<th>Organization</th>
<th>License Number</th>
<th>Event Type</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friends of the Nutley Singers Inc.</td>
<td>License No. 66-14</td>
<td>Off-Premise 50/50 Cash Raffle</td>
<td>March 8, 2015</td>
</tr>
<tr>
<td>Holy Family Church</td>
<td>License No. 67-14</td>
<td>Tricky Tray</td>
<td>December 7, 2014</td>
</tr>
<tr>
<td>Nutley Irish American Alliance</td>
<td>License No. 68-14</td>
<td>On-Premise 50/50 Cash Raffle</td>
<td>November 15, 2014</td>
</tr>
<tr>
<td>Nutley Irish American Alliance</td>
<td>License No. 69-14</td>
<td>On-Premise Merchandise Raffle (A Nite at the Races)</td>
<td>November 15, 2014</td>
</tr>
</tbody>
</table>

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

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

I,  [Signature], Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held October 21, 2014.

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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 Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Joseph P. Scarpelli

Mayor Alphonse Petracco