

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

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PUBLIC MEETING

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TRANSCRIPT OF  
PROCEEDINGS:

March 19, 2013

6:22 p.m.

BEFORE:

- Mayor Alphonse Petracco
- Commissioner Mauro G. Tucci
- Commissioner Thomas J. Evans
- Commissioner Joseph P. Scarpelli
- Commissioner Steven Rogers

Township Clerk

Job No. VTNJ1670560

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

2 MADAM CLERK: Tuesday, March 19, 2013. Pursuant  
3 to the requirements of the Open Public Meeting Law Chapter  
4 231, Public Laws 1975, notice of this meeting time change  
5 was dually emailed to the Nutley Sun and the Herald News on  
6 Friday, March 15, 2013. Said notice was posted to the  
7 Nutley Township website, Township Hall electronic board, and  
8 the Township Hall bulletin board.

9 Commissioner Rogers?

10 COMMISSIONER ROGERS: Here.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Here.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Here.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Here.

17 MADAM CLERK: Mayor Petracco is on his way. He  
18 should be here momentarily. It is currently now 6:22 p.m.

19 For the record, this a notice of the budget  
20 workshop session.

21 COMMISSIONER EVANS: For the record, everyone, I  
22 handed out several schedules for you -- for your use in  
23 looking at your budgets. I -- first off, I want to thank  
24 you all for the work you have done to get this far. And I  
25 will -- I'm going to kind of -- we'll go in order. Once I

1 get the (indiscernible), you know, we'll -- I'll show you  
2 which pages to go through since we sort of threw them at  
3 you.

4 What I'd like to walk through tonight is a summary  
5 of the changes in our revenue, a summary of the changes in  
6 our appropriations, a summary of what's the impact of the  
7 change of -- our revenue change, our appropriations change,  
8 as well as a change in assessed value on our tax rate on a  
9 municipal level, and then give you a look at what the total  
10 tax rate increase is when you consider the school board  
11 increase, as well as an estimate for the county, and walk  
12 you through how the taxpayer might be affected by this.

13 The last thing I'd like to cover with you is the  
14 capital budget. I appreciate everyone getting their, I  
15 characterize it as their wish list in. And we're going to  
16 need to address that in short order in order to be able to  
17 submit the budget.

18 Ideally, you know, we have beaten a path to  
19 introduce the capital budget that's higher, so that we  
20 ultimately used because we have amended it later on, and we  
21 could make that decision.

22 I want -- basically, you know, one of these that I  
23 want to cover tonight is if we can figure our some  
24 adjustments to the appropriations. There is a possibility  
25 that we could introduce our budget tonight, right? And then

1 we could continue to fine tune it as we go along, but we  
2 would meet the requirement (indiscernible).

3 Ro, what's the date we have to introduce by?  
4 Tonight?

5 UNIDENTIFIED SPEAKER: Well, the first regular  
6 meeting after March 15th.

7 COMMISSIONER EVANS: That's tonight.

8 UNIDENTIFIED SPEAKER: And the adoption date is by  
9 March -- April 26th, and there's a month between the two.  
10 So, even though you probably could go to the end of this  
11 week, you still need to introduce this week in order to meet  
12 the back side date, which is the adoption date of March --  
13 April 26th.

14 COMMISSIONER EVANS: Right. And so, if we feel as  
15 though we can adjust this and get into an introduction  
16 tonight, we can. I'm prepared to do that. If not, we will  
17 need to continue the meeting, but no later than Friday in  
18 order to introduce the budget, in order to meet our State  
19 deadlines.

20 The important part about the State deadline is, is  
21 that we -- you know, that the best practices score card that  
22 the State submits, we have to meet that deadline in order to  
23 get a gold star from the State and not lose any points on  
24 that scale.

25 The impact of losing points on that scale has an

1 impact potential that we could lose State aid. So, there is  
2 a nice gift at the end if we miss the opportunity. Not that  
3 it matters too much, because our aid is down to \$302,000.  
4 But, it is -- it is what it is.

5 So, I'd like to walk you through this. And what  
6 I'd like to start with is there's a page in here that looks  
7 like this and it's entitled revenues. The first page, and  
8 going into the second page, basically this schedule lays out  
9 every category of revenue that we as a municipality can  
10 collect. It comes in the form of various fees and licenses,  
11 costs -- costs for the construction for the Municipal Court  
12 that we incur, those revenues, revenues from the  
13 construction office, as well as special items where we  
14 actually get specific grants for revenues.

15 So, if we go down the first page, you'll see that  
16 in terms of our local revenues, we have a million sixty-  
17 three in local revenues, compared to last year, that's about  
18 \$100,000 less than last year. And you'll see from above  
19 that it basically occurs in two categories. The interest  
20 cost on our taxes are so low -- continued low interest  
21 rates, and lower fees and fines coming out of the Municipal  
22 Court, and a slight decrease in our parking meter revenues.  
23 But most of it is the court and the interest rates.

24 As you go down, our State aid -- our assumption on  
25 State, which is \$2.6 million when you include the

1 (indiscernible) receipts portion of that, we're anticipating  
2 no change in that revenue. Year over year, we haven't been  
3 notified of any changes as yet.

4 We do have an offset to the \$103,000 loss from  
5 above because of an increase in revenues coming from the  
6 construction code office. Then we have basically special  
7 items down below, which is mostly around grants and various  
8 appropriations, which is roughly \$65,000 less year over  
9 year.

10 What's interesting about this section is that  
11 generally in this section, you have a revenue increase, but  
12 you have an offsetting appropriation. So, the  
13 appropriations aren't there and the revenue isn't there, so  
14 it's a net zero effect on the levels.

15 So, we continue onto that next page and you'll  
16 just see various items. The big item on this page, if  
17 you'll look at just a couple things, you know, we have the  
18 senior citizen housing, you know, program which gives us  
19 100,000 revenue. We have the cable franchise fee, which is  
20 400,000 in revenue. And we have -- we received our FEMA --  
21 FEMA reimbursement of 94,000 from Sandy, as well as we have  
22 an increase from a developer in terms of the \$120,000 of  
23 revenue.

24 If you note, the FEMA reimbursements for 2012 was  
25 the last two numbers in that middle column, the 256,000.

1 And the 24,000 are the revenue categories. Those were  
2 anticipated reimbursements for Irene and the October  
3 blizzard from last year that are non-recurring revenue items  
4 that we don't have this year.

5 When you look at this, just to get it off the  
6 table, we haven't been reimbursed for our FEMA -- from FEMA  
7 for Hurricane Sandy. There's quite a bit of debate going on  
8 at this point in time around what the reimbursement is going  
9 to be. The traditional assumption around 75 cents on the  
10 dollar gets reimbursed has basically fallen by the wayside  
11 with Sandy. And it's actually impacting even the October  
12 blizzard from the prior year.

13 FEMA has changed a lot of the rules. They're  
14 looking for significant increases in documentation to  
15 support the charges that go along with everything we submit.  
16 So, Tom Nicholetti (ph) has been running around very busily  
17 trying to provide the State with the documentation that's  
18 necessary to review -- to support our claims. And that's  
19 going to go under review.

20 Even when we put that paperwork in, there's no  
21 guarantee that we'll get a full 75 percent reimbursement on  
22 that based upon what we understand is happening in that  
23 review.

24 From the municipal standpoint, we've had to  
25 include the full effect of Sandy in our appropriation, but

1 have increased the use of fund balance reserved to offset  
2 the effect of that, because I expect we're going to get that  
3 reimbursement. So, while under the State rules I can't  
4 anticipate revenue, I can use fund balance to offset it.  
5 So, the fact that Sandy revenues are in question, it has no  
6 effect on the levy this year because we reserved it.

7 I think it's really important to point out, you  
8 know, when people talk to us when we have these  
9 extraordinary events, this is the third extraordinary event  
10 we've had, and so far, we have not had to have a special  
11 assessment passed on to the taxpayers to pay for that.  
12 We've been able to manage our way through that, spend the  
13 money, get the reimbursements we can get, but it has zero  
14 effect on the bottom line for our taxpayers. So, that's a  
15 good thing. That's a good thing for us.

16 So, when you go through that -- basically, it  
17 shows that the various, you know, revenues are down  
18 \$200,000, miscellaneous revenues. And if you basically look  
19 at three numbers, which is the fund balance, which is at the  
20 top of the first side of this page, \$4.6 million plus the  
21 \$5.4 million of miscellaneous revenues, plus what we collect  
22 in delinquent taxes year over year. That's our total  
23 revenue stream, which combines it to \$11 million,  
24 \$11,054,000.

25 Our total budget, all right, recognizing the

1 increase in appropriation this year is \$50,204,000.  
2 Subtract out the 11 million and that's where you get to our  
3 amount to be raised from taxes of \$39,150,000, which is a  
4 \$1,145,000 increase over last year. And it's combined of  
5 two things, \$959,000 increase in our appropriation plus the  
6 loss of revenue of \$200,000. And those -- you see those  
7 numbers on the schedule.

8 So, I walk you through that because this one page  
9 gives you a very significant understanding of where we are  
10 with the budget. Let me pause there before I go to ask  
11 questions. Any questions?

12 MADAM CLERK: Commissioner, I just want to make a  
13 note to the record, Mayor Petracco is sitting at his chair,  
14 entered at 6:28 p.m. this evening. We also have Ray  
15 Sarinelli that's present, along with Rosemary Costa.

16 COMMISSIONER EVANS: Okay. Great, great. So, you  
17 just get a sense of those revenues. And they're basically  
18 -- there's nothing surprising in there. There's nothing  
19 significantly new, but I wanted to point out the donation,  
20 as well as the FEMA revenue.

21 The other piece that I want to point out on here  
22 is if you go down to the line net valuation taxable, the  
23 total valuation of the Township last year was  
24 \$3,523,288,000. That's gone down \$103,304,094 to a new  
25 assessed value -- valuation for the Township of \$3 million,

1 409 -- excuse me, \$3,419,983,606. So, we have seen the  
2 effect of continuing volatility based upon the actual sales  
3 history of what's going on with valuations in the Town.

4 So, we have two things that will be affecting the  
5 tax rate this year. One is the effect of -- the net effect  
6 of \$200,000 lost revenue, which is partially offset by lower  
7 appropriation. But we have a net appropriation increase of  
8 \$959,000. Those numbers affect what's actually rising and  
9 affecting the tax rate from the budget.

10 There's another impact on the tax rate, which is  
11 the change in the numerator to a lower number by \$103  
12 million, which actually has an affect on the rate. Smaller  
13 numerator into the denominator increases the rate. It's  
14 just -- it's -- they're simple numbers to lay out.

15 What that means is everything I share with you is  
16 at the appropriation, the budget increase is, in effect,  
17 from expenses, there's been basically 1.95 percent increase.  
18 It's a higher -- on the -- because that's on the total  
19 budget. It's actually a 3 percent increase on the levy when  
20 you consider -- you net out the revenues that we gained, and  
21 you just -- and you adjust for the revenues, \$200,000 of  
22 revenue lost and the appropriations.

23 So, it's -- on the total budget, we have a 1.95  
24 percent increase. On the tax levy, we have a 3 percent  
25 increase simply because you've got to net out \$11 million

1 worth of revenue that we collect from other places. So,  
2 just -- it's just a fact -- just the accounting affect.

3 What that means on the tax rate is a 6.7 cent  
4 increase on the rate. So, the municipal rate goes from  
5 \$1.78 up to \$1.84 -- 14a5 cents. So, it's a 6.7 point  
6 increase. All right? So, that's basically on this schedule  
7 which I want to share with you.

8 If you move from that schedule to the budget recap  
9 schedule, this is another oldie but goodie. This is a  
10 summary of where we are as a budget. And in fact this is  
11 your budget report card, okay, which talks about where we  
12 are in terms of the adjustments by department.

13 So, if you -- basically go look, it nets. If you  
14 go all the way over to the right, it nets to 1.95 percent  
15 increase, or an increase in dollar appropriation of  
16 \$959,000, right? And that is spread through each of the  
17 departments as follows.

18 And the way you get to the 95 is that there is a  
19 calculation which is inside outside, outside the cap. But  
20 if you just look, and you look at the spread of that,  
21 roughly \$550,000 of that increase is coming from parks and  
22 public property primarily from our insurances. You haven't  
23 -- we have another 300 and actually \$223,000 net increase  
24 out of public safety. We have \$100,000 increase in revenue  
25 and finance, \$66,000 increase in public affairs, and a net

1 zero, roughly, effect in public works.

2 So, when you look at it, it's -- you know, there's  
3 not much here in the story where it lays out as if you look  
4 at the lower right hand corner, right? So, if you get about  
5 -- which department, but you simply say, okay, where's the  
6 money coming from? All right. We've basically identified,  
7 you know, where the increases might be.

8 So -- and you can see, we have police net increase  
9 salary and wages 20,000; fire, 121; the squad is 15; other  
10 salary and wages, which is all of the departments is another  
11 \$398,000. We have a decrease from our sewer charges from  
12 (indiscernible) Valley of \$95,000. The library  
13 appropriation is up \$30,000.

14 We have a net reduction in our pension costs year  
15 over year for both police, and fire, and everybody else of  
16 about \$90,000. But we have an increase of roughly \$370,000  
17 net in our group insurance, right? Utilities is a push.

18 We -- because of the lower interest rates and the  
19 restructuring that we've done, we have \$100,000 lowering of  
20 our debt service cost. And roughly, you know, when you  
21 think about (indiscernible) for all of the departments,  
22 which would include our fuel and everything else that you  
23 need, postage, charges that are there, supplies, printable  
24 materials, anything we use in all of the departments, that's  
25 a net \$400,000 increase for a total of 1,145,000.

1           So, you just got -- again, a kind of sense of the  
2 basic nature of --

3           MAYOR PETRACCO: So, Tom, this -- excuse me, and I  
4 apologize for being late. So, where it says increase or  
5 decrease, okay, of the cap, are these increases? Like you  
6 have -- I'll talk about my own department, public safety  
7 \$300,897 is what?

8           COMMISSIONER EVANS: An increase.

9           MAYOR PETRACCO: Of my overall budget?

10          COMMISSIONER EVANS: Right.

11          MAYOR PETRACCO: Okay. I'll have to check my  
12 numbers because the information that I went over with my  
13 department today, our budget was supposed to be decreased by  
14 \$300,000, not increased. Decreased.

15          COMMISSIONER EVANS: If they have changes that  
16 haven't been given to Ro, than we have to process them.

17          MAYOR PETRACCO: I mean, from the numbers that you  
18 gave us, Ro, I -- you know, I have my own --

19          COMMISSIONER EVANS: Your own budget worksheets  
20 are right in there, the packet that we have. So, if you  
21 have changes to that, that's what we want to capture as part  
22 of this.

23          MS. COSTA: What is (indiscernible) and I'll go  
24 compare them again, or vice versa? Do you want to look at  
25 what you have compared to what I have given you, whichever,

1 and then we'll just make the necessary adjustment. That's  
2 no problem.

3 UNIDENTIFIED SPEAKER: Pass it down,  
4 (indiscernible). We'll look at it while you  
5 (indiscernible).

6 MAYOR PETRACCO: Okay, here.

7 MS. COSTA: Yeah. Absolutely.

8 UNIDENTIFIED SPEAKER: 71,000 in my department.  
9 I'm not clear on that. That's an increase? Does anyone  
10 know?

11 UNIDENTIFIED SPEAKER: Yeah. Yes, it was. Yeah.

12 COMMISSIONER EVANS: And if you want to, there's a  
13 business associate. So, in the detail packet you have --

14 UNIDENTIFIED SPEAKER: Yeah, that's what I want --

15 COMMISSIONER EVANS: -- for each department. If  
16 go you back, the mayor is on top, then it goes to public  
17 affairs.

18 UNIDENTIFIED SPEAKER: I see. Right. Okay.

19 COMMISSIONER EVANS: And so, you can see each of  
20 your categories for -- as -- where you have increases, okay?

21 UNIDENTIFIED SPEAKER: Was this -- was the  
22 projected 2 percent in there increase?

23 COMMISSIONER EVANS: Oh, yeah.

24 UNIDENTIFIED SPEAKER: That makes sense.

25 COMMISSIONER EVANS: Yeah, yeah. But the idea is,

1 this is what we have based upon the worksheets and  
2 everything you gave use --

3 UNIDENTIFIED SPEAKER: Okay, that makes sense.

4 COMMISSIONER EVANS: What's really, really  
5 important is for you to look at it and say is it right.

6 UNIDENTIFIED SPEAKER: Right, right.

7 COMMISSIONER EVANS: Right? Because we're working  
8 on what we have.

9 UNIDENTIFIED SPEAKER: Gotcha [sic].

10 COMMISSIONER EVANS: All right. So if you go and  
11 you check it, and you think there's (indiscernible), we'll  
12 process that (indiscernible).

13 UNIDENTIFIED SPEAKER: Right.

14 COMMISSIONER EVANS: Either way, higher or lower  
15 because we have to make sure that that's being processed,  
16 okay?

17 UNIDENTIFIED SPEAKER: That makes sense.

18 COMMISSIONER EVANS: So, the important part is to  
19 make sure you look at this and I assume based upon where you  
20 are, we're going to introduce on Friday?

21 UNIDENTIFIED SPEAKER: Right.

22 COMMISSIONER EVANS: But before Friday, you need  
23 to give Ro a call and say, I'm okay.

24 UNIDENTIFIED SPEAKER: Right.

25 COMMISSIONER EVANS: Okay? Or this is the

1 adjustment I need you to process. Okay?

2 UNIDENTIFIED SPEAKER: I see just, I mean, from  
3 past times in doing this, you know, we made mistakes. You  
4 know, (indiscernible) as we're adding things up and, you  
5 know, sometimes you say, oh --

6 UNIDENTIFIED SPEAKER: Yeah.

7 COMMISSIONER EVANS: Well, yeah, one year we left  
8 out the water department.

9 UNIDENTIFIED SPEAKER: Yeah, this may be close to  
10 -- I mean, it may be right. I --

11 COMMISSIONER EVANS: Oh, yeah, no. It's --

12 UNIDENTIFIED SPEAKER: (Indiscernible) that much,  
13 I mean, it's --

14 COMMISSIONER EVANS: That's right. But the  
15 important part is, is that what's really important is that  
16 in walking through this --

17 UNIDENTIFIED SPEAKER: Right.

18 COMMISSIONER EVANS: -- is we have an opportunity  
19 now that you see it all, and you see what it all means, is  
20 with that lens you can say, well, given -- recognizing that  
21 we have an increase in the budget, what can we do to trim  
22 that if it's possible, or at least make sure these numbers  
23 are right, and that realistically, this is what we're going  
24 to get accomplished this year.

25 UNIDENTIFIED SPEAKER: Right.

1           COMMISSIONER EVANS: Right? And we're comfortable  
2 with that -- with that money. Okay? So, and your -- for  
3 example, your garbage is fine.

4           UNIDENTIFIED SPEAKER: Right.

5           COMMISSIONER EVANS: So, you know, exclude to that  
6 -- you know, check the other things that you're doing.  
7 Okay?

8           UNIDENTIFIED SPEAKER: Right, okay.

9           COMMISSIONER EVANS: And we'll see, you know, what  
10 that ultimately does. But this way, you all have it.

11          UNIDENTIFIED SPEAKER: So, I'm new to this. I  
12 mean a little help from you.

13          COMMISSIONER EVANS: Absolutely. Absolutely. And  
14 what happens is you will have a summary of appropriation for  
15 all of the departments, not just yours. You just -- you can  
16 see the whole thing. Because what we've found sometimes is  
17 that we've double budgeted.

18          UNIDENTIFIED SPEAKER: Right.

19          COMMISSIONER EVANS: So, it's just a good  
20 opportunity to make sure we're not -- we're not doing that,  
21 we actually get costs in the right place, because it's a  
22 pain in the butt later trying to do transfers in November to  
23 get things right, especially if you have to pay out some  
24 money in the meantime. Okay?

25          UNIDENTIFIED SPEAKER: Ro, if I could have

1 Courtney make an appointment to see us so that -- you've  
2 been real helpful so far. I really appreciate it. So,  
3 Courtney can you do that before Friday? Thank you.

4 COMMISSIONER EVANS: So, we're --

5 (Simultaneous speaking)

6 COMMISSIONER EVANS: That's okay. So, what's  
7 really important is you look at these budget worksheets and  
8 the summaries that you had, make sure it's correct.  
9 Understand that where we are right now is a 1.95 percent  
10 increase in our total budget from appropriations.

11 So, in a grand scale of things, we're assuming a 2  
12 percent increase in salaries, right? And you're looking at  
13 everything else. We're managing that fairly well, including  
14 Mauro, you mentioned earlier, was it 8 point something?

15 COMMISSIONER TUCCI: 8.1 percent -- actually it's  
16 like an -- it's 7.9 on active employees and 9.1 on retirees.  
17 So, if you blend the two, it's like an 8 percent increase.

18 COMMISSIONER EVANS: Right.

19 COMMISSIONER TUCCI: Because health benefits. And  
20 the 3 percent again -- excuse me, and a 3 percent increase  
21 in the other liability insurance and worker's comp.  
22 (indiscernible) that.

23 COMMISSIONER EVANS: Right. So, recognizing that  
24 we're at a net, you know, 1.95 percent, there's been a lot  
25 of work done by all of you to figure out how to absorb that

1 as much as possible. So, that's a good thing. But take a  
2 look -- a look to see where you are and see where can we  
3 trim this a little bit more to recognize we have two things  
4 that are affecting the tax rate. One is the increase in the  
5 budget. The other is the lowering of assessed values. And  
6 that makes this difficult.

7 So, just -- we'll continue as we go through this.  
8 And I -- there's a summary, just to let you know, that  
9 against the levy cap and against the appropriation cap, the  
10 two caps that we're required to hit so appropriation can't  
11 rise greater than a certain amount. The appropriation --  
12 the levy has to be below 2 percent. We're okay. Right now,  
13 we're okay on both caps.

14 Recognize that the levy formula has exceptions in  
15 it for health care. It has exception in it for debt  
16 service. And what's the other one? Oh, it has pension.  
17 But we have a lowering of pension, so it's not affecting it.  
18 But those are the big and capital funding.

19 UNIDENTIFIED SPEAKER: So, basically what you're  
20 saying is it increases the function of the lower values, the  
21 loss in values, and the increase in --

22 COMMISSIONER EVANS: Appropriation. And the  
23 increase in --

24 UNIDENTIFIED SPEAKER: And the majority being  
25 insurance.

1           COMMISSIONER EVANS: Right. Exactly right. And  
2 the -- exactly right. And the -- so, I would say, you know,  
3 the salary increases we've been able to absorb, you know. A  
4 lot of the cost we've been able to absorb, but we just can't  
5 absorb everything.

6           And what's helping on this is that we did not get  
7 a pension increase. Right? Pension, you know, number went  
8 down a little bit and the sewer number went down a little  
9 bit. If those trended the way they've been trending, you  
10 know, we would not be talking about these numbers today  
11 because of that effect. So, thank God for the little  
12 things.

13           UNIDENTIFIED SPEAKER: Well, even if we introduce  
14 at the levels that we're seeing here, before we finally  
15 adopt, this is still a work in progress.

16           COMMISSIONER EVANS: Yeah.

17           UNIDENTIFIED SPEAKER: So, we can still trim and  
18 cut whatever we can cut.

19           COMMISSIONER EVANS: Well, yeah, the question is  
20 if we can do some minor things. But I think if we do some  
21 significant, you know, slicing and dicing, I'm not sure what  
22 that means in terms of the reality of what we introduce.

23           UNIDENTIFIED SPEAKER: Yeah, I think, you know,  
24 Commissioner Evans and I discussed earlier tonight that, you  
25 know, the premise would be to introduce tonight to move the

1 process forward to meet the statutory deadline. If you felt  
2 you could cut something significant, we kind of felt that,  
3 in order to get from like a 3 percent tax levy increase to a  
4 2 and a half percent, you'd have to cut out about 180,000.

5 So, if you're going to go away, and come back, and  
6 say well, I can cut 2,000, and I can cut 7,000, and I can  
7 cut 9,000, I don't know that that's really going to have any  
8 impact. If you each said, well -- you know, I can find 30,  
9 I can find 40, I can find 50, and you can come up with  
10 180,000 and get the tax increase down to 2 and a half  
11 percent instead of 3 percent, then I think it's worth  
12 holding off until you reconvene on another day between now  
13 and Friday.

14 Because I think --

15 COMMISSIONER EVANS: Well, also -- the mayor has  
16 indicated that his numbers might be different than what we  
17 currently have. So, there might be a change there --

18 UNIDENTIFIED SPEAKER: Well, I think we've  
19 clarified that. He was comparing his budget including the  
20 Sandy expenses from last year to his 2013 budget, and that  
21 was 625,000.

22 So, when you compare his originally adopted budget  
23 with this presented budget, it's like 300. If you compare  
24 his originally adopted budget for '12 plus the 625 for  
25 Sandy, then it's down 300,000. So --

1           COMMISSIONER EVANS: Yeah, Sandy's an  
2 extraordinary item (indiscernible).

3           UNIDENTIFIED SPEAKER: Right. It was in his  
4 numbers, but we don't really have that in his department.  
5 We have that as an outside (indiscernible) charge similar to  
6 Irene last year.

7           COMMISSIONER EVANS: Yeah.

8           MAYOR PETRACCO: Yeah. I see a little -- I see a  
9 difference in here of what my numbers are and what's on here  
10 of about 100,000. But I want to go through it and see where  
11 that 100,000 is.

12          COMMISSIONER EVANS: So, I'm willing to --

13          UNIDENTIFIED SPEAKER: Which way?

14          MAYOR PETRACCO: I'm sorry?

15          UNIDENTIFIED SPEAKER: Which way?

16          MAYOR PETRACCO: Yours is higher.

17          COMMISSIONER EVANS: We'll take that one. All  
18 right. So, we -- so, let me ask you a question, do you guys  
19 feel -- think we can go through this and pick up 180 grand?  
20 (Indiscernible), right? Because then it's worth waiting.  
21 If we don't think we can, than it's not worth --

22          UNIDENTIFIED SPEAKER: What's it in dollars? If  
23 we shave \$180,000 off, what is that worth to the tax rate  
24 and what's that to dollars and cents? Like I know we always  
25 set -- talk about that average house in Nutley, what would

1 that do to that? That's what I'm interested in knowing.

2 COMMISSIONER EVANS: So, roughly \$180,000 would  
3 take the 6.7 percent increase roughly down to 6. Right?

4 UNIDENTIFIED SPEAKER: Yeah (indiscernible)e

5 COMMISSIONER EVANS: Yes, I know, I  
6 (indiscernible)e 6.7 cent increase probably down to 6 cents,  
7 right?

8 UNIDENTIFIED SPEAKER: Okay.

9 COMMISSIONER EVANS: So, from that standpoint,  
10 from a full penny is worth \$34, that's 70 percent of it, so  
11 it's about \$20 to the average taxpayer.

12 UNIDENTIFIED SPEAKER: And right now, the -- right  
13 now where we're at is with the increase that we have on the  
14 table today, where are we at with that as far as dollars and  
15 cents? I know you went over that, but I just want --

16 UNIDENTIFIED SPEAKER: I'm glad you asked.

17 COMMISSIONER EVANS: I'm glad you asked, we've got  
18 another schedule on there.

19 By the way, we don't get the really fun part until  
20 we get the capital budget. So, basically --

21 UNIDENTIFIED SPEAKER: Where are we at?

22 COMMISSIONER EVANS: We're on this schedule, all  
23 right? So --

24 UNIDENTIFIED SPEAKER: Do I have that?

25 COMMISSIONER EVANS: Yeah, you do. You should.

1 UNIDENTIFIED SPEAKER: Got an extra one, thank  
2 you.

3 COMMISSIONER EVANS: So, when you get into the  
4 fact that we have, you know, a variable base, plus we have a  
5 budget change, it's very complicated to try and project an  
6 average to some person because reality is that average  
7 person really doesn't exist, all right, because everybody's  
8 affected at a different level.

9 So, we worked through an example with, I think,  
10 this representative of what the impact could be. So, to do  
11 -- I've done two things. On this schedule, it's a summary  
12 that first basically shows what's the effect of the work  
13 that we do, the municipal portion of the tax rate. The tax  
14 rate is comprised of the school, the municipal piece, and  
15 the county. We control the municipal piece. So, basically,  
16 I'm identifying the work that we've done to control the  
17 municipal piece, but I've also included where we are with  
18 the total tax rate, knowing what the school rate is, and  
19 we've estimated the county.

20 So, we're at -- currently at 6.7 cents. I'm  
21 getting it right, right? The total rate increase, including  
22 the school and the county would be estimated at 15.1 cents.  
23 All right? What does that mean? So, on a household -- and  
24 so every penny is roughly worth \$34.20. So 15.1 times  
25 \$34.20 could be a gross number to look at. All right?

1 But not everyone's affected by that because of the  
2 change in the assessed value base. So, the example below  
3 kind of gives you a sense. In all cases, we've used an  
4 example of a house valued at \$300,000.

5 This current year, a house valued on the current  
6 rate, based on the municipal rate, municipal portion of  
7 their tax is \$3,234. Based upon the new rate, the 6.7 cent  
8 increase on the new rate, the new municipal tax is \$3,435 or  
9 \$201.

10 If that -- that's this year, right? And that  
11 didn't change. So, it was \$300,000 last year going into  
12 this is \$300,000. The assessed values went down roughly 3  
13 percent, 2.94, but it's roughly 3 percent. If their  
14 assessed value was to go down, all right, then that increase  
15 would only be \$100. They're currently paying \$3,234. Next  
16 year, or this coming year, they would be paying \$3,334. So,  
17 on the example, if you would compare 201 to \$100.

18 So -- which means is if your value floated with  
19 the change in value, the effect of the municipal rate was  
20 roughly 100 bucks. If it didn't, and stayed stable, the  
21 effective municipal rate is about 200 bucks.

22 If you went up in value at a higher assessed  
23 value, obviously the rate increase is greater. Right?

24 Now, if you take that and you can translate that  
25 calculation to the total tax rate, which is estimated

1 because of the county increase, we're looking at a total  
2 increase for somebody who is assessed at \$300,000 this year,  
3 right? And didn't get a change in assessed value, the total  
4 increase is \$453. If their assessed value floated down with  
5 the change in assessed values, they'd be looking at \$170  
6 increase.

7 Does that make sense? Because it's -- you've got  
8 to follow the logic of it.

9 MAYOR PETRACCO: Well, the thing that, you know, I  
10 know you and I have talked about this is that I know there  
11 was people -- a substantial amount of people through the  
12 assessed value that taxes came down over the last year or  
13 two, fair to say.

14 COMMISSIONER EVANS: And not one thank you.

15 MAYOR PETRACCO: And not one person came to the  
16 meeting to tell us that their taxes went down. But  
17 obviously we hear from the people's taxes that go up. So,  
18 I'm just curious just ask, how is that assessed value going  
19 to be calculated as far -- or are we going to -- obviously  
20 George Labrossi (ph) does that. Is he going to go out  
21 again? Reassess? Or --

22 COMMISSIONER EVANS: Every year we've been on the  
23 program since we've revalued the town. The reason why we  
24 started that is that once assessed values were said, Nutley  
25 has a history of treating them as a static value. You look

1 at it once every 30 years. But there's so much change that  
2 the numbers didn't make any sense. What -- the pattern that  
3 George has been following is making sure that assessed  
4 values track to the market, right? And he does it on a  
5 calculation of a formula of the base they call equalized  
6 value. And it's a calculation that goes through it.

7 But at the simplest level, he keeps on looking at  
8 the -- what's happening to the total evaluations in town to  
9 see where those assessed values are in making those  
10 adjustments so that the -- we will -- one, we will never be  
11 ordered by a Court to assess these values again. Two,  
12 someone looking at their property record will never look at  
13 a property record that's basically has some number that has  
14 no bearing on reality. And third is that that number will  
15 track generally to somewhere around 95, 96 percent of what  
16 the estimated market value is.

17 So, we stay very close, which means the  
18 equalization rate is around 95, 96 percent. When we did the  
19 reevaluation, you know, a number of years ago, the equalized  
20 value was down to 23 percent. That's how ridiculous it was.

21 So, we try and keep that for you. And basically,  
22 it isn't simple, but what it has done, which was sort of  
23 unexpected was the fact is that given what happened in the  
24 real estate market 2008 through 2009, we've had an  
25 extraordinary amount of volatility. So, market real estate

1 prices went down, right?

2 One of the things that as a result of that, of  
3 those property or residential values going down so much is  
4 that we're -- in the re-val, there was a shift from the  
5 commercial properties to the residential property because  
6 they grew at a faster rate than commercial. The residential  
7 piece is coming down. And it's actually balancing out  
8 again.

9 So, you're seeing -- what happens is you then have  
10 some of the loss in assessed value is absorbed by the  
11 residential side. Some of it is absorbed in the business  
12 side, because there is a rebalancing of what happened.

13 When the assessed value's stabilized, which the  
14 reason reports around what's happening with the real estate  
15 market shows that they're sort of stabilizing, that we will  
16 have less volatility going forward. And so we just have  
17 been living through a period of extreme volatility, which  
18 makes this calculation very challenging and disruptive to an  
19 individual taxpayer.

20 It's also very hard for a residential taxpayer to  
21 understand that I didn't do anything. I stayed here. I  
22 didn't touch a brick. I didn't change a leaf, yet I got an  
23 adjustment for a higher (indiscernible) base because my  
24 house didn't change in value in relation to some other  
25 section of town where they did. And that's a very hard

1 conversation to have. And George has them.

2           What we have, though, is because we do it, unlike  
3 other towns, we generally have somewhere between 50 and 60  
4 appeals a year. Other towns have hundreds of appeals. When  
5 we manage it well, when you lose those taxes on appeal,  
6 generally the municipality bears the full brunt of it. We  
7 have to make 100 percent of the cost.

8           If we keep on managing it well, then we're  
9 allocating our fair share of taxes through -- and it's  
10 absorbed through the school board and from the  
11 (indiscernible) county.

12           There is a beneficial rate -- side to it is the  
13 more we manage our assessed values and we do a better job of  
14 that, the county tax formula is based on the assessed  
15 values. So, there's other towns out there that haven't  
16 adjusted their assessed values, so when Nutley adjusts,  
17 they're getting a greater share because we're going down and  
18 we're managing it very well.

19           So, we've been able to hold our county rate  
20 increase generally to a half a penny, to a full penny, maybe  
21 1.2, right, when you consider the open spaces stuff, right?  
22 We've been able to stabilize that. So, we've taken a lot of  
23 volatility out of the county rate, which was bothering us in  
24 the past.

25           I know that's long-winded, but that's really what

1 goes on there, and that's what George is trying to do,  
2 right? And so by having this base current, it really helps  
3 people understand what the taxes are. It helps people avoid  
4 surprises. And the other side is that when we talk to the  
5 realtors, recognizing they talk about taxes are high in  
6 Nutley, they know that the tax number is a fair number, and  
7 that when someone's buying their home in Nutley, there are  
8 no surprises.

9 So, it helps on the transactional level when we  
10 have turnover of the property. So, with that, you see.  
11 What we want to do is we want actually to provide taxpayers  
12 with the calculation of how they can calculate what their  
13 individual tax rate increase is going to be, because it's a  
14 very simple calculation.

15 Just take your old assessed value, divide it by  
16 100, times the old rate. Get a number. Take your new  
17 assessed value, divide it by 100, times the new rate. You  
18 get a number, and subtract it. The difference is your  
19 increase or decrease.

20 So, it's a very easy calculation for every  
21 individual taxpayer to know where they stand. So, I think  
22 with that, I think it's greater transparency and it will  
23 help people better understand what's going on.

24 So, with that, I ask that you look at your budgets  
25 and see what we can do, right, to adjust this. A \$341,000

1 decrease in appropriations will take the rate from 5 -- from  
2 6.7 cents down to 5.7 cents, all right, which will bring  
3 this -- bring the levy increase below 3 percent.

4 So, we can look to do that -- some portion of that  
5 will help us as we go through.

6 The last thing that I need to share with you is  
7 where we are with the capital budget. And as I said  
8 earlier, I want to thank everybody for putting their wish  
9 list together. And so, since it's not December, no gifts.  
10 So, the bottom line is that I ask you guys, we've got to  
11 revisit this.

12 Our capital plan is generally \$1.2 million. Our  
13 -- we have an extra million dollars in capital to be  
14 dedicated to improving roads and sidewalks in town given the  
15 damage that we've sustained, and we want to try and continue  
16 to keep that in there. The -- I ask that we need to figure  
17 out a way to get this number down and have that  
18 conversation.

19 Ev, it's 7 o'clock, do we -- what do we do?

20 MADAM CLERK: No, we can continue and at the end,  
21 I'll jump into the 7:00 p.m. with a different statement, but  
22 that's fine. But we're good.

23 COMMISSIONER EVANS: Okay.

24 UNIDENTIFIED SPEAKER: Am I missing that -- Ro, do  
25 you have another copy, I'm sorrya Thanks, Tom.

1           COMMISSIONER EVANS: This one's harder, all right.  
2 If we were -- if we still have to work on the capital, we  
3 can still introduce it on Friday and we can adjust -- we can  
4 amend this for introduction, but we need to really, really  
5 work on this.

6           UNIDENTIFIED SPEAKER: Well, right now we're on  
7 3.4?

8           COMMISSIONER EVANS: 3.4 million capital.

9           UNIDENTIFIED SPEAKER: And what do we  
10 traditionally do?

11          UNIDENTIFIED SPEAKER: 1.2 million.

12          UNIDENTIFIED SPEAKER: So, our goal is 1.2?

13          COMMISSIONER EVANS: No, our goal is actually --  
14 and actually I can be at 2.4, 2.5 recognizing, you know, the  
15 fact --

16          UNIDENTIFIED SPEAKER: The roads?

17          COMMISSIONER EVANS: The roads. All right, so we  
18 need to find a million dollars.

19                 I want to point out the fiber optics project.  
20 That's for us to actually run fiber optic lines and connect  
21 the municipal buildings and the schools. The pay back on  
22 that is three and a half years because we would be able to  
23 eliminate our leasing cost from Verizon. So, we'd be  
24 converting the fiber optic network from a leased network to  
25 an owned network.

1           The fiber optic itself has a life, at least a  
2 known life that's estimated at about 30 years. No one  
3 really knows what the full life is, but it's actually --  
4 that's why that's there this year. So, in my area, I have  
5 the fiber optics piece. The copy machine downstairs is  
6 struggling to make up its mind as to whether or not it wants  
7 to continue to work. So, we have a copier in there. And I  
8 need a vehicle in code enforcement. That's my capital  
9 submission.

10           UNIDENTIFIED SPEAKER: I mean, as far as the  
11 purchase of the (indiscernible) truck, if we could take half  
12 of that and then do a two year half and half, and then  
13 purchase the truck next year, we could probably limp through  
14 and we will limp through. But --

15           COMMISSIONER EVANS: Yeah, we took that off in the  
16 past because we were funding the police desk as a big item.  
17 But, yeah, I think we do have to reduce it. So 125.

18           UNIDENTIFIED SPEAKER: And then, I mean, because  
19 we have the million in, and kind of, it's counter-productive  
20 but have you look into -- look at our normal -- what we do  
21 normally in roadways, because we're getting (indiscernible)  
22 there.

23           COMMISSIONER EVANS: Does it make a big different  
24 if it's 1,250,000 versus 1,150,000?

25           UNIDENTIFIED SPEAKER: No.

1 COMMISSIONER EVANS: All right. So --

2 UNIDENTIFIED SPEAKER: I mean, it's the million  
3 that -- going out for a million dollars worth of roads,  
4 we're going to get a lot more done than going out for  
5 250,000. You know, just for economy of scale.

6 COMMISSIONER EVANS: One time set up costs,  
7 station costs, all that stuff. Yeah.

8 UNIDENTIFIED SPEAKER: Correct. Correct. So,  
9 recognizing that next year we can't do \$150,000 in roads.

10 COMMISSIONER EVANS: No. Next year is next year.

11 UNIDENTIFIED SPEAKER: Okay.

12 UNIDENTIFIED SPEAKER: I just have a -- yeah.

13 COMMISSIONER EVANS: Is that fair?

14 UNIDENTIFIED SPEAKER: What did you bring it down  
15 to, Joe?

16 COMMISSIONER SCARABELLI: 150. Right?

17 COMMISSIONER EVANS: Yes, 150. Yeah, you cut  
18 225,000.

19 UNIDENTIFIED SPEAKER: Right.

20 UNIDENTIFIED SPEAKER: Good. I just wanted to  
21 talk a little bit about the ladder truck, if I can. We went  
22 out and got prices. The ladder truck that we have I want to  
23 say is 13 years old. I know it's going to be out of  
24 compliance, you know, these -- unfortunately they come out  
25 of compliance --

1           COMMISSIONER EVANS: What is the compliance? Is  
2 it generally 20 years?

3           UNIDENTIFIED SPEAKER: Like 20. Yeah. So, at any  
4 rate, I talked to our chief today, Deputy Chief Capone (ph)  
5 about this time. He recommended that the cost of a new  
6 truck is approximately 900,000. Actually, it's a little  
7 cheaper, but they add 2 percent per year. So, I think in  
8 2015, let me think -- I have notes here. But at any rate,  
9 he recommended that we put 4 installments in to -- so we  
10 could stay up with compliance with the truck.

11           COMMISSIONER EVANS: Can we -- have we looked with  
12 (indiscernible) about --

13           UNIDENTIFIED SPEAKER: Well, and again this,  
14 exactly right, Commissioner. That is, you know, we're  
15 planning for the worst and hoping for the best and we will  
16 diligently do that. I have these SCBA mask that all of our  
17 fire fighters wear. Again, that's a compliance issue. I  
18 have \$125,000 in for that. We have a couple more years left  
19 on that before they're out of compliance. And then I have a  
20 couple items that, you know, I'm sure --

21           Another compliance is the replacement of vests for  
22 the police department, which some of it, even a contractual  
23 item, but another thing we could look at.

24           COMMISSIONER EVANS: Yeah, take a look and see.

25           UNIDENTIFIED SPEAKER: Yeah, absolutely.

1 COMMISSIONER EVANS: All right. And if -- you  
2 know, part of it is, you know, can it wait a year?

3 UNIDENTIFIED SPEAKER: Yeah, I mean, my big thing  
4 would be, and again just to plan for the future, you know,  
5 and believe me, I was more surprised than anybody when we  
6 started talking about another fire truck. However, you  
7 know, these things apparently have a shelf life on them and  
8 I know it's a big ticketed item, but we could --

9 COMMISSIONER SCARPELLI: Be sure it fits --

10 UNIDENTIFIED SPEAKER: We'll make sure it fits  
11 this time. Yes, Joe. Thank you. I'll be doing the  
12 measuring myself with the Nutley Sun and any other  
13 newspapers want to come and take a shot of that. But, you  
14 know, I don't know, Commissioner Evans, if there's a way  
15 that --

16 COMMISSIONER EVANS: Well, let's look, can we talk  
17 about it and see -- does it -- the question I would be  
18 asking is we've been under-investing in roads and others,  
19 and what I wanted to take advantage of is the interest rate  
20 environment that we have, right?

21 So, I understand the point of trying to spread it,  
22 right?

23 UNIDENTIFIED SPEAKER: Right.

24 COMMISSIONER EVANS: Sort of, we have to talk  
25 about it, all right?

1 UNIDENTIFIED SPEAKER: Sure, not a problem. I  
2 just wanted to make the body aware of whatever -- you know,  
3 some of our big items are coming in the future and that  
4 there are shelf lives on them. So -- but I'm willing to  
5 work any way we can.

6 UNIDENTIFIED SPEAKER: Steve, do you want to say  
7 anything about the car I have in my budget for you?

8 COMMISSIONER ROGERS: Nice. I could take a little  
9 bit off of building -- building renovations and equipment.  
10 50,000. But I have to tell you, the buildings are getting  
11 older. The roofs are all leaking. I mean, my estimate for  
12 public works alone was like 130,000 to replace the roofs.

13 Obviously, we're not going to do them all in one  
14 year, but I have the First Aid squad. They have roof and  
15 structure issues there. That's probably another 50,000, you  
16 know? And when the compressors go on the air conditioning,  
17 and the heating units, and the circulation pumps, there's  
18 not a whole lot I can take there.

19 COMMISSIONER EVANS: So, what I'll do with  
20 (indiscernible), we'll sit down. I need you guys to like  
21 really think about, you know, the timing around when we want  
22 to do things, what I can really trim. And then we'll look  
23 at the -- basically the interest rate environment, the  
24 useful life to see what the impact is on debt service.

25 As you know, what we try to do is manage the debt

1 service. No matter what we do in capital, debt service for  
2 the operating budget remains stable so we don't have to  
3 worry about, you know, dealing with that as part of the  
4 impact on taxpayers.

5 If we keep it stable with a good capital plan and  
6 a good operating plan, everything works. Okay? So, we'll  
7 do that. But we need to have those conversations. And,  
8 Ray, we need to do that like yesterday. Yeah.

9 UNIDENTIFIED SPEAKER: So, our plan moving forward  
10 is to introduce this budget by Friday, is that --

11 COMMISSIONER EVANS: No later than Friday, yeah.  
12 We have no choice.

13 UNIDENTIFIED SPEAKER: Well, and just to, you  
14 know, set up the framework of why Friday, you know, looking  
15 at my calendar. You know, this is a regular meeting. If  
16 you introduce tonight four weeks from now, you would have  
17 your regular April meeting on April 16th, right?

18 So, now if you go to Friday, you have to allow for  
19 four weeks between introduction and adoption. So, that  
20 means you're going to miss that regular meeting. You'll  
21 also have to have a special meeting with a hearing, which  
22 you would have time to do, but you're -- you know, you're  
23 looking at a second meeting in that week of April 16th.

24 COMMISSIONER EVANS: So, let's ask the question.  
25 If we were to introduce, based upon the numbers we have

1 right now but amend those numbers by \$180,000 is that  
2 significant which would affect the public hearing? Or could  
3 we read an amendment at the public hearing?

4 UNIDENTIFIED SPEAKER: It depends on the  
5 individual line items. There's three factors on whether the  
6 amendment needs its own second hearing. If it's minor in  
7 nature, there's really three criteria. One is increase or  
8 decrease the tax levy by more than 5 percent. The second,  
9 and the criteria that's almost always violated, which  
10 requires that second hearing is that you increase or  
11 decrease any individual line item by more than 10 percent.

12 So, if you cut \$1,000 out of a \$9,000 line item --

13 UNIDENTIFIED SPEAKER: Right, you violate --

14 UNIDENTIFIED SPEAKER: -- then you have to go to  
15 another hearing.

16 I guess no one really came prepared to look at  
17 their budget and say I can come up with 30 or 50,000 is what  
18 you're telling me tonight, that you need some time to go  
19 away and come back a couple of days from now.

20 So, I think that's the better route and then in  
21 all likelihood, you would only come back and have one  
22 hearing. If we rush ahead, you're going to have a hearing,  
23 then you might have an amendment, and then you have --  
24 numbers are going to change --

25 COMMISSIONER EVANS: I don't want to have more

1 than one public hearing. And I'd like to have the numbers  
2 set and simple because it's just too hard.

3 UNIDENTIFIED SPEAKER: Okay, so that just -- yeah,  
4 and you'll still meet the adoption requirement, which is the  
5 more important one. If you go to the end of the week, that  
6 will be fine (indiscernible) beyond that.

7 UNIDENTIFIED SPEAKER: Yeah, we should pick a time  
8 Friday.

9 MADAM CLERK: Okay. Gentlemen, a time on Friday  
10 would be --

11 MAYOR PETRACCO: 10:00 a.m.?

12 MADAM CLERK: It would be Friday, March 22nd.

13 UNIDENTIFIED SPEAKER: 9:00.

14 UNIDENTIFIED SPEAKER: Well, we can call in too,  
15 correct?

16 MADAM CLERK: Yes. I will send out the call in  
17 information.

18 UNIDENTIFIED SPEAKER: Of course, it would make it  
19 easier on us to prepare the information if you called in any  
20 changes that you were going to make by 10 o'clock on  
21 Thursday.

22 COMMISSIONER EVANS: Yeah, not 8 o'clock on  
23 Friday.

24 UNIDENTIFIED SPEAKER: So, that we're not making  
25 changes on the fly at the meeting.

1           MAYOR PETRACCO: So, Friday 9:00 a.m. works for  
2 everyone?

3           MADAM CLERK: Gentlemen, 9:00 a.m. on Friday?

4           UNIDENTIFIED SPEAKER: Yeah.

5           MADAM CLERK: Commissioner Rogers, are you fine at  
6 9:00 a.m.?

7           COMMISSIONER ROGERS: Yes. I'm fine Friday.

8           MADAM CLERK: Okay, so we'll continue the -- this  
9 meeting of Tuesday, March 19, 2013, will be continued to  
10 Friday, March 22, 2013, at 9:00 a.m. The purpose for  
11 continuing this meeting is for the introduction of the  
12 budget -- the municipal budget, along with any other matters  
13 that require to be adopted by resolution or ordinance  
14 concerning the budget.

15           COMMISSIONER EVANS: We're -- just to be clear,  
16 we're continuing the meeting for the purpose of the one  
17 budget resolution?

18           MADAM CLERK: Yes and we may have a  
19 (indiscernible).

20           UNIDENTIFIED SPEAKER: The COLA ordinance.

21           MADAM CLERK: The COLA ordinance, which is part of  
22 the budget document.

23           COMMISSIONER EVANS: Right, yeah, exactly, which  
24 related to the budget introduction. There's a lot to do  
25 with that. So, just have one thing to do on Friday quick

1 and (indiscernible) a little bit of time. Okay?

2 MADAM CLERK: Okay. So, that will be on the  
3 record. Mayor, if you can also make that announcement when  
4 we go out to the front (indiscernible)a

5 MAYOR PETRACCO: That we're going to have --

6 MADAM CLERK: Continue the budget (indiscernible)a.  
7 Thank you.

8 MAYOR PETRACCO: Okay. Okay, so our goal is to  
9 cut out as -- just so we have our marching orders,  
10 Commissioner Evansa our goal is to cut out as much as we can  
11 out of all of our budgets for Friday -- well, and give Ro  
12 the changes by Thursday. Okay.

13 UNIDENTIFIED SPEAKER: You can even hand deliver  
14 them.

15 MAYOR PETRACCO: Hand deliver them. And \$180,000  
16 is our first bite at that. And obviously any more anyone  
17 can do would be appreciated. That's not our bar. We're not  
18 setting our bar up for that.

19 COMMISSIONER EVANS: (Indiscernible) by doing that  
20 will be the levy below 3 percent. So, just more -- sounds  
21 better. 99 cents (indiscernible).

22 (Simultaneous speaking)

23 MADAM CLERK: Mayor, are we ready to start the  
24 regular session?

25 MAYOR PETRACCO: Yes, we are, Madam Clerk.

1 MADAM CLERK: Gentlemen, are we ready for the  
2 regular session so I can make a statement?

3 MAYOR PETRACCO: I am. Can you pass them to  
4 (indiscernible)?

5 (Whispering)

6 UNIDENTIFIED SPEAKER: So, we're looking for what,  
7 180,000 to shave seven-tenths of a cent off.

8 UNIDENTIFIED SPEAKER: (Indiscernible) big number.  
9 It's a big number.

10 UNIDENTIFIED SPEAKER: I mean, look, I can cut the  
11 capital, but when the heat goes out, don't call me. Bring a  
12 sweater.

13 UNIDENTIFIED SPEAKER: No. We need heat.

14 UNIDENTIFIED SPEAKER: When it gets hot in the  
15 summer -- when the roof's leaking, you know, it's not mine.

16 UNIDENTIFIED SPEAKER: No. It gets hot in here  
17 when it happens.

18 UNIDENTIFIED SPEAKER: It usually gets hot.

19 (Simultaneous speaking)

20 UNIDENTIFIED SPEAKER: It gets hot. It gets cold  
21 and yeah.

22 UNIDENTIFIED SPEAKER: It's usually hot in here  
23 around this time of year. You've got the heat on.

24 UNIDENTIFIED SPEAKER: I need a brief close, too.

25 UNIDENTIFIED SPEAKER: Do you want to do it before

1 or --

2 UNIDENTIFIED SPEAKER: Yes, that's fine.

3 UNIDENTIFIED SPEAKER: Before? Okay.

4 UNIDENTIFIED SPEAKER: Yeah.

5 UNIDENTIFIED SPEAKER: Okay, his brief we'll just  
6 do -- yes, we'll go through our agenda. His brief will  
7 (indiscernible).

8 MADAM CLERK: Mayor, are we ready?

9 MAYOR PETRACCO: We are ready. Yes, ma'am.

10 MADAM CLERK: Okay. Tuesday, March 19, 2013.

11 Pursuant to the requirements of the Open Public Meeting Law  
12 Chapter 231, Public Law 1975, notice of this meeting was  
13 published in the December 13, 2012, issue of the Nutley Sun,  
14 the Star Ledger, and the Herald News. A copy of this notice  
15 has been posted on the Nutley Town Hall bulletin board and a  
16 copy is on file in the Municipal Clerk's Office. It is now  
17 7:18 p.m.

18 Commissioner Rogers?

19 COMMISSIONER ROGERS: Here.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Here.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Here.

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Here.

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: Here.

3 MADAM CLERK: All present, Mayor.

4 MAYOR PETRACCO: Thank you so much. Okay,  
5 Commissioner Scarpelli<sup>a</sup> would you like to go first?

6 COMMISSIONER SCARPELLI: Sure. I have one and a  
7 half public hearings.

8 MAYOR PETRACCO: One and a half.

9 COMMISSIONER SCARPELLI: I have a public hearing  
10 on the water rate, introduced by myself with Commissioner  
11 Evans. And I have a public hearing on -- purchase of the  
12 properties on Donna Court.

13 And that's all I have. I don't have any  
14 resolutions.

15 MAYOR PETRACCO: Thank you. Commissioner Evans.

16 COMMISSIONER EVANS<sup>a</sup> Thank you. I have the bills  
17 for tonight to introduce. I do have public hearing. One is  
18 the public hearing regarding the salary adjustment for fire  
19 sub-code. I have the time limit parking for Cadmus Street  
20 for tonight. And then I have two resolutions for refunds of  
21 overpayment of property taxes and water payments.

22 MAYOR PETRACCO: Thank you, Commissioner Evans.  
23 Commissioner Rogers?

24 COMMISSIONER ROGERS: I have a resolution honoring  
25 on behalf of the entire Board Dr. Crupi for his work during

1 Hurricane Sandy.

2 UNIDENTIFIED SPEAKER: That's great.

3 MAYOR PETRACCO: That's all you have?

4 COMMISSIONER ROGERS: Pardon.

5 MAYOR PETRACCO: Is that it?

6 COMMISSIONER ROGERS: That's it.

7 MAYOR PETRACCO: Okay. Commissioner Tucci?

8 COMMISSIONER TUCCI: I have a resolution  
9 recognizing and acknowledging April 2nd as Autism World Day,  
10 and April as Autism Awareness Month. (Indiscernible).

11 MAYOR PETRACCO: Thank you.

12 COMMISSIONER TUCCI: You're welcome.

13 MAYOR PETRACCO: I appreciate that. And I have --

14 COMMISSIONER TUCCI: I'm giving it to you. Don't  
15 get too happy.

16 MAYOR PETRACCO: Okay, sure. That's one I know  
17 of. I have -- is it an introduction, public hearings. I  
18 have a public hearing tonight. I have a public hearing with  
19 Commissioner Evans as well. And I have a public hearing on  
20 ordinance 3230, which I am going to table tonight, if I may.

21 This is --

22 MADAM CLERK: Which one are we tabling, Mayor?

23 MAYOR PETRACCO: This -- for the planning board.

24 MADAM CLERK: Okay. 3230?

25 MAYOR PETRACCO: Yes.

1 MADAM CLERK: We will have the public hearing at  
2 the next meeting scheduled for April 2nd?

3 MAYOR PETRACCO: I'm not so positive about that.

4 MADAM CLERK: Okay, so we will table this.

5 MAYOR PETRACCO: Until further notice.

6 UNIDENTIFIED SPEAKER: Wasn't this an IRS issue?

7 MADAM CLERK: Yes. Yes, it is.

8 UNIDENTIFIED SPEAKER: No.

9 MAYOR PETRACCO: I don't think it is.

10 UNIDENTIFIED SPEAKER: No? Yes? No? That's what  
11 I was told, that's why I'm asking the question.

12 MADAM CLERK: They need to amend the salary  
13 ordinance to reflect these special meetings (indiscernible)  
14 take place so they can get paid accordingly.

15 UNIDENTIFIED SPEAKER: Okay, that's not an audit  
16 issue, that's just --

17 MADAM CLERK: It's a (indiscernible) issue, yes.

18 UNIDENTIFIED SPEAKER: So, it's not an IRS issue?

19 MAYOR PETRACCO: Okay. So, I had an ordinance. I  
20 can't find myself tonight. Okay, and I have a couple  
21 resolutions, authorize of a raffle license. Authorizing  
22 settlement of litigation. New Jersey VEP. Occidental  
23 Chemical Corporation. I have appointments of volunteers to  
24 Nutley Fire Department. And I have the resolution for our  
25 members for the historic preservation committee.

1 UNIDENTIFIED SPEAKER: I should point out too that  
2 the Occidental settlement, that's still subject to  
3 confidentiality order. And so the Judge actually  
4 (indiscernible) confidentiality and counsel called to remind  
5 me of that.

6 UNIDENTIFIED SPEAKER: So, is that --

7 UNIDENTIFIED SPEAKER: So, no, we're limited to  
8 the confines of the resolution.

9 MAYOR PETRACCO: Okay. And I too need a short --  
10 executive before we start. Okay. And I think that's --

11 UNIDENTIFIED SPEAKER: One more thing, if I could.  
12 Well, I handed each of the Commissioners the report for the  
13 fact sheet I got from the EPA on the Lower Passaic River  
14 restoration project. This gives you all the information  
15 that you need. It's going to be posted on the Department of  
16 Public (indiscernible) website. If there's any questions,  
17 please give us a call. It will give us an idea of what's  
18 going on in the next few months.

19 And tomorrow, we're going to be meeting with the  
20 EPA person over in Lyndhurst, and I think,  
21 Commissioner Scarpelli, you're sending someone also?

22 COMMISSIONER SCARPELLI: Yes.

23 UNIDENTIFIED SPEAKER: Okay. That's all.

24 MAYOR PETRACCO: Okay. Okay.

25 MADAM CLERK: Are we going to executive prior to

1 open?

2 MAYOR PETRACCO: Yes.

3 MADAM CLERK: Okay. Whereas, the Board of  
4 Commissioners of the Township of Nutley, in the Count in the  
5 Country of Essex, State of New Jersey, desire to proceed to  
6 an execute session and I'll therefore (indiscernible) by the  
7 Board of Commissioners that the Township of Nutley and the  
8 Township Commissions shall now move into executive session  
9 to discuss --

10 UNIDENTIFIED SPEAKER: Potential litigation.

11 MADAM CLERK: Okay, potential litigation. Is  
12 there any other matters?

13 UNIDENTIFIED SPEAKER: Personnel.

14 MADAM CLERK: Okay, potential litigation and  
15 personnel matters.

16 UNIDENTIFIED SPEAKER: Anybody else?

17 MADAM CLERK: Okay, two items. Potential  
18 litigation and personnel matters.

19 Be it further resolved, that the time when such  
20 discussions may be disclosed to the public shall be when and  
21 as such disclosure may be made without adversely affecting  
22 the Township of Nutley pending and/or anticipated legal,  
23 personnel, contractual matters and other matters within the  
24 exceptions provided for my statute. (Indiscernible)a

25 I need a motion, please?

1 COMMISSIONER TUCCI: Moved.

2 COMMISSIONER ROGERS: Second.

3 MADAM CLERK: Commissioner Tucci, seconded by  
4 Commissioner Rogers. Commissioner Rogers?

5 COMMISSIONER ROGERS: Here.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye.

14 (Executive Session at 7:25 p.m.)

15 UNIDENTIFIED SPEAKER: Everybody rise for  
16 (indiscernible).

17 MAYOR PETRACCO: Thank you. And thank you for  
18 waiting, everyone. Can we just have a moment of silence  
19 before we start a commission meeting for the men and women  
20 serving overseas?

21 (Pause)

22 MAYOR PETRACCO: Thank you. Madam Clerk.

23 MADAM CLERK: Yes, Mayor. Tuesday,  
24 March 19, 2013. Pursuant to the requirements of the Open  
25 Public Meeting Law Chapter 231, Public Laws 1975, notice of

1 this meeting was published in the December 13, 2012 issues  
2 of the Nutley Sun, the Star Ledger, and the Herald News. A  
3 copy of this notice has been posted on the Nutley Town Hall  
4 bulletin board and a copy is on file in the Municipal  
5 Clerk's Office.

6 Commissioner Rogers?

7 COMMISSIONER ROGERS: Here.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Here.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Here.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Here.

14 MADAM CLERK: Mayor Petracco?

15 MAYOR PETRACCO: Here.

16 MADAM CLERK: All present, Mayor.

17 MAYOR PETRACCO: Thank you. We're going to move  
18 the minutes.

19 MADAM CLERK: Yes, Mayor. I have four sets of  
20 minutes this evening. Meetings from June 19, 2012;  
21 July 3, 2012; July 17, 2012; and August 7, 2012. I need a  
22 motion, please.

23 UNIDENTIFIED SPEAKER: (Indiscernible)

24 UNIDENTIFIED SPEAKER: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Mayor Petracco?

9 MAYOR PETRACCO: Aye.

10 MADAM CLERK: Thank you, Mayor, that's all for  
11 minutes this evening.

12 MAYOR PETRACCO: Okay. Communications and  
13 correspondence?

14 MADAM CLERK: Yes, Mayor. I have one item with  
15 communication this evening. I have the Rotary Club of  
16 Nutley submitting an application for a social affair permit  
17 for alcoholic beverages for an event to be held on  
18 April 6, 2013 at 44 Park Avenue.

19 I need a motion, please?

20 COMMISSIONER TUCCI: Admitted.

21 MAYOR PETRACCO: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 MADAM CLERK: That's all for communications this  
8 evening, Mayor.

9 MAYOR PETRACCO: Any reports?

10 MADAM CLERK: Commissioner Tucci, you have the set  
11 of reports this evening.

12 COMMISSIONER TUCCI: I do. I have a Shade Tree  
13 report for the months of January and February 2013.

14 MAYOR PETRACCO: Thank you. Okay, we'll move on  
15 to bills, please.

16 MADAM CLERK: Yes, Mayor. Bill list Tuesday,  
17 March 19, 2013. Public affairs, \$85,684.08. Revenue and  
18 finance, \$5,681,650.29. Public safety, \$103,960.89. Public  
19 works, \$1,417,262.85. Parks and public property,  
20 \$115,202.73.

21 Payroll as of March 1, 2013, \$45,233.70. Payroll  
22 as of March 19, 2013, \$727,242.64, for a grand total bill  
23 list of \$8,176,237.18. And that's all for bills, Mayor.

24 MAYOR PETRACCO: Thank you.

25 COMMISSIONER EVANS: Move the bills.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Ayee

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: I abstain.

12 MADAM CLERK: Thank you, Mayor.

13 MAYOR PETRACCO: Okay. I'm willing to take  
14 something out of order tonight. Commissioner Rogers.

15 COMMISSIONER ROGERS: Thank you. Thank you,  
16 Mayor.

17 MAYOR PETRACCO: You're very welcome.

18 COMMISSIONER ROGERS: We want to introduce a  
19 resolution tonight, it's kind of a really neat thing. This  
20 is a resolution that is obviously being introduced by me,  
21 but being presented by the entire Board of Commissioners.  
22 And briefly, I want to give you a little history behind this  
23 resolution.

24 During the chaos and many, many difficult hours of  
25 Hurricane Sandy, we had run into a problem when we faced the

1 fact that we found some stray dogs, there were people who  
2 were displaced from their homes that didn't know what to do  
3 with their animals. Some of them had to go hotels and the  
4 hotels wouldn't take those animals.

5 It was kind of a late hour and all of a sudden it  
6 was like an angel from heaven gave us a telephone call, and  
7 that Dr. Crupi. You all know him in town. He has a  
8 practice on Passaic Avenue. And this phone call was a life  
9 saver to some of these animals.

10 He told my staff that, look, I have cages here. I  
11 have housing. I have shelter. I have food. So, any  
12 animals that you get, my office is available. And sure  
13 enough, he housed a number of animals for us. So, on behalf  
14 of the Township of Nutley and this Board of Commissioners, I  
15 introduce the following resolution for Dr. Crupi and, of  
16 course, his better half who's here tonight, his wife.

17 Whereas, Dr. Louis J. Crupi grew up in Lyndhurst,  
18 New Jersey, graduated from Essex Catholic High School,  
19 earned a Bachelor of Science degree in Biology from  
20 Fairleigh Dickinson University. He received his Doctor of  
21 Veterinary Medicine degree from Araneta University in 1982,  
22 and established the Dog, Cat and Bird Clinic of Nutley in  
23 1988, and;

24 Whereas, Dr. Louis J. Crupi's professional  
25 memberships include: the AVMA, NJVMA, and AAHA, and the AAV,

1 and current member and former President of the Metropolitan  
2 New Jersey Veterinary Medical Association, and is also a  
3 member of the Nutley Rotary and Nutley UNICO, and;

4           Whereas, Dr. Louis J. Crupi has always been a  
5 valued friend and colleague to the Nutley Department of  
6 Public Affairs and the Health Department, and I add that the  
7 Township of Nutley, assisting with rabies clinics and  
8 various special events, and;

9           Whereas, Dr. Louis J. Crupi selflessly volunteered  
10 his time, talents, and facility to temporarily house  
11 displaced animals during Super Storm Sandy, helping to  
12 alleviate additional stress for residents, in an already  
13 highly stressful situation;

14           Now, there be it -- now, therefore, be it resolved  
15 that on behalf of the Board of Commissioners of the  
16 Townships of Nutley, in the County of Essex, in the State of  
17 New Jersey, I extend a heartfelt thank you to  
18 Dr. Louis J. Crupi for his dedication, altruism, and  
19 unwavering support for his fellow Nutley residents and their  
20 beloved pets.

21           So moved.

22           COMMISSIONER SCARPELLI: Second.

23           MADAM CLERK: Commissioner Rogers?

24           COMMISSIONER ROGERS: Aye.

25           MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Mayor Petracco?

7 MAYOR PETRACCO: Aye. Dr. Cupri, could you and  
8 your wife please come forward. And we'd like to thank you  
9 very much.

10 (Applause)

11 DR. CRUPI: (Indiscernible). I just want to say  
12 thank you very much. I appreciate and am very humble to  
13 receive (indiscernible) honor.

14 I remember the first time I came in these chambers  
15 25 years ago (indiscernible) said when I had to come here  
16 for a variance to open up my practice in this town.

17 (Indiscernible) very fortunate, and very lucky, and very  
18 proud to be (indiscernible) my business in this town and  
19 years later, I moved to Nutley. I'm very proud to here  
20 (indiscernible) member of the community, and I'm proud and  
21 happy that we were able to give (indiscernible)a

22 (Applause)

23 COMMISSIONER ROGERS: Thank you, Mr. Mayor.

24 MAYOR PETRACCO: Thank you. And just remember  
25 (indiscernible)a

1 UNIDENTIFIED SPEAKER: And, Doc, please, don't  
2 forget Gucci.

3 MAYOR PETRACCO: Okay. We're going to move along  
4 to Commissioner Tucci at this moment.

5 COMMISSIONER TUCCI: Yes. Thank you, Mayor.

6 Whereas, Autism is a complex neurobiological  
7 disorder which inhibits a person's ability to communicate  
8 and develop social relationships which is often accompanied  
9 by behavioral challenges; and

10 Whereas, Autism affects all persons regardless of  
11 race, religion, socio-economic status or geography; and

12 Whereas, Autism Speaks was founded in  
13 February 2005 by Bob and Suzanne Wright, grandparents of a  
14 child with autism; and

15 Whereas, the mission of Autism Speaks is to change  
16 the future for all who struggle with autism spectrum  
17 disorders; and

18 Whereas, Autism Speaks is dedicated to funding  
19 global biomedical research in the causes, prevention,  
20 treatments and cure for autism, to raising public awareness  
21 about autism and its effects on individuals, families and  
22 society; and to bring hope to all who deal with the  
23 hardships of the disorder; and

24 Whereas, on April 2, 2013, Autism Speaks invites  
25 everyone to Light It Up Blue, by replacing outdoor lighting

1 with blue bulbs to help raise awareness about autism.

2 Now therefore, be it resolved, that the Board of  
3 Commissioners of the Township of Nutley, County of Essex,  
4 acknowledge the achievements, abilities and needs of people  
5 with autism spectrum disorder and their families; as well as  
6 the leadership communities, especially the Township of  
7 Nutley, that take pride in recognizing and acknowledging  
8 April 2nd as Autism World Awareness Day and April as Autism  
9 Awareness Month.

10 And with us tonight we have members of the  
11 Sinkowski (ph) family with us to receive this and proudly  
12 move this resolution.

13 COMMISSIONER EVANS: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Mayor Petracco?

23 MAYOR PETRACCO: Aye.

24 COMMISSIONER TUCCI: Please come forward.

25 (Applause)

1 (Pause)

2 MAYOR PETRACCO: Thank you and we're going to take  
3 our resolution for historic appointments. If I can find it,  
4 we're going to take that next.

5 Whereas the Township of Nutley has established an  
6 Historic Preservation Committee which will consist of five  
7 regular members and two alternate members, and;

8 Whereas, the classes of regular members will  
9 consist of the following: Class A - a person who is  
10 knowledgeable in building design and construction or  
11 architectural history and who may reside outside the  
12 Township; and two, Class B - a person who is knowledgeable  
13 in, or who has demonstrated an interest in, local history  
14 and who may reside outside the township; and three, class C  
15 - any citizen of the Township who shall hold other -- no  
16 other municipal office, position, or employment except for  
17 membership of the Planning Board or Zoning Board of  
18 Adjustment; and

19 Whereas, there shall also be two alternate members  
20 appointed to the committeea and

21 Whereas, the terms of the members first appointed  
22 shall be so determined so that to the greatest practicable  
23 extent, the expiration of the terms shall be distributed in  
24 the case of regular members evenly over the first four years  
25 after their appointment; provided that the initial term of

1 no regular member shall exceed four years and that the  
2 initial member or no alternate member shall exceed two  
3 years. Thereafter, the term of a regular member shall be  
4 four years and the term of an alternate member shall be two  
5 years.

6           Whereas, all the duties, rules and regulations of  
7 the Committee are set forth in Township Ordinance No. 3193;

8           Now, therefore, be it resolved by the Board of  
9 Commissioners in the Township of Nutley, County of Essex,  
10 State of New Jersey that the following individuals be and  
11 are hereby appointed to the Historic Preservation Commission  
12 in accordance with Ordinance number 3193: Gary Marino,  
13 Class C for initial 1 year term; Juliana Leite - Class C for  
14 an initial 1 year term; Sal Corvino - Class A for an initial  
15 2 year term; Jack Barry - Class B for an initial 3 year  
16 term; Dot Greengrove - Class C for an initial 3 year term;  
17 James Levendusky - Alternate 1 for 2 year term; John Demmer  
18 - Alternate for 2 year term.

19           I move the resolution.

20           COMMISSIONER ROGERS: Second.

21           MADAM CLERK: Commissioner Rogers?

22           COMMISSIONER ROGERS: Aye.

23           MADAM CLERK: Commissioner Tucci?

24           COMMISSIONER TUCCI: Aye.

25           MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco? Mayor Petracco.

5 MAYOR PETRACCO: (Indiscernible) just before I  
6 vote, I'd just like to congratulate the (indiscernible). I  
7 know that this has been a long process and a long time  
8 coming, and I really want to compliment you on all your hard  
9 work to get it to this point. I'm very, very happy to  
10 introduce it.

11 I vote yes.

12 UNIDENTIFIED SPEAKER: I asked the Mayor to  
13 introduce this now because somebody in this audience has to  
14 leave (indiscernible).

15 Some time ago, a young lady from Nutley High  
16 School walked into my office and said, you know what,  
17 Commissioner, I'd like to do something for my town. I'd  
18 like to give back a little, and maybe help veterans, maybe  
19 get involved in preserving our Township. That young lady's  
20 here tonight.

21 I think it's an extraordinary event in this town  
22 that we are probably, and I don't know if this is  
23 historical, maybe the first time a high school student is  
24 being put on such a committee. So, I'd like to introduce  
25 her tonight. Juliana, would you please stand and I want to

1 thank you for being a real good (indiscernible). Thank you  
2 so much.

3 (Applause)

4 UNIDENTIFIED SPEAKER: I know my colleagues are  
5 just as excited as I am to see a young person like you step  
6 up, and give back in this way. So, thank you for that  
7 commitment. And, Mayor, thank you for reading that.

8 MAYOR PETRACCO: You're very welcome. Thank you.

9 UNIDENTIFIED SPEAKER: Thank you. (Indiscernible)  
10 had homework tomorrow, so --

11 MAYOR PETRACCO: Okay. That was -- is there  
12 anybody that would like to leave before we get on with the  
13 regular portion of the meeting, feel free. I'll give you a  
14 minute. Oh, you're staying tonight, great.

15 Okay. We'll move on to public hearings.  
16 Commissioner Evans.

17 COMMISSIONER EVANS: Thank you have a new  
18 ordinance and two public hearings relating to an amendment  
19 to the salary ordinance to include the position of fire  
20 protection sub-code official, part time in the code office.  
21 This is a position that's been filled by an employee who's  
22 been doing it for a period of time, but has been as a  
23 subcontractor.

24 Based on a review by independent audit, we need to  
25 move the position as that of a salaried position. The

1 salary does -- the position does not include benefits or  
2 pensiona It is for -- base salary is limited to a maximum  
3 of \$14~~7~~995.

4 MAYOR PETRACCO: Is there anyone here this evening  
5 that would like to comment on ordinance number 3229? Please  
6 state your name for the record, and address.

7 MR. HUND: John Hund, Nutley FMBA, local 44 vice-  
8 president.

9 Mayor, Commissioners, as you know, May 20~~0~~8 code  
10 enforcement was moved (indiscernible) public safety  
11 (indiscernible) enforcement to Revenue of Finance. The fire  
12 sub-code position was left in the fire department. In  
13 September 2008, this body appointed then  
14 Lieutenant David Wilson as the fire sub-code official,  
15 firefighter John Redstone as the fire sub-code inspector.  
16 (Indiscernible) you seconded that motion.

17 In 2010, when Wilson retired, we were told that he  
18 was going to work as a part-time consultant for a while. We  
19 (indiscernible) work and finished complicated projects at  
20 (indiscernible) and the school. This worked initially, but  
21 Redstone was eventually frozen out of the work flow.

22 (Indiscernible) regulation says that code  
23 enforcement -- that the construction office need not be  
24 exclusively in one department. That it was kind of a stand  
25 alone department, and that the employees don't all have to

1 work directly for code enforcement (indiscernible) areas  
2 that they were enforcing that they have to answer to the  
3 construction official.

4 Issues currently covered in our collective  
5 bargaining agreement \$2,500 a year stipend for the person  
6 appointed in this case, likely Lieutenant Redstone, it's  
7 just an additional \$2,500.

8 Even when code enforcement was in public safety,  
9 it was still separate from police and fire. It was its own  
10 department. And the interaction, it worked well back then  
11 and I want to remind you that we're all one municipality,  
12 even though we're five commissioners, five departments. All  
13 five departments, the people that work together, work  
14 together every day regularly and (indiscernible) that they,  
15 in fire department, and Lieutenant Redstone be appointed as  
16 fire sub-code official.

17 COMMISSIONER EVANS: John, for the record, your  
18 address for the -- so we have it?

19 MR. HUND: 238 Pasadena Avenue, Hasbrouck Heights,  
20 New Jersey.

21 COMMISSIONER EVANS: All right, John, are you here  
22 in the capacity as representing the union or as an  
23 individual?

24 MR. HUND: Yes.

25 COMMISSIONER EVANS: It's my understanding that

1 the union was not -- you are not here in the capacity of the  
2 union based (indiscernible).

3 MR. HUNDa As far as I know, I'm here representing  
4 the Union, sir.

5 COMMISSIONER EVANSa I just want to note, the  
6 president of the Union, Mr. (indiscernible) authorize you to  
7 be here tonight representing the union?

8 MR. HUND: (Indiscernible) with me.

9 COMMISSIONER EVANS: I'd like an answer.

10 MR. HUND: Yes. As far as I know, I'm  
11 representing the Union. Yes, sir.

12 COMMISSIONER EVANS: That's different from my  
13 understanding. I second, under our form of government, the  
14 code enforcement department was allocated to revenue finance  
15 department. So, whether you look at geography as a  
16 municipality under the structure of our form of government,  
17 the decisions around personnel and the hiring go with the  
18 department that's -- that it is assigned to.

19 (Indiscernible), under that Act and under the statute, the  
20 position of fire sub-code official is in the construction  
21 office.

22 At one time, there was a change in statute that  
23 required a change for municipalities that would separate  
24 fire prevention from fire sub-code. In Nutley, we were  
25 grandfathered for that. While we recognize a change in

1 state statute, we were not required to make a change to  
2 separate fire prevention from fire (indiscernible).

3 They all came to me, (indiscernible), your fire  
4 chief came to me and made me aware of the statute, made me  
5 aware of the function of fire prevention. At that time, I  
6 discussed it with the code office. While under statute, we  
7 could have easily kept it, it allowed for a (indiscernible)  
8 to continue to do that as a volunteer fireman background and  
9 as an inspector, or have (indiscernible) certified to do  
10 that. We made the change to move fire prevention to the  
11 fire department.

12 I (indiscernible) it out and I acknowledge  
13 (indiscernible) appreciate if you would now acknowledge that  
14 that change did occur. And that change actually keeps John  
15 Redstone, as I understand it (indiscernible).

16 MR. HUND: I was the fire official for four years  
17 (indiscernible) appointed me. And I'm telling you that the  
18 fire prevention bureau would be able to do the work. No  
19 doubt about it that the fire prevention bureau could do the  
20 work.

21 And the administrative code says, and I quote  
22 though, that the construction official or each of the sub-  
23 code officials, or any other assistant in staff work  
24 (indiscernible) need not require that the assistant staff  
25 work exclusively for the enforcing agency or that they be

1 located in one office or building within the municipality.

2 That's all forms of government in New Jersey.

3 COMMISSIONER EVANS: Absolutely.

4 MR. HUND: So, the first sub-code could work in  
5 fire department. The answer to the code official~~a~~ and it  
6 would still meet the absolute state statutes and  
7 regulations.

8 COMMISSIONER EVANS: (Indiscernible)~~a~~ but it's not  
9 the choice that I made.

10 MR. HUND: I wanted to make sure you -- it sounded  
11 like you were saying he couldn't.

12 COMMISSIONER EVANS: Thank you.

13 MR. HUND: Thank you.

14 MAYOR PETRACCO: Is there anyone else who would  
15 like to comment on this ordinance? (Indiscernible) public  
16 hearing.

17 UNIDENTIFIED SPEAKER: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Aye.

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: Aye.

3 UNIDENTIFIED SPEAKER: Move the ordinance.

4 UNIDENTIFIED SPEAKER: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 MADAM CLERK: Mayor Petracco?

14 MAYOR PETRACCO: Nay.

15 COMMISSIONER EVANS: I have an ordinance tonight,  
16 as well, number 3231, which changes the time limit parking  
17 on Cadmus Street to be both sides of the street between  
18 8:00 a.m. and 6:00 p.m. to a two hour limit. This change is  
19 being made at the request of the residents who live in that  
20 area.

21 MAYOR PETRACCO: Is there anyone who would like to  
22 step forward and comment on ordinance number 3231?  
23 (Indiscernible)?

24 UNIDENTIFIED SPEAKER: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.  
2 MADAM CLERK: Commissioner Tucci?  
3 COMMISSIONER TUCCI: Aye.  
4 MADAM CLERK: Commissioner Evans?  
5 COMMISSIONER EVANS: Aye.  
6 MADAM CLERK: Commissioner Scarpelli?  
7 COMMISSIONER SCARPELLI: Aye.  
8 MADAM CLERK: Mayor Petracco?  
9 MAYOR PETRACCO: Aye.  
10 UNIDENTIFIED SPEAKER: Move the ordinance.  
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 Evans?  
17 COMMISSIONER EVANS: Aye.  
18 MADAM CLERK: Commissioner Scarpelli?  
19 COMMISSIONER SCARPELLI: Aye.  
20 MADAM CLERK: Mayor Petracco?  
21 MAYOR PETRACCO: Aye.  
22 COMMISSIONER EVANS: Thank you, Mayor.  
23 MAYOR PETRACCO: You're welcome.  
24 Now, we have an ordinance from  
25 Commissioner Scarpelli and Commissioner Evans.

1 MR. SCARPELLI: This is a public hearing to raise  
2 the water rate. That has not been done since 2007 and also  
3 the increased. And what this will do is bring it from 35.98  
4 thousand cubic feet to \$40.48 thousand cubic feet, which is  
5 an increase of \$4.50.

6 MAYOR PETRACCO: Is there anyone here tonight that  
7 would like to comment on ordinance number 3233? Okay, no  
8 one?

9 UNIDENTIFIED SPEAKER: (Indiscernible) public  
10 hearing.

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 Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 UNIDENTIFIED SPEAKER: The ordinance.

23 UNIDENTIFIED SPEAKER: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: Aye. Thank you. I also have an  
9 ordinance --

10 COMMISSIONER SCARPELLI: I've got one more public  
11 hearing --

12 MAYOR PETRACCO: I'm sorry.

13 COMMISSIONER SCARPELLI: Public hearing on the  
14 acquisition of -- by the court properties as far as FEMA of  
15 the grants that we received.

16 MAYOR PETRACCO: Is there anyone here this evening  
17 that would like to comment on number 3233? No one?

18 UNIDENTIFIED SPEAKER: (Indiscernible) public  
19 hearing.

20 UNIDENTIFIED SPEAKER: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Aye.

6 UNIDENTIFIED SPEAKER: Go ahead, Mayor.

7 MAYOR PETRACCO: I have a joint public hearing  
8 also with Commissioner Evans.

9 UNIDENTIFIED SPEAKER: Excuse me, did we vote on  
10 that or we just closed the --

11 COMMISSIONER SCARPELLI: Move the ordinance,  
12 sorry.

13 MADAM CLERK: Moved by Commissioner Scarpelli and  
14 seconded by --

15 COMMISSIONER ROGERS: Second.

16 MADAM CLERK: Commissioner Rogers. Commissioner  
17 Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Mayor Petracco?

1           MAYOR PETRACCO: Aye. Anything else,  
2 Commissioner?

3           MR. SCARPELLI: No.

4           MAYOR PETRACCO: Okay, thank you. I have a joint  
5 ordinance with Commissioner Evans. Commissioner, would you  
6 like to read this or --

7           COMMISSIONER EVANS: This simply is an ordinance  
8 that sets the speed limit on Franklin Avenue to 25 miles an  
9 hour. It's currently 35. And to be consistent with the  
10 county, it's moving it to 25 miles an hour.

11          MAYOR PETRACCO: Okay. Is there anyone here this  
12 evening that would like to comment on ordinance number 3232?

13          UNIDENTIFIED SPEAKER: Close the public hearing.

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 Evans?

20          COMMISSIONER EVANS: Aye.

21          MADAM CLERK: Commissioner Scarpelli?

22          COMMISSIONER SCARPELLI: Aye.

23          MADAM CLERK: Mayor Petraeco?

24          MAYOR PETRACCO: Aye.

25          UNIDENTIFIED SPEAKER: Ordinance.

1 UNIDENTIFIED SPEAKER: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye. Thank you.

12 Okay, I have one ordinance number 3230, which I am  
13 going to table tonight. And we can now move onto  
14 resolutions. Commissioner Rogers, you have none. You read  
15 yours. Commissioner Tucci?

16 COMMISSIONER TUCCI: I'm done.

17 MAYOR PETRACCO: Commissioner Evans?

18 COMMISSIONER EVANS: Thank 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  
22 to refund overpayments of property taxes in the amount of  
23 \$7,773.85, for block 8700 lot 55, block 2001 lot 17, block  
24 7102 lot 5, in the individual amounts of \$1,841.89;  
25 \$3,429.82; and \$2,501.74. (Indiscernible)a

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 COMMISSIONER EVANS: Be it resolved, by the Board  
13 of Commissioners in the Township of Nutley, in the County of  
14 Essex, State of New Jersey, that the Treasurer be and she is  
15 hereby authorized to refund overpayment of bills, payments,  
16 for block 1300 lot 1 C2007 for \$64.86 and lot 2100 lot 13  
17 for \$12.84. So moved.

18 COMMISSIONER TUCCI: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Mayor Petracco?

3 MAYOR PETRACCO: Aye. Thank you.

4 Whereas, raffle applications have been received  
5 from the following organizations; and Rotary Club of Nutley,  
6 license number 29-13, on-premise merchandise raffle,  
7 April 6, 2013; Rotary Club of Nutley, Cody's Foundation,  
8 license number 30-13, on-premise raffle, merchandise raffle,  
9 May 3, 2013; Friends of the American Cancer Society of New  
10 Jersey, license number 31-13, on-premise merchandise raffle,  
11 April 5, 2013.

12 Whereas, applications have been reviewed and  
13 approved by the Municipal Clerk and the Police Department.

14 Now, therefore, be it resolved by the Board of  
15 Commissioners of the Township of Nutley, County of Essex,  
16 that the licenses are approved and the Municipal Clerk has  
17 authorized to issue the licenses.

18 Move the resolution.

19 COMMISSIONER TUCCI: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Mayor Petracco?

4 MAYOR PETRACCO: Aye.

5 Whereas, the Township of Nutley is the third party  
6 defendant in litigation entitled the New Jersey Department  
7 of Environmental Protection, et al. v. Occidental Chemical  
8 Corporation, et al., Docket No. ESX-L-9868-05 (PASR) (the  
9 Passaic River Litigation); and,

10 Whereas, the New Jersey Department of  
11 Environmental Protection, the Commissioner of New Jersey  
12 Department of Environmental Protection, and the  
13 Administrator of New Jersey Spill Compensation Fund  
14 (collectively, "the Plaintiffs"), have offered to settle  
15 directly with all Third Party Defendants, including the  
16 Township of Nutley; and,

17 Whereas, on behalf of the Township of Nutley,  
18 counsel executed a Confidentially Agreed and Memorandum of  
19 Understanding with Plaintiffs which, among other things,  
20 allowed for settlement negotiations between the Township of  
21 Nutley and Plaintiffs and for the development of settlement  
22 documentation, provided that the negotiations and the  
23 documents generated during the course of those negotiations  
24 were to remain strictly confidential; and,

25 Whereas, negotiations between Plaintiffs and Third

1 Party Defendants, including the Township of Nutley, have  
2 resulted in the preparation of a proposed Consent Judgment  
3 and related settlement documentation, and,

4           Whereas the Board of Commissioners of the Township  
5 of Nutley has reviewed with counsel the proposed Consent  
6 Judgment and related settlement documentation in Executive  
7 Session at the meeting of March 5, 2013; and,

8           Whereas, the proposed Consent Judgment and related  
9 settlement documentation continue to remain strictly  
10 confidential in accordance with the Confidentiality  
11 Agreement and Memorandum of Understanding executed by  
12 counsel on behalf of the Township of Nutley until such time  
13 as they are published by Plaintiffs in accordance with the  
14 Consent Order on the Approval Process for the Proposed  
15 Consent Judgment entered by the Court on January 24, 2013, a  
16 copy of which is annexed hereto as Exhibit "A"; and,

17           Whereas, the proposed Consent Judgment and related  
18 settlement documentation may be subject to change depending  
19 on the outcome of the approval process outlined in the  
20 Consent Order; and,

21           Whereas, the Board of Commissioners of the  
22 Township of Nutley desires to approve the proposed  
23 settlement as reflected in the proposed Consent Judgment and  
24 related settlement documentation and allow for the approval  
25 process to move forward in accordance with the Consent

1 Order.

2 Now, therefore, let it be resolved by the Board of  
3 Commissioners of the Township of Nutley as follows:

4 1. All of the foregoing "whereas" clauses are in  
5 accordance as if set forth at length herein.

6 2. The Township of Nutley hereby authorizes the  
7 settlement of the Passaic River Litigation substantially in  
8 accordance with the terms set forth in the proposed Consent  
9 Judgment and related settlement documentation reviewed by  
10 the Board of Commissioners, Township of Nutley in an  
11 Executive Session as the meeting of March 5, 2013.

12 3. The Township of Nutley counsel and all other  
13 appropriate Township of Nutley officials and personnel are  
14 authorized to prepare any and all related documents and  
15 perform all tasks, which will effectuate the purpose of this  
16 resolution.

17 4. The appropriation of any and all settlement  
18 sums shall be the subject to a -- subsequent resolution to  
19 be adopted by the Board of Commissioners of the Township of  
20 Nutley after the finalization of the approval process set  
21 forth in the Consent Order and in accordance with the  
22 proposed Consent Judgment.

23 5. This resolution shall take effect immediately  
24 and/or required by law.

25 I move the resolution.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 Be it resolved by the Board of Commissioners of  
13 the Township of Nutley in the County of Essex in the State  
14 of New Jersey that the following be appointed as a volunteer  
15 to the Nutley Fire Department effective immediately:  
16 Amanda Kuchta, 25 Mapes Ave; Nicholas J. Briganti, 51 --  
17 Briganti, I'm sorry. 51 Passaic Ave  
18 Maxwell E. Adjei-Acquah, 9 River Road, Apartment B.

19 I move the resolution.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Aye. Thank you. That's the end  
6 of our business portion of the meeting.

7 Is there anyone here tonight, this evening that  
8 would like to approach the Board for comment? Seeing no one  
9 (indiscernible) --

10 COMMISSIONER ROGERS: Meeting until Friday  
11 morning, 9:00 a.m.

12 MADAM CLERK: Thank you.

13 MAYOR PETRACCO: Second.

14 MADAM CLERK: Mayor, we don't need a motion  
15 because we're going to continue the meeting to Friday.

16 UNIDENTIFIED SPEAKER: We're continuing the budget  
17 portion until Friday.

18 MAYOR PETRACCO: Thank you all for coming.

19 (Whereupon, the meeting was adjourned.)  
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C E R T I F I C A T I O N

I, Jamie Gallagher, certify that the foregoing transcript is  
a true and accurate record of the proceedings.

Jamie Gallagher  
Jamie Gallagher

Date: June 4, 2013

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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

	)	
PUBLIC MEETING	)	TRANSCRIPT OF
	)	PROCEEDINGS:
	)	

ORIGINAL

March 22, 2013

9:05 a.m.

BEFORE:

- Mayor Alphonse Petracco
- Commissioner Mauro G. Tucci (Telephonic)
- Commissioner Thomas J. Evans
- Commissioner Joseph P. Scarpelli
- Commissioner Steven Rogers

Township Clerk

Job No. VTNJ1670560

P R O C E E D I N G S

1  
2 MADAM CLERK: Good morning, everyone. This is a  
3 continued meeting of a regular meeting held Tuesday,  
4 March 19th. Today is Friday, March 22, 2013. It is now  
5 9:05 a.m. The purpose of this continued meeting is to  
6 introduce the 2013 budget for the Township of Nutley. I  
7 will do a roll call.

8 Commissioner Rogers?

9 COMMISSIONER ROGERS: Here.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Here.

12 MADAM CLERK: Commissioner Tucci is via telephone  
13 conference. Commissioner Evans?

14 COMMISSIONER EVANS: Here.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Here.

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Here.

19 MADAM CLERK: We also have Ray Sarinelli present,  
20 as well, along with Rosemary Costa. Kevin Harkins is on  
21 conference call, as well.

22 I ask that everyone please speak clearly and  
23 loudly as I'm trying to have this meeting recorded. Okay?  
24 All set.

25 COMMISSIONER EVANS: We're here to do the budget

1 introduction. Just to recap from where we were at our  
2 budget workshop on Tuesday, we left that meeting with  
3 roughly a 2 percent increase in the budget and a 3 percent  
4 increase in the levy. And we asked that everybody work  
5 together to see if we can identify more cuts, hopefully to  
6 achieve an additional \$180,000 worth of reductions.

7 I am very pleased with the progress we made,  
8 because we actually achieved \$329,000 worth of reductions.  
9 So, we exceeded our goal on doing that. As a result, the  
10 budget that we will introduce today will have, for the  
11 municipal government, which is 35 percent of the total tax  
12 bill, and covers the five municipal departments, in total,  
13 we're looking at a 1.28 percent increase in our budget year  
14 over year. We are below the levy cap. We are below the  
15 appropriation cap. So, we meet the caps' requirements for  
16 the State of New Jersey.

17 In addition, we are identifying a \$200,000 revenue  
18 shortfall because of fewer grants. We had identified that  
19 we had missed some recycling revenues at the budget  
20 workshop, so there's an error on your sheet. But the  
21 200,000 is eliminated because we were able to pick up  
22 \$188,000 of revenues that were not picked up from the budget  
23 workshop.

24 So, the increase in the tax levy is now down from  
25 3.01 percent down to 1.65 percent, for a total increase in

1 the tax levy of \$627,443. The importance of the difference  
2 between the budget and the tax levy is it's basically a  
3 total budget minus the revenues that we get, identifies the  
4 amount of money to be raised from the taxpayers. And that  
5 number last year -- the actual last year was \$38,004,445.  
6 And if you recall, on a budget basis, we actually reduced  
7 the levy from 2011 by \$66,000.

8 So, we've been on a very, very conservative track.  
9 We've been doing a lot for cost management in town to deal  
10 with taxes. The levy is going up this year to \$38,631,898  
11 or a 1.65 percent increase in the levy.

12 That, by any stretch of what municipalities are  
13 facing this year, Nutley gets a gold star for what we've  
14 done in terms of cost management and managing -- what we can  
15 do from the municipal government standpoint to manage our  
16 costs.

17 The challenge that we have is that's not the full  
18 tax impact to the taxpayers because we need to consider the  
19 school tax increase, as well as any adjustments for the  
20 county. We do not have a final county rate today. That  
21 won't be struck for a few more weeks. So, we're still  
22 waiting on that, but we do have the school board increase,  
23 which is 7.2 cents, where the municipal piece is 5.3 cents.

24 So, the combined -- the combination of that will  
25 cause the overall tax levy for residents to increase by 13.7

1 cents or about, in total, about -- the total increase that  
2 the municipality before adjustments for assessed value  
3 shifts and things like that would be about \$400 a household.

4 So, we have a challenge with that. And the reason  
5 why I point that out is while we have done a fine job of  
6 managing our cost, and we continue to manage them. And the  
7 key word there is manage them. There is nothing that we  
8 will do as a municipality while I am in financial control  
9 that we will strip the budget in any way, an aggressive way  
10 that creates volatility that our tax payers cannot tolerate.

11 We try to manage our way through that. I'm very  
12 comfortable with where we are in a position. Where I do  
13 continue to see stress for the municipality is that we  
14 remain in a state where we have volatility in assessed  
15 values. And so this year, assessed values have gone down  
16 2.93 percent, or roughly \$100 million. That will have an  
17 impact on the tax rate.

18 And what that -- at a municipal level, what that  
19 means is that while we were able to control our costs in the  
20 budget and actually keep them low, that -- effect of that on  
21 the tax rate is actually 1.8 pennies, 1.8 cents. The effect  
22 of lowering of assessed values actually increases the tax  
23 rate from the municipal government by 3 and a half pennies.  
24 So, it's 5.3 pennies is the total increase, but 3 and a half  
25 cents of that increase is due to lower assessed values.

1           What that means is that when we strike the tax  
2 rate and the tax bills go out later in the year, it means  
3 that there will be volatility in the base where some  
4 residents will feel a reduction in their taxes. Some won't  
5 feel an increase at all. Some will feel an increase based  
6 upon whether or not their assessed value, individually,  
7 changed.

8           We anticipate that when the tax bills go out, we  
9 will provide a -- in their envelopes a form, which will lay  
10 out how they can individually calculate the effect on their  
11 taxes so that they can determine individually what was the  
12 impact for that individual household.

13           It's very hard in this environment to calculate  
14 what the average increase is for any one household because  
15 there's so much volatility over the last few years that it's  
16 hard to say that there's a simple average out there that  
17 would be representative of the town.

18           So, I would not recommend doing that. But if we  
19 provide them with the way to calculate it, which is a very  
20 simple calculation, everyone could see what the individual  
21 impact is going to be

22           So, with that, I want to compliment everybody for  
23 the work that they did. I want to thank the mayor for the  
24 work that he did to go back and look at the public safety  
25 budget, as well -- as well as the other Commissioners as we

1 go through the budget introduction. So, I'll pause there as  
2 an opening statement on the budget introduction.

3 MAYOR PETRACCOa Okay. I have a question. Where  
4 is the sheet where it says what departments, how much we  
5 went up as an individual department, who's up, who's down?

6 COMMISSIONER EVANS: The budget recap sheet. You  
7 should have it.

8 MAYOR PETRACCO: Okay. And, Commissioner Evans, I  
9 know we spoke at length yesterday and I actually spoke with  
10 Charlie Kazinsky (ph), the president of the school board  
11 last night at a function I attended. And they were pretty  
12 confident that their tax increase would be \$57 on that  
13 average household. In your calculations, you don't come up  
14 with -- I'm seeing that you have them up to \$116 if I'm  
15 reading that correct?

16 COMMISSIONER EVANSa Yeah, the -- it's difficult  
17 to calculate that number for them. And this sheet that  
18 you're looking at has a formula error in it.

19 So, if the example that I give you here is for a  
20 house that was assessed at \$300,000 last year and didn't  
21 change its assessment going into this coming year, the  
22 increase from the school board on that particular house  
23 would be \$216.

24 If that house was \$300,000 last year and went down  
25 in its assessed value to 2.93 percent based upon the

1 reduction in assessed values, the effect of the lowering of  
2 their base would create a tax increase of \$81. So, I can't  
3 get to \$57.

4 UNIDENTIFIED SPEAKER: So, that number on this  
5 sheet is not 216. It's 81.

6 COMMISSIONER EVANS: No, it's an error on your  
7 sheet. It's \$81. Just correct it.

8 Now, when you do the same calculation for the  
9 municipal side, since we're going up 5.3 pennies and they're  
10 going up 7.2 pennies, when we look at the municipal side,  
11 for that same house of \$300,000, it has a current assessed  
12 value of \$300,000. That house -- and it doesn't change its  
13 assessed value going into the current year, they're going to  
14 look at an increase of \$159 on the municipal side.

15 If they went down 2.9 percent -- 2.93 percent,  
16 they -- that same household would see a municipal tax  
17 increase of \$59. So, I can save \$59 for the municipal side  
18 and \$81 for the school side. I can't see \$57.

19 And the difficulty with that is I believe in their  
20 calculation they took the change in the assessed value from  
21 the average of \$326,000 down to \$314,000 on average. And  
22 so, on average, when you start -- and that's my comment  
23 earlier is that when you start to look at this much  
24 volatility and try to create an average impact on it, it's  
25 just -- it's not clear enough to be representative of what

1 actually is happening.

2 So, we -- this -- what you're looking at is we  
3 created an example, which we'll clean up and we'll fix, and  
4 we'll figure that out. The other thing is that what's not  
5 on here is the county, 1.2 percent. We took that off for  
6 some reason.

7 UNIDENTIFIED SPEAKER: And what does that equal to  
8 dollars added to this?

9 COMMISSIONER EVANS: It's 1.2. So, it's 13.7  
10 cents. It would add 1.2, so it would be 14.9 cents is the  
11 estimate. We don't have a number, but we're estimating 1.2.  
12 Generally one penny plus two-tenths for the open spaces is  
13 generally in the bill. By lowering our assessed values that  
14 we do, we've been able to pretty much keep the county  
15 assessments flat year over year.

16 So, while there is volatility, there is partial  
17 offset of the county rate, which we've been able to manage.

18 UNIDENTIFIED SPEAKER: So, Tom, if you would say  
19 the municipal's \$59, the school board is 81. What would you  
20 say the county would be roughly?

21 COMMISSIONER EVANS: A penny? Probably 8 bucks.

22 UNIDENTIFIED SPEAKER: \$8?

23 COMMISSIONER EVANS: Yeah, something like that.

24 UNIDENTIFIED SPEAKER: So, a county is about \$8.

25 COMMISSIONER EVANS: But the difficulty is I would

1 really caution all of the Commissioners to stay away from  
2 trying to simplify this conversation to the point of the  
3 simple, average number. It's -- I believe by doing that,  
4 given the volatility that's out there, that that actually is  
5 misleading.

6 What I think is very appropriate and very valuable  
7 is to explain to the taxpayers, as much as we can, that the  
8 work that we did as a municipal government, moving from 11  
9 into 12 to reduce the overall levy, which we did. And very  
10 few municipalities did that in 2012 by lowering it \$66,000.

11 And the fact that our overall increase,  
12 recognizing that the bulk of the increase this year is  
13 health care costs that have come through that we have to  
14 manage our way through and substantially the work that we've  
15 done is substantially mitigated. All of the other increases  
16 that we're dealing with that we should be advising residents  
17 that we're well below the 2 percent cap requirement, that  
18 we're only at a 1.3 percent increase in our budget which, by  
19 any standard in the state, is exceptional work.

20 And that the difficulty that we have is that some  
21 residents are going to feel the impact not just of this  
22 year's increase, but they're also going to feel the impact  
23 of the shift of the base because of the change in assessed  
24 values. And the change in assessed values of property in  
25 Nutley is something that the market controls, not the Board

1 of Commissioners.

2 So, if people are out there selling their houses  
3 and are trading out for less money, then that affects the  
4 average sale price, which then affects our calculation of  
5 what the assessed values are. That's a market condition.  
6 What we're already seeing in the northeast is that -- it was  
7 in the paper this morning, the houses that are selling  
8 between 250,000 and 500,000 have seen an increase of 5  
9 percent.

10 Right, so I expect that the volatility that we've  
11 been experiencing is going to settle down and that it will  
12 -- this lowering of assessed values is actually going to  
13 turn out all right? And it will start to -- will come out at  
14 some point in time to what a real number will be.

15 What we're doing is we're managing those assessed  
16 values. We will continue to manage those assessed values to  
17 avoid ever being in the position as a municipality to go  
18 through a million dollar cost to revalue because the  
19 assessed values were static and became irrelevant. We were  
20 very good about managing that activity.

21 And so, we're just in that thing. So, I would  
22 just summarize and just say, please, try and avoid trying to  
23 narrow it down to this is the average. With the paper we'll  
24 give you, it will be very easy to sit with them and actually  
25 help them calculate what their individual increase is which

1 is explained because it's a simple calculation.

2 Current year assessed value, divided by 100, times  
3 the current rate~~a~~ adjusted or same assessed value divided by  
4 100, times the new rate. Whatever the difference is, it's  
5 either upper, if it went down, you've got a lowering of  
6 taxes. If it went up, you had an increase in taxes. It's a  
7 very simple calculation.

8 UNIDENTIFIED SPEAKER: And we didn't mention any  
9 of -- what we -- how you mentioned to me about the Sandy  
10 storm, how that didn't affect, how we managed through that.

11 COMMISSIONER EVANS~~a~~ Well, and that's why I made  
12 my comment is that we have very good financial practice in  
13 place because we have had Hurricane Irene. We've had the  
14 October blizzard. And we've had Hurricane Sandy.

15 We -- remember, we actually established emergency  
16 resolutions to cover the spending on those costs, which  
17 combined, are well over a million dollars, closer to like  
18 1.2, maybe 1.3 million dollars for those storms. And we  
19 have not had to include in our budget a special assessment  
20 to the taxpayers to pay for those emergency storms.

21 We've been able to manage our way through that,  
22 keeping costs down, keeping the budget down, we've actually  
23 been able to absorb the cost of those storms and not pass  
24 something on to the taxpayers, right? We have the ability  
25 to do that.

1           From a standpoint of our sick and vacation  
2 accrual, right, we've been doing great work with managing  
3 that. The arbitration hearing and the resolution from the  
4 police actually change the base line. It gives us an  
5 opportunity to manage that liability. It's -- I believe  
6 that that liability has peaked and we have funded our  
7 liability in that case.

8           So, I'm very pleased from that standpoint, we are  
9 well balanced as a community and that these huge things that  
10 could actually hurt a town, we've been able to manage our  
11 way through it. The -- and we did talk about the fact that  
12 if you look over time, the things that have been driving up  
13 cost to the budget over time, actually is things that remain  
14 beyond our control to a degree.

15           One, in the late '90s and early 2000's, the State  
16 was not collecting pension payments. They then decided to  
17 do that and when they decided to do that, it was a five year  
18 period of these extraordinary bills, 800 and 900,000 and  
19 700,000 dollars each annually coming in that we have to  
20 absorb as a municipality and we have no ability to control  
21 that cost.

22           We all know, and it's very public, that we all  
23 know that health care costs have been on a rising tear for  
24 10 years, right? And the increases remain and we've had to  
25 absorb those increases.

1           The sewer charges have moderated these past two  
2 years, but prior to that, they were rising at a very  
3 dramatic rate, as well. So, while services haven't changed,  
4 the cost of providing those services has changed. So, in  
5 today's environment it costs more to provide a basic service  
6 to the town and necessary things that we need to do.

7           By modifying the sick and vacation policy, we've  
8 been able to, over the longer term and into the future,  
9 reduce that future liability, which would really create, and  
10 that's real money, because when that comes -- as that comes  
11 down, we will have less of a need to fund it. We have  
12 maintained our reserve balance in this budget.

13           We have continued our policy of passing on that  
14 balance, 75 percent of that balance gets returned to the  
15 taxpayer, so it's part of lowering the levy every year.  
16 We've continued to do that and we remain cash positive so  
17 that we do not, between tax periods, have to go out and buy  
18 temporary tax notes to fund the government as some  
19 municipalities have to do. We avoid that debt. We avoid  
20 that interest cost.

21           And additionally, we have done quite a bit to  
22 manage our capital spent, as we know that our base, our  
23 capital debt outstanding is down \$2 million from where it  
24 was five years ago. We have average debt that's outstanding  
25 of 9 years at 2.67 percent interest rate, which is all down

1 from what it was. So, we (indiscernible) saving on our  
2 interest costs, we're managing it well.

3 And because we've done that, and you guys have  
4 been -- I don't do this, we do this, because we all have to  
5 jump into it. This budget has in it the ability to fund the  
6 necessary improvements we have to do. We've been able to  
7 fund our police desk improvements. We've purchased a fire  
8 truck. We've continued to improve our buildings.

9 And this year, we're actually going to be able to  
10 continue to do that, but we have a special fund -- dedicated  
11 fund in here to road improvements because our roads have  
12 taken a hit. So, in addition to what we normally spend on  
13 roads, there's a specific dedicated spend here for a million  
14 dollars for road improvements, which is going to be -- it  
15 will help us to accelerate our investments in the town,  
16 which the residents of the town will benefit from. The  
17 roads will be less bumpy. And I hope we won't see anybody  
18 standing in front of us holding another piece of blacktop  
19 telling us how bumpy the roads are.

20 The other thing that's in here is we're able to  
21 fund the fiber optic cabling, which will reduce our leasing  
22 cost with Verizon. It has a pay back period of three years,  
23 but we get cable up on the lines that has a useful life of  
24 at least 25 years or more. The cost is moderated. The  
25 return on the investment is 3 and a half years.

1           We get connected network between the school -- the  
2 school, the library, all the municipal buildings. We  
3 significantly increase our speed in the network and it's  
4 part of the ongoing plan that as today, we have secure  
5 networks. We have very secure firewalls. We've updated our  
6 emergency equipment to all because we need to do that to  
7 protect the town.

8           So, there's infrastructure improvements that are  
9 able to be made today that if we didn't do what we've done  
10 over the last few years, we would not be able to make that  
11 decision today. And because of the way interest rates are  
12 and the way we can manage that debt, we will manage that  
13 increase in debt within our existing debt service. We're  
14 not going to increase, I don't see at this time, the ability  
15 to increase -- the need to increase our debt service to pay  
16 for this increased debt because of what we've been able to  
17 manage.

18           So, the taxpayers won't get an increased charge  
19 for it, but what they will get is the increased benefit of  
20 the road improvements that everybody will see as we go  
21 forward.

22           And the next step on the fiber optics is when you  
23 think about being a 21st century town, you know, it creates  
24 the potential for us that we could actually create wireless  
25 wi-fi spots where throughout the town you could start to use

1 your technology to get internet access from wherever you're  
2 at.

3 That's our goal. We're moving (indiscernible)a  
4 We have a lot of good stuff in here. So, when we describe  
5 it, this is not about simply what's the tax rate. It's  
6 about the fact that my view, we've made balanced  
7 investments. We've had strong cost management over the  
8 years, and we've been managing our way through a very  
9 volatile period which unfortunately has been masked by the  
10 lowering of assessed values over the last few years.

11 MAYOR PETRACCO: Okay, I just -- if anybody wants  
12 to jump in before me, feel free. But --

13 COMMISSIONER TUCCI: This -- Mayor, this is  
14 Commissioner Tucci.

15 MAYOR PETRACCO: Sure.

16 COMMISSIONER TUCCI: I'd just like to number one,  
17 once again acknowledge, you know, the work that  
18 Commissioner Evans has done in taking all of our numbers and  
19 the work that we've all done collectively to bring this  
20 budget to where it is. Because when you have a volatile  
21 economy like we have, when you have dropping values, when  
22 you have insurance cost rising at rates that are barely,  
23 barely manageable unless you're really on top of it, I think  
24 the product that we're presenting today is a positive one.

25 And I'd like to caution some folks. If you just

1 go by the appropriation sheets that were handed out and you  
2 see the percentage increases, and I'll use my own department  
3 as an example. You'll see percentage increases like, for  
4 example, in the parks department of 5.3 percent. But  
5 there's almost \$100,000 in here, all right, in an  
6 appropriation for employees that we were given by the county  
7 and funded by the county, all right, to help us clean up  
8 after Hurricane Sandy, which would bring that percentage  
9 change from a 5.35 percent down to 4.2.

10 When you start to dissect the different elements  
11 of the insurance and being that the insurance is in my  
12 department, I can speak to it a little bit better. I know  
13 Commissioner Evans totally understands it.

14 With the joint insurance fund, which is our  
15 property insurance, our general liability, and auto, workers  
16 comp, environmental liability, and public officials and  
17 employee practices liability, that increase was only 3  
18 percent, all right, over last year's increase. And that's  
19 largely because Nutley takes a leadership role in the joint  
20 insurance fund because of the cooperation of all of the  
21 members that were able to manage that. And we're able to  
22 give more than adequate consideration to all of the claims  
23 that come before us.

24 Group insurance this year for active employees,  
25 they were projecting a rate of 7.9 percent. For retirees,

1 the rate was 9.1 percent. So, if you blend those two rates,  
2 you get to about 8 percent. The increase that I've  
3 calculated is just a bit over -- below 6. It's at 5.8  
4 percent. And again, it's because we're paying attention  
5 because we're mitigating costs, and we're able to keep that  
6 down. All right.

7 When we get into dental, vision, buy back,  
8 Medicare, and some of the other smaller policies that we  
9 have, we're talking about one-half of 1 percent of an  
10 increase. So, when you look at a department like the parks  
11 department, you have to realize that out of that \$10.7  
12 million, 78 percent of that is insurance and utilities, all  
13 right? Which, given the different increases, all right,  
14 we've been able to smooth out to 3.5 percent.

15 So, for lines that we cover as individual  
16 commissioners, and in particular, my department, the  
17 increase is due to anticipated employee increases and steps  
18 that are built in contractually. We're talking about  
19 increases somewhere around seven-tenths of 1 percent.

20 So, while, you know, in some instances, you know,  
21 the taxes will go up, and others it will go down, and some  
22 it will stay the same, it's not a function -- again, and  
23 I'll repeat what Commissioner Evans has said, so much of  
24 what we've done, all right, if we haven't done the work that  
25 we've done to date, all right, the increases in this town

1 would be astronomical.

2 So, again, while we all would love to see our  
3 taxes go down, or just be frozen at a 2012 level, because of  
4 the environment that we're working in, it's literally  
5 impossible. And what we've presented here, and the work  
6 that's been done by all of the Commissioners is just  
7 phenomenal. And quite frankly, you know, going into my 13th  
8 year on this Commission, I don't think we've ever had a more  
9 difficult time to budget. And I'd just like to congratulate  
10 everyone on that.

11 MAYOR PETRACCO: Commissioner Evans?

12 COMMISSIONER EVANS: Thanks, Mauro, for your  
13 comments. Just on my earlier comments. Ro Costa and  
14 Ray Sarinelli are here. They also were listening to the  
15 conversation and did a recalculation of the school and the  
16 municipal numbers.

17 I just want to let you know that there was an  
18 error in the base on the revised base for the assessment,  
19 which does two things. Where we were estimating numbers  
20 were higher, the municipal increase for someone whose  
21 assessed value went down is actually -- for the municipal  
22 side is actually \$37.48 and on the school side it's \$58.41.  
23 But my numbers were high, so they're down.

24 So, the \$59 is very close to what the school had.  
25 So, we checked our numbers. So, I just want to correct that

1 for the record. We'll pass out a revised sheet so everybody  
2 has the right information.

3 COMMISSIONER TUCCI: Excellent. Thank you.

4 MAYOR PETRACCO: I'd just like to comment on a  
5 couple things myself, too. I know that there are some  
6 numbers that are -- you know, we're going to concrete for  
7 sure. You know, I'd just like to go on the record and say,  
8 you know, if my calculations are correct, we're about \$140  
9 up as a Township. That includes municipal. That includes  
10 the county and the school.

11 And, you know, the biggest complaint I feel as the  
12 Mayor, and in my department also is that, you know, when we  
13 say we're raising taxes \$140, it never seems that my taxes  
14 go up \$140 or, you know, on the average house. So, it's  
15 easier at the lowest estimated values of that average house  
16 somewhere.

17 You know, I think the businesses in town, I know  
18 that I talked to Commissioner Evans at length yesterday. I  
19 know that it seems like the commercial properties haven't  
20 declined in value like the residential. You know, I know  
21 we're all working hard on Main Street U.S.A. in the  
22 businesses.

23 I can tell you, being a business owner, we are  
24 already stressed out. Our sales are going down and it seems  
25 our fixed costs are going up. So, that really concerns me

1 because I know the last time that, you know, we had  
2 something like this, you know, the taxes on, you know, our  
3 businesses went up -- well over \$1,000. And I just feel  
4 that to pass that burden along to them is another nail in  
5 the coffin. I know it's a nail in my coffin. I know my  
6 house, my assessed value is higher and my increase will not  
7 be \$148.

8 I think we do our best, I think, to do this. I  
9 hope that leading up to when we adopt this budget that we  
10 could find some more things in it to cut out, if there's a  
11 way that we could transfer money into departments that are  
12 up. I notice public safety is down a little bit. I would  
13 be willing to do that to offset some of the insurance cost.  
14 Or any way we can work together to get these numbers down.  
15 Because like I said, by the time the end user gets their tax  
16 bill, it seems like it's never just a \$140 increase. And I  
17 think people are stressed in the town.

18 And, you know, I agree with Commissioner Evans 100  
19 percent. If we do too much cutting of these budgets, then  
20 we'll have a town that no one wants to live in. So, I think  
21 we have to strike a balance and, you know, it's a tough  
22 position and it's a tough balance to strike.

23 COMMISSIONER TUCCI: Mayor, just as a point of  
24 clarification, you mentioned that in departments as your  
25 own --

(Recording ended abruptly)

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Board of Commissioners Continued Meeting March 22, 2013 (March 19, 2013)

Commissioner Tucci (Via Telephone Conference) - Inaudible

Commissioner Scarpelli FOR Commissioner Evans/Ordinance No. 3235  
"AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A  
40A:4-45.14)

Commissioner Evans made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner Scarpelli. All Ayes. . Commissioner Evans read by title only.

A public hearing will be held on April 25, 2013.

Resolution No. 88-13

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Township of Nutley, County of Essex, for the Fiscal Year 2013

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

BE IT FURTHER RESOLVED, that said Budget be published in the NUTLEY SUN in the issue of April 4<sup>th</sup>.

The Governing Body of the Township of Nutley does hereby approve the following as the Budget for the year 2013.

Notice is hereby given that the Budget and the Tax Resolution was approved by the Board of Commissioner of the Township of Nutley, County of Essex, on March 22, 2013.

A Hearing on the Budget and the Tax Resolution will be held at the Municipal Building on April 25, 2013 at 7:00 PM, at which time and place objections to said Budget and Tax Resolution for the year 2013 may be presented by taxpayers or other interested persons.

Introduced by Commissioner Evans, Seconded by Commissioner Scarpelli.

All Ayes on a roll call vote.

**ADJOURNMENT:**

Motion to adjourn by Commissioner Rogers, seconded by Mayor Petracco. Meeting adjourned at 9:50 A.M. All Ayes.

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C E R T I F I C A T I O N

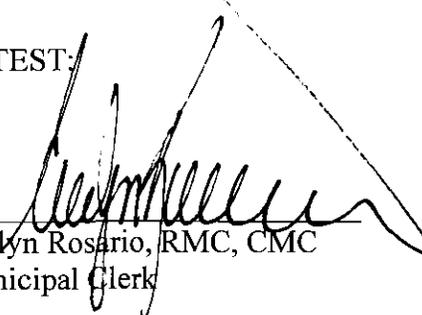
I, Jamie Gallagher, certify that the foregoing transcript is  
a true and accurate record of the proceedings.

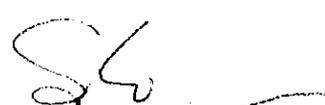
  
Jamie Gallagher

Date: June 4, 2013

**March 19, 2013 meeting AND continued meeting held on March 22, 2013 transcription approved by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday, July 16, 2013.**

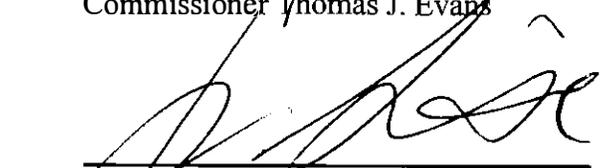
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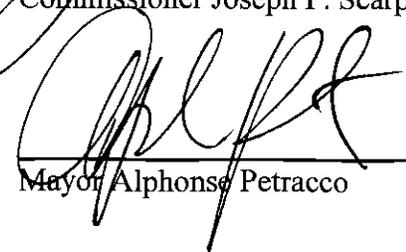
  
\_\_\_\_\_  
Evelyn Rosario, RMC, CMC  
Municipal Clerk

  
\_\_\_\_\_  
Commissioner Steven Rogers

  
\_\_\_\_\_  
Commissioner Mauro G. Tucci

  
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Commissioner Thomas J. Evans

  
\_\_\_\_\_  
Commissioner Joseph P. Scarpelli

  
\_\_\_\_\_  
Mayor Alphonse Petracco

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

## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* March 19, 2013  
*Seconded by:* Commissioner Steven Rogers *No.* 87-13

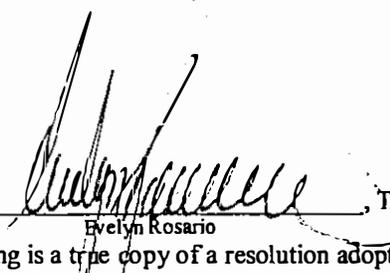
WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that the Township Commission shall now move into closed executive session to discuss:

1. Potential Litigation
2. Personnel Matter

BE IT FURTHER RESOLVED, that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Township of Nutley pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by statute.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held March 19, 2013

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

**SHADE TREE**

**FOR THE MONTH OF**

**JANUARY 2018**

**CLASS 2 PRUNING**

**11**

**CLASS 4 PRUNING**

**06**

**TAKE DOWNS**

**28**

**MISCELLANEOUS**



**TOWNSHIP OF NUTLEY**  
**Department of Parks and Public Property**  
**REPORT 36 SHADE TREE DEPT. ACTIVITY, BY DATE**

WORK COMPLETED	DATE WORK COMPLETED	ADDRESS		SPECIES	DIA (INCHES)	SHADE TREE DEPARTMENT MANHOURS
		ZONE	NO			
CLASS 2 PRUNING COMPLETED	1/4/2013	6	057	E. WHITE TERR	01	HORNBEAM 05 0
	1/4/2013	5	249	FRANKLIN AVE	01	HORNBEAM 05 0
	1/4/2013	2	480	FRANKLIN AVE	01	FLOWERING PEAR 03 0
	1/4/2013	6	031	HAY AVE	01	HORNBEAM 03 0
	1/4/2013	6	079	HIGHFIELD LA	01	HORNBEAM 03 0
	1/4/2013	3	011	ROOSEVELT ST	01	HORNBEAM 03 0
	1/4/2013	9	084	ST. MARY'S PL	01	HORNBEAM 05 0
	1/4/2013	9	086	ST. MARY'S PL	01	HORNBEAM 05 0
	1/4/2013	6	243	WASHINGTON AVE	01	ZELKOVA 01 0
	1/7/2013	9	105	ONOVER AVE ON HARVARD S	01	HORNBEAM 04 0
	1/7/2013	4	149	RIDGE RD	01	FLOWERING PLUM 05 0
TOTAL NUMBER OF CLASS 2 PRUNING COMPLETED = 11						TOTAL NUMBER OF MANHOURS: 0
CLASS 4 PRUNING COMPLETED	1/7/2013	3	567	WASHINGTON AVE	01	ZELKOVA 01 0
	1/11/2013	9	105	CONOVER AVE	01	JAPANESE TREE LILAC 03 0
	1/11/2013	6	050	HAY AVE	02	RED MAPLE 04 0
	1/11/2013	4	149	RIDGE RD	01	FLOWERING PLUM 05 0
	1/10/2013	3	567	WASHINGTON AVE	01	ZELKOVA 01 0
	1/17/2013	7	058	MILTON AVE	01	RED MAPLE 13 0
TOTAL NUMBER OF CLASS 4 PRUNING COMPLETED = 6						TOTAL NUMBER OF MANHOURS: 0
TREE TAKEN DOWN	1/2/2013	1	582	BLOOMFIELD AVE	01r	ASH 15 0
	1/2/2013	1	107	BROOKDALE AVE	01r	NORWAY MAPLE 19 0
	1/2/2013	2	125	BROOKFIELD AVE	01R	NORWAY MAPLE 18 0
	1/2/2013	2	136	BROOKFIELD AVE	01r	PIN OAK 24 0
	1/2/2013	1	014	CADMUS ST	02	NORWAY MAPLE 19 0
	1/2/2013	2	007	FERNWOOD TERR	01R	NORWAY MAPLE 17 0

**TOWNSHIP OF TUTLEY**  
**Department of Parks and Public Property**  
**REPORT 38 SHADE TREE DEPT. ACTIVITY, BY DATE**

WORK COMPLETED	DATE WORK COMPLETED	ADDRESS				SPECIES	SHADE TREE DEPARTMENT	
		ZONE	NO	STREET	POS		DIA (INCHES)	MANHOURS
TREE TAKEN DOWN	1/2/2013	2	090	HAWTHORNE AVE	01	NORWAY MAPLE	14	0
	1/2/2013	6	163	HIGHFIELD LA	01R	NORWAY MAPLE	16	0
	1/2/2013	1	107	KENZEL AVE	02R	RED MAPLE	22	0
	1/2/2013	5	048	MANHATTAN CT	03R	SILVER MAPLE	18	0
	1/2/2013	4	157	OHLSON AVE	01R	NORWAY MAPLE	23	0
	1/2/2013	1	055	RHODAAVE	01R	NORWAY MAPLE	08	0
	1/2/2013	1	165	RHODAAVE	01R	NORWAY MAPLE	08	0
	1/3/2013	2	067	EDGEWOOD AVE	02R	NORWAY MAPLE	21	0
	1/3/2013	2	067	EDGEWOOD AVE	01R	NORWAY MAPLE	15	0
	1/3/2013	1	075	EDISON AVE	01R	NORWAY MAPLE	19	0
	1/3/2013	3	052	OAK ST	01R	RED OAK	30	0
	1/3/2013	3	128	RUTGERS PL	01R	NORWAY MAPLE	19	0
	1/4/2013	5	043	RAYMOND AVE	01	HORNBEAM	05	0
	1/7/2013	6	038	HAMPTON PL	01r	FLOWERING PEAR	05	0
	1/8/2013	8	067	RAVINE AVE	01	FLOWERING PEAR	17	0
	1/17/2013	8	086	EVERGREEN AVE	01R	NORWAY MAPLE	24	0
	1/17/2013	7	066	MILTON AVE	01R	RED MAPLE	15	0
	1/18/2013	2	063	ROOKFIELD AVE ON PASSAIC AVE	02	NORWAY MAPLE	10	0
	1/18/2013	5	244	CHESTNUT ST	01R	REDBUD	02	0
	1/18/2013	7	082	HASTINGS AVE	01R	NORWAY MAPLE	17	0
	1/18/2013	8	068	STAGER ST	01R	FLOWERING PEAR	18	0
	1/30/2013	2	023	GLENDALE ST	02R	FLOWERING PEAR	24	0
<b>TOTAL NUMBER OF</b>	<b>TREE TAKEN DOWN</b>	<b>= 28</b>				<b>TOTAL NUMBER OF MANHOURS:</b>		<b>0</b>

**TOTAL SHADE TREE DEPT. MANHOURS FOR THE TIME PERIOD CHOSEN: 0**

**Misc:**

- 1/02 Removed stumps around town
- 1/03 Removed stumps around town
- 1/07 Picked up branches around town
- 1/08 Picked up branches around town
- 1/10 Picked up branches around town, picked up Christmas Tree around town
- 1/11 Removed hanger from trees Radcliffe School, High School & Yantacaw School
- 1/14 Removed Christmas lights from buildings
- 1/15 Removed Christmas lights from buildings
- 1/16 Snow Removal around town, Garage serviced saws
- 1/17 Removed hangers 33 Gless Ave and 10 Oakridge Ave
- 1/22 Picked up branches around town. Picked up supplies at Northeaster
- 1/23 Picked up branches around town parks
- 1/24 Removed sidewalk slabs from Sandy
- 1/25 Painted garage
- 1/28 Around town salted and shoveled snow and picked up branches
- 1/29 Centre St Water Line removed fallen trees and clean up from Sandy's storm
- 1/30 Took new chipper to be fixed
- 1/31 Picked up chipper

**Man hours: 640**

Less 112 Sick

8 Per

**Total Man Hours worked: 520**

**Leave of Abs Hours: 176**

**Loads to Dumpster: 49**

*Shade Tree  
for the month of  
February, 2013*

*Taken Down*

*Miscellaneous*

*15*



**TOWNSHIP OF NUTLEY**  
**Department of Parks and Public Property**  
**REPORT 36 SHADE TREE DEPT. ACTIVITY, BY DATE**

WORK COMPLETED	DATE WORK COMPLETED	ADDRESS				SPECIES	DIA (INCHES)	SHADE TREE DEPARTMENT MANHOURS
		ZONE	NO	STREET	POS			
TREE TAKEN DOWN	2/4/2013	2	051	MONTCLAIR AVE	01R	NORWAY MAPLE	18	0
	2/13/2013	7	136	FRANK ST	02R	LONDON PLANE	19	0
	2/13/2013	2	036	LAKE ST	02R	RED MAPLE	17	0
	2/15/2013	2	409	HILLSIDE AVE	01R	RED MAPLE	29	0
	2/15/2013	2	024	LAKE ST	01R	RED MAPLE	22	0
	2/15/2013	8	111	PROSPECT ST	01R	ZELKOVA	05	0
	2/20/2013	4	443	CHESTNUT ST	01r	NORWAY MAPLE	24	0
	2/21/2013	9	027	FRIEDLAND ST	01r	FLOWERING PEAR	20	0
	2/21/2013	2	033	MONTCLAIR AVE	01R	ZELKOVA	15	0
	2/22/2013	6	131	NUTLEY AVE	01r	FLOWERING PEAR	16	0
	2/23/2013	4	487	CHESTNUT ST	01r	NORWAY MAPLE	17	0
	2/23/2013	8	044	GLESSA AVE	01R	NORWAY MAPLE	22	0
	2/25/2013	1	013	CADMUS ST	01R	RED MAPLE	24	0
	2/26/2013	7	044	FUNSTON PL	01r	NORWAY MAPLE	22	0
	2/26/2013	2	054	MONTCLAIR AVE	01r	NORWAY MAPLE	02	0
<b>TOTAL NUMBER OF</b>	<b>TREE TAKEN DOWN</b>	<b>= 15</b>				<b>TOTAL NUMBER OF MANHOURS:</b>		<b>0</b>

TOTAL SHADE TREE DEPT. MANHOURS FOR THE TIME PERIOD CHOSEN: 0

*Misc:*

- 2/01 Removed hangers throughout the town*
- 2/04 Picked up branches throughout the town*
- 2/05 Salted and Shoveled snow around Town Buildings and Parks*
- 2/06 Greased and serviced Boom Truck*
- 2/08 Salted and Plowed Snow*
- 2/11 Salted and Plowed Snow*
- 2/12 Garage - service and cleaned saw's cleaned boom truck*
- 2/22 Picked up branches around town*
- 2/27 Removed stakes from newly planted trees in all Parks*

*Man Hours: 608*

*Less: 72 Sick*

*Total Man Hours Worked 536*

*Leave of Abs Hours: 88*

*Loads to Dumpster: 38*

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00258	MGL FORMS SYSTEMS	101.00					101.00
13-00366	POLAND SPRING	39.41					39.41
13-00654	AT & T MOBILITY	264.24					264.24
13-00635	JOSEPH RICCIARDI PAINT	255.70					255.70
13-00820	ESSEX CNTY UTILIITIES AUTH.	75,185.50					75,185.50
13-00805	ESSEX CNTY UTILIITIES AUTH.	9,159.59					9,159.59
13-00801	NEWARK BETH ISRAEL MED.	120.00					120.00
13-00577	NO. JERSEY MEDIA GROUP	459.66					459.66
13-00860	CUSTODIAN PETTY CASH	28.98					28.98
13-00883	MADLINE GOGLIA	35.00					35.00
13-00884	KIM LEWIS	35.00					35.00
13-00817	TREASURER SCHOOL MONEY		2,167,349.00				2,167,349.00
13-00815	POLICE/FIREMENS RTRMT SYS		2,375,804.00				2,375,804.00
13-00816	P.EMPLOYEES RETIREMENT SYS		1,000,390.00				1,000,390.00
13-00837	PAYROLL AGENCY ACCT.		91.11				91.11
23-00934	PAYROLL AGENCY ACCT.		31,915.51				31,915.51
13-00844	PAYROLL AGENCY ACCT.		656.04				656.04
13-00972	CEDE & COMPANY		40,708.75				40,708.75
13-00809	MGL FORMS SYSTEMS		1,774.50				1,774.50
13-00861	CUSTODIAN PETTY CASH		90.49				90.49
13-00631	PROFESS.GOVERN.EDUCUATOR		180.00				180.00
13-00582	WEST GROUP		104.25				104.25
13-00072	NEOPOST INC		4,809.19				4,809.19
13-00799	NJ STATE DEPT. HLTH.& SR. SERV.		3.60				3.60
13-00798	US BANK CUSTODIAN TLC		9,269.43				9,269.43
13-00203	STAPLES		68.10				68.10

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00500	W.B. MASON		266.00				266.00
13-00268	W.B. MASON		110.78				110.78
13-00583	W.B. MASON		35.36				35.36
13-00172	W.B. MASON		110.67				110.67
13-00195	VITAL COMM.		255.00				255.00
13-00037	RICHARD RENN		505.00				505.00
13-00797	BRACH EICHLER & AGREST J		3,441.35				3,441.35
13-00796	BRACH EICHLER & ELWOOD		1,407.96				1,407.96
13-00795	BRACH EICHLER & ELWOOD		2,324.29				2,324.29
13-00794	BRACH EICHLER & IMG REALTY		1,021.06				1,021.06
13-00793	BRACH EICHLER & IMG REALTY		11,129.54				11,129.54
13-00790	GROUP D CAPITAL PARTNERS		333.20				333.20
13-00789	GROUP D CAPITAL PARTNERS		399.08				399.08
13-00791	SEAN & TRACY MCGRATH		2,959.82				2,959.82
13-00792	FLAGSTAR BANK		811.47				811.47
13-00848	US BANK ATR FUND		1,182.93				1,182.93
13-00788	US BANK ATR FUND		396.60				396.60
13-00787	US BANK PRO CAPITAL I		1,024.84				1,024.84
13-00849	US BANK PRO CAPITAL I		1,296.68				1,296.68
13-00730	US BANK PRO CAPITAL I		2,563.12				2,563.12
13-00824	CABLEVISION		4.27				4.27
13-00873	MUN. CLERKS ASSOC.		50.00				50.00
13-00871	EVELYN ROSARIO		25.00				25.00
13-00931	US POSTAL SERVICE		4,000.00				4,000.00
13-00634	W.B. MASON		369.65				369.65
13-00889	EIC INSPECTION AGENCY		82.00				82.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00890	EIC INSPECTION AGENCY		68.00				68.00
13-00891	EIC INSPECTION AGENCY		68.00				68.00
13-00892	EIC INSPECTION AGENCY		95.00				95.00
13-00893	EIC INSPECTION AGENCY		68.00				68.00
13-00894	EIC INSPECTION AGENCY		95.00				95.00
13-00895	EIC INSPECTION AGENCY		82.00				82.00
13-00896	EIC INSPECTION AGENCY		95.00				95.00
13-00897	EIC INSPECTION AGENCY		204.00				204.00
13-00898	EIC INSPECTION AGENCY		54.00				54.00
13-00899	EIC INSPECTION AGENCY		190.00				190.00
13-00900	EIC INSPECTION AGENCY		68.00				68.00
13-00902	EIC INSPECTION AGENCY		68.00				68.00
13-00903	EIC INSPECTION AGENCY		95.00				95.00
13-00904	EIC INSPECTION AGENCY		136.00				136.00
13-00905	EIC INSPECTION AGENCY		68.00				68.00
13-00906	EIC INSPECTION AGENCY		475.00				475.00
13-00907	EIC INSPECTION AGENCY		922.00				922.00
13-00908	EIC INSPECTION AGENCY		68.00				68.00
13-00910	EIC INSPECTION AGENCY		285.00				285.00
13-00911	EIC INSPECTION AGENCY		380.00				380.00
13-00912	EIC INSPECTION AGENCY		68.00				68.00
13-00913	EIC INSPECTION AGENCY		68.00				68.00
13-00914	EIC INSPECTION AGENCY		68.00				68.00
13-00915	EIC INSPECTION AGENCY		95.00				95.00
13-00916	EIC INSPECTION AGENCY		82.00				82.00
13-00917	EIC INSPECTION AGENCY		82.00				82.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00918	EIC INSPECTION AGENCY		68.00				68.00
13-00919	EIC INSPECTION AGENCY		68.00				68.00
13-00920	EIC INSPECTION AGENCY		68.00				68.00
13-00921	EIC INSPECTION AGENCY		68.00				68.00
13-00922	EIC INSPECTION AGENCY		68.00				68.00
13-00923	EIC INSPECTION AGENCY		68.00				68.00
13-00924	EIC INSPECTION AGENCY		68.00				68.00
13-00925	EIC INSPECTION AGENCY		68.00				68.00
13-00926	EIC INSPECTION AGENCY		150.00				150.00
13-00927	EIC INSPECTION AGENCY		217.00				217.00
13-00928	EIC INSPECTION AGENCY		95.00				95.00
13-00929	EIC INSPECTION AGENCY		68.00				68.00
13-00593	MILLENIUUM STRATEGIES		3,333.00				3,333.00
13-00593	MILLENIUUM STRATEGIES		3,333.00				3,333.00
13-00365	NO JERSEY MEDIA GROUP		495.64				495.64
13-00961	VERIZON WIRELESS		48.01	566.98			614.99
13-00590	RAINBOW CLEANERS			95.00			95.00
13-00930	PETRACCO & SONS			699.80			699.80
13-00932	PETRACCO & SONS			591.90			591.90
13-00748	ALAN GENITEMPO			34.00			34.00
13-00536	INTERPORT CONTAINER SOL.			150.00			150.00
12-00594	LANGUAGE LINE SERVICE			126.62			126.62
13-00731	SUZANN LORUSSO			225.00			225.00
13-00589	FIRE FIGHTERS			315.00			315.00
13-00604	NFPA INTERNATIONAL			165.00			165.00
13-00672	UPS			73.32			73.32

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-05338	MOTOROLA			468.20			468.20
13-02710	PATERSON STAMP WORKS			390.00			390.00
12-05352	MOBILE TECH			2,827.50			2,827.50
13-00776	JOHN HOLLAND			161.63			161.63
13-00775	JOHN HOLLAND			500.00			500.00
12-05029	AED SUPERSTORE			1,943.96			1,943.96
13-00623	JOSEPH RICCIARDI PAINTS			75.90			75.90
13-00571	PORTER LEE CORP			875.00			875.00
13-00427	ACTION INTERPRETING			397.50			397.50
13-00806	TURNOUT UNIFORMS			169.96			169.96
13-00807	TURNOUT UNIFORMS			136.89			136.89
13-00808	TURNOUT UNIFORMS			11.99			11.99
13-00810	TURNOUT UNIFORMS			59.99			59.99
13-00811	TURNOUT UNIFORMS			114.92			114.92
13-00302	TURNOUT UNIFORMS			55.00			55.00
13-00102	NICOLETTE TOWING			24.00			24.00
13-00573	HOME DEPOT			322.49			322.49
13-00175	GANN LAW BOOKS			664.00			664.00
13-00780	NATIONAL TERMINAL			5,375.99			5,375.99
13-00720	NATIONAL TERMINAL			6,303.93			6,303.93
13-00721	NATIONAL FUEL OIL			11,882.88			11,882.88
13-00723	NATIONAL FUEL OIL			10,104.15			10,104.15
13-00655	AT & T MOBILITY			48.05			48.05
13-00603	MICRO CENTER			232.85			232.85
13-00250	AUTOMOTIVE ENERGY			325.62			325.62
13-00862	CUSTODIAN OF PETTY CASH			85.05			85.05

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00832	JOHN TOMBURO JR			80.00			80.00
13-00580	W.B. MASON			230.97			230.97
13-00090	W.B. MASON			4.60			4.60
13-00253	W.B. MASON			68.24			68.24
13-00692	W.B. MASON			425.50			425.50
13-00626	W.B. MASON			19.99			19.99
13-00492	W.B. MASON			465.10			465.10
13-00579	W.B. MASON			239.34			239.34
13-00115	W.B. MASON			116.89			116.89
13-00179	W.B. MASON			79.99			79.99
13-00155	W.B. MASON			128.74			128.74
13-00255	SO BERGENS FIRE CHIEFS ASSN			200.00			200.00
13-00544	ESSEX CNTY FIRECHIEF ASSOC			300.00			300.00
13-00543	ESSEX CNTY FIRECHIEF ASSOC			600.00			600.00
12-05158	MAGIC TOUCH CONSTRUCTION			3,955.48			3,955.48
13-00670	SAL ELECTRIC CO			931.01			931.01
13-00568	OFFICE SOLUTIONS			553.00			553.00
13-00668	SERVICEMASTER OF CLIFTON			180.00			180.00
13-00671	FRANKLIN CENTRAL			2,440.00			2,440.00
13-00679	GRAINGER			521.48			521.48
13-00673	MATTHEW BENDER			65.34			65.34
13-00674	JMAC SERVICE			4,350.00			4,350.00
13-00497	GOODYEAR AUTO SERVICE			1,623.62			1,623.62
12-04846	GENERAL SALES ADMIN.			6,773.03			6,773.03
12-04688	JEN ELECTRIC			1,060.00			1,060.00
13-00785	JPR CYCLES			96.28			96.28

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00644	VERIZON			95.84			95.84
13-00701	AT & T MOBILITY			3,181.38			3,181.38
12-04302	ACCURATE CONSTRUCTION			28,575.00			28,575.00
13-00081	FOLEY INC				151,350.00		151,350.00
13-00116	W.B. MASON				87.28		87.28
13-00449	W.B. MASON				173.01		173.01
13-00591	W.B. MASON				44.46		44.46
13-00909	JAMES SANTANGELO				85.00		85.00
13-00532	DELUXE INTERNATIONAL				2,645.76		2,645.76
12-05324	DELUXE INTERNATIONAL				413.56		413.56
13-00563	STAPLES				67.22		67.22
12-05153	CAMPBELL FOUNDRY				4,784.00		4,784.00
13-00062	TILCON NJ				652.80		652.80
13-00056	NORTHEAST AUTOMOTIVE				91.94		91.94
13-00726	CITY OF NEWARK WATER				9,648.75		9,648.75
13-00045	JOSEPH RICCIARDI				43.95		43.95
13-00040	BELL RIDGE PLUMBING				120.77		120.77
13-00587	SUPERIOR DISTRIBUTORS				1,518.10		1,518.10
13-00061	SUPERIOR DISTRIBUTORS				137.71		137.71
13-00567	INTERCITY TIRE				859.80		859.80
13-00135	GARDEN STATE HIGHWAY PROD				450.00		450.00
13-00055	NEWARK ASPHALT CORP				300.00		300.00
13-00502	INTERNATIONAL SALT CO				15,090.89		15,090.89
13-00161	TRIU OF NJ				131.05		131.05
13-00560	DELGEN PRESS				3,680.00		3,680.00
13-00753	JACK BRANAHGANS				1,050.00		1,050.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00754	JACK BRANAHGANS				1,050.00		1,050.00
13-00657	AT & T MOBILITY				665.38		665.38
13-00698	AT & T MOBILITY				769.99		769.99
12-05086	BEN SHAFFER				3,907.60		3,907.60
12-04727	HELM HOLDING				450.00		450.00
12-02844	AJM CONTRACTORS				23,899.96		23,899.96
12-05497	STEWART BUSINESS				1,200.85		1,200.85
12-05233	INTERCITY TIRE				7,596.00		7,596.00
12-05191	SMART SIGN				269.65		269.65
13-00562	CARA GRAPHICS				911.88		911.88
13-00561	CARA GRAPHICS				1,775.00		1,775.00
13-00529	ROBERTS & SON				846.31		846.31
13-00518	BEYER BROS				385.15		385.15
13-00049	BEYER BROS				69.06		69.06
13-00044	P & A AUTO PARTS				136.51		136.51
13-00046	AGL WELDING				159.11		159.11
13-00046	AGL WELDING				77.00		77.00
13-00633	INTERSTATE BATTERY				169.90		169.90
13-00053	INTERSTATE BATTERY				97.90		97.90
13-00863	CUSTODIAN OF PETTY CASH				77.00		77.00
13-00685	PSE & G				84.29		84.29
13-00784	PSE & G				18.09		18.09
13-00876	PSE & G				18,606.39		18,606.39
13-00812	PATTY DAVIS				52.95		52.95
13-00940	MARINA C. PERNA				387,108.43		387,108.43
13-00942	MARINA C. PERNA				429,847.60		429,847.60

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00943	MARINA C. PERNA				341,848.53		341,848.53
13-00049	BEYER BROS				15.82		15.82
13-00059	ROUTE 23 AUTO MALL				103.30		103.30
13-00823	CABLEVISION				95.05		95.05
13-00829	PATTY DAVIS				40.40		40.40
12-05387	MADISON PLUMBING SUPPLY				1,501.70		1,501.70
13-00023	CONTEMPORARY GLASS					194.00	194.00
13-00259	ARROW ELEVATOR					425.00	425.00
13-00259	ARROW ELEVATOR					425.00	425.00
13-00024	GRAINGER					31.08	31.08
13-00177	GANN LAW BOOKS					153.00	153.00
13-00011	M & R CAR WASH					36.00	36.00
13-00025	GRANT SUPPLIES					330.52	330.52
13-00025	GRANT SUPPLIES					10.26	10.26
12-04872	ARTISTIC FENCE					1,665.00	1,665.00
13-00578	ARTISTIC FENCE					15.23	15.23
13-00015	P & A AUTO PARTS					18.86	18.86
13-00629	GRAND RENTAL STATION					274.46	274.46
13-00443	PASSAIC AUTO RADIATOR					140.00	140.00
13-00619	FRANKLIN CENTRAL COMM					216.98	216.98
13-00223	MOONEY GENERAL PAPER					1,665.66	1,665.66
13-00538	CLIFFSIDE BODY CORP					99.76	99.76
12-04720	DIA INC					3,600.00	3,600.00
12-05261	R & R TROPHY & SPORTS GOODS					6,563.20	6,563.20
12-04388	MAGIC TOUCH CONSTRUCTION					3,990.90	3,990.90
13-00675	MAGIC TOUCH CONSTRUCTION					1,001.62	1,001.62

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-04215	MAGIC TOUCH CONSTRUCTION					21,840.00	21,840.00
13-00159	SIACA WIPER					465.00	465.00
13-00814	PRINCETON HOSTED SOLUTION					1,572.62	1,572.62
13-00814	PRINCETON HOSTED SOLUTION					1,752.89	1,752.89
13-00656	PSE & G					28.60	28.60
13-00643	PSE & G					4.28	4.28
13-00737	PSE & G					859.36	859.36
13-00684	PSE & G					854.44	854.44
13-00888	PSE & G					1,278.13	1,278.13
13-00872	PSE & G					3,090.04	3,090.04
13-00821	PSE & G					699.59	699.59
13-00680	HESS CORP					2,311.98	2,311.98
13-00682	HESS CORP					896.90	896.90
13-00729	NRG BUSINESS SOLUTION					264.44	264.44
13-00018	SUPERIOR DISTRIBUTORS					93.34	93.34
13-00018	SUPERIOR DISTRIBUTORS					72.54	72.54
12-04165	SAL ELECTRIC					6,043.83	6,043.83
13-00630	SAL ELECTRIC					3,474.21	3,474.21
13-00212	APOLLO FLAG CO					259.00	259.00
13-00421	HEWLETT PACKARD					651.78	651.78
13-00592	HUMPHRYS COVERSPORT					94.00	94.00
13-00021	ABLE PAINT					485.64	485.64
13-00021	ABLE PAINT					50.08	50.08
13-00714	NATIONAL TERMINAL					2,008.13	2,008.13
13-00718	RICCARDI BROTHERS					119.90	119.90
13-00718	RICCARDI BROTHERS					193.75	193.75

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00028	RICCARDI BROTHERS					342.75	342.75
13-00028	RICCARDI BROTHERS					324.40	324.40
13-00012	NORTHEAST AUTOMOTIVE					178.00	178.00
13-00800	NOREEN HAVERON					479.41	479.41
12-04117	TEXAS CAVAS					500.00	500.00
13-00012	NORTHEAST AUTOMOTIVE					153.00	153.00
13-00764	RELIABLE WOOD PRODUCTS					2,692.00	2,692.00
12-04871	RELIABLE WOOD PRODUCTS					3,870.00	3,870.00
13-00016	ROBERTS & SON					195.00	195.00
13-00263	BELL-RIDGE PLUMBING					444.92	444.92
13-00678	W.B. MASON					639.50	639.50
13-00147	W.B. MASON					196.89	196.89
13-00565	KONE INC					101.66	101.66
13-00864	CUSTODIAN OF PETTY CASH					143.90	143.90
13-00022	BELL-RIDGE PLUMBING					40.93	40.93
13-00260	AGL WELDING					103.76	103.76
13-00007	BRADLEY TIRE					274.90	274.90
13-00649	DURABLE RECYCLING					1,649.28	1,649.28
13-00027	VIOLA BROTHERS					1,103.91	1,103.91
12-04705	ATLANTIC UNIFORM					999.90	999.90
12-04706	ATLANTIC UNIFORM					292.05	292.05
12-04704	ATLANTIC UNIFORM					1,479.60	1,479.60
13-00676	FELDMAN BROS ELECTRIC					80.00	80.00
12-05257	CAPTURE POINT					5,547.00	5,547.00
12-05226	NO.CHURCH GRAVEL					3,424.00	3,424.00
13-00697	AT & T MOBILITY					418.89	418.89

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY MARCH 19, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00769	CONTEMPORARY GLASS					283.00	283.00
13-00955	FRANK DE MAIO					70.00	70.00
13-00768	PAY PAL INC3					30.00	30.00
13-00740	TSF					3,867.50	3,867.50
12-04863	R & R TROPHY					159.40	159.40
13-00739	AMERICAN LEGION BASEBALL				3	400.00	400.00
13-00709	WALLINGTON LANES					1,067.00	1,067.00
13-00511	E. COAST DESIGNS					4,561.00	4,561.00
13-00707	CERBO					285.00	285.00
13-00802	IRMA LEPE					60.00	60.00
13-00803	MARYANNE BONIELLO					195.00	195.00
13-00804	GIRA PATEL					195.00	195.00
13-00853	CAROL FUREY					44.00	44.00
13-00756	A.C. MOORE					54.60	54.60
13-00527	DOT DESIGNING					995.00	995.00
13-00407	DOT DESIGNING					1,933.90	1,933.90
13-00213	DOT DESIGNING					18.30	18.30
13-00864	CUSTODIAN OF PETTY CASH					18.61	18.61
13-00728	NUTLEY PARK SHOPRITE					112.06	112.06
13-00818	NUTLEY PARK SHOPRITE					103.36	103.36
13-00393	METUCHEN CENTER					969.30	969.30
13-00945	MUSKY TROUT HATCHERIES					601.75	601.75
13-00944	AUDREY COST-CHAVES					125.00	125.00
13-00947	MEDIEVAL TIMES					1,224.00	1,224.00
13-00948	KIERAN HUNTER					100.00	100.00
13-00949	CRAIG VAUGHN					100.00	100.00



**TOWNSHIP OF NUTLEY**

**BILL LIST**

**March 19, 2013**

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of MARCH 19, 2013

**PAYROLL-REGULAR MARCH 1, 2013:**

ACC-U-VAC	45,233.70
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<b>TOTAL PAYROLL:</b>	<b>45,233.70</b>
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**The Payroll list in the foregoing schedule includes amounts to be deducted for:**

Federal Withholding Tax	
Social Security	0.00
N.J. State Tax	10,738.54
Medicare	3,166.36
Wage Execution	656.04
Deferred Compensation	0.00
Employee Disability Ins.	0.00

TOWNSHIP OF NUTLEY

BILL LIST

March 19, 2013

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of MARCH 19, 2013

**PAYROLL-REGULAR MARCH 15, 2013:**

Department of Public Affairs	17,569.33
Department of Revenue & Finance	59,945.38
Department of Public Safety	421,544.90
Department of Public Works	59,266.18
Department of Parks & Public Properties	83,892.07
Department of Recreation Commission	7,676.27
Water Operations	45,182.99
Due To From General Capital	3,519.91
600 SERIES	2,090.36
POLICE OUTSIDE DUTY	2,542.50
C.E.H.A.	295.52
<b>Sub Total</b>	<b>703,465.41</b>

**PAYROLL-OVERTIME MARCH 15, 2013:**

Department of Public Affairs	0.00
Department of Revenue & Finance	120.13
Department of Public Safety	13,023.49
Department of Public Works	3,171.55
Department of Parks & Public Properties	1,394.16
Water Operations	6,067.90
<b>Sub Total</b>	<b>23,777.23</b>

**TOTAL PAYROLL: 727,242.64**

**GRAND TOTAL: 8,176,237.18**

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

Federal Withholding Tax	87,539.32
Social Security	23,688.54
N.J. State Tax	25,547.93
Medicare	10,550.33
Wage Execution	3,220.00
Deferred Compensation	27,151.83
Employee Disability Ins.	5,953.40

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

**FINAL ADOPTION OF ORDINANCE  
ORDINANCE NO. 3229**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, March 19, 2013.**

**“AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2013.”**

**ALL “AYES” ON A ROLL CALL VOTE**

<b>Commissioner Rogers</b>	<b>“AYE”</b>
<b>Commissioner Tucci</b>	<b>“AYE”</b>
<b>Commissioner Evans</b>	<b>“AYE”</b>
<b>Commissioner Scarpelli</b>	<b>“AYE”</b>
<b>Mayor Petracco</b>	<b>“NAY”</b>

**Evelyn Rosario, RMC, CMC  
Municipal Clerk**

**Nutley Sun Issue/Thursday, March 28, 2013/Via E-Mail: [publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Ordinance No. 3229**

**Introduced by Commissioner Evans**

**Introduced on Tuesday, February 5, 2013**

**Public Hearing Tuesday, March 5, 2013**

**Advertise in the Nutley Sun Issue of Thursday, February 14, 2013**

**Ordinance No. 3229**

**“AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2013.”**

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

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

<u>Title</u>	<u>Base Salary Minimum</u>	<u>Base Salary Maximum</u>
<b><u>DEPARTMENT OF REVENUE &amp; FINANCE</u></b>		
Fire Protection Sub-Code Official-P/T	\$14,000.00	\$ 15,000.00

**Section 1. The annual salaries of the employees of the Departments of Public Works, Water, Parks and Public Property, excepting office employees, shall be on the basis of forty (40) hours per week. When overtime is required, it shall be paid on a "time and one-half" basis. The provisions for overtime as stated in this paragraph shall not apply to the Public Works Superintendent, Municipal Engineer, Construction Code Official/Zoning and Superintendent of Parks/Recreation.**

**Section 2. Payment of vacation time in advance may be made upon request in writing to the Treasurer at least one month in advance of the pay period requested. Written request must be approved by the Department Head before submission to the Treasurer.**

**Section 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.**

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

**FINAL ADOPTION OF ORDINANCE  
ORDINANCE NO. 3231**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, March 19, 2013.**

**AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING ON CERTAIN STREETS), SECTION 11 ENTITLED PARKING TIME LIMITED, TO ADD THE LOCATIONS SET FORTH THEREIN.**

**ALL "AYES" ON A ROLL CALL VOTE**

<b>Commissioner Rogers</b>	<b>"AYE"</b>
<b>Commissioner Tucci</b>	<b>"AYE"</b>
<b>Commissioner Evans</b>	<b>"AYE"</b>
<b>Commissioner Scarpelli</b>	<b>"AYE"</b>
<b>Mayor Petracco</b>	<b>"AYE"</b>

**Evelyn Rosario, RMC, CMC  
Municipal Clerk**

**Nutley Sun Issue/Thursday, March 28, 2013/Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

Ordinance No. 3231  
Introduced by Commissioner Evans  
Introduced on February 19, 2013  
Public Hearing: Tuesday, March 19, 2013  
Advertise in the Nutley Sun Issue of Thursday, February 28, 2013

Ordinance No. 3231

**AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING ON CERTAIN STREETS), SECTION 11 ENTITLED PARKING TIME LIMITED, TO ADD THE LOCATIONS SET FORTH THEREIN.**

**BE IT ENACTED** by the Board of Commissioners of the Township of Nutley that Section 11 of Chapter 228 of the Code of the Township of Nutley, entitled Parking Time Limited, is hereby amended to set forth the ADDITION of the following locations:

**228-11. Parking time limited.**

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described, except that the prohibition under “all streets” shall be applicable each and every day of the year:

**Add**

<b><u>Name of Street</u></b>	<b><u>Side</u></b>	<b><u>Hours</u></b>	<b><u>Time Limit</u></b>	<b><u>Location</u></b>
Cadmus Street	Both	8:00 a.m. to 6:00 p.m	2 hrs.	Entire Length

BE IT FURTHER ENACTED that all other terms and conditions and locations in Section 11 and Chapter 228 shall remain as heretofore set forth in the Code of the Township of Nutley, except where such a reading would not give meaning to and further the application of this amendment. In such case and in such event, the terms and conditions shall have a meaning consistent with the intent of this amendment; and

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

**Township of Nutley  
Essex County  
One Kennedy Drive  
Nutley, New Jersey 07140**

**FINAL ADOPTION OF ORDINANCE  
ORDINANCE NO. 3234**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, March 19, 2013.**

**“AN ORDINANCE OF THE TOWNSHIP OF NUTLEY, AMENDING CHAPTER 685, ENTITLED “WATER REGULATIONS AND RATES” OF THE NUTLEY TOWNSHIP CODE.”**

**ALL “AYES” ON A ROLL CALL VOTE**

<b>Commissioner Rogers</b>	<b>“AYE”</b>
<b>Commissioner Tucci</b>	<b>“AYE”</b>
<b>Commissioner Evans</b>	<b>“AYE”</b>
<b>Commissioner Scarpelli</b>	<b>“AYE”</b>
<b>Mayor Petracco</b>	<b>“AYE”</b>

**Evelyn Rosario, RMC, CMC  
Municipal Clerk**

**Herald News Issue/Friday, March 22, 2013/Via E-Mail: [publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

Ordinance No. 3234  
Introduced by Commissioner Scarpelli & Commissioner Evans  
Introduced on March 5, 2013  
Public Hearing Tuesday, March 19, 2013

**Ordinance No. 3234**

**“AN ORDINANCE OF THE TOWNSHIP OF NUTLEY, AMENDING CHAPTER 685, ENTITLED “WATER REGULATIONS AND RATES” OF THE NUTLEY TOWNSHIP CODE.”**

**WHEREAS**, the Township Commissioners have reviewed the results of operations for the year 2012 and have determined that the Township code should be amended to establish a new water rate;

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, as follows:

SECTION 685-1 of Chapter 685 entitled “Water Regulations and Rates,” of the Nutley Township Code is hereby amended to read as follows:

**685-1. Rates for water service.**

The rates to be charged to consumers for water shall be as follows:

- A. Forty dollars and forty-eight cents (\$40.48) per one thousand (1,000) cubic feet per billing period.
- B. Twenty dollars and twenty-four (\$20.24) minimum charge per billing period for any part of the first five hundred (500) cubic feet.

All ordinances or parts or ordinances inconsistent herewith are repealed.

These rates shall take effect April 1, 2013.

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

**FINAL ADOPTION OF ORDINANCE  
ORDINANCE NO. 3233**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, March 19, 2013.**

**“AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY LOCATED AT BLOCK 9001 LOT 12, BLOCK 9001 LOT 13 AND BLOCK 9001 LOT 14 IN THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY”**

**ALL “AYES” ON A ROLL CALL VOTE**

<b>Commissioner Rogers</b>	<b>“AYE”</b>
<b>Commissioner Tucci</b>	<b>“AYE”</b>
<b>Commissioner Evans</b>	<b>“AYE”</b>
<b>Commissioner Scarpelli</b>	<b>“AYE”</b>
<b>Mayor Petracco</b>	<b>“AYE”</b>

**Evelyn Rosario, RMC, CMC  
Municipal Clerk**

**Herald News Issue/Friday, March 22, 2013/Via E-Mail: [publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Ordinance No. 3233**  
**Introduced by Commissioner Scarpelli**  
**Introduced on March 5, 2013**  
**Public Hearing Tuesday, March 19, 2013**

**ORDINANCE NO. 3233**

**“AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY  
LOCATED AT BLOCK 9001 LOT 12, BLOCK 9001 LOT 13 AND BLOCK 9001 LOT 14 IN THE  
TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY”**

**WHEREAS**, the Mayor and Commissioners of the Township of Nutley, New Jersey adopted Resolution 297-12 authorizing the Mayor and Clerk to execute agreements for the purchase of real property located at 43 Donna Court, 47 Donna Court and 49 Donna Court pursuant to the provisions of the Flood Hazard Mitigation Programs funded by the State of New Jersey and Federal Government; and

**WHEREAS**, the Township of Nutley was awarded grant(s) under the FY10 Repetitive Flood Claims (RFC) and FY10 Flood Mitigation Assistance (FMA) programs to cover the costs associated with the property acquisitions; and

**WHEREAS**, the FY10 RFC grant provides for the acquisition of property labeled block 9001 Lot 13 aka 47 Donna Court and Block 9001 lot 14 aka 49 Donna Court at a total cost of \$771,696.13; and

**WHEREAS**, the FY10 FMA grant provides for the acquisition of property labeled block 9001 Lot 12 aka 43 Donna Court at a total cost of \$387,108.43.

**WHEREAS**, this land will be used for a public purpose pursuant to either a Federal or State grant program for flood mitigation.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Commissioners of the Township of Nutley, County of Essex and State of New Jersey as follows:

1. The acquisition of real property as set forth in the above caption, which property is located in Nutley, New Jersey is approved, subject to clear and marketable title. This approval is pursuant to NJSA 40A:12-1 *et seq.*
2. The real property being acquired is to be used for a public purpose pursuant to either a Federal or State grant program for flood mitigation.
3. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
4. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
5. This Ordinance shall take effect after publication and passage according to law.

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

**FINAL ADOPTION OF ORDINANCE  
ORDINANCE NO. 3232**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, March 19, 2013.**

**“AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE X (SPEED LIMITS), SECTION 33 ENTITLED “LIMITS ESTABLISHED” TO ADD THE LOCATIONS SET FORTH THEREIN.”**

**ALL “AYES” ON A ROLL CALL VOTE**

<b>Commissioner Rogers</b>	<b>“AYE”</b>
<b>Commissioner Tucci</b>	<b>“AYE”</b>
<b>Commissioner Evans</b>	<b>“AYE”</b>
<b>Commissioner Scarpelli</b>	<b>“AYE”</b>
<b>Mayor Petracco</b>	<b>“AYE”</b>

**Evelyn Rosario, RMC, CMC  
Municipal Clerk**

**Nutley Sun Issue/Thursday, March 28, 2013/Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Ordinance No. 3232**

**Introduced by Mayor Petracco & Commissioner Evans**

**Introduced on February 19, 2013**

**Public Hearing: Tuesday, March 19, 2013**

**Advertise in the Nutley Sun Issue of Thursday, February 28, 2013**

**Ordinance No. 3232**

**AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE X (SPEED LIMITS), SECTION 33 ENTITLED "LIMITS ESTABLISHED" TO ADD THE LOCATIONS SET FORTH THEREIN.**

**BE IT ORDAINED** by the Board of Commissioners of the Township of Nutley pursuant to the authority granted the municipality by N.J.S.A. 39:4-8, that Article X, Section 33 of Chapter 228 of the Code of the Township of Nutley, entitled "Speed Limits - Limits Established", is hereby amended to set forth the ADDITION of the following locations:

**228-33. Limits established.**

Speed limits are hereby established upon any of the following described streets or parts thereof:

**ADD**

<b>Name of Street</b>	<b>Speed Limit (mph)</b>	<b>Location</b>
Franklin Avenue	25	Belleville / Nutley Corporate Limit to Clifton / Nutley Corporate Limit

BE IT FURTHER ENACTED that all other terms and conditions and locations in Section 33 and Chapter 228 shall remain as heretofore set forth in the Code of the Township of Nutley, except where such a reading would not give meaning to and further the application of this amendment. In such case and in such event, the terms and conditions shall have a meaning consistent with the intent of this amendment; and

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

**PUBLIC HEARING NOT HELD, ORDINANCE NO. 3230 TABLED**

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

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3230**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was introduced and passed upon first reading at a regular meeting of the Board of Commissioners, Township of Nutley, Essex County, New Jersey on the 19<sup>th</sup> day of February 2013 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Board of Commissioners to be held on the 19<sup>th</sup> day of March, 2013 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.**

**Evelyn Rosario, RMC, CMC  
Municipal Clerk  
Township of Nutley**

**Nutley Sun Issue/Thursday, February 28, 2013 Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

Ordinance No. 3230  
Introduced by Mayor Alphonse Petracco  
Introduced on February 19, 2013  
Public Hearing: Tuesday, March 19, 2013  
Advertise in the Nutley Sun Issue of Thursday, February 28, 2013

Ordinance No. 3230

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2013."

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

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

LEGAL DEPARTMENT

TITLE	PAYMENT
Attorney, Zoning Board of Adjustment- Special Meeting	\$800 per meeting
Attorney, Planning Board – Special Meeting	\$800 per meeting
Recording Secretary, Zoning Board of Adjustment	\$150 per meeting
Recording Secretary, Planning Board	\$150 per meeting

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

SECTION 2: Payment of vacation time in advance may be made upon request in writing to the Treasurer at least one month in advance of the pay period requested. Written request must be approved by the Department Head before submission to the Treasurer.

SECTION 3: All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.

SECTION 4: To the extent not set forth herein, all total salaries per annum will include longevity as set forth in Nutley Municipal Code Chapter 103.

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers *Date:* March 19, 2013

*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 84-13

**WHEREAS**, Dr. Louis J. Crupi grew up in Lyndhurst, NJ., graduated from Essex Catholic High School, earned a Bachelor of Science degree in Biology from Fairleigh Dickinson University. He received his Doctor of Veterinary Medicine degree from Araneta University in 1982, and established the Dog, Cat and Bird Clinic of Nutley in 1988, and;

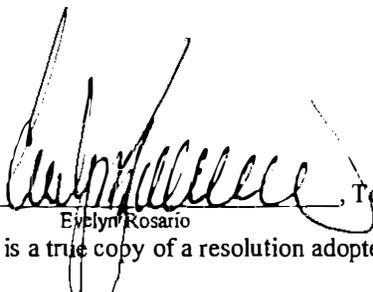
**WHEREAS**, Dr. Louis J. Crupi's professional memberships include: the AVMA, NJVMA, the AAHA, the AAV, and current member and former President of the Metropolitan NJ Veterinary Medical Association, and is also a member of the Nutley Rotary and Nutley UNICO, and;

**WHEREAS**, Dr. Louis J. Crupi has always been a valued friend and colleague to the Nutley Department of Public Affairs and Health Department, assisting with rabies clinics and various special events, and;

**WHEREAS**, Dr. Louis J. Crupi selflessly volunteered his time, talents and facility to temporarily house displaced animals during Super Storm Sandy, helping to alleviate additional stress for residents, in an already highly stressful situation;

**NOW, THEREFORE BE IT RESOLVED**, that on behalf of the Board of Commissioners of the Township of Nutley, in the County of Essex, in the State of New Jersey, I extend a heartfelt thank you to Dr. Louis J. Crupi for his dedication, altruism, and unwavering support for his fellow Nutley residents and their beloved pets.

. . .

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 March 19, 2013

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

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

## Resolution

*Introduced by:* Commissioner Mauro Tucci *Date:* March 19, 2013  
*Seconded by:* Commissioner Thomas J. Evans *No.* 79-13

**WHEREAS**, Autism is a complex neurobiological disorder which inhibits a person's ability to communicate and develop social relationships which is often accompanied by behavioral challenges; and

**WHEREAS**, autism affects all persons regardless of race, religion, socio-economic status or geography; and

**WHEREAS**, Autism Speaks was founded in February 2005 by Bob and Suzanne Wright, grandparents of a child with autism; and

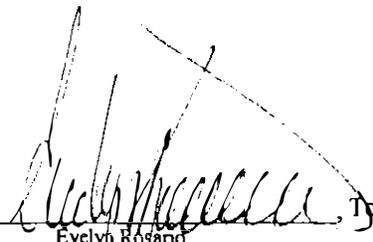
**WHEREAS**, the mission of Autism Speaks is to change the future for all who struggle with autism spectrum disorders; and

**WHEREAS**, Autism Speaks is dedicated to funding global biomedical research into the causes, prevention, treatments and cure for autism, to raising public awareness about autism and its effects on individuals, families and society; and to bring hope to all who deal with the hardships of the disorder; and

**WHEREAS**, on April 2, 2013, Autism Speaks invites everyone to Light It Up Blue, by replacing outdoor lighting with blue bulbs to help raise awareness about autism.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Nutley, County of Essex, acknowledge the achievements, abilities and needs of people with autism spectrum disorder and their families; as well as the leadership communities, especially the Township of Nutley, that take pride in recognizing and acknowledging April 2<sup>nd</sup> as Autism World Awareness Day and April as Autism Awareness Month.

. . .

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 March 19, 2013

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

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

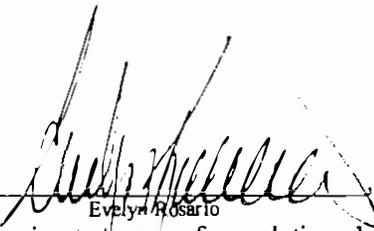
## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* March 19, 2013  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 80-13

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the property taxes in the amount of \$7,773.05.

Block & Lot	Address	Amount
8700 55	20 Plymouth Road	\$ 1,841.39 - 8/10/11
2001 17	681 Franklin Ave.	\$ 3,429.92- 8/07/12
7102 5	55 Oak Ridge Ave.	\$ 2,501.74- 1/31/13

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held March 19, 2013

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

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

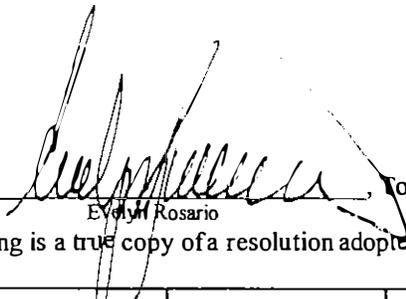
## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* March 19, 2013  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 81-13

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 a water overpayment in the amount of \$77.10.

Block& Lot	Address	Amount
1300    1    C2007	206 Swathmore Drove	\$ 64.76
2100    13	68 High St.	\$ 12.34

. . .

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 March 19, 2013

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

# BOARD OF COMMISSIONERS

TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* March 19, 2013

*Seconded by:* Commissioner Mauro G. Tucci *No.* 82-13

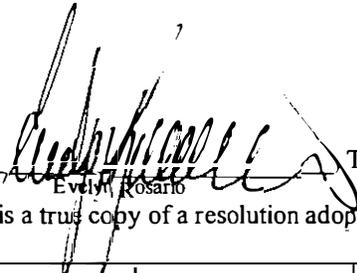
**WHEREAS**, raffle applications have been received from the following organizations; and

Rotary Club of Nutley	License No. 29-13 On-Premise Merchandise Raffle	April 6, 2013
Rotary Club of Nutley CODY'S FOUNDATION	License No. 30-13 On-Premise Merchandise Raffle	May 3, 2013
Friends of the American Cancer Society of New Jersey	License No. 31-13 On-Premise Merchandise Raffle	April 5, 2013

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

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

. . .

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 March 19, 2013

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

## Resolution

Introduced by: Mayor Alphonse Petracco Date: March 19, 2013  
Seconded by: Commissioner Mauro G. Tucci No. 83-13

**RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION ENTITLED THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, ET AL. V. OCCIDENTAL CHEMICAL CORPORATION, ET AL., DOCKET NO. ESX-L-9868-05 (PASR) SUBSTANTIALLY IN ACCORDANCE WITH THE TERMS OF A PROPOSED CONSENT JUDGMENT AND RELATED DOCUMENTS**

WHEREAS, the Township of Nutley is a third party defendant in litigation entitled the New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al., Docket No. ESX-L-9868-05(PASR) (the Passaic River Litigation); and,

WHEREAS, the New Jersey Department of Environmental Protection, the Commissioner of the New Jersey Department of Environmental Protection, and the Administrator of the New Jersey Spill Compensation Fund (collectively, "Plaintiffs"), have offered to settle directly with all Third Party Defendants, including the Township of Nutley; and,

WHEREAS, on behalf of the Township of Nutley, counsel executed a Confidentiality Agreement and Memorandum of Understanding with Plaintiffs which, among other things, allowed for settlement negotiations between the Township of Nutley and Plaintiffs and for the development of settlement documentation, provided that the negotiations and the documents generated during the course of those negotiations were to remain strictly confidential; and,

WHEREAS, negotiations between Plaintiffs and Third Party Defendants, including the Township of Nutley, have resulted in the preparation of a proposed Consent Judgment and related settlement documentation; and,

WHEREAS, the Board of Commissioners of the Township of Nutley has reviewed with counsel the proposed Consent Judgment and related settlement documentation in Executive Session at the meeting of March 5, 2013; and,

WHEREAS, the proposed Consent Judgment and related settlement documentation continue to remain strictly confidential in accordance with the Confidentiality Agreement and Memorandum of Understanding executed by counsel on behalf of the Township of Nutley until such time as they are published by Plaintiffs in accordance with the Consent Order on the Approval Process for the Proposed Consent Judgment entered by the Court on January 24, 2013 ("Consent Order"), a copy of which is annexed hereto as Exhibit "A"; and,

WHEREAS, the proposed Consent Judgment and related settlement documentation may be subject to change depending on the outcome of the approval process outlined in the Consent Order; and,

WHEREAS, the Board of Commissioners of the Township of Nutley desires to approve the proposed settlement as reflected in the proposed Consent Judgment and related settlement documentation and allow for the approval process to move forward in accordance with the Consent Order.

NOW, THEREFORE, LET IT BE RESOLVED by the Board of Commissioners of the Township of Nutley as follows.

1. All of the foregoing "Whereas" clauses are incorporated by reference as if set forth at length herein.
2. The Township of Nutley hereby authorizes the settlement of the Passaic River Litigation substantially in accordance with the terms set forth in the proposed Consent Judgment and related settlement documentation reviewed by the Board of Commissioners of the Township of Nutley in Executive Session at the meeting of March 5, 2013.
3. Township of Nutley counsel and all other appropriate Township of Nutley officials and personnel are authorized to prepare any and all related documents and perform all tasks, which will effectuate the purposes of this Resolution.
4. The appropriation of any and all settlement sums shall be the subject of a subsequent resolution to be adopted by the Board of Commissioners of the Township of Nutley after the finalization of the approval process set forth in the Consent Order and in accordance with the proposed Consent Judgment.
5. This Resolution shall take effect immediately and/or as required by law.

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 March 19, 2013

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

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

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* March 19, 2013

*Seconded by:* Commissioner Mauro G. Tucci *No.* 85-13

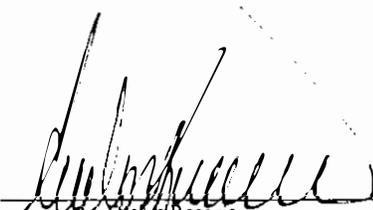
**BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley in the County of Essex in the State of New Jersey that the following be appointed as a volunteer to the Nutley Fire Department effective immediately:

Amanda Kuchta  
25 Mapes Ave.

Nicholas J. Briganti  
51 Passaic Ave.

Maxwell E. Adjei-Acquah  
9 River Road Apt. B

. . .

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 March 19, 2013

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

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

*Introduced by:* Mayor Alphonse Petracco *Date:* March 19, 2013  
*Seconded by:* Commissioner Steven Rogers *No.* 86-13

**WHEREAS**, the Township of Nutley has established an Historic Preservation Committee which will consist of five (5) regular members and two (2) alternate members, and;

**WHEREAS**, the classes of regular members will consist of the following:

1. Class A – A person who is knowledgeable in building design and construction or architectural history and who may reside outside the Township; and
2. Class B – A person who is knowledgeable in, or who has demonstrated an interest in, local history and who may reside outside the Township; and
3. Class C – Any citizen of the Township who shall hold no other municipal office, position, or employment except for membership on the Planning Board or Zoning Board of Adjustment.

**WHEREAS**, there shall also be two (2) Alternate members appointed to the Committee; and

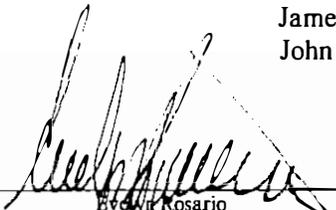
**WHEREAS**, the terms of the members first appointed shall be so determined so that to the greatest practicable extent, the expiration of the terms shall be distributed in the case of regular members evenly over the first four (4) years after their appointment; provided that the initial term of no regular member shall exceed four (4) years and that the initial member of no alternated member shall exceed two (2) years. Thereafter, the term of a regular member shall be four (4) years and the term of an alternate member shall be two (2) years.

**WHEREAS**, all duties, rules and regulations of the Committee are set forth in Township Ordinance No. 3193;

**NOW, THEREFORE, BE IT RESOLVED BY** the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey that the following individuals be and are hereby appointed to the Historic Preservation Commission in accordance with Ordinance No. 3193:

- Gary Marino-Class C for an initial 1 year term
- Juliana Leite-Class C for an initial 1 year term
- Sal Corvino- Class A for an initial 2 year term
- Jack Barry-Class B for an initial 3 year term
- Dot Greengrove-Class C for an initial 4 year term
- James Levendusky - Alternate 1 for a two (2) year term
- John Demmer - Alternate 2 for a two (2) year term

. . .

I,  Fredrick Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held March 19, 2013

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

## **Evelyn Rosario**

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**From:** Evelyn Rosario  
**Sent:** Wednesday, October 03, 2012 11:17 AM  
**To:** Chopmeat11@aol.com; Alphonse Petracco; Joseph P. Scarpelli; Thomas J. Evans; Mauro G. Tucci; Steven Rogers  
**Cc:** Sandra Carella; 'Kevin P. Harkins'; Sharon Lemma; Salvatore Scarpelli; Patty Davis; Eleni Pettas; Kathy Ritacco; Anita Tedesco  
**Subject:** Continued Meeting Conference Call Information

As a reminder the continued Board of Commissioners meeting will be held on Friday, October 5 , 2012 at 8:30 AM. Below is the conference calling information:  
Dial In # 605-475-4850  
Access Code # 990368

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**Evelyn Rosario, RMC, CMC**

*Municipal Clerk*

Department of Revenue and Finance | Township of Nutley, NJ

(973) 284-4955 Office | (973) 284-5668 Fax

[www.nutleynj.org](http://www.nutleynj.org)

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 Please consider the environment before printing this email.

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

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3235**

**NOTICE IS HEREBY GIVEN, that the following Ordinance was introduced and passed upon first reading at a continued meeting of the Board of Commissioners, Township of Nutley, Essex County, New Jersey on the 22<sup>nd</sup> day of March 2013 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Board of Commissioners to be held on the 25<sup>th</sup> day of April, 2013 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.**

**Evelyn Rosario, RMC, CMC  
Municipal Clerk  
Township of Nutley**

**The Nutley Sun Issue/Friday, March 28, 2013 Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

**Ordinance No. 3235**

**Introduced by Commissioner Thomas J. Evans**

**Introduced on Friday, March 22, 2013** (Continued Meeting of Tuesday, March 19, 2013)

**Public Hearing: April 25, 2013**

**Advertise in the Nutley Sun Issue of Thursday, March 28, 2013**

**Ordinance No. 3235**

CALENDAR YEAR 2013

“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK”

(N.J.S.A. 40A:4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Board of Commissioners of the Township of Nutley in the County of Essex finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Board of Commissioners hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 554,750.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of Townships of Nutley shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 1,294,416.06, and that the CY 2013 municipal budget for the Township of Nutley be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

## Resolution

Continued Meeting of Tuesday, March 19, 2013

*Introduced by:* Commissioner Thomas J. Evans *Date:* March 22, 2013  
*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 88-13

### MUNICIPAL BUDGET NOTICE

**Section 1.**

Municipal Budget of the Township of Nutley, County of Essex, for the Fiscal Year 2013

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

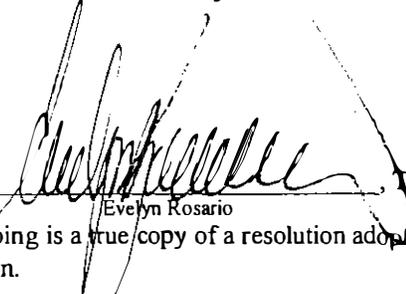
**BE IT FURTHER RESOLVED**, that said Budget be published in the NUTLEY SUN in the issue of April 4<sup>th</sup>.

The Governing Body of the Township of Nutley does hereby approve the following as the Budget for the year 2013.

Notice is hereby given that the Budget and the Tax Resolution was approved by the Board of Commissioner of the Township of Nutley, County of Essex, on March 22, 2013.

A Hearing on the Budget and the Tax Resolution will be held at the Municipal Building on April 25, 2013 at 7:00 PM, at which time and place objections to said Budget and Tax Resolution for the year 2013 may be presented by taxpayers or other interested persons.

. . .

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 continued meeting March 22, 2013 held on \_\_\_\_\_.

<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 Via Telephone Conference	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**2013 MUNICIPAL DATA SHEET  
(MUST ACCOMPANY 2013 BUDGET)**

**ORIGINAL**

MUNICIPALITY: Township of Nutley

COUNTY: Essex

<u>Alphonse Petracco</u>	<u>5/8/2016</u>
Mayor's Name	Term Expires

Municipal Officials	
<u>Evelyn Rosario Garcia</u>	<u>9/13/04</u>
Municipal Clerk	Date of Orig. Appt.
	<u>C-1268</u>
	Cert. No.
<u>Jodi De Malo</u>	<u>T-8071</u>
Tax Collector	Cert. No.
<u>Rosemary Costa</u>	<u>0-0483-11-83</u>
Chief Financial Officer	Cert. No.
<u>Raymond Sarinelli</u>	<u>383</u>
Registered Municipal Accountant	Lic. No.
<u>Kevin P. Harkins</u>	
Municipal Attorney	

Governing Body Members	
Name	Term Expires
<u>Thomas Evans</u>	<u>5/8/2016</u>
<u>Steven Rogers</u>	<u>5/8/2016</u>
<u>Joseph Scarpelli</u>	<u>5/8/2016</u>
<u>Mauro Tucci</u>	<u>5/8/2016</u>

**Official Mailing Address of Municipality**

Township of Nutley  
One Kennedy Drive  
Nutley, NJ 07110  
Phone#: (973) 284-4951  
Fax#: (973) 284-4901

**Please attach this to your 2013 Budget and Mail to:**

Director  
 Division of Local Government Services  
 Department of Community Affairs  
 P.O. BOX 803  
 Trenton, NJ 08625

Division Use Only
Municode: _____
Public Hearing: _____

**2013  
MUNICIPAL BUDGET**

Municipal Budget of the \_\_\_\_\_ Township of \_\_\_\_\_ Nutley \_\_\_\_\_, County of \_\_\_\_\_ Essex \_\_\_\_\_ for the Fiscal Year 2013

It is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the

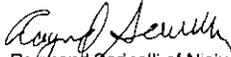
\_\_\_\_\_ 22nd \_\_\_\_\_ day of \_\_\_\_\_ March \_\_\_\_\_, 2013  
and that public advertisement will be made in accordance with the provisions of N.J.S.A. 40A:4-6 and N.J.A.C. 5:30-4.4(d).

Certified by me, this \_\_\_\_\_ 22nd \_\_\_\_\_ day of \_\_\_\_\_ March \_\_\_\_\_, 2013

  
Evelyn Rosano Garcia  
Clerk  
One Kennedy Drive  
Address  
Nutley, NJ 07110  
Address  
(973) 284-4951  
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me, this \_\_\_\_\_ 22nd \_\_\_\_\_ day of \_\_\_\_\_ March \_\_\_\_\_, 2013

  
Raymond Sarinelli of Nisivoccia LLP  
Registered Municipal Accountant  
Mount Arlington, NJ 07856-1320  
Address

200 Valley Road, Suite 300  
Address  
(973) 328-1825  
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations and the budget is in full compliance with the Local Budget Law, N.J.S. 40A:4-1 et seq.

Certified by me, this \_\_\_\_\_ 22nd \_\_\_\_\_ day of \_\_\_\_\_ March \_\_\_\_\_, 2013

  
Rosemary Costa  
Chief Financial Officer

**DO NOT USE THESE SPACES**

**CERTIFICATION OF ADOPTED BUDGET**

*(Do not advertise this Certification form)*

**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the amount to be raised by taxation for local purposes has been compared with the approved Budget previously certified by me and any changes required as a condition to such approval have been made. The adopted budget is certified with respect to the foregoing only.

STATE OF NEW JERSEY  
Department of Community Affairs  
Director of the Division of Local Government Services

Dated: \_\_\_\_\_, 2013 By: \_\_\_\_\_

It is hereby certified that the Approved Budget made part hereof complies with the requirements of law, and approval is given pursuant to N.J.S.A. 40A:4-79.

STATE OF NEW JERSEY  
Department of Community Affairs  
Director of the Division of Local Government Services

Dated: \_\_\_\_\_, 2013 By: \_\_\_\_\_

## MUNICIPAL BUDGET NOTICE

### Section 1.

Municipal Budget of the           Township           of           Nutley          , County of           Essex           for the Fiscal Year 2013

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

Be it Further Resolved, that said Budget be published in the           The Nutley Sun           in the issue of           April 4th          

The Governing Body of the           Township           of           Nutley           does hereby approve the following as the Budget for the year 2013.

#### RECORDED VOTE

(Insert last name)

#### Ayes

Rogers  
Tucci  
Evans  
Scarpelli  
Petracco

#### Nays

Abstained

Absent

Notice is hereby given that the Budget and the Tax Resolution was approved by the           Governing Body           of the           Township          

of           Nutley          , County of           Essex          , on           March 22nd          , 2013

A Hearing on the Budget and Tax Resolution will be held at the           Municipal Building          , on           April 25th          , 2013 at

          7:00          

o'clock

          (P.M.)          

(Cross out one)

at which time and place objections to said Budget and Tax Resolution for the year 2013

may be presented by taxpayers or other interested persons.

# MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Township of Nutley, County of Essex for the Fiscal Year 2013

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

Be It Further Resolved, that said Budget be published in the The Nutley Sun in the issue of April 4th

The Governing Body of the Township of Nutley does hereby approve the following as the Budget for the year 2013.

RECORDED VOTE  
(Insert last name)

Ayes

Nays

Abstained

Absent

Notice is hereby given that the Budget and the Tax Resolution was approved by the Governing Body of the Township

of Nutley, County of Essex, on March 22nd, 2013

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 25th, 2013 at

7:00

o'clock

[REDACTED] (P.M.)

(Cross out one)

at which time and place objections to said Budget and Tax Resolution for the year 2013

may be presented by taxpayers or other interested persons.

**SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET**

	YEAR 2013
<b>General Appropriations Fore (Reference to Item and sheet number should be omitted in advertised budget)</b>	XXXXXXXXXXXXXXXXXX
<b>1. Appropriations within "CAPS"</b>	XXXXXXXXXXXXXXXXXX
(a) Municipal Purposes {(Item H-1, Sheet 19) (N.J.S. 40A:4-45.2)}	37,593,956.00
<b>2. Appropriations excluded from "CAPS"</b>	XXXXXXXXXXXXXXXXXX
(a) Municipal Purposes {(Item H-2, Sheet 28) (N.J.S. 40A:4-45.3 as amended)}	8,030,191.00
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)	
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)	8,030,191.00
<b>3. Reserve for Uncollected Taxes (Item M, Sheet 29)- Based on Estimated</b> <u>96.15%</u> Percent of Tax Collections	4,250,340.00
<b>4. Total General Appropriations (Item 9, Sheet 29)</b>	
Building Aid Allowance      2013 - \$ _____	
for Schools-State Aid      2012 - \$ _____	49,874,487.00
<b>5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11)</b> (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)	11,242,589.00
<b>6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)</b>	XXXXXXXXXXXXXXXXXX
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)	37,356,357.00
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)	
(c) Minimum Library Tax (Item 6(c), Sheet 11)	1,275,541.00

**EXPLANATORY STATEMENTe (Continued)**

**SUMMARY OF 2012 APPROPRIATIONS EXPENDED AND CANCELLED**

	General Budget	Water Utility		
Budget Appropriations - Adopted Budget	49,244,815.89	4,269,137.00		
Budget Appropriations Added by N.J.S.A. 40A:4-83				
Budget Appropriations Added by N.J.S.A. 40A:4-87	16,830.00			
Emergency Appropriations	625,000.00			
<b>Total Appropriations</b>	<b>49,886,645.89</b>	<b>4,269,137.00</b>		
<b>Expenditures:</b>				
Paid or Charged (Including Reserve for Uncollected Taxes)	47,520,550.41	4,127,896.75		
Reserved	2,355,585.74	141,239.96		
Unexpended Balances Cancelled	10,509.74	0.29		
<b>Total Expenditures and Unexpended Balances Cancelled</b>	<b>49,886,645.89</b>	<b>4,269,137.00</b>		
<b>Overexpenditures*</b>				

Explanations of Appropriations for  
"Other Expenses"

The amounts appropriated under the  
title of "Other Expenses" are for operating  
costs other than "Salaries & Wages".

Some of the items included in "Other  
Expenses" are:

Materials, supplies and non-bondable  
equipment;

Repairs and maintenance of buildings,  
equipment, roads, etc.;

Contractual Services for garbage and  
trash removal, fire hydrant service, aid to  
volunteer fire companies, etc.;

Printing and advertising, utility  
services, insurance and many other items  
essential to the services rendered by municipal  
government.

\*See Budget Appropriation Items so marked to the right of column "Expended 2012 Reserved."

**EXPLANATORY STATEMENT - (Continued)**

**BUDGET MESSAGE**

Information on the 2013 budget, together with a true copy of the entire budget, is available to the public for their inspection by contacting Evelyn Rosario Garcia at (973) 284-4951.

Also included is an analysis of the municipality's tax levy "CAP". The levy CAP, as required by state statute, allows a 2.0% increase over the previous year's local tax levy with certain allowable adjustments.

<b>Group Insurance Plan For Employees:</b>	
Total Estimated Cost	\$8,596,637
Less Applied Employee Contributions	(318,000)
<b>Net Budgeted Expenses</b>	<b>\$8,251,637</b>
<b>Amount of Budgeted Group Insurance Plan For Employees:</b>	
Inside "CAP" Appropriation	\$5,967,974
Outside "CAP" Appropriation	283,683
<b>Total Amount Budgeted</b>	<b>\$8,251,637</b>

I. Tax Rate

As of the date of introduction of this budget, the Local and Regional School and County Tax Rates have not been determined. Therefore, the 2013 Tax Rate and levies are subject to rate revision when final certification is made by the County Board of Taxation.

	<u>2013 (Estimate)</u>		<u>2012 (Actual)</u>	
	<u>Amount</u>	<u>Tax Rate</u>	<u>Amount</u>	<u>Tax Rate</u>
<b>Local Taxes</b>	<b>\$37,356,357.00</b>	<b>\$1.092</b>	<b>\$36,682,199.00</b>	<b>\$1.041</b>
<b>Library Taxes</b>	<b>\$1,275,541.00</b>	<b>0.037</b>	<b>\$1,322,256.00</b>	<b>0.037</b>
<b>Assessed Value</b>	<b>\$3,419,938,608.00</b>		<b>\$3,523,288,600.00</b>	

**NOTE:**

MANDATORY MINIMUM BUDGET MESSAGE MUST INCLUDE A SUMMARY OF:

1. HOW THE 1977 "CAP" WAS CALCULATED. (Explain in words what the "CAPS" mean and show the figures.)
2. 2011 "CAP" LEVY CAP WORKBOOK SUMMARY
3. A SUMMARY BY FUNCTION OF THE APPROPRIATIONS THAT ARE SPREAD AMONG MORE THAN ONE OFFICIAL LINE ITEM (e.g. If Police S&W appears in the regular section and also under "Operations Excluded from "CAPS" section, combine the figures for purposes of citizen understanding.)
4. INFORMATION OR A SCHEDULE SHOWING THE AMOUNTS CONTRIBUTED FROM EMPLOYEES, THE EMPLOYER SHARE AND THE TOTAL COST HEALTH CARE COVERAGE (Refer to LFN 2011-4).

**EXPLANATORY STATEMENT - (Continued)  
BUDGET MESSAGE**

**III. Appropriation "CAPS"**

The following "CAP" calculation, as required by the Division of Local Government Services, Department of Community Affairs, is based on the Cost of Living Adjustment (COLA) ordinance adopted by the Township Commission.

Cap Calculation

Total Appropriations for 2012	\$ 49,244,816.00
	<hr/>
	49,244,816.00
Total Exceptions	<hr/>
	12,261,500.00
Amount on which 3.5% Cap is applied CAP@3.5%	<hr/>
	36,983,316.00
	<hr/>
	1,294,416.06
Allowable Appropriations before Additional Exceptions per N.J.S.A. 40A:45.3	<hr/>
	38,277,732.06
Modifications:	
CAP Bank - 2011	526,506.33
CAP Bank - 2012	1,742,837.55
Assessed Value of New Construction at 2012 Local Tax Rate (\$11,558,200 X .1041 per hundred)	<hr/>
	120,320.86
Maximum Allowable General Appropriations for Municipal Purposes Within "CAPS"	<hr/>
	\$ 40,667,396.80
	<hr/>

*off to state 19*

**NOTE:**

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**EXPLANATORY STATEMENTx (Continued)**

**ESTIMATED 2013 2% TAX LEVY CAP CALCULATION**

<p><b>III. Tax Levy "CAPS"</b></p> <p>N.J.S.A. 40A: 4-45.44 through 45.47 established a formula that limits increase in each local unit's "Amount to be Raised by Taxation" for 2013 is calculated as follows: The Township's Tax Levy CAP for 2013 is calculated as follows:</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2"><b>Levy "Cap" Calculation</b></td> </tr> <tr> <td>Prior Year Amount to be Raised by Taxation for Municipal Purpose</td> <td align="right">38,004,454</td> </tr> <tr> <td>Less: Prior Year Deferred Charges to Future Taxation Unfunded</td> <td align="right">(200,000)</td> </tr> <tr> <td>Less: Prior Year Deferred Charges to: Emergencies</td> <td align="right">(555,000)</td> </tr> <tr> <td>Net Prior Year Tax Levy for Municipal Purpose Tax for Cap Calculation</td> <td align="right">37,249,454</td> </tr> <tr> <td>Plus: 2% Cap Increase</td> <td align="right">744,989</td> </tr> <tr> <td><b>Adjusted Tax Levy Prior to Exclusions</b></td> <td align="right"><b>37,994,443</b></td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td colspan="2"><b>Exclusions:</b></td> </tr> <tr> <td>Allowable Health Care Costs Increase</td> <td align="right">398,431</td> </tr> <tr> <td>Allowable LOSAP Increase</td> <td align="right">14,760</td> </tr> <tr> <td>Allowable Capital Improvements Increase</td> <td align="right">15,450</td> </tr> <tr> <td>Allowable Debt Service and Capital Lease Increase</td> <td align="right">45,259</td> </tr> <tr> <td>Deferred Charges to Future Taxation Unfunded</td> <td align="right">300,000</td> </tr> <tr> <td>Allowable Current Year Deferred Charge - Emergencies Increase</td> <td align="right">625,000</td> </tr> <tr> <td><b>Total Exclusions</b></td> <td align="right"><b>1,398,900</b></td> </tr> <tr> <td>Less: Canceled Unexpended Exclusions</td> <td align="right">(41,129)</td> </tr> <tr> <td><b>Adjusted Tax Levy</b></td> <td align="right"><b>39,352,214</b></td> </tr> <tr> <td colspan="2"><b>Additions:</b></td> </tr> <tr> <td>New Ratables Adjustment to Levy</td> <td align="right">1,297</td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td><b>Maximum Allowable Amount to be Raised by Taxation</b></td> <td align="right"><b>\$ 39,353,511</b></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td><b>Amount to be Raised by Taxation for Municipal Purposes</b></td> <td align="right"><b>\$ 38,631,898</b></td> </tr> </table>	<b>Levy "Cap" Calculation</b>		Prior Year Amount to be Raised by Taxation for Municipal Purpose	38,004,454	Less: Prior Year Deferred Charges to Future Taxation Unfunded	(200,000)	Less: Prior Year Deferred Charges to: Emergencies	(555,000)	Net Prior Year Tax Levy for Municipal Purpose Tax for Cap Calculation	37,249,454	Plus: 2% Cap Increase	744,989	<b>Adjusted Tax Levy Prior to Exclusions</b>	<b>37,994,443</b>	 		<b>Exclusions:</b>		Allowable Health Care Costs Increase	398,431	Allowable LOSAP Increase	14,760	Allowable Capital Improvements Increase	15,450	Allowable Debt Service and Capital Lease Increase	45,259	Deferred Charges to Future Taxation Unfunded	300,000	Allowable Current Year Deferred Charge - Emergencies Increase	625,000	<b>Total Exclusions</b>	<b>1,398,900</b>	Less: Canceled Unexpended Exclusions	(41,129)	<b>Adjusted Tax Levy</b>	<b>39,352,214</b>	<b>Additions:</b>		New Ratables Adjustment to Levy	1,297	 		<b>Maximum Allowable Amount to be Raised by Taxation</b>	<b>\$ 39,353,511</b>	 		<b>Amount to be Raised by Taxation for Municipal Purposes</b>	<b>\$ 38,631,898</b>
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**EXPLANATORY STATEMENT<sub>e</sub> (Continued)**

**Analysis of Compensated Absence Liability**

Organization/Department Eligible for Benefit	Gross Days of Accumulated Absence	Value of Compensated Absences	Legal basis for benefit (check applicable items)		
			Approved Labor Agreement	Local Ordinance	Individual Employment Agreements
Public Affairs	174.50	30,225.62		X	
Revenue and Finance	569.50	157,425.32		X	
Public Safety <sup>e</sup> Non Union	329.50	120,543.03		X	
Public Safety - Police	1,529.06	835,162.54	X		
Public Safety - Fire	3,732.00	670,187.42	X		
Public Works	858.00	212,915.84	X	X	
Parks and Public Property	428.00	98,022.08	X	X	
<b>Subtotal</b>	<b>7,620.56</b>	<b>2,124,401.85</b>			
Water	912.00	217,289.58	X	X	
<b>Totals</b>		\$ <b>2,341,691.43</b>			
<b>Total Funds Reserved as of end of 2012:</b>		\$ <b>1,200,924.48</b>			
<b>Total Funds Appropriated In 2013:</b>		\$ <b>100.00</b>			

**CURRENT FUND - ANTICIPATED REVENUES**

GENERAL REVENUES	FCOA Account Number	Anticipated		Realized in
		2013	2012	Cash in 2012
1. Surplus Anticipated	08-101	4,654,000.00	4,654,000.00	4,654,000.00
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services	08-102			
Total Surplus Anticipated	08-100	4,654,000.00	4,654,000.00	4,654,000.00
3. Miscellaneous Revenues - Section A: Local Revenues	XXXXXX	XXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Licenses:	XXXXXX	XXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Alcoholic Beverages	08-103	30,000.00	30,000.00	33,388.65
Other	08-104	20,000.00	18,800.00	20,055.00
Fees and Permits	08-105	180,000.00	154,000.00	183,047.22
Fines and Costs:	XXXXXX	XXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Municipal Court	08-110	350,000.00	420,000.00	363,886.65
Interest and Costs on Taxes	08-112	150,000.00	183,000.00	171,176.36
Parking Meters	08-111	290,000.00	306,000.00	293,493.39
Interest on Investments and Deposits	08-113	20,000.00	30,350.00	22,145.94
Fees - Immunization Program	08-114	2,000.00	1,700.00	10,038.97
Landscapers Leaf Removal Licenses	08-115	2,750.00	2,750.00	2,805.00
Landscapers Leaf Removal Dumping Tickets	08-116	15,000.00	19,000.00	15,900.00
Tree Removal Permit	08-117	4,000.00	2,000.00	6,650.00













**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

GENERAL REVENUES	FCOA Account Number	Anticipated		Realized in Cash in 2012
		2013	2012	
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations (Continued):	XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX
Essex County Integration Software	10-741		20,500.00	20,500.00
Recreational Opportunities for Individuals with Disabilities (ROID) Grant	10-738		5,000.00	5,000.00
Reserve for Body Armor Replacement Fund - Appropriated	10-745		4,664.23	4,664.23
Reserve for Body Armor Replacement Fund - Unappropriated	10-746	5,929.00	8,862.06	8,862.06
Reserve for Clean Communities Program - Appropriated	10-747		14,698.87	14,698.87
Reserve for Clean Communities Program - Unappropriated	10-748		11,597.73	11,597.73
Assistance to Firefighters Grant	10-753		16,830.00	6,497.00
UASI Decontamination Training Grant	10-754	20,000.00		
Essex County Disaster National Emergency Grant Contract	10-755	95,838.00		
<b>Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues</b>	XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX
	10, 12	293,767.00	359,146.89	295,771.19



**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

GENERAL REVENUES	FCOA Account Number	Anticipated		Realized in Cash in 2012
		2013	2012	
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items (Continued):	XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXXXX
Recycling Program	08-170	188,000.00		
Bureau of Housing Inspection	08-171	10,000.00	10,000.00	9,620.00
Office of Emergency Management	08-172	5,000.00	5,000.00	
Due from Hoffman-LaRoche - Debt Service	08-173	33,861.00	41,926.00	41,926.03
Uniform Fire Safety	08-174	20,929.00	20,319.00	20,190.58
P.I.L.O.T. - Nutley Senior Manor	08-176	44,000.00	42,000.00	43,041.28
Cablevision Franchise Fee	08-179	388,612.00	397,000.00	397,102.07
School Nursing Program	08-181	22,035.00	22,035.00	20,235.14
Cell Phone Tower Lease	08-185	18,000.00	18,000.00	18,000.00
Reserve for PATF I	08-186			
Donation from NVERS	08-187	50,000.00	50,000.00	40,000.00
Federal Emergency Management Agency Reimbursement - October Snow Storm	08-188		256,894.00	242,590.24
Federal Emergency Management Agency Reimbursement - Hurricane Irene	08-189		24,243.00	24,243.00
Reserve for Developers Donation - Paving and Fiber Optics	08-190	120,000.00		
Federal Emergency Management Agency Reimbursement - Hurricane Sandy	08-191	94,663.00		
<b>Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items</b>	08	1,189,848.00	1,089,220.00	1,054,650.85

**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

GENERAL REVENUES	FCOA Account Number	Anticipated		Realized in Cash in 2012
		2013	2012	
<b>Summary of Revenues</b>	xxxxx	xxxxxxx	xxxxxxx	xxxxxxx
1. Surplus Anticipated (Sheet 4, #1)	08-101	4,654,000.00	4,654,000.00	4,654,000.00
2. Surplus Anticipated with Prior Written consent of Director of Local Government Services (Sheet 4, #2)	08-102			
3. Miscellaneous Revenues	xxxxxxx	xxxxxxx	xxxxxxx	xxxxxxx
<b>Total Section A: Local Revenues</b>	08	1,063,750.00	1,167,600.00	1,122,587.18
<b>Total Section B: State Aid Without Offsetting Appropriations</b>	09	2,647,630.00	2,647,630.00	2,647,630.00
<b>Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations</b>	08	400,000.00	350,000.00	423,874.00
<b>Total Section D: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Shared Muni. Service Agreements</b>	11	14,000.00	10,000.00	8,610.00
<b>Total Section E: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Additional Revenues</b>	08			
<b>Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues</b>	10, 12	293,767.00	359,146.89	295,771.19
<b>Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items</b>	08	1,189,848.00	1,089,220.00	1,054,650.85
<b>Total Miscellaneous Revenues</b>	40004-00	5,608,995.00	5,623,596.89	5,553,123.22
4. Receipts from Delinquent Taxes	15-499	979,594.00	979,594.00	1,703,599.87
5. Subtotal General Revenues (Items 1,2,3 and 4)	40001-00	11,242,589.00	11,257,180.89	11,910,723.09
6. Amount to be Raised by Taxes for Support of Municipal Budget:	xxxxxxx			
a) Local Tax for Municipal Purposes	07-190	37,356,357.00	36,682,199.00	38,442,508.50
b) Addition to Local School District Tax	07-191			
c) Minimum Library Tax	07-192	1,275,541.00	1,322,256.00	1,322,256.00
<b>Total Amount to be Raised by Taxes for Support of Municipal Budget</b>	40002-00	38,631,898.00	38,004,455.00	39,764,764.50
7. Total General Revenues	40000-00	49,874,487.00	49,261,645.89	51,675,487.59

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations - Within "CAPS"							
<b>DEPARTMENT OF PUBLIC AFFAIRS:</b>							
<b>Director of Public Affairs:</b>							
Salaries & Wages	20-110-1	2,250.00	2,250.00		2,250.00	1,600.31	649.69
Other Expenses	20-110-2	1,000.00	1,000.00		1,000.00	264.00	736.00
<b>Nutley Pub Health Reserve Corp</b>							
Other Expenses	20-111-2	7,500.00					
<b>Department of Health - Local Health Agency:</b>							
Salaries & Wages	27-330-1	483,850.00	452,000.00		452,000.00	451,442.00	558.00
Other Expenses	27-330-2	93,950.00	93,950.00		93,950.00	78,111.17	17,838.83
<b>Air Pollution Control - Contractual</b>	27-335-2	3,500.00	6,500.00		6,500.00	6,181.00	319.00
<b>Animal Regulation:</b>							
Other Expenses	27-340-2	29,000.00	29,000.00		29,000.00	16,695.69	12,304.31
<b>Military Veterans Affairs Bureau</b>							
Salaries & Wages	27-331-1	41,150.00					
Other Expenses	27-331-2	7,500.00					
<b>Immunization Program:</b>							
Other Expenses	27-330-2	10,000.00	9,000.00		9,000.00	8,055.24	944.76



**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations- within "CAPS"-(continued)							
DEPARTMENT OF PUBLIC AFFAIRS (Continued)							
<b>Total Department of Public Affairs</b>		3,171,593.00	3,100,593.00		3,100,593.00	2,709,319.81	391,273.19

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations - Within "CAPS"	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
<b>DEPARTMENT OF REVENUE AND FINANCE:</b>							
<b>Director of Revenue and Finance:</b>							
Salaries & Wages	20-110-1	2,250.00	2,250.00		2,250.00	2,250.00	
Other Expenses	20-110-2	1,000.00	1,000.00		1,000.00	697.17	302.83
<b>Assessment of Taxes:</b>							
Salaries & Wages	20-150-1	197,000.00	195,000.00		195,000.00	188,145.78	8,854.22
Other Expenses	20-150-2	112,000.00	111,200.00		111,200.00	108,012.32	3,187.68
<b>Collection of Taxes:</b>							
Salaries & Wages	20-145-1	180,000.00	180,000.00		180,000.00	165,635.56	14,364.44
Other Expenses	20-145-2	34,900.00	34,900.00		34,900.00	24,046.92	10,853.08
<b>Treasurer's Office:</b>							
Salaries & Wages	20-130-1	459,000.00	390,000.00		420,000.00	416,064.59	3,935.41
Other Expenses	20-130-2	46,500.00	46,500.00		46,500.00	13,209.00	33,291.00
Legal Services Special Counsel	20-130-2	25,000.00					
Grant Writer	20-130-2	40,000.00	40,000.00		40,000.00	39,996.00	4.00
HLR Agreement	20-130-2		50,000.00		20,000.00		20,000.00
<b>Township Clerk's Office:</b>							
Salaries & Wages	20-120-1	135,500.00	131,500.00		131,500.00	128,300.50	3,199.50
Other Expenses	20-120-2	42,500.00	42,500.00		62,500.00	49,335.44	13,164.56
Other Expense Election	20-120-2	60,000.00	60,000.00		40,000.00	29,062.98	10,937.02

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations- within "CAPS"--(continued)							
DEPARTMENT OF REVENUE AND FINANCE (continued):							
Information Services:							
Salaries & Wages	20-140-1	146,000.00	143,000.00		143,000.00	140,518.82	2,481.18
Other Expenses	20-140-2	63,000.00	63,000.00		63,000.00	62,444.00	556.00
Administration of Township Ordinances:							
Salaries and Wages	22-200-1	255,000.00	220,000.00		220,000.00	183,105.30	36,814.70
Other Expenses	22-200-2	10,000.00	10,000.00		9,400.00	1,846.07	7,553.93
Stationary and Printing:							
Other Expenses	20-130-2	91,100.00	87,868.00		87,868.00	76,780.45	11,087.55
Annual Audit:							
Other Expenses - Regular	20-105-2	84,000.00	83,232.00		83,232.00	81,200.00	2,032.00
Econ Redevel. Project							
Salaries and Wages	20-100-1	100.00					
Other Expenses	20-140-2	115,000.00					
Printing and Legal Advertising:							
Other Expenses	20-130-2	12,000.00	12,000.00		12,000.00	8,576.99	3,423.01
NJEIT Administration Fee- Other Expenses	20-130-2	6,000.00	6,000.00		6,000.00	5,340.00	660.00
<b>Total Department of Revenue and Finance</b>		<b>2,107,850.00</b>	<b>1,909,950.00</b>		<b>1,909,350.00</b>	<b>1,722,647.89</b>	<b>186,702.11</b>
DEPARTMENT OF PUBLIC SAFETY:							
Director of Public Safety:							
Salaries and Wages	20-110-1	2,250.00	2,250.00		2,250.00	2,250.00	
Other Expenses	20-100-2	1,000.00	1,000.00		1,000.00	921.00	79.00

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations- within "CAPS"--(continued)							
<b>DEPARTMENT OF PUBLIC SAFETY- (continued):</b>							
<b>Municipal Court:</b>							
Salaries & Wages	43-490-1	311,745.00	295,745.00		295,745.00	288,022.83	7,722.17
Other Expenses	43-490-2	37,500.00	36,000.00		36,000.00	33,635.75	2,364.25
E-Ticketing - Other Expenses	43-490-3	45,000.00	45,000.00		45,000.00	33,750.00	11,250.00
<b>Public Defender:</b>							
Salaries & Wages	43-495-1	14,530.00	14,245.00		14,245.00	12,989.09	1,255.91
Other Expenses	43-495-2	300.00	300.00		300.00		300.00
<b>Police:</b>							
Salaries and Wages	25-240-1	8,194,338.00	8,213,845.00		8,213,845.00	7,965,368.62	248,476.38
Other Expenses	25-240-2	400,000.00	350,000.00		450,000.00	434,366.46	15,633.54
Clothing Allowance	25-240-2	135,000.00	130,000.00		130,000.00	114,083.74	15,916.26
Purchase of Police Cars	25-240-2	90,000.00	90,000.00		90,000.00	90,000.00	
<b>First-Aid Organization:</b>							
Other Expenses	25-260-2	50,000.00	50,000.00		50,000.00	48,542.60	1,457.40
<b>Office of Emergency Management:</b>							
Salaries and Wages	25-252-1	57,500.00	49,365.00		49,365.00	49,365.00	
Other Expenses	25-252-2	10,200.00	10,000.00		10,000.00	8,197.62	1,802.38

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations- within "CAPS"--(continued)	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
<b>DEPARTMENT OF PUBLIC SAFETY (continued):</b>							
Uniform Fire Safety Code:							
Fire:							
Salaries and Wages	25-265-1	20,929.00	20,319.00		20,319.00	20,319.00	
Fire:							
Salaries and Wages	25-265-1	3,781,601.00	3,720,587.00		3,625,587.00	3,514,165.74	111,421.26
Other Expenses	25-265-2	152,370.00	150,000.00		245,000.00	185,676.83	59,323.17
Clothing Allowance	25-265-2	60,000.00	58,000.00		58,000.00	55,275.75	2,724.25
Reserve for Accrued Sick and Vacation Pay	25-240-1	100.00	100.00		100.00		100.00
Hazardous Materials:							
Other Expenses - Stipend	25-265-2	9,000.00	2,500.00		2,500.00		2,500.00
Historic Preservation Commission							
Other Expenses	25-270-2	100.00					
<b>Total Department of Public Safety</b>		<b>13,373,463.00</b>	<b>13,239,256.00</b>		<b>13,339,256.00</b>	<b>12,856,930.03</b>	<b>482,325.97</b>

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations- within "CAPS"--(continued)							
<b>DEPARTMENT OF PUBLIC WORKS:</b>							
Director of Public Works:							
Salaries and Wages	21-110-1	2,250.00	2,250.00		2,250.00	2,250.00	
Other Expenses	21-110-2	1,000.00	1,000.00		1,000.00	125.00	875.00
Engineering Services and Cost:							
Salaries and Wages	20-105-1	136,000.00	131,000.00		131,000.00	122,165.51	8,844.49
Other Expenses	20-162-2	187,600.00	192,400.00		192,400.00	184,367.06	8,032.94
Road Repair and Maintenance:							
Salaries and Wages	26-290-1	652,000.00	630,000.00		630,000.00	570,157.81	59,842.19
Other Expenses	26-290-2	215,500.00	204,500.00		351,500.00	252,990.71	98,509.29
Other Expenses - Emergency Response to Superstorm San	26-290-2			625,000.00	625,000.00	605,440.72	19,559.28
Snow Removal:							
Salaries and Wages	26-290-1	60,000.00	42,000.00		27,000.00	11,215.12	15,784.88
Other Expenses	26-290-2	65,500.00	75,500.00		55,500.00	54,767.33	732.67
Traffic Maintenance:							
Salaries and Wages	26-290-1	108,200.00	103,000.00		103,000.00	95,855.59	7,144.41
Other Expenses	26-290-2	17,000.00	16,000.00		16,000.00	15,964.66	35.34

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations- within "CAPS"--(continued)	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
<b>DEPARTMENT OF PUBLIC WORKS (continued):</b>							
<b>Weed and Leaf Removal:</b>							
Salaries and Wages	26-305-1	10,000.00	10,000.00		10,000.00		10,000.00
Other Expenses	26-305-2	500.00	500.00		500.00		500.00
<b>Sewer System:</b>							
Salaries and Wages	31-455-1	50,000.00	50,000.00		50,000.00	45,006.77	4,993.23
Other Expenses	31-455-2	24,900.00	29,900.00		17,900.00	16,700.00	1,200.00
<b>Parking Lot and Meter Maintenance:</b>							
Salaries and Wages	26-290-1	146,000.00	161,000.00		131,000.00	125,406.15	5,593.85
Other Expenses	26-290-2	32,000.00	27,530.00		27,530.00	27,156.75	373.25
<b>Emergency Hire:</b>							
Salaries and Wages	26-290-1	1,500.00	1,500.00		1,500.00		1,500.00
<b>Leaf Removal:</b>							
Other Expenses- Tipping Fees	32-465-2	63,000.00	63,000.00		63,000.00	61,496.00	1,502.00
Other Expenses- Landscapers	32-465-2	25,000.00	25,000.00		25,000.00	25,000.00	
<b>Recycling:</b>							
Salaries and Wages	26-305-1	680,000.00	675,000.00		645,000.00	631,355.23	13,644.77
Other Expenses	26-305-2	25,500.00	25,120.00		15,120.00	15,083.90	36.10
<b>Total Department of Public Works</b>		<b>2,503,450.00</b>	<b>2,466,200.00</b>	<b>625,000.00</b>	<b>3,121,200.00</b>	<b>2,862,496.31</b>	<b>258,703.69</b>

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations- within "CAPS"--(continued)							
<b>DEPARTMENT OF PARKS AND PUBLIC PROPERTY:</b>							
<b>Director of Parks and Public Property:</b>							
Salaries and Wages	20-110-1	2,250.00	2,250.00		2,250.00	2,250.00	
Other Expenses	20-110-2	1,000.00	1,000.00		1,000.00		1,000.00
<b>Recreation Committee of Nutley:</b>							
Salaries and Wages	28-370-1	281,100.00	158,800.00		166,800.00	165,757.22	1,042.78
Other Expenses	28-370-2	21,700.00	21,700.00		47,700.00	47,516.29	183.71
<b>Public Buildings and Grounds:</b>							
Salaries and Wages	26-310-1	442,134.00	406,651.00		488,651.00	466,778.82	21,872.18
Other Expenses	28-310-2	70,500.00	70,500.00		110,500.00	108,489.26	2,010.74
<b>Community Services:</b>							
Salaries and Wages	31-440-1	42,371.00	39,377.00		43,377.00	41,539.66	1,837.34
<b>Shade Tree Commission:</b>							
Salaries and Wages	28-370-1	300,000.00	318,888.00		264,888.00	249,449.79	15,438.21
Other Expenses	28-370-2	35,500.00	35,500.00		61,500.00	52,850.55	8,649.45

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations- within "CAPS"--(continued)							
<b>DEPARTMENT OF PARKS AND PUBLIC PROPERTY (cont'd):</b>							
Senior Citizens Transportation:							
Salaries and Wages	27-330-1	125,000.00	109,000.00		136,000.00	135,812.06	167.94
Other Expenses	27-330-2	4,000.00	4,000.00		5,000.00	4,617.45	382.55
Debris Removal:							
Other Expenses	28-370-2	10,500.00	10,500.00		15,500.00	14,510.00	990.00
Parks and Playgrounds:							
Salaries and Wages	28-370-1	988,294.00	1,081,150.00		1,106,150.00	1,073,885.24	32,264.76
Other Expenses	28-370-2	85,750.00	85,750.00		113,750.00	108,144.63	5,605.37
Insurance:							
Group Insurance Plan for Employees	23-220-2	5,967,974.00	5,781,972.00		5,595,972.00	5,418,030.69	177,941.31
Other Liability Insurance Premiums	23-210-2	682,085.00	595,571.00		550,571.00	525,562.77	25,008.23
Workers Compensation Insurance	23-215-2	780,340.00	824,260.00		824,260.00	778,910.89	45,349.11
<b>Total Department of Parks and Public Property</b>		<b>9,840,498.00</b>	<b>9,546,869.00</b>		<b>9,533,869.00</b>	<b>9,194,105.32</b>	<b>339,763.68</b>

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations- within "CAPS"-(continued)	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
<b>MAYOR'S OFFICE:</b>							
<b>Mayor:</b>							
Salaries and Wages	20-110-1	450.00	450.00		450.00	433.42	16.58
Other Expenses	20-110-2	500.00					
<b>Board of Adjustment:</b>							
Salaries and Wages	21-105-1	24,848.00	24,360.00		24,360.00	24,354.46	5.54
Other Expenses	21-105-2	9,700.00	9,700.00		9,700.00	3,170.34	6,529.66
<b>Planning Board:</b>							
Salaries and Wages	21-180-1	24,848.00	24,360.00		24,360.00	24,354.46	5.54
Other Expenses	21-180-2	13,000.00	11,650.00		11,650.00	4,301.99	7,348.01
<b>Rent Leveling Board:</b>							
Salaries and Waqes	21-180-1	7,202.00	7,060.00		7,060.00	7,035.82	24.18
Other Expenses	21-180-2	2,300.00	2,300.00		2,300.00		2,300.00
<b>Township Attorney:</b>							
Salaries and Wages	20-155-1	59,630.00	58,460.00		58,460.00	58,450.63	9.37
Other Expenses	20-155-2	100,300.00	85,200.00		85,200.00	30,667.05	54,532.95
<b>Celebration of Public Events</b>	30-420-2	50,000.00	50,000.00		57,000.00	55,122.21	1,877.79
<b>Municipal Prosecutor:</b>							
Salaries and Wages	25-275-1	59,630.00	58,460.00		58,460.00	58,450.63	9.37
Other Expenses	25-275-2	1,100.00	1,100.00		1,100.00		1,100.00
<b>Total Mayors Office</b>		<b>353,508.00</b>	<b>333,100.00</b>		<b>340,100.00</b>	<b>266,341.01</b>	<b>73,758.99</b>

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	Appropriated					Expended 2012	
(A) Operations - within "CAPS" - ( continued)	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
Uniform Construction Code-	xxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx
Appropriation Offset by Dedicated Revenues (N.J.A.C. 5:23-4.17)	xxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx
State Uniform Construction Code:							
Construction Official	22-195						
Salaries & Weges	22-195-1	330,000.00	315,000.00		310,000.00	291,780.76	18,219.24
Other Expenses	22-195-2	40,000.00	40,000.00		45,600.00	45,524.29	75.71
Elevator Inspection Fees:							
Other Expenses	22-195-2	36,000.00	36,000.00		36,000.00	32,582.70	3,417.30



**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(E) Deferred Charges and Statutory Expenditures-	xxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx
(1) DEFERRED CHARGES	xxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx
Anticipated Deficlt - Water Utility	46-886			xxxxxxxxx			xxxxxxxxx
Prior Year's Bills:				xxxxxxxxx			xxxxxxxxx
Precise Appraisal - 06/03/10	46-872	840.00	500.00	xxxxxxxxx	500.00		xxxxxxxxx
Turnout - 09/14/10	46-872		50.00	xxxxxxxxx	50.00		xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx
				xxxxxxxxx			xxxxxxxxx

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(E) Deferred Charges and Statutory Expenditures-	xxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
(2) STATUTORY EXPENDITURES:	xxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
Contribution to:							
Public Employees' Retirement System	36-471	885,690.00	935,940.00		935,940.00	935,940.00	
Social Security (O.A.S.I)	36-472	850,000.00	880,000.00		880,000.00	756,089.27	123,910.73
Policeman & Fireman's Retirement System	36-473	2,279,373.00	2,322,523.00		2,322,523.00	2,322,523.00	
Consolidated Police and Firemen's Pension Fund	36-474						
Public Employees' Retirement System - ERIP	36-471	114,700.00	115,689.00		115,689.00	115,689.00	
Policeman & Fireman's Retirement System - ERIP	36-473	96,431.00	91,106.00		91,196.00	91,106.00	
Unemployment Compensation Insurance	23-225-2	150,000.00	155,000.00		155,000.00	100,000.00	55,000.00
Award of Damages to Disabled Policemen	36-475-2	6,060.00	6,060.00		6,060.00	6,060.00	
Total Deferred Charges and Statutory Expenditures - Municipal Within "CAPS"	34-209	4,383,094.00	4,506,958.00		4,506,958.00	4,327,497.27	178,910.73
G) Cash Deficit of Preceding Year	46-885						
(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"	34-299	37,593,956.00	36,957,066.00	625,000.00	37,582,066.00	35,455,595.71	2,125,920.29





**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	Appropriated					Expended 2012	
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations - Excluded from "CAPS"							
Uniform Construction Code Appropriation Offset by Increased Fee Revenues (N.J.A.C. 5:23-4.17)	xxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
	xxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
<b>Total Uniform Construction Code Appropriations</b>							





**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	Appropriated				Expended 2012		
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations - Excluded from "CAPS"							
State and Federal Programs Offset by Revenues	xxxxxx	xxxxxxxx	xxxxxxxx	xxxxxxxx	xxxxxxxx	xxxxxxxx	xxxxxxxx
Senior Citizen's Health Project Grant	41-708		5,400.00		5,400.00	4,277.14	1,122.86
Safe and Secure Communities Grant:							
State Share	41-704		60,000.00		60,000.00	15,564.11	44,435.89
Local Share	41-899		15,000.00		15,000.00	5,188.05	9,811.95
Municipal Alliance Grant:							
State Share	41-709	22,000.00	22,000.00		22,000.00	18,414.75	3,585.25
Local Share	41-899	5,500.00	5,500.00		5,500.00	5,393.82	106.18
Essex County Disaster National Emergency Grant	41-755	95,838.00					
Clean Communities Program	41-770		39,594.00		39,594.00	24,262.51	15,331.49
Community Environmental Health Act	41-710	150,000.00	150,000.00		150,000.00	150,000.00	
Matching Fund for Grants	41-899	2,369.00	2,369.00		2,369.00		2,369.00
Assistance to Firefighters Grant	41-753		16,830.00		16,830.00	6,496.88	10,333.12
UASI Decontamination Training Grant	41-754	20,000.00					
Essex County Integration Software	41-741		20,500.00		20,500.00	20,500.00	
Recreational Opportunities for Individuals with Disabilities	41-738		5,000.00		5,000.00	1,194.98	3,805.02
Reserve for Body Armor Replacement Fund - Appropriated	41-745		4,664.23		4,664.23	4,664.23	
Reserve for Body Armor Replacement Fund - Unappropriated	41-746	5,929.00	8,862.06		8,862.06	4,535.62	4,326.44
Reserve for Clean Communities Program - Appropriated	41-747		14,698.87		14,698.87	4,925.80	9,773.07
Reserve for Clean Communities Program - Unappropriated	41-748		11,597.73		11,597.73		11,597.73





**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	Appropriated					Expended 2012	
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(C) Capital Improvements - Excluded from "CAPS"							
<b>Public and Private Programs Offset by Revenues:</b>	xxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
<b>New Jersey Transportation Trust Fund Authority Act</b>	41-865						
<b>Total Capital Improvements Excluded from "CAPS"</b>	60002-00	195,000.00	179,550.00		179,550.00	104,550.00	75,000.00

**CURRENT FUND - APPROPRIATIONS**

GENERAL APPROPRIATIONS	Appropriated					Expended 2012	
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(D) Municipal Debt Service - Excluded from "CAPS"							
Payment of Bond Principal	45-920	1,050,000.00	1,212,000.00		1,212,000.00	1,212,000.00	XXXXXXXXXX
Payment of BAN	45-925	250,000.00					XXXXXXXXXX
Interest on Bonds	45-930	192,000.00	227,000.00		227,000.00	226,337.00	XXXXXXXXXX
Interest on Notes	45-935						XXXXXXXXXX
	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
State of New Jersey - Wastewater Treatment							XXXXXXXXXX
Loan Principal	45-941	177,000.00	220,000.00		220,000.00	218,805.73	XXXXXXXXXX
Loan Interest	45-942	27,000.00	33,000.00		33,000.00	24,897.53	XXXXXXXXXX
							XXXXXXXXXX
NJ Department of Environmental Protection Green Acres Loan							XXXXXXXXXX
Loan Principal	45-943	22,113.00	21,677.50		21,677.50	21,677.50	XXXXXXXXXX
Loan Interest	45-944	9,187.00	9,492.50		9,492.50	9,492.50	XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
Capital Lease Obligations	45-941						XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
<b>Total Municipal Debt Service-Excluded from "CAPS"</b>	<b>60003-00</b>	<b>1,727,300.00</b>	<b>1,723,170.00</b>		<b>1,723,170.00</b>	<b>1,713,210.26</b>	

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	Appropriated					Expended 2012	
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(E) Deferred Charges - Municipal - Excluded from "CAPS"							
(1) DEFERRED CHARGES:	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
Emergency Authorizations	46-870	625,000.00	555,000.00		555,000.00	555,000.00	xxxxxxxxxxx
Special Emergency Authorizations- 5 Years (N.J.S.A.40A:4-55)	46-875	100,000.00	395,450.00		395,450.00	395,450.00	xxxxxxxxxxx
Deferred Charges to Future Taxation - Unfunded Ordinances	46-891	300,000.00	200,000.00		200,000.00	200,000.00	xxxxxxxxxxx
							xxxxxxxxxxx
							xxxxxxxxxxx
							xxxxxxxxxxx
							xxxxxxxxxxx
Total Deferred Charges - Municipal - Excluded from "CAPS"	60024-00	1,025,000.00	1,150,450.00		1,150,450.00	1,150,450.00	xxxxxxxxxxx
(F) Judgements (N.J.S.A. 40A:4-45.3cc)	37-480						xxxxxxxxxxx
(N) Transferred to Board of Education for Use of Local Schools (N.J.S.A.40:48-17.1 & 17.3)	29-405						xxxxxxxxxxx
							xxxxxxxxxxx
(G) With Prior Consent of Local Finance Board: Cash Deficit of Preceding Year	46-885						xxxxxxxxxxx
							xxxxxxxxxxx
							xxxxxxxxxxx
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	60025-00	8,030,191.00	8,137,579.89		8,137,579.89	7,897,954.70	229,665.45

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	Appropriated					Expended 2012	
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
For Local District School Purposes- Excluded from "CAPS"	xxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
(I) Type 1 District School Debt Service	xxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
Payment of Bond Principal	48-920						xxxxxxxxxx
Payment of Bond Anticipation Notes	48-925						xxxxxxxxxx
Interest on Bonds	48-930						xxxxxxxxxx
Interest on Notes	48-935						xxxxxxxxxx
Total of Type 1 District School Debt Service - Excluded from "CAPS"	48-999						
(J) Deferred Charges and Statutory Expenditures- Local School - Excluded from "CAPS"	xxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
Emergency Authorizations - Schools	29-406			xxxxxxxxxx			xxxxxxxxxx
Capital Project for Land, Building or Equipment N.J.S. 18A:22-20	29-407						
Total of Deferred Charges and Statutory Expenditures - Local School,- Excluded from "CAPS"	60007-00						
(K) Total Municipal Appropriations for Local District School Purposes (Items(I) and (J)) - Excluded from "CAPS"	60008-00						
(O) Total General Appropriations,- Excluded from "CAPS"	60010-00	8,030,191.00	8,137,579.89		8,137,579.89	7,897,954.70	229,665.45
(L) Subtotal General Appropriations {Items (H-I) and (O)}	30009-00	45,624,147.00	45,094,645.89	625,000.00	45,719,645.89	43,353,550.41	2,355,585.74
(M) Reserve for Uncollected Taxes	50-899	4,250,340.00	4,167,000.00	xxxxxxxxxxxxxx	4,167,000.00	4,167,000.00	xxxxxxxxxxxxxx
9. Total General Appropriations	30000-00	49,874,487.00	49,261,645.89	625,000.00	49,886,645.89	47,520,550.41	2,355,585.74

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  Summary of Appropriations	Appropriated				Expended 2012		
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	30005-00	37,593,956.00	36,957,066.00	625,000.00	37,582,066.00	35,455,595.71	2,125,920.29
Statutory Expenditures	xxxxx						
(a) Operations - Excluded from "CAPS"	xxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx
Other Operations	xxxxx	4,766,755.00	4,676,144.00		4,676,144.00	4,659,447.03	16,698.97
Uniform Construction Code	xxxxx						
Shared Municipal Service Agreements	xxxxx	14,500.00	26,250.00		26,250.00	4,879.52	21,370.48
Additional Appropriations Offset by Revenues	xxxxx						
Public & Private Programs Offset by Revenues	xxxxx	301,636.00	382,015.89		382,015.89	265,417.89	116,598.00
<b>Total Operations - Excluded from "CAPS"</b>	<b>60023-00</b>	<b>5,082,891.00</b>	<b>5,084,409.89</b>		<b>5,084,409.89</b>	<b>4,929,744.44</b>	<b>154,665.45</b>
(C) Capital Improvements	60002-00	195,000.00	179,550.00		179,550.00	104,550.00	75,000.00
(D) Municipal Debt Service	60003-00	1,727,300.00	1,723,170.00		1,723,170.00	1,713,210.26	
(E) Total Deferred Charges - Excluded from "CAPS"	xxxxx	1,025,000.00	1,150,450.00		1,150,450.00	1,150,450.00	
(F) Judgements	37-480						
(G) Cash Deficit - With Prior Consent of LFB	46-885						
(K) Local School District Purposes	60008-00						
(N) Transferred to Board of Education	29-405						
(M) Reserve for Uncollected Taxes	50-899	4,250,340.00	4,167,000.00		4,167,000.00	4,167,000.00	
<b>Total General Appropriations</b>	<b>30000-00</b>	<b>49,874,487.00</b>	<b>49,281,645.89</b>	<b>625,000.00</b>	<b>49,886,645.89</b>	<b>47,520,550.41</b>	<b>2,355,585.74</b>

10. DEDICATED REVENUES FROM WATER UTILITY	FCOA Account Number	Anticipated		Realized in Cash in 2012
		for 2013	for 2012	
Operating Surplus Anticipated	08-501	151,110.00	531,671.00	531,671.00
<b>Total Operating Surplus Anticipated</b>	<b>08-500</b>	<b>151,113.00</b>	<b>531,671.00</b>	<b>531,671.00</b>
Rents	08-503	3,700,000.00	3,702,466.00	3,743,425.61
Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Reserve for Purchase of Water GIS	08-510		35,000.00	35,000.00
Rents - Fees Increase (12.5% for 3/4 year)	08-503	346,875.00		
Deficit (General Budget)	08-549			
<b>Total Water Utility Revenues</b>	<b>91107-00</b>	<b>4,197,988.00</b>	<b>4,269,137.00</b>	<b>4,310,096.61</b>

\* Note: Use pages 31,32 and 33 for water utility only.  
All other utilities use sheets 34,35 and 36.

**DEDICATED WATER UTILITY BUDGET - (Continued)**

Note: Use Sheet 32 for Water Utility only.

11. APPROPRIATIONS FOR WATER UTILITY	FCOA Account Number	Appropriated				Expended 2012	
		for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
<b>Operating:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
Salaries & Wages	55-501	1,476,870.00	1,397,000.00		1,402,000.00	1,362,861.03	39,108.97
Other Expenses	55-502	624,400.00	559,466.00		581,046.00	554,807.02	26,658.98
N.J. Water Supply - Other Expenses	55-502	1,220,000.00	1,210,000.00		1,219,000.00	1,210,962.72	37.28
Passaic Valley Water Commission-Other Expenses	55-502	500,000.00	485,000.00		485,000.00	470,662.99	14,337.01
City of Newark Water Purchase -Other Expenses	55-502	140,000.00	130,000.00		130,000.00	129,160.23	839.77
Town of Kearny Water Purchase -Other Expenses	55-502		260,000.00		240,000.00	233,242.12	6,757.88
<b>Capital Improvements:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
Down Payments on Improvements	55-510	1,000.00	1,000.00		1,000.00	1,000.00	
Capital Outlay	55-512		35,000.00		35,000.00		35,000.00
<b>Debt Service:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
Payment of Loan Principal	55-520	90,618.00	50,412.00		50,412.00	50,410.79	xxxxxxxxxxx
Interest on Loans	55-522	19,100.00	6,259.00		6,259.00	6,258.92	xxxxxxxxxxx



**DEDICATED**

**UTILITY BUDGET**

12. DEDICATED REVENUES FROM	FCOA Account Number	Anticipated		Realized in Cash in 2012
		2013	2012	
<u>Operating Surplus Anticipated</u>	08-501			
<u>Operating Surplus Anticipated with Prior Written Consent of Director of Local Government Services</u>	08-502			
<u>Total Operating Surplus Anticipated</u>	08-500			
<u>Sewer Rents</u>	08-503			
<u>Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services</u>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
	91 06-00			
<u>Total Sewer # 1 Utility Revenues</u>	91 07-00			

Use a separate set of sheets for each separate utility.

**DEDICATED**

**UTILITY BUDGET - (Continued)**

13. APPROPRIATIONS FOR	Appropriated				Expended 2012		
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
<b>Operating:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
<b>Salaries &amp; Wages</b>	55-501						
<b>Other Expenses</b>	55-502						
<b>Capital Improvements:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
<b>Down Payments on Improvements</b>	55-510						
<b>Capital Improvement Fund</b>	55-511						
<b>Capital Outlay</b>	55-512						
<b>Debt Service:</b>	xxxxxxx	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
<b>Payment of Bond Principal</b>	55-520						xxxxxxxxxxx
<b>Payment of Bond Anticipation Notes and     Capital Notes</b>	55-521						xxxxxxxxxxx
<b>Interest on Bonds</b>	55-522						xxxxxxxxxxx
<b>Interest on Notes</b>	55-523						xxxxxxxxxxx
							xxxxxxxxxxx

**DEDICATED**

**UTILITY BUDGET - (Continued)**

13. APPROPRIATIONS FOR	Appropriated				Expended 2012		
	FCOA Account Number	for 2013	for 2012	for 2012 By Emergency Appropriation	Total for 2012 As Modified By All Transfers	Paid or Charged	Reserved
<b>Deferred Charges and Statutory Expenditures:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
<b>DEFERRED CHARGES:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
<b>Emergency Authorizations</b>	55-530			xxxxxxxxxxx			xxxxxxxxxxx
				xxxxxxxxxxx			xxxxxxxxxxx
				xxxxxxxxxxx			xxxxxxxxxxx
				xxxxxxxxxxx			xxxxxxxxxxx
<b>STATUTORY EXPENDITURES:</b>	xxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
<b>Contribution To:</b>							
<b>Public Employees' Retirement System</b>	55-540						
<b>Social Security System (O.A.S.I.)</b>	55-541						
<b>Unemployment Compensation Insurance (N.J.S.A.43:21e3 et. seq.)</b>	55-542						
<b>Judgments</b>	55-531						
<b>Deficit In Operations in Prior Years</b>	55-532			xxxxxxxxxxx			xxxxxxxxxxx
<b>Surplus (General Budget)</b>	55-545			xxxxxxxxxxx			xxxxxxxxxxx
<b>Total Sewer# 1 Utility Appropriations</b>	92 09-00						

### DEDICATED ASSESSMENT BUDGET

14. DEDICATED REVENUES FROM	FCOA Account Number	Anticipated		Realized in Cash in 2012
		2013	2012	
Assessment Cash	51-101			
Deficit (General Budget)	51-885			
Total Assessment Revenues	51-899			
15. APPROPRIATIONS FOR ASSESSMENT DEBT		Appropriated		Expended 2012 Paid or Charged
		2013	2012	
Payment of Bond Principal	51-920			
Payment of Bond Anticipation Notes	51-925			
Total Assessment Appropriations	51-999			

### DEDICATED WATER UTILITY ASSESSMENT BUDGET

14. DEDICATED REVENUES FROM	FCOA Account Number	Anticipated		Realized in Cash in 2012
		2013	2012	
Assessment Cash	52-101			
Deficit Water Utility Budget	52-885			
Total Water Utility Assessment Revenues	52-899			
15. APPROPRIATIONS FOR ASSESSMENT DEBT		Appropriated		Expended 2012 Paid or Charged
		2013	2012	
Payment of Bond Principal	52-920			
Payment of Bond Anticipation Notes	52-925			
Total Water Utility Assessment Appropriations	52-999			

**DEDICATED UTILITY ASSESSMENT BUDGET**

**UTILITY**

	FCOA Account Number	Anticipated		Realized In Cash In 2012
		2013	2012	
<b>14. DEDICATED REVENUES FROM</b>				
Assessment Cash	53-101			
Deficit ( Utility Budget)	53-885			
Total Utility Assessment Revenues	53-899			
<b>15. APPROPRIATIONS FOR ASSESSMENT DEBT</b>		Appropriated		Expended 2012 Paid or Charged
		2013	2012	
Payment of Bond Principal	53-920			
Payment of Bond Anticipation Notes	53-925			
Total Utility Assessment Appropriations	53-999			

Dedication by Rider - (N.J.S.A. 40A:4-39) "The dedicated revenues anticipated during the year 2013 from Animal Control, State or Federal Aid for Maintenance of Libraries, Bequest, Escheat; Construction Code Fees Due Hackensack Meadowlands Development Commission; Outside Employment of Off-Duty Municipal Police Officers; Unemployment Compensation Insurance; Reimbursement of Sale of Gasoline to State Automobiles; State Training Fees - Uniform Construction Code Act; Older Americans Act - Program Contributions; Municipal Alliance on Alcoholism and Drug Abuse - Program Income \_\_\_\_\_ Housing and Community Development Act of 1974; Recycling Program; Parking Offences Adjudication Act; Disposal of Forfeited Property; Board of Recreation Commission; Community Environmental Health Act; Weights and Measures; Donations NJSA 40A:5-29 Centennial Celebration; Social Security Reimbursement; Home Health Services; Uniform Fire Safety Act Penalty Monies; Accumulated Absences; Breast Cancer Awareness Program Donations; Operations Nutley Cares/ Hurricane Katrina Relief Donations; Mayors Wellness Program \_\_\_\_\_ are hereby anticipated as revenue and are hereby appropriated for the purposes to which said revenue is dedicated by statute or other legal requirement."

*(Insert additional appropriate titles in space above when applicable if resolution for rider has been approved by the Director)*

**APPENDIX TO BUDGET STATEMENT**

**CURRENT FUND BALANCE SHEET  
DECEMBER 31, 2012**

**COMPARATIVE STATEMENT OF CURRENT FUND OPERATIONS AND CHANGE IN  
CURRENT SURPLUS**

ASSETS		
Cash and Investments	1110100	13,610,836.87
Due from State of N.J. (C.20 P.L. 1971)	1111000	123,683.90
State Road Aid Allotments Receivable	1110200	
Receivables with Offsetting Reserves:	XXXXXX	XXXXXX
Taxes Receivable	1110300	2,183,622.15
Tax Title Liens Receivable	1110400	55,506.32
Property Acquired by Tax Title Lien Liquidation	1110500	19,770.00
Other Receivables	1110600	24,944.98
Deferred Charges Required to be in 2013 Budget	1110700	725,000.00
Deferred Charges Required to be in Budget Subsequent to 2013	1110800	44,550.00
<b>Total Assets</b>	<b>1110900</b>	<b>16,787,914.22</b>
LIABILITIES, RESERVES, AND SURPLUS		
Cash Liabilities	2110100	8,606,229.91
Reserves for Receivables	2110200	2,283,843.45
Surplus	2110300	5,897,840.86
<b>Total Liabilities, Reserves and Surplus</b>		<b>16,787,914.22</b>

		YEAR 2012	YEAR 2011
Surplus Balance, January 1st	2310100	5,897,019.75	5,157,972.96
<b>CURRENT REVENUES ON A CASH BASIS:</b>			
Current Taxes *(Percentage collected: 2012 - 97.96%; 2011 - 97.90%)	2310200	105,508,213.24	105,118,121.64
Delinquent Taxes	2310300	1,703,599.87	2,082,073.51
Other Revenues and Additions to Income	2310400	7,842,337.14	6,653,983.45
<b>Total Funds</b>	<b>2310500</b>	<b>120,951,170.00</b>	<b>119,012,151.56</b>
<b>EXPENDITURES AND TAX REQUIREMENTS:</b>			
Municipal Appropriations	2310600	45,709,136.15	45,424,979.04
School Taxes (Including Local and Regional)	2310700	51,536,264.50	50,584,373.50
County Taxes (Including Added Tax Amounts)	2310800	17,899,184.24	17,912,235.90
Special District Taxes	2310900		
Other Expenditures and Deductions from Income	2311000	533,744.25	248,543.37
<b>Total Expenditures and Tax Requirements</b>	<b>2311100</b>	<b>115,678,329.14</b>	<b>114,170,181.81</b>
<b>Less: Expenditures to be Raised by Future Taxes</b>	<b>2311200</b>	<b>625,000.00</b>	<b>1,055,000.00</b>
<b>Total Adjusted Expenditures and Tax Requirements</b>	<b>2311300</b>	<b>115,053,329.14</b>	<b>113,115,131.81</b>
<b>Surplus Balance December 31st</b>	<b>2311400</b>	<b>5,897,840.86</b>	<b>5,897,019.75</b>

\* Nearest even percentage may be used

**Proposed Use of Current Fund Surplus in 2013 Budget**

School Tax Levy Unpaid	2220110	-0-	Surplus Balance December 31, 2012	2311500	5,897,840.86
Less: School Tax Deferred	2220200	-0-	Current Surplus Anticipated in 2013 Budget	2311600	4,654,000.00
*Balance Included in Above "Cash Liabilities"	2220300	-0-	Surplus Balance Remaining	2311700	1,243,840.86

(Important: This appendix must be included in advertisement of budget.)

**2013  
CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM**

This section is included with the Annual Budget pursuant to N.J.A.C. 5:30-4. It does not in itself confer any authorization to raise or expend funds. Rather it is a document used as part of the local unit's planning and management program. Specific authorization to expend funds for purposes described in this section must be granted elsewhere, by a separate bond ordinance, by inclusion of a line item in the Capital Improvement Section of this budget, by an ordinance taking the money from the Capital Improvement Fund, or other lawful means.

**CAPITAL BUDGET**

- Total capital expenditures this year do not exceed \$25,000, including appropriations for Capital Improvement Fund, Capital Line Items and Down Payments on Improvements.
- No bond ordinances are planned on improvements.

**CAPITAL IMPROVEMENT PROGRAM**

A multi-year list of planned capital projects, including the current year.  
Check appropriate box for number of years covered, including current year:

- 3 years. (Population under 10,000)
- 6 years. (Over 10,000 and all county governments)
- \_\_\_\_\_ e \_\_\_\_\_ years. (Exceeding minimum time period)
- Check if municipality is under 10,000 has not expended more than \$25,000 annually for capital purposes in immediately previous three years, and is not adopting CIP.

## **NARRATIVE FOR CAPITAL IMPROVEMENT PROGRAM**

The following pages reflect the estimated needs for the Township of Nutley for the years 2013 through 2018, as required by New Jersey State Statute. We retain the right to make changes as a result of our growth or as the occasion merits.

**CAPITAL BUDGET (Current Year Action)**

2013

Local Unit

Township of Nutley

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SOURCES FOR CURRENT YEAR,- 2013					6 TO, BE FUNDED IN FUTURE YEARS
				5a 2013 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Safe Routes to School Project	1	175,000.00					175,000.00		
Building Renovations & Equipment	2	225,000.00			11,250.00			213,750.00	
Purchase of Vehicles and Equipment	3	50,000.00			2,500.00			47,500.00	
Purchase and Planting of Trees	4	5,000.00			250.00			4,750.00	
Parks & Playgrounds Equipment & Improvements	5	200,000.00			10,000.00			190,000.00	
Roadways and Sidewalks	6	150,000.00			7,500.00			142,500.00	
Purchase of Sewer Jet Truck	7	125,000.00			6,250.00			118,750.00	
Purchase of Various Vehicles and Equipment	8	50,000.00			2,500.00			47,500.00	
Roadways and Sidewalks	9	1,000,000.00			50,000.00			950,000.00	
Purchase of Aerial Ladder Truck - Phase 1	10	180,000.00			9,000.00			171,000.00	
Purchase of SCBA Masks,- Phase 1	11	100,000.00			5,000.00			95,000.00	
Exhaust System for Volunteer Firehouse	12	30,000.00			1,500.00			28,500.00	
Replacement of Tactical Vests and Equipment	13	30,000.00			1,500.00			28,500.00	
Install Fixed LPR Cameras	14	25,000.00			1,250.00			23,750.00	
<b>Totals</b>	<b>33-199</b>	<b>2,345,000.00</b>			<b>108,500.00</b>		<b>175,000.00</b>	<b>2,061,500.00</b>	



**6 YEAR CAPITAL PROGRAM - 2013 to 2018**  
**Anticipated Project Schedule and Funding Requirements**

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	Local Unit      Township of Nutley						
				FUNDING AMOUNTS PER BUDGET YEAR						
				5a 2013	5b 2014	5c 2015	5d 2016	5e 2017	5f 2018	
Safe Routes to School Project	1	175,000.00	1 year	175,000.00						
Building Renovations & Equipment	2	225,000.00	1 year	225,000.00						
Purchase of Vehicles and Equipment	3	50,000.00	1 year	50,000.00						
Purchase and Planting of Trees	4	5,000.00	1 year	5,000.00						
Parks & Playgrounds Equipment & Improvements	5	200,000.00	1 year	200,000.00						
Roadways and Sidewalks	6	150,000.00	1 year	150,000.00						
Purchase of Sewer Jet Truck	7	125,000.00	1 year	125,000.00						
Purchase of Various Vehicles and Equipment	8	50,000.00	1 year	50,000.00						
Roadways and Sidewalks	9	1,000,000.00	1 year	1,000,000.00						
Purchase of Aerial Ladder Truck - Phase 1	10	180,000.00	1 year	180,000.00						
Purchase of SCBA Masks - Phase 1	11	100,000.00	1 year	100,000.00						
Exhaust System for Volunteer Firehouse	12	30,000.00	1 year	30,000.00						
Replacement of Tactical Vests and Equipment	13	30,000.00	1 year	30,000.00						
Install Fixed LPR Cameras	14	25,000.00	1 year	25,000.00						



**6 YEAR CAPITAL PROGRAM - 2013 to 2018  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Local Unit

Township of Nutley

1  Project Title	2  Estimated  Total Cost	BUDGET APPROPRIATIONS		4  Capital  Improvement  Fund	5  Capital  Surplus	6  Grants-In- Aid and Other Funds	BONDS AND NOTES			
		3a  Current Year  2013	3b  Future Years				7a  General	7b  Self  Liquidating	7c  Assesment	7d  School
Safe Routes to School Project	175,000.00					175,000.00				
Building Renovation & Equipment	225,000.00			11,250.00			213,750.00			
Purchase of Vehicles and Equipment	50,000.00			2,500.00			47,500.00			
Purchase and Planting of Trees	5,000.00			250.00			4,750.00			
Parks & Playgrounds Equipment & Improvements	200,000.00			10,000.00			190,000.00			
Roadways and Sidewalks	150,000.00			7,500.00			142,500.00			
Purchase of Sewer Jet Truck	125,000.00			6,250.00			118,750.00			
Purchase of Various Vehicles and Equipment	50,000.00			2,500.00			47,500.00			
Roadways and Sidewalks	1,000,000.00			50,000.00			950,000.00			
Purchase of Aerial Ladder Truck - Phase 1	180,000.00			9,000.00			171,000.00			
Purchase of SCBA Masks - Phase 1	100,000.00			5,000.00			95,000.00			
Exhaust System for Volunteer Firehouse	30,000.00			1,500.00			28,500.00			
Replacement of Tactical Vests and Equipment	30,000.00			1,500.00			28,500.00			
Install Fixed LPR Cameras	25,000.00			1,250.00			23,750.00			

**6 YEAR CAPITAL PROGRAM - 2013-2018  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

1 Project Title	2 Estimated Total Cost	BUDGET APPROPRIATIONS		4 Capital Improvement Fund	5 Capital Surplus	6 Grants-In- Aid and Other Funds	BONDS AND NOTES			
		3a Current Year 2013	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School
Purchase of Vehicle for Code Enforcement	27,000.00			1,350.00			25,650.00			
Purchase of Copler	25,000.00			1,250.00			23,750.00			
Fiber Optic Project	275,000.00			13,750.00			261,250.00			
Section 20 Expenses	249,700.00			12,485.00			237,215.00			
<b>Totals</b>	2,921,700.00			137,335.00		175,000.00	2,609,365.00			

MUNICIPALITY: TOWNSHIP OF NUTLEY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND

DEDICATED REVENUES FROM TRUST FUND	FCOA	Anticipated		Realized in Cash In 2012	APPROPRIATIONS	FCOA	Appropriated		Expended 2012	
		2013	2012				for 2013	for 2012	Paid or Charged	Reserved
Amount To Be Raised By Taxation	54-190				Development of Lands for Recreation and Conservation:		XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX
					Salaries & Wages	54-385-1				
Interest Income	54-113				Other Expenses	54-385-2				
					Maintenance of Lands for Recreation and Conservation:		XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX
					Salaries & Wages	54-375-1				
Reserve Funds					Other Expenses	54-375-2				
					Historic Preservation:		XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX
					Salaries & Wages	54-176-1				
					Other Expenses	54-176-2				
					Acquisition of Lands for Recreation and Conservation	54-915-2				
Total Trust Fund Revenues	54-299				Acquisition of Farmland	54-916-2				
<i>Summary of Program</i>					Down Payments on Improvements	54-902-2				
Year Referendum Passed/Implemented					Debt Service:		XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX
Rate Assessed				<i>(Date)</i>	Payment of Bond Principal	54-920-2				XXXXXXXX
Total Tax Collected to Date				\$	Payment of Bond Anticipation Notes and Capital Notes	54-925-2				XXXXXXXX
Total Expended to Date				\$	Interest on Bonds	54-930-2				XXXXXXXX
Total Acreage Preserved to Date					Interest on Notes	54-935-2				
Recreation land preserved in 2012:				<i>(Acres)</i>	Reserve for Future Use	54-950-2				
Farmland preserved in 2012:				<i>(Acres)</i>	Total Trust Fund Appropriations	54-499				
				<i>(Acres)</i>						

**Annual List of Change Orders Approved  
Pursuant to N.J.A.C. 5:30-11**

Contracting Unit Township of Nutley

Year Ending: December 31, 2012

The following is a complete list of all change orders which caused the originally awarded contract price to be exceeded by more than 20 percent. For regulatory details please consult N.J.A.C. 5:30-11.1 et.seq. Please identify each change order by name of the project.

1. "Internet and Long Distance Phone Service"  
Original Contract Price: \$32,988.00 20% = \$6,597.60 Awarded Via Resolution # 230-09, September 1, 2009  
Change Order No. 1 \$ 6,600.00 Via Resolution 3 56-12, February 21, 2012

2.

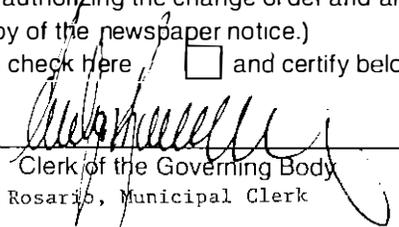
3.

4.

For each change order listed above, submit with introduced budget a copy of the governing body resolution authorizing the change order and an Affidavit of Publication for the newspaper notice required by N.J.A.C. 5:30-11.9(d). (Affidavit must include a copy of the newspaper notice.)  
If you have not had a change order exceeding the 20 percent threshold for the year indicated above, please check here  and certify below.

March 26, 2013

Date

  
\_\_\_\_\_  
Clerk of the Governing Body

Evelyn Rosario, Municipal Clerk

NUTLEY TOWN CLERK  
1 KENNEDY DR

3247244

NUTLEY, NJ 07110-2786



STATE OF NEW JERSEY  
COUNTY OF PASSAIC SS:

*[Handwritten signature]*

Of full age, being duly sworn according to law, on his/her oath says that he/she is employed at North Jersey Media Group Inc., publisher of The Nutley Sun. Annexed hereto is a true copy of the notice that was published on the following date(s):

3.1.2012

Township of Nutley  
One Kennedy Drive  
Nutley, New Jersey 07110

**Change Order Notice**

PLEASE TAKE NOTICE, the Township of Nutley entered into a contract not to exceed \$32,988.00 with Optimum Lightpath, Inc., 200 Juddo Quadrangle, Juddo, NY 11753 for "Internet and Long Distance Phone Service".  
PLEASE TAKE NOTICE, this contract was awarded via resolution number 200609, adopted by the Board of Commissioners on September 1, 2009.  
PLEASE TAKE NOTICE, The Superintendent of the Parks & Public Property Department has recommended the following change order.

Original Contract Amount	\$ 32,988.00
Change Order No. 1 Additional Fees for Informational And Communications Services	\$ 5,600.00
Total Change Orders	\$ 38,588.00

PLEASE TAKE NOTICE, change order no. 1 has been authorized via resolution no. 56-12, adopted by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday, February 21, 2012.

Evelyn Rosendo, RMC, CMC  
Municipal Clerk  
Township of Nutley

Nutley Sun 3247244  
Fee \$26.43  
March 1, 2012

in The Nutley Sun, a newspaper of general circulation and published in Nutley, in the county of Essex and circulated in Essex County. Said newspaper is published once each week

Subscribed and sworn before me this 25 day of March 2012 at Woodland Park, NJ

*[Handwritten signature]*  
A Notary Public of New Jersey

SONJA THORSLAND  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
Commission Expires MAY 3, 2013

Township of Nutley  
One Kennedy Drive  
Nutley, New Jersey 07110

NOTICE  
"Change Order Notice"

PLEASE TAKE NOTICE, the Township of Nutley entered into a contract not to exceed \$32,988.00 with Optimum Lightpath, Inc., 200 Jericho Quadrangle, Jericho, NY 11753 for "Internet and Long Distance Phone Service"

PLEASE TAKE NOTICE, this contract was awarded via resolution number 230-09, adopted by the Board of Commissioners on September 1, 2009.

PLEASE TAKE NOTICE, The Superintendent of the Parks & Public Property Department has recommended the following change order.

Original Contract Amount		\$ 32,988.00
Change Order No. 1	Additional Fees for Informational And Communications Services	<u>\$ 6,600.00</u>
Total Change Orders		\$ 6,600.00

PLEASE TAKE NOTICE, change order no. 1 has been authorized via resolution no. 56-12, adopted by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday, February 21, 2012.

Evelyn Rosario, RMC, CMC  
Municipal Clerk  
Township of Nutley

Nutley Sun Issue/Thursday, March 1, 2012/Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

Introduced by: Mayor Mauro G. Tucci Date: February 21, 2012  
Seconded by: Commissioner Alphonse Petracco No. 56-12

WHEREAS, The Township of Nutley heretofore entered into a contract with Optimum Lightpath, 200 Jericho Quadrangle, Jericho N.Y., 11753 for 2011, and

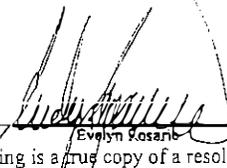
WHEREAS, The Superintendent of the Parks and Public Property Department has recommended the following change order from said Contract as necessary.

CHANGE ORDER # 1 Additional fees for informational services and communications services \$6,600.00

WHEREAS, funds are available from account # 510-237 and have been certified by the Chief Financial Officer and said certification is attached to this resolution, and

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners and the Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that the Change Order #1, \$6, 600.00 be and is hereby approved

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held February 21, 2012

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

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20<sup>th</sup> 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1<sup>st</sup> 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

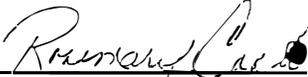
Purpose: Information & Communication Services

Account: 2-0~~6~~-510-237

Fund: Current Fund

Amount: \$6,600.00- Subject to Adoption of the Municipal Budget

Date: February 21, 2012

  
\_\_\_\_\_  
Rosemary Costa  
Treasurer, C.F.O.

BOARD OF COMMISSIONERS  
Township of Nutley, New Jersey

Resolution

Introduced by: Commissioner Mauro G. Tucci Date: September 1, 2009

Seconded by: Commissioner Scarpelli No. 030-09

WHEREAS, the Township has the need for internet and long distance phone service; and

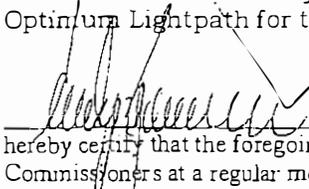
WHEREAS, NJSA 40A:11-5 (f) permits the award of a contract without bidding for the supply of any service which is a public utility subject to the jurisdiction of the BPU; and

WHEREAS, the Township received three (3) proposals for the provision of internet and long distance phone service; and

WHEREAS, the proposal from Optimum Lightpath, Inc., 200 Jericho Quadrangle, Jericho, NY 11753, in the amount of \$32,988.00 per year, will result in substantial savings and improved quality and is recommended by the Township's Office of Information Technology; and

WHEREAS, Funds are available from Account # 510-237, and have been certified by the Chief Financial Officer, and said certification is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of The Township of Nutley, County of Essex, State of New Jersey, that Commissioner Mauro G. Tucci is hereby authorized to enter into a three (3) year contract with Optimum Lightpath for the provision of internet and long distance phone service.

 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 September 1, 2009.

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

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

Purpose: Internet and Long Distance Phone Service

Account: 9-01-510-200

Fund: Current Fund

Amount: \$32,988.00

Date: ~~August 4, 2009~~  
September 1, 2009



Rosemary Costa  
Treasurer, C.F.O