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TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

Tuesday, June 18, 2013

7:00 PM

Job No. NJ1735382

Transcribed by: Sheri Monroe

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COMMISSIONERS PRESENT:

Commissioner Joseph P. Scarpelli

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Steven Rogers

Mayor Alphonse Petracco

ALSO PRESENT:

Kevin P. Harkins, Esquire

P R O C E E D I N G S

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MR. PETRACCO: Madam Clerk?

THE CLERK: Yes, Mayor.

Tuesday, June 18, 2013 -- pursuant to the requirements of the Open Public Meeting Law, chapter 231 Public Laws 1975, notice of this meeting was published in the December 13th, 2012 issues of the Nutley Sun, the Star Ledger, and the Herald News. A copy of this notice has been posted on the Nutley town hall bulletin board and a copy is on file in the municipal clerk's office.

Commissioner Rogers?

MR. ROGERS: Here.

THE CLERK: Commissioner Tucci?

MR. TUCCI: Here.

THE CLERK: Commissioner Evans?

MR. EVANS: Here.

Commissioner Scarpelli?

MR. SCARPELLI: Here.

THE CLERK: Mayor Petracco?

MR. PETRACCO: Here.

THE CLERK: All present, Mayor.

MR. PETRACCO: Thank you.

I see we have no minutes. We'll move on to communications.

THE CLERK: Yes, Mayor. I have two items of

1 communication. The first one is from the Veterans Foreign
2 Wars of the United States, VFW Post 498/493 located in
3 Nutley, New Jersey.

4 The VFW Post 493 is seeking permission to hold
5 their Annual Pull Tab daily from July 10th, 2013 through
6 July 10th, 2014 inclusive of all Sundays. I need a motion,
7 please.

8 UNIDENTIFIED MALE: Move it.

9 UNIDENTIFIED MALE: Second.

10 THE CLERK: Commissioner Rogers?

11 MR. ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 MR. TUCCI: Aye.

14 THE CLERK: Commissioner Evans?

15 MR. EVANS: Aye.

16 THE CLERK: Commissioner Scarpelli?

17 MR. SCARPELLI: Aye.

18 THE CLERK: Mayor Petracco?

19 MR. PETRACCO: Aye.

20 THE CLERK: The next item I have is from the Holy
21 Family Church seeking permission to hold Sunday raffles on
22 September 22nd, 2013. The raffles would be consistent of
23 the hourly 50/50 raffles, various games of chance, along
24 with the money wheel games. I need a motion, please?

25 UNIDENTIFIED MALE: Move it.

1 UNIDENTIFIED MALE: Second.

2 THE CLERK: Commissioner Rogers?

3 MR. ROGERS: Aye.

4 THE CLERK: Commissioner Tucci?

5 MR. TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 MR. EVANS: Aye.

8 THE CLERK: Commissioner Scarpelli?

9 MR. SCARPELLI: Aye.

10 THE CLERK: Mayor Petracco?

11 MR. PETRACCO: Aye.

12 THE CLERK: That's all for communications and
13 correspondence this evening, Mayor.

14 MR. PETRACCO: Thank you. And I see we have no
15 reports. We'll move to the bill list.

16 THE CLERK: Yes, Mayor. The list Tuesday, June
17 18th, 2013: Public Affairs \$188,270.49, Revenue & Finance
18 \$2,558,487.71, Public Safety \$143,809.05, Public Works
19 \$386,843.65, Parks & Public Property \$86,524.69, Payroll as
20 of June 7th, 2013 \$737,100.25 for a grand total bill of
21 \$4,401,035.54.

22 And that's all for bills this evening, Mayor.

23 UNIDENTIFIED MALE: Move a motion for the bills.

24 UNIDENTIFIED MALE: Second.

25 THE CLERK: Commissioner Rogers?

1 MR. ROGERS: Aye.

2 THE CLERK: Commissioner Tucci?

3 MR. TUCCI: Aye.

4 THE CLERK: Commissioner Evans?

5 MR. EVANS: Aye.

6 THE CLERK: Commissioner Scarpelli?

7 MR. SCARPELLI: Aye.

8 THE CLERK: Mayor Petracco.

9 MR. PETRACCO: Aye.

10 THE CLERK: Thank you, Mayor.

11 MR. PETRACCO: Thank you.

12 Okay. We're going to move on to a proclamation
13 from Commissioner Rogers.

14 MR. ROGERS: Thank you, Mayor. Ladies and
15 gentlemen, I'm going to be presenting three proclamations
16 tonight on behalf of the Board of Commissioners.

17 Three outstanding Americans, three outstanding
18 Nutley residents received the Governor's Jefferson Award
19 this past month.

20 I'll read all three proclamations and then at the
21 end of the last proclamation I'll ask the award recipients
22 and any of their family members to come forward to receive
23 these proclamations from the entire Board of Commissioners.

24 The first recipient, the Board of Commissioners
25 hereby issue this proclamation;

1 Whereas, Michael Paolino is a loving husband of
2 Audrey, the devoted father of Valerie Wick (ph), Audrey
3 Daugherty (ph) and George Paolino and grandfather of William
4 Daugherty (ph), Michael Daugherty (ph), Ryan Wick (ph),
5 Alexander Wick (ph), Joseph Paolino and Gabriella Paolino
6 (ph); and

7 Whereas, Michael Paolino has been a proudly
8 dedicated and concerned resident of Nutley for over 56 years
9 and whereas, Mike Paolino has been a family member of
10 several organizations including the Nutley Outstanding
11 Citizens Awards, Nutley Youth Baseball League and the John
12 Walker Foundation; and

13 Whereas, Michael Paolino has dedicated his time
14 and talents to various Nutley JC initiatives including the
15 CMS Scholarship Program, fundraising for Camp JC,
16 Thanksgiving Day Basket Donations and International
17 Hospitality Weekend among others; and

18 Whereas, Michael Paolino has been a member of the
19 Board of Directors of the Nutley Red Cross for the past 35
20 years, the fundraising chairman for the Tom Handley (ph)
21 Scholarship fund for 23 years and a 15 years charter member
22 of the Prudential Retirees which provides various community
23 services; and

24 Whereas, Michael Paolino's energy and compassion
25 are endless, he has been involved in organizations on

1 National, State and Local levels participating as a founding
2 member, board member, fundraiser and activist, now therefore
3 be it proclaimed that I, Commissioner Steven Rogers of the
4 Township of Nutley, County of Essex, State of New Jersey
5 join the Board of Commissioners and the grateful citizens of
6 Nutley in recognizing Michael Paolino as a recipient of the
7 distinguished 2013 New Jersey State Governor's Jefferson
8 Award for public service, lifetime service category.

9 We wholeheartedly congratulate and thank him for
10 his unwavering devotion and commitment to the Township of
11 Nutley, the County of Essex and the State of New Jersey.

12 Thank you, Michael and in a few minutes you'll be
13 coming up here.

14 (Applause)

15 MR. ROGERS: The Board of Commissioners hereby
16 issuing this proclamation;

17 Whereas, Anthony Iannarone, graduated from
18 Bellville High School in 1948 and attended Rutgers, the
19 State University of New Jersey-New Brunswick graduating with
20 a BS Degree in Psychology and Sociology and holds both a
21 Juris Doctorate and Masters of Law in Trade Regulations
22 Degree from New York University School of Law; and

23 Whereas, while a freshman of Rutgers, the State
24 University of New Jersey-New Brunswick, Anthony Iannarone
25 suffered the loss of both hands in a chemical laboratory

1 accident but not deterred, continued to be active in many
2 clubs, associations, athletic activities and honors; and

3 Whereas, professionally, Anthony Iannarone spent
4 most of his career in the law department of Hoffman & Roach
5 (ph) where he rose to become associate vice president,
6 associate general counsel and assistant secretary; and

7 Whereas, Anthony Iannarone is the loving husband
8 of the late Ruth Atkin Iannarone, devoted father of Lisa,
9 Brian and David and adoring grandfather of Elise (ph),
10 Katelyn (ph), Matthew, Kimberly, Tess, Mary and Daniel; and

11 Whereas, Anthony Iannarone is a long time Nutley
12 resident who has tirelessly served this community
13 volunteering his time and expertise with organizations such
14 as Dr. Regina D. Mattea (ph) Memorial Committee in which he
15 is a founding member, Nutley Municipal Alliance, Nutley
16 Family Service Bureau, the Nutley Hall of Fame Committee and
17 most notably the Nutley Public Library.

18 Now, therefore, be it proclaimed that I,
19 Commissioner Steven Rogers, of the Township of Nutley,
20 County of Essex, State of New Jersey join the Board of
21 Commissioners and the grateful citizens of Nutley in
22 recognizing Anthony Iannarone as a recipient of the
23 distinguished 2013 New Jersey State Governor's Jefferson
24 Award for Public Service -- and listen to this folks and
25 this is so true, against all odds category, we

1 wholeheartedly congratulate and thank him for his unwavering
2 devotion and commitment to the Township of Nutley. Thank
3 you. Thank you, Anthony.

4 (Applause)

5 MR. ROGERS: The Board of Commissioners hereby
6 issue this proclamation;

7 Whereas, Nutley resident Aaron Titus is the loving
8 husband of Jennifer, the adoring father of Christopher,
9 Emma, Kevin, Trevor and Savannah (ph) and the 6th child is
10 due in September; and

11 Whereas, Aaron Titus earned his Bachelor's in
12 Architecture from the University of Utah and graduated from
13 the George Washington University of Law School specializing
14 in Information Privacy Law and whereas Aaron Titus is a New
15 Jersey voted representative for the Church of Jesus Christ
16 of Latter Day Saints; and

17 Whereas, Aaron Titus has worked tirelessly
18 throughout super storm Sandy to encourage and support 29,000
19 warm and helping hand volunteers from New Jersey, New York,
20 Connecticut, Virginia, Maryland, New Hampshire,
21 Massachusetts, Idaho and Canada who performed nearly 300,000
22 hours of service in New Jersey and New York; and

23 Whereas one of Aaron Titus's most important
24 contributions was creating a collaborative work order system
25 that all community volunteer groups could use to coordinate

1 relief efforts through the New York Metropolitan area; and

2 Whereas, when Aaron is not assisting with
3 disaster recovery, he is an attorney specializing in
4 internet, technology and privacy law and the chief privacy
5 officer for Identify Finder. He has also been the privacy
6 director for the Washington DC Policy Institute Liberty
7 Coalition for six years. Aaron developed
8 nationalidwatch.org, a free public service to help victims
9 of personal information breaches.

10 Now, therefore, be it proclaimed that I,
11 Commissioner Steven Rogers, of the Township of Nutley,
12 County of Essex, State of New Jersey, join the Board of
13 Commissioners and the grateful citizens of Nutley in
14 recognizing Aaron Titus as a recipient of the distinguished
15 2013 New Jersey State Governor's Jefferson Award faith based
16 services category.

17 We, wholeheartedly, congratulate and thank him for
18 his unwavering devotion and commitment to the safety, health
19 and well being of not just Nutley citizens but citizens all
20 across our great nation. Thank you, Aaron.

21 (Applause)

22 MR. ROGERS: Tony, did you want to make a couple
23 comments?

24 MR. IANNARONE: I only want to say this, my hearty
25 thanks to all of you, of course. But while we won three

1 individual awards I feel that we represent the volunteer
2 spirit of Nutley and all of Nutley's volunteers.

3 Of 25 awards among 566, maybe now 565 with
4 Princeton and Princeton Township merging, three of the 25
5 from Nutley I think is a credit to this town and the people
6 in it.

7 I also believe that there are many, many more
8 deserving people in this town, I can think of many myself,
9 if we can only get together and submit their names with
10 appropriate remarks I think we can get a lot more winners in
11 the future and I think Nutley deserves to get them because
12 we're all kind of a great town. I thank you all again and
13 thank you for the great work you do for this town, many
14 people are critics, I'm a fan, I think you guys do a great
15 job and it should be appreciated a little more sometimes
16 than it is. Thank you very much.

17 MR. PETRACCO: Thank you.

18 Aaron or Mike would you like to say something?

19 MR. TITUS: Thank you, I'm so proud to be in
20 Nutley and I was so excited when I showed up and saw two
21 other friendly faces from Nutley with me. And I just want
22 to echo what we just heard, for me I'm just one of the
23 30,000 volunteers from Mormon Helping Hands and one of the
24 tens of thousands of volunteers who make this city tick and
25 who've helped in Hurricane Sandy, so for me it's not so much

1 an honor for me as much as it is an honor on behalf of all
2 of the other volunteers who make Nutley such a great place
3 to live and New Jersey such a great place to live, so thank
4 you.

5 MR. PETRACCO: Thank you.

6 Michael?

7 MR. PAOLINO: I know this is going to be kind of
8 setting but -- in my passing if I have been able to help
9 anyone in reaching their dreams, my life has been
10 meaningful. I thank you.

11 MR. PETRACCO: Thank you so much.

12 (Applause)

13 MR. PETRACCO: Okay. At this point, I think we'll
14 move on to ordinance introductions. Commissioner Evans?

15 MR. EVANS: Thank you, Mayor.

16 I have two ordinance introductions tonight, that's
17 our capital bond ordinance. The first ordinance authorizes
18 the aggregate spend of \$1,481,000 for various purchases in
19 the township. It's very consistent with our capital plan
20 that we've been filing for the last several years. So, by
21 title, "A bond ordinance providing for various capital
22 improvements in the Township of Nutley, in the County of
23 Essex, New Jersey, appropriating the aggregate amount of
24 \$1,481,700, therefore and authorizing the issuance of
25 \$1,407,615 of bonds or notes of the township for financing

1 part of the costs thereof."

2 I move that this order shall pass to a second
3 meeting and be advertised in The Nutley Sun together with
4 the notice required by law and make further consideration of
5 said ordinance for final passage by the Board of Commissions
6 be held at its second meeting on July 16th, 2013. So move.

7 UNIDENTIFIED MALE: Second.

8 THE CLERK: Commissioner Rogers?

9 MR. ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 MR. TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 MR. EVANS: Aye.

14 THE CLERK: Commissioner Scarpelli?

15 MR. SCARPELLI: Aye.

16 THE CLERK: Mayor Petracco.

17 MR. PETRACCO: Aye.

18 MR. EVANS: Thank you. The second ordinance is
19 for our roadways. Normally, we commit 150 to \$250,000 for
20 roads, this bond ordinance actually increases that amount to
21 a total of \$1,150,000. So, this ordinance, while it's being
22 introduced by me was worked on together with Commissioner
23 Scarpelli to insure that we can advance road repairs and
24 improvements in the town.

25 "A bond ordinance providing for the reconstruction

1 of various roadways and sidewalks in the Township of Nutley,
2 in the County of Essex, New Jersey, appropriating
3 \$1,150,000, therefore, and authorizing \$1,092,500 in bonds
4 or notes of the Township for financing part of the cost
5 thereof. I move that this ordinance be passed to a second
6 meeting and advertized in The Nutley Sun together with the
7 notice required by law and make further consideration of
8 said ordinance for final passage by the Board of
9 Commissioners be held at its second meeting on July 16th,
10 2013. So move.

11 UNIDENTIFIED MALE: Second.

12 THE CLERK: Commissioner Rogers?

13 MR. ROGERS: Aye.

14 THE CLERK: Commissioner Tucci?

15 MR. TUCCI: Aye.

16 THE CLERK: Commissioner Evans?

17 MR. EVANS: Aye.

18 THE CLERK: Commissioner Scarpelli?

19 MR. SCARPELLI: Aye.

20 THE CLERK: Mayor Petracco?

21 MR. PETRACCO: Aye.

22 MR. EVANS: Thank you.

23 MR. PETRACCO: Thank you. I have ordinance number
24 3241, "An ordinance to amend an ordinance entitled "An
25 ordinance to fix the salaries of certain officers and

1 employees of the Township of Nutley, County of Essex, State
2 of New Jersey, effective July 1st, 2013.e'

3 I move that this ordinance be passed to a second
4 meeting and advertised in The Nutley Sun together with
5 notice required by law and make further consideration of
6 said ordinance for final passage by the Board of
7 Commissioners to be held at its second meeting on July 16th,
8 2013. I move the ordinance.

9 UNIDENTIFIED MALE: Second.

10 THE CLERK: Commissioner Rogers?

11 MR. ROGERS: Aye.

12 THE COURT: Commissioner Tucci?

13 MR. TUCCI: Aye.

14 THE COURT: Commissioner Evans?

15 MR. EVANS: Aye.

16 THE CLERK: Commissioner Scarpelli?

17 MR. SCARPELLI: Aye.

18 THE CLERK: Mayor Petracco?

19 MR. PETRACCO: Aye.

20 Okay. We'll move on to public hearings.

21 Commissioner Evans?

22 MR. EVANS: Thank you. This is a public hearing
23 on ordinance 3240, just as it relates to a receipt of
24 \$240,000 in grant monies to advance the continued road
25 improvements on Bloomfield Avenue, in particular Section 5.

1 Is there anyone here this evening that would like
2 to comment on this ordinance?

3 Seeing no one (indiscernible)e

4 UNIDENTIFIED MALE: Second.

5 THE CLERK: Commissioner Rogers?

6 MR. ROGERS: Aye.

7 THE CLERK: Commissioner Tucci?

8 MR. TUCCÈ: Aye.

9 THE CLERK: Commissioner Evans?

10 MR. EVANS: Aye.

11 THE CLERK: Commissioner Scarpelli?

12 MR. SCARPELLI: Aye.

13 THE CLERK: Mayor Petracco?

14 MR. PETRACCO: Aye.

15 MR. EVANS: Move the order.

16 UNIDENTIFIED MALE: Second.

17 THE CLERK: Commissioner Rogers?

18 MR. ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 MR. TUCCÈ: Aye.

21 THE CLERK: Commissioners Evans?

22 MR. EVANS: Aye.

23 THE CLERK: Commissioner Scarpelli?

24 MR. SCARPELLI: Aye.

25 THE CLERK: Mayor Petracco?

1 MR. PETRACCO: Aye.

2 Thank you. We can move on to resolutions.

3 Commissioner Tucci, staying in order.

4 MR. TUCCI: Yes. Whereas, completion of the
5 Monsignor Owens Park improvements includes a complete
6 handicapped assessable bleacher system -- authorization as
7 necessary to go out to bid and whereas funding for such
8 project is contingent upon passage of the 2013 Nutley
9 Capital Improvement budget and the approval of the
10 township's 2013 Essex County CBBG application now therefore
11 it be resolved that the Board of Commissioners, a Township
12 of Nutley, County of Essex, State of New Jersey, that the
13 township clerk is authorized to advertise for the sealed
14 bids for the Monsignor Owens Park handicapped accessible
15 bleacher bids to be received on Thursday, July 11th, 2013 at
16 3:00 p.m., at which time they will be publicly opened and
17 read.

18 This is a housekeeping item. We did this at our
19 last meeting but inadvertently there was one section that
20 was left out so we're including it. I move the resolution.

21 UNIDENTIFIED MALE: Second.

22 THE CLERK: Commissioner Rogers?

23 MR. ROGERS: Aye.

24 THE CLERK: Commissioner Tucci?

25 MR. TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 MR. EVANS: Aye.

3 THE CLERK: Commissioner Scarpelli?

4 MR. SCARPELLI: Aye.

5 THE CLERK: Mayor Petracco?

6 MR. PETRACCO: Aye.

7 MR. TUCCI: Be it resolved, by the Township of
8 Nutley, County of Essex, State of New Jersey that the
9 township treasurer is hereby authorized to refund the tree
10 permit fee collected in consideration of the fact that the
11 required replacement trees were installed for the Shade Tree
12 Preservation Ordinance. Payment would come from account C-
13 01-904-906 to Michael Banovich (ph), 36 Linden Place in the
14 amount of \$50. I move the resolution.

15 UNIDENTIFIED MALE: Second.

16 THE CLERK: Commissioner Rogers?

17 MR. ROGERS: Aye.

18 THE CLERK: Commissioner Tucci?

19 MR. TUCCI: Aye.

20 THE CLERK: Commissioner Evans?

21 MR. EVANS: Aye.

22 THE CLERK: Commissioner Scarpelli?

23 MR. SCARPELLI: Aye.

24 THE CLERK: Mayor Petracco?

25 MR. PETRACCO: Aye.

1 MR. TUCCI: Whereas, NJSA 48:4-87 provides that
2 the director division of local government services may
3 approve the insertion of any special item in the budget of
4 any county or municipality when such item shall have been
5 available by law and the amount thereof was not determined
6 at the time of adoption of the budget and whereas said
7 director may also approve the insertion of any item or
8 preparation of equal amount, Section 1.

9 Now, therefore be it resolved, that the Board of
10 Commissioners, the Township of Nutley, County of Essex, New
11 Jersey, hereby request the Director of the Division of Local
12 Government Services to approve the insertion of an item of
13 revenue in the budget of the year 2008, in the summer of --

14 Is that correct?

15 THE CLERK: Uh--I don't know.

16 MR. TUCCI: I suspect that should be 2013.

17 THE CLERK: 2013, yes.

18 MR. TUCCI: Right. In the sum of \$2,000, which
19 item is now available as a revenue from the Nutro Dog Park
20 grant pursuant to the provision of statute, Section 2.

21 Be it further resolved, that a like sum of \$2,000
22 be it same as hereby appropriated under the caption,
23 "General Appropriations, A, operations excluded from 5
24 percent caps, Nutro Dog Park grant in the amount of \$2,000.

25 Be it further resolved, that the township clerk

1 forward two certified copies of this resolution to the
2 direct of Local Government Services. I move the resolution.

3 UNIDENTIFIED MALE: Second.

4 THE CLERK: Commissioner Rogers?

5 MR. ROGERS: Aye.

6 THE CLERK: Commissioner Tucci?

7 MR. TUCCI: Aye.

8 THE CLERK: Commissioner Evans?

9 MR. EVANS: Aye.

10 THE CLERK: Commissioner Scarpelli?

11 MR. SCARPELLI: Aye.

12 THE CLERK: Mayor Petracco?

13 MR. PETRACCO: Aye.

14 Commissioner Evans?

15 MR. EVANS: Thank you. Being resolved by the
16 Board of Commissioners of the Township of Nutley, that the
17 treasury (indiscernible) be it hereby authorized to refund
18 overpayments of property taxes for Block 7602, Lot 3 for
19 \$1,761.98 for the year 2012 and for Block 7401, Lot 19 for
20 \$2,487.54 for the same year. So move.

21 UNIDENTIFIED MALE: Second.

22 THE CLERK: Commissioner Rogers?

23 MR. ROGERS: Aye.

24 THE CLERK: Commissioner Tucci?

25 MR. TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 MR. EVANS: Aye.

3 THE CLERK: Commissioner Scarpelli?

4 MR. SCARPELLI: Aye.

5 THE CLERK: Mayor Petracco?

6 MR. PETRACCO: Aye.

7 MR. EVANS: Be it resolved, by the Board of
8 Commissioners in the Township of Nutley, County of Essex,
9 State of New Jersey, the treasurer being, she's hereby
10 authorized to refund overpayments of water charges for Block
11 1300, Lot 1-C2066 in the amount of \$33.66. So move.

12 UNIDENTIFIED MALE: Second.

13 THE CLERK: Commissioner Rogers?

14 MR. ROGERS: Aye.

15 THE CLERK: Commissioner Tucci?

16 MR. TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 MR. EVANS: Aye.

19 THE CLERK: Commissioner Scarpelli?

20 MR. SCARPELLI: Aye.

21 THE CLERK: Mayor Petracco.

22 MR. PETRACCO: Aye.

23 MR. EVANS: Whereas, the New Jersey statutes allow
24 erroneous interest to be cancelled by resolution now
25 therefore be it resolved by the Board of Commissioners,

1 Township of Nutley, County of Essex that the following
2 erroneous interest charge in the amount of \$17.82 be
3 cancelled on Block 1703, Lot 12 known as 38 Oak Street. So
4 move.

5 UNIDENTIFIED MALE: Second.

6 THE CLERK: Commissioner Rogers?

7 MR. ROGERS: Aye.

8 THE CLERK: Commissioner Tucci?

9 MR. TUCCI: Aye.

10 THE CLERK: Commissioner Evans?

11 MR. EVANS: Aye.

12 THE CLERK: Commissioner Scarpelli?

13 MR. SCARPELLI: Aye.

14 THE CLERK: Mayor Petracco.

15 MR. PETRACCO: Aye.

16 MR. EVANS: Whereas, NJSA 48:514 mandates the
17 governing body of admissible corporation shall by resolution
18 pass by a majority vote of the full membership thereof adopt
19 a cash management plan.

20 Whereas, all deposits and investments of its funds
21 shall be made pursuant to said plans, now therefore be
22 resolved by the Board of Commissioners, the Township of
23 Nutley, State of New Jersey that the cash management plan
24 annexed to this resolution is hereby adopted as the official
25 cash management plan for the Township of Nutley for the year

1 2013 and all deposits are investments of its funds shall be
2 made pursuant thereto. So move.

3 UNIDENTIFIED MALE: Second.

4 THE CLERK: Commissioner Rogers?

5 MR. ROGERS: Aye.

6 THE CLERK: Commissioner Tucci?

7 MR. TUCCI: Aye.

8 THE CLERK: Commissioner Evans?

9 MR. EVANS: Aye.

10 THE CLERK: Commissioner Scarpelli?

11 MR. SCARPELLI: Aye.

12 THE CLERK: Mayor Petracco.

13 MR. PETRACCO: Aye.

14 MR. EVANS: Whereas, the Township of Nutley has
15 received and reviewed a request for qualifications for
16 municipal bond counsel for the Township of Nutley; and

17 Whereas, the township has considered all proposals
18 on the most advantageous price and other factors considered
19 and including technical management and cost criteria.

20 Whereas funds are available for the respective bond
21 ordinances and have been certified by the chief financial
22 officer in said certification attached to this resolution.

23 Now, therefore be it resolved, by the Board of
24 Commissioners, Township of Nutley, State of New Jersey as
25 follows, that the mayor and the township clerk are hereby

1 authorized and directed to execute an agreement with
2 Hawkins, Delafield & Wood, 1 Gateway Center, Newark, New
3 Jersey for the term beginning June 18th, 2013 through
4 December 31st, 2013 at Robert H. Beinfield at the firm of
5 Hawkins, Delafield & Wood, a qualified bond counsel
6 authorized to practice in the State of New Jersey be awarded
7 a contract for the municipal bond counsel with the Township
8 of Nutley for the period stated above, to perform services
9 ordinarily provided by bond counsel. He shall receive such
10 compensation in accordance with the quote submitted.

11 The aforesaid contract is awarded as fair and open
12 and a copy of this resolution as well as the contract shall
13 be placed on file with the clerk. So move.

14 UNIDENTIFIED MALE: Second.

15 THE CLERK: Commissioner Rogers?

16 MR. ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 MR. TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 MR. EVANS: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 MR. SCARPELLI: Aye.

23 THE CLERK: Mayor Petracco.

24 MR. PETRACCO: Aye.

25 Thank you. Commissioner Scarpelli?

1 MR. SCARPELLI: Be it resolved, by the Board of
2 Commissioners, the Township of Nutley, County of Essex,
3 State of New Jersey that the township clerk is hereby
4 authorized to advertise for sealed bids for the resurfacing
5 of Bloomfield Avenue, Section 5, Nutley, New Jersey to be
6 received on behalf of the Board of Commissioners in the
7 Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley,
8 New Jersey on Thursday, July 11th, 2013 at 3:00 p.m.
9 prevailing time at which time they will be opened and read.

10 For clarification, Section 5 is from Harrison
11 Street to the Bellville line. I move the resolution.

12 UNIDENTIFIED MALE: Second.

13 THE CLERK: Commissioner Rogers?

14 MR. ROGERS: Aye.

15 THE CLERK: Commissioner Tucci?

16 MR. TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 MR. EVANS: Aye.

19 THE CLERK: Commissioner Scarpelli?

20 MR. SCARPELLI: Aye.

21 THE CLERK: Mayor Petracco.

22 MR. PETRACCO: Aye.

23 MR. SCARPELLI: That's all I have Mayor.

24 MR. PETRACCO: Thank you.

25 Whereas, the Township of Nutley has entered into a

1 contract with Phillips, Priess, Grygiel 31-41 Newark Street,
2 Hoboken, New Jersey, 07030 for reexamination for the master
3 plan of the year 2012 for the original contract amount, not
4 to exceed 85,000; and

5 Whereas the Change Order Number 1 has been
6 authorized for the original contract, the amount to be
7 increased by \$3,018.75, whereas the funds available from C-
8 01-905-902 and have been certified with the chief financial
9 officer in said certification attached to this resolution.

10 Board of Commission in the Township of Nutley,
11 County of Essex, State of New Jersey, that the Change Order
12 Number 1 as attached is changed from the contract previously
13 made by the Township of Nutley with Phillips, Priess,
14 Grygiel for services are hereby authorized and approved. I
15 move the resolution.

16 UNIDENTIFIED MALE: Second.

17 THE CLERK: Commissioner Rogers?

18 MR. ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 MR. TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 MR. EVANS: Aye.

23 THE CLERK: Commissioner Scarpelli?

24 MR. SCARPELLI: Aye.

25 THE CLERK: Mayor Petracco.

1 MR. PETRACCO: Aye.

2 Whereas, the Township of Nutley Zoning Board
3 received 1,000 escrow deposit from New Cingular Wireless
4 PCS, LLC for property located at 304 Hillside Avenue for the
5 engineering services and whereas the Zoning Board of
6 Adjustment has received and determined that the remaining
7 escrow balance of \$340 is due to New Cingular Wireless PCS,
8 LLC; and

9 Therefore, be it resolved, by the Board of
10 Commissioners, Township of Nutley, County of Essex, New
11 Jersey that the above amount is refunded to New Cingular
12 Wireless --

13 THE CLERK: Commissioner Rogers?

14 MR. ROGERS: Aye.

15 THE CLERK: Commissioner Tucci?

16 MR. TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 MR. EVANS: Aye.

19 THE CLERK: Commissioner Scarpelli?

20 MR. SCARPELLI: Aye.

21 THE CLERK: Mayor Petracco.

22 MR. PETRACCO: Aye.

23 Whereas, raffle applications have been received
24 from the (indiscernible) and VFW Post 493 (indiscernible)
25 License Number 4413 pull tab July 10th, 2013 through July

1 10th, 2014. Holy Family Catholic Church License Number
2 4532, hourly 50/50 cash raffle September 19th, 2013 through
3 September 22nd, 2013. Holy Family Catholic Church License
4 Number 46-13 on premise money wheel September 19th, 2013
5 through September 22nd, 2013.

6 Whereas, the applications have been reviewed and
7 approved by the municipal clerk and the police department
8 and now therefore it be resolved by the Board of
9 Commissioners, Township of Nutley, County of Essex, that the
10 licenses are approved and the municipal clerk is also
11 authorized to issue the license. I move the resolution.

12 UNIDENTIFIED MALE: Second.

13 THE CLERK: Commissioner Rogers?

14 MR. ROGERS: Aye.

15 THE CLERK: Commissioner Tucci?

16 MR. TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 MR. EVANS: Aye.

19 THE CLERK: Commissioner Scarpelli?

20 MR. SCARPELLI: Aye.

21 THE CLERK: Mayor Petracco.

22 MR. PETRACCO: Aye.

23 Whereas, an application has been filed for a
24 person to person transfer of retail consumption license,
25 Number 0716-33-028-004 here for issued to Kishan Restaurant,

1 Inc. T/A Franklin Steakhouse, for a premises located at 238
2 Franklin Avenue, Nutley, New Jersey, 07110; and

3 Whereas, the submitted application form is
4 complete in all respects, the transfer fees have been paid
5 and the license has been properly removed for current
6 license term; and

7 Whereas the applicant is qualified to be licensed
8 and according to our standards established by Title 33 of
9 the New Jersey Statute Regulations (indiscernible) as well
10 as permitted local ordinance and conditions consistent with
11 Title 33; and

12 Whereas, the application has disclosed and the
13 issuing authority reviewed the source of the funds used in
14 the purchase of the license and the license (indiscernible)
15 additional financing obtained in connection with the
16 licensed business.

17 Now, therefore it be resolved, that the Township
18 of Nutley governing body does hereby approve effective June
19 18th, 2013 the transfer of the Retail Consumption License to
20 FSH Holdings, LLC T/A Franklin Steakhouse and does hereby
21 direct the municipal clerk to endorse the license
22 certificate to the new ownership as follows, the license
23 subject to all its terms and conditions is hereby
24 transferred to FSH Holdings, LLC T/A Franklin Steakhouse,
25 effective June 18th, 2013. I move the resolution.

1 UNIDENTIFIED MALE: Second.

2 THE CLERK: Commissioner Rogers?

3 MR. ROGERS: Aye.

4 THE CLERK: Commissioner Tucci?

5 MR. TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 MR. EVANS: Aye.

8 THE CLERK: Commissioner Scarpelli?

9 MR. SCARPELLI: Aye.

10 THE CLERK: Mayor Petracco.

11 MR. PETRACCO: I abstain.

12 Be it resolved, by the Board of Commissioners,
13 Township of Nutley, County of Essex, State of New Jersey
14 that renewal of Consumption License, Retail Distribution
15 License and Club Licenses be granted to the following
16 licensee effective July 1st, 2013 through June 30th, 2014.

17 Be it resolved, that the State of New Jersey,
18 Department of Treasury, Division of Taxation has provided
19 tax clearance certificates for each establishment listed
20 below for the (indiscernible) period.

21 Be it further resolved, that these establishments
22 have been inspected by the Board of Health, Fire Department
23 Code Enforcement Department and Police Department of the
24 Township of Nutley and are in satisfactory condition.

25 American Legion Post 70 T/A American Legion Post

1 Nutley Post 7045, Franklin Avenue, 071631030001, \$150.

2 Nutley Post 30 American Vets of World War II T/A Nutley

3 Amvets Post 30, 184 Park Avenue, 071631031001, 150.

4 (Indiscernible) Club of Nutley T/A St. Mary's Knights of

5 Columbus, 150 Chestnut Street, 071631032001, \$150.

6 Nutley, New Jersey Lodge 1290, APO Elks, 242

7 Chestnut Street, 071631033001, \$150. Jim Dandy's of Nutley,

8 LLC T/A Jim Dandy's 561-563 Franklin Avenue, 0716 --

9 UNIDENTIFIED MALE: If you want to condense this
10 and just incorporate by reference we can do that. It's up
11 to you.

12 MR. PETRACCO: Do you want me to just list the
13 entities and not the --

14 UNIDENTIFIED MALE: Yeah. You can do that and
15 we'll incorporate the rest by reference.

16 MR. PETRACCO: Thank you so much. I appreciate
17 that. So, we're at Jim Dandy's of Nutley, LLC T/A Jim
18 Dandy's. We have JJGG, LLC, Costay, Inc. (ph) T/A Nutley
19 Diner; Pappion, LLC (ph) T/A The Game Sports Bar & Grill;
20 Diamond Springs Café, LLC T/A Diamond Springs Café; R2Mac,
21 LLC (ph) (indiscernible), Kim, Inc. T/A American Bistro;
22 JO-KA, Inc. (phonetic) T/A Washington Park Tavern; Conca
23 Brothers Management 4, LLC. (phonetic) T/A Old Canal and the
24 last one is TBG, Inc. T/A Park Pub. Oh, second page, how
25 nice.

1 Okay. Nutley Pub Associates, LLC. T/A Nutley Pub
2 Associates, LLC. & Southside Grill, LLC. & T/A Retaco Brothers
3 (phonetic); Midtown Bar and Grill; FHS Holdings, LLC. T/A
4 Franklin Steakhouse; the Foursome, LLC. T/A The Steakhouse;
5 Baha Corp. (phonetic) T/A Helen Heller Rutgers (phonetic)
6 Franklin Wine Shop Inc. T/A Nutley Wine Shop. This one is
7 going to be tough Majagdamba, LLC, just for the record, M-A-
8 J-A-G-D-A-M-B-A, LLC T/A Nutley News and Liquors.

9 Board of Commissioners, Township of Nutley,
10 County of Essex, the municipal clerk is hereby directed and
11 authorized to issue said licenses for licensing period of
12 July 1st, 2013 through June 30th, 2014e I move resolution.

13 UNIDENTIFIED MALE: Second.

14 THE CLERK: Commissioner Rogers?

15 MR. ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 MR. TUCCI: Aye.

18 THE CLERK: Commissioner Evans?

19 MR. EVANS: Aye.

20 THE CLERK: Commissioner Scarpelli?

21 MR. SCARPELLI: Aye.

22 THE CLERK: Mayor Petracco.

23 MR. PETRACCO: Aye.

24 Be it resolved, by the Board of Commissioners,
25 Township of Nutley, Essex County, State of New Jersey that

1 the renewal of retail consumption license 071633-017009,
2 Terrazza, LLC 507 Franklin Avenue, be granted conditionally
3 upon receipt of a written report from the Code Enforcement
4 Department of the Township of Nutley indicating that the
5 establishment is in compliance with the seating capacity.

6 Be it resolved, that the renewal of the Club
7 license 0716-31-305-001 Stuart E. Edgar Post Number 493
8 Veteran of Foreign Wars T/A VFW Holding Company of Nutley,
9 271 Washington Avenue, be granted conditionally upon receipt
10 of the tax clearance certificate.

11 Be it further resolved, that these establishments
12 have been inspected by the Board of Health, Fire and Police
13 Departments and are hereby in satisfactory condition.

14 Now, therefore be it resolved, by the Board of
15 Commissioners, Township of Nutley that the municipal clerk
16 is hereby directed and authorized to issue said licenses for
17 the licensing period of July 1st, 2013 through June 30th,
18 2014 upon written satisfactory report from the Code
19 Enforcement Department for License Number 0716-33-017-009
20 and the tax clearance certificate for License Number 0716-
21 31-035-001. I move the resolution.

22 UNIDENTIFIED MALE: Second.

23 THE CLERK: Commissioner Rogers?

24 MR. ROGERS: Aye.

25 THE CLERK: Commissioner Tucci?

1 MR. TUCCI: Aye.

2 THE CLERK: Commissioner Evans?

3 MR. EVANS: Aye.

4 THE CLERK: Commissioner Scarpelli?

5 MR. SCARPELLI: Aye.

6 THE CLERK: Mayor Petracco.

7 MR. PETRACCO: Aye.

8 Whereas, the following club liquor license has not
9 received a tax clearance certificate as required by the
10 Division of Alcohol Beverage prior to the governing body
11 acting on the renewal; and

12 Whereas an order for the licensee to continue
13 operating after 12 a.m. July 1st, 2013, a temporary permit
14 from the Division of Alcohol Beverage Control must be
15 obtained; and

16 Whereas the establishment has submitted their
17 renewal application along with the appropriate fees for the
18 officer of the municipal clerk; and

19 Whereas the licensees must complete an
20 (indiscernible) application which must be signed by the
21 municipal clerk on behalf of the governing body indicating
22 that the municipality does not object to the issuance of the
23 ad interim permit.

24 Now, therefore it be resolved, by the Board of
25 Commissioners, Township of Nutley, County of Essex, State of

1 New Jersey that the municipal clerk is hereby authorized to
2 sign ad interim permit application for the following club
3 liquor license, Stuart E. Edgar Post #493, Veteran of
4 Foreign Wars T/A VFW Holding Company of Nutley, 271
5 Washington Avenue, 0716-31-035-001 for \$150. I move the
6 resolution.

7 UNIDENTIFIED MALE: Second.

8 THE CLERK: Commissioner Rogers?

9 MR. ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 MR. TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 MR. EVANS: Aye.

14 THE CLERK: Commissioner Scarpelli?

15 MR. SCARPELLI: Aye.

16 THE CLERK: Mayor Petracco.

17 MR. PETRACCO: Aye.

18 Okay. That concludes our business portion of the
19 meeting. Is there anyone here from the public that would
20 like to address the Board of Commissioners? Sure, come on
21 up. Please state your name and address for the record.

22 MR. VAUGHN: Thank you. James Craig Vaughn
23 (phonetic), 15 Carteret Place, Nutley, New Jersey. First,
24 thank you very much for your time, I apologize for the
25 dress, I just got off the bus, the weather delayed me from

1 getting here -- work clothes. I appreciate your time.

2 I'm here to complain about a neighbor of mine.
3 Just to give you a little back story, I moved my wife and
4 son here from -- like a lot of Nutley families, from
5 Brooklyn, eight years ago. We found a nice house on a dead
6 end street, the bus is not far away, my wife didn't drive at
7 the time and we've just fallen in love with the town.

8 It was kind of an experiment to move here from
9 Brooklyn, we subsequently met some amazing neighbors who I
10 love. We found an amazing school, Mr. Rogers thank you for
11 the support at Radcliffe School, I see you at all the school
12 events, we really appreciate that.

13 But I want to -- you know, imagine this, when
14 you're packing your kids into the car to go drop them off at
15 before care with the lovely Ms. Calare (phonetic), Ms. Meyer
16 (phonetic) at Radcliffe School and you look across the
17 street and at your neighbors house who always has the random
18 strangers kind of hanging out there, you see coming around
19 back pulling up his pants obviously just defecated in the
20 yard. This is a normal occurrence for me and my family.

21 And I'm not Facebooking, I just want to tell you a
22 couple of other scenarios, if that's okay, it won't take too
23 long. One summer we had a person just lived in a tent in
24 the yard across the street. This was not a resident, just a
25 guy showed up, set up a tent, lived there, we don't know who

1 this guy is.

2 We had a guy die across the street. He couldn't
3 go inside of the house, so the neighbor, 20 Carteret Place,
4 let the guy live in his car, the guy died. I'm coming
5 around the corner from the bus stop one day, there's cops
6 everywhere, there's paramedics there, they're saying it's a
7 medical emergency, the gentleman died in his car, he was
8 there for days on the street where I taught my kids how to
9 ride their bikes.

10 On the same street I see these same gentlemen who
11 live there year in year out, come out, the owner doesn't let
12 them use the bathroom inside of the house, so they fill up
13 Gatorade bottles or whatever and come pour it in the street
14 in front of my house where my kids learn to ride their
15 bikes. Just imagine that, waking up and just kind of
16 dealing with that every day.

17 The gentleman who lives in the porch right now, I
18 sincerely believe he has a legitimate disability, he gets
19 into angry arguments with himself, he drinks. I'm sincerely
20 worried about some sort of, you know, psychiatric issue here
21 and I think when you see all the tragedies from -- I don't
22 want to mention -- I'm not trying to lower the sincerity
23 that happened like in Newtown and all these other towns.
24 When you see these tragedies happen, in every single case
25 there are warning signs, every single case.

1 I see warning signs every single day in the person
2 that lives across the street that just terrify me. I work
3 for Thomas (indiscernible), I am a training manager, I teach
4 attorneys all around the world -- not around the world, all
5 around the country, how to practice more efficiently, I have
6 to travel a lot. So when I leave, you know, I leave there
7 with my wife and my kids and my dog just honestly scared to
8 death not knowing what's going to happen.

9 So, I would engage you, especially with our
10 distinguished attorney, what can I do -- this gentlemen whom
11 I talking about is no secret to the town, what can I do to
12 help you from a legal perspective make it easier for the
13 town to get rid of this liability? Whatever I can do to
14 help I just want to do that. That's all I have to say.
15 Thank you very much for your time.

16 MR. PETRACCO: Thank you. Is there anyone else
17 this evening that would like to --

18 MR. EVANS: Mayor, just very quickly.

19 MR. PETRACCO: Yes, sure.

20 MR. EVANS: -- comment as you were coming up to
21 the microphone. I'm very familiar with the piece of
22 property you have raised. I'm not able to comment too much
23 on it because it's a matter in court right now, so just be
24 aware that the Code Office has been out there numerous
25 times. There's a file on it, we've been taking action on

1 that, but again, we're being by the court.

2 MR. HARKINS: I'll also try to get a little bit of
3 an update for you, if I can.

4 MR. EVANS: It's a very sensitive issue and we're
5 on top of it. We agree with you that it's not a property in
6 a condition that represents Nutley well and we'll address
7 it.

8 MR. PETRACCO: Yes.

9 MS. GONZALEZ: I'm Judy Gonzalez, I'm from 11
10 Carteret Place. I've lived there since 1974 and I'm here
11 also about the condition of the house across the street.

12 My husband and I moved to Nutley -- I grew up in
13 Hoboken, but it was the real Hoboken. We came here because
14 it was safe, it was a lovely town, we wanted to raise our
15 children here, I was never fearful. I have to say now with
16 what's going on across the street, I'm afraid. There are
17 neighbors who want to do something to come to talk to
18 privately because they're afraid to do it in public fearing
19 retaliation of some of the boarders who are living at 20
20 Carteret Place.

21 I didn't know that our block was zoned for a
22 boarding house, but there are people living there that are
23 not family members and they (indiscernible), they live on
24 the porch. The man referred to dying in the car, he lived
25 there for years. There were two cars on the property, he

1 drove one, he lived in one, he died in one.

2 They have a tarp across his roof, a big blue tarp,
3 it's been there for a very long time. Now, if you think
4 that that's safe maybe we can do that when our shingles come
5 off.

6 Shouldn't there be a department in our town to go
7 and investigate this? This is a hazard. If this roof caves
8 in, there are people living in that house. Five people, not
9 family members and they can be hurt seriously. And we've
10 been coming to the town for a number of years about this and
11 I know you say you're concerned, we haven't gotten anywhere.

12 And the weekly yard sales he used to have with
13 strangers coming up and down the block, yes, the police
14 stopped that, but the tarp is there. Over his porch is a
15 rug and then another tarp and a man lives on that porch. I
16 think you know who it is.

17 We've seen the urination, it's poured into the
18 street, it's got to be a health violation there. We pay
19 taxes too, we've been doing this for years. I've been
20 subjected to this for years. I watched my children -- I'm a
21 retired teacher, I taught in Union City, tough kids, very
22 tough kids. But, I want to tell you I'm more afraid of
23 what's going on across the street from me then I ever was in
24 Union City and I just don't know what else to do.

25 MR. PETRACCO: We are, you know, well aware of the

1 problem and obviously, we all live in town and we wouldn't
2 want that across the street from us or -- where we live as
3 well.

4 There's a process, sometimes what seems like
5 common sense that we could just walk over there and say, you
6 know, everybody out and you have to go, it doesn't make
7 sense legally and there's a process that we're following.

8 I know Commissioner Evans has been very, very busy
9 over there and working very diligently through the Code
10 Department.

11 So, we hear what you're saying loud and clear, but
12 it still doesn't give us the right to just go over there and
13 say okay, you know, we're going to break this up. There's a
14 legal process that we need to follow as well in -- we're
15 upset about the situation as well, but we can't be the
16 governing body and go over there and break laws either.

17 MS. GONZALEZ: And I understand that, but I do
18 know that there was a neighbor on the block who put some
19 white stones down, temporarily to park his car on, within
20 two weeks he was told he had to remove it and it cost him
21 hundreds of dollars to remove it.

22 So, why doesn't someone go tell George, get rid of
23 the tarp, get rid of the people who are living there who
24 aren't supposed to be living there? How come the rules are
25 different for us then they are for him? I'm sorry, I'm very

1 frustrated.

2 MR. PETRACCO: No, I want to applaud you for your
3 courage.

4 MS. GONZALEZ: I'm sorry, I can't hear you.

5 MR. PETRACCO: I'm going to applaud you for your
6 courage and for your comments and for standing before us and
7 your honesty.

8 I want to share with you that violation notices
9 have been written, summonses have been issued for the
10 violations that you talk about. Now there is a pending in
11 Superior Court, so it's actually moved out of Nutley to the
12 Superior Court. The individual involved, I'm not at liberty
13 to talk specifically about it, but we know that it's a
14 troubled individual and it's something that the town has
15 been working for a long time.

16 Counsel has advised me that he will follow up with
17 the Superior Court tomorrow. I will have my Code Office go
18 back out tomorrow to review the violations, if there's new
19 violations we'll issue violation notices accordingly. We
20 will stay on it and we will advise the court.

21 That's the process it's in and we're following the
22 legal process behind it.

23 MR. ROGERS: May I add, this is the first I'm
24 hearing about the health violation issues, so tomorrow I'll
25 direct the township health officer to that area and take the

1 appropriate action. That will at least help the legal
2 process move on.

3 MS. GONZALEZ: We know where the urine is going.
4 We don't know where the other stuff is going. I don't know
5 if they're throwing it out in the garbage or burying it.
6 But it's so unhealthy.

7 MR. ROGERS: We'll be out there tomorrow.

8 MS. GONZALEZ: And it's frightening.

9 MR. PETRACCO: Excuse me. Ma'am --

10 MS. GONZALEZ: But please help us.

11 MR. PETRACCO: -- will you be home tomorrow? Will
12 you be home tomorrow?

13 MS. GONZALEZ: We should -- yes. Yes, we'll be
14 home tomorrow.

15 MR. PETRACCO: Because when the Code Office goes
16 there I'll make sure that they contact you.

17 MS. GONZALEZ: Oh, but please don't come to my
18 house, I'm afraid that he'll know that I'm the one that
19 complained.

20 MR. PETRACCO: Then we won't do that. Then we
21 won't do that. I want to make sure that you know that we're
22 being responsive.

23 MS. GONZALEZ: Okay. Because, I mean, really we
24 are afraid. And there's little kids in the street and, I
25 mean, Craig's kids live next door to me and they play, you

1 know --

2 MR. PETRACCO: I know.

3 MS. GONZALEZ: Please help us this time. We've
4 been asking this for years, we've had petitions, we've done
5 a lot and nothing. And yet if I tear down my porch and
6 build a bigger, you're going to be at my house, I know that.

7 MR. PETRACCO: I understand that. And as I said,
8 summonses for violation -- there's a violation notice and
9 there's actually a summons that's issued. Summonses have
10 been issued, it requires him to go to court. That process
11 took place, the matter is now before the Superior Court of
12 Essex County. So we've been doing that, we've been
13 following that process. It's taking a long time --

14 MS. GONZALEZ: You're assuring me that this will
15 be pursued this time?

16 MR. PETRACCO: Yes.

17 MS. GONZALEZ: In a quick manner?

18 MR. PETRACCO: You have my word.

19 MS. GONAZALEZ: Okay. I'll keep you at your word.

20 MR. PETRACCO: Please do. Thank you.

21 MS. GONZALEZ: Thank you.

22 MR. TUSA: My name is Gerard Tusa. I am the PBA
23 president for PBA Local 33, The Nutley Police Department.
24 I'm going to try to be quick tonight.

25 MR. PETRACCO: Thank you.

1 MR. TUSA: I was here at the last meeting,
2 discussed a few things, followed up on some things. A few
3 other concerns have come about since then. I'm not going to
4 get into the specifics of it because I know there's current
5 litigation, but it's come to my attention that there have
6 been five lawsuits either filed or in the process of being
7 filed against the Department and the administration in
8 regards to the promotional process that I discussed two
9 weeks ago.

10 I find that alarming that my PBA members are
11 forced to take legal action for something that should be
12 easily followed and I speak of the civil service process.

13 There was also an article in the Bergen County
14 newspaper in regards to Fairlawn. I'm not going to read the
15 whole article but I am going to touch on a few things. It
16 starts with --

17 MR. PETRACCO: Well, I'm going to interrupt you
18 here. This isn't Fairlawn and we don't need to hear an
19 article about Fairlawn. Do you have any Nutley business
20 that you would like to discuss?

21 MR. TUSA: I believe it's directly related to the
22 Nutley business.

23 MR. PETRACCO: Well, this isn't Fairlawn, this is
24 Nutley. So, if you have something to say about Nutley and
25 your men that you represent, we'll be glad to listen.

1 MR. TUSA: Mr. Hawkins, is this something that I
2 would be allowed to present?

3 MR. HAWKINS: We know -- and you referenced five
4 lawsuits, there's not five lawsuits but there are five
5 threatened lawsuits. There are open pending legal matters.
6 I think that, certainly, the director and all the
7 commissioners respect the police department -- really trying
8 to get it right. And I hope you can respect that and
9 respect the process. That's what we're trying to do.

10 MR. TUSA: Okay. And that's why I asked. I will
11 refrain from that then.

12 Then it's also come to my attention that Chief
13 Holland (phonetic) has submitted his written recommendations
14 to the Mayor in terms of who he would like to see as his
15 successor for the police department. Because that's also
16 litigation I will not mention who. The only thing I'm going
17 to close with then, because I'm not going to waste anybody
18 else's time, is this, the Edison PBA president approached
19 his town council because of the turmoil that's facing his
20 department, he asked for their help. He asked for an
21 outside agency to come --

22 MR. PETRACCO: Let me just interrupt you one more
23 time, Edison is a council form of government, Gerard, this
24 is a commission form of government --

25 MR. TUSA: It's not the specifics of a government,

1 it's the --

2 MR. PETRACCO: Well, it doesn't have to be
3 discussed here because I'm the director of public safety and
4 we have commissioners that are in charge of their
5 departments respectfully, so the only one that needs to hear
6 this is me. I'm the director of public safety, I'm also the
7 mayor of the town.

8 MR. TUSA: Correct.

9 MR. PETRACCO: So again, in this form of
10 government I'm in charge of public safety not anybody else.

11 MR. TUSA: That is partly correct --

12 MR. PETRACCO: And I'm not interested --

13 MR. TUSA: I understand you're not interested and
14 I thank you for your time.

15 MR. PETRACCO: Thank you for your time.

16 MR. TUSA: I'll see you in two weeks.

17 MR. PETRACCO: Is there anyone else here this
18 evening? Sure. Come on up. Please state your name and
19 address for the record.

20 MR. GALUB: Steven M. Galub (phonetic) I'm a
21 retired Nutley Police Officer, formally president of the FOP
22 Lodge 13 in Nutley.

23 MR. PETRACCO: Your address?

24 MR. GALUB: 6 Hillside Ave in Nutley.

25 MR. PETRACCO: Thank you.

1 MR. GALUB: In regards to the (indiscernible)
2 closing, it's going to be a very costly thing it looks like
3 for the taxpayers and these five lawsuits to the police
4 department look like they may be costly also.

5 To make it short, I ask the commissioners -- all
6 of the commissioners to step in and please settle these
7 lawsuits, even if you have to override someone's authority.
8 Thank you.

9 MR. PETRACCO: Just to be clear, there is no
10 stepping in and there is no overriding in this form of
11 government. If you'd like a copy of the (indiscernible) I'd
12 be glad to send it to you. Thank you for your comments.

13 Is there anyone else this evening that would like
14 to address the Board of Commissioners?

15 Seeing no one.

16 MR. SCARPELLI: We'll adjourn.

17 THE CLERK: Commissioner Rogers?

18 MR. ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 MR. TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 MR. EVANS: Aye.

23 THE CLERK: Commissioner Scarpelli?

24 MR. SCARPELLI: Aye.

25 THE CLERK: Mayor Petracco.

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MR. PETRACCO: Aye.

Thank you for coming.

(Whereupon, these proceedings were concluded at

8:24 PM)

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

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I, Sheri Monroe, certify that the foregoing transcript is a true and accurate record of the proceedingse

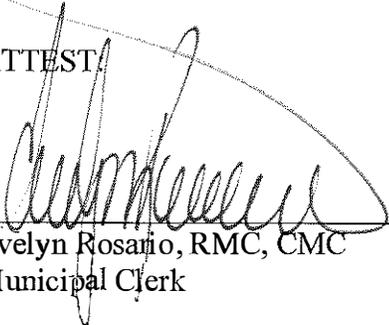


Sheri Monroe, CET**00435

Date: September 28, 2013

June 18, 2013 meeting transcription approved by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday, October 15, 2013.

ATTEST:



Evelyn Rosario, RMC, CMC
Municipal Clerk



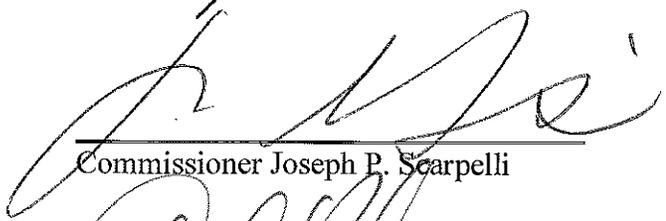
Commissioner Steven Rogers



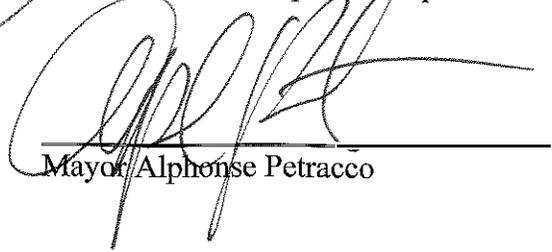
Commissioner Mauro G. Tucci



Commissioner Thomas J. Evans



Commissioner Joseph P. Scarpelli



Mayor Alphonse Petracco

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01934	ESSEX CNTY UTILITIES AUTH.	119,139.39					119,139.39
13-01035	MEDIAGRAPHS	25.00					25.00
13-01247	MEDIAGRAPHS	70.00					70.00
13-00448	NUTLEY PARK SHOP-RITE	64.87					64.87
13-01136	AT & T MOBILITY	281.12					281.12
13-01874	FUTURE SANITATION INC	65,805.55					65,805.55
13-00638	THE SIGN POST LLC	25.00					25.00
13-00659	CUSTODI'S CATERERS	355.25					355.25
13-01170	NO. JERSEY MEDIA GROUP	157.80					157.80
13-00933	NO. JERSEY MEDIA GROUP	157.80					157.80
13-00735	STAPLES	58.64					58.64
13-01398	NOREEN MCMANUS	165.00					165.00
13-01399	NOREEN MCMANUS	165.00					165.00
13-01580	SANOPI PASTEUR INC	1,677.15					1,677.15
13-01945	CABLEVISION	23.17					23.17
13-01554	RALPHS IT ALIAN RESTAURANT	99.45					99.45
13-01904	TREASURER SCHOOL MONEY		2,167,350.00				2,167,350.00
13-01892	US BANK CORP TRUST		178,627.59				178,627.59
13-01940	US BANK CORP TRUST		78,127.92				78,127.92
13-01833	T/NUTLEY PAYROLL AGENCY		32,726.54				32,726.54
13-01838	T/NUTLEY PAYROLL AGENCY		84.25				84.25
13-01920	PASSAIC VALLEY SEWERAGE		622.52				622.52
13-01177	G. NEIL CO		390.12				390.12
13-01726	WEST GROUP		160.00				160.00
13-01786	WEST GROUP		480.00				480.00
13-01856	JACOBUS & ASSOC.		738.89				738.89

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01876	NJ STATE DEPT. OF HEALTH		119.40				119.40
13-01864	POSTMASTER NEWARK NJ		3,000.00				3,000.00
13-00195	VITAL COMM.		255.00				255.00
13-00195	VITAL COMM.		255.00				255.00
13-00593	MILLENIUUM STRATEGIES		3,333.00				3,333.00
13-01519	HEWLETT PACKARD CORP		1,278.36				1,278.36
13-01327	HEWLETT PACKARD CORP		201.74				201.74
13-01624	NEOPOST INC		513.00				513.00
13-01730	NJ DIVISION ABC		75.00				75.00
13-01879	NJ DEPT OF LABOR		14.48				14.48
13-01680	NO JERSEY MEDIA GROUP		21.95				21.95
13-01936	NO JERSEY MEDIA GROUP		1,289.22				1,289.22
13-00453	MAJOR LEAGUE AUTO SPA		5.00				5.00
13-01950	US BANK PRO CAPITAL I		14,411.25				14,411.25
13-01817	US BANK PRO CAPITAL I		12,215.91				12,215.91
13-01887	US POSTAL SERVICE		4,000.00				4,000.00
13-01910	DANIEL CELIDONIO		53.64				53.64
13-01909	SAMUEL LUI & M. TENG		61.26				61.26
13-01908	RAMON DELPENA & M. LOPEZ		2,360.45				2,360.45
13-01907	ALBERT & LISETTE ALFONSO		2,682.36				2,682.36
13-01906	CHASE		1,801.40				1,801.40
13-01857	CABLEVISION		8.21				8.21
13-01919	NJ LEAGUE OF MUNICIPALITIES		320.00				320.00
13-01564	W.B. MASON		141.56				141.56
13-01770	EVELYN ROSARIO		40.00				40.00
13-01957	ISAAC MORADI		27,317.74				27,317.74

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00722	PIRO,ZINNA,CIFELLI,PARIS		1,902.00				1,902.00
13-01758	DELGEN PRESS		119.00				119.00
13-01961	EIC INSPECTION AGENCY		68.00				68.00
13-01962	EIC INSPECTION AGENCY		82.00				82.00
13-01963	EIC INSPECTION AGENCY		68.00				68.00
13-01964	EIC INSPECTION AGENCY		95.00				95.00
13-01965	EIC INSPECTION AGENCY		95.00				95.00
13-01966	EIC INSPECTION AGENCY		82.00				82.00
13-01967	EIC INSPECTION AGENCY		68.00				68.00
13-01968	EIC INSPECTION AGENCY		328.00				328.00
13-01969	EIC INSPECTION AGENCY		95.00				95.00
13-01970	EIC INSPECTION AGENCY		68.00				68.00
13-01971	EIC INSPECTION AGENCY		68.00				68.00
13-01972	EIC INSPECTION AGENCY		68.00				68.00
13-01973	EIC INSPECTION AGENCY		136.00				136.00
13-01974	EIC INSPECTION AGENCY		68.00				68.00
13-01975	EIC INSPECTION AGENCY		136.00				136.00
13-01976	EIC INSPECTION AGENCY		95.00				95.00
13-01977	EIC INSPECTION AGENCY		95.00				95.00
13-01978	EIC INSPECTION AGENCY		68.00				68.00
13-01979	EIC INSPECTION AGENCY		82.00				82.00
13-01988	INTERNAL REVENUE SERVICE		11,482.96				11,482.96
13-01885	W.B. MASON		228.19				228.19
13-01855	DELL MARKETING		1,367.87				1,367.87
13-01382	ATLANTIC UNIFORM CO		1,908.93				1,908.93
13-00501	PIRO,ZINNA,CIFELLI,PARIS		4,531.00				4,531.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01896	TURNOUT UNIFORMS			85.45			85.45
13-01897	TURNOUT UNIFORMS			199.95			199.95
13-01615	EMTECH ASSOCIATES			290.00			290.00
13-01499	GEN-EL IND			304.83			304.83
13-01658	ACS FIREHOUSE			1,990.00			1,990.00
13-01560	THE ASSOC.CHIIEFS OF POLICE			75.00			75.00
13-00987	ACCURATE CONSTRUCTION			14,457.00			14,457.00
13-01544	SCARINCI HOLLENBECK			6,329.40			6,329.40
13-01544	SCARINCI HOLLENBECK			7,108.24			7,108.24
13-01544	SCARINCI HOLLENBECK			6,585.64			6,585.64
13-01544	SCARINCI HOLLENBECK			3,578.12			3,578.12
13-01659	CITY FIRE EQUIPMENT			138.35			138.35
13-01719	GOODYEAR AUTO SERVICE			471.92			471.92
13-01440	HEWLETT PACKARD CORP			429.75			429.75
13-01648	HEWLETT PACKARD CORP			3,146.48			3,146.48
13-01588	HEWLETT PACKARD CORP			139.00			139.00
13-01074	MORPHOTRAK INC			8,018.11			8,018.11
13-01794	GRIFFITH SHADE CO			344.00			344.00
13-01448	COPLOGIC			5,250.00			5,250.00
13-01160	GENERAL SALES ADMIN			2,044.00			2,044.00
13-01072	LAWMEN SUPPLY			845.66			845.66
13-01801	NO. JERSEY MEDIA GROUP			22.17			22.17
13-00557	NO. JERSEY MEDIA GROUP			65.07			65.07
13-00557	NO. JERSEY MEDIA GROUP			128.44			128.44
13-01663	W.B. MASON CO			69.99			69.99
13-01219	CERTIFIED SPEEDMETER SERV			1,395.00			1,395.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
13-01586	EMECOT CORP			285.00			285.00
13-01174	BROWNELLS			47.16			47.16
13-01172	TRIANGLE COMM.			5,979.60			5,979.60
13-01793	TRIANGLE COMM.			190.00			190.00
13-01792	A PLUS AUTO REPAIR			359.87			359.87
13-01109	TONYS AUTO BODY			2,500.00			2,500.00
13-00100	MIKES AUTO CENTER			55.00			55.00
13-00101	NBC AUTO PARTS			1,072.47			1,072.47
13-00101	NBC AUTO PARTS			423.38			423.38
13-01784	AT & T MOBILITY			45.45			45.45
13-01952	BURGER KING			104.45			104.45
13-01631	HODGES PARTY RENTAL			663.00			663.00
13-01497	SOMES UNIFORMS			356.00			356.00
13-01811	THE SIGN POST			144.00			144.00
13-01861	LEXIS NEXTISISK SOLUTIONS			438.30			438.30
13-00368	POLAND SPRING			207.46			207.46
13-01837	NATIONAL FUEL OIL			12,242.53			12,242.53
13-01666	NATIONAL FUEL OIL			14,324.50			14,324.50
13-01821	NATIONAL TERMINAL			5,588.28			5,588.28
13-00103	P & A AUTO PARTS			475.78			475.78
13-00099	MAJOR LEAGUE AUTO SPA			327.00			327.00
13-01956	UPS			15.74			15.74
13-01706	HEWLETT PACKARD CORP			443.27			443.27
13-01835	ATLANTIC POWER SYSTEMS			506.00			506.00
13-01948	CABLEVISION			29.10			29.10
13-01949	CABLEVISION			54.95			54.95

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01870	MICRO CENTER			36.99			36.99
13-01899	FRANKS TRUCK CENTER			4,352.02			4,352.02
13-01005	FRANKS TRUCK CENTER			3,622.21			3,622.21
13-00741	PREMIER SECURITY			21,825.00			21,825.00
13-01490	GRANGER			3,582.97			3,582.97
13-01836	NO. JERSEY DISTRICT WATER				302,368.63		302,368.63
13-01478	HOME DEPOT				36.86		36.86
13-01618	HOME DEPOT				112.98		112.98
13-00369	POLAND SPRING				272.92		272.92
13-00039	ATHENIA MASON SUPPLY				133.50		133.50
13-00039	ATHENIA MASON SUPPLY				35.50		35.50
13-01782	AT & T MOBILITY				840.15		840.15
13-00040	BELL-RIDGE PLUMBING				109.90		109.90
13-01616	TIME EQUIPMENT CORP				151.75		151.75
13-01567	SHERWIN WILLIAMS				1,086.18		1,086.18
13-01509	BIO SHINE				630.00		630.00
13-00044	P & A AUTO PARTS				93.10		93.10
13-00044	P & A AUTO PARTS				15.10		15.10
13-00056	NORTHEAST AUTOMOTIVE				202.69		202.69
13-00056	NORTHEAST AUTOMOTIVE				423.78		423.78
13-01858	CABLEVISION				86.72		86.72
13-01947	CABLEVISION				17.57		17.57
13-00047	AMERICAN HOSE				208.40		208.40
13-00047	AMERICAN HOSE				416.20		416.20
13-00047	AMERICAN HOSE				416.20		416.20
13-00055	NEWARK ASPHALT				317.04		317.04

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00055	NEWARK ASPHALT				157.75		157.75
13-00055	NEWARK ASPHALT				492.52		492.52
13-00046	AGL WELDING				225.17		225.17
13-00046	AGL WELDING				49.40		49.40
13-00043	ONE CALL CONCEPTS				205.60		205.60
13-01696	MAJOR LEAGUE AUTO SPA				6.00		6.00
13-00061	SUPERIOR DISTRIBUTORS				185.19		185.19
13-00174	DURABLE RECYCLING				757.80		757.80
13-01371	BLOOMFIELD MASONRY				62.24		62.24
13-01371	BLOOMFIELD MASONRY				1,183.88		1,183.88
13-01371	BLOOMFIELD MASONRY				27.58		27.58
13-01819	PASSAIC VALLEY WATER COMM				620.00		620.00
13-01479	GARDEN STATE HIGHWAY				150.00		150.00
13-01627	TERRE CO				326.25		326.25
13-01034	FOUR STAR AUTO GLASS				200.36		200.36
13-01319	WORK N GEAR				72.00		72.00
13-00266	ATLANTIC UNIFORM				799.84		799.84
13-00841	ATLANTIC UNIFORM				824.20		824.20
13-01592	DELGEN PRESS				159.00		159.00
13-01022	JMAC SERVICE				619.40		619.40
13-01685	NY-NJ TRAILER SUPPLY				779.80		779.80
13-01780	NY-NJ TRAILER SUPPLY				126.72		126.72
13-01654	AMERICAN STENCIL				295.00		295.00
12-04884	BEYER FORD				24,347.00		24,347.00
12-04883	BEYER FORD				23,544.00		23,544.00
13-01161	BEYER FORD				2,993.60		2,993.60

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01959	VITO NOLE				93.48		93.48
13-01550	COUNTY CONCRETE				209.00		209.00
13-01550	COUNTY CONCRETE				126.00		126.00
13-00045	AUTO ZONE				141.82		141.82
13-01884	PSE & G				15.74		15.74
13-01883	PSE & G				57.78		57.78
13-02000	PSE & G				17,149.57		17,149.57
13-00086	VITAL COMMUNICATIONS				153.00		153.00
13-00045	JOSEPH RICCIARDI PAINT				98.85		98.85
13-00045	JOSEPH RICCIARDI PAINT				121.00		121.00
13-00063	VIOLA BROTHERS				346.34		346.34
13-01942	SALVATORE FERRARO				45.58		45.58
13-01543	CLIFFSIDE BODY CORP				395.92		395.92
13-01510	CLIFFSIDE BODY CORP				78.54		78.54
13-01699	HEWLETT PACKARD				89.22		89.22
13-01873	V & L SALES				257.20		257.20
13-01731	W.B. MASON				109.99		109.99
13-01520	FOSTER & CO.				99.15		99.15
13-02034	SALVATORE SCARPELLI				70.00		70.00
13-01894	FLAGSHIP DENTAL PLAN					639.16	639.16
13-00027	VIOLA BROTHERS					1,429.99	1,429.99
13-01333	TRICO EQUIPMENT					285.68	285.68
10-02986	NEGLIA ENGINEERING ASSOC					3,272.22	3,272.22
13-01921	NICHOLAS NERI					611.40	611.40
13-01922	ANDREW JACKSON					629.40	629.40
13-01923	GEORGE VOCATURO					1,258.80	1,258.80

TOWNSHIP OF NUTLEY							
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TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01925	MARION CUNDIFF					1,258.80	1,258.80
13-01926	ALAN NOWICKI					1,252.80	1,252.80
13-01927	LUCILLE SIMONIAN					629.40	629.40
13-01928	SUSANNA ERDOS					1,258.80	1,258.80
13-01929	ANTHONY MONACO					1,258.80	1,258.80
13-01930	MICHAEL RITACCO					1,258.80	1,258.80
13-01931	PASQUALE INTINDOLA					1,258.80	1,258.80
13-00855	CABLEVISION LIGHTPATH					3,044.03	3,044.03
13-00260	AGL WELDING					104.01	104.01
13-00624	ABADEL PEST CONTROL					200.00	200.00
13-00750	ALTEC IND.					233.02	233.02
13-01381	HEWLETT PACKARD					450.04	450.04
13-01063	WORK N GEAR					80.00	80.00
13-01535	C & C TIRE INC					823.86	823.86
13-00008	C & C TIRE INC					30.00	30.00
13-01628	AMERICAN TIME RECORDER					85.83	85.83
13-01617	MEADOWLAND FORD TRUCK					87.64	87.64
13-01715	MEADOWLAND FORD TRUCK					73.80	73.80
13-01711	WEST GROUP					320.00	320.00
13-01684	NICOLETTE TOWING					739.00	739.00
13-00646	BEYER FORD					37,557.00	37,557.00
13-00023	CONTEMPORARY GLASS					134.40	134.40
13-00025	GRANT SUPPLIES					154.05	154.05
13-00025	GRANT SUPPLIES					114.99	114.99
13-01825	PSE & G					200.60	200.60
13-01824	PSE & G					15.22	15.22

TOWNSHIP OF NUTLEY							
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TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01823	PSE & G					3.48	3.48
13-01826	PSE & G					162.96	162.96
13-00259	ARROW ELEVATOR					425.00	425.00
13-00370	POLAND SPRING					103.45	103.45
13-00371	POLAND SPRING					114.22	114.22
13-01528	HOME DEPOT					151.95	151.95
13-01679	HOME DEPOT					29.98	29.98
13-00019	TERRE CO					334.95	334.95
13-00019	TERRE CO					473.60	473.60
13-00830	TERRE CO					197.75	197.75
12-04871	RELIABLE WOOD PRODUCTS					480.00	480.00
12-04871	RELIABLE WOOD PRODUCTS					3,040.00	3,040.00
13-01115	CITY DIRECTORIES					285.00	285.00
13-00649	DURABLE RECYCLING					2,493.00	2,493.00
13-00021	ABLE PAINT					107.89	107.89
13-00021	ABLE PAINT					178.79	178.79
13-00030	COMPLETE SAW SERVICE					23.15	23.15
13-00028	JOSEPH RICCARDI PAINTS					549.70	549.70
13-00028	JOSEPH RICCARDI PAINTS					107.65	107.65
13-00028	JOSEPH RICCARDI PAINTS					52.75	52.75
13-00013	NORTHEAST EQUIPMENT					22.10	22.10
13-00005	ATHENIA MASON SUPPLY					134.03	134.03
13-01765	CUMMINS POWER SYSTEMS					26.81	26.81
13-01245	NEW YORK BUS SALES					40.07	40.07
13-01844	SAL ELECTRIC					3,192.83	3,192.83
13-01687	W.B. MASON					1,953.95	1,953.95

TOWNSHIP OF NUTLEY							
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TUESDAY JUNE 18, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00015	P & A AUTO PARTS					86.12	86.12
13-00742	NJ LEGISLATIVE MANUAL					76.00	76.00
13-01917	VERIZON					143.62	143.62
13-00016	ROBERTS & SON INC					660.00	660.00
13-00016	ROBERTS & SON INC					273.00	273.00
13-02029	WILLIAM POSTLEWAITE					1,228.80	1,228.80
13-02024	MIKE URBANOVICH					50.00	50.00
13-02021	ROBERT DEBELLO					1,258.80	1,258.80
13-02018	LEONARDO VESPUCCI					1,258.80	1,258.80
13-02017	NOREEN HAVERON					629.40	629.40
13-02016	SAL CETRULO					617.40	617.40
13-02014	ANTHONY ANDRIOLA					1,198.80	1,198.80
13-01924	MICHELE ROMANO-REAL					40.00	40.00
13-01939	JANICE FRASER					79.00	79.00
13-01667	METUCHEN CENTER-TEAM					315.80	315.80
13-01116	BSN SPORTS					257.40	257.40
13-01521	EAST COAST DESIGNS					1,110.00	1,110.00
13-01913	RUNWAY RAPIDS					300.00	300.00
13-01912	MEDIEVAL TIMES					716.00	716.00
13-01649	ORIENTAL TRADING					148.49	148.49
13-01941	ROBERT SANTORIELLO					31.99	31.99
13-01898	NUTLEY PARK SHOPRITE					276.42	276.42
13-02019	LOIS PLINIO					53.45	53.45
13-02022	JUDITH LEPORATI					40.00	40.00
13-02023	MELANIE FERRARA					40.00	40.00
13-02025	VALERIE INTILI					40.00	40.00

TOWNSHIP OF NUTLEY
BILL LIST
June 18, 2013

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of JUNE 4, 2013

PAYROLL-REGULAR JUNE 7, 2013:

Department of Public Affairs	18,338.87
Department of Revenue & Finance	58,709.91
Department of Public Safety	425,563.61
Department of Public Works	59,249.70
Department of Parks & Public Properties	79,641.34
Department of Recreation Commission	7,653.00
Water Operations	44,421.07
Due To From General Capital	3,519.91
600 SERIES	1,886.56
POLICE OUTSIDE DUTY	5,870.00
C.E.H.A.	317.30
RESERVE FOR DOG LICENSE EXPENSE	0.00

Sub Total **705,171.27**

PAYROLL-OVERTIME JUNE 7, 2013:

Department of Public Affairs	0.00
Department of Revenue & Finance	0.00
Department of Public Safety	13,034.92
Department of Public Works	2,449.30
Department of Parks & Public Properties	10,776.67
Water Operations	5,668.09
600 Series	0.00

Sub Total **31,928.98**

TOTAL PAYROLL: **737,100.25**

GRAND TOTAL: **4,101,035.54**

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

Federal Withholding Tax	89,587.20
Social Security	24,401.16
N.J. State Tax	26,171.70
Medicare	10,696.35
Wage Execution	3,258.00
Deferred Compensation	26,486.83
Employee Disability Ins.	5,253.72

Township of Nutley

THE BOARD OF COMMISSIONERS

Hereby Issue This Proclamation

WHEREAS, Anthony Iannarone, graduated from Belleville High School in 1948, and attended Rutgers, The State University of New Jersey-New Brunswick, graduating with a B.S. in Psychology/Sociology, and holds both a Juris Doctorate and Masters of Law in Trade Regulations degree from New York University School of Law; and

WHEREAS, while a freshman at Rutgers, The State University of New Jersey-New Brunswick Anthony Iannarone suffered the loss of both hands in a chemical laboratory accident, but not deterred, continued to be active in many clubs, associations, athletic activities and honors; and

WHEREAS, Professionally, Anthony Iannarone, spent most of his career in the law department of Hollinam-LaRoche, where he rose to become associate vice president, associate general counsel and assistant secretary; and

WHEREAS, Anthony Iannarone is the loving husband of the late Ruth Aitken Iannarone, devoted father of Lisa, Brian and David and adoring grandfather of Elyse, Kaitlin, Matthew, Kimberly, Tess, Mary and Daniel; and

WHEREAS, Anthony Iannarone is a long time Nutley resident who has tirelessly served this community volunteering his time and expertise with organizations such as The Dr. Virginius D. Mattia Memorial Committee, in which he is a founding member, Nutley Municipal Alliance, Nutley Family Service Bureau, the Nutley Hall of Fame Committee, and most notably the Nutley Public Library;

NOW, THEREFORE BE IT PROCLAIMED that I, Commissioner Steven L Rogers, of the Township of Nutley, County of Essex, State of New Jersey, join the Board of Commissioners and the grateful citizens of Nutley, in recognizing Anthony Iannarone as a recipient of the distinguished

2013 New Jersey State Governor's Jefferson Award for Public Service Against All Odds Category

We wholeheartedly congratulate and thank him for his unwavering devotion and commitment to the Township of Nutley.

Commissioner Steven L Rogers

June 18, 2013

Township of Nutley

THE BOARD OF COMMISSIONERS

Hereby Issue This Proclamation

WHEREAS, Michael Paolino, is the loving husband of Audrey, the devoted father of Valery Wick, Andrea Dougherty, and George Paolino, and doting grandfather of William Dougherty, Michael Dougherty, Ryan Wick, Alexandra Wick, Joseph Paolino and Gabriella Paolino; and

WHEREAS, Michael Paolino has been a proudly dedicated and concerned resident of Nutley for over 56 years; and

WHEREAS, Michael Paolino has been a founding member of several organizations including, the Nutley Outstanding Citizens Awards, Nutley Youth Baseball League, and the John Walker Foundation; and

WHEREAS, Michael Paolino has dedicated his time and talents to various Nutley Jaycee initiatives, including the Senior Miss Scholarship Program, Fundraising for Camp Jaycee, Thanksgiving Day Basket donations, and International Hospitality Weekend, among others; and

WHEREAS, Michael Paolino has been a Member of the Board of Directors of the Nutley Red Cross for the past 35 years, the Fundraising Chairman for the Tom Hanlon Scholarship Fund for twenty three years, and a 15 year Charter Member of the Prudential Retirees, which provides various community services; and

WHEREAS, Michael Paolino's energy and compassion are endless; he has been involved in organizations on National, State and local levels, participating as a founding member, board member, fundraiser, and activist;

NOW, THEREFORE BE IT PROCLAIMED that I, Commissioner Steven L Rogers, of the Township of Nutley, County of Essex, State of New Jersey, join the Board of Commissioners and the grateful citizens of Nutley, in recognizing Michael Paolino as a recipient of the distinguished

2013 New Jersey State Governor's Jefferson Award for Public Service Lifetime Service Category

We wholeheartedly congratulate and thank him for his unwavering devotion and commitment to the Township of Nutley, the County of Essex and the State of New Jersey.

Commissioner Steven L Rogers

June 18, 2013

Township of Nutley

THE BOARD OF COMMISSIONERS

Hereby Issue This Proclamation

WHEREAS, Nutley Resident, Aaron Titus, is the loving husband of Jennifer, adoring father of Christopher, Emma, Kevin, Trevor and Savannah and their sixth child is due in September; and

WHEREAS, Aaron Titus earned his bachelor's in Architecture from the University of Utah, and graduated from the George Washington University Law School, specializing in Information Privacy Law; and

WHEREAS, Aaron Titus, is a New Jersey VOAD representative for The Church of Jesus Christ of Latter-day Saints; and

WHEREAS, Aaron Titus has worked tirelessly throughout Superstorm Sandy to encourage and support 29,000 Mormon Helping Hands volunteers from New Jersey, New York, Connecticut, Virginia, Maryland, New Hampshire, Massachusetts, Idaho, and Canada, who performed nearly 300,000 hours of service in New Jersey and New York; and

WHEREAS, one of Aaron Titus's most important contributions was creating a Collaborative Work Order System (CWOS) that all community volunteer groups could use to coordinate relief efforts throughout the New York metropolitan area; and

WHEREAS, when, Aaron is not assisting with disaster recovery, he is an attorney specializing in Internet, Technology and Privacy law, and the Chief Privacy Officer for Identity Finder. He has also been the Privacy Director for the Washington DC policy institute Liberty Coalition for six years. Aaron developed NationalIDWatch.org, a free public service to help victims of personal information breaches;

NOW, THEREFORE BE IT PROCLAIMED that I, Commissioner Steven L Rogers, of the Township of Nutley, County of Essex, State of New Jersey, join the Board of Commissioners and the grateful citizens of Nutley, in recognizing Aaron Titus as a recipient of the distinguished

2013 New Jersey State Governor's Jefferson Award Faith-Based Services Category

We wholeheartedly congratulate and thank him for his unwavering devotion and commitment to the safety, health and well-being of not just Nutley's citizen but those across our great nation.

Commissioner Steven L Rogers

June 18, 2013

Township of Nutley
One Kennedy Drive
Nutley, New Jersey 07110

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

BOND ORDINANCE NO. 3242

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Nutley, in the County of Essex, New Jersey, on June 18, 2013. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, One Kennedy Drive in said Township on July 16, 2013 at 7:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office in said Municipal Building for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond ordinance providing for various capital improvements in the Township of Nutley, in the County of Essex, New Jersey, appropriating the aggregate amount of \$1,481,700.00 therefor, and authorizing the issuance of \$1,407,615.00 bonds or notes of the Township for financing part of the cost thereof

Purpose(s): Improvement of municipally owned buildings in and by the Township by the renovation thereof. Acquisition by purchase of new and additional vehicular equipment for use by the Parks Department of the Township. Acquisition by purchase and the planting of trees at various locations in and by the Township. Improvement of municipal parks and playgrounds in and by the Township. Improvement of various streets in and by the Township, by the streetscaping thereof. Acquisition by purchase of new and additional vehicular equipment including a sewer jet truck for use by the Department of Public Works of the Township. Acquisition by purchase of new and additional vehicular equipment for use by the Department of Public Works of the Township. Acquisition by purchase of new and additional fire fighting equipment for the preservation of life and property in the Township, including one (1) aerial ladder truck. Acquisition by purchase of new and additional equipment, including self-contained breathing apparatus for use by the Fire Departments of the Township. Acquisition by purchase and installation, as necessary, of new exhaust systems for the volunteer fire houses in and by the Township. Acquisition by purchase of new and additional equipment, including tactical vests and equipment for use by the Police Department of the Township. Improvement of municipally-owned properties and facilities in and by the Township, including the installation of fixed LPR cameras for use by the Police Department of the Township. Acquisition by purchase of new and additional vehicular equipment for use by the Code Enforcement Office of the Township. Acquisition by purchase of new

and additional equipment, including a copier for use by the municipal offices of the Township. Improvement of municipally-owned properties and facilities in and by the Township, by the installation of fiber optic lines.

Appropriation: \$1,481,700
Bonds/Notes Authorized: \$1,407,615
Grants (if any) Appropriated: \$0
Section 20 Costs: \$134,700
Useful Life: 12.9 years

Evelyn Rosario
Municipal Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Bond Ordinance No. 3242

Introduced by Commissioner Evans

Introduced on Tuesday, June 18, 2013

Public Hearing July 16, 2013

Advertise in the Nutley Sun Issue of Thursday, June 27, 2013

BOND ORDINANCE NO. 3242

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,481,700.00 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,407,615.00 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Township of Nutley, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,481,700 including the aggregate sum of \$74,085 as the several down payments for said improvements or purposes

required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,481,700 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,407,615 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,407,615 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of municipally owned buildings in and by the Township by the renovation thereof, together with all equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	\$247,500	\$235,700
(b) Acquisition by purchase of new and additional vehicular equipment for use by the Parks Department of the Township, together with all accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	55,000	52,000

(c) Acquisition by purchase and the planting of trees at various locations in and by the Township, together with all landscaping, equipment, site work, work and materials necessary therefore or incidental therefor.	5,500	5,015
(d) Improvement of municipal parks and playgrounds in and by the Township, together with all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	220,000	209,500
(e) Improvement of various streets in and by the Township, by the streetscaping thereof, together with all paving, curb reconstruction, sidewalks, landscaping, lighting, structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	22,000	20,900
(f) Acquisition by purchase of new and additional vehicular equipment including a sewer jet truck for use by the Department of Public Works of the Township, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	115,500	110,000
(g) Acquisition by purchase of new and additional vehicular equipment for use by the Department of Public Works of the Township, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	55,000	52,000
(h) Acquisition by purchase of new and additional fire fighting equipment for the preservation of life and property in the Township, including one (1) aerial ladder truck, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$198,000 hereby appropriated therefor being an initial appropriation therefor and the total cost thereof is estimated to be \$900,000	198,000	188,500
(i) Acquisition by purchase of new and additional equipment, including self-contained breathing apparatus for use by the Fire Departments of the Township, together with all equipment, attachments	110,000	104,000

and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

(j) Acquisition by purchase and installation, as necessary, of new exhaust systems for the volunteer fire houses in and by the Township, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

33,000 31,000

(k) Acquisition by purchase of new and additional equipment, including tactical vests and equipment for use by the Police Department of the Township, together with for all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

33,000 31,000

(l) Improvement of municipally-owned properties and facilities in and by the Township, including the installation of fixed LPR cameras for use by the Police Department of the Township, together with for all the aforesaid all equipment, structures, site work, furnishings, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

27,500 26,000

(m) Acquisition by purchase of new and additional vehicular equipment for use by the Code Enforcement Office of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

29,700 28,000

(n) Acquisition by purchase of new and additional equipment, including a copier for use by the municipal offices of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved

27,500 26,000

(o) Improvement of municipally-owned properties and facilities in and by the Township, by the installation of fiber optic lines, together with for all the aforesaid all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the

302,500 288,000

Borough Clerk and hereby approved

Totals	\$1,481,700	\$1,407,615
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The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 12.9 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,407,615, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$134,700 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the

Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law

2013 BOND ORDINANCES			
	TOTAL COST	DOWN-PAYMENT	DEBT AUTHORIZED
VARIOUS CAPITAL IMPROVEMENTS-ORD # 1			
BUILDINGS RENOVATIONS & EQUIP	225,000.00	11,250.00	\$ 213,750.00
PURCHASE OF VEHICLES & EQUIPMENT	50,000.00	2,500.00	47,500.00
PURCHASE & PLANTING OF TREES	5,000.00	250.00	4,750.00
PARKS & PLAYGROUNDS IMPROVEMENTS & EQUIP	200,000.00	10,000.00	190,000.00
STREETScape IMPROVEMENTS	20,000.00	1,000.00	19,000.00
PURCHASE OF SEWER JET TRUCK	105,000.00	5,250.00	99,750.00
PURCHASE OF VARIOUS VEHICLES & EQUIPMENT	50,000.00	2,500.00	47,500.00
PURCHASE OF AERIAL LADDER TRUCK-PHASE1	180,000.00	9,000.00	171,000.00
PURCHASE OF SCBA MASKS-PHASE I	100,000.00	5,000.00	95,000.00
EXHAUST SYSTEM FOR VOL. FIREHOUSES	30,000.00	1,500.00	28,500.00
REPLACEMENTT OF TACTICAL VESTS & EQUIP	30,000.00	1,500.00	28,500.00
INSTALL FIXED LPR CAMERAS	25,000.00	1,250.00	23,750.00
PURCHASE OF VEHICLE FOR CODE ENFORCEMENT	27,000.00	1,350.00	25,650.00
PURCHASE OF COPIER	25,000.00	1,250.00	23,750.00
FIBER OPTIC PROJECT	275,000.00	13,750.00	261,250.00
SECTION 20 EXPENSES	134,700.00	6,735.00	127,965.00
TOTAL-VARIOUS CAP IMP ORD #1	\$ 1,481,700.00	\$ 74,085.00	\$ 1,407,615.00
VARIOUS CAPITAL IMPROVEMENTS-ORD # 2			
ROADWAYS & SIDEWALKS	\$ 1,150,000.00	\$ 57,500.00	\$ 1,092,500.00

Township of Nutley

One Kennedy Drive

Nutley, New Jersey 07110

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

BOND ORDINANCE NO. 3243

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Nutley, in the County of Essex, New Jersey, on June 18, 2013. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, One Kennedy Drive, in said Township on July 16, 2013 at 7:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office in said Municipal Building for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond ordinance providing for the reconstruction of various roadways and sidewalks in the Township of Nutley, in the County of Essex, New Jersey, appropriating \$1,150,000.00 therefor and authorizing the issuance of \$1,092,500.00 bonds or notes of the Township for financing part of the cost thereof.

Purpose(s): The reconstruction and resurfacing of various roads and sidewalks in and by the Township, together with all milling, paving, curbing, guide rails, reflectors, dividers, drainage facilities, sanitary sewer facilities, signage, structures, equipment, site work, work and materials necessary therefor or incidental thereto.

Appropriation: \$1,150,000

Bonds/Notes Authorized: \$1,092,500

Grants (if any) Appropriated: \$0

Section 20 Costs: \$50,000

Useful Life: 10 years

Evelyn Rosario
Municipal Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Bond Ordinance No. 3243

Introduced by Commissioner Evans

Introduced on Tuesday, June 18, 2013

Public Hearing July 16, 2013

Advertise in the Nutley Sun Issue of Thursday, June 27, 2013

BOND ORDINANCE NO. 3243

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF VARIOUS ROADWAYS AND SIDEWALKS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,150,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,092,500.00 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Nutley, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$1,150,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$57,500 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously

adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$1,150,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,092,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$1,092,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the reconstruction and resurfacing of various roads and sidewalks in and by the Township so as to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), together with all milling, paving, curbing, guide rails, reflectors, dividers, drainage facilities, sanitary sewer facilities, signage, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,092,500.

(c) The estimated cost of said purpose is \$1,150,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$57,500 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,092,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature

later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as

approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

2013 BOND ORDINANCES			
	TOTAL COST	DOWN-PAYMENT	DEBT AUTHORIZED
VARIOUS CAPITAL IMPROVEMENTS-ORD # 1			
BUILDINGS RENOVATIONS & EQUIP	225,000.00	11,250.00	213,750.00
PURCHASE OF VEHICLES & EQUIPMENT	50,000.00	2,500.00	47,500.00
PURCHASE & PLANTING OF TREES	5,000.00	250.00	4,750.00
PARKS & PLAYGROUNDS IMPROVEMENTS & EQUIP	200,000.00	10,000.00	190,000.00
STREETScape IMPROVEMENTS	20,000.00	1,000.00	19,000.00
PURCHASE OF SEWER JET TRUCK	105,000.00	5,250.00	99,750.00
PURCHASE OF VARIOUS VEHICLES & EQUIPMENT	50,000.00	2,500.00	47,500.00
PURCHASE OF AERIAL LADDER TRUCK-PHASE1	180,000.00	9,000.00	171,000.00
PURCHASE OF SCBA MASKS-PHASE I	100,000.00	5,000.00	95,000.00
EXHAUST SYSTEM FOR VOL. FIREHOUSES	30,000.00	1,500.00	28,500.00
REPLACEMENTT OF TACTICAL VESTS & EQUIP	30,000.00	1,500.00	28,500.00
INSTALL FIXED LPR CAMERAS	25,000.00	1,250.00	23,750.00
PURCHASE OF VEHICLE FOR CODE ENFORCEMENT	27,000.00	1,350.00	25,650.00
PURCHASE OF COPIER	25,000.00	1,250.00	23,750.00
FIBER OPTIC PROJECT	275,000.00	13,750.00	261,250.00
SECTION 20 EXPENSES	134,700.00	6,735.00	127,965.00
TOTAL-VARIOUS CAP IMP ORD #1	\$ 1,481,700.00	\$ 74,085.00	\$ 1,407,615.00
VARIOUS CAPITAL IMPROVEMENTS-ORD # 2			
ROADWAYS & SIDEWALKS	\$ 1,150,000.00	\$ 57,500.00	\$ 1,092,500.00

PULLED NOT INTRODUCED

Ordinance No. 3244

Introduced by Commissioner Scarpelli

Introduced on June 18, 2013

Advertise in the Nutley Sun Issue of Thursday, June 27, 2013

Public Hearing July 16, 2013

ORDINANCE NO. 3244

"AN ORDINANCE TO AMEND CHAPTER 605 OF THE CODE OF THE TOWNSHIP OF NUTLEY, ENTITLED "SMOKING."

WHEREAS, The Board of Commissioners for the Township of Nutley adopted Chapter 605 entitled Smoking on June 21, 1994; and

WHEREAS, Chapter 605 prohibits smoking in all municipal buildings, facilities and Township sponsored public events or recreational activities;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey that Chapter 605 of the Code of the Township of Nutley is amended as follows:

1. Section 605-1, entitled "Definitions" shall be amended to include "Pedestrian Walkway One(1)" which is defined as a "Strip of land measuring approximately 25' in width and 105.29' in depth beginning at Franklin Avenue and continuing in easterly direction to Municipal Parking Lot No. 1 (Block 6201 Lot 2.)
2. Section 605-1, entitled "Definitions" shall be amended to include "Pedestrian Walkway Two(2)" which is defined as a "Strip of land measuring approximately 15' in width and 156' in depth beginning at Franklin Avenue and continuing in westerly direction to Municipal Parking Lot No. 2 (Block 5902 Lot 18, ~~aka~~ Block 172 Lot 5.)
3. Section 605-2, entitled "Smoking Prohibited: exemption" shall be amended to include subsection D which shall read "Smoking is prohibited in Pedestrian Walkway One (1) and Pedestrian Walkway Two (2).
4. Section 605-3, entitled "Signs" shall be amended to include subsection E which shall read "Signs shall be erected in Pedestrian Walkway One (1) and Pedestrian Walkway Two (2) indicating that smoking is prohibited"
5. Section 605-4 entitled "Disciplinary action; violations and penalties" shall be amended to include subsection D which shall read "All persons who smoke in Pedestrian Walkway One (1) and/or Pedestrian Walkway Two (2) in violation of this chapter shall be guilty of an infraction punishable by a fine of \$100 per offense, and may, at the discretion of the Nutley Municipal Court, be ordered to perform community service in such manner and for such duration as the Court may deem appropriate."
6. Section 605-5, entitled "Enforcement" subsection A shall be amended to read as follows "The Nutley Police Department and Health Officer shall be responsible for executing or enforcing this chapter against any municipal official, employee or any member of the public in violation hereof and in accordance with New Jersey statute (N.J.S.A. 26:3D-57 et seq., Smoking Prohibited in Public Places and Workplaces).
7. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this ordinance are repealed to the extent necessary;
8. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

This Ordinance shall take affect after publication and passage according to law.

**Township of Nutley
Essex County**

**One Kennedy Drive
Nutley, New Jersey 07110**

ORDINANCE INTRODUCTION

ORDINANCE NO. 3241

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 18th day of June 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 16th day of July, 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

Municipal Clerk

Township of Nutley

**The Nutley Sun Issue/Thursday, June 27, 2013 Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

Ordinance No. 3241

Introduced by Mayor Petracco

Introduced on June 18, 2013

Public Hearing July 16, 2013

Advertise in the Nutley Sun Issue of Thursday, June 27, 2013

Ordinance No. 3241

“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 JULY 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>
<u>DEPARTMENT OF PUBLIC SAFETY</u>		
Temporary Firefighter(s)	\$10.00 per hour	\$20.00 per hour

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. To the extent not set forth herein, all total salaries per annum will include longevity as set forth in Nutley Municipal Code Chapter 103 or the collective bargaining agreement that may be applicable.

Section 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.

Ordinance No. 3240

Introduced on Thursday, May 16, 2013

Introduced by Commissioner Thomas J. Evans

Public Hearing: June 18, 2013

Advertise in the Nutley Sun Issue of Thursday, May 23, 2013

Ordinance No. 3240

ORDINANCE PROVIDING FOR RECONSTRUCTION OF THE ROADWAY ON BLOOMFIELD AVENUE (SECTION 5), IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING \$ 240,000.00 THEREFORE FROM GRANT MONIES RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE COST THEREOF.

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

SECTION 1.

The improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Nutley, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of **\$240,000.00** for the improvement or purpose described therein which amount is made available from the Transportation Trust Fund monies received from the New Jersey Department of Transportation.

SECTION 2.

The improvement hereby authorized and the purpose for which the appropriation of grant money is made available is to provide for, **BLOOMFIELD AVENUE SECTION 5** including all work and materials necessary therefore or incidental thereto.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

**Township of Nutley
Essex County**

One Kennedy Drive

Nutley, New Jersey 07110

FINAL ADOPTION OF ORDINANCE

ORDINANCE NO. 3240

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, June 18, 2013.

“ORDINANCE PROVIDING FOR RECONSTRUCTION OF THE ROADWAY ON BLOOMFIELD AVENUE (SECTION 5), IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING \$ 240,000.00 THEREFORE FROM GRANT MONIES RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE COST THEREOF.”

ALL “AYES” ON A ROLL CALL VOTE

Commissioner Rogers	“AYE”
Commissioner Tucci	“AYE”
Commissioner Evans	“AYE”
Commissioner Scarpelli	“AYE”
Mayor Petracco	“AYE”

Evelyn Rosario, RMC

Municipal Clerk

Nutley Sun Issue/Thursday, June 27, 2013/Via E-Mail: publicnotices@northjersey.com

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

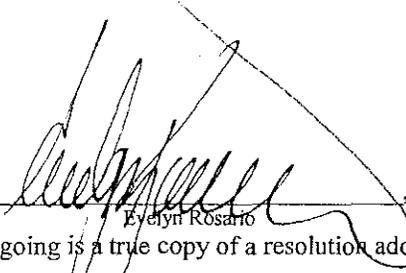
Introduced by: Commissioner Mauro G. Tucci *Date:* June 18, 2013
Seconded by: Commissioner Thomas J. Evans *No.* 148-13

WHEREAS, completion of the Monsignor Owens Park Improvements includes a complete handicapped accessible bleacher system; and

WHEREAS, authorization is necessary to go out to bid; and

WHEREAS, funding for said project is contingent upon passage of the 2013 Nutley Capital Improvement Budget and the approval of the Townships 2013 Essex County CDBG allocation;

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex State of New Jersey that the Township clerk is authorized to advertise for sealed bids for the Monsignor Owens Park Handicapped Accessible Bleachers, bids to be received on Thursday, July 11, 2013 at 3:00 pm (prevailing time) at which time they will be publicly opened and read.

I,  Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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

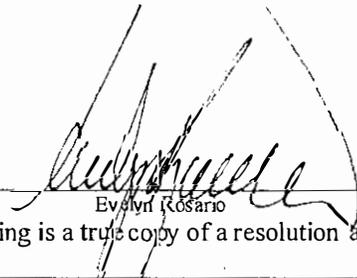
Introduced by: Commissioner Mauro G. Tucci Date: June 18, 2013

Seconded by: Mayor Alphonse Petracco No. 149-13

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that the Township Treasurer is hereby authorized to refund a tree permit fee collected, in consideration of the fact that the required replacement trees were installed, per Shade Tree Preservation Ordinance. Payment would come from account C-01-904-906:

Mike Urbanovich 36 Linden Pl. \$50.00

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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 Mauro G. Tucci *Date:* June 18, 2013
Seconded by: Commissioner Thomas J. Evans *No.* 150-13

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2013** in the sum of **\$2,000.00**, which item is now available as a revenue from the **Nutro Dog Park Grant** pursuant to the provisions of statute;

SECTION 2:

BE IT FURTHER RESOLVED, that a like sum of **\$2,000.00** be and same is hereby appropriated under the caption of:

General Appropriations

(A) Operations-Excluded from 5% CAPS

Nutro Dog Park Grant\$ 2,000.00

BE IT FURTHER RESOLVED, that the Township Clerk forward two (2) certified copies of this resolution to the Director of Local Government Services.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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

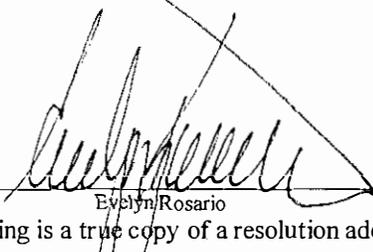
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* June 18, 2013
Seconded by: Commissioner Mauro G. Tucci *No.* 151-13

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 \$4,249.52 for the year 2012.

Block & Lot	Address	Amount
7602 3	206 Prospect St.	\$ 1,761.98 -11/08/12
7401 19	43 Brookline Ave	\$ 2,487.54 -08/13/12

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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

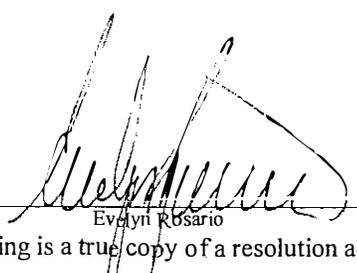
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* June 18, 2013
Seconded by: Commissioner Mauro G. Tucci *No.* 152-13

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 water charges in the amount of \$33.66.

Block& Lot	Address	Amount
1300 1 C2066	201 Barringer Dr.	\$ 33.66

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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

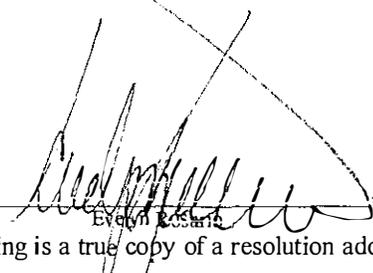
Resolution

Introduced by: Commissioner Thomas J. Evans Date: June 18, 2013
Seconded by: Commissioner Mauro G. Tucci No. 153-13

WHEREAS, New Jersey Statutes allow erroneous interest charges to be cancelled by resolution;

NOW THEREFORE BE IT RESOLVED,, by the Board of Commissioners, of the Township of Nutley, County of Essex, State of New Jersey, that the following erroneous interest charge in the amount of \$17.32 be cancelled on Block 1703 Lot 12 known as 38 Oak St.

...

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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

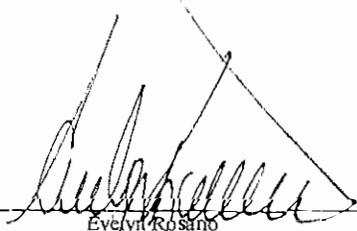
Introduced by: Commissioner Thomas J. Evans *Date:* June 18, 2013
Seconded by: Commissioner Mauro G. Tucci *No.* 154-13

WHEREAS, N.J.S.A. 40A: 5-14 mandates that the governing body of a municipal corporation shall, by resolution, passed by a majority vote of the full membership thereof, adopt a cash management plan; and

WHEREAS, all deposits and investments of its funds shall be made pursuant to said plan:

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that the cash management plan annexed hereto is hereby adopted as the Official Cash Management Plan for the Township of Nutley for the year **2013** and all deposits or investments of its funds be made pursuant thereto.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 2013 s

<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 Thomas J. Evans Date: June 18, 2013
 Seconded by: Commissioner Mauro G. Tucci No. 163-13

WHEREAS, the Township has received and reviewed Requests for Qualifications for “Municipal Bond Counsel” for the Township of Nutley; and

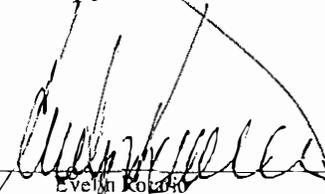
WHEREAS, the Township has considered all proposals on the most advantageous price and other factors considered, including technical, management and cost criteria; and

WHEREAS, funds are available from the respective bond ordinances and have been certified by the chief financial officer, said certification being attached to this resolution;

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

1. That the Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Hawkins, Delafield and Wood, LLP, One Gateway Center, Newark, New Jersey 07102 for a term beginning June 18, 2013 – December 31, 2013.
2. That Robert H. Beinfield, of the firm of Hawkins Delafield & Wood, LLP, a qualified bond counsel authorized to practice in the State of New Jersey, be awarded a contract for Municipal Bond Counsel for the Township of Nutley for the year 2013 to perform services ordinarily provided by bond counsel, and he shall receive such compensation in accordance with the quote submitted.
3. That the aforesaid contract is awarded as fair and open.
4. A copy of this Resolution, as well as the contract, shall be placed on file with the Clerk

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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>
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

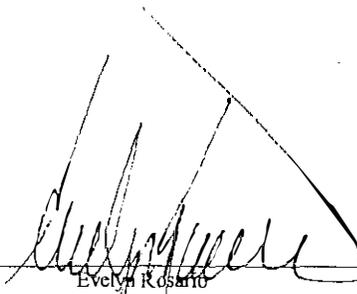
Introduced by: Commissioner Joseph P. Scarpelli

Date: June 18, 2013

Seconded by: Commissioner Steven Rogers

No. 155-13

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for the Resurfacing of Bloomfield Avenue Section 5, Nutley, New Jersey 07110, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, on Thursday, July 11, 2013 at 3:00 P.M. prevailing time, at which time they will be opened and read.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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>
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco Date: June 18, 2013

Seconded by: Commissioner Joseph P. Scarpelli No. 156-13

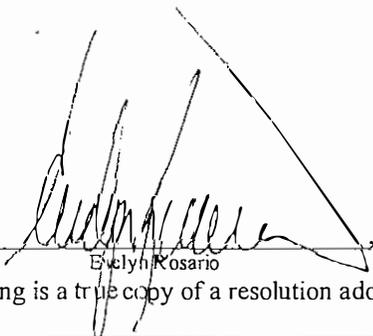
WHEREAS, the Township of Nutley has entered into a contract with Phillips, Priess, Grygiel, 31-41 Newark Street, Hoboken, New Jersey 07030 for Reexamination of the Master Plan in the year 2012 for an original contract amount not to exceed of \$85,000.00; and

WHEREAS, Change Order #1 has been authorized for the original contract amount to be increased by \$3,018.75; and

WHEREAS, the funds are available from C-01-905-902 and have been certified by the Chief Financial Officer, said certification attached to this resolution;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that the Change Order No. 1 as attached, is a change from the contract previously made by the Township of Nutley with Phillips Preiss Grygiel for services are hereby authorized and approved.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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>
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

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

Resolution

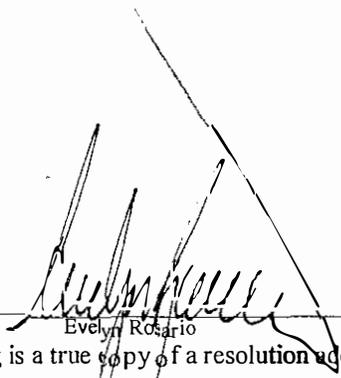
Introduced by: Mayor Alphonse Petracco *Date:* June 18, 2013
Seconded by: Commissioner Steven Rogers *No.* 157-13

WHEREAS the Township of Nutley Zoning Board received \$1,000.00 escrow deposit from New Cingular Wireless PCS LLC for property located at 304 Hillside Avenue for engineering services, and

WHEREAS the Zoning Board of Adjustment has reviewed and determined the remaining escrow balance of \$340.00 is due to New Cingular Wireless PCS, LLC, and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the above amount is refunded to New Cingular Wire

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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:* June 18, 2013

Seconded by: Commissioner Steven Rogers *No.* 158-13

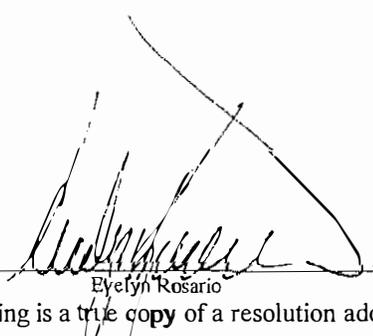
WHEREAS, raffle applications have been received from the following organizations; and

VFW Post # 493 Stuart E. Edgar	License No. 44-13 PULL TAB	July 10, 2013 – July 10-2014
Holy Family Catholic Church	License No. 45-13 On-Premise Hourly 50/50 Cash Raffle	September 19, 2013 through September 22, 2013
Holy Family Catholic Church	License No. 46-13 On-Premise Money Wheel	September 19, 2013 through September 22, 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 June 18, 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: June 18, 2013
 Seconded by: Commissioner Steven Rogers No. 159-13

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number **0716-33-028-004**, heretofore issued to **Kishan Restaurant, Inc. T/A Franklin Steakhouse** for premises located at **238 Franklin Avenue, Nutley, New Jersey 07110**; and

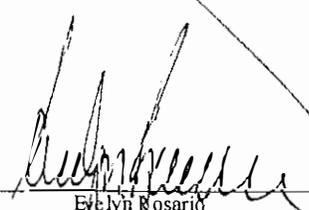
WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED, that the Township of Nutley Governing Body does hereby approve, effective June 18, 2013, the transfer of the aforesaid Plenary Retail Consumption License to **"FSH Holdings, LLC T/A Franklin Steakhouse"**, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: **"This license, subject to all its terms and conditions, is hereby transferred to "FSH Holdings, LLC T/A Franklin Steakhouse", effective June 18, 2013."**

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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	
<i>No</i>					
<i>Not Voting</i>					ABSTAINED
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco

Date: June 18, 2013

Seconded by: Commissioner Steven Rogers

No. 160-13

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses be granted to the following licensees effective July 1, 2013 through June 30, 2014.

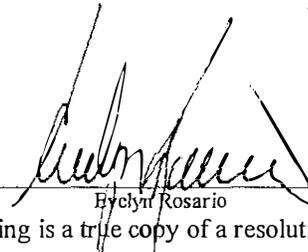
BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificates for each establishment listed below for this renewal period.

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

American Legion Post #70 T/A American Legion Nutley Post 70	45 Franklin Avenue	0716-31-030-001	\$150.00
Nutley Post 30 American Vets of World War II T/A Nutley Amvets Post 30	184 Park Avenue	0716-31-031-001	\$150.00
Columbian Club of Nutley T/A St. Mary's Knights of Columbus	150 Chestnut Street	0716-31-032-001	\$150.00
Nutley New Jersey Lodge 1290 BPO Elks	242 Chestnut Street	0716-31-033-001	\$150.00
Jim Dandy's of Nutley LLC T/A Jim Dandy's	561-563 Franklin Avenue	0716-32-008-009	\$1,719.36
JJGG LLC	POCKET LICENSE	0716-33-001-007	\$1,719.36
Castelli Inc T/A Nutley Diner	372 Centre Street	0716-33-006-002	\$1,719.36
Papillion LLC T/A The Game Sports Bar & Grill	350 Passaic Avenue	0716-33-011-006	\$1,719.36
Diamond Spring Café LLC T/A Diamond Spring Café I	116 Harrison Street/ 35 Evergreen Avenue	0716-33-015-003	\$1,719.36
MAR2NAT LLC T/A MEAL	431-437 Kingsland Street	0716-33-016-010	\$1,719.36
KJM Inc. T/A American Bistro	24-26 Washington Avenue	0716-33-018-006	\$1,719.36
Jo-Ka Inc. T/A Washington Park Tavern	174 Washington Avenue	0716-33-019-006	\$1,719.36
Conca Brothers Management 4 LLC T/A The Old Canal Inn	2 East Passaic Avenue	0716-33-022-002	\$1,719.36
TBG Inc. T/A Park Pub	789 Bloomfield Avenue	0716-33-023-003	\$1,719.36

Nutley Pub Associates LLC T/A Nutley Pub Associates LLC	227-229 Centre Street	0716-33-024-005	\$1,719.36
South Side Grill LLC T/A Ritacco's Midtown Bar & Grill	223A Franklin Avenue	0716-33-027-009	\$1,719.36
FSH Holdings LLC T/A Franklin Steak House	238 Franklin Avenue	0716-33-028-004	\$1,719.36
The Foursum LLC T/A The Steakhouse	522-526 Franklin Avenue	0716-33-029-008	\$1,719.36
PRAHAR CORP T/A Heller & Heller Liquors	200 Franklin Avenue	0716-44-013-007	\$1,287.36
Franklin Wine Shop Inc. T/A Nutley Wine Shop	558 Franklin Avenue	0716-44-021-006	\$1,287.36
MAJAGDAMBA LLC T/A Nutley News & Liquors	98 Centre Street	0716-44-025-010	\$1,287.36

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, that the Municipal Clerk be and she is hereby directed and authorized to issue said licenses for the licensing period of July 1, 2013 through June 30, 2014.

I,  Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 2012

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X	X	X	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:* June 18, 2013
Seconded by: Commissioner Steven Rogers *No.* 161-13

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption License # 0716-33-017-009 "Terrazza, LLC", 507 Franklin Avenue be granted conditionally upon receipt of a written report from the Code Enforcement Department of the Township of Nutley indicating that the establishment is in compliance with the seating capacity.

BE IT RESOLVED, that renewal of Club License # 0716-31-035-001 "Stuart E. Edgar Post No. 493 Veteran of Foreign Wars T/A VFW Holding Co. of Nutley", 271 Washington Avenue be granted conditionally upon receipt of a Tax Clearance Certificate

BE IT FURTHER RESOLVED, that these establishments have been inspected by the Board of Health, Fire and Police Departments and are in satisfactory condition.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, that the Municipal Clerk be and she is hereby directed and authorized to issue said licenses for the licensing period of July 1, 2013 through June 30, 2014 upon receipt of a written satisfactory report from the Code Enforcement Department for license # 0716-33-017-009, and a Tax Clearance Certificate for license # 0716-31-035-001.

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 2013

<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpetti</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:* June 18, 2013
Seconded by: Commissioner Steven Rogers *No.* 162-13

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

WHEREAS, in order for the licensee to continue operating after 12:00 A.M. July 1, 2013, a temporary permit from the Division of Alcoholic Beverage Control must be obtained: and

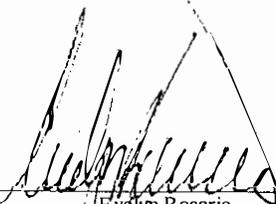
WHEREAS, the establishment has submitted their renewal application along with the appropriate fees to the Office of the Municipal Clerk: and

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

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

Stuart E. Edgar Post No. 493 Veteran of Foreign Wars T/A VFW Holding Co. of Nutley	271 Washington Avenue	0716-31-035-001	\$150.00
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I,  Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held June 18, 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>					