



P R O C E E D I N G S

1  
2 MADAM CLERK: Tuesday, August 6, 2013, pursuant to  
3 the requirements of the Open Public Meeting Law, Chapter  
4 231, Public Laws, 1975, notice of this meeting was published  
5 in the December 13, 2012 issues of the Nutley Sun, the Star  
6 Ledger and the Herald News. A copy of this notice has been  
7 posted on the Nutley Town Hall bulletin board and a copy is  
8 on file in the Municipal Clerk's Office.

9 Commissioner Rogers?

10 COMMISSIONER ROGERS: Here.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Here.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Here.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Here.

17 MADAM CLERK: Mayor Petracco is absent/excused  
18 this evening. Commissioner Evans will preside over the  
19 meeting as Deputy Mayor Evans.

20 DEPUTY MAYOR EVANS: Thank you everyone. We don't  
21 have any minutes tonight or correspondence. We do have a  
22 report. Commissioner Tucci.

23 COMMISSIONER TUCCI: Yes. I have the shade tree  
24 report for the months of April and May of this year.

25 DEPUTY COMMISSIONER EVANS: Thank you. Anything on

1 the bills?

2 MADAM CLERK: Yes, Mayor. Tuesday, August 6th,  
3 2013, Public Affairs \$23,097,744, Revenue and Finance,  
4 \$7,062,743.31, Public Safety \$858,196.31, Public Works  
5 \$183,619.75, Parks & Public Properties \$640,829.46, payable  
6 as of July 19th, 2013, \$764,432.22, payable as of August  
7 2nd, 2013, \$742,745.98, for a grand total bills of  
8 \$10,267,564.81. And that's all for bills, Mayor.

9 DEPUTY MAYOR EVANS: Move to bills.

10 UNIDENTIFIED SPEAKER: (Indiscernible - 7:49;19)

11 MADAM CLERK: Commissioner Rogers.

12 COMMISSIONER ROGER: "AYE".

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: "AYE".

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: "AYE".

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: "AYE".

19 MADAM CLERK: That's all for bills, Mayor.

20 DEPUTY MAYOR EVANS: Now would you like to proceed  
21 you (inaudible 7:49:30).

22 COMMISSIONER TUCCI: Yes, if I might. Thank you,  
23 Mayor.

24 Well, I really don't know where to start but I'm  
25 going to give this my best. The gentleman that we're

1 honoring this evening, Mr. Anthony Biondi, Sr. is someone  
2 who has given so much to this town for so many years that to  
3 try and list and comment on everything that he's done to  
4 make Nutley, you know, a better place to live, would take  
5 way too long and I'm sure you'd all want to go home, except  
6 for Mrs. Biondi, who might, who already knows these things  
7 but I'm sure would love to hear it again.

8 But, if I might, just for a moment. Mr. Biondi  
9 started with us on the Shade Tree Commission on April 1st of  
10 1990. In 1992, Mr. Biondi brought to Nutley the Living  
11 Memorial Program and in our first year, I believe  
12 Commissioner Harcello (ph) was the Parks Director at the  
13 time, there were five flowering cherry that were planted as  
14 a result of this program in Kingsman Park. And to date, we  
15 have planted approximately 1,100 trees and this was all  
16 because of an idea that Mr. Biondi had that he brought back  
17 home to Nutley and it's something that -- it's a wonderful  
18 program. It's a wonderful ceremony and, without him, we'd  
19 never would have had the program.

20 In 2004, we tried to build upon the program a  
21 little bit to make it a little bit better, which was fine,  
22 because it was already a grant program. And we incorporated  
23 the Living Memorial benches and, to date, we have placed a  
24 total of 41 benches throughout the Township of Nutley.  
25

1           In 1987, Nutley became tree city U.S.A. We've  
2           been a tree city U.S.A. for 26 years. He's been an active  
3           supporter of tree city U.S.A. as well as everything else  
4           that goes on in this town. The way this man conducts  
5           himself and carries himself, he has a class and a quiet  
6           competence, all right, that is unparalleled.

7           Mr. Biondi, this Resolution would (indiscernible  
8           7:21:27) to acknowledge you this evening. This is only  
9           scratching the surface. So having said that, I'd just like  
10          to read this.

11          WHEREAS, Anthony Biondi, Sr. has been a resident  
12          of Nutley for 46 years; and

13          WHEREAS, Anthony and his wife, Michelina (Mickey)  
14          of 55 years, have two children, Anthony, Jr. and Anne Marie,  
15          and a daughter-in-law, Lisa and a son-in-law, Jude, and two  
16          grandchildren, Julianna and Jude; and

17          WHEREAS, Anthony A. Biondi, Sr. has served the  
18          Township of Nutley in The Department of Parks and Public  
19          Property, Shade Tree Advisory Committee and formerly  
20          Commission since April 1, 1990; and

21          WHEREAS, Anthony A. Biondi started the Township's  
22          Living Memorial Program in 1992; and

23          WHEREAS, on June 1st, 2013, Anthony A. Biondi, Sr.  
24          will be resigning after 23 years of dedicated service to the  
25          Township of Nutley;

1           NOW, THEREFORE, BE IT RESOLVED, that the Board of  
2 Commissioners of the Township of Nutley, in the County of  
3 Essex, State of New Jersey, join with the citizens of New  
4 Jersey, to extend our deepest gratitude for 23 years of  
5 dedicated service to Nutley; and

6           BE IT FURTHER RESOLVED that we extend to  
7 Anthony A. Biondi, Sr our sincerest wishes for a long, happy  
8 and health retirement.

9           I proudly read this Resolution.

10          DEPUTY MAYOR EVANS: Okay. Thank you.

11          MADAM CLERK: Commissioner Rogers?

12          COMMISSIONER ROGERS: (Indiscernible - 7:22:48)

13          Mr. Biondi I have known you, your wife and your family for  
14 many years. You're a true asset to this Township and I wish  
15 you God's blessings in all the days to come. And I vote  
16 yes.

17          MADAM CLERK: Commissioner Tucci?

18          COMMISSIONER TUCCI: I absolutely vote yes. I  
19 just wanted a side note, if I might. While Mr. Biondi, Sr  
20 is leaving us, he has left us with Mr. Biondi, Jr, who, I'm  
21 sure, will continue his legacy. I proudly vote yes.

22          MADAM CLERK: Commissioner Scarpelli?

23          COMMISSIONER SCARPELLI: Anthony, have a great  
24 retirement. I've known Mickey and you for a long time. It  
25 should be noted, too, a long time active unicon (ph) and a

1 long time announcer of the Columbus Day parade and a couple  
2 of other things. And I vote yes.

3 MADAM CLERK: Deputy Mayor Evans?

4 DEPUTY MAYOR EVANS: Mr. Biondi, thank you for  
5 your service to our Township. What makes Nutley great is  
6 the sense of volunteerism and people like yourself who are  
7 willing to give of themselves and their time to make Nutley  
8 a great place to live. It is a commission value. We just  
9 received a writing from - a family wrote - actually lives in  
10 the Carolinas in the south, but their son moved to New  
11 Jersey for purposes of work. It's a really nice letter  
12 actually saying as a mom, she was nervous because her son  
13 was leaving home, was coming up to New Jersey and she had a  
14 lot of reservations (indiscernible 7:24:11). Son settled in  
15 Nutley. She wrote us a letter about how Nutley is such a  
16 wonderful places and the high marks of what made it - what  
17 makes it a great town for her.

18 I can only think and I can only recognize that  
19 it's people like yourself that have raised community  
20 concerns to our Township that continue to make us great.  
21 Thank you for your service. Enjoy your retirement.

22 (Indiscernible - 7:24:34)

23 (Pause)

24 DEPUTY MAYOR EVANS: (Indiscernible - 7:24:54)

25

1 MR. BIONDI: It certainly is a great honor to  
2 receive this proclamation (indiscernible 7:25:05). I can't  
3 believe it's been over 25 years since the late Commissioner  
4 Franchocciola (ph) appointed me to Shade Tree Commission.  
5 It certainly was a great experience and a privilege not only  
6 to serve my community but throughout our memorial tree  
7 planting program be able to memorialize all of our loved one  
8 who has passed on. I'd like to thank Commissioner Tucci for  
9 appointment my son, Anthony, to replace me on the committee  
10 and I'm sure the committee and the - would continue to do an  
11 excellent job in keeping our parks looking as good as they  
12 do. Thank you.

13 COMMISSIONER TUCCI: Thank you.

14 DEPUTY MAYOR EVANS: Thank you.

15 (Pause.)

16 (Indiscernible/Inaudible 7:26:30 - 7:26:57)

17 UNIDENTIFIED SPEAKER: We like to recycle.

18 (Indiscernible - 7:26:58)

19 DEPUTY MAYOR EVANS: Ordinance introductions 3248,  
20 which I'll read by title. An Ordinance to Amend an  
21 Ordinance Codified in the Code of the township of Nutley,  
22 Chapter 228, entitled Vehicle and Traffic, Particularly  
23 Article II, Parking for Certain Streets, Section 13,  
24 entitled Parking Prohibited At All Time to Add the Location  
25 Set Forth therein. Move that this writing shall pass to a

1 second hearing and be advertised in the Nutley Sun together  
2 with notice required by law and that further consideration  
3 of said ordinance for final passage by the Board of  
4 Commissioners be held at its second reading and the third.  
5 So moved.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: "AYE".

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: "AYE".

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: "AYE".

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: "AYE".

15 MADAM CLERK: Deputy Mayor Evans?

16 DEPUTY MAYOR EVANS: Okay. Public hearings.

17 Commissioner Rogers.

18 COMMISSIONER ROGERS. Ordinance No. 324~~4~~. This is  
19 an ordinance to amend Chapter 605 of the Code of the  
20 Township of Nutley entitled "smoking".

21 (Indiscernible - 7:28:06) and ladies and  
22 gentlemen, this ordinance, this amendment to the smoking  
23 ordinance, will enhance the quality of life of the Township  
24 of Nutley by reducing litter and by enhancing the education  
25 throughout our Township and especially with our young people

1 regarding the ills of smoking. It will conform to the Smoke  
2 Free Air Act and it will also - we're going to focus a lot  
3 of our attention on the pedestrian walkways. And this  
4 ordinance actually includes and spells out pedestrian  
5 walkways. It will help us enforce some of the smoking laws  
6 that we've - smoking problems that we've had on Franklin  
7 Avenue. There's new pedestrian walkways that we have  
8 (indiscernible - 7:28:47), et cetera.

9 By the way, Commissioner Scarpelli had worked with  
10 me on this ordinance and we were able to conform it and make  
11 it as effective as possible.

12 Also, I wish to share with you tonight that during  
13 the public hearing, there will a person that will come up  
14 from an organization call GASP, Global Advisors Smoke Free  
15 Policy. It's a world class organization that has dedicated  
16 themselves to assisting municipalities like us in getting  
17 smoking ordinances that would be effective and they're going  
18 to be contributing about close to a hundred (indiscernible -  
19 7:29:21) to the township of Nutley this evening. So they'll  
20 talk to you a little bit more about this.

21 So, based on all that, I move this ordinance.

22 COMMISSIONER SCARPELLI: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: "AYE".

25 (Inaudible - 7:29:33)

1 MADAM CLERK: (Indiscernible - 7:29:37) to open  
2 the public hearing.

3 UNIDENTIFIED SPEAKER: Yes.

4 MADAM CLERK: Am I correct that this is a motion  
5 to open the public hearing? And I'll need a second.

6 UNIDENTIFIED SPEAKER: Second.

7 MADAM CLERK: Okay. Commissioner Rogers?

8 COMMISSIONER ROGERS: Second.

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: "AYE.e"

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLIe "AYE.e"

13 MADAM CLERK: Deputy Mayor Evans?

14 DEPUTY MAYOR EVANS: "AYE.e" Would anyone like to  
15 approach (indiscernible - 7:29:50) to speak on this  
16 ordinance, please join us.

17 (Pause.e)

18 MS. BLOOMINGFELD: Good evening, everyone. My  
19 name is Karen Bloomginfeld (ph). I'm executive director of  
20 Global Advisors on Smoke Free Policy and we're so very happy  
21 to hear that you are very interested in creating in  
22 healthful environments in your parks and your recreational  
23 areas in town.

24 We've been working very diligently across the  
25 States to educate policymakers like yourselves. As was

1 previously mentioned, it's very important to show children  
2 healthful conduct and behavior and we know that children,  
3 when they see smoking, they emulate that behavior. So we  
4 are very hopefully that these types of policies will curb  
5 youth from starting to smoke. And I just want to share with  
6 you that we're very proud of Nutley, having a long history  
7 of working to keep tobacco away from children. You have  
8 banned the sale and purchase, the purchase of tobacco by  
9 minors a number of years ago. You also restricted the  
10 placement of vending machines a long time ago and now that's  
11 a federal law to ban vending machines. So communities like  
12 yours have made a difference. Not only here, but on the  
13 State level and on the federal level.

14 And we'd also like to share with you that we would  
15 want with Essex County and we've made inroads (indiscernible  
16 - 7:31:20) to work with Essex County in the county parks  
17 because we know that, like your community and other  
18 communities in Essex County, that county parks within your  
19 towns and to bring consistency on smoke free policies to  
20 your - all of your parks. So we are making inroads to chat  
21 with the policymakers on the county level to see if they  
22 would be interested in learning about how to expand their  
23 current county policy. Right now, the county policy is that  
24 there's no smoking at the Turtle Back Zoon, in that area  
25 there where the mini golf is. But there's obviously a lot

1 of beautiful parks in town that are county owned and we have  
2 some (indiscernible - 7:31:58) to share that. Passaic  
3 County, Union County - both those counties have resolutions  
4 and make all their parks smoke free. So we're hoping to  
5 work with them on a county level.

6 Another area that I know was of interest to you is  
7 sustainable New Jersey and we'd like to make some inroads  
8 there as well to see whether sustainable New Jersey would  
9 like to do some (indiscernible - 7:32:17) or give  
10 communities that have smoke free parks policies kudos in  
11 (indiscernible 7:32:24) would like to do. We think that  
12 would be a great benefit. Towns are doing this. More than  
13 200 towns in the State have restricted smoking in the parks  
14 and so we're a great benefit to them if they can benefit  
15 from sustainable New Jersey with some type of an incentive  
16 program.

17 So, as mentioned, we've got a hundred signs that  
18 we're providing. It's from the State Department of Health  
19 and at the bottom of the sign there's a blank space. And in  
20 that blank space, we'll give you a sticker that has your  
21 ordinance number. We'll coordinate with your Clerk's office  
22 and with the legal department to make sure that that  
23 ordinance number is correct legally. And it'll just have  
24 your ordinance number on it so when people see the sign,  
25

1 they'll know that it's official and there'll be a  
2 (indiscernible - 7:33:08) policy there.

3 I'm so -- at any time you have any questions for  
4 us, you know, during this evening, or going forward in the  
5 future, I know your health department and (indiscernible -  
6 7:33:17) know and others have been really very helpful and  
7 want to promote any type of tobacco control policies to help  
8 children so I want to thank you again and if you have any  
9 questions now or in (indiscernible - 7:33:31), let us know.  
10 Thank you.

11 DEPUTY MAYOR EVANS: Thank you.

12 COMMISSIONER ROGERS: Thank you.

13 DEPUTY MAYOR EVANS: Commissioner Rogers, would  
14 you like to continue with your (indiscernible - 7:33:41).

15 MADAM CLERK: Mayor, we need to make a motion to  
16 move (inaudible - 7:33:46).

17 DEPUTY MAYOR EVANS: Move to close the public  
18 hearing.

19 COMMISSIONER ROGERS: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: "AYE".

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: "AYE".

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: "AYE".

1 MADAM CLERK: Deputy Mayor Evans?

2 DEPUTY MAYOR EVANS: "AYE".

3 COMMISSIONER ROGERS: I move the ordinance.

4 COMMISSIONER SCARPELLI: Second.

5 MADAM CLERK: All right. Is there someone in the  
6 audience who - concerning the ordinance?

7 (Inaudible - 7:34:08)

8 UNIDENTIFIED SPEAKER: (Inaudible - 7:34:14) this  
9 particular hearing, on the ordinance on smoking.

10 (Inaudible - 7:34:19)

11 MADAM CLERK: We have a motion to move the  
12 ordinance.

13 COMMISSIONER SCARPELLI: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: "AYE".

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: "AYE."

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: "AYE".

20 MADAM CLERK: Deputy Mayor Evans?

21 DEPUTY MAYOR EVANS: "AYE".

22 UNIDENTIFIED SPEAKER: Excuse me, (indiscernible -  
23 7:34:35) just before, did you have a comment? Is it a  
24 matter of anything - any of the ordinance? Because I know  
25 we only have one (indiscernible - 7:34:44) towards the end

1 of the meeting when we open (indiscernible - 7:34:48).

2 Okay.

3 COMMISSIONER ROGERS: Okay. Mr. Mayor. I have  
4 three ordinances on behalf of Mayor Alphonse Petracco;  
5 Ordinance No. 197-13;

6 WHEREAS, raffle applications have been received  
7 from the following organizations; Nutley Music Booster  
8 Association, License No. 47-13; North Jersey Aquarium  
9 Society, Incorporated, License No. 48-13;

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

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

16 COMMISSIONER SCARPELLI: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: "AYE".

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: "AYE".

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: "AYE".

23 MADAM CLERK: Deputy Mayor Evans?

24 DEPUTY MAYOR EVANS: "AYE".

25 COMMISSIONER ROGERS: Resolution No. 198-13.

1 BE IT RESOLVED by the Township of Nutley in the  
2 County of Essex, New Jersey, that the following be appointed  
3 as a volunteer to the Nutley Fire Department effectively  
4 immediately: Matthew J. Serrani, Michael R. Luberto, Paul  
5 Cafone, Jr. So moved.

6 COMMISSINOER SCARPELLI: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: "AYE".

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: "AYE".

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: "AYE".

13 MADAM CLERK: Deputy Mayor Evans?

14 DEPUTY MAYOR EVANS: "AYE".

15 COMMISSIONER ROGERS: Resolution 185-13.

16 BE IT RESOLVED by the Board of Commissioners of  
17 the Township of Nutley in the County of Essex, in the State  
18 of New Jersey, that Tracy Ann Peters, has resigned as the  
19 Secretary to the Nutley Fire Department effective July 15<sup>e</sup>  
20 2013.

21 BE IT FURTHER RESOLVED that Stanley G. Novak be  
22 appointed to Secretary to the Nutley Fire Department  
23 effective immediately and to expire March 6th, 2014<sup>e</sup>

24 So moved.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: "AYE".

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: "AYE".

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: "AYE".

7 MADAM CLERK: Deputy Mayor Evans?

8 DEPUTY MAYOR EVANS: "AYE".

9 (Inaudible - 7:36:29 - 7:36:36)

10 COMMISSIONER SCARPELLI: (Inaudible - 7:36:36)

11 WHEREAS, a sustained community seeks to optimize  
12 quality of life for its residents by ensuring that its  
13 environmental, economic and social objectives are balanced  
14 and mutually supportive;

15 WHEREAS, the Township of Nutley strives to save  
16 tax dollars, assure clean land, air and water, improve  
17 working and living environments; and

18 WHEREAS, the Township of Nutley is participating  
19 in the Sustainable Jersey Program; and

20 WHEREAS, one of the purposes of the Sustainable  
21 Jersey Program is to provide resources to municipalities to  
22 make progress on sustainable issue and they have created a  
23 grant program called the Sustainable Jersey Small Grants  
24 Program;

25

1           THEREFORE, the Commissioners of the Township of  
2 Nutley have determined that the Township of Nutley should  
3 apply for the aforementioned grant.

4           THEREFORE, BE IT RESOLVED, that the commissioners  
5 of the Township of Nutley, County of Essex, State of New  
6 Jersey, authorize the submission of the aforementioned  
7 Sustainable Jersey Grant. I move the resolution.

8           COMMISSIONER ROGERS: Second.

9           MADAM CLERK: Commissioner Rogers?

10          COMMISSIONER ROGERS: "AYE".

11          MADAM CLERK: Commissioner Tucci?

12          COMMISSIONER TUCCI: "AYE".

13          MADAM CLERK: Commissioner Scarpelli?

14          COMMISSIONER SCARPELLI: "AYE".

15          MADAM CLERK: Deputy Mayor Evans?

16          DEPUTY MAYOR EVANS: "AYE".

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

18          (Inaudible - 7:37:29)

19          COMMISSIONER TUCCI: (Inaudible - 7:37:30)

20          BE IT RESOLVED, by the Board of Commissioners,  
21 Township of Nutley, in the County of Essex New Jersey that  
22 the township Clerk is authorized to go out for sealed bids  
23 for recreation uniforms and recreation equipment. Bids to  
24 be received by Wednesday, August 28~~9~~, 2013 in the Commission  
25 Chambers, Township Hall at 3 p.m., the prevailing time, at

1 which time they will be publicly opened and read. I move  
2 the resolution.

3 COMMISSINOER SCARPELLI: Second it.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: "AYE".

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: "AYE".

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: "AYE".

10 MADAM CLERK: Deputy Mayor Evans?

11 DEPUTY MAYOR EVANS: "AYE".

12 COMMISSIONER TUCCI: BE IT RESOLVED by the Board  
13 of Commissioners, Township of Nutley, County of Essex, New  
14 Jersey, that the Township Treasurer is hereby authorized to  
15 refund tree permit fees collected in consideration of the  
16 fact that the required replacement trees were installed per  
17 Shade Tree Preservation Ordinance. Payment would come from  
18 account C-01-904-906 to one, a Ms. Lisette Negron, 107  
19 Stanley Avenue in the amount of \$100; and Dawn Gamma at 28  
20 Dodd Street in the amount of \$100. I move the resolution.

21 COMMISSIONER SCARPELLI: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: "AYE".

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: "AYE".

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: "AYE".

3 MADAM CLERK: Deputy Mayor Evans?

4 DEPUTY MAYOR EVANS: "AYE".

5 COMMISSIONER TUCCI: WHEREAS, the Township of  
6 Nutley desires to apply for and obtain a grant from the New  
7 Jersey Department of Community Affairs for approximately  
8 \$20,000 to enhance Camp Nutley providing appropriate staff  
9 and resources to safely and effectively integrate school  
10 aged individuals, K through 6) with disabilities into the  
11 program.

12 BE IF THEREFORE RESOLVED that the Township of  
13 Nutley does hereby authorize the application for such a  
14 grant and recognizes and accepts that the Department may  
15 offer a lesser or greater amount and therefore upon receipt  
16 of the grant agreement from the New Jersey Department of  
17 Community Affairs does further authorize the execution of  
18 any such grant agreement. Upon receipt of the fully  
19 executed agreement from the Department does further  
20 authorize the expenditure of funds pursuant to the terms of  
21 the agreement between the Township of Nutley and the New  
22 Jersey Department of Community Affairs.

23 BE IT FURTHER RESOLVED that the persons whose  
24 names, titles and signatures appear below are authorized to  
25 sign the application, and that they or their successors in

1 said titles are authorized to sign the agreement, and any  
2 other documents necessary in connection therewith. I move  
3 the resolution.

4 COMMISSIONER SCARPELLI: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: "AYE".

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: "AYE".

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: "AYE".

11 MADAM CLERK: Deputy Mayor Evans?

12 DEPUTY MAYOR EVANS: "AYE".

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

14 DEPUTY MAYOR EVANS: Thank you.

15 BE IT RESOLVED by the Board of Commissioners,  
16 township of Nutley, County of Essex New Jersey that the  
17 Treasurer be and she is hereby authorized to refund  
18 overpayments of water charges for Block 5500 Lot 18 for  
19 \$199.~~24~~ Block 6505, Lot 10, for \$79.~~94~~ and Block 5701, Lot  
20 62 for \$20.~~24~~ for a total of \$299.~~42~~. So moved.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: "AYE".

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: "AYE".

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: "AYE".

3 MADAM CLERK: Deputy Mayor Evans?

4 DEPUTY MAYOR EVANS: "AYE".

5 DEPUTY MAYOR EVANS: BE IT RESOLVED by the Board  
6 of Commissioners of the Township of Nutley, County of Essex,  
7 New Jersey, that the Treasurer be and she is hereby  
8 authorized to refund overpayment of property taxes in the  
9 amount of \$4,670.68 for Block 6801, Lot 4 for the year 2009  
10 arising from successful tax court judgments. So move.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: "AYE".

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: "AYE".

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: "AYE".

18 MADAM CLERK: Deputy Mayor Evans?

19 DEPUTY MAYOR EVANS: "AYE".

20 BE IT RESOLVED by the Board of Commissioners of  
21 the township of Nutley, County of Essex, New Jersey, that  
22 the Treasurer be and she is hereby authorized to refund  
23 overpayments of property taxes for Block 800, of Lot 1C3101  
24 for \$2,502.08 for the year 2012; Block 4100, Lot 4 for  
25

1 \$1,245.16 for 2013; Block 8005, Lot 25, for \$417.82 for the  
2 year 2013, for a total amount of \$4,165.06. So moved.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: "AYE".

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: "AYE".

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: "AYE".

10 MADAM CLERK: Deputy Mayor Evans?

11 DEPUTY MAYOR EVANS: "AYE".

12 I have three resolutions that are quite lengthy  
13 which I will read in summary from: Resolution providing for  
14 the combination of certain issues of bonds of the Township  
15 of Nutley, in the County of Essex, New Jersey, into a single  
16 issue of general bonds aggregating \$4,700,000 in principal.

17 BE IT RESOLVED by the Board of Commissioners of  
18 the Township of Nutley, in the County of Essex, New Jersey,  
19 it's summarized (indiscernible - 7:42:01). So move.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: "AYE".

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: "AYE".

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: "AYE".

2 MADAM CLERK: Deputy Mayor Evans?

3 DEPUTY MAYOR EVANS: "AYE".

4 Resolution to determine the form and other details  
5 of the \$4,700,000 general bonds of 2013 of the Township of  
6 Nutley, in the County of Essex, New Jersey, providing for  
7 their sale.

8 BE IT RESOLVED by the Board of Commissioners, of  
9 the Township of Nutley, County of Essex, New Jersey,  
10 summarized throughout through Sections 1, 2, 3, 4 (inaudible  
11 - 7:42:34) the attached documents. So move.

12 COMMISSIONER TUCCI: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: "AYE".

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: "AYE".

17 MADAM CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: "AYE".

19 MADAM CLERK: Deputy Mayor Evans?

20 DEPUTY MAYOR EVANS: "AYE".

21 Resolution for the Township of Nutley, County of  
22 Essex, establishing procedures to monitor and ensure  
23 compliance with federal tax law requirements with respect to  
24 tax-exempt debt of the Township.

25

1           WHEREAS, the Township of Nutley, in the County of  
2 Essex, New Jersey has from time to time and will from time  
3 to time issue tax-exempt debt, including without limitation  
4 bonds and bond anticipation notes;

5           WHEREAS in connection with the issuance of tax-  
6 exempt debt, the Township is required pursuant to Section  
7 149(e) of the Internal Revenue Service Code to file with the  
8 Internal Revenue Service an Information Return for Tax-  
9 Exempt Governmental Obligations known as Form 8038e-G;

10           WHEREAS, the most recent revision of Form 8038e-G  
11 requires the Township to report whether the township has  
12 established written procedures to monitor and ensure  
13 compliance with certain requirements of federal law relating  
14 to its tax-exempt debt; and

15           WHEREAS, bond counsel to the Township has prepared  
16 written procedures to monitor and ensure compliance with the  
17 procedures of federal law relating to tax-exempt debt with  
18 procedures are attached hereto;

19           WHEREAS, the Township is desirous of establishing  
20 such written procedures.

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

24           Section 1. In furtherance of the purposes  
25 described above recitals and in connection with the issuance

1 from time to time by the Township of tax-exempt debt,  
2 including bonds and bond anticipation notes, the Township  
3 hereby establishes procedures to monitor and ensure  
4 compliance with federal tax law which procedures as attached  
5 hereto.

6 This resolution shall take effect immediately. So  
7 move.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: "AYE".

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: "AYE".

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: "AYE".

15 MADAM CLERK: Deputy Mayor Evans?

16 DEPUTY MAYOR EVANS: Thank you. That concludes  
17 the formal business for the evening. Would anyone like to  
18 speak before the board? Yes.

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

1 7:45:02) comments to the appropriate member of the board.  
2 (Indiscernible - 7:45:05) citizens and others addressing the  
3 board shall be allowed unless the mayor or presiding officer  
4 or the majority of the membership of the board shall  
5 determine that the interests of decorum and expeditious  
6 conduct of municipal business are being adversely affected  
7 by such dialogue.

8 Please state your name and address for the record.

9 MR. SCHNAPP: Gary Schnapp (ph), 281 Park Avenue.  
10 Here with my wife, Monica.

11 I just wanted to preface my remarks today by  
12 stating that this will - may not prove to be this  
13 commission's proudest moment. For the third time in three  
14 years, and the second time in front of this commission, I am  
15 here as a representative of citizens for a better Park  
16 Avenue, to ask for an end to truck traffic on that  
17 residentially zoned street and immediate and comprehensive  
18 repaving of Park Avenue to repair major damages to the  
19 asphalt on that road.

20 I recently emailed Commissioner Scarpelli about  
21 the return of recycling trucks to Park Avenue and the  
22 persistent damage that has never been adequately repaired  
23 there together with some reminders about left behind  
24 newspapers. He did not reply to me unless the 43 times I  
25

1 counted his trucks going back and forth following that  
2 damage can be counted as a kind of reply.

3 Over the five years that I have been communicating  
4 with Commissioner Scarpelli's office on and off about  
5 getting his noisy recycling trucks off of Park Avenue and  
6 repaving Park Avenue, he has never paid me a friendly visit  
7 to see exactly what the problem with Park Avenue involves.  
8 So I have some facts today that might interest him.

9 It might interest Commissioner Scarpelli to know  
10 that there are, in fact, three breaks in the asphalt on Park  
11 Avenue now as one drives from (indiscernible 7:47:01) place  
12 towards Union Avenue thanks to his neglect towards this  
13 maintenance and repair.

14 It might also interest him to

15  
16 7:47:07

17  
18  
19  
20  
21  
22 That's it, Mayor. Thank you.

23 DEPUTY MAYOR EVANS: Thank you. Commissioner  
24 Evans.

25 COMMISSIONER EVANS: Thank you, Mayor.

1 (Pause)

2 COMMISSIONER EVANS: (Inaudible 7:50:57) --  
3 picture of my grandson.

4 (Laughter)

5 COMMISSIONER EVANS: (Inaudible 7:51:04) right  
6 there.

7 (Inaudible 7:51:05 - 7:51:08)

8 DEPUTY MAYOR EVANS: Congratulations on that, by  
9 the way. What was the date of birth?

10 COMMISSIONER EVANS: April 10th at 9:58 p.m.

11 Be it resolved by the Board of commissioners of  
12 the Township of Nutley, in the County of Essex, State of New  
13 Jersey, that the Treasurer be and she is hereby authorized  
14 to refund overpayment of property taxes in the amount of  
15 \$8,025.68 for the year 2012. Block 800 1 C3018, for  
16 \$2,880.64; Block 7303, Lot 12 for \$2,013.30; block 3700 1  
17 C7006 for \$1,532.88; 2200 Lot 5, \$989.06; 1902, 52, \$609.80.  
18 So moved.

19 COMMISSIONER SCARPELLI: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: "AYE".

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: "AYE".

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: "AYE".

1 MADAM CLERK: Mayor Petracco?

2 DEPUTY MAYOR EVANS: "AYE".

3 COMMISSIONER EVANS: Be It Resolved, by the Board  
4 of Commissions of the Township of Nutley, in the County of  
5 Essex, State of New Jersey, that the Treasurer be and she is  
6 hereby authorized to refund overpayment of water charges for  
7 Block 7606, Lot 4 for the amount of \$12,65. So moved.

8 COMMISSIONER SCARPELLI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: "AYE".

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: "AYE".

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: "AYE".

15 MADAM CLERK: Mayor Petracco?

16 DEPUTY MAYOR EVANS: "AYE".

17 COMMISSIONER EVANS: By the Board of  
18 Commissioners, the Township of Nutley, in the County of  
19 Essex, that the Treasurer be and she is hereby authorized to  
20 refund overpayments of property taxes arising from  
21 successful tax court judgments as follows:

22 Block 7501, Lot 9, for -- in the amount of  
23 \$5,045.81 for 2010; \$5,285.65 for 2011; \$5,540.03 for the  
24 year 2012.

25

1 For Block 7604 16 C205, \$1,475.72; 7604 16 C0203,  
2 42,436.15; 7606 14 C0204 for \$3,231.90; 7604 16 C0304 for  
3 \$4,006.39; and 7604 16 C0304 for 2011 in the amount of  
4 \$3,822.43. So moved.

5 COMMISSIONER SCARPELLI: Second

6 MADAM CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: "AYE".

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: "AYE".

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: "AYE".

12 MADAM CLERK: Mayor Petracco?

13 DEPUTY MAYOR EVANS: "AYE".

14 COMMISSIONER EVANS: Be It Resolved by the Board  
15 of Commissioners, township of Nutley, County of Essex, that  
16 the Township Clerk be and she is hereby authorized to  
17 advertise for sealed bid for surplus equipment no longer  
18 used by the Township as listed:

19 1986 John Deere Backhoe;

20 Department of Public Works, GMC Vandura, 1993; a

21 1989 Volvo, 1989 Volvo engine;

22 Police Department 2001 Ford Crown Victoria.

23 Be It Further Resolved that the equipment is to be  
24 sold "AS IS" and "WHERE IS". Bids to be received on  
25 Wednesday, May 29, 2013 at 3:00 p.m. prevailing time in the

1 Commission Chambers, town Hall, 1 Kennedy Drive, at which  
2 time they will be publicly opened and read. So moved.

3 COMMISSIONER SCARPELLI: Second

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: "AYE".

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: "AYE".

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: "AYE".

10 MADAM CLERK: Mayor Petracco?

11 DEPUTY MAYOR EVANS: "AYE".

12 COMMISSIONER EVANS: Be It Resolved by the Board  
13 of Commissioners of the Township of Nutley, County of Essex,  
14 that Patrick Liloia, employee in the Department of Revenue &  
15 Finance, Code Enforcement Office, be granted an unpaid  
16 medical leave of absence effective April 29, 2013 through  
17 October 28~~9~~, 2013. So moved.

18 COMMISSIONER SCARPELLI: Second

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: "AYE".

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: "AYE".

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: "AYE".

25 MADAM CLERK: Mayor Petracco?

1 DEPUTY MAYOR EVANS: "AYE". Thank you.  
2 Commissioner Scarpelli.

3 COMMISSIONER SCARPELLI: Whereas, bids for  
4 demolition of 43 Donna Court, 47 Donna Court and 49 Donna  
5 Court were received and opened on Tuesday, April 9th, 2013  
6 and

7 Whereas, Pennoni Associates, Inc. Consulting  
8 engineers has reviewed the bids submitted and has  
9 recommended Cap Services, Inc. 81 Heckel Street,  
10 Belleville, New Jersey and

11 Whereas the base bid for the demolition of 43  
12 Donna Court was \$19,420, the demolition of 47 Donna Court  
13 was \$19,420 and the demolition of 49 Donna Court was  
14 \$28,900; and

15 Whereas, funds are available from Capital  
16 Ordinance #3171A in the amount of \$19,420 and Capital  
17 Ordinance #3172 in the amount of \$48,320 and have been  
18 certified by the Chief Financial Officer, said certification  
19 being attached to this resolution.

20 Now, Therefore, Be It Resolved by the Board of  
21 Commissioners of the Township of Nutley, County of Essex,  
22 State of New Jersey, that a contract be awarded to Cap  
23 Services, Incorporated, 81 Heckel Street, Belleville, New  
24 Jersey for a total amount not to exceed \$67,740 and that  
25 Mayor and Township Clerk are hereby authorized to enter into

1 and sign said contract for the Township of Nutley. Move the  
2 resolution.

3 COMMISSIONER ROGERS: Second

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: "AYE".

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: "AYE".

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: "AYE".

10 MADAM CLERK: Mayor Petracco?

11 DEPUTY MAYOR EVANS: "AYE".

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

13 DEPUTY MAYOR EVANS: Thank you, Commissioner  
14 Scarpelli.

15 Before I read my resolutions, usually we have a  
16 moment of silence in the beginning of the meeting. Because  
17 we were moving stuff around, we did not follow that. But  
18 tonight, so the night doesn't get by us, I would like to  
19 have a moment of silence for all the people who were killed  
20 and wounded up in Boston, with that horrific bombing that is  
21 very senseless and cowardice, cowardless to me. So just for  
22 a minute if we may have a moment of silence for the people  
23 that are suffering.

24 (Pause)

25 DEPUTY MAYOR EVANS: Thank you.

1 Also, in the back, we welcomed our famous, best  
2 looking attorney back to our Commissioner Chambers, I'm  
3 sorry, Mr. John Temple.

4 (Laughter)

5 DEPUTY MAYOR EVANS: You're the second best  
6 looking. He looks like Kevin Harkins of Overlum (ph) and  
7 Alenti (ph) returned to our Board of Commissioners. You  
8 were very, very missed by the all of us.

9 Okay. And now (indiscernible 7:57:38)  
10 resolutions.

11 Be it resolved by the Board of Commissioners of  
12 the Township of Nutley, County of Essex, State of New  
13 Jersey, that the Township Clerk be and she is hereby  
14 authorized to advertise for sealed bids for police uniforms.

15 Specifications are available in the Purchasing  
16 Department, Town Hall, One Kennedy Drive, Nutley, New  
17 Jersey.

18 Bids will be received on Wednesday, May 15th, 2013  
19 in Commissioner Chambers, Third Floor, Town Hall, Kennedy  
20 Drive at 3 p.m. prevailing time, at which time they will be  
21 publicly opened and read. I move the resolution.

22 COMMISSIONER ROGERS: Second

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: "AYE".

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: "AYE".

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: "AYE".

4 MADAM CLERK: Mayor Petracco?

5 DEPUTY MAYOR EVANS: "AYE".

6 Whereas, raffle applications have been received  
7 from the following organizations; and the American Cancer  
8 Society of New Jersey, License No. 40e13, On-Premise Raffle,  
9 Merchandise Raffle, May 17th, 2013;

10 Whereas, the application has been reviewed and  
11 approved by the Municipal Clerk and the Police Department.

12 Now, Therefore, Be It Resolved by the Board of  
13 Commissioners of the Township of Nutley, County of Essex,  
14 that the license is approved and the Municipal Clerk is  
15 authorized to issue the license. I move the resolution.

16 COMMISSIONER ROGERS: Second

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: "AYE".

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: "AYE".

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: "AYE".

23 MADAM CLERK: Mayor Petracco?

24 DEPUTY MAYOR EVANS: "AYE".

25

1           Whereas, N.J.S.A. 40A:4-87 provides that the  
2 Director of the 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 made available by law and the amount thereof was not  
6 determined at the time of the adoption of the budget; and

7           Whereas, said Director may also approve the  
8 insertion of any item of appropriation for equal amount'

9           Section 1: No, therefore, be it resolved that the  
10 Board of Commissioners of the Township of Nutley, County of  
11 Essex, New Jersey, hereby requests the Director of the  
12 Division of Local Government Services to approve the  
13 insertion of an item of revenue in the budget of the year  
14 2013 in the amount of \$150,000, which item is now available  
15 as a revenue from the Hoffman LaRoche Redevelopment Planner  
16 Grant pursuant to provisions of the statute;

17           Section 2: Be if further resolved that the like  
18 sum of 150,000 be and the same is hereby approved under the  
19 caption of General Appropriations (A) Operations-Excluded  
20 from 5 percent CAPS, Hoffman LaRoche Redevelopment Planner  
21 Grant \$150,000;

22           Be It Further Resolved that the Township Clerk  
23 forward two certified copies of this resolution to the  
24 Director of Local Government Services. I move resolution.

25           COMMISSIONER ROGERS: Second

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: "AYE".

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: "AYE".

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: "AYE".

7 MADAM CLERK: Mayor Petracco?

8 DEPUTY MAYOR EVANS: "AYE".

9 Okay. Resolution 107~~e~~-13. We're going to hold.

10 Okay. Resolution #108~~e~~-13. Whereas, the Township  
11 of Nutley, Department of Public Safety has a need to acquire  
12 the services of a labor counsel as a non-fair and open  
13 contract pursuant to the provisions of N.J.S.A. 19-44A-20.4  
14 or 20.5 as appropriate; and

15 Whereas, the Director of Public Safety has  
16 determined and certified in writing that the value of the  
17 acquisition will exceed \$17~~e~~500; and

18 Whereas, the anticipated term of this contract is  
19 January 1st, 2013 through December 31st, 2013 and may be  
20 extended as approved by this governing body; and

21 Whereas, the law offices of Scarinci and  
22 Hollenbeck, LLC, 1100 Valley Brook Avenue, Lyndhurst, New  
23 Jersey, 0707~~a~~, has submitted a proposal indicating they  
24 provide labor counsel at the rate of \$125 an hour; and

25

1           Whereas, the firm of Scarinci and Hollenbeck has  
2 completed a Business Entitled Disclosure Certification which  
3 certifies that the firm has not made any reportable  
4 contributions to a political or candidate's committee in the  
5 Township of Nutley in the previous one year, and that the  
6 contract will prohibit the firm of Scarinci and Hollenbeck  
7 from making any reportable contributions through the term of  
8 the contract; and

9           Whereas, the funds are available from account 3-  
10 01-012-205 not to exceed 35,000 and will be appropriated in  
11 the 2013 budget, and have been certified by the Chief  
12 Financial Officer, said certification being attached to this  
13 resolution.

14           Now, Therefore, Be It Resolved that the Board of  
15 Commissioners of the Township of Nutley authorizes a  
16 contract with the firm of Scarinci and Hollenbeck as  
17 described hereon; and

18           Be It Further Resolved that the Business  
19 Disclosure Certification and the Determination of Value be  
20 placed on file with this resolution; and

21           Be It Further Resolved that the notice of this  
22 action shall be printed in the Nutley Sun in accordance with  
23 the Local Public Contracts Law. I move the resolution.

24           COMMISSIONER ROGERS: Second

25           MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: "AYE".

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: "AYE".

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: "AYE".

6 MADAM CLERK: Mayor Petracco?

7 DEPUTY MAYOR EVANS: "AYE".

8 Be It Resolved by the Board of Commissioners of  
9 the Township of Nutley, County of Essex, New Jersey that  
10 Jeanne Van Steen be appointed to replace "Class C Historic  
11 Preservation Committee member Juliana Leite, for her  
12 unexpired term, effective August 1st, 2013. Move the  
13 resolution.

14 COMMISSIONER ROGERS: Second

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: "AYE".

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: "AYE".

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: "AYE".

21 MADAM CLERK: Mayor Petracco?

22 DEPUTY MAYOR EVANS: "AYE".

23 Okay, we are going to extend this meeting but  
24 before we do, is there anyone from the public who would like  
25 to address the Board this evening?

1 (Pause)

2 DEPUTY MAYOR EVANS: No one would like to address  
3 the Board this evening? Step up. Please state your name  
4 and address for the record, sir.

5 (Inaudible 8:03:19 - 8:03:25)

6 UNIDENTIFIED SPEAKER: You want this?

7 DEPUTY MAYOR EVANS: Sure.

8 UNIDENTIFIED SPEAKER: Basically, it's simple. My  
9 property tax is going to go up next year. I'm just  
10 (inaudible) Commissioner Evans.

11 COMMISSIONER EVANS: I don't know what the change  
12 in your assessed value is, so I can't answer that question.

13 UNIDENTIFIED SPEAKER: Well, I came to this town,  
14 moved to this town. I bought a house in this town back in  
15 1999. When I moved to this town, my property taxes were  
16 literally \$3,016. 2005, 2006 (inaudible) you guys reassessed  
17 my house, my property value went down. My wages went down.  
18 Taxes went up, \$3,000. I'm almost hitting \$11,000 a year,  
19 this year.

20 Now my house is 66 years old. It was built in  
21 1933. (Inaudible) 66 years, the most my property taxes have  
22 ever been (inaudible 8:04:26). But from 1999 to 2012, 2013  
23 I'm sorry, almost \$11,000. Over the course of those 12  
24 years, 13 years, it's jumped by (inaudible 8:04:43). When  
25 does this stop?

1 I mean, I work in the private sector. I don't  
2 have healthcare. But every day I go to work, all I'm doing  
3 is working to pay this (inaudible 8:05:00). I don't make  
4 \$150,000 a year. I don't make a hundred thousand dollars a  
5 year. I even lost a great job that I had for 8 years of my  
6 life living in this home, while I was living in this town.  
7 I worked two other jobs in the market and another job. I  
8 finally got another job. But it seems like every day I'm  
9 racing to pay these property taxes. Basically, when does  
10 the madness stop? Like, my, how can I say this? My  
11 brother's fiancé lives in the Bronx. A nice part of the  
12 Bronx. Her property taxes are only \$3200. Mine is 12, I'm  
13 sorry, 11 going to 12. When does it stop?

14 I mean, like in the private sector, where I come  
15 from, never had a public sector job -- in the private  
16 sector, if we can't afford it, we don't do it. In the  
17 private sector, guess what? In order for me to sometimes  
18 stay in that job, I might have to take a wage decrease, just  
19 to keep my job. I mean, I feel -- when does this top?

20 I'm sure I'm not the only person in this town that  
21 feels this way. I don't have any golden parachute  
22 retirement plan, healthcare plan -- when I'm 65 years old --  
23 I literally bust my rump every day running to pay these  
24 property taxes. It's driving me nuts.

25

1           And it's not just that. I mean, and over the  
2 course of the past two weeks, I was informed by a great  
3 newspaper called the Nutley Sun that not only are my  
4 municipality taxes are going up, my water taxes are going up  
5 and the school tax went up. Basically, if you can't afford  
6 it, don't buy it.

7           But it just happens and guess what, it comes out  
8 on me. And I know I'm not the only person in this town that  
9 feels this way because I talk to other people who work in  
10 the private sector. And I'm tired of it. I mean, am I the  
11 only one that feels this way?

12           And, also, I just want to know, when does it stop?  
13 I know you said before, sir, that, you know, we all work  
14 together, we're trying to -- I forgot the word you used that  
15 we're all trying to, you know, stabilize it. But don't  
16 stabilize it at 11,000. Don't stabilize it at \$15,000 a  
17 year per house.

18           DEPUTY MAYOR EVANS: Why don't we give  
19 Commissioner Evans a chance to comment and then I'd be glad  
20 to comment.

21           UNIDENTIFIED SPEAKER: I mean --

22           DEPUTY MAYOR EVANS: To answer some of your  
23 questions.

24           COMMISSIONER EVANS: (Inaudible)

25

1 UNIDENTIFIED: Because the thing is, if I cannot  
2 pay these property taxes, I'm going to get run out of this  
3 town. Some copy is going to come to my door, say, sir,  
4 putting a lien on your house, you can't afford to pay the  
5 property taxes. You've got to leave. The thing is, I work,  
6 I have an honest job, an honest life, and somehow in this  
7 town, this State, I see it every, too and God forbid, not  
8 the country, but these taxes are setting a bar too high that  
9 some of us cannot afford to pay. But please tell me how  
10 much more are these property taxes going to go up? I'm at  
11 close to 11, how much 2013 are my property taxes going to go  
12 up. Literally close to 11.

13 COMMISSIONER EVANS: And your personal assessed  
14 value, if I could get that information, I can (inaudible)  
15 you. But I won't give you an average (inaudible 8:08:18 --  
16 8:08:21) values, the base keeps on shifting (inaudible  
17 8:08:22 -- 8:08:25) But first let me first say one, I  
18 acknowledge and I appreciate your honesty in coming here  
19 (inaudible 8:08:30 -- 8:08:33).

20 I know taxes can be difficult (inaudible 8:08:34  
21 -- 8:08:39) work very hard and we actually (inaudible  
22 8:08:41 -- 8:08:44) a couple things that are driving what's  
23 happened to your taxes over that period (inaudible 8:08:49  
24 -- 8:08:54) a couple that are (inaudible 8:08:55 -- 8:08:58)  
25 and I know you don't have healthcare insurance but

1 (inaudible 8:09:00 -- 02) costs have gone up dramatically  
2 over (inaudible 8:09:05 -- 8:09:07) what we all know about  
3 the (inaudible 8:09:09 -- 8:09:10) everything that's being  
4 done (inaudible) healthcare costs went up eight percent this  
5 year with that cost.

6 In addition to that, the cost of garbage removal,  
7 actual fees to dispose of garbage, changes in environmental  
8 rules, had dramatic increases in the cost of sewerage  
9 removal.

10 Basic costs, basic services (inaudible 8:09:36)  
11 trends where those have been increased. This year we  
12 actually saw the increase in our (inaudible 8:09:44) out.  
13 As a municipality, we have to absorb that. (Inaudible  
14 8:09:51) that occur (inaudible 8:09:54) chose to fund  
15 pension (inaudible 8:09:59 -- 8:10:04) had to absorb those  
16 costs. All of that resulted (inaudible) property tax. Your  
17 property tax bill is comprised of three components. Thirty-  
18 five percent of your (inaudible 8:10:16) cost of running the  
19 municipality (inaudible 8:10:18) all five departments that  
20 are represented (inaudible 8:10:21) five percent of your  
21 taxes.

22 (Indiscernible 8:10:26) five percent of your taxes  
23 are costs that we incur (inaudible 8:10:30) board. In fact,  
24 the school tax in your property tax bill is almost 50  
25 percent (inaudible 8:10:40).

1           That's under a separate district. It's not  
2 governed or controlled by this government. It's actually  
3 controlled (inaudible 8:10:47) control 35 percent of your  
4 taxes. I encourage you to also visit the school board when  
5 they have their meetings to (inaudible 8:10:57) because they  
6 are contributors (inaudible 8:11:00) -- a series of other  
7 things like that where we've had to (inaudible 8:11:05)  
8 rising costs of (inaudible) been able to do as a  
9 municipality is make sure that when the State said, two  
10 percent of the CAP, stay below it, we did not just meet it,  
11 we've stayed below (inaudible 8:11:19)

12           We've done our best to contain (inaudible 8:11:22)  
13 moderate the rising costs but we still absorbed them.  
14 (Inaudible 8:11:28 -- 8:11:39) our pension (inaudible  
15 8:11:40) is being continuing cost containment (inaudible  
16 8:11:44 -- 8:11:49) employees working in my (inaudible  
17 8:11:50 -- 8:11:57) public safety department, we're running  
18 with a skeleton crew on our (inaudible 8:12:00) those costs  
19 down. (Inaudible 8:12:04) municipal tax that we deal with.

20           While we got a eight percent increase  
21 (indiscernible 8:12:11) cost, the work the Commissioner  
22 (inaudible 8:12:13) has been actually able to offset that  
23 cost so (inaudible 8:12:17) percent increase (inaudible  
24 8:12:17 -- 8:12:20) half of it. Commissioner Scarpelli  
25 continues (inaudible 8:12:23 -- 8:12:29) significant things

1 to (inaudible 8:12:31) the loss of water because of that  
2 (inaudible 8:12:34) that you (inaudible 8:12:37) leakages in  
3 the town (inaudible 8:12:38)e However, we continued  
4 (inaudible 8:12:41) water and one of the things (inaudible  
5 8:12:43) challenging for that is (inaudible 8:12:45)  
6 practice that we had looked at water bills periodically so  
7 the water rate increases (inaudible 8:12:54 -- 8:12:56)  
8 looking at that now (inaudible 8:12:58) to avoid or at best  
9 to moderate that going forward.

10 We also reduced our debt. Two million dollars of  
11 debt have been (inaudible 8:13:07 - 8:13:11) life of that  
12 debt, borrowing power is over \$125 million (inaudible  
13 8:13:14 - 8:13:24).

14 All of those things are (inaudible 8:13:4 --  
15 8:13:28) cost of the government. We make decisions that are  
16 governed on what's the (Inaudible 8:13:32 -- 8:13:36) -- our  
17 residents provide them with drinking water, get rid of the  
18 sewerage, provide a place that's (inaudible 8:13:41 --  
19 8:13:46) but none of this is what you (inaudible 8:13:47)  
20 taxes going down. (Inaudible 8:13:50) over the last several  
21 years (inaudible 8:13:53) costs increases. We're hoping to  
22 see it mitigate as we go (inaudible 8:14:00) because while  
23 they're increase in their healthcare bills, while 8 percent  
24 is a horrible increase, it's down from the 15, 18 (inaudible  
25 8:14:07) dealing with that, we've even taken action

1 (inaudible 8:14:17 -- 8:14:22) to their healthcare which  
2 they didn't have (inaudible 8:14:24).

3 I don't work in public sector. I work in  
4 (inaudible 8:14:28) around if you (inaudible 8:14:33 --  
5 8:14:39) try and control these costs. I wish I could tell  
6 you that I can control a hundred (Inaudible 8:14:44). I'm  
7 sure we would (inaudible 8:14:45) will continue (inaudible  
8 8:14:47) influence what we recommend but we'll continue to  
9 (inaudible 8:14:54) with the school board (inaudible  
10 8:14:55) lower our taxes.

11 (Inaudible 8:14:58) take an action, while its  
12 created volatility in our base, it's actually helped us at  
13 the County level because of the fact that we do these annual  
14 (inaudible 8:15:08). It's actually lowering our (inaudible  
15 8:15:12) have to and three ((inaudible 8:15:15) last four  
16 years that (inaudible 8:15:18) 1.2 (inaudible 8:15:23) try  
17 and manage our way through it, but we haven't been able to  
18 solve completely is how do I lower those (inaudible 8:15:31)  
19 a place that (inaudible 8:15:34) we're going to continue to  
20 (inaudible 8:15:38) are doing our best and we're (inaudible  
21 8:15:40) tell you when they're going to turn (inaudible  
22 8:15:44 -- 8:15:51).

23 UNIDENTIFIED SPEAKER: Well, I didn't hear what  
24 you said about two percent, going up here and there  
25 (inaudible 8:15:59) simply, hey, (inaudible 8:16:03) raising

1 that extra two percent (inaudible 8:16:06) something?

2 (Inaudible 8:16:09)e It's something --

3 COMMISSIONER EVANS: (Indiscernible 8:16:10)e

4 UNIDENTIFIED SPEAKER: I mean I understand we're  
5 buying three new (inaudible 8:16:14) buying a nice bunch of  
6 Dodge Challengers --

7 DEPUTY MAYOR EVANS: Let me just jump in here now  
8 because I'm the Public Safety Commissioner, as well and what  
9 we're trying to do is manage costs and I understand your  
10 frustration and quite frankly if I was on that side of the  
11 table, I would probably be saying the same thing.

12 However, what we're trying to do up here is strike  
13 a balance, which is very difficult to do because the first  
14 person that gets in a car accident, they want a cop to be  
15 there, you know, in minutes, not hours. That's happening in  
16 the neighbor -- our neighbors and towns.

17 Purchases, such like police cars, what we do,  
18 every year we buy three cars. This way in ten years, we  
19 don't have to buy 30 cars all at once. So we try to manage  
20 it so there's no spikes. Okay? My personal public safety  
21 budget went up a half a percent this year, which I'm very,  
22 very proud of.

23 And all the Commissioners worked hard and I'm not  
24 trying to downplay what you're saying because it's very  
25 serious and we sit up here and I'm a private sector guy,

1 too. And I get that you can't spend money that you don't  
2 have. But, as Commissioner Evans is saying, and we're  
3 trying to strike that balance. You know, no one wants to  
4 pay for a fireman until your house is on fire. Then, you  
5 know, we should have a hundred of them. And it's the same  
6 thing with the police department.

7 While I've been in office and I've taken over in  
8 2008, we had a police department that was around 70 guys, 69  
9 guys. We're actually at 61 right now. You know, we had a  
10 fire department that was almost at 40 people. We're down to  
11 31 there.

12 So, you know, and we do those things, there's risk  
13 involved in that. And, you know, we do the best we can.  
14 But, again, you know, you can't provide all these services  
15 and short out the budget completely. People in Nutley, and  
16 myself, you know, we enjoy probably the best services in the  
17 world.

18 And also a very important fact to know is what Ray  
19 Sarinelli said tonight. If Nutley was the only town that  
20 was having increases and significant ones, you know what,  
21 then I could understand more and more. And, believe me, I  
22 understand you. But when you have somebody that represents  
23 50 towns, 50 municipalities, and he's saying that Nutley's  
24 doing a great job by managing these costs, there's something  
25 to say about that. So I don't think that the taxes going up

1 in Nutley is not something that it's not -- they're not  
2 going up, they're going up through the State.

3 You know, Chris Christie has implicated this two  
4 percent cap and I'm in contact with his office a lot. And I  
5 keep saying the same thing you're saying. We now have a two  
6 percent cap. We have less firemen. We have less cops. We  
7 have less people in all our departments. Why are my taxes  
8 going up?

9 You know, and it's -- they have two tonight I  
10 really believe is it didn't happen overnight that taxes  
11 started to trend like this and it's not going -- you know,  
12 the solution isn't going to be overnight either. And that's  
13 the answers that I get from, you know, the Governor's office  
14 there. It's going to take some time for these things that  
15 Chris Christie has put into effect.

16 You know, Chris Christie has given us the tools  
17 via the arbitration process in police and fire that is  
18 helping us immensely. We were very fortunate in the last  
19 arbitration award to get an extra step put into a  
20 patrolman's contract. You know, instead of three steps  
21 going to top pay, now it takes five.

22 And those are the things that are being implicated  
23 today that are really -- we're starting reap the benefit of  
24 that. But, again, it doesn't happen overnight and we really  
25 are trying to strike a budget, you know. We're really,

1 really trying hard to strike that balance, you know, where,  
2 like Commissioner Evans said, we don't want to create a town  
3 that no one wants to live in either. You know, it's --  
4 taxes are going up a little bit. We did have a third of the  
5 people's taxes go down as well, you know. And that's true  
6 because I know people --

7 UNIDENTIFIED SPEAKER: (Indiscernible 8:20:42) I  
8 wasn't part of that one third. My taxes have gone up  
9 literally (inaudible 8:20:42) since 2010.

10 DEPUTY MAYOR EVANS: Right.

11 UNIDENTIFIED SPEAKER: Your Honor, I'm like, more.  
12 I'm completely (indiscernible 8:20:51)

13 DEPUTY MAYOR EVANS: Well, hopefully, you know  
14 what, I mean, what I would recommend at this point, I mean,  
15 if, you know --

16 UNIDENTIFIED SPEAKER: (Indiscernible 8:20:57) my  
17 house --

18 DEPUTY MAYOR EVANS: -- if --

19 UNIDENTIFIED SPEAKER: -- you know, to move out of  
20 this town, you know. It was, when I moved here in 1999, you  
21 know, I did the whole thing, try to live the American dream,  
22 buy a nice house, a nice town, nice and quiet. But ever  
23 since corrisine (ph), Corpus Christie, I notice the problem  
24 taxes --

25

1 DEPUTY MAYOR EVANS: Well, let me say this. I  
2 don't want to get on a long debate whether -- if you want to  
3 stick around for a minute after the meeting, maybe,  
4 Commissioner Evans could go over your tax bill with you, or  
5 tomorrow or something like that. But I really appreciate  
6 your comments and, you know, I applaud you for coming out  
7 tonight so I appreciate that. Thank you.

8 Is there anyone else this evening that would like  
9 to address the Board?

10 Seeing no one, we move to extend into --

11 COMMISSIONER SCARPELLI: Move into an executive.

12 MADAM CLERK: Moving into executive by  
13 Commissioner Scarpelli. Seconded by Commissioner Rogers?

14 COMMISSIONER ROGERS: Yes.

15 MADAM CLERK: Whereas, the Board of Commissioner  
16 of the Township of Nutley, in the County of Essex, State of  
17 New Jersey, desire to proceed to closed executive session  
18 and therefore be it resolved that the Board of Commissioners  
19 of the Township of Nutley that the Township Commission shall  
20 now move into a closed executive session to discuss  
21 potential litigation. Am I correct, counsel?

22 UNIDENTIFIED SPEAKER: (Inaudible 8:22:13)

23 MADAM CLERK: I'm sorry.

24 UNIDENTIFIED SPEAKER: (Indiscernible 8:22:14)

25 contracts.

1 MADAM CLERK: Okay. Not to discuss potential  
2 litigation, to discuss contract negotiations or contracts,  
3 contractual issues. Okay, so we're moving into executive  
4 session to discuss contractual matters.

5 Be it further resolved that that time of such  
6 discussions may be disclosed to the public shall be run in  
7 such disclosure and may be (indiscernible 8:22:41) Township  
8 of Nutley, (indiscernible 8:22:43) legal person or  
9 contractual matters and other matters within the exceptions  
10 provided for by statute. The resolution was moved by  
11 Commissioner Scarpelli, seconded by Commissioner Rogers.  
12 And after a roll call:

13  
14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: "AYE".

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: "AYE".

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: "AYE".

20 MADAM CLERK: Mayor Petracco?

21 DEPUTY MAYOR EVANS: "AYE".

22 MADAM CLERK: Mayor Petracco?

23 DEPUTY MAYOR EVANS: "AYE".

24 (Executive Session 8:23:08 -- 9:48:00)

25

1 DEPUTY MAYOR EVANS: We're on. Hello? Okay,  
2 Evelyn.

3 MADAM CLERK: Okay, Mayor, we just exited  
4 executive session. I need a motion to exit executive.

5 DEPUTY MAYOR EVANS: Make a motion.

6 MADAM CLERK: Second. Seconded by Commissioner  
7 Evans?

8 COMMISSIONER EVANS: Yes.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: "AYE".

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: "AYE".

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: "AYE".

15 MADAM CLERK: Mayor Petracco?

16 DEPUTY MAYOR EVANS: "AYE".

17 MADAM: Okay. It is now 9:48 p.m.

18 DEPUTY MAYOR EVANS: Okay. Thank you.

19 This evening we have a resolution, number 107e-13.

20 A resolution awarding professional planning contract through  
21 a shared services agreement to EE&K, a Perkins Eastman  
22 Company and Real Estate Solutions Group for professional  
23 planning services related to redevelopment of the Nutley  
24 Clifton Hoffmann LaRoche Inc. campus.

25

1           Whereas, the Township of Nutley requires certain  
2 professionals, professional planning services in connection  
3 with the redevelopment of the Nutley Clifton Hoffmann  
4 LaRoche campus; and

5           Whereas, the Township of Nutley has entered into a  
6 shared service agreement with the city of Clifton, the  
7 purpose of which is to share the cost of this project; and

8           Whereas EE&K, a Perkins Eastman Company, 115 Fifth  
9 Avenue, New York, New York 10003 and Real Estate Solutions  
10 Group, 66 Witherspoon Street, #149, Princeton, New Jersey,  
11 08542, has submitted a proposal to provide said services  
12 dated March 21st, 2013, for the lump sum fee of \$299,700;  
13 and

14           Whereas the Township of Nutley wishes to award a  
15 contract to EE&K, a Perkins Eastman Company and Real Estate  
16 Solutions Group for the provision of said services, in  
17 accordance with its submitted proposal; and

18           Whereas, the subject matter is professional  
19 services and may be awarded without public advertisement for  
20 bids and bidding therefor under N.J.S.A. 40A:11-5; and

21           Whereas, this award is of a non-fair and open  
22 contract in accordance with N.J.S.A. 19:44A-20.5 and  
23 therefore the Business entity Disclosure Certification has  
24 been received from the planner and is incorporated into the  
25

1 contract awarded hereby along with the Determination of  
2 Value; and

3 Where the value of the contract is determined to  
4 be \$299,700 in the aggregate with not greater than the  
5 150,000 to be paid by the City of Clifton and \$150,000 to be  
6 paid by the Township of Nutley, and the scope of this  
7 contract is outlined in a proposed -- proposal dated March  
8 21st, 2013 from EEA and -- a Perkins Eastman Company and  
9 Real Estate Solutions Group; and

10 Whereas, the anticipated term of the contract is  
11 from April 25th, 2013 through April 25th, 2014, and

12 Whereas, the funds are available from account 3-  
13 01-639-200, subject to approval of Chapter 159 Budget  
14 Amendment and have been certified by the Chief Financial  
15 Officer, said certification being attached to this  
16 resolution.

17 Now, Therefore, Be It Resolved that the  
18 professional planning services contract in connection with  
19 the redevelopment of the Nutley Clifton Hoffmann LaRoche  
20 Inc. campus is hereby awarded to EE&K, a Perkins Eastman  
21 Company, and Real Estate Solution Group, at the aggregate  
22 price of \$299,700, at a cost not to exceed \$150,000 to the  
23 Township of Nutley, in accordance with the shared services  
24 agreement with the City of Clifton; and

25

1 Be It Further Resolved that the Mayor and  
2 Municipal Clerk are hereby authorized and to direct to  
3 execute a contract on behalf of the Township of Nutley and  
4 that the original of this resolution and the contract above  
5 referred to be placed on file and made available for public  
6 inspection of the Office of the Municipal Clerk of the  
7 Township of Nutley; and

8 Be It Further Resolved, be it further resolved  
9 that the notice of this action shall be printed once in the  
10 Nutley Sun in accordance with the Local Public Contracts  
11 Law. I move this resolution.

12 COMMISSIONER ROGERS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: "AYE".

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: "AYE".

17 MADAM CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: "AYE".

19 MADAM CLERK: Mayor Petracco?

20 DEPUTY MAYOR EVANS: "AYE".

21 Do we need a motion to adjourn?

22 COMMISSIONER SCARPELLI: Move to adjourn.

23 COMMISSIONER ROGERS: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: "AYE".

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MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: "AYE".

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: "AYE".

MADAM CLERK: Mayor Petracco?

DEPUTY MAYOR EVANS: "AYE". Thank you.

(Whereupon, the meeting was adjourned.)

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

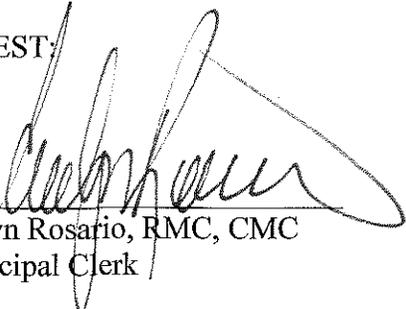
I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the proceedings.

  
\_\_\_\_\_  
Pamela A. Skaw

Date: June 5, 2013

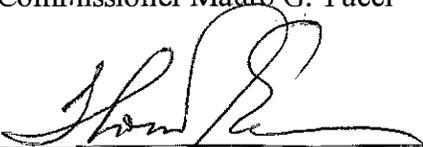
**August 6, 2013 meeting transcription approved by the Board of  
Commissioners of the Township of Nutley at their meeting held on  
Tuesday, October 15, 2013.**

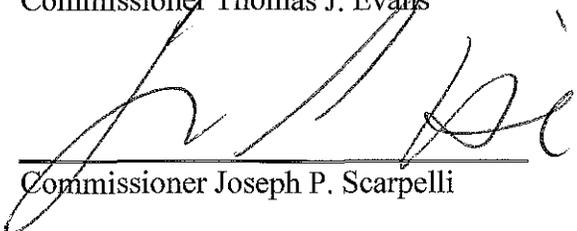
ATTEST:

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

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

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

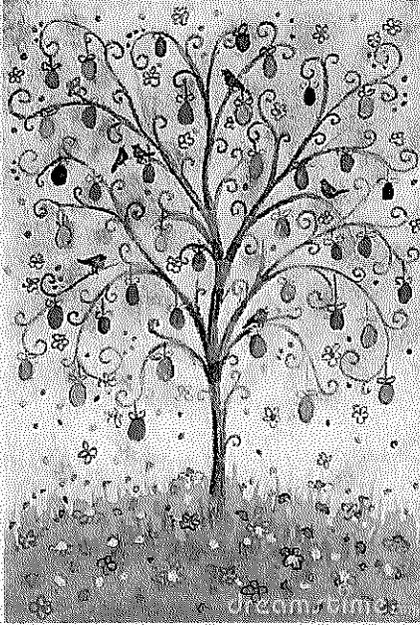
  
\_\_\_\_\_  
Commissioner Thomas J. Evans

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

\_\_\_\_\_  
Mayor Alphonse Petracco  
Absent/Excused

SHADE TREE  
FOR THE MONTH OF  
APRIL 2013

CLASS 2 PRUNING	5
CLASS 4 PRUNING	2
TAKEDOWN	9
PLANTED TREES	61
MISCELLANEOUS	



4/1/13 Reinheimer Park, Louden Park, DeMuro Park, Mini Park, and Museum – Mulched all Memorial Trees  
 4/2/13 Louden Park – Fixed out-field net and flag pole  
 4/3/13 Owen's Glotzbach – Mulched all Memorial Trees in Park<sup>00</sup>  
 4/5/13 Memorial II & III – Mulched all Memorial Trees in Park  
 4/5/13 Nichols Park – Remove Stumps (3)  
 4/8/13 Louden L.L. Field – Fix flag pole  
 4/8/13 Glozbach Park – Fix Flag Pole, Put new rope  
 4/8/13 Louden Park – Restaked two Memorial Trees that were leaning  
 4/8/13 Garage – Cleaned back area for trees  
 4/9/13 Town Hall – Mulched all Memorial Trees  
 4/9/13 Booth Park – Mulched Memorial Trees  
 4/9/13 Garage – Cup up Rail Road Ties for Plaques for Memorial Tree Planting  
 4/9/13 Nichols Park – Mulched Memorial Trees  
 4/11/13 Kingsland Park – Mulched Memorial Trees  
 4/12/13 Service Saws, put Memorial Plaques together  
 4/15/13 Mulched Memorial Trees  
 4/16/13 Library – Prune and remove large hangers  
 4/17/13 Kingsland Park – Remove and grind stump. Top soil and seeded.  
 4/17/13 Around Town - Drop off wood chips and mulch to schools for Earth Day  
 4/19/13 Mulch Trees  
 4/19/13 Loaded trucks up for Earth Day  
 4/18/13 Library – Removed stump  
 4/18/13 Garage – Made Dowel Sticks for Garage  
 4/22/13 Owen's 1 – Roadway to dump behind paving co, Raised and took down trees along Park side over hanging his property  
 4/22/13 Memorial I By Willow Place – Take down  
 4/22/13 Memorial I – Class 2 Pruning  
 4/23/13 Garage – Unloaded trees from truck  
 4/24/13 Garage – Finished unloading trees from truck  
 4/24/13 Garage – Loaded up trailer for tree planting

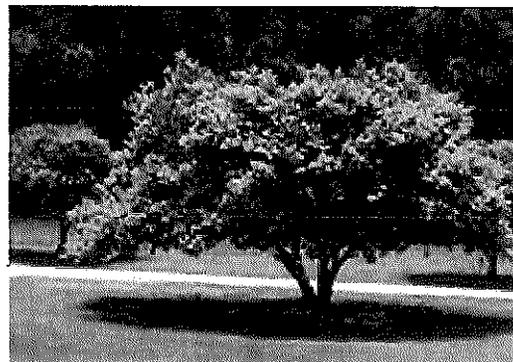
**TOWNSHIP OF NUTLEY**  
 Department of Parks and Public Property  
**REPORT 36 SHADE TREE DEPT. ACTIVITY, BY DATE**

WORK COMPLETED	DATE WORK COMPLETED	ZONE	NO	ADDRESS STREET	POS	SPECIES	DIA (INCHES)	SHADE TREE
								DEPARTMENT MANHOURS
CLASS 2 PRUNING COMPLETED	4/18/2013	5	018	SPEER PL	01	FLOWERING CHERRY	15	0
TOTAL NUMBER OF CLASS 2 PRUNING COMPLETED	= 1					TOTAL NUMBER OF MANHOURS:		0
CLASS 4 PRUNING COMPLETED	4/4/2013	2	019	YANTACAW PL	01	NORWAY MAPLE	17	0
TOTAL NUMBER OF CLASS 4 PRUNING COMPLETED	= 1					TOTAL NUMBER OF MANHOURS:		0
NOTHING WRONG WITH TREE	4/13/2013	5	018	HAZEL TERR	01		12	0
TOTAL NUMBER OF NOTHING WRONG WITH TREE	= 1					TOTAL NUMBER OF MANHOURS:		0
TREE TAKEN DOWN	4/3/2013	1	110	BROOKDALE AVE	01R	RED MAPLE	19	0
	4/4/2013	4	067	RIDGE RD	01R	FLOWERING PEAR	08	0
	4/8/2013	8	024	HOLMES ST	01R	NORWAY MAPLE	19	0
	4/10/2013	4	181	RAYMOND AVE	02R	RED MAPLE	18	0
	4/10/2013	4	181	RAYMOND AVE	01R	WHITE OAK	28	0
	4/15/2013	5	078	NEW ST	01R	RED OAK	33	0
	4/16/2013	5	115	WILLIAM ST	01R	PIN OAK	28	0
	4/19/2013	7	240	BLOOMFIELD AVE	01R	HORNBEAM	02	0
	4/19/2013	6	015	WHITE TERR	01R	NORWAY MAPLE	16	0
TOTAL NUMBER OF TREE TAKEN DOWN	= 9					TOTAL NUMBER OF MANHOURS:		0

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

SHADE TREE  
FOR THE MONTH OF  
MAY 2013

CLASS 2 PRUNING	22
CLASS 4 PRUNING	2
TAKE DOWN	4
PLANTED TREES	33
MISCELLANEOUS	



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

WORK COMPLETED	DATE WORK COMPLETED	ADDRESS		SPECIES	DIA (INCHES)	SHADE TREE DEPARTMENT MANHOURS
		ZONE	NO			
CLASS 2 PRUNING COMPLETED	5/21/2013	4	130	BEECH ST	01	FLOWERING PEAR 16 0
	5/21/2013	5	119	CHURCH ST	02	FLOWERING CHERRY 01 0
	5/21/2013	4	025	HICKORY RD	01	FLOWERING PEAR 03 0
	5/21/2013	8	017	LOCUST ST	01	MAPLE 03 0
	5/21/2013	3	245	RUTGERS PL	01	FLOWERING PEAR 03 0
	5/21/2013	6	027	WHITE TERR	01	FLOWERING PEAR 02 0
	5/22/2013	8	059	BROOKLINE AVE ON CROSS ST	01	RED MAPLE 17 0
	5/22/2013	8	059	BROOKLINE AVE ON CROSS ST	02	NORWAY MAPLE 05 0
	5/22/2013	1	003	CADMUS ST ON JOERG AVE	03	WHITE OAK 21 0
	5/22/2013	9	120	HANCOX AVE	01	NORWAY MAPLE 06 0
	5/22/2013	9	120	HANCOX AVE	02	NORWAY MAPLE 06 0
	5/22/2013	8	082	STAGER ST	01	ASH 04 0
	5/22/2013	8	086	STAGER ST	01	PIN OAK 09 0
	5/22/2013	9	022	WITHERSPOON ST	01	FLOWERING CHERRY 01 0
	5/23/2013	7	208	BLOOMFIELD AVE	01	HORNBEAM 03 0
	5/23/2013	1	078	BROOKDALE AVE	01	LINDEN 04 0
	5/23/2013	1	082	BROOKDALE AVE	01	NORWAY MAPLE 19 0
	5/23/2013	7	028	HASTINGS AVE	01	HORNBEAM 04 0
	5/29/2013	9	037	PRINCETON ST	01	YELLOWWOOD 03 0
	5/29/2013	9	037	PRINCETON ST	02	JAPANESE TREE LILAC 03 0
	5/30/2013	3	055	CLEVELAND AVE	01	LINDEN 06 0
	5/30/2013	6	134	HIGHFIELD LA ON WALNUT ST	01	NORWAY MAPLE 16 0
TOTAL NUMBER OF CLASS 2 PRUNING COMPLETED	= 22				TOTAL NUMBER OF MANHOURS:	0
CLASS 4 PRUNING COMPLETED	5/21/2013	6	171	NUTLEY AVE	01	LINDEN 25 0
	5/23/2013	5	019	ENCLOSURE	01	PIN OAK 13 0

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

WORK COMPLETED	DATE WORK COMPLETED	ADDRESS				SPECIES	SHADE TREE	
		ZONE	NO	STREET	POS		DIA (INCHES)	DEPARTMENT MANHOURS
TOTAL NUMBER OF CLASS 4 PRUNING COMPLETED	= 2					TOTAL NUMBER OF MANHOURS:		0
NOTHING WRONG WITH TREE	5/9/2013	8	151	CRESTWOOD AVE	01	PIN OAK	31	0
TOTAL NUMBER OF NOTHING WRONG WITH TREE	= 1					TOTAL NUMBER OF MANHOURS:		0
SOIL AND SEED ADDED	5/20/2013	3	158	WHITFORD AVE	01	LINDEN	19	0
	5/20/2013	3	162	WHITFORD AVE	01	LINDEN	17	0
TOTAL NUMBER OF SOIL AND SEED ADDED	= 2					TOTAL NUMBER OF MANHOURS:		0
TREE TAKEN DOWN	5/17/2013	8	160	FRANKLIN AVE	01R	FLOWERING PEAR	08	0
	5/20/2013	3	158	WHITFORD AVE	02r	LINDEN	12	0
	5/28/2013	5	024	WILLOW PL	01R	NORWAY MAPLE	21	0
	5/30/2013	6	002	DOGWOOD LA	01r	HORNBEAM	03	0
TOTAL NUMBER OF TREE TAKEN DOWN	= 4					TOTAL NUMBER OF MANHOURS:		0

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

MISC:

- 5/14 Worked with Parks Department
- 5/15 Picked up branches at Reinheimer
- 5/15 Removed two stumps at Glotzbach
- 5/16 Raised lower branch over street sidewalk
- 5/16 Removed debris from Owens
- 5/16 Corner of Margaret and Van Winkle, class 4 pruning
- 5/17 Removed tree hit by a truck on Franklin Avenue
- 5/17 Assisted Parks Department in set-up for Relay for Life
- 5/21 Bloomfield Avenue, picked up branches
- 5/24 South Spring Garden, Removed tree and replanted on Washington Avenue
- 5/28 Center Street, picked up branches and fixed broken tables
- 5/28 Loudon Park, set up flag pole
- 5/31 Parks Department, cut grass

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02413	ATLANTIC TOMORROW	851.05	1,067.22	530.70	722.19	2,805.99	5,977.15
13-02358	TREASURER STATE NJ	725.00					725.00
13-02243	TREASURER STATE NJ	1,150.00					1,150.00
13-02236	JOSEPH RICCIARDI	120.40					120.40
13-02374	NUTLEY FAMILY SERVICE	5,416.67					5,416.67
13-01612	NO JERSEY MEDIA GROUP	157.80					157.80
13-02239	STAPLES	105.80					105.80
13-02500	NJ MEADOWLANDS COMM	8,682.57					8,682.57
13-02395	MERCK & CO	1,623.77					1,623.77
13-01808	MOORE MEDICAL	60.27					60.27
13-01364	MOORE MEDICAL	1,934.04					1,934.04
13-02394	SANOFI PASTEUR	215.36					215.36
13-00366	POLAND SPRING	24.73					24.73
13-02232	MERCK & CO	1,623.77					1,623.77
13-02393	PHYSICIANS SALES	1.51					1.51
13-01332	PRINTING TECH	80.00					80.00
13-02280	PRINTING TECH	35.00					35.00
13-00076	THE ARC OF ESSEX CNTY	1,000.00					1,000.00
13-02490	COURTNEY JOHNSON	100.00					100.00
13-02583	TIRE MANAGEMENT	190.00					190.00
13-02431	TREASURER SCHOOL		2,100,000.00				2,100,000.00
13-02382	T/N PAYROLL AGENCY		32,715.28				32,715.28
13-02400	T/N PAYROLL AGENCY		76.40				76.40
13-02503	T/N PAYROLL AGENCY		32,196.79				32,196.79
13-02523	T/N PAYROLL AGENCY		41.89				41.89
13-02293	COUNTY ESSEX DIV TAXES		4,745,433.04				4,745,433.04

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02367	VERIZON WIRELESS		48.01	817.75			865.76
13-01890	STAR LEDGER		511.56				511.56
13-02498	WAGE WORKS		25.00				25.00
13-02499	NJ DEPT. OF LABOR		18,313.72				18,313.72
13-00367	POLAND SPRING		81.75				81.75
13-02504	AT & T MOBILITY		165.10				165.10
13-00142	BMC SOFTWARE		742.00				742.00
13-02415	MGL FORMS		782.50				782.50
13-00041	GRAND HOTEL		716.00				716.00
13-02271	WEST GROUP		480.00				480.00
13-00501	PRIO,ZINNA,CIFELLI,PARIS		2,383.40				2,383.40
13-02404	W.B. MASON		370.26				370.26
13-02389	W.B. MASON		105.95				105.95
13-02253	W.B. MASON		403.00				403.00
13-02230	W.B. MASON		186.22				186.22
13-02222	W.B. MASON		95.19				95.19
13-02257	ELEGANT CLEANING		410.00				410.00
13-02426	BRACH EICHLER LLC		3,606.97				3,606.97
13-00037	RICHARD RENN		505.00				505.00
13-02424	SALVATORE DISALVO		109.30				109.30
13-02423	JOHN BERGEN JR		8,549.07				8,549.07
13-02422	US BANK CUST/EMP V		67,044.22				67,044.22
13-02427	JACOBUS & ASSOC.		7,727.52				7,727.52
13-02429	PSE & G SERVICES		14,940.10				14,940.10
13-02411	NJ DEPT COMMUNITY AFF		4,112.00				4,112.00
13-02406	JAMES GRUETER		425.00				425.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02425	US BANK CUST PROCAPITAL		3,218.70				3,218.70
13-02246	CHRISTOPHER DURKIN		10,063.28				10,063.28
13-02398	NO JERSEY MEDIA GROUP		634.16				634.16
13-02474	AT & T MOBILITY		338.71				338.71
13-02265	DELGEN PRESS		119.00				119.00
13-02580	US POSTAL SERVICE		4,000.00				4,000.00
13-02595	NUTLEY PUBLIC LIBRARY			390,176.25			390,176.25
13-02240	WEST GROUP			368.50			368.50
13-02109	WEST GROUP			159.00			159.00
13-02242	WEST GROUP			2,590.96			2,590.96
13-01796	WEST GROUP			279.00			279.00
13-02089	HEWLETT PARKARD			155.18			155.18
13-02124	ORIENTAL TRADING			396.72			396.72
13-02438	MOBILE TECH			492.00			492.00
13-02383	FLEMINGTON FORD			752.54			752.54
13-00368	POLAND SPRING			198.81			198.81
13-02476	JAMES POMACE			200.00			200.00
13-02478	AT & T MOBILITY			45.45			45.45
13-02469	VERIZON			95.84			95.84
13-02468	NATIONAL FUEL OIL			12,272.80			12,272.80
13-01534	FLEMINGTON FORD			272.21			272.21
13-02206	RECOGNITION DEPOT			240.00			240.00
13-01997	DRAEGER SAFETY			155.00			155.00
13-01986	THE TARGET SHOP			864.00			864.00
13-02305	GTBM IMC			6,198.54			6,198.54
13-02305	GTBM IMC			6,198.54			6,198.54

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02090	GTBM IMC			2,400.00			2,400.00
13-02107	CONTEMPORARY GLASS			225.00			225.00
13-02172	ATLANTIC UNIFORM			259.70			259.70
13-02209	TRIANGLE COMM.			450.00			450.00
13-01987	EAGLE POINT GUN			15,988.08			15,988.08
13-02106	FLEMINGTON CHRYSLER			15.22			15.22
13-01173	REMINGTON ARMS			368.00			368.00
13-01544	SCARINCI HOLLENBECK			7,191.89			7,191.89
13-01544	SCARINCI HOLLENBECK			2,851.06			2,851.06
13-02303	MOBILE TECH			1,035.00			1,035.00
13-02297	SAL ELECTRIC			1,568.05			1,568.05
13-01489	RED LION FRAMING			340.31			340.31
13-01822	TERRITORIAL SUPPLIES			80.60			80.60
13-02296	TONYS AUTO BODY			3,084.18			3,084.18
13-02139	W.B. MASON			377.43			377.43
13-02403	W.B. MASON			307.58			307.58
13-02235	W.B. MASON			291.99			291.99
13-02058	W.B. MASON			147.24			147.24
13-02223	W.B. MASON			57.00			57.00
13-02004	W.B. MASON			1,458.70			1,458.70
13-01644	W.B. MASON			792.64			792.64
13-02039	W.B. MASON			165.10			165.10
13-01449	FRANKLIN FLOORS			307.21			307.21
13-02501	TURN OUT FIRE			213.98			213.98
13-02388	TURN OUT FIRE			175.98			175.98
13-02387	TURN OUT FIRE			170.98			170.98

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00101	NBC AUTO PARTS			145.64			145.64
13-02250	NATIONAL FUEL OIL			10,926.40			10,926.40
13-00102	NICOLETTE TOWING			12.00			12.00
13-00102	NICOLETTE TOWING			12.00			12.00
13-02433	NATIONAL TERMINAL			5,553.54			5,553.54
13-02251	NATIONAL TERMINAL			5,773.56			5,773.56
13-00105	XEROX CORP			29.70			29.70
13-00450	XEROX CORP			34.95			34.95
13-00828	INHALATION THERAPY			46.85			46.85
13-02286	MYSTICAL ENTERTAINMENT			1,200.00			1,200.00
13-01791	PATERSON STAMP WORKS			257.13			257.13
13-01989	DELGEN PRESS			130.00			130.00
13-02140	DELGEN PRESS			109.00			109.00
13-02263	ELITE EQUIPMENT SERV			9,725.45			9,725.45
13-02322	FUN FLICKS			1,854.00			1,854.00
13-02392	DANA MELILLO			45.18			45.18
12-05351	MOBILE TECH			1,548.00			1,548.00
13-02301	MOBILE TECH			1,038.00			1,038.00
13-02304	MOBILE TECH			648.00			648.00
13-02227	AIR-POWER			1,932.00			1,932.00
13-02228	JPR CYCLES			20.00			20.00
13-02188	JEN ELECTRIC			420.00			420.00
13-02261	CABLEVISION			54.95			54.95
13-02262	CABLEVISION			36.39			36.39
13-02187	LIFE SAVERS			126.00			126.00
12-03909	ROSENBAUER AMERICA			345,500.00			345,500.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02475	JOHN HOLLAND			150.50			150.50
13-00099	MAJOR LAGUE AUTO SPA			216.00			216.00
13-00103	P & A AUTO PARTS			566.28			566.28
13-00256	SO BERGEN ZONE 1			200.00			200.00
13-02062	HEWLETT PARKARD			550.91			550.91
13-02495	CENRE RIDGE GARDEN			1,088.50			1,088.50
13-02298	FIRE FIGHTERS EQUIP			214.50			214.50
13-00557	NO JERSEY MEDIA GROUP			55.42			55.42
13-01801	NO JERSEY MEDIA GROUP			23.02			23.02
13-00536	INTERPORT CONTAINER SOL			75.00			75.00
13-02439	FRANK POMACO, ESQ			300.00			300.00
13-02454	RUDERMAN & GLICKMAN			825.00			825.00
13-02511	AT & T MOBILITY			2,909.73			2,909.73
13-02582	NJ MOTOR VECHILE			60.00			60.00
13-00050	BRADLEY TIRE				25.00		25.00
13-00062	TILCON NJ				434.21		434.21
13-00062	TILCON NJ				548.26		548.26
13-00039	ATHENIA MASON				39.49		39.49
13-00046	AGL WELDING				50.88		50.88
13-00063	VIOLA BROTHERS				1,105.84		1,105.84
13-00063	VIOLA BROTHERS				21.65		21.65
13-00059	ROUTE 23 AUTO MALL				11.61		11.61
13-02182	ROUTE 23 AUTO MALL				1,103.50		1,103.50
13-02442	PASSAIC VALLEY WATER COM				48,209.29		48,209.29
13-02440	PASSAIC VALLEY WATER COM				1,405.00		1,405.00
13-02121	GRAINGER				854.40		854.40

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00041	GRAINGER				125.68		125.68
13-00041	GRAINGER				137.92		137.92
13-00041	GRAINGER				148.83		148.83
13-00039	ATHENIA MASON				318.50		318.50
13-00043	ONE CALL CONCEPTS				89.36		89.36
13-02380	PSE & G				13.52		13.52
13-02266	PSE & G				60.17		60.17
13-02269	PSE & G				20.77		20.77
13-02381	PSE & G				20,720.79		20,720.79
13-02277	CABLEVISION				17.57		17.57
13-00056	NORTHEAST AUTO				23.94		23.94
13-00056	NORTHEAST AUTO				164.95		164.95
13-00044	P & A AUTO PARTS				156.43		156.43
13-00044	P & A AUTO PARTS				54.68		54.68
13-00044	P & A AUTO PARTS				14.38		14.38
13-00044	P & A AUTO PARTS				52.87		52.87
13-00086	VITAL COMM				153.00		153.00
13-01783	NO JERSEY MEDIA GROUP				635.00		635.00
13-00055	NEWARK ASPHALT				81.70		81.70
13-00055	NEWARK ASPHALT				2,166.30		2,166.30
13-02409	HARVEY WECHTER				100.00		100.00
13-00045	JOSEPH RICCIARDI				27.90		27.90
13-02391	GERARD BARROS				100.00		100.00
13-02302	MOBILE TECH				60.00		60.00
13-02212	LAWSON PRODUCTS				348.60		348.60
13-02054	ELECTRIC EEL MFG				1,247.80		1,247.80

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01410	LANDSCAPE SUPPLY				120.00		120.00
13-02053	POLLARD WATER				482.67		482.67
13-00053	INTERSTATE BATTERY				82.95		82.95
13-00064	W.E. TIMMERMAN				33.17		33.17
13-00061	SUPERIOR DISTRIBUTOR				67.30		67.30
13-02443	CITY OF NEWARK				11,881.78		11,881.78
13-00369	POLAND SPRING				128.58		128.58
13-02048	W.B. MASON				65.16		65.16
13-02046	W.B. MASON				65.99		65.99
13-02272	DRIVE LINE SERVICE				269.89		269.89
13-02220	METRIC PARKING				1,460.00		1,460.00
13-02229	W.E. TIMMERMAN				777.40		777.40
13-02122	DELUXE INTERNATIONAL				469.08		469.08
13-02181	INTECITY TIRE				335.98		335.98
13-02241	AM DYNIC FLUID POWER				1,173.11		1,173.11
13-02043	SPIRAL BINDING				410.47		410.47
13-02505	AT & T MOBILITY				231.82		231.82
13-01371	BLOOMFIELD MASONRY				328.04		328.04
13-00041	GRAINGER				222.04		222.04
13-02481	AT & T MOBILITY				2,138.53		2,138.53
13-00058	NORTHEAST AUTO				109.90		109.90
13-00055	NEWARK ASPHALT				123.32		123.32
13-00174	DURABLE RECYCLING				1,171.44		1,171.44
13-01550	COUNTY CONCRETE				117.00		117.00
13-02299	COUNTY CONCRETE				1,944.52		1,944.52
13-02299	COUNTY CONCRETE				904.99		904.99

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02299	COUNTY CONCRETE				1,662.13		1,662.13
13-00051	DELUXE INTERNATIONAL				317.81		317.81
13-00047	AMERICAN HOSE				307.45		307.45
13-00059	ROUTE 23 AUTO MALL				100.04		100.04
13-02273	BINDER MACHINERY				197.33		197.33
13-02348	AMERICAN HOSE				81.80		81.80
13-02437	METRIC PARKING				142.50		142.50
13-02397	NBC AUTO PARTS				765.00		765.00
13-01391	S&S WORLDWIDE				45.64		45.64
13-02221	WORK N GEAR				76.50		76.50
13-02370	STEWART BUS. SYS				992.59		992.59
13-02448	MOBILE TECH				1,137.97		1,137.97
13-02359	W.B. MASON				99.99		99.99
13-02233	DEROCHE CANVAS				409.39		409.39
13-01181	COLONIAL CONCRETE				72.50		72.50
12-04049	NEGLIA ENGINEERING ASSOC				11,558.00		11,558.00
13-01435	CAP SERVICES, DEMOLITION				17,478.00		17,478.00
13-01672	CAP SERVICES, DEMOLITION				17,478.00		17,478.00
13-01673	CAP SERVICES, DEMOLITION				26,010.00		26,010.00
12-00130	DASSA HAINES ARCH.					4,500.00	4,500.00
13-02521	NJSHBP					176,302.64	176,302.64
13-02520	NJSHBP					356,838.27	356,838.27
13-01932	THE SHADE TREE DPT					2,550.00	2,550.00
13-02542	HESS CORP					85.88	85.88
13-00370	POLAND SPRING					66.36	66.36
13-01642	VIRIDIAN ENVIRNMENTAL					2,871.95	2,871.95

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02274	HOME DEPOT					284.88	284.88
13-02317	FRANKS TRUCK					541.15	541.15
13-02264	MEADOWLAND FORD					52.90	52.90
13-02194	SIACA WIPER					465.00	465.00
13-02283	WESTERN PEST CONTROL					254.50	254.50
13-02316	JERSEY POWER EQUIP					31.00	31.00
13-01465	ATLANTIC UNIFORM					350.10	350.10
13-02096	NORTH CHURCH GRAVEL					576.00	576.00
13-02094	FIELDTURF USA					1,650.00	1,650.00
13-02244	CORINOS SERVICE					137.50	137.50
13-01587	SPORTS GRAPHICS					1,952.00	1,952.00
13-02300	MOBILE TECH					60.00	60.00
13-02104	DELL MARKETING					1,313.73	1,313.73
13-02279	C & C TIRE					364.00	364.00
13-00025	GRANT SUPPLIES					49.09	49.09
13-00007	BRADLEY TIRE					25.00	25.00
13-00015	P & A AUTO PARTS					6.06	6.06
13-02482	HESS FCORP					88.63	88.63
13-00021	ABLE PAINT					201.24	201.24
13-00009	FRANKS TRUCK					6.02	6.02
13-00012	NORTHEAST AUTO					90.00	90.00
13-02441	VERIZON					179.62	179.62
13-00021	ABLE PAINT					45.06	45.06
12-04871	RELIABLE WOOD					1,230.00	1,230.00
12-04871	RELIABLE WOOD					900.00	900.00
13-00005	ATHENIA MASON					184.90	184.90

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00649	DURABLE RECYCLING					616.32	616.32
13-00017	STORR TRACTOR					39.71	39.71
13-00019	TERRE CO					77.60	77.60
13-00260	AGL WELDING					108.23	108.23
13-02373	PSE & G					345.07	345.07
13-02444	PSE & G					22.22	22.22
13-02371	PSE & G					1,549.57	1,549.57
13-02365	PSE & G					12,869.62	12,869.62
13-02471	PSE & G					351.25	351.25
13-02470	PSE & G					105.34	105.34
13-02377	PSE & G					137.39	137.39
13-02378	PSE & G					238.95	238.95
13-02379	PSE & G					627.62	627.62
13-02453	PSE & G					4.33	4.33
13-02376	PSE & G					4.33	4.33
13-02375	PSE & G					81.91	81.91
13-02372	PSE & G					659.71	659.71
13-00027	VIOLA BROTHERS					102.80	102.80
13-00719	VIOLA BROTHERS					19.07	19.07
13-00027	VIOLA BROTHERS					562.09	562.09
13-00080	SPS					1,507.64	1,507.64
13-02315	NJRPA					200.00	200.00
13-02314	NJRPA					200.00	200.00
13-02527	JOSEPH RUSSONELLA					314.70	314.70
13-02525	DELTA DENTAL PLAN					12,583.23	12,583.23
13-02524	FLAGSHIP DENTAL PLAN					639.16	639.16

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02522	DELTA DENTAL PLAN					13,066.90	13,066.90
13-02526	BARBARA CIASCO					629.40	629.40
13-02366	VERIZON					0.11	0.11
13-02103	TREASURER STATE OFNJ					450.00	450.00
13-00022	BELL RIDGE PLUMBING					117.48	117.48
13-00259	ARROW ELEVATOR					425.00	425.00
13-02434	NATIONAL TERMINAL					1,144.57	1,144.57
13-02588	PAY PAL, INC					30.00	30.00
13-02420	PARTY TIME RENTALS					625.00	625.00
13-02421	MEDIEVAL TIMES					3,138.00	3,138.00
13-02466	NY CITY BALLET GROUP					570.00	570.00
13-02519	REBOUNDERZ					1,610.75	1,610.75
163-02516	LIBERTY SCIENCE CENTER					1,652.50	1,652.50
13-02321	RIDDELL/ALL AMERICAN					126.95	126.95
13-02136	RIDDELL/ALL AMERICAN					1,259.48	1,259.48
13-02514	DIV. 1 SPORTS CAMP					1,370.00	1,370.00
13-00392	RIDDELL/ALL AMERICAN					3,729.77	3,729.77
13-02191	EAST COAST DISIGNS					3,074.00	3,074.00
13-02231	STAPLES					51.66	51.66
13-025518	MICHELLE CARBONE					36.89	36.89
13-02449	NUTLEY PARK SHOPRITE					72.08	72.08
13-02363	A.C. MOORE					73.94	73.94
13-02368	NUTLEY PARK SHOPRITE					23.65	23.65
13-02541	EDWARD LEE					40.00	40.00
13-02539	GENNARO CONTELLA					40.00	40.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 6, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02538	BARBARA CHIARIERI					40.00	40.00
13-02536	RENEE RALLATOS					125.00	125.00
13-02535	MARIA MCCAFFERTY					175.00	175.00
13-02534	WAYNE POLEWKA					50.00	50.00
13-02533	MARIE BLANCATO					175.00	175.00
13-02532	SHERI SCRIBNER					40.00	40.00
13-02531	SHEETAL GUPTA					310.00	310.00
13-02530	MELISSA LUKIS					175.00	175.00
13-02529	TABATHA YOON					175.00	175.00
13-02410	HAMSAVANI KRISHNAPPA					79.00	79.00
13-02528	DIANA RESNICK					155.00	155.00
13-02537	MARIANA ELIAS					175.00	175.00
13-02547	JOE FERRARA					100.00	100.00
13-02548	DEBRA CASE					155.00	155.00
13-02549	KATHY SHAW					155.00	155.00
13-02550	NEESAJ JAIN					155.00	155.00
13-02551	VIVIAN MUSTRETTA					175.00	175.00
13-02552	DALIA BADAWI					40.00	40.00
13-02553	PATRICIA KONSTANTAROS					155.00	155.00
13-02554	SEAN CAMPBELL					175.00	175.00
13-02555	YVONNE GORSIEWSKI					175.00	175.00
13-02556	DIANE HARRINGTON					175.00	175.00
13-02557	JASON SCOTTI					350.00	350.00
13-02558	JEFF SWAN					175.00	175.00
13-02559	DAWN MURRAY					175.00	175.00
13-02560	JOSEPH NOLE JR					175.00	175.00



**TOWNSHIP OF NUTLEY**  
**BILL LIST**  
**August 6, 2013**

**List of payroll submitted for approval by the Board of Commissioners at their regular meeting of AUGUST 6, 2013**

**PAYROLL-REGULAR JULY 19, 2013:**

Department of Public Affairs	16,690.84
Department of Revenue & Finance	57,937.70
Department of Public Safety	425,969.29
Department of Public Works	60,756.72
Department of Parks & Public Properties	75,753.56
Department of Recreation Commission	13,314.03
Water Operations	43,407.52
Due To From General Capital	3,519.91
600 SERIES	76.98
POLICE OUTSIDE DUTY	13,942.44
C.E.H.A.	1,015.42

**Sub Total** **712,384.11**

**PAYROLL-OVERTIME JULY 19, 2013:**

Department of Public Affairs	0.00
Department of Revenue & Finance	133.47
Department of Public Safety	32,939.39
Department of Public Works	6,270.04
Department of Parks & Public Properties	2,626.76
Water Operations	9,978.49
600 Series	0.00

**Sub Total** **51,948.15**

**TOTAL PAYROLL:** **764,332.26**

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

Federal Withholding Tax	95,786.86
Social Security	24,056.54
N.J. State Tax	28,097.58
Medicare	11,035.65
Wage Execution	3,258.00
Deferred Compensation	25,496.83
Employee Disability Ins.	5,137.11

TOWNSHIP OF NUTLEY

BILL LIST

August 6, 2013

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of AUGUST 6, 2013

**PAYROLL-REGULAR AUGUST 2, 2013:**

Department of Public Affairs	16,815.31
Department of Revenue & Finance	57,298.58
Department of Public Safety	411,218.32
Department of Public Works	60,474.72
Department of Parks & Public Properties	74,797.73
Department of Recreation Commission	30,859.08
Water Operations	43,407.52
Due To From General Capital	3,518.91
600 SERIES	2,090.36
POLICE OUTSIDE DUTY	9,278.14
C.E.H.A.	0.00

**Sub Total 709,759.67**

**PAYROLL-OVERTIME AUGUST 2, 2013:**

Department of Public Affairs	0.00
Department of Revenue & Finance	153.49
Department of Public Safety	18,353.30
Department of Public Works	4,957.25
Department of Parks & Public Properties	2,521.77
Water Operations	7,000.50
600 Series	0.00

**Sub Total 32,986.31**

**TOTAL PAYROLL: 742,745.98**

**GRAND TOTAL: 10,268,564.81**

1,000.00

The Payroll list in the foregoing schedule includes amounts to be 10,267,564.81 deducted for:

Federal Withholding Tax	90,734.87
Social Security	23,834.98
N.J. State Tax	26,515.22
Medicare	10,714.29
Wage Execution	3,258.00
Deferred Compensation	25,386.83
Employee Disability Ins.	5,149.97

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

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3248**

**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 6<sup>th</sup> day of August 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 3<sup>rd</sup> day of September, 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, August 15, 2013 Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

ORDINANCE No. 3248

INTRODUCED BY COMMISSIONER THOMAS J. EVANS

INTRODUCED ON: AUGUST 6, 2013

PUBLIC HEARING: SEPTEMBER 3, 2013

ADVERTISE IN THE NUTLEY SUN ISSUE OF THURSDAY, AUGUST

**ORDINANCE NO. 3248**

**AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING OF CERTAIN STREETS), SECTION 13 ENTITLED PARKING PROHIBITED AT ALL TIMES TO ADD THE LOCATION SET FORTH THEREIN.**

**BE IT ENACTED** by the Board of Commissioners of the Township of Nutley that Article II, Section 13 of Chapter 228 of the Code of the Township of Nutley, entitled Parking Prohibited at All Times, is hereby amended to set forth the ADDITION of the following location:

**ADD**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Passaic Avenue	West	From 35 feet south of the extended south curbline of Hancox Avenue, south for 19 feet.

BE IT FURTHER ENACTED that all other terms and conditions and locations in Section 13 and Chapter 228 shall remain as heretofore set forth in the Code of the Township of Nutley, except where such a reading would not give meaning to and further the application of this amendment. In such case and in such event, the terms and conditions shall have a meaning consistent with the intent of this amendment; and

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

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

**FINAL ADOPTION OF ORDINANCE  
ORDINANCE NO. 3244**

**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, August 6, 2013.**

**“AN ORDINANCE TO AMEND CHAPTER 605 OF THE CODE OF THE TOWNSHIP OF NUTLEY, ENTITLED “SMOKING.”**

**ALL “AYES” ON A ROLL CALL VOTE**

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

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

**Nutley Sun Issue/Thursday, August 15, 2013/Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Ordinance No. 3244**

**Introduced by Commissioner Rogers**

**Introduced on July 2, 2013**

**Advertise in the Nutley Sun Issue of Thursday, July 11, 2013**

**Public Hearing Tuesday, August 6, 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; and

**WHEREAS**, the governing body of the Township of Nutley may make, amend, repeal and enforce such other ordinances, regulations, rule and by-laws not contrary to the laws of the State of New Jersey or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and as may be necessary to carry into effect the powers and duties conferred upon it by law; and

**WHEREAS**, NJSA 26:3D-63 and NJSA 2C:33-13b allow municipalities to pass local ordinances regulating and/or prohibiting smoking in public places; and

**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 in compliance with the “Smoke Free Air Act”, Chapter 383 of the State of New Jersey prohibiting smoking on public property:

1. Section 605-1, entitled “Definitions”, specifically “SMOKING” shall be amended to be defined as “The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.
2. Section 605-1, entitled “Definitions” shall be amended to include “PARKS AND RECREATION FACILITIES” which is defined as “Shall include, but not be limited to, all public parks, playgrounds, ball fields, publicly owned or leased by the Township of Nutley, and all property owned or leased by the Township of Nutley upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities including all areas adjacent to such facilities, including but not limited to, any parking area driveway or drive aisle.”
3. 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.)
4. 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, f/k/a Block 172 Lot 5.)

5. Section 605-2, section B shall be amended to read "Smoking shall be prohibited in all public parks and recreational facilities owned or leased by the Township of Nutley and all property owned or leased by the Township of Nutley upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area driveway and drive aisle which have been designated with no-smoking signs."
6. 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).
7. Section 605-2, entitled "Smoking Prohibited: exemption" shall be amended to include subsection E which shall read "Smoking shall be prohibited in any vehicle registered to the Township of Nutley"
8. Section 605-3, entitled "Signs" subsection B shall be amended to read "No smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section" shall be clearly, sufficiently and conspicuously posted in all areas regulated by this Chapter."
9. Section 605-3, entitled "Signs" subsection D shall be amended to read "All signs shall be clearly visible to the public and the employees and shall contain letters or a symbol which contrasts in color indicating that smoking is prohibited at the designated area.
10. Section 605-3, entitled "Signs" shall be amended to include subsection E which shall read "Employee smoking areas may be designated in conformance with the "SMOKE FREE AIR ACT" of New Jersey (P.L. 2005, c.383)"
11. Section 605-4 entitled "Disciplinary action; violations and penalties" subsection B shall be amended to read "Any person who violates any provision of this chapter shall be guilty of an infraction punishable by a fine of not less than two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense and one thousand dollars (\$1,000.00) for each subsequent 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."
12. Section 605-5, entitled "Enforcement" subsection A shall be amended to read as follows "The Nutley Police Department, Fire Department, Building/Code Enforcement, Recreation Department, Public Works and Health Department of the Township of Nutley 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).
13. All ordinances or parts of ordinances or resolutions that are in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary, but only to the extent of such conflict and inconsistency;
14. 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.

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

## Resolution

Introduced by: Commissioner Mauro G. Tucci Date: August 6, 2013  
 Seconded by: Deputy Mayor Thomas J. Evans No. 184-13

**WHEREAS**, Anthony A. Biondi, Sr. has been a resident of Nutley for 46 year; and

**WHEREAS**, Anthony and his wife Michelina (Mickey) of 55 years, have two children, Anthony Jr. and Anne Marier, and a Daughter-in-Law, Lisa and a Son-in-Law, Jude, and two grandchildren Julianna and Jude; and

**WHEREAS**, Anthony A. Biondi, Sr. has served the Township of Nutley in The Department of Parks and Public Property, Shade Tree Advisory Committee since April 1, 1990; and

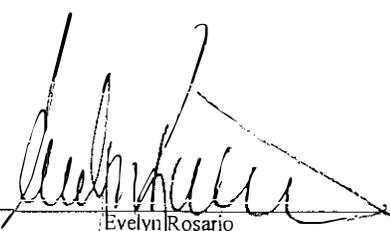
**WHEREAS**, Anthony A. Biondi started the Township's Living Memorial Program in 1992; and

**WHEREAS**, on June 1, 2013, Anthony A. Biondi, Sr. will be resigning after 23 years of dedicated service to the Township of Nutley;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners, of the Township of Nutley, County of Essex, State of New Jersey, join with the Citizens of Nutley, to extend our deepest gratitude for 23 years of dedicated service to Nutley; and

**BE IT FURTHER RESOLVED** that we extend to Anthony A. Biondi, Sr. our sincerest wishes for a long, happy and healthy retirement.

. . .

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 August 6, 2013

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

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

## Resolution

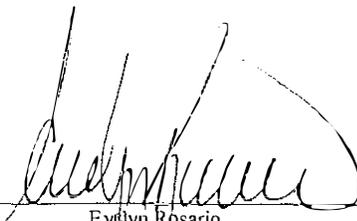
*Introduced by:* Commissioner Mauro G. Tucci *Date:* August 6, 2013

*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 187-13

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley in the County of Essex New Jersey, that the Township Clerk is authorized for sealed bids for recreation uniforms and recreation equipment.

Bids to be received on Wednesday, August 28, 2013 in the Commission Chambers, Township Hall at 3:00 (prevailing time) at which time they will be publicly 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 August 6, 2013

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

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

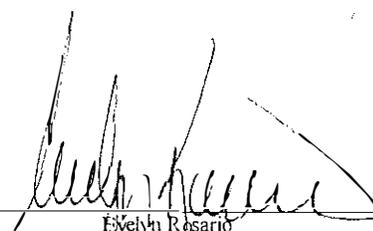
## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* August 6, 2013  
*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 188-13

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 tree(s) were installed, per Shade Tree Preservation Ordinance. Payment would come from account C-01-904-906:

Lisette Negron	107 Stanley Avenue	\$100.00
Dawn Gamma	28 Dodd Street	\$100.00

. . .

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 August 6, 2013

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

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

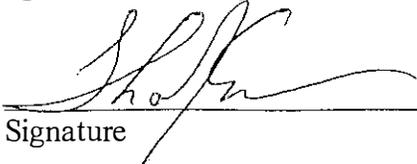
**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* August 6, 2013  
*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 189-13

WHEREAS, the Township of Nutley desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000.00 to enhance Camp Nutley whereby providing appropriate staff and resources to safely and effectively integrate school aged individuals (K through 6<sup>th</sup>) with disabilities into the program.

BE IT THEREFORE RESOLVED, that the Township of Nutley does hereby authorize the application for such a grant, and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement. Upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Nutley and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith;

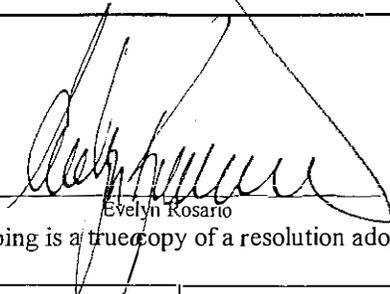
  
\_\_\_\_\_  
Signature

Thomas J. Evans  
\_\_\_\_\_  
Print Name

Deputy Mayor  
\_\_\_\_\_  
Title

\_\_\_\_\_

. . .

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 August 6, 2013

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

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

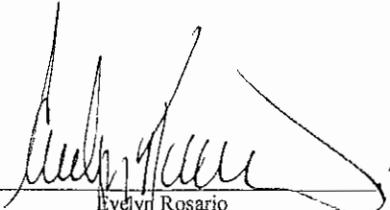
## Resolution

*Introduced by:* Commissioner Thomas J. Evans (Deputy Mayor) *Date:* August 6, 2013  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 191-13

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 \$299.42.

Block & Lot	Address	Amount
5500 18	11 Gerard Rd.	\$ 199.24
6505 10	37 Weston St.	\$ 79.94
5701 62	9 Linden Pl.	\$ 20.24

. . .

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 August 6, 2013

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



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

**Resolution**

*Introduced by:* Commissioner Thomas J. Evans (Deputy Mayor) *Date:* August 6, 2013  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 193-13

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 \$4,165.06 as listed below.

Block & Lot	Address	Amount
800      1 C3101	334 Winthrop Dr.	\$ 2,502.08 -11/08/12
4100      4	92 Whitford Ave.	\$ 1,245.16 -06/14/13
8005      25	378 Mt. Vernon St.	\$ 417.82 -06/14/13

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 6, 2013

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

## Resolution

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) Date: August 6, 2013  
Seconded by: Commissioner Mauro G. Tucci No. 194-13

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF BONDS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL BONDS AGGREGATING \$4,700,000 IN PRINCIPAL AMOUNT.

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

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$4,700,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

<u>Principal Amount of Bonds</u>	<u>Title of Ordinance and Date of Adoption</u>	<u>Period or Average Period of Usefulness (in Years)</u>
\$935,750 bonds	"Bond ordinance providing for various capital improvements of the Township of Nutley, in the County of Essex, New Jersey, appropriating the aggregate amount of \$985,000 therefor, and authorizing the issuance of \$935,750 bonds or notes of the Township to finance part of the costs thereof", finally adopted on November 15, 2011 (#3181)	13.67
\$361,000 bonds	"Bond ordinance providing for reconstruction of various streets and sidewalks in and by the Township of Nutley, in the County of Essex, New Jersey, appropriating \$380,000 therefor, and authorizing the issuance of \$361,000 bonds or notes of the Township for financing part of the cost thereof", finally adopted on November 15, 2011 (#3183)	10

\$274,068 bonds      “Bond ordinance providing for renovation of the Police Desk in and by the Township of Nutley, in the County of Essex, New Jersey, appropriating \$300,000 therefor, and authorizing the issuance of \$285,000 bonds or notes of the Township for financing part of the cost thereof”, finally adopted on March 6, 2012 (#3186)      15

332,500 bonds      “Bond ordinance providing for reconstruction of various streets and sidewalks in and by the Township of Nutley, in the County of Essex, New Jersey, appropriating \$350,000 therefor, and authorizing the issuance of \$332,500 bonds or notes of the Township for financing part of the cost thereof”, finally adopted on July 17, 2012 (#3213)      10

89,000 bonds      “Bond ordinance providing for various capital improvements in the Township of Nutley, in the County of Essex, New Jersey, appropriating the aggregate amount of \$620,000 therefor, and authorizing the issuance of \$589,000 bonds or notes of the Township for financing part of the costs thereof”, finally adopted on July 17, 2012 (#3214)      12.2

,092,500 bonds      “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”, finally adopted on July 16, 2013 (#3243)      10

,115,182 bonds      “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”, finally adopted on July 16, 2013 (#3242)      12.9

Section 3.      The following matters are hereby determined with respect to said combined issue of bonds:

(a)      The average period of usefulness, taking into consideration the respective amounts of obligations authorized to be issued pursuant to each of said bond ordinances, respectively, is 11.98 years.

(b)      The bonds of said combined issue shall be designated “General Bonds of 2013” and shall mature within the said average period of usefulness hereinabove determined.

(c)      The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

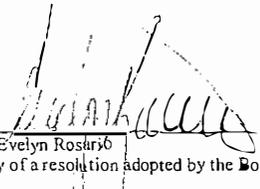
Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof.

(b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof, and except \$292,433 of bonds authorized by ordinance #3242.

(c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be issued pursuant to said Local Bond Law and are not purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect immediately.

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 on August 6, 2013.

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

## Resolution

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) Date: A August 6, 2013

Seconded by: Commissioner Mauro G. Tucci o No 195-13

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$4,700,000 GENERAL BONDS OF 2013 OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, AND PROVIDING FOR THEIR SALE.

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

Section 1. TERMS OF BONDS. THE \$4,700,000 GENERAL BONDS OF 2013 (THE "BONDS") OF THE TOWNSHIP OF NUTLEY, NEW JERSEY (THE "TOWNSHIP"), REFERRED TO AND DESCRIBED IN THE RESOLUTION ADOPTED PURSUANT TO THE LOCAL BOND LAW OF THE STATE OF NEW JERSEY, BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP ON AUGUST 6, 2013, ENTITLED "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF BONDS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL BONDS AGGREGATING \$4,700,000 IN PRINCIPAL AMOUNT" AND AUTHORIZED BY CERTAIN BOND ORDINANCES OF THE TOWNSHIP THEREIN DESCRIBED, SHALL BE DATED THE DATE OF DELIVERY THEREOF, SHALL BEAR INTEREST PAYABLE SEMI-ANNUALLY ON MARCH 1 AND SEPTEMBER 1 IN EACH YEAR, COMMENCING MARCH 1, 2014, EXPRESSED IN A MULTIPLE OF 1/8 OR 1/20 OF 1%, SHALL MATURE (SUBJECT TO THE OPTION OF THE SUCCESSFUL BIDDER TO ESTABLISH TERM BONDS IN ACCORDANCE WITH THE PROVISIONS OF THE NOTICE OF SALE) IN THE PRINCIPAL AMOUNT OF \$470,000 ON SEPTEMBER 1 IN EACH OF THE YEARS 2014 TO 2023, BOTH INCLUSIVE.

Section 2. BOOK-ENTRY-ONLY BONDS. THE BONDS SHALL BE ISSUED BY MEANS OF A BOOK-ENTRY SYSTEM WITH NO PHYSICAL DISTRIBUTION OF BOND CERTIFICATES MADE TO THE PUBLIC. THE BONDS SHALL BE ISSUED IN REGISTERED FORM AND BOND CERTIFICATES FOR EACH MATURITY WILL BE ISSUED TO THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK ("DTC"), REGISTERED IN THE NAME OF ITS NOMINEE CEDE & CO., AND IMMOBILIZED IN ITS CUSTODY. A BOOK-ENTRY SYSTEM WILL BE EMPLOYED, EVIDENCING OWNERSHIP OF THE BONDS IN PRINCIPAL AMOUNT OF \$5,000 OR ANY \$1,000 INCREMENT IN EXCESS THEREOF, WITH TRANSFERS

OF OWNERSHIP AFFECTED ON THE RECORDS OF DTC AND ITS PARTICIPANTS PURSUANT TO RULES AND PROCEDURES ADOPTED BY DTC AND ITS PARTICIPANTS. THE SUCCESSFUL BIDDER, AS A CONDITION TO THE DELIVERY OF THE BONDS, WILL BE REQUIRED TO DEPOSIT THE BOND CERTIFICATES WITH DTC, REGISTERED IN THE NAME OF CEDE & CO. SO LONG AS CEDE & CO. IS THE REGISTERED OWNER OF THE BONDS, PRINCIPAL AND REDEMPTION PRICE, IF ANY, OF AND INTEREST ON THE BONDS WILL BE PAYABLE BY THE TOWNSHIP OR ITS AGENT TO DTC OR ITS NOMINEE AS REGISTERED OWNER OF THE BONDS. THE BONDS SHALL BE EXECUTED IN THE NAME OF THE TOWNSHIP BY THE MANUAL OR FACSIMILE SIGNATURES OF ITS MAYOR AND ITS CHIEF FINANCIAL OFFICER, UNDER THE SEAL OF THE TOWNSHIP AFFIXED, IMPRINTED OR OTHERWISE REPRODUCED THEREON AND ATTESTED BY THE MANUAL SIGNATURE OF ITS TOWNSHIP CLERK.

Section 3. REDEMPTION. (A) THE BONDS ARE NOT SUBJECT TO REDEMPTION AT THE OPTION OF THE TOWNSHIP PRIOR TO THEIR STATED MATURITIES.

(B) The Bonds are subject to mandatory sinking fund redemption if the successful bidder specifies term Bonds in accordance with the provisions of the notice of sale for the Bonds. Any such term Bonds will be subject to mandatory sinking fund redemption at one hundred percent (100%) of the principal amount thereof, together with accrued interest to the date fixed for redemption, in the amounts and on the dates that would have been consecutive serial maturities had no term Bond designation been made.

(C) Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such

Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

Section 4. FORM OF BONDS. THE BONDS SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORMS WITH SUCH CHANGES AND MODIFICATIONS AS MAY BE REQUIRED, NECESSARY, CONVENIENT OR DESIRABLE FOR DELIVERY THEREOF (INCLUDING THE INCLUSION OF MANDATORY SINKING FUND PROVISIONS IF TERM BONDS ARE SPECIFIED BY THE SUCCESSFUL BIDDER):

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF ESSEX

TOWNSHIP OF NUTLEY

GENERAL BOND OF 2013

Number: R - \_\_\_\_  
Registered Owner: Cede & Co  
Principal Amount: \$ \_\_\_\_\_  
Dated Date: September 12, 2013  
Interest Rate: \_\_\_\_\_ %  
Maturity Date: September 1, \_\_\_\_\_  
CUSIP Number: 670590i\_\_\_\_

The TOWNSHIP OF NUTLEY (the "Township"), a municipal corporation of the State of New Jersey, situate in the County of Essex, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures or is redeemed, at the above-stated Interest Rate per annum payable semi-annually on March 1 and September 1 in each year, commencing March 1, 2014. Principal or redemption price, if any, of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, One Kennedy Drive, Nutley, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Township on February 15 and August 15 next preceding each interest payment date.

This bond is transferable only upon the books of the Township kept for that purpose at the office of the Chief Financial Officer, Municipal Building, One Kennedy Drive, Nutley, New Jersey (the "Transfer Agent"), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Township shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered bond. The Township, the Transfer Agent and any paying agent of the Township may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, and as provided by resolution of the Board of Commissioners of the Township, entitled: "Resolution providing for the combination of certain issues of bonds of the Township of Nutley, in the County of Essex, New Jersey, into a single issue of General Bonds aggregating \$4,700,000 in principal amount", adopted on August 6, 2013 and the bond ordinances referred to therein.

The bonds are not subject to redemption at the option of the Township prior to their stated maturities.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal or redemption price, if any, and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been

performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

IN WITNESS WHEREOF, the TOWNSHIP OF NUTLEY has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Township Clerk and this bond to be dated the above-stated Dated Date.

TOWNSHIP OF NUTLEY

(SEAL)

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Township Clerk

\_\_\_\_\_  
Chief Financial Officer

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

TEN COM - as tenants in common  
TEN ENT - as tenants by the entireties  
JTITEN - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT  
\_\_\_\_ Custodian \_\_\_\_  
(Cust) (Minor)  
under Uniform Gifts to Minors Act  
\_\_\_\_\_  
State

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL  
SECURITY OR OTHER  
IDENTIFYING NUMBER  
OF ASSIGNEE  
(FOR COMPUTER RECORD ONLY)

\_\_\_\_\_  
(Please Print or Typewrite Name and Address of Transferee)

the within Bond, and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ Attorney, to transfer the within Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: j \_\_\_\_\_ i . i i i i

**NOTICE:** The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Section 5. SALE OF BONDS AND PUBLICATION OF NOTICE. THE BONDS SHALL BE SOLD UPON ELECTRIC BIDS SUBMITTED ON EITHER GRANT STREET GROUP'S MUNIAUCTION WEBSITE OR THE PARITY® ELECTRONIC BID SYSTEM OF I-DEAL LLC (AS SHALL BE DETERMINED BY THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP AFTER CONSULTATION WITH THE TOWNSHIP AUDITOR AND BOND COUNSEL) ON AUGUST 29, 2013 UNTIL 11:00 O'CLOCK A.M. (OR SUCH OTHER DATE OR TIME AS SHALL BE DETERMINED BY THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP AFTER CONSULTATION WITH THE TOWNSHIP AUDITOR AND BOND COUNSEL) AND THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO (A) CAUSE A NOTICE OF SUCH SALE TO BE PUBLISHED AT LEAST ONCE, THE FIRST PUBLICATION TO BE AT LEAST SEVEN DAYS PRIOR TO SAID SALE IN THE "NUTLEY SUN", A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX, AND CIRCULATING IN THE MUNICIPALITY, AND (B) CAUSE A SUMMARY OF THE NOTICE OF SALE TO BE PUBLISHED AT LEAST ONCE, THE FIRST PUBLICATION TO BE AT LEAST SEVEN DAYS PRIOR TO SAID SALE IN "THE BOND BUYER", A FINANCIAL NEWSPAPER PUBLISHED AND CIRCULATING IN THE CITY OF NEW YORK, NEW YORK.

Section 6. FORMS OF NOTICES. SAID NOTICE OF SALE AND SAID SUMMARY OF NOTICE OF SALE SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORMS, RESPECTIVELY, WITH SUCH CHANGES AND MODIFICATIONS AS MAY BE APPROVED BY THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP AFTER CONSULTATION WITH THE TOWNSHIP AUDITOR AND BOND COUNSEL:

## NOTICE OF SALE

### THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY

#### \$4,700,000 GENERAL BONDS OF 2013

ELECTRONIC BIDS will be received by the Chief Financial Officer of the Township of Nutley, in the County of Essex, New Jersey (the "Township"), via the PARITY<sup>®</sup> Electronic Bid System ("PARITY<sup>®</sup>") of i-Deal LLC ("i-Deal") on Thursday, August 29, 2013, until 11:00 a.m., local time, at which time they will be publicly announced, for the purchase of \$4,700,000 General Bonds of 2013 (the "Bonds") of the Township due on September 1 as follows, either as serial Bonds or as term Bonds with sinking fund installments in accordance with this Notice of Sale:

\$4,700,000 General Bonds of 2013, maturing in the principal amount of \$470,000 in each of the years 2014 to 2023, both inclusive.

The Bonds will be dated the date of delivery thereof and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance with this Notice of Sale, payable on September 1 and March 1 in each year until maturity or earlier redemption, commencing March 1, 2014. The record dates for the payment of principal of and interest on the Bonds will be the February 15 and August 15 next preceding each such payment date.

The Bonds will be issued in book-entry form only, initially in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$1,000 (with a \$5,000 minimum) and integral multiples thereof. Payments of principal or redemption price, if any, and interest will be made by the Township or its agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

The Bonds are not subject to redemption at the option of the Township prior to their stated maturities.

A bidder may aggregate consecutive principal maturities of the Bonds for which such bidder bids the same interest rate, into term bonds. Each such term bond shall mature on the final maturity date of its consecutive maturities in an aggregate principal amount equal to the sum of the principal amounts of its consecutive maturities. Such term bonds will be subject to mandatory sinking fund redemption at one hundred percent (100%) of the principal amount thereof, together with accrued interest to the date fixed for such redemption, in the amounts and on the dates that would have been consecutive serial maturities had no term Bond designation been made. Notice of redemption shall be given as provided in the resolution of the Township authorizing the Bonds.

The Bonds will be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Each bid must specify in a multiple of 1/8 or 1/20 of 1% the rate or rates of interest which the Bonds are to bear. There is no limitation on the number of rates of interest that may be specified. If more than one rate of interest is named, no rate of interest named for any maturity may be less than the rate of interest named for any prior maturity, and the difference between the highest and the lowest rates of interest named shall not exceed four percent (4%).

The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest net interest cost. Such net interest cost shall be computed, as to each bid, by adding to the total principal amount of Bonds bid for the total interest cost to maturity in accordance with such bid and by deduction therefrom of the amount of premium, if any. No bids shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest net interest cost to the Township under any legally acceptable bids, and if two (2) or more such bidders offer to pay the same lowest net interest cost, then the Bonds will be sold to one (1) of such bidders selected by lot from among all such bidders. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price. The right is reserved to reject all bids and any bid not complying with the terms of this Notice of Sale may be rejected.

Each bidder is required to deposit a certified or cashier's or treasurer's check drawn upon a bank or trust company or a financial surety bond issued by Financial Security Assurance Inc., 350 Park Avenue, New York, New York, 10022, in each case payable to the order of the Township of Nutley, in the County of Essex, New Jersey, for \$94,000 (the "Deposit Amount"). In lieu of the foregoing, a bidder may deliver the Deposit Amount via a wire transfer of immediately available funds to the Township. Wiring instructions are as follows: TD Bank, ABA #031201360, credit to: Township of Nutley Current Fund, Account #03777734. Such check, wire transfer or financial surety bond must be received by the Chief Financial Officer of the Township at or before 11:00 a.m., local time, on the bid date at the Municipal Building, One Kennedy Drive, Nutley, New Jersey, 07110. The financial surety bond must identify each bidder whose Deposit Amount is guaranteed by the financial surety bond. If the Bonds are awarded to a bidder utilizing a financial surety bond, then that bidder is required to pay the Deposit Amount to the Township by wire transfer not later than 1:00 p.m., local time, on the next business day following the award. If the Deposit Amount is not received by that time, the Township may draw upon the financial surety bond to satisfy the Deposit Amount requirement. No interest on the Deposit Amount will accrue to the successful bidder. The Deposit Amount will be applied in part payment for the Bonds or to secure the Township from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder, or rejection of all bids, is expected to be made promptly after receipt of the bids, but the successful bidder may not withdraw its bid until after 3:00 p.m., local time, of the day of such bid-receipt and then only if such award has not been made prior to the withdrawal. The Bonds will be delivered and

shall be paid for in immediately available funds on or about September 12, 2013, at such place in Newark, New Jersey, and on such business day and at such hour, as the undersigned shall fix on five (5) business days' notice to the successful bidder, or at such other place and time as may be agreed upon with the successful bidder.

Each bid must be submitted via PARITY<sup>®</sup>. No bidder will see any other bidder's bid, nor will any bidder see the status of its bid relative to other bids (e.g., whether its bid is a leading bid). To the extent any instructions or directions set forth on PARITY<sup>®</sup> conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY<sup>®</sup>, potential bidders may contact PARITY<sup>®</sup> at i-Deal at (212) 404-8102. The Township may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via PARITY<sup>®</sup>. Each bidder further agrees that:

(1) If a bid submitted electronically via PARITY<sup>®</sup> is accepted by the Township, the terms of this Notice of Sale and the information that is electronically transmitted via PARITY<sup>®</sup> shall form a contract, and the successful bidder shall be bound by the terms of such contract.

(2) PARITY<sup>®</sup> is not an agent of the Township, and the Township shall have no liability whatsoever based on any bidder's use of PARITY<sup>®</sup>, including but not limited to any failure by PARITY<sup>®</sup> to correctly or timely transmit information provided by the Township or information provided by the bidder.

(3) The Township may choose to discontinue use of electronic bidding via PARITY<sup>®</sup> by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., eastern time, on the last business date prior to the bid date.

(4) Once the bids are communicated electronically via PARITY<sup>®</sup> to the Township, each bid shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale.

(5) Each bidder shall be solely responsible to make necessary arrangements to access PARITY<sup>®</sup> for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor i-Deal shall have any duty or obligation to provide or assure to any bidder, and neither the Township nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY<sup>®</sup>. The Township is using PARITY<sup>®</sup> as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY<sup>®</sup>, each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY<sup>®</sup> for bidding on the Bonds.

The successful bidder may at its option refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is taxable, or shall be taxable at a future date, for federal income tax purposes, and in such case the Deposit Amount paid by it will be returned and the successful bidder will be relieved of its contractual obligations arising from the acceptance of its bid.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its bids for the purchase of the Bonds.

Prior to or simultaneously with the delivery of the Bonds, the successful bidder shall furnish to the Township a certificate, in form acceptable to bond counsel to the Township, setting forth the price or yields of each maturity of the Bonds calculated on the basis of retail sales of the Bonds, in accordance with the requirements of the Internal Revenue Code of 1986, as amended.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for the failure or refusal of the successful bidder to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP numbers on the Bonds shall be the responsibility of and shall be paid for by the successful bidder.

A preliminary official statement (the "Preliminary Official Statement") relating to the Bonds is available at [www.i-DealProspectus.com](http://www.i-DealProspectus.com) and the Preliminary Official Statement is deemed final as of its date by the Township for purposes and within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. A final official statement (the "Official Statement") will be delivered to the successful bidder within seven (7) business days of the award of the Bonds. In order to assist bidders in complying with said Rule 15c2-12, the Township will undertake to provide certain continuing disclosure as further described in the Preliminary Official Statement.

The successful bidder will be furnished, without cost, with the approving opinion of the law firm of Hawkins Delafield & Wood LLP, bond counsel to the Township, to the effect that the Bonds are valid and legally binding obligations of the Township and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable property therein without limitation as to rate or amount. The obligations under this Notice of Sale to deliver or accept the Bonds pursuant to this Notice of Sale shall be conditioned on the availability to the successful bidder and delivery at the time of delivery of the Bonds of the said approving opinion and of certificates in form and tenor

satisfactory to said law firm evidencing the proper execution and delivery of the Bonds and receipt of payment therefor and including a statement, dated as of the date of such delivery, to the effect that, except as may be disclosed in the Official Statement, there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened relating to the Bonds.

The Township reserves the right to postpone, from time to time, the date and time established for receipt of bids and the right to adjust the maturity schedule for the Bonds. Any such postponement or adjustment will be published on TM3 News Services, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Services, or by other available means, at least forty-eight (48) hours prior to such alternative sale date.

Printed copies of the Preliminary Official Statement, this Notice of Sale and additional information regarding the sale, may be obtained from Hawkins Delafield & Wood LLP, bond counsel to the Township, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

EVELYN ROSARIO  
Township Clerk

Dated: August 15, 2013

SUMMARY OF NOTICE OF SALE

THE TOWNSHIP OF NUTLEY,  
IN THE COUNTY OF ESSEX, NEW JERSEY

\$4,700,000 GENERAL BONDS OF 2013

ELECTRONIC BIDS for the above-described bonds (the "Bonds") will be received by the Chief Financial Officer of the Township of Nutley, in the County of Essex, New Jersey (the "Township"), via the PARITY<sup>®</sup> Electronic Bid System ("PARITY<sup>®</sup>") of i-Deal LLC on Thursday, August 29, 2013, until 11:00 a.m., local time. As described in the full Notice of Sale, a good faith check, a wire transfer or a financial surety bond must be received by the Chief Financial Officer of the Township prior to or simultaneously with the submission of a bid. The Bonds shall mature on September 1 as follows, either as serial Bonds or as term Bonds with sinking fund installments in accordance with the full Notice of Sale:

\$4,700,000 General Bonds of 2013, maturing in the principal amount of \$470,000 in each of the years 2014 to 2023, both inclusive.

The Bonds will be dated the date of delivery thereof and will bear interest, payable on March 1 and September 1 in each year until maturity or earlier redemption, commencing March 1, 2014, at the rate or rates per annum specified (ascending rates and only one rate per maturity), in multiples of 1/8 or 1/20 of 1%, by the winning bidder in accordance with the full Notice of Sale. The Bonds will be issued in book-entry form only and will be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Bonds are not subject to redemption at the option of the Township prior to their stated maturities.

Copies of the full Notice of Sale and the Preliminary Official Statement are available at [www.i-DealProspectus.com](http://www.i-DealProspectus.com) and may also be obtained by contacting Hawkins Delafield & Wood LLP, bond counsel to the Township, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

EVELYN ROSARIO  
Township Clerk

Dated: August 15, 2013

Section 7. ADDITIONAL MATTERS CONTAINED IN BONDS. THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND, IF NECESSARY OR ADVISABLE IN THE OPINION OF HAWKINS DELAFIELD & WOOD LLP, DIRECTED (A) TO CAUSE THE APPLICABLE CUSIP NUMBERS (IF ANY) ASSIGNED FOR EACH OF SAID BONDS BY THE USIP SERVICE BUREAU OF STANDARD & POOR'S CORPORATION OF NEW YORK, NEW YORK, TO BE PRINTED ON THE BONDS, AND (B) TO CAUSE, IN THE EVENT THAT THE BONDS SHALL QUALIFY FOR ISSUANCE OF ANY POLICY OF MUNICIPAL BOND INSURANCE, AT THE OPTION OF THE PURCHASER THEREOF, SUCH LEGEND OR REFERENCE (IF ANY) OF SUCH INSURANCE TO BE PRINTED (AT THE EXPENSE OF SUCH PURCHASER) ON THE BONDS IN SUCH FORM AS SHALL BE SATISFACTORY TO HAWKINS DELAFIELD & WOOD LLP.

Section 8. DELIVERY OF RELATED DOCUMENTS. UPON THE DATE OF ISSUE OF THE BONDS, BEING THE DATE OF DELIVERY OF THE BONDS TO THE SUCCESSFUL BIDDER AND THE PAYMENT OF THE PURCHASE PRICE THEREOF IN ACCORDANCE WITH THE CONTRACT OF SALE, THE CHIEF FINANCIAL OFFICER IS HEREBY AUTHORIZED AND DIRECTED, AS OF THE DATE OF ISSUE, TO DELIVER TO SAID BIDDER (A) AN ARBITRAGE AND USE OF PROCEEDS CERTIFICATE WITH RESPECT TO THE BONDS IN SUCH FORM AS SHALL BE SATISFACTORY TO HAWKINS DELAFIELD & WOOD LLP UNDER AND FOR THE PURPOSES OF SECTION 148 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED TO SAID DATE OF ISSUE (THE "CODE"), (B) AN UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE IN ORDER TO ASSIST SAID BIDDER IN COMPLYING WITH RULE 15C2-12 OF THE SECURITIES AND EXCHANGE COMMISSION ("RULE 15C2-12") IN A FORM SATISFACTORY TO HAWKINS DELAFIELD & WOOD LLP AND (C) SUCH OTHER DOCUMENTS AS MAY BE USEFUL, NECESSARY, CONVENIENT OR DESIRABLE IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Section 9. DELEGATION OF POWER TO AWARD BONDS. THE BOARD OF COMMISSIONERS OF THE TOWNSHIP, AS THE GOVERNING BODY THEREOF, DOES BY THIS RESOLUTION DESIGNATE THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP, OR SUCH OTHER TOWNSHIP OFFICIAL AS MAY BE DEEMED APPROPRIATE, TO SELL AND AWARD THE BONDS IN ACCORDANCE WITH THE ADVERTISED TERMS OF PUBLIC SALE. SAID CHIEF FINANCIAL OFFICER OR OTHER TOWNSHIP OFFICIAL MAKING SUCH SALE SHALL REPORT IN WRITING TO THIS GOVERNING BODY AT ITS NEXT MEETING THEREAFTER AS TO THE PRINCIPAL AMOUNT, INTEREST RATE AND MATURITIES OF THE BONDS SOLD, THE PRICE OBTAINED AND THE NAME OF THE PURCHASER. SUCH CHIEF FINANCIAL OFFICER OR OTHER TOWNSHIP OFFICIAL IS HEREBY FURTHER AUTHORIZED AND DIRECTED TO DO AND ACCOMPLISH ALL MATTERS AND THINGS NECESSARY OR DESIRABLE TO ACCOMPLISH THE SALE OF THE BONDS INCLUDING, AFTER CONSULTATION WITH THE TOWNSHIP AUDITOR AND BOND COUNSEL, (A) ADJUSTING THE MATURITY SCHEDULE OF THE BONDS AND (B) POSTPONING AND RESCHEDULING FROM TIME TO TIME THE SALE OF THE BONDS IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN THE NOTICE OF SALE AND AS PROVIDED BY LAW.

Section 10. BANK-QUALIFIED DESIGNATION. THE BONDS ARE HEREBY DESIGNATED AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO AND FOR THE PURPOSES OF SECTION 265(B)(3) OF THE

CODE, OR TO THE EXTENT THE BONDS REFUND OTHER OBLIGATIONS OF THE TOWNSHIP, THE BONDS ARE "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(B)(3)(D)(III) OF THE CODE. NOT MORE THAN \$10,000,000 OF OBLIGATIONS, INCLUDING THE BONDS, OF THE TOWNSHIP AND ALL SUBORDINATE ENTITIES THEREOF ARE EXPECTED TO BE DESIGNATED BY THE TOWNSHIP FOR PURPOSES OF SECTION 265(B)(3) OF THE CODE. AS OF THE DATE HEREOF, THE REASONABLY ANTICIPATED AMOUNT OF TAX-EXEMPT OBLIGATIONS (OTHER THAN PRIVATE ACTIVITY BONDS, AS REFERRED TO AND DEFINED IN SECTION 141 OF THE CODE AND CURRENT REFUNDINGS OF OTHER OBLIGATIONS OF THE TOWNSHIP), WHICH WILL BE ISSUED BY THE TOWNSHIP AND ALL SUBORDINATE ENTITIES THEREOF DURING THE 2013 CALENDAR YEAR DOES NOT EXCEED \$10,000,000.

Section 11. PRELIMINARY OFFICIAL STATEMENT. ALL ACTION TAKEN TO DATE BY THE OFFICIALS, EMPLOYEES AND AGENTS OF THE TOWNSHIP WITH RESPECT TO THE ISSUANCE OF THE BONDS, INCLUDING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT WITH RESPECT THERETO BE AND THE SAME HEREBY ARE APPROVED, RATIFIED, ADOPTED AND CONFIRMED AND THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP IS HEREBY AUTHORIZED TO DELIVER SAID PRELIMINARY OFFICIAL STATEMENT FOR ITS USE IN THE SALE, RESALE AND DISTRIBUTION OF THE BONDS. THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OR SUCH OTHER TOWNSHIP OFFICIAL AS MAY BE APPROPRIATE IS HEREBY AUTHORIZED AND DIRECTED TO DEEM SAID PRELIMINARY OFFICIAL STATEMENT FINAL AS OF ITS DATE FOR PURPOSES AND WITHIN THE MEANING OF RULE 15c2-12.

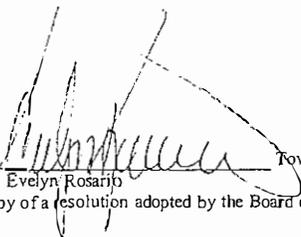
Section 12. FINAL OFFICIAL STATEMENT. THE EXECUTION, DELIVERY AND DISSEMINATION OF A FINAL OFFICIAL STATEMENT IN SUBSTANTIALLY THE SAME FORM AS SAID PRELIMINARY OFFICIAL STATEMENT WITH SUCH CHANGES, INSERTIONS AND OMISSIONS AS MAY BE APPROVED BY THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP WITH RESPECT TO THE ISSUANCE OF THE BONDS BY AND ON BEHALF OF THE TOWNSHIP, IS HEREBY AUTHORIZED, AND THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OR SUCH OTHER TOWNSHIP OFFICIAL AS MAY BE DEEMED APPROPRIATE IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE SAME IN THE NAME AND ON BEHALF OF THE BOARD OF COMMISSIONERS AND IS FURTHER AUTHORIZED TO DELIVER SAID FINAL OFFICIAL STATEMENT IN EXECUTED FORM FOR ITS USE IN THE SALE, RESALE AND DISTRIBUTION OF THE BONDS. THE EXECUTION OF SAID FINAL OFFICIAL STATEMENT BY THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OR SUCH OTHER TOWNSHIP OFFICIAL AS MAY BE DEEMED APPROPRIATE SHALL BE CONCLUSIVE EVIDENCE OF ANY APPROVAL REQUIRED HEREBY.

Section 13. ACTIONS TO BE TAKEN ON BEHALF OF THE TOWNSHIP. THE TOWNSHIP COMMISSIONERS, THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP AND THE TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO DO ALL MATTERS NECESSARY, USEFUL, CONVENIENT OR DESIRABLE TO ACCOMPLISH THE SALE AND DELIVERY OF THE BONDS, INCLUDING WITHOUT LIMITATION MATTERS RELATING TO THE PROVISION OF ELECTRONIC BIDS FOR THE BONDS, THE ACCEPTANCE OF A FINANCIAL SURETY BOND TO SECURE THE GOOD FAITH

DEPOSIT FOR THE BONDS, THE APPOINTMENT OF A REDEMPTION AGENT IN CONNECTION WITH THE ISSUANCE OF TERM BONDS AND THE OBTAINING OF A CREDIT RATING FOR THE BONDS.

Section 14. PRIOR ACTION. ALL ACTION HERETOFORE TAKEN BY TOWNSHIP OFFICIALS AND PROFESSIONALS RELATING TO THE SALE OF THE BONDS IS HEREBY RATIFIED, CONFIRMED, ADOPTED AND APPROVED.

Section 15. EFFECTIVE DATE. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

  
 Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, N.J. do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held on August 6, 2013.

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

Introduced by: Commissioner Thomas J. Evans (Deputy Mayor) Date: August 6, 2013

Seconded by: Commissioner Mauro G. Tucci No. 196-13

RESOLUTION OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, ESTABLISHING PROCEDURES TO MONITOR AND ENSURE COMPLIANCE WITH FEDERAL TAX LAW REQUIREMENTS WITH RESPECT TO TAX-EXEMPT DEBT OF THE TOWNSHIP.

WHEREAS, the Township of Nutley, in the County of Essex, New Jersey (the "Township") has from time to time and will from time to time issue tax-exempt debt, including without limitation bonds and bond anticipation notes; and

WHEREAS, in connection with the issuance of tax-exempt debt, the Township is required by Section 149(e) of the Internal Revenue Code to file with the Internal Revenue Service an Information Return for Tax-Exempt Governmental Obligations known as Form 8038-G (or a substantially similar form); and

WHEREAS, the most recent revision of Form 8038-G requires the Township to report whether the Township has established written procedures to monitor and ensure compliance with certain requirements of federal tax law relating to its tax-exempt debt; and

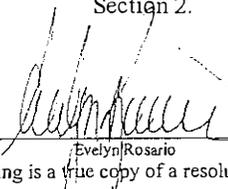
WHEREAS, bond counsel to the Township has prepared written procedures to monitor and ensure compliance with the requirements of federal tax law relating to tax-exempt debt which procedures are attached hereto as Exhibit A and

WHEREAS, the Township is desirous of establishing such written procedures;

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

Section 1. IN FURTHERANCE OF THE PURPOSES DESCRIBED IN THE ABOVE RECITALS AND IN CONNECTION WITH THE ISSUANCE FROM TIME TO TIME BY THE TOWNSHIP OF TAX-EXEMPT DEBT, INCLUDING BONDS AND BOND ANTICIPATION NOTES, THE TOWNSHIP HEREBY ESTABLISHES PROCEDURES TO MONITOR AND ENSURE COMPLIANCE WITH FEDERAL TAX LAW WHICH PROCEDURES ARE ATTACHED HERETO AS EXHIBIT A.

Section 2. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

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 August 6, 2013

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

EXHIBIT A

TAX-EXEMPT DEBT COMPLIANCE PROCEDURES

**TAX-EXEMPT DEBT COMPLIANCE PROCEDURES**  
(adopted August 6, 2013)

**I. Purpose of Procedures**

The purpose of these procedures is to ensure that the Township of Nutley, in the County of Essex, New Jersey (the "Township") complies with applicable requirements of federal tax law necessary to preserve the tax-exempt status of interest on any tax-exempt obligations (collectively referred to as the "Bonds") issued by the Township. These requirements include restrictions on the uses of proceeds of the Bonds, and the facilities financed with the Bonds. The Township hereby designates the Chief Financial Officer of the Township as the compliance officer (the "Compliance Officer") for purposes of these procedures. These procedures provide only a general overview of the primary tax restrictions. The Compliance Officer shall consult with the Township's bond counsel as needed to understand the tax restrictions described in the arbitrage and use of proceeds certificate or similar tax certificate (the "Tax Certificate") executed by the Township in connection with an issue of Bonds and to ensure compliance with the tax restrictions described in these procedures.

**II. General Overview of Private Business Use Restrictions**

The tax rules prohibit private business use (use by private parties, including nonprofit organizations and the federal government) of tax-exempt financed facilities beyond permitted *de minimis* amounts unless cured by a prescribed remedial action. Private business use may arise as a result of:

- Sale of the financed facility;
- Lease of the facilities (including leases, easements or use arrangements for areas outside the four walls, i.e., hosting of cell phone towers);
- Management or service contracts in which the Township authorizes a private party to operate all, a portion of, or any function of a financed facility (e.g., private management of a water or sewer system, cafeteria or healthcare facility); or
- Preference arrangements in which the Township extends special legal entitlements or preferences to a private party with respect to a financed facility (e.g., preference parking in a public parking lot, naming rights, etc.).

The restrictions on private business use apply throughout the term of the Bonds. An action described above, if taken after the Bonds are issued, could jeopardize the tax-exempt status of the Bonds; however, arrangements with private parties for use of financed facilities can often be structured to comply with an exception, or "safe harbor," to the private business use restrictions. Accordingly, the Township should consult with its bond counsel whenever such an arrangement with a private party is being considered. If the Compliance Officer identifies private business use of a Bond-financed project, the Compliance Officer will consult with bond counsel to determine whether such private business use will adversely affect the tax-exempt status of the Bonds, and if so, what remedial action is appropriate, if any.

### **III. General Overview of Arbitrage Requirements**

The tax rules contain investment restrictions relating to Bond proceeds and other moneys relating to the Bonds. Those arbitrage limits are set forth in the Tax Certificate for each Bond issue. The Tax Certificate is included in the Bond closing transcript. Investment earnings on Bond proceeds should be tracked and monitored to comply with applicable yield restriction and rebate requirements. Arbitrage is the difference between the yield on the Township's Bonds and the investment income earned on the Bond proceeds invested in taxable instruments. Under certain circumstances, the Township may be required to rebate "positive arbitrage" that it earns to the U.S. Treasury. The Township must calculate (or hire a consultant to calculate) rebate liability for each Bond issue, and make any required rebate payments on a timely basis. The Township may retain bond counsel, or another arbitrage rebate consultant, to perform any rebate calculations that are required to be made from time to time with respect to any Bond issue.

The rebate calculation dates are described in the Tax Certificate related to each issue of Bonds, but are generally every fifth (5<sup>th</sup>) anniversary date of the Bond issue through the final maturity or redemption date of a Bond issue. A final rebate payment must be made within sixty (60) days of the final maturity or redemption date of a Bond issue.

### **IV. Document Retention Requirements**

Copies of all documents and records sufficient to document the expenditures and uses of Bond proceeds and Bond-financed facilities will be maintained by the Township for the term of a Bond issue (including refunding bonds, if any) plus six (6) years, including the following documents and records:

- Bond closing transcripts;
- Copies of records of investments, investment agreements, credit enhancement transactions, financial derivatives (e.g., an interest rate swap), arbitrage reports and underlying documents, including trustee statements;
- Copies of material documents relating to expenditures financed or refinanced by Bond proceeds, including (without limitation) payment records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds;
- All leases, management agreement, or other contracts and arrangements involving private use, or changes in use, of the Bond-financed property; and
- A list (which does not have to be independently created but can be satisfied by reference to existing bond ordinances and computerized records) of assets financed with Bond proceeds, including, if applicable, placed in service dates.

### **V. Ongoing Training**

Training shall be made available to the Compliance Officer to support the Compliance Officer's understanding of the tax requirements applicable to the Bonds. Such training may include, but would not be limited to, attending training sessions at local conferences sponsored

by, among others, the New Jersey Government Finance Officer's Association, the New Jersey State League of Municipalities, the New Jersey Association of Counties, the New Jersey Tax Collectors and Treasurers Association and Rutgers University, participation in IRS teleconferences, reading technical guidance materials provided by educational organizations, the IRS, and/or bond counsel, and discussing questions and issues with the Township's bond counsel and/or arbitrage rebate consultant.

**VI. Annual Completion of Tax-Exempt Debt Compliance Checklist**

The Compliance Officer will complete the attached "Annual Tax-Exempt Debt Compliance Checklist" with respect to all outstanding Bonds on or before December 31 of each annual period. The Compliance Officer will retain a copy of each completed and signed checklist in a file that is retained in accordance with the document retention requirements described in Section IV above.

**TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY**

**Form of Annual Tax-Exempt Debt Compliance Checklist**

(to be completed by the "Compliance Officer" as described in the Tax-Exempt Debt Compliance Procedures)

Date Completed:     t                   t

	Yes	No
Has there been a sale of all or any portion of a facility financed with tax-exempt bonds or notes (a "Project")?		
Has there been a lease of all or any portion of a Project to any party other than a state or local government?		
Has the Township entered into a new, or amended an already existing, management or service contract related to a Project?		
Has the Township entered into a naming rights agreement relating to all or any portion of a Project?		
Has the Township entered into any other arrangement with an entity, other than a state or local government, that provided legal rights (such as a right to use) to that entity with respect to a Project?		
Has the Township invested the proceeds of its tax-exempt bonds or notes at a yield in excess of the arbitrage yield on such bonds or notes?		
Has the Township failed to comply in any material respect with the record retention requirements described in Section IV of the Tax-Exempt Debt Compliance Procedures previously established by the Township?		

If an answer to any question above is "Yes", or the answer is unclear, the Compliance Officer shall consult with the Township's bond counsel to determine (i) if the event could adversely impact the tax-exemption of the Township's outstanding tax-exempt debt and/or (ii) whether any action needs to be taken during the upcoming annual period to ensure compliance with the tax-exempt debt restrictions.

*The undersigned is the "Compliance Officer" as described in the Tax-Exempt Debt Compliance Procedures previously established by the Township and has completed the above checklist to the best of the knowledge of the undersigned.*

\_\_\_\_\_  
Name:

Title: Compliance Officer/Chief Financial Officer

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

Introduced by: Commissioner Joseph P. Scarpelli

Date: August 6, 2013

Seconded by: Commissioner Steven Rogers

No. 190-13

## Township of Nutley

### Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant Application

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Township of Nutley strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

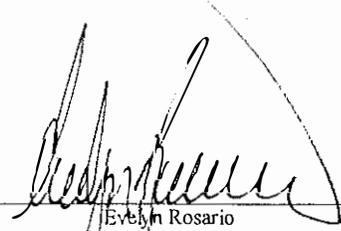
**WHEREAS**, Township of Nutley is participating in the Sustainable Jersey Program; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

**THEREFORE**, the Commissioners of the Township of Nutley have determined that the Township of Nutley should apply for the aforementioned Grant.

**THEREFORE, BE IT RESOLVED**, that the Commissioners of the Township of Nutley, County of Essex, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

...

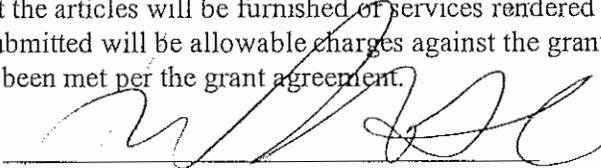
I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 6, 2013

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

**GRANTEE'S CERTIFICATION AND DECLARATION**

I certify under the penalties of the law that the description of the grant project is correct in all its particulars; that the articles will be furnished or services rendered as stated therein; that all expenditures submitted will be allowable charges against the grant and that all compliance issues of this grant have been met per the grant agreement.

SIGNATURE



DATE

AUG - 6 2013

POSITION

Commissioner

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers FOR Mayor Alphonse Petracco *Date:* August 6, 2013  
*Seconded by:* Commissioner Joseph P. Scarpelli *No.* 197-13

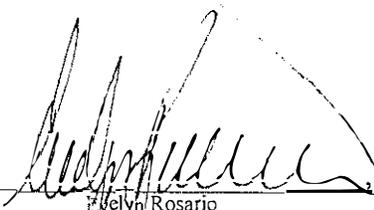
**WHEREAS**, raffle applications have been received from the following organizations; and

Nutley Music Booster Association	License No. 47-13 On-Premise 50/50 Cash Raffle	August 22, 2013
North Jersey Aquarium Society Inc.	License No. 48-13 On-Premise 50/50 Cash Raffle	September 19, 2013 & November 21, 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 August 6, 2013

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

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

**Resolution**

*Introduced by:* Commissioner Steven Rogers FOR Mayor Alphonse Petracco

August 6, 2013

*Date:* \_\_\_\_\_

*Seconded by:* Commissioner Joseph P. Scarpelli

*No.* 198-13

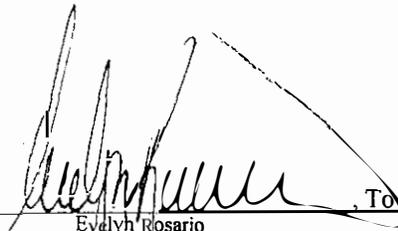
BE IT RESOLVED by the Township of Nutley in the County of Essex,  
New Jersey that the following be appointed as a volunteer to the Nutley Fire  
Department effective immediately:

Matthew J. Serrani  
111 Coeyman Ave.

Michael R. Luberto  
20 Sherwood Lane

Paul Cafone, Jr.  
140 E. Centre Street

. . .

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 August 6, 2013

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

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

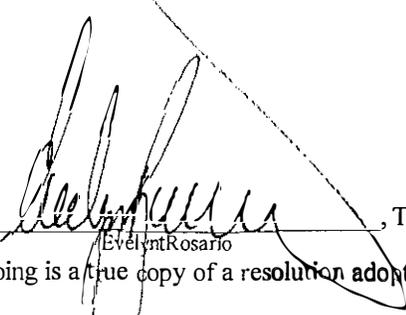
## Resolution

*Introduced by:* Commissioner Steven Rogers FOR Mayor Alphonse Petracco      *Date:* August 6, 2013  
*Seconded by:* Commissioner Joseph P. Scarpelli      *No.* 185-13

**BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley in the County of Essex in the State of New Jersey that Tracy Ann Peters, 63 Kenzel Avenue, has resigned as the Secretary to the Nutley Fire Department effective July 15, 2013.

**BE IT FURTHER RESOLVED** that Stanley G. Novak, 24 Shepard Place, be appointed to Secretary to the Nutley Fire Department effective immediately and to expire March 6, 2014.

. . .

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 August 6, 2013

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