

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

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PUBLIC MEETING ) TRANSCRIPT OF  
) PROCEEDINGS:  
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August 20, 2013

7:04 p.m.

BEFORE:

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

Job No. VTNJ - 1735382

P R O C E E D I N G S

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2 MADAM CLERK: Tuesday, August 20, 2013. Pursuant  
3 to 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 available 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.

18 MAYOR PETRACCO: Here.

19 MADAM CLERK: All present, Mayor.

20 MAYOR PETRACCO: Thank you so much.

21 MADAM CLERK: Mayor, for the record, we have Alan  
22 Genitempo as our legal counsel for this meeting.

23 MAYOR PETRACCO: Welcome aboard, Alan.

24 MR. GENITEMPO: Thank you, Mayor.

25 MAYOR PETRACCO: We'll start with Commissioner

1 Scarpelli.

2 COMMISSIONER SCARPELLI: I have one resolution for  
3 authorization regarding the bid for roadway and improvements  
4 on Sargent and Essex Streets, which is through a CDBG grant.

5 MAYOR PETRACCO: Okay.

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

7 MAYOR PETRACCO: Commissioner Evans?

8 COMMISSIONER EVANS: I have a public hearing  
9 tonight on the parking ordinance revisions, as well as two  
10 resolutions, one for an overpayment of property taxes and  
11 the other for the purchase of a copy machine.

12 MAYOR PETRACCO: Okay. That's it?

13 COMMISSIONER EVANS: That's it.

14 MAYOR PETRACCO: Commissioner Rogers?

15 COMMISSIONER ROGERS: I have one resolution that  
16 will authorize us to execute a copy of an agreement for  
17 nursing services, and that's it.

18 MAYOR PETRACCO: Thank you. And Commissioner  
19 Tucci?

20 COMMISSIONER TUCCI: I have a resolution wishing  
21 Tom Rudomanski well on his retirement from our Shade Tree  
22 Committee after 12 long years. And I have a change order  
23 that is to be authorized for Monsignor Owens Field in the  
24 amount of \$1,259.

25 MAYOR PETRACCO: Okay.

1 COMMISSIONER TUCCI: That's it.

2 MAYOR PETRACCO: Thank you. I believe I have a  
3 public hearing tonight on ordinance number 3247 on -- this  
4 is the Harrison Street, Prospect Street to Bloomfield  
5 Avenue. I have some resolutions. One is for the Auxiliary  
6 Police Department. So, if we could put that one first  
7 before we do any other ones, I'd appreciate that. Do you  
8 want to pull yours to add, Mauro?

9 COMMISSIONER TUCCI: Please.

10 MAYOR PETRACCO: Do you want to go first or  
11 second?

12 COMMISSIONER TUCCI: I don't care.

13 MAYOR PETRACCO: Okay. Only other things I have  
14 is a couple resolutions, authorize a raffle license. I have  
15 a change order for Scarinci & Hollenbeck of \$30,000. And I  
16 have authorizing zoning board adjustment escrow refund for  
17 55 Washington Avenue. And then, just like I said before, I  
18 have the resolution for the Auxiliary Police Department.

19 Now, are we going to -- (indiscernible)?

20 UNIDENTIFIED SPEAKER: Yeah.

21 MAYOR PETRACCO: Is a representative from Roche  
22 here?

23 UNIDENTIFIED SPEAKER: Why don't we scoot down so  
24 maybe they can join us as the table, or at least somebody  
25 does.

1           MAYOR PETRACCO: Yeah. Do -- do you guys want to  
2 sit here? I'll be glad to get up. Darien (ph), do you want  
3 to come? Are you sure? Okay. Tom, thank you so much for  
4 coming. We appreciate it.

5           Just a little segue into this if anybody wants to  
6 jump in. There's been some questions raised from the  
7 residents. There's some of them that are in attendance  
8 tonight of exactly what the drilling's about, what we're  
9 doing, access in and out of their streets, and homes, and so  
10 forth and so on. So, if you'd like to continue on that  
11 path.

12           UNIDENTIFIED SPEAKER: Well, good evening, Mayor  
13 Petracco and Commissioners, and thank you very much for  
14 inviting us tonight to talk about the recent drilling.

15           By way of introduction, my name is Tom Lyon. I'm  
16 Roche vice-present and a Nutley site head. I'm joined by a  
17 few colleagues. First, on my right is Chandra Patel.  
18 Chandra is director of environmental health and services for  
19 Roche, and as such is also responsible for all of the  
20 remediation programs. In addition, there's John Trela.

21           MR. TRELA: Hello, everyone.

22           MR. LYON: John Trela is senior vice-president of  
23 TRC Company, which is a consultant to Roche. In John's  
24 capacity, he is a principal in charge for TRC on the Roche  
25 account and is also accountable for the implementation of

1 all remediation, as well as the oversight of all seven of  
2 our LSRP's, which is the license site remediation  
3 professionals.

4 In addition, we have Tom Ruby (ph). Tom Ruby is  
5 our land use corporate counsel, a Roche employee. And  
6 Darien Wilson, which I think most of you know already.

7 MS. WILSON: Hi.

8 MR. LYON: Darien is director of communications.  
9 So, that's the force that we bring tonight to hopefully  
10 address the concerns that the Commissioners have.

11 First off, I would like to recognize and  
12 acknowledge the immediate concerns with the recent drilling.  
13 We do apologize for the concerns that the residents have  
14 expressed, as well as the support from the Commissioners.  
15 Thank you very much for that.

16 We believe we've identified some lessons learned  
17 in the initial drilling that we've done, and we're going to  
18 get into some specifics about specifically some of the fixes  
19 that we've put in place to hopefully avoid any recurrence.

20 I would like to stress to the Commissioners that  
21 Roche is very intent and focused on doing the remediation  
22 fully and quickly. We're also making sure that we can  
23 address the repurposing plan as quickly and as consistently  
24 with the expectations that we spoke about in the JRC. So,  
25 that is, you know, in general where we are.

1           Currently, the offsite drilling is part of a  
2 larger context. The whole remediation project is very  
3 large. It encompasses many, many people and many, many  
4 activities. Basically, the -- this remediation has started  
5 many years ago, and it's going to continue for the  
6 foreseeable future, at least for the next couple, or three  
7 years, (indiscernible).

8           We are still in the investigation stages, but we  
9 are tracking to deliver all expectations of the New Jersey  
10 Department of Environmental Protection. There's a  
11 requirement that we have full investigation complete by  
12 May 2014. We are tracking to that and have considerable  
13 activities to put in place to make sure we can achieve that  
14 date. So, that is a key date for Roche, as well as other  
15 industrial users in the State.

16           There are two components in environmental  
17 remediation that we're working on. The first one is soil  
18 and the second one is ground water. For soil, our  
19 investigation is relatively complete. We have found no soil  
20 contaminations along our property lines, and, you know, that  
21 onsite contamination will be addressed and will be resolved  
22 prior to Roche leaving the site. So, that's the soil.

23           On the ground water, we're not as far along. On  
24 the ground water, we have done a lot of sampling. On our  
25 property boundary, we've sampled down to 50 feet and we have

1 found no contaminations down to 50 feet. However, below 50  
2 feet we have found some. So, these -- this particular  
3 offsite drilling is an attempt to find out what the boundary  
4 of that deep, ground water contamination is. So, we're  
5 going a little further out from our property line. We're  
6 going down below 50 feet, and we're hoping that we find  
7 nothing. That is our hope.

8 If we find nothing, then that is going to help us  
9 delineate the extent of the contamination. If we find  
10 something, we may have to go and drill additional wells out  
11 further from the property line.

12 Our hope is that we will find nothing, of course.  
13 And then it will identify that our contamination is  
14 relatively contained and there's no surprises. So, that is  
15 what we're going forward with.

16 The objective, to be clear, is we want to clearly  
17 define the boundaries of any ground water contamination.  
18 That's the purpose of this drilling that we've been  
19 (indiscernible) for and have some activities currently  
20 ongoing. So, we look forward to working with the residents  
21 and with the Commissioners. We feel as though we have a  
22 good plan in place, and we look forward to having a smooth  
23 transition as we get back into the completing the next steps  
24 of the environmental remediation so we can complete by the  
25 deadline of May 2015.

1           That's a lot of words. So, with that, I'd like to  
2 turn it over to Chandra Patel, who will give you some  
3 details and will address the specific items that came up  
4 from the residents, as well as what we have put in place to  
5 hopefully avoid any recurrence.

6           COMMISSIONER EVANS: Tom, before you do that --  
7 Commissioner Evans -- point of clarification. Ground water  
8 versus water (indiscernible) perc. Is that one in the same  
9 from a definition standpoint, or is that two different  
10 things?

11           MR. LYON: So, there's many definitions of  
12 different ground water levels.

13           COMMISSIONER EVANS: Yeah, and that's why I  
14 would --

15           MR. LYON: But I would ask maybe if Chandra would  
16 get into it. I mean there's surface water, there's ground  
17 water --

18           COMMISSIONER EVANS: I know, and that's why I --

19           MR. LYON: -- there's deep red rock waters, et  
20 cetera.

21           COMMISSIONER EVANS: Right. And the other  
22 question I had is, is drilling a well, is there -- it could  
23 -- at one level, it's kind of like drilling for oil, right?  
24 Drill down, find nothing, but go over two feet, find  
25 something. Is it the same -- is that the same risk with

1 these wells, that there could be something there that we  
2 would just miss in this test, or is there -- you know,  
3 obviously it's an innocent question. I have no idea how  
4 contaminants move --

5 MR. LYON: Right. Correct.

6 COMMISSIONER EVANS: -- underground, but does the  
7 comfort level or the degree of precision that's involved to  
8 ensure that if you were to say there's no contamination,  
9 what's the level of precision and confidence that that's the  
10 right answer?

11 MR. LYON: Right. So, you had a lot of questions  
12 there, by the way.

13 COMMISSIONER EVANS: I know.

14 MR. LYON: I mean, let's see if I can --

15 COMMISSIONER EVANS: Well, you said a lot.

16 MR. LYON: Yeah. I'll try to address a couple and  
17 maybe ask Chandra to jump on some of the more technical  
18 aspects of the answer.

19 In general, we are sampling for a couple of  
20 reasons. One is to see if we can discover any contaminants  
21 in the ground. And two, to determine the flow of the  
22 underground ground water, the direction and flow. All  
23 right?

24 So, those are the two results that we're hoping to  
25 be able to do. In general, the flow is from Route 3 area

1 coming south. This is from the general flow across the  
2 property. But there's some topography issues that we have  
3 also going on. So, we want to very clearly identify the  
4 flow of any ground waters. This sampling will help us do  
5 that.

6 We can confirm that the place where we take a  
7 sample, if what we find at that period of time is clean, or  
8 if it's not, if we can define it specifically. If we move  
9 20 feet away, it may be a different result. But in general,  
10 with the ground water, we can pretty much identify it's  
11 relatively homogeneous and you don't have as many hot spots  
12 as if you would, for example, with soil.

13 So, those are the kind of things that were going  
14 -- but maybe, Chandra, if you could speak to.

15 MR. PATEL: And additionally, the remedial  
16 investigation is highly regulated. You have State appointed  
17 LSRP's, and then you have NJDEP. Our program is under the  
18 oversight of NJDEP. They are professionals with  
19 qualifications that participate, or for investigation and  
20 reviewing the results of the investigation. So, it's a  
21 very, very thorough and a methodical investigation.

22 MR. LYON: So, specifically where we sample is  
23 pretty much dictated by the license site remediation  
24 professional. And how we -- the conclusions we get from the  
25 results are all -- the analysis is all done by the LSRP's

1 also. So, we're trying to follow their lead. We're trying  
2 to do as much as we can.

3 For those that may know a little bit more details  
4 about what we're actually doing on the site, we have a  
5 multiplier of samples that we're doing, going way beyond  
6 regulatory requirements, because we want it to be as defined  
7 as we possibly can get. So, it's a pretty thorough program.  
8 Someone said it's the most comprehensive program in the  
9 State of New Jersey that Roche has undertaken.

10 COMMISSIONER EVANS: Just a point of clarification  
11 again, the LSRP's do -- are they a group of same folks or  
12 are they, in effect, a group of specialists? If you have  
13 multiple LSRP's, each one specializes in something and  
14 that's their role, or is it --

15 MR. LYON: I --

16 COMMISSIONER EVANS: -- a single title fits  
17 everybody?

18 MR. LYON: I would ask John.

19 MR. TRELA: Yeah, my name is John Trela, by the  
20 way.

21 The LSRP's, generally, are required both education  
22 and are qualified by examinations. So, they have to take a  
23 -- sit for a written exam (indiscernible). Many of them  
24 have backgrounds in soil chemistry, hydrogeology. So, a lot  
25 of the specifics and the science you were asking about, how

1 would you know what to do, and would you know if a sample  
2 taken here, or a sample taken 50 feet away is a reliable  
3 comparable, that's what their expertise is.

4 So, any reports that we generate are written by  
5 those people, and then they're submitted to geologists, and  
6 soils experts, and people at the DEP who then go through  
7 that stuff with a detailed review and determine if they  
8 agree or disagree with the findings of the LSRP. So, you  
9 have two sets of experts evaluating each report.

10 MR. HAY: Commissioner Evans, just so you're  
11 aware, back in 2011, the DEP had such a tremendous caseload  
12 that they decide to adopt a model --

13 MAYOR PETRACCO: Todd, excuse me, just for the  
14 record, why don't you just say who you are, your name,  
15 and --

16 MR. HAY: Sure, no problem. Todd Hay, H-A-Y, with  
17 Pennoni Associates. I'm also the appointed Township  
18 engineer.

19 Back in 2011, the DEP had such a tremendous  
20 caseload that what ended up happening, they had to find  
21 other professionals, private professionals to take over the  
22 caseload work that DEP had. They adopted a model that was  
23 in the State of Massachusetts. That model was looked at.  
24 DEP modeled it, and they set up a licensed site remediation  
25 professional program.

1           What ends up happening is, and I had extensive  
2 discussions with Roche, they are following the letter of the  
3 law by having a consortium from TRC, who's their consultant,  
4 of licensed site remediation professionals to look at both  
5 the soil medium, and then look at also the ground water  
6 issues.

7           So, those licensed site remediation professionals  
8 have to be accredited. They also have to go through an  
9 education process, and they have to go through licensure.  
10 It's a process that's only been undertaken by New Jersey  
11 over the last 18 months. We've had several projects that  
12 we've had to look at that have license site remediation  
13 professionals, but it's very much so in its infancy.

14           So -- but from my understanding from talking to  
15 engineering at Roche, what they're using is a process that,  
16 you know, is very familiar and yes, it is from my  
17 discussions with my license site remediation professional  
18 for Pennoni, it is one of the most comprehensive in this  
19 State. They are going above and beyond what's actually  
20 required by the law.

21           COMMISSIONER EVANS: Just again, the State experts  
22 I assume are heavily involved and not just relying on the  
23 license (indiscernible)?

24           MR. TRELIA: Yes. We have a conference call with  
25 (indiscernible). So, it's constant interaction.

1 MAYOR PETRACCO: Excuse me one second. Tom?

2 MR. LYON: I really do have to say --

3 MAYOR PETRACCO: This is for the record too. We  
4 had a couple of people that were sitting in the back and  
5 they just joined us. You guys, if you want to just stand by  
6 me or -- and can you just introduce your staff one more  
7 time? I apologize for that.

8 MR. LYON: Sure.

9 MAYOR PETRACCO: Because they just entered the  
10 room, just so you know who's talking.

11 MR. LYON: Absolutely. My name is Tom Lyon. I'm  
12 Roche vice-president and Nutley site head. I'm joined by my  
13 colleague Chandra Patel, who is director of environmental  
14 health and safety, and is responsible for the remediation  
15 program at the Nutley campus. In addition, we have  
16 Dr. John Trela, who's senior vice-president of TRC, who is  
17 the Roche consultant, who is managing the remediation  
18 activities. In addition, John has oversight of the seven  
19 LSRP's that are on the site. Tom Ruby is our senior counsel  
20 land use. And we have director of communications, Darien  
21 Wilson.

22 MAYOR PETRACCO: Thank you. Okay. Yeah, you can,  
23 please.

24 MR. PATEL: So, I can start my -- okay. Thank  
25 you, Tom. Thank you, Mayor Petracco, Board of

1 Commissioners, I really appreciate the opportunity for us to  
2 come here and present the issues associated with the  
3 drilling operation. I know you have a busy schedule, but I  
4 really appreciate the time that you are allowing us to come  
5 and make --

6 MAYOR PETRACCO: We appreciate you coming.

7 MR. PATEL: Thank you. First of all, I just want  
8 to start and apologize for the inconvenience that we caused  
9 to the community. It's a learning process. We learned from  
10 that issues, and we are taking immediate corrective actions  
11 to prevent that from happening. I can tell you two actions  
12 that we have immediately taken and implemented.

13 Action number one is that we will notify the  
14 impacted resident. We will notify all the impacted  
15 resident, okay. When we did the last set of drilling, for  
16 example, on one of the roadway, we notified the resident  
17 near where the drilling was taking place. And later, the  
18 police department decided to close the entire roadway, so a  
19 number of residents on the backside were not notified. So,  
20 we have taken the correction actions and prevent to issue  
21 from occurring.

22 Another step that we have taken and is implemented  
23 is we will allow adequate notification from the start we  
24 decide -- from the notification to the drilling, one week  
25 notification. There were cases that we gave a couple of

1 days' notice and there were a couple of residents that were,  
2 you know, concerned with that. But we have taken corrective  
3 actions and we have implemented that one week time.

4 MAYOR PETRACCO: So, in the future, you will  
5 notify the residents one week prior to any activity on their  
6 street?

7 MR. PATEL: Yes, yes, yes. It's very important to  
8 recognize the fact that the drilling that we do is on public  
9 streets, okay? We don't drill on private residence. We  
10 don't drill in their lawns. We don't drill on their  
11 driveways. It's in the public street.

12 If I can show you the map and John can help me.  
13 Okay, this is the Roche facility, okay? Route 3. You have  
14 Kingsland Road. And we are drilling -- we are drilling  
15 wells south off Kingsland Road. We have completed -- we  
16 have completed drilling at Funston and Cottage. We have  
17 completed that.

18 We are working on Edison and Alexander.

19 UNIDENTIFIED SPEAKER: And you have completed  
20 Terrace?

21 MR. PATEL: Yes, from a prior operation, yes.

22 We will start work on Spruce and Hillside. And we  
23 have implemented the new notification process when we start  
24 the next week drilling. For example, a resident at Spruce,  
25 Dr. Longo (ph), he had concern and we have addressed his

1 concern adequately.

2 UNIDENTIFIED SPEAKER: How are you going to notify  
3 them? In terms of mail? Personal delivery? Hand delivery?

4 MR. PATEL: Yes, in the mail. Recorded, return  
5 receipt mail we notify.

6 MAYOR PETRACCO: Return receipt.

7 MR. PATEL: It's important to note that the  
8 drilling operation can take anywhere between two to three  
9 days to -- two to three weeks, and after drilling is  
10 completed, there is sampling operation. (Indiscernible)  
11 developed to stabilize and there is sampling operation.

12 Sampling operation involves a couple of  
13 technicians and a pickup truck. It's a low profile  
14 activity.

15 If we cause any damage, and we have always done  
16 that -- if there's any damage, we fix it. Okay, so we  
17 satisfy the community, we satisfy the resident, and we fix.  
18 Any work we do on the roads, we restore that to normal  
19 condition. We install the well covers. We install the  
20 flush mounted with the roadway.

21 Depending upon the results, as Tom had indicated,  
22 it may be necessary to install additional wells. However,  
23 any additional wells will follow the improved notification  
24 and communication that we have implemented. We have always  
25 and we will continue to respond to community concerns in a

1 timely manner.

2 For example, when we were drilling on Alexander  
3 Avenue, a resident was concerned because part of the  
4 operation does involve blocking the driveway. No matter how  
5 we tried, because of the electrical lines, utilities, for a  
6 portion of the time, it's necessary to block, and we worked  
7 with that resident. It involved taking the car out before  
8 setting the equipment for drilling. So, we worked that out.

9 And as I had mentioned, we also worked with the  
10 resident on Spruce, Dr. Longo, and we believe we satisfied  
11 his concerns. I just want to let you know that you have our  
12 assurances that we will address any of the community  
13 concerns in a timely manner. We appreciate the support of  
14 the Township personnel, thank you. We like to keep  
15 communication open. You can call us any time. You can also  
16 speak with our environmental consultant, TRC, or LSRP.

17 In summary, I want to say that we plan to drill  
18 six wells. Two are completed. Two are being drilled. And  
19 two will be starting next week. And again, I really want to  
20 thank you for your support. We have worked very well in the  
21 past and will continue to work, and I'd like that teamwork  
22 that we have continuing. Thank you for your support, thank  
23 you.

24 COMMISSIONER TUCCI: Just a comment from what I've  
25 heard from some of our residents. I don't think it's so

1 much the process, all right, that you're following. And  
2 they're relatively assured that you're following all of the  
3 DEP guidelines and regulations as far as this is concerned.  
4 I think where the ball was dropped a bit, all right, and  
5 you've addressed that, was in the notification. All right?  
6 Because it was -- people were inconvenienced. People were  
7 blocked in their driveways, and they were upset.

8           And, you know, people get concerned and people get  
9 upset when they're not aware, all right, of what's going on.  
10 So, I think if you follow through on the notification  
11 process one week prior to anything happening, I think a lot  
12 of that will be eliminated.

13           You also have in your fact sheet, and this is very  
14 typical of Roche, that you maintain high ethical and social  
15 standards when it comes to protecting the environment, and  
16 we appreciate that, and we respect that. But what you also  
17 need to know is we hold those same high standards for our  
18 residents. So, before you notify them, it might also be a  
19 good idea to let all of the Commissioners know, all right,  
20 so we can help in that effort.

21           All right. And I know certified mail is good, but  
22 people go on vacation. People sometimes don't check.  
23 They're not home, or they miss the mailman, or whatever.  
24 All right? So, however we can help so this doesn't happen  
25 again, so people aren't inconvenienced, and people do

1 understand what's going on, you know, we stand ready to help  
2 you with that. All right? But as long as we have the  
3 information with enough (indiscernible) time, we can do  
4 that.

5 UNIDENTIFIED SPEAKER: Question.

6 MAYOR PETRACCO: Sure.

7 MR. LYON: Very well, we will take that  
8 suggestion. I will ensure that not only the residents, but  
9 the Commissioners also get ample and timely notification.

10 COMMISSIONER TUCCI: Good, thank you, Tom.

11 COMMISSIONER ROGERS: Commissioner Rogers,  
12 Director of the Department of Health.

13 Just to follow up on what Commissioner Tucci  
14 stated. The questions I'm getting is what about the  
15 potential health hazards. You know, rumors fly and they fly  
16 like wildfire. People hear about contaminants in soil,  
17 contaminants in water, and yet we're not getting any  
18 information regarding what are the potential health hazards.

19 So, my question to you is, are we looking at any  
20 health hazards with relation to drinking water? Children  
21 are playing out in the parks, and on the soil, and in the  
22 ground. Are we looking at any potential health hazards to  
23 children? So, if we could also include that in our  
24 communication, that would be helpful not only to me, but I'm  
25 sure to every Commissioner because the questions are coming

1 and we need to have those answers.

2 So, can you answer that right now? Are we looking  
3 at any potential airborne, soil, or water health hazards?

4 UNIDENTIFIED SPEAKER: Do you to take that, or --  
5 okay, you can take that.

6 MR. LYON: I'll take a shot at it. If I don't get  
7 any of the technical stuff right, Chandra, maybe you can  
8 help me out.

9 In general, I always mention that there is two  
10 types of contaminants that we're looking at. Commissioner,  
11 you mentioned airborne, there are no airborne contaminants.  
12 So, you know, that's not a concern that we've been focused  
13 on at all.

14 So, then it really comes down to soil. Let's take  
15 that one first. So, as -- we've been taking thousands of  
16 samples on site, and basically all of the contamination we  
17 have delineated, the soil contamination, and it is 100  
18 percent confined to the Roche property, okay? There is no  
19 migration of that soil contamination. It is stable.

20 We will remediate that soil and we will address  
21 that soil within the guidelines of the DEP. So, if I were  
22 to summarize soil, there is no exposure to the residents  
23 from the soil contaminations that are on the Roche site.

24 UNIDENTIFIED SPEAKER: Tom, if I might speak, just  
25 so you know I've already asked that question because our

1 park is right there. All right, and if there was any  
2 question of that, we would have (indiscernible) that off.  
3 But we were assured and we're confident that there was no  
4 soil contamination.

5 MR. LYON: Right. So, there is soil  
6 contamination, but it's confined to the Roche site --

7 UNIDENTIFIED SPEAKER: Outside of the Roche  
8 property.

9 MR. LYON: -- and it is not migrating. So, no  
10 exposure to the Nutley residents.

11 Ground water. It's a little more difficult of an  
12 animal, right? It's moving, it's always going up, it's down  
13 with the water table. So, it's moving a lot. What we have  
14 found is at our property boundaries, at least anyway, we've  
15 gone down to 50 feet and we have not found any contaminants  
16 in the ground water.

17 From the ground level down to a depth of 50 feet.  
18 Below 50 feet, we have found some contaminants. So, what  
19 we're trying to do now is -- so, let me give you a short  
20 answer to your question. So, since the contamination in the  
21 ground water is so far below ground, it does not pose any  
22 immediate exposure to the residents of Nutley. Okay? We  
23 feel pretty confident that's what it is. We're still in our  
24 investigation, but that's where it's going. And it's hard  
25 to be 100 percent definitive when we're halfway through.

1 We're like in mid swing of this thing, right? So, but  
2 that's where we feel it's going to come out.

3 Below 50 feet, it's more of a migrating issue and  
4 that's why we're doing this offsite drilling. We're going  
5 to be going down to like 80 feet in this offsite drilling  
6 that we just mentioned down here. And if that comes up  
7 clean, then we feel pretty confident that it's contained in  
8 terms of the ground water contamination, and then we can  
9 start analyzing how we're going to fix it, okay?

10 So, that's kind of where we are right now. I  
11 don't know Chandra, John, is there anything you can add?

12 MR. PATEL: Yeah, so in terms of drinking water,  
13 the Nutley Township is serviced by water from the utility  
14 company. The resident, they get water from the  
15 (indiscernible), which provides water to the Town. So that  
16 -- the drinking water -- the resident is not impacted by  
17 operation at Roche.

18 MR. LYON: And we've done a survey -- TRC has done  
19 a survey, are there wells in the immediate area? And they  
20 didn't find any. You know, there's none on record anyway.

21 The -- you know, here we are, you know, this close  
22 to our property line poking holes to try to find out where  
23 the samples are to see if there's contamination. So, if  
24 there's any further away, it's even going to be less. So,  
25 if we can come up with this boundary line here and say

1 there's non-detectable limits, well, then we're really  
2 comfortable that we're defining a problem that -- and how  
3 we're going to fix and address that problem.

4 COMMISSIONER EVANS: So, to Tom or whoever, I have  
5 just a couple of questions, and just serious. One, you said  
6 the number of wells -- test wells you (indiscernible) right  
7 now is a total of six?

8 MR. LYON: Right. The current level is six. We  
9 have done a couple by the condominiums and stuff like that,  
10 but currently there were six in our deep, ground water  
11 investigation. Two have been completed. Two are currently  
12 in process. And two will be done next week.

13 COMMISSIONER EVANS: Will these wells be sealed,  
14 filled in, sealed, or will they be permanently remain?

15 MR. PATEL: They will be properly completed as per  
16 the NJDEP requirement. They have to be maintained and we  
17 have monitoring. We have to monitor them.

18 COMMISSIONER EVANS: So, they'll exist and they'll  
19 stay --

20 MR. TRELA: For some period of time. Samples will  
21 need to be collected and analyzed.

22 COMMISSIONER EVANS: -- for some -- foreseeable  
23 future, these wells will exist and periodically you'll need  
24 access to them, or whatever, you have a quick way to do  
25 that. So, it's not just one and done.

1 MR. LYON: Absolutely. In fact, we need six  
2 months' worth of data to even submit to the NJDEP our  
3 remediation report by May. So, that's why it is relatively  
4 timely. We need to start the six months of sampling so that  
5 we can conform to our submittal to the NJDEP by the deadline  
6 of May 14th.

7 COMMISSIONER EVANS: So, the other question is,  
8 the contaminants that you found in the soil, which is on the  
9 main -- on Roche property, as well as the contamination that  
10 you found below 50 feet, you referred to it as  
11 contamination, when will you be in a position to explain  
12 what kind of contamination, describe it, and so on,  
13 specifically.

14 MR. LYON: Chandra, do you want to jump on that?

15 MR. PATEL: Yeah. So, from a timing standpoint,  
16 we have a regulatory deadline and we are targeting that on  
17 May of 2014. So, between now and May of 2014, we are  
18 working with LSRP's. We are investigating the site. We are  
19 working with NJDEP. So, it's sometime in May of 2014 is  
20 when we would have a --

21 COMMISSIONER EVANS: So, May of '14 when the  
22 report is published and it will be known?

23 MR. PATEL: Yes.

24 MR. LYON: Correct.

25 MR. LYON: In general, Tom, and I've shared this

1 in other forums, we are finding -- we have some preliminary  
2 idea of what we're finding. Some of that has been from  
3 Roche sources and some of it has been from offsite and float  
4 onto the Roche property.

5 So, we're in the process of trying to specifically  
6 define that because it's Roche's responsibility to also  
7 define not only the things that may have been a Roche  
8 source, but anything that flowed into and off of Roche  
9 property.

10 COMMISSIONER EVANS: And that's leading to my  
11 other question, so good segue. The -- when you say that  
12 sort of the flow is southerly --

13 MR. LYON: Yes.

14 COMMISSIONER EVANS: -- in that it's not a wall --

15 MR. LYON: In general.

16 COMMISSIONER EVANS: -- in general -- in general,  
17 it's not a wall of Roche, then there was manufacturing and  
18 other things, you know, on the other side of Route 3 in  
19 Clifton (indiscernible). Are you finding that other things,  
20 other manufacturers, businesses that don't exist anymore may  
21 be contributing to the situation? And when that happened  
22 and there's multiple parties, you know, that need to get  
23 invited to the table, is that something that you have to  
24 evaluate as well as part of this?

25 MR. LYON: Yes. So, as we are chasing the

1 boundary of the southerly side down here to delineate the  
2 issues, we've also chased the boundaries going north. And  
3 we have, through wells and sampling, the same thing we're  
4 doing here, have identified that the contamination is  
5 flowing off of Roche properties for some materials that we  
6 don't have any history or recollection of every using.

7 So, we do know that there is some contribution.  
8 To what extent, we're still in the investigation phases, but  
9 it seems considerable.

10 COMMISSIONER EVANS: Right, okay. So, those  
11 parties -- and I understand this is sort of like half way --  
12 this is at halftime trying to predict who's going to win the  
13 game, right?

14 MR. LYON: Right. Yes, exactly.

15 COMMISSIONER EVANS: All right, I understand that.  
16 So, I just --

17 MR. LYON: And I'm a little concerned about, just,  
18 you know, laying it out there also. So, I mean --

19 COMMISSIONER EVANS: I understand. I understand,  
20 but, and again I'm just trying to, you know, as we all are  
21 live up to our responsibility because we have to represent  
22 our residents. And these are just questions that I'm sure  
23 is on everybody's mind. So, there's technical terminology  
24 being used that can be confusing, and it may not be  
25 understood, which -- I don't want it to be interpreted as a

1 non-answer. I just wanted to make sure I understand it  
2 enough so I can help in that process.

3 MR. LYON: Sure. I appreciate that.

4 COMMISSIONER EVANS: So, and you mentioned -- the  
5 other thing was is that the soil contamination is on the  
6 main property, but you have below 50 feet water  
7 contamination, for the sake of simplicity, does -- is it  
8 like mixing a cocktail that because you have it in the soil,  
9 it hits the water, and therefore it becomes part of the  
10 water after your property?

11 Is there -- I'm just -- you had made a distinction  
12 between soil and water, and that soil's on our property,  
13 water's off our property, and I'm trying to figure out how  
14 to make sense of that.

15 MR. LYON: That's the same question I was asking.  
16 I'm a lay man. I'm not an environmental specialist.  
17 However, the answer I got and I'm not -- I'm going to defer  
18 is --

19 COMMISSIONER EVANS: It feels like you're making a  
20 marguerite.

21 MR. LYON: -- some contaminants are soluble in  
22 water and some aren't. And that what's decide then. Now,  
23 John, maybe if -- if that (indiscernible) in your --

24 MR. TRELIA: No, that's a fair summary, but there  
25 are some contaminants that are so strongly absorbed to soil

1 that once they get on the soil, they'll stay in the upper  
2 six inches, or two inches, or foot and they never go into  
3 the ground water, and never move. Then there's others that  
4 are moderately mobile, and they get into the ground water,  
5 and they tend to move a short distance, and then it becomes  
6 immobilized. Then there's others that will migrate through  
7 the soil, get into the ground water, and continue to move  
8 with the ground water.

9 So, there's categories. There's no one answer.  
10 No one size fits all. There's different categories of  
11 chemicals, and they have to be evaluated differently.

12 MR. LYON: And we have all of the above that we've  
13 been finding. So, everything from -- we have two shovelfuls  
14 of dirt where we may have had a loading dock that we know,  
15 and it's very defined, it's very crisp. It's very easy to  
16 remediate. And then we also have some things that are  
17 pretty, you know, broad, and those are some of the things  
18 that are also flowing onto the site. It's very broad and  
19 it's pretty much background.

20 COMMISSIONER SCARPELLI: Go ahead. Tom, you said  
21 that it's going south, and is it going in other directions  
22 do we think? The ground water?

23 MR. LYON: So, I mean, in general, I mean, there's  
24 all little pathways, but in general, it's this way. And  
25 there used to be an aboveground waterway, and a stream here,

1 and a stream coming down the site. That's kind of the  
2 natural flow. And when those streams were changed and  
3 actually put in sewer lines and stuff, they kind of went  
4 below ground. But those are natural flow paths.

5 In the hydrology, I mean, John, maybe you can  
6 speak to it, but you know, it might come in, take a little  
7 bit of a (indiscernible) handle and then come back down, but  
8 depending on the depth and the different aquifers.

9 COMMISSIONER SCARPELLI: So, as we go forward,  
10 it's possible that as we -- as this -- the way the  
11 groundwater migrates that there's going to be further  
12 testing down the road in different streets?

13 MR. LYON: So, we're hoping as we go through this  
14 we can delineate. And the more non-detectable levels that  
15 we receive, the more we can get closer and back up towards  
16 the site.

17 But our goal here, you know, let's be clear about  
18 what our objective. Our objective is to clearly delineate  
19 the areas of concern. Once we clearly delineate the area of  
20 concern, then we can put the right fix in place. And we're  
21 getting a lot of help with clearly delineating the areas of  
22 concern with the LSRP's, with DRC, with the State, they're  
23 all helping us to make sure that as we do this delineation,  
24 we're doing it extremely thoroughly.

25 MAYOR PETRACCO: Tom -- go ahead.

1 COMMISSIONER SCARPELLI: A couple more questions.  
2 I know you said it would be like a six month process, but as  
3 soon as those test results are available, and I know you're  
4 required to report them to the DEP, could you also report  
5 them to our engineers?

6 MR. PATEL: Yes, so basically what happens when  
7 the results are, (indiscernible) check. We have to review  
8 it with NJDEP. And at that point I think, yes, we could do  
9 that.

10 COMMISSIONER SCARPELLI: We would appreciate that.

11 COMMISSIONER TUCCI: Does that become public  
12 information at that point?

13 MR. PATEL: Yes.

14 COMMISSIONER SCARPELLI: Even though it's public,  
15 I would like it at least sent on as a courtesy.

16 MR. LYON: There's a nervousness level, I mean,  
17 because it's unknown. And we appreciate that, and we'll try  
18 to be as timely as we possibly can.

19 COMMISSIONER SCARPELLI: I just want to -- I know  
20 you said this, but I want you to be clear about it. In some  
21 of those area in Alexandria, the basements flood. That  
22 ground water that's coming up is not contaminated based on  
23 what you found so far? It's below that kind of level,  
24 correct? It's below 50 feet, so that's not going to migrate  
25 up to their basement?

1 MR. TRELA: No. It will not migrate up  
2 vertically. Water that enters the basement is usually what  
3 we refer to as local recharge. In other words, unless you  
4 have a sloping surface there and the water that's coming  
5 into your basement was rain on your neighbor's property, or  
6 his neighbor's property six or nine months ago, it hits the  
7 top of the water table, moves laterally, seeps in, and the  
8 runs into the sump pump. So, that's the upper could of  
9 feet, five feet, ten feet down, or whatever -- however deep  
10 the basement is, that's how deep it is. We're talking  
11 concerns here that are below 50 feet. Your typical two-  
12 story house is, what, 25 feet high. So, it's three times  
13 the depth of the house into the ground we're talking about.

14 COMMISSIONER SCARPELLI: And I appreciate you  
15 saying that because I think that's a major concern of some  
16 of our residents that, you know, we do have a lot of  
17 basements that flood in town and when they hear ground  
18 water, they think hey, what exposure is it to my family.

19 MR. LYON: Exactly.

20 MAYOR PETRACCO: Actually mine is one of them and  
21 I live right by Alexander so that's a good question.

22 COMMISSIONER EVANS: Just to help me just to get a  
23 clarification, when we say it's below 50 feet and it's like  
24 this deep, and it's in the water, you know, and there's a  
25 thought that there's something in the water, where does that

1 water go? So, it's not going in the basement. Is it going  
2 to a reservoir? Is it going to --

3 MR. TRELA: No, it -- that water continues to move  
4 through the ground. Ultimately, it goes into the  
5 (indiscernible). And what we're doing here is we're testing  
6 wells for two things. Remember, Tom said that we're testing  
7 for two things. What's the chemical composition and which  
8 way is the water flowing. So, when we complete these wells,  
9 we'll prepare what's called a water table contour map, which  
10 is very similar to a topographic map. It shows you where  
11 the water's high and where the water's low. We all know  
12 from elemental science, water flows downhill. So, we use  
13 that topographic map to draw flow lines.

14 COMMISSIONER EVANS: Not on my street.

15 MR. TRELA: There's no flow line -- it doesn't  
16 flow downhill on your street?

17 COMMISSIONER EVANS: I'm up on the hill.

18 MR. TRELA: Okay. But in any case, we integrate  
19 that information (indiscernible) map that based on the data  
20 predicts which direction its flowing and where the  
21 concentrations will go. So, at that point when we have that  
22 report, you'll be able to say, okay, water from this  
23 location travels this path and goes in that direction.

24 COMMISSIONER EVANS: And the other, just a quick  
25 one, we have a municipal well right outside. So, it's here.

1 Is there any need to test that?

2 UNIDENTIFIED SPEAKER: We do test that, right?

3 MR. PATEL: I can -- I can comment on that. We  
4 have no information on the impact to the town well, but then  
5 it's much further from our facility. It's about more than a  
6 mile from our facility.

7 MR. TRELA: I think it's 6,200 something feet from  
8 the center of the Roche site to --

9 MR. LYON: We're testing 100 feet off the property  
10 line to see if that's the boundary of our impact, so --

11 MAYOR PETRACCO: Well, we test that anyways,  
12 right, Joe?

13 MR. LYON: Yeah, I'm sure we're required to do it.

14 MAYOR PETRACCO: We test it. Tom, my question is  
15 this, if I may. I don't live far from Roche and, you know,  
16 the ground water does alarm me a little bit because some  
17 people have, you know, actual wells that feed their homes.  
18 A friend of mine on Alexander, I know he waters his grass.  
19 He puts it in his pool all the time.

20 So, not being a scientist, my question is this. I  
21 know we've talked about parts per million, I mean in  
22 layman's term, if -- I mean, the findings that you have been  
23 finding in this deep ground water level, what would have to  
24 happen for it to be damaging to our residents? Would we  
25 have to drink -- I mean, if we touched it, is somebody going

1 to lose a finger? Do we have to drink 300 gallons of it  
2 before it affects us? Do you have any information such as  
3 that?

4 I mean, if what you're finding, is it, you know,  
5 catastrophic?

6 MR. LYON: Yeah, to be clear what we're finding is  
7 a very common solvent that is highly used in the New Jersey  
8 region. This is not the Roche's issue. This is not a, you  
9 know, a Nutley issue. This is a much broader contamination  
10 and it's the PCE, or the perc, I guess. That's what we're  
11 actually finding. And it's deep.

12 So, I'm -- specific health concerns over what is  
13 -- what is it that this would do to you if you drink a lot  
14 of the water, I don't know. We're not a health  
15 professionals and all. All we know is the levels that we're  
16 finding are above the drinking water standards when we go  
17 very deep, and it's not much different regardless of, you  
18 know, where it's flowing onto our site to where it's flowing  
19 off of our site. The levels are pretty consistent.

20 MR. PATEL: And the perc is a very common  
21 contaminant. It's very commonly used in New Jersey. It was  
22 heavily used in the dry cleaning industry. It was a very  
23 common degreaser. It's very prevalent in New Jersey.

24 MR. LYON: So, there's nothing that is uncommon  
25 that we're finding in the ground water. Is it above

1 drinking water standards? Yes, when you go very deep. And  
2 that's why we're saying we don't believe it opposes any  
3 exposure to any of the residents in Nutley because of one,  
4 you're not taking the drinking water from any of those areas  
5 near the Roche site, or the areas that we've sampled anyway.  
6 So, we don't think any of that is posing any exposure.

7 MAYOR PETRACCO: And what constitutes where you're  
8 going to test, Tom? You know, what makes, you know -- I  
9 mean, you know, what would -- that's simple enough. What  
10 makes -- what constitutes where you're going to test?  
11 What's the nature of that, please?

12 MR. LYON: A lot of it is by all of the  
13 professional advice and support. It is not -- it is also up  
14 to the LSRP to make sure they're comfortable with our  
15 approach and our sampling methodology. On our site, we have  
16 opted to do an extreme amount -- like, we kind of grid the  
17 whole site, checkerboard kind of a thing, and you know,  
18 every so many feet. And we've chosen to go that route.

19 For delineation off site, we are making sure that  
20 we 100 percent are getting the advice of the LSRP's and the  
21 professionals. But we want to be clear, at the end of the  
22 day, what's our objective? To clearly delineate the areas  
23 of concern, because that's the first step in figuring out  
24 what the fix is. We've got to be able to, you know, how big  
25 is this thing that we're dealing with.

1           COMMISSIONER TUCCI: Tom, just as a general point  
2 of information, once you actually delineate the extent of  
3 the contamination, the remediation will be conducted both on  
4 site, on Roche property, and off site once it's determined  
5 how far it's gone?

6           MR. LYON: It depends. So, for the soil  
7 contamination, I can tell you right now it will be all on  
8 the Roche site because that's the only place the  
9 contamination is.

10          COMMISSIONER TUCCI: Right.

11          MR. LYON: Okay. For the ground water, we're yet  
12 to figure out, you know, one, the boundaries.

13          COMMISSIONER TUCCI: Right.

14          MR. LYON: But we're getting close. And then when  
15 we do it, we have many options, many technologies available  
16 for how we're going to fix it, right? Everything -- and we  
17 spoke about this before, right? You can do the traditional  
18 pump and treats, but there's much more newer technologies  
19 that are out there, you know, from thermal, to bio, to -- I  
20 mean, there's all those kind of things that we're hoping  
21 that we can have much more effectiveness in how we do that.

22          MAYOR PETRACCO: So, Tom, this --

23          COMMISSIONER TUCCI: That was a great explanation,  
24 but you really didn't answer my question.

25          MR. LYON: So, no, but you know, it's kind of hard

1 because unless we define it, you're asking me how we're  
2 going to fix and where are we going to fix it.

3 COMMISSIONER TUCCI: No, no, no. I'm not asking  
4 you how you're going to fix it.

5 MR. LYON: But where.

6 COMMISSIONER TUCCI: I'm asking you whether or not  
7 you're going to fix it.

8 MR. LYON: So, if I had a crystal ball maybe,  
9 John, if you had a crystal ball. I mean --

10 MR. TRELA: I think we have to answer the  
11 fundamental question that we're addressing today which is  
12 where is it and how much is there.

13 COMMISSIONER TUCCI: Okay, that's fair.

14 MR. TRELA: When you know how much is there, you  
15 can decide on the appropriate remedy. And appropriate  
16 remedy may be some of the things Tom talked about or it may  
17 just be monitoring (indiscernible) --

18 MAYOR PETRACCO: And where it's coming from?

19 COMMISSIONER TUCCI: And where does the  
20 responsibility lie? I guess that's what my question is.  
21 Does it lie with Roche, or if it's coming from another  
22 source, is there someone else who's responsible for that?

23 MR. LYON: Right, so a couple things. Part of  
24 identifying the problem will also identify the fix. There  
25 are some things that we know we're finding that Roche didn't

1 cause and we're going to fix it, okay? And we, you know, in  
2 general that's our feeling. So, those are the kind of  
3 things that we do have a commitment of doing it and doing it  
4 right. But it's a very hard question to answer because we  
5 don't know -- we're not done with the investigation yet.

6 But I can say and, you know, we are clear about  
7 our standards, if there is something that we can improve,  
8 we're going to try our best to improve it. If there's a fix  
9 that we can do, even if we didn't cause it, we're going to  
10 try to fix it. And those are -- that's the commitment that  
11 we can have with the Township.

12 COMMISSIONER SCARPELLI: Unless sitting on the  
13 committee --

14 MR. LYON: We're in mid-swing of this  
15 investigation.

16 COMMISSIONER SCARPELLI: I got you. I'm with you.

17 MR. LYON: So, I have to qualify it a little bit,  
18 right?

19 COMMISSIONER SCARPELLI: And listen, I'm well  
20 aware of your commitment sitting on the committee with the  
21 Mayor. We know how far you've gone. We know your  
22 commitment is to go above and beyond what's required --

23 MAYOR PETRACCO: And we appreciate it.

24 COMMISSIONER SCARPELLI: -- and we appreciate  
25 that, but these are just some general questions, some

1 questions that are posed to us every day. As we go along,  
2 the more questions we can answer, I think the more informed  
3 we're all going to be, and the better off this whole process  
4 will come out.

5 MR. LYON: Right.

6 MAYOR PETRACCO: Just, Tom, one other question  
7 just regarding the wells. If people have private wells, and  
8 I don't know how many feet they go down, what would be your  
9 recommendation -- I mean, how far away from Roche, how --  
10 you know, what -- I mean, should they test that water?

11 I mean, because I do know there's a few wells in  
12 town. You know, and I know one for sure, actually two being  
13 on Alexander Avenue, more by where my house is, but closer  
14 to (indiscernible) Avenue. But is that -- when you dig a  
15 well, is that considered deep ground water?

16 MR. TRELA: Well, it depends on the well. You can  
17 put a shallow well in, like if somebody wants to put an  
18 irrigation well 20, 40 feet deep and that will generally  
19 give you enough water to water a lawn, something like that,  
20 or wash a car.

21 But anybody that has a well has an affirmative  
22 obligation, in my opinion, to theirselves and their family to  
23 test it. Would you go down to the river and scoop water out  
24 of the river, and drink it? Of course not. That's just --  
25 you know.

1           So, if you're going to use it for a potable  
2 purpose, I would recommend anybody that has a well, whether  
3 it's in Nutley or whether it's in Cape May, they should be  
4 testing their water, because they don't have the benefit --  
5 your town is lucky. I come from a part of the state where  
6 half the town is on wells. Your town is lucky. Almost  
7 everybody uses city water. Those are regulated utilities.  
8 They do regular testing. They're regulated by the DEP. And  
9 the data's made available to everyone what the testing is.

10           On a private well, you have no idea. Whether it's  
11 close to Roche or far away, it could be from the gas station  
12 down the block.

13           MAYOR PETRACCO: That's a good point.

14           MR. LYON: From a Roche perspective, the  
15 investigation we're doing is really focused on any influence  
16 that Roche could have had on the environment. So, to answer  
17 a question about general drinking wells, that's a really  
18 hard one --

19           MAYOR PETRACCO: They should all be -- and they  
20 should all be tested.

21           MR. LYON: -- that's out of our --

22           MAYOR PETRACCO: Nick, did you want to say  
23 something?

24           MR. UGLIAROLO: Yeah, thank you.

25           MAYOR PETRACCO: Just please introduce yourself.

1 MR. UGLIAROLO: Nick Ugliarolo, Nutley Police  
2 Department.

3 I'm going to switch gears here briefly. My  
4 concern is with the actual work being on any specific street  
5 on each day. I'm in a unique position because as a traffic  
6 safety officer, I get to work with your engineers and  
7 project managers from the preconstruction meetings to when  
8 you call up to schedule police officers to daily -- you  
9 know, every day that your crews are out there going up to  
10 check on them and work with them.

11 And I noticed some changes over the last few  
12 weeks, or months, or so. I don't know if it's by -- because  
13 of attrition up there and changing employees, but for  
14 example, project managers have changed and there's  
15 definitely a noticeable change in how the project's being  
16 run. And I'm not here in any way to put blame on anybody.  
17 We're here to identify it and correct it so we can have it  
18 run smoother in the future.

19 And just as an example, I brought this photograph.  
20 I went up there the other day and I saw this, and I see Mike  
21 Meechan (ph) standing here and he'll know exactly what I'm  
22 talking about. This is how the road was closed. Now, in  
23 the beginning of the project, we were -- you -- your request  
24 was you were hiring police officers around the clock for  
25 traffic details during the day, and then site security 24

1 hours a day.

2 Okay, I understand that was astronomical, and you  
3 know, whether there was a reason or need for security at  
4 night, we scaled that back drastically. We're now down to  
5 one police officer during the day. What we can't direct  
6 traffic on, let's say, Alexander Avenue as we're doing now  
7 with one police officer at one end of the block.

8 The Township also doesn't provide traffic control  
9 devices, i.e. barricades, barrels, detour signs. That's up  
10 to whoever the actual construction crew is. It has to be  
11 proper equipment.

12 You know, when I pulled up and I saw that the  
13 other day and I said, you know, you have to get in, you  
14 know, the proper --

15 MAYOR PETRACCO: What we could do just to address  
16 that, Tom, is -- is there a contact person maybe Officer  
17 Ugliarolo could reach out to tomorrow and we'll take care of  
18 that?

19 MR. LYON: Yeah. Yeah, that can be --

20 OFFICER UGLIAROLO: Well, Mayor, if I may. What I  
21 think we should maybe do is have a midway construction  
22 meeting, maybe all sit down again with whoever the new  
23 project managers are.

24 MAYOR PETRACCO: That would be fine.

25 OFFICER UGLIAROLO: And just catch you up to

1 speed.

2 MR. PATEL: I'll initiate that.

3 MAYOR PETRACCO: Okay, thank you.

4 MR. PATEL: I'll give you my card.

5 MR. LYON: Thank you and we apologize. That  
6 certainly isn't something we would be proud of if -- to show  
7 signs like that, absolutely.

8 MAYOR PETRACCO: Okay, any other questions,  
9 gentlemen?

10 UNIDENTIFIED SPEAKER: Not for now.

11 MAYOR PETRACCO: Gentlemen, Darien, that you so  
12 much for coming. We appreciate you coming out on short  
13 notice. I know we do have a few residents here. We have to  
14 break to go out to our meeting. Would you be willing to, if  
15 any of the residents had a question to talk to them  
16 privately back here? Is that okay?

17 MR. LYON: Sure, absolutely. Absolutely.

18 MAYOR PETRACCO: Anybody have a question, okay?

19 MR. LYON: Okay, well thank you, Mayor.

20 MAYOR PETRACCO: Okay, thanks so much.

21 MR. LYON: Thank you for the opportunity. Thank  
22 you, Commissioners.

23 UNIDENTIFIED SPEAKER: Thank you, Tom. Thank you,  
24 Chandra.

25 MR. PATEL: Thank you. Thank you very much.

1           MADAM CLERK: Mayor, I just need a few minutes to  
2 set up in the front before we open the meeting.

3           MAYOR PETRACCO: Okay, do you want to maybe put  
4 them in the next room and they could filter through there?

5           MADAM CLERK: That's fine and if we're -- Mayor,  
6 just don't --

7           (Off the record at 8:00 PM)

8           (On the record at 8:04 PM)

9           MAYOR PETRACCO: Could everyone please stand for  
10 the (indiscernible)?

11           (Pledge of Allegiance)

12           MAYOR PETRACCO: Okay, before we start, can we  
13 just have a moment of silence for our troops that are  
14 serving overseas?

15           (Pause)

16           MAYOR PETRACCO: Thank you. Madam Clerk?

17           MADAM CLERK: Thank you, Mayor. Tuesday,  
18 August 20, 2013. Pursuant to the requirements of the Open  
19 Public Meeting Law (Chapter 231, Public Law 1975), notice of  
20 this meeting was published in the December 13, 2012 issues  
21 of the Nutley Sun, the Star Ledger, and the Herald News. A  
22 copy of this notice has been posted on the Nutley Town Hall  
23 bulletin board and a copy is on file in the Municipal  
24 Clerk's Office.

25           MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Here.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Here.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Here.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Here.

8 MADAM CLERK: Mayor Petracco?

9 MAYOR PETRACCO: Here.

10 MADAM CLERK: All present, Mayor.

11 MAYOR PETRACCO: Okay. We don't have any minutes?

12 MADAM CLERK: No minutes this evening, Mayor.

13 MAYOR PETRACCO: Communications/correspondence?

14 MADAM CLERK: No correspondence.

15 MAYOR PETRACCO: No reports?

16 MADAM CLERK: No reports this evening, Mayor.

17 MAYOR PETRACCO: We can move on to the bills.

18 MADAM CLERK: Yes, Mayor. Tuesday,

19 August 20, 2013, public affairs, \$171,904.98. Revenue &

20 Finance \$2,346,203.39. Public safety \$59,060.30. Public

21 works \$51,447.98. Parks and public property \$45,512.44.

22 Payroll as of August 16, 2013, 3 -- I'm sorry \$738,260.38.

23 For a grand total bill of \$3,412,389.47. And that's all for

24 bills this evening, Mayor.

25 UNIDENTIFIED SPEAKER: Move the bills.

1 UNIDENTIFIED SPEAKER: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 MADAM CLERK: Thank you, Mayor.

13 MAYOR PETRACCO: Thank you so much. This evening,  
14 we're going to take a couple items out of order tonight, and  
15 I will -- Commissioner Tucci, would you like to go first  
16 this evening?

17 COMMISSIONER TUCCI: Love to. Thank you, Mayor.

18 Ladies and gentlemen, this evening I have the honor of  
19 recognizing someone who's given of themselves tirelessly, so  
20 committed to this Township for the last 12 years, that this  
21 recognition is absolutely necessary. The gentleman I'm  
22 speaking of is Tom Rudomanski.

23 Tom has been the chairman of our Nutley Shade Tree  
24 Advisory Committee for the last 12 years. And as we all  
25 know, we are very passionate about our trees here in Nutley

1 and which ones are trimmed, and which ones are removed, and  
2 how we replace them, and where we replace them. Tom has  
3 been a good shepherd for us in moving through that process  
4 and has been instrumental in us developing and implementing  
5 our Shade Tree ordinance.

6 So, having said all that, and with the thanks and  
7 gratitude not only of our department, Tom, but also the  
8 entire Township, I offer up this resolution, which reads as  
9 follows.

10 Whereas, Tom Rudomanski has been a resident of  
11 Nutley for 48 years; and Whereas, Thomas Rudomanski and his  
12 wife, Iole, of 42 years have three daughters Claudia,  
13 Catherine, and Judith, son-in-laws William and Dave, and  
14 three grandchildren James, Jennifer, and Emily; and Whereas,  
15 Thomas Rudomanski has served the Township of Nutley in the  
16 Department of Parks and Public property, Shade Tree Advisory  
17 Committee, since May 1, 2001; and Whereas, on June 1, 2013,  
18 Tom Rudomanski resigned as chairman of the Shade Tree  
19 Committee after 12 years of dedicated service to the  
20 Township of Nutley. Now, Therefore, be it resolved that the  
21 Board of Commissioners of the Township of Nutley, County of  
22 Essex, State of New Jersey, join with the citizens of Nutley  
23 to the extend our deepest gratitude for 12 years of  
24 dedicated service to Nutley; and be it further resolved that  
25 we extend to Thomas Rudomanski our sincere wishes for a

1 long, happy, and healthy retirement.

2 I vote to proudly move this resolution.

3 COMMISSIONER EVANS: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Petracco?

13 MAYOR PETRACCO: Aye. Thank you, Tom. Would you  
14 like to say a few words?

15 MR. RUDOMANSKI: (Indiscernible). It's been a  
16 pleasure and an honor to be able to be a part of this  
17 service to the Town of Nutley. (Indiscernible) also. And  
18 they haven't (indiscernible). Thank you all.

19 MR. TUCCI: Thank you and thank you for  
20 everything.

21 MAYOR PETRACCO: You're very welcome. And we'll  
22 take another matter out of order. This is a resolution for  
23 our auxiliary police department. I know we went back and  
24 forth with this today, chief, but could you just give a  
25 little brief summary of exactly what the auxiliaries do and

1 through our accreditation process of where we're at now?

2 CHIEF HOLLAND: Yes, Mayor. The police auxiliary  
3 has been in existence in Nutley longer than I remember. I  
4 can't even trace it back to its original origins. I know it  
5 was in the 1940's when the auxiliary was first put together  
6 as an organization to assist with certain defense matters,  
7 which were rather pressing at that time.

8 So, they're -- the auxiliary was in existence when  
9 I was hired in 1972. I remember auxiliary members riding by  
10 (indiscernible) when I was a new patrolman, and telling me  
11 that I was wearing my uniform improperly. So, they were  
12 well in place way back then.

13 They have volunteered countless hours to the  
14 Township of Nutley. They would come out during storms, and  
15 civic events, and their volunteer hours save the  
16 municipality countless -- thousands and thousands of  
17 dollars. And we're a great service to the Nutley Police  
18 Department.

19 We recently made a little bit of a change with the  
20 times. We did deactivate the auxiliary going back a year or  
21 so ago. And we did that in favor of adopting something  
22 that's a little more modern, with a little more training  
23 involved, and that's the special law enforcement officer  
24 program.

25 There's two classes of special law enforcement

1 officers, class ones, class twos, some are armed, some are  
2 not, some are volunteers, some are paid. It just provides  
3 us with a better mix for the 21st century. The training  
4 requirements are more stringent which is (indiscernible)  
5 today.

6 But tonight, I know you have a resolution to read  
7 for the entire organization, and we also have individual  
8 plaques of appreciation for all of the members that were  
9 members of the auxiliary at the time it was deactivated.

10 MAYOR PETRACCO: Thank you so much, Chief. Okay,  
11 Whereas, on September 23, 1954, Governor Robert B. Meyner  
12 issued an Executive Proclamation setting forth the rules,  
13 and duties, and powers of the Auxiliary Police; and Whereas,  
14 as part of the State of New Jersey's Civil Defense Plan,  
15 Police Auxiliaries were created to provide further  
16 safeguards for the public security; and Whereas, the  
17 Township of Nutley has been well served by a dedicated group  
18 of Auxiliary Police Officers for over the last 50 years; and  
19 Whereas, the men and women of the Nutley Policy Auxiliary  
20 have volunteered countless thousands of hours, augmenting  
21 the Nutley Police Department during parades and civic  
22 celebrations, assisting during storms and other emergencies,  
23 and performing preventatives patrols; and Whereas, the  
24 Township of Nutley owes an incalculable debt of gratitude to  
25 all members of the Nutley Police Auxiliary, past and

1 present; and Whereas, the Nutley Police Auxiliary was  
2 officially deactivated on December 31, 2012, with many  
3 current members advancing to Special Law Enforcement Officer  
4 status. Now, therefore, be it resolved by the Board of  
5 Commissioners of the Township of Nutley in the County of  
6 Essex, State of New Jersey that the Nutley Police  
7 Auxiliary's substantial contribution to the safety and  
8 welfare of the Township of Nutley be hereby recognized; and  
9 be it further resolved that the gratitude of this community  
10 be hereby extended to all members of the Nutley Police  
11 Auxiliary, past and present, for their exemplary service  
12 with the Nutley Police Department.

13 I move the resolution.

14 COMMISSIONER ROGERS: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Before I vote, I just have to say  
25 a few words because the people that are in front of me

1 tonight not only did a great job, but they did it for free,  
2 and that's going to be very hard to replace in the future.

3 So, every time I saw you guys on a corner in the  
4 rain, (indiscernible) a funeral patrol or walking up and  
5 down the avenue, you know, you guys are the guys that always  
6 rose to the occasion, guys and women. I don't think you  
7 could ever find a better director than Chief DeLitta over  
8 there, who really did his part and (indiscernible). And  
9 what I admire most about the Chief is he always led by  
10 example.

11 Jack, I see many of you, not just (indiscernible),  
12 but what a great organization and I could tell -- I hope  
13 that all of you becomes specials, because there's really  
14 (indiscernible) about the volunteers and the spirit of  
15 community. So, thank you so much. I very proudly vote yes  
16 for this.

17 At this point, I will read the names, Chief?

18 UNIDENTIFIED SPEAKER: Everybody, good evening.  
19 Could I just make one comment?

20 MAYOR PETRACCO: Absolutely.

21 UNIDENTIFIED SPEAKER: Because I'd just like to  
22 thank you guys because over the years, with all of the  
23 events that we run in the parks departments, our concerts,  
24 our fairs, anything that was going on, you've always been  
25 there. Our Relay for Life, you've been there. You've done

1 a wonderful job. And you always gave it your all.

2 So, in addition to what the Mayor says, and in  
3 addition to the entire Town, just a special thank you from  
4 the park's department for all of that extra effort.

5 MAYOR PETRACCO: Okay. First, (indiscernible) is  
6 going to be Director Robert DeLitta, would you like to come  
7 up? Okay, next one will be Chief Jack Casale. Legal  
8 Advisor, Anthony Iannarone. We have Captain Raymond Bresko  
9 next. Captain Thomas Torrillo. We have Lieutenant Ismael  
10 Agosto. We have not Lieutenant David Ervolino. Sergeant  
11 Randolph Alfaro. Sergeant's not here, okay. Sargeant  
12 Pragnesh Bhatt. We also have Sergeant William O'Donnell.  
13 Officer Oliver Allen. Officer Manuel Cepeda. Officer Abby  
14 Jacob. Is Abby here? We have Officer Michael Latona. And  
15 Officer Santiago.

16 (Indiscernible), this way we can fit everybody in.

17 UNIDENTIFIED SPEAKER: (Indiscernible).

18 MAYOR PETRACCO: Can we just give them one more  
19 round of applause, please? If you guys would like to stay  
20 for the rest of the meeting, you're more than welcome to, if  
21 not, this is your moment to exclude. (Indiscernible).  
22 Thank you.

23 Okay, Madam Clerk, where were we? I believe  
24 (indiscernible) on public hearings.

25 MADAM CLERK: That's correct. Ordinance public

1 hearings.

2 MAYOR PETRACCO: Commissioner Evans.

3 COMMISSIONER EVANS: Thank you. I have a public  
4 hearing tonight regarding ordinance 3246, regarding  
5 amendments to a parking ordinance. This ordinance has an  
6 impact within our business areas making -- developing an  
7 ordinance that is more conducive to supporting business  
8 (indiscernible) town with respectful of residents and the  
9 fact that it is a residential community. But it will  
10 promote Nutley as being more open to business, and a great  
11 place to start a business.

12 MAYOR PETRACCO: Is there anyone here this evening  
13 that would like to address the Board of Commissioners on  
14 ordinance number 3246? I move to close the public hearing?

15 COMMISSIONER TUCCI: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Mayor Petracco?

25 MAYOR PETRACCO: Aye. Move the ordinance?

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Yeah, I just want to add  
10 that this -- I did ask, we should be able to enhance some of  
11 the outdoor seating that we have at our restaurants.

12 COMMISSIONER EVANS: Exactly, exactly.

13 COMMISSIONER SCARPELLI: And I think that's a  
14 positive. So, I enthusiastically vote yes.

15 COMMISSIONER EVANS: Thank you. Thank you. Any  
16 business that's less than 20,000 square feet (indiscernible)  
17 required. So, we did -- the vacuum cleaner store, the  
18 little nail salon, the little shop that wants to put two  
19 tables outside doesn't meet that requirement.

20 (Indiscernible) in a residential neighborhood, and I'm not  
21 going to name any (indiscernible).

22 UNIDENTIFIED SPEAKER: You still have to get a  
23 café --

24 COMMISSIONER EVANS: Absolutely. It doesn't mean  
25 there goes the permit requirement, but it does say that if

1 you want to have an outdoor café, you can do that. Also,  
2 for a restaurant, which used to have a requirement of two  
3 spots for every five seats, now, it only has to have one  
4 spot for every ten seats.

5 UNIDENTIFIED SPEAKER: (Indiscernible).

6 COMMISSIONER EVANS: So, it's really good.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: And before I vote, to tack on  
11 Commissioner Scarpelli and Commissioner Tucci, I think it is  
12 (indiscernible) and I think it's great work. Being a small  
13 business owner myself in town, I can tell you that the  
14 climate is improving, but still struggling and this will  
15 definitely make a difference in a lot of businesses'  
16 decisions to come to Nutley when opening up a business. So,  
17 job well done, Commissioners.

18 Have you found a lot of businesses wanted to come,  
19 (indiscernible) elsewhere. Thank you very much.

20 COMMISSIONER EVANS: Absolutely, thank you again.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Yes. I have a public hearing, I  
23 believe, on ordinance number 3247, an ordinance to amend an  
24 ordinance codified in the code of the Township of Nutley,  
25 Chapter 228, entitled vehicles and traffic, particularly

1 Article II (parking on certain streets), section 11 entitled  
2 parking time limited, to add the locations set forth. Those  
3 locations I should read into the record, let's see. I know  
4 it's Harrison, to the left of Harrison. I don't see it on  
5 here, am I missing it?

6 Oh, here, I've got it. I have it. Harrison  
7 Street north to Prospect Street to Bloomfield Avenue. Is  
8 there anyone this evening that would like to comment on  
9 ordinance number 3247? (Indiscernible) move to close the  
10 public portion of the meeting, please.

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 Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye. I move the ordinance?

22 COMMISSIONER TUCCI: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Mayor Petracco?

7 MAYOR PETRACCO: Aye. Thank you. Okay, we'll  
8 move onto resolutions, Commissioner Rogers.

9 MADAM CLERK: Mayor, did we move that? Okay,  
10 thank you.

11 MAYOR PETRACCO: I'm sorry, I didn't hear that  
12 question.

13 MADAM CLERK: I'm sorry, Mayor, I wasn't sure if  
14 we did move that.

15 MAYOR PETRACCO: Yes, I was an aye.

16 MADAM CLERK: Thank you.

17 COMMISSIONER ROGERS: Resolution number 199-13,  
18 Whereas, the Board of Education is mandated to provide  
19 nursing services to nonpublic school students within its  
20 School District; Whereas, the Nutley Department of Public  
21 Affairs is a public agency approved by the Nutley -- by the  
22 New Jersey Department of Health that is capable of providing  
23 nursing services of the type needed; and Whereas, the Board  
24 of Education desires to enter into an agreement with the  
25 Nutley Department of Public Affairs for the provision of

1 these services; Now, Therefore, be it resolved by the Board  
2 of Commissioners of the Township of Nutley that the Township  
3 of Nutley hereby approves the Agreement of Nursing Services  
4 in the form attached hereto, and authorizes the Director of  
5 Public Affairs to execute the final draft of the same on  
6 behalf of the Township; and Be it resolved that a duly  
7 executed copy of the Agreement for Nursing Services and this  
8 Resolution shall be placed on file with the Municipal Clerk.

9 So moved.

10 COMMISSIONER SCARPELLI: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: 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 MAYOR PETRACCO: Aye. Anything else, Commissioner  
21 Rogers?

22 COMMISSIONER ROGERS: That's all. Thanks, Mayor.

23 MAYOR PETRACCO: Commissioner Tucci, please.

24 COMMISSIONER TUCCI: Yes. Whereas, the Township  
25 of Nutley entered into a contract with Neglia Engineering,

1 34 Park Avenue, Lyndhurst, New Jersey for technical and  
2 management services for the Monsignor Owens Park, Field  
3 Reconstruction; and Whereas, the Director of Recreation of  
4 the Department of Parks and Public Property has recommended  
5 the following change order from said contract: Change order  
6 number 3, professional billing services from June 1, 2013 to  
7 June 28, 2013 in the amount of \$1,259. The money is  
8 available from Account Capital Ordinance number 3214B and  
9 has been certified by the Chief Financial Officer, said  
10 certification being attached to this resolution. Now  
11 therefore, be it resolved by the Board of Commissioners in  
12 the Township of Nutley, County of Essex, State of New  
13 Jersey, that Change Order number 3 in the amount of \$1,259  
14 be and is hereby approved.

15 I move the resolution.

16 COMMISSIONER EVANS: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Mayor Petracco?

1 MAYOR PETRACCO: Aye.

2 COMMISSIONER ROGERS: That's all I have, Mayor.

3 MAYOR PETRACCO: Thank you. Commissioner Evans?

4 COMMISSIONER EVANS: I have the two  
5 (indiscernible) resolutions. Be it resolved, by the Board  
6 of Commissioners of the Township of Nutley, in the County of  
7 Essex, New Jersey, that the Treasurer be and she is hereby  
8 authorized to refund overpayments of property taxes in the  
9 amount of -- I'm going to read both numbers because I've got  
10 two numbers on here -- of -- for either \$2,108.20 or  
11 \$2,107.30 for block 5301, lot 10, whichever number is  
12 appropriate.

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 Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Mayor Petracco?

23 MAYOR PETRACCO: Before I vote, would this  
24 (indiscernible) classify as a separate resolution then,  
25 or --

1           COMMISSIONER EVANS: It's -- it's certainly got a  
2 new meaning.

3           MADAM CLERK: Thank you.

4           COMMISSIONER EVANS: Whereas, the Township of  
5 Nutley wishes to purchase a SAVIN C8002 Digital Copier from  
6 an authorized vendor under the State of New Jersey  
7 Cooperative Purchasing Program; and Whereas, goods and  
8 services purchased by local contracting units and authorized  
9 by local public law, NJSA 40A:11-12; Whereas, GSA/FSS  
10 Repographics scheduled by -- scheduled by local contracting  
11 units is authorized by NJAC 5:34-9.7; Whereas, Ricoh  
12 Americas Corporation, c/o -- care of Atlantic Tomorrow's  
13 office, 200 Broadacres Drive in Bloomfield have been awarded  
14 the New Jersey contract number 51464 for GSA and  
15 Repographics as stated was the actual cost of the purchase  
16 of the digital copier is expected not to exceed \$24,666.  
17 And I don't know why it's (indiscernible). Whereas, the  
18 utilization of this contract is recommended on the grounds  
19 that it represents the best price available; Whereas, the  
20 funds are available in Capital Ordinance 3242N and has been  
21 certified by the chief financial officer; Whereas, NJAC  
22 5:34-17.8 requires that purchases made under the  
23 Repographics schedule be authorized by resolution. Now,  
24 therefore, be it resolved by the Board of Commissioners of  
25 the Township of Nutley that Ricoh America Corporation

1 (indiscernible) contract for the purpose of SAVIN digital  
2 copier in accordance with the state contract A51464. Be it  
3 further resolved that SAVIN 4060 copier has become  
4 unrepairable and parts have become obsolete. Therefore, it  
5 needs to be disposed of and a trade amount as related to  
6 this purchase in the amount of \$25, to be applied to the new  
7 purchase.

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 Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Aye. Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Be it resolved by the  
20 Board of Commissioners of the Township of Nutley, County of  
21 Essex, State of New Jersey, that the Township Clerk is  
22 hereby authorized to advertise for sealed bids for the  
23 Roadway Improvements of Sargent Street, Essex Street, and  
24 additional various streets, curbs, and sidewalks, Nutley,  
25 New Jersey, to be received on behalf of the Board of

1 Commissioners, in the Commission Chambers, Township Hall, 1  
2 Kennedy Drive, Nutley, NJ, on Thursday, September 12, 2013  
3 at 3:00 PM, prevailing time, at which time they will be  
4 opened and read.

5 I move the resolution.

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: Mayor Petracco?

16 MAYOR PETRACCO: Aye.

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

18 MAYOR PETRACCO: Thank you. Whereas, raffle  
19 applications have been received from the following  
20 organizations; and St. Mary's RC Church/Rosary Society,  
21 License number 49-13 on premise 50/50 cash raffle,  
22 October 25, 2013; St. Mary's RC Church/Rosary Society,  
23 License number 50-13 on premise merchandise raffle,  
24 October 25, 2013; Nutley High School Soccer Booster Club,  
25 license number 51-13 on premise merchandise raffle,

1 November 21, 2013; Nutley Junior Raider Booster Club, Inc.,  
2 License number 52-13 on premise merchandise raffle,  
3 September 28, 2013; Nutley Junior Raider Booster Club, Inc.,  
4 License number 53-13 on premise merchandise raffle,  
5 September 28, 2013; Nutley Junior Raider Booster Club, Inc.,  
6 License number 54-13 on premise merchandise raffle,  
7 September 28, 2013; Whereas, the applications have been  
8 reviewed and approved by the Municipal Clerk and the Police  
9 Department. Now, therefore, be it resolved by the Board of  
10 Commissioners of the Township of Nutley, County of Essex,  
11 that the licenses are approved and the Municipal Clerk is  
12 authorized to issue the licenses.

13 Move the resolution.

14 COMMISSIONER ROGERS: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Here. Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Petracco?

24 MAYOR PETRACCO: Aye. Whereas, the Township of  
25 Nutley has entered into a contract via resolution number

1 108-13, April 25, 2013, with Scarinci and Hollenbeck, 1100  
2 Valley Brook Avenue, Lyndhurst, New Jersey 07071, for legal  
3 services in the year 2013 for an original contract amount  
4 not to exceed \$35,000; and Whereas, Change Order number 1  
5 has been authorized for the original contract amount to be  
6 increased by \$30,000; and Whereas, the funds are available  
7 from 3-01-012-205 and have been certified by the Chief  
8 Financial Officer, said certification attached to this  
9 resolution. Now, therefore, be it resolved by the Board of  
10 Commissioners in the Township of Nutley, County of Essex,  
11 State of New Jersey, that the Change Order number 1 is a  
12 change from the contract previously made by the Township of  
13 Nutley with Scarinci and Hollenbeck for legal services are  
14 hereby authorized and approved.

15 I move the resolution.

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 Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Mayor Petracco?

1           MAYOR PETRACCO: Aye. Whereas, the Township of  
2 Nutley Zoning Board received \$1,000 escrow deposit from  
3 Mr. Peter Islip of Krank LLC for property located at 55  
4 Washington Avenue for engineering services; and Whereas, the  
5 Zoning Board of Adjustment has reviewed and determined the  
6 remaining escrow balance of \$1,000 is due to Mr. Peter Islip  
7 of Krank, and Now therefore, be it resolved by the Board of  
8 Commissioners of the Township of Nutley, County of Essex,  
9 New Jersey, that the above amount is refunded to  
10 Mr. Peter Islip of Krank, LLC.

11           I move the resolution.

12           COMMISSIONER ROGERS: Second.

13           MADAM CLERK: Commissioner Rogers?

14           COMMISSIONER ROGERS: Aye.

15           MADAM CLERK: Commissioner Tucci?

16           COMMISSIONER TUCCI: 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           MAYOR PETRACCO: Aye.

23           Just in closing, very briefly, I know the Board of  
24 Commissioners sends our dear friend, Kevin Harkens (ph), all  
25 the well wishes that we can. I would like to thank

1 Commissioner Scarpelli for keeping us updated. I would like  
2 to thank Mr. Genitempo for filling in. And I believe we  
3 need a motion to adjourn.

4 UNIDENTIFIED SPEAKER: Open public.

5 MADAM CLERK: We need to open the meeting to the  
6 public, Mayor.

7 UNIDENTIFIED SPEAKER: Public portion.

8 MAYOR PETRACCO: Oh, geez. You know what, I seem  
9 to always forget that part. Okay. Excuse me, I think we  
10 should allow the left side to speak first. Can we take a  
11 picture of that?

12 Is there anyone here this evening that would like  
13 to address the Board of Commissioners? No one? So, no one?  
14 Move to go into executive session, I believe?

15 UNIDENTIFIED SPEAKER: Second.

16 MADAM CLERK: Whereas, the Board of Commissioners  
17 of the Township of Nutley, in the County of Essex, desires  
18 to proceed to closed executive session; and now, therefore,  
19 be it resolved by the Board of Commissioners of the Township  
20 of Nutley that the Township Commission shall now move into  
21 closed executive session to discuss -- Mr. Genitempo, what  
22 are we discussing in executive session?

23 MR. GENITEMPO: Contract negotiations and  
24 personnel.

25 MADAM CLERK: Okay. There will be two items of

1 discussion, potential contract negotiations --

2 MR. GENITEMPO: And personnel.

3 MADAM CLERK: -- and personnel matters.

4 Be it further resolved, that the time when such  
5 discussions may be disclosed to the public shall be when and  
6 as such disclosure may be made without adversely affecting  
7 the Township of Nutley pending and/or anticipated legal,  
8 personnel, contractual matters and other matters within the  
9 exceptions provided for by statute.

10 I need to know who made the motion, please?

11 COMMISSIONER SCARPELLI: I did.

12 MADAM CLERK: Okay. Motion made by Commissioner  
13 Scarpelli. And this was seconded by? Gentlemen, I need to  
14 know who seconded this resolution, please.

15 COMMISSIONER ROGERS: Seconded by Commissioner  
16 Rogers.

17 MADAM CLERK: Okay, seconded by Commissioner  
18 Rogers.

19 Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Scarpelli?

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COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

UNIDENTIFIED SPEAKER: (Indiscernible).

(Meeting was adjourned at 8:41 P.M.)

(Meeting adjourned at 8:28 p.m.)

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

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

Jamie Gallagher  
Jamie Gallagher

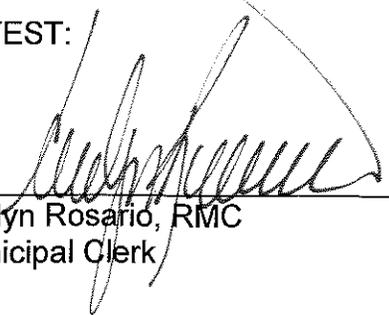
Date: September 30, 2013

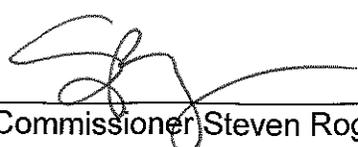
**Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Tuesday, August 20, 2013  
7:00 P.M.**

Mayor Petracco made a motion to exit Executive Session seconded by Commissioner Rogers, all Ayes on a roll call vote. The Board of Commissioners exited Executive Session at 9:45PM and entered into Public Session.

Motion to adjourn by Commissioner Scarpelli, seconded by Commissioner Rogers. All ayes. Meeting adjourned at 9:48 PM.

ATTEST:

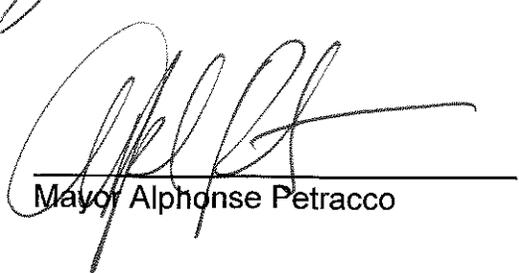
  
\_\_\_\_\_  
Evelyn Rosario, RMC  
Municipal Clerk

  
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Commissioner Steven Rogers

  
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Commissioner Mauro G. Tucci

  
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Commissioner Thomas J. Evans

  
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Commissioner Joseph P. Scarpelli

  
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Mayor Alphonse Petracco

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 20, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02714	ESSEX COUNTY UTILITIES AUTH	105,431.40					105,431.40
13-02506	AT & T MOBILITY	138.07					138.07
13-02644	TIRE MANAGEMENT	232.50					232.50
13-02488	JMAC SERVICES	75.00					75.00
13-02489	JMAC SERVICES	60.00					60.00
13-02493	SANOFI PASTEUR	162.46					162.46
13-02684	FUTURE SANITATION	65,805.55					65,805.55
<b>13-02713</b>	<b>TREASURER SCHOOL MONEY</b>		<b>2,100,000.00</b>				<b>2,100,000.00</b>
<b>13-02664</b>	<b>T/N PAYROLL AGENCY</b>		<b>32,103.57</b>				<b>32,103.57</b>
<b>13-02706</b>	<b>T/N PAYROLL AGENCY</b>		<b>41.89</b>				<b>41.89</b>
13-02699	NJ E- Z PASS SERVICE		100.00		200.00	200.00	500.00
<b>13-02717</b>	<b>VERIZON WIRELESS</b>		<b>48.01</b>	<b>781.40</b>			<b>829.41</b>
13-00593	MILLENIUM STRATEGIES		3,333.00				3,333.00
13-02660	CABLEVISION		8.78				8.78
13-00195	VITAL COMMUNICATIONS		255.00				255.00
13-02666	US BANK TOWER DBW II		40,309.52				40,309.52
13-02665	US BANK PRO CAPITAL I		54,866.63				54,866.63
13-02663	BARBARA TOMIE		20.24				20.24
13-02662	CONSTANCE DARROW		199.24				199.24
13-02721	DEREK WHITEHEAD		2,502.08				2,502.08
13-02722	MAURIZIO FERRARO		417.82				417.82
13-02720	BRACH EICHLER LL AND RV RD.		4,670.68				4,670.68
13-02707	NJ STATE DEPT HEALTH		64.20				64.20
13-02708	STATE DEPT OF LABOR		699.00				699.00
13-02723	MICHAEL KRUGLINSKI, VATALARO		1,245.16				1,245.16
13-02724	DANIEL G. KEOUGH TRUSTEE		5,613.91				5,613.91

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 20, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02725	DANIEL G. KEOUGH TRUSTEE		8,447.61				8,447.61
13-02726	DANIEL G. KEOUGH TRUSTEE		28,110.92				28,110.92
13-02637	P A AUTO PARTS		50.33				50.33
13-02460	W.B. MASON		299.50				299.50
13-00501	PIRO,ZINNA,CIFELLI,PARIS		2,670.90				2,670.90
13-02710	NO. JERSEY MEDIA GROUP		855.13				855.13
13-028/04	US BANK CUST/EMP V		59,270.27				59,270.27
13-02414	MOONEY-GENERAL PAPER			31.52			31.52
13-02455	NBC AUTO PARTS			377.47			377.47
13-02477	BENCHMARK PROF. SEMINARS			295.00			295.00
13-02604	PAUL CAFONE			60.00			60.00
13-02649	TURNOUT UNIFORMS			59.95			59.95
13-02654	TURNOUT UNIFORMS			59.95			59.95
13-02653	TURNOUT UNIFORMS			29.99			29.99
13-02652	TURNOUT UNIFORMS			79.99			79.99
13-02701	TURNOUT UNIFORMS			182.18			182.18
13-02651	TURNOUT UNIFORMS			99.00			99.00
13-02650	TURNOUT UNIFORMS			110.00			110.00
13-02655	TURNOUT UNIFORMS			59.95			59.95
13-02727	TURNOUT UNIFORMS			203.91			203.91
13-02728	TURNOUT UNIFORMS			135.96			135.96
13-02729	TURNOUT UNIFORMS			139.42			139.42
13-02730	TURNOUT UNIFORMS			49.99			49.99
13-02731	TURNOUT UNIFORMS			179.85			179.85
13-02732	TURNOUT UNIFORMS			45.00			45.00
13-02733	TURNOUT UNIFORMS			16.00			16.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 20, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02734	TURNOUT UNIFORMS			110.99			110.99
13-02735	TURNOUT UNIFORMS			625.00			625.00
13-02736	TURNOUT UNIFORMS			92.22			92.22
13-02737	TURNOUT UNIFORMS			149.96			149.96
13-02738	TURNOUT UNIFORMS			500.88			500.88
13-02739	TURNOUT UNIFORMS			129.90			129.90
13-02740	TURNOUT UNIFORMS			207.96			207.96
13-02741	TURNOUT UNIFORMS			269.98			269.98
13-02742	TURNOUT UNIFORMS			54.99			54.99
13-02743	TURNOUT UNIFORMS			270.97			270.97
13-02744	TURNOUT UNIFORMS			213.46			213.46
13-02745	TURNOUT UNIFORMS			86.98			86.98
13-02746	TURNOUT UNIFORMS			49.99			49.99
13-02747	TURNOUT UNIFORMS			625.00			625.00
13-02748	TURNOUT UNIFORMS			95.99			95.99
13-02749	TURNOUT UNIFORMS			621.18			621.18
13-02750	TURNOUT UNIFORMS			197.96			197.96
13-02751	TURNOUT UNIFORMS			259.96			259.96
13-02752	TURNOUT UNIFORMS			68.97			68.97
13-02753	TURNOUT UNIFORMS			50.96			50.96
13-02754	TURNOUT UNIFORMS			351.60			351.60
13-02755	TURNOUT UNIFORMS			416.89			416.89
13-02756	TURNOUT UNIFORMS			448.97			448.97
13-02757	TURNOUT UNIFORMS			279.97			279.97
13-02759	TURNOUT UNIFORMS			124.99			124.99
13-02760	TURNOUT UNIFORMS			59.98			59.98

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 20, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02761	TURNOUT UNIFORMS			61.98			61.98
13-02763	TURNOUT UNIFORMS			290.93			290.93
13-02764	TURNOUT UNIFORMS			6.99			6.99
13-00536	INTERPORT CONTAINER			75.00			75.00
13-01095	SMART SIGN			1,211.64			1,211.64
13-01859	EMECOT CORP			325.00			325.00
13-02546	HOME DEPOT			8.84			8.84
13-02600	VALIC			12,937.50			12,937.50
13-02584	UPS			18.64			18.64
13-02507	PENNONI ASSOC.			425.00			425.00
13-00101	NBC AUTO PARTS			338.94			338.94
13-00828	INHALATION THERAPY			47.50			47.50
13-00100	MIKES SERVICE CENTER			65.00			65.00
13-02418	ROUTE 23 AUTO MALL			254.21			254.21
13-02606	NATIONAL FUEL OIL			12,982.28			12,982.28
13-02607	NATIONAL FUEL OIL			5,013.97			5,013.97
13-02402	ALL SERVICE CONTRACTOR			88.41			88.41
13-02403	GEN-EL IND			104.50			104.50
13-02492	GOODYEAR AUTO			171.25			171.25
13-02581	MIKES SERVICE CENTER			28.00			28.00
13-02599	GRAINGER			169.00			169.00
13-02308	UNION FIRE EQUIPMENT			8,884.92			8,884.92
13-02306	ATLANTIC POWER SYS			800.00			800.00
13-02473	TRIANGLE COMM			475.00			475.00
12-05022	TRIANGLE COMM			2,788.00			2,788.00
13-01506	PORTER LEE			133.50			133.50

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 20, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-00103	P & A AUTO PARTS			216.57			216.57
13-00103	P & A AUTO PARTS			728.02			728.02
13-02285	P & A AUTO PARTS			243.09			243.09
13-02384	RAINBOW CLEANERS			65.00			65.00
13-02456	WHEEL ALIGNMENT			185.00			185.00
13-02284	DELGEN PRESS			518.00			518.00
13-02691	CABLEVISION			36.39			36.39
13-01646	PENNONI ASSOC				9,344.95		9,344.95
13-00452	PENNONI ASSOC				2,250.00		2,250.00
13-00452	PENNONI ASSOC				540.00		540.00
13-01024	PENNONI ASSOC				2,030.00		2,030.00
13-01647	PENNONI ASSOC				3,713.80		3,713.80
13-02543	PSE & G				60.47		60.47
13-02408	PENN-JERSEY MACHINERY				463.57		463.57
13-02210	PETER ANDOLINO				292.65		292.65
13-02601	SALVATORE SCARPELLI				98.50		98.50
13-02585	DAVID RUBIN				100.00		100.00
13-02586	JOY INTINDOLA				100.00		100.00
13-02687	GEROLD BARROS				100.00		100.00
13-02703	PSE & G				21,209.16		21,209.16
13-02496	RELENTLESS ATHLETICS				750.00		750.00
13-02491	RELENTLESS ATHLETICS				770.00		770.00
13-01768	WORK N GEAR				885.50		885.50
13-01767	WORK N GEAR				904.50		904.50
13-02447	BLOOMFIELD MASONRY				2,861.78		2,861.78
13-02192	FOSTER AND CO				179.25		179.25

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 20, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-02459	PETER ANDOLINO				249.95		249.95
13-01880	RECOGNITION DEPOT				68.00		68.00
13-02211	GARDEN STATE HIGHWAY				300.00		300.00
13-02120	WIEGERS				1,575.00		1,575.00
13-00044	P & A AUTO PARTS				67.00		67.00
13-00056	NORTHEAST AUTO				9.95		9.95
13-00174	DURABLE RECYCLING				476.28		476.28
13-00174	DURABLE RECYCLING				271.18		271.18
13-01371	BLOOMFIELD MASONRY				249.00		249.00
13-00084	TOTAL CENTER MAINTENANCE				840.35		840.35
13-00062	TILCON NJ				166.07		166.07
13-00062	TILCON NJ				321.07		321.07
13-02544	PSE & G					30.96	30.96
13-01643	VIRIDIAN ENVIRONMENTAL					6,845.00	6,845.00
13-02803	TREASURER STATE OF NJ					400.00	400.00
13-02517	BORGATA HOTEL					310.00	310.00
13-01875	LEGGI IND					77.58	77.58
13-02613	FRANK FOCESATO					314.70	314.70
13-02614	LEROY RESP					1,258.80	1,258.80
13-02615	NOREEN HAVERON					479.41	479.41
13-02616	PETE SCARPELLI					1,258.80	1,258.80
13-02617	JOHN BEARD					1,258.80	1,258.80
13-02646	LISETTE NEGRON					100.00	100.00
13-00010	HOOVER TRUCK CENTER					107.07	107.07
13-00855	CABLEVISION LIGHTPATH					3,040.38	3,040.38
13-00814	PRINCETON HOSTED SOLL.					3,677.92	3,677.92

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY AUGUST 20, 2013							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
13-01932	THE SHADE TREE					1,968.75	1,968.75
13-02608	HARRY KIRK					21.35	21.35
13-01951	NORTHEAST AUTO					105.00	105.00
13-02450	ADVANCED MECHANICAL					1,720.00	1,720.00
13-02348	TUBELITE CO					761.01	761.01
13-00751	SAVATREE					1,063.00	1,063.00
13-02401	FELDMAN BROS					22.70	22.70
13-02510	AT & T MOBILITY					350.82	350.82
13-00024	GRAINGER					64.98	64.98
13-00023	CONTEMPORARY GLASS					58.00	58.00
13-00021	ABLE PAINT					22.89	22.89
13-00261	AMERICAN HOSE					40.60	40.60
13-00018	SUPERIOR DISTRIBUTORS					43.40	43.40
13-00019	TERRE CO					70.35	70.35
13-00015	P & A AUTO PARTS					215.69	215.69
13-00023	CONTEMPORARY GLASS					4.95	4.95
13-00030	COMPLETE SAW					641.70	641.70
13-00025	GRANT SUPPLIES					230.06	230.06
13-00015	P & A AUTO PARTS					28.31	28.31
13-02618	HAMSAVANI KRISHNAPPA					125.00	125.00
13-02619	AGNES HUT					40.00	40.00
13-02620	SWETA SHEKHAR					435.00	435.00
13-02621	TARU KUMAR					175.00	175.00
13-02622	VLADIMIR KORVKIH					155.00	155.00
13-02623	JOHN SPITZ					155.00	155.00
13-02624	VAIBHAV JAIN					155.00	155.00



**TOWNSHIP OF NUTLEY**  
**BILL LIST**  
**August 20, 2013**

**List of payroll submitted for approval by the Board of Commissioners at  
their regular meeting of AUGUST 20, 2013**

**PAYROLL-REGULAR AUGUST 16, 2013:**

Department of Public Affairs	16,833.05
Department of Revenue & Finance	57,336.16
Department of Public Safety	411,780.66
Department of Public Works	60,912.72
Department of Parks & Public Properties	74,163.00
Department of Recreation Commission	26,229.38
Water Operations	47,939.92
Due To From General Capital	3,519.91
600 SERIES	2,090.36
POLICE OUTSIDE DUTY	6,022.50
C.E.H.A.	1,094.16

**Sub Total** **707,921.82**

**PAYROLL-OVERTIME AUGUST 16, 2013:**

Department of Public Affairs	0.00
Department of Revenue & Finance	740.74
Department of Public Safety	17,210.89
Department of Public Works	2,789.34
Department of Parks & Public Properties	2,012.65
Water Operations	7,584.94
600 Series	0.00

**Sub Total** **30,338.56**

**TOTAL PAYROLL:** **738,260.38**

**GRAND TOTAL:** **3,412,389.47**

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

Federal Withholding Tax	90,734.87
Social Security	23,834.98
N.J. State Tax	26,515.72
Medicare	10,714.29
Wage Execution	3,258.00
Deferred Compensation	25,386.83
Employee Disability Ins.	5,119.97

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

## Resolution

Introduced by: Commissioner Mauro G. Tucci Date: August 20, 2013

Seconded by: Commissioner Evans No. 200-13

**WHEREAS**, Thomas Rudomanski has been a resident of Nutley for 48 year; and

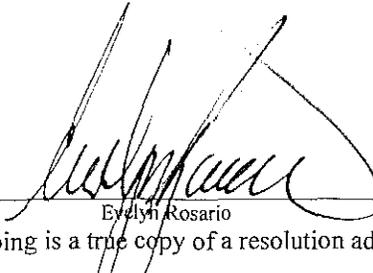
**WHEREAS**, Thomas Rudomanski and his wife Iole of 42 years, have three daughters Claudia, Catherine and Judith, Son-in-Laws, William and Dave, and three grandchildren James, Jennifer and Emily; and

**WHEREAS**, Thomas Rudomanski has served the Township of Nutley in The Department of Parks and Public Property, Shade Tree Advisory Committee since May 1, 2001; and

**WHEREAS**, on June 1, 2013, Thomas Rudomanski will be resigning as Chairman of the Shade Tree Committee after 12 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 12 years of dedicated service to Nutley; and

**BE IT FURTHER RESOLVED** that we extend to Thomas Rudomanski 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 20, 2013

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

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

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* August 20, 2013

*Seconded by:* Commissioner Rogers *No.* 208-13

WHEREAS, on September 23<sup>rd</sup> 1954, Governor Robert B. Meyner issued an Executive Proclamation setting forth the rules, duties, and powers of the Auxiliary Police; and

WHEREAS, as part of the State of New Jersey's Civil Defense Plan, Police Auxiliaries were created to "provide further safeguards for the public security;" and

WHEREAS, the Township of Nutley has been well served by a dedicated group of Auxiliary Police Officers for over 50 years; and

WHEREAS, the men and women of the Nutley Police Auxiliary have volunteered countless thousands of hours, augmenting the Nutley Police Department during parades and civic celebrations, assisting during storms and other emergencies, and performing preventative patrols; and

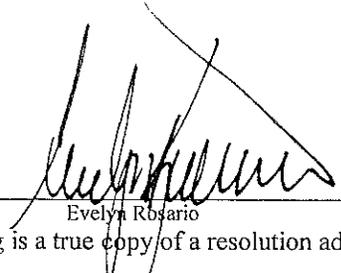
WHEREAS, the Township of Nutley owes an incalculable debt of gratitude to all members of the Nutley Police Auxiliary, past and present; and

WHEREAS, the Nutley Police Auxiliary was officially deactivated on December 31, 2012, with many current members advancing to Special Law Enforcement Officer status;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey that the Nutley Police Auxiliary's substantial contribution to the safety and welfare of the Township of Nutley be hereby recognized; and

BE IT FURTHER RESOLVED that the gratitude of this community be hereby extended to all members of the Nutley Police Auxiliary, past and present, for their exemplary service with the Nutley Police Department.

. . . .

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 20, 2013

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

**Township of Nutley  
Essex County**

**One Kennedy Drive**

**Nutley, New Jersey 07110**

**FINAL ADOPTION OF ORDINANCE**

**ORDINANCE NO. 3246**

**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 20, 2013.**

**"AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700, ENTITLED ZONING, PARTICULARLY ARTICLE XIII (PARKING SPACES AND LOADING BERTHS), SECTION 91 ENTITLED SCHEDULE OF MINIMUM REQUIRED PARKING SPACES & SECTION 102 ENTITLED SCHEDULE OF MINIMUM LOADING SPACES. , TO AMEND THE REQUIREMENTS SET FORTH THEREIN."**

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

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

**Evelyn Rosario, RMC, CMC**

**Municipal Clerk**

**Nutley Sun Issue/Thursday, August 29, 2013/Via E-Mail: [publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

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**ORDINANCE NO. 3246**  
**INTRODUCED BY COMMISSIONER EVANS**  
**INTRODUCED ON JULY 16, 2013**  
**PUBLIC HEARING AND ADOPTION: TUESDAY, AUGUST 20, 2013**

**ORDINANCE NO. 3246**

**AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 700, ENTITLED ZONING, PARTICULARLY ARTICLE XIII (PARKING SPACES AND LOADING BERTHS), SECTION 91 ENTITLED SCHEDULE OF MINIMUM REQUIRED PARKING SPACES & SECTION 102 ENTITLED SCHEDULE OF MINIMUM LOADING SPACES. , TO AMEND THE REQUIREMENTS SET FORTH THEREIN.**

**BE IT ENACTED** by the Board of Commissioners of the Township of Nutley that Section 91 entitled Schedule of minimum required parking spaces & Section 102 entitled Schedule of minimum loading spaces. of Chapter 228 of the Code of the Township of Nutley, is hereby amended to set forth the requirements set forth therein:

**Article XIII. PARKING SPACES AND LOADING BERTHS**

**§ 700-91. Schedule of minimum required parking spaces.**

- A. No building or premises shall be used nor shall any building be erected nor shall any building be altered so as to expand its usable floor area unless there is provided parking spaces upon the same premises upon which the use or building is located, or as provided for in § 700-45H in accordance with the following schedule:

<b>Type of Use</b>	<b>Minimum Required Parking Spaces</b>
Single-family dwelling	2, at least one space must be in a garage if garage attached
Two-family dwelling	4, at least one space must be in a garage if garage attached
Multifamily dwelling	1 1/2 for each dwelling unit, except 2 for each dwelling unit of 2 or more bedrooms
Multifamily dwelling for senior citizens	1 for each 2 dwelling units
Banks and savings institutions	1 for each 300 square feet of total floor area
Retail stores and service establishments, except as noted below	1 for each 200 square feet of total floor area

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**Type of Use****Minimum Required Parking Spaces**

Retail food markets with over 3,000 square feet of total floor area

1 for each 200 square feet of total floor area

Retail stores in B-3 & B-3A Zones on first floor only

1 for each 200 square feet of establishment, except if the lot size is less than 20,000 square feet, no parking is required

Service Establishments (Personal & Household)

1 for each 200 square feet of establishment, except if the lot size is less than 20,000 square feet, no parking is required

Retail printing and copier service

1 for each 200 square feet of total floor area

Offices

1 for each 300 square feet of total floor area

Restaurants and bars

1 for each 10 seats, to be based on maximum seating capacity

Bowling alleys

3 per alley

Place of public assembly

2 for each 5 persons of maximum capacity as permitted by the Uniform Construction Code

Public, private and parish schools

3 for each 2 classrooms or, if an auditorium or gymnasium is part of the school, spaces as required by place of public assembly above

Houses of worship

1 for every 50 square feet of seating area

Funeral home

10 for each parlor

Nursing homes

1 for each 3 beds, plus 1 of each 3 employees on maximum working shift

Hospitals

1 for each 2 beds, plus one for each 3 employees on maximum working shift, plus one for each doctor on staff

Bus and railroad passenger

1 for each 100 square feet of total platform

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<b>Type of Use</b>	<b>Minimum Required Parking Spaces</b>
stations	and station area
Automobile sales rooms	1 for each 1,000 square feet of sales area, plus 1 for each 500 square feet of auto service area, plus 1 for each 300 square feet of office area
Repair garages and automobile service	1 for each 500 square feet of total floor area
Auto body shops	1 for each 250 square feet of total floor area
Factories and laboratories	1 for each 4 employees, but in no case less than 1 for each 1,000 square feet of total floor area
Warehouses	1 for each 4 employees, but in no case less than 1 for each 3,000 square feet of total floor area
Amusement devices as principal use	1 for each device
Uses not listed above	According to that category which most nearly approximates the use
More than 1 use on a premises	The sum of the component requirements

B. In addition to parking requirements for each use specified above, off-street parking in nonresidential zones shall be provided for each service or delivery vehicle used by the occupant of the property (excluding B-3A Zone, none required).

§ 700-92. Off-premises parking.

Parking spaces required by this chapter may be provided in certain districts on premises other than those upon which the use is located as a conditional use granted by the Planning Board as provided in § 700-45H.

§ 700-93. Reduction of required off-street parking spaces.

Required off-street parking space shall not be reduced or encroached upon in either of the two following circumstances only:

- A. Such space may be reduced by the amount to which other off-street parking space is provided for the use or uses involved, satisfying the requirements of §§ 700-91 and 700-92 of this article.
- B. Such space may be reduced by such amount as may be justified by a reduction in the need for such space by reason of a reduction in the size or change in the nature of the use to which such space is appurtenant.

§ 700-94. Additional regulations on off-street parking for one- and two-family dwellings.

A. Notwithstanding any other section of this chapter, no front yard of a lot upon which is located a one- or two-family dwelling shall be used for the parking of motor vehicles, except that motor vehicles may be parked upon a driveway in the front yard. Similarly, in the case of corner lots, no side yard facing a street on a lot upon which is located a one- or two-family dwelling shall be used for the parking of motor vehicles, except that motor vehicles may be parked upon a driveway in the side yard. The use of a driveway for the parking of motor vehicles shall be subject to the following limitations:

- (1) Front yard. The driveway shall consist of the area directly opposite to an attached garage, detached garage or depressed garage or the extension of the side yard into the front yard. The driveway width shall not exceed 16 feet. However, if there is no garage and no available side yard, a driveway not to exceed 16 feet in width from the side lot line may be constructed.
  - (2) Side yard of corner lots. The driveway shall consist of the area directly opposite and adjacent to an attached garage, detached garage or depressed garage or the extension of the rear yard into the side yard which abuts a street. However, if there is no garage and no available rear yard, a driveway not to exceed 16 feet in width from the rear lot line may be constructed.
  - (3) Each property shall not have more than one driveway and one curb cut approved by the Township. Curb cuts are subject to the following standards:
    - (a) A curb cut for a one-car garage shall not exceed 12 feet in length.
    - (b) A curb cut for a two-car garage shall not exceed 16 feet in length.
    - (c) In no case shall a curb cut exceed 20 feet in length.
-

§ 700-95. Off-street parking accessory to professional office or home occupation.

Off-street parking area accessory to a professional office or home occupation located in a one- or two-family dwelling and off-street parking areas accessory to a multifamily dwelling shall not be located in the front yard or side yard abutting a street. The minimum setback of off-street parking area from any other lot line shall be five feet.

§ 700-96. Location of off-street parking for other uses.

Except for uses specified above in §§ 700-94 and 700-95, parking and loading areas located in any front yard or side yard abutting a street shall not be permitted within 10 feet of the right-of-way line of a street. The minimum setback of off-street parking and loading area from any other lot line shall be five feet. The five-foot parking and loading area setback need not be provided between properties which have common access and/or common parking areas.

§ 700-97. Parking lot landscaping.

**[Amended 7-5-2007 by Ord. No. 3014]**

All parking lots of over 20,000 square feet in area shall have at least 5% of the area within the parking lot devoted to landscaping, including shade trees. Such areas shall be not less than five feet in least dimension and shall be located between, within or at the ends of parking rows. The use of low maintenance native vegetation, which requires less fertilizer and watering, is encouraged.

§ 700-98. Buffer for parking areas.

Where any parking or loading area adjoins a lot in any R District, a landscaped buffer strip at least six feet in width containing plantings at least three feet high shall be provided.

§ 700-99. Permitted commercial vehicles.

No commercial vehicle or truck having lettering exceeding three inches in height, having racks, platforms, ladders or other equipment affixed thereto shall be parked in a residential zone between 10:00 p.m. and 7:00 a.m. except in a completely enclosed garage. Any lettering on a permitted commercial vehicle shall contain only the information required by state law.

§ 700-100. Prohibited commercial vehicles.

The following types of commercial vehicles shall not be parked or stored in a residential zone: tractors and/or trailers, step vans, dual-wheel vehicles, tow trucks, trucks, buses, dump trucks, flatbed trucks, backhoes, front-end loaders and construction equipment of any kind.

§ 700-101. Trailer and boat parking and storage.

- A. Open parking and storage prohibited; storage on private premises. No person shall park or store any camper, trailer or boat in the open or on any street, highway or other public place within the Township of Nutley or on any lot or tract of land therein, except that a camper, trailer or boat may be parked or stored by the owner thereof in a garage or behind his dwelling house in that 1/2 of the rear yard closest to such dwelling, and then only in such fashion that no part of such camper, trailer or boat shall project beyond the walls of the dwelling nor above the highest point of the lowest roof thereof. No camper, trailer or boat while stored or parked as permitted in this section shall be occupied or used for living, sleeping or housekeeping purposes.
- B. Emergency or temporary parking or storage. Emergency or temporary parking or stopping of a camper, trailer or trailed boat is permitted on any driveway, street or highway within the Township of Nutley for not longer than two hours, subject, however, to any other further prohibitions or limitations imposed by the traffic and parking regulations for that street or highway.
- C. Parking or storage on corner lots; occupancy as dwelling prohibited. In the case of corner lots, a camper, trailer or boat may be parked or stored by the owner thereof behind his dwelling house in that 1/2 of the rear yard closest to such dwelling, or if the side yard is larger than the rear yard, the camper, trailer or boat shall be parked or stored by the owner thereof adjacent to his dwelling house in that 1/2 of the side yard closes to such dwelling, and then only in such fashion that no part of said camper, trailer or boat shall project beyond the walls of the dwelling nor above the highest point of the lowest roof thereof. No camper, trailer or boat while stored or parked as permitted in this section shall be occupied or used for living, sleeping or housekeeping purposes.

§ 700-102. Schedule of minimum loading spaces.

- A. No building or premises shall be used nor shall any building be erected or reconstructed, nor shall any building be altered so as to expand its usable floor area unless there is provided off-street loading space in accordance with the following schedule:

<b>Type of Use</b>	<b>Minimum Required Loading Spaces</b>
Garden apartment or multifamily dwelling	1 for each development of 50 or more units
Retail commercial uses	1 for each 10,000 square feet of floor area or major fraction thereof, but in no case less than 1 per building of 2,000 square feet of floor area or more
Retail stores in B-3 & B-3A Zones only	1 for each lot, except if the lot is less than 20,000 feet, none required

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**Type of Use****Minimum Required Loading Spaces**

Other business and commercial uses, places of public assembly and schools

1 per building of 2,000 square feet of floor area or more

Manufacturing, industrial and warehouse uses, for each principal building

1 for each 5,000 square feet of total floor area, or fraction thereof, plus one for each 10,000 square feet of total floor area or fraction thereof in excess of the first 10,000 square feet

- B. Each loading space shall be at least 12 feet wide, 56 feet long and 14 feet high, except that, in the case of establishments which demonstrate to the satisfaction of the approving body or office that no deliveries will be by trailer or semitrailer trucks, each loading space shall be at least 10 feet wide and 25 feet long or of such larger dimension as will accommodate the expected delivery or service vehicles.
-

**Township of Nutley  
Essex County  
One Kennedy Drive  
Nutley, New Jersey 07110  
FINAL ADOPTION OF ORDINANCE  
ORDINANCE NO. 3247**

**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 20, 2013.**

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

**ALL “AYES” ON A ROLL CALL VOTE**

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

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

**Nutley Sun Issue/Thursday, August 29, 2013/Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**ORDINANCE NO. 3247**

**INTRODUCED BY MAYOR PETRACCO**

**INTRODUCED ON JULY 16, 2013**

**PUBLIC HEARING AND ADOPTION: TUESDAY, AUGUST 20, 2013**

**ORDINANCE NO. 3247**

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

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

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

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

**Add**

<b><u>Name of Street</u></b>	<b><u>Side</u></b>	<b><u>Hours</u></b>	<b><u>Time Limit</u></b>	<b><u>Location</u></b>
Harrison Street	North	8:00 a.m. to 6:00 p.m	1 hr.	Prospect Street to Bloomfield Avenue

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

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

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

# Resolution

*Introduced by:* Commissioner Steven Rogers *Date:* August 20, 2013

*Seconded by:* Commissioner Scarpelli *No.* 199-13

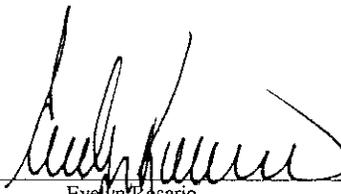
**WHEREAS, the Board of Education is mandated to provide nursing services to nonpublic school students within its School District:**

**WHEREAS, the Nutley Department of Public Affairs is a public agency approved by the New Jersey Department of Health that is capable of providing nursing services of the type needed; and**

**WHEREAS, the Board of Education desires to enter into an agreement with the Nutley Department of Public Affairs for the provision of these services;**

**NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that the Township of Nutley hereby approves the Agreement of Nursing Services in the form attached hereto, and authorizes the Director of Public Affairs to execute the final draft of the same on behalf of the Township; and**

**BE IT RESOLVED that a duly executed copy of the Agreement for Nursing Services and this Resolution shall be placed on file with the Municipal Clerk.**

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 20, 2013

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

Introduced by: Commissioner Mauro G. Tucci

Date: August 20, 2013

Seconded by: Commissioner Evans

No. 201-13

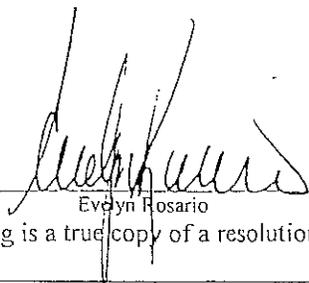
WHEREAS, Whereas, The Township of Nutley heretofore entered into a contract with Neglia Engineering, 34 Park Avenue, Lyndhurst, N.J. 07071 for technical and management services for the Monsignor Owens Park, Field Reconstruction Project; and

WHEREAS, The Director of Recreation of the Department of Parks and Public Property has recommended the following change order from said contract:

**CHANGE ORDER NO. 3:** Professional billing services from June 1, 2013 to June 28, 2013 in the amount of \$1,259.00.

The money is available from Account Capital Ordinance # 3214B and has been certified by the Chief Financial Officer and said certification is attached to this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order #3, \$1,259.00 be and is hereby approved.

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 20, 2013

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

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

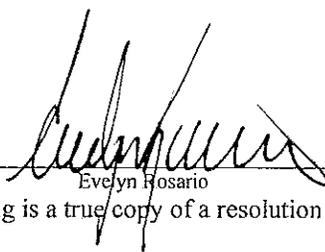
## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* August 20, 2013  
*Seconded by:* Commissioner Scarpelli *No.* 202-13

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 \$2,108 as listed below.

Block & Lot	Address	Amount
5301 10	27 Newman Ave.	\$2,108.30 04/25/12

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 20, 2013

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

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

**Resolution**

*Introduced by:* Commissioner Thomas J. Evans *Date:* August 20, 2013  
*Seconded by:* Commissioner Tucci *No.* 203-13

WHEREAS, the Township of Nutley wishes to purchase a SAVIN C8002 Digital Copier from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A.40A:11-12; and

WHEREAS, the use of the GSA/FSS Reprographics Schedule by local contracting units is authorized by N.J.A.C.5:34-9.7, and

WHEREAS, Ricoh Americas Corporation, c/o Atlantic Tomorrows Office, 200 Broadacres Drive, Bloomfield, NJ 07003 has been awarded New Jersey State Contract #51464 for the GSA/FSS Reprographics Schedule Use for the period

WHEREAS, the actual cost for the purchase of a SAVIN C8002 digital copier is expected not to exceed 24,666.00.

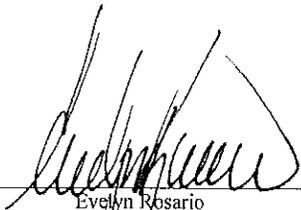
WHEREAS, the utilization of this contract is recommended on the grounds that it represents the best price available; and

WHEREAS, funds are available from account Capital Ordinance #3242N and have been certified by the chief financial officer, said certification being attached to this resolution; and

WHEREAS, N.J.A.C.5:34-17.8 requires that purchases made under the GSA/FSS Reprographics Schedule be authorized by resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that Ricoh Americas Corporation c/o Atlantic Tomorrows Office be awarded a contract for the purchase of a SAVIN C8002 digital copier in accordance with State Contract #A51464.

BE IT FURTHER RESOLVED that the SAVIN 4060 copier has become un-repairable and parts have become obsolete, there is need to dispose of said copier and a trade in amount of \$25.00 will be applied to purchase new copier.

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 20, 2013

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

Introduced by: Commissioner Joseph P. Scarpelli

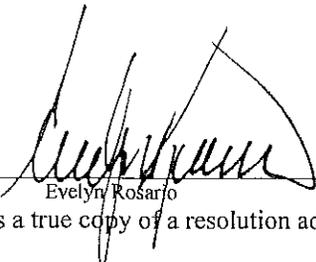
Date: August 20, 2013

Seconded by: Commissioner Tucci

No. 204-13

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for the Roadway Improvements of Sargent Street, Essex Street and additional various streets, curbs and sidewalks, Nutley, New Jersey 07110, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, on Thursday, September 12, 2013 at 3:00 P.M. prevailing time, at which time they will be opened and read.

...

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 20, 2013

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

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

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* August 20, 2013

*Seconded by:* Commissioner Rogers *No.* 205-13

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

St Mary's RC Church/Rosary Society	License No. 49-13 On-Premise 50/50 Cash Raffle	October 25, 2013
St. Mary's RC Church/Rosary Society	License No. 50-13 On-Premise Merchandise Raffle	October 25, 2013
Nutley High School Soccer Booster Club	License No. 51-13 On-Premise Merchandise Raffle	November 21, 2013
Nutley Junior Raider Booster Club Inc.	License No. 52-13 On-Premise Merchandise Raffle	September 28, 2013
Nutley Junior Raider Booster Club Inc.	License No. 53-13 On-Premise Merchandise Raffle	September 28, 2013
Nutley Junior Raider Booster Club Inc.	License No. 54-13 On-Premise Merchandise Raffle	September 28, 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 20, 2013

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

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

## Resolution

Introduced by: Mayor Alphonse Petracco

Date: August 20, 2013

Seconded by: Commissioner Scarpelli

No. 206-13

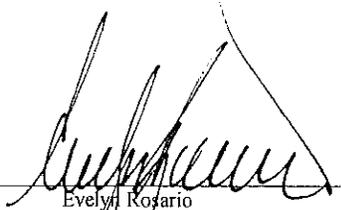
**WHEREAS**, the Township of Nutley has entered into a contract via resolution # 108-13, April 25, 2013 with Scarinci and Hollenbeck, 1100 Valley Brook Avenue, Lyndhurst, New Jersey 07071 for a legal services in the year 2013 for an original contract amount not to exceed of \$35,000; and

**WHEREAS**, Change Order #1 has been authorized for the original contract amount to be increased by \$30,000.00; and

**WHEREAS**, the funds are available from 3-01-012-205 and have been certified by the Chief Financial Officer, said certification attached to this resolution;

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

...

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 20, 2013

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

**Resolution**

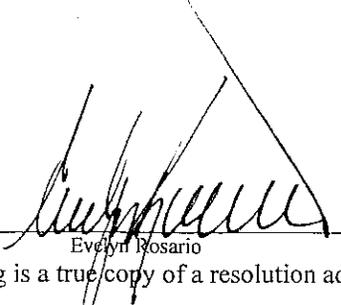
Introduced by: Mayor Alphonse Petracco Date: August 20, 2013  
Seconded by: Commissioner Rogers No. 207-13

WHEREAS the Township of Nutley Zoning Board received \$1,000.00 escrow deposit from Mr. Peter Islip of Krank LLC for property located at 55 Washington Avenue for engineering services, and

WHEREAS the Zoning Board of Adjustment has reviewed and determined the remaining escrow balance of \$1,000.00 is due to Mr. Peter Islip of Krank, and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the above amount is refunded to Mr. Peter Islip of Krank LLC.

...

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 20, 2013

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

Introduced by: Commissioner Joseph P. Scarpelli Date: August 20, 2013

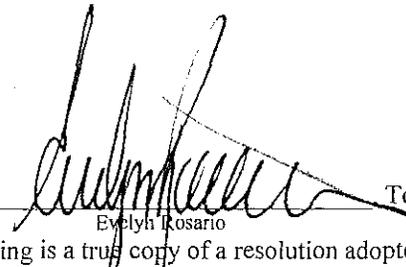
Seconded by: Commissioner Steven Rogers No. 209-13

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

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

1. Potential Contract Negotiations
2. Personnel Matters

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

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 20, 2013

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