

**Township of Nutley
Board of Commissioners
Meeting Minutes
Tuesday, September 4, 2012
7:00 P.M**

A workshop meeting of the Board of Commissioners of the Township of Nutley was held in the 3rd floor Commission Chambers Conference Room and called to order. Adequate notification was published in the official newspapers of the Township of Nutley.

OPEN PUBLIC MEETING STATEMENT:

Evelyn Rosario, Municipal Clerk, read the following statement Pursuant to the requirements of the Open Public Meeting Law (Chapter 231, P.L.1975), notice of this meeting was published in the December 22, 2011 issues of the Nutley Sun, the Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

ROLL CALL:

Commissioner Rogers	- Present
Commissioner Tucci	- Present
Commissioner Evans	- Present
Commissioner Scarpelli	- Present
Mayor Petracco	- Present

The Board of Commissioners at their workshop session reviewed all the agenda items as listed in attached minutes.

Prior to entering into public session, the Municipal Clerk read the following executive session resolution. Motion to introduce by Commissioner Scarpelli, seconded by Commissioner Tucci. All Ayes on a roll call vote.
Entered Executive Session at 7:12 PM.

Resolution # 226-12

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

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

1. Potential Litigation

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.

Commissioner Scarpelli made a motion to exit executive session and enter into public session, seconded by Commissioner Tucci. All Ayes. Exited Executive Session at 7:27PM and entered into open session.

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

PUBLIC MEETING

)
) TRANSCRIPT OF

) PROCEEDINGS:
)

September 4, 2012

7:00 p.m.

BEFORE:

Mayor Alphonse Petracco

Commissioner Steven L. Rogers

Commissioner Joseph P. Scarpelli

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Township Clerk Evelyn Rosario

Job No. NJ1670424

P R O C E E D I N G S

1
2 MAYOR PETRACCO: Can we just have a moment of
3 silence for the men and women serving overseas, please?

4 Thank you.

5 Madam Clerk?

6 MADAM CLERK: Yes, Mayor.

7 Tuesday, September 4th, 2012, pursuant to the
8 requirements of the Open Public Meeting Law (Chapter 231,
9 P.L. 1975) notice of this meeting was published in the
10 December 22nd, 2011 issues of Nutley Sun, the Star Ledger,
11 and the Herald News. A copy of this notice has been posted
12 on the Nutley Town Hall bulletin board and a copy is on file
13 in the Municipal Clerk's Office.

14 Commissioner Rogers?

15 COMMISSIONER ROGERS: Here.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Here.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Here.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Here.

22 MADAM CLERK: Mayor Petracco?

23 MAYOR PETRACCO: Here.

24 MADAM CLERK: All present, Mayor.

25 MAYOR PETRACCO: Thank you, can we move on to

1 minutes?

2 MADAM CLERK: We have no minutes, this evening,
3 Mayor.

4 MAYOR PETRACCO: Communications?

5 MADAM CLERK: No communications, this evening,
6 Mayor.

7 MAYOR PETRACCO: Reports?

8 MADAM CLERK: We have no reports this evening.

9 MAYOR PETRACCO: Bills?

10 MADAM CLERK: Bills, we have.

11 Tuesday September 4th, 2012:

12 Public affairs is \$75,094.57

13 Revenue and finance, \$2,312,684.86

14 Public safety, \$113,095.00

15 Public works, \$89,514.26

16 Parks and public property, \$586,499.67

17 Payroll as of August 31st, 2012, \$892,755.59

18 For a grand total bill list of \$4,071,443.95, and

19 that's all for bills, Mayor.

20 COMMISSIONER EVANS: Move to bills.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 MADAM CLERK: Thank you, Mayor.

8 MAYOR PETRACCO: We're going to take some things
9 out of order tonight. I have a couple of resolutions
10 appointing some people and also honoring some retirees, so
11 the first one to go will be Leonard Nisivoccia.

12 Whereas, Leonard Nisivoccia was approved by the
13 Board of Commissioners as a member of Headquarters Company
14 on January 4th, 1982; and, whereas, in 2007 Leonard
15 Nisivoccia was promoted to the title of Lieutenant, and
16 served in that title with distinction; and whereas, in 1982,
17 then firefighter Leonard Nisivoccia received the medal of
18 honor in helping rescue four adults and four children in a
19 building fire; whereas, on September 11, 2001 served with
20 distinction in Hudson County to help decon victims and
21 responded to many calls post-September 11, including
22 anthrax; whereas Lieutenant Leonard Nisivoccia retired from
23 the Nutley Fire Department on June 30th, 2012; and now,
24 therefore be it resolved by the Board of Commissioners of
25 the Township of Nutley in the County of Essex, State of New

1 Jersey, that Lieutenant Leonard Nisivoccia's dedication and
2 commitment to the safety and welfare of the residents of the
3 Township of Nutley be hereby recognized; and be it further
4 resolved that the gratitude of this community be hereby
5 extended to Lieutenant Leonard Nisivoccia for this 30 years
6 of unparalleled service with the Nutley Fire Department.

7 I move the resolution.

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: Before I vote on this,
17 you know when you're getting old when people you grew up and
18 went to school with are retiring, so Lenny and Cathy
19 congratulations. Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: I would just like to say in 1982,
22 Len, I was still in high school, but it's no secret that the
23 Nisivoccias and Petraccos are good friends. I just want to
24 thank you and your family for a job that you did for this
25 Township. That was outstanding, Len.

1 It would be unfair not to mention that putting out
2 fires wasn't the only thing that you and your brother did
3 for the town. Anytime we asked them to do just about
4 anything, it was always yes, sir and they just went and did
5 it.

6 So, I very proudly vote yes. We have a plaque, if
7 you'd like to come up and take a picture with your family,
8 do that now.

9 (Applause)

10 Okay. The next resolution is for Michael
11 Nisivoccia. Whereas, Michael W. Nisivoccia was approved by
12 the Board of Commissioners as a member of the Headquarters
13 Company on December 5th, 1986; and, whereas in 2007, Michael
14 W. Nisivoccia was promoted to the title of Lieutenant and
15 served in that title with distinction; and whereas in 1991,
16 then firefighter Michael W. Nisivoccia was elected President
17 of the Firemen's Mutual Benevolent Association and served
18 with distinction and commitment; and whereas on September
19 11, 2001, served with the distinction in Hudson County to
20 help decon victims and responded to many calls post-
21 September 11, including anthrax; whereas, Lieutenant Michael
22 W. Nisivoccia retired from the Nutley fire department on
23 June 30th, 2012; and now, therefore, be it resolved by the
24 Board of Commissioners of the Township of Nutley in the
25 County of Essex, State of New Jersey, that Lieutenant

1 Michael W. Nisivoccia's dedication and commitment to the
2 safety and welfare of the residents of the Township of
3 Nutley be hereby recognized; and be it further resolved that
4 the gratitude of this community be hereby extended to
5 Lieutenant Michael W. Nisivoccia for his 25 years of
6 unparalleled service with the Nutley Fire Department. I
7 move the resolution.

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: And once again, before I vote,
19 just a few words. You know, I got to know Michael
20 Nisivoccia many, many years ago, even though he's
21 (inaudible), but I got to know him a long, long time ago,
22 and I have to tell you, much more than just putting out
23 fires for the Township of Nutley, I don't think you'll ever
24 meet anybody that's (inaudible) to this Township more by
25 volunteering his time, coaching, raking fields, working

1 snack stands, (inaudible) football, if it's be baseball,
2 soccer, he does it all.

3 And I'll tell you, Mike, as your friend, I'm very
4 happy and honored to be up here tonight to congratulate you
5 by letting the people of Nutley know all that you've done,
6 but to me you've been much, much more than just a fireman
7 here in town, so congratulations.

8 I vote yes and we also have a plaque for this,
9 this night.

10 (Applause)

11 UNIDENTIFIED FEMALE SPEAKER: Can we get a picture
12 with all the Nisivoccias together?

13 UNIDENTIFIED MALE SPEAKER: Sure.

14 (Applause)

15 MAYOR PETRACCO: I will, at this time, just
16 continue with my resolutions for other people here.

17 The next one is for the chief, the re-appointment
18 of Chief Nicolette for the volunteer fire department.

19 Be it resolved by the Board of Commissioners of
20 the Township of Nutley in the County of Essex, in the State
21 of New Jersey, that Phillip Nicolette, 264 Park Avenue, be
22 re-appointed Chief of the Nutley Fire Department for a two-
23 year period retroactive to March 6th, 2012, to expire
24 March 6, 2014.

25 I move the resolution.

1 COMMISSIONER SCARPELLI: 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: Before I vote, I must say a few
12 words, and, again, Phil, I'm sorry to torture anybody here
13 that wants to leave, but I just want to say, Phil, I see you
14 sitting in the back, you're more than welcome to come on up
15 and take a picture as well.

16 But I would like to say to you that it's been a
17 pleasure to work with you (indiscernible) four years, but
18 you're an example of what we do here as far as volunteerism
19 and (inaudible) and I vote aye.

20 Okay. The next resolution, be it resolved, by the
21 Board of Commissioners of the Township of Nutley in the
22 County of Essex, in the State of New Jersey, that H. Lee
23 Baker, 80 Evergreen Avenue, be appointed to Assistant Chief
24 of the Yantacaw Chemical Company, effective immediately and
25 to expire on March 6, 2014.

1 I move the resolution.

2 COMMISSIONER SCARPELLI: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Petracco?

12 MAYOR PETRACCO: Aye.

13 Good luck.

14 Be it resolved, by the Board of Commissioners of
15 the Township of Nutley in the County of Essex, in the State
16 of New Jersey that Tracy Ann Peter, 63 Kenzel Avenue, be
17 appointed Secretary of the Nutley Fire Department, effective
18 immediately and to expire March 6, 2014.

19 I move the resolution.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Aye.

6 Be it resolved, by the Board of Commissioners of
7 the Township of Nutley in the County of Essex, in the State
8 of New Jersey, that Michael Spagnuolo, 141 San Antonio
9 Avenue, be re-appointed to Assistant Chief of Hose Company
10 2, and; Jeffrey Taormina, 43 Evergreen Avenue, be re-
11 appointed to Assistant Chief of Hose Company 3, retroactive
12 to March 6, 2012, to expire on March 6, 2014.

13 I move the resolution.

14 COMMISSIONER TUCCI: 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: Again, guys, job well done.

25 Appreciate all your help, you're an example of volunteerism

1 in town.

2 Great job, I vote, aye.

3 (Applause)

4 Okay. I have one more resolution that I'll just
5 read being that I'm on a roll.

6 Whereas the Township of Nutley Planning Board
7 received \$15,029.95 escrow deposit from JERC, Inc. III, for
8 property at 65 River Road for engineering services; and
9 whereas, the Planning Board has reviewed and determined the
10 remaining escrow balance of \$91.42 is due to JERC, Inc. III
11 and, now, therefore, be it resolved, by the Board of
12 Commissioners of the Township of Nutley in the County of
13 Essex, in the State of New Jersey, that the above-amount be
14 refunded to JERC, Inc. III.

15 I move the resolution.

16 COMMISSIONER TUCCI: 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 Thank you, everyone.

3 We will now move on to public hearings.

4 Commissioner Evans?

5 COMMISSIONER EVANS: Thank you.

6 Public hearing tonight on an ordinance re-
7 establishing \$25,000 reserve for general improvements
8 relating to property maintenance. If the Township
9 administers a service to a property, we establish a lien on
10 the property and ultimately, upon resale we'll get the money
11 back, but in the meantime, we need to establish a reserve
12 for these services that are provided by a third party.

13 MAYOR PETRACCO: Is there anyone here this evening
14 that would like to comment on Ordinance No. 3216?

15 COMMISSIONER EVANS: Move to close public hearing.

16 COMMISSIONER TUCCI: 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 EVANS: Move the ordinance.

3 COMMISSIONER TUCCÈ: 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.

14 COMMISSIONER EVANS: I have a second ordinance,

15 which is establishing a handicapped parking spot on

16 Highfield Lane, near Conduit Place.

17 MAYOR PETRACCO: Is there anyone here this evening

18 who would like to comment on Ordinance No. 3218?

19 Hearing no one...

20 COMMISSIONER EVANS: I move to close the public

21 hearing.

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.
8 COMMISSIONER EVANS: Move the ordinance.
9 COMMISSIONER TUCCI: Second.
10 MADAM CLERK: Commissioner Rogers?
11 COMMISSIONER ROGERS: Aye.
12 MADAM CLERK: Commissioner Tucci?
13 COMMISSIONER TUCCI: Aye.
14 MADAM CLERK: Commissioner Evans?
15 COMMISSIONER EVANS: Aye.
16 MADAM CLERK: Commissioner Scarpelli?
17 COMMISSIONER SCARPELLI: Aye.
18 MADAM CLERK: Mayor Petracco?
19 MAYOR PETRACCO: Aye.
20 Thank you. Okay. And Ordinance No. 3219 is being
21 pulled tonight.
22 We can move on to Commissioner Rogers.
23 COMMISSIONER ROGERS: Ordinance No. 3217, this is
24 an ordinance that will establish a fixed salary for the Town
25 physician (inaudible).

1 THE COURT: Is there anyone here this evening
2 who would like to comment on Ordinance No. 3217?

3 No one?

4 UNIDENTIFIED MALE SPEAKER: I move to close the
5 public hearing.

6 UNIDENTIFIED MALE SPEAKER: 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: I abstain.

17 UNIDENTIFIED MALE SPEAKER: (Inaudible) ordinance.

18 UNIDENTIFIED MALE SPEAKER: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Mayor Petracco?

3 MAYOR PETRACCO: Again, I about taken and I only
4 abstain because will children (indiscernible) her.

5 Okay. We're going to move on to resolutions, now.
6 Commissioner Evans?

7 COMMISSIONER EVANS: Be it resolved, by the Board
8 of Commissioners of the Township of Nutley in the County of
9 Essex, in the State of New Jersey, that the treasurer be and
10 she is hereby authorized to refund overpayments of the
11 property taxes for block 7401, lot 22, in the amount of
12 \$2,287.56 for the year 2012.

13 So move.

14 COMMISSIONER TUCCI: 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: Aye.

25 Commissioner Scarpelli?

1 COMMISSËONER SCARPELLI: Be it resolved, by the
2 Board of Commissioners of the Township of Nutley in the
3 County of Essex, in the State of New Jersey that the
4 Township Clerk is hereby authorized to advertise for sealed
5 bids for leaf removal and recycling from our drop-off site
6 to be received on behalf of the Board of Commissioners,
7 Commission Chambers, Township Hall, One Kennedy Drive,
8 Nutley, New Jersey, on Tuesday, September 25th, 2012, at
9 3:00 p.m. prevailing time, at which time they will be opened
10 and read.

11 I move the resolution.

12 MAYOR PETRACCO: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

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

24 MAYOR PETRACCO: Thank you, and I've already read
25 through my resolutions.

1 At this time, I would like to open the meeting to
2 the public, is there anyone here that would like to address
3 the Board?

4 Seeing no one -- would you like to address the
5 Board? Please, come up and state your name and address.

6 MS. BEATTLE: Susan Beattle, 571 Passaic Avenue.
7 I have a question for the Commissioners on behalf of the
8 Nutley community preservation partnership. We have our
9 first meeting this season next week and I would like to
10 update them on the status of the Historic Preservation
11 Committee.

12 MAYOR PETRACCO: Okay.

13 MS. BEATTLE: What is the status of the Historic
14 Preservation Committee?

15 MAYOR PETRACCO: I'm sorry?

16 MS. BEATTLE: The committee that was voted in as a
17 result of the historic preservation ordinance, has a
18 committee been started or when will a committee be formed?

19 MAYOR PETRACCO: I think to my knowledge, there
20 hasn't been a committee formed.

21 Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: No, I think that's
23 something we have to move on and whether it comes through my
24 office or the Mayor's office, wherever it's got to come
25 through, I think we should get a representation from each of

1 the Commissioners and move forward on it.

2 MAYOR PETRACCO: Okay.

3 MS. BEATTLE: I'm sorry, did you say it will come
4 out of your office or the Mayor's office?

5 COMMISSIONER SCARPELLI: We're going to have to
6 decide that.

7 MAYOR PETRACCO: We're going to decide that.

8 MS. BEATTLE: Oh, you don't -- okay, thank you,
9 gentlemen.

10 MAYOR PETRACCO: You're welcome.

11 Is there anyone else that would like to address
12 the Board this evening?

13 Seeing no one, this meeting is going to be
14 continued on Monday at 9:00 a.m.

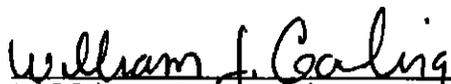
15 MADAM CLERK: Okay.

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

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I, William J. Garling, certify that the foregoing transcript is a true and accurate record of the proceedings.


William J. Garling, CEF
Certified Electronic Transcriber
CEF**D-543

Date: June 3, 2013

**Township of Nutley
Board of Commissioners
Meeting Minutes
September 10, 2012, 9:00 AM, continued meeting of
September 4, 2012**

Evelyn Rosario, Municipal Clerk announced that this is a continued meeting of Tuesday, September 4, 2012.

Roll Call:

Commissioner Rogers - Present
Commissioner Tucci - Present (Via Telephone Conference)
Commissioner Evans- (Absent/Excused)
Commissioner Scarpelli - Present
Mayor Petracco - Present (Via Telephone Conference)

The following ordinance was introduced:

Commissioner Rogers/Ordinance No. 3220

“AN ORDINANCE TO PROVIDE AUTHORIZATION FOR THE CHIEF FINANCIAL OFFICER TO APPROVE PUBLIC ASSISTANCE CLAIMS ON AN INTERIM BASIS.”

Commissioner Rogers made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner Scarpelli. All ayes. Commissioner Rogers read by title only. (Commissioner Evans Absent/Excused)

A public hearing will be held on Tuesday, October 2, 2012.

The following resolution was introduced and adopted:

Resolution No. 227-12

WHEREAS, Bids for the purchase of a 2012 Model 20 Yard Rear Load Refuse Packer or Equivalent were received and opened on Thursday, July 12, 2012; and

WHEREAS, Mid-Atlantic Truck Center, Inc., 525 Linden Avenue West, Linden, New Jersey 07036 was the low bidder in the amount of \$159,270.00; and

WHEREAS, funds are available from Ordinance #3063A, in the amount of \$79,675.00, and Account #2-21-207-101, in the amount of \$79,595.00 and have been certified by the Chief Financial Officer, said certification being attached to

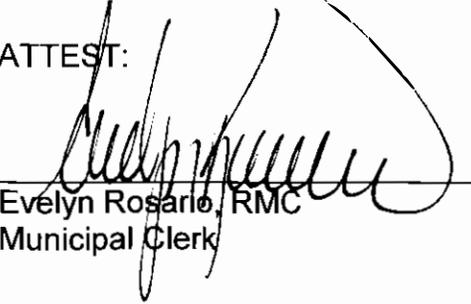
this resolution;

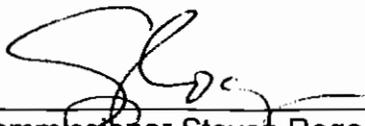
NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to Mid-Atlantic Truck Center, Inc., not to exceed \$159,270.00 and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley.

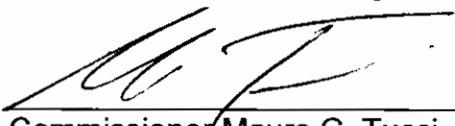
Introduced by Commissioner Scarpelli, seconded by Commissioner Tucci. All ayes on a roll call vote. (Commissioner Evans absent/excused)

Motion to adjourn by Commissioner Scarpelli, seconded by Commissioner Rogers. All ayes. (Commissioner Evans Absent/Excused)

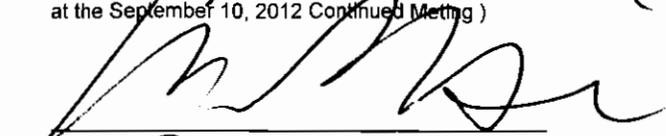
ATTEST:

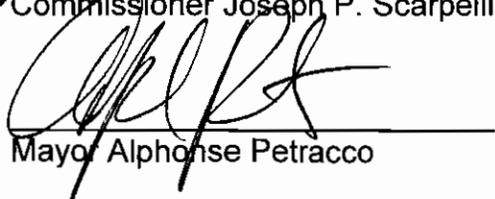

Evelyn Rosario, RMC
Municipal Clerk


Commissioner Steven Rogers


Commissioner Mauro G. Tucci


Commissioner Thomas J. Evans
(Present at the September 4, 2012 Meeting. Absent/Excused
at the September 10, 2012 Continued Meeting)


Commissioner Joseph P. Scarpelli


Mayor Alphonse Petracco

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY, SEPTEMBER 04, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03540	MARIE L GOWOREK	900.00					900.00
12-03597	FUTURE SANITATION INC.	65,805.55					65,805.55
12-03291	MEDIAGRAPHICS INC.	115.00					115.00
12-03496	NJEHA	340.00					340.00
12-03515	NEW JERSEY MEDOWLAND COMMISSION	8,604.88					8,604.88
12-03323	NORTH JERSEY MEDIA GROUP	70.19					70.19
12-03324	NORTH JERSEY MEDIA GROUP	11.08					11.08
12-03102	PATERSON STAMPOWORKS	41.87					41.87
12-00437	POLAND SPRING	40.00					40.00
12-03225	SCHNEIDER LABORATORIES, INC.	66.00					66.00
12-03305	AIR-POWER INTERNATIONAL INC.			1,932.00			1,932.00
12-03473	JASON GOODE			26.64			26.64
12-03301	HOME DEPOT			17.84			17.84
12-03466	AFLAC		25.00				25.00
12-03523	AT&T		238.66				238.66
12-03557	JOSEPH BELLUCCI		2,532.08				2,532.08
12-03555	GROUP D CAPTIAL PARTNERS I LLC		7,486.60				7,486.60
12-03565	KAVITA & GHANSHAM CHAINANI		142.72				142.72
12-00121	HENDRICKS APPRAISAL COMPANY LLC		450.00				450.00
12-03254	HEWLETT PACKARD CORPORATION		691.52				691.52
12-00093	LAW FIRM OF PIRO ZINNA, CIFELLI, PARIS & GENITEMPO		3,321.40				3,321.40
12-03326	MICRO CENTER		39.99	39.99			79.98
12-03572	ISAAC MORADI		46,639.03				46,639.03
12-03443	NJLM		350.00				350.00
12-03556	JOSHUA D. NOVIN ESQ., P.A.		1,498.13				1,498.13
12-00438	POLAND SPRING		71.88				71.88
12-00120	RICHARD RENN		505.00				505.00
12-02067	SHI INTERNATIONAL		3,200.00				3,200.00
12-03446	STATE OF NEW JERSEY DIVISION OF EMPLOYER ACCTS		691.50				691.50
12-03574	TREASURER OF SCHOOL MONEY		2,201,024.00				2,201,024.00
12-03493	T/N PAYROLL AGENCY		32,752.64				32,752.64
12-03418	TOTAL LAWN CARE & LANDSCAPE		5,397.28				5,397.28
12-02979	UNITED PARCEL SERVICE		8.87	8.62			17.49
12-03480	VERITEXT		1,084.70				1,084.70
12-03332	VERIZON WIRELESS		48.01	559.29			607.30
12-01647	VITAL COMMUNICATIONS		4,087.56				4,087.56
12-03179	W.B. MASON COMPANY INC.		245.60				245.60
12-03431	A.C. MOORE INC			82.94			82.94
12-03432	A.C. MOORE INC			43.16			43.16
12-03508	AT&T		152.69	1.67			154.36
12-02627	ATLANTIC UNIFORM CO			8,088.85			8,088.85
12-03237	ATLANTIC UNIFORM CO			59.95			59.95
12-03426	ATLANTIC UNIFORM CO			839.86			839.86

Attach To Official Minutes

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY, SEPTEMBER 04, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-00112	AUTO ENERGY			323.80			323.80
12-03007	DAVID WEBER OIL COMPANY			43,120.00			431,200.00
12-02871	DEL FIRE STORE			52.95			52.95
12-03428	DELL MARKETING L.P.			1,206.39		R	1,206.39
12-03429	ESSEX CITY COLLEGE POLICE ACADEMY			820.00			820.00
12-03430	ESSEX CITY COLLEGE POLICE ACADEMY			500.00			500.00
12-02863	GENERAL SALES ADMINISTRATION			379.20			379.20
12-03047	GENERAL SALES ADMINISTRATION			421.80			421.80
12-03427	JOHN HOLLAND			500.00			500.00
12-03491	JOHN HOLLAND			163.05			163.05
12-00064	INHALATION THERAPY			59.00			59.00
12-02798	INTERNATIONAL ASSOCIATION OF FIRE CHIEFS			204.00			204.00
12-03087	JERSEY POWER EQUIP., INC.			2,459.34R			2,459.34
12-03051	LANGUAGE LINE SERVICES			6.88R			6.88
12-00089	LANGUAGE LINE SERVICES			27.37			27.37
12-00118	MAJORREAGUE AUTO SPA			101.00			101.00
12-03316	MEADOWLAND FORD TRUCK SALES			1,317.96			1,317.96
12-03317	MEADOWLAND FORD TRUCK SALES			593.85			593.85
12-03250	MOONEY-GENERAL PAPER CO			144.36			144.36
12-03474	MOONEY-GENERAL PAPER CO			43.55			43.55
12-00494	MOTOROLA			41,445.70			41,445.70
12-00439	POLAND SPRING			78.64			78.64
12-03450	NATIONAL FUEL OIL, INC			12,435.20			12,435.20
12-03451	NATIONAL FUEL OIL, INC			10,470.66			10,470.66
12-03258	NATIONAL TERMINAL INC			7,039.43			7,039.43
12-03449	NATIONAL TERMINAL INC			7,494.55			7,494.55
12-00115	NBC AUTO			261.34			261.34
12-03420	NBC AUTO			110.00			110.00
12-03460	NBC AUTO			134.03			134.03
12-03302	NBC AUTO PARTS			21.00			21.00
12-02785	NBC AUTO PARTS	R		28.22			28.22
12-03083	NEW JERSEY EMERGENCY VEHICLES			158.60	R	R R	158.60
12-00116	NICOLETTE TOWING			12.00			12.00
12-03098	NICOLETTE TOWING			375.00		R	375.00
12-03005	NUTLEY PARK SHOP RITE			40.43			40.43
12-00063	NUTLEY PARK SHOP RITE	R		389.19			389.19
12-00117	P & A AUTO PARTS			5.43			5.43
12-00117	P & A AUTO PARTS			190.47			190.47
12-02655	SCARINCI HOLLENBECK		R	286.40		R	286.40
12-03081	SIACARVIPER	R		120.00			120.00
12-02352	TERRITORIAL SUPPLIES INC			2,434.10			2,434.10
12-02970	TRIANGLE COMMUNICATIONS LLC			5,824.60			5,824.60
12-00935	TURNOUT UNIFORMS, INC.			655.84			655.84

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY, SEPTEMBER 04, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03558	TURNOUT FIRE & SAFETY INC			444.96			444.96
12-03559	TURNOUT FIRE & SAFETY INC			319.96			319.96
12-03437	UCPO POLICE TRAINING			60.00			60.00
12-00066	V.E. RALPH			799.80			799.80
12-03046	W.B. MASON COMPANY INC.			434.71			434.71
12-03221	W.B. MASON COMPANY INC.			74.78			74.78
12-03110	WEST GROUP			358.50			358.50
12-00840	XEROX CORPORATION			34.95			34.95
12-03218	AMERICAN HOSE & HYDRAULIC CO				392.40		392.40
12-03481	GERARD BARROS				100.00		100.00
12-03325	CAMPBELL FOUNDRY CO INC.				1,790.00		1,790.00
12-03386	CITY OF NEWARK DVISION OF WATER BILLING				12,723.88		12,723.88
12-03236	CLIFFSIDE BODY CORP				347.96		347.96
12-03090	DELGEN PRESS				125.00		125.00
12-03227	DELGEN PRESS				225.00		225.00
12-02243	FOUR STAR AUTO GLASS				219.53		219.53
12-00032	GRAINGER				82.42		82.42
12-00046	GRANT SUPPLIES				21.25		21.25
12-03063	INTERCITY TIRE				108.00		108.00
12-03267	INTERCITY TIRE				356.14		356.14
12-03268	NATURE'S CHOICE COPR.				1,517.60		1,517.60
12-00045	NEWARK ASPHALT				123.20		123.20
12-00047	NORTHEAST AUTO				152.68		152.68
12-00058	P & A AUTO PARTS				214.60		214.60
12-03434	PSE&G				70.50		70.50
12-03412	PASSAIC VALLEY WATER COMM.				500.00		500.00
12-03329	PASSAIC VALLEY WATER COMM.				49,280.75		49,280.75
11-02493	PENNONI ASSOICATES, INC.				5,885.00		5,885.00
11-05359	PENNONI ASSOICATES, INC.				580.00		580.00
12-01024	PENNONI ASSOICATES, INC.				2,250.00		2,250.00
12-01024	PENNONI ASSOICATES, INC.	R			135.00		135.00
12-01024	PENNONI ASSOICATES, INC.				150.00		150.00
12-01024	PENNONI ASSOICATES, INC.				700.00		700.00
12-01024	PENNONI ASSOICATES, INC.				5,175.00		5,175.00
12-01723	RELIABLE WOOD PRODUCTS, INC				600.00		600.00
12-01723	RELIABLE WOOD PRODUCTS, INC				1,250.00		1,250.00
12-00035	RICCIARDI BROTHERS				29.70		29.70
12-00053	ROBERTS & SONS				39.96		39.96
12-00055	ROUTE 23 AUTO MALL				87.75		87.75
12-03510	PSE&G				201.96		201.96
12-00440	POLAND SPRING				180.72		180.72
12-03265	POWERPRO ELECTRICAL CONTRACTOR				675.00		675.00
12-03501	DAVID RUBIN				100.00		100.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY, SEPTEMBER 04, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-00054	STONE INDUSTRIES INC				500.00		500.00
12-03264	TREASURER STATE OF NJ				790.00		790.00
12-03577	KRIS ANGELO					135.00	135.00
12-00559	ABADEL PEST CONTROL CO., INC.					125.00	125.00
12-02240	ADVANCED ENGRAVING INC.					156.00	156.00
12-0001R	AMERICAN HOSE & HYDRAULIC CO					65.00	65.00
12-03018	BSN SPORTS					1,669.60	1,669.60
12-03527	HENRY L. BAKER					1,198.80	1,198.80
12-02600	BARLETT GREENHOUSES INC					1,999.00	1,999.00
12-01094	BERGEN-ESSEX CONTRACTORS					19,800.00	19,800.00
12-03584	MARIE BLANCATO					50.00	50.00
12-00022	BRADLEY TIRE INC					104.50	104.50
12-00022	BRADLEY TIRE INC					86.87	86.87
12-03160	C & C TIRE INC.					83.00	83.00
12-03192	C & C TIRE INC.					267.50	267.50
12-02851	CDW GOVERNMENT INC					873.45	873.45
12-03581	AMY CHRISTMAN					125.00	125.00
12-03569	ALETA CONFESSORE					29.00	29.00
12-03576	DANA DIAZ					85.00	85.00
12-03571	JAMET JOSEPH					100.00	100.00
12-03421	CONTEMPORARY GLASS SERVICE					805.00	805.00
12-03524	DELTA DENTAL PLAN OF NEW JERSEY					12,704.23	12,704.23
12-03525	DELTA DENTAL PLAN OF NEW JERSEY				1,833.26	11,556.27	13,389.53
12-03570	KELLY ENGLISH					25.00	25.00
12-03582	PETER FABIANO					75.00	75.00
12-03550	JOE FISCHER					295.00	295.00
12-03453	FIVE RINGS MARTIAL ARTS LLC					650.00	650.00
12-03521	FLAGSHIP DENTAL PLANS					617.17	617.17
12-03419	GINGER RESTAURANT					240.36	240.36
12-03589	MICHAEL GOITIANDIA					80.00	80.00
12-03333	GRANT SUPPLIES					520.88	520.88
12-03583	GIA GREEN					110.00	110.00
12-03519	HESS CORP.					7.69	7.69
12-03498	HESS CORP					204.64	204.64
12-03590	BRENDAN HICKEY					220.00	220.00
12-03213	HOOVER TRUCK CENTERS INC.					32.93	32.93
12-03568	ELEZ HOXHAN					75.00	75.00
12-03504	HUDSON ENERGY					261.07	261.07
12-03456	I-PLAY AMERICA					3,028.50	3,028.50
12-03424	JESCO, INC					1,800.00	1,800.00
12-02803	JOHNNY ON THE SPOT					78.85	78.85
12-03579	CATHERINE LANEY					125.00	125.00
12-03567	JANICE LOPEZ					45.00	45.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY, SEPTEMBER 04, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03586	LISA LUBERTO					85.00	85.00
12-03549	CARMINE MANDATO					1,295.00	1,295.00
12-02923	MCGRAW COMMUNICATIONS					4,515.46	4,515.46
12-03017	METUCHEN CENTER-TEAM SPORTS					900.00	R R 900.00
12-03585	MICHELE MOHS					35.00	35.00
12-03588	MICHELE MOHS					30.00	30.00
12-00010	NATIONAL BUILDING SUPPLY					310.75	310.75
12-03448	NATIONAL TERMINAL INC					915.92	915.92
12-03544	NJSHBP					147,745.00	147,745.00
12-03545	NJSHBP					330,229.07	330,229.07
12-03422	NJ MEADOWLANDS COMMISSION					2,446.16	2,446.16
12-00026	NUTLEY KEY & GLASS			R		30.00	30.00
12-03200	NUTLEY PARK SHOP RITE					21.94	21.94
12-03214	NUTLEY PARK SHOP RITE					10.57	10.57
12-03294	NUTLEY PARK SHOPRITE					106.33	106.33
12-03405	NUTLEY PARK SHOP RITER					136.36	136.36
12-00028	P & A AUTO PARTS					52.41	52.41
12-00028	P & A AUTO PARTS					183.98	183.98
12-03514	PSE&G					377.51	377.51
12-03479	PSE&G					66.76	66.76
12-03495	PSE&G					4.39	4.39
12-03413	PSE&G					28,288.49	28,288.49
12-03573R	BLANCA PALACIOS					100.00	100.00
12-03580	RICHARD C. PELSER					51.00	51.00
12-03455	LOIS PLINIO					80.20	80.20
12-03546	LOIS PLINIO					34.10	34.10
12-00441	POLAND SPRING					127.87	127.87
12-00442	POLAND SPRING					127.67	127.67
12-02675	R & R TROPHY & SPORTING GOODS					309.12	309.12
12-01288	RELIABLE WOOD PRODUCTS, INC					800.00	800.00
12-03433	BARRY RUBUCK-ALL PRO TENNIS					1,650.00	1,650.00
12-03551	SAHARA SAMS OASIS					2,354.10	2,354.10
12-03423	SAL ELECTRIC CO INC					1,275.00R	1,275.00
12-03334	SAL ELECTRIC CO INC					145.00	145.00
12-03575	JULIE SHANLEY					50.00	50.00
12-03547	SIGN EXPLOSION					250.00	250.00
12-03578	MONICA SUAREZ					135.00	135.00
12-03591	THAO SYTO					35.00	35.00
12-03566	ANTHONYTUOSTO					110.00	110.00
12-03587	LARRYVARONE					125.00	125.00
12-03278	VERIZON					203.80	203.80
12-03503	VERIZION CABS					1.90	1.90
12-03330	WESTERN PEST CONTROL					242.50	242.50
	BILL LIST DEPT. TOTALS:	75,994.57	2,312,684.86	113,995.00	89,514.26	586,499.67	3,178,688.36

TOWNSHIP OF NUTLEY	
BILL LIST	
September 4, 2012	
List of payroll submitted for approval by the Board of Commissioners at their regular meeting of SEPTEMBER 04 2012:	
PAYROLL-REGULAR AUGUST 31, 2012:	
Department of Public Affairs	16,916.44
Department of Revenue & Finance	60,006.93
Department of Public Safety	442,894.85
Department of Public Works	56,092.67
Department of Parks & Public Properties	77,629.95
Department of Recreation Commission	25,340.17
Water Operations	43,372.90
Due To From General Capital	3,519.91
600 SERIES	0.00
C.E.H.A.	127,201.67
Sub Total	852,975.49
PAYROLL-OVERTIME AUGUST 31, 2012:	
Department of Public Affairs	0.00
Department of Revenue & Finance	122.98
Department of Public Safety	27,900.17
Department of Public Works	2,072.53
Department of Parks & Public Properties	2,410.35
Water Operations	7,274.07
Sub Total	39,780.10
TOTAL PAYROLL:	892,755.59
GRAND TOTAL:	\$4,071,443.95
The Payroll list in the foregoing schedule includes amounts to be deducted for:	
Federal Withholding Tax	149,981.94
Social Security	16,167.13
N.J. State Tax	36,686.40
Medicare	11,195.83
Wage Execution	3,845.43
Deferred Compensation	50,474.98
Employee Disability Ins.	4,414.36

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

**FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 3216**

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, September 4, 2012.

“ORDINANCE APPROPRIATING \$25,000.00 FROM THE RESERVE IN THE GENERAL CAPITAL FUND FOR LOCAL IMPROVEMENTS FOR CERTAIN LOCAL IMPROVEMENTS.”

ALL “AYES” ON A ROLL CALL VOTE

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

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

**Nutley Sun Issue/Thursday, September 13, 2012/Via E-Mail:
publicnotices@northjersey.com**

Ordinance No. 3216

Introduced by Commissioner Evans

Introduced on August 7, 2012

Public Hearing September 4, 2012

Advertise in the Nutley Sun Issue of Thursday, August 16, 2012

Ordinance No. 3216

ORDINANCE APPROPRIATING \$25,000.00 FROM THE RESERVE IN THE GENERAL CAPITAL FUND FOR LOCAL IMPROVEMENTS FOR CERTAIN LOCAL IMPROVEMENTS.

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

SECTION 1.

\$25,000.00 is hereby appropriated from the Reserve for Local Improvements for certain local improvements in and by the Township of Nutley, in the County of Essex, New Jersey.

SECTION 2.

The capital budget of the Township of Nutley is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

BE IT FURTHER ORDAINED, that this ordinance hereby constitutes authorization to levy special assessment liens against certain properties within the boundaries of the Township of Nutley for which such local improvements have been made to insure to the health, safety, and welfare of the residents of the Township of Nutley.

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

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

**FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 3218**

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, September 4, 2012.

“AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE VII (SPECIAL ZONES AND AREAS), SECTION 29A ENTITLED HANDICAPPED PARKING, TO ADD THE LOCATIONS SET FORTH THEREIN.”

ALL “AYES” ON A ROLL CALL VOTE

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

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

**Nutley Sun Issue/Thursday, September 13, 2012/Via E-Mail:
publicnotices@northjersey.com**

Ordinance No. 3218

Introduced by Commissioner Evans

Introduced on August 7, 2012

Public Hearing September 4, 2012

Advertise in the Nutley Sun Issue of Thursday, August 16, 2012

Ordinance No. 3218

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE VII (SPECIAL ZONES AND AREAS), SECTION 29A ENTITLED HANDICAPPED PARKING, TO ADD THE LOCATIONS SET FORTH THEREIN.

BE IT ENACTED by the Board of Commissioners of the Township of Nutley that Article VII, Section 29A of Chapter 228 of the Code of the Township of Nutley, entitled Handicapped Parking, is hereby amended to set forth the ADDITION of the following locations:

Section 29A. Streets.

In accordance with the provisions of N.J.S.A. 39:4-197.5, the following street locations are designated as handicapped parking spaces. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Add

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Highfield Lane	South	Beginning at a point 188 feet west of the extended west curbline of Conduit Place, continuing in a westerly direction for a distance of 22 feet

BE IT FURTHER ENACTED that all other terms and conditions and locations in Article VII, Section 29A, 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.

ORDINANCE # 3219
REMOVED/PUBLIC
HEARING NOT HELD/
ORDINANCE NOT
ADOPTED

Ordinance No. 3219

BOND ORDINANCE PROVIDING FOR ACQUISITION OF VEHICLES IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR, AND AUTHORIZING \$52,200 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

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

**FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 3217**

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, September 4, 2012.

“AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE AUGUST 3, 2012.”

ALL “AYES” ON A ROLL CALL VOTE

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

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

**Nutley Sun Issue/Thursday, September 13, 2012/Via E-Mail:
publicnotices@northjersey.com**

Ordinance No. 3217

Introduced by Commissioner Rogers

Introduced on August 7, 2012

Public Hearing September 4, 2012

Advertise in the Nutley Sun Issue of Thursday, August 16, 2012

Ordinance No. 3217

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE AUGUST 3, 2012.

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

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

<u>Title</u>	<u>Base Salary Minimum</u>	<u>Base Salary Maximum</u>
<u>DEPARTMENT OF PUBLIC AFFAIRS</u>		
Township Physician	\$ 10,000.00	\$ 20,000.00

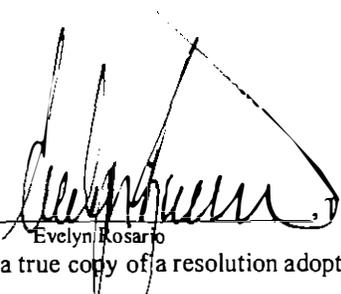
BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli *Date:* September 4, 2012

Seconded by: Mayor Alphonse Petracco *No.* 224-12

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 “Leaf Removal and Recycling from our Drop Off Site” to be received on behalf of the Board of Commissioners, Commission Chambers, Township Hall, One Kennedy Drive, Nutley, NJ, on Tuesday, September 25, 2012 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 September 4, 2012

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco *Date:* September 4, 2012
Seconded by: Commissioner Mauro G. Tucci *No.* 217-12

WHEREAS, Leonard Nisivoccia was approved by the Board of Commissioners as a member of Headquarters Company on January 4, 1982; and,

WHEREAS, IN 2007 Leonard Nisivoccia was promoted to the title of Lieutenant, and served in that title with distinction; and,

WHEREAS, IN 1982 then Firefighter Leonard Nisivoccia received the medal of honor in helping rescue 4 adults and 4 children in a building fire.

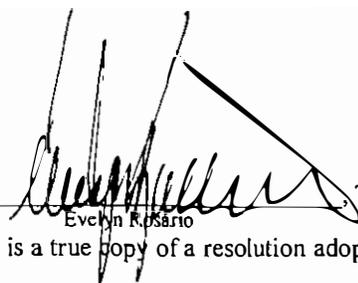
WHEREAS, on September 11, 2001 served with distinction in Hudson County to help decon victims and responded to many calls post September 11 including Antrax.

WHEREAS, Lieutenant Leonard Nisivoccia retired from the Nutley Fire Department on June 30, 2012; and

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 Lieutenant Leonard Nisivoccia's dedications and commitment to the safety and welfare of the residents of the Township of Nutley be hereby recognized; and,

BE IT FURTHER RESOLVED that the gratitude of this community be hereby extended to Lieutenant Leonard Nisivoccia for this 30 years of unparalleled service with the Nutley Fire 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 September 4, 2012

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco Petracco *Date:* September 4, 2012

Seconded by: Commissioner Mauro G. Tucci *No.* 218-12

WHEREAS, Michael W. Nisivoccia was approved by the Board of Commissioners as a member of Headquarters Company on December 5, 1986; and,

WHEREAS, in 2007 Michael W. Nisivoccia was promoted to the title of Lieutenant, and served in that title with distinction; and,

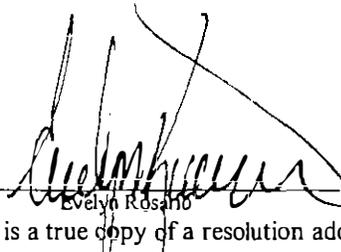
WHEREAS, in 1991 then Firefighter Michael W. Nisivoccia was elected President of the Firemen's Mutual Benevolent Association and served with dedication and commitment; and,

WHEREAS, on September 11, 2001 served with distinction in Hudson County to help decon victims and responded to many calls post September 11, including Antrax.

WHEREAS, Lieutenant Michael W. Nisivoccia retired from the Nutley Fire Department on June 30, 2012; and,

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 Lieutenant Michael W. Nisivoccia's dedication and commitment to the safety and welfare of the residents of the Township of Nutley be hereby recognized; and,

BE IT FURTHER RESOLVED that the gratitude of this community be hereby extended to Lieutenant Michael W. Nisivoccia for his 25 years of unparalleled service with the Nutley Fire 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 September 4, 2012

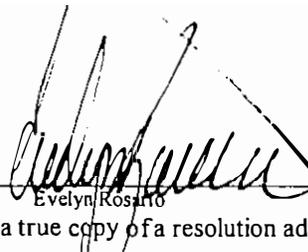
<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Vot Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco Petracco Date: o o September 4, 2012
 Seconded by: Commissioner Joseph P. Scarpelli No. 219-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, in the State of New Jersey that Phillip Nicolette, 264 Park Avenue, be re-appointed Chief of the Nutley Fire Department for a two year period retroactive to March 6, 2012 to expire March 6, 2014.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 4, 2012

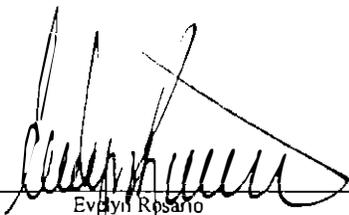
<i>Record of Vote</i>	<i>Commissioner Rogers</i>	<i>Commissioner Tucci</i>	<i>Commissioner Evans</i>	<i>Commissioner Scarpelli</i>	<i>Mayor Petracco</i>
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco Petracco *Date:* September 4, 2012
Seconded by: Commissioner Joseph P. Scarpelli *No.* 220-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex in the State of New Jersey, that H. Lee Baker, 80 Evergreen Avenue, be appointed Assistant Chief of Yantacaw Chemical Company effective immediately and to expire on March 6, 2014.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 4, 2012

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

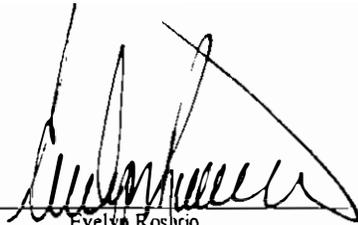
Resolution

Introduced by: Mayor Alphonse Petracco Petracco *Date:* September 4, 2012

Seconded by: Commissioner Mauro G. Tucci *No.* 221-12

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex in the County of Essex in the State of New Jersey that Tracy Ann Peters, 63 Kenzel Avenue, be appointed Secretary of the Nutley Fire Department effective immediately and to expire March 6, 2014.

. . .

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 4, 2012

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

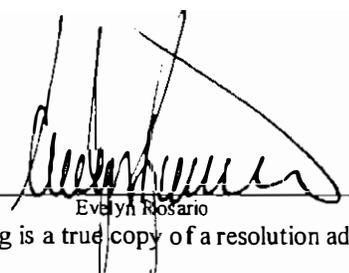
Introduced by: Mayor Alphonse Petracco Petracco *Date:* September 4, 2012
Seconded by: Commissioner Mauro G. Tucci *No.* 225-12

BE IT RESOLVED by the Board of Commissions of the Township of Nutley in the County of Essex in the State of New Jersey, that;

Michael Spagnuolo, 141 San Antonio Avenue, be re-appointed
Assistant Chief of Hose Company 2, and;

Jeffrey Taormina, 43 Evergreen Avenue, be re-appointed
Assistant Chief of Hose Company 3,

Retroactive to March 6, 2012 to expire on March 6, 2014.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 4, 2012

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

Board of Commissioners

TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

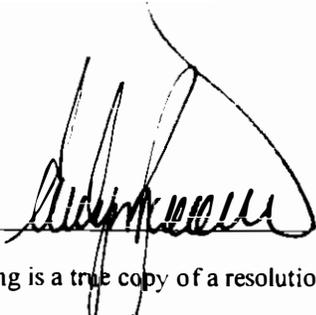
Introduced by Mayor Alphonse Petracco Date September 4, 2012
Commissioner Mauro G. Tucci

Seconded by _____ No. 223-12

WHEREAS the Township of Nutley Planning Board received **\$15,029.95** escrow deposit from JERC Inc., III for property at 65 River Road for engineering services, and

WHEREAS the Planning Board has reviewed and determined the remaining escrow balance of **\$91.42** is due to JERC, Inc. Inc., and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the above amount be refunded to JERC Inc. III

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 September 4, 2012.

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

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

ORDINANCE INTRODUCTION

ORDINANCE NO. 3220

NOTICE IS HEREBY GIVEN, that the following Ordinance was introduced and passed upon first reading at a regular meeting of the Board of Commissioners, Township of Nutley, Essex County, New Jersey on the 10th day of September 2012 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Board of Commissioners to be held on the 2nd day of October, 2012 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.

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

**Nutley Sun Issue/Thursday, September 13, 2012 Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

Ordinance No. 3220

Introduced by Commissioner Steven Rogers

Introduced on Monday, September 10, 2012 (Continued Meeting of Tuesday, September 4, 2012)

Public Hearing Tuesday, October 2, 2012

Advertise in the Nutley Sun Issue of Thursday, September 13, 2012

Ordinance No. 3220

“AN ORDINANCE TO PROVIDE AUTHORIZATION FOR THE CHIEF FINANCIAL OFFICER TO APPROVE PUBLIC ASSISTANCE CLAIMS ON AN INTERIM BASIS.”

WHEREAS, N.J.S.A. 40A:5-17 requires that the governing body approve or disapprove all claims; and

WHEREAS, said statute also provides that the governing body may designate one person who may approve claims between meetings of the governing body; and

WHEREAS, there are times when after exhausting all avenues possible, the Township of Nutley is the source of public assistance of last resort; and

WHEREAS, it is desirous that the Chief Financial Officer be given that authority to approve payment when people in distress are in need of emergent assistance when no other source of public assistance is available;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners, of the Township of Nutley, County of Essex, NJ, that the Chief Financial Officer be and is hereby authorized to approve a payment of public assist on an interim basis;

BE IT FURTHER ORDAINED as follows:

1. The Chief Financial Officer will comply with the certification requirements of 40A:5-16b; ascertaining the existence of proper and sufficient appropriations for the payments to be made and determining that there is legal authority for the payments;
2. All interim payments of public assistance claims will be approved by the Director of Public Affairs and a designee that the Director deems responsible for this program;
3. Checks drawn on the Township of Nutley in payment of said claims will be signed by all authorized signers designated by Township resolution;
4. All interim payments shall be approved in the manner prescribed by rules made and promulgated by the Division of Local Government Services;
5. All interim payments must be submitted for approval of the Board of Commissioners at the next regularly scheduled meeting.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Continued from the meeting of September 4, 2012

Introduced by: Commissioner Joseph P. Scarpelli *Date:* September 10, 2012
Seconded by: Commissioner Mauro G. Tucci *No.* 227-12

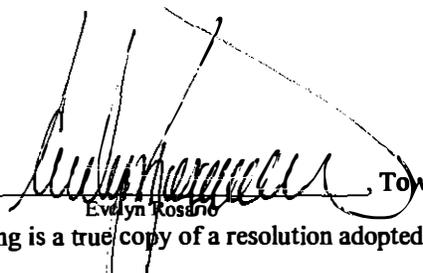
WHEREAS, Bids for the purchase of a 2012 Model 20 Yard Rear Load Refuse Packer or Equivalent were received and opened on Thursday, July 12, 2012; and

WHEREAS, Mid-Atlantic Truck Center, Inc., 525 Linden Avenue West, Linden, New Jersey 07036 was the low bidder in the amount of \$159,270.00; and

WHEREAS, funds are available from Ordinance #3063A, in the amount of \$79,675.00, and Account #2-21-207-101, in the amount of \$79,595.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to Mid-Atlantic Truck Center, Inc., not to exceed \$159,270.00 and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley.

. . .

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 September 10, 2012 Continued Meeting of September 4, 2012

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