

1 TOWNSHIP OF NUTLEY, NEW JERSEY

2 BOARD OF COMMISSIONERS

3 ORIGINAL

4 )  
5 PUBLIC MEETING )

TRANSCRIPT OF

6 ) PROCEEDINGS:  
7 )

8  
9  
10 September 18, 2012

11  
12 7:00 p.m.  
13  
14  
15

16 BEFORE:

17 Mayor Alphonse Petracco

18 Commissioner Steven L. Rogers

19 Commissioner Joseph P. Scarpelli

20 Commissioner Mauro G. Tucci

21 Commissioner Thomas J. Evans

22  
23 Township Clerk Evelyn Rosario  
24

25 Job No. NJ1670424

P R O C E E D I N G S

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

4 Thank you.

5 Madam Clerk?

6 MADAM CLERK: Tuesday, September 18th, 2012,  
7 pursuant to the requirements of the Open Public Meeting Law  
8 (Chapter 231, P.L. 1975) notice of this meeting was  
9 published in the December 22, 2011 issues of the Nutley Sun,  
10 the Star Ledger and the Herald News. A copy of this notice  
11 has been posted on the Nutley Town Hall bulletin board and  
12 is copy is on file in the Municipal Clerk's Office.

13 Commissioner Rogers?

14 COMMISSIONER ROGERS: Here.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Here.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Here.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Here.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Here.

23 MADAM CLERK: All present, Mayor.

24 MAYOR PETRACCO: Thank you.

25 We'll move on to minutes, please.

1 MADAM CLERK: Yes, Mayor.

2 We have four sets of minutes this evening -- five  
3 sets, actually.

4 I have Board of Commissioner meeting minutes from  
5 meetings held April 17th, 2012, May 1st, 2012;  
6 reorganization and regular meeting of May 15th, 2012 and  
7 meeting of June 5th, 2012. And that's all for minutes this  
8 evening, Mayor.

9 MAYOR PETRACCO: Thank you.

10 Move it.

11 UNIDENTIFIED MALE SPEAKER: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: I abstain on the 17th of  
14 April, the 1st of May -- I wasn't here.

15 I vote aye on May 15th and June 5th.

16 MADAM CLERK: Thank you.

17 Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye, except for June 5th,  
21 where I was absent/excused.

22 MADAM CLERK: Thank you.

23 Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Mayor Petracco?

1 MAYOR PETRACCO: Aye.

2 MADAM CLERK: That's all I have for minutes, this  
3 evening, Mayor.

4 MAYOR PETRACCO: Okay. Can we move on to  
5 communications and correspondence?

6 MADAM CLERK: Yes, Mayor.

7 I have three letters of communication this  
8 evening. I have a petition to extend a liquor license  
9 submitted by The Old Canal Inn, 2 East Passaic Avenue, for  
10 an event to be held on October 20th, 2012, with a rain date  
11 of October 27th, 2012.

12 I need an approval, please.

13 COMMISSIONER TUCCI: Move it.

14 COMMISSIONER EVANS: 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 MADAM CLERK: The next identity I have submitted

1 is St. Mary's Catholic Church for a social affair permit to  
2 serve alcohol (indiscernible) scheduled for  
3 September 29th, 2012.

4 I need an approval, please.

5 COMMISSIONER TUCCI: Move it.

6 COMMISSIONER EVANS: 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 MADAM CLERK: And the last item I have is the  
18 submission of the best practices worksheet, CY 2012/SFY  
19 2013. The checklist was committed yesterday for the Board  
20 for their review and division of Committee affairs require  
21 that the governing body review this at our meeting and  
22 provide any input if there's any discussion.

23 COMMISSIONER EVANS: (Indiscernible.)

24 MADAM CLERK: Yes.

25 Would you like to comment, Commissioner?

1           COMMISSIONER EVANS: Do they re-submit the  
2 checklist annually as a requirement?

3           MADAM CLERK: Uh-huh.

4           COMMISSIONER EVANS: Division of Local  
5 Governmental Services, and probably, once again, (inaudible)  
6 waiting on the checklist as a best practice (inaudible) and  
7 with our governmental actions and the purpose of the  
8 checklist is to ensure that we (inaudible) in the doing well  
9 on the checklist (inaudible) with state aid.

10           (Inaudible) trend of (inaudible).

11           MAYOR PETRACCO: Thank you.

12           MADAM CLERK: Thank you.

13           The state doesn't require a (indiscernible) vote,  
14 but if the Board would like to take a motion and a second  
15 and a roll call, I can do so.

16           COMMISSIONER TUCCI: Sure.

17           COMMISSIONER EVANS: Second.

18           MADAM CLERK: Commissioner Rogers?

19           COMMISSIONER ROGERS: Aye.

20           MADAM CLERK: Commissioner Tucci?

21           COMMISSIONER TUCCI: Aye.

22           MADAM CLERK: Commissioner Evans?

23           COMMISSIONER EVANS: Aye.

24           MADAM CLERK: Commissioner Scarpelli?

25           COMMISSIONER SCARPELLI: Aye.

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: Aye.

3 MADAM CLERK: Thank you, that's it for  
4 communications and correspondence this evening.

5 MAYOR PETRACCO: Any reports?

6 None? We'll move on to bills.

7 MADAM CLERK: The bill list of

8 September 18th, 2012:

9 Public affairs, \$193,560.19

10 Revenue and finance, \$2,948,035.66

11 Public safety, \$29,313.34

12 Public works, \$586,106.75

13 Parks and public property, \$479,951.05

14 Payroll as of September 14th, \$761,024.52, for a  
15 grand total bill list of \$4,561,791.50, and that's it for  
16 bills, Mayor.

17 MAYOR PETRACCO: Move the bills.

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: Aye.

4 MADAM CLERK: Thank you, Mayor.

5 MAYOR PETRACCO: Thank you.

6 We'll move on to ordinance introductions.

7 Commissioner Tucci?

8 COMMISSIONER TUCCI: Thank you, Mayor.

9 This is an ordinance to amend and ordinance  
10 entitled "An ordinance to fix the salaries of certain  
11 officers and employees of the Township of Nutley, County of  
12 Essex, State of New Jersey, effective September 1st, 2012,"  
13 and the title that we are modifying is the title of  
14 recreation director, that we are moving from an hourly  
15 position to a salaried position.

16 I move that this ordinance be passed to a second  
17 reading and advertised in the Nutley Sun, together with the  
18 notice required by law and that further consideration of  
19 said ordinance for final passage by the Board of  
20 Commissioners to be held at its second reading on October  
21 16th, 2012.

22 I move the ordinance.

23 COMMISSIONER EVANS: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: Aye.

9 Okay. I have an ordinance introduction, Ordinance  
10 No. 3221, an ordinance providing for the purchase of a fire  
11 truck in the Township of Nutley, in the County of Essex, New  
12 Jersey, appropriating \$310,950.00; therefore, from grant  
13 monies -- what's grant monies?

14 UNIDENTIFIED MALE SPEAKER: (Indiscernible.)

15 MAYOR PETRACCO: Monies received from the  
16 assistance to firefighters grant for the cost thereof.

17 Move that this ordinance be passed to a second  
18 reading and advertised in the Nutley Sun, together with the  
19 notice required by law and that further consideration of the  
20 said ordinance for final passage by the Board of  
21 Commissioners to be held at its second reading on October  
22 16th, 2012.

23 I move it.

24 UNIDENTIFIED MALE SPEAKER: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Mayor Petracco?

9 MAYOR PETRACCO: Aye.

10 Okay. We'll move on to resolutions.

11 Commissioner Tucci?

12 COMMISSIONER TUCCI: Yes, do I need a motion --

13 COMMISSIONER EVANS: (Indiscernible) make a Motion  
14 to Consolidate 228, 229, 230, 231, and 232.

15 COMMISSIONER TUCCI: I'll make that motion.

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 TUCCI: Yes, thank you.

3                   Be it resolved, by the Board of Commissioners of  
4 the Township of Nutley in the County of Essex, in the State  
5 of New Jersey, that contracts for the purchase of recreation  
6 equipment and supplies be awarded to BSN Sports, P.O. Box  
7 49, Jenkintown, Pennsylvania, not to exceed \$5,249.49.

8                   And a contract be awarded to DOT designing, LLC, 8  
9 Tryall Boulevard, Monroe Township, no to exceed \$12,372.50.

10                  And a contract be awarded to East Coast Designs  
11 Unlimited, LLC, 218 Springfield Avenue, Hasbrouck Heights,  
12 New Jersey, with an amount not to exceed \$12,086.50.

13                  And a contract be awarded to Metuchen Center,  
14 Inc. 409 Joyce Kilmer Avenue, as per the attached sheet,  
15 not to exceed \$21,986.10.

16                  And last is R & R Trophy/Sporting Goods, 104 Ridge  
17 Road, North Arlington, New Jersey, with an amount not to  
18 exceed \$18,396.36.

19                  Whereas, funds are available from accounts T-24-  
20 909-901 through 915, and have been certified with the Chief  
21 Financial Officer; and, be it resolved that the Mayor and  
22 the Township Clerk be and they are hereby authorized to  
23 enter into and sign said contract for the Township of  
24 Nutley.

25                  I move the resolutions.

1 COMMISSIONER EVANS: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 COMMISSIONER TUCCI: Whereas, sealed bids were  
13 received on September 12, 2012 for tree planting at virus  
14 locations in the Township of Nutley; and, whereas, funds  
15 are available from the Capital Ordinance 3214E, not to  
16 exceed \$50,000 and have been certified by the Chief  
17 Financial Officer, said certification being attached this  
18 resolution; now, therefore, be it resolved, by the Board of  
19 Commissioners of the Township of Nutley, County of Essex,  
20 State of New Jersey, that a contract for tree planting in  
21 various locations be awarded to Pat Scanlan Landscaping, New  
22 City, New York.

23 Now, therefore, be it further resolved that the  
24 Township Clerk be and is hereby authorized to enter into  
25 said contract on behalf of the Township of Nutley.

1           Before I move this, I would just like to state for  
2 the record that this is the major tree planting that we have  
3 been talking about since the beginning of the year. It's  
4 \$50,000, we will be planting a little over 200 trees  
5 throughout the town, small trees, medium-sized trees, and we  
6 will be, in fact, be replacing large oaks and large maple  
7 trees that have been forced to be removed because of disease  
8 or because they've become dangerous and have just aged out,  
9 so this will replenish our tree canopy for years to come.

10           I move the resolution.

11           COMMISSIONER EVANS: Second.

12           MADAM CLERK: Commissioner Rogers?

13           COMMISSIONER ROGERS: Aye.

14           MADAM CLERK: Commissioner Tucci?

15           COMMISSIONER TUCCI: Aye.

16           MADAM CLERK: Commissioner Evans?

17           COMMISSIONER EVANS: Aye.

18           MADAM CLERK: Commissioner Scarpelli?

19           COMMISSIONER SCARPELLI: Aye.

20           MADAM CLERK: Mayor Petracco?

21           MAYOR PETRACCO: Aye.

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

23           MAYOR PETRACCO: Thank you.

24           Commissioner Evans?

25           COMMISSIONER EVANS: Thank you, Mayor.

1           Whereas, block 900, lot 42, 49 Donna Court, has a  
2 2011 outstanding tax bill; and whereas, this property is  
3 included a flood mitigation project pursuant to a FEMA  
4 grant; and whereas, this property will be sold pursuant to  
5 the flood mitigation project; and whereas, a disconnect  
6 exists between the Township of Nutley and the owner which  
7 will require more time to work towards a satisfactory  
8 resolution; now, therefore be it resolved by the Board of  
9 Commissioners of the Township of Nutley, County of Essex,  
10 State of New Jersey, that block 900, lot 42, 49 Donna Court  
11 be removed from the tax sale for tax delinquencies until a  
12 possible agreement may be reached.

13           So moved.

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 EVANS: Be it resolved, by the Board

1 of Commissioners of the Township of Nutley in the County of  
2 Essex, in the State of New Jersey that the Treasurer be and  
3 she is hereby authorized to refund the overpayments of the  
4 property taxes in the amount of \$6,981.60, due to a  
5 successful Tax Court judgment for block 8602, lot 2.

6 So move.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Mayor Petracco?

17 MAYOR PETRACCO: Aye.

18 COMMISSIONER EVANS: Whereas, the Township of  
19 Nutley, along with other various municipalities have been  
20 informed that Verizon New Jersey, Inc. is no longer required  
21 to file a return of tangible personal property used in  
22 business by local business exchange companies Form PT-10 to  
23 the affected tangible property to the tax year 2013;  
24 whereas, NJSA 54:4-1 defines a local exchange telephone  
25 company as a telecommunications carrier providing dial tone

1 and access to 51 percent of a local telephone exchange  
2 within a municipality; and whereas, Verizon New Jersey, Inc.  
3 has determined that they are not providing 51 percent or  
4 more of dial tone service to the Township of Nutley along  
5 with affected municipalities and will not file the required  
6 form and not pay the property taxes pursuant to the NJSA  
7 54:4-1; and whereas, as Borough of Hopewell in Mercer  
8 County, with the support of the New Jersey League of  
9 Municipalities has contested Verizon's decision and has  
10 asked the affected municipalities to join them in their  
11 efforts to continue (indiscernible) this matter and has  
12 asked the municipalities to contribute \$220.00 towards this  
13 cause.

14 Now, therefore be it resolved by the Board of  
15 Commissioners of the Township of Nutley, County of Essex,  
16 State of New Jersey, that the Township of Nutley shall join  
17 the League of Municipalities in their continued efforts to  
18 appeal the Tax Court decision in the matter of Hopewell v  
19 Verizon and that the Township Treasurer is hereby authorized  
20 and directed to issue a check in the amount of \$220.00 made  
21 payable to the New Jersey League of Municipalities.

22 Be it further resolved, that the Municipal Clerk  
23 is hereby directed to send a certified copy of this  
24 resolution to Senator Ronald L. Rice and Assemblyman Ralph  
25 R. Caputo.

1 So move.

2 COMMISSIONER TUCCI: 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 Commissioner, is that all of them?

14 COMMISSIONER EVANS: (Indiscernible) thank you,

15 Mayor.

16 MAYOR PETRACCO: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Whereas, the Township of

18 Nutley has entered into a contract with D&L Paving

19 Contractors, 681 Franklin Avenue, Nutley, New Jersey, for a

20 project known as 2011 Roadway Improvements, for an original

21 contract amount of \$353,955.22; and whereas, change order

22 no. 1 has been authorized for Ordinance No. 3183 of the

23 original contract amount to be reduced by \$53,610.87 for a

24 total contract price of \$300,444.35.

25 Now, therefore be it resolved by the Board of

1 Commissioners of the Township of Nutley, County of Essex,  
2 State of New Jersey, that change order no. 1 is attached, is  
3 a change from the contract previously made by the Township  
4 of Nutley with D&L Paving Contractors, for the project known  
5 as 2011 Roadway Improvements are hereby authorized and  
6 approved.

7 I move the resolution.

8 COMMISSIONER ROGERS: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: Aye.

19 COMMISSIONER SCARPELLI: Our second resolution  
20 Mayor, we're going to move to a continuation of this  
21 meeting.

22 That's all I have.

23

24 MAYOR PETRACCO: Thank you.

25 Commissioner Rogers?

1 COMMISSIONER ROGERS: None, Mayor.

2 MAYOR PETRACCO: None, okay.

3 Whereas, the Mayor and the Board of Commissioners  
4 of the Township of Nutley in the County of Essex, New  
5 Jersey, recognizes that the abuse of alcohol and drugs is a  
6 serious problem in our society amongst persons of all ages;  
7 and whereas, the Mayor and Board of Commissioners of the  
8 Township of Nutley further recognizes that it is incumbent  
9 upon not only public officials, but upon the entire  
10 community to take action to prevent such abuses in the  
11 community; and whereas, the Township of Nutley has applied  
12 for funding to the Governor's Council on Alcoholism and Drug  
13 Abuse through the County of Essex.

14 Now, therefore be it resolved by the Mayor and the  
15 Board of Commissioners of the Township of Nutley, County of  
16 Essex, State of New Jersey hereby recognizes the following:  
17 one, the Mayor and the Board of Commissioners do hereby  
18 authorize submission of an application for the Nutley  
19 Municipal Alliance grant for the calendar year 2013 in the  
20 amount of \$22,000; two, the Mayor and the Board of  
21 Commissioners acknowledge the terms and conditions for  
22 administering the municipal alliance grant, included the  
23 administrative compliance and audit requirements.

24 I move the resolution.

25 COMMISSIONER TUCCI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: Aye.

11 Whereas, raffle applications have been received

12 from the following organizations, Nutley, Jr. Raiders

13 Booster Club, Inc., License No. 54-12, on-premise

14 merchandise raffle, October 12, 2012; Nutley, Jr. Raiders

15 Booster Club, Inc., License No. 55-12, on-premise 50/50 cash

16 raffle, October 12, 2012; Nutley, Jr. Booster Club, Inc.,

17 License No. 56-12, off-premise 50/50 cash raffle,

18 October 12, 2012.

19 Whereas, the applications have been reviewed and

20 approved by the Municipal Clerk and the police Department;

21 now, therefore be it resolved by the Board of Commissioners

22 of the Township of Nutley, County of Essex, State of New

23 Jersey, that the licenses are approved and the Municipal

24 Clerk is authorized to issue the licenses.

25 I move the resolution.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Mayor Petracco?

11 MAYOR PETRACCO: Aye.

12 Whereas, sealed bids were received and opened for  
13 a Triple Combination Pumper Fire Apparatus and equipment;  
14 and whereas, Eagle Fire Equipment was the lowest responsible  
15 bidder with the base bid of \$298,541 (indiscernible) bid of  
16 \$46,959 for a total bid of \$345,000.

17 And whereas, the funds are available from the  
18 Ordinance No. 3221 in the amount of \$310,950; 2-01-806-277  
19 in the amount of \$29,550; and 2-01-314-299 in the amount of  
20 \$5,000 have been certified by the Chief Financial Officer,  
21 said certification being attached to the this resolution.

22 Now, therefore be it resolved by the Board of  
23 Commissioners of the Township of Nutley, County of Essex,  
24 State of New Jersey, that the bid be awarded to Eagle Fire  
25 Equipment, 1 Davidson Drive, Manorville, New York.

1 Be it further resolved, that the Mayor and the  
2 clerk of the Township of Nutley be and are hereby authorized  
3 to interest into and sign said contract for the Township of  
4 Nutley.

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 Whereas, NJSA 40A:4-87 provides that the director  
18 of the division of the local government services may approve  
19 the insertion of any item in the budget of any county or  
20 municipality when such item shall have been made available  
21 by law and the amount thereof was not determined at the time  
22 of the adoption of the budget; and, whereas, said director  
23 may also approve the insertion of any item of appropriation  
24 for equal amount.

25 Section one, now, therefore be it resolved by the

1 Board of Commissioners of the Township of Nutley, County of  
2 Essex, State of New Jersey, hereby requests the director of  
3 the Division of Local Government Services to approve the  
4 insertion of an item of revenue in the budget of the year  
5 2012 in the sum of \$16,830.00 which item is now available as  
6 a revenue from the FY 2011 assistance to Firefighters Grant  
7 Program, pursuant to the provisions of the statute.

8 Second two, be it further resolved, that a like  
9 sum of \$16,830.00 be and the same is hereby appropriated  
10 under the caption of general appropriations, (A) operations  
11 excluded from 5 percent CAPS, FY 2011 Assistance to  
12 Firefighters Grant, \$16,830.00.

13 Second three; be it further resolved, that the  
14 above is a result of the revenues available for the FY 2011  
15 Assistance to Firefighters Grant Program.

16 Be it further resolved, that the municipal  
17 matching share for the FY 2011 Assistance to the  
18 Firefighters Grant Program in the amount of \$1,870 is  
19 included in the 2012 budget in accordance with the grant  
20 agreement and is hereby appropriated for said purpose.

21 Be it further resolved, that the Township Clerk  
22 forward two certified copies of this resolution to the  
23 Director of Local Government Services.

24 I move the resolution.

25 COMMISSIONER TUCCI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: Aye.

11 Just before we continue, I would like to  
12 congratulate our Fire Department, the volunteers, the chief  
13 of the fire department, Phil Nicolette, and everybody that  
14 helped with that grant, a job really, really well done.  
15 Representing the eighth career guys is our deputy chief,  
16 (indiscernible). Again, good teamwork. It's really a job  
17 well done and it's brought this community a lot of money for  
18 a fire truck that, obviously, under these conditions, we  
19 don't have that extra money to put out, so, a great job by  
20 you all and I would like to thank all of you for your hard  
21 work and your diligence that you put into it. Thank you.

22 Okay. Be it resolved, by the Board of  
23 Commissioners of the Township of Nutley in the County of  
24 Essex, in the State of New Jersey that the renewal of the  
25 Plenary Retail Consumption License be granted to Giant

1 Vending, Inc. T/A Franklin Steakhouse, License No. 0716-32-  
2 020-009, said license to be effective July 1, 2012 through  
3 June 30th, 2013.

4 Be it resolved that the State of New Jersey,  
5 Department of Treasury, Division of Taxation has provided a  
6 tax clearance certificate for said license for the July 1,  
7 2012 through June 30th, 2013 renewal period.

8 Be it further resolved, that the license number  
9 0716-32-020-009 is not actively used at an operating place  
10 of business.

11 I move the resolution.

12 COMMISSIONER TUCCI: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Aye.

23 This brings us to our open portion of the meeting,  
24 if there's anyone here that would like to address the Board  
25 tonight, please come up front, state your name and address.

1 MR. MAGNIFICO: Good evening, Commissioners. My  
2 name is Jack Magnifico. I've been a resident of this town  
3 since 1964 and I come before you with a very serious  
4 situation.

5 When I first moved here and moved my business  
6 (inaudible) back in the '80s, my building was paying  
7 approximately \$25,000, \$30,000 worth of tax monies. With  
8 the present situation in our State and the present situation  
9 with our Board of Education, I received today in the mail my  
10 tax bill. I owed \$82,000.

11 My gross income in that building \$35,000 a month.  
12 That does not include -- naturally, have I construction  
13 loans. I have everything in the sun in the form of  
14 necessities that have to be done to meet Town, State  
15 ordinances. These have cost me a small fortune. I sold my  
16 business hoping that the people that I sold it to would stay  
17 in our town because all of my employees were town kids and  
18 unfortunately, they pulled a real lawyer's trick. They  
19 (indiscernible) me and they pulled out over the weekend and,  
20 as you know the rest, that's it. They went to Pennsylvania  
21 and they're doing great, and their answer to me was that  
22 they make 40 percent more on their income. There's nothing  
23 more than I can do about it, but I wish I could.

24 I'm in a position -- I'm not desperate. I'm  
25 absolutely sick. I see what you're talking about with the

1 Board of Education going crazy with their budget of  
2 \$38,402.29 from me, that's what I'm paying them. I just  
3 don't know -- I keep putting the pressure on the wrong guy.  
4 I know that Tom (indiscernible) can't do anything. He's got  
5 to talk, unfortunately to that person in the tax department,  
6 which is (indiscernible) and I don't know how we're going to  
7 change that.

8 If there's anything in this commission, this board  
9 can do to help me, I would appreciate it because it's just  
10 insurmountable. If it continues this way, I'll be right  
11 behind (indiscernible)e It's actually crazy. I mean I'm  
12 not -- I have tried to bring to my town good, reputable  
13 people. All of my people who are in that building are  
14 professionals, and when I say professionals, they come from  
15 all over the state of New Jersey to see their doctors, to  
16 see their lawyers, to see their physical fitness (sic) and I  
17 can't keep telling them, you gotta give me more money. You  
18 gotta give me more money.

19 So if anything could be done with the  
20 Commissioners, I would appreciate it, anything to help me --  
21 I'm paying the taxes, believe me, I haven't missed once, but  
22 I've got to receive some help from my town. I just don't  
23 know what else to tell you. I know -- I see the figures  
24 here. \$14,000 in community County taxes. I don't get  
25 anything from the County.

1           The town, fortunately, if I need anything because  
2 of being an, I guess, an old-timer, (indiscernible) they  
3 help me, but that's about it, you know? So, I plea with you  
4 to please help me keep my building and keep my tenants.  
5 That's the thing I'm mostly worried about. I pay -- I pay  
6 outside people (indiscernible), I pay them back because I  
7 know my tenants need spaces for their clients and for their  
8 help. I pay for that. But everything you can do for me, I  
9 sure would appreciate it.

10           Just think about it, guys, if you were in the same  
11 position, you know, it's not like when I was a kid -- I'm  
12 still a kid -- I think I am anyway.

13           (Laughter)

14           But you gotta remember that this rubs off, just  
15 like (indiscernible) is going to rub off. I know that's  
16 going to hurt us, and this is the same with me in every  
17 small community business is going to get the same thing.  
18 We've got to figure out a way to stop it.

19           Thank you.

20           MAYOR PETRACCO: Thank you.

21           Mr. Harkins, I'm assuming you have a public  
22 hearing at 8:00 p.m. (indiscernible) proceed on the issue?

23           MR. HARKINS: (Inaudible) got a hearing scheduled  
24 on a person-to-person (inaudible). Some of the (inaudible).  
25 It's my understanding that the applications have been

1 submitted (inaudible) along with the municipal (inaudible)  
2 have all been approved; however, we're awaiting (inaudible).  
3 Now when I see from the file that the (inaudible) back to  
4 the State and I just (inaudible). The reason that we're  
5 having this hearing is that (inaudible) one of which I  
6 received a letter on today, which was actually withdrawn  
7 (inaudible).

8 If you within the to come forward, you can just  
9 (inaudible).

10 MR. PLACEK: Good evening, Commissioners.

11 My name is Jamie R. Placek, P-L-A-C-E-K, and I'm  
12 counsel for the Foursome, LLC and also Angela Ferrara.  
13 Angela Ferrara had submitted an objection to the transfer of  
14 the license due to financial interests he had in the license  
15 relating to that and other issues. (Inaudible) the current  
16 legal holder of the license.

17 We've resolved our differences and we'll withdraw  
18 on the objection. I e-mailed a copy of the letter to  
19 Mr. Harkins, which is directed to the clerk, and I have the  
20 original here which I can present (inaudible).

21 MADAM CLERK: Thank you.

22 UNIDENTIFIED MALE SPEAKER: Sure.

23 UNIDENTIFIED MALE SPEAKER: Also, (inaudible) is  
24 here. I don't know if (inaudible). (Inaudible) did you  
25 (inaudible) objecting to this (inaudible).

1 MR. SULLIVAN: Hi, Michael Sullivan, representing  
2 Way Low Services (ph) a vendor to Terrazza and (inaudible)  
3 steakhouse. (Inaudible) judgment creditor against the  
4 individuals who own the licenses (inaudible) the businesses.  
5 We're not necessarily objecting to the transfer. We are  
6 (inaudible) the matter before, at this point, but we have an  
7 issue in the event that there is a transfer that we have a  
8 judgment against the individuals and one of the entities  
9 that we just want to ensure that our interests are  
10 protected. (Inaudible.)

11 UNIDENTIFIED MALE SPEAKER: Thank you.

12 UNIDENTIFIED MALE SPEAKER: (Inaudible) because  
13 they're not (inaudible) file an objection. If not, Mayor,  
14 the only thing I can say is that this will obviously  
15 streamline the process a bit, but we do need to wait for the  
16 tax (indiscernible) certificate before we can act on  
17 (inaudible). He has submitted and (inaudible) we're just  
18 waiting (inaudible) back to either him or (inaudible).

19 Any comments?

20 UNIDENTIFIED MALE SPEAKER: You know, at this  
21 point, maybe Mr. Carrino can come up. I try to get a bit of  
22 a sense of when you expect to receive the tax clearance  
23 certificate?

24 UNIDENTIFIED MALE SPEAKER: Yes?

25 UNIDENTIFIED MALE SPEAKER: Okay. We'll get to

1 it.

2 MR. CARRINO: Good evening, Board of  
3 Commissioners, Town Clerk, Town Attorney, thank you very  
4 much.

5 John Carrino, 548 Franklin Avenue, Nutley. I just  
6 want to say thank you very much for all of the cooperation  
7 from the Town in assisting me with the application.

8 The tax (indiscernible) and all the taxes and all  
9 the past due sales tax issues that plagued this license  
10 previously have been paid in full, in excess of over \$50,000  
11 by myself.

12 UNIDENTIFIED MALE SPEAKER: Oh, I'm sorry.

13 It's just, for us, it's a procedural matter --

14 MADAM CLERK: That's correct.

15 UNIDENTIFIED MALE SPEAKER: -- and the statute  
16 requires that we have it. I think what we need to do is  
17 reschedule this or continue this hearing depending on how  
18 long it is that we estimate it will be before we receive the  
19 tax clearance certificate.

20 MR. CARRINO: All the paperwork has been filed  
21 with the State of New Jersey. I received a warrant --  
22 satisfaction that there are no outstanding debts. This is  
23 strictly a procedural issue with the State that they  
24 actually have to issue the clearance, pursuant to the State  
25 and ABC regulations. (Inaudible) that happening this week,

1 if not, you know, tomorrow.

2 I just want to say thanks again for the leadership  
3 and everybody's assistance in keeping this restaurant going.

4 UNIDENTIFIED MALE SPEAKER: Mr. Mayor, the only  
5 thing I can think of is Commissioner Scarpelli,  
6 (indiscernible) a meeting Friday morning (inaudible) one of  
7 his matters, so maybe we can just continue this meeting in  
8 the event that (indiscernible) clearance is received, you  
9 know, barring any objections, take a vote on it at that  
10 time --

11 MADAM CLERK: Okay.

12 UNIDENTIFIED MALE SPEAKER: -- otherwise we'd have  
13 to, you know, schedule it for a later date.

14 MADAM CLERK: Okay. To we will potentially --  
15 we'll prepare a resolution --

16 UNIDENTIFIED MALE SPEAKER: Right, unless we have  
17 a tax clearance certificate, we can't move on it.

18 MADAM CLERK: If we do receive the tax clearance  
19 certificate prior to Friday morning's meeting, then we can  
20 prepare and approve a resolution to move the transfer?

21 UNIDENTIFIED MALE SPEAKER: Bear in mind that --  
22 you know, I know these two gentlemen indicated that they had  
23 withdrawn their objections or they weren't objecting to  
24 Mr. Sullivan's case --

25 MADAM CLERK: That's correct.

1           MAYOR PETRACCO: We'll get to you in one second,  
2 okay? We'll give you a chance.

3           UNIDENTIFIED MALE SPEAKER: There was one other  
4 person, so I do see somebody raising their hand, so maybe --  
5 if (indiscernible) if they want to ask them to step forward.

6           MAYOR PETRACCO: Thank you for your comments.  
7 Sir, would you like to come up?

8           UNIDENTIFIED MALE SPEAKER: I'm the other person  
9 that objected. My name is Lou (indiscernible) I was the  
10 previous owner of the license. It was sold without any  
11 knowledge and without any approval. I have submitted to  
12 Mr. Harkins all the paperwork, the terms of the sale, the  
13 terms of the (indiscernible) that I have on the stock of the  
14 corporation, Park Place Pizza, and it has not been resolved,  
15 as far as I am concerned, because if anything was  
16 transferred (indiscernible) I consider that illegal  
17 (indiscernible).

18           MAYOR PETRACCO: We're not going to conduct the  
19 hearing together, just so you understand, but are you  
20 (indiscernible) or continuing with your objection?

21           UNIDENTIFIED MALE SPEAKER: Yes.

22           MAYOR PETRACCO: Then we're going to have to  
23 schedule this probably for a hearing on another night.

24           MADAM CLERK: So, we're going to reschedule the  
25 hearing for another day, for another date.

1           MAYOR PETRACCO:  If there weren't objections, what  
2 we would normally do is we just vote on these things.  If  
3 there's an objection, we have to conduct a hearing,  
4 witnesses are sworn, evidence is presented and things like  
5 that.

6           MADAM CLERK:  Okay.  So we will have to determine  
7 a future date for a public hearing.  At that time we'll open  
8 the public hearing?

9           MAYOR PETRACCO:  Yes.

10           Mr. Harkins any kind of timeline on this that we  
11 could (inaudible)?

12           MR. HARKINS:  No, it just really depends on when  
13 the tax clearance certificate is received.  I mean --

14           MAYOR PETRACCO:  No, I'm saying about the public  
15 hearing, (inaudible)e

16           MADAM CLERK:  We would need to have the public  
17 hearing prior to approving resolution.

18           MAYOR PETRACCO:  Right.

19           MADAM CLERK:  Insisting that the tax clearance  
20 certificate.e

21           MAYOR PETRACCO:  So, maybe we just want to  
22 reschedule for our next regular meeting?

23           UNIDENTIFIED MALE SPEAKER:  Fine.

24           MAYOR PETRACCO:  That's a two-week time period.  
25 I think that would hopefully give Mr. Carrino

1 adequate time to get the tax clearance certificate and then  
2 (indiscernible) help (indiscernible) decide (indiscernible)  
3 with objection.

4 MADAM CLERK: Okay. Mr. Harkins, we'll conduct a  
5 public hearing on October 2nd, which is our next regularly  
6 scheduled meeting, and at that time, we will open the  
7 hearing so that objectors can come forward and speak on  
8 behalf of the particular license.

9 MR. HARKINS: Right.

10 MADAM CLERK: And then from there --

11 UNIDENTIFIED MALE SPEAKER: (Inaudible) sequential  
12 it for (inaudible).

13 MADAM CLERK: Okay. For the record, we're going  
14 to hold the public hearing with liquor license 0716-33-017-  
15 007, Terrazza, LLC. The registered agent John Carrino is  
16 the applicant.

17 The public hearing will take place at 8:00 p.m. on  
18 Tuesday, October 2nd, 2012.

19 UNIDENTIFIED MALE SPEAKER: Fine.

20 MADAM CLERK: Is that correct?

21 UNIDENTIFIED MALE SPEAKER: Okay. Thank you.

22 MADAM CLERK: Thank you.

23 MAYOR PETRACCO: That finishes up that item, I  
24 believe. Is there anyone else that would like to address  
25 the Board of Commissioners?

1           Seeing no one..e

2           UNIDENTIFIED MALE SPEAKER: Motion to adjourn.

3           UNIDENTIFIED MALE SPEAKER: (Indiscernible.)

4           COMMISSIONER SCARPELLI: Motion to continue.

5           MAYOR PETRACCO: Thank you, Commissioner

6 Scarpellè.

7

8           MADAM CLERK: Mayor, we're going to be continuing  
9 our meeting to Friday morning, September 25th at 9:30 a.m.

10           We're going to move into executive session.

11           UNIDENTIFIED MALE SPEAKER: Move that we go into  
12 executive session.

13           UNIDENTIFIED MALE SPEAKER: Second.

14           MADAM CLERK: Whereas, the Board of Commissioners  
15 of the Township of Nutley desires to proceed to close  
16 executive session; and now, therefore be it resolved by the  
17 Board of Commissioners that the Township shall now move into  
18 executive session to discuss anticipated contract  
19 negotiations.

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

1                   Motioned by Commissioner Scarpelli, seconded by  
2 Commissioner Rogers.

3                   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                  (Whereupon, the meeting was adjourned.)

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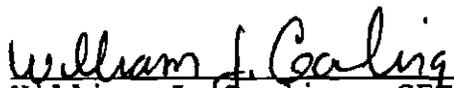
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C E R T I F I C A T I O N

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

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

Date: June 3, 2013

**Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Tuesday, September 18, 2012  
7:00 P.M.**

The Board of Commissioners entered Executive Session at 8:15 P.M. and exited at 9:45 P.M.

**A continued meeting will be held on Friday, September 21, 2012 at 9:30 AM.**

**A continued meeting of Tuesday, September 18, 2012 was held on Friday, September 21, 2012 at 9:30 A.M.**

**ROLL CALL:**

Commissioner Rogers	- Present
Commissioner Tucci	- Present (via telephone conference)
Commissioner Evans	- Present
Commissioner Scarpelli	- Present
Mayor Petracco	- Present (via telephone conference)

Evelyn Rosario, Municipal Clerk - Absent/Excused  
Sharon L. Bozza, Assistant to the Municipal Clerk – Present  
Kevin P. Harkins, Esq., Township Attorney – Present (via telephone conference)

**The following resolution was adopted:**

**Resolution No. 238-12**

WHEREAS, Bids for the Reconstruction of Maple Place and Prospect Street were received and opened on Tuesday, September 11, 2012; and

WHEREAS, Crossroad Pavement Maintenance, LLC, 81 Franklin Avenue, Nutley, New Jersey 07110, was the low bidder; and

WHEREAS, the base bid for the Reconstruction of Maple Place and Prospect Street was in the amount of \$164,606.38 and the Alternate Bid #1 in the amount of \$44,833.54 for a total bid of \$209,439.92; and

WHEREAS, funds are available from monies received from Community Development Block Grant in the amount of \$164,606.38 for the base bid and Ordinance #3183 in the amount of \$44,833.54 for Alternate Bid #1 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, Crossroad Pavement Maintenance, LLC, for the total bid in the amount not to exceed \$209,439.92 and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley.

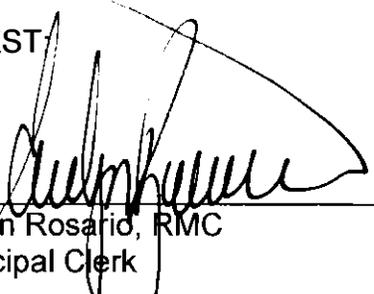
Introduced by Commissioner Scarpelli , seconded by Commissioner Rogers  
All ayes on a roll call vote.

**ADJOURNMENT:**

Motion to adjourn by Commissioner Tucci, seconded by Mayor Petracco. All Ayes on a roll.

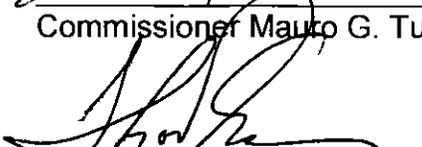
Meeting adjourned at 9:45 A.M

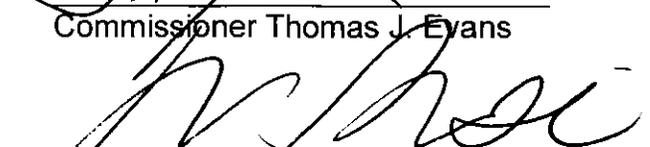
ATTEST

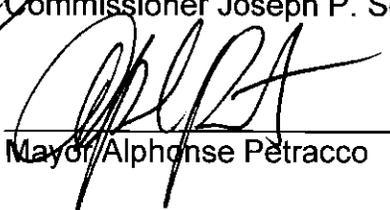
  
\_\_\_\_\_  
Evelyn Rosario, RMC  
Municipal Clerk

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

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

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

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

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

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Please see Color Key at bottom of sheet for limits on answers

0000	Answer	Question	Comments
	Yes	Sharing services has been promoted for many years as a means to control costs. In addition to sharing resources such as labor, facilities and equipment with a county or with neighboring communities, shared services include similar agreements with school boards, independent authorities and fire districts. Shared services do not include cooperative purchasing, cooperative pricing or commodity resale agreements. Did your municipality actively negotiate (i.e. meet with representatives from a neighboring town, your county or another local unit) and/or enter into at least one new shared service agreement in 2011?	
2	Prospective	N.J.S.A. 40A:65-4b requires municipalities to file a copy of their shared service agreements, including amendments and renewals thereof, with the Division of Local Government Services. Has your municipality filed a copy of all shared service agreements presently in effect, along with any amendments thereto, with the Division? This response shall not include cooperative purchasing, cooperative pricing or commodity resale agreements.	
	No	Has your municipality adopted a vehicle use policy prohibiting personal use of municipal vehicles, and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)?	
	Yes	Does your municipality's legal counsel and/or qualified purchasing agent review and approve procurement specifications and professional service contracts before contracts are executed?	
	No	Municipalities and their agencies are allowed to prohibit the award of public contracts to business entities that have made certain campaign contributions exceeding \$300 and to limit the contributions that the holders of a contract can make during the term of a contract to \$300. A model ordinance concerning pay-to-play can be found at <a href="http://www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc">www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc</a> . Has your municipality adopted a pay-to-play ordinance pursuant to N.J.S.A. 40A:11-51 that is more restrictive than state statutory requirements?	

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*Please see Color Key at bottom of sheet for limits on answers*

Answer	Question	Comments
Yes	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget including the full adopted budget for current year when approved by governing body; most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; contact information for elected and appointed officials, municipal administrator or manager, municipal clerk, police chief, municipal court administrator and all department heads; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
No	Does your municipality require its elected officials to attend on an annual basis at least one course offered by the Rutgers University Center for Government Services (or a similar education provider such as the NJ League of Municipalities) covering the responsibilities and obligations of elected officials (for example: ethics, municipal finance, labor relations, capital planning, shared services)?	
Yes	Are ordinances codified on an annual basis, with both the code and any uncodified ordinances made available online?	

Click here, then click on arrow to choose municipality

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Please see Color Key at bottom of sheet for limits on answers

	Answer	Question	Comments
9	N/A	With regard to your municipality's collective bargaining agreements that replaced contracts expiring on or after 1/1/11, is the overall impact of the aggregate economic costs limited to an average increase of 2% or less per year over the contract term? An example of such analysis can be found on the " <u>PERC Summary Form; Public Sector; Non-Police and Non-Fire; Section V Impact of Settlement</u> " and " <u>PERC Summary Form; Police and Fire; Section VII Impact of Settlement</u> "	
	Yes	Internal accounting control processes, procedures and authorizations are designed to safeguard assets and to limit the risk of loss or misstatement. Does your CFO evaluate and discuss this risk assessment annually with your governing body or an appropriate subcommittee of the governing body (Audit or Finance Committee) with a focus on developing accounting control processes, procedures and authorizations designed to limit the risk of loss or misstatement?	
	Prospective	An accounting policy manual documenting all internal accounting control processes, procedures and authorizations is of great value for staff to understand these safeguards. Are internal accounting control processes, procedures and authorizations documented and communicated to staff?	
	Yes	Are all General Ledger cash balances reconciled to bank statements (e.g. receipts postings to bank deposits; disbursement postings to cleared checks and wire transfers) with all reconciling differences verified (e.g. deposits in transit, outstanding checks and posting differences)?	
	Yes	Municipalities have the potential to save significant money by auditing their telephone lines annually, and other utilities on a less frequent but nonetheless regular basis. Does your municipality perform an audit of its utility accounts (e.g. telephone, electric meters, streetlighting) at least once every three years to ensure that inactive accounts are cancelled?	
	Yes	In submitting your corrective action plan for findings cited in your annual audit, are these items reviewed by the CFO with the governing body or an appropriate subcommittee of the governing body (e.g. finance or audit committee)?	SS. S.
15	Prospective	Audit findings address areas needing improvement. Ignoring these findings devalues the process; therefore, municipalities should correct noted deficiencies. Have all audit findings from the 2010 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the 2011 audit? If the answer is no, please list the repeat findings in the comments section.	

**Click here, then click on arrow to choose municipality**

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*Please see Color Key at bottom of sheet for limits on answers*

Answer	Question	Comments
16	<p>N/A</p> <p>The CFO should prepare both the annual financial statement and annual debt statement. Excessive auditor assistance on these documents could create a perception that the auditor is not truly independent of the client in auditing the client's financial statements. At an absolute minimum, each CFO should prepare audit-ready financial records including books of original entry, general ledgers, subsidiary ledgers and other computer reports that accurately analyze and reflect the municipality's financial position. These records should have sufficient detail for an accountant with sufficient knowledge of New Jersey's municipal accounting system to extract the information necessary in preparing the annual financial and debt statements. This requires that all financial transactions (both cash and non-cash) be posted in the general ledger and that all general ledger accounts be supported by subsidiary ledgers, reports, reconciliations or are otherwise analyzed. If your CFO does not prepare the annual financial statement or annual debt statement, and does not present the financial records in a complete and audit-ready condition, are you retaining outside assistance to do so from an individual or entity separate from your municipality's audit firm?</p>	<p>All financial transactions are posted the g/l and all g/l accounts are supported by subsidiary ledgers, reports, reconciliation or are otherwise analysed.</p>
17	<p>N/A</p> <p>The CFO should prepare a municipality's annual budget. If your CFO does not prepare the municipality's annual budget, are you retaining outside assistance to do so from an individual or entity separate from your municipality's audit firm?</p>	<p>C.F.O. prepares the annual budget.</p>
18	<p>Prospective</p> <p>Grant programs can create a significant burden on a municipality's cash flow if program expenses are either not timely reimbursed or are charged to other operating accounts instead of to the grant. Are all grant revenues reviewed at least quarterly to determine that all program expenses have 1) been filed for reimbursement and 2) have been properly charged to the grant, with follow up communication to grantor agencies in instances where payments are delayed?</p>	<p>They are reviewed semi-annually.</p>
Yes	<p>Has your municipality fully and accurately disclosed in the "Budget Message" section of your CY2012/SFY 2013 budget the following: Revenues at Risk; Non-Recurring Cost Reductions; Anticipated CY2013/SFY 2014 Appropriation Increases; and Structural Balance Offsets as detailed in <u>Local Finance Notice 2011-37</u>?</p>	

Click here, then click on arrow to choose municipality

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	Answer	Question	Comments
	Prospective	<p>In preparing your annual budget it is important for both the governing body and public to understand the concept of surplus and how it accumulates (or declines) over the years. A formal policy regarding surplus serves as a basis for decisions concerning future financial solvency, and the lack of a policy could lead bond rating agencies to downgrade your municipality's credit rating. In developing said surplus policy your CFO should analyze and explain at least a five-year trend of surplus; illustrating the factors causing each annual increase or decrease. A surplus policy with realistic and sustainable goals can then be determined. Does your municipality have a written policy goal for the amount of surplus available in support of municipal operations, and is this goal evaluated annually?</p>	EE
	Yes	<p>In preparing your annual budget for the current year it is important that the impact that these decisions may have on future years' budgets be presented, evaluated and considered before final action is taken. Long term plans concerning revenue, appropriations, tax levy, tax levy cap and surplus are critical toward sustaining (or achieving) a solid fiscal condition. Are projections calculated and discussed in sufficient detail so that the governing body understands the impact that the current year's budget may have on the future tax levy (as restricted by the levy cap) and future surplus balances for at least two (2) future year's budgets?</p>	
22	N/A	<p>Certain municipalities have indirectly pledged prompt payment (i.e. issued a guarantee) of debt service with respect to debt issued by counties, independent authorities or developers. Bond Rating Agencies (e.g. Moody's, Fitch, Standard &amp; Poor's) have downgraded certain municipalities' bond ratings to below investment grade for lack of preparation in the event a lender calls in a debt guarantee. If your municipality guarantees any debt, are direct service revenues that may be pledged against debt repayment monitored by the municipal CFO; and to the extent that cash flow from pledged revenue will not satisfy the debt repayment, are sufficient funds held in reserve to satisfy the guarantee or is an existing authorization in place to issue debt (e.g. a bond ordinance) in the event a lender calls in the guarantee?</p>	
	Yes	<p>Do elected officials receive status reports at least quarterly on all budget revenues and appropriations as they correspond to the annual adopted budget?</p>	

Click here, then click on arrow to choose municipality

Please see Color Key at bottom of sheet for limits on answers

0000	Answer	Question	Comments
	Yes	<p>Given the potential fiscal impact of property tax appeals on municipalities, the Tax Assessor and CFO should review the status of filed appeals on a regular basis to determine their effect on future budgets and plan accordingly. With input and approval from the governing body, this plan should include an evaluation of current assessment values and should consider setting aside an adequate estimated reserve to fund potentially successful state tax court appeals. <u>Has your municipality considered a property reassessment/revaluation to counter the effect of successful residential tax appeals?</u> In answering this question, a yes answer indicates that the municipality either 1) determined after reviewing assessed values that a reassessment/revaluation is unnecessary due to assessed values accurately reflecting market values (resulting in a small number of successful appeals); or 2) if the impact of appeals is significant, a revaluation plan has been filed with your County Board of Taxation.</p>	
	Yes	<p>In developing your multi-year capital plan, is your municipality dedicating sufficient revenues to fund maintenance, repair and eventual replacement of infrastructure such as roads, storm sewers, sanitary sewers and water systems?</p>	
	Yes	<p>N.J.S.A. 40A:4-62.1 allows for the creation of a dedicated trust fund to reserve funds budgeted during years with relatively little snowfall for use in future years when excessive snowfalls may exceed budgeted funds. Although this past winter may have been mild, a responsible budget will take into consideration its impact on future years. In your 2012 budget, has your municipality reserved at least the average of snow removal expenses incurred over a minimum of 3 years?</p>	
	No	<p>Does your municipality exclude from healthcare coverage part-time elected and appointed officials (less than 35 hours per week)?</p>	
	Yes	<p>Does your municipality limit health benefits to full-time (35 or more hours weekly) employees (excluding elected and appointed officials)?</p>	
	Yes	<p>Does your municipality conduct a monthly review of health benefit covered lives in an effort to delete employees, spouses or dependents who should no longer be receiving coverage?</p>	

Click here, then click on arrow to choose municipality

Please see Color Key at bottom of sheet for limits on answers

0000	Answer	Question	Comments
	Yes	As explained in Local Finance Notices <u>2011-20R</u> and <u>2011-34</u> , P.L. 2011 c. 78 requires employees to contribute toward healthcare based on a percentage of total premium cost, subject to a four-year phase-in. Has your municipality implemented the employee healthcare contribution provisions contained in P.L.2011 c. 78?	
31	N/A	Municipalities frequently contract with or designate insurance brokers to secure healthcare coverage from insurance carriers. Brokers are typically paid by third-party administrators (TPA's) hired to collect, review and pay healthcare bills. The municipality pays the TPA, who in turn pays the broker. Broker fees are often directly related to the amount of insurance premiums or fees paid by the municipality (i.e. the higher the premium, the larger the broker's commission). Thus, the municipality-broker-TPA arrangement is vulnerable to abuse because brokers could face conflicting incentives in seeking lower-cost insurance alternatives. If your municipality contracts with or otherwise designates an insurance broker, is the structure for broker payments pre-set (i.e. plainly disclosed in the resolution and/or contract designating the broker of record) so as to mitigate the risk of brokers recommending more expensive insurance coverage to earn higher fees?	No TPA. Member of SHBP.
32	Yes	The State Health Benefits Program (SHBP) offers medical, prescription and dental coverage options for more than 850,000 participants, including employees, dependents and retirees. All plans have substantial networks of healthcare providers, and provide services nationwide. 62% of municipalities, and 33% of counties, within New Jersey participate in SHBP. As your municipality's collective bargaining agreements come up for renegotiation, do your municipality's negotiation proposals seek contract provisions allowing its employees to be switched to SHBP?	
33	N/A	If your municipality does not participate in the State Health Benefits Program (SHBP), have competitive proposals for health insurance been solicited in the last three years; including from the Division of Pensions and Benefits for SHBP health insurance coverage?	

Click here, then click on arrow to choose municipality

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Please see Color Key at bottom of sheet for limits on answers

Answer	Question	Comments
Yes	<p>N.J.S.A. 43:15A-7.2 and 43:15C-2(b)(4) preclude independent contractors and individuals performing professional services for any municipality or agency (e.g. municipal attorney, auditor, planner) under a professional services contract awarded pursuant to the Local Public Contracts Law from membership in the Public Employees' Retirement System (PERS) and Defined Contribution Retirement Program (DCRP) . Has your municipality reviewed the status of your independent contractors and professional services providers to ensure they are not deemed eligible for PERS and/or DCRP?</p>	
Yes	<p>The Fair Labor Standards Act (FLSA) is a federal law that establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments. The law requires that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, municipal managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and are not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with your labor counsel for more detailed guidance). <u>Does your municipality refrain from paying overtime to employees who are classified as exempt under the FLSA?</u> In answering this question, be aware that exempt status would also preclude overtime pay for time worked during emergencies, attendance at night meetings, participation in training sessions, and police "off-duty" assignments (a/k/a "Jobs in Blue").</p>	
Yes	<p>N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to <a href="mailto:contracts@perc.state.nj.us">contracts@perc.state.nj.us</a>. Has your municipality filed all current contracts with PERC?</p>	

**Click here, then click on arrow to choose municipality**

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*Please see Color Key at bottom of sheet for limits on answers*

Answer	Question	Comments
Yes	Does your municipality make available to the public free of charge, either through an internet posting or on-site review, documents that show the current salaries of all personnel and additional documents that would allow the public to view how your municipality's salaries have changed over a three year period?	
Yes	Are standardized forms completed and filed, either electronically or by paper, to verify all employee time worked (e.g. time cards, electronic time keeping)?	
Yes	Does your personnel/human resources office maintain records that account for all leave time earned and used by employees?	Commission Form of Government does not have a personnel/HR office. Records are maintained in respective departments.
Yes	Do supervisors review and approve/deny employee time and attendance documentation before those records are submitted to management and, in the case of department heads, is such documentation reviewed and verified independently?	
Yes	Does your municipality limit the carry forward of accrued vacation time to no more than the amount earned in the previous year (meaning no employee hired after the effective date of the limitation policy can keep in any given year more vacation time that they earned in the prior year)?	

**Click here, then click on arrow to choose municipality**

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*Please see Color Key at bottom of sheet for limits on answers*

Answer	Question	Comments
Yes	Does the municipal governing body approve all payments for accumulated absences pursuant to the requirements of N.J.A.C. 5:30-15.4?	
Yes	Does your municipality provide annual employment practice liability training for elected officials, managers, administrators, department heads and supervisors?	
Yes	Does your municipality have a transitional duty program (light duty) to encourage employees out on workers compensation to return to work?	
No	The State Workers Compensation Law provides that, when an employee receives a work-related injury producing temporary disability, the employee is entitled to wage-continuation equal to 70% of the employee's weekly wages, subject to a maximum compensation as determined by the Commissioner of Labor. Does your municipality limit benefits for work-related injuries to the above statutory benefit?	
Yes	The weekly benefit rate provided under the State Temporary Disability Law for a non-work-related injury is calculated on the basis of claimant's average weekly wage. Each claimant is paid 2/3 of their average weekly wage up to the maximum amount payable, which is \$572 for disabilities beginning on or after 1/1/12. Does your municipality refrain from supplementing the Temporary Disability benefit?	
Yes	Has your municipality adopted an ordinance, resolution, regulation or policy eliminating longevity awards, bonuses or payments for non-union employees?	
48	Yes	For any employees covered by a collective bargaining agreement, has your municipality eliminated longevity awards, bonuses or payments for employees hired on or after a specified date, and refrained from increasing longevity awards, bonuses or payments for employees hired before a specified date?
Yes	Does your municipality schedule and undertake periodic inspections/assessments of all municipal facilities to ensure they are in good repair and proper maintainance is being performed?	

Click here, then click on arrow to choose municipality

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Please see Color Key at bottom of sheet for limits on answers

Answer	Question	Comments
50	Yes	Has your municipality reviewed its policies and staffing requirements for providing traffic safety around utility and construction work, and implemented policies to assure that the most efficient and cost-effective approach is taken? Traffic safety policies for utility and construction work should balance the interests of public safety with those of controlling costs. For example, uniformed police officers controlling a cul-de-sac may be excessive; while parking a policeman in a patrol car on a major highway to act in lieu of a "crash truck" may be insufficient and could endanger the officer. An appropriate traffic safety plan should include parameters governing when police officers, flag men and safety apparatus are used in different circumstances.

0	Select
34	Yes
5	No
6	N/A
5	Prospective
50	<b>Total Answered:</b>
45	Score (Yes + N/A + Prospective)
90%	Scores%
0%	Percent Withheld

Chief Financial Officer Completion Certification:

Type Name of CFO and Certification # in cells below:

Rosemary Costa

Name

0-0483

Cert #

Date Prepared:

9/17/2012

**Color Key**

Reds- Repeat Question; Prospective answers not permitted

Blues- Questions where neither "not applicable" nor "N/A" answers are permitted

Click here, then click on arrow to choose municipality

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Please see Color Key at bottom of sheet for limits on answers

Answer

Question

Comments

Green/= Repeat questions where neither "Prospective" nor "Not Applicable" are permitted

No Color @ "Yes"; "No"; "Prospective" and "Not Applicable" are all permissible answers

# of Questions scored  
yes, prospective, or  
"not applicable"

Amount of Aid  
Disbursed

Impact on final 5% aid payment/impact on total aid

41-50

100%

No penalty

33-40

80%

Lose 20% which equals 1% of total aid

25-32

60%

Lose 40% which equals 2% of total aid

17-24

40%

Lose 60% which equals 3% of total aid

9-16

20%

Lose 80% which equals 4% of total aid

0-8

0%

Lose 100% which equals 5% of total aid

Question Table of Weblinks (Cut and paste into browser)

5 [www.nj.gov/dca/lgs/muniaid/pay\\_to\\_play\\_ordinance-contractor.doc](http://www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc)

9 [http://www.state.nj.us/perc/Collective\\_Bargaining\\_Agreement\\_Summary\\_Form\\_Police\\_and\\_Fire\\_2012.04.02\\_Instructions\\_and\\_Example\\_.pdf](http://www.state.nj.us/perc/Collective_Bargaining_Agreement_Summary_Form_Police_and_Fire_2012.04.02_Instructions_and_Example_.pdf)

9 [http://www.state.nj.us/perc/Collective\\_Bargaining\\_Agreement\\_Summary\\_Form\\_Police\\_and\\_Fire\\_2012.04.02\\_Instructions\\_and\\_Example\\_.pdf](http://www.state.nj.us/perc/Collective_Bargaining_Agreement_Summary_Form_Police_and_Fire_2012.04.02_Instructions_and_Example_.pdf)

19 <http://nj.gov/dca/divisions/dlgs/lfns/11/2011-37.doc>

30 <http://nj.gov/dca/divisions/dlgs/lfns/11/2011/20R.doc>

30 <http://nj.gov/dca/divisions/dlgs/lfns/11/2011/34.doc>

34 <http://nj.gov/dca/divisions/dlgs/lfns/07/2007-28.doc>

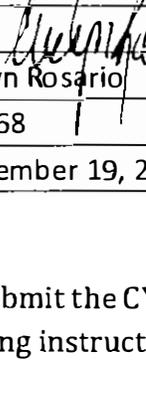
42 <http://www.nj.gov/dca/lgs/lfns/02lfns/cfo-2002-1.pdf>

**Division of Local Government Services**  
**CY 2011/SFY 2012 Best Practice Inventory Program**  
**Best Practice Public Meeting Certification Form**

This form must be completed by the Municipal Clerk after the municipal Governing Body has reviewed the completed Best Practice Inventory at a public meeting.

**Certification:**

I hereby certify that the Governing Body of the Township of Nutley  
in the County of Essex discussed the CY 2011/SFY 2012 Best Practice Inventory  
as prepared by the Chief Financial Officer at a public meeting on September 18, 2012.

Signature of Municipal Clerk	
Printed name of Clerk:	Evelyn Rosario
RMC#:	C-1268
Date:	September 19, 2012

(See Instructions to Complete and Submit the CY 2011/SFY 2012 Best Practice Inventory in Local Finance Notice 2011-18 for filing instructions.)

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 18, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02982	MOORE MEDICAL LLC	1,651.18					1,651.18
12-03526	AT & T MOBILITY	293.53					293.53
12-03293	SANOPI PASTEUR	304.49					304.49
12-03262	SANOPI PASTEUR	666.39					666.39
12-03705	NOREEN MCMANUS	192.50					192.50
12-03706	T/MONTCLAIR	8,777.00					8,777.00
12-03707	T/MONTCLAIR	4,220.00					4,220.00
12-03708	NUTLEY FAMILY SERVICE	5,416.67					5,416.67
12-03709	NUTLEY FAMILY SERVICE	5,416.67					5,416.67
12-03710	FUTURE SANITATION	65,805.55					65,805.55
12-03260	STAPLES	174.09					174.09
12-03399	STAPLES	129.00					129.00
12-03066	JOHN WILEY	30.30					30.30
12-03600	TONY'S AUTO BODY	1,201.02					1,201.02
12-03733	ESSEX UTILITIES AUTHORITY	99,076.05					99,076.05
12-03538	THE SIGN POST	90.00					90.00
12-03601	WEST GROUP	115.75					115.75
12-03714	CEDE & COMPANY		498,865.00				498,865.00
12-03621	TREASURER SSCHOOL MONEY		2,201,024.00				2,201,024.00
12-03698	T/N PAYROLL AGENCY ACCT.		80.40				80.40
12-03653	T/N PAYROLL AGENCY ACCT.		32,490.44				32,490.44
12-03505	JOHN MITCH,MUN CLERK		60.00				60.00
12-03645	CHERINE ANDERSON		995.03				995.03
12-03647	US BANK CUST/SASS		26,760.40				26,760.40
12-03646	KAVITA & G. CHAINANI		194.46				194.46
12-03648	VINCENT ALIFANO, JR		2,387.56				2,387.56

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 18, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03532	SPATIAL DATA		10,000.00				10,000.00
12-00967	VITAL COMMUNICATIONS		250.00				250.00
12-00096	MILLENIUM STRATEGIES		3,333.00				3,333.00
12-03596	RUTGERS UNIVERSITY		1,118.00				1,118.00
12-03609	ROBERT DELVECCHIO		10,305.65				10,305.65
12-03608	GEORGE LIBRIZZI		90.00				90.00
12-03465	MATTHEW BENDER		65.34				65.34
12-03406	STAPLES		87.90				87.90
12-03289	STAPLES		60.25				60.25
12-03407	THE PRINTERS PLACE		250.00				250.00
12-03689	NO.JERSEY MEDIA GROUP		461.65				461.65
12-03690	NJ STATE LEAGUE MIUNICIP.		42.00				42.00
12-03691	THE STAR LEDGER		392.08				392.08
12-03004	W.B. MASON CO		17.70				17.70
12-03615	CABEEVISION		10.47				10.47
12-03445	WEST GROUP		96.00				96.00
12-03700	BALLY'S CONVENTION		1,668.00				1,668.00
12-03471	MGL PRINTING		428.50				428.50
12-03204	W.B. MASON CO		695.90				695.90
12-03715	NJ STATE HLTH.SERVICE		35.40				35.40
12-03724	DAXUAN WANG		40,919.18				40,919.18
11-05592	SPS		109,851.35				109,851.35
12-03675	THE SIGN POST			200.00			200.00
12-03497	MOBILE TECH			256.00			256.00
11-00106	XEROX CORP			29.70			29.70
12-00840	XEROX CORP			34.95			34.95

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 18, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03543	BERGEN COUNTY LAW			105.00			105.00
12-03624	ROBERT VERRY			100.00			100.00
12-00064	INHALATION THERAPY			60.81			60.81
12-03592	VERIZON			95.84			95.84
12-03564	PENNONI ASSOC.			450.00			450.00
12-03560	PENNONI ASSOC.			320.00			320.00
12-03561	PENNONI ASSOC.			440.00			440.00
12-03562	PENNONI ASSOC.			450.00			450.00
12-03563	PENNONI ASSOC.			1,045.00			1,045.00
12-00116	NICOLETTE TOWING			12.00			12.00
12-00117	P & A AUTO PARTS			552.88			552.88
12-00114	MIKES SERVICE			55.00			55.00
12-03605	NATIONAL TERMINAL			5,130.23			5,130.23
12-03530	AT & T MOBILITY			45.45			45.45
12-03533	AT & T MOBIEITY			3,346.32			3,346.32
12-03604	NATIONAL FUEL OIL			7,999.25			7,999.25
12-03459	FLEMINGTON CAR			164.67			164.67
12-03319	FLEMINGTON CAR			440.44			440.44
12-03252	FLEMINGTON CAR			506.10			506.10
12-03318	FLEMINGTON CAR			392.98			392.98
12-03331	OFFICE BUSINESS			257.00			257.00
12-03132	JOHN STAMLER POLICE ACAD.			60.00			60.00
12-03610	TURNOUT FIRE & SAFETY			4.90			4.90
12-03695	TURNOUT FIRE & SAFETY			77.48			77.48
12-03716	TURNOUT FIRE & SAFETY			47.99			47.99
12-03088	JERRY LEWIS & ASSOC.			250.00			250.00

TOWNSHIP OF NUTLEY							
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TUESDAY SEPTEMBER 18, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03619	RONALD MOSCA			32.75			32.75
12-00666	NUTLEY PARK SHOPRITE			36.75			36.75
12-00666	NUTLEY PARK SHOPRITE			5.99			5.99
12-03490	ESSEX CNTY COLLEGE POLICE			50.00			50.00
12-03438	BENCHMARK PROF. SEMINAR			590.00			590.00
12-03494	V.E. RALPH			804.00			804.00
12-03499	EAGLE FIRE EQUIPMENT			1,100.00			1,100.00
12-03307	OCCUPATIONAL HLTH DYNAM			660.00			660.00
12-01559	CITY FIRE EQUIPMENT			228.10			228.10
12-03489	NJ STATE ASSIC. POLICE CHIEF			1,667.00			1,667.00
12-03411	W.B. MASON			139.73			139.73
12-03672	CABLEVISION			29.09			29.09
12-03673	CABLEVISION			49.95			49.95
12-03727	S.PARK & DISTRICT PIPES DRUM			850.00			850.00
12-03652	MICRO CENTER			139.99			139.99
<b>12-03666</b>	<b>NO JERSEY DISTRICT WATER</b>				<b>304,740.68</b>		<b>304,740.68</b>
12-03671	HARVEY WECHTER				100.00		100.00
12-03529	AT & T MOBILTY				880.75		880.75
12-03520	AT & T MOBILTY				189.52		189.52
12-00053	ROBERTS & SONS				42.50		42.50
12-01723	RELIABLE WOOD				1,481.60		1,481.60
12-00033	NORTHEAST EQUIPMENT				42.27		42.27
12-00049	TILCON NJ				109.25		109.25
12-00047	NORTHEAST AUTO				235.16		235.16
12-00042	INTERSTATE BATTERY				84.95		84.95
12-00042	INTERSTATE BATTERY				211.90		211.90

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 18, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-00034	ONE CALL CONCEPTS				149.25		149.25
12-00055	ROUTE 23 AUTO MALL				469.00		469.00
12-00054	STONE IND				500.00		500.00
12-00041	DELUXE INTERNATIONAL TR.				104.03		104.03
12-00035	RICCIARDI BROTHERS				29.70		29.70
12-00035	RICCIARDI BROTHERS				6.95		6.95
12-00035	RICCIARDI BROTHERS				13.90		13.90
12-03285	A WHEEL ALIGNMENT				185.00		185.00
12-03469	BELLVILLE BLDG				62.64		62.64
12-03069	GARDEN STATE HIGHWAY				1,230.00		1,230.00
12-03295	GARDEN STATE HIGHWAY				480.00		480.00
12-02514	VOLPE METAL FABRICATING				474.00		474.00
12-03616	CABLEVISION				81.70		81.70
12-00045	NEWARK ASPHALT				308.00		308.00
12-00038	AMERICAN HOSE				30.00		30.00
12-00038	AMERICAN HOSE				329.62		329.62
12-00032	GRANGER				134.96		134.96
12-00032	GRANGER				14.62		14.62
12-00044	AUTO ZONE				14.99		14.99
12-03663	MIKE BERESKI				100.00		100.00
12-00046	GRANT SUPPLIES				20.16		20.16
12-00037	AGL WELDING				47.80		47.80
12-00037	AGL WELDING				274.28		274.28
12-00968	VITAL COMMUNICATION				150.00		150.00
12-03461	INTERCITY TIRE				548.20		548.20
12-03408	W.B. MASON				324.84		324.84

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 18, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-02931	W.E. MASON			E	168.28		168.28
12-00047	NORTHEAST AUTO				249.53		249.53
12-00045	NEWARK ASPHALT				352.80		352.80
12-03607	VITAL COMMUNICATION				1,534.00		1,534.00
12-01863	D & L PAVING				270,399.92		270,399.92
12-03454	TERRE CO.					911.49	911.49
12-03476	CAPOZZI OVERHEAD					240.00	240.00
12-03522	AT & T MOBILITY					1.75	1.75
12-03528	AT & T MOBILITY					533.86	533.86
12-03442	MOONEY-GERERAL PAPER					2,635.62	2,635.62
12-03475	C & C TIRE					206.00	206.00
12-03518	C & C TIRE					906.78	906.78
12-03401	C & C TIRE					258.00	258.00
12-00012	RICCIARDI BROTHERS					408.05	408.05
12-03441	MULTI PACKAGING					1,432.40	1,432.40
12-03462	TREE KING					3,740.00	3,740.00
12-00028	P & A AUTO PARTS					21.78	21.78
12-00025	NORTHEAST AUTO					72.95	72.95
12-00015	CONTEMPORARY GLASS					3.30	3.30
12-00015	CONTEMPORARY GLASS					289.00	289.00
12-03670	VERIZON					751.03	751.03
12-03613	VERIZON					209.72	209.72
12-00024	SUPERIOR DISTRIUBTORS					21.70	21.70
12-03676	PSE & G					1,518.71	1,518.71
12-03617	PSE & G					33.52	33.52
12-00004	COMPLETE SAW					450.95	450.95

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 18, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-00006	ABLE PAINT					132.52	132.52
12-00006	ABLE PAINT					38.81	38.81
12-00029	STORR TRACTOR					114.56	114.56
12-01288	RELIABLE WOOD					600.00	600.00
12-03457	CLIFFSIDE BODY CORP					145.61	145.61
12-03447	ANDY MATT					2,071.00	2,071.00
12-03256	ANDY MATT					872.00	872.00
12-03235	SAFETY-KLEEN					220.79	220.79
12-03255	NATIONAL BLDING SUPPLY					552.00	552.00
12-03075	PRINTING TECH					465.00	465.00
12-02941	MITCHELL SIMON					2,074.00	2,074.00
12-03664	NOREEN HAVERON					445.41	445.41
12-03253	CORINO'S SERVICE STATION					137.50	137.50
12-03226	BIRD X					918.16	918.16
12-03444	APPROVED FIRE PROTECTION					63.00	63.00
12-03502	PIONEER PAINT					660.00	660.00
12-03415	BERGEN REGRIGERATION					585.32	585.32
12-03635	BERGEN REGRIGERATION					173.00	173.00
12-03467	FRANKS TRUCK					790.36	790.36
12-00019	FRANKS TRUCK					43.32	43.32
12-03507	FOLEY INCORP					160.74	160.74
12-03636	ATLANTIC DOOR					586.93	586.93
12-03634	SAL ELECTRIC					324.44	324.44
12-032701	FRANKS AUTO GLASS					370.00	370.00
12-00013	GRANT SUPPLIES					409.48	409.48
12-00670	CABLEVISION LIGHPATH					3,045.85	3,045.85



**TOWNSHIP OF NUTLEY**  
**BILL LIST**  
**September 18, 2012**

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of SEPTEMBER 18, 2012:

**PAYROLL-REGULAR SEPTEMBER 14, 2012:**

Department of Public Affairs	17,688.22
Department of Revenue & Finance	58,977.30
Department of Public Safety	447,758.42
Department of Public Works	55,876.71
Department of Parks & Public Properties	77,214.29
Department of Recreation Commission	14,635.50
Water Operations	45,247.90
Due To From General Capital	3,519.91
600 SERIES	0.00
C.E.H.A.	0 00
<b>Sub Total</b>	<b>720,918.25</b>

**PAYROLL-OVERTIME SEPTEMBER 14, 2012:**

Department of Public Affairs	0.00
Department of Revenue & Finance	106.78
Department of Public Safety	23,996.93
Department of Public Works	2,792.17
Department of Parks & Public Properties	3,550.13
Water Operations	9,660.26
<b>Sub Total</b>	<b>40,106.27</b>

<b>TOTAL PAYROLL:</b>	<b>0.00</b>
	<b>761,024.52</b>

<b>GRAND TOTAL:</b>	<b>4,561,791.50</b>
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The Payroll list in the foregoing schedule includes amounts to be deducted for:

Federal Withholding Tax	97,627.38
Social Security	16,040.16
N.J. State Tax	27,757.25
Medicare	11,070.96
Wage Execution	3,522.00
Deferred Compensation	27,179.98
Employee Disability Ins.	4,414.36

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

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3221**

**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 18<sup>th</sup> 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 16<sup>th</sup> 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 27, 2012 Via E-Mail:  
[publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

**Ordinance No. 3222**

Introduced by Commissioner Mauro G. Tucci

Introduced on September 18, 2012

Public Hearing October 16, 2012

Advertise in the Nutley Sun Issue of Thursday, September 27, 2012

**Ordinance No. 3222**

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 SEPTEMBER 1, 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>
<b><u>DEPARTMENT OF PARKS &amp; PUBLIC PROPERTY</u></b>		
Recreation Director	\$ 95,000.00	\$ 105,000.00

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

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

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

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

**ORDINANCE INTRODUCTION**

**ORDINANCE NO. 3222**

**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 18<sup>th</sup> 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 16<sup>th</sup> 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 27, 2012 Via E-Mail: [publicnotices@northjersey.com](mailto:publicnotices@northjersey.com)**

**Post Bulletin Board**

Ordinance No. 3221

Introduced by Mayor Alphonse Petracco

Introduced on September 19, 2012

Public Hearing October 16, 2012

Advertise in the Nutley Sun Issue of Thursday, September 27, 2012

Ordinance No. 3221

**“AN ORDINANCE PROVIDING FOR THE PURCHASE OF A FIRE TRUCK, IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING \$ 310,950.00 THEREFORE FROM GRANT MONIES RECEIVED FROM THE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE COST THEREOF.”**

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

**SECTION 1.**

The improvement described in Section 2 of this ordinance is hereby authorized to be undertaken by the Township of Nutley, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of **\$310,950.00** for the improvement or purpose described therein which amount is made available from the **Assistance to Firefighters Grants Program**.

**SECTION 2.**

The improvement hereby authorized and the purpose for which the appropriation of grant money is made available is to provide for, the **PURCHASE OF A FIRE TRUCK** including all work and materials necessary therefore or incidental thereto.

**SECTION 3.**

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

#### **SECTION 4.**

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

#### **SECTION 5.**

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

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

**Resolution**

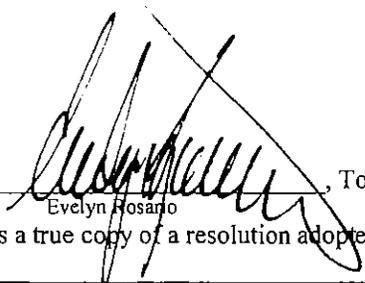
*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 18, 2012  
*Seconded by:* Commissioner Thomas J. Evans *No.* 228-12

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that a contract for the purchase of recreation equipment and supplies be awarded to BSN Sports, P.O. Box 49 Jenkintown, Pa., 19046; as per the attached sheet, not to exceed \$5,249.49; and

**WHEREAS**, funds are available from accounts T-24-909-901 through 915, and have been certified by the Chief Financial Officer; and

**BE IT RESOLVED**, that the Mayor and the Township Clerk be and they 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 18, 2012

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

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

## Resolution

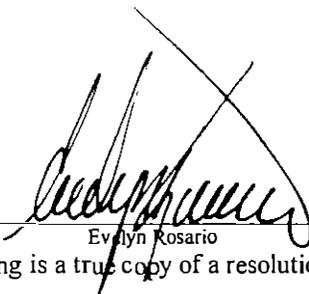
*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 18, 2012  
*Seconded by:* Commissioner Thomas J. Evans *No.* 229-12

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that a contract for the purchase of recreation equipment and supplies be awarded to DOT Designing, LLC, 8 Tryall Blvd., Monroe Township, NJ 08831-5141; as per the attached sheet, not to exceed \$12,372.50; and

**WHEREAS**, funds are available from accounts T-24-909-901 through 915, and have been certified by the Chief Financial Officer; and

**BE IT RESOLVED**, that the Mayor and the Township Clerk be and they 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 18, 2012

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

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

## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 18, 2012  
*Seconded by:* Commissioner Thomas J. Evans *No.* 230-12

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that a contract for the purchase of recreation equipment and supplies be awarded to East Coast Designs Unlimited LLC, 218 Springfield Avenue, Hasbrouck Heights, NJ 07604, as per the attached sheet, not to exceed \$12,086.50; and

**WHEREAS**, funds are available from accounts T-24-909-901 through 915, and have been certified by the Chief Financial Officer; and

**BE IT RESOLVED**, that the Mayor and the Township Clerk be and they 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 18, 2012

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

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

**Resolution**

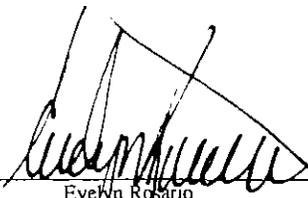
*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 18, 2012  
*Seconded by:* Commissioner Thomas J. Evans *No.* 231-12

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that a contract for the purchase of recreation equipment and supplies be awarded to Metuchen Center Inc., 409 Joyce Kilmer Ave., Unit #5B, New Brunswick, NJ 08901; as per the attached sheet, not to exceed \$21,786.10; and

**WHEREAS**, funds are available from accounts T-24-909-901 through 915, and have been certified by the Chief Financial Officer; and

**BE IT RESOLVED**, that the Mayor and the Township Clerk be and they 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 18, 2012

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

# Resolution

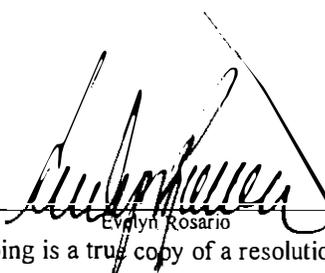
Introduced by: Commissioner Mauro G. Tucci Date: September 18, 2012  
Seconded by: Commissioner Thomas J. Evans No. 232-12

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that a contract for the purchase of recreation equipment and supplies be awarded to R & R Trophy/Sporting Goods, 104 Ridge Road, North Arlington, NJ; as per the attached sheet, not to exceed \$18,396.36; and

**WHEREAS**, funds are available from accounts T-24-909-901 through 915, and have been certified by the Chief Financial Officer; and

**BE IT RESOLVED**, that the Mayor and the Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley

...

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 September 18, 2012

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

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

## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 18, 2012  
*Seconded by:* Commissioner Thomas J. Evans *No.* 243-12

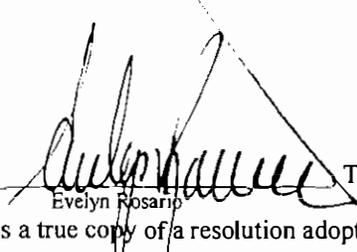
WHEREAS, sealed bids were received on September 12, 2012, for tree planting at various locations in the Township of Nutley; and

WHEREAS, Funds are available from Capital Ordinance 3214E not to exceed \$50,000 and have been certified by the Chief Financial Officer, said certification being attached to this resolution; 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 a contract for tree planting in various locations be awarded to Pat Scanlan Landscaping, P.O. Box 1136, New City NY 10956.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized to enter into said contract on behalf of 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 18, 2012

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

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

## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* September 18, 2012  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 235-12

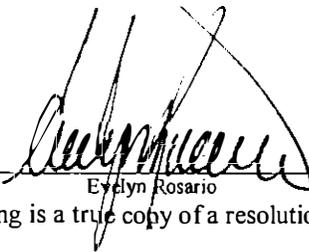
**WHEREAS**, Block 900, Lot 42, 49 Donna Court (the “Property”) has a 2011 outstanding tax bill; and

**WHEREAS**, this Property is included in a Flood Mitigation Project pursuant to a FEMA grant; and

**WHEREAS**, this property will be sold pursuant to the Flood Mitigation Project; and

**WHEREAS**, a disconnect exists between the Township of Nutley and the owner which will require more time to work towards a satisfactory resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Block 900, Lot 42, 49 Donna Court be removed from the Tax Sale for tax delinquencies until a possible agreement may be reached.

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 September 18, 2012

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



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

## Resolution

*Introduced by:* Commissioner Thomas J. Evans *Date:* September 18, 2012

*Seconded by:* Commissioner Mauro G. Tucci *No.* 242-12

**WHEREAS**, the Township of Nutley along with other various municipalities have been informed that Verizon New Jersey Inc. is no longer required to file a Return of Tangible Personal Property Used in Business by Local Business Exchange Companies Form PT-10 to the affected municipalities and therefore will not be required to pay property taxes on their Tangible Personal Property for the tax year 2013; and

**WHEREAS**, N.J.S.A 54:4-1 defines a “Local Exchange Telephone Company” as a telecommunications carrier providing dial tone and access to 51% of a local telephone exchange within a municipality; and

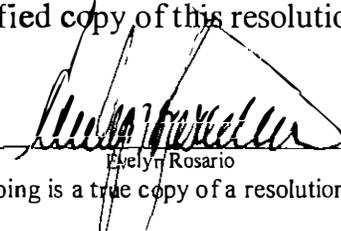
**WHEREAS**, Verizon New Jersey Inc. has determined that they are not providing 51% or more of dial tone service to the Township of Nutley along with the affected municipalities and will not file the required form and not pay the property taxes pursuant to N.J.S.A. 54:4-1; and

**WHEREAS**, the Borough of Hopewell in Mercer County with the support of the New Jersey League of Municipalities has contested Verizon’s decision and has asked the affected municipalities to join them in their efforts to continue contesting this matter and has asked that the municipalities contribute \$220.00 towards this cause.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners, of the Township of Nutley, County of Essex, that the Township of Nutley shall the join League of Municipalities in their continued efforts to appeal the tax court decision in the matter of Hopewell v. Verizon and that the Township Treasurer is hereby authorized and directed to issue a check in the amount of \$220.00 made payable to the New Jersey League of Municipalities.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby directed to send a certified copy of this resolution to Senator Ronald L. Rice and Assemblyman Ralph R. Caputo

. . .

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 18, 2012

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

BOARD OF COMMISSIONERS  
TOWNSHIP OF NUTLEY, NEW JERSEY

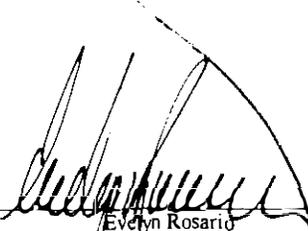
# Resolution

Introduced by: Commissioner Joseph P. Scarpelli Date: September 18, 2012  
Seconded by: Commissioner Steven Rogers No. 237-12

**WHEREAS**, the Township of Nutley has entered into a contract with D&L Paving Contractors, 681 Franklin Avenue, Nutley, New Jersey 07110, for a project known as 2011 Roadway Improvements for an original contract amount of \$353,955.22; and

**WHEREAS**, Change Order #1 has been authorized for Ordinance #3183 of the original contract amount to be reduced by \$53,510.87 for a total contract price of \$300,444.35;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that the Change Order #1 as attached, is a change from the contract previously made by the Township of Nutley with D&L Paving Contractors, for the Project known as 2011 Roadway Improvements 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 September 18, 2012

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

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

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* September 18, 2012  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 233-12

**WHEREAS, the Mayor and Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and**

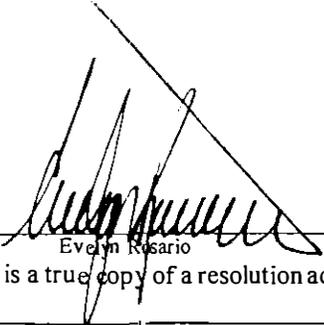
**WHEREAS, the Mayor and Board of Commissioners of the Township of Nutley further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in the community; and**

**WHEREAS, the Township of Nutley has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex;**

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey hereby recognizes the following:**

- 1. The Mayor and Board of Commissioners do hereby authorize submission of an application for the Nutley Municipal Alliance grant for the calendar year 2013 in the amount of \$22,000.**
- 2. The Mayor and Board of Commissioners acknowledge the terms and conditions for administering the Municipal alliance grant, including the administrative compliance and audit requirements.**

. . .

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 18, 2012

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

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

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* September 18, 2012  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 234-12

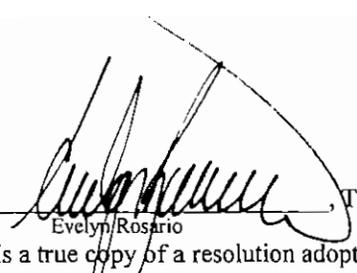
**WHEREAS**, raffle applications have been received from the following organizations; and

Nutley Jr. Raiders Booster Club Inc.	License No. 54-12 On- Premise Merchandise Raffle	October 12, 2012
Nutley Jr. Raiders Booster Club Inc.	License No. 55-12 On- Premise 50/50 Cash Raffle	October 12, 2012
Nutley Jr. Raiders Booster Club Inc.	License No. 56-12 Off- Premise 50/50 Cash Raffle	October 12, 2012

**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, State of New Jersey 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 September 18, 2012

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

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

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* September 18, 2012  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 239-12

**WHEREAS**, sealed bids were received and opened for a Triple Combination Pumper Fire Apparatus and equipment; and

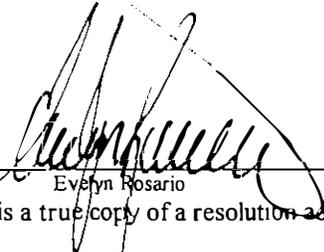
**WHEREAS**, Eagle Fire Equipment was the lowest responsible bidder with a bid of \$345,500; and

**WHEREAS**, funds are available from Ordinance #3221 in the amount of \$310,950; 2-01-806-277 in the amount of \$29,550; and 2-01-314-299 in the amount of \$5,000 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 the bid be awarded to Eagle Fire Equipment, 1 Davidson Drive, Manorville, N.Y.

**BE IT FURTHER RESOLVED**, that the Mayor and the Clerk of the Township of Nutley be and 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 18, 2012

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

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

## Resolution

*Introduced by:* Mayor Alphonse Petracco *Date:* September 18, 2012  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 240-12

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

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

**SECTION 1:**

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2012** in the sum of **\$16,830.00**, which item is now available as a revenue from the **FY 2011 Assistance to Firefighters Grant Program** pursuant to the provisions of statute;

**SECTION 2:**

**BE IT FURTHER RESOLVED**, that a like sum of **\$16,830.00** be and same is hereby appropriated under the caption of:

**General Appropriations**

**(A) Operations-Excluded from 5% CAPS**

**FY 2011 Assistance to Firefighters Grant.....\$ 16,830.00**

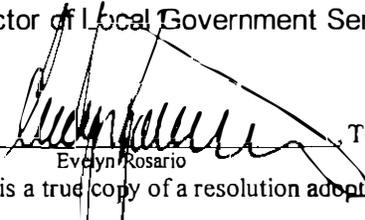
**SECTION 3:**

**BE IT FURTHER RESOLVED**, that the above is the result of revenues available for the **FY 2011 Assistance to Firefighters Grant Program**;

**BE IT FURTHER RESOLVED**, that the municipal matching share for the **FY 2011 Assistance to Firefighters Grant Program** in the amount of **\$1,870** is included in the 2012 adopted budget in accordance with the grant agreement and is hereby appropriated for said purpose;

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

. . .

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

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

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

## Resolution

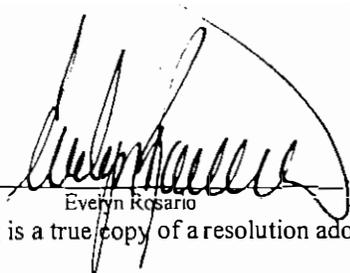
*Introduced by:* Mayor Alphonse Petracco *Date:* September 18, 2012

*Seconded by:* Commissioner Mauro G. Tucci *No.* 241-12

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to Giant Vending Inc., T/A Franklin Steakhouse, license No. 0716-32-020-009, said license to be effective July 1, 2012 through June 30, 2013.

**BE IT RESOLVED**, that the State of New Jersey, Department of Treasury, Division of Taxation has provided a Tax Clearance Certificate for said license for the July 1, 2012 through June 30, 2013 renewal period.

**BE IT FURTHER RESOLVED**, that license number 0716-32-020-009 is NOT actively used at an operating place of business.

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 18, 2012

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

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

## Resolution

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* September 18, 2012

*Seconded by:* Commissioner Steven Rogers *No.* 244-12

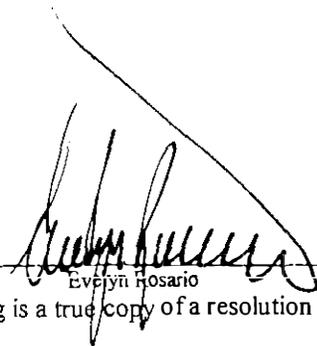
WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

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. Anticipated Contract Negotiations

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,  *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 September 18, 2012

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

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

## Resolution

Continued Meeting of Friday, September 21, 2012

Introduced by: Commissioner Joseph P. Scarpelli

Date: September 18, 2012

Seconded by: Commissioner Rogers

No. 238-12

**WHEREAS, Bids for the Reconstruction of Maple Place and Prospect Street were received and opened on Tuesday, September 11, 2012; and**

**WHEREAS, Crossroad Pavement Maintenance, LLC, 81 Franklin Avenue, Nutley, New Jersey 07110, was the low bidder; and**

**WHEREAS, the base bid for the Reconstruction of Maple Place and Prospect Street was in the amount of \$164,606.38 and the Alternate Bid #1 in the amount of \$44,833.54 for a total bid of \$209,439.92; and**

**WHEREAS, funds are available from monies received from Community Development Block Grant in the amount of \$164,606.38 for the base bid and Ordinance #3183 in the amount of \$44,833.54 for Alternate Bid #1 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, Crossroad Pavement Maintenance, LLC, for the total bid in the amount not to exceed \$209,439.92 and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley.**

I, Evelyn Rosario / alb, 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 18, 2012 Continued Meeting of Friday, September 21, 2012

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