

**Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Thursday, November 8, 2012  
7:00 P.M**

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

**OPEN PUBLIC MEETING STATEMENT:**

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

**ROLL CALL:**

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

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

Prior to entering into public session, the Municipal Clerk read the following executive session resolution. Motion to introduce by Commissioner Tucci, seconded by Commissioner Evans. All Ayes on a roll call vote.  
Entered Executive Session at 7:24 PM.

**Resolution # 264-12**

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. Litigation Matter

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

Commissioner Scarpelli made a motion to exit executive session and enter into public session, seconded by Commissioner Evans. All Ayes. Exited Executive Session at 7:40PM.

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

PUBLIC MEETING

)  
) TRANSCRIPT OF

) PROCEEDINGS:  
)

November 8, 2012

7:40 p.m.

BEFORE:

Mayor Alphonse Petracco

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Joseph P. Scarpelli

Commissioner Steven Rogers

Township Clerk

Job No. VTNJ1670463

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P R O C E E D I N G S

(Due to poor audio quality, there are several indiscernibles and audio gaps. Due to participants not identifying themselves, there are several unidentified speakers.)

MAYOR PETRACCO: Usually we start each meeting off with a moment of silence for the troops that are serving overseas. I think this meeting, we will do -- have a moment of silence for the troops and also for the lives that have been lost in the Sandy Hurricane storm. Please, a moment of silence.

Thank you. Madam Clerk.

MADAM CLERK: Yes, Mayor. Thursday, November 8th, 2012, pursuant to the requirements of the Open Public Meeting Law, Chapter 231, Public Laws 1975, notice of this meeting was published in the December 22nd, 2011 issues of the Nutley Sun, the Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Here.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Here.

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: Here.

6 MADAM CLERK: All present, Mayor.

7 MAYOR PETRACCO: Thank you. On communications and  
8 correspondence?

9 MADAM CLERK: Yes, Mayor, I have two items of  
10 communications. The first item is a petition to extend a  
11 liquor license premises for the Old Canal Inn located at Two  
12 East Forsake (ph) Avenue. They are looking to have an event  
13 on Wednesday, November 21st, 2012 during the hours of 6:00  
14 p.m. to 10:00 p.m. I need a motion, please.

15 UNIDENTIFIED SPEAKER: Moved.

16 UNIDENTIFIED SPEAKER: 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 MADAM CLERK: The last item I have is from the  
3 Nutley Elks Lodge Number 1290. The Elks Lodge is seeking  
4 permission to run the pull tab raffles Sundays in the year  
5 2013 and I need a motion, please.

6 UNIDENTIFIED SPEAKER: Moved.

7 UNIDENTIFIED SPEAKER: 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 MADAM CLERK: That's all for communications,  
19 correspondence this evening, Mayor.

20 MAYOR PETRACCO: Reports? Tanya? We'll move on  
21 to those.

22 MADAM CLERK: Yes, Mayor. Thursday, November 8th,  
23 2012, public affairs \$16,819.81. Of that total, we're  
24 deducting \$4,620. Pier Number 1204B14 is being removed from  
25 the (indiscernible 7:44:12) in the amount of \$4,620.

1 Revenue in finance \$2,316,799.45, public safety \$78,344.45,  
2 public works \$113,886.12, parks and public property  
3 \$588,079.08, payroll as of October 26, 2012 \$762,711.34 for  
4 a grand total bill list of \$3,872,019.25 and that's all for  
5 those, Mayor.

6 MAYOR PETRACCO: Move those.

7 UNIDENTIFIED SPEAKER: 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 MADAM CLERK: That's all for those, Mayor. Thank  
19 you.

20 MAYOR PETRACCO: Thank you. Ordinances? I don't  
21 see any introductions for public hearings. We'll move on to  
22 resolutions. Commissioner Rogers.

23 COMMISSIONER ROGERS: Resolution 29 -- 279-21.

24 Be It Resolved by the Board of Commissioners of  
25 the Township of Nutley, County of Essex, New Jersey, that an

1 important provision of RS48-58 calling transfer of  
2 appropriations in the 2012 budget be and the same are hereby  
3 authorized and approved, Department of Public Affairs from  
4 Shared Montclare Services, SW, \$12,870 to Shared Montclare  
5 Nursing Services, the OE account of \$12,870.

6 So moved.

7 UNIDENTIFIED SPEAKER: 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. Anything else, Commissioner  
18 Rogers?

19 COMMISSIONER ROGERS: No. No, Mayor. Thanks.

20 (Tape changed)

21 COMMISSIONER ROGERS: -- reads as follows.

22 Whereas the Township of Nutley entered into a  
23 contract with Zenith Construction Services of 365 Thomas  
24 Boulevard, Orange, New Jersey, for building renovations to  
25 the special young duck facility; and

1           Whereas the Director of Department of Parks and  
2 Public Property has recommended the following change order  
3 from said contract, Change Order Number 1 (a) replace 22  
4 existing light fixtures in the amount of \$7,446.79; (b)  
5 replacement of five windows in the amount of \$13,920.17; (c)  
6 additional depth for helical piles inside the building in  
7 the amount \$9,235.81. These, just for the record, are  
8 devices that are driven down into the ground to stabilize  
9 the building alongside the foundation; and (d) prep and  
10 paint all the walls and sheetrock except for living and  
11 storage rooms in the amount of \$9,384.01 for a total amount  
12 of \$39,986.28. The money is available from CDBG Account T-  
13 19-909-902. It has been certified by the chief financial  
14 officer, said certification being attached to this  
15 resolution.

16           Now Therefore Be it Resolved that the Board of  
17 Commissioner and the Township Clerk be and are hereby  
18 authorized to enter into and sign said contract change order  
19 for the Township of Nutley.

20           I move the resolution.

21           MAYOR PETRACCO: Thank you.

22           MADAM CLERK: Commissioner Rogers.

23           COMMISSIONER ROGERS: Aye.

24           MADAM CLERK: Commissioner Tucci?

25           COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 COMMISSIONER ROGERS: Whereas the Township of

8 Nutley entered into a contract with Vasser Haines

9 Architectural Group, LLC, of 16-point replace marker (ph) in

10 New Jersey for architectural services for the special young

11 adults renovation project; and

12 Whereas the Director of Department of Parks and

13 Public Property has recommended the following change order

14 from said contract, Change Order Number 1, additional site

15 visits and coordination with the contractor, review

16 coordination with approval of windows, lighting and painting

17 which were added to the project as a change order,

18 additional structural design of window lentils (ph)t,

19 structural review of foundation pile locations due to

20 unforeseen conditions, miscellaneous coordination with the

21 SYA in the township in the amount of \$7,000. The money's

22 available from CDBG funding account T-19-909-902 and has

23 been certified by the chief financial officer, said

24 certification being attached to this resolution.

25 Now Therefore Be it Resolved by the Board of

1 Commissioners, Township Clerk be and are hereby authorized  
2 to enter into said -- and enter into and said sign contract  
3 change order for the Township of Nuttley.

4 I move the resolution.

5 MAYOR PETRACCO: Second.

6 MADAM CLERK: Commissioner Rogers.

7 COMMISSIONER ROGERS: Aye.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Mayor Petracco?

15 MAYOR PETRACCO: Aye.

16 COMMISSIONER ROGERS: Be It Resolved by the Board  
17 of Commissioner in the Township of Nutley in the County of  
18 Essex, New Jersey, that, in accordance with the provision of  
19 RS 40A:4-58, the following transfer of appropriations in the  
20 2012 budget be and same are hereby authorized and approved,  
21 from other insurance, \$45,000, from group insurance premium,  
22 \$128,000, from Shade Tree Salary and Wages, \$54,000.

23 There are only two parks and playgrounds under  
24 expenses, \$11,000, public buildings and grounds, other  
25 expenses, 40,000, telephone O&E, 5,000, debris removal,

1 3,000, senior citizen transportation, 27,000, Shade Tree  
2 O&E, 10,000, telephone salary and wages, 4,000, public  
3 buildings grounds salary and wages, 82,000, parks and  
4 playgrounds salary and wages, 42,000, recreation salary and  
5 wages, 3,000 for a grand total of 227,000.

6 Before I move this resolution, I just want to  
7 state for the record that this is moving around the  
8 appropriations within the budget. It is not increasing the  
9 total amount of the budget. I move the resolution.

10 UNIDENTIFIED SPEAKER: Second.

11 MADAM CLERK: Commissioner Rogers.

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 MADAM CLERK: Mayor Petracco?

20 MAYOR PETRACCO: Aye.

21 COMMISSIONER ROGERS: Be It Resolved by the Board  
22 of Commissioners of the Township of Nutley, the County of  
23 Essex, New Jersey, that the Township Treasurer is hereby  
24 authorized to refund the tree permit fee collected in  
25 consideration of the fact that the required replacement tree

1 was installed per Shade Tree Preservation Orders. Payment  
2 will come from Account C-01-904-906. First one is for Mr.  
3 Montciere (ph)t, 205 Rutgers Place, in the amount of \$50,  
4 Anthonia Worth (ph)t, 15 Home Street, \$50, Salvatore DiSalvo,  
5 22 Cherry Place in the amount of \$50.

6 I move the resolution.

7 UNIDENTIFIED SPEAKER: 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 ROGERS: There are sealed bids  
19 received for electrical services on September 12th, 2012 in  
20 the Township Nutley and Sal Electric Company, 83 Fleet  
21 Street, Jersey City, New Jersey, with the low bidder at  
22 \$88,000.07 per electrician per hour rate and \$27.03 for an  
23 apprentice rate.

24 Whereas funds are available from Account 2-01-508-  
25 224 in the amount of \$7,000 and 3-01-508-224 in the amount

1 of 28,000 subject to adoption in 2013 budget because this is  
2 overlapping not to exceed 7,000 for the year 2012 and 28,000  
3 for the year 2013 have been certified by the Chief Financial  
4 Officer, said certification being attached to this  
5 resolution,

6 Now Therefore Be It Resolved by the Board of  
7 Commissioners of the Township of Nutley, County of Essex in  
8 the State of New Jersey that a contract for plumbing and  
9 heating services be awarded to Sal Electric Company.

10 I move the resolution.

11 UNIDENTIFIED SPEAKER: 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 ROGERS: Actually had me going there  
23 for a minute. All right.

24 Whereas the individual received for plumbing and  
25 heating services on September 12th, 2012 in the Township of

1 Nutley; and

2           Whereas Magic Touch Construction, 59 West Front  
3 Street, Keeper, was the low bidder in the amount of \$76,030  
4 for plumbing for a hour rate and \$25.34 for an apprentice  
5 rate and five percent for the tools; and

6           Whereas funds were available from Account 2-01-  
7 508-224 in the amount of \$7,000 and 3-01-508-224 in the  
8 amount of 28,000, again, subject to adoption of the 2013  
9 budget not to exceed 7,000 for the year 2012 and 28,000 for  
10 the year 2013, has been certified by the Chief Financial  
11 Officer, said certification being attached to this  
12 resolution,

13           Now Therefore Be It Resolved by the Board of  
14 Commissioners of the Township of Nutley in the County of  
15 Essex, State of New Jersey that a contract for plumbing and  
16 heating services be awarded to Magic Touch Construction.

17           I move the resolution.

18           UNIDENTIFIED SPEAKER: Second.

19           MADAM CLERK: Commissioner Rogers.

20           COMMISSIONER ROGERS: Aye.

21           MADAM CLERK: Commissioner Tucci?

22           COMMISSIONER TUCCI: Aye.

            MADAM CLERK: Commissioner Evans?

23

            COMMISSIONER EVANS: Aye.

24

            MADAM CLERK: Commissioner Scarpelli?

25

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Mayor Petracco?

3 MAYOR PETRACCO: Aye.

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

5 MAYOR PETRACCO: Thank you so much. Commissioner  
6 Evans?

7 COMMISSIONER EVANS: Thank you, Mayor.

8 Be It Resolved by the Board of Commissioners of  
9 the Township of Nutley in the County of Essex, State of New  
10 Jersey, the treasurer is hereby authorized to refund permit  
11 fees in the amount of \$9,830.40 to Jerome Mascari (ph)t, 31  
12 Ernst Street, for the following permits,

13 Be It Fully Resolved that Chapters 272,  
14 Section 272-3A of the Code of Nutley establishes a 20  
15 percent land review fee for the review of all construction  
16 permits and states that the fee shall not be refunded in the  
17 event a permit is not issued. Further, in JAC-5:23-4.18A1  
18 of the Uniform Construction Code states that plan review  
19 fees are not refundable. Permits are father permits (ph)t.  
20 I think for the total refund in the amount of 9,830.

21 UNIDENTIFIED SPEAKER: Second.

22 MADAM CLERK: Commissioner Rogers.

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

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MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

COMMISSIONER EVANS: Be it Resolved by the Board of Commissioners, Township of Nutley, County of Essex, New Jersey, that, in accordance with the provision of RS-48:458, the following transfers of appropriations in the 2012 budget, being the same, are hereby made, authorized and approved, HR agreement, \$30,000, municipal election O&E, \$20,000, construction code office, \$5,000, \$55,000 to treasurer's salary at 30, township clerk O&E for 20 and construction, (indiscernible 7:54:22) a thousand dollars.

So moved.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers.

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Mayor Petracco?

3 MAYOR PETRACCO: Aye.

4 COMMISSIONER EVANS: Thank you, Mayor.

5 MAYOR PETRACCO: All right. That all we have,  
6 Commissioner?

7 COMMISSIONER EVANS: Uh-huh.

8 MAYOR PETRACCO: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: I have none, Mayor.

10 MAYOR PETRACCO: Thank you, Commissioner.

11 Whereas the Nutley Zone and Board of Adjustments  
12 received the following escrow deposits for engineering  
13 review; and

14 Whereas the Nutley Zone and Board of Adjustments  
15 have reviewed and determined that escrow balances are due as  
16 follows: Nutley Service Bureau, 155 Chestnut Street, \$750,  
17 Joseph Galone (ph), 17 Grass Avenue, \$1,000, Sylvan Learning  
18 Center, 240-244 Franklin Avenue, \$1,000 for a total refund  
19 of \$2,750.

20 Now Therefore Be It Resolved by the Board of  
21 Commissioners, Township of Nutley, County of Essex, New  
22 Jersey, amounts as listed above be refunded.

23 I need a resolution.

24 UNIDENTIFIED SPEAKER: Second.

25 MADAM CLERK: Commissioner Rogers.

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COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

Be It Resolved by the Board of Commissioners, Town of Nutley, County of Essex, New Jersey, that, in accordance with the provisions of RS-40A-4-58, the following transfers of appropriations in the 2012 be and the same are hereby authorized and approved, from gasoline 2-01-342-229, \$100,000, the police O&E 2-01-308-200, \$100,000 which are a total of \$100,000.

I move the resolution.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner Rogers.

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Mayor Petracco?

4 MAYOR PETRACCO: Aye. And, just for the record,  
5 that \$100,000 is for police cars, for the light bars, all  
6 the radios. Nowadays a court -- the -- well, you have that  
7 stuff adding the computers actually costs more than the car  
8 itself. Imagine that.

9 Whereas raffle applications have been received  
10 from the following organizations and Nutley High School PTO  
11 License Number 61-12 on permits 50/50 cash raffle,  
12 December 1st, 2012, Nutley House 50-TO, License Number 62-  
13 12, on premise merchandise raffle, December 1st, 2012, BPOE  
14 Number 1290, Nutley Lodge -- that's the Elks -- License  
15 Number 4 -- 04-13, pull tab January 1st, 2013 through  
16 December 31st, 2013, Saint Mary's Catholic Church, License  
17 Number 05-13, bingo every Tuesday in 2013, Saint Mary's  
18 Catholic Church, License Number 06-13, pull tab every  
19 Tuesday in 2013;

20 Whereas the applications have been reviewed and  
21 approved by a municipal clerk and the police department;

22 Now Therefore It Be Resolved by the Board of  
23 Commissioners, Township of Nutley, County of Essex, State of  
24 New Jersey, that the licenses are approved and the municipal  
25 clerk is authorized to issue the licenses.

1 I move for the resolution.

2 UNIDENTIFIED SPEAKER: 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 EVANS: Thank you, Mayor.

14 MAYOR PETRACCO: Be It Resolved by the Board of  
15 Commissioners, Township of Nutley in the County of Essex,  
16 State of New Jersey, that the renewal of a planetary retail  
17 consumption license be granted to Nicholas J. Sambuco,  
18 Senior License Number 0716-33-026-004 effective July 1st,  
19 2012 through June 30th, 2013.

20 Be It Resolved that the State of New Jersey  
21 Department of Treasury, Division of Taxation, has provided  
22 tax clearance certification for that license.

23 Be It Further Resolved the Director of the  
24 Division of Alcoholic Beverage Control has reviewed the  
25 special renewal petition submitted by Nicholas J. Sambuco,

1 Senior, and has considered all the facts and circumstances  
2 related to the inactive status of this license and has  
3 determined that the license has established good cause in  
4 accordance with the statutory requirements to warrant an  
5 application for renewal of License Number 0716-33-026-004  
6 for the 2012-2013 license term.

7 Therefore, approval sought by the Board of  
8 Commissioners, Township of Nutley, County of Essex, State of  
9 New Jersey, that the license be and hereby renewed for the  
10 license period of July 1st, 2012 through June 30th, 2013.

11 I move the resolution.

12 UNIDENTIFIED SPEAKER: 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. Be It Resolved that the  
23 Board of Commissioners, Township of Nutley in the County of  
24 Essex, State of New Jersey, renewal of planetary retail  
25 consumption license be granted to 547 Franklin Avenue

1 Corporation, License Number 0716-33-029-007 effective  
2 July 1st, 2012 through June 30th, 2013t

3 Be It Resolved that the State of New Jersey,  
4 Department of Treasury, Division of Taxation, has provided  
5 tax clearance certification for said license;

6 Be It Further Resolved that the Director of  
7 Division of Alcoholic Beverage Control has reviewed the  
8 special renewal petition submitted by 547 Franklin Avenue  
9 Corporation and has considered all the facts and  
10 circumstances related to the inactive status of this license  
11 and has determined that the license has established good  
12 cause in accordance with the statutory requirements to  
13 warrant an application for renewal of License Number 0716-  
14 33-029-007 for the 2012-2013 license term.

15 Now Therefore Be It Resolved by the Board of  
16 Commissioners, Township of Nutley, County of Essex, State of  
17 New Jersey that the license be and is hereby renewed for the  
18 licensing period of July 1st, 2012 through June 30th, 2013.

19 I move the resolution.

20 UNIDENTIFIED SPEAKER: Second.

21 MADAM CLERK: Commissioner Rogers.

22 COMMISSIONER ROGERS: (No audible response).

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

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COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco? Mayor Petracco?

MAYOR PETRACCO: Aye. I was just having a sip of water.

Whereas all communication companies authorized the Board of Public Utilities have requested the consent of the Township of Nutley to occupy public rights-of-way within the township for the purpose of constructing, installing, operating, repairing, maintaining and placing telecommunication systems; and

Whereas it is deemed to be in the best interest of the township to grant municipal consent to these companies to occupy the public right-of-way within the township of Nutley for this purpose; and

Whereas the granting of such consent is and shall be considered upon the continuation -- continued compliance with all existing and further ordinance within the Township of Nutley and their entering into a written agreement with the Township of Nutley to enter, ally, identify and hold the Township of Nutley harmless as to all claims and liabilities from injury and damage which may arise from the construction, installation, operation, repair, maintenance,

1 disconnect, replacement and removal of its telecommunication  
2 system within the public rights-of-way and provide liability  
3 insurance coverage for personal and property damage;

4 Now Therefore Be It Resolved by the governing body  
5 of the Township of Nutley (1) the nonexclusive consent is  
6 hereby granted to Wells Fargo Fiber, LLC, Course River Fire,  
7 Inc.t, EDA, Course River Fiber, New Jersey, and United  
8 Federal Data, LLC, to occupy public rights-of-way within the  
9 Township of Nutley for the purpose of construction,  
10 installation, operation, repair, maintenance and replacement  
11 of telecommunication systems.

12 I move the resolutibn.

13 UNIDENTIFIED SPEAKER: Second.

14 MADAM CLERK: Commissioner Rogers.

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Mayor Petracco?

23 MAYOR PETRACCO: Aye.

24 Whereas an application has been filed for a  
25 person-to-person and police-to-police transfer of planetary

1 retail consumption License Number 0716-33-029-007,  
2 heretofore issued to 547 Franklin Avenue Corporation for an  
3 inactive license with the mailing address of 518 Franklin  
4 Avenue, Nutley, New Jersey, 07110; and

5           Whereas the submitted application form is complete  
6 in all respects, answering (ph) fees have been paid, the  
7 license has been properly renewed for the current license  
8 term; and

9           Whereas the applicant is qualified to be licensed  
10 according to our standards establishment -- established by  
11 Title 33 of the New Jersey statutes, regulations promulgated  
12 thereunder as well as local ordinances and conditions listed  
13 under Title 33; and

14           Whereas the application has disclosed and the  
15 issuing authority reviewed the source of all funds used in  
16 the purchase of the license and the licensed business and  
17 all additional financing in connection with the licensed  
18 businesses;

19           Now Therefore It Be Resolved that the Township of  
20 Nutley governing body does hereby approve effective  
21 November 9th, 2012 the transfer of all percent planetary  
22 retail consumption license to the Foursome, LLC at the  
23 location of 522-526 Franklin Avenue, Nutley, New Jersey,  
24 07110, does hereby direct the municipal clerk to endorse the  
25 license certificate in the new ownership and location as

1 follows: This license, subject to all its terms and  
2 conditions, is hereby transferred to the Foursome, LLC, 522-  
3 526 Franklin Avenue, Nutley, New Jersey, 07110, effective  
4 November 9th, 2012.

5 I move the resolution.

6 UNIDENTIFIED SPEAKER: Second.

7 MADAM CLERK: Commissioner Rogers.

8 COMMISSIONER ROGERS: (No audible response).

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Yeah, just before I vote, I  
11 just want to make it clear for the record that the ordinance  
12 that governs the distance between liquor establishments was,  
13 in fact, my ordinance and, in reviewing this, decided that  
14 it satisfied the spirit of that ordinance. I vote yes.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Yes.

17 MADAM CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: I grew up to the Farrara  
19 family.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: I vote yes and also I am  
22 ecstatic, I must say, to see another business turning on its  
23 lights down there. I think it's very important to the  
24 township that we keep these businesses moving, patronize  
25 them and it's for the well-being of the whole township and I

1 just want to thank you for investing your money there,  
2 working so hard on it. So lots of luck and I vote yes as  
3 well.

4 MADAM CLERK: Okay.

5 MAYOR PETRACCO: That concludes our business  
6 portion of our meeting. Is there anyone here this evening  
7 that would like to address the Board? Seeing no one, move  
8 to adjourn.

9 UNIDENTIFIED SPEAKER: Second.

10 MADAM CLERK: Commissioner Rogers.

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Mayor Petracco? Mayor Petracco?

19 MAYOR PETRACCO: Aye.

20 [Whereupon the meeting was adjourned.]

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

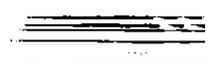
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I, Linda S. Foley, certify that the foregoing transcript is  
a true and accurate record of the proceedings.



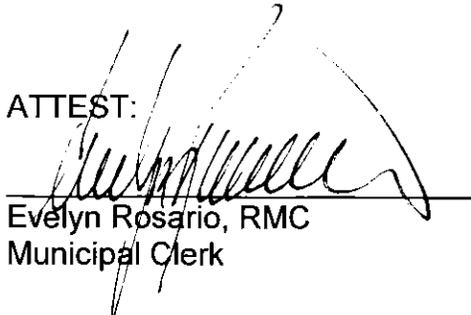
Linda S. Foley

May 31, 2013

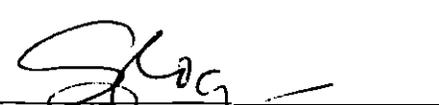


Signature Page/Meeting Minutes  
Meeting Held Tuesday, November 8, 2012

ATTEST:



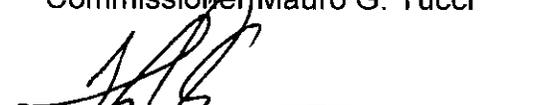
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Evelyn Rosario, RMC  
Municipal Clerk



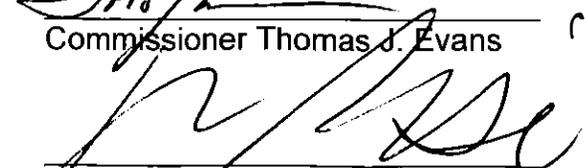
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Commissioner Steven Rogers



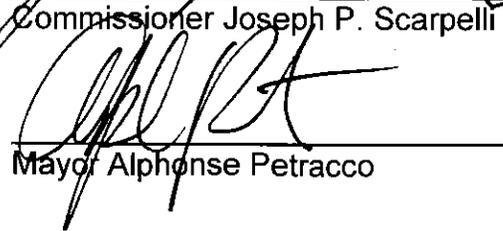
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Commissioner Mauro G. Tucci



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Commissioner Thomas J. Evans



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Commissioner Joseph P. Scarpelli



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Mayor Alphonse Petracco

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

**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* November 8, 2012

*Seconded by:* Commissioner Thomas J. Evans *No.* 291-12

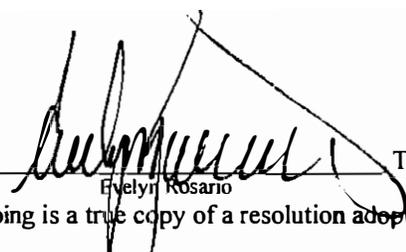
WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

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. Litigation Matter**

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

...

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held November 8, 2012

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

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-04314	NANINAS IN THE PARK	4,620.00					4,620.00
12-04177	ATLANTIC,TOMORROW	872.84	1,069.44	627.72	567.77	2,025.15	5,162.92
12-04178	NJ MEDADOWLANDS COMM	8,304.12					8,304.12
12-04179	ESS:EX REG.HLTH.COMM	1,546.00					1,546.00
12-04180	IMMEDICENTER	69.00					69.00
12-04046	IMMEDICENTER	69.00					69.00
12-03599	MOORE MEDICAL	106.61					106.61
12-02736	AT & T MOBILITY	272.54					272.54
12-04261	CUSTODIAN PETTY CASH	52.54					52.54
12-04315	NADELINE GOGLIA	108.95					108.95
12-03933	THE SIGN POST	265.00					265.00
12-03858	DELGEN PRESS	155.00					155.00
12-03787	NO.JERSEY MEDIA GROUP	189.00					189.00
12-03292	NO.JERSEY MEDIA GROUP	157.80					157.80
12-04154	CABLEVISION	31.41					31.41
12-04119	POSTMASTER NEWARK		3,000.00				3,000.00
12-04125	TREASURER SCHOOL MONEY		2,201,024.00				2,201,024.00
12-04124	T/N PAYROLL AGENCY		32,311.57				32,311.57
12-04163	T/N PAYROLL AGENCY		79.52				79.52
12-04148	VERIZON WIRELESS		92.99	586.40			679.39
12-03740	W.B. MASON		21.36				21.36
12-00121	HENDRICKS APPRAISAL		900.00				900.00
12-02388	VITAL COMMUNICATIONS		422.80				422.80
12-00093	LAW FIRE PIRO,ZINNA,CIFELLI		906.25				906.25
12-03838	W.B. MASON		89.98				89.98

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03873	STAPLES		387.60				387.60
12-04169	AFLAC		25.00				25.00
12-00617	MAJOR LEAGUE AUTO SPA		21.00				21.00
12-04181	DAVID WILSON		567.00				567.00
12-03418	TOTAL LAWN CARE		3,072.37				3,072.37
12-04182	JEROME MASCARI		9,830.40				9,830.40
12-04192	EIC INSPECTIONS AGENCY		184.00				184.00
12-04191	EIC INSPECTIONS AGENCY		184.00				184.00
12-04190	EIC INSPECTIONS AGENCY		184.00				184.00
12-04189	EIC INSPECTIONS AGENCY		184.00				184.00
12-04188	EIC INSPECTIONS AGENCY		245.00				245.00
12-04187	EIC INSPECTIONS AGENCY		245.00				245.00
12-04186	EIC INSPECTIONS AGENCY		416.00				416.00
12-04185	EIC INSPECTIONS AGENCY		245.00				245.00
12-04184	EIC INSPECTIONS AGENCY		552.00				552.00
12-04183	EIC INSPECTIONS AGENCY		184.00				184.00
12-04197	EIC INSPECTIONS AGENCY		245.00				245.00
12-04196	EIC INSPECTIONS AGENCY		368.00				368.00
12-04195	EIC INSPECTIONS AGENCY		184.00				184.00
12-04194	EIC INSPECTIONS AGENCY		184.00				184.00
12-04193	EIC INSPECTIONS AGENCY		184.00				184.00
12-04198	EIC INSPECTIONS AGENCY		416.00				416.00
12-04262	CUSTODIAN PETTY CASH		55.38				55.38
12-04038	DELGEN PRESS		119.00				119.00
12-04270	AT & T MOBILITY		239.38				239.38

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-04269	AT & T MOBILITY		162.63				162.63
12-04267	NO JERSEY MEDIA GROUP		280.35				280.35
12-04136	U.S. POSTAL SERVICE		4,000.00				4,000.00
12-00438	POLAND SPRING		77.87				77.87
12-04331	NJ DEPARTMENT OF LABOR		53,839.56				53,839.56
12-04145	NATIONAL FUEL OIL			12,978.40			12,978.40
12-04144	NATIONAL TERMINAL			3,835.15			3,835.15
12-04080	NATIONAL TERMINAL			11,302.14			11,302.14
12-00114	MIKES SERVICE CENTER			65.00			65.00
12-03771	TROPICANA CASINO			190.00			190.00
11-00106	XEROX CORP			29.70			29.70
12-03304	EAGLE FIRE EQUIPMENT			266.10			266.10
12-03889	TANEUM COMPUTER			111.00			111.00
12-04135	TURN OUT FIRE SAFETY			289.96			289.96
12-04134	TURN OUT FIRE SAFETY			165.98			165.98
12-04133	TURN OUT FIRE SAFETY			301.96			301.96
12-04132	TURN OUT FIRE SAFETY			191.94			191.94
12-04131	TURN OUT FIRE SAFETY			518.82			518.82
12-04167	PAUL CAFONE			196.92			196.92
12-04150	JOHN HOLLAND			142.03			142.03
12-03683	KALDOR EMERGENCY			1,071.13			1,071.13
12-00115	NBC AUTO			1,083.93			1,083.93
12-03488	GENERAL SALES			2,440.36			2,440.36
12-04143	INST. FORENSIC PSYCHOLOGY			1,950.00			1,950.00
12-03890	DELGEN PRESS			55.00			55.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03770	GENERAL SALES			137.66			137.66
12-02920	DELTA PRODUCTS			567.45			567.45
12-04115	BELLE PAESE			154.08			154.08
12-03976	A.C. MOORE			198.41			198.41
12-00117	P & A AUTO PARTS			398.78			398.78
12-00666	NUTLEY PARK SHOPRITE			27.34			27.34
412-04173	SANDRA CARELLA			80.43			80.43
12-04263	CUSTODIAN OF PETTY CASH			60.52			60.52
12-04070	EAGLE FIRE EQUIPMENT			463.50			463.50
12-03932	DELGEN PRESS			568.00			568.00
12-04069	EAGLE FIRE EQUIPMENT			366.50			366.50
12-04151	RAINBOW CLEANERS			115.00			115.00
12-03901	UNION FIRE EQUIPMENT			7,750.00			7,750.00
11-00103	MAJOR LEAGUE AUTO SPA			5.00			5.00
12-04156	CABLEVISION			29.09			29.09
12-04158	CABLEVISION			49.95			49.95
12-03868	CURRY PRINTERS			2,143.43			2,143.43
12-02626	ATLANTIC UNIFORM			1,111.00			1,111.00
12-03893	FLEMINGTON CAR			346.46			346.46
12-03892	PETER ANDOLINO			549.00			549.00
12-04096	BURGER KING			87.27			87.27
12-03951	A PLUS AUTO REPAIR			1,934.00			1,934.00
12-00116	NICOLETTE TOWING			174.00			174.00
12-00118	MAJOR LEAGUE AUTO SPA			175.00			175.00
12-04067	IMMEDI-CANTER OF CLIFTON			1,924.00			1,924.00
12-04130	JEN ELECTRIC			2,575.00			2,575.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03435	WEST GROUP			572.00			572.00
12-04052	SOMES UNIFORMS			1,030.00			1,030.00
12-04142	K & A IND			109.82			109.82
12-04277	AT & T MOBILITY			3,076.24			3,076.24
12-04268	AT & T MOBILITY			45.45			45.45
12-04260	VERIZON			95.84			95.84
12-04242	NO JERSEY MEDIA GROUP			42.48			42.48
12-04245	NO JERSEY MEDIA GROUP			10.66			10.66
12-00840	XEROX CORP			34.95			34.95
12-04296	DANA MELILLO			208.19			208.19
12-00894	LANGUAGE LINE SERVICE			123.08			123.08
12-04068	ESSEX COLLEGE			2,940.00			2,940.00
12-04335	DELTA			473.01			473.01
12-04336	US GAS			5,655.45			5,655.45
12-04313	BLUE RIBBON FUEL			3,535.77			3,535.77
12-03793	LAWSON PRODUCTS				106.88		106.88
12-03667	GREEN DISK				179.85		179.85
12-03662	T. M FITZGERALD				2,390.00		2,390.00
12-03820	HEWLETT PACKARD CORP				469.09		469.09
12-00050	VIOLA BROTHERS				734.64		734.64
12-00035	RICCARDI BROTHERS				109.80		109.80
12-00047	NORTHEAST AUTO				134.98		134.98
12-00042	INTERSTATE BATTERY				203.90		203.90
12-04032	TECHNIART INC				100.00		100.00
12-03996	TIME EQUIPMENT CORP				470.00		470.00
12-03795	W.B. MASON				29.17		29.17

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-04146	DR JOSEPH SCARPELLI				476.25		476.25
12-04099	HARVEY WECHTER				100.00		100.00
12-03986	HOME DEPOT				95.53		95.53
12-02132	W.E. TIMMERMAN				32.37		32.37
12-00054	STONE INDUSTRIAL				3,750.00		3,750.00
12-00045	NEWARK ASPHALT				116.80		116.80
12-00042	INTERSTATE BATTERY				207.90		207.90
12-03723	PRESSURE KING				120.00		120.00
12-03472	STORAGE EQUIPMENT				15.50		15.50
11-05359	PENNONI ASSOC				5,820.00		5,820.00
11-05359	PENNONI ASSOC				3,330.00		3,330.00
12-01024	PENNONI ASSOC				2,250.00		2,250.00
12-01024	PENNONI ASSOC				1,000.00		1,000.00
12-01024	PENNONI ASSOC				2,445.00		2,445.00
12-01024	PENNONI ASSOC				2,250.00		2,250.00
12-01024	PENNONI ASSOC				520.00		520.00
12-01024	PENNONI ASSOC				4,460.00		4,460.00
12-01024	PENNONI ASSOC				11,427.41		11,427.41
120-3155	PENNONI ASSOC				5,294.27		5,294.27
12-03303	DELTA PRODUCTS				453.92		453.92
12-03697	DELTA PRODUCTS				69.08		69.08
12-00047	NORTHEAST AUTO				56.60		56.60
12-04266	SO JERSEFY ENERGY				5,045.77		5,045.77
12-00638	TOTAL CENTER MAINTENANCE				1,821.75		1,821.75
12-01024	PENNONI ASSOC				270.00		270.00
12-01024	PENNONI ASSOC				180.00		180.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03991	DURABLE RECYCLING				1,099.52		1,099.52
12-03991	DURABLE RECYCLING				662.40		662.40
12-04138	PASSAIC VALLEY WATER COM				34,947.13	4	34,947.13
12-04123	PASSAIC VALLEY WATER COM				1,573.00		1,573.00
12-04271	AT & T MOBILITY				712.23		712.23
12-04172	PSE & G				19.52		19.52
12-04199	PSE & G				17,683.11		17,683.11
12-04201	PSE & G				84.98		84.98
<b>12-04298</b>	<b>NJSHBP</b>					<b>327,262.30</b>	<b>327,262.38</b>
<b>12-04299</b>	<b>NJSHBP</b>					<b>159,011.50</b>	<b>159,011.50</b>
12-03963	VIOLA BROTHERS					1,682.75	1,682.75
12-03953	VIOLA BROTHERS					951.02	951.02
12-04238	DELTA DENTAL PLAN					13,345.53	13,345.53
12-04239	DELTA DENTAL PLAN					12,711.60	12,711.60
12-04264	CUSTODIAN PETTY CASH					32.28	32.28
12-03810	ROBERTS & SON					162.00	162.00
12-03959	ATLANTIC UNIFORM					108.00	108.00
12-03923	GRAINGER					137.70	137.70
12-04043	DELL MARKETING					1,775.99	1,775.99
12-03618	CENTURY HEATING					6,970.00	6,970.00
12-03852	FRANKLIN FLOORS					6,725.50	6,725.50
12-04160	VERIZON					204.38	204.38
12-04020	STATE OF NJ					180.00	180.00
12-04159	CABLEVISION					119.80	119.80
12-04161	VERIZON					763.12	763.12
12-03924	ROBERTS & SON					430.39	430.39

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY NOVEMBER 8, 2012							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
12-03960	THE TERRE CO					2,269.69	2,269.69
12-03849	MID-ATLANTIC TRUCK					3,818.974	3,818.97
12-00025	NORTHEAST AUTO					494.50	494.50
12-00016	AGL WEDLING					101.27	101.27
12-04218	PSE & G					24,259.09	24,259.09
12-04200	PSE & G					1,408.45	1,408.45
12-04202	PSE & G					359.394	359.39
12-04176	PSE & G					1,516.69	1,516.69
12-04203	PSE & G					360.65	360.65
12-04204	PSE & G					44.93	44.93
12-04170	PSE & G					664.63	664.63
<b>12-04297</b>	<b>PAY PAL</b>					<b>30.00</b>	<b>30.00</b>
12-04264	CUSTODIAN OF PETTY CASH					185.26	185.26
12-04235	MEGHAN MONTGOMERY					72.00	72.00
12-04219	JAKE IVERSON					22.00	22.00
12-04220	MIKE IVERSON					24.00	24.00
12-04221	DANTE VOCATURO					48.00	48.00
12-04222	MIKE CORTESI					96.00	96.00
12-04223	CHRISTOPHER CONTE					44.00	44.00
12-04224	DYLAN BAHAW					44.00	44.00
12-04225	THOMAS CLARKE					1,440.00	1,440.00
12-04226	KYLE SICONOLFI					630.00	630.00
12-04227	JEFFREY LAHM					360.00	360.00
12-04228	THOMAS FEHER					240.00	240.00
12-04229	JOHN RUSSO					96.00	96.00
12-04230	ANTHONY BORINO					96.00	96.00



**TOWNSHIP OF NUTLEY**  
**BILL LIST**  
**November 8, 2012**

**List of payroll submitted for approval by the Board of Commissioners at their regular meeting of NOVEMBER 8, 2012:**

**PAYROLL-REGULAR OCTOBER 26, 2012:**

Department of Public Affairs	18,769.13
Department of Revenue & Finance	58,809.83
Department of Public Safety	466,853.17
Department of Public Works	55,144.67
Department of Parks & Public Properties	81,071.27
Department of Recreation Commission	1,196.00
Water Operations	46,584.44
Due To From General Capital	3,519.91
600 SERIES	1,886.56
C.E.H.A.	5,530.15
<b>Sub Total</b>	<b>739,365.13</b>

**PAYROLL-OVERTIME OCTOBER 26, 2012:**

Department of Public Affairs	0.00
Department of Revenue & Finance	120.13
Department of Public Safety	3,887.61
Department of Public Works	4,137.44
Department of Parks & Public Properties	3,680.06
Water Operations	11,520.97
<b>Sub Total</b>	<b>23,346.21</b>

**TOTAL PAYROLL: 762,711.34**

**GRAND TOTAL: \$3,876,639.25**

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

Federal Withholding Tax	98,379.21
Social Security	15,909.41
N.J. State Tax	27,798.81
Medicare	11,078.78
Wage Execution	3,546.00
Deferred Compensation	4,412.58
Employee Disability Ins.	1,273.29

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

**Resolution**

Introduced by: Commissioner Steven Rogers Date: November 8, 2012

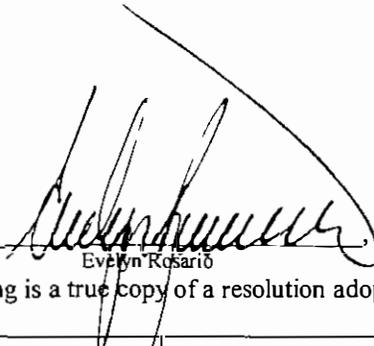
Seconded by: Commissioner Joseph P. Scarpelli No. 279-12

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-58, the following transfer(s) of appropriations in the **2012 Budget** be and the same are hereby authorized and approved:

**DEPARTMENT OF PUBLIC AFFAIRS**

<u>FROM:</u>	<u>TO:</u>
Shared Montclair Nurs. Serv. S/W 2-01-117-100                 \$12,870.00	Shared Montclair Nurs. Serv. O/E 2-01-117-200                 \$12,870.00
<b>Total                         \$ 12,870.00</b>	<b>Total                         \$ 12,870.00</b>

. . .

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 November 8, 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:* November 8, 2012

*Seconded by:* Commissioner Thomas J. Evans *No.* 277-12

**WHEREAS**, the Township of Nutley heretofore entered into a contract with Zenith Construction Services of 365 Thomas Blvd., Orange, NJ, 07050 for building renovations to the Special Young Adults facility; and

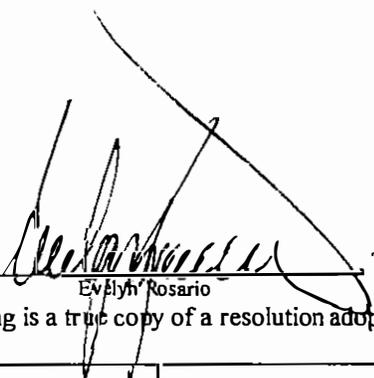
**WHEREAS**, The Director of the Department of Parks and Public Property has recommended the following change order from said contract:

<b>CHANGE ORDER #1A:</b>	Replace 22 existing light fixtures	\$ 7,446.79
	B: Replacement of 5 windows	13,920.17
	C: Additional depth for helical piles inside building	9,235.31
	D: Prep and paint wooden walls and sheetrock except for living and storage rooms	<u>9,384.01</u>
		<b>\$39,986.28</b>

The money is available from CDBG funding Account #T-10-909-902 and has been certified by the Chief Financial Officer, said certification being attached to this resolution; and

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Commissioners and the Township Clerk be and they are hereby authorized to enter into said change order 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 November 8, 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:* November 8, 2012

*Seconded by:* Commissioner Thomas J. Evans *No.* 278-12

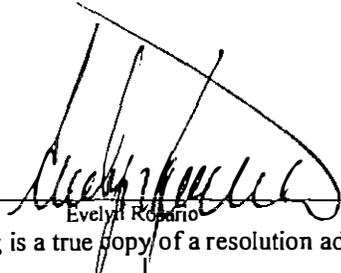
**WHEREAS**, the Township of Nutley heretofore entered into a contract with Dassa Haines Architectural Group, LLC of 16 Portland Place, Montclair, N.J. 07042 for architectural services for the Special Young Adults Renovation Project; and

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

**CHANGE ORDER # 1:** Additional Site visits and coordination with the contractor.  
 Review, coordination, and approval of windows, lighting and painting which were added to the project as a change order.  
 Additional structural design of window lintels.  
 Structural review of foundation pile locations due to unforeseen conditions.  
 Misc. Coordination meetings with the SYA & Township. \$7,000.00

The money is available from CDBG funding Account #T-10-909-902 and has been certified by the Chief Financial Officer, said certification being attached to this resolution; and

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Commissioners and the Township Clerk be and they are hereby authorized to enter into said change order 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 November 8, 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**

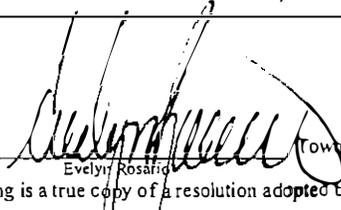
**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* November 8, 2012  
*Seconded by:* Commissioner Thomas J. Evans *No.* 283-12

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-58, the following transfer(s) of appropriations in the 2012 Budget be and the same are hereby authorized and approved:

**DEPARTMENT OF PARKS & PUBLIC PROPERTY**

<u>FROM:</u>	<u>TO:</u>
Other Insurance 2-01-522-200            \$45,000.00	Parks & Playgrounds O/E 2-01-504-201            \$11,000.00
Group Ins. Premiums 2-01-526-200            128,000.00	Pub. Bldgs. & Grounds O/E 2-01-508-200            40,000.00
Shade Tree S/W 2-01-512-100            54,000.00	Telephone O/E 2-01-510-200            5,000.00
	Debris Removal 2-01-514-210            3,000.00
	Sr. Citizens Transport S/W 2-01-517-101            27,000.00
	Shade Tree O/E 2-01-512-200            10,000.00
	Telephone S/W 2-01-510-100            4,000.00
	Pub. Bldgs. & Grounds S/W 2-01-508-100            82,000.00
	Parks & Playgrounds S/W 2-01-504-100            \$42,000.00
	Recreation S/W 2-01-506-100            3,000.00
<b>Total</b> <b>\$ 227,000.00</b>	<b>Total</b> <b>\$ 227,000.00</b>

I,  Township Clerk of the Township of Nutley, Essex County, N.J., do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held November 8, 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

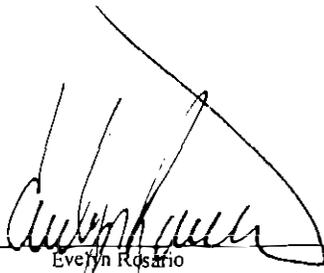
## Resolution

*Introduced by:* Commissioner Mauro G. Tucci *Date:* November 8, 2012

*Seconded by:* Commissioner Thomas J. Evans *No.* 287-12

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

Silas Mountseir	205 Rutgers Place	\$50.00
Antonia Wirth	15 Holmes St	\$50.00
Salvatore DiSalvo	22 Cherry Pl	\$50.00

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held November 8, 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:* November 8, 2012

*Seconded by:* Commissioner Steven Rogers *No.* 288-12

**WHEREAS**, sealed bids were received for electrical services on September 12, 2012 in the Township of Nutley; and

**WHEREAS**, Sal Electric Co. Inc., 83 Fleet Street, Jersey City, New Jersey, 07306 was the low bidder at:

\$88.07 Electrician per hour rate  
 \$27.03 Apprentice per hour rate  
 0 % Material

**WHEREAS**, funds are available from Account 2-01-508-224 (\$7,000.00) & 3-01-508-224(28,000.00) (Subject to Adoption of 2013 Budget), not to exceed \$7,000.00 for the year 2012 and \$28,000.00 for the year 2013, 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 for electrical services be awarded to Sal Electric Co.

. . .

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 November 8, 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:* November 8, 2012

*Seconded by:* Commissioner Thomas J. Evans *No.* 289-12

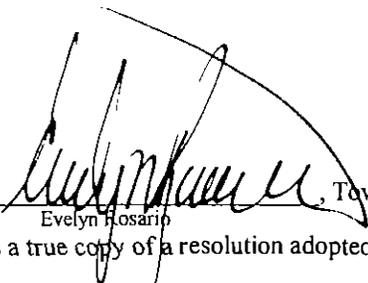
**WHEREAS**, sealed bids were received for plumbing and heating services on September 12, 2012 in the Township of Nutley; and

**WHEREAS**, Magic Touch Construction Co. , 59 West Front Street, Keyport, NJ 07735 was the low bidder at:

\$76.30 Plumber per hour rate  
\$25.34 Apprentice per hour rate  
5% Material

**WHEREAS**, funds are available from Account 2-01-508-224 (\$7,000.00) & 3-01-508-224(28,000.00) (Subject to Adoption of 2013 Budget), not to exceed \$7,000.00 for the year 2012 and \$28,000.00 for the year 2013, 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 for plumbing and heating services be awarded to Magic Touch Construction Co.

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 November 8, 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

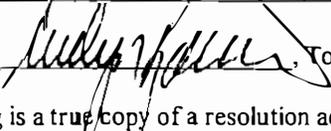
### Resolution

Introduced by Commissioner Thomas J. Evans Date November 8, 2012  
Commissioner Mauro G. Tucci 276-12  
 Seconded by \_\_\_\_\_ No. \_\_\_\_\_

**BE IT RESOLVED**, by the Board of the Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey that the Treasurer be and she is hereby authorized to refund permit fees in the amount of \$9,830.40 to Jerome Mascari, 41 Ernest Street, Nutley, New Jersey, for the following permits.

**BE IT FURTHER RESOLVED**, that Chapter 272, Section 272-3A of the Codes of Nutley establishes of a 20% plan review fee for the review of all construction permits and states that the fee shall not be refundable in the event a permit is not issued. Further N.J.A.C. 5:23-4.18(a)1 of the Uniform Construction Code states that plan review fees are not refundable.

Permit Number	41 Ernest Street / Unit Number	Total Refund
09-00227	Unit 4	\$487.00
09-00228	Unit 5	\$487.00
09-00229	Unit 6	\$487.00
09-00230	Unit 7	\$487.00
09-00231	Unit 8	\$487.00
09-00232	Unit 9	\$487.00
09-00234	Unit 1	\$487.00
09-00235	Unit 2	\$487.00
09-00236	Unit 3	\$487.00
09-00237	Main Permit	\$5,447.40

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 November 8, 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

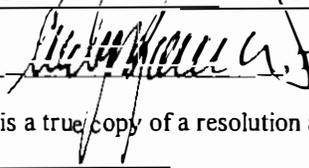
### Resolution

Introduced by Commissioner Thomas J. Evans Date November 8, 2012  
Commissioner Mauro G. Tucci 280-12  
 Seconded by \_\_\_\_\_ No. \_\_\_\_\_

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-58, the following transfer(s) of appropriations in the **2012 Budget** be and the same are hereby authorized and approved:

#### DEPARTMENT OF REVENUE & FINANCE

<b>FROM:</b>	<b>TO:</b>
HLR Agreement O/E 2-01-211-279           \$ 30,000.00	Treasurer's S/W 2-01-208-101           30,000.00
Munic. Election O/E 2-01-213-258           20,000.00	Twtp. Clerk O/E 2-01-210-257           20,000.00
Construct Code Off. S/W 0-01-218-101           5,000.00	Construct Code Off. O/E 0-01-218-223           5,000.00
<b>Total</b> <b>\$55,000.00</b>	<b>Total</b> <b>\$55,000.00</b>

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 November 8, 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:* November 8, 2012

*Seconded by:* Commissioner Mauro G. Tucci *No.* 275-12

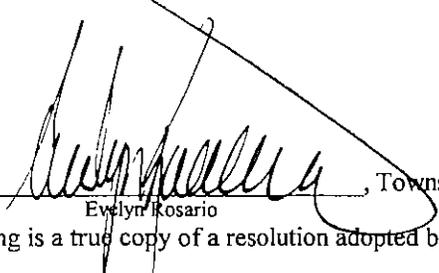
WHEREAS, the Nutley Zoning Board of Adjustments received the following escrow deposits for engineering review; and

WHEREAS, the Nutley Zoning Board of Adjustments has reviewed and determined that the escrow balances are due as follows:

<u>Name</u>	<u>Address</u>	<u>Escrow Refund Amount</u>
Nutley Service Bureau	155 Chestnut Street	\$ 750.00
Joseph Perrone	17 Gless Avenue	\$1,000.00
Sylvan Learning Center	240-244 Franklin Avenue	\$1,000.00
<b>TOTAL</b>		<b>\$2,750.00</b>

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the amounts as listed above be refunded.

. . .

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 November 8, 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:* November 8, 2012

*Seconded by:* Commissioner Mauro G. Tucci *No.* 281-12

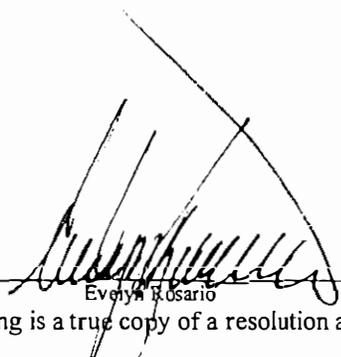
BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-58, the following transfer(s) of appropriations in the **2012 Budget** be and the same are hereby authorized and approved:

**DEPARTMENT OF PUBLIC SAFETY**

**FROM:**

**TO:**

Gasoline		Police O/E	
2-01-342-229	\$100,000.00	2-01-308-200	\$100,000.00
<b>Total</b>	<b>\$100,000.00</b>	<b>Total</b>	<b>\$ 100,000.00</b>

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 on November 8, 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:* November 8, 2012  
*Seconded by:* Commissioner Mauro G. Tucci *No.* 282-12

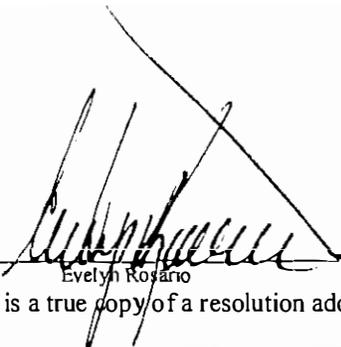
**WHEREAS**, raffle applications have been received from the following organizations; and

Nutley High School PTO	License No. 61-12 On- Premise 50/50 Cash Raffle	December 1, 2012
Nutley High School PTO	License No. 62-12 On-Premise Merchandise Raffle	December 1, 2012
BPOE #1290 Nutley Lodge	License No. 04-13 PULL TAB	January 1, 2013 through December 31, 2013
Saint Mary's Catholic Church	License No. 05-13 BINGO	Every Tuesday in 2013
Saint Mary's Catholic Church	License No. 06-13 PULL TAB	Every Tuesday in 2013

**WHEREAS**, the applications have been reviewed and approved by the Municipal Clerk and the Police Department.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, 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 m November 8, 2012 m

<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

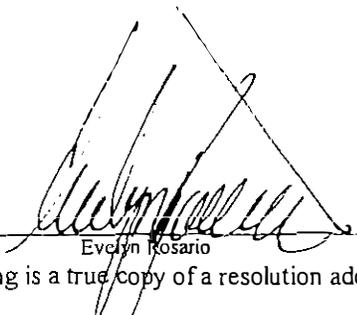
Introduced by: Mayor Alphonse Petracco Date: November 8, 2012  
 Seconded by: Commissioner Mauro G. Tucci No. 284-12

**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 Nicholas J. Sambuco, Sr., license number 0716-33-026-004 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.

**BE IT FURTHER RESOLVED**, the Director of the Division Alcoholic Beverage Control has reviewed the Special Ruling petition submitted by Nicholas J. Sambuco, Sr. and has considered all the facts and circumstances related to the inactive status of this license and has determined that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of license number 0716-33-026-004 for the 2012-2013 license term.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the license be and is hereby renewed for the licensing period of July 1, 2012 through June 30, 2013.

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 November 8, 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

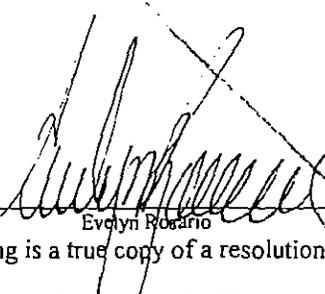
Introduced by: Mayor Alphonse Petracco Date: November 8, 2012  
Seconded by: Commissioner Mauro G. Tucci No. 285-12

**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 547 Franklin Avenue Corporation, license number 0716-33-029-007 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.

**BE IT FURTHER RESOLVED**, the Director of the Division Alcoholic Beverage Control has reviewed the Special Ruling petition submitted by 547 Franklin Avenue Corporation and has considered all the facts and circumstances related to the inactive status of this license and has determined that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of license number 0716-33-029-007 for the 2012-2013 license term.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the license be and is hereby renewed for the licensing period of July 1, 2012 through June 30, 2013.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held November 8, 2012

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

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

**Resolution**

*Introduced by:* Mayor Alphonse Petracco *Date:* November 8, 2012

*Seconded by:* Commissioner Mauro G. Tucci *No.* 286-12

WHEREAS, certain telecommunication companies authorized by the Board of Public Utilities have requested the consent of the Township of Nutley ("Township") to occupy public rights-of-way within the Township for the purpose of constructing, installing, operating, repairing, maintaining and replacing telecommunications systems; and

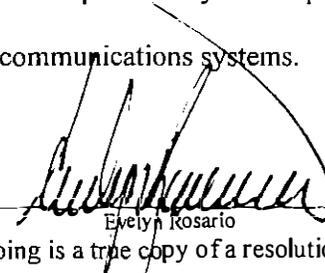
WHEREAS, it is deemed to be in the best interest of the Township to grant municipal consent to these companies to occupy the public Rights-of-Way within the Township of Nutley for this purpose; and

WHEREAS, the granting of such consent is and shall be conditioned upon the continued compliance with all existing and future ordinances of the Township of Nutley and their entering into a written agreement with the Township of Nutley to, inter alia, indemnify and hold the Township of Nutley harmless as to all claims and liability resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnect, replacement and removal of its telecommunications system within the public Rights-of-Way and provide liability insurance coverage for personal injury and property damages.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF NUTLEY:

1. That non-exclusive consent is hereby granted to Cross River Fiber LLC, Cross River Fiber, Inc. d/b/a Cross River Fiber NJ, Inc. and United Federal Data LLC (the "Grantees") to occupy the public Rights-of-Way within the Township of Nutley for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications systems.

. . .

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 November 8, 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:* November 8, 2012

*Seconded by:* Commissioner Mauro G. Tucci *No.* 290-12

**WHEREAS**, an application has been filed for a “Person to Person and Place to Place” Transfer of Plenary Retail Consumption License Number 0716-33-029-007, heretofore issued to 547 Franklin Avenue Corporation for an inactive license with a mailing address of 518 Franklin Avenue, Nutley, New Jersey 07110; and

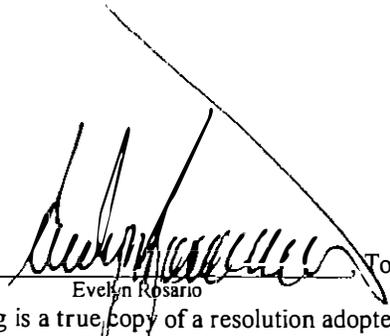
**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the Township of Nutley Governing Body does hereby approve, effective November 9, 2012, the transfer of the aforesaid Plenary Retail Consumption License to **The Foursum, LLC at the location of 522-526 Franklin Avenue, Nutley, NJ 07110** and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership and location as follows: “This license, subject to all its terms and conditions, is hereby transferred to **“The Foursum, LLC” 522-526 Franklin Avenue, Nutley, NJ 07110**, effective November 9, 2012.”

. . .

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 November 8, 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>					