

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

PUBLIC MEETING

TRANSCRIPT OF

PROCEEDINGS:

December 31, 2012

9:00 a.m.

BEFORE:

Mayor Alphonse Petracco

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Joseph P. Scarpelli (Absent/Excused)

Commissioner Steven Rogers

Township Clerk

Job No. VTNJ1670507

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

**Certified
Transcript**

PUBLIC MEETING

TRANSCRIPT OF

PROCEEDINGS:

December 31, 2012

9:00 a.m.

BEFORE:

Mayor Alphonse Petracco

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Joseph P. Scarpelli (Absent/Excused)

Commissioner Steven Rogers

Township Clerk

Job No. VTNJ1670507

1 P R O C E E D I N G S

2 MAYOR PETRACCO: Please stand for the flag salute.

3 (Pledge of Allegiance)

4 MAYOR PETRACCO: Okay, Madam Clerk?

5 MADAM CLERK: Monday, December 31st, 2012.

6 Pursuant to the requirements of the Open Public Meeting Law,
7 chapter 231, Public Laws 1975, notice of this meeting was
8 published in the December 22nd, 2011 issues of the Nutley
9 Sun, the Star Ledger, and the Herald News. A copy of this
10 notice has been posted on the Nutley Town Hall bulletin
11 board, and a copy is on file in the municipal clerk's
12 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 absent/excused this morning.

21 Mayor Petracco?

22 MAYOR PETRACCO: Here.

23 MADAM CLERK: All present today, with the
24 exception of Commissioner Scarpelli, who is absent/excused
25 this evening. Also, we have Alan Genitempo as our legal

1 counsel for this morning, Mayor.

2 MAYOR PETRACCO: Okay. Thank you.

3 As we do on all formal meetings, we'll start with
4 a moment of silence for the troops for all the tragedies
5 that have occurred in our country this past year. So just a
6 moment, please.

7 (Pause)

8 MAYOR PETRACCO: Thank you.

9 And with no minutes, communications, or reports,
10 bills? No bills?

11 MADAM CLERK: No bills this morning, Mayor.

12 MAYOR PETRACCO: Okay. We'll now move on to an
13 ordinance introduction, and I have an ordinance to amend an
14 ordinance entitled an ordinance to fix the salaries of
15 certain officers and employees of the township of Nutley,
16 county of Essex, state of New Jersey effective January 1st,
17 2012. It's the Municipal Alliance Coordinator, public
18 hearing. Let's see.

19 I move that this ordinance be passed this
20 (indiscernible) advertising in the Nutley Sun together with
21 the notice required by law, and by further consideration of
22 said ordinance, the final passage by the board of
23 commissioners (indiscernible) our (sic) second meeting on
24 February 5th, 2013.

25 I move the introduction.

1 UNIDENTIFIED SPEAKER: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: (No audible response)

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Yes.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE COURT: Mayor Petracco?

9 MAYOR PETRACCO: Aye.

10 And (indiscernible) has no resolutions, we will
11 move on to Commissioner Evans.

12 COMMISSIONER EVANS: (Indiscernible) and fund
13 emergency appropriation (indiscernible) on screen (sic).

14 MAYOR PETRACCO: (Audio gap) -- commissioners,
15 township of Nutley, county of Essex, New Jersey
16 (indiscernible) listed and unexpended balance for their
17 current emergency appropriation to be canceled.

18 So moved.

19 UNIDENTIFIED SPEAKER: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: Aye.

3 Whereas, pursuant to NJSA 40:67-23.2 and as
4 required by law, the township has elected to provide
5 municipal services to Cambridge Heights at Nutley Umbrella
6 Association, Inc. in the same manner as the township
7 provides such services on public roads and streets in the
8 township. Now therefore, be it resolved by the board of
9 commissioners of the township of Nutley in the county of
10 Essex, as follows:

11 The mayor be and is hereby authorized to enter
12 into a 2013 municipal service agreement with the association
13 in a form approved by the township of attorney. A copy of
14 the resolution, as well as the municipal service agreement,
15 shall be placed on file with the clerk and a notice of this
16 action shall be printed once in the Nutley Sun.

17 So moved.

18 UNIDENTIFIED 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: Mayor Petracco?

1 MAYOR PETRACCO: Aye.

2 Thank you.

3 Commissioner Tucci, you have nothing?

4 So, whereas raffle applications have been received
5 from the following organizations. Nutley Music Booster
6 Association, license number 12-13 on-premise merchandise
7 raffle, February 9th, 2013, Nutley Music Booster
8 Association, license 13-13 on-premise 50/50 cash raffle,
9 February 9th, 2013, Holy Family Church Rosary Altar Society,
10 license number 14-13 on-premise merchandise raffle,
11 February 23rd, 2013.

12 Whereas the applications have been reviewed and
13 approved by the municipal clerk and the police department.
14 Now therefore, be it resolved by the board of commissioners
15 of the township of Nutley, county of Essex, state of New
16 Jersey, that the licenses are approved, and the municipal
17 clerk is authorized to issue the licenses.

18 I move the resolution.

19 UNIDENTIFIED SPEAKER: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: Aye.

3 Whereas, the township of Nutley and police
4 department needs to acquire proprietary software for the
5 issuance of electronic tickets through the mobile computers
6 as a non-fair and open contract and whereas, the use of
7 electronic ticketing increases efficiency, enables officers
8 to return to service faster, eliminates data entry errors
9 and auto-populates citations with the appropriation statute
10 number, fine and court information and whereas, NJSA 40A:11-
11 5(d)(d) permits the award of the contract without public
12 bidding for the provisions of the proprietary software and
13 whereas, the GTBM, Inc. owns the Info-Cop tm e-ticketing
14 system and has submitted a proposal to provide the system
15 software and whereas, GTBM, Inc. has completed and submitted
16 a business entity disclosure certification which certifies
17 that it has not made any reportable contributions in the
18 previous year and will be prohibited from making any
19 reportable contributions through the term of the contract
20 and whereas, the contract is in an amount not expected to
21 exceed 45,000, the funds for which are available in an
22 account entitled municipal court e-ticketing program,
23 account number 3-01-326-200, said funds subject to the
24 adoption of the 2013 and certification by the chief
25 financial officer and whereas, the anticipated term of this

1 contract is for 12 months, January 1st, 2013 through
2 December 31st, 2013.

3 Now therefore, be it resolved by the board of
4 commissioners in the township of Nutley in the county of
5 Essex that the contract be awarded to GTBM, Inc. in a form
6 approved by the township attorney, and be it further
7 resolved that the business entity disclosure be placed on
8 file with this resolution.

9 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: Mayor Petracco?

18 MAYOR PETRACCO: Aye.

19 That concludes our business portion of the
20 meeting. So no one -- would there be anyone that would like
21 to address the board?

22 Wait.

23 You're not addressing the board this morning?

24 Thank you.

25 Before we break, I'd just like to extend my happy

1 new year -- a happy new year to all the commissioners and to
2 all the people in the township of Nutley. Before I came
3 here this morning, I watched the news where they kind of
4 recapped the year, the year in news, and the main events,
5 and I'll tell you, you know, to watch on the news this
6 morning all the things that happened in our country,
7 Colorado, the shooting at the movie theater to Sandy Hook to
8 the storms that we've had, it's been quite a year for this
9 country, and it just goes to show you what a real piece of
10 heaven out here in Nutley. So thank God we have really had
11 no major issues in all the years that I'm here, and it just
12 goes to show you that we do have a little slice of heaven in
13 Nutley.

14 So, without a further ado and comments from my
15 commissioners, I wish everyone a happy new year, a healthy,
16 prosperous one, and --

17 UNIDENTIFIED SPEAKER: (Indiscernible) I'd just
18 like to (indiscernible) --

19 MAYOR PETRACCO: That's exactly what I was trying
20 to say. Thank you.

21 We need a motion to close.

22 UNIDENTIFIED SPEAKER: And happy new year,
23 everyone.

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: Mayor Petracco?

6 MAYOR PETRACCO: Aye.

7 Thank you.

8 (Whereupon, the meeting was adjourned.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

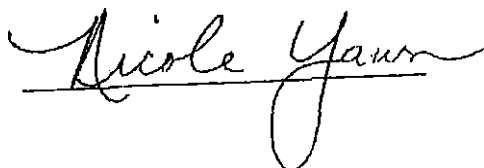
23

24

25

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

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

A handwritten signature in cursive script that reads "Nicole Yawn". The signature is written in black ink and is positioned above a horizontal line.

Date: May 16, 2013

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

ORDINANCE INTRODUCTION

ORDINANCE NO. 3225

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 31st day of December 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 5th day of February, 2013 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may interested therein will be given an opportunity to be heard concerning same.

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

**Nutley Sun Issue/Thursday, January 10, 2013 Via E-Mail:
publicnotices@northjersey.com**

Post Bulletin Board

Ordinance No. 3225
Introduced by Mayor Petracco
Introduced on Monday, December 31, 2012
Public Hearing Tuesday, February 5, 2013
Advertise in the Nutley Sun Issue of Thursday, January 10, 2013

Ordinance No. 3225

AN ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 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 I: 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:

DEPARTMENT OF PUBLIC SAFETY
2012

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Municipal Alliance Coordinator	\$ 2,000.00	\$3,300.00

SECTION 2: All ordinance 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.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* December 31, 2012
Seconded by: Commissioner Mauro G. Tucci *No.* 346-12

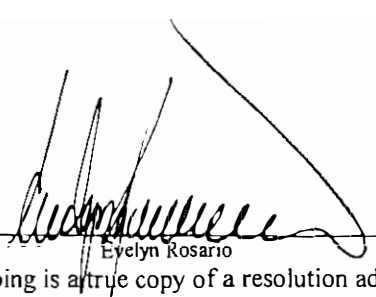
WHEREAS, the following Current Fund Emergency Appropriation remains unexpended:

Emergency Response to Hurricane Sandy Storm Damage \$ 225,000.00

WHEREAS, it is necessary to formally cancel said unexpended balance;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that the above listed unexpended balance of the Current Fund Emergency Appropriation be canceled.

. . .

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 December 31, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>				X	

Evelyn Rosario

From: Rosemary Costa
Sent: Thursday, December 27, 2012 1:12 PM
To: Evelyn Rosario
Cc: tjevans55@gmail.com
Subject: RESO FOR MEETING OF 12/31/12
Attachments: DEC 31 2012 MEETING.docx

Evelyn,

Please place the attached resolution to cancel the unexpended balance of the appropriation for Hurricane Sandy Storm Damage on the agenda of the final meeting of the year.

Thanks.

December 31, 2012

Resolution # 343-12
Number Not Used

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans

Date: December 31, 2012

FOR Commissioner Joseph P. Scarpelli

Seconded by: Commissioner Mauro G. Tucci

No. 345-12

WHEREAS, pursuant to N.J.S.A. 40:67-23.2 and as required by law, the Township has elected to provide municipal services to the Cambridge Heights at Nutley Umbrella Associations, Inc. (the "Association"), in the same manner as the Township provides such services on public roads and streets in the Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, as follows:

1. The Mayor be and is hereby authorized to enter into a 2013 Municipal Service Agreement with the Association in a form approved by the Township Attorney.
2. A copy of the Resolution, as well as the Municipal Service Agreement, shall be placed on file with the Clerk and a notice of this action shall be printed once in the Nutley Sun.

. . .

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 December 31, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>				X	

BOARD OF COMMISSIONERS

TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco Date: December 31, 2012

Seconded by: Commissioner Mauro G. Tucci No. 344-12

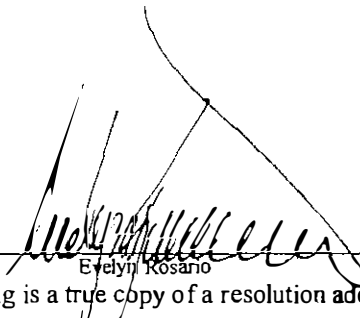
WHEREAS, raffle applications have been received from the following organizations; and

Nutley Music Boosters Association	License No. 12-13 On-Premise Merchandise Raffle	February 9, 2013
Nutley Music Boosters Association	License No. 13-13 On- Premise 50/50 Cash Raffle	February 9, 2013
Holy Family Church- Rosary Altar Society	License No. 14-13 On-Premise Merchandise Raffle	February 23,2013

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 December 31, 2012

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco *Date:* December 31, 2012
Seconded by: Commissioner Mauro G. Tucci *No.* 347-12

WHEREAS, the Township of Nutley and Police Department needs to acquire proprietary software for the issuance of electronic tickets through mobile computers as a non-fair and open contract; and

WHEREAS, the use of electronic ticketing increases efficiency, enables officers to return to service faster, eliminates data entry errors and auto-populates citations with the appropriate statute number, fine and court information; and

WHEREAS, N.J.S.A. 40A:11-5(d)(d) permits the award of a contract without public bidding for the provision of proprietary software; and

WHEREAS, GTBM, Inc. owns the Info-CopTM E-Ticketing System and has submitted a proposal to provide the system software; and

WHEREAS, GTBM, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions in the previous year and will be prohibited from making any reportable contributions throughout the term of the Contract; and

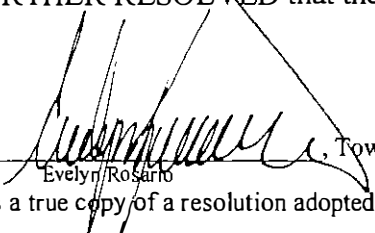
WHEREAS, the contract is in an amount not expected to exceed \$45,000.00, the funds for which are available in an account entitled "Municipal Court E-Ticket Program" account number 3-01e326-200, said funds subject to the adoption of the 2013 budget and certification by the Chief Financial Officer; and

WHEREAS, the anticipated term of this contract is for twelve (12) months - January 1, 2013 through December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners and the Township of Nutley in the County of Essex that a contract be awarded to GTBM, Inc. in a form approved by the Township attorney; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure be placed on file with this Resolution.

. . .

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 December 31, 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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>				X	

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

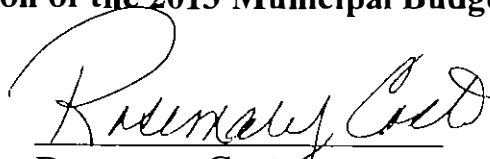
Purpose: E-Ticketing Software-GTBM, Inc.

Account: 3-01-312-200

Fund: Current Fund

Amount: \$45,000.00-Subject to Adoption of the 2013 Municipal Budget

Date: December 31, 2012



Rosemary Costa
Treasurer, C.F.O.



TOWNSHIP OF NUTLEY

DEPARTMENT OF PUBLIC SAFETY
PUBLIC SAFETY BUILDING
NUTLEY, NEW JERSEY 07110
(973) 284-4940



ALPHONSE PETRACCO
Director

Phone: (973) 284-4935
Fax: (973) 284-4920

JOHN U. HOLLAND
Chief of Police

Phone: (973) 284-4947
Fax: (973) 284-6207

December 19, 2012

To: Evelyn Rosario, Township Clerk

From: John Holland, Chief of Police

Subject: GTBM, Inc.

Please be advised that the above referenced proposal to provide proprietary software for the issuance of electronic tickets through mobile computers will exceed \$17,500 for the contract period during the calendar year 2013.

If you have any questions do not hesitate to contact my office.


John Holland
Chief of Police

Exhibit A:

END USER LICENSE, HARDWARE, SETUP AND SUPPORT AGREEMENT FOR INFO-COP™ E-TICKETING TURNKEY SYSTEM

between
Nutley Police Department
and
GTBM INC.

GTBM will provide:

	#
Info-Cop™ E-Ticketing Software*	10 licenses
Info-Cop™ Query Software	0 licenses
Hardware and Installation for Fully-Equipped Police Vehicles**	12
Handheld/Footpatrol	4
Scanners	12

Special Hardware financing*** ☐ Yes ☒ No (Check one)

*GTBM will provide an additional license on a designated office PC supplied by the department to allow for review or reprinting of tickets at no cost to the Agency.

**includes docking mount, printer, installation, e-Ticketing software and ticket paper and Replenishment, 365 days a year support 9am to 5pm with hardware swap

***applies to mobile computers (MDTs)

Upfront Payment: \$0

Fees:

Committed*** Tickets :	17,508
Fee per Ticket up to committed level:	\$ 2.56
Fee per Ticket above committed level:	1.77

***Committed means the annual minimum number of billable tickets agreed upon.

Excess Paper Demand: \$5.00 per roll

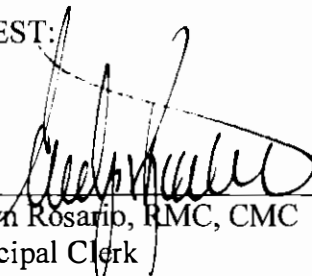
Multi-Year Contract:

Number of Years: 5

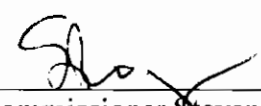
Initials: _____ Date: _____
Agency

Signature Page/Meeting Minutes
Meeting Held Monday, December 31, 2012

ATTEST:



Evelyn Rosario, RMC, CMC
Municipal Clerk



Commissioner Steven Rogers



Commissioner Mauro G. Tucci



Commissioner Thomas J. Evans

Absent/Excused

Commissioner Joseph P. Scarpelli



Mayor Alphonse Petracco