TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING

TRANSCRIPT OF
PROCEEDINGS:

February 15th, 2011
7:00 p.m.

BEFORE:
Mayor Cocchiola
Commissioner Evans
Commissioner Petracco
Commissioner Scarpelli
Commissioner Tucci

Township Clerk Rosario

Job Noe NJ343419
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Township Clerk Rosario

Job Noe NJ343419
(Pledge of Allegiance declared)

MAYOR COCCHIOLA: Madam Clerk, could you please reread the Sunshine Notice?

MADAM CLERK: Tuesday, February 15th, 2011. Pursuant to the requirements of the Open Public Meeting Law, Chapter 231, Public Laws, 1975, notice of this meeting was published in the December 2nd, 2010 issues of the Nutley Sun, the Journal, 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 Scarpelli?

COMMISSIONER SCARPPELLI: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Commissioner Evans is absent -- excused. Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Here.

MADAM CLERK: All present, Mayor, with the exception of Commissioner Evans.
who is absent -- excused at this timee

MAYOR COCCOHIOLA: Thank youe

(Indiscernible), do you want me to hold
off, Sharon? Okaye Okay, we have some
special -- a lot of special guests here
this eveninhe Commissioner Tucci, I'm
going to ask you to start with your
resolutionn

MRe TUCCI: Thank you very much,
Mayore You know, as I said at the -- the
dinner -- the grand marshall's dinner,
that the Nutley Irish had at the
landmark, every year when we're notified
as to who the honorees are, we read them
and then we say wow, what a bumper crop
this ise We're never going to out do
thise And, every year, and I don't know
where Tom McCamry (phe) and the Irish
find all these quality peoplee It just
keeps getting better and better and the
quality of people gets better and better
as every year passese And, here in
Nutley, we're just very, very fortunate
to have the association here honoring the
type of people and the caliber of people
that they do. And it just makes us very proud to participate in this parade and something that everyone, not only in Nutley, but in the county and I'm sure throughout the state look forward to.

So, having said all that, I will read this resolution that was presented at that dinner to make it official, and we will give you official copies to put in all those beautiful frames we gave you.

Whereas on Saturday, March 5th, 2011, the Irish-American Association held its 33rd Annual Saint Patrick’s Day parade, and whereas the Saint Patrick's Day parade has become an exciting event in the township of Nutley which is looked forward by both spectators and participants alike, and whereas the Nutley Irish-American Association will celebrate its annual Saint Patrick's Day parade grand marshall dinner, which they did on Saturday, February 5th, 2011, at the Landmark in East Rutherford, New
Jersey, and whereas this year's grand marshall is Tony Wieners (phe)e, and whereas Mrs. Wieners is joined by Deputy Grand Marshall Brenda Sherman (phe)e, and NIAA member of the year, Linda Strymike (phe)e, along with parade queen Gina Russo (phe)e, and this year's dignitaries, now therefore be it resolved by the board of commissioners and the Township of Nutley, County of Essex join with the citizens of Nutley to salute and congratulate Grand Marshall Tony Wieners, Deputy Grand Marshall Brenda Sherman, member of the year Linda Strymike, and parade queen Gina Russo as they're honored here tonighte. I proudly move the resolutione.

UNIDENTIFIED COMMISSIONER: Seconde.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee

Congratulations, everyone. We're very proud of you.

UNIDENTIFIED COMMISSIONER: Would you all please come up for a photo?

MAYOR COCCHIOLA: Tony Weiners --

Mrs. WEINERS: Mayor Cocchiola --

MAYOR COCCHIOLA: (Indiscernible) to speak

Mrs. WEINERS: Fellow commissioners,

I want to take this opportunity to thank you for this honor, and it is truly an honor. I told the mayor that tonight you have the kinder, gentler Tony Weiners.

MAYOR COCCHIOLA: We like this one.

Mrs. WEINERS: And I enjoy this one also, but the last time I was here, I talked about Nutley being a shining star, and it truly is. (Indiscernible)

Community that you have here and your involvement and I'm just so proud that, you know -- hopefully -- and I know that we will. I know that this parade is going to, you know, add a little twinkle
to that stare. Once again, I thank you from the bottom of my heart, and I know Brenda wants to say a few words. She loves to get up and -- I'm just happy that I'm not speaking after Brenda. How do you like me so far, Brenda?

MS SHERMAN: (Indiscernible). I'm just going to be very brief. I think everyone of you or all the commissioners know how much I love Nutley, so I don't need to expand how much I love this community. I've been a part of many of these parades, and it feels kind of weird to be Deputy Grand Marshal. I'm used to doing all of this sweat labor that some of our parade committee here members are doing. So, it is a true pleasure -- definitely an honor for me to be able to march down the street of the town that I've been raised in and truly love. So, thank you all for this resolution, and for the years of support that all of you have shown (indiscernible) there's been an issue or a problem, any one of you have stepped up, helped resolve it, we
got the parade on the street, and we truly appreciate your support. Thank you.

MAYOR COCCHIOLA: Wait, one question. Who is going to run around with the clipboard if it's not you?

MSE SHERMAN: Well, I'm going to still try to sneak it in. I'm just going to have the dog walk around with it for me. So, we'll see.

MAYOR COCCHIOLA: Congratulations again, everyone. I look forward to marching with you. Okay, Commissioner Scarpelli, you have some special --

MRE SCARPELLI: Thank you, Mayor.

MAYOR COCCHIOLA: -- events?

MRE SCARPELLI: This past fall, we had our 3rd annual RAKES program, which helps rake citizens' lawns and bag them. And, we have two of the hundred volunteers that volunteered over that weekend. We wound up cleaning forty-five senior citizens homes. You know, it's that volunteer spirit in Nutley that makes our town very unique. And, it's a
great place. So, I'd like to bring up Chris Longo (phe) and Michael Zytleiter (phe), and give them some certificates and we can take a picture. (Pause)

MAYOR COCCHIOLA: And thanks to your moms, as well. We appreciate it. Okay, we're going to move on to the rest of our regular business. Madam Clerk, could you go over the minutes, please?

MADAM CLERK: Yes, Mayor. I have a several meeting minutes.

UNIDENTIFIED COMMISSIONER: They don't want to stay for this. If they want to leave --

MAYOR COCCHIOLA: If everyone would like to -- we could take a break if everyone would like to -- I don't know if you want to stay around for the business meeting. It's -- yeahe. You got it. We would not be offended. You can all exit now.

MAYOR COCCHIOLA: Thank you.

UNIDENTIFIED COMMISSIONER: Thank all of you.
MAYOR COCCHIOLA: Thanks everyone, and congratulations again.

(Pause)

MAYOR COCCHIOLA: Okay, Madam Clerk?

MADAM CLERK: Yes, Mayor, we have several meeting minutes. Meeting minutes for meetings held September 7th, September 21st, October 5th, October 19th, November 9th, November 23rd, December 7th, 2010. I need a motion, Mayor?

UNIDENTIFIED COMMISSIONER: Motion to approve the minutes.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

MADAM CLERK: That's all for minutes, Mayor.
MAYOR COCCHIOLA: Move on to correspondence.

MADAM CLERK: We also have a few items. The first one is from the Franklin Steakhouse. The steakhouse has requested permission to set up a tent in the parking lot of 526 Franklin Avenue, at the North Jersey Truck and Seat Company for Saturday, March 5th, 2011. The reason for the tent is to allow an area for their customers to enjoy the day's event. They're also requesting in the same letter to submit an application to the Division of ABC for an extension of their liquor license premises for the same date on March 5th, 2011. I need an approval, Mayor.

UNIDENTIFIED COMMISSIONER: Move it.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPETTA: Ayee.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Abstain for conflict
MADAM CLERK: Mayor, I have a request from the Rotary Club of -- the Nutley Rotary Club seeking permission to submit an application to the Division of ABC for a social affair permit for their events schedules for March 26, 2011e. The event is to be held at the Parks and Recreation Center at 44 Park Avenue. I know an approval, Mayore
UNIDENTIFIED COMMISSIONER: Move ite
UNIDENTIFIED COMMISSIONER: Seconde
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
MADAM CLERK: And, Mayor, the last
item I have is from the Holy Family Church. They're seeking permission to hold a Super 50/50 Raffle on Saturday, May 21st, 2011 at 9 p.m.

UNIDENTIFIED COMMISSIONER: Move ite
UNIDENTIFIED COMMISSIONER: Second
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee
MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee
MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee
MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee
MADAM CLERK: That's all for communication and correspondence, Mayor.

MAYOR COCCHIOLA: Thank you, then we can move on to payment of bills.

MADAM CLERK: Okay, Tuesday, February 15th, 2011:

Public Affairs $167,127.77,
Revenue & Finance $6,132,80.64,
Public Safety $9,111,818,
Public Works $4,559,680.
Parks & Public Property $462,883.38,
Payroll as of February 18th, 2011,
$926,52.48,
for a grand total bill list of
$8,478,002.87,
And that's all for bills, Mayore
UNIDENTIFIED COMMISSIONER: Move the
commisioner
bills.
UNIDENTIFIED COMMISSIONER: Seconde
MADAM CLERK: Commissioner
Scarpelli?
COMMISSIONER SCARPELLI: Ayee
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
MADAM CLERK: That's all for bills,
Mayore Thank youe
MAYOR COCCHIOLA: Thank youe
Commissioner Evans is not here this
evening, but he has a public hearing for
ordinance number 3161 which is an
ordinance entitled fees to add section
320-5 entitled tax collector fees. I'm going to open up the public hearing. Mrs. Harkens, could you just go over this ordinance for the public hearing?

Mrs. HARKENS: State statute permits that (indiscernible: microphone fades to silence).

MAYOR COCCHIOLA: Is there any member of the public that would like to be heard with respect to this ordinance, number 31616? There is no one, so I will move that the public hearing be closed.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee. And for Commissioner Evans, I'll move the ordinance.

UNIDENTIFIED COMMISSIONER: Second.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee Okay, resolution. Commissioner Scarpelli?

MRE SCARPELLI: Whereas the township of Nutley has entered into a contract with Granada Construction Corp, 147 Thomas Street, Newark, New Jersey 07114 for a project known as resurfacing of the Passaic Avenue Section Four for original contract amount of $304,536.90, whereas engineering services are recommended the attached change order number one, in the amount of $73,084.40, dated January 6th, 2011, for additional milling and paving, whereas the funds are available from ordinance number 319 in the amount of $37,666.01, and where -- from account number 408-200 in the amount of
$35,624.39\text{ and have been certified by the chief financial officer, said certification attached to this resolution. Now, therefore be it resolved by the board of commissioners Township of Nutley, County of Essex, State of New Jersey, that change order number one is attached is a change from the contract previously made by the township of Nutley with Granada Construction Corp, for the project known as resurfacing of Passaic Avenue, section four is hereby authorized and approved. I move the resolution.}

UNIDENTIFIED COMMISSIONER: Seconde
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
MRe SCARPELLI: Whereas NJAC7:10A
requires the township to employ a licensed operator to operate a public waste water collection system, and whereas Dominic Ferry (phe)e, an employee of the township of Nutley Department of Public Works, also required New Jersey public waste water collection C3 license per NJAC7&0Ae Now, therefore be it resolved by the board of commissioners Township of Nutley, County of Essex, State of New Jersey, that Dominic Ferry be named as the sanitary sewer collection system operator for the township of Nutley handling day-to-day operations and municipalitye I move the resolutione.

UNIDENTIFIED COMMISSIONER: Seconde
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
MRe SCARPHELLI: Whereas North American Eagle Construction, LLC, 101 East Main Street, Little Falls, NJ 07424, has submitted to the township of Nutley a New Jersey Department of Environmental Protection application for treatment works approval for certification and consent by Dominic Ferry, licensed sewer operator, and whereas the sanitation sewer connection approval further requires that a treatment works approval be obtained from the NJDEP, in order to connect the sewer flow from the 120 unit residential dwelling located at 57 East Center Street, Nutley, NJ 07110 into the township of Nutley sanitary sewer system. And whereas the treatment works approval application has been reviewed by the licensed sewer operator and found to be acceptable for signature. Now, therefore be it resolved by the board of commissioners Township of Nutley, County of Essex, State of New Jersey, that Dominic Ferry, licensed sewer operator is hereby authorized to signing applicable
certainification and consent sections of the NJDEP treatment works application, on behalf of the township of Nutley. I move the resolution.

UNIDENTIFIED COMMISSIONER: Seconde.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee.
MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee.
MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee.
MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee.

MR. SCARPELLI: Be it resolved by the board of commissioners Township of Nutley, County of Essex, State of New Jersey, that (indiscernible) RS40A:6-59, the following transfers of 2010 appropriation reserves be in the same are hereby authorized and approved. From water operations to (indiscernible), $2,000 dollars. I move the resolution.

UNIDENTIFIED COMMISSIONER: Seconde.

MADAM CLERK: Commissioner.
Township of Nutley Public Meeting 2/15/11

Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

COMMISSIONER SCARPELLI: Be it resolved by the board of commissioners Township of Nutley, County of Essex, State of New Jersey that renewal of plenary retail consumption license number 07163017007 be granted to Park Place Pizza, trading as Terra Restaurante, said license to be effective July 1st, 2010 through June 30th, 2011 Be it resolved that the State of New Jersey Department of Treasury Division of Taxation has provided tax clearance certification for this establishment Be it resolved that this establishment has been inspected by the board of health, fire department, code enforcement department of the township of Nutley, and
are in satisfactory condition. Now, therefore be it resolved by the board of commissioners Township of Nutley, County of Essex, State of New Jersey that municipal clerk be herein authorized directly authorized to issue the license for July 1st, 2010 through June 30th, 2011 licensing period. I move the resolution.

UNIDENTIFIED COMMISSIONER: Second.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIO: Abstain.
MADAM CLERK: Abstain, Mayor, right?
MAYOR COCCHIO: Thank you.

Commissioner Tucci?

COMMISSIONER TUCCI: Yes, for Commissioner Evans, be it resolved by the board of commissioners of Township of
Nutley, County of Essex, State of New Jersey, that in accordance with the provision of RS40A:4-59, the following transfer of 2010 appropriation reserves be in the same are hereby authorized and approved. The Department of Revenue and Finance from construction code, office, salaries and wages, $1000, to construction code, office, other expenses, $1000. I move the resolution.

UNIDENTIFIED COMMISSIONER: Seconded.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

COMMISSIONER TUCCI:

(Indiscernible) Mayor? Thank you.

Whereas the township of Nutley enters into contract with Neglia Engineering, 34 Park Avenue, Lindhurst, New Jersey...
technical and management services for the Monsignor Owens Park Field reconstruction project, and whereas the superintendent of the department of parks and public property has recommended the following change order from said contract. Change order number one, a soil sampling report to be included in the preliminary assessment report to the New Jersey Dept of Environmental Protection in the amount of $9,130 dollars. The money is available from account number 3131, and has been certified by the chief financial officer, said certification being attached to this resolution. Now, therefore be it resolved by the board of commissioners and Township of Nutley, County of Essex, State of New Jersey, that change order number one, in the amount of $9,130 dollars be in is hereby approved. I move the resolution.

UNIDENTIFIED COMMISSIONER: Seconde

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchëola?
MAYOR COCCHIOLA: Ayee

COMMISSIONER TUCCI: Be it resolved by the board of commissioners in the Township of Nutley, County of Essex, State of New Jersey, that in accordance with a provision of RS4@A:4-59, the following transfer of 201@ appropriation reserves be in the same are hereby authorized and approved. In the department of parks and public property, from public buildings and grounds, other expenses, $8,000 to utilities, specifically electric, in the same amount of $8,000. I move the resolution.

UNIDENTIFIED COMMISSIONER: Seconde

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPÆLLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee
MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

COMMISSIONER TUCCI: That's all I have, Mayore

MAYOR COCCHIOLA: Whereas an application for a renewal of a video game license has been received from Jim Dandy, the Mudhole, 563 Franklin Avenue, Nutley, New Jersey, whereas the application has been reviewed by the code enforcement department and the office of the municipal clerk, and whereas the license fee of $30.00 dollars has been paid. Therefore, be it resolved by the board of commissioners of the Township of Nutley, County of Essex, that said license is hereby approved and the municipal clerk is authorized to issue the video game license to Jim Dandy's The Mudhole. I move the resolution.

UNIDENTIFIED COMMISSIONER: Seconde

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee Whereas
raffle applications have been received
from the following organizations, Holy
Family Church, for license number 131-
for an on-premise Super 50/50 cash raffle
on May 21st, Holy Family Church Rosary
Altar Society, license number 14-11 for
an on-premise merchandise raffle April
16th, Rotary Club of Nutley, license
number 15-11 for an on-premise
(indiscernible) raffle March 23rd, 2011-
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 clerks is authorized to issue
the license. I move the resolution.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye. That concludes the regular business portion of our meeting, this evening. Is there any member of the public that would like to address the board? I --

UNIDENTIFIED COMMISSIONER: Move to adjourn.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee Thank you, everyonee

UNIDENTIFIED COMMISSIONER: Thank you, and good nighte
CERTIFICATION

I, Michael Knighton, hereby certify that the foregoing is a true and correct transcription, to the best of my ability, of the sound recorded proceedings submitted for transcription.

I further certify that I am not employed by nor related to any party to this action.

In witness whereof, I hereby sign this date:
July 24, 2011

Michael Knighton
February 15, 2011 Meeting Transcription approved by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday August 2, 2011.

Evelyn Rosario, RMC, CMC
Municipal Clerk

Commissioner Joseph P. Scarpelli

Commissioner Alphonse Petracco

Commissioner Thomas J. Evans (Absent/Excused)

Commissioner Mauro G. Tucci

Mayor Joanne Cocchiola
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**TOWNSHIP OF NU TLEY**

**BILL LIST**

Tuesday, February 15, 2011
## TOWNSHIP OF NUTLEY

### BILL LIST

**Tuesday, February 15, 2011**

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<td>600 Series</td>
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<td>C.E.H.A.</td>
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**Sub Total** 862,248.43

### PAYROLL-OVERTIME FEBRUARY 18, 2011

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<td>Department of Public Works</td>
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<td>Water Operations</td>
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**Sub Total** 64,104.05

**TOTAL PAYROLL:** 926,352.48

**GRAND TOTAL:** 8,174,002.08

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

- Federal Withholding Tax 139,781.42
- Social Security 17,263.86
- N.J. State Tax 25,798.10
- Medicare 10,706.12
- Wage Execution 4,287.58
- Deferred Compensation 46,697.90
- Employee Disability Ins. 3,996.52
ORDINANCE NO. 3161

AN ORDINANCE OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, TO ADD ARTICLE V TO CHAPTER 320 OF THE TOWNSHIP CODE, ENTITLED “FEES,” SO AS TO ADD SECTION 320-5, ENTITLED “TAX COLLECTOR FEES”

BE IT ORDAINED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, as follows:

Chapter 320 of the Township Code of the Township of Nutley, entitled “Fees,” is hereby amended to add § 320-5, entitled “Tax Collector Fees,” by creating the following subsection:

§320-5. Tax Collector Fees for Copies.

Section 1.

A. In accordance with N.J.S.A. 54:5-54 the Tax Collector shall provide to any party entitled to redeem a certificate pursuant to this section (N.J.S.A. 54:5-54) two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation from the Tax Collector there shall be a $50.00 fee. A request for a redemption calculation shall be made in writing to the Tax Collector.

B. In accordance with N.J.S.A. 54:5-97.1 the Tax Collector may charge a lien holder of a tax lien $50.00 for the calculation of the amount due to redeem the tax lien as required pursuant to N.J.S.A. 54:5-97.1 Any request for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the Tax Collector nor the Municipality shall be liable for an incorrect calculation. The fee paid to the Municipality shall not be part of the lien and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.
Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. This ordinance shall take effect after second reading and publication as required by law.

ATTEST:

Evelyn Rosario, RMC, CMC
Municipal Clerk

Commissioner Joseph P. Scarpelli

Commissioner Alphonse Petracco

Commissioner Thomas J. Evans

Commissioner Mauro G. Tucci

Mayor Joanne Cocchiola
The ordinance is to implement a fee for duplicate requests for lien redemptions. A person bearing interest in the property can only request a lien redemption calculation two times in a calendar year. After the 2nd request the Township will charge the person requesting the calculation $50.00.
FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 3161

NOTICE IS HEREBY GIVEN, that the following Ordinance was approved for final adoption by the Board of Commissioners Township of Nutley, Essex County, New Jersey at a meeting held on Tuesday, February 15, 2011.

“AN ORDINANCE OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, TO ADD ARTICLE V TO CHAPTER 320 OF THE TOWNSHIP CODE, ENTITLED “FEES,” SO AS TO ADD SECTION 320-5, ENTITLED “TAX COLLECTOR FEES”

ALL “AYES” ON A ROLL CALL VOTE
Commissioner Scarpelli “AYE”
Commissioner Petracco “AYE”
Commissioner Evans “Absent/Excused”
Commissioner Tucci “AYE”
Mayor Cocchiola “AYE”

Evelyn Rosario, RMC, CMC
Municipal Clerk

Nutley Sun Issue/Thursday, February 24, 2011/Via E-Mail:
publicnotices@northjersey.com
ORDINANCE INTRODUCTION

ORDINANCE NO. 3161

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 18th day of January 2011 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 15th day of February, 2011 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 27, 2011Via E-Mail: publicnotices@northjersey.com

Post Bulletin Board
Resolution

Introduced by: Commissioner Joseph Scarpelli    Date: February 15, 2011
Seconded by: Commissioner Alphonse Petracco    No. 28-11

WHEREAS, the Township of Nutley has entered into a contract with Granada Construction Corp., 147 Thomas Street, Newark, New Jersey 07114, for a project known as Resurfacing of Passaic Avenue Section 4 for an original contract amount of $304,536.99; and

WHEREAS, Engineering Services has recommended the attached Change Order #1 in the amount of $73,084.40, dated January 6, 2011 for additional milling and paving; and

WHEREAS, the funds are available from Ordinance #3139 in the amount of $37,563.01, and from Account #408-200 in the amount of $35,521.39 and have been certified by the Chief Financial Officer, said certification attached to this resolution;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that the Change Order #1, as attached, is a change from the contract previously made by the Township of Nutley with Granada Construction Corp., for the project known as Resurfacing of Passaic Avenue Section 4 is hereby authorized and approved.

Record of Vote

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Scarpelli</th>
<th>Commissioner Petracco</th>
<th>Commissioner Evans</th>
<th>Commissioner Tucci</th>
<th>Mayor Cocchiola</th>
</tr>
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</table>
Resolution

Introduced by: Commissioner Mauro Tucci

Seconded by: Commissioner Joseph P. Scarpelli

WHEREAS, On Saturday, March 5, 2011, the Irish American Association will hold its 33rd Annual St. Patrick’s Day Parade; and

WHEREAS, The St. Patrick’s Day Parade has become an exciting event in the Township of Nutley, which is looked forward to and enjoyed by both spectators and participants alike; and

WHEREAS, The Nutley Irish American Association will celebrate its Annual St. Patrick’s Day Parade, Grand Marshal Dinner, on Saturday, February 5, 2011 at The Landmark in East Rutherford, N.J.; and

WHEREAS, this year’s Grand Marshal is Tony Wieners; and

WHEREAS, Mr. Wieners is joined by Deputy Grand Marshal, Brenda Sherman, and NIAA Member of the Year, Linda Strimike, along with Parade Queen, Genna Russo as this year’s dignitaries; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, join with the citizens of Nutley to salute and congratulate Grand Marshal, Tony Wieners, Deputy Grand Marshal, Brenda Sherman, NIAA Member of the Year, Linda Strimike and Parade Queen, Genna Russo as they are honored here tonight.

[Signature], 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 February 15, 2011.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Scarpelli</th>
<th>Commissioner Petracco</th>
<th>Commissioner Evans</th>
<th>Commissioner Tucci</th>
<th>Mayor Cocchiola</th>
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</table>
Resolution

Introduced by: Commissioner Mauro G. Tucci Date: February 15, 2011.

Seconded by: Commissioner Joseph P. Scarpelli No. 30-11

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

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

CHANGE ORDER NO. 1: A soil sampling report to be included in the Preliminary Assessment Report (PAR) to the NJDEP. $9,130.00

The money is available from Account #3131 and has been certified by the Chief Financial Officer and said certification is attached to this resolution.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order #1, $9,130.00 be and is hereby approved.

Record of Vote

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Scarpelli</th>
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<th>Commissioner Evans</th>
<th>Commissioner Tucci</th>
<th>Mayor Cocchiola</th>
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</table>
Resolution

Introduced by: Mayor Joanne Cocchiola Date: February 15, 2011
Seconded by: Commissioner Mauro G. Tucci

WHEREAS, an application for renewal of a video game license has been received from “Jim Dandy’s (The Mudhole)” 563 Franklin Avenue, Nutley, New Jersey 07110; and

WHEREAS, the application has been reviewed by the Code Enforcement Department and the Office of the Municipal Clerk; and

WHEREAS, the license fee of three hundred dollars has been paid.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex that said license is hereby approved and the Municipal Clerk is authorized to issue the video game license to “Jim Dandy’s (The Mudhole)”

Evelyn Rosacio

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 February 15, 2011.
Resolution

Introduced by: Mayor Joanne Cocchiola  Date February 15, 2011

Seconded by: Commissioner Mauro G. Tucci  No. 32-11

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

<table>
<thead>
<tr>
<th>Organization</th>
<th>License No.</th>
<th>Raffle Type</th>
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</thead>
<tbody>
<tr>
<td>Holy Family Church</td>
<td>13-11</td>
<td>On-Premise Super 50/50 Cash Raffle</td>
<td>May 21, 2011</td>
</tr>
<tr>
<td>Holy Family Church</td>
<td>14-11</td>
<td>On-Premise Merchandise Raffle</td>
<td>April 16, 2011</td>
</tr>
<tr>
<td>Rosary Altar Society</td>
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<tr>
<td>Rotary Club of Nutley</td>
<td>15-11</td>
<td>On-Premise Tricky Tray Raffle</td>
<td>March 23, 2011</td>
</tr>
</tbody>
</table>

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 February 15, 2011.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Scarpelli</th>
<th>Commissioner Petracco</th>
<th>Commissioner Evans</th>
<th>Commissioner Tucci</th>
<th>Mayor Cocchiola</th>
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</thead>
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</table>
A RESOLUTION AUTHORIZING THE TOWNSHIP OF NUTLEY TO SIGN A NJDEP TREATMENT WORKS APPROVAL APPLICATION FOR THE CONNECTION OF A 120-UNIT RESIDENTIAL DWELLING LOCATED AT 57 EAST CENTRE STREET, NUTLEY, NEW JERSEY, 07110 INTO THE TOWNSHIP OF NUTLEY SANITARY SEWER SYSTEM.

WHEREAS, North American Eagle Construction, LLC, 101 East Main Street, Little Falls, New Jersey 07424, has submitted to the Township of Nutley, a New Jersey Department of Environmental Protection (NJDEP) Application for Treatment Works Approval for Certification and Consent by Dominic Ferry, Licensed Sewer Operator; and

WHEREAS, a sanitary sewer connection approval further requires that a Treatment Works Approval be obtained from the NJDEP in order to connect the sanitary sewer flow from the 120-Unit Residential Dwelling located at 57 East Centre Street, Nutley, NJ 07110, into the Township of Nutley Sanitary Sewer System; and

WHEREAS, the Treatment Works Approval Application has been reviewed by the Licensed Sewer Operator and found to be acceptable for signature.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Dominic Ferry, Licensed Sewer Operator is hereby authorized to sign the applicable Certification and Consent Sections of the NJDEP Treatment Works Application on behalf of the Township of Nutley.

[Signature]

Evelyn Rosario

[Title]

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 February 15, 2011.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Scarpetti</th>
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</table>
Resolution

Introduced by: Commissioner Joseph P. Scarpelli __________________________ Date: February 15, 2011

Seconded by: Commissioner Alphonse Petracco __________________________ No. 34-11.

Whereas, N.J.A.C. 7:10A requires that the Township employ a licensed operator to operate a public wastewater collection system; and

Whereas, Dominic Ferry, an employee with the Township of Nutley Department of Public Works holds the required New Jersey Public Waste Water Collection C3 License as per N.J.A.C 7:10A;

Now Therefore, Be It Resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Dominic Ferry be named as the Sanitary Sewer Collection System Operator for the Township of Nutley handling the day to day operations of the municipality.

... 

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 February 15, 2011.

<table>
<thead>
<tr>
<th>Record of Vote</th>
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<th>Commissioner Petracco</th>
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<tbody>
<tr>
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<td>Absent/Excused</td>
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</tbody>
</table>
Resolution

Introduced by: Commissioner Thomas J. Evans Date: February 15, 2011

Seconded by: Commissioner Alphonse Petracco No. 36-11

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: 4-59, the following transfer(s) of 2010 Appropriation Reserves be and the same are hereby authorized and approved:

DEPARTMENT OF REVENUE & FINANCE

FROM:

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<thead>
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<th>Construction Code Off. S/W</th>
<th>$1,000.00</th>
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<td>Total</td>
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TO:

<table>
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<tr>
<th>Construction Code Off. O/E</th>
<th>$1,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

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 February 15, 2011.

<table>
<thead>
<tr>
<th>Record of Vote</th>
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<td>Absent/Excused</td>
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</table>
Resolution

Introduced by: Commissioner Joseph P. Scarpelli  Date: February 15, 2011

Seconded by: Commissioner Alphonse Petracco  No. 36-11

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: 4-59, the following transfer(s) of 2010 Appropriation Reserves be and the same are hereby authorized and approved:

DEPARTMENT OF PUBLIC WORKS & WATER

<table>
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<th>FROM:</th>
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<tbody>
<tr>
<td>Water Op. O/E</td>
<td>City of Newark Water</td>
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<td>0-05-702-200</td>
<td>0-05-704-200</td>
</tr>
<tr>
<td>$ 2,000.00</td>
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TOTAL  $ 2,000.00  TOTAL  $ 2,000.00

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 February 15, 2011.

<table>
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</table>
Resolvolution

Introduced by: Commissioner Mauro G. Tucci

Date: February 15, 2011

Seconded by: Commissioner Joseph P. Scarpelli

No. 37-11

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: 4-59, the following transfer(s) of 2010 Appropriation Reserves be and the same are hereby authorized and approved:

DEPARTMENT OF PARKS & PUBLIC PROPERTY

FROM:

<table>
<thead>
<tr>
<th>Pub. Bldgs. &amp; Grounds O/E</th>
<th>Utilities: Electric</th>
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<tbody>
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<td>0-01-529-200</td>
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<td>$8,000.00</td>
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TOTAL $8,000.00

TO:

TOTAL $8,000.00

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 February 15, 2011.

Record of Vote

<table>
<thead>
<tr>
<th>Commissioner Scarpe1i</th>
<th>Commissioner Petracco</th>
<th>Commissioner Evans</th>
<th>Commissioner Tucci</th>
<th>Mayor Cocchiola</th>
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<tr>
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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 No. 0716-33-017-007 be granted to “Park Place Pizza T/A Terrazza Ristorante” said License to be effective July 1, 2010 through June 30, 2011.

BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for this establishment.

BE IT FURTHER RESOLVED, that this establishment has been inspected by the Board of Health, Fire Department and Code Enforcement Department of the Township of Nutley and are in satisfactory condition.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the Municipal Clerk be and she is hereby directed and authorized to issue the license for the July 1, 2010 through June 30, 2011 licensing period.

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 February 15, 2011.

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<th>Record of Vote</th>
<th>Commissioner Scarpelli</th>
<th>Commissioner Petracco</th>
<th>Commissioner Evans</th>
<th>Commissioner Tucci</th>
<th>Mayor Cocchiola</th>
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