TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING

TRANSCRIPT OF
PROCEEDINGS:

ORIGINAL

September 20th, 2011
5:30 p.m.

BEFORE:
Mayor Joanne Cocchiola
Commissioner Alphonse Petracco
Commissioner Joseph P. Scarpelli

Township Clerk Rosario

Job No. NJ358338
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Job No. NJ358338
MAYOR COCCHIOLA: Madam Clerk, could you please read the Sunshine Notice?

MADAM CLERK: Yes, Mayor. Tuesday, September 20th, 2011. Pursuant to the requirements of the Open Public Meeting Law, Chapter 231, Public Laws 1975, notice of this meeting was published in the September 15th, 2011, issues of the Nutley Sun and the Journal. 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 SCARPELLI: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Commissioner Evans is absent/excused.

Commissioner Tucci is absent/excused.

Mayor Cocchiola?

MAYOR COCCHIOLA: Here.

MADAM CLERK: All present, Mayor, with the exception of Commissioner Evans and Commissioner Tucci, who are both
absent/excused this evening.

MAYOR COCCHIOLA: Thanks. And we can move right on to correspondence.

MADAM CLERK: Okay, Mayor. The first item of correspondence I have is from the Friends of the Nutley Singers requesting to hold a Sunday raffle on March 11th, 2012. I need a motion, please.

MAYOR COCCHIOLA: A motion.

COMMISSIONER SCARPELLI: Moved.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MADAM CLERK: And the last item of correspondence I have is an event application submitted by the Nutley Rotary Club for their motorcycle run scheduled for Sunday, October 2nd.

And I --
COMMISSIONER SCARPELLI: Moved.
COMMISSIONER PETRACCO: Second.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.
MADAM CLERK: That's all for communications and correspondence, Mayor.
MAYOR COCCHIOLA: Thank you. So let's move on to payment of bills.
MADAM CLERK: Okay. Bill list Tuesday, September 20th, 2011:
Public Affairs $75,921.69,
Revenue & Finance $2,325,101.84,
Public Safety $29,118.74,
Public Works $464,376.77,
Parks & Public Property $29,116.56,
Payroll as of September 16th, $780,948.91, for a grand total bill list of $3,812,493.45.
And that's all for bills, Mayor.
COMMISSIONER SCARPELLI: Move the
bills.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MADAM CLERK: Okay. Thank you, Mayor.

MAYOR COCCHIOLA: Okay.

Commissioner Evans is not here this evening so on his behalf I'll introduce this ordinance which is an ordinance to amend an ordinance to fix the salaries of certain officers and employees of the Township of Nutley, effective September 1st, 2011. I move that this ordinance be passed a second reading and advertised in the Nutley Sun together with the notice that is required by law and that further consideration of the ordinance for final passage by this board be held on October 18th, 2011. So moved.
COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: (Inaudible).

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MAYOR COCCHIOLA: And Commissioner Evans also has a public hearing this evening on ordinance number 3178, which is an ordinance to amend an ordinance codified in the code of the township entitled Vehicles and Traffic, special zones and areas handicapped parking, which adds the location on Howard Place, west beginning at 548 feet west of Bloomfield Avenue, north for twenty feet.

I'm going to open up the public hearing and ask if there's any member of the public that would like to address the board with respect to this ordinance.

MR. SCAPERADA: Phil Scaperada (ph.), 49 Howard Place.

MS. ANDO: Cathy Ando (ph.), 49
Howard Place.

MR. SCAPERADA: First, I'd like to just ask a few questions just to be clear on the process, if you don't mind.

MAYOR COCCHIOLA: Okay, Mr. Scaperada, I'm going to answer your process questions. I'm just looking over here to see if there somebody -- here comes Mr. Barry (ph.e) from code. Okay. Go ahead.

MR. SCAPERADA: Do all the commissioners -- they obviously vote to approve this ordinance for the handicapped parking on the street, is that correct?

MAYOR COCCHIOLA: We will all be entitled to a vote.

MR. SCAPERADA: Okay. Who bears the cost for the signage?

MAYOR COCCHIOLA: The township.

MR. SCAPERADA: Who performs the actual inspection of the site?

MAYOR COCCHIOLA: That I'm going to ask Mr. Barry to address as soon as you can ask your questions and he'll have
to address all points that you raise.

MR. SCAPERADA: Would you like him to address them now before I continue or just keep going?

MAYOR COCCHIOLA: Well, let's go on and then, you know, so that you can go through your questions and then, Mr. Barry, just take note of the questions that you're going to have to answer, okay?

MR. SCAPERADA: Were pictures taken and submitted to all the commissioners for review?

MAYOR COCCHIOLA: I can tell you that I don't know if pictures were taken. We don't have any pictures.

MR. SCAPERADA: I can provide each of you with a set of pictures right now, if you'd like.

MAYOR COCCHIOLA: That would be great. This address -- so you're familiar with this address. What addresses are we talking about on Howard Place?

MR. SCAPERADA: I live at 49 -- this
is, I believe, 47, the house next door.

MAYOR COCCHIOLA: The house next
door to you. Okay.

MR. SCAPERADA: On the application,
can someone please -- I have a copy of
the application dates here. Please
indicate the reason you need a
handicapped parking space on the street.
I am handicapped and need a handicapped
parking space for the following reasons -
- could someone please read their
application and let me know what reasons
were submitted?

MAYOR COCCHIOLA: We don't have it.
Only Commissioner Evans and the code
enforcement department would have the
application.

MR. SCAPERADA: Mr. Barry has that?

MAYOR COCCHIOLA: He's on his way.
Okay.

MR. SCAPERADA: Next question -- how
is the personal identification card
number verified and who does the
verifying?

MAYOR COCCHIOLA: -- Mr. Barry will
answer that as well.

MR. SCAPERADA: Okay. And I'd also like to find out who the placard for this personal identification card number was actually registered to? I have a question with regards to that.

MAYOR COCCHIOLA: Okay.

MR. SCAPERADA: Personally, I am speaking out against this spot for the people who are truly handicapped, and for my mother who was paralyzed and confined to a wheelchair for twenty plus years in which I was a caregiver. I know what it's like. I have a pretty good idea what handicap may truly be, and I know you have to follow the codes, ordinance and statutes, whatever you want to call it.

I contest this on the grounds that in reviewing those pictures, the individual has the ability to park four vehicles in an expanded driveway, a fifth vehicle in the garage. The safest spot from snow, rain, ice, cold and heat is right where my neighbor parks, which is
in the garage where she enters her house every day. This is what she used to do with her husband, who was handicapped with a walker. This is passing -- no one else lives there and there are no other vehicles. I provided you the pictures. According to the example John Barry gave me last week in a phone conversation with him, this person would not qualify for a handicapped parking space in the street. He said, "If it's a question of a two-car driveway and the handicapped person will be the third car, then you really don't need a sign in the street."

MAYOR COCCHIOLA: Hold on a minute. Say that to me again?

MR. SCAPERADA: Quote --

MAYOR COCCHIOLA: Mr. Barry just walked into the room. Mr. Barry, I'm going to have you address this matter. Mr. Scaperada's just gone through a series of questions about a handicapped spot which is the subject of Commissioner Evans' public hearing this evening on 47 Howard Place. I'm going to ask you --
I'm going to want you to go through the whole process of how it's determined to answer Mr. Scaperada's question, you know, what you've reviewed, the application verification --

MR. SCAPERADA: Well, my first question that wasn't answered was, how -- who inspected the site for the handicapped parking?

MR. BARRY: Your question was?

MR. SCAPERADA: Who inspected the site for the handicapped parking?

MR. BARRY: I did.

MR. SCAPERADA: Okay. And none of the commissioners inspected the site, is that correct?

MR. BARRY: No. No, that's not the usual practice.

MR. SCAPERADA: Okay. I want it on the application, if somebody could read to me what the reasons were given for parking -- asking for a handicapped parking in the street. What reasons were given?
MR. BARRY: The particular application made -- I don't have it in front of me, but the lady stated -- excuse me -- the lady stated that her driveway, the location of her driveway is on such a hill that when she tries to exit the vehicle, she has difficulty. So I asked her about her -- parking her car inside her garage which levels out and she said that's possible but not all the time and I really have a problem -- pretty steep. I think you live next door because I met you out there that day when you came out and asked me who I was.

MR. SCA{ERADA: Because I had a meeting with Mr. Barry literally hours before and I wasn't sure if he was sending someone back.

MR. BARRY: Well, (indiscernible) because I think I mentioned to you that day. So the lady said to me, she has extreme difficulty opening the door and getting out. Now the law states that you can't -- you can't put a handicapped spot on an incline over -- I can't recall the
number of degrees, so if this lady is eighty-seven years old and she has a problem getting out of her vehicle because of the hill, I could understand that. And we always -- I tried to -- I have denied people in the past, but in this case I thought it would be more appropriate to grant the application. I spoke to Commissioner Evans about it, explained the application and what happened, and he had no issues with it.

MAYOR COCCHIOLA: Could I ask a question? So she's saying she has a problem -- I'm just looking at the picture, at the photograph that we were given. She has a problem in her driveway because it's on an incline?

MR. BARRY: Correct, but she --

MAYOR COCCHIOLA: But now she's going to go to the street and then come up the steps to the -- and go up an incline?

MR. BARRY: She said it's much easier for her with the steps. To try to get out of a vehicle that's on an
inclined, the door's quite heavy. It's very difficult. And again due to her advanced age, in my opinion, it would be better for her to do it in the manner she requested.

MAYOR COCCHIOLA: So, I'm going to have a question for you, Mr. Barry, because I want to understand what the law says entitles you to a handicapped spot. And Mr. Scaperada, what I want to ask you is, if you're the house next door and this spot is in front of this woman's house, how does it impact you?

MR. SCAPERADA: Well, if I may continue with some other questions?

MAYOR COCCHIOLA: Certainly.

MR. SCAPERADA: How does it impact me? Because I'm insulted, I'm offended, and in particular, I am here speaking out on individuals -- for individuals who are truly handicapped. Okay? In my eyes, this is a fraudulent and an abuse of a system in which I'd like to present to you some other facts.

MAYOR COCCHIOLA: Okay. Go ahead,
MR. SCAPERADA: Case in point -- two plus years ago, she called the police because I parked in front of her house. A year and a half ago, I have copies of a court decision by Judge Viola (ph.e) -- found guilty of barricading our vehicles in as well as others in front of her house. I can provide copies to all the commissioners.

MR. BARRY: If I may, Your Honor? I don't know if this is relevant to the application. I was not privy to any of this information when I received an application for a handicapped space. And I went and inspected purely on her application and what she said to me as far as the handicapped, so other neighbor issues I -- were never considered by me and I don't think rightfully should be, but that's just --

MAYOR COCCHIOLA: Well, let's -- in part you're right. I mean, Mr. Scaperada, I think there's a history here. I mean, you've already appeared
before this board, but let's confine this
to what Mr. Barry is saying. Are you
saying that you believe there was
fraudulent information presented to the
township for his review?

MR. SCAFRADA: I'm contesting it.
The safest, most reasonable spot as I
observed over the years -- her husband
was handicapped prior to him
passing away -- with a walker, was in the
garage, getting out and going in the
house. It's a level platform. The
furthest most distance is in the street.
Logically, if the driver's the one that
is handicapped, you're going to open a
car door into the traffic technically.
Further away, it's stairs -- she has
problems on the stairs, a hill. You're
exposed to every single element. Every
single day she parks in her garage or at
the very top.

MAYOR COCCHIOLA: Mr. Barry, tell me
about the law. A person wants a
handicapped spot in front of their
house -- what do they have to do? What
do they do?

MR. BARRY: Our procedure is based on the statute and Mr. Scaperada has a copy of our application form and our information letter. He called my office last week and stated that his father-in-law was contemplating moving into his home. Again, I was not aware of all these neighbor issues, and I explained to him and I sent him -- mailed him a copy of our information letter and our application.

On our information letter, the statute says that a municipality may -- not shall -- may grant a handicapped parking space in front of a residence. And it goes on and mentions some technical issues from the ADA requirements about no parking on a grade, or no designating handicapped spot on a grade, or in any other location that would be prohibited by law -- no stopping or standing by a fire hydrant, within (inaudible), close to a stop sign -- those things that are --
MAYOR COCCHIOLA: But you may issue it on what basis, though? What's the -- I guess you have to supply certain information in order to evaluate it. I mean, you can't just give it to anybody. They have to give you what?

MR. BARRY: No, I -- the person has to present a valid New Jersey handicapped placard or an identification card to show that the person residing in that location does in fact live there. For example, Mr. Scaperada -- I explained to him that if in fact his father-in-law did move in, he would have to get a handicapped spot that says that that is his residence. The ID card would say Howard Place or whatever it was.

So this lady came into my office. She presented the documentation, asked -- filled out an application form, and I then went up there, I took a look at it. I listened to her what she had to say about her difficulties parking on the driveway. I agreed with it, and I forwarded to the commissioner and he was
briefed and he agreed.

MAYOR COCCHIOLA: And so, but, ultimately -- I guess where I'm going with this is we don't have Commissioner Evans here who signed off on this application --

COMMISSIONER SCARPELLI: Mayor, I would recommend we continue the public hearing --

MAYOR COCCHIOLA: I think we have to table this --

COMMISSIONER SCARPELLI: -- well, I don't know if we table it, continue the public hearing at the next meeting. I don't know procedurally what we'd have to do.

MAYOR COCCHIOLA: Is it -- can we --

COMMISSIONER PETRACCO: We could close the public hearing and table the vote --

MAYOR COCCHIOLA: No.

COMMISSIONER PETRACCO: -- or just continue the public hearing.

MAYOR COCCHIOLA: Well, then I want to continue it when Commissioner Evans is
here because I didn't review this, none
of us reviewed it. We're just getting
educated on a law. I mean, it was his
decision and I think he needs to be here
to address --

COMMISSIONER SCARPELLI: I agree.

MAYOR COCCHIOLA: -- and your
questions, Mr. Scaperada, I understand
them and I don't want them to go
unanswered, but I think the appropriate
person to answer them is Commissioner
Evans.

MR. SCAPERADA: Since Mr. Barry is
here, can we just continue on some of the
other -- on the application for the
placard, how do you verify that?

MR. BARRY: The application for the
placard?

MR. SCAPERADA: The placard
identification number -- where do you
verify it?

MR. BARRY: She provides me a copy
with it and --

MR. SCAPERADA: Is there a photo on
it?
MR. BARRY: I don't know if it's in my file. I'm pretty sure it is. Not a photograph but I asked her for a copy -- that's actually on the application. Please provide a copy and number of the handicap placard or license plate for that matter would be on that.

MR. SCAPERADA: Okay. On the placard, you're telling me there's no photo of my neighbor's face.

MR. BARRY: No, not at all.

MR. SCAPERADA: Okay. Is there a name on the placard?

MR. BARRY: No. It's just the number.

MR. SCAPERADA: Because I have a concern that this placard was in existence for her deceased husband and is being continually renewed.

MR. BARRY: Well, I could go downstairs to my office and pull up the thing and it may have a copy of her identification card.

MAYOR COCCHIOLE: The placard doesn't have anything on it other than a
number. I know that because my mom has one.

MR. BARRY: It's the same as a license plate number. A policeman can run that number as similar to a license plate and the name of the (indiscernible).

MAYOR COCCHIOLA: Well, then you can check that.

MR. SCAPERADA: Furthermore, I'd like to interject just one more thing to the commissioners and the mayor. I have copies of a police report and photos of my neighbor on a cell phone pulling a large garbage can down to the street and proceeding to chain it to the tree and then placing a traffic cone to block the spot. This is just a clear intention and I recommend it to all the commissioners that you speak with -- this is on 729 and I have photos of my neighbor doing this to provide to all of you.

MAYOR COCCHIOLA: Wait a minute -- what are you telling us she did? She took a garbage can --
MR. SCAPERADA: The photos will show --

MAYOR COCCHIOLA: Okay, we'll take them.

MR. SCAPERADA: And furthermore, I recommend that you speak to the Honorable Judge Viola because in court in which she was found guilty of barricading vehicles, she tried to explain her rationale that other neighbors should respect the front of other individuals' homes and not park in front of them. He doesn't like my other neighbors' children parking there and she didn't like us parking there. I'm totally opposed to this and I hope you do the right thing and do not serve an injustice to the people who are truly handicapped.

MAYOR COCCHIOLA: We're not -- we're going to continue the public hearing. Commissioner Petracco, you used to have a member of the police department who used to do neighborhood dispute resolution, didn't you?

COMMISSIONER PETRACCO: I'm sorry.
I didn't hear you.

MAYOR COCCHIOLA: Didn't -- did you have Lt. Rogers used to do dispute resolution in the neighborhood when there were problems?

COMMISSIONER PETRACCO: Not since I've taken office.

MAYOR COCCHIOLA: Okay. All right. Mr. Scaperada, I'm going to -- we're going to take this. We'll continue the public hearing on the handicapped, but until Commissioner Evans is here at the next meeting --

MR. SCAPERADA: Okay. Just further, or is a verification going to be provided at the next meeting on who the placard is actually registered to?

MAYOR COCCHIOLA: I'm sure Mr. Barry will be able to give us that information.

MR. SCAPERADA: Okay.

MAYOR COCCHIOLA: Okay?

MR. SCAPERADA: All right. Thank you for your help.

MAYOR COCCHIOLA: Thank you. So we are not going to close the public hearing
in this matter. We're going to continue it?

COMMISSIONER PETRACCO: Should probably make a motion on that.

MAYOR COCCHIOLA: Okay.

COMMISSIONER SCARPELLI: I make a motion that we continue the public hearing at our next regular commission meeting.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: (Inaudible).

MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.

MADAM CLERK: Mayor, that will be for Tuesday, October 4th, at 7 p.m.

MAYOR COCCHIOLA: Thank you.

Okay. Commissioner Scarpelli, your resolutions and Commissioner Evans'.

COMMISSIONER SCARPELLI: Be it resolved by the Board of Commissioners of the Township of Nutley, Country of Essex,
State of New Jersey, that the township clerk is hereby authorized to advertise for sealed bids for Edgar Avenue -- Edgar Place and Vreeland Avenue roadway improvements, Nutley, New Jersey, 07110 to be received on behalf of the Board of Commissioners in the commission chambers, Township Hall, 1 Kennedy Drive, Nutley, New Jersey, on Wednesday, October 12th, 2011, at 3 p.m. prevailing time, which time they will be opened and read. I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: (Inaudible).

MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: This is an execution of an agreement with Morris County Cooperative Pricing Council to become a member of the -- of their cooperative for the period October 1st,
2011, through September 30th, 2016.

Whereas, the Morris County Cooperative Pricing Council was created in 1974 to conduct the voluntary cooperative purchasing system with municipalities, boards of education, and other public bodies located in the County of Morris and adjoining counties; whereas, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; whereas, the Township of Nutley desires to enter into an agreement with the MCCPC which is administered by Randolph Township as the lead agency, to become a member of the MCCPC for the period of October 1st, 2011, through September 30th, 2016. Be it resolved by the Township of Nutley, County of Essex, State of New Jersey, as follows: 1) Board of Commissioners and Township of Nutley hereby authorizes the execution of an agreement with the Morris County Cooperative Pricing Council by the
Township of Randolph as lead agency, dated October 1st, 2011, pursuant to N.J.S.A. 40A:11-11(e). Said agreement is to become a member of the MCCPC for a period of five years from October 1st, 2011, through September 30th, 2016.

2) The Township of Nutley clerk is hereby directed to submit a copy of this adopted resolution along with an executed agreement to Randolph Township as lead agency of the MCCPC;

3) The resolution will take effect immediately upon passage according to law;

4) All appropriate Township of Nutley officials are authorized and directed to perform all required acts to affect the purpose of this resolution.

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: Be it resolved by the Board of Commissioners, Township of Nutley, in the County of Essex, State of New Jersey, that the treasurer be and she is hereby authorized to refund overpayment of taxes for said years in the amount of $11,418.75:

Block 3107e, Lot 7, $4,667.50 for the year 2011,

Block 3107e, Lot 21, $6,851.25 for the year 2011.

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: Whereas the tax collector of this municipality has previously issued a tax sale certificate
to Mooring Tax Asset Group LLC, which certificate is dated December 8th, 2009, covering premises commonly known and referred to as Block 3100, Lot 10, as said on the municipal tax map then in use which certificates bears number 200925;
Whereas, the purchaser of the aforesaid tax sale certificate has indicated to the tax collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate affidavit of loss with the tax collector, a copy of which is attached hereto. Now, therefore, be it resolved by the mayor and governing body of the Municipality of Nutley that the tax collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized loss affidavit and the payment of a fee of fifty dollars per certificate, to issue an appropriate duplicate tax sale certificate for the said purchaser covering the certificate lost as previously described all in accordance
with the requirements of Chapter 99 of 

Be it resolved that a copy of this 
resolution and the loss affidavit be 
attached to the duplicate certification 
to be issued to said purchaser and that 
said duplicate certificate shall be 
Stamped or otherwise have imprinted upon 
it the word "Duplicate" as required by 

law.

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner 

Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: (Inaudibale).

MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: 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 

overpayment of water charges on the
following accounts: Block 5102 (sic), Lot 8, $28.88; Block 5801, Lot 25, $71.96; Block 1700, Lot 3, $21.99, for a total of $122.83.

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: That's all, Mayor.

MAYOR COCCHIOLA: Thank you.

Commissioner Petracco?

COMMISSIONER PETRACCO: Whereas, N.J.A.S.A. 40A: 4-87 provides that the director of the Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not
determined at the time of the adoption of the budget; and, whereas, the said director may also approve the insertion of any item (inaudible) -- Section 1, now, therefore, be it resolved that the Board of Commissions, County of Nutley, County of Essex, New Jersey, hereby requests the director of the Division of Local Government Services to (inaudible) revenue in the budget of 2011 in the sum of (inaudible)e, which item is now available as revenue from FY 2012 Pedestrian Safety Grant Program pursuant to the provisions of statutee Section 2, be it further resolved that a like sum of $16,000 be and same if hereby appropriated under the caption of: General Appropriations, (A) Operations- Excluded from five percent CAPS 2012 Pedestrian Safety Grant, $16,000; Section 3, be it further resolved that the above is the result of revenues available for the FY2012 Pedestrian Safety Grant; be it further resolved that the township clerk forward two certified copies of this
resolution to the director of Local
Government Services.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner
Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: (Inaudible).

MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.

That's it, right?

COMMISSIONER PETRACCO: All I have,
Mayor.

MAYOR COCCHIOLA: Thank you.

Whereas, raffle applications have
been received from the following
organizations: Nutley Music Booster
Association, license number 52-11 and 53-
11 for 50/50 cash raffle and on-premise
merchandise raffle, October 29th, 2011;
Nutley Jr. Raiders Booster Club, license
54-11, 55-11, and 56-11, for on-premise
Tricky Tray and cash raffles on and off
premise, October 21st, 2011; Friends of
Nutley Singers, license number 57e-11, 58-
11, and 01-12, for on-premise Tricky Tray and cash raffles on and off premises, October 22nd, 2011 and March 11, 2012.

Whereas, the applications have been reviewed and approved by the municipal clerk and police department, therefore be it resolved by the Board of Commissioners of the Township of Nutley that the licenses are approved and the municipal clerk is authorized to issue the licenses.

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

That concludes the regular business portion of our meeting. Is there any member of the public that would like to address the board? Mr. Scaperada, let me just the statement.
All persons addressing the Board of Commissioners regarding community concerns should approach the microphone, provide their name and address for the record. Unless further time is granted by the board, each person shall limit the address to five minutes. All remarks to the board and its individual members must be addressed to the mayor. The mayor may defer citizen comments to the appropriate member of the board. Dialogue between citizens and others addressing the board shall be allowed unless the mayor or presiding officer or the majority of the membership of the board shall determine that the interests of decorum and/or the expeditious conduct of municipal business -- God bless you -- are being adversely affected by such dialogue.

Okay.

MR. SCAPERADA: Phil Scaperada, 49 Howard Place. I would just like to address -- I'm sorry --

MS. ANDO: Cathy Ando, 49 Howard Place.
MR. SCAEPERADA: In the last public meeting, I had questions for Commissioner Evans who is not present today, in which he stated he was going to meet with his code enforcement officers to discuss some outstanding issues and would respond the following day. And which Mayor Cocchiolo, you indicated to me that you will get a response the next day. We have not received any response from Commissioner Evans on these outstanding issues as part of public record. Thank you.

MAYOR COCCHIOLA: Thank you, Mr. Scaperada. We'll -- Commissioner Evans is traveling, we will -- and his staff is here, so I'll try to have him reach out to you as soon as he returns. Thanks.

Just before we close, everyone remember this is family day weekend. Oh -- I'm sorry --

COMMISSIONER PETRACCO: There's another --

MAYOR COCCHIOLA: Oh, I'm sorry. Pastor, I'm so sorry.
PASTOR ENSTROM: I'm Pastor Kristin Enstrom of 158 Vreeland Avenue, Holy Trinity Lutheran Church. And I just wanted to come to speak before you today because I haven't been able to be at any of the other meetings when I know some of our neighbors at Holy Trinity have come to speak with you about the fact that we host twelve-step meetings at Holy Trinity and then more recently that other churches in Nutley host twelve-step meetings.

So I just wanted to come before you to speak basically on behalf of twelve-step programs because they cannot speak for themselves. That's part of what that program is and so as pastors, we tend to speak for them. I also wanted to be here in case you had any questions specifically for me. I know I've met with Mayor Cocchiolo and I thank you for that time, but I just wanted to share that twelve-step programs in my opinion and from what I've seen, provide a safe place and a safe place and a safe
community, for people who are struggling with addiction no matter whether it's from narcotics or alcohol or overeating, or whatever the addiction is -- a place for them to come and be and to be in recovery. And it also helps them to be better members of community, to be healthier and to be whole, and to be able to participate better in Nutley or in Bloomfield or Belleville -- wherever they may travel to. I also wanted to share -- and it seems like we've been kind of spoken of negatively at Holy Trinity, but ever since I have come to Holy Trinity -- I've only been for two months now, but even before that I've witnessed that the people of Holy Trinity and the leaders have done their very best to respond to the neighbors' concerns. We relocated the noon meetings that have grown too big for Holy Trinity to some other churches; most recently found additional parking not on the street, for the people of the Wednesday evening meetings to alleviate that concern. And I've been in constant
communication with the people who still meet at Holy Trinity, who want to be able to stay there and want to not bother the neighbors. They want to participate in the Nutley community and want to be positive people in the Nutley community.

While addiction is messy, life is also messy. I mean, just going to Starbucks you might throw a cup on a lawn and -- life itself is messy, so I would ask that you as leaders of the Nutley community would help the people of this community who need a place and a space and a community to be in recovery and to become healthier people, so that they can be better citizens of this community or wherever they may live and work and go and shop and whatever they do. So, thank you for your time. I just wanted to speak since I haven't gotten to speak on behalf of the participants.

MAYOR COCCHIOLA: Thank you. And so you know, I can't speak for everyone on the board, but maybe I can in that the fact that there are A.A. meetings in your
church or any other one, has never been an issue for us. I don't think that was the issue at all: not one of us have ever said that. In fact, you know, I think all of us know many, many people who've been helped by the twelve-step process and we're really very proud of them. And that's not the issue at all.

It was a neighborhood disruption issue that I don't know if -- Commissioner Petracco has there been any change or -- I haven't heard at this point?

COMMISSIONER PETRACCO: I don't think that we -- all parties have been working on it. I know that the police department's been keeping a closer eye on it. I have a lot of -- people that are very close to me (inaudible) and I've spoken to them privately and I've -- you have to remember when you're -- that area -- you're a guest in somebody's neighborhood. You know, the cigarette butts and sometimes the language and you know, the parking could
be a problem, but I think it's dramatically improved (indiscernible). Hoping that everybody could find that common ground and we could just get along.

PASTOR ENSTROM: And I thank you for -- I know there have been some additional patrols and a ghost car was parked out there and -- well, at first I was like, oh, goodness. But I think even the people of A.A. appreciated that. They saw that last week there was some more police cars going by and they said, you know, it's good that they're here because that can help alleviate the problems.

So thank you for --

COMMISSIONER PETRACCO: You're very welcome.

PASTOR ENSTROM: -- ever so.

MAYOR COCCHIOLA: Thank you so much. You're welcome to Nutley.

COMMISSIONER SCARPELLI: Pastor, just welcome to Nutley.

PASTOR ENSTROM: Thank you.
MAYOR COCCHIOLA: Does everyone -- and thank you again -- everyone please don't forget, it's family day week. There's a lot of things going on in celebration of family day, which is actually Monday. Stay home with your family -- have dinner all of you.

We have a movie Friday night in the Oval. I'm not sure if that's going to go off or not because of the rain. We've got town-wide garage sale with huge participation this weekend -- about 175 families already signed up. So there's going to be a lot of activity.

Commissioner Petracco, I informed Chief Holland. And -- what's on Sunday?

COMMISSIONER SCARPELLI: Eco-Fest.

MAYOR COCCHIOLA: The Eco-Fest.

It's been a long day. It's not over for me yet. The Eco-Fest on Sunday which, I know, Commissioner Scarpelli's staff and my staff have put a lot of time into this. So everybody come out, enjoy your families for the weekend.

Sorry, Cathy?
We're even going to have a Halloween costume swap and a donation at that Eco-Fest -- a lot of stuff going on. Please take advantage of it in this wonderful community of ours.

Thank you. I need a motion to adjourn.

COMMISSIONER SCARPELLI: Motion to adjourn.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Cocchiolo?

MAYOR COCCHIOLA: Aye.
CERTIFICATION

I, Sharon Meyer, 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:
October 18, 2011.

Sharon Meyer
CERTIFICATION

I, Sharon Meyer, 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:
October 18, 2011.

Sharon Meyer
Signature Page

Board of Commissioners Meeting Minutes September 20, 2011

ATTEST:

Evelyn Rosario, RMC, CMC
Municipal Clerk

Commissioner Joseph P. Scarpelli

Commissioner Alphonse Petracco

Commissioner Thomas J. Evans
(Absent/Excused)

Commissioner Mauro G. Tucci
(Absent/Excused)

Mayor Joanne Cocchiola
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<td>11-03776</td>
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<td>11-03665</td>
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<tr>
<td>11-03383</td>
<td>MAINIERO’S SPORT SHOP</td>
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<td>6,790.00</td>
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<tr>
<td>11-03383</td>
<td>V.E. RALPH &amp; SON</td>
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<tr>
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<td>243.95</td>
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<td>P.O.</td>
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<td>PUBLIC AFFAIRS</td>
<td>REVENUE &amp; FINANCE</td>
<td>PUBLIC SAFETY</td>
<td>PUBLIC WORKS</td>
<td>PARKS &amp; PUBLIC PROPERTY</td>
<td>TOTALS</td>
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<tr>
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<td>11-03502</td>
<td>NUTLEY PARK SHOPRITE</td>
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<td></td>
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<td>84.89</td>
</tr>
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</table>

BILL LIST DEPARTMENT TOTALS: 75,721.69 2,432,510.34 29,918.74 464,376.77 29,016.95 3,031,544.49
List of payroll submitted for approval by the Board of Commissioners at their regular meeting of SEPTEMBER 20, 2011:

**PAYROLL-REGULAR SEPTEMBER 16, 2011:**
- Department of Public Affairs: $22,105.48
- Department of Revenue & Finance: $53,107.63
- Department of Public Safety: $394,659.61
- Department of Public Works: $61,452.81
- Department of Parks & Public Properties: $76,399.27
- Department of Recreation Commission: $11,854.13
- Water Operations: $41,320.47
- Due To From General Capital: $3,426.60
- 600 Series: $9,599.29
- C.E.H.A.: $131.73

Sub Total: $674,057.02

**PAYROLL-OVERTIME SEPTEMBER 16, 2011:**
- Department of Public Affairs: $0.00
- Department of Revenue & Finance: $0.00
- Department of Public Safety: $14,779.35
- Department of Public Works: $81,271.61
- Department of Parks & Public Properties: $542.93
- Water Operations: $10,298.00
- 600 Series: $0.00

Sub Total: $106,891.89

**TOTAL PAYROLL:** $780,948.91

**GRAND TOTAL:** $3,812,493.40

The Payroll list in the foregoing schedule includes amounts to be deducted for:
- Federal Withholding Tax: $108,888.33
- Social Security: $16,078.92
- N.J. State Tax: $29,133.62
- Medicare: $11,204.34
- Wage Execution: $5,581.89
- Deferred Compensation: $28,103.98
- Employee Disability Ins.: $3,967.00
Ordinance No. 3179
Introduced by Commissioner Thomas J. Evans
Introduced on September 20, 2011
Public Hearing October 18, 2011
Advertise in the Nutley Sun Issue of Thursday, September 29, 2011

Ordinance No. 3179

“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 SEPTEMBER 1, 2011.”

<table>
<thead>
<tr>
<th>DEPARTMENT OF REVENUE &amp; FINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>CODE ENFORCEMENT</td>
</tr>
<tr>
<td>Senior Clerk Steno/Admin Assistant</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BASE SALARY</th>
<th>BASE SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>MINIMUM</td>
<td>MAXIMUM</td>
</tr>
<tr>
<td>Clerk</td>
<td>$25,000.00</td>
</tr>
</tbody>
</table>
Ordinance #3178

Tuesday, September 20, 2011

Public Hearing continued to Tuesday, October 4, 2011

Motion by Commissioner Joseph P. Scarpelli
Seconded by Commissioner Alphonse Petracco

Roll Call

Commissioner Scarpelli - “Aye”
Commissioner Petracco - “Aye”
Commissioner Evans - “Absent/Excused”
Commissioner Tucci - “Absent/Excused”
Mayor Cocchiola - “Aye”
**ORDINANCE NO. 3178**

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

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

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Howard Place</td>
<td>West</td>
<td>Beginning at a point 543 feet west of Bloomfield Avenue, north for 20 feet</td>
</tr>
</tbody>
</table>

**BE IT FURTHER ENACTED** that all other terms and conditions and locations in Article VII, Section 29A, Chapter 228 shall remain as heretofore set forth in the Code of the Township of Nutley, except where such a reading would not give meaning to and further the application of this amendment. In such case and in such event, the terms and conditions shall have a meaning consistent with the intent of this amendment; and

**BE IT FURTHER ENACTED** that the within ordinance shall become effective after passage and publication, pursuant to law.
BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for Edgar Avenue and Vreeland Avenue Roadway Improvements, Nutley, New Jersey 07110, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, on Wednesday, October 12, 2011 at 3:00 P.M. prevailing time, at which time they will be opened and read.

I, ____________________________, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held __September 20, 2011__.

<table>
<thead>
<tr>
<th>Record of Vote</th>
<th>Commissioner Scarrelli</th>
<th>Commissioner Petracco</th>
<th>Commissioner Evans</th>
<th>Commissioner Tucci</th>
<th>Mayor Cocchiola</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td>X</td>
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<td>Not Voting</td>
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<tr>
<td>Absent/Excused</td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Commissioner Thomas J. Evans Date: September 20, 2011
Seconded by: Commissioner Alphonse Petracco No. 186-11

EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO BECOME A MEMBER FOR THE PERIOD OF OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2016

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative purchasing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the TOWNSHIP OF NUTLEY, desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to become a member of the MCCPC for the period of October 1, 2011 through September 30, 2016.

BE IT RESOLVED, by the TOWNSHIP OF NUTLEY, County of Essex, State of New Jersey as follows:

1. Board of Commissioners of the Township of Nutley hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2011 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is to become a member of the MCCPC for a five (5) year period from October 1, 2011 through September 30, 2016.
2. The Township of Nutley Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Township of Nutley officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

CERTIFICATION

I, Evelyn Rosario, Clerk of the Township of Nutley, hereby certify the foregoing to be a true copy of the Resolution adopted by the Township of Nutley at a duly convened meeting held on September 20, 2011.

Record of Vote

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>Commissioner</th>
<th>Commissioner</th>
<th>Commissioner</th>
<th>Mayor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scarcelli</td>
<td>Petracco</td>
<td>Evans</td>
<td>Tucci</td>
<td>Cocchiola</td>
</tr>
<tr>
<td>Yes</td>
<td>X</td>
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<td>Not Voting</td>
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<tr>
<td>Absent/Excused</td>
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</tbody>
</table>
**Resolution**

*Introduced by:* Commissioner Joseph P. Scarpelli FOR Commissioner Thomas J. Evans  *Date:* September 20, 2011

*Seconded by:* Commissioner Alphonse Petracco  *No. 187-11*

**BE IT RESOLVED,** by the Board of 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 overpayment of taxes for said years in the amount of $14,418.75.

<table>
<thead>
<tr>
<th>Block &amp; Lot</th>
<th>Address</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>3107 7</td>
<td>518 Franklin Avenue</td>
<td>$4,567.50</td>
<td>2011</td>
</tr>
<tr>
<td>3107 21</td>
<td>37-49 Dodd Street</td>
<td>$6,851.25</td>
<td>2011</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 September 20, 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>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Absent/Excused</td>
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<td>X</td>
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</tbody>
</table>
Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Commissioner Thomas J. Evans Date: September 20, 2011
Seconded by: Commissioner Alphonse Petracco No. 188-11

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate to Mooring Tax Asset Group LLC, which certificate is dated December 8, 2009 covering premises commonly known and referred to as Block 3100, Lot 10 as set on the municipal tax map then in use which certificate bears number 200925.

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

NOW, THEREFORE, be it resolved by the Mayor and Governing Body of the Municipality of Nutley that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit and the payment of a fee of $50 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT RESOLVED that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

I, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 20, 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>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
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<tr>
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</tr>
</tbody>
</table>
Resolution

Introduced by: Commissioner Joseph P. Scarpelli FOR Commissioner Thomas J. Evans  
Date: September 20, 2011

Seconded by: Commissioner Alphonse Petracco  
No. 192-11

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 overpayment of water charges on the following account(s):

<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5502</td>
<td>8</td>
<td>98 Ohlson Avenue</td>
<td>$28.78</td>
</tr>
<tr>
<td>5801</td>
<td>25</td>
<td>267 Prospect Street</td>
<td>$71.96</td>
</tr>
<tr>
<td>1700</td>
<td>3</td>
<td>107 McKinley Street</td>
<td>$21.59</td>
</tr>
</tbody>
</table>

Total $122.33

I, Evelyn Rosario, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 20, 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>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
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<tr>
<td>Absent/Excused</td>
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<td>X</td>
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</tr>
</tbody>
</table>
Residential

Introduced by: Commissioner Alphonse Petracco

Seconded by: Commissioner Joseph P. Scarpelli

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

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

SECTION 1:
NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of $16,000.00, which item is now available as a revenue from the FY 2012 Pedestrian Safety Grant Program pursuant to the provisions of statute;

SECTION 2:
BE IT FURTHER RESOLVED, that a like sum of $16,000.00 be and same is hereby appropriated under the caption of:

General Appropriations
(A) Operations-Excluded from 5% CAPS
2012 Pedestrian Safety Grant....e....$16,000.00

SECTION 3:
BE IT FURTHER RESOLVED, that the above is the result of revenues available for the FY 2012 Pedestrian Safety Grant;

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

I, ____________________ Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 20, 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>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
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<td>Absent/Excused</td>
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</tr>
</tbody>
</table>
**Board of Commissioners**  
**Township of Nutley, New Jersey**  
**Resolution**

*Introduced by: Mayor Joanne Cocchiola*  
*Seconded by: Commissioner Alphonse Petracco*

Date: September 20, 2011  
No. 189-11

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

<table>
<thead>
<tr>
<th>Organization</th>
<th>License No.</th>
<th>Event Type</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nutley Music Booster Association</td>
<td>License No. 52-11</td>
<td>On-Premise 50/50 Cash Raffle</td>
<td>October 29, 2011</td>
</tr>
<tr>
<td>Nutley Music Booster Association</td>
<td>License No. 53-11</td>
<td>On-Premise Merchandise Raffle</td>
<td>October 29, 2011</td>
</tr>
<tr>
<td>Nutley Jr. Raiders Booster Club Inc.</td>
<td>License No. 54-11</td>
<td>On-Premise Tricky Tray</td>
<td>October 21, 2011</td>
</tr>
<tr>
<td>Nutley Jr. Raiders Booster Club Inc.</td>
<td>License No. 55-11</td>
<td>On-Premise 50/50 Cash Raffle</td>
<td>October 21, 2011</td>
</tr>
<tr>
<td>Nutley Jr. Raiders Booster Club Inc.</td>
<td>License No. 56-11</td>
<td>Off-Premise 50/50 Cash Raffle</td>
<td>October 21, 2011</td>
</tr>
<tr>
<td>Friends of Nutley Singers Inc.</td>
<td>License No. 57-11</td>
<td>On-Premise Tricky Tray</td>
<td>October 22, 2011</td>
</tr>
<tr>
<td>Friends of Nutley Singers Inc.</td>
<td>License No. 58-11</td>
<td>On-Premise 50/50 Cash Raffle</td>
<td>October 22, 2011</td>
</tr>
<tr>
<td>Friends of Nutley Singers Inc.</td>
<td>License No. 01-12</td>
<td>Off-Premise 50/50 Cash Raffle</td>
<td>March 11, 2012</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 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

Evelyn Rosario  
Certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 20, 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>
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</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>X</td>
<td>X</td>
<td></td>
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<td>X</td>
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<tr>
<td>No</td>
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