

Township of Nutley
Board of Commissioners
Meeting Minutes
Tuesday, May 5, 2009
7:00 P.M

A regular meeting of the Board of Commissioners of the Township of Nutley was held in the 3rd floor Commission Chambers and called to order. Adequate notification was published in the official newspapers of the Township of Nutley. All present joined in the Pledge of Allegiance to the Flag. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT:

Evelyn Rosario, Municipal Clerk, read the following statement: Pursuant to the requirements of the Open Public Meeting Law (Chapter 231, P.L.1975), notice of this meeting was published in the January 8, 2009 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.

ROLL CALL:

Commissioner Scarpelli	- Present
Commissioner Petracco	- Present
Commissioner Evans	- Absent/Excused
Commissioner Tucci	- Present
Mayor Cocchiola	- Present

MINUTES:

None.

COMMUNICATIONS/CORRESPONDENCE:

Evelyn Rosario, Municipal Clerk, read the following communication:
North Jersey District Water Supply Commission/Agenda/April 22, 2009

REPORTS:

Mayor Cocchiola submitted the Department of Public Affairs report for the month of April, 2009.

BILLS:

Evelyn Rosario, Municipal Clerk read the following departmental summary of bills for the approval of the Board of Commissions. (bill list attached to minutes)

Department of Public Affairs	\$ 13,809.44
Department of Revenue & Finance	\$ 2,041,888.38
Department of Public Safety	\$ 59,272.46
Department of Public Works	\$ 121,522.27
Department of Parks & Public Property	\$ 459,930.98
Payroll as of May 1, 2009	\$ 724,876.58
Bill List Grand Total	<u>\$ 3,421,300.11</u>

Motion to approve the bills by Commissioner Scarpelli, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

ORDINANCE INTRODUCTIONS (3)

Commissioner Scarpelli/Ordinance No. 3103

“AN ORDINANCE TO AMEND ORDINANCE 2352 OF THE CODE OF THE TOWNSHIP OF NUTLEY, ENTITLED SOLID WASTE; RECYCLING, AND MORE SPECIFICALLY, CHAPTER 614, ARTICLE I, RECYCLING.”

Commissioner Scarpelli made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner Tucci. All ayes. Commissioner Evans Absent/Excused. Commissioner Scarpelli read by title only.

A public hearing will be held on Thursday, June 4, 2009.

Commissioner Tucci FOR Commissioner Evans/Ordinance No. 3102

“AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE IV (ONE WAY STREETS), SECTION 18 ENTITLED “ONE WAY STREETS” TO ADD THE LOCATIONS SETFORTH THEREIN.

Commissioner Tucci made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner Scarpelli. All ayes. Commissioner Evans Absent/Excused. Commissioner Tucci read by title only.

A public hearing will be held on Thursday, June 4, 2009.

Commissioner Tucci/Ordinance No. 3104

“AN ORDINANCE PERMITTING CERTAIN ELIGIBLE EMPLOYEES TO WAIVE COVERAGE IN THE STATE HEALTH BENEFITS PLAN UNDER N.J.S.A. 52:14-17.31(a) WHICH PROVIDES FOR AN INCENTIVE IN LIEU OF COVERAGE.”

Commissioner Tucci made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner Scarpelli. All ayes. Commissioner Evans Absent/Excused. Commissioner Tucci read by title only.

A public hearing will be held on Thursday, June 4, 2009.

PUBLIC HEARINGS (2)

Mayor Cocchiola FOR Commissioner Evans/Bond Ordinance No. 3100

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$264,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$250,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.”

Ordinance No. 3100 was introduced for second reading by Mayor Cocchiola, seconded by Commissioner Tucci. Mayor Cocchiola read by title only.

Motion to open the public hearing by Mayor Cocchiola seconded by Commissioner Tucci. All ayes. Commissioner Evans Absent/Excused.

Mayor Cocchiola introduced Mrs. Rosemary Costa, CFO/Treasurer, to give a statement about the ordinance on behalf of Commissioner Evans. Mrs. Costa explained that there were two previous ordinances funding Phase I and Phase II of the purchase of the fire truck. This ordinance represents Phase III, which is the final and full funding for the fire truck.

PUBLIC COMMENT:

Rory Moore, 462 Chestnut Street: Mr. Moore asked Mrs. Costa if the money was set aside or if was going to be bonded. Mrs. Costa explained that there would not be a single bond to pay for the truck but that there would be two separate payments, one of which was already made. Mr. Moore asked what the total cost was for the truck. Mrs. Costa responded that the approximate cost was \$534,000.

Motion to close the public hearing by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes on a roll call vote. Commissioner Evans Absent/Excused.

Motion to adopt on second and final reading by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes on a roll call vote. Commissioner Evans Absent/Excused.

Mayor Cocchiola/Ordinance No. 3099

“AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE: REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES.”

Ordinance No. 3099 was introduced for second reading by Mayor Cocchiola, seconded by Commissioner Tucci. Mayor Cocchiola read by title only.

Motion to open the public hearing by Mayor Cocchiola seconded by Commissioner Tucci. All ayes. Commissioner Evans Absent/Excused.

PUBLIC COMMENT:

Rory Moore, 462 Chestnut Street: Mr. Moore asked if there was a link on the Township web page so the citizens can go to the site with respect to maintenance of the codes and the preventing of tampering or altering the codes when going online. Mayor Cocchiola explained that it was for the protection of the Township of Nutley in case anyone can get in and get modifications to the code

Motion to close the public hearing by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes on a roll call vote. Commissioner Evans Absent/Excused.

Motion to adopt on second and final reading by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes on a roll call vote. Commissioner Evans Absent/Excused.

RESOLUTIONS: (17)

No. 127-09

WHEREAS, The Nutley High School Boys Bowling Team has completed an extremely successful season; and

WHEREAS, under the leadership and training of Coach George Ackerman, this team has reached the highest level of success at both the County and league levels; and

WHEREAS, The Nutley High School Boys Bowling Team took 1st place at the NNJIL, Division B; and

WHEREAS, on January 17, 2009, the team won the Essex County Athletic Director's tournament; and

WHEREAS, Nutley won the North II Group III, State Sectional at the Eagle Rock Lanes in West Orange; and

WHEREAS, the members of the Nutley High School 2009 Boys Varsity Bowling Team are, Philip Bruno, Christopher Costa, Andrew Evans, Joseph Frezza, James Gaccione, Michael Georgetti, Angelo Lambroschino, Daniel Penett, Christopher Riccio, Nicholas Rizzi and Benjamin Sowizral.

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 honor and congratulate the Nutley High School 2009 Boys Varsity Bowling Team for their outstanding success.

_____, 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 May 5, 2009.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 128-09

WHEREAS, the Nutley/Clifton Youth Hockey Club was established in the year 2000; and

WHEREAS, the Club has six levels of teams with approximately 100 players participating; and

WHEREAS, there are 30 USA certified volunteer coaches coaching at the various levels; and

WHEREAS, the Clinic is the first level of play designed to teach players the fundamentals of the game; and

WHEREAS, the Clinic players include: Josef Frikert, Patrick Scallan, Michaela Wood, Katherine Wood, Jeffrey Wood, Samuel Sherman, Charles Sherman, Frank Matrona, Ryan Wallace, Sebastian Lembo, Tyler Lembo, Connor Fitzpatrick, Tyler Batri, Annabel Espinal and Adam Siemionkowicz; and

WHEREAS, the Clinic coaches include: Steve Stauble, Kylie Stauble, Frank Penna, Jeff Batori, Katie Cocco, Jeff Wood, Bob Nelson, Neil Sherman and Mike Cocco.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley recognize the hard work, dedication and effort of the Clinic players and coaches and that a copy of this Resolution be made part of the permanent record of the Township of Nutley.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 129-09

WHEREAS, the Nutley Squirts played about 35 games during the 2008-2009 season including a game at Central Park; and

WHEREAS, the players and coaches brought honor and recognition to the Township for their hard play and sportsmanship, winning the March Madness Tournament in Marlboro, Massachusetts; and

WHEREAS, the Squirt players are: Cheyenne Carlo, James Schamble, Sean Giordano, Connor Eng, Daniel Render, Andrew Spitalnik Mike Fogle, Gerard Lafiura, Michael Florio, James Fusaro, Vincent Innarella, Nick Petriella and Goalies Tyler Gibson and Timothy Spitalnik; and

WHEREAS, the Squirt coaches are: Chris Larocca, Tim Render, Larry Petracco and James Schamble.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley recognize the hard work, dedication and effort of the Squirt players and coaches and that a copy of this Resolution be made part of the permanent record of the Township of Nutley.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 130-09

WHEREAS, the Nutley Pee Wees played about 35 games during the 2008-2009 season including a game at Central Park; and

WHEREAS, the players and coaches demonstrated extraordinary teamwork and hard play; and

WHEREAS, the Pee Wee players are: Gregory O'Connell, Stephen Mawker, Nicholas Caputo, Michael Spagnuolo, Eric Scalera, Joshua Yanicak, Angelo Gaeta, Nicco R. Giordano, Marlisa Falduto, Richie Lafiura, Patrick Dudasik, Timothy Render, Matthew Apito, Brian Parigi, Michael Conca, Matthew Basile and Goalie Evan Keating; and

WHEREAS, the Pee Wee coaches are: Gary O'Connell, Mike Conca, Mike Dudasik, Vinny Basile and Tim Keating.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley recognize the hard work, dedication and effort of the Pee Wee players and coaches and that a copy of this Resolution be made part of the permanent record of the Township of Nutley.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 131-09

WHEREAS, the Bantams played out of league games against travel level teams and demonstrated extraordinary talent and teamwork during the 2008-2009 season; and

WHEREAS, the Bantam players are: Adam Vivat, Colin Dunn, Collin Keating, David Ostrander, Christopher Montanaro, Francesco Castella, Jake Giordano, Matthew Dooley, Matthew Wesolowski, Michael Azierski, Nicholas Dono, Patric Scott, Ronald Schimmenti, Thomas Calderone, Matthew Smeriglio, Ryan Ranzinger, Nicholas Gaeta and Goalies Sarah Scrudato and Jacob Yanicak; and

WHEREAS, the Bantam coaches are: Roy R. Scott, Todd Calderone, Rob Dunn and Mark Azierski.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley recognize the hard work, dedication and effort of the Bantam players and coaches and that a copy of this Resolution be made part of the permanent record of the Township of Nutley.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 132-09

WHEREAS, the Mites displayed extraordinary camaraderie, talent, determination and sportsmanship on the ice during the 2008-2009 season; and

WHEREAS, their season included playing at a New York Rangers game at Madison Square Garden and the March Madness Tournament in Marlboro, Massachusetts where their record was 3-0; and

WHEREAS, for the first time in history, the Mites won their League Championship by defeating the number 1 seeded team in a double overtime shoot-out; and

WHEREAS, the Mite players are: Matthew Italiano, Joseph Canosa, Michael Canosa, Melanie Conca, Aidan Pero, Camren Monteverdi, Alejandro Castro, Joshua Platsman, Brian McCormack, Leo Carrillo, Cade Harkins, Nicholas Stoebling, Ryan Moloughney, Justin Petracco, Vinny Petriella and Goalie Johnny Matrona; and

WHEREAS, the Mite coaches are: Mike Conca, Rich Pero, Johnny Matrona, Larry Petracco, Brian Monteverdi and Mark Moloughney.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley recognize the hard work, dedication and effort of the Mite players and coaches and that a copy of this Resolution be made part of the permanent record of the Township of Nutley.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes.
Commissioner Evans Absent/Excused.

No. 133-09

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 the Resurfacing of Bloomfield Avenue Section 4, 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 May 27, 2009 at 3:00 P.M. prevailing time, at which time they will be opened and read.

Introduced by Commissioner Scarpelli, seconded by Commissioner Petracco.
All ayes. Commissioner Evans Absent/Excused.

No. 134-09

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Transportation Enhancement Program for Phase III of The Township of Nutley Downtown Beautification and Revitalization Plan

WHEREAS, The Federal Aid Transportation Enhancement Program strives to ensure that transportation enhancements are an integral part of our transportation investment policy; and

WHEREAS, Transportation Enhancement funding is to be used to support non-traditional transportation projects; and

WHEREAS, the Township of Nutley has designed the Township of Nutley Downtown Beautification and Revitalization Plan for streetscape improvement for Franklin Avenue and Chestnut Street; and

WHEREAS, the Township of Nutley has identified Phase III (Franklin Avenue between William Street to Chestnut Street and Chestnut Street between Franklin Avenue to Passaic Avenue) of this plan for funding through the NJ DOT Transportation Enhancement Program; and

WHEREAS, the Township of Nutley will assume the responsibility with regard to maintenance and upkeep of this streetscape project; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey formally approves the grant application for Phase III of the Township of Nutley Downtown Beautification and Revitalization Plan.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *TE-ARRA – Nutley Township – 00031* to the New Jersey Department of Transportation on behalf of the Township of Nutley on or before May 13, 2009.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Nutley and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Introduced by Commissioner Scarpelli, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 135-09

WHEREAS, the Township of Nutley Police Department currently uses a specialized computer software system developed by Archonix Public Safety Software and has used this system for a number of years; and

WHEREAS, N.J.S.A. 11-5(1)(dd) allows for an exception to public bidding for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software; and

WHEREAS, Archonix Public Safety Software has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available from account #9-01-308-206 and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the Director of Public Safety be hereby authorized to enter into an agreement with Archonix Public Safety Software, 17000 Commerce Parkway, Suite C, Mount Laurel, NJ 08054 not to exceed \$9,950.00 for the purpose of acquiring required proprietary computer software support.

Introduced by Commissioner Petracco, seconded by Commissioner Scarpelli.
All eyes. Commissioner Evans Absent/Excused.

No. 136-09

Resolution: Authorizing the award of a non-fair and open contract for labor counsel.

WHEREAS, the Township of Nutley Department of Public Safety has a need to acquire the services of a labor Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate, and,

WHEREAS, the Director of Public Safety has determined and certified in writing that the value of the acquisition exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is May 1, 2009 through April 30, 2010 and may be extended as approved by this governing body; and,

WHEREAS, the law offices of Scarinci and Hollenbeck has submitted a proposal dated April 28, 2009 indicating they provide labor counsel at a rate of \$125.00 per hour; and,

WHEREAS, the firm of Scarinci and Hollenbeck has completed a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate's committee in the Township of Nutley in the previous one year, and that the contract will prohibit the firm of Scarinci and Hollenbeck from making any reportable contributions through the term of the contract; and,

WHEREAS, the contract is not to exceed \$25,000.00, and whereas funds are available from account 9-01-308-205, and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley authorizes a contract with the firm of Scarinci and Hollenbeck as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed in the Nutley Sun in accordance with the Local Public Contracts Law.

Introduced by Commissioner Petracco, seconded by Commissioner Scarpelli.
All ayes. Commissioner Evans Absent/Excused.

No. 137-09

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 overpayments of the property taxes in the amount of \$ 2,511.36 due to a Tax Court Judgment as detailed below.

<i>Block & Lot</i>	<i>Address</i>	<i>Amount</i>
7604 16 C0204	181 Franklin Ave. #204	\$ 2,511.36—year 2007

Introduced by Commissioner Tucci FOR Commissioner Evans, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 137A-09

WHEREAS, the Township of Nutley, County of Essex, New Jersey finds it in the interest of public safety to designate Park Way as a One-Way Street pursuant to N.J.S.A. 39:4-197.3 for a Three (3) Month Period.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Township of Nutley in the County of Essex and the State of New Jersey, that Park Way shall be designated as a One-Way Street pursuant to N.J.S.A. 39:4-197.3 for a period of Three (3) Months as follows:

ONE-WAY STREETS:

The following described streets or parts of streets are hereby designated as One-Way Streets in the direction indicated. Parking on these streets will be permitted on the sides indicated below.

<u>Name of Street</u>	<u>Direction</u>	<u>Limits</u>	<u>Parking Permitted</u>
Park Way	West	Entire Length	North Side

Introduced by Commissioner Tucci FOR Commissioner Evans, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 138-09

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Township of Nutley has a need for specialized professional services to develop engineering plans for underground oil tanks and removals as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

WHEREAS, it has been determined and certified in writing that the value of the aggregate services provided by the vendor for the year will exceed \$17,500; and

WHEREAS, William Morrissey, P.E., P.O., Consulting Engineer has submitted a proposal indicating he will provide such services for the sum not to exceed \$35,000; and

WHEREAS, William Morrissey has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available from Capital Ordinances 2850D for \$19,277, 30631C for \$5,723 and 3063M for \$10,000 and have been certified by the chief financial officer, said certification being attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley authorizes the Mayor to enter into a contract with William Morrissey, Consulting Engineer, 59 Lynwood Road, Cedar Grove, NJ 07009; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All eyes. Commissioner Evans Absent/Excused.

No. 139-09

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Township of Nutley has a need for an engineer to provide construction management services for the DeMuro Park Tennis Court Rehabilitation and Basketball Court Construction as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

WHEREAS, it has been determined and certified in writing that the value of the aggregate services provided by the vendor for the year will exceed \$17,500; and

WHEREAS, Neglia Engineering Associates has submitted a proposal indicating they will provide such services for the sum of \$7,870.00; and

WHEREAS, Neglia Engineering Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available from Ordinance 3063 J-C and have been certified by the chief financial officer, said certification being attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley authorizes the Mayor to enter into a contract with Neglia Engineering Associates, 34 Park Avenue, Lyndhurst NJ 07071; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

No. 140-09

WHEREAS, "National Nurses Week", begins May 6th and ends May 12th, 2009; and

WHEREAS, there are nearly 2.9 million registered nurses in the United States, and 2.4 million of them are actively employed; and

WHEREAS, there are more than 240,000 advanced practice nurses in the United States; and

WHEREAS, their work touches all aspects of patient care, whether it is in the emergency room, operating room, doctor's office, neighborhood clinic, schools and battlefields;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby designate the week of May 6th through May 12th, 2009, as "Nurses Week" in the Township of Nutley; and

BE IT FURTHER RESOLVED that the Board of Commissioners and the citizens of the Township of Nutley recognize the importance of Nurses and their role in providing quality healthcare for the public.

Introduced by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes. Commissioner Evans Absent/Excused.

No. 141-09

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, The Township of Nutley strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Township of Nutley is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by Walmart; and,

THEREFORE, the Board of Commissioners of the Township of Nutley has determined that the Township should apply for the aforementioned Grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by Wal-Mart.

Introduced by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes. Commissioner Evans Absent/Excused.

No. 142-09

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

Lincoln Elementary School PTO Nutley Lincoln Nutley School	License No. 28-09 "On-Premise 50/50 Cash Raffle"	June 5, 2009
VFW Post No. 493 Stuart E. Edgar Ladies Aux.	License No. 29-09 "Off-Premise 50/50 Cash Raffle"	October 13, 2009
Nutley-Belleville Columbus Day & Heritage Month Parade Committee	License No. 30-09 "On-Premise 50/50 Cash Raffle"	June 7, 2009

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 aforementioned licenses are approved and the Municipal Clerk is authorized to issue the licenses.

Introduced by Mayor Cocchiola, seconded by Commissioner Tucci. All ayes. Commissioner Evans Absent/Excused.

MEETING OPEN TO PUBLIC

PUBLIC COMMENTS:

Rory Moore, 462 Chestnut Street: Mr. Moore asked the purpose of the Executive Session. Mayor Cocchiola replied that it was potential litigation, contract negotiations, and a personnel matter. Mr. Moore asked why a fire truck was sitting outside. Commissioner Petracco explained that Engine 1 had a starter problem and he decided to put the new truck into service and park it outside. Mr. Moore asked when delivery of the truck was taken and where it was parked. Commissioner Petracco said the truck was delivered approximately a

month ago and was kept at the Haz-mat facility on Franklin Avenue. Mr. Moore asked if the truck was too heavy for the firehouse floor and Commissioner Tucci explained that they were moving ahead with the reinforcement of the floor so it can support the new truck safely and that \$125,000 was allocated two years ago for the reinforcement of the floor. Mr. Moore had some questions about the stimulus money and what it would be used for. Commissioner Tucci said the stimulus money would be used for certain projects to save the taxpayers money.

Linda Molino, 49 Donna Court: Ms. Molino mentioned that Commissioner Scarpelli helped her with the cleanup from flooding last year and Commissioner Tucci provided sandbags at the end of her yard. She wanted to know if the sandbags could be removed from her yard and moved to the lower banks to help with the flooding. Commissioner Tucci said that the sandbags could be removed but they could not be put onto PSEG property. He said he would look into it. Commissioner Scarpelli said that the engineers have been there to look at it and he would see if there was any flood money available to address the problem.

Anna Maria Pinto, 10 Donna Court: Mrs. Pinto stated that she had a problem with the house next door that was empty and not being taken care of for the last two to three years. Mayor Cocchiola explained that the home was in foreclosure and then purchased by the son of the woman who originally owned the home. The Mayor said that they had sent someone to cut the grass several times but the homeowner is once again not maintaining the property. The Mayor said that steps were being taken to remedy the problem but that it would take time.

At this point in the meeting Evelyn Rosario, Municipal Clerk, read the following "Executive Session" resolution into the record.

No. 143-09

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that the Township Commission shall now move into closed executive session to discuss:

1. Potential Litigation
2. Contract Negotiations
3. Personnel Matter

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

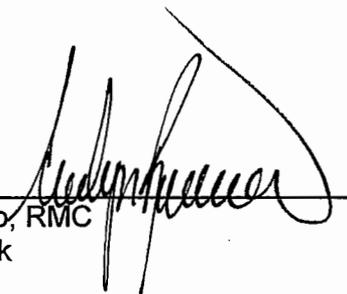
Introduced by Commissioner Tucci, seconded by Commissioner Petracco. All ayes. Commissioner Evans Absent/Excused.

The Board of Commissioners moved into "Executive Session". The Board of Commissioners exited "Executive Session" at 11:15 P.M.

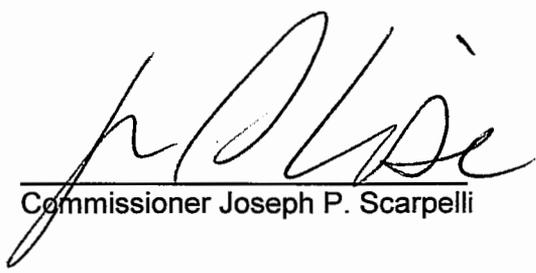
ADJOURNMENT:

Motion to adjourn by Commissioner Scarpelli, seconded by Commissioner Tucci. All ayes. Commissioner Evans Absent/Excused. Meeting adjourned at 11:17 P.M.

ATTEST:



Evelyn Rosario, RMC
Municipal Clerk



Commissioner Joseph P. Scarpelli

Commissioner Alphonse Petracco

Absent/Excused _____
Commissioner Thomas J. Evans

Commissioner Mauro G. Tucci



Mayor Joanne Cocchiola

Prepared by:

Linda Posternock

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