

Township of Nutley
Board of Commissioners
Meeting Minutes
Tuesday, August 4, 2009
7:00 P.M.

A workshop meeting of the Board of Commissioners of the Township of Nutley was held in the 3rd floor Commission Chambers Conference Room 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	- Absent/Excused
Mayor Cocchiola	- Present

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

Public Hearing regarding Ordinance number 3102 entitled "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 SET FORTH THEREIN." (Park Way West Entire Length – North Side)
Was removed from the agenda, public hearing will be held on Tuesday, September 1, 2009

The Board of Commissioners moved into the public portion of the meeting.

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:

Sharon L. Bozza, Assistant 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	- Absent/Excused
Mayor Cocchiola	- Present

A this point in the meeting a moment of silence was observed for Ken Molkenhuth and Gregory Eulo who passed away this week.

MINUTES

None.

COMMUNICATIONS/CORRESPONDENCE: (2)

Sharon L. Bozza, Assistant to the Municipal Clerk, read the following correspondence into the record. It was the consensus of the Governing Body to approve all the requests as submitted.

Holy Family Church Seeking Permission/Hourly 50/50 Raffle September 24, 25, 26 and Sunday September 27, 2009

Nutley Chamber of Commerce requesting permission to Sponsor a Township Wide Sidewalk Sale/August 15, 2009

REPORTS: (1)

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

BILLS:

Sharon L. Bozza, Assistant to the 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	\$	2,837.56
Department of Revenue & Finance	\$	6,600,739.87
Department of Public Safety	\$	32,446.11
Department of Public Works	\$	10,616.36
Department of Parks & Public Property	\$	441,876.50
Payroll as of July 24, 2009	\$	763,828.29
Bill List Grand Total	\$	7,852,344.69

Motion to approve the bills by Commissioner Evans, seconded by Commissioner Tucci. All ayes.

ORDINANCE INTRODUCTIONS(5)

Commissioner Scarpelli FOR Commissioner Evans/Ordinance No. 3112

“AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 228, ENTITLED VEHICLES AND TRAFFIC, PARTICULARLY ARTICLE II (PARKING OF CERTAIN STREETS), SECTION 13 ENTITLED “PARKING PROHIBITED AT ALL TIMES” TO ADD THE LOCATIONS SET FORTH THEREIN.”

Commissioner Scarpelli made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner

Petracco. All ayes. Commissioners Evans & Tucci Absent/Excused. Commissioner Scarpelli read by title only.

A public hearing will be held on Tuesday, September 1, 2009.

Commissioner Scarpelli FOR Commissioner Evans/Ordinance No. 3113

“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 AND DELETE THE LOCATIONS SET FORTH THEREIN.” (Chase Street, Hillside Avenue & Milton Avenue)

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

A public hearing will be held on Tuesday, September 1, 2009.

Commissioner Scarpelli FOR Commissioner Evans/Ordinance No. 3114

“BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF VARIOUS STREETS AND SIDEWALKS IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$273,750 THEREFOR, AND AUTHORIZING \$260,062.50 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

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

A public hearing will be held on Tuesday, September 1, 2009.

Commissioner Scarpelli FOR Commissioner Evans/Ordinance No. 3115

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF FIRE HYDRANTS IN AND BY THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$21,900 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$20,805 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF.

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

A public hearing will be held on Tuesday, September 1, 2009.

Commissioner Scarpelli FOR Commissioner Evans/Ordinance No. 3116

“BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$748,980 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$711,531 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COSTS THEREOF”.

Commissioner Scarpelli made a motion that this ordinance be introduced and passed for first reading and be advertised accordingly. Motion was seconded by Commissioner

Petracco. All ayes. Commissioners Evans & Tucci Absent/Excused. Commissioner Scarpelli read by title only.

A public hearing will be held on Tuesday, September 1, 2009.

ORDINANCE PUBLIC HEARINGS:

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 SET FORTH THEREIN.” (Park Way West Entire Length – North Side)

RESOLUTIONS: (9)

211-09

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, NJ that the Township Clerk is hereby authorized to advertise for SEALED BIDS for the PRUNNING AND REMOVAL OF TOWNSHIP TREES IN VARIOUS LOCATION THROUGHOUT THE TOWN.

Bids to be received on Thursday August 27, 2009, in the Commission Chambers, Township Hall, at 3:00 p.m. (prevailing time) at which time they will be publicly opened and read.

Introduced by Commissioner Tucci, seconded by Commissioner SCarpelli. All ayes. Commissioners Evans & Tucci Absent/Excused.

212-09

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 “Leaf Removal and Recycling from our Drop Off Site”, to be received on behalf of the Board of Commissioners, Commission Chambers, Township Hall, One Kennedy Drive, Nutley, NJ, on Thursday, August 27, 2009 at 3:00 P.M. prevailing time, at which time they will be opened and read.

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

213-09

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

Ken Barr	23 Edison Ave	\$50.00
Monica Smith	144 Kenzel Ave	\$50.00

Introduced by Commissioner Tucci, seconded by Commissioner Scarpelli. All ayes. Commissioners Evans & Tucci Absent/Excused.

214-09

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 \$ 1,092.35 do to a Tax Court Judgment as detailed below.

<i>Block & Lot</i>	<i>Address</i>	<i>Amount</i>
4200 14	79 Chestnut St.	\$547.35 for 2006
4200 14	79 Chestnut St.	\$545.00 for 2007

Introduced by Commissioner Scarpelli, seconded by Commissioner Tucci. All ayes. Commissioners Evans & Tucci Absent/Excused.

215-09

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 \$2,210.34 for the following account.

<i>Block & Lot</i>	<i>Address</i>	<i>Amount</i>
705 7	41 Howe Ave.	\$2,210.34---for 2009

Introduced by Commissioner Scarpelli, seconded by Commissioner Tucci. All ayes. Commissioners Evans & Tucci Absent/Excused.

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

Nutley High School (NHS) Project Graduation 2010	License No. 41-09 "On-Premise 50/50 Cash Raffle"	October 8, 2009
Nutley High School (NHS) Project Graduation 2010	License No. 42-09 "Tricky Tray Raffle"(On- Premise Merchandise Raffle)	October 8, 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 Scarpelli. All ayes.
Commissioners Evans & Tucci Absent/Excused.

218-09

WHEREAS, the Nutley Chamber of Commerce ("Chamber") was originated in 1953; and

WHEREAS, the Chamber has represented businesses and professionals with a wide variety of enterprises, working together to promote the economic development of our town. It is an integral part of Nutley's hometown character and small town image; and

WHEREAS, the Chamber plays a significant role in interacting with local government officials to promote the best interests of the Township; and

WHEREAS, every year the Chamber sponsors and supports initiatives that are important in promoting the community, such as the Annual 5K Run, Santa's arrival, Sidewalk Sales, and works with the Office of the Mayor in promoting beautification of the downtown business district; and

WHEREAS, membership in the Chamber has increased significantly due to its outreach efforts and interest in providing its members with networking opportunities that benefit them personally and professionally;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Commissioners of the Township of Nutley, recognize the Nutley Chamber of Commerce for all of its contributions to the Township; and

BE IT FURTHER RESOLVED that the Mayor and Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, proclaim August 15, 2009, as

"NUTLEY CHAMBER OF COMMERCE DAY"

and join with the citizens of Nutley in recognizing the efforts and contributions of the Nutley Chamber of Commerce on August 15, 2009 and throughout the year.

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

MEETING OPEN TO THE PUBLIC:

Mayor Cocchiola read the following statement into the record:

All persons addressing the Board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the Board, each person shall limit their address to five (5) 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 are being adversely affected by such dialogue.

Terri Quirk, 45 Hampton Place, came forward and asked the Governing Body to support the Nutley Parent Association Network (NPAN) by attending their Tricky Tray event scheduled for October 16, 2009.

ADJOURNMENT:

Motion to adjourn by Commissioner Scarpelli, seconded by Commissioner Tucci. All ayes. Meeting adjourned at 7:50 P.M.