

Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Tuesday, March 4, 2008

A regular meeting of the Board of Commissioners of the Township of Nutley was held in the 3<sup>rd</sup> 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 Meetings Law (Chapter 271, P.L. 1975), notice of this meeting was published in the December 13, 2007 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 Evans	-Present
Commissioner Tucci	-Present
Commissioner Orechio	- Present
Commissioner Scarpelli	- Absent/Excused
Mayor Cocchiola	- Present

At this point in the meeting Mayor Cocchiola and the Board of Commissioners congratulated the entire Township of Nutley for being named town number thirty-eight (38) in the top 100 hundred towns in New Jersey Monthly magazine as town number one (1) in towns of a population of 25,000 and over. Congratulations Nutley.

MINUTES:

None.

COMMUNICATIONS/CORRESPONDENCE:

Evelyn Rosario, Municipal Clerk, read the following communications:

- a. Holy Family Church requesting permission to hold their annual Italian Festival, September 25-28, 2008.
- b. Holy Family Church requesting permission to hold a super 50/50 raffle on Sunday, September 28, 2008.
- c. Holy Family Church requesting permission to hold an hourly 50/50 raffle drawing September 25 – 28, 2008.
- d. North Jersey District Water Commission February 27, 2008 meeting agenda.

REPORTS:

Mayor Cocchiola For Commissioner Scarpelli submitted the Department of Public Works December 2007 and January 2008 monthly progress reports.

Mayor Cocchiola submitted the Department of Public Affairs February 2008 monthly progress report.

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	\$ 68,656.77
Department of Revenue & Finance	\$1,929,699.78
Department of Public Safety	\$ 90,768.15
Department of Public Work	\$ 71,513.22
Department of Parks & Recreation	\$ 441,245.12

Payroll as of February 22, 2008

Regular	\$ 828,451.16
Overtime	\$ 18,128.29
Firemen's Retro	\$ 21,767.59
Bill List Grand Total	\$ 3,470,230.08

Motion to approve the minutes by Commissioner Evans, seconded by Commissioner Orechio. All Ayes.  
Commissioner Absent/Excused

ORDINANCE INTRODUCTION :

None.

PUBLIC HEARINGS:

None.

RESOLUTIONS: (16)

66-08 WHEREAS, On January 9, 2008 the Essex County Forensics Tournament was held at Montclair State University. Teams of students from 15 districts participated in the event which consisted of reading a 4-7 minute selection of prose or poetry; and

WHEREAS, The Nutley Elementary Forensics Team, representing the Nutley District, won the second place team trophy in the competition. Team members included: John McCullough, Alyssa Tenore, and Kayla Walker from Spring Garden School, Cara Joy Skelley from Radcliff School, Abigail Gardner from Lincoln School, and Emily Burleson and Ava Tucci from Yantacaw School; and

WHEREAS, Individually, the First Place Trophy went to John McCullough, the Third Place Trophy was won by Ava Tucci, and the Fourth Place trophy went to Alyssa Tenore; and

WHEREAS, This program was brought to the district by Assistant Superintendent, Marianna Francioso, and embraced by Superintendent Joe Zarra; and

WHEREAS, The students were guided and coached by Marcia Napolitano, Daryl Heller, and Christina Petti.

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 members of the Nutley Elementary Forensics Team, their coaches and the schools which they represent.

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

67-08 BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-59, the following transfer(s) of 2007 Appropriation Reserves be and the same are hereby authorized and approved:

DEPARTMENT OF REVENUE & FINANCE

FROM:

TO:

Treasurer's Office O/E 7-01-208-200	\$ 300.00	Tax Collector S/W 7-01-206-101	\$ 300.00
<b>Total</b>	<b>\$ 300.00</b>	<b>Total</b>	<b>\$ 300.00</b>

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

No. 69-08 WHEREAS, THE Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township of Nutley hereby endorses the submission of the 2007 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and designates Patricia A. Davis, Recycling Coordinator, Township of Utle, to ensure that the application is properly filed.

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

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-59, the following transfer(s) of 2007 Appropriation Reserves be and the same are hereby authorized and approved:

DEPARTMENT OF PUBLIC WORKS & WATER

FROM:

TO:

Road Repair & Maintenance O/E 7-01-408-200	\$ 3,000.00	Engineering O/E 7-01-404-200	\$ 9,000.00
Traffic Maintenance S/W 7-01-406-100	6,300.00	Parking Lot & Meter Maint. S/W 7-01-426-100	300.00
<b>TOTAL</b>	<b>\$ 9,300.00</b>	<b>TOTAL</b>	<b>\$ 9,300.00</b>

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

No. 70-08 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 PURCHASE AND DELIVERY OF TREES.

Bids to be received on Wednesday, March 26, 2008, 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 Evans. All ayes. Commissioner Scarpelli Absent/Excused.

71-08 BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A: 4-59, the following transfer(s) of 2007 Appropriation Reserves be and the same are hereby authorized and approved:

DEPARTMENT OF PARKS & PUBLIC PROPERTY

FROM:

TO:

Parks & Playgrounds O/E 7-01-504-201	\$ 1,100.00	Parks & Playgrounds S/W 7-01-504-102	\$ 500.00
		Shade Tree S/W 7-01-512-102	600.00
TOTAL	\$ 1,100.00	TOTAL	\$ 1,100.00

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

72-08 BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that William G. Hamilton, 474 Prospect Street., Nutley, New Jersey be appointed Assistant Fire Chief of Yantacaw Company, effective immediately and to expire March 1, 2010.

Introduced by Commissioner Orechio, seconded by Commissioner Tucci. All ayes. Commissioner Scarpelli Absent/Excused.

73-08 BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that Phillip F. Nicolette, Jr., 264 Park Avenue, Nutley, New Jersey, be re-appointed Assistant Fire Chief of Hose Company #1 effective immediately and to expire March 1, 2010.

Introduced by Commissioner Orechio, seconded by Commissioner Tucci. All ayes. Commissioner Scarpelli Absent/Excused.

74-08 BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that Michael A. Spagnuolo, 141 San Antonio Ave., Nutley, New Jersey be re-appointed Assistant Fire Chief of Hose Company #2 effective immediately and to expire March 1, 2010.

Introduced by Commissioner Orechio, seconded by Commissioner Tucci. All ayes. Commissioner Scarpelli Absent/Excused.

75-08 BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that John F. Tomburo Jr., 17 Weston Street, Nutley, New Jersey be re-appointed Fire Department Secretary/Assistant Chief effective immediately and to expire March 1, 2010.

Introduced by Commissioner Orechio, seconded by Commissioner Tucci. All ayes. Commissioner Scarpelli Absent/Excused.

76-08 be it resolved BY THE Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that Frederick Scalera, 35 Gerard Road, Nutley, New Jersey be appointed Chief of the Nutley Fire Department effective immediately and to expire March 1, 2010.

Introduced by Commissioner Orechio, seconded by Commissioner Tucci. All ayes. Commissioner Scarpelli Absent/Excused.

77-08 BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that the following be appointed volunteer firefighters effective immediately:

Stephen R. Petry  
32 Warren St., Apt. 3B

Frank G. Fochesato  
135 Conover Ave.

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

No. 78-08 WHEREAS, the Department of Public Affairs desires to enter into a contract for the furnishing of health services of a technical and professional nature with the Township of Montclair; and

WHEREAS, the Township of Nutley shall provide the services of a licensed Registered Nurse who will administer public health nursing activities within the territorial jurisdiction of the Township of Montclair; and

WHEREAS, the Township of Montclair agrees to pay the Township of Nutley during the contract period, January 1, 2008 to December 31, 2008, thirty-five dollars (\$35) per hour of nursing time which includes administrative costs for 15 hours per week of nursing time.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that the Director of Public Affairs and the Township Clerk are hereby authorized to enter into an agreement for health services within the Township of Montclair.

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

79-08 WHEREAS, raffle applications have been received from the following organizations; and

Holy Family Church	License No. 26-08 "Hourly 50/50 Raffle"	September 25, 2008 THRU September 28, 2008
Holy Family Church	License No. 27-08 "Super 50/50 Raffle"	September 28, 2008
Nutley Family Service Bureau	License No. 28-08 "Off-Premise 50/50 Cash Raffle"	June 7, 2008

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 Scarpelli Absent/Excused.

80-08 WHEREAS, in 1988 the month of March was designated by the United States Congress as “National Women’s History Month”; and

WHEREAS, Women’s History Month promotes the teaching of women’s history and the achievements of women; and

WHEREAS, it is important for the residents of the township to recognize the growing contributions and achievements of the women of the Township of Nutley and the State of New Jersey; and

WHEREAS, The Women’s Initiative of Nutley promotes the teaching of women’s history and the interests of women in our community, our state and our country; and

WHEREAS, The Women’s Initiative of Nutley will host several different types of events ranging from a variety of cultural and educational programs during the month of March.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley commends the efforts of the Women’s Initiative of Nutley and its members and calls upon all citizens of Nutley to observe the month of March as Women’s History Month at which time all of the residents may join in commemorating women, past and present, who have rendered a service to our nation, our state and our township.

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

81-08 WHEREAS, since 1943, March has been proclaimed by the President of the United States as Red Cross Month; and

WHEREAS, each year the American Red Cross responds to an estimated 70,000 disasters; and

WHEREAS, approximately 1.2 million people volunteer for the American Red Cross and volunteers make up 97% of all American Red Cross staff; and

WHEREAS, internationally the Red Cross is also helping to ensure a healthier future for millions of children worldwide; and

WHEREAS, the Township of Nutley is fortunate to have the benefit of the Montclair, Glen Ridge, Nutley Chapter of the American Red Cross in our town to provide benefits to our residents; and

WHEREAS, the Township recognizes the humanitarian efforts of the local chapter and commends the selfless efforts of its volunteers;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey proclaim March as Red Cross Month, paying tribute to the work of the organization and encourages all citizens of the Township of Nutley to support the humanitarianism of the Red Cross mission.

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

(Meeting: March 4, 2008)

Meeting Open To The Public:

No public comment.

Adjournment:

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

ATTEST:

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Evelyn Rosario, RMC  
Municipal Clerk

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Mayor Joanne Cocchiola

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Commissioner Thomas J. Evans

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Commissioner Mauro G. Tucci

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Commissioner Carmen A. Orechio

Absent/Excused  
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Commissioner Peter C. Scarpelli