TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

CONFERENCE SESSION

TRANSCRIPT OF
PROCEEDINGS:

November 21, 2016
7:04 p.m.

BEFORE:

Commissioner Rogers
Commissioner Tucci
Commissioner Evans
Commissioner Petracco
Mayor Joseph P. Scarpelli

Job No. NJ2492923
Transcribed by: Nicole Yawn

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MADAM CLERK: Board of Commissioners public meeting Monday, November 21st, 2016. The time is now 7:04.

Pursuant to the requirement of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 17th, 2016 issue of the Nutley Sun. 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 Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commission Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor.

MAYOR SCARPELLI: Thank you.

Let's go around the horn.

Commissioner Petracco, what do you have on the agenda?

COMMISSIONER PETRACCO: I have an authorization of
a non-fair and open contract with the e-ticketing, authorize
to use the online auction website for the Propertyroom, and
a transfer for $50,000 for the budget transfer. That's all
I have.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: I have several resolutions,
but they can be grouped, like three or four purchasing
cooperatives that we use under state contracts. I have
authorized bids for surplus equipment, over-payment of
taxes, a transfer of 42,000, replenishing petty cash for
$650.

MAYOR SCARPELLI: Commissioner Rogers?

COMMISSIONER ROGERS: Yes, Mayor, I have three
resolutions. One's a municipal services agreement for solid
waste collection and disposal at Arbor Hills. The second
one is an agreement with the Northwest Essex Community
Healthcare Network. And the third one's an agreement
between the New Jersey Association for Retarded Citizens.

MAYOR SCARPELLI: Commissioner Tucci?

COMMISSIONER TUCCI: All I have is a resolution
establishing the Shade Tree Committee meeting schedule.

MAYOR SCARPELLI: I have 11 resolutions. I have
the 2017 meeting dates.

COMMISSIONER EVANS: Just a procedural objection.

We're limited to ten.
MAYOR SCARPELLI: Ten? Okay. Well, you want the -- you want one of them?

COMMISSIONER PETRACCO: Could you let it go

COMMISSIONER EVANS: Just this time.

MAYOR SCARPELLI: Okay.

COMMISSIONER EVANS: It's the holidays. So --

MAYOR SCARPELLI: The 2017 holiday schedule, designation of the official newspapers, the appointment of Kathy Rempusheski and myself to the CDBG Committee, authorize and approve various raffle licenses, purchase of a CAT hydraulic hammer, announce free two-hour metered parking from December 12th to the 25th, authorize into a 2017 municipal service agreement, which we do every year, with Cambridge Heights, advertise for sealed -- advertise for sealed bids for the recycling vegetative waste, reject bids for the parking pay stations, and authorize to re-advertise for the multi-space parking pay stations.

That's all I have.

Madam Clerk?

MADAM CLERK: We just have the Friends of Nutley Singers has requested to hold a cash raffle on Sunday, March 12th, 2017. And that's it.

MAYOR SCARPELLI: Mr. Genitempo?

MR. GENITEMPO: We have a couple executive items, potential contractual.
MAYOR SCARPELLI: Do we have a motion to go into executive?

COMMISSIONER ROGERS: Since you're looking at me, Mayor, I will make the motion.

COMMISSIONER TUCCI: Second.

MAYOR SCARPELLI: Good job.

COMMISSIONER ROGERS: Thank you.

MADAM CLERK: WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231 Public Law 1975 permits the exclusion of the public from meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances exist; and

WHEREAS, the Board of Commissioners of the township of Nutley in the County of Essex in the 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 will move into closed executive session to discuss potential contract --

MR. GENITEMPO: Matters and also litigation.

MADAM CLERK: -- matters and litigation.

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

Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MADAM CLERK: The time is 7:09.

(Recessed to executive session)
PROCEEDINGS

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Thank you, Mayor.

Board of Commissioners public meeting Monday, November 21st, 2016. The time is 8:13.

Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 17th, 2016 issue of the Nutley Sun. 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 ROGERS? 

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commission Evans is absent(excused).

Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor, except for Commissioner Evans. He's absent(excused).

COMMISSIONER TUCCI: Mayor, you might want to have the record reflect that Commissioner Evans was, in fact,
here for the pre-meeting for the closed session.

MAYOR SCARPELLI: And here for the conference meeting.

MADAM CLERK: Yes.

MAYOR SCARPELLI: Thank you.

MADAM CLERK: He was excused at 7:50 p.m.

Minutes for October 18, 2016. I need a motion, please.

COMMISSIONER TUCCI: Move it.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MADAM CLERK: And that's it for minutes, Mayor.

MAYOR SCARPELLI: Communications?

MADAM CLERK: We have the Friends of Nutley Singers requesting permission to hold a 50/50 raffle on Sunday, March 12th, 2017 at the Nutley High School. I need a motion, please.

COMMISSIONER TUCCI: Move it.
COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MADAM CLERK: And that's it for communications.

MAYOR SCARPELLI: Reports?

Commission Tucci?

COMMISSIONER TUCCI: Yes, I have a shade tree report for the month of October 2016.

MAYOR SCARPELLI: Bills, Madam Clerk?

MADAM CLERK: Yes, Mayor. The bill list for Monday, November 21st, 2016. Public Affairs, $114,525.52; Revenue and Finance, $3,204,765.11; Public Safety, $71,607.58; Public Works, $86,121.66; Parks and Public Property, $104,530.13. The payroll for November 4th is $763,078.06. Total payroll $796,376.21, for a grand total of $5,141,004.27.

Need a motion.

COMMISSIONER TUCCI: I'll move it.

COMMISSIONER PETRACCO: Second.
MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MAYOR SCARPELLI: Public comment on agenda items only.

Madam Clerk, read the notice.

MADAM CLERK: Yes, Mayor.

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 for three minutes. All remarks of the Board and its individual members must be addressed to the Mayor.

The Mayor may defer citizens' 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.

MAYOR SCARPELLI: Would anybody like to address the Board on agenda items only?

Seeing none, let's move to resolutions.

Commissioner Rogers, will you take the first four of Commissioner Evans?

And, Commissioner Tucci, (inaudible)?

COMMISSIONER TUCCI: Absolutely, Mayor.

COMMISSIONER ROGERS: Okay. Okay. Resolution Number 286-16. This is Commissioner Evans'.

BE IT RESOLVED BY THE Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, that the Township Clerk be and she hereby is authorized to advertise for sealed bids for surplus equipment that is no longer in use by the Township. The equipment/vehicles are listed as follows:


Department of Parks & Public Property -- Polaris E4 Electric Car, MC Flailmaster Mower 3 Point hitch, 7 foot, Toro Snow Blower Attachment for a 300 Series Groundmaster, LEL Y 3 Point Hitch Pro Driven Hopper Spreader, and a Toro
Model 325 D 1993 with 2,698 hours, a 6-foot side discharge 4-wheel drive.

BE IT FURTHER RESOLVED that the equipment is to be sold as is and where is. Bids to be received on December 14, 2016 at 3:00 p.m. prevailing time in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, New Jersey, at which time they will be publicly opened and read.

So move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: Resolution Number 287-16.

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the treasurer be and she is hereby authorized to refund overpayments of tax charges in the amount of $1,406.91 for the following account. 8803-9 is the block. 45 Hope Street, $1,406.91 for the year 2016.

So moved.
COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: 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 4-58, the following transfers of appropriations in the 2016 Budget be and the same are hereby authorized and approved. Department of Revenue and Finance from Unemployment Comp, $2,100.00 to Interest on Notes $ 2,100.00; Tax Assessor S/W $15,000; Tax Assessor 0/E $15,000.00. From Admin of Township Ordinance salary and wages, $25,000; Construct Code Official 0 /E $17,000 to Admin of Township in Ordinance 0 /E $8,000. Total from 42,100. Total to 42,100.00.

So moved.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: Resolution 289-16. BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that there is hereby established in the Department of Revenue & Finance a petty cash account in the amount of $650, said funds to be in the custody of the cashier. All petty cash vouchers are to be approved by the department designee and authorized by the purchasing agent or by her designee.

So move.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: That's it, Mayor. Thank you.
MAYOR SCARPELLI: Now yours, Commissioner.

COMMISSIONER ROGERS: All right. Resolution Number 278-16.

WHEREAS, pursuant to N.J.S.A. 40:67-23.1, Arbor Hills is recognized as a qualified private community, and

WHEREAS, the Township is responsible to reimburse a qualified private community for certain services, including solid waste disposal or to provide said services to the qualified private community in the same fashion as the municipality provides these services on public roads and streets;

WHEREAS, the Township has elected to reimburse Arbor Hills for solid waste disposal services,

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Township of Nutley, in the County of Essex, as follows:

1. The Mayor and Township Clerk are hereby authorized to enter into a municipal services agreement for solid waste collection and disposal with 432 Owners, 1 River Road, Nutley, known as Arbor Hills in a form approved by the Township attorney.

2. A copy of this resolution, as well as the municipal services agreement, shall be placed in the file with the clerk, and a notice of this action shall be printed once in the Nutley Sun.
So move.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: Resolution Number 278-16

(sic), resolution for an agreement made between Northwest
Essex Community Healthcare Network, a non-profit corporation
(hereinafter referred to as the agency) having its principal
place of business at 570 Belleville Avenue, Belleville, New
Jersey 07109, and the Township of Nutley (hereinafter
referred to as Nutley).

WHEREAS, the agency has agreed and functioned in
the past to provide behavioral healthcare for the residents
of Nutley and will continue to provide said services in
accordance with the terms and conditions of this agreement,
and;

WHEREAS, Nutley has agreed to make annual grants
of funds for the partial support and maintenance of said
services rendered by the agency to Nutley residents, and
WHEREAS, it is hereby agreed that the agency will furnish and provide behavioral healthcare services to residents of Nutley by professionally qualified personnel and will cooperate with other Nutley community programs which deal with the provision of said services. For services rendered by the agency and described heretofore, during said contractual period of January 1st, 2017 to December 31st, 2017, Nutley agrees to pay the agency a grant in the amount of $10,000. Payments on account of the obligations set forth above shall be made semiannually to the agency on June 30th, 2017 and December 31th, 2017 in the amount of $5,000, totaling the sum of $10,000 for the year.

WHEREAS, funds will be available from account #7-01-118-200 in the amount of $10,000 and will be certified by the chief financial officer, said certification being subject to adoption of the 2017 municipal budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, state of New Jersey that the Mayor and the Township Clerk be and they are hereby authorized to execute an agreement with Northwest Essex Community Healthcare Network.

BE IT FURTHER RESOLVED that all parties hereto have caused these presents to be executed by their respective mayor, officer and attested to by their
respective municipal Clerk or secretary and their official seal to be affixed hereto.

So move.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Abstain.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: Resolution 280-16.

WHEREAS, the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that the Township enter an agreement with the New Jersey Association for Retarded Citizens Essex County Unit, Incorporated, a New Jersey Corporation, with offices on Naylon Avenue in the Township of Livingston, Essex County, New Jersey, wherein the unit agrees to provide services for mentally retarded individuals and their families in the Township of Nutley, effective January 1, 2017 through December 31st, 2017 in consideration of payment by the Township of Nutley to the unit of $1,000 payable in one sum, as a partial reimbursement of costs and services and;
WHEREAS, funds are available in account No. 7-01-116-200 in the amount of $1,000 and have been certified by the CFO, said certification being attached to this resolution; and

BE IT RESOLVED that the Mayor and the Township Clerk are hereby authorized and directed to execute said agreement on behalf of the Township of Nutley.

So moved.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: That's it, Mayor. Thank you.

MAYOR SCARPELLI: Thank you.

Commissioner Tucci?

COMMISSIONER TUCCI: Yes, I'll do mine first. And then if it's okay, I'll do Commissioner Evans'.

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New
Jersey, that the Shade Tree Committee will be held on the following dates, for the year 2017. January 12th, March 9th, April 6th, June 8th, September 14th, and November 9th.

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Now I'll get into Commissioner Evans' resolutions.

WHEREAS, the Township of Nutley, pursuant to N.J.S.A. 40A:11-11 may by resolution and without advertising for bids, purchase any goods or services under an approved county cooperative purchasing program; and

WHEREAS, the Township of Nutley has the need on a timely basis to purchase goods or services utilizing the following cooperative purchasing program. In Essex County, Somerset County, Morris County, Union County, Cranford, Middlesex County, and Bergen County.
WHEREAS, the Township of Nutley intends to enter
into contracts with the attached referenced contract vendors
through this resolution and properly executed contracts,
which shall be subject to all the conditions applicable to
the current contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township
of Nutley authorizes the purchasing agent to purchase certain
goods or services from those approved co-op vendors, pursuant
to all conditions of the individual county contracts; and

BE IT FURTHER RESOLVED, that the governing body of
the Township of Nutley pursuant to N.J.AC. 5:30-5.S(b), the
certification of available funds, shall either certify the
full maximum amount against the budget at the time the
contract is awarded, or no contract amount shall be
chargeable or certified until such time as the goods or
services are ordered or otherwise called for prior to placing
the order, and a certification of availability of funds is
made by the chief finance officer; and

BE IT FURTHER RESOLVED that the duration of the
contracts between the Township of Nutley and the referenced
county cooperative purchasing program vendors shall be from

I move the resolution.

COMMISSIONER ROGERS: Second.
MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: (Inaudible.) Aye

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: WHEREAS, the Township of Nutley, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any state contracts entered into on behalf of the state by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Nutley has the need on a timely basis to purchase goods or services utilizing state contracts; and

WHEREAS, the Township of Nutley intends to enter into contracts with state contract vendors as authorized through this resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Nutley authorizes the purchasing agent to purchase certain goods or services from this approved New Jersey
State Contract Vendor pursuant to all conditions of the State Contract; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Nutley, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the chief finance officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Township of Nutley and the state contract vendors shall be from January 1, 2017 to December 31, 2017.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.
COMMISSIONER TUCCI: WHEREAS, the Township of Nutley, pursuant to N.J.S.A. 40A:11-11 may by resolution and with advertising, purchase any goods or services under an approved National Cooperative Purchasing Program; and

WHEREAS, the Township of Nutley has the need on a timely basis to purchase goods or services utilizing the following National Cooperative Purchasing Programs; and

U.S. Communities Government Purchasing Alliance and National Joint Powers Alliance; and

WHEREAS, the Township of Nutley intends to enter into contracts with U.S. Communities Government Purchasing Alliance Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Nutley authorizes the purchasing agent to purchase certain goods or services from those approved U.S. Communities Government Purchasing Alliance and National Joint Powers Alliance vendors, pursuant to all conditions of the individual contracts for the year 2017, commencing January 1, 2017 through December 31, 2017.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: WHEREAS, in accordance with N.J.A.C. 17:27-3.2, each public agency, which is the Township of Nutley, shall designate an individual to serve as its public agency compliance officer, which serves as the liaison between the Department of the Treasury, Division of Public Contracts Equal Employment Opportunity and the Township of Nutley and;

WHEREAS, the P.A.C.O. serves as the public agency's point of contact for all matters concerning implementation and administration of the above referenced statute and is responsible for assuring that no public contract may be awarded nor any monies paid until the contractor has agreed to contract performance which complies with the approved affirmative action plan; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners, County of Essex, State of New Jersey, hereby appoints Eleni Pettas, Municipal Clerk, as the township's P.A.C.O. for the calendar year 2017; and
BE IT FURTHER RESOLVED, that in accordance with N.J.A.C.17:27-3.2 the Township Clerk is hereby authorized and directed to forward a certified copy of this resolution to the State of New Jersey Department of the Treasury Division of Contract Compliance and EEO in Public Contracts, P.O. Box 209, Trenton, New Jersey 08625.

I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: That's all I have, Mayor.

MAYOR SCARPELLI: Thank you.

Commissioner Petracco?

COMMISSIONER ROGERS: Mayor, Commissioner Petracco and I admit that we are not electricians, and his light is out. So I'm going to read his resolutions.

MAYOR SCARPELLI: Very good.

COMMISSIONER PETRACCO: Thank you, Commissioner.
COMMISSIONER ROGERS: We thought we could switch some wires around. It didn't work out well.

Okay. WHEREAS, the Township of Nutley and police department needs to acquire proprietary software for the issuance of electronic tickets through mobile computers as a non-fair and open contract; and

WHEREAS, the use of electronic ticketing increases efficiency, enables officers to return to service faster, eliminates data entry errors and auto-populates citations with the appropriate statute number, fine and court information; and

WHEREAS, N.J.S.A. 40A: 11-5(dd) permits the award of a contract without public bidding for the provision of proprietary software; and

WHEREAS, GTBM, Incorporated owns the Info-Cop™ E-Ticketing System and has submitted a proposal to provide the system software; and

WHEREAS, GTBM, Incorporated has completed and submitted a business entity disclosure certification which certifies that it has not made any reportable contributions in the previous year and will be prohibited from making any reportable contributions throughout the term of the Contract; and

WHEREAS, the contract is in an amount not expected to exceed $45,000, the funds for which are available in an
account entitled Municipal Court E-Ticket Program, account number 6-01-326-200, and have been certified by the chief financial officer; and

WHEREAS, the anticipated term of this contract is for 12 months, January 1st, 2016 through December 31st, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners and the Township of Nutley in the County of Essex that a contract be awarded to GTBM, Incorporated in a form approved by the Township attorney; and

BE IT FURTHER RESOLVED that the business entity disclosure be placed on file with this resolution.

So moved.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER ROGERS: Resolution 291-16.
WHEREAS, the Township of Nutley has determined that certain property are no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Nutley intends to utilize the online auction services of propertyroom.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9 and 2008-21R;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, of the Township of Nutley, County of Essex, State of New Jersey, that Township is hereby authorized to sell the surplus personal property at an online auction website entitled Propertyroom.com; and

The terms and conditions of the agreement entered into between Propertyroom.com and the Township of Nutley are available at Propertyroom.com and in the Township Clerk's office; and

A certified copy of the within resolution be forwarded by the Township clerk to the following: chief of police and the CFO.

So moved.
COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Resolution 303-16.

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 4-58, the
following transfers of appropriations in the 2016 budget be
and the same are hereby authorized and approved. From Fire
S/W, 50,000 to Fire O/E, 50,000. Let's see. Total, $50,000
from. Total $50,000 to.

So moved.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: That's it, Mayor. Thank you.

MAYOR SCARPELLI: Thank you, Commissioners.

COMMISSIONER EVANS: Thank you.

MAYOR SCARPELLI: BE IT RESOLVED, in accordance with the Open Public Meeting Law, Chapter 231, Public Law 1975 the public meetings of the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey are held the first and third Tuesday of every month.

PLEASE TAKE NOTICE, the public meetings for the year 2017 will be held on the following dates at the Township of Nutley municipal building, third floor Commissioner Chambers at One Kennedy Drive at 7:00 P.M., at which time formal action maybe taken.

PLEASE TAKE NOTICE, the governing body of the Township of Nutley, County of Essex, and State of New Jersey may require an executive session at any given meeting listed below. In accordance with N.J.S.A. 10:4-12 the governing body will adopt a resolution at an open meeting indicating the reasons for going into executive session. No action will be taken in executive session.

PLEASE TAKE FURTHER NOTICE, the Board of Commissioners of the Township of Nutley will hold an end of the year meeting on Friday, December 29th, 2017 at 9:00
A.M., Township of Nutley municipal building, third floor commission chambers, One Kennedy Drive. Formal action may be taken. And a list of the dates are as follows.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

BE IT RESOLVED by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey that the following days be considered paid holidays 2017 holiday schedule as listed.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the following newspapers are hereby designated as the official newspapers for advertising for the Township of Nutley, for the year 2017. The Nutley Sun, the Star Ledger, and the Herald News.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Joseph P. Scarpelli and Kathy Rempusheski be appointed as representatives of the Community Development Block Grant Committee for the term January 1st, 2017 through December 31st, 2017.

I move the resolution.
COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

WHEREAS, raffle applications have been received from the following organizations: Nutley Music Booster Association, License 48-16, on premise 50/50 cash raffle to be held Saturday, January 21st, 2017; Nutley Music Booster License No. 49-16 on-premise merchandise raffle to be held on Saturday, January 21st, 2017; Friends of Nutley Singers, License No. 50-16 off-premise 50/50 cash raffle to be held Sunday, March 12th, 2017.

WHEREAS, the applications have been reviewed and approved by the Municipal Clerk and the police department; and

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.
I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

WHEREAS, the Township of Nutley, pursuant to N.J.S.A 52:34-6-2:c139, may by resolution and without advertising for the bids, purchase goods or services through the use of a nationally-recognized accepted cooperative purchasing program that has been developed utilizing a competitive bidding process by another contracting unit within the state of New Jersey, or within any other state, when available; and

WHEREAS, the Board of Commissioners, Township of Nutley, passed resolution #344-15 on December 1st, 2015, authorizing the purchasing agent to purchase certain goods or services from approved National Joint Powers Alliance vendors, pursuant to all conditions of the individual contracts, for the year 2016, commencing January 1st, 2016 through December 31st, 2016; and
WHEREAS, the Municipal Clerk, Township of Nutley, has advertised the township's notice of intent to award a contract under a national cooperative purchasing agreement in the November 10, 2016 issue of the Nutley Sun; and

WHEREAS, the Township of Nutley Department of Public Works intends to purchase a CAT Hydraulic Hammer and related accessories, from Foley Incorporated, 855 Centennial Ave. Piscataway, New Jersey, a vendor affiliated with the National Joint Powers Alliance, which is subject to all conditions applicable to the utilization of a National Buying Cooperative; and

WHEREAS, the Department of Public Works has researched hydraulic hammers and accessories, and have determined that the CAT Hydraulic Hammer is best suited for the townships needs, based on performance, cost savings and minimal down time; and

WHEREAS, Foley Incorporated has provided a quote for the CAT Hydraulic Hammer and related accessories in the amount of $17,361.61; and

WHEREAS, funds are available in account #06-05-702-224 in the amount of $17,361.61, 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, county of Essex,
state of New Jersey, that the purchasing agent be and she is hereby authorized to purchase a CAT Hydraulic Hammer and related accessories in the amount of $17,361.61 from Foley Incorporated, who is an approved National Joint Powers Alliance vendor.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

WHEREAS, the Department of Public Works announces there will be free two-hour metered parking from December 12th, 2016 through December 25th, 2016; and

WHEREAS, the suspension of metered parking during the holiday is a Nutley tradition to promote our business district and support local merchants; and

WHEREAS, the free two-hour parking will allow ample time for residents to take the opportunity to leisurely walk and Shop Nutley First;
NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, State of New Jersey, to wish you a healthy and happy holiday season.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

WHEREAS, pursuant to N.J.S.A. 40:67-23.2 and as required by law, the Township has elected to provide municipal services to the Cambridge Heights at Nutley Umbrella Associations, in the same manner as the Township provides such services on public roads and streets in the Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley in the County of Essex, as follows:

The mayor be and is hereby authorized to enter into a 2017 municipal service agreement with the association in a form approved by the Township attorney. Two, a copy of
the resolution, as well as the municipal service agreement, shall be placed on file with the clerk and a notice of this action shall be printed once in the Nutley Sun.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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 2017 acceptance of recycling vegetative waste to include leaf and grass clippings to be received on behalf of the Board of Commissioners, Commission Chambers, Township Hall, One Kennedy Drive, Nutley, New Jersey, on Wednesday, December 14, 2016 at 3:00 P.M. prevailing time, at which time they will be opened and read.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

WHEREAS, Resolution #241-16 was adopted by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, on October 4th, 2016 for the purchase of multi-space parking pay stations; and

WHEREAS, the bids were received, opened and read on Wednesday, October 26th, 2016 at 3:00 pm prevailing time; and

WHEREAS the lowest bid substantially exceeds the cost estimates for the goods and services;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that all bids are rejected.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Petracco?

PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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 purchase of multi-space parking pay
stations for the Township of Nutley, to be received on behalf
of the Board of Commissioners, in the Commission Chambers,
Township Hall, 1 Kennedy Drive, Nutley, New Jersey, on
Wednesday, December 14th, 2016 at 3:00 P.M. prevailing time,
at which time they will be opened and read.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

That concludes the business portion of our
meeting.
Madam Clerk, would you read the notice?

MADAM CLERK: Yes, Mayor.

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 minutes. All remarks to the Board and its individual members must be addressed to the Mayor.

The Mayor may defer citizens' 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.

MAYOR SCARPELLI: Would anybody like to address the Board of Commissioners this evening?

Before we adjourn, I would like to invite everybody to the Board of Commissioners' tree-lighting ceremony on December 4th, which will be held in the park oval starting at 5:30. We'll have our singers inside the auditorium and activities on Franklin Avenue. So we invite everybody to that December 4th tree lighting.

Other announcements?
COMMISSIONER PETRACCO: Yes, Mayor, if I may just say a couple words.

First of all, I'd like to thank the Board of Commissioners and Mayor for welcoming me back and even our clerk here and our girls to the right. The outpour that you've all given me to move forward and all the help from the town workers and the residents. Hopefully, I'm on a better track now than I was. But I just want to say one thing.

You know, all the walks that the Board of Commissioners do for Gail's (ph) Angels or for the Thriving (ph) Survivors or the Relay, you never really know what those people go through until you go through it yourself. And I have to tell you I applaud all the Board of Commissioners and Steve for what you do with the health department and these walks, because it is unbelievable how these people survive these things.

So again, I want to thank you guys for welcoming me back and all the support you've given me.

MAYOR SCARPELLI: Commissioner, I'd just like to say on behalf of the Board -- I'm sure the Commissioners will speak up -- that, you know, we prayed for you while you were, you know, having your procedures. And we continue to pray for you for total recovery. So --

COMMISSIONER TUCCI: I think the Mayor summed it
up very well. We wish you the best moving forward, Al. And if there's anything we can do to help you, you know we're always there for you.

And I'd like to wish everyone in attendance tonight and everyone at home a happy and healthy Thanksgiving.

COMMISSIONER ROGERS: And our prayers are with you. And I've got to tell you the environment that we're living in today -- you've got this police department, one of the best in the country, let alone the state. We had some challenges, haven't we? But you've -- as a police director, you have really, really, truly risen to the occasion. And thank you for that.

And that's something to really be thankful for, too, that we do have a very responsible and a very good reactive police department and fire department and emergency services. Of course, colleagues, I'll always say you're the best. Boy, when I look around -- I've been around lately. But there's nothing, nothing compared to what these gentlemen do for the citizens of this Township, state, and the country. So thank you very much, and Happy Thanksgiving.

COMMISSIONER PETRACCO: Happy Thanksgiving.

MAYOR SCARPELLI: A motion to adjourn?

COMMISSIONER ROGERS: Motion to adjourn, Mayor.
Only because you're looking at me, I'm going to forward that.

COMMISSIONER PETRACCO: Second.

COMMISSIONER TUCCI: I'll second that.

But, Mayor, before we -- before we close, I'd just like to thank Commissioner Petracco and all the Commissioners for moving forward with the blue line honoring our police department. And I know the details are being worked out. I know that was supposed to have been done on Friday, but I guess because of the weather and some other issues, it wasn't. But I think it's something that's essential.

I think it's a good display of our support for our police department. So I want to thank everyone and acknowledge the commissioner for that.

COMMISSIONER PETRACCO: Thank you, Commissioner.

Yep, and we'll be working on that the week after Thanksgiving. And we thought it was so important to even include the fire department in on that. And we decided to hold off until after Thanksgiving, because we wanted them to have a little ceremony for them as well. Well-deserving.

COMMISSIONER ROGERS: Make a motion to adjourn.

COMMISSIONER PETRACCO: Second.

COMMISSIONER TUCCI: Second it again.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.
Happy Thanksgiving, everyone.
MADAM CLERK: And the time is now 8:48.
(Whereupon, these proceedings were concluded at 8:48 PM)
CERTIFICATION

I, Nicole Yawn certify that the foregoing transcript is a true and accurate record of the proceedings.

Nicole Yawn
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