

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* December 29, 2016
Seconded by: Mayor Joseph P. Scarpelli *No.* 351-16

**RESOLUTION OF THE TOWNSHIP COMMISSIONERS OF THE TOWNSHIP OF NUTLEY
AUTHORIZING THE APPOINTMENT OF MASER CONSULTING, P.A. AS PROFESSIONAL
PLANNER FOR SERVICES RELATING TO THE PREPARATION OF A REDEVELOPMENT PLAN
FOR A PORTION OF THE HOFFMANN LAROCHE REDEVELOPMENT PROJECT**

WHEREAS, there exists the need by the Board of Commissioners of the Township of Nutley (the “Board”) for specialized professional planning, engineering and consulting services to be rendered by a professional relating to a portion of the redevelopment project known as the Hoffmann LaRoche redevelopment project under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “HLR Redevelopment Project”); and

WHEREAS, the scope of such professional planning, engineering and consulting services includes a collaboration with the planning professionals retained by Hackensack University Medical Center and Seton Hall University on the preparation of a redevelopment plan for the portion of the HLR Redevelopment Project consisting mainly of a portion of Block 201, Lot 1 and Block 300, Lot 1 as shown on the official tax map of the Township of Nutley (the “Medical Center Phase”), and to review and supplement the work product of such planning professionals in the preparation of a redevelopment plan relating to the Medical Center Phase; and

WHEREAS, the abovementioned consulting services are required for certain specified professional services to be rendered or performed by a person or persons authorized by law to practice a recognized profession, whose practice is regulated by law within the meaning of N.J.S.A. 20A:11-1, et. seq., as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized training study, as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, said professional services cannot reasonably be described by written specifications; and

WHEREAS, Maser Consulting, P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political candidate or candidate committee in the Township in the previous one (1) year that would violate either N.J.S.A. 19:44A-20.5, or any and all relevant Executive Orders, or the New Jersey Election Law Enforcement Commission disclosure requirements, and that the appointment will bar Maser Consulting, P.A. from making any reportable contributions through the term of the appointment; and

WHEREAS, the Commissioners have reviewed the qualifications of Maser Consulting, P.A. and has deemed them appropriate and acceptable, and consistent with the professional engineering services required by the Board for the Medical Center Phase of the HLR Redevelopment Project as described herein.

WHEREAS, funds are available from Account # 7-01-226-205 for a total amount not to exceed \$12,000.00 and will be certified by the Chief Financial Officer. A copy of this Resolution, as well as the contract, shall be placed on file with the clerk;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley that in accordance with the Local Public Contracts Law, the Board hereby authorizes and approves the appointment of Maser Consulting, P.A. as the consultant to provide and render professional planning, engineering and consulting services relating to the Medical Center Phase of the HLR Redevelopment Project as described herein.

I, Eleni Pettas, 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 December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X		X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>		X Abstain			
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* December 29, 2016
along with the Board of Commissioners

Seconded by: Mayor Joseph P. Scarpelli *No.* 352-16

WHEREAS, the Township of Nutley has a continued need for the services of Special Development Counsel through a non-fair and open contract as a professional service pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

WHEREAS, Inglesino, Webster, Wyciskala & Taylor, LLC., 600 Parsippany Road Suite 204, Parsippany, New Jersey 07054 has ably and continuously provided these services since October 1, 2013; and

WHEREAS, the Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., has submitted a fee schedule for 2017 to provide such services at an hourly rate of \$215.00 for attorneys and an hourly rate of \$100.00 for paralegal or law clerk work; and

WHEREAS, the anticipated continued term of this contract is for twelve (12) months, from January 1, 2017 through December 31, 2017; and

WHEREAS, the Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., has completed and submitted a Business Entity Disclosure Certification and Determination of Value, which certifies that they have not made any disqualifying 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 # 7-01-226-205 and will be certified by the Chief Financial Officer, subject to the adoption of the 2017 Municipal Budget; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey enter into a contract for Special Development Counsel as follows:

- A. That Mayor and Township Clerk are hereby authorized and directed to finalize a 2017 contract and execute an agreement with Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204 in Parsippany, New Jersey 07054, for a term beginning January 1, 2017 through December 31, 2017.
- B. That the firm of Inglesino, Webster, Wyciskala & Taylor, LLC, authorized to practice in the State of New Jersey, be awarded a contract for Counsel for the Township of Nutley for the year 2017 to perform services of special development counsel with regard to the Hoffmann La Roche property and they shall receive such compensation in accordance with the quote submitted.
- C. A copy of this Resolution, as well as the contract, shall be placed on file with the Clerk.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* December 29, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* 353-16

WHEREAS, the Township of Nutley has the need to retain the services of an attorney who specializes in Municipal Land Use Law and policy to provide legal advice and services to the Code Enforcement Department in connection with the Township's Land Use Policies and Procedures; and

WHEREAS, N.J.S.A. 40A:11-5 (1) (a)(i) permits the award of a contract without public bidding; and

WHEREAS, Angelo Cifelli, Jr. Esq., of the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo, 360 Passaic Avenue, Nutley, New Jersey 07110 has submitted a proposal in the amount not to exceed \$15,500.00; and

WHEREAS, funds are available from account # 7-01-226-205 and will be certified by the Chief Financial Officer upon adoption of the 2017 Municipal Budget; and

WHEREAS, the anticipated term of this contract is for twelve (12) months, from January 1, 2017 through December 31, 2017; and

WHEREAS, the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable disqualifying 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

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 be and is hereby authorized to enter into a contract with Angelo Cifelli, Jr. Esq. of the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo as a Professional Service.

BE IT FURTHER RESOLVED that a copy of this Resolution, as well as the Contract shall be placed on file with the Clerk of the Township of Nutley; and a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Nutley Sun.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

<i>Introduced by:</i>	Commissioner Thomas J. Evans along with the Board of Commissioners	<i>Date:</i>	December 29, 2016
<i>Seconded by:</i>	Commissioner Mauro G. Tucci	<i>No.</i>	354-16

RESOLUTION OF THE TOWNSHIP COMMISSIONERS OF THE TOWNSHIP OF NUTLEY AUTHORIZING THE ENGAGEMENT OF INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC AS COUNSEL FOR THE TOWNSHIP OF NUTLEY CONCERNING LITIGATION RELATED TO THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, on or about July 2, 1985, the New Jersey Legislature enacted the Fair Housing Act, N.J.S.A. 52:27(D)-301 to 329.4 ("FHA"); and

WHEREAS, in 2008, COAH adopted revised third round rules. N.J.A.C. 5:96-1.1. to -20.4; N.J.A.C. 5:91-1.1 to -10.5; and

WHEREAS, COAH's third round rules, were never officially adopted; and

WHEREAS, in 2015, the Supreme Court eliminated a municipality's administrative protections offered by COAH, and currently a municipality's only means of obtaining substantive immunity from builder's remedy lawsuits is through a declaratory judgment action incorporating second round methodology; and

WHEREAS, there exists the need by the Board of Commissioners (the "Board") of the Township of Nutley (the "Township") for legal counsel to continue to represent the Township in this action and provide legal services related to the Township's affordable housing requirements, same to be appointed non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 by the Agency; and

WHEREAS, the above needs are for certain specified professional services to be rendered or performed by a person or persons authorized by law to practice a recognized profession, whose practice is regulated by law within the meaning of N.J.S.A. 20A:11-1, et. seq., as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized training study, as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, funds are available for this purpose from the COAH Trust Account # T-26-909-902 and a Certificate of Availability has been filed by the Chief Financial Officer of the Township in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2; and

WHEREAS, John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC (the "Firm") has completed and submitted a Business Entity Disclosure Certification which certifies that he and the Firm have not made any disqualifying reportable contributions to a political candidate or candidate committee in the Township in the previous one year that would violate either N.J.S.A. 19:44A-20.5, or the Township's Local Unit Pay to Play Ordinance adopted by referendum, or any and all relevant Executive Orders, or the New Jersey Election Law Enforcement Commission disclosure requirements, and that the contract will bar John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., as amended, requires that this Resolution be publicly advertised.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley that in accordance with the Local Public Contracts Law, hereby authorizes and approves the award of a professional services contract to John P. Inglesino, Esq., of the firm of Inglesino, Webster, Wyciskala & Taylor, LLC pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, as legal counsel in accordance with a contract for professional services, which shall provide that the legal counsel or any attorney on staff shall be paid an hourly rate of Two Hundred Fifteen Dollars (\$215.00) for legal services by attorneys and an hourly rate of One Hundred Dollars (\$100.00) for services performed by a paralegal or law clerk work; and

FURTHER RESOLVED, that the Chief Financial Officer has executed a Certification of Funds for the contract and that sufficient funds are available for said contract; and

FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute, seal and deliver said contract for professional Services on behalf of and in the name of the Township; and

FURTHER RESOLVED, that the Business Disclosure Entity Certification and Business Entity Disclosure of Campaign Contributions shall be placed on file with this Resolution; and

FURTHER RESOLVED, that a copy of this Resolution shall be published as required by law within ten (10) days of its passage.

I,  _____, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

...

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans Date: December 29, 2016

Seconded by: Commissioner Mauro G. Tucci No. 355-16

WHEREAS, the Township of Nutley has a need to acquire the services of an Attorney as Municipal Tax Counsel to provide legal counsel services concerning "Municipal Tax Appeals" in the Township of Nutley 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, the Tax Assessor has 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, the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo, 360 Passaic Avenue, Nutley, New Jersey 07110 has submitted a fee schedule for providing such services, the total of which is not to exceed \$75,000.00; and

WHEREAS, the anticipated term of this contract is for twelve (12) months, from January 1, 2017 through December 31, 2017; and

WHEREAS, the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable disqualifying 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 No. 7-01-204-200, subject to the adoption of the 2017 Municipal Budget, and will be certified by the Chief Financial Officer; 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 be and is hereby authorized to enter into a contract with Angelo Cifelli, Jr. Esq. of the Law Firm of Piro, Zinna, Cifelli, Paris & Genitempo as a Professional Service.

BE IT FURTHER RESOLVED that a copy of this Resolution, as well as the Contract shall be placed on file with the Clerk of the Township of Nutley; and a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Nutley Sun.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* December 29, 2016

Seconded by: Commissioner Mauro G. Tucci *No.* 356-16

WHEREAS, the Township of Nutley, has determined the need to dispose of certain municipal vehicles and equipment that are no longer useful and / or have come to the end of their practical term of services; and

WHEREAS, the Township of Nutley has identified the following vehicles and equipment that are no longer safe and/or practical to continue in service with the Township; and

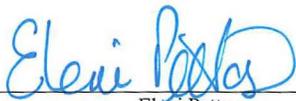
- 1991 Dodge Ram 250 Pick-Up 4x4- 48,419 Mileage VIN # 1B7KM26Z2MS274180
- 1998 Jeep Cherokee SUV – 57,272 Mileage- VIN#1J4FJ28S-OWL197889
- Polaris E4 Electric Car 5ASAG47438F045888
- MC Flailmaster Mower 3 Point Hitch 7 Foot
- Toro Snow Blower Attachment for 300 Series Groundmaster Mod.44910/SER.40186
- Lely 3 Point Hitch Pro Driven Hopper Spreader/Ser.958-1322 Type 2.3201.000
- Toro Model 325 D 1993, 2698 Hours, 6 Foot Side Discharge, 4 Wheel Dr. Vin 30198

WHEREAS, all of the listed vehicles and equipment were offered for open bidding by the public, but did not receive any offer for their purchase; and

WHEREAS, the Township of Nutley, has determined that it is best to dispose of such vehicles and equipment as they are no longer needed and/or usable by the Township and offering to sell such vehicles proved unfruitful.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, requests that the vehicles and equipment mentioned above are to be disposed of in a manner compliant with local, county and state policy and law.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans Date: December 29, 2016
 Seconded by: Commissioner Steven L. Rogers No. 357-16

WHEREAS, certain General Capital Improvement appropriation balances for Section 20 administrative expenses remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be cancelled;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that the following unexpended and dedicated balances of General Capital Appropriations be cancelled:

<u>ORDINANCE NUMBER</u>	<u>DATE AUTHORIZED</u>	<u>PROJECT</u>	<u>AMOUNT CANCELLED-FUNDED</u>
2384/2439	10/20/92;09/20/94	Various Capital Improvement	568.60
2413/2452	10/19/93; 01/09/95	Various Capital Improvement	8,104.57
2521/2700	07/01/97;11/07/01	Various Capital Improvement	63,473.35
2548	09/01/1998	Various Capital Improvement	11,642.50
2565	05/04/1999	Redesign of Various Streets	5,358.63
2636/2644/2651	07/06/00;09/05/00;10/17/00	Various Capital Improvement	4,918.79
2654	11/21/00	Construct Multi-Purpose Facility	41,337.48
2655	10/17/00	Construct Ball Field	11,937.94
2702	11/07/01	Reconstruct Various Streets/Sidewalks	467.14
2703	11/01/01	Reconstruct Various Streets/Sidewalks	7,796.30
2705/2742	11/07/01;07/09/02	Various Capital Improvement	2.28
TOTAL			\$155,607.58

. . .

I, Eleni Pettas, 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 December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
Yes	X	X	X Via Phone	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* December 29, 2016
Seconded by: Commissioner Steven L. Rogers *No.* 358-16

WHEREAS, the Township of Nutley and the Tax Assessor's Office has a need to acquire Professional Land Surveying Services to incorporate the updates and revisions to the Nutley Township Tax Maps, 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, Pennoni Associates, Inc., 105 Field Crest Avenue, Suite 502, Edison New Jersey 08837, has submitted a proposal indicating they will provide Land Surveying Services needed to update and revise the Nutley Township tax maps as required, at a cost of \$18,982.00; and

WHEREAS, Pennoni Associates, Inc., has been awarded a contract to provide Engineering General Services to the Township of Nutley on January 19, 2016, resolution 35-16, and has completed and submitted a Business Entity Disclosure Certification which certifies that said corporation has not made any disqualifying reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit Pennoni Associates from making any reportable contributions through the term of the contract; and

WHEREAS, the fee for Professional Land Surveying Services to update and revise the Nutley Township Tax Maps is \$18,982.00, and whereas funds are available from Account Number 6-01-208-205 and will be certified by the Chief Financial Officer, said certification will be 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 a contract be awarded to Pennoni Associates, Inc., 105 Field Crest Avenue, Suite 502, Edison New Jersey 08837 in the amount of \$18,982.00 to acquire Professional Land Surveying Services to update and revise the township tax maps as described herein; and

BE IT FURTHER RESOLVED that this service is being awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 19:44A-20.4 or 20.5 of the Local Public Contracts Law because the service being performed is by a person(s) authorized by law to practice a recognized profession; and

BE IT FURTHER RESOLVED that a copy of this resolution, as well as the contract shall be placed on file with the Clerk of the Township of Nutley, and that a notice of this action shall be printed once in the Nutley Sun in accordance with the Local Public Contracts Law.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli *Date:* December 29, 2016
Seconded by: Commissioner Mauro G. Tucci *No.* 359-16

RESOLUTION OF THE TOWNSHIP COMMISSIONERS OF THE TOWNSHIP OF NUTLEY AUTHORIZING THE ENGAGEMENT OF INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC AS COUNSEL FOR THE TOWNSHIP OF NUTLEY CONCERNING LITIGATION RELATED TO THE REDEVELOPMENT OF THE FORMER HOFFMANN LAROCHE CAMPUS

WHEREAS, the Township of Nutley (“Township”) has been named as a third party defendant in the litigation captioned as *Bautista, et al v. Hoffmann-LaRoche, Inc., et al v. Township of Nutley, et al* (Docket No. ESX-L-008724-14); and

WHEREAS, accordingly, there exists the need by the Board of Commissioners of the Township (the “Board”) for legal counsel to continue to represent the Township in said litigation, same to be appointed non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 by the Township; and

WHEREAS, the above needs are for certain specified professional services to be rendered or performed by a person or persons authorized by law to practice a recognized profession, whose practice is regulated by law within the meaning of N.J.S.A. 20A:11-1, et. seq., as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized training study, as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, said professional services cannot reasonably be described by written specifications, and

WHEREAS, funds are available for this purpose and a Certificate of Availability has been filed by the Chief Financial Officer of the Township in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2; and

WHEREAS, John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC., 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 (the “Firm”) has completed and submitted a Business Entity Disclosure Certification which certifies that he and the Firm have not made any reportable contributions to a political candidate or candidate committee in the Township in the previous one year that would violate either N.J.S.A. 19:44A-20.5, or the Township’s Local Unit Pay to Play Ordinance adopted by referendum, or any and all relevant Executive Orders, or the New Jersey Election Law Enforcement Commission disclosure requirements, and that the contract will bar John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., as amended, requires that this Resolution be publicly advertised.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley that in accordance with the Local Public Contracts Law, hereby authorizes and approves the award of a professional services contract to John P. Inglesino, Esq., of the firm of Inglesino, Webster, Wyciskala & Taylor, LLC pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, as legal counsel in accordance with a contract for professional services, which shall provide that the legal counsel or any attorney on staff shall be paid an hourly rate of Two Hundred Fifteen and 00/100 Dollars (\$215.00) for legal services by attorneys and an hourly rate of One Hundred Dollars and 00/100 (\$100.00) for services performed by a paralegal or law clerk work; and

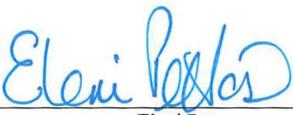
FURTHER RESOLVED, that the Chief Financial Officer has executed a Certification of Funds for the contract and that sufficient funds are available for said contract; and

FURTHER RESOLVED, that cost of services will not exceed \$75,000.00 from budget account # 7-10-226-205 and is subject to the adoption of the 2017 Municipal Budget; and

FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute, seal and deliver said contract for Professional Services on behalf of and in the name of the Township; and

FURTHER RESOLVED, that the Business Disclosure Entity Certification and Business Entity Disclosure of Campaign Contributions shall be placed on file with this Resolution; and

FURTHER RESOLVED, that a copy of this Resolution shall be published as required by law within ten (10) days of its passage.

I,  _____, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

...

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli Date: December 29, 2016
 Seconded by: Commissioner Mauro G. Tucci No. 360-16

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

DEPARTMENT OF PUBLIC WORKS & WATER UTILITY

<u>FROM:</u>		<u>TO:</u>	
Street Lighting 6-01-408-100	\$ 20,000.00	Road Repair & Maintenance O/E 6-01-408-200	\$37,000.00
Engineering S/W 6-01-404-100	7,000.00		
Weed & Leaf S/W 6-01-418-100	10,000.00		
TOTAL	\$37,000.00	TOTAL	\$37,000.00

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
Yes	X	X	X Via Phone	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven L. Rogers *Date:* December 29, 2016
Seconded by: Commissioner Alphonse Petracco *No.* 361-16

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

DEPARTMENT OF PUBLIC AFFAIRS

<u>FROM:</u>		<u>TO: S/W</u>	
Garbage & Trash 6-01-138-200	\$ 9,000.00	Dept. of Health S/W 6-01-110-100	\$ 9,000.00
TOTAL	\$ 9,000.00	TOTAL	\$ 9,000.00

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* December 29, 2016
Seconded by: Commissioner Steven L. Rogers *No.* 362-16

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

DEPARTMENT OF PUBLIC SAFETY

<u>FROM:</u>		<u>TO: S/W</u>	
Municipal Court O/E 6-01-325-200	\$ 3,000.00	Municipal Court S/W 6-01-325-100	\$ 3,000.00
TOTAL	\$ 3,000.00	TOTAL	\$ 3,000.00

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven L. Rogers *Date:* December 29, 2016
Seconded by: Commissioner Alphonse Petracco *No.* 363-16

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstance exists; and

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 move into closed executive session to discuss:

1. Litigation
2. Property Acquisition
3. Contract Negotiations

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.

. . .

I, , Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that
 Eleni Pettas
 the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held December 29, 2016

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY**

Resolution

Introduced by: _____ Commissioner Thomas J. Evans _____ *Date:* _____ December 29, 2016 _____

Seconded by: _____ Commissioner Mauro G. Tucci _____ *No.* _____ 364-16 _____

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2016 was adopted on the 17th day of May, 2016; and

WHEREAS, it is desired to amend said approved capital budget section;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the following amendments to the approved capital budget section be made:

**TO
CAPITAL BUDGET (CURRENT YEAR ACTION)
PLANNED FUNDING SERVICES FOR CURRENT YEAR-2016**

<u>Project</u>	<u>Estimated Cost</u>	<u>Capital Improvement Fund</u>
Purchase of Computer Equipment, peripherals, and related services	\$100,000.00	\$100,000.00

**6-YEAR CAPITAL PROGRAM 2016-2021
Anticipated Project Schedule and Funding Requirements**

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion</u>	<u>Per Year/ Budget Year 2016</u>
Purchase of Computer Equipment, peripherals, and related services	\$100,000.00	2016	\$100,000.00

**6-YEAR CAPITAL PROGRAM 2016-2021
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>
Purchase of Computer Equipment, peripherals, and related services	\$100,000.00	\$100,000.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

APPROVED _____

Director, Division of Local Government

I, Eleni Pettas, 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 _____ December 29, 2016 _____

<i>Record of Vote</i>	<i>Commissioner Steven L. Rogers</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Mayor Joseph P. Scarpelli</i>
<i>Yes</i>	X	X	X Via Phone	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					