

1 TOWNSHIP OF NUTLEY, NEW JERSEY

2 BOARD OF COMMISSIONERS

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4)

5 PUBLIC MEETING

)

TRANSCRIPT OF

6)

PROCEEDINGS:

7)

8
9
10 December 31, 2015

11
12 10:06

a.m.

13
14
15 BEFORE:

16 Commissioner Steven Rogers

17 Commissioner Joseph Scarpelli

18 Commissioner Mauro Tucci

19 Mayor Alphonse Petracco

20 Commissioner Thomas J. Evans

21
22
23
24
25 Job No. NJ2211382

1 P R O C E E D I N G S

2 MAYOR PETRACCO: Madam Clerk.

3 MADAM CLERK: Yes, Mayor. Board of Commissioners
4 public meeting, Thursday, December 31st, 2015. The time is
5 10:06. Pursuant to the requirements of the Open Public
6 Meeting Act, Chapter 231, Public Law 1975, notice of this
7 meeting was published in the December 11th, 2014 issues of
8 The Nutley Sun, The Star Ledger, and The Herald News. A
9 copy of this notice has been posted on the Nutley Town Hall
10 bulletin board and a copy is on file in the Municipal
11 Clerk's Office.

12 Commissioner Rogers?

13 COMMISSIONER ROGERS: Here.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Here.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Here.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Here.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Here.

22 MADAM CLERK: All present, Mayor.

23 MAYOR PETRACCO: Thank you. Before we move our
24 meeting forward, I'd just like to have some -- I would like
25 to make an announcement of some sad news because I want to

1 end the New Years on a positive note. This week we lost two
 2 Nutley icons in Nutley this week, one of them being Al Peppe
 3 (ph), who was really very involved with the Elks when we
 4 were all probably in Little League here in town.
 5 Unfortunately, he passed, and we'd just like to give our
 6 condolences to his family. And this said news came to our
 7 attention yesterday about Al Restaino (ph).

8 COMMISSIONER EVANS: Senior.

9 MAYOR PETRACCO: Yeah, who owned Midtown Sporting
 10 Goods when we were growing up here as well and who always
 11 did the right thing, was involved in politics on the state
 12 level and has been around the block, and our best regards to
 13 his family as well.

14 Okay. With that being said, we are deferring
 15 ordinance number 3327 at this time --

16 MADAM CLERK: Mayor, would you like to do the
 17 minutes?

18 MAYOR PETRACCO: I'm sorry. Yes.

19 MADAM CLERK: Thank you. We have regular meeting
 20 minutes for November 5th, 2015, November 23rd, 2015, and
 21 December 1st, 2015. I need a motion.

22 COMMISSIONER TUCCI: Move the minutes.

23 COMMISSIONER SCAPELLI: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye, except for November 5th
5 where I was absent/excused.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Mayor Petracco?

9 MAYOR PETRACCO: Aye.

10 MADAM CLERK: Thank you.

11 MAYOR PETRACCO: Okay, I see we have no
12 corr./communications. We do have reports. Commissioner
13 Tucci?

14 COMMISSIONER TUCCI: Yes, I have a Shade Tree
15 report for November of 2015.

16 MAYOR PETRACCO: Thank you. Do we have any bills,
17 Madam Clerk?

18 MADAM CLERK: No bills today, Mayor.

19 MAYOR PETRACCO: Okay, so we will be deferring
20 ordinance number 3327 for the record. And we move on to
21 resolutions. Commissioner Tucci.

22 COMMISSIONER TUCCI: Yes. Whereas, the Township
23 of Nutley has a need to acquire specialized and professional
24 ACA Reporting Services to insure compliance with IRS
25 regulations for year 2015 reporting; and just for the

1 record, ACA Reporting is Obamacare, and

2 Whereas, such services may be acquired as a non-
3 fair and open contract pursuant to the provisions of N.J.S.A.
4 19:44 A-20.4 or 20.5, as appropriate; and

5 Whereas, Primepoint LLC located at 2 Springdale
6 Rd, Mt. Holly, New Jersey has submitted a proposal dated
7 December 17th, 2015 with an anticipated cost of \$6,000 to
8 complete these services and assure compliance on behalf of
9 the Township of Nutley; and

10 Whereas, funds are available from Budget Account
11 #526-200, and will be certified by the Chief Financial
12 Officer, said certification being attached to this
13 resolution.

14 Whereas, Primepoint, LLC, has completed and
15 submitted a Business Entity Disclosure Certification which
16 certifies Primepoint has not made any reportable
17 contributions to a political or candidate committee in the
18 Township of Nutley in the previous one year, and that the
19 contract will prohibit Primepoint from making any reportable
20 contributions through the term of the contract; and

21 Now therefore, be it resolved, that the Board of
22 Commissioners of the Township of Nutley, County of Essex,
23 State of New Jersey hereby authorize the Commissioner of
24 Parks and Public Property to enter into a contract with
25 Primepoint LLC.

1 I move the resolution.

2 MAYOR PETRACCO: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Petracco?

12 MAYOR PETRACCO: Aye.

13 COMMISSIONER TUCCI: Okay. Be it resolved, by the
14 Board of Commissioners of the Township of Nutley, County of
15 Essex, New Jersey that in accordance with the provision of
16 R.S. 40A: 4-58, the following transfer(s) of appropriations
17 in the 2015 Budget be and the same are hereby authorized and
18 approved:

19 The Department of Parks and Public Property from
20 senior citizen transportation salaries and wages \$8,000 to
21 public buildings and grounds other expenses in the amount
22 of \$8,000 I move the resolution.

23 COMMISSIONER EVANS: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: Aye.

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

10 MAYOR PETRACCO: Commissioner Evans.

11 COMMISSIONER EVANS: Thank you, Mayor. Be it
12 resolved, by the Board of Commissioners of the Township of
13 Nutley, County of Essex, New Jersey that in accordance with
14 the provision of R.S. 40A: 4-58, the following transfers of
15 appropriations in the 2015 Budget be and the same are hereby
16 authorized and approved:

17 From information services O/E \$100, construction
18 office salary and wage \$5,000 to information services salary
19 and wage \$100 and construction code office O/E \$5,000, for a
20 total transfer of \$5,100. So moved.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Petracco?

6 MAYOR PETRACCO: Aye. Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Whereas, the Department
8 of Public Works, Township of Nutley wishes to purchase a
9 Konica Bizhub C364e Digital Color Copier System from an
10 authorized vendor under the State of New Jersey Cooperative
11 Purchasing Program; and

12 Whereas, the purchase of goods and services by
13 local contracting units is authorized by the Local Public
14 Contracts Law, N.J.S.A 40A: 11-12; and

15 Whereas, Atlantic Tomorrow's Office, 134 West 26th
16 Street 3rd Floor, New York, New York, has been awarded New
17 Jersey State Contract #52046 for Reprographic Equipment for
18 the period May 1st, 2002 to December 31st, 2015; and

19 Whereas, the cost for the purchase of (1) Konica
20 Bizhub C364e Digital Color Copier System is \$11,730; and

21 Whereas, the utilization of this contract is
22 recommended on the grounds that it represents the best price
23 available; and

24 Whereas, funds are available from Account #5-01-
25 404-212 in the amount of \$11,730 and have been certified by

1 the chief financial officer, said certification being
2 attached to this resolution; and

3 Now, therefore, be it resolved by the Board of
4 Commissioners of the Township of Nutley that Atlantic,
5 Tomorrow's Office be awarded a contract for the purchase of
6 a Konica Bizhub C364e Digital Color Copier System in
7 accordance with New Jersey State Contract #52046.

8 I move the resolution.

9 COMMISSIONER ROGERS: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Mayor Petracco?

19 MAYOR PETRACCO: Aye.

20 COMMISSIONER SCARPELLI: Be it resolved, by the
21 Board of Commissioners of the Township of Nutley, County of
22 Essex, New Jersey that in accordance with the provision of
23 R.S. 40A: 4-58, the following transfer(s) of appropriations
24 in the 2015 Budget be and the same are hereby authorized and
25 approved:

From water operating salary and wage \$75,000 to City of Newark water \$10,000 and Passaic Valley water \$65,000.

From engineering salary and wage \$7,000; traffic maintenance salary and wage \$5,000; road repair and maintenance salary and wage \$15,000; street lighting \$8,000; recycling salary and wage \$11,000; parking lot and meter maintenance salary and wage \$3,000; leaf removal \$35,000 to road repair maintenance \$49,000 and capital improvement fund \$35,000. For a total amount of \$159,000. I move the resolution.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Mayor Petracco?

MAYOR PETRACCO: Aye.

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

MAYOR PETRACCO: Whereas, N.J.S.A. A:9-41 requires that an Emergency Management Council be formed to coordinate

1 all disaster control activities on behalf of the Township of
2 Nutley, County of Essex, State of New Jersey;

3 Now, therefore, be it resolved by the Board of
4 Commissioners, Township of Nutley, County of Essex, New
5 Jersey that the following be appointed as Emergency
6 Management Council Local Emergency Planning
7 Council/Environmental Commission on behalf of the Township
8 of Nutley, January 1st, 2015 through December 31st, 2017.

9 That Daniel Jacoby is our shelter, reception, and
10 care coordinator. I move the resolution.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Mayor Petracco?

21 MAYOR PETRACCO: Aye.

22 Whereas, Joseph Stickles has submitted an
23 application to become a volunteer firefighter in the
24 Township of Nutley; and

25 Whereas, this application has been accepted by the

1 Deputy Chief;

2 Now, therefore be it resolved by the Board of
3 Commissioners of the Township of Nutley, State of New
4 Jersey, County of Essex, that Joseph Stickles will become a
5 recruit within the Fire Department effective immediately.

6 Be it further resolved that Joseph Stickles will
7 have 18 months to successfully complete all requirements set
8 forth by the Chief and Deputy Chief in order to be assigned
9 to the rank of volunteer firefighter in the Nutley Fire
10 Department.

11 I move the resolution.

12 COMMISSIONER TUCCI: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Mayor Petracco?

22 MAYOR PETRACCO: Aye.

23 Whereas, the Department of Public Safety, Township
24 of Nutley wishes to purchase 2016 Police Interceptor Utility
25 vehicles from an authorized vendor under the State of New

1 Jersey Cooperative Purchasing Program; and

2 Whereas, the purchase of goods and services by
3 local contracting units is authorized by the Local Public
4 Contracts Law, N.J.S.A 40A:11-12; and

5 Whereas, Winner Ford located at 250 Berlin Road,
6 Cherry Hill, New Jersey, has been awarded the New Jersey
7 State Contract #88728 for the purchase of police vehicles
8 for the period of 3/16/2015 to 3/16/2016; and

9 Whereas, the cost for the purchase of three 2016
10 Police Interceptor Utility vehicles is \$73,014; and

11 Whereas, the utilization of this contract is
12 recommended on the grounds that it represents the best price
13 available; and

14 Whereas, funds are available from Account #5-01-
15 308-211 in the amount of \$73,014 and have been certified by
16 the chief financial officer, said certification being
17 attached to this resolution; and

18 Now, therefore, be it resolved by the Board of
19 Commissioners of the Township of Nutley that Winner Ford be
20 awarded a contract for the purchase of three 2016 Police
21 Interceptor Utility vehicles in accordance with New Jersey
22 State Contract #88728.

23 I move the resolution.

24 COMMISSIONER TUCCI: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Mayor Petracco?

9 MAYOR PETRACCO: Aye.

10 Be it resolved, by the Board of Commissioners of
11 the Township of Nutley, County of Essex, New Jersey that in
12 accordance with the provision of R.S. 40A: 4-58, the
13 following transfers of appropriations in the 2015 Budget be
14 and the same are hereby authorized and approved:

15 From salary and wage \$85,000 to police O/E 68,000,
16 purchase of police vehicles from account 5-01-332-200 for
17 17,000. With a total of 85,000, I move the resolution.

18 COMMISSIONER TUCCI: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Mayor Petracco?

3 MAYOR PETRACCO: Aye.

4 That concludes our business portion of the
5 meeting. Is there anyone here this morning that would like
6 to address the Board of Commissioners? Seeing no one.

7 MADAM CLERK: I need a motion.

8 MAYOR PETRACCO: I am going to -- yeah, before we
9 -- thank you, Dr. Joe. Before we conclude -- I was actually
10 going to do it after, but before we close I would like to
11 absolutely end on a positive note. First I would just like
12 to commend my Board of Commissioners up here as we move into
13 an election year in 2016, I can't believe how the time has
14 gone by. This Board of Commissioners have been faced with
15 issues such as Roche leaving and issues that no Board of
16 Commissioners have ever been faced. And I'd just like to
17 say it's been an honor and privilege to sit up here with
18 such a committed group and I wouldn't imagine wanting to sit
19 with anyone else. I consider you guys all good friends.

20 I'd like to wish all the Township employees,
21 including the teachers, all the Board of Ed., I'd like to
22 wish the people from our Planning Board, Zoning Boards, our
23 Library Boards, everyone that gives up their time and
24 volunteers to this community and makes Nutley a great
25 community that it is. So on that note, I'd like to wish

1 everybody a very happy and healthy and prosperous New Year.
2 Gentlemen?

3 COMMISSIONER SCARPELLI: Move to adjourn.

4 COMMISSIONER ROGERS: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Happy New Year. Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: I have some special thoughts
11 as well for those who are in service to our country.

12 MAYOR PETRACCO: Thank you, Commissioner.

13 MADAM CLERK: Aye. Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Mayor Petracco?

16 MAYOR PETRACCO: Aye. Thank you.

17 MADAM CLERK: The time is now 10:19.

18 (Meeting was adjourned at 10:19 A.M.)
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C E R T I F I C A T I O N

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


Jamie Gallagher

1	31st 2:4 8:18 11:8 3327 3:15 4:20 35,000 10:8,10 3rd 8:16	acquire 4:23 acquired 5:2 act 2:6 activities 11:1 address 15:6 adjourn 16:3 adjourned 16:18 al 3:2,7 alphonse 1:19 amount 6:21 8:25 10:10 13:15 announcement 2:25 anticipated 5:7 application 11:23 11:25 appointed 11:5 appropriate 5:4 appropriations 6:16 7:15 9:23 14:13 approved 6:18 7:16 9:25 14:14 assigned 12:8 assure 5:8 atlantic 8:15 9:4 attached 5:12 9:2 13:17 attention 3:7 authorize 5:23 authorized 6:17 7:16 8:10,13 9:24 12:25 13:3 14:14 available 5:10 8:23 8:24 13:13,14 awarded 8:16 9:5 13:6,20 aye 3:25 4:2,4,7,9 6:4,6,8,10,12,25 7:2 7:4,6,8,23,25 8:2,4 8:6 9:11,13,15,17 9:19 10:14,16,18,20 10:22 11:13,15,17 11:19,21 12:14,16 12:18,20,22 14:1,3 14:5,7,9,20,22,24 15:1,3 16:6,8,13,14	16:16
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			<p>icons 3:2 imagine 15:18 immediately 12:5 improvement 10:9</p>

including 15:21 indiscernible 6:22 information 7:17,18 insure 4:24 interceptor 12:24 13:10,21 involved 3:3,11 irs 4:24 issues 2:7 15:15,15	m madam 2:2,3,14,16 2:18,20,22 3:16,19 3:24 4:1,3,6,8,10,17 4:18 6:3,5,7,9,11,24 7:1,3,5,7,22,24 8:1 8:3,5 9:10,12,14,16 9:18 10:13,15,17,19 10:21 11:12,14,16 11:18,20 12:13,15 12:17,19,21 13:25 14:2,4,6,8,19,21,23 14:25 15:2,7 16:5,7 16:9,13,15,17 maintenance 10:5,6 10:8,9 making 5:19 management 10:25 11:6 mauro 1:18 mayor 1:19 2:2,3,20 2:21,22,23 3:9,16 3:18 4:8,9,11,16,18 4:19 6:2,11,12 7:7,8 7:9,10,11 8:5,6 9:18 9:19 10:21,22,23,24 11:20,21 12:21,22 14:8,9 15:2,3,8 16:12,15,16 meeting 1:5 2:4,6,7 2:24 3:19 15:5 16:18 meter 10:7 midtown 3:9 minutes 3:17,20,22 months 12:7 morning 15:5 motion 3:21 15:7 move 2:23 3:22 4:20 6:1,22 9:8 10:10 11:10 12:11 13:23 14:17 15:12 16:3 moved 7:20	mt 5:6 municipal 2:10 n n 2:1 17:1 n.j.s.a 8:14 13:4 n.j.s.a. 10:24 need 3:21 4:23 15:7 new 1:1 3:1 5:6,23 6:15 7:13 8:10,16 8:16,16 9:7,22 11:2 11:4 12:3,25 13:6,6 13:21 14:11 16:1,8 newark 10:2 news 2:8,25 3:6 nj.s.a. 5:3 nj2211382 1:25 non 5:2 note 3:1 15:11,25 notice 2:6,9 november 3:20,20 4:4,15 number 3:15 4:20 nutley 1:1 2:8,9 3:2 3:2 4:23 5:9,18,22 6:14 7:13 8:8 9:4,21 11:2,4,8,24 12:3,9 12:24 13:19 14:11 15:24	p p 2:1 p.m. 1:12 16:18 parking 10:7 parks 5:24 6:19 passaic 10:2 passed 3:5 people 15:22 peppi 3:2 period 8:18 13:8 petracco 1:19 2:2,20 2:21,23 3:9,18 4:8,9 4:11,16,19 6:2,11 6:12 7:7,8,10 8:5,6 9:18,19 10:21,22,24 11:20,21 12:21,22 14:8,9 15:2,3,8 16:12,15,16 ph 3:3,7 planning 11:6 15:22 police 12:24 13:7,10 13:20 14:15,16 political 5:17 politics 3:11 portion 15:4 positive 3:1 15:11 posted 2:9 present 2:22 previous 5:18 price 8:22 13:12 primepoint 5:5,14 5:16,19,25 privilege 15:17 probably 3:4 proceedings 1:6 17:4 professional 4:23 program 8:11 13:1 prohibit 5:19 property 5:24 6:19 proposal 5:6 prosperous 16:1 provision 6:15 7:14 9:22 14:12
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AGENDA
TOWNSHIP OF NUTLEY
BOARD OF COMMISSIONERS
PUBLIC MEETING
THURSDAY, DECEMBER 31, 2015/9:00A.M.

Notice Pursuant to N.J.S.A 10:4-8(d)

This agenda for the next regular meeting of the Township of Nutley Board of Commissioners, and the resolutions on the agenda, reflect the agenda and proposed resolutions to the extent known at the time of posting, pursuant to N.J.S.A. 10:4-8(d). The agenda and resolutions are tentative. They are subject to amendment additions or deletions prior to the meeting. Any inquiries concerning the agenda and its contents should be directed to the Municipal Clerk's Office at (973) 284-4955.

PLEDGE OF ALLEGIANCE:

SUNSHINE NOTICE:

Pursuant to the requirements of the Open Public Meeting Act (Chapter 231, P.L.1975), notice of this meeting was published in the December 11, 2014 issue of The Nutley Sun, 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 Rogers
Commissioner Tucci
Commissioner Evans
Commissioner Scarpelli
Mayor Petracco

MINUTES:

November 5, 2015 (Commissioner Evans Absent/Excused)
November 23, 2015
December 1, 2015

COMMUNICATIONS/CORRESPONDENCE:

PROCLAMATION:

REPORTS:

Commissioner Tucci/Shade Tree Report/November 2015

BILLS:

ORDINANCE INTRODUCTIONS (0):

ORDINANCE PUBLIC HEARINGS (1):

BOARD OF COMMISSIONERS/ORDINANCE NO. 3327

"AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY IN THE COUNTY OF ESSEX ADOPTING THE HOFFMAN-LAROCHE REDEVELOPMENT PLAN FOR PHASE ONE" (INTRODUCED ON OCTOBER 16, 2015)

RESOLUTIONS (9):

Commissioner Rogers (0):

Commissioner Tucci (2):

No. 385-15/Authorize Contract for ACA Reporting Services/Primepoint LLC, 2 Springside Road, Mt. Holly, New Jersey/Anticipated Amount of \$6,000.00

No. 391-15/Authorize Transfer of Appropriations/Amount of \$8,000.00

Commissioner Evans (1):

No. 390-15/Authorize Transfer of Appropriations in 2015 Budget/Amount of \$5,100.00

Commissioner Scarpelli (2):

No. 386-15/Authorize Contract for Purchase of Color Copier System/Amount of \$11,730.00

No. 389-15/Authorize Transfer of Appropriations in 2015 Budget/Amount of \$164,000.00

Mayor Petracco (4):

No. 387-15/Appoint Daniel Jacoby as Shelter, Reception and Care Coordinator

No. 388-15/Recruit Joseph Stickles as Volunteer Firefighter

No. 392-15/Authorize Purchase of 3 2016 Police Interceptor Utility Vehicles/Amount of \$73,014.00

No. 393-15/Authorize Transfer of Appropriations in 2015 Budget/Amount of \$85,000.00

MEETING OPEN TO THE PUBLIC:

ADJOURNMENT:

REMINDER:

The next Board of Commissioners meeting is scheduled for Tuesday, January 5, 2016 at 7:00 P.M., Nutley Town Hall, 3rd Floor Commission Chambers.

HAPPY NEW YEAR!

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Mauro G. Tucci *Date:* December 31, 2015
Seconded by: Mayor Alphonse Petracco *No.* 385-15

WHEREAS, the Township of Nutley has a need to acquire specialized and professional ACA Reporting Services to insure compliance with IRS regulations for year 2015 reporting; and

WHEREAS, such services may be acquired 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, Primepoint LLC located at 2 Springside Rd, Mt. Holly, NJ 08060 has submitted a proposal dated December 17, 2015 with an anticipated cost of \$6,000.00 to complete these services and assure compliance on behalf of the Township of Nutley; and

WHEREAS, funds are available from Budget Account #526-200, and will be certified by the Chief Financial Officer, said certification being attached to this resolution.

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

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey hereby authorize the Commissioner of Parks and Public Property to enter into a contract with Primepoint LLC.

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	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 Joseph P. Scarpelli *Date:* December 31, 2015
Seconded by: Commissioner Steven L. Rogers *No.* 386-15

WHEREAS, the Department of Public Works, Township of Nutley wishes to purchase a Konica Bizhub C364e Digital Color Copier System from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A.40A:11-12; and

WHEREAS, Atlantic Tomorrow's Office, 134 West 26th Street 3rd Floor, New York, NY 10001, has been awarded New Jersey State Contract #52046 for Reprographic Equipment for the period 5/01/02 to 12/31/15; and

WHEREAS, the cost for the purchase of (1) Konica Bizhub C364e Digital Color Copier System is \$11,730.00; and

WHEREAS, the utilization of this contract is recommended on the grounds that it represents the best price available; and

WHEREAS, funds are available from Account #5-01-404-212 in the amount of \$11,730.00 and have been certified by the chief financial officer, said certification being attached to this resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that Atlantic, Tomorrow's Office be awarded a contract for the purchase of a Konica Bizhub C364e Digital Color Copier System in accordance with New Jersey State Contract #52046.

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.

Purpose: Purchase of Copier

Account: 5-01-404-200

Fund: Current Fund

Amount: \$ 11,730.00

Date: December 31, 2015



Rosemary Costa
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Alphonse Petracco *Date:* December 31, 2015
Seconded by: Commissioner Mauro G. Tucci *No.* 387-15

WHEREAS, N.J.S.A. A:9-41 requires that an Emergency Management Council be formed to coordinate all disaster control activities on behalf of the Township of Nutley, County of Essex, State of New Jersey;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners, Township of Nutley, County of Essex, New Jersey that the following be appointed as Emergency Management Council/Local Emergency Planning Council/ Environmental Commission on behalf of the Township of Nutley, January 1, 2015 – December 31, 2017:

Daniel Jacoby

Shelter, Reception and Care Coordinator

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	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 Alphonse Petracco *Date:* December 31, 2015
Seconded by: Commissioner Mauro G. Tucci *No.* 388-15

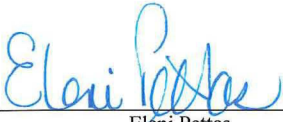
WHEREAS, (*Joseph Stickles*) has submitted an application to become a volunteer firefighter in the Township of Nutley; and

WHEREAS, this application has been accepted by the Chief and Deputy Chief;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, State of New Jersey, County of Essex, that (*Joseph Stickles*) will become a recruit within the Fire Department effective immediately.

BE IT FURTHER RESOLVED that (*Joseph Stickles*) will have 18 months to successfully complete all requirements set forth by the Chief and Deputy in order to be assigned the rank of volunteer firefighter in the Nutley Fire Department.

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	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 Joseph P. Scarpelli *Date:* _____ December 31, 2015
Seconded by: _____ Commissioner Steven L. Rogers *No.* _____ 389-15

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 transfer(s) of appropriations in the **2015 Budget** be and the same are hereby authorized and approved:

DEPARTMENT OF PUBLIC WORKS & WATER

<u>FROM:</u>	<u>TO:</u>
Water Operating S/W 5-05-702-100 \$75,000.00	City of Newark-Water 5-005-704-200 \$10,000.00
	Passaic Valley Water 5-05-705-200 \$65,000.00
Engineering S/W 5-01-404-100 \$7,000.00	Road Repair & Maintenance O/E 5-01-408-200 \$49,000.00
Traffic Maintenance S/W 5-01-406-100 \$5,000.00	Capital Improvement Fund 5-01-802-200 \$35,000.00
Road Repair & Maintenance S/W 5-01-408-100 \$15,000.00	
Street Lighting 5-01-414-200 \$8,000.00	
Recycling S/W 5-01-424-100 \$11,000.00	
Parking Lot & Meter Maintenance S/W 5-01-426-100 \$3,000.00	
Leaf Removal 5-01-422-200 \$35,000.00	
Total \$159,000.00	Total \$159,000.00

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	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 31, 2015
Seconded by: Commissioner Mauro G. Tucci *No.* 390-15

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 transfer(s) of appropriations in the **2015 Budget** be and the same are hereby authorized and approved:

DEPARTMENT OF REVENUE & FINANCE

<u>FROM:</u>	<u>TO:</u>
Information Services O/E 5-01-212-200 \$100.00	Information Services S/W 5-01-212-100 \$100.00
Construction Code Off. S/W 5-01-218-100 5,000.00	Construction Code Off. O/E 5-01-218-200 5,000.00
Total \$5,100.00	Total \$5,100.00

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	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 Mauro G. Tucci *Date:* December 31, 2015
Seconded by: Commissioner Thomas J. Evans *No.* 391-15

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 transfer(s) of appropriations in the **2015 Budget** be and the same are hereby authorized and approved:

DEPARTMENT OF PARKS & PUBLIC PROPERTY

<u>FROM:</u>	<u>TO:</u>
Sr. Citz. Transport S/W 5-01-517-100 \$8,000.00	Pub. Bldgs. & Grounds O/E 5-01-508-200 \$ 8,000.00
Total \$ 8,000.00	Total \$8,000.00

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	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 Alphonse Petracco *Date:* December 31, 2015
Seconded by: Commissioner Mauro G. Tucci *No.* 392-15

WHEREAS, the Department of Public Safety, Township of Nutley wishes to purchase (3) 2016 Police Interceptor Utility vehicles from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A.40A:11-12; and

WHEREAS, Winner Ford located at 250 Berlin Road, Cherry Hill, NJ 08034, has been awarded New Jersey State Contract #88728 for the purchase of police vehicles for the period of 3/16/2015 to 3/16/2016; and

WHEREAS, the cost for the purchase of (3) 2016 Police Interceptor Utility vehicles is \$73,014.00; and

WHEREAS, the utilization of this contract is recommended on the grounds that it represents the best price available; and

WHEREAS, funds are available from Account #5-01-308-211 in the amount of \$73,014.00 and have been certified by the chief financial officer, said certification being attached to this resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that Winner Ford be awarded a contract for the purchase of (3) 2016 Police Interceptor Utility vehicles in accordance with New Jersey State Contract #88728.

. . .

I, Eleri 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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

AFFIDAVIT

The Local Finance Board is authorized by N.J.S.A. 52: 27BB-10 to adopt standard rules for municipal financial administration and N.J.S.A. 40A: 4-57 prohibits the expending of money, incurring of liability or the entering into; of any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. By virtue of the powers vested in the Local Finance Board by N.J.S.A. 52: 27BB-10 on October 20, 1975, the Local Finance Board adopted a procedure for the expenditure of public moneys by a municipality. This procedure became effective January 1, 1976.

In accordance with the rules and regulations adopted by the Local Finance Board with respect to the awarding of Contracts by the Municipal Governing Body, I do hereby certify that funds are available for the following purpose and this contract may be adopted.


Purpose: Purchase of Police Car

Account: 5-01-332-200

Fund: Current Fund

Amount: \$ 73,014.00

Date: December 31, 2015



Rosemary Costa
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: _____ Mayor Alphonse Petracco *Date:* _____ December 31, 2015
Seconded by: _____ Commissioner Mauro G. Tucci *No.* _____ 393-15

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 transfer(s) of appropriations in the **2015 Budget** be and the same are hereby authorized and approved:

DEPARTMENT OF PUBLIC SAFETY

FROM:

TO:

Police S/W 5-01-308-100	\$85,000.00	Police O/e 5-01-308-200	\$ 68,000.00
		Purch of Police Vehicles 5-01-332-200	17,000.00
Total	\$85,000.00	Total	\$85,000.00

. . .

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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	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 Joseph P. Scarpelli *Date:* December 31, 2015
Seconded by: Commissioner Steven L. Rogers *No.* 394-15

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. Actual and Potential Litigation
2. 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, 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 31, 2015

<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 Joseph P. Scarpelli</i>	<i>Mayor Alphonse Petracco</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					