

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven L. Rogers *Date:* November 21, 2017
Seconded by: Commissioner Thomas J. Evans *No.* 249-17

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. Negotiations
2. Contracts

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 November 21, 2017

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X		X	

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* November 21, 2017
Seconded by: Commissioner Steven L. Rogers *No.* 250-17

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$9,867,000 BOND
ANTICIPATION NOTES OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW
JERSEY.**

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN
THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:**

Section 1. Pursuant to a bond ordinance of the Township of Nutley, in the County of Essex (the “Township”) entitled: “Bond ordinance appropriating \$1,363,500, and authorizing the issuance of \$1,295,325 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Nutley, in the County of Essex, New Jersey”, finally adopted on September 2, 2014 (#3294), bond anticipation notes of the Township in a principal amount not exceeding \$1,277,758 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the reconstruction of various roadways and sidewalks in the Township of Nutley, in the County of Essex, New Jersey, appropriating \$990,000 therefor and authorizing the issuance of \$940,500 bonds or notes of the Township for financing part of the cost thereof”, finally adopted on September 2, 2014 (#3295), bond anticipation notes of the Township in a principal amount not exceeding \$940,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 1. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the reconstruction of various roadways and sidewalks in the Township of Nutley, in the County of Essex, New Jersey, appropriating \$825,000 therefor and authorizing the issuance of \$783,750 bonds or notes of the Township for financing part of the cost thereof”, finally adopted on October 6, 2015 (#3321), bond anticipation notes of the Township in a principal amount not exceeding \$783,750 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating \$1,346,730, and authorizing the issuance of \$1,279,393 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Nutley, in the County of Essex, New Jersey”, finally adopted on October 6, 2015 (#3323), bond anticipation notes of the Township in a principal amount not exceeding \$1,279,108 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the acquisition of lands in and by the Township of Nutley, in the County of Essex, New Jersey, appropriating

\$3,500,000 therefor and authorizing the issuance of \$3,333,000 bonds or notes of the Township for financing part of the cost thereof", finally adopted on December 1, 2015 (#3332), bond anticipation notes of the Township in a principal amount not exceeding \$3,075,100 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance appropriating \$982,500, and authorizing the issuance of \$933,375 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Nutley, in the county of Essex, New Jersey", finally adopted on August 16, 2016 (#3344), bond anticipation notes of the Township in a principal amount not exceeding \$563,000 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance providing for the reconstruction of various roadways and sidewalks in the Township of Nutley, in the County of Essex, New Jersey, appropriating \$460,000 therefor and authorizing the issuance of \$437,000 bonds or notes of the Township for financing part of the cost thereof", finally adopted on August 16, 2016 (#3345), bond anticipation notes of the Township in a principal amount not exceeding \$437,000 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance providing for the reconstruction of various roadways and sidewalks in the Township of Nutley, in the County of Essex, New Jersey, appropriating \$409,000 therefor and authorizing the issuance of \$388,550 bonds or notes of the Township for financing part of the cost thereof", finally adopted on November 21, 2017 (#3371), bond anticipation notes of the Township in a principal amount not exceeding \$388,550 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Township entitled: "Bond ordinance appropriating \$1,181,300 and authorizing the issuance of \$1,122,234 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Nutley, in the county of Essex, New Jersey", finally adopted on November 21, 2017 (#3372), bond anticipation notes of the Township in a principal amount not exceeding \$1,122,234 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 9. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 10. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 11. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 12. This resolution shall take effect immediately.

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 November 21, 2017

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X		X	

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* November 21, 2017
Seconded by: Commissioner Steven L. Rogers *No.* 251-17

WHEREAS, Holy Family Catholic Church, located at 28 Brookline Avenue Nutley, New Jersey 07110 had submitted an application to reconstruct 3 stairways and railings; and

WHEREAS, the cost of the permit fee to reconstruct 3 stairways and railings was collected in the amount of \$7,193.00 and said amount was deposited in account C-01-904-903; and

WHEREAS, the Township of Nutley has offered to refund the municipal permit fee of \$7,193.00 from said account to Holy Family Church.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that all permit fees related to the Parish Center at Holy Family Catholic Church be refunded.

. . .

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 November 21, 2017

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X		X	

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* November 21, 2017
Seconded by: Commissioner Steven L. Rogers *No.* 252-17


WHEREAS, the Building Department has received a payment for a 10% cash portion for a performance bond in the amount of \$68,412.10 from 432 Owners Inc., as requested by the Township Engineer as part of a site plan application, for property located at 1 River Road; and

WHEREAS, the 10% cash portion for a performance bond of \$68,412.10 was collected and deposited in account #T-15-911-970; and

WHEREAS, the Construction Official has reviewed the township ordinance and determined that the performance and/or maintenance guarantee on private property is not required and the 10% cash portion for a performance bond of \$68,412.10 is due to 432 Owners Inc.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the Township Treasurer be and she is hereby authorized to refund the Cash Bond in the amount of \$68,412.10 to 432 Owners Inc.

. . .

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 November 21, 2017

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X		X	

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY


Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* November 21, 2017
Seconded by: Commissioner Steven L. Rogers *No.* 253-17

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of tax charges in the amount of \$3,771.23 for the following accounts:

Block/Lot	Address	Amount/Year
800 – 1 – C3049	348 WILSHIRE DR.	\$2,968.97/2017
5401 - 4	33 FABER PLACE	\$802.26/2017

. . .

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 November 21, 2017

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli *Date:* November 21, 2017
Seconded by: Commissioner Steven L. Rogers *No.* 254-17

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 Collection of Commingled Recycling, in the Township of Nutley, to be received on behalf of the Board of Commissioners, in Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, New Jersey 07110, on Wednesday, December 13, 2017 at 3:00 P.M. prevailing time, at which time they will be opened and publicly read.

. . .

I, Eleni Pettas, 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 November 21, 2017

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X		X	

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli *Date:* November 21, 2017
Seconded by: Commissioner Steven L. Rogers *No.* 255-17

WHEREAS, it has been determined by the County of Essex that the Centre Street Bridge at the Third River in the Township of Nutley is in need of repair; and

WHEREAS, the Centre Street Bridge at the Third River is under the jurisdiction of the County of Essex; and

WHEREAS, the Office of the County Engineer of the County of Essex has implemented a weight restriction for the Centre Street Bridge; and

WHEREAS, the Office of the County Engineer of the County of Essex has requested that the Township of Nutley pass a resolution for a temporary weight limitation on the Centre Street Bridge at the Third River; and

WHEREAS, the County of Essex has installed all necessary signage in accordance with standards required by the New Jersey Department of Transportation for the weight restriction; and

WHEREAS, it is in the best interest of the Township of Nutley to restrict the weight of vehicular traffic traveling over said aforementioned bridge until such time that repairs can be made thereto.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey as follows:

1. All vehicles over fifteen (15) tons gross weight are excluded from the Centre Street Bridge at the Third River in the Township of Nutley;
2. Fifteen (15) ton gross weight restriction shall be in effect until such time as the Centre Street Bridge repairs are completed by the County of Essex;
3. The County of Essex shall notify the Township of Nutley once all necessary repairs on the Centre Street Bridge at Third River are completed and when said weight restriction can be removed.

. . .

I, Eleni Pettas, 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 November 21, 2017

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X		X	

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Mauro G. Tucci *Date:* November 21, 2017
Read by Commissioner Thomas J. Evans
Seconded by: Commissioner Steven L. Rogers *No.* 256-17

WHEREAS, the Township of Nutley issued resolution number 169-17 on August 15, 2017 stipulating a bid opening date of October 26, 2017 at 3:00 PM prevailing time for the Park Avenue Cellular Antenna Installation; and

WHEREAS, the Township of Nutley desires to extend the bid opening date to February 14, 2018 at 3:00 P.M. prevailing time;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for the Park Avenue Cellular Antenna Installation, in the Township of Nutley, to be received on behalf of the Board of Commissioners, in the Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, NJ, 07110, on Wednesday, February 14, 2018 at 3:00 P.M. prevailing time, at which time they will be opened and read.

. . .

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 November 21, 2017

<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
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X		X	