

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* January 2, 2018

Seconded by: Mayor Joseph P. Scarpelli *No.* 1-18

Year 2018

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that there is hereby established in the Department of Revenue & Finance a **Petty Cash Account** in the amount of **Six Hundred and Fifty Dollars (\$650.00)**, said funds to be in the custody of the Cashier, all petty cash vouchers are to be approved by the department designee and authorized by the Purchasing Agent or by her designee.

. . .

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 January 2, 2018

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joseph P. Scarpelli Date: January 2, 2018
 Seconded by: Commissioner Thomas J. Evans No. 2-18

WHEREAS, bids for the Harrison Street Improvements project (Section I) were received and opened on Wednesday, June 8, 2016; and

WHEREAS, Cifelli and Son General Contracting, 81 Franklin Ave, Nutley, New Jersey, 07110 was the low bidder; and

WHEREAS, the Base bid for the Harrison Street Improvement Project (Section I) was in the amount of \$336,626.70 and Alternate Bid #1 in the amount of \$30,101.90 for a total bid amount of \$366,728.60; and

WHEREAS, the Township of Nutley entered into a contract with Cifelli and Son General Contracting for the amount of \$366,728.60; and

WHEREAS, Change Order #1 for the base bid has been authorized for a decrease in the amount of (\$19,290.80) and Alternate #1 has been authorized for a decrease in the amount of (\$9,611.04); and

WHEREAS, the original contract amount is being decreased in the amount of (\$28,901.84) to be credited to Ordinance #3295A and an adjusted contract price of \$337,826.76.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order #1 as attached, is a change from the contract previously made by the Township of Nutley with Cifelli and Son General Contracting, for the Project known as Harrison Street Improvements project (Section I) is hereby authorized and approved.

. . .

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 January 2, 2018

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* January 2, 2018
along with the Board of Commissioners

Seconded by: Mayor Joseph P. Scarpelli *No.* 3-18

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, 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 January 2, 2018

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

I, Eleni Pettas, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the
 Eleni Pettas
 foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held January 2, 2018

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

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Steven L. Rogers *Date:* January 2, 2018
Seconded by: Commissioner Alphonse Petracco *No.* 5-18

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. Personnel

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 January 2, 2018

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