

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor John V. Kelly, III *Date:* June 3, 2025

Seconded by: Commissioner Mauro G. Tucci *No.* 138-25

RESOLUTION TO ENTER INTO EMERGENCY CLOSED EXECUTIVE SESSION

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 specified circumstances; and

WHEREAS, the normal 48-hour notice requirement under the Act has not been met due to time constraints and the urgent nature of the subject matter; however, this emergency meeting is being held in compliance with the provisions of P.L. 1975, c.231, Sections 4 and 13 (commonly referred to as the "Sunshine Law"); and

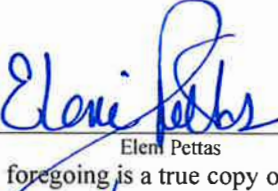
WHEREAS, pursuant **N.J.S.A. 10:4-9(b)(1)** of the Open Public Meetings Act, this resolution is adopted to permit an emergency closed session due to a matter of such urgency and importance that a delay in addressing it would likely result in substantial harm to the public interest; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, that it does hereby move into closed executive session pursuant to the Open Public Meetings Act.

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. This resolution shall take effect immediately.

...

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor John V. Kelly, III *Date:* June 3, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 131-25

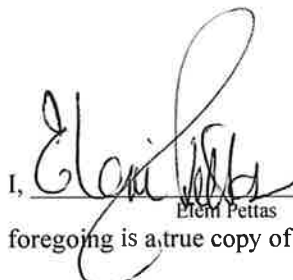
WHEREAS, raffle license applications have been received from the following organizations:

Holy Family Catholic Church	License No. 33-25 Carnival Games & Money Wheel	Thursday, September 25, 2025 through Sunday, September 28, 2025
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WHEREAS, the applications have been reviewed and approved by the Municipal Clerk and the Police Department;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the aforementioned licenses are hereby approved, and the Municipal Clerk is authorized to issue said licenses.

. . .

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
<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 John V. Kelly, III *Date:* June 3, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 132-25

WHEREAS, we remember the invasion on June 6th of 156,000 allied troops stormed 50 miles of the Normandy beaches; and

WHEREAS, we remember that day, due to bad ocean waves and currents that amphibious tanks and rocket protection from rocket boats were not possible; and

WHEREAS, we remember that the fearless Infantry charged the beach with little support to fortified positions that they advanced toward and 4,000 allied troops died for world freedom; and

WHEREAS, we remember that by dawn thousands of paratroopers were deployed behind enemy lines while aircrafts were being shot from the sky, the paratroopers bravely jumped into the night air to secure bridges and strategic targets within France; and

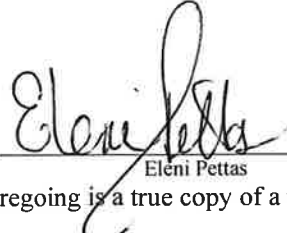
WHEREAS, we remember that without a brilliant plan, heroic men and women and their tremendous sacrifices the allied efforts may have not succeeded that day; and

WHEREAS, we remember the patriotism of the Americans at home working in over 85,000 companies within the United States supporting the war effort; and

WHEREAS, we remember that over 11,000 aircraft, 5,000 ships, 50,000 vehicles and 326,000 troops combined in Operation Overlord, and this was the largest amphibious invasion in history; and

WHEREAS, we remember all who lost their lives during WWII, the estimate is 75 million, 20 million soldiers and over 40 million civilians;

NOW, THEREFORE, BE IT PROCLAIMED, that Board of Commissioners, in the township of Nutley, County of Essex, State of New Jersey declares June 6th the 81st anniversary of D-Day and encourages all citizens to support, honor and protect the memories of our hero's that fought and died for world peace.

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 June 3, 2025

...

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner John V. Kelly, III *Date:* June 3, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 133-25

WHEREAS, on June 14, 1777, by resolution of the Second Continental Congress, the United States Flag was adopted; and

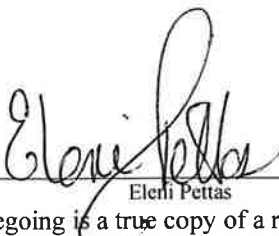
WHEREAS, on June 14, 1777, the Second Continental Congress decreed that our Nation's flag shall be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new Constellation; and

WHEREAS, on June 14, 1916, President Woodrow Wilson issued a proclamation to officially establish observance of Flag Day; and

WHEREAS, on August 3, 1949, National Flag Day, June 14, was declared by an Act of Congress;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners, in the Township of Nutley, County of Essex, State of New Jersey, recognizes and celebrates Saturday, June 14, 2025, as **FLAG DAY** in the Township of Nutley.

...

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
<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 John V. Kelly, III *Date:* June 3, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 134-25

WHEREAS, meeting in Philadelphia on June 14, 1775, the Second Continental Congress formed the Continental Army to help protect the freedom of the 13 Colonies from the British; and

WHEREAS, on June 19, 1775, George Washington was appointed Commander-In-Chief of the Continental Army. Making George Washington the first person to oversee the army; and

WHEREAS, the Continental Army marched through Nutley on route to Yorktown, Virginia for the final battle to win our independence during the Revolutionary War; and

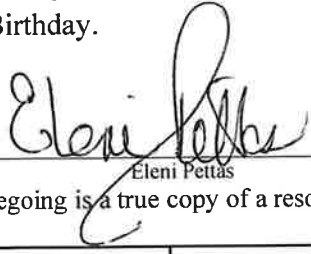
WHEREAS, today the US Army recognizes the establishment of the Continental Army on June 14, 1775, as its official birthday; and

WHEREAS, this year the United States Army will celebrate its 250th Birthday emphasizing their motto, "This We'll Defend", which was first used as a battle cry for the Continental Army; and

WHEREAS, the United States Army and its more than 951,090 soldiers help to protect freedom both foreign and domestically, working jobs that demand a high amount of physical and mental dedication; and

WHEREAS, from the Revolution to the Civil War to the World Wars to the present day, the Township of Nutley is thankful for and is proud to support the United States Army. On the occasion of the Army's 250th birthday, the township remembers those who have sacrificed to serve their nation in the Army and thanks and recognizes the Army veterans who call Nutley home today;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners, in the Township of Nutley, County of Essex, State of New Jersey, recognizes and celebrates the United States Army on its 250th Birthday.

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* June 3, 2025
Seconded by: Commissioner Joseph P. Scarpelli *No.* 135-25

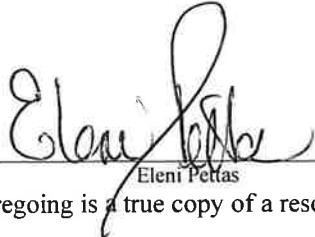
WHEREAS, Mauro G. Tucci, Chairman of the Suburban Metro Joint Insurance Fund, Commissioner of the Nutley Department of Public Safety Alphonse Petracco and the Nutley Fire Chief Paul Cafone in the Township desire to apply for the Joint Insurance Fund Certified Fire Department Program; and

WHEREAS, Lieutenant Gabriel Miller is hereby appointed to serve as the Liaison Officer for the purpose of coordinating and implementing this program; and

WHEREAS, the Township of Nutley's Fire Department agrees to utilize the MEL Safety Institute (MSI) policy distribution and training program to document receipt of the operational policies and to confirm understanding of the policies; and

WHEREAS, the Township of Nutley's Fire Department agrees to annually update the policies and annually certify as to their completion through the adoption of a resolution and request for a \$5,000 assessment credit;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, does hereby request participation in Joint Insurance Fund Certified Fire Department Program and agrees to perform the requirements of this program.

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 June 3, 2025

...

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* June 3, 2025
Seconded by: Commissioner Joseph P. Scarpelli *No.* 136-25

WHEREAS, the Township of Nutley through the Nutley Police Department has the need to acquire the services of an outside company for the administration and management of the Police Off Duty Details throughout the Township of Nutley; and

WHEREAS, Extra Duty Solutions, located at 101 Merritt Boulevard, Suite 21, Trumbull, CT 06611 has submitted a proposal indicating they will provide such services at no cost to the Township for one additional year; and

WHEREAS, all fees will be paid directly to Extra Duty Solutions by the 3rd party vendor; and

WHEREAS, the term of this contract is not to exceed one year from the date of contract award; and

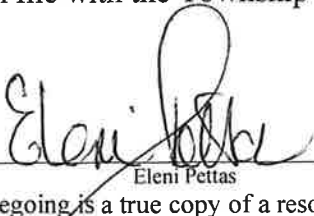
WHEREAS, Extra Duty Solutions, 101 Merritt Boulevard, Suite 21, Trumbull, CT 06611 has completed and submitted a Business Entity Disclosure Certification which certifies that said corporation has not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit Extra Duty Solutions partners from making any reportable contributions through the term of the contract;

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

1. A contract shall be entered into between the Township of Nutley and Extra Duty Solutions, 101 Merritt Boulevard, Suite 21, Trumbull, CT 06611 for the administration and management of the Police Off Duty Details

BE IT FURTHER RESOLVED, a copy of this Resolution as well as the Contract shall be placed on file with the Township Clerk and the Chief of Police.

...

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
<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:* June 3, 2025
Seconded by: Commissioner Alphonse Petracco *No.* 137-25

RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NUTLEY CHESTNUT STREET IMPROVEMENT PROJECT FISCAL YEAR 2026

WHEREAS, the New Jersey Department of Transportation makes funds available to municipalities and counties for road improvement projects through the municipal aid portion of the New Jersey Transportation Trust Fund;

WHEREAS, the Township Engineer has recommended that the Commissioners of the Township of Nutley apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2026 Municipal Aid Program for the purpose of constructing the Nutley Chestnut Street Improvement Project, from Bloomfield Avenue-Franklin Avenue;

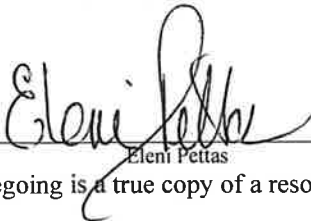
WHEREAS, the Township's Commissioners has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Township of Nutley, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Commissioners and Clerk are hereby authorized to submit an electronic grant application identified as FY-2026-Nutley Chestnut Street Improvement Project to the New Jersey Department of Transportation on behalf of the Township of Nutley.

BE IT FURTHER RESOLVED that the Commissioners and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Nutley and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

. . .

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

CERTIFICATION

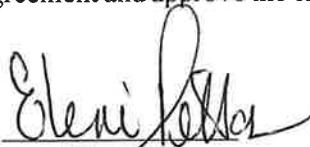

I, Eleni Pettas, RMC of the Township of Nutley, Essex County, State of New Jersey, do hereby certify this resolution was adopted at a Regular Meeting of the Township's Commissioners held on June 3, 2025.



Eleni Pettas, RMC, CMC
Township Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL


Eleni Pettas
Township Clerk
John V. Kelly, III
Mayor

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner John V. Kelly, III *Date:* June 3, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 139-25

**A RESOLUTION OF THE BOARD OF COMISSIONERS APPROVING THE
APPLICATION OF NUTLEY TOWN CENTER REDEVELOPERS URBAN RENEWAL
ENTITY, LLC FOR A WAIVER OF RESIDENTIAL DEVELOPMENT FEES**

WHEREAS, on February 15, 2022, pursuant to Ordinance 3486, the Township Board adopted the Franklin Avenue Redevelopment Plan dated December 2021 and prepared by DMR Architects (the “Redevelopment Plan”), which sets forth the uses and bulk standards permitted in the redevelopment of the Franklin Avenue redevelopment area; and

WHEREAS, the Township thereafter issued a request for proposals (“RFP”) from prospective developers to redevelop the subject area and Nutley Town Center Redevelopers Urban Renewal Entity, LLC (the “Redeveloper”) responded to such RFP; and

WHEREAS, on December 6, 2022, pursuant to Resolution 356-22, the Board of Commissioners (the “Board”) designated the Redeveloper as redeveloper of the Franklin Avenue redevelopment area; and

WHEREAS, by Resolution 382-24 on December 17, 2024, the Board authorized the execution of a Redevelopment Agreement with Nutley Town Center Redevelopers Urban Renewal Entity, LLC; and

WHEREAS, on May 21, 2025, the Redeveloper submitted an application to the Board for a waiver of residential development fees in connection with the redevelopment pursuant to Township Code Section 285-4(C)(3), which application lists various public benefits of the redevelopment project, including the construction of a total of 125 public parking spaces, the construction of a 5,000 square foot park, the investments in town property and utility infrastructure, and the commitment from the Redeveloper to pay costs to remediate existing environmental conditions; and


WHEREAS, the Township and its professionals have reviewed the Redeveloper’s application and have recommended that the Board grant the application and waive residential development fees in connection with the Franklin Avenue redevelopment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley that the application of Nutley Town Center Redevelopers Urban Renewal Entity, LLC for a waiver of residential development fees meets the requirements of Township Code Section 285-4(C), including the public benefits required therein; and

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

BE IT FURTHER RESOLVED, that the said application be and hereby is approved, and that residential development fees otherwise owed by the Redeveloper for the Franklin Avenue redevelopment project be and hereby are waived.

. . .

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
<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 Alphonse Petracco *Date:* June 3, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 140-25

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 that the Board of Commissioners of the Township of Nutley move into closed executive session to discuss:

1. 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. 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 June 3, 2025

...

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

Resolution

Resolution authorizing the Mayor and Municipal Clerk to execute a settlement agreement with Prism for the development of the ON3 Campus and the settlement of litigation between Nutley and Prism in the same or similar form as the Prism/Nutley global settlement agreement provided to the Board of Commissioners on or about June 2, 2025.

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 June 3, 2025

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					