

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY


Resolution

Introduced by: Deputy Mayor Thomas J. Evans *Date:* July 15, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 185-25

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 is hereby authorized to refund overpayments of the tax charges in the amount of **\$4,559.22** for the following accounts.

Block/Lot/Qual.	Address	Amount/Year
7805/22	34 VINE STREET	\$1,854.18/2025
101/15	84 JOERG AVENUE	\$2,705.04/2025

. . .

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 July 15, 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 Mauro G. Tucci *Date:* July 15, 2025
Seconded by: Deputy Mayor Thomas J. Evans *No.* 186-25

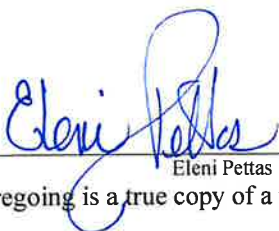
WHEREAS, the Department of Parks and Public Property determined due to unforeseen circumstances families had to cancel participation in programs offered; and

WHEREAS, the Department of Parks and Public Property has determined a need to refund families;

NOW, THEREFORE, 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 is hereby authorized to refund payments for recreation programs in the amounts listed below.

NAME	SPORT/PROGRAM	AMOUNT/YEAR
373 Bloomfield Ave	Camp Nutley	2025/\$1,350.00
104 Joerg Ave	Football	2025/\$200.00

. . .

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 July 15, 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:* July 15, 2025
Seconded by: Commissioner Alphonse Petracco *No.* 187-25

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

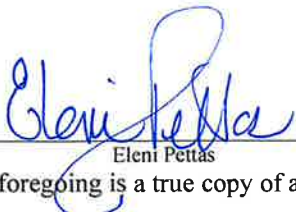
WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley move into closed executive session to discuss:

1. Litigation

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 July 15, 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: Deputy Mayor Thomas J. Evans on behalf of the Board of Commissioners *Date:* July 15, 2025

Seconded by: Commissioner Alphonse Petracco *No.* 188-25

**RESOLUTION DESIGNATING PB NUTCLIF MASTER, LLC AS REDEVELOPER OF
THE REDEVELOPMENT AREA COVERED BY THE ROCHE SOUTHSIDE
KINGSLAND STREET REDEVELOPMENT PLAN**

WHEREAS, the Board of Commissioners of the Township of Nutley (the “Board of Commissioners”) identified certain properties in the Township of Nutley (the “Township”) designated as follows on the official Tax Map of the Township of Nutley (collectively, the “Study Area”): Block 2000, Lots 1, 4 and 5 and Block 2101, Lot 1 to be considered for designation as a condemnation “area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the “LRHL”); and

WHEREAS, On March 18, 2014, pursuant to Resolution #67-14, the Board of Commissioners requested the Township Planning Board conduct a preliminary investigation to determine if the Study Area satisfied the criteria for designation as a condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, Maser Consulting prepared an investigation of the Study Area for the Township Planning Board dated February 5, 2014 (the “Redevelopment Area”); and

WHEREAS, on March 3, 2015, the Board of Commissioners determined that the Redevelopment Area constitutes and meets the criteria under the LRHL to be designated as a condemnation area in need of redevelopment and that the Redevelopment Area should be determined and declared a condemnation “area in need of redevelopment”, which determination, among other things, authorizes the Township to exercise the power of eminent domain to acquire all or any portion of such Redevelopment Area; and

WHEREAS, the Township and PB Nutclif Master, LLC (“PB”) will enter into a settlement, which requires among other things, the adoption of a redevelopment plan for the Redevelopment Area; and

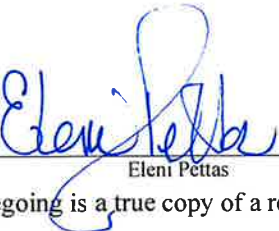
WHEREAS, FAR Planning has prepared for the Township a Redevelopment Plan dated June 18, 2025 entitled “Roche Southside Kingsland Street Redevelopment Plan” (the “Redevelopment Plan”), which provides development standards and uses for the Redevelopment Area; and

WHEREAS, on July 1, 2025, the Board of Commissioners held a public hearing and voted to adopt Ordinance 3589, accepting and approving the Roche Southside Kingsland Street Redevelopment Plan; and

WHEREAS, the Board of Commissioners has reviewed the submissions and qualifications of PB Nutclif Master, LLC, and finds that PB Nutclif Master, LLC possesses the necessary resources and experience to redevelop the Redevelopment Area in accordance with the Redevelopment Plan.

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

1. The foregoing recitals be and hereby are incorporated herein as if repeated at length; and
2. PB Nutclif Master, LLC be and hereby is designated as the redeveloper of the redevelopment area covered by the Southside Kingsland Street Redevelopment Plan, subject to the subsequent approval and execution of a redevelopment agreement with the Township; and
3. Township Administration and the Township Attorney be and hereby are authorized to take any necessary and reasonable actions in furtherance of same.

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 July 15, 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: Deputy Mayor Thomas J. Evans on behalf of the *Date:* July 15, 2025
Board of Commissioners

Seconded by: Commissioner Mauro G. Tucci *No.* 189-25

RESOLUTION AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH PB NUTCLIF MASTER, LLC COVERING THE ROCHE INNOVATION CENTER REDEVELOPMENT PLAN

WHEREAS, the Board of Commissioners of the Township of Nutley (the “Township”) identified certain properties in the Township designated as Block 102, Lot 2 and Block 200, Lots 1, 2, 3, 4, 5, 6 and 24, as well as a portion of the Windsor Place right-of-way to be vacated (“Windsor ROW”) as shown on the official Tax Maps of the Township of Nutley (collectively, the “Project Property”) for designation as an “area in need of redevelopment” under the Redevelopment Law; and

WHEREAS, on March 3, 2015, the Township designated the Project Property as an area in need of redevelopment with condemnation (“Redevelopment Area”) pursuant to the Redevelopment Law; and

WHEREAS, on May 6, 2025, pursuant to Resolution No.113-25 adopted by the Board of Commissioners, FAR Planning (Francis A. Reiner, LLA-PP) (“FAR Planning”) was authorized to prepare a redevelopment plan for the Project Property on behalf of the Township of Nutley; and

WHEREAS, FAR Planning prepared a redevelopment plan for the Property entitled “Roche Innovation Center Redevelopment Plan Block 102 Lot 2 & Block 200 Lot 1, 2, 3, 4, 5, 6 and 24” dated June2025, which was introduced via Ordinance No. 3590 on June 17, 2025, reviewed for consistency by the Township Planning Board on June 18, 2025, and adopted on second reading by the Board of Commissioners on July 1, 2025, with de minimis revisions (the “Redevelopment Plan”);

WHEREAS, pursuant to the Redevelopment Plan, the Project Property is located in the northwesterly portion of the Township, to the north of the intersection of Kingsland Street and Bloomfield Avenue, immediately adjacent to the Township’s shared municipal border with the City of Clifton; and


WHEREAS, the Board of Commissioners has or will designate PB Nutclif Master, LLC as redeveloper of the Redevelopment Area by way of a redevelopment agreement; and

WHEREAS, in light of the importance of the Project to the Township, the Board of Commissioners finds that proceeding with the redevelopment of the Redevelopment Area in a timely fashion is essential, in accordance with the requirements of the redevelopment plan and as further guided by a redevelopment agreement; and

WHEREAS, the Board of Commissioners finds that it is in the best interests of the Township and its residents to authorize the execution of a redevelopment agreement with PB Nutclif Master, LLC;

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

1. The foregoing recitals be and hereby are incorporated herein as if repeated at length; and
2. The Mayor or his designee and Township Clerk be and hereby are authorized to execute and attest, respectively, a redevelopment agreement with PB Nutclif Master, LLC in a form acceptable to counsel for the Township; and
3. Township Administration and the Township Attorney be and hereby are authorized to take all necessary and reasonable actions to effectuate the same.

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 July 15, 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: Deputy Mayor Thomas J. Evans on behalf of the *Date:* July 15, 2025
Board of Commissioners

Seconded by: Commissioner Mauro G. Tucci *No.* 190-25

**RESOLUTION RE-AUTHORIZING THE EXECUTION OF A GLOBAL SETTLEMENT
AGREEMENT WITH PB NUTCLIF MASTER, LLC**

WHEREAS, the Board of Commissioners of the Township of Nutley (the “Township”) is currently engaged in multiple litigations with PB Nutclif Master, LLC (at times referred to as “Prism”), regarding the use and development of the On3 Campus; and

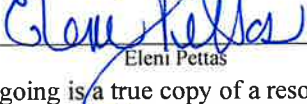
WHEREAS, on or about June 3, 2025, the Township adopted a resolution authorizing the execution of a global settlement agreement with PB Nutclif Master, LLC, in the same or similar form provided to the Board of Commissioners on or about June 2, 2025; and

WHEREAS, the parties have made modifications to the proposed form of settlement agreement and desire, for the avoidance of doubt, to re-authorize the execution of the settlement agreement.

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

1. The foregoing recitals be and hereby are incorporated herein as if repeated at length; and
2. The Mayor or his designee and Township Clerk be and hereby are authorized to execute a settlement agreement with PB Nutclif Master, LLC, in a form and content acceptable to legal counsel for the Township; and
3. Township Administration and legal counsel be and hereby are authorized to take all necessary and reasonable actions to effectuate the same.

. . .

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 July 15, 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

<i>Introduced by:</i>	Deputy Mayor Thomas J. Evans on behalf of the Board of Commissioners	<i>Date:</i>	July 15, 2025
<i>Seconded by:</i>	Commissioner Mauro G. Tucci	<i>No.</i>	191-25

A RESOLUTION OF THE BOARD OF COMMISSIONERS DETERMINING THAT THE APPLICATION DOCUMENTS SUBMITTED BY PB NUTCLIF MASTER, LLC IN REGARD TO THE PROPERTY LOCATED AT 41-47, 44-50 AND 54 WINDSOR PLACE AND IDENTIFIED AS BLOCK 102, LOT 2 AND BLOCK 200, LOTS 1-6 AND 24 ARE CONSISTENT WITH THE REDEVELOPMENT PLAN AND THE TOWNSHIP’S MASTER PLAN

WHEREAS, on or about July 1, 2025, the Board of Commissioners of the Township of Nutley (the “Township”) adopted a redevelopment plan entitled “Roche Innovation Center Redevelopment Plan Block 102 Lot 2 & Block 200 Lot 1, 2, 3, 4, 5, 6 and 24” (the “Plan”); and

WHEREAS, pursuant to the Plan, the redeveloper is required to submit, and the Township is required to review, preliminary plans for the redevelopment project to evaluate whether said plans are consistent with the Plan; and

WHEREAS, on or about July 9, 2025, PB Nutclif Master, LLC (the “Applicant”) submitted the plans to the Township and requested a determination that same are consistent with the development standards and conditions set forth in the Plan; and

WHEREAS, the submission consisted of the following:

- Letter from Meryl Gonchar, Esq., dated July 9, 2025;
- Preliminary and Final Major Site Plan, prepared by Colliers Engineering and Design, dated November 22, 2024 and revised through June 20, 2025, consisting of 48 sheets;
- Traffic Impact Letter Report, prepared by Stonefield Engineering, dated June 30, 2025; and
- Architectural Plans, prepared by Perkins & Will, undated, consisting of seven (7) sheets.

WHEREAS, by review memo dated July 15, 2025, Paul Ricci, AICP, PP, Ricci Planning, the Township’s Planner, as well as a review memo dated July 8th, 2025, prepared by FAR Planning, the Township’s Redevelopment Planner, the Township’s professionals advised that the above


referenced application documents (the “Application Documents”) are consistent with the terms and conditions of the Redevelopment Plan and the Township’s Master Plan; and

WHEREAS, the Township Board of Commissioners has considered the matter and agrees with the findings of the Township’s Planners; and

WHEREAS, the Board of Commissioners finds and determines that the Application Documents are consistent with the Redevelopment Plan and the Township’s Master Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that:

1. The Township Board of Commissioners hereby finds and determines that the Application Documents submitted by the Applicant are consistent with the Redevelopment Plan and the Township’s Master Plan; and
2. The Township Professionals and administrative staff be and hereby are authorized to take all reasonable and necessary actions to effectuate the same.
3. 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 July 15, 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:* July 15, 2025
Seconded by: Commissioner Mauro G. Tucci *No.* 192-25

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. Litigation

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.

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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 July 15, 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>					