

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* August 5, 2025
Seconded by: Commissioner Alphonse Petracco *No.* 193-25


WHEREAS, on January 7, 2025, the Township of Nutley authorized resolution number 09-25 to enter into a contract with The Law Firm of O'Toole Scrivo, 14 Village Park Road Cedar Grove, New Jersey 07009; and

WHEREAS, Change Order No. 1 has been authorized for the original contract amount to be increased by \$45,000; and

WHEREAS, the funds are available from Account No. 5-01-012-205 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that the Change Order No. 1 as attached, is a change from the contract previously made by the Township of Nutley with The Law Firm of O'Toole Scrivo, and it is hereby authorized and approved.

. . .

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 August 5, 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 (via Zoom teleconference)
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			

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 money by a municipality. This procedure became effective on 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.


Purpose: Change Order No. 1 authorizing increase for the Law Firm O'Toole Scrivo contract

Accounts: 5-01-012-205 and/or any other account that may be deemed appropriate by the
Chief Finance Officer

Fund: Current Fund

Amount: Not to Exceed \$45,000

Date: August 5, 2025

A handwritten signature in dark ink, appearing to read 'Stephanie Santana', written over a horizontal line.

Stephanie Santana, CMFO

Chief Finance Officer/ Treasurer

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY


Resolution

Introduced by: Deputy Mayor Thomas J. Evans *Date:* August 5, 2025
Seconded by: Commissioner Alphonse Petracco *No.* 194-25

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 water charges in the amount of **\$84.04** for the following accounts.

Block & Lot/Qual.	Address	Amount/Year
1000-1-C5094	593 HARTFORD DRIVE	\$84.04/2025

. . .

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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 (via Zoom teleconference)
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor John V. Kelly, III *Date:* August 5, 2025
Read by Commissioner Joseph P. Scarpelli

Seconded by: Commissioner Alphonse Petracco *No.* 195-25


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

Van Riper House, Inc.	License No. 37-25 On-Premises 50/50 Cash Raffle	Saturday, September 06, 2025
Nutley Irish American Alliance	License No. 38-25 On-Premises Merchandise Raffle	Saturday, October 18, 2025
Nutley Irish American Alliance	License No. 39-25 On-Premises Cash Raffle	Saturday, October 18, 2025
Nutley Jr. Raider Booster Club	License No. 40-25 Off-Premises Cash Raffle	Friday, November 21, 2025
Nutley Music Boosters Association	License No. 41-25 On-Premises Merchandise Raffle	Saturday, January 24, 2026
Nutley Music Boosters Association	License No. 42-25 On-Premises Cash Raffle	Saturday, January 24, 2026
Nutley Music Boosters Association	License No. 43-25 On-Premises Cash Raffle	Sunday, November 23, 2025

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, , Deputy 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 August 5, 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 (via Zoom teleconference)
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* August 5, 2025
Seconded by: Commissioner Joseph P. Scarpelli *No.* 196-25


WHEREAS, the Township of Nutley (“Nutley”) wishes to install and maintain surveillance/ALPR cameras and equipment on traffic signals and within rights of way belonging to the County of Essex (“County”); and

WHEREAS, the County requires that Nutley submit a certified copy of a resolution approved the Board of Commissioners indicated that Nutley will hold the County of Essex harmless from any claims or actions of law directly resulting from the installation and maintenance of said surveillance/ALPR cameras and equipment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, hereby authorize the Director of Public Safety and the Chief of Police to execute a memorandum of understanding with the County of Essex. Said Memorandum shall be in the form attached hereto, or substantially similar thereto, and shall have a Hold Harmless and Indemnification provision providing for the indemnification of the County of Essex for any claims directly arising from Nutley’s use of traffic signals and rights of way all belonging to the County of Essex for the purpose of installing and maintaining surveillance cameras and equipment; and

BE IT FURTHER RESOLVED that a copy of this Resolution and executed Memorandum of Understanding with Hold Harmless and Indemnification provision shall be filed with Nutley’s Municipal Clerk’s Office by the Chief of Police.

. . .

I, , Deputy 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 August 5, 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 (via Zoom teleconference)
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Mauro G. Tucci *Date:* August 5, 2025
Read by Commissioner Joseph P. Scarpelli
Seconded by: Commissioner Alphonse Petracco *No.* 197-25


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
233 Whitford Ave	Football	225.00/2025
176 Highfield Ln.	Picnic	25.00/2025
185 Beech St	Camp Nutley	225.00/2025
675 Passaic Ave	Adaptive Pickleball	100.00/2025

. . .

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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 (via Zoom teleconference)
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor John V. Kelly, III *Date:* August 5, 2025
Read by Commissioner Joseph P. Scarpelli

Seconded by: Commissioner Alphonse Petracco *No.* 198-25

WHEREAS, the holders of the Inactive Class C liquor licenses listed below have filed renewal applications with the Division of Alcoholic Beverage Control ("Division") and with the Clerk of the Township of Nutley for the 2025-2026 licensing term; and

WHEREAS, on January 16, 2024, Governor Philip D. Murphy signed legislation (S-4265/A-5912), which amended N.J.S.A. 33:1-12.39 effective August 1, 2024 providing that an inactive Class C license shall not be renewed if it has not been actively used in connection with the operation of a licensed premises within two consecutive license terms; and, if the license remains inactive at the end of the two-year period, it will expire unless the municipal issuing authority extends the period and renews the license for an additional year; and


WHEREAS, pursuant to the terms of the new law and concurrent with the effective date of August 1, 2024, holders of inactive Class C licenses no longer petition the Director for good cause to receive 12.39 relief in order for the municipal issuing authorities to renew inactive licenses; however, the governing body of a municipality may in its discretion extend the period during which the license may remain inactive for an additional year; and

WHEREAS, the applications for renewal of the inactive liquor licenses set forth herein are complete in all respects, the municipal/state fees have been paid and Tax Clearance Certificates obtained and the applicants are qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations, including N.J.S.A. 33:1-12.39 and the Division of Alcoholic Beverage Control Advisory Notice 2025-01 on the implementation of said statute.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the renewal of the following inactive Plenary Retail Consumption Licenses be granted to the following licensees and the Township Clerk be and is hereby authorized to sign and issue license certificates to said licensees effective July 1, 2025, through June 30, 2026.

<u>Liquor License No.</u>	<u>Licensee</u>	<u>Licensed Premises</u>	<u>Type of License</u>
0716-33-017-011	MAT-JOE HOLDINGS, LLC	INACTIVE ("POCKET") LICENSE	Plenary Retail Consumption License
0716-33-029-010	MAT-JOE HOLDINGS, LLC	INACTIVE ("POCKET") LICENSE	Plenary Retail Consumption License

...

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<i>Yes</i>	X		X	X	X (via Zoom teleconference)
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* August 5, 2025
Seconded by: Commissioner Joseph P. Scarpelli *No.* 199-25

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

SECTION 1:

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2025** in the sum of **\$7,000** which item is now available as a revenue from the **Distracted Driving Crackdown Grant** pursuant to the provisions of statute;

SECTION 2:

BE IT FURTHER RESOLVED that a like sum of **\$7,000** be and same is hereby appropriated under the caption of:


General Appropriations

(A) Operations-Excluded from CAPS

Distracted Driving Crackdown Grant

OTHER EXPENSES..... \$7,000

AND BE IT FURTHER RESOLVED that notification of these budget charges will be made by the Chief Finance Officer to the Director of the Division of Local Government Services through the electronic submission process.

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<i>Yes</i>	X		X	X	X (via Zoom teleconference)
<i>No</i>					
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<i>Absent/Excused</i>		X			

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Deputy Mayor Thomas J. Evans *Date:* August 5, 2025
Seconded by: Commissioner Alphonse Petracco *No.* 200-25

**RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE
ANNUAL AUDIT REPORT FOR CALENDAR YEAR 2024**

WHEREAS, the New Jersey Budget and Fiscal Affairs laws require all local governments to prepare and submit a Corrective Action Plan as part of their annual audit process; and

WHEREAS, the Corrective Action Plan, which the Chief Financial Officer prepared and placed on file with the Township Clerk within 60 days from the date the governing body received the audit report, outlines actions the Township of Nutley will take to correct the recommendations listed in the Comments and Recommendations section of the 2024 Audit report; and


WHEREAS, the Chief Financial Officer has provided the attached Corrective Action Plan which covers the findings and recommendations outlined in the 2024 Audit Report;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that they hereby approve the Corrective Action Plan prepared by the Chief Financial Officer in response to the 2024 Audit Report; and

BE IT FURTHER RESOLVED that the Corrective Action Plan shall be placed on file with the Office of the Township Clerk and shall be referenced in the synopsis of the audit report; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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I, , Deputy 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 August 5, 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 (via Zoom teleconference)
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>		X			