

**BOARD OF COMMISSIONERS**  
**TOWNSHIP OF NUTLEY, NEW JERSEY**

**Resolution**

*Introduced by:* Deputy Mayor Thomas J. Evans *Date:* September 2, 2025

*Seconded by:* \_\_\_\_\_ *No.* 218-25

**WHEREAS**, the Planning Board received an escrow deposit in the amount of \$5,000.00 from Diamond Spring Real Estate Investment, Inc. for property located at 116 Harrison Street; and

**WHEREAS**, the escrow fee of \$5,000.00 was collected and deposited in account number T-15-912-944; and

**WHEREAS**, the Zoning Official has reviewed and determined that the balance of \$2,947.45 is due to Diamond Spring Real Estate Investment, Inc.;

**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 is hereby authorized to refund escrow monies to Diamond Spring Real Estate Investment, Inc. for land use applications in the amount of \$2,947.45.

. . .

I, \_\_\_\_\_, 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 September 2, 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>					
<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 *Date:* September 2, 2025  
*Seconded by:* \_\_\_\_\_ *No.* 219-25

**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 **\$13,302.39** for the following accounts.

<b>Block/Lot/Qual.</b>	<b>Address</b>	<b>Amount/Year</b>
3701/9	12 HIGHFIELD LANE	\$3,633.84/2025
4001/18	9 POMANDER WALK	\$3,492.77/2025
3802/5	47 HIGHFIELD LANE	\$3,080.63/2025
704/14	521 WASHINGTON AVENUE	\$3,095.15/2025

. . .

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<b>Record of Vote</b>	<b>Commissioner Thomas J. Evans</b>	<b>Commissioner Mauro G. Tucci</b>	<b>Commissioner Joseph P. Scarpelli</b>	<b>Commissioner Alphonse Petracco</b>	<b>Mayor John V. Kelly, III</b>
<i>Yes</i>					
<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 along with the Board of Commissioners *Date:* September 2, 2025

*Seconded by:* Commissioner *No.* 222-25

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY  
AUTHORIZING A CHANGE ORDER FOR THE PROFESSIONAL SERVICES CONTRACT WITH  
O'TOOLE SCRIVO LLC AS COUNSEL FOR THE TOWNSHIP OF NUTLEY CONCERNING LEGAL  
MATTERS WITH RESPECT TO THE ON3 REDEVELOPMENT AREA**

**WHEREAS**, as more fully addressed in Resolution No. 09-25, the Township of Nutley has entered into a professional services contract with O'Toole Scrivo LLC as special counsel for the Township regarding the On3 redevelopment area; and

**WHEREAS**, **Change Order No. 2** is needed in the amount of \$35,000 to the special counsel legal services described in greater detail in Resolution No. 09-25; and

**WHEREAS**, funds are available from Account No. 5-01-012-205 in the amount of \$35,000.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution; and

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that **Change Order No. 2** is hereby authorized and approved in the amount of \$35,000.00; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be placed on file with the Clerk of the Township of Nutley; and a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Nutley Sun.

. . .

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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>					
<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:* \_\_\_\_\_ September 2, 2025

*Seconded by:* \_\_\_\_\_ *No.* \_\_\_\_\_ 223-25

**WHEREAS**, September 15th serves jointly as the starting point of Hispanic Heritage Week and the independence of Hispanic countries such as Costa Rica, El Salvador, Honduras, Guatemala, and Nicaragua; and

**WHEREAS**, the observation of Hispanic heritage started in 1968 as Hispanic Heritage Week under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to become Hispanic Heritage Month, this year's national theme "Collective Heritage: Honoring the Past, Inspiring the Future" aims to acknowledge the rich traditions of Hispanic cultures while also looking forward to the future and the contributions that will continue to be made; and

**WHEREAS**, in 2024, the estimated number of Hispanic citizens in the United States is projected to be 36.2 million, which represents a significant increase from previous years. This growth reflects the Hispanic population's rapid expansion, with an increase of 1.9 million from 2023 to 2024 alone,

**WHEREAS**, it is important to celebrate and recognize the accomplishments, contributions and cultural richness of Hispanic Americans and Hispanics worldwide; and

**WHEREAS**, Hispanic heritage month's presentation of Hispanic culture and heritage vastly expands the visibility and inclusion of Hispanic people on a large scale and degree; and

**WHEREAS**, educating people on Hispanic culture and heritage helps to fortify diversity within Communities and foster discussions pertaining to different cultures and ideologies; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, recognize September 15, 2025, through October 15, 2025, as **HISPANIC HERITAGE MONTH** and encourage all Nutley residents to recognize the rich history and culture that comes with Hispanic heritage.

. . .

I, \_\_\_\_\_, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the  
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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>					
<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:* September 2, 2025

*Seconded by:* \_\_\_\_\_ *No.* 225-25

**WHEREAS**, International Day of the World's Indigenous Peoples was celebrated on August 9, 2025 and is an annual United Nations holiday celebrating and honoring the estimated 476 million indigenous people living in the world today; and

**WHEREAS**, indigenous people speak a majority of the world's 7,000+ languages and encompass a rich diversity of cultures; and

**WHEREAS**, World Indigenous Day serves as a global platform to highlight the struggles, rights, and achievements of indigenous communities worldwide, and is a call to action for governments, organizations, and individuals to acknowledge, support, and preserve indigenous identities in a rapidly changing world;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners, in the Township of Nutley, County of Essex, State of New Jersey, hereby recognize August 9, 2025 as

**INTERNATIONAL DAY OF THE WORLD'S INDIGENOUS PEOPLES**

. . .

I, \_\_\_\_\_, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the  
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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>					
<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:* September 2, 2025  
*Seconded by:* \_\_\_\_\_ *No.* 220-25

**WHEREAS**, the Township of Nutley currently owns a 2012 Ford Truck (VIN No. 1FDXE40F2XHB72369); and

**WHEREAS**, said vehicle is no longer needed by the Nutley Fire Department and, therefore, pursuant to N.J.S.A. 40A:11, the Township desires to donate said vehicle to the Nutley Board of Education;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, that the Township is hereby authorized to donate the aforementioned vehicle to the Nutley Board of Education effective immediately.

. . .

I, \_\_\_\_\_, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the  
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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>					
<i>No</i>					
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**BOARD OF COMMISSIONERS**  
TOWNSHIP OF NUTLEY, NEW JERSEY  
**Resolution**

*Introduced by:* Commissioner Joseph P. Scarpelli *Date:* September 2, 2025  
*Seconded by:* \_\_\_\_\_ *No.* 224-25

**WHEREAS**, David Berry, Jr. is employed by the Township of Nutley, Department of Public Works; and

**WHEREAS**, David Berry, Jr. has exhausted all of his available sick leave and other time due; and

**WHEREAS**, Dominic Ferry, an employee of the Department of Public Works, is desirous of transferring a total TEN (10) days of his accumulated sick leave to David Berry, Jr. and has provided consent to said transfer in writing to the Township Clerk; and

**WHEREAS**, under the circumstances presented herein and in view of David Berry, Jr.'s medical situation, and his service to the Department of Public Works, the Board of Commissioners are desirous of accommodating this request;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey, that Dominic Ferry is hereby permitted to transfer days to David Berry, Jr.

. . .

I, \_\_\_\_\_, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the  
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**BOARD OF COMMISSIONERS**  
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**Resolution**

*Introduced by:* Commissioner Mauro G. Tucci *Date:* September 2, 2025  
*Seconded by:* \_\_\_\_\_ *No.* 221-25

**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
104 Warren St	Camp Nutley	225.00/2025
91 Mountainview	Yoga	60.00/2025

. . .

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**BOARD OF COMMISSIONERS**  
**TOWNSHIP OF NUTLEY, NEW JERSEY**  
**Resolution**

*Introduced by:* \_\_\_\_\_ *Commissioner Mauro G. Tucci* \_\_\_\_\_ *Date:* \_\_\_\_\_ *September 2, 2025* \_\_\_\_\_

*Seconded by:* \_\_\_\_\_ *No.* \_\_\_\_\_ *226-25* \_\_\_\_\_

**WHEREAS**, the Township of Nutley has a need to acquire specialized professional services as a fair and open contract pursuant to the provision of *N.J.S.A. 19:44 A-20.5*; and

**WHEREAS**, the Department of Parks and Public Property has a need to acquire specialized professional services for a NJ Licensed Certified Tree Expert for forestry services throughout the Township of Nutley;

**NOW, THEREFORE, BE IT RESOLVED**, the Municipal Clerk is hereby authorized and directed to advertise for a Request for Qualifications (RFQ's) for Township Forester;

**BE IT FURTHER RESOLVED** that the Request for Qualifications (RFQ's) shall be due on Wednesday, October 1, 2025 at 11:00 A.M., prevailing time, addressed to Municipal Clerk, Nutley Township Hall, One Kennedy Drive, Nutley, N.J. 07110.

. . .

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