

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* January 3, 2023
Seconded by: Commissioner Mauro G. Tucci *No.* 01-23

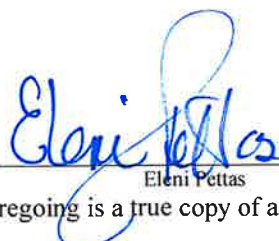
WHEREAS, New Jersey State Statute 54:4-3.30 provides that war veterans who were honorably discharged from active service, in time of war, in any branch of the Armed Forces of the United States, who have been or shall be declared by the United States Veterans Administration to be 100% totally and permanently disabled in connection with their wartime service, are entitled to a full tax exemption of their dwelling and the lot on which it is situated; and

WHEREAS, the following taxpayer has filed an application for allowance of a full exemption with proper supporting documentation thus making the taxpayer eligible;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a veteran covered under Daniel's Law be granted **full exemption** from payment of property taxes from **December 1, 2022** and all subsequent years thereafter on the property identified in the application submitted to the Tax Assessor's Office.

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to refund \$1,382.60 for 2022 property taxes.

. . .

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 3, 2023

<i>Record of Vote</i>	<i>Commissioner John V. Kelly III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Mayor Joseph P. Scarpelli</i>
<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

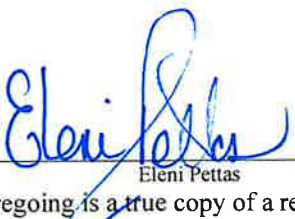
Introduced by: Mayor Joseph P. Scarpelli *Date:* January 3, 2023
Seconded by: Commissioner Mauro G. Tucci *No.* 02-23

WHEREAS, a raffle application has been received from the following organization:

Nutley Jr. Raider Booster Club	License No. 63-22 Off-Premises 50/50 Cash Raffle	Saturday, April 8, 2023
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WHEREAS, the application has 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 license is hereby approved and the Municipal Clerk is authorized to issue said license.

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 3, 2023

...

<i>Record of Vote</i>	<i>Commissioner John V. Kelly, III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Mayor Joseph P. Scarpelli</i>
<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>	Mayor Joseph P. Scarpelli on behalf of the Board of Commissioners	<i>Date:</i>	January 3, 2023
<i>Seconded by:</i>	Commissioner Mauro G. Tucci	<i>No.</i>	03-23

WHEREAS, the Board of Commissioners of the Township (the “Board of Commissioners”) identified certain properties in the Township known as the former Hoffman LaRoche site, as a condemnation “area in need of redevelopment” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the “LRHL”); and

WHEREAS, the Board of Commissioners directed Topology NJ, LLC to prepare a redevelopment plan, entitled “Nutley Phase IIA Redevelopment Plan” (the “Phase IIA Redevelopment Plan”), which contains a detailed subdivision and development program and design criteria for a portion of the Redevelopment Area and the existing structures thereon located within portions of Block 300, Lots 1.05 and 1.06 (the “Redevelopment Area”) (which Lots are indicated in the Phase IIA Redevelopment Plan as being subdivided and/or consolidated into separate lots), while maintaining the existing zoning in the remainder of the larger Redevelopment Area (including the planning/zoning criteria under the existing Redevelopment Plan - Nutley HLR/Phase 1, adopted on July 19, 2016), with an understanding that the Phase IIA Redevelopment Plan will be amended, and/or additional redevelopment plan(s) will be adopted, in the future to encourage and permit uses in the Redevelopment Area complimentary to and consistent with the Phase IIA Redevelopment Plan; and

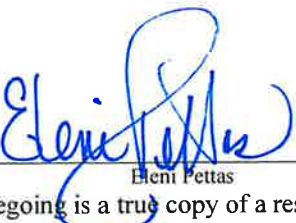
WHEREAS, on August 7, 2018, the Board of Commissioners adopted the Phase IIA Redevelopment Plan pursuant to Ordinance No. 3392; and

WHEREAS, on August 20, 2018, the Board of Commissioners adopted Resolution No. 186-18 conditionally designating PB Nutclif Master, LLC (the “Redeveloper”) as redeveloper of the portion of the Redevelopment Area covered by the Phase IIA Redevelopment Plan conditioned upon the Redeveloper entering into a redevelopment agreement with the Township within ninety (90) days of the adoption of such Resolution; and

WHEREAS, on March 5, 2019, the Redeveloper and the Township executed a Redevelopment Agreement which provides that the Redeveloper may apply to the Township for a Certificate of Completion and Compliance upon completion of the individual Phases of the Phase III Project; and

WHEREAS, on December 21, 2022, the Redeveloper applied for Certificates of Completion and Compliance for Block 300, Lots 1.05 and 1.06 (111 Ideation Way, Phase 3); and submitted evidence in the form of a written certificate of the Redeveloper confirming the completion of construction for Phases 3 under the Phase IIA Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the Mayor and Township Clerk be and hereby are authorized to execute and attest, respectively, a Certificate of Completion and Compliance for Block 300, Lots 1.05 and 1.06 (111 Ideation Way, Phase 3) of the Phase IIA Redevelopment Project.

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 3, 2023

<i>Record of Vote</i>	<i>Commissioner John V. Kelly, III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Mayor Joseph P. Scarpelli</i>
<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

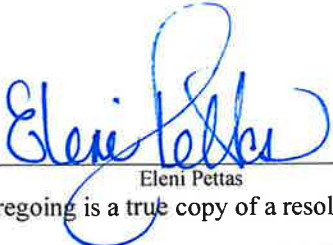
Introduced by: Commissioner Mauro G. Tucci *Date:* January 3, 2023
Seconded by: Commissioner Thomas J. Evans *No.* 04-23

WHEREAS, sealed bids were received for recreation uniforms, equipment, and supplies on November 23, 2022 in the Township of Nutley; and

WHEREAS, the Board of Commissioners of the Township of Nutley in the County of Essex New Jersey, that a contract for recreation uniforms, equipment, and supplies be awarded to BSN Sports, P.O. Box 49, Jenkintown, PA 19046 as per the attached sheet, not to exceed \$27,800.00; and

WHEREAS, funds are available from accounts 3-01-506-200 and T-24.909.901 through 915 and have been certified by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley, County of Essex, State of New Jersey.

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 3, 2023

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

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 moneys by a municipality. This procedure became effective 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 and this contract may be adopted.

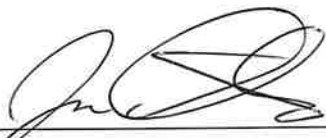
Purpose: Equipment & Supplies – BSN Sports

Accounts: 3-01-506-200/T-24-909-901

Fund: Current/Trust

Amount: Not to exceed \$27,800.00 – Contingent on approval of 2023 Budget

Date: January 3, 2023


John C. Ditinyak
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* January 3, 2023
Seconded by: Commissioner John V. Kelly, III *No.* 05-23

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

WHEREAS, the Township of Nutley through the Department of Public Safety has a need to acquire specialized and professional services for Site Investigations for an above-ground storage tank behind the Public Safety Building at 228 Chestnut Street; and

WHEREAS, the anticipated term of this contract is for 4 to 6 weeks from the date of contract award; and

WHEREAS, Viridian Environmental Consultants, P.O. Box 3009, Upper Montclair, NJ 07043 has submitted a proposal indicating they will provide such services for the sum not to exceed \$35,000.00; and

WHEREAS, Viridian Environmental Consultants 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 Viridian Environmental Consultants from making any reportable contributions through the term of the contract; and


WHEREAS, funds are available from account G-04-172-401 in the amount of \$35,000.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, enter into a contract with Viridian Environmental Consultants as described herein.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Nutley Sun in accordance with the Local Public Contract Law.

. . .

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 3, 2023

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

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 moneys by a municipality. This procedure became effective 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 and this contract may be adopted.


Purpose: Professional Services – Viridian Environmental Consultants

Accounts: G-04-172-401

Fund: Capital

Amount: Not to exceed \$35,000.00

Date: January 3, 2023


John C. Ditinyak
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution


Introduced by: Commissioner Alphonse Petracco *Date:* January 3, 2023
Seconded by: Commissioner John V. Kelly, III *No.* 06-23

BE IT RESOLVED, by the Board of Commissioners of the township of Nutley, County of Essex, New Jersey that in accordance with the provision of R.S. 40A:4-58, the following transfers of appropriations in the **2022 Budget** be and the same are hereby authorized and approved.

DEPARTMENT OF PUBLIC SAFETY

FROM:	TO:
Police S&W 2-01-308-101 \$20,000.00	Gasoline 2-01-342-229 \$20,000.00
Police S&W 2-01-308-101 \$20,000.00	Police-Equipment-Other 2-01-308-213 \$20,000.00
Fire-S&W 2-01-314-200 \$20,000.00	Gasoline 2-01-342-229 \$20,000.00
Total: \$60,000.00	Total: \$60,000.00

. . .

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 3, 2023

Record of Vote	Commissioner John V. Kelly, III	Commissioner Thomas J. Evans	Commissioner Alphonse Petracco	Commissioner Mauro G. Tucci	Mayor Joseph P. Scarpelli
<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:* January 3, 2023
Seconded by: Commissioner Thomas J. Evans *No.* 07-23

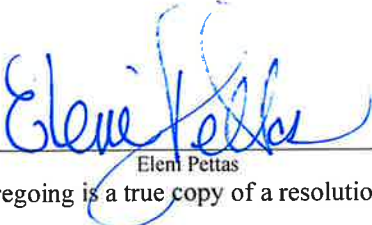
WHEREAS, sealed bids were received for Plumbing, Heating, air condition, and refrigeration service and purchase on November 23, 2022 in the Township of Nutley; and

WHEREAS, Advanced Mechanical Corp., 9 Falstrom Court, Passaic, New Jersey 07055 was the low bidder at:

Service Per hour rate:	\$80.00
Materials:	5.00%

WHEREAS, the contract is not to exceed \$100,000 and funds are available from Account #3-01-508-200 in the amount of \$30,000 and Capital Ordinance 3479A in the amount of \$70,000 for services contingent upon adoption of the 2023 budget, with an option to extend for one year, 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 of the Township of Nutley, County of Essex, State of New Jersey, that a contract for Plumbing, Heating, air condition, and refrigeration service and purchase be awarded to Advanced Mechanical Corp.

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 3, 2023

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

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 moneys by a municipality. This procedure became effective 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 and this contract may be adopted.

Purpose: HVAC Services – Advanced Mechanical

Accounts: 3-01-508-200/G-04-171-401

Fund: Current/Capital

Amount: Not to exceed \$100,000.00 – Contingent upon adoption of 2023 Budget

Date: January 3, 2023


John C. Ditinyak
Treasurer, C.F.O.

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY
Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* January 3, 2023
Seconded by: Commissioner Mauro G. Tucci *No.* 08-23

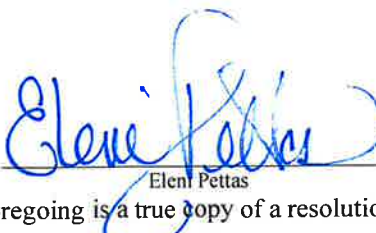
WHEREAS, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes provided by law; and

WHEREAS, R.S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00;

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. The Tax Collector is hereby authorized and directed to **charge 8% per annum** on all taxes becoming delinquent after the due date, subject to any abatement or discount for the late payment of taxes provided by law.
2. Effective **January 1, 2023**, quarterly tax payments made by cash, check or money order shall have a **ten (10)** day grace period.
3. Any payments not made in accordance with Section 2 of this resolution shall be charged interest from the due date, as set forth in Section 1 of this resolution.

...

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 3, 2023

<i>Record of Vote</i>	<i>Commissioner John V. Kelly, III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Mayor Joseph P. Scarpelli</i>
<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:* January 3, 2023
Seconded by: Commissioner Thomas J. Evans *No.* 09-23

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;

NOW, THEREFORE, BE IT RESOLVED that 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. 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 January 3, 2023

<i>Record of Vote</i>	<i>Commissioner John V. Kelly III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Mauro G. Tucci</i>	<i>Mayor Joseph P. Scarpelli</i>
<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:* January 3, 2023
Seconded by: Commissioner John V. Kelly, III *No.* 10-23

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;

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

1. Personnel
2. Contract Negotiations
3. Property Acquisition

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 January 3, 2023

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