

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

PUBLIC MEETING

) TRANSCRIPT OF

) PROCEEDINGS:

April 15, 2014

7:00 p.m.

RECEIVED
MUNICIPAL CLERK'S OFFICE
2014 MAY -8 P 1:30
TOWNSHIP OF NUTLEY

BEFORE:

Mayor Petracco

Commissioner Thomas J. Evans

Commissioner Steven Rogers

Commissioner Joseph P. Scarpelli

Commissioner Mauro G. Tucci

Township Clerk

Job No. VTNJ - 1851433

P R O C E E D I N G S

1
2 UNIDENTIFIED SPEAKER: Would everyone please rise
3 for the flag salute?

4 (Pledge of Allegiance.)

5 MAYOR PETRACCO: Madam Clerk.

6 MADAM CLERK: Yes, Mayor.

7 Tuesday, April 15, 2014, pursuant to the
8 requirements of the Open Public Meeting Law, Chapter 231,
9 Public Laws, 1975, notice of this meeting was published in
10 the December 12, 2013 issues of the Nutley Sun, the Star
11 Ledger and the Herald News. A copy of this notice has been
12 posted on the Nutley Town Hall bulletin board and a copy is
13 on file in the Municipal Clerk's Office.

14 Commissioner Rogers?

15 COMMISSIONER ROGERS: Here.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Here.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Here.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Here.

22 MADAM CLERK: Mayor Petracco?

23 MAYOR PETRACCO: Here.

24 MADAM CLERK: All present, Mayor.

25 MAYOR PETRACCO: Thank you. I see we have minutes

1 tonight.

2 MADAM CLERK: Yes, Mayor. We have several minutes
3 this evening. We have a set of minutes for regular meetings
4 held on January 24th, February 4th, February 18th, March
5 4th, 2014.

6 I need a motion please.

7 COMMISSINER SCARPELLI: Moved.

8 MAYOR PETRACCO: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: "Aye".

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: "Aye".

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: "Aye".

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: "Aye".

17 MADAM CLERK: Mayor Petracco?

18 MAYOR PETRACCO: "Aye".

19 MADAM: I have executive session minutes for 2012.

20 I'll read the dates. January 20th, January 25th, February
21 7th, February 10th, April 17th, May 14th, July 3rd, July
22 17th, August 7th, August 21st, September 4th, September
23 18th, October 2nd, October 16th, November 8th, November
24 20th, December 4th and December 18th, all for 2012.

25 I need a motion, please.

1 COMMISSIONER TUCCI: Move it.

2 COMMISSIONER EVANS: Second.

3 MADAM CLERK: That was Commissioner Tucci?

4 COMMISSIONER TUCCI: Yes.

5 MADAM CLERK: And seconded by Commissioner Evans?

6 COMMISSIONER EVANS: Yes.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: "Aye".

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: "Aye".

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: "Aye".

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: "Aye".

15 MADAM CLERK: Mayor Petracco?

16 MAYOR PETRACCO: "Aye".

17 MADAM CLERK: I have executive session minutes for
18 the year 2013. January 15th, February 19th, March 5th,
19 March 19th, April 2nd, April 25th, May 7th, May 16th, June
20 4th, July 2nd, July 16th, August 20th, September 17th,
21 October 1st, October 15th, November 7th, December 3rd and
22 December 17th, all for the year 2013.

23 I need a motion please.

24 COMMISSIONER TUCCI: Move it.

25 COMMISSIONER EVANS: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: "Aye".

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: "Aye".

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: "Aye".

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: "Aye".

9 MADAM CLERK: Mayor Petracco?

10 MAYOR PETRACCO: "Aye".

11 MADAM CLERK: That's all for minutes this evening,
12 Mayor.

13 MAYOR PETRACCO: Thank you. Communications?

14 MADAM CLERK: Yes, Mayor. I have one item of
15 communication this evening. The communication is from the
16 Nutley Belleville Columbus Day & Italian Heritage Month
17 Parade Committee. They are requesting permission from the
18 governing body to hold a Sunday Raffle on May 18th, 2014.
19 The raffle will held at the Nutley Parks and Recreation
20 Center at 44 Park Avenue.

21 I need a motion please.

22 COMMISSIONER TUCCI: Move it.

23 MAYOR PETRACCO: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: "Aye".

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: "Aye".

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: "Aye".

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: "Aye".

7 MADAM CLERK: Mayor Petracco?

8 MAYOR PETRACCO: "Aye".

9 MADAM CLERK: That's all for communications this
10 evening, Mayor.

11 MAYOR PETRACCO: We'll move to bills, please.

12 MADAM CLERK: Yes, Mayor. Bill list, April 15,
13 2014. Public Affairs - \$93,948.46; Revenue & Finance -
14 \$3,131,898.42; Public Safety - \$73,099.68; Public Works -
15 \$20,346.78; Parks & Public Property - \$392,799.43; Payroll
16 as of April 11th, 2014 - \$769,286.96 for a grand total bill
17 list of \$4,481,379.73. And that's for bills this evening,
18 Mayor.

19 COMMISSIONER TUCCI: Move the bills.

20 COMMISSIONER EVANS: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: "Aye".

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: "Aye".

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: "Aye".

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: "Aye".

4 MADAM CLERK: Mayor Petracco?

5 MAYOR PETRACCO: "Aye".

6 MADAM CLERK: Thank you, Mayor.

7 MAYOR PETRACCO: Thank you, Madam Clerk. I see we
8 have no ordinance introductions or public hearings. We will
9 move on to resolutions. Commissioner Tucci, I think we're
10 going to take something out of order for a special guest
11 tonight?

12 COMMISSIONER TUCCI: Yes, we are, Mayor. Thank
13 you.

14 This is one of the best parts of this job. There
15 are a lot of good parts, but this is absolutely one of the
16 best, especially when you look out into the audience and we
17 see all these smiling faces and we see all the talent that
18 we have and we know that our future is in great hands.

19 But, having said all that, let me read this
20 resolution.

21 WHEREAS, the Girls Sixth Grade Basketball Team has
22 enjoyed an outstanding season posting an overall record of
23 10 wins and 2 losses; and

24 WHEREAS, the members of the Girls Sixth Grade
25 Basketball Team are: Abigail Scheidel, Ava Intindola, Ava

1 Haradedian, Jaden Long, Sofia LaMond, Lucia Rizzuto, Kelly
2 Waddleton, Kristine Lepomo, Sofia Torres, Samantha
3 Abernovich, Maria Marucci; and

4 WHEREAS, head coach, Dave Scheidel, along with
5 Assistant Coaches Stephanie Pavone and Megan Ginter worked
6 tirelessly to train and guide these athletes; and

7 WHEREAS, the members of the Girls Sixth Grade
8 Basketball team were the Suburban Travel Basketball Division
9 Champions with a record of 10 wins and 2 losses; and

10 NOW THEREFORE, BE IT RESOLVED that the Board of
11 Commissioners of the Township of Nutley, the County of
12 Essex, join with the citizens of Nutley honor and
13 congratulate the members and coaches of the Girls Sixth
14 Grade Basketball Team, for their exceptional efforts and
15 accomplishments.

16 I proudly move this resolution.

17 COMMISSIONER EVANS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: "Aye".

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: "Aye".

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: "Aye".

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: "Aye".

1 MADAM CLERK: Mayor Petracco?

2 MAYOR PETRACCO: I have to say something before I
3 vote. I was fortunate enough to go to the girls' high
4 school games this year and they had such an exciting season
5 where I think they came in second in the State. They lost
6 to West Morris and even at that game, I said it wasn't even
7 a loss because they played so hard. So you young ladies,
8 keep practicing because we need a State championship in
9 Nutley. So you're out hope. So I very proudly vote yes.

10 (Applause.)

11 UNIDENTIFIED SPEAKER: Thank you.

12 COMMISSIONER TUCCI: Would the girls and the
13 coaches please come up for a photo?

14 (Pause.)

15 UNIDENTIFIED SPEAKER: Good job, ladies.

16 ~~COMMISSIONER TUCCI~~: Guys, we're going to take a
17 Mayor Petracco
18 short break so if there's anyone that would like to leave
19 now, you can feel free to. Thank you so much for coming.
20 Great job.

21 (Chorus of great job)

22 (Pause.)

23 COMMISSIONER EVANS: Commissioner Tucci, since you
24 started with your resolutions --

25 COMMISSIONER TUCCI: Yes.

COMMISSIONER EVANS: -- would you complete?

1 COMMISSIONER TUCCI: Thank you.

2 MADAM CLERK: Mayor, before we continue, I just,
3 for the record, Mayor Petracco has exited the commission
4 chambers and exited the meeting at 8:03 p.m.

5 COMMISSIONER EVANS: With that, Commission Tucci,
6 you want to finish up.

7 COMMISSIONER TUCCI: Thank you.

8 WHEREAS, in 1949, the legislature set aside the
9 last Friday of April or Arbor Day to promote the planting of
10 trees and to encourage the protection of our forests from
11 fires and pests that destroy the beauty and usefulness of
12 our woodlands; and

13 WHEREAS, half of New Jersey's total land area is
14 forested or tree covered; and

15 WHEREAS, trees play an important role in the
16 ecosystem in which we live and trees reduce the erosion of
17 our precious topsoil caused by wind and water, clean the air
18 we breathe and the water we drink, produce oxygen, provide
19 habitat for birds and wildlife and reduce heating and
20 cooling costs by moderating temperature; and

21 WHEREAS, trees are a renewable resource giving us
22 paper for fine literature, wood for homes, fuel for fires,
23 and countless other wood products; and

24 WHEREAS, trees provide increased property value,
25 enhanced economic viability, and pleasing aesthetic

1 qualities along streets and properties in municipalities;
2 and

3 WHEREAS tree planting in yards and farms, in
4 school yards and parks, and along streets and highways
5 creates an enduring heritage for generations that follow,
6 and

7 WHEREAS, The Township of Nutley has completed its
8 27th year as a member of Tree City USA; and

9 WHEREAS, I Commissioner Mauro Tucci, Director of
10 Parks and Public Property of the Township of Nutley, do
11 hereby proclaim May 3, 2014 at Arbor Day in the community of
12 Nutley and urge all citizens to support efforts to protect
13 our trees and woodlands and to support out town's urban
14 forestry program, and

15 Further, I urge all citizens to plant trees to
16 gladden hearts and promote the well-being of present and
17 future generations.

18 I move the resolution.

19 COMMISSIONER ROGERS: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: "Aye".

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: "Aye".

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: "Aye".

1 MADAM CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: "Aye".

3 COMMISSIONER TUCCI: And my last resolution of the
4 night.

5 WHEREAS the Township of Nutley is desirous of
6 enhancing the transparency of the local government; and

7 WHEREAS, the Commissioners of the Township
8 understand and embrace the concept that communication and
9 transparency in government is strength; and

10 WHEREAS, an informed and educated citizenry is
11 vital to the continued progress and understanding of the
12 workings of the local government; and

13 WHEREAS, funding to accomplish same may be
14 available and utilized from existing capital funds, grants
15 from our local cable provider, private sources and/or county
16 and state funding sources; and

17 WHEREAS, the Township wishes to broaden the reach
18 of the Board of Commission meetings in the most efficient
19 and effective way inclusive of video.

20 NOW, THEREFORE, BE IT RESOLVED, that authorization
21 is granted to the Nutley Parks and Public Property
22 Department to move forward gathering information to be
23 presented to the Board of Commissioners for consideration to
24 implemental the broadcasting of Commission meetings with
25

1 greater transparency in accordance with any and all
2 applicable regulations and laws.

3 BE IT FURTHER RESOLVED that coordination and
4 cooperation from other Township departments will be expected
5 to realize the best possible result.

6 This is something that has been a long time
7 coming. We started talking about this, at this Board level,
8 I believe it was 2002 and I believe the time has now come
9 for us to move into the 21st century and to pass this
10 resolution.

11 And I proudly present this.

12 COMMISSIONER EVANS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: "Aye".

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: "Aye".

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: "Aye".

19 MADAM CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: "Aye".

21 COMMISSIONER TUCCI: That's all I have, Mayor.

22 COMMISSIONER EVANS: Thank you. Commissioner
23 Scarpelli, would you read Mayor Petracco?

24 COMMISSIONER SCARPELLI: Sure.
25

1 WHEREAS, raffle applications have been received
2 from the following organizations; Holy Family Catholic
3 Church, License No. 41-14, off-premise 50/50 cash raffle,
4 May 17, 2014; Nutley-Belleville Columbia Day & Italian
5 Heritage Month Parade Committee, License No. 42-14, on-
6 premise 50/50 cash raffle, May 18th, 2014; Nutley-Belleville
7 Columbia Day & Italian Heritage Month Parade Committee,
8 License No. 42-14, on-premise tricky tray, May 18th, 2014.

9 WHEREAS, the applications have been reviewed and
10 approved by the Municipal Clerk and the Police Department.

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

16 I move the resolution.

17 COMMISSIONER ROGERS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: "Aye".

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: "Aye".

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: "Aye".

24 MADAM CLERK: Commissioner Scarpelli?

25

1 COMMISSIONER SCARPELLI: "Aye". That's all I
2 have.

3 COMMISSIONER EVANS: Thank you. Commissioner
4 Rogers.

5 COMMISSIONER ROGERS: Thank you.

6 BE IT RESOLVED by the Board of Commissioners of
7 the Township of Nutley, in the County of Essex New Jersey
8 that the Township Clerk is hereby authorized to advertise
9 for sealed bids for surplus equipment no longer in use by
10 the township. Equipment and vehicles are listed: a 1999
11 GMC Yukon versus in icon; a 1994 GMC 3500; a 1992 Volvo FE-
12 42 for the Department of Public Works. For the Department
13 of Parks and Public Property: 1999 GMC 3500 pickup, a 1994
14 Dodge white van, a 1992 Jeep Cherokee that is blue.

15 BE IT FURTHER RESOLVED that the equipment is to be
16 sold "as is" and "where is". Bids to be received on May 7,
17 2014, 3 p.m. prevailing time in the Commission Chambers,
18 Township Hall, 1 Kennedy Drive, at which time they will be
19 publicly opened and read.

20 So moved.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: "Aye".

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: "Aye".

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: "Aye".

3 MADAM CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: "Aye".

5 COMMISSIONER EVANS: BE IT RESOLVED by the Board
6 of Commissioners of the Township of Nutley, in the County of
7 Essex, State of New Jersey, that the Treasurer be and she is
8 hereby authorized to refund overpayments of property taxes
9 in the amount of \$4,195.25 for accounts, let see: Block
10 1400, Lot 1, C1037 for \$2,648.64; Block 9701, Lot 5, c0701
11 for \$1,546.61.

12 So moved.

13 UNIDENTIFIED COMMISSIONER: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: "Aye".

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: "Aye".

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: "Aye".

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: "Aye".

22 COMMISSIONER EVANS: Under statute, local
23 municipalities, can if they are deemed by the State to be
24 fiscally sound and responsible, they can be granted the
25 annual budget examination to self-examination. Nutley

1 qualifies for that. So as I read this resolution to adopt
2 it, it is the recollection that young -- this is a team
3 effort on the part of the Board of Commissioners that we are
4 able to achieve this every year and consistently. So given
5 our ongoing focus on good fiscal management we're able to
6 available ourselves of this type of statute. So --

7 WHEREAS, N.J.S.A. 40A: 4-78b has authorized the
8 Local Finance Board to adopt rules that permit
9 municipalities in sound fiscal condition to assume the
10 responsibility normally granted to the Director of the
11 Division of Local Government Services, of conducting the
12 annual budget examination; and

13 WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local
14 Finance Board on February 11, 1997; and

15 WHEREAS, N.J.A.C. 5:30-7.2 through 7.5 the
16 Township has been declared eligible to participate in the
17 program by the Division of Local Governmental Services, and
18 the Chief Financial Officer has determined that the local
19 government meets the necessary conditions to participate in
20 the program for the 2014 budget year.

21 NOW, THEREFORE, BE IT RESOLVED by the Board of
22 Commissioners of the Township of Nutley, that in accordance
23 with N.J.A.C. 5:307.6a and 7.6b, and based upon the Chief
24 Financial Officer's certification, the Board of

25

1 Commissioners have found the budget has met the following
2 requirements:

3 1. With reference to the following items, the
4 amounts have been calculated pursuant to law and
5 appropriated as such in the budget:

6 a. Payment of interest and debt redemption
7 charges

8 b. Deferred charges and statutory
9 expenditures

10 c. Cash deficit of preceding year

11 d. Reserve for uncollected taxes

12 e. Other reserves and non-disbursement
13 items

14 f. Any inclusions of amounts required for
15 school purposes.

16 2. That the provisions relating to limitation on
17 increases of appropriations pursuant to N.J.S.A. 40A:4--45.2
18 and appropriations for exceptions to limits on
19 appropriations found in N.J.S.A. 40A:4-45.3 are fully met
20 and complies with the CAP law.

21 3. That the budget is in such form, arrangement
22 and content as required by the Local Budget Law and N.J.A.C.
23 5:30-4 and 5:30-5.

24 4. That pursuant to the Local Budge Law:
25

1 a. All estimates of revenue are reasonable,
2 accurate and correctly stated

3 b. Items of appropriation are properly set forth

4 c. In itemization for arrangement and content the
5 budget will permit the exercise of the comptroller's
6 function within the municipality.

7 5. The budget and associated amendments have been
8 introduced and publicly advertised in accordance with the
9 relevant provisions of the Local Budget Law, except that
10 failure to meet the deadlines of N.J.S.A. 40A:4-4 shall not
11 prevent such certification.

12 6. That all other applicable statutory
13 requirements have been fulfilled.

14 BE IT FURTHER RESOLVED that a copy of this
15 resolution will be forwarded to the Director of the Division
16 of Local Government Services upon adoption.

17 So move.

18 COMMISSIONER TUCCI: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: "Aye".

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: "Aye".

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: "Aye".

25 MADAM CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: "Aye".

2 COMMISSIONER EVANS: That concludes the formal
3 business before the Board of Commissioners tonight. Evelyn,
4 would you read the notice.

5 MADAM CLERK: Yes. All persons addressing the
6 Board of Commissioners regarding community concerns should
7 approach the microphone and provide their name and address
8 for the record.

9 Unless further time is granted by the Board, each
10 person shall limit their address to five minutes.

11 All remarks to the Board and its individual
12 members must be addressed to the Mayor. The Mayor may defer
13 citizen comments to the appropriate member of the Board.
14 Dialogue between citizens and others addressing the Board
15 shall be allowed unless the Mayor or presiding officer or
16 the majority of the membership of the Board shall determine
17 that the interests of quorum and of the expeditious conduct
18 of municipal business are being adversely affected by such
19 dialogue.

20 Name and address, please.

21 COMMISSIONER EVANS: Evelyn, just a note for the
22 record that Commissioner Tucci's excused from the meeting at
23 8:14.

24 MADAM CLERK: Okay. Commissioner Tucci has exited
25 the chambers and exited the meeting at 8:14 p.m. Thank you.

1 MS. LANDRY: Pennie Landry, 135 Lakeside Drive,
2 Nutley, New Jersey 07110. Who's acting as Mayor right now.

3 COMMISSIONER EVANS: The Mayor is not present as
4 the Deputy Mayor I sit in and preside over the meetings.

5 MS. LANDRY: Okay. In 2012, there were land
6 reassessments done. Do you recall how many residential
7 property land assessment decreases there were in 2012?

8 COMMISSIONER EVANS: No, I have -- no.

9 MS. LANDRY: You have no idea.

10 COMMISSIONER EVANS: No. The tax assessor would
11 have that information.

12 MS. LANDRY: Okay. So you're not aware of that
13 information?

14 COMMISSIONER EVANS: Not specifically. You asked
15 me a specific question, so, no.

16 MS. LANDRY: Okay. I'll ask you a range. Did you
17 receive notification of the number of land value assessment
18 decreases that were going to be done in 2012? Did you
19 receive notification?

20 COMMISSIONER EVANS: The notification that the tax
21 assessor was going to execute a compliance plan; is that
22 your question?

23 MS. LANDRY: I'm asking if you received
24 notification that there would be land value decreases on
25 certain blocks in 2012?

1 COMMISSIONER EVANS: Overall, we received
2 notification that the assessed value of the Township was
3 adjusted.

4 MS. LANDRY: Okay. But you did not receive
5 specific --

6 COMMISSIONER EVANS: Specific --

7 MS. LANDRY: -- blocks?

8 COMMISSIONER EVANS: -- blocks, no.

9 MS. LANDRY: Okay, in 2012, 170 residential blocks
10 had land value decreases on properties. Just so you know.

11 COMMISSIONER EVANS: Thank you.

12 MS. LANDRY: And now I'm going to read you the
13 update from the State of New Jersey. I'll just read part of
14 it because it's extremely circular.

15 Anyway. Thank you for your correspondence to
16 Robert Scott and Jessica Lana (ph). As you are aware,
17 George Librizzi did a compliance plan approved by the Essex
18 County Board of Taxation. According to N.J.S.A. 54-4-23
19 states: "When the assessor has reason to believe that
20 property comprising all or part of a taxing district is not
21 in substantial compliance with the law, that the interests
22 of the public will be promoted by a reassessment of such
23 property, the assessor shall under due investigation make a
24 reassessment of the property in the taxing district that is
25 not in substantial compliance provided that: (1) the

1 assessor has first notified, in writing, the Mayor, the
2 municipal governing body, the County Board of Taxation and
3 the tax administrator of the basis of the assessor's
4 determination that a reassessment of compliance land to the
5 County Board of Taxation for approval. Following the
6 reassessment of a portion of the taxing district pursuant to
7 and approved compliance plan, the assessor shall certify to
8 the Board of Taxation that it's deemed adequate that the
9 reassessment is in substantial compliance with the portions
10 of the taxing district that were not reassessed. For the
11 purposes of reassessment, the assessor shall compute and
12 determine the taxable value of such real property at the
13 level established for the County pursuant to law. They are
14 approved and reviewed at the County level."

15 So basically what I read into this and I'm asking
16 for your interpretation that the Board of Commissioners was
17 notified that a hundred and seventy residential lots were
18 going to have decreases; one of which was 18 Edgewood, which
19 was 59 X 130 zoned R1AA, which it was approved to be
20 decreased but 135, a smaller lot in a lesser zone, was not
21 decreased. So the Board was notified that a hundred and
22 seventy pieces of land were going to be decreased and it was
23 decided, I guess, to go forth with that because it was
24 considered to be in the best interests of some of the
25 taxpayers. Is that correct?

1 MR. GENITEMPO: Commissioner?

2 COMMISSIONER EVANS: Yes.

3 MR. GENITEMPO: Ms. Landry, you are well aware of
4 -- from notice reading that this is public comment. It's
5 not question and answer. I know the Commissioners have been
6 indulgent in providing as much information as they can.
7 This is obviously the same information you requested and
8 asked before.

9 MS. LANDRY: Well, I'm going to read the last part
10 of the --

11 MR. GENITEMPO: Please, if I just may finish. So
12 the commission meeting, this part of the meeting is the
13 public comment section and giving you every opportunity to
14 comment as you wish. It's not a question and answer
15 session. It's not a, you know, a deposition --

16 MS. LANDRY: I got it.

17 MR. GENITEMPO: I would request that you please,
18 if you could, if you could comply with the public comment
19 portion before you use up your time. Obviously, the Board
20 will give you more time.

21 MS. LANDRY: No. That's okay. I have a different
22 subject and I'll just read the rest of the letter so I won't
23 ask a question.

24 MR. GENITEMPO: When I told -- I know we've had
25 that communication you have a right to read the letter --

1 MS. LANDRY: I will read the letter now. Thank
2 you.

3 MR. GENITEMPO: Absolutely.

4 MS. LANDRY: With regards to your most recent
5 concern about assessor George Librizzi's working hours,
6 which are five hours, five days per week -- sorry, eight
7 hours a day, five days per week, which was approved by the
8 Board of Commissioners to do 8,000 line items where he is
9 only requires one hour a day, one day a week, to do 6,000
10 line items in Verona, his or her hours are determined by the
11 municipality that employees them as stated in N.J.S.A.
12 40A.9-146, the appointing authority may, by resolution or
13 order as appropriate set the total number of weekly work
14 hours of (indiscernible) of the tax assessor's office and
15 the total number of weekly work hours of the tax assessor
16 commensurate with the compensation paid to the tax assessor
17 which I believe before his increase was \$132,000.

18 As recommended by both Robert Scott and Jessica
19 Lana, it is advisable that you discuss your specific
20 concerns with assessor, George Librizzi. Now for four
21 months, I've been being told that Mr. Librizzi is going to
22 contact me. I would just like to state, for the record,
23 that as of April 15th, I have still not heard from Mr.
24 Librizzi and the State has sent me back to Mr. Librizzi, the

25

1 person I have the issue with. So I will keep going around
2 this merry-go-round as long as it takes.

3 So I am making a request of the Board of
4 Commissioners as stated by Mr. Thomas Riley, Division of
5 Taxation, New Jersey, that I speak with Mr. Librizzi. So as
6 I understand it also, each Commissioner serves as a
7 department head with each having complete control over the
8 executive administrative judicial and legislative powers of
9 their departments as per N.J.S.A. 4:72-4.

10 So, in four months, Mr. Evans, you've not been
11 able to have Mr. Librizzi contact me so I am once again
12 making the request. Thank you very much.

13 COMMISSIONER EVANS: Thank you. Would anyone else
14 like to approach the Board of Commissioners this evening?
15 Seeing no one --

16 MR. ODRIA: I might as well get this off my chest.
17 Michael Odria, 133 High Street. As you said before, Mr.
18 Harkins, it's about comments, correct? I'm sorry about
19 that.

20 MR. GENITEMPO: I don't mind being called Kevin
21 Harkins (inaudible)e

22 MR. ODRIA: I just saw that there and totally
23 forgot. Sorry. Here's my comment. I have this piece of
24 paper in here and I don't mean just to pick on your section,
25 you're in charge of finance and -- this tax assessor,

1 gentlemen, \$132,000 a year. Township Clerk, \$87,000 a year.
2 I mean, just to pay this one gentleman in the tax assessor's
3 office you literally have to collect combined property taxes
4 of basically 14 homes on this -- in this town. You got to
5 drive by 14 homes. Combine those property taxes that you
6 collect from those homes just to pay one person. We only
7 have 8,000 homes, I think, in this town; if I'm correct on
8 that.

9 I mean, no wonder why all our property taxes are
10 so extremely high plus we have \$8 million a year, I think
11 you mentioned the last time that we've got to pay in
12 pensions, what's that? Like 80 people or something like
13 that? I don't know. Eighty-five, 90 people. I mean, this
14 is kind of getting out of control. Don't you think so, you
15 guys?

16 I'm just saying, if, we should like shoot for
17 maybe like a said before a tax -- a property tax freeze in
18 this town and just try to work it down from there. That's
19 all I'm saying. Because a lot of people, you might not see
20 it, but a lot of people in this town are suffering. For the
21 store owners in this town, the reason why I don't shop here
22 a lot, like I used to, but when I do, I have to, I got to
23 save my money up to pay these property taxes. If this tax
24 burden was less on me, I would spend more money in this
25 town. I'm not buying a lot. And I'm sure I'm not the only

1 homeowner in this town that feels that way. What happens
2 here, the tax burdens that are imposed on us people,
3 basically the eighty-eight percent that work in the private
4 sector that live in this town, you going to affect us. We
5 can't spend more money in this town. I mean, the other day,
6 I went to the Franklin diner, it was dead. There was no one
7 day. You know, I went to get a coffee and I'm like, oh my
8 God, there's no people here. I wonder why? Because maybe
9 it's cheaper to eat at home. That's all I'm saying.

10 COMMISSIONER EVANS: Thank you for your comment.
11 Would anyone else like to approach the Board this evening?

12 COMMISSIONER SCARPELLI: Move to adjourn.

13 COMMISSIONER ROGERS: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: "Aye".

16 MADAM CLERK: Commissioner Tucci? Oh, he's --
17 Commissioner Evans?

18 COMMISSIONER EVANS: "Aye".

19 MADAM CLERK: Commissioner Scarpelli?

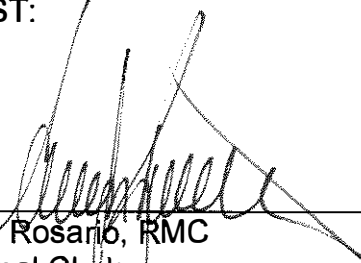
20 COMMISSIONER SCARPELLI: "Aye".

21 MADAM CLERK: Okay. Meeting adjourned. It's now
22 8:26 p.m.

23 (Whereupon, the meeting was adjourned.)
24
25

**Signature Page/Board of Commissioners
Meeting Minutes, April 15, 2014**

ATTEST:



Evelyn Rosario, RMC
Municipal Clerk
(Meeting Minutes Approved at the)
(June 10, 2014 Board of)
(Commissioners Meeting)



Commissioner Steven Rogers



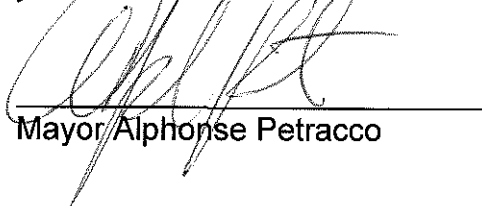
Commissioner Mauro G. Tucci



Commissioner Thomas J. Evans



Commissioner Joseph P. Scarpelli



Mayor Alphonse Petracco