

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

March 05, 2019

Budget Workshop



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Budget Workshop

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TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS
ONE KENNEDY DRIVE
3RD FLOOR COMMISSION CHAMBERS
NUTLEY, NEW JERSEY 07110

*** BUDGET WORKSHOP ***

DATE: March 5, 2019

BOARD OF COMMISSIONERS:

- JOSEPH P. SCARPELLI, MAYOR
- MAURO G. TUCCI, COMMISSIONER
- THOMAS J. EVANS, COMMISSIONER
- ALPHONSE PETRACCO, COMMISSIONER
- STEVEN L. ROGERS, COMMISSIONER

ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY
- RAYMOND SARINELLI, CPA TOWNSHIP AUDITOR

Budget Workshop

1 (Recording begins)

2 THE CLERK: Yes, Mayor. You ready? Board of
3 Commissioners Budget Workshop Meeting, Tuesday,
4 March 5th, 2019. The time is 6:12.

5 Pursuant to the requirements of the Open
6 Public Meetings Act, Chapter 231, Public Law 1975,
7 notice of this meeting was published in the
8 February 25th, 2019 issues of the Herald News, and the
9 February 28th, 2019 issue of the Nutley Sun. A copy of
10 this notice has been posted on the Nutley Town Hall
11 bulletin board, and a copy is on file in the
12 Municipal Clerk's office.

13 Commissioner Rogers?

14 COMMISSIONER ROGERS: Here.

15 THE CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Here.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Here.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Here.

21 THE CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Here.

23 THE CLERK: All present, Mayor, and
24 Mr. Sarinelli and Rosemary Costa will be joining us as
25 well.

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1 MAYOR SCARPELLI: Commissioner Evans?

2 COMMISSIONER EVANS: Thank you. So by
3 statute we need to have the budget workshop prior to
4 the introduction of the budget. I want to thank all of
5 you for getting your budget sheets in to us and the
6 work that you've done so far.

7 What's really important about where we are
8 right now is there is more work that needs to be done,
9 and I say that in all seriousness, because, you know,
10 this budget, on a revenue side -- and I apologize, the
11 schedules that are being printed up, Ro and Ray
12 Sarinelli are bringing them up in a second, and we'll
13 go through this, but just at a high level, the budget
14 right now, the process reflects a \$400,000 reduction in
15 revenue, primarily because we can only anticipate
16 85 percent of the aid that we got the previous year, so
17 last year -- this year we got \$4.1 million worth of
18 state aid (indiscernible) temporary aid. By statute we
19 can only anticipate 85 percent of that, so that's down
20 to 306 -- \$3.6 million, so roughly \$600,000 less.

21 That's partially offset by two things. One
22 is the settlement in the Mecca matter required him to
23 reimburse us for costs of \$100,000, which this budget
24 reflects the revenue associated with that, and as well
25 as with the RDA that we're going to sign tonight

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1 there's an additional \$25,000 reimbursement for the
2 legal fees. So the 600 gets -- is offset down to about
3 \$438,000 shortfall in revenue year over year in the
4 budget, primarily because of a statutory limitation.
5 The -- rather the other budget items that comprise the
6 budget, so construction fees, regular state aid, cable
7 revenues, things like that, are all pretty stable year
8 over year.

9 Now, when you move on to the appropriations
10 side, right now the budget shows an increase in
11 appropriations of approximately \$1.7 million. And
12 that's spread out across all of the departments. The
13 most significant component of that increase is
14 Public Safety. Your budget's up \$1,089,000 year over
15 year. So -- and then, when I look at the other
16 departments, my budget is up \$534,000, but I have
17 pensions and I have sewer.

18 COMMISSIONER PETRACCO: Oh, okay.

19 COMMISSIONER EVANS: So I mean --

20 COMMISSIONER PETRACCO: That seemed very high
21 for Revenue and Finance, Tom.

22 COMMISSIONER EVANS: Yeah, so --

23 COMMISSIONER PETRACCO: You're almost
24 catching up to me.

25 COMMISSIONER EVANS: Yeah, and so, when you

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1 go through that, you know, Steve and I are the babies
2 on the block, all right, we take out sewer and pension.
3 Joe, your budget is up \$260,000, but it primarily
4 reflects an increase in salaries of \$317,000, and it
5 offset -- or it will offset an O&E of 64. Mauro, yours
6 has gone down, all right --

7 COMMISSIONER TUCCI: Praise the Lord.

8 COMMISSIONER EVANS: Yes. And so -- and I
9 think -- you know, what's important about that is I
10 think there's -- so the work that we did last year --

11 COMMISSIONER TUCCI: Uh-huh.

12 COMMISSIONER EVANS: -- and some of the
13 changes the state are making and they're talking about,
14 so before we get into the details, though,
15 (indiscernible) do you want to comment on that?

16 COMMISSIONER TUCCI: Yeah. Well, last year,
17 we realized by the time we got through all of the
18 reductions and everything only half of what we expected
19 on an annualized basis, okay? So this year, with the
20 elimination of the ten, ten and a half positions, and
21 not filling positions like everyone did, we will
22 realize the full \$435,000 savings.

23 Now, in addition to that, we will also
24 realize the reduction on the health benefits side,
25 okay? And I have -- do you want me to get into the

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1 health benefits now? Shall I roll into that, or do you
2 want to wait?

3 COMMISSIONER EVANS: Well, we're going to get
4 (indiscernible) in all of that --

5 COMMISSIONER TUCCI: Okay.

6 COMMISSIONER EVANS: -- but I think it's
7 really, you know, very important, though, for you to
8 talk about it, because I think it's a --

9 COMMISSIONER TUCCI: Uh-huh.

10 COMMISSIONER EVANS: -- significant change.

11 COMMISSIONER PETRACCO: I'd like to hear it.

12 COMMISSIONER TUCCI: I'm sure you would.

13 Well -- well --

14 COMMISSIONER EVANS: Actually, we're more
15 interested in hearing your argument there.

16 COMMISSIONER TUCCI: Your story's a lot
17 better than mine, Al. But anyway, what we had on the
18 active side, all right, we had roughly a 3 percent
19 increase, all right, which came out to about
20 \$4.7 million, all right, and then when you factor in
21 the amount for the water, it's like almost another
22 200,000. Where we really saved a lot of money was with
23 retirees, all right? We got something like a 37, 37
24 and a half percent reduction. We went from \$215,000 a
25 month payment for retirees down to 85,000.

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1 COMMISSIONER PETRACCO: Wow.

2 COMMISSIONER TUCCI: All right? And the
3 reason for that was the state's change from Medicare to
4 the Medicare Avanti Aetna Medicare Advantage. All
5 right? Our numbers are relatively stable. Some went
6 up, some went down, as far as active and retirees, but
7 I believe the net change with people that are active,
8 people that are retired, and those that waived, was one
9 person. Okay?

10 So we're realizing a lot of savings. We stay
11 on top of this. We monitor this constantly, all right?
12 So that's why you're going to see -- and we also built
13 -- we have to build in a contingency, all right.

14 COMMISSIONER EVANS: Always. Yeah.

15 COMMISSIONER TUCCI: In the event that
16 there's some type of change, or a new hire during the
17 course of the year. So we're very happy, and Tom, you
18 and I spoke about this at great length, that we were
19 able to do the work that we did, and unfortunately,
20 suffer the pain that we suffered, but it's bearing
21 fruit at this point.

22 COMMISSIONER EVANS: Yeah. And do you want
23 to comment -- I know you do, in your analysis, to get
24 there. Are we better off in state health benefits or
25 private insurance?

1 COMMISSIONER TUCCI: Yes. We are absolutely
2 still -- we're probably -- probably save a little bit
3 over a million dollars a year staying with state health
4 benefits, as opposed to going self-insured, all right?
5 And we're constantly monitoring that, and it's just
6 right now the pool is large enough we're -- and we're
7 not -- we're not a major detriment to the pool, all
8 right, because our experience is relatively good as
9 compared to other municipalities of similar size, all
10 right, but in the event that we do get a little blip
11 and it does increase at some point the pool is large
12 enough to spread that loss. All right?

13 And on the liability, and automobile, and
14 casualty side, we looked -- we're looking at like a
15 3 percent increase, all right, but the protections that
16 we get with cyber liability, all right, and everything
17 else more than pays for that, and if we were to go to
18 the open market even with that piece of insurance we
19 would be paying at least 50 to 60 percent more.

20 COMMISSIONER EVANS: Yeah. It's an
21 extraordinary number.

22 COMMISSIONER TUCCI: Yeah.

23 COMMISSIONER EVANS: Extraordinary number.
24 So the reason why that's so important is, because of
25 roughly the \$530,000 savings in medical costs, the

1 appropriation is up 1.6 million, well, almost
2 1.7 million. It could have been, actually, 2 point,
3 you know, 3 million, and if we -- if that, plus a
4 revenue shortfall, we would have been back up at a 2.8,
5 \$2.9 million increase in the levy. Where -- so, right
6 now, because of that, we're down to 1.6, almost 1.7 on
7 appropriations, and we have a revenue shortfall of
8 434,000, where if we basically -- the tax levy, which
9 means that the tax -- taxes that need to be raised from
10 taxpayers is going up \$2.1 million right now. That's a
11 5.1 percent increase, or, on average, about \$209 per
12 household. I think that that's entirely unacceptable.

13 COMMISSIONER TUCCI: I would agree.

14 COMMISSIONER EVANS: And I'm not comfortable
15 introducing a budget that reflects these increases. We
16 have -- obviously, I have an argument with the state
17 regarding around the issue of continuing our aid. As I
18 shared with you at the end of last year when we were
19 finished, we didn't get finished negotiating the aid
20 until the -- in the afternoon of September 20th, when -
21 - we -- the actual deadline for getting that aid
22 negotiated and set was the next day, September 21st.

23 It was a brutal fight. It was a very hard
24 fight to get that far, and so I'm -- as I said, I'm not
25 comfortable that the state, given where they're

1 looking, because they just announced a billion dollars
2 worth of budget cuts, all right, that we're going to be
3 successful getting that kind of aid. So I am -- not
4 only am I concerned about the fact that we have to
5 absorb the \$600,000 statutory shortfall, I'm concerned
6 that the number's going to be less than \$3.6 million,
7 and that we -- this increase could rise because of
8 lower state aid.

9 So when I look, I -- you know, I think you
10 all have to look at your budgets, all right, and see
11 where is there an opportunity to address this increase?
12 Some of it I think we're going to -- we're going to
13 basically be guided by the budget introduction and look
14 at where we have to get to in order to introduce a
15 budget, but I believe it's going to be an ongoing
16 process between now and when we ultimately settle on
17 the state aid as to where we are going to have a need
18 to further address the budget. I --

19 MAYOR SCARPELLI: Tom, when do we have to
20 statutorily introduce?

21 COMMISSIONER EVANS: Next week.

22 MAYOR SCARPELLI: Ah.

23 COMMISSIONER EVANS: At the next meeting, in
24 two weeks.

25 MAYOR SCARPELLI: Two weeks?

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1 COMMISSIONER EVANS: The next meeting, the
2 19th. March 19th.

3 COMMISSIONER TUCCI: They pushed it back to
4 the 19th, didn't they?

5 COMMISSIONER EVANS: Yeah, and that's --

6 COMMISSIONER TUCCI: Yeah.

7 COMMISSIONER EVANS: That's the date.

8 COMMISSIONER TUCCI: Uh-huh.

9 COMMISSIONER EVANS: And when I talked to
10 them today, as of now they have no intention of moving
11 it. So --

12 MAYOR SCARPELLI: Thank you.

13 COMMISSIONER TUCCI: Oh, I need two hands
14 now.

15 MR. GENITEMPO: Might need a third.

16 UNIDENTIFIED: There's the revenue --

17 COMMISSIONER TUCCI: With this, we're getting
18 double teamed here.

19 COMMISSIONER EVANS: So if I go down the
20 budget, you know, if you look at the budget summary
21 sheet I gave you, now, this is really -- this is
22 all draft. All right? These are all working
23 copies. And one of the things I will tell you is that
24 I apologize for being late with this. We were
25 scrubbing it before coming upstairs.

1 THE CLERK: Ro, do you have an extra set?

2 COMMISSIONER EVANS: I've asked Ro to
3 actually go through and tomorrow, and do another scrub,
4 to make sure there aren't any formula errors, or any
5 things like that that are in here, and I'm hopeful that
6 -- I'm hoping that there might be a formula error that
7 lowers it. But I'm not comfortable that there is.

8 So if you look at the top part of the
9 schedule, all right, the top part of the schedule, each
10 department is broken out, Mayor's Office right through
11 Parks and Public Property. What I would tell you is,
12 Joe, the Mayor's Office, what we've captured is roughly
13 a -- it's primarily, you know, it's a reduction in
14 salaries of about 8,500 bucks and a increase in the
15 civic celebration of ten and consulting costs for
16 Inglesino and so on, given some of the things that are
17 going on, all right, that represents that \$63,000.

18 What's important about the consulting fees
19 that are in there, a lot of that work is subject to
20 reimbursement once we go into Phase III of the RDA
21 process, redevelopment agreement process. So it's just
22 the fact that we're going to incur it before we get it
23 back.

24 And Steve, in your department?

25 COMMISSIONER ROGERS: Yeah.

1 COMMISSIONER EVANS: What I looked at and I
2 saw in your department, it's about a 41 to \$46,000
3 increase in garbage.

4 COMMISSIONER ROGERS: Uh-huh.

5 COMMISSIONER EVANS: With like a 30 something
6 thousand dollar increase in animal control. And there
7 was a couple other small --

8 COMMISSIONER ROGERS: Okay. Okay. That's
9 fine.

10 COMMISSIONER EVANS: -- small things in
11 there, but primarily you have a salary adjustment
12 that's in there. If you go to your -- the detail sheet
13 that each of you have, and you -- you want to track
14 along what I'm explaining to you is roughly laid out
15 there. So if you go to Public Affairs, Steve, go --
16 and you go to the end, it shows basically salaries are
17 adjusting \$21,000. Next page. There you go.

18 COMMISSIONER ROGERS: Okay.

19 COMMISSIONER EVANS: Salaries are adjusting
20 \$21,000, and your other expense is \$82,000. All right?
21 And that's -- so animal control and garbage is most of
22 that. And you have your regular --

23 COMMISSIONER ROGERS: Yeah, that was that
24 significant increase I've talked about.

25 COMMISSIONER EVANS: And you -- yeah, you

1 teed it up, and it came through on your budget.

2 COMMISSIONER ROGERS: Yeah.

3 COMMISSIONER EVANS: And it was easy enough
4 to track, because if you go -- once you hit animal
5 control and garbage --

6 COMMISSIONER ROGERS: Yeah.

7 COMMISSIONER EVANS: -- you know, there ain't
8 nothing left.

9 COMMISSIONER ROGERS: All right.

10 COMMISSIONER EVANS: So there's not much
11 there. All right. If you flip, then, and you go to
12 revenue and finance, you know, to the end, you'll see
13 that revenue and finance, my salary change is \$38,000,
14 increase, but my bigger change is in the other expense,
15 and that's primarily contributing -- or comprised of
16 three things: \$301,000 for a pension increase, and
17 \$172,000 for a sewer increase, and some miscellaneous
18 O&E of \$25,000. So the bulk of what the change is in
19 revenue and finance relates to pension increases and
20 sewer, substantially.

21 When you flip the page, and you go to public
22 safety -- when you scroll back to public safety -- so
23 public safety, we're seeing two things. It's a 1.1
24 million 9,000 dollar increase in public safety,
25 \$834,000 increase in salaries, with a \$175,000 increase

1 in other expense. Do you have anything to --

2 COMMISSIONER PETRACCO: Tom -- yeah, I am.

3 COMMISSIONER EVANS: Okay.

4 COMMISSIONER PETRACCO: When -- that grant
5 that we took, you know, for keeping our complement at a
6 certain number, where -- I mean, we should be getting
7 payment that year, this year for that.

8 COMMISSIONER EVANS: A piece of it.

9 COMMISSIONER PETRACCO: A piece of it. I
10 think it's 175 --

11 MS. COSTA: 80,000.

12 COMMISSIONER PETRACCO: Huh?

13 MS. COSTA: But it's split, it's not all
14 salaries. It's a rough, almost a 50/50 split.

15 COMMISSIONER PETRACCO: Right?

16 MS.COSTA: So 80 of it, it's -- if you
17 look at your sheet, and if you look at your sheet --

18 COMMISSIONER EVANS: One page back, yeah.

19 MS.COSTA: Go back to the grants.

20 82,506, is for the cops' grant for salaries --

21 COMMISSIONER EVANS: One more page.

22 MS.COSTA: -- and 85,873.80 is for OE.

23 COMMISSIONER PETRACCO: Right.

24 MS.COSTA: And that brings you to the

25 total for this year's grant, which 160 -- 168.

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1 COMMISSIONER PETRACCO: 168,000?

2 MS.COSTA: Uh-huh.

3 COMMISSIONER PETRACCO: All right, I was
4 thinking it was 174.

5 MS.COSTA: It's going to change every
6 year. Basically it weans you off until it's zero.

7 COMMISSIONER PETRACCO: Correct.

8 MS.COSTA: So last year it was higher,
9 this year it's less.

10 COMMISSIONER EVANS: Now --

11 MS.COSTA: And it'll phase out.

12 COMMISSIONER EVANS: -- part of that is
13 because it's a grant, that's on the revenue side. It
14 doesn't come into your budgets on the revenue side, so
15 there's a revenue piece for \$168,000, and there's a --
16 then your appropriations side, because that's where the
17 cost is.

18 COMMISSIONER PETRACCO: Right.

19 COMMISSIONER EVANS: All right? But yes, so
20 there is that element in there, but you also have the
21 rest of it.

22 COMMISSIONER PETRACCO: Right, so I'm just
23 saying, but that would be against -- if we're going up
24 a million, that 168,000 is -- get -- I know it doesn't,
25 it shows differently there, but just simple math off my

1 increase, I would say. For now.

2 COMMISSIONER EVANS: Oh, yeah, yeah, it will
3 -- there's a million nine increase in appropriations
4 for you --

5 COMMISSIONER PETRACCO: Uh-huh.

6 COMMISSIONER EVANS: -- but of that million
7 nine, 168,000 less isn't affecting the taxpayer,
8 because there's a grant also.

9 COMMISSIONER PETRACCO: That's my point.

10 COMMISSIONER EVANS: Yeah. I understand it.
11 I understand.

12 COMMISSIONER PETRACCO: Yeah.

13 COMMISSIONER EVANS: But this shows where
14 that (indiscernible) to what --

15 COMMISSIONER PETRACCO: I understand.

16 COMMISSIONER EVANS: -- your actual budget is.
17 Okay? But that's -- and it's a very significant
18 increase, and we've been working hard to manage our way
19 through this.

20 COMMISSIONER PETRACCO: Right.

21 COMMISSIONER EVANS: And it's a -- one of my
22 asks to you is you take a real hard look at that.

23 COMMISSIONER PETRACCO: And I will, and just
24 a point of information, too, in the police department
25 and in the fire department also, we're expecting a

1 couple of retirements this year. We already had a
2 person put in for a transfer that wants to transfer out
3 of our department, so you replace some big money with
4 some small money, you know, hopefully throughout the
5 year -- and even sometimes in public safety, we have to
6 prepare for the worst and hope for the best. At the
7 end of the year, or however we want to do it, you know,
8 we hopefully will have money in our budget to give
9 back.

10 COMMISSIONER EVANS: Yeah --

11 COMMISSIONER PETRACCO: You know, but, again,
12 just preparing for the -- you know, the worst.

13 COMMISSIONER EVANS: I understand --

14 COMMISSIONER PETRACCO: You understand what
15 I'm saying.

16 COMMISSIONER EVANS: -- yeah, and you do.

17 COMMISSIONER PETRACCO: And especially with
18 the police department, Tom, it's very difficult, like
19 when people transfer or lateral out of here, and it's
20 not like the old days, where people got hired and they
21 stay, I mean, in one job forever. They go now, and
22 this happens all the time, and, you know, God forbid,
23 if somebody gets hurt at this -- you can't order up a
24 cop, either. So, you know, and I talked to
25 Chief Strumolo today about that, because of the grant,

1 with somebody leaving now, unexpectedly, the next
2 academy's not until, you know, this summer, so it's six
3 months, so I wanted to make --

4 COMMISSIONER EVANS: I understand.

5 COMMISSIONER PETRACCO: -- sure that we still
6 qualified for the --

7 COMMISSIONER EVANS: I understand.

8 COMMISSIONER PETRACCO: -- grant, as well.

9 COMMISSIONER EVANS: So where are we right
10 now in terms of the TOO -- the table of
11 organization of the police? I think it called for,
12 including the chief, 71?

13 COMMISSIONER PETRACCO: 72 it is.

14 COMMISSIONER EVANS: 72? So where are we --

15 COMMISSIONER PETRACCO: Yeah.

16 COMMISSIONER EVANS: -- in relation to that,
17 then?

18 COMMISSIONER PETRACCO: Right now, I think
19 we're at 71, with this lateral.

20 COMMISSIONER EVANS: Okay. And what about --

21 COMMISSIONER PETRACCO: So we're short one.

22 COMMISSIONER EVANS: -- on the fire side?

23 COMMISSIONER PETRACCO: I think it's 33?

24 UNIDENTIFIED: It's more like I think with
25 the two (indiscernible).

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1 COMMISSIONER PETRACCO: I think it -- okay,
2 33, 35, yeah.

3 COMMISSIONER EVANS: And so you just take a
4 look?

5 COMMISSIONER PETRACCO: Yeah.

6 COMMISSIONER EVANS: All right? Just
7 because, you know, we -- again, those are -- as we all
8 know, those are expensive spots.

9 COMMISSIONER PETRACCO: Yeah. And I have to
10 say, I mean, you know, and you know, especially with
11 the police department, it is very expensive running
12 this, and I appreciate everybody's cooperation, and as
13 you all know, finishing in the top 50 safest
14 communities in the state of New Jersey, at least we're
15 getting a return on our investment, you know, for the
16 dollars invested. And --

17 COMMISSIONER ROGERS: (Indiscernible).

18 COMMISSIONER PETRACCO: Yeah.

19 COMMISSIONER EVANS: Yeah. I -- for right
20 now, all I'm looking at --

21 COMMISSIONER PETRACCO: Is the numbers, I
22 know.

23 COMMISSIONER EVANS: I -- I got a big number,
24 okay?

25 COMMISSIONER PETRACCO: And I wish you a lot

1 of luck with it.

2 COMMISSIONER EVANS: Yeah, well.

3 COMMISSIONER PETRACCO: That's very
4 (indiscernible).

5 COMMISSIONER EVANS: I appreciate that
6 support.

7 COMMISSIONER PETRACCO: You have my fullest
8 cooperation.

9 COMMISSIONER EVANS: When I'm being pounded,
10 I know where you guys stand, so -- but that's the --
11 but I'm serious, I really am serious, it's a lot. And
12 (indiscernible) in a single year, and when you look at
13 the fact that the average tax in Nutley is up at
14 11,300, and, we're, you know, this is the
15 (indiscernible) increase right now, and if we take that
16 average tax and make it 11,500, before the school and
17 the county. So that's a big increase, right.

18 COMMISSIONER PETRACCO: It's a \$500 increase,
19 you're saying, it's 11, or --

20 COMMISSIONER EVANS: Well, and when you look
21 at the -- what the school would put up, we're looking
22 between 5- and \$600 on average per household, and
23 that's just way too much.

24 COMMISSIONER PETRACCO: I agree.

25 COMMISSIONER EVANS: And I don't think we can

1 support that, so, so I just -- I -- I can understand if
2 we're supporting it and saying look, this is state
3 pensions, I know the state's looking at this, we're
4 following the law, right, and then that's what we have
5 to absorb. You know, until then, until that changes,
6 like the medical stuff changes, you know, we have to
7 stand by that.

8 But I think we all have to continue to
9 monitor very closely what's going on in our departments
10 from a manpower standpoint and so on, because that's
11 there like -- you're going, your salaries are changing
12 \$21,000. Mine's changing \$38,000. My manpower is
13 basically the same. So --

14 COMMISSIONER ROGERS: Commissioner, the
15 problem -- I don't know if you're facing the same
16 problem, but competitiveness, I mean, we've got people
17 well trained up, they're ready to leave.

18 COMMISSIONER EVANS: Well --

19 COMMISSIONER ROGERS: I mean, I mean, you
20 know, what am I going to do?

21 COMMISSIONER EVANS: -- look, I --

22 COMMISSIONER ROGERS: Lose somebody after 15
23 years --

24 COMMISSIONER EVANS: No, no --

25 COMMISSIONER ROGERS: -- of working, and --

1 COMMISSIONER EVANS: No, these people, they
2 have their licenses, their competitive salaries. You
3 know, the problem I have is simple with a payroll --
4 simple payroll position, all right, I was getting a lot
5 of pushback on it. We -- the challenge that we have
6 is, you know, we're ultimately a municipality located
7 in a -- the northeast corridor of the United States,
8 which is a very expensive corridor to live in.

9 So when I look at national -- like for the
10 salaries that I track nationally, you know, because
11 they're accounting, based on accounting, I can track
12 them, when you say, okay, here's this salary, you have
13 to put 30 percent on top of it for the New Jersey,
14 northern New Jersey market, this area, all right? And
15 when they look at the location of that, it's like, you
16 know, it looks like between here and Paramus, all
17 right, so it's this, this corridor where there's a
18 significant -- it's cost of living.

19 COMMISSIONER ROGERS: And keep in mind
20 they're doing collateral duties, too. It isn't just a
21 job description that they have when they were hired.
22 They're doing the work of two or three people.

23 COMMISSIONER EVANS: That's it. That's true.

24 COMMISSIONER ROGERS: So the choice is,
25 either you -- you know, you made that investment, and

1 you keep them, or you're going to hire two or three
2 more people, so you lose --

3 COMMISSIONER EVANS: Yeah.

4 COMMISSIONER ROGERS: -- either way.

5 COMMISSIONER EVANS: Yeah.

6 COMMISSIONER ROGERS: I just --

7 COMMISSIONER EVANS: No, it's --

8 COMMISSIONER ROGERS: -- hope that --

9 COMMISSIONER EVANS: -- rather than hire
10 somebody in the tax collector's area, I just gave an
11 individual a \$3,500 adjustment, or \$3,200 adjustment,
12 to cover the cashier's area, simply because I don't
13 want to hire, you know, a \$35,000 person to do that.
14 So, just -- we have to -- we -- when we went through
15 this last year, we all went through very, very
16 significant reviews of our department.

17 And when you then say, you know, after going
18 through that, through also the \$2.9 million increase,
19 which is what we did last year, to come along and say,
20 okay, now it's back up another, you know, \$1.7 million,
21 you -- in appropriations, you can only go to the well
22 so many times. There's a certain -- there are
23 statutory structures that are in place, there are
24 safety, health-related things that are in place that we
25 have to manage through. It just makes it a very, very

1 complex financial picture.

2 So just -- Al, take another look.

3 COMMISSIONER PETRACCO: Uh-huh. Okay.

4 COMMISSIONER EVANS: All right? Joe, you
5 know, you're going up, you know, \$252,000 there,
6 that's, you know, roughly \$317,000 in salaries, with an
7 offset of \$64,000 reduction in O&E, and that's in
8 there. Again, same thing.

9 And one of the things that we have to talk
10 about is included in all of this is a shortfall in the
11 water utility revenue. I think it's roughly \$234,000
12 shortfall that we have to capture. And I know, Joe,
13 you know, you and I, we've talked about this. You're
14 doing a lot of analysis to understand what that is,
15 because on one side it would be suggestive of older
16 revenue, all right, but the consumption wouldn't -- you
17 know, it doesn't track it, so just take a real hard
18 look at that.

19 MAYOR SCARPELLI: Yeah, the water utility is
20 -- over the last four years we've lost a million
21 dollars in revenue, which doesn't seem to make sense.
22 So it could be just a decrease in consumption, or it
23 could be something else, but it doesn't seem likely
24 that we would lose a quarter of our revenue over a
25 four-year term. So it's something we've got to look

1 at.

2 COMMISSIONER TUCCI: That's a lot, yeah.

3 MAYOR SCARPELLI: Yeah.

4 COMMISSIONER EVANS: But Mauro raised an
5 interesting point when we were talking about the health
6 care. If we're -- if our sewer bill is going up,
7 right, and that's water based --

8 COMMISSIONER TUCCI: Uh-huh. Water in, water
9 out, yeah.

10 COMMISSIONER EVANS: Right? Why would we
11 have then a lower water bill? Because you would think
12 that if the sewer's going up --

13 MAYOR SCARPELLI: Well --

14 COMMISSIONER EVANS: -- the water would track
15 with it.

16 MAYOR SCARPELLI: -- you can't -- it can't --
17 the -- it doesn't seem like we're bringing in less
18 water. So it's a matter of --

19 COMMISSIONER TUCCI: We're just billing less.

20 MAYOR SCARPELLI: We may be billing less, we
21 may be collecting less, we may be -- there's --

22 COMMISSIONER EVANS: Capturing less.

23 COMMISSIONER TUCCI: But we have more
24 unaccounted for -- well, unaccounted for water?

25 MAYOR SCARPELLI: It doesn't -- that doesn't

1 -- yes, maybe. But that wouldn't track the revenue.
2 Why would the revenue be decreasing each year?
3 Whatever all you are on your appropriation end, that's
4 your appropriation end. But your revenue is based on
5 what your water rates are.

6 COMMISSIONER EVANS: Right.

7 MAYOR SCARPELLI: So it -- it does seem to be
8 something that's tracking lower, but why?

9 COMMISSIONER TUCCI: Yeah.

10 COMMISSIONER EVANS: Yeah. So we do it --
11 it's the meter reading, right?

12 MAYOR SCARPELLI: Right.

13 COMMISSIONER EVANS: So if the water that's
14 coming into the (indiscernible) says X and the meter
15 reading says Y and there's a difference, the question
16 then becomes why is that difference coming --

17 MAYOR SCARPELLI: That still wouldn't account
18 for the revenue decreasing.

19 COMMISSIONER EVANS: Yeah, it would. We're
20 billing less. If I bring it in -- what I'm saying --

21 MAYOR SCARPELLI: But if you're constant --

22 COMMISSIONER EVANS: In your consumption,
23 right, do --

24 MAYOR SCARPELLI: Right, but if you're
25 constant in what you're billing, but still your

1 revenue's going down -- okay, it's something we have to
2 look at, to --

3 COMMISSIONER EVANS: Well, yeah, no, if you
4 said, if you said, look, every year I'm billing a
5 thousand gallons of water, and I'm -- and my
6 water pit is saying a thousand gallons of water
7 is coming in, but my revenue, where -- and there hasn't
8 been a rate change, and my revenue is going down, that
9 would suggest that --

10 MAYOR SCARPELLI: That suggests there's a
11 metering problem.

12 COMMISSIONER EVANS: Exactly. Exactly. But
13 there might be a technical problem between what the
14 meter is reading and what's actually making it --

15 MAYOR SCARPELLI: Correct.

16 COMMISSIONER EVANS: -- into the billing. But
17 that -- we checked that --

18 MAYOR SCARPELLI: It's something we're --

19 COMMISSIONER EVANS: -- and that -- that's
20 tracking --

21 MAYOR SCARPELLI: -- we're looking at. The
22 other thing about the increase is recycling. We're
23 paying to get rid of our recycling now, where in the
24 past, we were, you know, getting some revenue. So now
25 we're paying approximately \$5,000 a month to --

1 basically tipping fees, for our recycling.

2 So it's another area where we have to look at
3 doing things a different way. And I don't know what
4 that way is, but certainly, the way it's headed is not
5 the right way. It's really a global issue that the
6 state needs to correct, but we don't know if we're
7 going to get -- they -- get there, so we got to look
8 internally.

9 COMMISSIONER EVANS: Would you take a hard
10 look at, though, the salary, to make sure there is like
11 a classification?

12 MAYOR SCARPELLI: Yeah.

13 COMMISSIONER EVANS: Because I -- I was
14 surprised when I sit here, saw it going up that much.

15 MAYOR SCARPELLI: I think that's the -- from
16 the recycling coming in, but I'll look at it.

17 COMMISSIONER EVANS: Just, it seems like, if
18 it seems like there's a classification issue. Because
19 I didn't think your salary going up would 317,000 --

20 MAYOR SCARPELLI: It is. So that's --

21 COMMISSIONER EVANS: -- because you got rid of
22 people. So this is contrary.

23 MAYOR SCARPELLI: Yeah, so I got to look at
24 it. But I think that's from the recycling coming into
25 the budget. But hold on.

1 COMMISSIONER EVANS: It just may be a
2 classification error, just, because it makes sense,
3 that if you're going to -- if we have an O&E now for
4 the recycling bill, that O&E would be higher than it
5 would --

6 MAYOR SCARPELLI: Right, I think maybe
7 that's --

8 COMMISSIONER EVANS: If you could just look
9 at it.

10 MAYOR SCARPELLI: I will.

11 COMMISSIONER EVANS: Mauro, yeah, when we
12 looked at yours, moving right along. Well, my schedule
13 doesn't have a summary just for salary and -- so --

14 COMMISSIONER PETRACCO: What a coincidence.

15 COMMISSIONER TUCCI: What are you trying to
16 say, Al? What do you mean, what a coincidence?

17 COMMISSIONER PETRACCO: I have no filter
18 tonight, we're in trouble.

19 COMMISSIONER EVANS: Yeah, well.

20 COMMISSIONER TUCCI: Well, mine is 5.4 after
21 salaries, pretty good to me.

22 COMMISSIONER EVANS: Yeah, see, your salaries
23 are up \$123,000.

24 COMMISSIONER TUCCI: Correct.

25 COMMISSIONER EVANS: Right, so --

1 COMMISSIONER TUCCI: And that's part of my
2 (indiscernible) to the staff, with the little
3 adjustments, and --

4 COMMISSIONER EVANS: Yeah, you have -- it's
5 really --

6 COMMISSIONER TUCCI: Yeah.

7 COMMISSIONER EVANS: Yeah, I have that page,
8 and we're going to look at it. And -- but the other
9 side of the big -- so we were talking about it already,
10 the medical?

11 COMMISSIONER TUCCI: Uh-huh.

12 COMMISSIONER EVANS: You know, pulling out
13 \$530,000 out of the medical right now, you know, is a
14 huge --

15 COMMISSIONER TUCCI: Right. And you know
16 we're still looking at that.

17 COMMISSIONER EVANS: Yeah.

18 COMMISSIONER TUCCI: You know, we're taking
19 a --

20 COMMISSIONER EVANS: Yeah, and my suspicion
21 is later on, when you do that deeper analysis --

22 COMMISSIONER TUCCI: Uh-huh.

23 COMMISSIONER EVANS: -- we'll probably fund
24 our way, you know, hoping to absorb a little bit more.

25 COMMISSIONER TUCCI: And this budget also

1 includes, let's see, \$25,000 in I guess the
2 Commissioners' line, and a thousand dollars in other
3 expenses, the 26, that 25 is the followup to the white
4 paper, to take that next step to look at, you know,
5 some of the effects of multifamily housing and begin
6 that process.

7 COMMISSIONER EVANS: Okay. Thank you. And
8 anything I can do to collaborate on that --

9 COMMISSIONER TUCCI: Uh-huh.

10 COMMISSIONER EVANS: -- because I think as
11 we're finding, there's a lot of detailed analysis
12 that's behind those summary numbers --

13 COMMISSIONER TUCCI: Yeah.

14 COMMISSIONER EVANS: -- that needs to be
15 done. And then --

16 COMMISSIONER TUCCI: And like I said, it's
17 not what we would think are the obvious things, it's
18 the quiet impacts --

19 COMMISSIONER EVANS: Yeah.

20 COMMISSIONER TUCCI: -- that are really
21 affecting the budget, and that --

22 COMMISSIONER EVANS: It's more to the --

23 COMMISSIONER TUCCI: -- goes across all five
24 of the budgets.

25 COMMISSIONER EVANS: It would be. When I

1 look at -- the next line item is debt service, right,
2 and overall, our debt service is going down by \$12,000.
3 It's basically flat. If you recall, last year we
4 lowered debt service by \$300,000, and this is staying
5 consistent with the change that we saw last year, so,
6 you know, debt service is basically flat. The
7 uncollected taxes is \$87,000. That's a statutory
8 requirement, to manage our uncollected taxes. We did
9 work with the auditors and got cooperation to waive
10 that last year, but I'm not going to get that
11 cooperation two years in a row. So that was more of a
12 one and done.

13 So if you can then look to the bottom of that
14 summary sheet I gave you, it basically shows that we
15 have a -- if you look at the summary, we have a little
16 summary over here.

17 COMMISSIONER TUCCI: Uh-huh.

18 COMMISSIONER EVANS: All right? It basically
19 shows that we have a -- the water deficit, and we did
20 have the outside police duty that we had to accrue last
21 year for \$20,000, we didn't have to do that this year,
22 because you have an outside agent that does that, so
23 you got -- we didn't have to do it.

24 COMMISSIONER PETRACCO: Right.

25 COMMISSIONER EVANS: But if you look at, you

1 know, the water area, it's down about \$109,000, so
2 there's a decrease there. If you look at the big
3 increases, and we look at -- as I said, we have a
4 \$300,000 increase in pension, we have a \$172,000
5 increase in sewer. The library, at \$31,000, we didn't
6 go over that, but that's the statutory requirement, to
7 fund the library, based upon our assessed value.

8 The debt service is going down by \$12,000.
9 There's our uncollected taxes is going up by 87, we
10 have a \$250,000 increase related to the recycling
11 change that's partially offset because of the lower
12 revenue -- the lower state aid, we also have a lower
13 appropriation because we don't have to give the money
14 to the school and to the county, so we have a \$397,000
15 reduction there, and we have overall, if you look
16 across all of the departments right now, that's a
17 million three increase in salaries, which I don't think
18 that number is right, because I think you guys got to -
19 - again, you got to look at it.

20 COMMISSIONER PETRACCO: This is where you're
21 at, right?

22 COMMISSIONER EVANS: I'm right here. I'm
23 right here. I'm reading down that.

24 COMMISSIONER PETRACCO: Okay. But it's up
25 there, right?

1 COMMISSIONER EVANS: Yeah, but -- but there,
2 that's not -- that's something else.

3 COMMISSIONER PETRACCO: Okay.

4 COMMISSIONER EVANS: All right? That's just
5 (indiscernible).

6 COMMISSIONER PETRACCO: A million
7 (indiscernible).

8 COMMISSIONER EVANS: Million, yeah. And then
9 that and our other expense of \$37,000. So a total
10 appropriation increase of a million, 662. The
11 revenues, as I said, it's lower state aid by \$615,000
12 with an offset, and one-time revenues related to the
13 Mecca settlement, and the RDA. So we have a revenue
14 shortfall of \$438,000.

15 If you add those two numbers together, that
16 says that the levy impact is \$2.1 million, or a 5.1
17 percent increase, which translates to, on average, to
18 \$209 per household. So, again, I'm a lot more focused
19 around what we need to do to really see where we can
20 tighten.

21 You know, there are certain places, like the
22 health care bill is a bill, it's a piece of paper, it
23 comes in. The sewer bill is a piece of paper, it comes
24 in. Right? There's not much we can do about that, and
25 Mauro, if I heard you correctly, when --

1 COMMISSIONER TUCCI: Uh-huh?

2 COMMISSIONER EVANS: -- you think about, you
3 know, all of our people, when you -- who are taking
4 health care, that's pretty flat, year over year.

5 COMMISSIONER TUCCI: Pretty much. Yeah.

6 COMMISSIONER EVANS: Pretty -- you know --

7 COMMISSIONER TUCCI: Pretty much.

8 COMMISSIONER EVANS: -- so it's not --
9 there's -- and beyond that --

10 COMMISSIONER TUCCI: The big benefit to us
11 this year was on the retiree side.

12 COMMISSIONER EVANS: Yeah.

13 COMMISSIONER TUCCI: I mean, and if that
14 wasn't there, we would probably be in the same spot.

15 COMMISSIONER EVANS: Yeah. So in summary,
16 that's where we are with this. I wish it was better
17 news. But, as I said, please take a really hard look.
18 I'm available to go through it with all of you, to see
19 where we could come up with any types of changes. On
20 the one side, while it's an increase, it helps with the
21 discussion with the state, because a 5 percent increase
22 in our municipal levy alone is a very significant
23 increase, and overall, as I said, I think it's
24 unacceptable in our climate.

25 So, and as I said in the beginning, I'm very

1 concerned about what -- how much the state's going to
2 give us this year --

3 COMMISSIONER TUCCI: Uh-huh.

4 COMMISSIONER EVANS: -- (indiscernible) given
5 what we went through last year to get what we got.

6 COMMISSIONER PETRACCO: I know I keep on
7 asking this question, and I will continue to ask it. I
8 asked John Inglesino this a couple of times. I know
9 we've made that wish list of our -- what impacts, you
10 know, that is going on in the town and all that stuff.
11 So now Phase III is coming, where we're finally going
12 to be asking, I know, Alan, I want to ask for Public
13 Safety, you know, what kind of funding we could get
14 because of what that is going to do to Public Safety,
15 you know, and the -- you know, even the ambulance
16 squad.

17 So I mean, I know we can't assume anything in
18 this budget cycle, I'm getting at, but I know Phase III
19 is coming.

20 COMMISSIONER EVANS: Yeah.

21 COMMISSIONER PETRACCO: And is that doable?
22 I mean, could we -- would you plan for the future that
23 we're going to get these impact fees?

24 MR. GENITEMPO: The problem is then you're
25 probably going to increase the budget and then be

1 offset by whatever impact fees we can get. I don't
2 think you're going to -- you're not going to be able to
3 just go against your current -- because of your current
4 budget issues, you know what I'm saying. You're going
5 to add four more police because you think you're going
6 to have more need --

7 COMMISSIONER PETRACCO: Right.

8 MR. GENITEMPO: -- or more firemen, or more
9 ambulance, you're just going to raise the costs --

10 COMMISSIONER PETRACCO: Well, I've had --

11 MR. GENITEMPO: -- and those costs may be
12 offset, the future costs --

13 COMMISSIONER PETRACCO: Well, I have to tell
14 you the truth, even with accepting that grant, with
15 that police grant, which was a half a million dollar
16 grant, you know, that is -- that's what we are doing in
17 public safety, building and getting ready for this all
18 to come, because we can't say, okay, it's built, and
19 let's go put more on. I mean --

20 MR. GENITEMPO: think you --

21 COMMISSIONER PETRACCO: So that's with the --

22 MR. GENITEMPO: -- just -- yeah --

23 COMMISSIONER PETRACCO: -- and I'm saying
24 that --

25 MR. GENITEMPO: I'm just going to have a sit

1 down with John, we should have a separate meeting --

2 COMMISSIONER PETRACCO: Yeah.

3 MR. GENITEMPO: -- with just you and I and
4 John, and sit down and go over that. A lot of it may
5 be more towards equipment and materials, and I don't
6 know about salaries --

7 COMMISSIONER PETRACCO: And manpower?

8 MR. GENITEMPO: Yeah. But it's going to be
9 harder to get a continuous, you know, benefit
10 regarding --

11 COMMISSIONER PETRACCO: I mean, they think --
12 they're saying that when that site's fully developed
13 that they're expecting 10,000 people through that site
14 a day. So just think of all the cars, people backing
15 up into each other, a security team cannot take that,
16 then, so that's going to be more of a burden --

17 MR. GENITEMPO: Right.

18 COMMISSIONER PETRACCO: -- on the police
19 department.

20 COMMISSIONER EVANS: Yeah.

21 COMMISSIONER PETRACCO: And you'd be
22 surprised (indiscernible) --

23 COMMISSIONER EVANS: That's Nutley and
24 Clifton.

25 COMMISSIONER PETRACCO: Yeah, and

1 (indiscernible). Speaking to the mayor of Clifton, I
2 mean, even the mall that they put on Route 3, that they
3 are in there all the time.

4 MR. GENITEMPO: Kind of a difference, they
5 had their own fire department at Roche when they were
6 operating --

7 COMMISSIONER PETRACCO: Right.

8 MR. GENITEMPO: And now your fire department
9 and Clifton's are going to have to cover it.

10 COMMISSIONER PETRACCO: So I'm saying, as
11 much as that -- it's -- you know, we wanted to take a
12 pen and swipe this, it's very difficult knowing what's
13 on the horizon. For me, also.

14 MR. GENITEMPO: And that's why I think it's
15 important that you all sit down separately with John
16 and I, and talk about your individual departments, and
17 what you're looking for, because we need to put those
18 together soon. Very soon.

19 COMMISSIONER PETRACCO: I mean, I could tell
20 you this real quick, I mean --

21 COMMISSIONER EVANS: Including the firemen.

22 COMMISSIONER PETRACCO: -- I don't know that
23 how -- how -- the -- all the calls of service that we
24 do in Public Safety, how we could add on another X
25 amount of calls over there with just the manpower we

1 have. Because we're at 70 -- really, 1, cops right
2 now, and, you know, as we all know, it's 24 hours a
3 day, 7 days a week. So we don't have them all out
4 there at the same time, and it's a lot of hours and
5 days to cover with that many on there, as we all know.

6 MR. GENITEMPO: Well, there's no doubt your
7 response times are going to be affected, and --

8 COMMISSIONER PETRACCO: Yeah. I mean,
9 Clifton, you know, to my knowledge, is now stacking
10 calls. A friend of mine got in a little car accident.
11 Two hours for a cop. You know, you have a barking dog
12 in Nutley, they're there in two minutes, so we have to
13 figure out --

14 COMMISSIONER ROGERS: Or you have a domestic
15 violence call, you have no police at all.

16 COMMISSIONER PETRACCO: Exactly.

17 COMMISSIONER ROGERS: Let's keep that in
18 mind.

19 MR. GENITEMPO: Well, the other thing is to
20 do an analysis related to when Roche was at full bloom.
21 What was their usage? What was their need? It wasn't
22 probably as great as it will be, because they had their
23 own fire department and security, but --

24 COMMISSIONER PETRACCO: Sure.

25 MR. GENITEMPO: -- there's going to be

1 private security at --

2 COMMISSIONER PETRACCO: And it was gated.

3 MR. GENITEMPO: No question. And so I'm
4 saying, there might be -- the number of people in and
5 out, though, is probably going to be what it's going to
6 be when it's fully built out, I would think.

7 COMMISSIONER TUCCI: Well, you saw in the
8 white paper, your calls for service are already up.
9 You're already feeling --

10 COMMISSIONER PETRACCO: Exactly.

11 COMMISSIONER TUCCI: -- you know, the impact
12 of that, so I think that's a good starting point for
13 you.

14 COMMISSIONER EVANS: Right.

15 COMMISSIONER TUCCI: Get a hold of what
16 Roche's investment was in manpower and equipment and
17 use that as your guide as part of the negotiation --

18 COMMISSIONER EVANS: Sure.

19 COMMISSIONER TUCCI: -- on the community
20 impact fees.

21 MR. GENITEMPO: That's what I'm saying, I
22 think that data might be very helpful.

23 COMMISSIONER TUCCI: Yeah, I think it would
24 be very helpful.

25 COMMISSIONER ROGERS: But a key component is

1 the fact that it's not gated anymore.

2 COMMISSIONER PETRACCO: Exactly.

3 COMMISSIONER ROGERS: That was a deterrent.

4 COMMISSIONER PETRACCO: Exactly.

5 COMMISSIONER ROGERS: Now you can go in there
6 from any -- including Route 3, I think you could get
7 there from Route 3.

8 COMMISSIONER PETRACCO: Right. You already
9 can.

10 COMMISSIONER ROGERS: So there's your --

11 COMMISSIONER EVANS: I think -- as you were
12 saying, going deeper dive to understand what's the
13 nature of the calls, what kind of calls we're getting.
14 And I know, I remember, it's -- and I'm dated, but I
15 remember that because of changes in laws, requirements,
16 the paperwork associated with a call. So if it's a --
17 remember, like a domestic violence call might involve
18 one or two officers that go in and make a report out --

19 COMMISSIONER PETRACCO: Two officers for
20 about four hours.

21 COMMISSIONER EVANS: Right. And so they got
22 one call, and because of the paperwork --

23 COMMISSIONER PETRACCO: Yep.

24 COMMISSIONER EVANS: -- you've got two people
25 tied up for in effect a half a shift on one call

1 because of those requirements. I think -- you know,
2 there's this -- there's another impact that we're
3 seeing as a town, not just from the development, but
4 what is the expanded reporting requirements that we're
5 now subject to because of changes in laws?

6 COMMISSIONER PETRACCO: The administrative
7 work.

8 COMMISSIONER EVANS: Right, exactly.

9 COMMISSIONER PETRACCO: Behind the scenes.

10 COMMISSIONER EVANS: Just (indiscernible) are
11 around because of the other things that we're in. So I
12 think there's a lot of good data that could be gathered
13 to testify. But --

14 COMMISSIONER PETRACCO: And you know what,
15 Tom, this one other really important part --

16 COMMISSIONER EVANS: I didn't hear you
17 helping me with the budget (indiscernible).

18 COMMISSIONER PETRACCO: -- no. Well, because
19 I want you guys to know that when I start slashing it
20 what the impact is going to be, and even with, you
21 know, the new court -- I'm lost for exactly what it is.
22 But now the process is when they have to -- we make an
23 arrest, we have to call the prosecuting --

24 COMMISSIONER ROGERS: Bail reform forms.

25 COMMISSIONER EVANS: Bail reform.

1 COMMISSIONER PETRACCO: Bail reforms, thank
2 you. You know, so my budget for overtime actually went
3 up, it's actually what we spent, and the reason why,
4 somebody, you know, makes an arrest at the end of the
5 shift, now you're waiting four hours to get a phone
6 call back, blah, blah, blah --

7 COMMISSIONER EVANS: Yeah.

8 COMMISSIONER PETRACCO: -- you know, and 99
9 percent of the time, it's ROR them anyway, but long
10 story short, you know, that's -- there's a lot of
11 things that --

12 COMMISSIONER EVANS: Yeah, and I -- that's a
13 good --

14 COMMISSIONER PETRACCO: -- are out of
15 control, out of --

16 COMMISSIONER EVANS: -- so that's an example,
17 that's a good example of the data that would be very
18 important. It's just, as a big -- because of bail
19 reform, bail reform --

20 COMMISSIONER PETRACCO: Right.

21 COMMISSIONER EVANS: -- we're -- we have to
22 do -- these new procedures, we've got to do this,
23 there's a waiting time associated with that which under
24 -- which we're obligated to pay for.

25 COMMISSIONER PETRACCO: We are.

1 COMMISSIONER EVANS: Right? So it means it's
2 not that -- that there's an increase in calls, it's
3 just an increase of costs associated with a call that
4 we have --

5 COMMISSIONER PETRACCO: Right.

6 COMMISSIONER EVANS: -- to deal with. And I
7 think that that's very beneficial to understand.

8 MR. GENITEMPO: What about the effect of
9 marijuana legalization?

10 UNIDENTIFIED: That's another issue.

11 COMMISSIONER PETRACCO: That's -- I got to be
12 home by tomorrow.

13 COMMISSIONER EVANS: Well, that's ridiculous,
14 that whole thing.

15 MR. GENITEMPO: No, but it's going to have a
16 significant effect on the --

17 COMMISSIONER PETRACCO: No, listen, it is.

18 COMMISSIONER EVANS: Absolutely.

19 COMMISSIONER TUCCI: But that's where the big
20 challenge comes in, in keeping the services where they
21 are, keeping the town safe, and providing all the
22 things that we provide, while at the same time keeping
23 it affordable, because this 209 is on a house -- you
24 said the average house assessed at what?

25 COMMISSIONER EVANS: 226.

1 COMMISSIONER PETRACCO: It's up a little this
2 year.

3 COMMISSIONER TUCCI: So we're still looking
4 for that house, huh?

5 MR. GENITEMPO: And I think, Commissioner,
6 you just --

7 COMMISSIONER EVANS: Two doors down from you.

8 COMMISSIONER TUCCI: I would hope. And then
9 mine --

10 COMMISSIONER EVANS: Or around in the back.

11 COMMISSIONER ROGERS: I think you just nailed
12 it. You know, my concern is, are we going to go so far
13 that we're going to literally send the town to a
14 journey we don't want to go? We saw -- we've seen over
15 the years what's happened around us. Cut police, cut
16 fire, cut -- you know, cut everything. Cut Public
17 Works. Look what's happened to these communities.

18 COMMISSIONER EVANS: Yeah.

19 COMMISSIONER ROGERS: So, you know, I'm
20 worried about that, I really am.

21 COMMISSIONER EVANS: Absolutely.

22 MAYOR SCARPELLI: So --

23 COMMISSIONER EVANS: You know, when you say
24 we can get a cop to a scene in two, three minutes, a
25 fire truck in three, three to four minutes, how many

1 towns can actually do that?

2 COMMISSIONER ROGERS: Not too many.

3 COMMISSIONER PETRACCO: Yeah.

4 COMMISSIONER EVANS: Right? But there's a
5 cost associated with that, and then the question
6 becomes --

7 COMMISSIONER TUCCI: And if you're looking
8 to reduce the cost, then maybe some of the models need
9 to change.

10 COMMISSIONER EVANS: Exactly. Exactly.

11 COMMISSIONER TUCCI: You can't stay constant
12 in what we used to do with that under three minutes,
13 you know, to respond, and you know, keep everything
14 affordable with all the added requirements, both
15 reporting, manpower and everything else, it's --

16 COMMISSIONER EVANS: Exactly, it's just that
17 the --

18 MAYOR SCARPELLI: And that's across the
19 board.

20 COMMISSIONER ROGERS: Yeah. That's
21 everything, yeah, that's all the departments.

22 COMMISSIONER EVANS: Yeah, when I look at the
23 -- the statutory positions I have, the statutory
24 reporting associated with that, none of these
25 requirements are going down, and they're not getting

1 any easier.

2 COMMISSIONER ROGERS: I know.

3 COMMISSIONER EVANS: Right? So -- and -- but
4 there is a bright light here. We have a reeval coming
5 up that we don't have to bond for.

6 MAYOR SCARPELLI: Always --

7 COMMISSIONER ROGERS: I remember the last
8 time I had to get that done, that bright light.

9 MAYOR SCARPELLI: Always the bearer of good
10 news, Mr. Evans.

11 COMMISSIONER EVANS: No, so the reason why I
12 raise this is like that on one side, you can say, wow,
13 Public Safety's going up a million dollars, oh my God.
14 Right? But there's a -- there's reasons for it.
15 Right? There's reasons for it.

16 And what -- so we -- we have to, I think,
17 prepare for on the budget and our introduction to do
18 more for the benefit of the public is helping them
19 understand what it takes to do what we're doing. And
20 then ultimately, you know, as we're all reminded, we're
21 -- we -- we're here at the service of the public.
22 Right? So if this starts to go into a certain area,
23 and the public tells us they don't want to go into that
24 area, then we're going to have to respond to that.

25 COMMISSIONER ROGERS: You know, John Holland

1 used to -- we used to talk about this a lot. He said,
2 you know what, Steve? Nutley is an exclusive
3 community. He actually used those words. And we are.
4 We're an exclusive community. You know, I get around,
5 and I see the crime rates, and I'm really worried about
6 that, Al, I've got to tell you, I'm really worried
7 about it. I mean, the shootings not far from here, the
8 muggings --

9 COMMISSIONER PETRACCO: Oh, it's right around
10 the corner.

11 COMMISSIONER ROGERS: -- and a lot of people
12 don't hear --

13 COMMISSIONER EVANS: Right.

14 COMMISSIONER ROGERS: -- about what's going
15 on. But we don't have that. So I mean, I -- our
16 department, I mean, we're handling it well, I think,
17 you know, the services are good here, but I'm really
18 worried about that.

19 COMMISSIONER EVANS: Yeah.

20 COMMISSIONER ROGERS: Really worried about
21 it.

22 COMMISSIONER EVANS: And you add to that,
23 which we're not talking about, is what's the
24 requirement it takes to educate our children well
25 today.

1 MAYOR SCARPELLI: So let's sharpen our
2 pencils, if we can. Commissioner, you've done a good
3 job sharpening yours.

4 COMMISSIONER TUCCI: Thank you, Mayor.

5 COMMISSIONER PETRACCO: We'll sharpen ours.

6 MAYOR SCARPELLI: And let's -- yeah, we're
7 going to sharpen ours.

8 COMMISSIONER ROGERS: Can I borrow your --

9 COMMISSIONER TUCCI: Here, use my pencil,
10 here.

11 MAYOR SCARPELLI: And I want to just
12 reiterate what Alan said about getting to John
13 Inglesino, and getting your lists of what you think the
14 impact of the development on Roche is going to be to
15 your departments, things that we should be asking for.
16 So just, you know, let's get that done, because sooner
17 more than later, is that what you -- the phrase you
18 used to --

19 MR. GENITEMPO: Sooner rather than later.

20 MAYOR SCARPELLI: Yes.

21 MR. GENITEMPO: Sooner, very soon.

22 MAYOR SCARPELLI: We're at 7:00 o'clock,
23 Mr. Genitempo, can we just roll into the regular
24 meeting?

25 MR. GENITEMPO: Yes, we built it right into

1 the conference session for that very reason.

2 MR.SARINELLI: So the mechanics, March 19th
3 is the introduction date, we need a few days' lead time
4 in order to get it on the state budget.

5 MAYOR SCARPELLI: 18th, right?

6 MR.SARINELLI: Well. I would like to say
7 maybe the 14th or 15th at the latest, so we'd have the
8 weekend to get the actual state form prepared, if there
9 aren't any changes?

10 COMMISSIONER PETRACCO: March?

11 COMMISSIONER EVANS: March, yeah.

12 MS.COSTA: Also, capital, the capital
13 budgets, gentlemen, I haven't received any, so if you
14 wouldn't mind, I'd appreciate that.

15 COMMISSIONER ROGERS: We have nothing on
16 our --

17 MS.COSTA: Okay.

18 COMMISSIONER ROGERS: Okay.

19 COMMISSIONER PETRACCO: This is the first
20 point.

21 COMMISSIONER EVANS: We're ready.

22 COMMISSIONER TUCCI: I'm not going to say the
23 same.

24 MS.COSTA: Okay.

25 COMMISSIONER TUCCI: Steve's going to yield

1 his board to the Parks Department.

2 THE CLERK: March 14th?

3 COMMISSIONER EVANS: Look at the bright
4 side --

5 THE CLERK: March 13th?

6 COMMISSIONER TUCCI: That's right.

7 COMMISSIONER ROGERS: Am I going away --

8 COMMISSIONER EVANS: -- you don't have a time
9 to --

10 MAYOR SCARPELLI: 13th, yeah, the 13th, the
11 14th, let's say the 13th if we want the --

12 THE CLERK: 13th?

13 MR.SARINELLI: Any final corrections, or
14 final revisions --

15 COMMISSIONER TUCCI: 13th?

16 UNIDENTIFIED: -- by March 13th?

17 THE CLERK: What time?

18 MAYOR SCARPELLI: Oh, we're not -- we don't
19 think we need a meeting, we don't need a meeting.

20 MR.SARINELLI: Oh, it's not a meeting.

21 MR.SARINELLI: No, just whatever revisions.

22 MS.COSTA: No, just send me the
23 revisions.

24 MR.SARINELLI: Send to Rosemary as final for
25 the budget.

1 UNIDENTIFIED: 14th is good, too.

2 MAYOR SCARPELLI: 13th.

3 COMMISSIONER TUCCI: Okay.

4 MAYOR SCARPELLI: So let's just go right into
5 the agenda.

6 THE CLERK: Mayor, I'm just going to read the
7 Sunshine Notice, okay?

8 MAYOR SCARPELLI: You can read it again,
9 sure.

10 THE CLERK: Yeah. Pursuant to the
11 requirements of the Open Public Meeting Act,
12 Chapter 231, Public Law 1975, notice of this meeting,
13 the regular scheduled meeting for the Board of
14 Commissioners, was published in the November 29th, 2018
15 issues of the Nutley Sun, the Herald News, and the
16 Star Ledger. A copy of this notice was posted in -- on
17 the Nutley Town Hall bulletin board, and a copy is on
18 file in the Municipal Clerk's Office. And everyone is
19 present, Mayor.

20 MAYOR SCARPELLI: Commissioner Petracco, what
21 do you have on the agenda tonight?

22 COMMISSIONER PETRACCO: I have a public
23 hearing, if I remember looking at this. Yes, I have a
24 public hearing tonight on salary ordinance, and I don't
25 think I have any resolutions this week.

1 UNIDENTIFIED: You have one.

2 COMMISSIONER PETRACCO: Oh, I have one, I
3 see, we have another leave of absence for Kevin Hussey.
4 That's all I have.

5 MAYOR SCARPELLI: Commissioner Evans?

6 COMMISSIONER EVANS: I have two public
7 hearings related to the financing agreements for 100
8 and 200 Nutclif, which is the former Hoffman LaRoche
9 site. It's the Tax Pilot agreements. And I also have
10 the resolution which authorizes the settlement of the
11 tax appeal on the Roche site for the years 2016, '17,
12 and '18. So -- and that's what I have on the agenda
13 tonight, Mayor.

14 MAYOR SCARPELLI: Any discussion on the
15 pilots that --

16 COMMISSIONER EVANS: Just a -- just a -- a
17 couple.

18 MR. GENITEMPO: Do you want to do that in
19 executive?

20 MAYOR SCARPELLI: We could do that.

21 MR. GENITEMPO: Yeah, if you need to, we have
22 a couple more I need to --

23 MAYOR SCARPELLI: Okay. Good. All right.
24 Commissioner Rogers?

25 COMMISSIONER ROGERS: Yes, the resolution

1 observing the month of March as National Women's
2 History Month.

3 MAYOR SCARPELLI: Commissioner Tucci?

4 COMMISSIONER TUCCI: I have two resolutions,
5 one accepting a bid offer from Marczak's, Inc., and
6 Jersey One Auto Sales for surplus equipment, and I have
7 an award of contract to Quality Fence of Peekskill for
8 the replacement of fencing at the American Little
9 League Field.

10 MAYOR SCARPELLI: Oh.

11 COMMISSIONER TUCCI: And I believe that I
12 have -- no, that's it.

13 MAYOR SCARPELLI: I have raffle applications,
14 I have award of a professional service contract to
15 Mr. Cifelli of Piro, Zinna, Cifelli, and Genitempo. I
16 have an endorsement of the submission of the 2018
17 Municipal Recycling Tonnage Grant, and a designee,
18 designating Sal Ferraro as the Recycling Coordinator.
19 And I have a resolution in opposition of the closure of
20 Highfield Lane by Norfolk Southern, so, which will go
21 to the Department of Transportation, so I'm asking for
22 support on that, that we all be behind that 100
23 percent. Madam Clerk?

24 THE CLERK: Yes, Mayor. We have minutes for
25 approval, and under communications we have several

1 applications. One is the Nutley-Belleville Columbus
2 Day Parade, a Rubber Ducky that's organized for --

3 UNIDENTIFIED: What'd you say?

4 THE CLERK: A Rubber Ducky. The Rubber Ducky
5 Walk. One's from the Nutley Rotary Club, the Nutley
6 High School Hockey Boosters, and the Friends of Phoenix
7 Center. They have all submitted applications.

8 MAYOR SCARPELLI: Mr. Genitempo?

9 MR. GENITEMPO: I have a litigation matter to
10 discuss, and I would like to go -- with negotiations,
11 to talk about negotiations with Dean and final
12 discussion on the (indiscernible).

13 MAYOR SCARPELLI: And --

14 COMMISSIONER TUCCI: Personnel?

15 MAYOR SCARPELLI: -- personnel, and I want to
16 executive on contract negotiations.

17 COMMISSIONER EVANS: Do we have to say what
18 it's for?

19 MR. GENITEMPO: Contract negotiations, unless
20 it's going to reveal something that's highly
21 confidential and it's not for public consumption yet.

22 MAYOR SCARPELLI: The redevelopment of the
23 Ciccolini property.

24 MR. GENITEMPO: Okay. That's fine.

25 THE CLERK: Motion?

1 MAYOR SCARPELLI: I need a motion.

2 COMMISSIONER TUCCI: Move.

3 COMMISSIONER PETRACCO: Second.

4 THE CLERK: Whereas Section 8 of the Open
5 Public Meeting Act, Chapter 231, Public Law 1975,
6 permits the exclusion of the public from meeting in
7 certain circumstances, and whereas the public body is
8 of the opinion that such circumstances exist, and
9 whereas the Board of Commissioners of the Township of
10 Nutley, in the County of Essex, State of New Jersey,
11 desires to proceed to closed executive session, and now
12 therefore be it resolved by the Board of Commissioners
13 of the Township of Nutley to move into closed executive
14 session to discuss litigation, negotiations, contract
15 negotiations for the redevelopment of the Ciccolini
16 property, and personnel matters.

17 Be it further resolved at a time when such
18 discussion may be disclosed to the public shall be when
19 and such disclosure may be made without adversely
20 affecting the Township of Nutley, pending and/or
21 anticipated legal personnel contractual matters, and
22 other matters within the exception provided for by
23 statute.

24 Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 THE CLERK: Commissioner Tucci?
2 COMMISSIONER TUCCI: Aye.
3 THE CLERK: Commissioner Evans?
4 COMMISSIONER EVANS: Here. Aye.
5 THE CLERK: Commissioner Petracco?
6 COMMISSIONER PETRACCO: Aye.
7 THE CLERK: And Mayor Scarpelli?
8 MAYOR SCARPELLI: Aye.

9 (End of recording)

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C E R T I F I C A T I O N

I, Ilene Watson, court-approved transcriber,
hereby certify that the foregoing is a correct
transcript from the official electronic sound recording
of the proceedings in the above-entitled matter.

ILENE WATSON, AAERT NO. 447 DATE: March 20, 2019
ACCESS TRANSCRIPTS, LLC

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

March 5, 2019

Public Session



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TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS
ONE KENNEDY DRIVE
3RD FLOOR COMMISSION CHAMBERS
NUTLEY, NEW JERSEY 07110

*** PUBLIC SESSION ***

DATE: March 5, 2019

BOARD OF COMMISSIONERS:

- JOSEPH P. SCARPELLI, MAYOR
- MAURO G. TUCCI, COMMISSIONER
- THOMAS J. EVANS, COMMISSIONER
- ALPHONSE PETRACCO, COMMISSIONER
- STEVEN L. ROGERS, COMMISSIONER

ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 MAYOR SCARPELLI: Everybody please stand for
3 the flag salute.

4 (Pledge of Allegiance)

5 MAYOR SCARPELLI: Madam Clerk?

6 THE CLERK: Thank you, Mayor. Board of
7 Commissioners Public Meeting, Tuesday, March 5th, 2019.
8 The time is now 7:47.

9 Pursuant to the requirements of the Open
10 Public Meeting Act, Chapter 231, Public Law 1975,
11 notice of this meeting was published in the
12 November 29th, 2018 issues of the Nutley Sun, and the
13 Herald News, and the Star Ledger. A copy of this
14 notice has been posted on the Nutley Town Hall
15 bulletin board, and a copy is on file in the
16 Municipal Clerk's office.

17 Commissioner Rogers?

18 COMMISSIONER ROGERS: Here.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Here.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Here.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Here.

25 THE CLERK: Mayor Scarpelli?

Public Session

1 MAYOR SCARPELLI: Here.

2 THE CLERK: All present, Mayor.

3 MAYOR SCARPELLI: Minutes, Madam Clerk?

4 THE CLERK: Yes, Mayor. We have Board of

5 Commissioner meeting minutes for January 15, 2019, and

6 February 5th of 2019. I need a motion.

7 COMMISSIONER EVANS: Move it.

8 COMMISSIONER PETRACCO: Move it.

9 COMMISSIONER TUCCI: Second.

10 THE CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye. Communications?

20 THE CLERK: Thank you, Mayor. The

21 Nutley-Belleville Columbus Day and Italian Heritage

22 Committee has submitted a letter requesting permission

23 to hold a raffle drawing on Sunday, March 31st, 2019,

24 from 2:30 p.m. to 6:30 p.m. at 44 Park Ave. I need a

25 motion?

Public Session

4

1 COMMISSIONER TUCCI: Move it.

2 COMMISSIONER EVANS: Second.

3 THE CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 THE CLERK: The Rubber Ducky Organization and
14 Crank Systems have submitted an event application to
15 hold a charitable walk starting at the end of
16 55 Washington Avenue on Sunday, April 7, 2019, from
17 9:00 a.m. to 12 p.m.

18 COMMISSIONER TUCCI: Move it.

19 COMMISSIONER EVANS: Second.

20 THE CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 THE CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 THE CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye.

5 THE CLERK: The Nutley Rotary Club has
6 submitted an event application to hold their Second
7 Annual Car and Motorcycle Show on Franklin Avenue,
8 between Chestnut Street and Center Street on
9 Wednesday, September 4, 2019, from 3:30 p.m. to 9 p.m.
10 I need a motion.

11 COMMISSIONER EVANS: Move it.

12 THE CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 THE CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye.

22 THE CLERK: The Nutley High School
23 Hockey Booster Club has submitted an event application
24 to hold a Father's Day Street Fair on Franklin Avenue
25 between Chestnut Street and Center Street on

1 Sunday, June 16th, 2019, from 7 a.m. to 7 p.m.

2 COMMISSIONER TUCCI: Move it.

3 COMMISSIONER EVANS: Second.

4 THE CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 THE CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 THE CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 THE CLERK: The Friends of the Phoenix Center
15 have submitted a social affair permit application for
16 their Casino Night event to be held Friday, May 3rd,
17 2019, at 16 Monsignor Owens Place from 6 p.m. to
18 11 p.m.

19 COMMISSIONER TUCCI: Move it.

20 COMMISSIONER EVANS: Second.

21 THE CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 THE CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 THE CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 THE CLERK: And that's it for communications.

7 MAYOR SCARPELLI: Thank you. Bills?

8 THE CLERK: Thank you, Mayor. Bill list for
9 March 5th, 2019: Public Affairs, \$108,732.94; Revenue
10 and Finance, \$2,567,371.74; Public Safety, \$89,474.54;
11 Public Works, \$109,631.48; Parks and Public Property,
12 \$611,781.24; Water Utility, \$148,321.53; Total Payroll:
13 \$859,298.60; for a grand total of \$4,494,612.07.

14 COMMISSIONER EVANS: Move the bills.

15 COMMISSIONER TUCCI: Second.

16 THE CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

1 THE CLERK: That's it for bills, Mayor.

2 MAYOR SCARPELLI: Public comment on agenda
3 items or the budget workshop. Madam Clerk?

4 THE CLERK: Thank you, Mayor. All persons
5 addressing the Board of Commissioners regarding
6 community concerns should approach the microphone and
7 provide their name and address for the record. Unless
8 further time is granted by the Board, each person shall
9 limit their address to three minutes.

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

19 MR. MOORE: Rory Moore, 462 Chestnut
20 Street. Mr. Scarpelli, I'd like to get a copy of those
21 papers tonight. Are they public yet?

22 MAYOR SCARPELLI: What papers?

23 MR. MOORE: You -- Ms. Costa was handing out
24 papers.

25 COMMISSIONER EVANS: No, they're just --

1 MAYOR SCARPELLI: No, they're not public.

2 COMMISSIONER EVANS: -- they're draft working
3 copies for the workshop. I'm sorry, they're not
4 available.

5 MR. MOORE: When will they be publicly
6 available?

7 COMMISSIONER EVANS: When we introduce the
8 budget on March 19th.

9 MR. MOORE: So it's like there's no
10 information whatsoever between now and then that the
11 public can review?

12 COMMISSIONER EVANS: No, just well, again, it
13 was a workshop session to discuss with the
14 commissioners where we're at. The public can listen to
15 that, but those papers are in draft, and they're
16 working copies, and they're subject to a lot of change.
17 So they're not available.

18 MR. MOORE: Okay. Thank you.

19 MAYOR SCARPELLI: Anybody else wish to
20 address the Board of Commissioners?

21 MS. ROSSI: Tammy Rossi, 28 Colonial Terrace.
22 Under revenue and finance I see a fee for \$964 for
23 Rutgers. Could you tell me what specifically that is
24 for?

25 COMMISSIONER EVANS: I can. That is for my

1 -- in my treasury area, for one of my clerks to attend
2 a course regarding the construction of the budgets. I
3 don't remember the specific name of the course, but
4 it's specifically targeted to her job function.

5 MS. ROSSI: Okay, thank you. And then there
6 are, I see, over \$10,000 for public safety with
7 Ocean Computer Group.

8 COMMISSIONER PETRACCO: I could check that
9 out for you. I'm thinking that's probably a
10 maintenance agreement with us.

11 MS. ROSSI: Okay, because it's under two
12 different line items. One's \$7,654 and the other is
13 \$3,343. I thought that sounded -- this is a two-week
14 bill list, so I'm just wondering.

15 COMMISSIONER PETRACCO: Okay, I could get
16 back to you tomorrow on that, if you like.

17 MS. ROSSI: Okay. Okay, great. Thank you
18 very much.

19 COMMISSIONER PETRACCO: You're welcome.

20 MAYOR SCARPELLI: Anybody else wish to
21 address the Board of Commissioners?

22 MS. SOLENTO: Amy Solento, 70 Newman Avenue.
23 Regarding the current draft budget, there was mention
24 that the state aid reduction, or the anticipated state
25 aid reduction, would be over \$600,000.

1 But there was talk of some of the Mecca
2 settlement offsetting that. So I'm not sure, I think
3 in a prior meeting about the Mecca settlement, there
4 was some discussion about that potentially offsetting
5 expenses for the town library assessment. So I'm not
6 sure, like, how much Mecca money goes towards what. It
7 seems like it's --

8 COMMISSIONER EVANS: Sure.

9 MS. SOLENTO: -- sort of coming up a lot.

10 COMMISSIONER EVANS: Yeah, and Amy, that's
11 actually -- I actually outlined in the settlement
12 agreement itself, but for tonight we discussed a couple
13 of things. One is by statute we're only allowed to
14 anticipate 85 percent of the previous year's state aid.
15 So we received -- technically, this is a transitional
16 state aid, so we received 4.1 million of transitional
17 aid for 2018.

18 We're only allowed to anticipate 85 percent
19 of that, which is roughly \$3.6 million, so in total,
20 that's a \$615,000 reduction in revenue for us, until
21 we're able to meet with the state and determine what
22 the number will be for 2019.

23 Offsetting that revenue decrease, which we
24 talked about, is that we do have an entry of a new
25 revenue item, which is actually two items. One is a

1 hundred thousand dollars, which, specific to the Mecca
2 settlement, was a reimbursement to the town for its
3 costs incurred. So we -- since we did incur those
4 costs that revenue came into the budget to offset those
5 costs. Some of those costs were incurred in '18, some
6 of them are actually part of the 2019 budget.

7 And there is a \$25,000 adjustment for the
8 work at Roche for legal fees for our town attorney,
9 reimbursing us for some of the costs for the time that
10 he has spent in addition to his regular duties there.
11 So that's -- in summary, the -- those three points
12 discuss the overall change in revenue year over year
13 and addresses your question regarding the budget, as
14 well as the settlement agreement.

15 MS. SOLENTO: Okay, thank you. I do have a
16 question. I think possibly part of the closed session
17 was about Ciccolini Building redevelopment, and you may
18 not be able to answer this, but if I recall, there are
19 two buildings the town has purchased in the past few
20 years, the Davis Building and the Ciccolini Building.
21 Both of them don't have a plan attached to them as of
22 yet. I asked about this last meeting about Ciccolini.
23 It sounds like something will be forthcoming. Is there
24 a timeline as to when there will be a plan for either
25 or both buildings, Ciccolini and Davis?

1 MAYOR SCARPELLI: The Ciccolini Building,
2 there will probably be something on the agenda at the
3 next meeting.

4 MS. SOLENTO: Okay, thank you. And the
5 Davis Building, which there was some talk previously of
6 it being transferred to the school district? I mean,
7 it's still -- still the same taxpayer money, so is
8 there any plan information about the Davis Building?

9 MAYOR SCARPELLI: Not at this time,
10 Ms. Solento.

11 MS. SOLENTO: Okay. So my last thing I just
12 want to say is you are base budgeting. It was
13 mentioned last year that the budget would be zero based
14 budget. I still don't hear that anybody's doing
15 zero based budgeting, and with the anticipated
16 shortfalls, and possible --

17 COMMISSIONER EVANS: -- take a zero based --

18 MS. SOLENTO: -- right now, proposed 5.1
19 percent increase just in the town's tax budget, taxes,
20 I don't know, it seems like possibly going back to
21 scratch is a way to really get down to the very, very
22 bottom-line possibilities of expenditures, so, just
23 wanted to suggest that.

24 MAYOR SCARPELLI: Thank you.

25 MS. SOLENTO: Thank you.

1 MAYOR SCARPELLI: Anybody else wish to
2 address the Board of Commissioners? Seeing none, let's
3 move on to Board of Commissioner announcements.
4 Commissioners?

5 COMMISSIONER TUCCI: I have one, Mayor. Last
6 evening the Essex County Chapter of the National
7 Football Foundation and the College Hall of Fame
8 awarded Frank DeMaio the -- I guess you were the Man of
9 the Year, Frank, for your contribution to amateur
10 football, and that's not only all of our levels here in
11 Nutley with the Junior Raiders, but for all his work
12 and collaboration with all of the other organizations
13 throughout the County of Essex, all right, and I just
14 wanted to publicly congratulate Frank.

15 Again, I had the pleasure of being there, and
16 clapping with his family and his four tables of
17 friends, and I just think it's important for everyone
18 to know what kind of people we have working for us.
19 So, thank you, Frank.

20 MAYOR SCARPELLI: Anybody else have an
21 announcement?

22 COMMISSIONER PETRACCO: Mayor, I'd just like
23 to answer Ms. Rossi's own question that she had for me
24 about that money on the bill list. That was for
25 computers and new work stations in the detective

1 bureau, just so you know. Thank you.

2 MAYOR SCARPELLI: Let's move on to ordinance
3 introductions. Commissioner Petracco, public hearings?

4 COMMISSIONER PETRACCO: Yes.

5 Ordinance Number 3415, an ordinance to amend
6 the salaries of certain officers and employees of the
7 Township of Nutley, County of Essex, State of New
8 Jersey; be it attained by the Board of Commissioners of
9 Township of Nutley in the County of Essex, New Jersey.

10 MAYOR SCARPELLI: Anybody want to be heard on
11 Ordinance Number 3415?

12 MR. MOORE: Rory Moore, 462 Chestnut Street.
13 Mr. Petracco, this a \$10,000 raise for Clerk 1, I
14 believe, if I'm reading this correctly.

15 COMMISSIONER PETRACCO: This is for -- what
16 we're doing -- this is actually only going to be
17 temporary. What I did was I moved a dispatcher up to
18 the Court, and we didn't have a clerk's position there.
19 We have a retirement coming up of our deputy clerk,
20 actually, and with that being said, we're just doing
21 this to train. Meanwhile I have not filled that
22 dispatcher's spot while I'm doing this, as well.

23 MR. MOORE: Filling a dispatcher's spot,
24 that's not on the ordinance for this evening. It's
25 going from a -- as I understand it, it's a Clerk 1

1 position. Now, according to DCA you can assign to --
2 each town can assign whatever value that is, how much
3 they want to pay for them.

4 COMMISSIONER PETRACCO: Uh-huh.

5 MR. MOORE: Isn't there a Clerk 2 so that we
6 wouldn't have to raise a Clerk 1's salary?

7 COMMISSIONER PETRACCO: I don't think -- I
8 think the reason why we're doing this is because the
9 way our table of organization is in, and we didn't have
10 the civil service title in that -- in the Court to put
11 her there, and that's where the issue came up. So,
12 again, I mean, to -- the way it's been explained to me,
13 it's just a bookkeeping matter, because we didn't have
14 that slot in order to do this pre-training until that
15 person retires.

16 MR. MOORE: I guess your explanation is --

17 COMMISSIONER PETRACCO: And just so you know,
18 actually, that person's taking a pay cut of what they
19 were making as a dispatcher to move into that Court
20 position.

21 MR. MOORE: So the dispatch position --

22 COMMISSIONER PETRACCO: Why I'm doing this,
23 this training, you know, very simply put, we have
24 somebody leaving in the Court. Okay? So before that
25 person leaves we're trying to train someone. It

1 happened to be the person that I put there was a
2 dispatcher, because as we're looking at these budgets
3 and trying to save money that position I might not even
4 fill again, that dispatch position. So it's --
5 actually, there's no more money coming out of my budget
6 while I'm doing this, is what I'm saying. And it was
7 just a bookkeeping matter that I didn't have the civil
8 service title in the Court in order to put that person
9 there.

10 MR. MOORE: But that means -- how many -- are
11 there any Clerk 1s? Maybe I'm misunderstanding.

12 COMMISSIONER PETRACCO: I would --

13 MR. MOORE: Right now are there any --

14 COMMISSIONER PETRACCO: There wasn't any
15 vacancy for a Clerk 1 position to put this person in
16 that spot.

17 MR. MOORE: So what, you're basically
18 creating a position in the Court as a Clerk 1?

19 COMMISSIONER PETRACCO: I'm creating a
20 position temporarily only because of the training. In
21 other words, I wouldn't have the -- the Court is like a
22 separate entity -- it's not like, it is a separate
23 entity.

24 MR. MOORE: I get it, but --

25 COMMISSIONER PETRACCO: And through civil

1 service, so when we -- when I went to move this person,
2 I thought because that person was in public safety it
3 was simply going from dispatcher to the Court. We
4 didn't have a position in civil service to make that
5 transition work, I mean, very well.

6 MR. MOORE: So based on your explanation, I'm
7 trying to understand. The -- any other clerks over
8 there, are they Clerk 1s as well? By title?

9 COMMISSIONER PETRACCO: I believe we have
10 Clerk 1 and Clerk 2 positions, but I don't -- I -- and
11 throughout public safety and the township, but we
12 didn't have it in the court where this person was
13 going.

14 MR. MOORE: I guess it -- I'm -- the point
15 I'm trying to raise is that you can bring somebody in
16 as a title as Clerk 1.

17 COMMISSIONER PETRACCO: Right.

18 MR. MOORE: At 35,000.

19 COMMISSIONER PETRACCO: Right.

20 MR. MOORE: Rather than raising it 10,000 as
21 a Clerk 1, because everybody else by title goes up, as
22 well, because of this ordinance, why don't you just
23 continue --

24 COMMISSIONER PETRACCO: No, everybody else is
25 not going up because of this ordinance.

1 MR. MOORE: But you do, by the -- by
2 ordinance, just by the definition, a Clerk 1 will now
3 be titled to \$45,000.

4 COMMISSIONER PETRACCO: No, that's the --
5 that's just the range.

6 COMMISSIONER TUCCI: That's just the range.

7 COMMISSIONER PETRACCO: That's just the
8 range.

9 MR. MOORE: I understand it's a range, but
10 the range is \$45,000.

11 COMMISSIONER PETRACCO: The range is \$45,000,
12 and I tell you, Rory, you do -- for the -- how many
13 years I been on the board, I get that range, what
14 you're saying, and I was always advocating to be very
15 specific, but then we would be doing this every meeting
16 as people grow their salaries.

17 MR. MOORE: But this -- by definition, this
18 now raises every Clerk 1 to \$45,000, potentially.

19 COMMISSIONER PETRACCO: That's not how I'm
20 looking at that. I mean, I see it's -- this is for
21 Municipal Court. It's a Municipal Court position.

22 COMMISSIONER PETRACCO: Commissioner, if I can
23 help clear -- this ordinance only adds the position. It
24 doesn't -- the salary range, I believe, is already
25 what's in the salary range for Clerk 1s, so all you're

1 doing is adding a position to the Municipal Court that
2 doesn't exist in civil service. So the salary is
3 what's, I believe, already in place for Clerk 1s in
4 that position. So we're not changing the salary
5 structure, Mr. Moore. We're just adding a Clerk 1
6 position to the Municipal Court.

7 MR. MOORE: I guess I'm just -- I -- is your
8 current --

9 COMMISSIONER EVANS: Rory, I understand your
10 question. I understand your question. Is there more
11 than one Clerk 1 in the Municipal Court?

12 COMMISSIONER PETRACCO: I would think there
13 is, but I -- but I --

14 COMMISSIONER EVANS: And so for all the
15 municipal clerks, for all of the Clerk 1s in the
16 Municipal Court --

17 MR. MOORE: They just got a pay raise.

18 COMMISSIONER EVANS: -- are they -- no. Are
19 they all within the range of 35 to \$45,000?

20 COMMISSIONER PETRACCO: I believe so.

21 COMMISSIONER EVANS: So if someone is a
22 Clerk 1 and they're currently at \$38,000 their pay
23 isn't changing. This just, that's a salary range. It
24 says their salary could be between a minimum of 35 and
25 a maximum of \$45,000.

1 COMMISSIONER PETRACCO: Exactly how I
2 understand it.

3 COMMISSIONER EVANS: But it's -- again, but
4 it's not giving them all a raise. It's just simply
5 adding that range, so if -- if you -- and the reason I
6 asked the question is, if you have Clerk 1s that are
7 already in the Municipal Clerk -- and I would say, in
8 the Municipal Court, right, and they're already there,
9 right? I understand the question is that why would you
10 need an ordinance line item, because my suspicion is
11 that there isn't any other Clerk 1s, and that this is
12 the first one. Is that correct?

13 UNIDENTIFIED: (Indiscernible.)

14 COMMISSIONER EVANS: So this is -- yes, but
15 I'm saying, this isn't -- this is a position of
16 Clerk 1.

17 UNIDENTIFIED: (Indiscernible.)

18 COMMISSIONER EVANS: The position of Clerk 1
19 but it has two -- but there's now -- you're adding a
20 person to it.

21 UNIDENTIFIED: Yes, exactly.

22 COMMISSIONER EVANS: Right. So --

23 COMMISSIONER PETRACCO: I think it's just --
24 I think -- I think it's just -- Commissioner, I think
25 it's very simply put. There wasn't a vacancy in the

1 Clerk 1 to put her in the Clerk 1 position. So then --

2 COMMISSIONER EVANS: Or this --

3 COMMISSIONER PETRACCO: -- so then rather
4 than put her in a Clerk 2 position, which was more
5 money, it was just a vacancy that we had to make.

6 COMMISSIONER EVANS: Al, so all I'm saying
7 is, the title of Clerk 1 already exists, and so does
8 service in the Municipal Court.

9 COMMISSIONER PETRACCO: Right.

10 COMMISSIONER EVANS: The salary range is 35
11 to \$45,000 --

12 COMMISSIONER PETRACCO: Right.

13 COMMISSIONER EVANS: -- for all the Clerk 1s
14 in that position, and the one that's currently a
15 Clerk 1, based upon what you said, is already within
16 this range. All this is saying is that that got two
17 people.

18 COMMISSIONER PETRACCO: And that person's
19 taking a pay cut to do that.

20 COMMISSIONER EVANS: You're just adding --
21 you're adding a head count.

22 COMMISSIONER PETRACCO: We're adding a head
23 count.

24 COMMISSIONER EVANS: That's all.

25 COMMISSIONER PETRACCO: Just temporarily

1 until that person retires.

2 COMMISSIONER EVANS: Right.

3 COMMISSIONER PETRACCO: So we're going to
4 replace somebody with a similar salary.

5 COMMISSIONER EVANS: Yeah. So to be clear,
6 then this would be Clerk 1, parenthetically, the number
7 2, to say there's two positions here.

8 COMMISSIONER PETRACCO: You nailed it.
9 Exactly.

10 MR. MOORE: You should have wrote it that
11 way.

12 COMMISSIONER PETRACCO: Well, you know what?
13 I don't know how -- I'll check that tomorrow, but I
14 don't know how specific that is, as far as its -- I'm
15 assuming it didn't say clerks, and that's why we had to
16 go to this. So it doesn't say one clerk or two clerks
17 or five clerks. So that's --

18 MR. MOORE: You're -- so --

19 COMMISSIONER PETRACCO: -- a little bit
20 confusing.

21 MR. MOORE: -- effectively you have one
22 Clerk 1, and you're going to add to two. Effectively,
23 that's what you're going to do.

24 COMMISSIONER PETRACCO: Temporarily. That's
25 the key word.

1 MR. MOORE: Thank you.

2 MAYOR SCARPELLI: Anybody else want to be
3 heard on Ordinance Number 3415? Seeing none.

4 COMMISSIONER PETRACCO: I move we close the
5 public portion of the meeting.

6 COMMISSIONER ROGERS: Second.

7 THE CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 COMMISSIONER PETRACCO: I move the ordinance.

18 COMMISSIONER ROGERS: Second.

19 THE CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 THE CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 THE CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Aye.

4 COMMISSIONER PETRACCO: Thank you.

5 MAYOR SCARPELLI: Commissioner Evans?

6 COMMISSIONER EVANS: Good news I have
7 tonight. Our esteemed counsel just told me I don't
8 have to read the ordinance in its entirety tonight.

9 COMMISSIONER TUCCI: That is good news.

10 COMMISSIONER EVANS: Yeah, that's good news.

11 I am going to introduce it by its title.

12 Ordinance Number 3416, this specific
13 ordinance is for a pilot agreement, a payment in lieu
14 of tax, related to building -- a building which is
15 known as 100 Metro on the Hoffman-La Roche property.
16 Some might recognize this building as originally as
17 Building One.

18 The importance of this ordinance is very
19 significant to the township. One, it's been publicly
20 released that Ralph Lauren is going to occupy this
21 building. It is critical to securing that leasehold,
22 and having that tenant, that we have a financing
23 agreement in place. So by -- one, by moving forward on
24 this, it's securing the greater ability to have that
25 building fully occupied by a stellar tenant, and then

1 much of that support goes to Prism for the hard work
2 that they've done in identifying a wonderful tenant to
3 occupy that building.

4 What's also important about this financing
5 agreement is, why should we do this as a town? All
6 right? Prior agreements, when you read about them,
7 sort of will tell you that you collect your municipal
8 tax, you don't collect the school tax, and you only
9 collect five percent of the county tax, and the rest of
10 that isn't paid. So that would -- if you're on your --
11 if you read it just at that level, then the default is
12 that the remaining taxpayers have to pick up that
13 differential cost.

14 In this particular financing agreement -- and
15 it's the same with the next ordinance, so we won't go
16 through this twice -- is the negotiating posture of the
17 town, which was acceptable to Prism, was that we would
18 secure full local taxation based upon the taxes that we
19 received in 2018. And local taxation is, the full
20 amount is the school, full municipal and school tax.
21 So we're excluding that.

22 We also were able to negotiate that part of
23 the county savings, so part of the 95 percent savings
24 in the county, the township would be able to retain
25 that, as well. In addition, the financing agreement

1 has an escrow add in it, that -- and it's a minimum of
2 2 percent, as well as an administrative fee.

3 So collectively we've been able to work with
4 Prism, who is very passionate about their future for
5 the property in making sure that they're attracting
6 premium tenants to the site. You may have also heard
7 that through the Planning Board that the -- in order to
8 insure that we have that tenant, that there's also a
9 structure parking garage that will be built next to
10 Building One and Building 200, to provide parking for
11 these tenants that are going to be there.

12 So basically in summary it basically says
13 that Nutley participates at a full local taxation with
14 increasing -- an increase, an annual increase of 2
15 percent a year. And that's on both buildings, that's
16 -- the concept is on both buildings. We're very
17 grateful for that, because what's the benefit of the
18 town?

19 A vacant property is now becoming
20 redeveloped, we're adding some stellar tenants to the
21 property, and all this, you know, is critical to
22 understand is that it wasn't my position to negotiate
23 this. It was the universal position of the Board of
24 Commissioners that this was our negotiating posture.

25 We have to secure the full benefit for the

1 residents of the town, and make sure that this site
2 remains very competitive and very, very attractive. So
3 with the unanimous commitment of the Board, and you
4 guys can, you know, chime in, we were able to move
5 forward, because in negotiating this, it was the
6 posture of the entire Board of Commissioners, and there
7 was no leeway on that. It was just -- it was a firm
8 position.

9 So at the end, you know, we're basically
10 securing tax revenue for the future for the town over
11 the life of the 30-year pilot. We are -- those
12 revenues actually grow, so it's not static, and we now
13 have the ability to have a wonderful building occupied
14 by Ralph Lauren, which then creates the opportunity for
15 jobs, real jobs, for the residents of the township and
16 the opportunity for that. So that's the public
17 hearing.

18 (Indiscernible) my comments. And then I'm
19 going to ask Dean Donatelli -- if you want to add --
20 but before I do that, Commissioners, would you like to
21 add anything to what I just commented on, or your --

22 COMMISSIONER TUCCI: Well, let's have Dean
23 add his comments, and --

24 COMMISSIONER EVANS: And then we'll go into
25 it.

1 COMMISSIONER TUCCI: -- and we'll comment
2 after that, yeah.

3 COMMISSIONER EVANS: Dean?

4 MR. DONATELLI: Good evening, Mayor and
5 Commissioners. For the record, Dean Donatelli. I'm
6 Special Redevelopment Counsel for the Township. I'm
7 going to really reiterate some highlights that
8 Commissioner Evans had mentioned. He mentioned Prism,
9 they're very tough negotiators. The Commissioners took
10 a very hard stance, got the best deal possible for the
11 township.

12 A couple unique pieces of this -- these
13 financial agreements for both buildings, 100 and 200,
14 is the school share. Typically, you'll see in these
15 financial agreements, as the Commissioner mentioned,
16 Commissioner Evans mentioned, they don't typically
17 encompass the school share of what the town would have
18 otherwise received, and that was mutually negotiated
19 and is incorporated into these agreements.

20 The second piece of it, which also was
21 mentioned, is there is a minimum payment schedule for
22 each agreement, which increases, the minimum payment
23 that the township will receive increases 2 percent each
24 year, which again, is a relatively unique piece of a
25 financial agreement structure. And really you can kind

1 of summarize it, and the town's financial consultant
2 could tell you, what it allows is the town to have
3 upside participation by way of the annual percentage of
4 -- percentage of annual gross revenue, as well as
5 downside protection with the minimum annual service
6 charge payments. That's really all.

7 COMMISSIONER EVANS: Thank you.

8 MR. DONATELLI: Thank you.

9 MAYOR SCARPELLI: Any questions for Dean,
10 Commissioners?

11 COMMISSIONER TUCCI: Not a question, just a
12 comment. I just want to compliment our professionals,
13 all right, and Prism's professionals, all right, for
14 hammering out such a -- an equitable deal. All right?
15 This is somewhat unique, having been involved with some
16 other pilots in some other places. I think this is one
17 of the fairest ones that I've ever seen, and I'd just
18 like to commend everyone for all the hard work that
19 went into this. And Prism is a top notch developer. I
20 think everyone's seeing the fruits of their labors, and
21 every day it just gets better and better. And yes,
22 Dean, they are tough negotiators, but that's why
23 they're successful.

24 So we welcome you to our community. We
25 expect to continue on and perhaps do more agreements

1 like this. So thank you all.

2 MAYOR SCARPELLI: Commissioners?

3 COMMISSIONER PETRACCO: I'd just like to add
4 that when we first met -- first of all, I'd like to
5 thank Dean, too. I know, Dean, you do a lot of the
6 work, and I know John gets a lot of the credit for it,
7 but --

8 MR. DONATELLI: Thank you. Thank you.

9 COMMISSIONER PETRACCO: -- I'd like to thank
10 you and John and everybody else here. Let's hear it
11 for Dean. That's right.

12 UNIDENTIFIED: (Indiscernible.)

13 COMMISSIONER PETRACCO: Gene, there'll be no
14 outbursts tonight here either, okay? But anyway, it's
15 been a -- oh, here we go. It's been a privilege for me
16 to work with -- well, first of all, everybody on our
17 board, and I keep saying this, and I'll say it at every
18 meeting.

19 You know, in 2013, or 2012, I became the
20 mayor in 2013, was it, that they announced Roche was
21 leaving? And when we first started working with all
22 the professionals, they all said you're 20 to 30 years
23 out from, you know, having something, you know, fill up
24 that site, because office space was way down in
25 northern New Jersey at the time. And the reason why I

1 keep bringing that up is because the leaps and bounds
2 we've made together, gentlemen, I think is astonishing
3 for the town.

4 And there's still some people in town that
5 think we're moving a little too slow, and I get that,
6 because we're all anxious to get this done and to get
7 ratables and get jobs for our people. But I have to
8 say, it's been really, again, an honor and a privilege
9 to work with Prism, the -- Tom Lyons (sic) from Roche
10 at the time, all his staff and our board, and all our
11 professionals, and I have to say, we're way ahead of
12 schedule as far as what's been going on on that site
13 compared to where we were in 2013. So thanks for your
14 efforts, too, everyone.

15 MAYOR SCARPELLI: Thank you, Commissioner.
16 Dean, I'd like to thank you and John and Tom Banker and
17 Commissioner Evans, who led the Board of Commissioners
18 on your team, and we're happy to welcome Prism here.
19 And we've got some signing to do later on, not only
20 with the two pilot agreements, but also with the
21 redevelopment agreement and the withdrawal of the tax
22 appeals. So all in all we're doing well, and I'd like
23 to thank you and John for your leadership.

24 MR. DONATELLI: Thank you all.

25 MAYOR SCARPELLI: Anybody want to be heard on

1 Ordinance Number 3416?

2 MR. MOORE: Rory Moore, 462 Chestnut. Is
3 this on? Can you hear me? Rory Moore, 462
4 Chestnut Street. Mr. Evans, there's just two
5 questions. It's 30 years on the pilot program?

6 COMMISSIONER EVANS: Yes.

7 MR. MOORE: And Dean just referred to some
8 minimum payment. What is that minimum payment?

9 COMMISSIONER EVANS: It basically says that
10 the minimum tax that we would get was based upon the
11 local taxes that we paid, plus this 20 -- 25 percent of
12 the county savings, as a -- 2018 is the base year, and
13 that it escalates 2 percent a year for the next 30
14 years, and that's the minimum that we would collect.
15 It can -- if it grows greater than that, we win, but
16 that's the minimum that we would collect.

17 MR. MOORE: Is there a number? On that
18 minimum?

19 COMMISSIONER EVANS: Yeah. Yeah, there is a
20 schedule for that. I --

21 MR. GENITEMPO: The schedule's been on file
22 with the clerks for the last two weeks. Once it's
23 signed tonight you'll be able to get -- OPRA a copy of
24 it.

25 MR. MOORE: Okay.

1 MAYOR SCARPELLI: Anybody else want to be
2 heard on Ordinance Number 3416. Mr. Diaz?

3 MR. DIAZ: Eugene Diaz, 340 Kingsland Street,
4 Nutley, New Jersey.

5 MAYOR SCARPELLI: Very nice. Very nice.

6 MR. DIAZ: Thank you. So, you know, I think,
7 on behalf of my partner and I, you know, Prism has --
8 we believe we've built our reputation on win/win
9 partnerships with the municipalities that we've been
10 fortunate enough to develop in. This was a -- we took
11 this on, it was a very daunting task. 120 acres,
12 1.2 million square feet of vacant space, a very complex
13 environmental situation, a very complex utility and
14 infrastructure situation.

15 And it's been a joy, quite frankly, for my
16 partner and I to have worked with such a professional
17 township. Both from the commissioner level, down to
18 your professionals. I need to take a minute to thank
19 our professionals, since they're here tonight,
20 (indiscernible) provided such great leadership with us
21 in negotiating these agreements.

22 What Prism gets out of this at the end of the
23 day -- the town is getting pretty much what you're
24 getting today, plus growth going forward. People might
25 question, well, what's in it for Prism? The most

1 important thing for us is certainty, and the most
2 important thing for the tenants that are coming into
3 this campus, and occupying these buildings, is
4 certainty of understanding what their expenses are, and
5 what their costs are going to be, going forward.

6 And I think what this -- what this pilot
7 agreement provides is 30 years of certainty, of
8 understanding what those numbers are going to be. And
9 that's really a critical important step for us to be
10 able to continue to grab and attract great blue chip
11 companies to Nutley, and to the ON3 campus.

12 So yes, it was a -- we got through some
13 pretty tough details with you guys and ladies and your
14 professionals, but at the end of the day, I think cool
15 heads prevailed. Everybody recognized the importance
16 of providing stability, certainty, and open-arm
17 expression to the business community that Nutley's open
18 for business and that you're here to have the kind of
19 substantive discussions that are necessary in today's
20 economic environment to tell blue chip companies and
21 blue chip tenants, hey, if you need to talk, if you
22 need to understand, if you need to see what we're about
23 or where we are, what we can offer you? Nutley planted
24 your flag out there today, and told the world, hey,
25 come see us, because we're open for business, and we

1 can negotiate complex transactions and entertain a
2 fundamental financial agreement that makes sense to
3 everybody.

4 So, Commissioners, we thank you. We're
5 excited about this. This is, again, another -- yet
6 another milestone in the redevelopment of ON3, and we
7 look forward to many more to come. So thank you again.

8 MAYOR SCARPELLI: Thank you, Mr. Diaz.
9 Mr. Cohen?

10 MR. COHEN: I'm not going to bore you with
11 repeating what my partner had to say, but the vision
12 that we had for this campus when we decided to move
13 forward on it is happening. And it's happening faster
14 than we thought it would be happening, and that's with
15 your cooperation, with all of the people in this room
16 that I'm looking right now.

17 And we appreciate it, and we look to just
18 make this bigger and better as we move forward. And I
19 want to thank you for all of your cooperation, and all
20 of the hard work that all of us went through to make it
21 happen. Thank you.

22 MAYOR SCARPELLI: Thank you, Mr. Cohen.
23 Anybody else want to be heard about Ordinance
24 Number 3416? Before we close the public hearing I want
25 to say that, just to dovetail on Mr. Diaz, this is a

1 win/win/win -- win for the taxpayers, win for the
2 municipality, win for the school district, and also a
3 win for the developer in offering a predictability to
4 attract a quality tenant like they have in
5 Ralph Lauren. So I thank you very much for that.

6 COMMISSIONER EVANS: Move to close the public
7 hearing.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: You know, before I
17 vote, I would just like to bring one other thing to the
18 table, that, you know, with Modern Meadow there, all
19 those companies that are already there, Gene and Ed,
20 the businesses, including mine, have definitely felt
21 that uptick. So another positive for Nutley is that,
22 you know, we can already see through the construction,
23 the workers coming throughout our town and spending
24 their dollars there. So I really think it's been
25 fantastic, what's going on there, and I vote aye.

1 THE CLERK: Mayor Scarpelli?
2 MAYOR SCARPELLI: Aye. Move the --
3 COMMISSIONER EVANS: Move the ordinance.
4 COMMISSIONER TUCCI: Second.
5 THE CLERK: Commissioner Rogers?
6 COMMISSIONER ROGERS: Aye.
7 THE CLERK: Commissioner Tucci?
8 COMMISSIONER TUCCI: Aye.
9 THE CLERK: Commissioner Evans?
10 COMMISSIONER EVANS: Aye.
11 THE CLERK: Commissioner Petracco?
12 COMMISSIONER PETRACCO: Aye.
13 THE CLERK: Mayor Scarpelli?
14 MAYOR SCARPELLI: Aye.
15 COMMISSIONER EVANS: Thank you.
16 MAYOR SCARPELLI: Commissioner, 3417?
17 COMMISSIONER EVANS: Yes. So just in case
18 you forgot everything I said on the first ordinance,
19 let me repeat it. So 3417 is linked to the previous
20 ordinance, in that the only difference in it is the
21 fact that it's a different building. It's
22 Building 200, previously known as Building 76, and this
23 is the tall glass building that everyone sees from the
24 highway when they look and they think about this
25 campus.

1 So I'm not going to repeat anything that was
2 said because everything carries over to this. It --
3 the only thing that I would add is that this building
4 is currently vacant. We're hoping to hear soon that we
5 will have a stellar tenant in that building, which will
6 further create greater job opportunities for the people
7 of Nutley. So with that we can open the public
8 hearing.

9 MAYOR SCARPELLI: Anybody want to be heard on
10 Ordinance Number 3417?

11 COMMISSIONER EVANS: Move to close --

12 MAYOR SCARPELLI: Seeing none --

13 COMMISSIONER EVANS: Move to close.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 COMMISSIONER EVANS: Move the ordinance.

1 COMMISSIONER TUCCI: Second.
2 THE CLERK: Commissioner Rogers?
3 COMMISSIONER ROGERS: Aye.
4 THE CLERK: Commissioner Tucci?
5 COMMISSIONER TUCCI: Aye.
6 THE CLERK: Commissioner Evans?
7 COMMISSIONER EVANS: Aye.
8 THE CLERK: Commissioner Petracco?
9 COMMISSIONER PETRACCO: Aye.
10 THE CLERK: Mayor Scarpelli?
11 MAYOR SCARPELLI: Aye.
12 COMMISSIONER EVANS: Thank you, Mayor.
13 MAYOR SCARPELLI: Resolutions.
14 Commissioner Rogers?
15 COMMISSIONER ROGERS: Resolution
16 Number 70-19, observing the month of March as National
17 Women's History Month, 2019, so move.
18 COMMISSIONER PETRACCO: Second.
19 THE CLERK: Commissioner Rogers?
20 COMMISSIONER ROGERS: Aye.
21 THE CLERK: Commissioner Tucci?
22 COMMISSIONER TUCCI: Aye.
23 THE CLERK: Commissioner Evans?
24 COMMISSIONER EVANS: Aye.
25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Aye. Thank you,
4 Commissioner. Commissioner Tucci?

5 COMMISSIONER TUCCI: Sure.

6 Whereas, the Township of Nutley received
7 sealed bids for surplus equipment no longer in use by
8 the Township on February 5th, 2019.

9 And, whereas, Jersey One Auto Sales, 495-
10 497 Tonnele Avenue, Jersey City, New Jersey, and
11 Marczaks, Inc., 247 Central Avenue, Metuchen, were the
12 highest bidders for the equipment as listed on this
13 resolution, which includes a 2000 Bluebird bus, with
14 the Jersey One price for it was \$660, and a 1995 Ford
15 F450 Dump Truck, in the amount of \$2,661, also by
16 Jersey One, and one 1991 GMC Topkick Dump Truck to
17 Marczaks, Inc., in the amount of \$560.

18 Now, therefore, be it resolved by the Board
19 of Commissioners of the Township of Nutley, County of
20 Essex, State of New Jersey, that the surplus items to
21 be sold to the highest bidder, Jersey One Auto Sales,
22 and Marczaks, Inc.

23 I move the resolution.

24 COMMISSIONER EVANS: Move it. Second,
25 second, I'm sorry.

1 THE CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 COMMISSIONER TUCCI: Whereas, the Department
12 of Parks and Public Property in the Township of Nutley
13 has a need to replace the fencing at the American
14 Little League Baseball Field.

15 And, whereas, three quotes were received, and
16 the lowest quote was received from Quality Fence of
17 Peekskill, Inc., 1223 Lincoln Terrace, Peekskill, New
18 York, with the price of \$29,695, which is below the
19 Township bid threshold.

20 And, whereas, funds are available from
21 account G-04154403, Ordinance 3372C, and have been
22 certified by the Chief Financial Officer, said
23 certification being attached to this resolution.

24 Now, therefore, be it resolved by the
25 Board of Commissioners of the Township of Nutley,

1 County of Essex, State of New Jersey, that Quality
2 Fence of Peekskill, New York, be awarded the contract
3 to replace the fencing at American Little League
4 Baseball Field. I move the resolution.

5 COMMISSIONER EVANS: Second.

6 THE CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: Aye.

8 THE CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 THE CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 THE CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: I vote aye, and I'm
14 glad we're doing that.

15 THE CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

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

19 MAYOR SCARPELLI: Thank you, Commissioner.
20 Commissioner Evans?

21 COMMISSIONER EVANS: Thank you, Mayor.

22 Resolution Number 65-19 authorizes the treasurer to
23 refund overpayments of tax charges in the amount of
24 \$2,882.36 for Block 1300, 1-C of 2084.

25 So move.

1 COMMISSIONER TUCCI: Second.

2 THE CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 THE CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye.

12 COMMISSIONER EVANS: My next resolution is
13 69-19. This resolution authorizes the execution of a
14 property tax appeal settlement agreement between the
15 Township and PB Nutclif. There has been outstanding
16 tax appeals associated with the La Roche property
17 covering the years '16 -- 2016, 2017, and 2018.

18 What this resolution does, ultimately, with
19 the signing of the settlement agreement, we now remove
20 that risk to the township, and in effect it solidifies
21 our tax base, which is important for us, because we
22 need to continue to move forward with the great
23 progress that we're making to continue to move forward
24 on a solid base and build additional revenues that
25 contribute to the value of the township and the job

1 opportunities. We can't do that with things like this
2 outstanding.

3 So as part of the negotiation I want to thank
4 both Gene and Ed for agreeing to recognize how
5 important this was for the town. It really helps us
6 now stay focused on the future development of the
7 property.

8 So with that, this resolution basically
9 authorizes the settlement agreement between the
10 Board of Commissioners and PB Nutclif concerning the
11 properties described herein, and therefore, prepared --
12 and heretofore prepared or to be prepared in a form and
13 with conditions and revisions as deemed advisable by
14 the Township Attorney, is hereby authorized and
15 approved. So moved.

16 COMMISSIONER TUCCI: Second.

17 THE CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Before I vote, there's
21 just one comment I'd like to make. Like the pilot
22 agreements that we've previously executed which gave
23 Prism financial certainty, this settlement also gives
24 the Township financial certainty.

25 COMMISSIONER EVANS: Absolutely.

1 COMMISSIONER TUCCI: So I vote aye.

2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye. Thank you,

8 Commissioner. Commissioner Petracco?

9 COMMISSIONER PETRACCO: Be it resolved by the
10 Board of Commissioners of the Township of Nutley,
11 County of Essex, State of New Jersey, that
12 Kevin Hussey, an employee of the Department of Public
13 Safety, has been granted an extension of medical leave
14 of absence without pay, effective February 18th, 2019,
15 through April 1st, 2019.

16 I move the resolution.

17 COMMISSIONER ROGERS: Second.

18 THE CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye. Thank you,
3 Commissioner.

4 COMMISSIONER PETRACCO: You're welcome.

5 MAYOR SCARPELLI: Whereas, raffle
6 applications have been received from the following
7 organizations: Nutley-Belleville Columbus Day and
8 Italian Heritage Month Parade Committee, License
9 Number 12-19, Number 13-19, and Number 14-19, 12 and 13
10 to be held on Sunday, March 31st, 2019; Number 14 to be
11 held on Sunday, October 13th, 2019; Washington School
12 PTO, License Number 15-19, 16-19, and -- and 16-19 --

13 THE CLERK: I'm sorry, that should be 17-19.

14 MAYOR SCARPELLI: 17-19, to be held
15 Saturday, April 27th, 2019.

16 Whereas, the applications have been reviewed
17 and approved by the Municipal Clerk and the Police
18 Department.

19 Now, therefore, be it resolved by the Board
20 of Commissioners, Township of Nutley, County of Essex,
21 State of New Jersey, that the aforementioned licenses
22 are approved, and the Municipal Clerk is authorized to
23 issue the raffle license.

24 I move the resolution.

25 COMMISSIONER TUCCI: Second.

1 THE CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 Whereas, the Township of Nutley has the need
12 to retain the services of an attorney to specialize in
13 municipal land use law and policy, to provide legal
14 advice and services in connection with the township
15 land use policies and litigation.

16 Whereas, Angelo Cifelli, of the law firm of
17 Piro, Zinna, Cifelli, Paris & Genitempo,
18 360 Passaic Avenue, has submitted a proposal in the
19 amount not to exceed \$17,000.

20 Now, therefore, be it resolved by the Board
21 of Commissioners of the Township of Nutley, County of
22 Essex, State of New Jersey, that the Mayor is hereby
23 authorized to enter into a contract with Angelo
24 Cifelli.

25 Be it further resolved that a copy of this

1 resolution, as well as the contract, shall be placed on
2 file with the Clerk of the Township of Nutley, and a
3 notice in accordance with the Local Public
4 Contracts Law of New Jersey, and the form attached
5 hereto shall be published in the Nutley Sun. I move
6 the resolution.

7 COMMISSIONER TUCCI: Second.

8 THE CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 Whereas, the Mandatory Source Separation
19 Recycling Act, Public Law 1987, Chapter 102, has
20 established a recycling fund from which tonnage grants
21 may be made to municipalities or to encourage local
22 source separation and recycling programs.

23 Whereas, it is the intent and spirit of the
24 Mandatory Source Separation Recycling Act to use the
25 tonnage grants to develop new municipal recycling

1 programs and to continue to expand existing programs.

2 Whereas, such a resolution should designate
3 the individual authorized to ensure that application is
4 properly completed and timely filed.

5 Now, therefore, be it resolved by the Board
6 of Commissioners of the Township of Nutley, County of
7 Essex, State of New Jersey, that the Township of Nutley
8 hereby endorses the submission of the 2018 Municipal
9 Recycling Tonnage Grant application to the New Jersey
10 Department of Environmental Protection. It designates
11 Salvatore Ferraro, Recycling Coordinator, Township of
12 Nutley, to ensure the application is properly filled.
13 I move the resolution.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 This is on behalf of the Board of

1 Commissioners. This is Resolution 72-19.

2 Whereas, Norfolk Southern Corp. petitioned
3 the New Jersey Department of Transportation for the
4 closure of Highfield Lane at grade rail crossing to
5 vehicular and pedestrian traffic.

6 Whereas, the Township of Nutley strongly
7 objects to the arbitrary and capricious selection of
8 Norfolk Southern to the closure of Highfield Lane at
9 grade rail crossing in Nutley.

10 Whereas, Highfield Lane is an important and
11 viable roadway within the Township of Nutley, servicing
12 its citizens as a major connection point between
13 Washington Avenue, State Route 7, and Passaic Avenue.

14 And, whereas, there is no justifiable reason
15 for the closing of Highfield Lane at grade rail
16 crossing, and where there are no current -- where
17 currently, no train movements on Norfolk Southern's
18 Newark industrial track crossing Highfield Lane, and
19 there have not been any train movements for several
20 years.

21 And, whereas, the closure of Highfield Lane
22 at grade rail crossing will divert traffic to adjacent
23 intercession -- intersections, thus increasing the
24 amount of vehicular and pedestrian traffic at those
25 intersections.

1 And, whereas, the closing of Highfield Lane
2 will negatively impact emergency response time for the
3 Township of Nutley Police Department, Fire Department,
4 EMS/EMTs and Paramedics to respond to emergency and
5 life-threatening situations in the area of
6 Highfield Lane east of the existing crossing.

7 Whereas, the County of Passaic will be
8 constructing a new bridge at nearby Kingsland Street in
9 Clifton, wherein Kingsland Street will be closed for 12
10 to 18 months, thus further impact traffic patterns in
11 the area of Highfield Lane.

12 And, whereas, in a letter dated January 8th,
13 2019, Prism Capital Partners objected to the arbitrary
14 closing of Norfolk Southern Corp. of Highfield Lane at
15 grade rail crossing in Nutley.

16 And, whereas, in letters dated November 18th,
17 2018, to Norfolk Southern, and New Jersey DOT the
18 Township of Nutley objected to the closing of
19 Highfield Lane at grade rail crossing in Nutley, and
20 withdrew their support for the conversion of private
21 rail crossings at the former Hoffman La Roche site in
22 Clifton into permanent public crossings.

23 Now, therefore, be it resolved by the Board
24 of Commissioners of the Township of Nutley, County of
25 Essex, State of New Jersey, that the Township is

1 vehemently opposed to the arbitrary and capricious
2 closure of Norfolk Southern Corp. to Highfield Lane at
3 grade rail crossing in Nutley, New Jersey.

4 Be it further resolved that the Board of
5 Commissioners of the Township of Nutley strongly
6 petitions the New Jersey Department of Transportation
7 to render a decision to not allow for the closure of
8 Highfield Lane at grade rail crossing in Nutley,
9 New Jersey, as it would cause severe and permanent
10 hardships to its residents and taxpayers and negatively
11 impact their health and safety due to the delay of the
12 emergency response time.

13 I move the resolution.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli.

24 MAYOR SCARPELLI: Aye.

25 That concludes the business portion of our

1 meeting. Madam Clerk?

2 THE CLERK: Thank you, Mayor. All persons
3 addressing the Board of Commissioners regarding
4 community concerns should approach the microphone and
5 provide their name and address for the record. Unless
6 further time is granted by the Board, each person shall
7 limit their address to five minutes. All remarks to
8 the Board and its individual members must be addressed
9 to the Mayor.

10 The Mayor may defer citizens' comments to the
11 appropriate member of the Board. Dialogue between
12 citizens and others addressing the Board shall be
13 allowed, unless the Mayor or presiding officer or the
14 majority of the membership of the Board shall determine
15 that the interests of the quorum, and/or the
16 expeditious conduct of municipal business are being
17 adversely affected by such dialogue.

18 MR. MOORE: Rory Moore, 462 Chestnut Street.
19 Commissioner Petracco, January of this year, I
20 approached, and I had asked about overnight parking,
21 and you're starting to see a number of cars parked on
22 the street. And I remember -- if I remember my
23 dialogue correctly, you said that if we came up with a
24 plan, you might be considering it.

25 Just in -- right up here, in Chestnut,

1 usually there's 40 cars on the street, and normally
2 they're not ticketed, and my remarks are not to have
3 them ticketed, but I said the residents of an existing
4 apartment house, where there's not enough parking, they
5 have to park on the street, there's no other place
6 available.

7 Is it possible to have a sticker, or some
8 type of a placard, for a better word, to say that your
9 car would be registered, I live here, and I would go
10 park on the street in a confined area, which would
11 allow the residents of the apartments to actually park
12 on the street?

13 COMMISSIONER PETRACCO: So, ironically, today
14 I had a conversation with the Chief of Police just
15 about this overnight parking, and he walked in my store
16 and he said that the stress it's putting on our police
17 department as far as fielding those calls every day,
18 you know, just to grant permission, is overwhelming.
19 They get from 75 to 100 calls in -- on -- in the
20 afternoon about people that want to park on their
21 street.

22 So with that being said, it is definitely
23 putting a burden on our police department. I also
24 asked him how many tickets, overnight parking tickets,
25 we write a month. I believe he said six to 700

1 overnight parking tickets a month, that we're -- we are
2 writing. Can you get them all? Obviously not, and I
3 know that's not what you're here for. But it's funny
4 that you should bring that up tonight, Rory, and I did
5 want to discuss this with the Board of Commissioners,
6 and we might as well have a little discussion now about
7 it.

8 The Chief of Police was telling me in
9 Montclair, what they're doing right there now is with
10 the parking kiosks, Mr. Mayor? Are you aware what they
11 do with the overnight parking there? In Montclair,
12 they're charging the fee, and the people are -- if you
13 need to park on the street for whatever reason, just
14 like you would go to the kiosk to pay for your parking,
15 you know, in one of our municipal lots, they're doing
16 it in Montclair right now.

17 So I think -- I don't know if the Board of
18 Commissioners agree with that, if they don't, but I
19 think that our town is definitely changing, the needs
20 are, and I think that we do need to come up with a
21 plan, and maybe what we should do, and I will do this,
22 maybe in the corner over here, just maybe have some
23 public meetings, like town meetings, to get the
24 residents out, get the input of the Board of
25 Commissioners, because I have to tell you, fielding 75

1 to 100 calls between four, you know, o'clock, and
2 pretty much eight o'clock, you know, when God forbid
3 you need an ambulance dispatched or something else,
4 it's really taking away from -- and it seems like more
5 than ever, there really is a need.

6 I'll tell you, I'm from Nutley my whole life,
7 I think that the overnight parking ordinance is what
8 keeps Nutley a little different than our surrounding
9 communities. I know it helps the Mayor with the snow
10 removal and all that stuff.

11 But I don't think it's 1950 here anymore, and
12 as much as I don't want to see that ordinance removed
13 or changed in any way, I think the public is -- the
14 outcry that we're getting is that we should go through
15 some type of exercise to see if it's not doing a charge
16 for overnight parking, where you can get it out of the
17 kiosk, if it's doing something else, but I think that
18 we do need to get on that.

19 MR. MOORE: I'm not sure -- when you say a
20 kiosk, are you saying, park in a parking lot, kiosk?

21 COMMISSIONER PETRACCO: No, what they're
22 doing in Montclair, according to the Chief's
23 conversation with me today, is that he said that -- and
24 he was in a meeting today about this, ironically, that
25 in Montclair what you could do is go to one of the

1 municipal lots, where you would pay for your parking,
2 and instead of paying for your parking in a municipal
3 lot it has a function that you could hit, overnight
4 parking. And there's a -- I think in Montclair,
5 they're charging \$5 a transaction for that.

6 And then it gives that person to hang that
7 decal up in their window. If a police officer goes
8 through there at night, they see the decal in the
9 window, they check, you know, the date, and then I
10 think it's -- you know, they would be good to go.

11 If that's something that we want to look into
12 -- you know, if there's something else. But I hear
13 your comments, and they're received loud and clear,
14 because even for us in the Police Department, it is
15 putting a great deal of stress on the Police Department
16 right now.

17 MR. MOORE: I could understand a fee. I
18 don't think a resident of an apartment should have to
19 run over every day to fetch a placard.

20 COMMISSIONER PETRACCO: Well, that's why I
21 think we should do it like in a public setting, Rory,
22 because --

23 MR. MOORE: It should -- it should be --

24 COMMISSIONER PETRACCO: -- that opens up --
25 you know what, maybe you can get it for a week, you

1 know, or maybe that would be a discussion that, you
2 know, we can get out of the group. You know, like you
3 said, you shouldn't have to run over there every day.

4 MR. MOORE: Yeah, because most people it --
5 the Planning Board allots for I believe it's 1.8
6 parking lots for a one-bedroom apartment, two people,
7 two cars, that's difficult to do. Eventually, with all
8 the apartments that are being built, you're going to
9 eventually spill over and it's going to increase the
10 size, eventually.

11 COMMISSIONER PETRACCO: I mean, eventually,
12 they're saying that we're not going to have cars
13 anymore, I mean, but, you know, that's a whole other
14 thing.

15 MR. MOORE: I'm leaving.

16 COMMISSIONER PETRACCO: No, I know. But I'm
17 just saying that you bring up a great point, and I
18 really, you know, more than ever, hate for -- you know,
19 the truth of the matter is that it is putting a very
20 good amount of stress during our busiest tour on the
21 Police Department. Okay, what's your need for
22 overnight parking, then when you deny a resident
23 because now there is a criteria to meet, you know, and
24 we urge everyone, if you could find a neighbor in your
25 neighborhood, you know, an elderly person that's not

1 driving, maybe rent a space somewhere, I mean, we've
2 gone through all those drills. And apparently if we're
3 writing 600 tickets a month, you know what? We're
4 still -- we still have an issue here that needs to be
5 resolved.

6 MR. MOORE: I'd like to suggest that probably
7 in April after the business portion of a regular
8 meeting that the public could be able to speak, at
9 least be able not to be afraid to be limited to --

10 COMMISSIONER PETRACCO: No, I want people to
11 come out and really voice their concerns, because I
12 think communication is the most important thing. You
13 know, if we -- look, I've said this time and time
14 again. We're an extension of the people. It's not
15 what Al Petracco wants up here, it's what the majority
16 of the people of Nutley want. That's what I represent.

17 You know, and again, I'm from Nutley, I don't
18 want to see that ordinance changed, and I know, I mean,
19 we've talked about this, and we all feel very strong.
20 However, in the 12 years that I've been on this Board,
21 I have seen that issue really, really arise now.
22 Parking overnight is an issue in Nutley.

23 MAYOR SCARPELLI: Thank you, Mr. Moore.

24 MR. MOORE: You should pick a date.

25 MAYOR SCARPELLI: Anybody --

1 COMMISSIONER PETRACCO: Yes.

2 MAYOR SCARPELLI: -- wish to address the
3 Board this evening?

4 COMMISSIONER ROGERS: And Mr. Moore, before
5 you sit down?

6 MR. MOORE: I knew this was going to come.

7 COMMISSIONER ROGERS: No, no, no, listen.
8 Listen. You had a conversation with myself, with me in
9 the back, and I'll tell you, there's nothing more than
10 hearing a proud dad talk about his son who served in
11 the U.S. Military, and recently retired. So I want to
12 take this opportunity to thank you and your son for
13 serving this country. Thank you very much.

14 MR. MOORE: Thank you. His last duty station
15 was the White House.

16 MAYOR SCARPELLI: All right. Thank you,
17 Mr. Moore. Does anybody else wish to address the Board
18 of Commissioners this evening?

19 MS. ROSSI: Tammy Rossi, 28 Colonial Terrace.
20 Listening to the budget workshop I had a few questions.
21 So, Commissioner Petracco, it seems that there is an
22 over a million dollar increase in salaries for Public
23 Safety, and I think it's important to shed light on
24 that and help the citizens understand why such an
25 increase.

1 My first question, though, is what criteria
2 defines the role of a fire chief versus a deputy fire
3 chief?

4 COMMISSIONER PETRACCO: Sure. A fire chief
5 is in charge, and a deputy is one notch under a fire
6 chief, and it's different job responsibility. In
7 Nutley, as you know, the volunteer -- it's -- the
8 chief's position is on the volunteer side --

9 MS. ROSSI: Uh-huh.

10 COMMISSIONER PETRACCO: -- and on the paid
11 career sides, we have the deputy chief that runs the
12 day to day operations. So --

13 MS. ROSSI: So what does the fire chief do?
14 He's not running day to day operations?

15 COMMISSIONER PETRACCO: The fire chief --
16 look, Nutley's a very unique town with this. You know,
17 the fire chief again is a volunteer, so does he oversee
18 it? Yes. Is it -- and the deputy chief is the one
19 that is running the day-to-day operations, not the
20 fire chief here, because the fire chief is a volunteer.

21 MS. ROSSI: Okay, but the criteria, or the
22 required skills and knowledge for fire chief, I
23 understand one would have to pass a fire chief exam.
24 Is that --

25 COMMISSIONER PETRACCO: Well, Nutley is

1 civil service. These are all civil service exams, the
2 promotional exams that are -- you know --

3 MS. ROSSI: Uh-huh.

4 COMMISSIONER PETRACCO: -- through civil
5 service, you know, that we have -- they test -- they do
6 the testing, and then we get the results from them.

7 MS. ROSSI: Right. So the civil service exam
8 required of the fire chief would, or should, require
9 more than that of the deputy fire chief?

10 COMMISSIONER PETRACCO: Yes.

11 MS. ROSSI: Okay. So -- and because of that,
12 the role of the fire chief, he does have greater
13 responsibility in day-to-day operations over the deputy
14 fire chief. Correct?

15 COMMISSIONER PETRACCO: Yes.

16 MS. ROSSI: Okay. I'm just trying to
17 understand, because the -- I know you say we have a
18 volunteer fire chief?

19 COMMISSIONER PETRACCO: We have a very unique
20 situation in Nutley, I said.

21 MS. ROSSI: It's very unique.

22 COMMISSIONER PETRACCO: It is. And --

23 MS. ROSSI: There's literally a \$175,000
24 difference in salary between the fire chief and the
25 deputy fire chief, and the fire chief is --

1 COMMISSIONER PETRACCO: Well, again --

2 MS. ROSSI: -- making the lesser amount.

3 COMMISSIONER PETRACCO: Well --

4 MS. ROSSI: So that's just -- it's just --

5 I'm -- but I'm just trying to learn, you know, and

6 provide the citizens of Nutley clarity on why we're

7 paying a deputy fire chief this type of salary when he

8 has less responsibilities --

9 COMMISSIONER PETRACCO: Well, you know what?

10 MS. ROSSI: -- than the fire chief.

11 COMMISSIONER PETRACCO: I have to tell you,

12 that's always good to clarify, and when you're

13 clarifying, what you should do is check in other towns

14 and see --

15 MS. ROSSI: Uh-huh.

16 COMMISSIONER PETRACCO: -- what these

17 deputy chiefs are making there, and fire chiefs. So

18 Nutley is not paying the fire chief, because it's on

19 the volunteer side, and, you know, to have a

20 deputy chief that should really -- well, I shouldn't

21 say should really be -- but acts as a chief every day,

22 because --

23 MS. ROSSI: Uh-huh.

24 COMMISSIONER PETRACCO: -- you know, a

25 volunteer's a volunteer, and our volunteer chief does

1 an excellent job. However, you know, the deputy chief
2 is running the day-to-day operations. Way back when,
3 when I first got elected, there was a desk audit done
4 with the Nutley Fire Department saying that instead of,
5 you know, lieutenants and chiefs, really there should
6 be battalion chiefs there as well, and, you know,
7 through the desk audit, it addressed the chief versus
8 the deputy chief, you know, and the chief being a
9 volunteer position.

10 MS. ROSSI: Okay.

11 COMMISSIONER PETRACCO: So really, kind of
12 like, how I want to answer that, Tammy, if you don't
13 mind --

14 MS. ROSSI: Uh-huh.

15 COMMISSIONER PETRACCO: -- is really,
16 Nutley's kind of, you know, what's the right word I
17 want to -- is profiting a little bit, because most
18 departments have chiefs. Most departments have
19 multiple deputy chiefs, and they have battalion chiefs.
20 So when you do your research, just know the difference
21 in titles, because when people say to me in Nutley we
22 have lieutenants, you know, when we did the desk audit,
23 there was some language back and forth of what their
24 titles should really be. So --

25 MS. ROSSI: Uh-huh.

1 COMMISSIONER PETRACCO: -- there's a
2 difference between a battalion and a captain.

3 MS. ROSSI: Okay.

4 COMMISSIONER PETRACCO: According to what you
5 go through the county and state averages.

6 MS. ROSSI: Right. Okay, great, thank you
7 very much for that clarity. My next question would be,
8 what is the ratio of patrolmen to leadership in the
9 Police Department?

10 COMMISSIONER PETRACCO: I don't know if it's
11 four or five to one. I would have to get back to you
12 on that. But the Police Department, I will tell you,
13 we just became, as you know, one of the safest
14 communities in the state, the top 50 to live in.

15 MS. ROSSI: Uh-huh.

16 COMMISSIONER PETRACCO: And I'm going to tell
17 you, you know what, it's not cheap. You know? And we
18 put on supervision probably more than other agencies do
19 around the state, but I have to tell you, I mean, in my
20 opinion, the Nutley Police Department, first of all, we
21 don't know what we're preventing, there's no way to
22 measure what they prevent, and I have to tell you, I
23 mean, I'll put our guys against anyone in our budget.

24 Just like a little new point, being you're
25 bringing it up, our overtime budget in the

1 Police Department is 350,000 every year. Usually in
2 other towns they're in the millions, just for overtime,
3 because of, you know, the -- of trying to cover shifts
4 and all that kind of stuff. So the Nutley Police
5 Department, again, I'm not arguing the salaries and
6 rank and that kind of things --

7 MS. ROSSI: Uh-huh.

8 COMMISSIONER PETRACCO: -- but I have to tell
9 you, I mean, to come in the top 50, especially where
10 we're located in the state, and what our surroundings
11 and where we're by, I think it's money well spent.

12 MS. ROSSI: Okay. Great. I know in the back
13 room, you said we were at 71 for the police, and you
14 have a total between sergeants, lieutenants, captains
15 and the chief, 20. Is that 20 part of that 71?

16 COMMISSIONER PETRACCO: Yes.

17 MS. ROSSI: Oh, so then the ratio would be
18 like a two to one? Because -- are these all --

19 COMMISSIONER PETRACCO: You're saying --

20 MS. ROSSI: -- considered leadership
21 positions?

22 COMMISSIONER PETRACCO: -- 20 -- you're saying
23 there's --

24 MS. ROSSI: Or no?

25 COMMISSIONER PETRACCO: -- well, let's go

1 through it. There's a chief, there's --

2 MS. ROSSI: Three captains, six --

3 COMMISSIONER PETRACCO: -- three captains, six
4 lieutenants --

5 MS. ROSSI: -- lieutenants --

6 COMMISSIONER PETRACCO: -- and up to 13
7 sergeants. Up to.

8 MS. ROSSI: Okay.

9 COMMISSIONER PETRACCO: Yep.

10 MS. ROSSI: All right. So it's -- it is --
11 well -- and they're all considered leadership?

12 COMMISSIONER PETRACCO: Well, a -- a sergeant
13 is a first-line supervision, so to speak --

14 MS. ROSSI: Uh-huh.

15 COMMISSIONER PETRACCO: -- and then you have
16 lieutenants and captains and then we have a deputy
17 chief's position on the books that I haven't filled,
18 and we also have the chief. So if it's 20 spots there,
19 you know, it's -- you know, I'm not a mathematician,
20 but it's close to three to one, I would think, two to
21 one.

22 MS. ROSSI: Okay, great. My next question
23 is --

24 COMMISSIONER PETRACCO: Two and a half.

25 MS. ROSSI: Pardon -- thank you very much.

1 COMMISSIONER PETRACCO: Maybe two and a half.

2 MS. ROSSI: Okay, 2.5. My next question is
3 for Mayor Scarpelli. A year ago at the joint meeting
4 you were asked by a citizen what was our utilization of
5 water in town, because you had mentioned that we were -
6 - if we exceeded a threshold of utilization that we
7 were penalized for it, and at that time, it was a
8 little over a year ago, it was February of 2018, you
9 said we were already at that limit. So I'm not sure I
10 understand how our revenues have fallen, considering
11 that our -- and I'm not --

12 MAYOR SCARPELLI: We're trying to understand
13 some of that, too, Ms. Rossi, but --

14 MS. ROSSI: Uh-huh.

15 MAYOR SCARPELLI: -- let me say that our --
16 when we look at our 3 million gallons a day that is our
17 allocation from the North Jersey Water District, that
18 \$3 million -- that 3 million gallons is based on your
19 worst day. So if you have a month where you're using a
20 lot of water from North Jersey, and it's over the
21 amount, or up to the amount, that's what they look at.
22 So although your consumption may be down on a daily
23 basis, what they look at is your worst month, and
24 that's what they consider your allocation.

25 MS. ROSSI: Okay, great. Thank you very

1 much. My next question is regarding -- it's -- it
2 seems as though Commissioner Evans is very concerned
3 about managing this budget. Will you consider freezing
4 salaries and cease raising the upper limit of salary
5 ranges for town employees, even if it's for three, four
6 years, in light of the challenges that we're facing for
7 the taxpayers of Nutley? And will you use natural
8 attrition, retirement or transfer, of town employees to
9 mitigate budget challenges?

10 MAYOR SCARPELLI: Ms. Rossi, let's just say
11 that the budget's -- it's in process. So don't take
12 what you got at the workshop as what's going to happen
13 in the end. So --

14 MS. ROSSI: Okay.

15 MAYOR SCARPELLI: -- I think we're all going
16 to work on our budgets and see where we can cut. I
17 think we're all committed to that.

18 MS. ROSSI: Great. If I may just offer a
19 solution, I spoke with a councilman from another town
20 in Essex County, and he -- their town shares services
21 with neighboring towns, and he provided me a list of
22 their shared services: police dispatch, municipal
23 clerk, building code enforcement, tax assessor,
24 drinking water they buy from another town, animal
25 service, they buy from another. They sell

1 subscriptions to the town pool to surrounding towns,
2 they buy subscriptions to another town's library. They
3 let other towns use their athletic fields, and as a
4 result of sharing their costs are much less and
5 services are much better.

6 So this was coming from a councilman in
7 North Caldwell. I'm just asking for you to consider
8 that, looking into that, to also aid in the budgetary
9 challenges.

10 MAYOR SCARPELLI: Thank you, Ms. Rossi.
11 Anybody else wish to address the Board of Commissioners
12 this evening?

13 MS. SOLENTO: Amy Solento, 70 Newman Avenue.
14 First of all, I just want to make an announcement.
15 Ms. Rossi suggested people be aware of this at the last
16 meeting. It's an OPRA 101, how to use the Open Public
17 Records Act to hold the government accountable, and
18 that will be held next Tuesday, March 12th, at 7 p.m.
19 at the Nutley Public Library. I believe it will be
20 recorded and broadcast -- or I don't think it's being
21 broadcast live, right? It's being recorded? Okay.
22 And broadcast on the public access channel, so thank
23 you.

24 Just in terms of the budget I wanted to just
25 mention that Commissioner Evans, a few months ago you

1 mentioned in a conversation after a Board of
2 Commissioners meeting that there would be a town hall
3 on the budget. So I know that the process, or at least
4 as I understand it was, tonight was the workshop, the
5 budget would be submitted at the March 19th Board of
6 Commissioners meeting, and then there will be a public
7 hearing in April. Will there also be a town hall
8 meeting? Or is that -- what you were suggesting is the
9 public meeting is the same as a town hall? Just
10 checking.

11 COMMISSIONER EVANS: So I have to
12 (indiscernible) so I have to evaluate, but I am very
13 open to a town hall discussion about the budget so to
14 build understanding around what the cost structure is,
15 and why it is what it is. If we can accomplish that in
16 a public hearing session, I'm fine. If not, we'll host
17 a town hall.

18 As consistent with prior years, we will
19 introduce the budget in March. We'll hold a public
20 hearing on it. But we won't adopt until we have the
21 final word on our aid. So I was looking at that window
22 of time between the public hearing and before we adopt
23 to allow for a lot of good discussion about it.

24 MS. SOLENTO: That would be great. Thank
25 you. And in relation to the budget and taxes, the

1 resolution tonight regarding the tax appeal settlement,
2 does this close out all remaining tax appeals on the
3 former Roche property? Or is there still a tax appeal
4 from Roche?

5 COMMISSIONER EVANS: No, at the present time
6 this would close out the tax appeals.

7 MS. SOLENTO: Okay. So I think there was a
8 reserve in the budget. Was there a reserve?

9 COMMISSIONER EVANS: Yes.

10 MS. SOLENTO: And what happens to that
11 reserve?

12 COMMISSIONER EVANS: We will look at what we
13 need to -- in terms of our other risks in town. We
14 weren't fully accrued for the liability, so a portion
15 is just we don't have to provide for it, but we're also
16 facing a revaluation of the town, and generally there's
17 an uptick in appeals and challenges, so, you know,
18 we're looking at the reserve in relation to the
19 upcoming revaluation of the town, as well.

20 MS. SOLENTO: Okay. And if I understand
21 correctly, in the resolution, there's a freeze --
22 there's a freeze act, which I haven't read, but it
23 doesn't mean the taxes won't change. They'll still be
24 subject to the tax revaluation because it says the
25 township cannot agree to freeze the tax rate. We

1 can't --

2 COMMISSIONER EVANS: Yeah, we cannot agree to
3 freeze the tax rate. What will be frozen is the
4 assessed value that's currently on those properties for
5 two years.

6 MS. SOLENTO: Right, okay. So the assessed
7 value will be frozen for two years. So even with an
8 upcoming reassessment it won't be subject to a change.

9 COMMISSIONER EVANS: It will be, because the
10 reassessment will be outside the two-year period.

11 MS. SOLENTO: Oh, okay, great. Thank you. I
12 do want to say thank you to Mayor Scarpelli for filing
13 with the state our -- the town's opposition to closing
14 Highfield Lane at the railroad crossing. I mean, this
15 is crazy, that somebody can petition with -- the
16 railroad, which is inactive, can petition for closure.

17 So how do we -- sort of how do we guarantee
18 that the state will, you know, come out, look at the
19 situation? I mean, what's the process to guarantee
20 that the state gives us a --

21 MAYOR SCARPELLI: They've already been out --

22 MS. SOLENTO: -- favorable response?

23 MAYOR SCARPELLI: -- and assessed it.

24 MS. SOLENTO: Okay.

25 MAYOR SCARPELLI: We're working our end to

1 make sure that they don't close it.

2 MS. SOLENTO: I understand. Thank you.

3 Another thing, and I know Ms. Rossi just sort of asked
4 about it, but the water situation. So it sounds like
5 during the budget workshop discussion, over four years
6 our water utility revenue is down about a million
7 dollars. Did I hear that correctly? Okay, so that's
8 roughly --

9 MAYOR SCARPELLI: That's about right.

10 MS. SOLENTO: -- a quarter of a million
11 dollars a year, and you're looking into it. So I'm not
12 a big fan of hiring consultants, but is there a service
13 or a company we can hire to come in and figure out what
14 could possibly be happening?

15 MAYOR SCARPELLI: We may get to that point,
16 but right now we're looking internally to see what the
17 issue is.

18 MS. SOLENTO: Okay, then on the --

19 MAYOR SCARPELLI: It could be --

20 MS. SOLENTO: Sorry.

21 MAYOR SCARPELLI: -- it could be a multitude
22 of things.

23 MS. SOLENTO: Okay. Thank you. On the flip
24 side, our sewerage keeps going up. I'm not sure if the
25 \$172,000 increase projected in the proposed budget is

1 based on volume or based on weight increases or both,
2 but I think there's been an increase the last couple of
3 years.

4 MAYOR SCARPELLI: Probably both.

5 MS. SOLENTO: Yeah, probably both, so -- I
6 don't know, it seems -- again, odd, that water use is
7 down but sewerage keeps rising, because the water goes
8 somewhere, goes down the drain.

9 MAYOR SCARPELLI: That's the conundrum.

10 MS. SOLENTO: Okay. Is there any way to
11 audit that, or to determine --

12 MAYOR SCARPELLI: The sewage?

13 MS. SOLENTO: Yeah.

14 MAYOR SCARPELLI: That's metered.

15 UNIDENTIFIED: It's all metered, yeah.

16 MS. SOLENTO: Okay.

17 COMMISSIONER EVANS: Amy, to your point,
18 you're actually raising one of the questions. So if
19 sewage, which is a flow, that's, you know, incorporates
20 water, right --

21 MS. SOLENTO: Yeah.

22 COMMISSIONER EVANS: -- and that's rising,
23 then why is water consumption going down? All right,
24 water billing going down? So is there -- it opens up a
25 lot of questions about what happens to water once it

1 hits the town? Is it making it to the meter readers?

2 And is that getting into the billing system?

3 I'm satisfied that it's getting -- whatever
4 we're reading is getting into the billing system and is
5 being billed. It's a question of is it getting into
6 the -- is it getting to the readers, you know, which is
7 electronic, and to do that.

8 So it's hard to narrow it down and say, oh,
9 it's this, and that's where the Mayor said, you know,
10 it's being fully analyzed at a lot of levels. But one
11 of the roots of that is what you just raised, is if one
12 is going -- one flow is going up and the other one's
13 going down it does raise a question.

14 MS. SOLENTO: Okay, thank you. And the one
15 thing I want to say, I understand that the current
16 proposed budget is not what's being submitted, that the
17 current 5.1 percent increase on -- I'm going to call it
18 the town, the municipal budget, it doesn't include
19 county and it doesn't include schools, right?

20 COMMISSIONER EVANS: That's correct.

21 MS. SOLENTO: So I will reflect for the
22 record that Commissioner Evans, you did indicate that a
23 5.1 percent increase is probably not acceptable to the
24 taxpayers. I think you indicated it's not acceptable
25 to you, so I appreciate that.

1 I guess the challenge for taxpayers is that
2 we don't really hear anything about the school budget,
3 and I still sometimes never understand why that doesn't
4 get consolidated and ever discussed at the Board of
5 Commissioners meetings. I understand they're separate
6 entities, but they are part of the town services.

7 So I just want to say that if there is a town
8 hall on the budget, I hope that it will be
9 comprehensive, and include a discussion about county
10 taxes, which we have no control over, and school taxes,
11 which we seemingly have no control over, as well.

12 COMMISSIONER EVANS: Yes, so to your point
13 is, the governing body here has direct control over the
14 municipal portion of the budget. We do make inquiries,
15 and we work very hard -- so one of the ways we control
16 the county tax is to do a thorough job of understanding
17 what, quote/unquote, "qualifies as assessed civil
18 value" for the township.

19 So, for example, if a home is sold, but it's
20 sold to -- from a father to a son, for example, or a
21 mother to a daughter, or so on, it may not necessarily
22 be an arm's length transaction. You're able to exclude
23 those sales and that value from that calculation. So
24 it puts every municipality on an equal setting.

25 Now, the County then apportions that, their

1 bill, whatever they determine that bill to be, to the
2 21 municipalities based upon what their individual
3 assessed value is. So if you take -- if you add up all
4 the assessed values you get a total.

5 Nutley's value is X, divided by that total
6 gets a percent. That becomes our percent that we have
7 to pay, and it's statutory on how that is determined,
8 and that is approved by the -- the -- the tax rate is
9 approved by the Essex County Tax Board. So they have
10 to review that.

11 So we do our best in managing the county by
12 the formula, in what we contribute to the county, and
13 that's -- we make sure, and that's the assessor's
14 responsibility, is to make sure that only qualifying
15 value is included in that calculation, and we do a very
16 thorough job of that every year.

17 MS. SOLENTO: Right.

18 COMMISSIONER EVANS: I do agree that when we
19 -- I will put together, and we do provide like a pie
20 chart --

21 MS. SOLENTO: Yes.

22 COMMISSIONER EVANS: -- for the taxpayers to
23 see --

24 MS. SOLENTO: That was the new -- yes.

25 COMMISSIONER EVANS: -- which is the

1 contribution of each of the three components through
2 the tax bill, so people can see what their taxes are
3 going to, and who -- and where they're going.

4 MS. SOLENTO: Right. I guess my only
5 question is how does the county -- I mean, it's like we
6 -- everything that you said makes sense, and we work to
7 manage our percentage or our share. However, you know,
8 the county budget is great. They'll spend a million
9 dollars on a park in Nutley. But it just seems like
10 the county has a lot of money to throw around, and it
11 does seem like the county budget sometimes almost
12 appears overinflated. Okay. Thank you.

13 MAYOR SCARPELLI: All right. Thank you,
14 Ms. Solento. Anybody else wish to address the Board of
15 Commissioners this evening? Seeing none --

16 COMMISSIONER ROGERS: Mr. Mayor, one more
17 thing. I -- it was unfortunate that I was unable to
18 attend the Nutley Irish Parade. I understand it was
19 another smashing hit, and, you know, that's one of the
20 traditions that really make Nutley what it is. And I
21 know, Mr. McEnery, you're way back there. Thank you
22 for your hard work all these years. So it was really
23 -- I was really happy to hear that. Thank you.

24 MAYOR SCARPELLI: Can I have a motion to
25 adjourn?

1 COMMISSIONER ROGERS: Move it.
2 COMMISSIONER TUCCI: Second.
3 THE CLERK: Commissioner Rogers?
4 COMMISSIONER ROGERS: Aye.
5 THE CLERK: Commissioner Tucci?
6 COMMISSIONER TUCCI: Aye.
7 THE CLERK: Commissioner Tucci?
8 COMMISSIONER EVANS: She didn't hear you.
9 COMMISSIONER TUCCI: Aye, I said.
10 THE CLERK: Oh, I'm sorry. Commissioner
11 Evans?
12 COMMISSIONER EVANS: Aye.
13 THE CLERK: Commissioner Petracco?
14 COMMISSIONER PETRACCO: Aye.
15 THE CLERK: Mayor Scarpelli?
16 MAYOR SCARPELLI: Aye.
17 THE CLERK: The time is 9:09.
18 MAYOR SCARPELLI: Anybody who wishes to come
19 in the back and watch us sign the documents, you're
20 welcome to come in the back.

21 (End of recording)

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C E R T I F I C A T I O N

I, Ilene Watson, court-approved transcriber,
hereby certify that the foregoing is a correct
transcript from the official electronic sound recording
of the proceedings in the above-entitled matter.

ILENE WATSON, AAERT NO. 447 DATE: March 20, 2019
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