

**In The Matter Of:**  
*In RE: Nutley Board of Commissioners*

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*Transcript of Proceedings*  
*May 7, 2019*  
*Conference Session*

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*Min-U-Script®*

## Conference Session

1

1 TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

2 ONE KENNEDY DRIVE

3 3RD FLOOR COMMISSION CHAMBERS

4 NUTLEY, NEW JERSEY 07110

5  
6 \*\*\* CONFERENCE SESSION \*\*\*

7  
8 DATE: May 7, 2019

9  
10 BOARD OF COMMISSIONERS:

11 JOSEPH P. SCARPELLI, MAYOR

12 MAURO G. TUCCI, COMMISSIONER

13 THOMAS J. EVANS, COMMISSIONER

14 ALPHONSE PETRACCO, COMMISSIONER

15 STEVEN L. ROGERS, COMMISSIONER A/E

16 ALSO APPEARING:

17 ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 THE CLERK: Board of Commissioners Public  
3 Meeting, Tuesday, May 7, 2019. The time is 7:05.  
4 Pursuant to the requirement of the Open Public Meeting  
5 Act, Chapter 231, Public Law 1975, notice of this  
6 meeting was published in the November 29, 2018, issues  
7 of The Nutley Sun, the Herald News, and The Star  
8 Ledger. A copy of this notice has been posted on the  
9 Nutley town hall bulletin board, and a copy is on file  
10 in the municipal clerk's office.

11 Commissioner Rogers is absent/excused.

12 Commissioner Tucci?

13 COMMISSIONER TUCCI: Here.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Here.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Here.

18 THE CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Here.

20 THE CLERK: All present, Mayor, except for  
21 Commissioner Rogers. He's absent/excused.

22 MAYOR SCARPELLI: Mr. Petracco, what do you  
23 have on the agenda tonight?

24 COMMISSIONER PETRACCO: I have two  
25 resolutions. I have one for turnout uniforms and one

1 for surplus equipment for a 1999 van ambulance.

2 That's all I have.

3 MAYOR SCARPELLI: Commissioner Evans?

4 COMMISSIONER EVANS: I have a public hearing  
5 tonight, we all do, on the budget. We're not adopting  
6 tonight because we're -- our state aid isn't finalized,  
7 but we are going to host the public hearing on that. I  
8 do have a presentation associated with that which I'll  
9 do as part of that process.

10 We also have public hearing on the cap bank  
11 ordinance that we do every year, and then I have  
12 several resolutions. One is a change order for Piro  
13 Zinna regarding some legal fees, and refund of  
14 overpayments of taxes, and a permit fee -- overpayment  
15 of permit fee. And then I have three instances of  
16 individuals that are exempt, two individual exemptions  
17 from property tax in the Everas Community Service, the  
18 community home, not for profit, their exemption from  
19 property taxes for resolution's for tonight.

20 COMMISSIONER TUCCI: Which one was that?

21 COMMISSIONER EVANS: Everas. It was --  
22 remember that way back when it was the home -- group  
23 home for poor people, right?

24 COMMISSIONER TUCCI: On Kingsland.

25 COMMISSIONER EVANS: Kingsland, right.

1 COMMISSIONER TUCCI: On the right hand side.

2 COMMISSIONER EVANS: Right.

3 COMMISSIONER TUCCI: (indiscernible\*

4 00:02:14)

5 COMMISSIONER EVANS: Anyways, it's getting  
6 caught up -- yeah.

7 COMMISSIONER TUCCI: Right.

8 COMMISSIONER EVANS: Yeah, exactly.

9 COMMISSIONER PETRACCO: So that's tax exempt?

10 MAYOR SCARPELLI: It's across the street. I  
11 think there's one across the street. I may be wrong.

12 COMMISSIONER TUCCI: Oh, okay.

13 UNIDENTIFIED: (Indiscernible).

14 COMMISSIONER TUCCI: Oh, okay. Maybe you're  
15 right, then. That's the only one I know about. I know  
16 we have about 11. I know we've got a bunch.

17 COMMISSIONER EVANS: More than ever.

18 COMMISSIONER TUCCI: We have more than 11  
19 now?

20 COMMISSIONER EVANS: We've got our fair  
21 share, sir.

22 MAYOR SCARPELLI: That going to be all?

23 COMMISSIONER EVANS: That's it.

24 COMMISSIONER TUCCI: You got extra money just  
25 for that.

1 MAYOR SCARPELLI: Commissioner Tucci?

2 COMMISSIONER TUCCI: Yes. I have a shade tree  
3 report for, it's -- what month is it?

4 MR.DEMAIO: April.

5 COMMISSIONER TUCCI: April. Thank you,  
6 Frank. See (indiscernible). And then I have five  
7 resolutions saluting and congratulating the recipients  
8 of various Jaycees awards.

9 MAYOR SCARPELLI: Are they coming  
10 tonight?

11 COMMISSIONER TUCCI: I don't know if they're  
12 coming. That's all I have.

13 MAYOR SCARPELLI: I have a ordinance  
14 introduction to amend the Phase IIA redevelopment plan.  
15 I have a question on the public hearing. Al?

16 MR. GENITEMPO: Yeah. The date says the  
17 public hearing's June 6th. It was supposed to be May  
18 21. I thought that was in your email to everyone as  
19 well.

20 THE CLERK: The public -- I'm sorry?

21 MR. GENITEMPO: Public hearing on the  
22 Ordinance 3420.

23 COMMISSIONER EVANS: That is here.

24 THE CLERK: Yeah (indiscernible).

25 MR. GENITEMPO: So the next --

1 THE CLERK: Hold on. Hold on one second.

2 3420?

3 MR. GENITEMPO: Yeah. Supposed to be -- it  
4 should be sent out public hearing the 21st and  
5 specialty meeting of the Zoning (indiscernible).

6 THE CLERK: Okay.

7 MR. GENITEMPO: We can make the amendment  
8 (indiscernible).

9 THE CLERK: No, it's enough time.

10 MR. GENITEMPO: Yeah, I'm saying enough time,  
11 but I'm just saying for this (indiscernible) we should  
12 just announce it.

13 THE CLERK: Okay. So May 21st.

14 MR. GENITEMPO: Right.

15 THE CLERK: Hold on. Who's reading that, Dr.  
16 Joe? May 21st.

17 MAYOR SCARPELLI: 21st?

18 THE CLERK: 21st.

19 MAYOR SCARPELLI: All right. And then I have  
20 -- it's all the same time (indiscernible) I have two  
21 resolutions. One is a change order with Piro Zinna,  
22 and the other is authorize and approve raffle  
23 applications.

24 Madam Clerk, what do you have?

25 THE CLERK: Yes, Mayor. We have regular

1 meeting minutes and executive session minutes, and for  
2 communications the Nutley Education Foundation wants to  
3 -- has submitted an application for a social affair  
4 permit, and that's it.

5 MAYOR SCARPELLI: Mr. Genitempo?

6 MR. GENITEMPO: I have one quick litigation  
7 issue, and then we have a presentation. John's got an  
8 issue on redevelopment we're going to go over, and the  
9 roadway discussion, contract negotiation.

10 MAYOR SCARPELLI: Can I have a motion to go  
11 through executive session?

12 COMMISSIONER TUCCI: So move.

13 COMMISSIONER PETRACCO: Second.

14 THE CLERK: Whereas, Section 8 of the Open  
15 Public Meeting Act, Chapter 231, Public Law 1975,  
16 permits exclusion of the public for meeting in certain  
17 circumstances; and whereas, the public is of the  
18 opinion that such circumstances exist; and whereas, the  
19 Board of Commissioners of the Township of Nutley, in  
20 the County of Essex, and State of New Jersey desires to  
21 proceed to closed executive session; and now, therefore  
22 be it resolved by the Board of Commissioners of the  
23 Township of Nutley to move into closed executive  
24 session to discuss litigation and contract  
25 negotiations.



1           Be it further resolved, that the time when  
2   such discussions may be disclosed to the public shall  
3   be when and if such disclosure may be made without  
4   adversely affecting the Township of Nutley pending  
5   and/or anticipated legal, personnel, contractual  
6   matters and other matters within the exceptions provide  
7   for by statute.

8           Commissioner Tucci?

9           COMMISSIONER TUCCI:   Aye.

10          THE CLERK:   Commissioner Evans?

11          COMMISSIONER EVANS:   Aye.

12          THE CLERK:   Commissioner Petracco?

13          COMMISSIONER PETRACCO:   Aye.

14          THE CLERK:   Mayor Scarpelli?

15          MAYOR SCARPELLI:   Aye.

16          THE CLERK:   We just need one minute.   The  
17   time is 7:11.

18          (End of recording)

19                               \* \* \* \* \*

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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.

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ILENE WATSON, AAERT NO. 447      DATE: May 22, 2019  
ACCESS TRANSCRIPTS, LLC

**In The Matter Of:**  
*In RE: Nutley Board of Commissioners*

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*Transcript of Proceedings*  
*May 07, 2019*  
*Public Session*

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2 ONE KENNEDY DRIVE

3 3RD FLOOR COMMISSION CHAMBERS

4 NUTLEY, NEW JERSEY 07110

5  
6 \*\*\* PUBLIC SESSION \*\*\*

7  
8 DATE: May 7, 2019

9 May 10, 2019

10 May 13, 2019

11 BOARD OF COMMISSIONERS:

12 JOSEPH P. SCARPELLI, MAYOR

13 MAURO G. TUCCI, COMMISSIONER

14 THOMAS J. EVANS, COMMISSIONER

15 STEVEN L. ROGERS, COMMISSIONER A/E (MAY 7,13)

16 ALPHONSE PETRACCO, COMMISSIONER

17 ALSO APPEARING:

18 ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 (Pledge of Allegiance)

3 MAYOR SCARPELLI: Madam Clerk?

4 THE CLERK: Thank you, Mayor. Board of  
5 Commissioners Public Meeting, Tuesday, May 7, 2019.  
6 The time is now 8:25. Pursuant to the requirements of  
7 the Open Public Meeting Act, Chapter 231, Public Law  
8 1975, notice of this meeting was published in the  
9 November 29, 2018, issues of The Nutley Sun, the Herald  
10 News, and The Star Ledger. A copy of this notice has  
11 been posted on the Nutley town hall bulletin board, and  
12 a copy is on file in the municipal clerk's office.

13 Commissioner Rogers is absent/excused.

14 Commissioner Tucci?

15 COMMISSIONER TUCCI: Here.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Here.

18 THE CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Here.

20 THE CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Here.

22 THE CLERK: All present, Mayor, except for  
23 Commissioner Rogers, who's absent/excused this evening.

24 MAYOR SCARPELLI: Minutes, Madam Clerk.

25 THE CLERK: We have regular Board of

1 Commissioner meeting minutes for April 2, 2019. I need  
2 a motion, please.

3 COMMISSIONER EVANS: Move it.

4 COMMISSIONER TUCCI: Second.

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: We have executive session minutes  
14 for January 15, 2019; February 19, 2019; February 5,  
15 2019; March 5, 2019; March 19, 2019. I need a motion.

16 COMMISSIONER EVANS: Move it.

17 COMMISSIONER TUCCI: Second.

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: And that's it for minutes, Mayor.

2 MAYOR SCARPELLI: Communications.

3 THE CLERK: Thank you. The Nutley Education  
4 Foundation has submitted an application for a social  
5 affair permit to hold showcase awards for the school  
6 districts. The event is to be held on Monday, May 20,  
7 2019, at the Nutley Museum, located at 65 Church  
8 Street, between the house of 6:30 p.m. and 9:30 p.m. I  
9 need a motion.

10 COMMISSIONER EVANS: Move it.

11 COMMISSIONER TUCCI: Second.

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.

20 THE CLERK: And that's it for communications,  
21 Mayor.

22 MAYOR SCARPELLI: Reporters, Commissioner  
23 Tucci?

24 COMMISSIONER TUCCI: Yes, Mayor. I have a  
25 Shade Tree report for the month of April.

1 MAYOR SCARPELLI: Bills, Madam Clerk?

2 THE CLERK: Thank you, Mayor. Bill list for  
3 May 7, 2019: Public Affairs, \$96,739.45; Revenue and  
4 Finance, \$7,335,461.34; Public Safety, \$37,092.49;  
5 Public Works, \$94,296.54; Parks and Public Property,  
6 \$646,966.18; Water Utility, \$126,643.08; Total Payroll,  
7 \$804,438.40; for a grand total of \$9,141,637.48.

8 COMMISSIONER EVANS: Move the bills.

9 COMMISSIONER TUCCI: Second.

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 THE CLERK: And that's it for bills.

19 MAYOR SCARPELLI: I just wanted to -- before  
20 we get to the public comments, just wanted to apologize  
21 to everyone for our late start. We needed counsel in  
22 the back due to a couple of the items on our agenda  
23 tonight, and we do apologize for starting late.

24 Madam Clerk, public comment?

25 THE CLERK: Yes, Mayor. All persons



1 addressing the Board of Commissioners regarding  
2 community concerns should approach the microphone and  
3 provide their name and address for the record. Unless  
4 further time is granted by the Board, each person shall  
5 limit their address to three minutes.

6 All remarks to the board and its individual  
7 members must be addressed to the Mayor. The Mayor may  
8 defer citizens' comments to the appropriate member of  
9 the Board.

10 Dialogue between citizens and others  
11 addressing the Board shall be allowed unless the Mayor,  
12 presiding officer, or the majority of the membership of  
13 the Board shall determine that the interest of decorum  
14 and/or the expeditious conduct of municipal business  
15 are being adversely affected by such dialogue.

16 MR. MOORE: Rory Moore, 462 Chestnut Street.

17 MAYOR SCARPELLI: Agenda items only,  
18 Mr. Moore.

19 MR. MOORE: I know.

20 MAYOR SCARPELLI: Okay.

21 MR. MOORE: I have four questions, two on the  
22 bill list and two on the agenda.

23 On the first page of the bill list, there's  
24 -- under public -- revenue and finance, Rutgers  
25 University I think was \$350. What is that for?

1                   COMMISSIONER EVANS: It's a -- I don't  
2 remember off the top of my head, but it is a training  
3 course.

4                   MR. MOORE: Pardon?

5                   COMMISSIONER EVANS: It's a training course.  
6 I don't remember off the top of my head what it's for.

7                   MR. MOORE: I'll OPRA then.

8                   And on the second page, there's Rutgers  
9 University, it's under public safety for \$809. What is  
10 that for?

11                  COMMISSIONER PETRACCO: I'll have to get back to  
12 you on that one, Mr. Moore.

13                  MR. MOORE: Okay. I have -- the resolution  
14 for your change order this evening, Mr. Evans, what's  
15 the change order for? This is the fourth change order  
16 according to this resolution, and all that it is, is  
17 you just keep increasing money. The original -- I  
18 guess the contract was underneath at 10,000 is now up  
19 to 25,000. What are the changes for?

20                  COMMISSIONER EVANS: Which resolution are you  
21 referring to?

22                  MR. MOORE: The only resolution tonight,  
23 122-19. If I'm reading that correctly, the Change  
24 Order Number 4, \$4,050, I believe.

25                  COMMISSIONER EVANS: Yes.

1 MR. MOORE: What's it for?

2 COMMISSIONER EVANS: The -- part of that is  
3 for the dealer services that were involved with the  
4 Mecca process, the Mecca matter.

5 MR. MOORE: I understand it's legal -- it's  
6 for legal -- for a firm, but I guess I'm curious why  
7 you have four change orders all increasing money. Are  
8 we buying services? Are we bringing more lawyers in?  
9 Usually, when you put a change order you say the change  
10 order is for.

11 COMMISSIONER EVANS: I appreciate that.

12 MR. MOORE: I do, too, and I'd like to know.

13 COMMISSIONER EVANS: No. It's not more --  
14 it's not more attorneys. It's for continuing work of  
15 the same attorney related to the settlement matter that  
16 we already discussed, which we already have  
17 acknowledged that those fees are 100 percent  
18 reimbursable. So we're just basically processing what  
19 I believe is the final bill.

20 MR. MOORE: You believe it's the final, but  
21 we're not sure yet.

22 And under the Ordinance 3420, I guess this is  
23 yours, Mr. Scarpelli, where can I actually see the  
24 plans for this? I mean, you have a lot of wherefores,  
25 a lot of boilerplate in here, but I'd like to know, can

1 I see the plans for this?

2 MAYOR SCARPELLI: Not at this time,  
3 Mr. Moore.

4 MR. MOORE: Is that secret, or --

5 MR. GENITEMPO: Mr. Mayor?

6 MAYOR SCARPELLI: Yeah, Mr. Genitempo?

7 MR. GENITEMPO: That plan is going to be on  
8 file with the clerk's office as required, so it will be  
9 on file tomorrow morning, the proposed plan. It may  
10 not be one that's passed, but it's the proposed plan.

11 MR. MOORE: Yes. But at least you could look  
12 at a plan.

13 MR. GENITEMPO: Yeah. It'll be -- yeah. The  
14 Mayor is confusing it with something else. This is  
15 going to be on file tomorrow.

16 MR. MOORE: Okay. Great. Thank you.

17 COMMISSIONER PETRACCO: Mr. Moore, and just to  
18 answer your question about my bill item. That was for  
19 a lieutenant to go to traffic safety school. Traffic  
20 safety, yes.

21 MAYOR SCARPELLI: Does anybody else wish to address the  
22 Board of Commissioners on the agenda items only? Seeing  
23 none, move to Board of Commissioner announcements.

24 COMMISSIONER EVANS: I have two. One is just  
25 to note that the clerk's office will remain open until

1 9:00 p.m. on Tuesday, May 14th, if I'm reading that  
2 correct, Eleni. Is that correct, the 14th?

3 THE CLERK: That's right.

4 COMMISSIONER EVANS: All right. So they're  
5 open until 9:00 p.m. for purposes of voter  
6 registration. So the office will be open late on  
7 May 14th until 9:00 p.m. for that purpose.

8 I also just want to acknowledge and  
9 congratulate Hackensack Meridian Network and their John  
10 Theurer Clinic for receiving National Cancer Society  
11 recognition as a national comprehensive cancer center.  
12 There's only 40 centers across the United States that  
13 have that designation, so I just want to offer  
14 congratulations on behalf of the Board.

15 MAYOR SCARPELLI: Thank you, Commissioner.  
16 Any other announcements?

17 COMMISSIONER PETRACCO: Thank you. I do have  
18 a very, very pleasant announcement for a change. I'd  
19 just like to congratulate another Nutley student,  
20 another Nutley person for getting into the Hackensack  
21 Seton Hall Medical School. That'll be Nicky Cozzarelli  
22 (phonetic), who played all kinds of sports and went all  
23 through the Nutley school system. So I just would like  
24 to extend him and his family the biggest  
25 congratulations, and it's really refreshing to see that

1 some of these Nutley kids are getting good luck over  
2 there. So congratulations to Nicky.

3 MAYOR SCARPELLI: Congratulations to Nick.  
4 Commissioner?

5 COMMISSIONER TUCCI: Yes, thank you. On this  
6 past Saturday, we held our 40th annual fishing contest  
7 at the Mud Hole, all right, that was initiated by Nick  
8 Manero, Senior, and we had a bunch of youngsters there.  
9 We stocked the Mud Hole with 300 trout. Everyone had a  
10 great time, and it's a tradition that we hope to  
11 continue for many, many years to come.

12 Then immediately following that, or actually  
13 at the same time, a little bit later, we held our  
14 living memorial tree program, and once again this year  
15 we planted 29 trees in memory of those loved ones in  
16 town and some folks who are out of town who have passed  
17 on, and two benches, and it was a wonderful event. I  
18 just want to thank everyone who participated in both of  
19 those events.

20 And on Sunday -- we had a busy weekend -- we  
21 had our annual May Day celebration for our senior  
22 citizens where we had several hundred of them come to  
23 the parks department to sing, to dance, to celebrate,  
24 and to have a great meal. So it was a great weekend.  
25 I just want to thank everyone who came out to

1 participate. Thank you, Mayor.

2 MAYOR SCARPELLI: Thank you, Commissioner.

3 Let's move to public hearings. Commissioner  
4 Evans?

5 COMMISSIONER EVANS: Yes, Mayor. Tonight we  
6 have a public hearing on -- two things we have a public  
7 hearing on. One is Ordinance Number 3418, which is an  
8 ordinance introduction from a few weeks ago that would  
9 allow us to establish our cap bank that we do each  
10 year.

11 As I had explained previously, the cap bank  
12 doesn't provide us with real cash. It's a memo entry  
13 that in the event that there was something  
14 extraordinary that happened, we would be able to use it  
15 for purposes of budget appropriation. We have never  
16 had to use it. The bank itself each year lasts for two  
17 years and then it expires, so we -- as prudent  
18 financial planning, we maintain the bank, but we have  
19 not had a need to use it so far.

20 MAYOR SCARPELLI: Anybody wish to be heard on  
21 Ordinance Number 3418?

22 COMMISSIONER EVANS: Move to close.

23 COMMISSIONER TUCCI: Second.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye. Move the ordinance?

7 COMMISSIONER EVANS: Move the ordinance, yes.

8 COMMISSIONER TUCCI: Second.

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 We'll continue, Commissioner, with the --

18 COMMISSIONER EVANS: Do you want to do the  
19 public hearing or do you want to go through the  
20 resolutions?

21 MAYOR SCARPELLI: Do you want to do the  
22 presentation at the end or do you want to do the  
23 presentation now?

24 COMMISSIONER EVANS: I'm asking, what do you  
25 think we --



1           MR. GENITEMPO: Are we going to do the  
2     changing the date of the redevelopment amendment first  
3     before -- that's on the agenda before the ordinance?

4           MAYOR SCARPELLI: Are we doing that?

5           MR. GENITEMPO: Mayor, the public hearing's -  
6     - so I'm just going by the agenda. It was just  
7     announced that we're going to have -- continue this  
8     meeting until Friday on the introduction of Ordinance  
9     3420. Is that correct?

10          MAYOR SCARPELLI: That's correct,  
11     Mr. Genitempo.

12          MR. GENITEMPO: And just for the record, the  
13     ordinance -- public hearing date on the potential  
14     ordinance is not June 6th but May 21st just so the  
15     record reflects that, because I think we just had a  
16     typo on the original. Just want the record to be  
17     clear. Thank you.

18          MAYOR SCARPELLI: So we'll be continuing the  
19     meeting until Friday at eleven o'clock, at which time  
20     we may consider the Ordinance Number 3420.

21          MR. GENITEMPO: Thank you, Mayor.

22          MAYOR SCARPELLI: Commissioner, I think you  
23     should do your presentation, then have the public  
24     hearing and go from there.

25          COMMISSIONER EVANS: That's fine. I just

1 wanted to offer. All right. Thank you.

2 COMMISSIONER TUCCI: What just happened here?

3 Oh, okay.

4 COMMISSIONER EVANS: All right. I'm going to  
5 -- I apologize for my back -- for everyone. We  
6 introduced the budget. I did a slight -- a short  
7 presentation summarizing the changes to the budget,  
8 which I have for this evening as well as a quick  
9 refresher.

10 I also have additional information in  
11 response to a lot of questions that I get to provide  
12 more detail about the composition of our budget and  
13 actually what's happened to our budget over the last  
14 five years. So I'm going to share that tonight before  
15 we actually have the public hearing on the budget from  
16 the public.

17 So a couple weeks ago, and actually on April  
18 2nd, I introduced the budget and the budget reflects an  
19 increase of 3.86 percent, an increase of spending of  
20 \$1.5, almost \$1.6 million. The effect of this is about  
21 \$175 for the average taxpayer. And that home, that  
22 average home is a house assessed at about \$320,000. So  
23 tonight we're going to be talking about that.

24 I also shared that as part of the budget,  
25 there were areas where we had cost increases, cost

1 decreases. But in presenting it, I wanted to share --  
2 where I normally would just provide verbal commenting,  
3 we actually lay it out so that it is available, and  
4 this has been up on the website since April 2nd.

5 So the idea as I show you this is that we  
6 have had salary increases and we have had increases in  
7 other expenses, so total spending is up almost \$1.3  
8 million. One of the important elements of change was  
9 the reduction in the amount of our medical insurance,  
10 the cost of our medical insurance.

11 Commissioner, do you want to comment again on  
12 that?

13 COMMISSIONER TUCCI: Sure. We had a  
14 37 percent reduction for retirees because we  
15 participate in the New Jersey State Health Benefits  
16 Program and they moved our folks from traditional  
17 Medicare to a Medicare Advantage plan. So I believe  
18 statewide they saved, I believe the number was \$500  
19 million. So the reduction -- part of the reduction  
20 that you're seeing here this evening, all right,  
21 because it was actually a bit more, but we can't make a  
22 final determination until we get our final aid number.  
23 So that's why you're seeing that reduction in medical  
24 insurance.

25 COMMISSIONER EVANS: Yeah. The other piece

1 that you see in here is that it shows a reduction in  
2 the water deficit. There is an operating deficit in  
3 water utility which has to be funded in the operating  
4 budget. We did that last year, we have to do it this  
5 year. We just have to do it by a lower amount.

6 And just -- Joe, do you want to comment?

7 MAYOR SCARPELLI: Oh, by the time we adopt  
8 the budget, hopefully we'll have that water deficit  
9 eliminated.

10 COMMISSIONER EVANS: So it's one of the areas  
11 that we're looking at.

12 All right. So basically you get a sense, and  
13 so it's very laid out. Now, we have a significant  
14 challenge in obviously managing our costs each year  
15 but, as you can see, a \$956,000 increase in salary  
16 costs with a \$300,000 increase in our other expense for  
17 almost 1.3 million.

18 The other element of this -- that's on the  
19 cost side. There's also the revenue side. So what  
20 happens to revenues that come into the town? We do  
21 have a reduction in our revenues that is in this  
22 budget, but it's primarily driven by the fact that our  
23 state aid, our transitional state aid isn't finalized.  
24 By law, we can only anticipate 85 percent of the aid we  
25 received the prior year for introduction into our

1 budget. We have to wait until we negotiate the final  
2 number.

3 So this budget reflects the statutory  
4 allowable transitional state aid of \$3,485,000 versus  
5 the 4.1 that we got the previous year, so there's a  
6 shortfall on revenue of about \$600,000. That's been  
7 partially offset by the items that are listed there in  
8 terms of our interest earned, other revenues, and grant  
9 revenues that we receive.

10 When you pull that together, it basically  
11 shows that our tax levy is going up from \$41 million,  
12 roughly \$41 million to \$42,600,000, which represents a  
13 3.86 percent increase over the prior year. What's  
14 important about this is that in order to get to 2  
15 percent, we have to reduce our budget that's currently  
16 introduced before we adopt by \$600,000, and it's --  
17 what's important about that, it's my position that we  
18 need to do that, and the commissioners are all aligned  
19 on how do we find the money to achieve a 2 percent  
20 increase that'll reduce that.

21 If we're able to do that, we would -- on  
22 average, we would reduce the tax impact for the average  
23 taxpayer by about \$75, so we'd go from 175 down to 100  
24 for this -- for comparing the increase year over year.

25 Just for completeness, while it's not part of

1 the property tax, I did include the water utility  
2 budget, and you'll see that since 2014, the water  
3 utility expenses are up about 5 percent. We do have a  
4 shortfall in revenue. That's currently under  
5 investigation. And the reason for that is DPW services  
6 cross over from the property tax side to the water  
7 side, but the manpower is all part of one department,  
8 so just for completeness purposes. This is not  
9 included in your property tax, this is part of your  
10 water bill.

11 COMMISSIONER TUCCI: Excuse me, Commissioner.  
12 If that was -- if that projected deficit was included  
13 as part of the DPW budget, and I know it's funded  
14 through a user fee, do you have an idea as to what that  
15 impact would be? Because when I -- when I look at --  
16 going back to your other slide about salaries and I see  
17 that the parks department is up \$122,009, which is  
18 correct, but that was after a \$485,000 reduction the  
19 year before. And then I look at DPW, which has only  
20 increased 35,400, it's not really a clear picture. I  
21 understand it's an accounting function and that the  
22 water utility is in fact separate, but what would that  
23 be? Would that be closer to, like, 270?

24 COMMISSIONER EVANS: Well, if you take -- so  
25 from '18 to '19, if you look at the increase in the

1 salaries of the water utility, that increase would be  
2 \$40,000 more. Okay? If you look at it in, say, from  
3 2014, that's --

4 COMMISSIONER TUCCI: Well, could -- should  
5 you just be taking into account just the salaries?  
6 Because we also have to fund the deficit, which we  
7 don't have that situation anywhere else.

8 COMMISSIONER EVANS: Right. Well, the  
9 deficit is already in there, all right, so the \$109,000  
10 reduction is -- actually reflects the 242,000  
11 shortfall. And so the \$230,000 deficit, that's already  
12 included in our operating budget.

13 COMMISSIONER TUCCI: So then what would that  
14 number be if you coupled the two together?

15 COMMISSIONER EVANS: So if you --

16 COMMISSIONER TUCCI: Roughly.

17 COMMISSIONER EVANS: So let's see, 230 plus  
18 40, right, that would be 270.

19 COMMISSIONER TUCCI: 270.

20 COMMISSIONER EVANS: 270 plus the roughly 35  
21 in salaries, right? So you're combining the operations  
22 as well as the salaries, so you got another 300 grand  
23 roughly in total. But the -- I understand your  
24 question, but from the standpoint of how it affects the  
25 taxpayer from a property tax standpoint, it's separate,

1 but --

2 COMMISSIONER TUCCI: I totally understand.

3 COMMISSIONER EVANS: Reconciling it is going  
4 to -- is always fun, but yes -- but -- and that's why I  
5 include it is that while I can't put them together, we  
6 can actually show the complete picture.

7 COMMISSIONER TUCCI: Okay. Thank you.

8 COMMISSIONER EVANS: No. Wrong way. All  
9 right. So when I presented this on April 2nd, I  
10 basically said, hey, we're going to introduce it, we're  
11 going to have a public hearing tonight. It's 3.86  
12 percent, and we've got to lose \$600,000 because it's  
13 unacceptable for us to adopt a budget with the 3.86  
14 percent increase. And we stopped there the last time,  
15 so that's the information that's been presented before.

16 We've now -- oh, I also included this slide,  
17 which is an interesting slide to look at. It just kind  
18 of shows you the relationship that says, if we're  
19 asking in total to -- for the town to provide us with  
20 \$55 million worth of spending, where does that money go  
21 and how is it allocated? And so this lays out and  
22 basically shows that while it's -- in '14, 2014 we  
23 asked for 50 million, in 2019 we're asking for 55  
24 million and change, it's roughly a \$4.7 million  
25 difference, how does that lay out? But what is the



1 cost of those services?

2 And what you can see is if you look at the --  
3 we're not going into all of the specific numbers,  
4 right? You basically can see, is that there has been  
5 an increase in the cost of our police and fire  
6 services, and Commissioner Petracco has been open about  
7 that, what that cost is, and we've been managing across  
8 the other areas. You'll see that the cost of roadways  
9 and sewer treatment and street lighting, it's up  
10 \$700,000 since 2014. Our insurance costs are up  
11 another \$600,000 since 2014.

12 And then when you get into parks and  
13 buildings and recreational areas as well as  
14 electricity, oil, telephone, and things that go like  
15 that, it's up \$200,000. The administrative costs,  
16 which includes all of the legal, treasury, the  
17 construction office, those types of things, it's down  
18 \$100,000. The Public Affairs Office, including garbage  
19 collection, is down about \$100,000. Debt service is  
20 flat. And the library, which we fund through the tax  
21 base, is increasing about \$100,000 since 2014. So it  
22 just lays out the history.

23 I share this simply because it's a question  
24 that I've been asked many times. How has it changed?  
25 What is it costing me? Where does the money go? How

1 is it spent? So on one slide we tried to basically try  
2 and present that for the benefit of the taxpayers, for  
3 those that have that question.

4 The next phase, which is tonight, right, is  
5 to spend a little bit more time helping to better  
6 understand what happened to that average taxpayer who  
7 has -- whose house is assessed at \$320,000. I'm going  
8 to go through these fairly quickly. They will be all  
9 up on the website, and any questions that anyone has,  
10 I'm happy to take those questions.

11 But if you look, since 2014, when you look at  
12 the municipal school in the county, for that house  
13 that's assessed at roughly \$320,000 their taxes since  
14 2014 have gone up \$1,228 or 11.911 percent, and that  
15 includes everybody. One of the things that's been  
16 presented to us is that we only talk about the  
17 municipal budget, but what about everything else, so  
18 we're trying to be more inclusive about what those  
19 costs are.

20 So you can see that increase is comprised of  
21 a \$541 increase in municipal services since 2014,  
22 \$665,000 -- \$665 increase in the school, and the county  
23 has been fairly nominal at about \$23. And that's more  
24 of a formula versus saving money, because I'll show you  
25 in a second that their budget has gone up quite a bit,

1 but our share of it has gone down.

2 So the other thing I always am getting asked  
3 questions on is, so how do you calculate my taxes?  
4 Where does the tax rate come from? How do you do that?  
5 And it's a very simple calculation. You take the total  
6 money that we need to spend, which is 55 million,  
7 subtract the revenues that we get from our general  
8 revenues in the normal course of where we get our money  
9 from.

10 You subtract out the additional transitional  
11 state aid benefit that we're getting, you get down to a  
12 net municipal budget that has to be raised from  
13 taxpayers of 42.6 million. So the gross is 55.2, the  
14 net is 42.6. That's simply divided by the township  
15 wide assessed value, and that calculates a rate. That  
16 rate is then applied to the assessed value, and you get  
17 what the municipal portion of the tax is.

18 So a taxpayer, what was paying for their  
19 municipal tax, that average house was paying \$3629 for  
20 all municipal services and the library. All right?  
21 Today they're paying \$4,170 for those services. There  
22 we go. Okay. Technology.

23 I actually included how the school is  
24 calculated. I won't go through it fully, but it's the  
25 same principle. The gross less revenues less their aid

1 equals the net school budget divided by the assessed  
2 value of the town calculates the tax rate. So that  
3 person that has that house for \$320,000 is paying  
4 \$5,600 for school taxes today versus \$4,900 in 2014.  
5 So there's a \$665 increase associated with that.

6 The county is a little bit different. As you  
7 can see, the county actual budget has gone up since  
8 2014 by \$26.5 million. Because our assessed value  
9 since 2014 has actually gone down, but the assessed  
10 value of the county went up, our share of the county  
11 tax went down. So basically, what is shows is that the  
12 county tax rate was 55.7 cents in '14 and it's 55.8  
13 cents today, so it's a very nominal difference. But  
14 it's a because it's a function that there's a lot of  
15 variables that go into how you calculate the county  
16 tax.

17 So bring it beyond those numbers, what's the  
18 other things that have been happening in town? We're  
19 all very much aware of the fact that the Hoffman La  
20 Roche property closed, that there was a significant  
21 write-down of those assets because of that. To help  
22 us, we have been very active in getting transitional  
23 state aid from the state since -- actually, we started  
24 in 2013. Since 2014, we have received, as a township,  
25 \$25 million of aid.

1           So without that 25 million, which we  
2       negotiated was for the full benefit of the town -- so  
3       we didn't go for the municipal portion of the tax, we  
4       went for the school and the county as well -- that's  
5       actually saved -- for 2019, that's saving every  
6       taxpayer, that average taxpayer \$342.

7           There has been new development in town, and  
8       so that has saved that taxpayer additional \$131. So if  
9       we didn't have new development, we didn't have the  
10      transitional state aid for 2019, the average tax  
11      increase would have been \$1,702, but it's at 1,228.

12           When you look at it since 2014, the  
13      combination of the new development and the state aid,  
14      that average taxpayers actually save over \$2,500 in  
15      taxes. And if your assessed value is greater than  
16      that, you saved more. If your assessed value is less  
17      than that, you save a little bit less. But overall,  
18      that's the savings. That's the first time we actually  
19      laid that out. There's other factors that go into it,  
20      but I can't go through that for the school and the  
21      county. I can talk about it with the -- from the  
22      municipal side.

23           And looking at why our taxes in the municipal  
24      side went up, understanding what influences taxes is  
25      basically these five things on that individual. Any

1 change in the revenues that we received, any change in  
2 the state based aid or the transitional aid will affect  
3 the revenue component of our calculation; any change in  
4 spending of the five departments will affect it; any  
5 change in the assessed value of the township. So the  
6 write down of Hoffman-La Roche actually has an effect  
7 of increasing the tax rate.

8 New development and new add has the effect of  
9 reducing the tax rate because the assessed value  
10 changes. If the individual -- and in this case, we did  
11 have an increase because the average went up from -- of  
12 the property went up from 315,000 to 320. If you have  
13 a change in the assessed value of your property, which  
14 is you did an addition, all right, so you made a major  
15 renovation that increases the value of your property,  
16 you could also get an increase in tax.

17 So there's five components. Four of them are  
18 in effect town wide. The last one is the individual.  
19 So I just wanted to point that out because those are --  
20 this is a question that I get asked all the time, how  
21 come the taxes are up and what causes those taxes to go  
22 up? So this is basically just a simple slide, explains  
23 what the drivers.

24 So since 2014, what's happened? Well, we've  
25 gotten more revenue, we've gotten more aid, we've had

1 an increase in spending, we've had a decrease in  
2 assessed value, and that the average of the residential  
3 housing has gone up by \$4,500. All of that combined  
4 caused the tax rate to rise from \$1 and roughly 15  
5 cents to \$1.31, so it's roughly a 15.4 percent increase  
6 in the tax.

7 And the 66 million is the net effect of  
8 writing down the value of the assets at the Hoffman La  
9 Roche property, which has been subject to a lot of  
10 demolitions. You can't tax a building that doesn't  
11 exist anymore, so that's been driving a lot of that  
12 reduction for us. And because of that, that point,  
13 we've been able to go to the State, which has enabled  
14 us to get the state aid to help offset and cushion that  
15 loss.

16 When you look at this and you say, okay, on  
17 our budget the simple fact is increase in revenue saved  
18 that average taxpayer \$26.76 since 2014, transitional  
19 aid has saved them almost \$25 for a total savings in  
20 revenue of \$51. The changes in costs for the  
21 municipality have increased, total that cost that  
22 taxpayer \$237. The separation here is these are the  
23 direct costs, so each commissioner is -- has the  
24 responsibility for their department, so this just  
25 reflects the change in those services.

1           The other thing, though, is there are common  
2 costs such as overall pensions, the cost of sewer  
3 treatment and garbage collection that we always talk  
4 about, the cost of medical care, as well as paying our  
5 payroll taxes, unemployment insurance and things like  
6 that. That's up another \$2.3 million where it's  
7 costing that taxpayer at \$320,000 of assessed value  
8 another \$215 since 2014.

9           And as we continue, the township wide  
10 assessed value went down by 66 million. That's costing  
11 -- the effect of that is costing the average taxpayer  
12 about 82 bucks since 2014.

13           The last piece is because the value of the  
14 average home went up, right -- it doesn't mean that  
15 every home has gone up. This basically says if you  
16 look at '14 to '19 and your assessed value is exactly  
17 the same, this did not affect you.

18           For that house bill, if they look at their  
19 assessed value in 2014 and it's increased since 2014,  
20 they're going to have a greater share of the tax  
21 because the -- under law and under statute, the tax  
22 rate is applied to the assessed value of the property.  
23 So if it changes up or down, you get greater or lesser  
24 share of the tax that happened for that given year or  
25 overall.



1           So when you put them all together, it's a  
2   very simple calculation to say you take the cost that -  
3   - the cost increases, so departmental increases, common  
4   cost increases, the effect of a township assessed value  
5   minus the additional revenues, and you find the  
6   town-wide factor says that the -- since 2014 that  
7   average taxpayer is paying \$483 more. Because of a  
8   change at a individual property level, they're paying  
9   an additional \$57, or in total \$540.94.

10           So it gives you -- it's been, you know, a  
11   challenge to say, how do you take all of this  
12   information, all of the detail around it and present it  
13   at some level of summary that's understandable?. And I  
14   hope that this has been laid out with a flow and that  
15   it's simple enough to follow. It will be up on the  
16   website, as I said, and if anybody has any questions  
17   regarding it, I'm very much available to address them.

18           So the last thing is just in summary that  
19   basically says taxes are, on the municipal side, are up  
20   about \$245 a year. Of that \$245, the municipal portion  
21   of that is about \$108 a year. So if you take all of  
22   the operations and everything we do, taxes from the  
23   municipal side is about \$108 per year. The state aid  
24   has kept that number low because of the transitional  
25   state aid. If we didn't have that aid, the \$541 would

1 actually be higher by that 300 bucks. If we didn't  
2 have the new development in town, that number would be  
3 higher, that average number would be higher, but in  
4 each case, we've been able to save the taxpayers real  
5 dollars because of the work that we've done in that  
6 space.

7 And just the last thing is a lot has been  
8 said about Hoffman La Roche. We've been talking about  
9 what happened as a result of the closure. We've also  
10 been sharing what's been happening in terms of the  
11 progress on that site in terms of the occupation of the  
12 buildings and the elimination of some of the  
13 liabilities, such as the tax appeals have been  
14 eliminated.

15 So we've stabilized that tax base at roughly  
16 4.1 million today. It's less than the \$10 million we  
17 were getting, but that's already been anticipated in  
18 our budget. As long as we keep the state aid, the  
19 transitional state aid, we will be able to manage our  
20 way through the next couple of years in terms of what  
21 we have to invest in terms of redeveloping that  
22 property.

23 So that's just -- I wanted to share that  
24 tonight in response to many of the questions that I get  
25 asked when people sit down and talk and they say, gee,

1 it would be great if you could just lay that out. So  
2 that is my attempt to do that. If it's unclear and I  
3 can do more to provide more information that's clear,  
4 I'd be happy to provide that.

5 So with that, tonight we're going to talk  
6 about the 2019 budget increase, and while we're not  
7 going to adopt tonight because our state aid isn't  
8 finalized, we will hold a public hearing as to where we  
9 are with the budget. Thank you.

10 MAYOR SCARPELLI: Thank you, Commissioner.

11 So let's move to the public hearing on the  
12 budget. Commissioner Evans?

13 COMMISSIONER EVANS: So tonight we have a  
14 public hearing, as I already discussed, represents a  
15 \$1.5 million increase in spending or 3.86 percent. We  
16 have more work to do as a board to reduce the amount of  
17 the increase, and we're going to continue to work on  
18 that before we adopt.

19 I have Ray Sarinelli here as our outside  
20 auditors. And, Ray, are you available to comment?

21 MR. SARINELLI: Ray Sarinelli, Municipal  
22 Auditor for Nutley Township.

23 So, you know, thinking about this process and  
24 looking back five years, in the fall of 2003, I was  
25 away on vacation and when I got back I got a call from

1 Commissioner Evans. And I hadn't read the newspaper  
2 for about two weeks, and he said, how come you don't  
3 have an answer for me on what we're going to do with  
4 the closing of Hoffman-La Roche? And I guess my mouth  
5 about dropped when he told me that news. You know,  
6 what was on the line there was about \$187 million in  
7 assessed value was going to go away from that site,  
8 which would have caused, just by itself, a 5.5 percent  
9 increase in the tax, and that just by itself was going  
10 to be \$567.

11 So I came down and we talked -- he had  
12 already had quite a bit planned out both in his mind  
13 and I think quite a bit on paper on what the impact was  
14 going to do, or what the impact might be and, you know,  
15 putting together a strategic plan on how that was going  
16 to be handled moving forward.

17 Now, here we are more than five years later  
18 and, you know, the biggest concern was to manage and  
19 have that strategic plan work through that five year  
20 period where Hoffman-La Roche was going to close to the  
21 point where it was going to be redeveloped without  
22 having a catastrophic effect on the taxpayers. So most  
23 of that assessed value that's going to go away has gone  
24 away, and now it -- the site is now on the upside of  
25 where it was planned to go. There's a medical school

1 operating, a couple of notable commercial enterprises.  
2 Ralph Lauren, Modern Meadow, et cetera are starting to  
3 move in.

4 So what could have been the tsunami of tax  
5 impact all at one point didn't take place, and it was  
6 managed through to get to a point today where while not  
7 particularly exciting that you still have tax increases  
8 going on, the tax increases during that period were  
9 pretty much manageable. A certain amount of that was  
10 achieved by obtaining state aid.

11 So I know Commissioner Evans had a number of  
12 meetings down with Division of Local Government  
13 Services. I know other commissioners lobbied through  
14 their contacts to get that aid and a plan was put  
15 together. And it's kind of nice to sit here and have  
16 lived through that trough and know that things are  
17 probably going to stabilize from this point going  
18 forward.

19 Initially, I was going to just go over some  
20 of the percentages. I think one of the commissioners  
21 normally asks, you know, how does our budget look  
22 compared to everybody else? You see a lot of other  
23 budgets. The budget that's 57,500,000 is 2.3 percent  
24 increase in spending, which is pretty reasonable. It's  
25 right around the inflation rate. I see most budgets in

1 that 2-plus percent increase on spending.

2           You know, then we look at the tax levy which  
3 is at 42 million, and that's at 3.86 percent, so that's  
4 still on the high side of what I see. And I know  
5 you've had many conversations, you know, leading up to  
6 -- we're at the point where the budget was introduced  
7 and, you know, I think the expectation is that you're  
8 trying to bring the budget back to about 2 percent. If  
9 you're at 2 percent, that's sort of the gold standard.  
10 It's around the inflation rate, and it's what the levy  
11 cap percentage is, and I think it's the goal that  
12 everyone shoots for. You've had a very conservative  
13 budget. Many things have been cut to the point where  
14 it hurts, so it's not easy to make any further cuts.

15           So I think if you -- between limited spending  
16 and if you could get that tax rate increase down from  
17 the 3.86 that you'd be right in the norm or sort of in  
18 the average of what I see in most other municipal  
19 budgets.

20           MAYOR SCARPELLI: Anybody want to be heard on  
21 the budget?

22           MR. MOORE: Rory Moore, 462 Chestnut Street.

23           Mr. Scarpelli, I have the salaries right  
24 here, and I'm going to reference them. I have no  
25 intentions of using anybody's name. I will use the

1 titles. I find it very disquieting, actually, about  
2 the budget. I have talked to Mr. Evans and we agreed  
3 to disagree. But I noticed that -- I took a lot of  
4 information here and I went to the Board of Ed and  
5 asked them, and they have -- the teachers right now who  
6 have not had a salary increase, I think it's 18 months  
7 now. Their budget is 2 percent. They seem to be  
8 serious about letting salaries and expenses into some  
9 type of an alignment, at least have the optics for it.

10 But what I find very disturbing, when I look  
11 at these budgets for the salaries, especially in your  
12 department, you're outrageous. They're over -- you  
13 have 115, 136,000. In the real world --

14 MAYOR SCARPELLI: How many people make  
15 136,000, Mr. Moore?

16 MR. MOORE: Would you like the notes? This  
17 is your notebook.

18 MAYOR SCARPELLI: How many? You have it.  
19 How many?

20 MR. MOORE: There's a lot. I'm not going to  
21 use anybody's name. There's a lot, and it's well over  
22 \$100,000 in a lot of cases. When I look at Mr.  
23 Petracco's, I don't think there's anyone under  
24 \$100,000. So we could say a lot of things about this  
25 is Nutley, this is a budget, but the one thing I

1 haven't seen is anybody say shared services. A lot of  
2 other towns start -- nobody wants to do it, but  
3 everybody realizes that it's something that is coming,  
4 because all of the other incidental things we see, we  
5 don't see any evidence of the Nutley Board of  
6 Commissioners with endeavors to lower the salaries.

7 As I referenced before is that at least the  
8 Board of Ed, right or wrong, agree or disagree, they  
9 did something about it. And you --

10 MAYOR SCARPELLI: I don't think your numbers  
11 are up to date with the Board of Ed, Mr. Moore.

12 MR. MOORE: It could be wrong. I thought it  
13 was 2 percent. I know that was the cap on it. Some of  
14 it may have changed. I may have some incorrect numbers  
15 at this moment, but it's not done deliberately. And to  
16 me, I work in the private sector. I know what it's  
17 like on this side of the microphone for a taxpayer who  
18 does not get a 10 percent increase or makes over  
19 \$130,000.

20 A lot of times, you don't get an increase.  
21 If you do, you have to work a lot harder for it. Your  
22 pensions are cut back. A lot of times, as far as a  
23 taxpayer, it's harder to make ends meet financially to  
24 this year. However, here (indiscernible), this is very  
25 good for work in the library or work at the police



1 department. You don't seem to have that understanding  
2 to say, you're not practicing what you preach. I know  
3 Mr. Evans has said a number of times, we have to  
4 sharpen our pencils, but you don't see anybody  
5 sharpening their pencils. And when you look at Hoffman  
6 La Roche, was that 10,000 -- 10 million, and they've  
7 moved it down 4 or 5 million, so it's pretty good  
8 considering what happened.

9 But we have to look at what actually is going  
10 on as far as your concern, because the salaries are way  
11 too high for the private sector. They don't make -- I  
12 don't make -- you have laborers in here. And it's not  
13 my intention to embarrass anybody, but the average  
14 laborer is over 60,000. I called public service today  
15 to find out. Their laborers don't make \$60,000, and  
16 they work a lot harder.

17 And it's -- the optics is it's nice to work  
18 for this town. You make a lot of money. Everybody's  
19 family. And the taxpayers pay for it so who really  
20 cares? That's what it looks like. And it really --

21 MAYOR SCARPELLI: I can tell you, Mr. Moore,  
22 that the five commissioners up here care, and we all  
23 pay taxes. We all pay taxes, so --

24 MR. MOORE: I know you pay taxes. Do I think  
25 you care? I'm not sure. I really -- I'm not going to

1 give you that one yet.

2 MAYOR SCARPELLI: Thank you for your opinion,  
3 Mr. Moore.

4 MR. MOORE: I'm not going to give you that  
5 one yet. Because I could sit here and I could yell and  
6 I could say, look at this, look at this, look at this,  
7 but it's not my intention to embarrass anybody tonight.  
8 But it really is -- and I'll conclude. I don't think  
9 you guys care one way or the other. Taxes going to go  
10 up, going to pay. And on this side of the fence in the  
11 private sector, it's not as easy, and you work a lot  
12 harder to do just normal living.

13 I pay. My daughter has two boys, and I know  
14 how much money I send every week to make sure they get  
15 fed. It's a lot harder for everybody here to pay these  
16 tax increases. If you looked at the library alone,  
17 instantly you would say, let's go to shared services.  
18 Just -- even if you eliminate half of it, because  
19 that's what other towns are doing. At least they try.  
20 You don't even see the try with you guys.

21 COMMISSIONER PETRACCO: I'd just like to  
22 interrupt for one second and say something that I did I  
23 think back in 2008 when Joe and I came on. We were  
24 going through the dispatch center and we were building  
25 a new dispatch, and I want to say it cost us about

1     \$600,000 in capital. But before I did that, I did go  
2     visit Belleville, and Ray Kimball was the mayor at the  
3     time.

4             And I said, before we go through at our  
5     police desk and spend all this money, is anybody in our  
6     area interested in combining services and share that  
7     service? I know down south in the Carolinas, Florida,  
8     they have a lot of shared services, they have dispatch  
9     centers that aren't even manned by police. It's an  
10    office somewhere, you know, offsite. But here, the  
11    opinion of some of the towns I visited was that our  
12    populations are too big, shared services for police  
13    departments are, you know, are more feasible in, you  
14    know, the suburbia towns that have 3,000 people and the  
15    next town has 2,000 people.

16            And I just wanted to say something about  
17    shared services, especially when it comes to policing,  
18    that I've looked into because I have to tell you I  
19    agree with you somewhat about the salaries, and that  
20    where is it going to go to, what's it going to be 10  
21    years from now. Okay?

22            But I could tell you when it comes to  
23    policing, what I've looked into, so if we were to  
24    shared services and go to co-ops, so to speak, with  
25    policing and we did that with Belleville, maybe North

1 Newark, Bloomfield, Clifton, you know what I've been  
2 told, Rory? That, you know what, all the towns that  
3 are busier that have a higher crime rate than Nutley  
4 does -- and again, Nutley just got that award for being  
5 one of the safest communities in the state -- we would  
6 -- they would have 10 patrol cars in North Newark or  
7 Bloomfield or wherever it be, and because Nutley is a  
8 nice town and we're doing a good job here, we would  
9 wind up with one or two.

10 So I think that we have to be very careful  
11 and strike a balance of where we want to cut, what we  
12 want to cut, and what are our priorities. And we have  
13 to be very careful of who we engage with as far as  
14 sharing services, especially in my Department of Public  
15 Safety.

16 Also, I just want to add, because you said  
17 that everybody in public safety makes over 100,000,  
18 that's not true, Rory. Because -- we could go over it  
19 line by line. Because a police officer coming out of  
20 the academy makes \$25,000 a year, which is kind of  
21 ridiculous. And you know what, we lose a lot of cops,  
22 good cops, because the salary is so low in Nutley.

23 Also, when I first got elected and we  
24 negotiated and we had Bob Glasson come in here as the  
25 arbitrator, we put eight steps in our salary guide,

1    which I believe it was five when I got here.  So  
2    there's been a lot of savings and a lot of preparation  
3    of what we've done here as far as -- you know, when you  
4    say we're not trying or, you know, the salaries are all  
5    over 100,000 -- and again, I have to tell you, I agree  
6    with you somewhat.

7               What are these salaries going to be 10 years,  
8    and how do we get our arms around it?  But in policing,  
9    we lose cops every day to Bergen County, to other  
10   agencies.  So if we set the bar that low where our  
11   salaries in the police department -- and I'll tell you,  
12   we're kind of in the middle of the county of what we  
13   pay our cops -- what are we going to get?  Do we want  
14   to attract the best and the brightest, especially when  
15   it comes to policing, or do we want to compromise and  
16   have, you know, instead of a two-minute response time,  
17   should we go to 20 minutes like a lot of communities  
18   around here are doing?

19              A friend of mine got in an accident on Route  
20   3.  I called the Clifton Police Department.  An hour to  
21   get a car there for a minor accident.  We don't do that  
22   here in Nutley.  And I have to tell you, I mean, even  
23   with the ambulance, two minutes anywhere in the town.  
24   So to me, it's worth spending the money in that.

25              MR. MOORE:  The only difficulty I find in

1 what you're saying is that when you say you explored  
2 shared services, nobody explored it. You did. Maybe  
3 you looked at it and it's just other towns -- I know  
4 there's a few towns in Bergen County that went to  
5 shared service with their libraries. Is everybody  
6 happy with it? Probably not. But does it work out?  
7 Yeah. It worked out a lot better for a lot of people.

8 But what I find disappointing in your classic  
9 example, you looked into this. And it's just like --

10 COMMISSIONER PETRACCO: Rory, if you don't  
11 get anybody to bite, what do you do? If you go to all  
12 the surrounding communities and they don't --

13 MR. MOORE: There is money in the state for  
14 shared services.

15 COMMISSIONER PETRACCO: Yeah. But the thing  
16 is -- and I can't speak for my colleagues, and I'll let  
17 them speak for themselves. But when it comes to the  
18 police and fire, you know, in these bigger -- I mean,  
19 Nutley's a 30,000 -- you know, approximately 30,000.  
20 Belleville's 36,000. You know, these towns aren't so  
21 quick to say, yeah, let's do this and see how it works  
22 out and risk response time, risk how it's going to  
23 work.

24 MR. MOORE: But try to follow my logic if you  
25 can. I'm not trying to digress, but I came here and

1 asked everybody to have an open meeting so people could  
2 talk about overnight parking. And you listened, and  
3 the final answer was, we're not going to change it.

4 COMMISSIONER PETRACCO: I said we have no  
5 support. I'm not on board with changing it, and I  
6 don't believe my commissioners are.

7 MR. MOORE: Wait, please.

8 COMMISSIONER PETRACCO: Go ahead.

9 MR. MOORE: You didn't listen. That's the  
10 problem. Nobody once heard somebody else's opinion,  
11 how it affects another taxpayer. So you're telling me  
12 about shared services. I believe you did due  
13 diligence, but nobody tried. Nobody -- let's have a  
14 public forum. Let's ask people to come here and say,  
15 do you want to have shared services with the library?  
16 It's an idea.

17 Maybe it'll work. Maybe people won't like  
18 it. Maybe people will say, I'd rather pay higher taxes  
19 and higher salaries. Maybe they will. But at least  
20 open it up so people have an audience. People can  
21 stand here and say something about it. You don't even  
22 give them that. That's the problem.

23 Are the bills going to go up? Sure they are.  
24 Can I look at the laborers? Can I look at some of  
25 these salaries over here? Maybe some of them are

1 justified. But I'm in the business. I don't think  
2 they are justified because other towns made other  
3 significant methods to reduce it. Maybe it won't help  
4 a lot two years from now, but at least their  
5 commissioner, their form of government tried, and  
6 that's something that you guys never did.

7 COMMISSIONER TUCCI: Mayor, can I add  
8 something here?

9 MAYOR SCARPELLI: Sure.

10 COMMISSIONER TUCCI: All right. And, Rory,  
11 as a point of clarification -- and believe me, I can  
12 understand your frustration, and I share it to a  
13 certain degree. All right? But some of your comments  
14 are just not correct. All right? In the parks  
15 department, we start a laborer out of a first step, and  
16 there are no other steps, at \$25,000 a year. Okay?

17 We reduced our budget in the parks department  
18 last year by \$485,000. We had to go through the  
19 painful experience of laying off two of our neighbors  
20 and not filling eight other positions, most of them  
21 temporary -- most of them permanent, rather, three of  
22 them being temporary.

23 This year when we got the reduction in the  
24 medical benefits, all right, two-thirds of that  
25 reduction is reflected in what Commissioner Evans



1 presented this evening. All right? This only reason  
2 we're holding back on that other third is because we  
3 don't know what our state aid number is. So we monitor  
4 every dollar we spend. I mean, I -- people can look at  
5 my budget and this year.

6 When you look in the commissioner's office,  
7 all right, and other expenses, it went from \$1,000 a  
8 year where I usually returned 500 of that \$1,000, all  
9 right, to 26,000 this year, to 25,000 being for phase  
10 two of the white paper, all right, that I completed  
11 earlier this year, all right, on the effect  
12 multi-family housing is having on the town.

13 So to stand there and to say that we don't  
14 care or we don't get it or we're not listening, just  
15 not true. Just not true.

16 MR. MOORE: Laborer, 75,000; Laborer, 63,000;  
17 Laborer, 67,000; Laborer, 68,000; Laborer, 30,000. Do  
18 you want me to go down the list?

19 COMMISSIONER TUCCI: Rory, I don't know what  
20 you're reading from.

21 MR. MOORE: The salaries.

22 COMMISSIONER TUCCI: Okay. I know you --

23 MR. MOORE: (Indiscernible) salaries.

24 COMMISSIONER TUCCI: I know you're waving a  
25 paper, but I can tell you that in one of our

1 neighboring towns, in Millburn, they have two people  
2 that do what my park superintendent does. We went from  
3 two positions, a park superintendent and a recreation  
4 superintendent, we combined it into one position.

5 In Millburn, there are two people who get  
6 paid \$145,000 each, and I'll put our parks and rec  
7 department, all right, and the condition of our  
8 facilities up against any other town. So we are  
9 realizing economies and efficiencies, and we look at it  
10 every single day. So I don't know what you're looking  
11 at. I'd be happy to go over that with you. All right?

12 And if you -- if you're looking at a laborer,  
13 is that laborer here 5 years, 10 years, or 25 years?  
14 All right? We've just had two more retirements.

15 MR. MOORE: I guess I'm missing the point,  
16 and yes, seniority may --

17 COMMISSIONER TUCCI: Maybe I'm not  
18 understanding what your point is, but to blatantly  
19 stand there --

20 MR. MOORE: \$63,000 for a laborer --

21 COMMISSIONER TUCCI: -- and say that we don't  
22 care, okay, is not true. It's just not true.

23 COMMISSIONER EVANS: May I add?

24 MR. MOORE: I don't want you sitting up  
25 here --

1 COMMISSIONER EVANS: Rory, can I add?

2 MR. MOORE: Sure.

3 COMMISSIONER EVANS: So there's -- I think --  
4 I'm not quite sure what you're looking at, but you  
5 might be looking at what somebody was paid for the --  
6 for a year versus what their base salary was, so it  
7 might include overtime.

8 MR. MOORE: No, no. Because --

9 COMMISSIONER EVANS: (Indiscernible)  
10 question, so --

11 MR. MOORE: I just want to make that  
12 distinction.

13 COMMISSIONER EVANS: If it is it's fine,  
14 right? Certain base salaries of people while we've  
15 been successful. You know, eliminating longevity. You  
16 know, there are people here that actually still get  
17 longevity and have been here for a very long time, and  
18 as a result of that, yes, in some of the models you can  
19 see salaries rise.

20 But when you look at that, what we are  
21 looking at for every department and we challenge is we  
22 want to spend the money that we have to spend. We want  
23 to reserve on any discretionary spending. I can tell  
24 you, you know, for example, I've followed that  
25 philosophy in my department.

1           Since 2014, my salaries in my department are  
2 down, actually down \$181,000. My budget from '14 is  
3 actually down. It is not a lower increase, but it's  
4 actually down. My other expenses are down by \$180,000.  
5 So we do go through that.

6           But to your point is, if I look -- and each  
7 commissioner has to look at shared services in each of  
8 their department, I think Commissioner Petracco  
9 emphasized, you know, the complexity of that, there's  
10 also statutory requirements for positions and roles  
11 that are, by law, required at a local level so you must  
12 have them.

13           So to consolidate them, for example -- you  
14 know, I once looked at the fact that, could we  
15 regionalize in the county in purchasing? Why does  
16 every town need purchasing staff and a purchasing  
17 agent, right? But there's no vehicle to do that  
18 anywhere. And I pursued that with the county.

19           MR. MOORE: Well, there is state money  
20 available, and if you want to --

21           COMMISSIONER EVANS: Yeah, so --

22           MR. MOORE: -- if you want to do shared  
23 services (indiscernible) --

24           COMMISSIONER EVANS: Sure. In order to do  
25 that, you need to have a willing party. So the

1 question was raised, could the county take over those  
2 for all the benefit of everybody really to reduce those  
3 taxes, and they can't do that. All right?

4 But we did accomplish other things. The work  
5 that was done early on to shift the cost off of the  
6 taxpayers for the first aid squad. We used to have the  
7 burden of providing them with over \$100,000 a year for  
8 expenses, plus purchase their ambulances. Given the  
9 billing model that they follow today, we don't have to  
10 do that.

11 Now, the activity in town is greater than  
12 what the first aid squad can handle, all right, but  
13 Commissioner Petracco has invested in making sure that  
14 the fire folks have first responder capability, and  
15 they get a small stipend for that. But it's not the  
16 salaries, for example, having that all integrated under  
17 a fully -- and structure that requires pension and  
18 heavy healthcare that a state employee gets. It's a  
19 privatized business.

20 So we have done that and we -- and that's  
21 actually saving us quite a bit of money. We looked at  
22 health services, so we don't have a town doctor and we  
23 -- and we've looked at --

24 MR. MOORE: But you have three nurses.

25 COMMISSIONER EVANS: Right. And we outsource

1 the nursing services and so on.

2 MR. MOORE: If they're outsourced, then what  
3 is the salary on?

4 COMMISSIONER EVANS: Well, not the regular  
5 nurses. Those are the people, I think, are providing a  
6 health service toward vaccinations and things like  
7 that, that are in the town. There are things -- so  
8 anyway, there are things that we're -- that we're  
9 doing.

10 But what I want to say to you is I don't  
11 disagree with you at all that the public should  
12 continue to challenge us to find ways to reduce  
13 spending. I think it's incumbent upon all of us, as  
14 commissioners, to look for ways where we can find that.  
15 And if there's an opportunity to save it, we should  
16 save it, all right, because the taxpayers shouldn't  
17 have to pay for something if it's savable.

18 Each commissioner is looking at that, right?  
19 But we do have certain things that happen each year  
20 that do result in an increase in our budget. And as  
21 I've said, I don't support a 3.86 percent increase. I  
22 don't think any of my commissioners do, either. And  
23 we're going to have to find a way to do that.

24 As Mr. Sarinelli alluded to, this town faced  
25 a significant challenge. Regardless of shared

1 services, if we didn't respond to the closure of the  
2 Roche site and the impact of that tax loss with  
3 additional state aid, we would have a very different  
4 story today on what the town would be. We would not be  
5 on a top 50 list of state cities. We would not have  
6 the services that we have today because we wouldn't be  
7 able to afford that.

8 And while we have to continue to work on our  
9 costs, which I agree with you on, right, I do not agree  
10 with you that we're not trying and we're not doing  
11 anything about it. We have had real progress in that,  
12 so when you -- and so I take a look and I'd say  
13 personally that -- have I invested in that philosophy?  
14 Yeah. Because if you look at my absolute budget from  
15 '14 to '19, I'm spending less today than I was spending  
16 in 2014 by -- because of deliberate action.

17 An example of that was we had an outside --  
18 we had billing services that was a separate function  
19 that had two people in it. We had a cashier's function  
20 that had four people in it. Today, the water billing  
21 and the tax billing has been consolidated, and there's  
22 three people doing it in total.

23 So we've looked at consolidating services and  
24 eliminating resources, which has enabled us to get  
25 down. Every commissioner -- it's incumbent on every

1 commissioner to continue to do that. And you hear  
2 about it. It's said. But it's not brought all  
3 together, and that's what I was trying to do tonight  
4 to, in fact, lay out what's happened over the last five  
5 years. But I don't disagree with your point that we  
6 have to continue (indiscernible).

7 MR. MOORE: I will conclude -- I will  
8 conclude, it's the optics. When you see what actually  
9 goes on, it doesn't seem that way. When you start to  
10 look at the numbers, it doesn't seem that way. And  
11 when I go to work tomorrow, or any other citizen goes  
12 to work tomorrow, I'm sure they're not going to enjoy  
13 what happens to them. I don't -- they don't get a vote  
14 in it.

15 A lot of times over here you say, there's  
16 unions, there's contractor, that's partly right. But  
17 as far as a taxpayer is concerned, when you look at the  
18 inside it does not appear that way. That is my  
19 concern. I had no intention of coming up here tonight  
20 to embarrass anybody, and it wasn't my intention to sit  
21 here and start a war. It is time to say to somebody,  
22 it doesn't look that way. Thank you.

23 MAYOR SCARPELLI: Thank you, Mr. Moore.

24 Anybody else want to be heard on the budget?

25 MR. ODRIA: Michael Odria, 133 High Street.



1 I would like to second the motion of what Rory Moore  
2 mentioned. I think the point that he was trying to get  
3 to was that it should not cost the combined property  
4 taxes of 17 homes in this town every year to pay one  
5 public employee. I'm not going to name that guy. And  
6 that does not include the other three homes that we  
7 have to collect property taxes from to pay for his  
8 healthcare benefits.

9 And plus we also have to take the combined  
10 property taxes of nine other homes just for  
11 us to pay (indiscernible). That's what he's trying to  
12 get at. It should not cost -- someone's public sector  
13 salary should not cost the combined property taxes of  
14 more than ten homes or seven homes every year. It's  
15 out of control.

16 And I know you compared us to other towns,  
17 but (indiscernible) to me are the people in this town,  
18 in this county and state that do not have a town  
19 city job, that we don't get the perks, we  
20 don't get the good pension care of Cadillac healthcare  
21 benefits that we do in the private sector  
22 (indiscernible) private sector (indiscernible).

23 So I think that's the point that Rory's  
24 trying to allude to. There has to be a cap on salaries  
25 (indiscernible). There has to be a cap on the

1 salaries. Enough is enough. I mean, what's the  
2 alternative? The employees like me who own homes in  
3 this town, we're private sector, we just  
4 (indiscernible) property taxed out and moving to like  
5 South Carolina or Florida. I mean, even with our  
6 (indiscernible) a lot of my clients, they've moved out  
7 of the state. They've moved out of their towns and  
8 (indiscernible) because they can't afford the property  
9 taxes anymore, and we talk about it and we know why,  
10 because (indiscernible) coming up with new tax  
11 proposals to impose on us (indiscernible) that we've  
12 got to pay for this, too.

13           There has to be salary caps on these public  
14 employees. Enough is enough. No public employee in  
15 this town should be making 168 grand a year, 180 grand  
16 a year, 138 grand a year. And it doesn't matter. And  
17 I know you can only get these salaries after, you know,  
18 maybe six, eight years on the job, but enough is  
19 enough. I don't make 138 grand a year, and trust me, I  
20 try. I live on the cul-de-sac, and that's what I  
21 represent. That's all I wanted to say. Thank you.

22           MAYOR SCARPELLI: Thank you, Mr. Odria.  
23 Anybody else want to be heard on the budget tonight?

24           We need to close the public hearing.

25           COMMISSIONER EVANS: Motion to close.

1 COMMISSIONER TUCCI: Second.

2 THE CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 Commissioner, when will we -- when do we  
11 anticipate adopting?

12 COMMISSIONER EVANS: I'm hopeful that it'll  
13 happen in June. I've been having ongoing conversations  
14 with the state. They're progressing well, so I hope  
15 that we -- they won't actually let us know until it  
16 gets closer to the actual implementation of their  
17 budget, so probably June. Historically, it's June.  
18 Last -- September of last year, that was more of an  
19 aberration.

20 MAYOR SCARPELLI: Thanks, Commissioner.

21 Commissioner Tucci, resolutions.

22 COMMISSIONER TUCCI: Yes. Thank you, Mayor.

23 Whereas, on Thursday -- I'm going to  
24 consolidate these. I have five resolutions  
25 congratulating the awardees of the Nutley Jaycees

1 recognition awards this year -- whereas, on Thursday,  
2 April 4, 2019, the Nutley Jaycees celebrated their 48th  
3 Annual Distinguished Service Awards Dinner at the  
4 Valley Regency in Clifton, New Jersey, to celebrate  
5 local Nutley residents doing what they do best, giving  
6 back to the community; and

7           Whereas, the Nutley Jaycees is part of a  
8 national organization that provides opportunities for  
9 members to develop personal and leadership skills  
10 through service to others; building tomorrow's leaders  
11 through community, individual and management  
12 development; and

13           Whereas, this year's honoree for the Public  
14 Health and Safety Award was Mr. Charles Ennis; the  
15 Businessman of the Year was Mr. Luther Engler; the  
16 Civic Affairs recipient was Mr. John Demmer; the  
17 Outstanding Young Man of the Year was Lou Ritacco; and  
18 the Educator of the Year was Katherine Flannery;

19           Now, therefore, be it resolved that the Board  
20 of Commissioners of the Township of Nutley, County of  
21 Essex, State of New Jersey, join with the citizens of  
22 Nutley to salute and congratulate all of the Nutley  
23 Jaycees awardees.

24           I move the resolutions.

25           COMMISSIONER EVANS: Second.

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

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

11 MAYOR SCARPELLI: Thank you, Commissioner.

12 Commissioner Evans?

13 COMMISSIONER EVANS: Yes, Mayor. I will --  
14 my first resolution is at 122-19. This relates to the  
15 Law Firm of Piro, Zinna, Cifelli & Paris for legal  
16 services for land use policies and procedures. It's a  
17 Change Order Number 4 for the amount of \$4,050. Funds  
18 are available in Account 8-01-226-205 and have been  
19 certified by the Chief Financial Officer.

20 Now, therefore, be it resolved by the Board  
21 of Commissioners of the Township of Nutley, State of  
22 New Jersey, that a Change Order Number 4 in the amount  
23 of \$4,050 is hereby approved.

24 So moved.

25 COMMISSIONER TUCCI: Second.

1 THE CLERK: Commissioner Tucci?

2 Commissioner Evans?

3 COMMISSIONER TUCCI: I'm sorry, I couldn't  
4 hear you.

5 COMMISSIONER EVANS: Vote, vote.

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 COMMISSIONER EVANS: My next resolution:

14 Be it resolved by the Board of Commissioners  
15 of the Township of Nutley, that the treasurer be and  
16 she is hereby authorized to refund overpayment of  
17 property taxes in the amount of \$3,492 for Block 100,  
18 Lot 8.

19 So moved.

20 COMMISSIONER TUCCI: Second.

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 EVANS: Whereas, New Jersey  
5 Statute 54:4-3.6 provides that buildings used by any  
6 nonprofit corporation in connection with its  
7 curriculum, work, care, treatment, and study of men,  
8 women, and children with intellectual disabilities  
9 shall be exempt from taxation, provided such  
10 corporation conducts and maintains research or  
11 professional training facilities for the care and  
12 training of men, women, and children with intellectual  
13 disabilities;

14 Whereas, Everas Community Services is a  
15 nonprofit social services agency, has filed an  
16 application for an allowance of full tax exemption and  
17 meets the criteria;

18 Now, therefore, be it resolved by the Board  
19 of Commissioners of the Township of Nutley that Everas  
20 Community Services be granted full exemption from the  
21 payment of property taxes beginning January 1, 2019 and  
22 all subsequent years thereafter on the property known  
23 as Block 502, Lot 25, 150 Kingsland Street.

24 So moved.

25 COMMISSIONER TUCCI: Second.

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 COMMISSIONER EVANS: Whereas, State Statute  
10 54:4-3.3 provides that a war veteran who was honorably  
11 discharged from active service in wartime who meets the  
12 criteria to be 100 percent permanently disabled in  
13 connection with their wartime service be granted full  
14 tax exemption of their dwelling and the lot in which  
15 it's situated;

16 Whereas, the property owner at 27 Brown  
17 Street, Daniel M. Fasanelli meets this criteria and has  
18 satisfied the requirements -- and this is a  
19 determination that is made by the Veterans  
20 Administration, not by the Township, but we have to  
21 verify he has met the criteria;

22 Now, therefore, be it resolved by the Board  
23 of Commissioners of the Township of Nutley, County of  
24 Essex, that Daniel M. Fasanelli be granted a full  
25 exemption of payment of property taxes beginning



1 February 19, 2019 and all subsequent years thereafter.

2 So moved.

3 COMMISSIONER TUCCI: Second.

4 THE CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: I didn't mention he's  
8 entitled to a refund of \$1,160.80 for 2019. I vote  
9 aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 COMMISSIONER EVANS: This is a similar --  
15 same exemption under 54:4-3.3 relating to Dennis  
16 Cedrone of 50 Columbia Avenue. He's entitled to a  
17 refund of \$818.10 for 2019.

18 I move this resolution.

19 COMMISSIONER TUCCI: Second.

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.

3 COMMISSIONER EVANS: Whereas, Vivint Solar  
4 Development submitted and paid a solar panel permit for  
5 29 Cortland Street in Nutley;

6 Whereas, the cost of the permit fee was  
7 collected in the amount of \$210;

8 Whereas, the Township of Nutley received the  
9 request in writing from them for a refund of the  
10 municipal permit fee given that they did not install  
11 the solar panel;

12 Whereas the permit fee is comprised of a \$10  
13 DCA fee which cannot be refunded, and a 10 percent plan  
14 review fee which cannot be refunded, the remaining \$180  
15 of the permit fee will -- is hereby refunded and  
16 approved by the Board of Commissioners.

17 So moved.

18 COMMISSIONER TUCCI: Second.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye.

2 COMMISSIONER EVANS: Thank you, Mayor.

3 MAYOR SCARPELLI: Thank you, Commissioner.

4 Commissioner Petracco?

5 COMMISSIONER PETRACCO: Yes.

6 Whereas, sealed bids for furnishing and  
7 delivering police, dispatchers, and crossing guard  
8 uniforms and equipment were publicly opened and read on  
9 May 23, 2018; and

10 Whereas, Turnout Uniforms was the only  
11 bidder; and

12 Whereas, as per the original specifications,  
13 the contract allows for two one-year extensions through  
14 December 31, 2020, therefore, the existing contract  
15 with Turnout Uniforms should be extended to December  
16 31, 2019;

17 Whereas, the funds in the amount of \$48,000  
18 are available in appropriations entitled 9 01 310 200  
19 "Police and Dispatcher Maintenance & Allowance" and the  
20 funds in the amount of \$12,500 are available in  
21 appropriation entitled 9-01-308-200 "Crossing Guards  
22 Allowance" and have been certified by the chief  
23 financial officer, said certification being attached to  
24 this resolution; and

25 Now, therefore, be it resolved by the Board

1 of Commissioners, Township of Nutley, County of Essex,  
2 New Jersey, that a contract for furnishing and  
3 delivering police, dispatch, and crossing guard  
4 uniforms and equipment consistent with 2019 clothing  
5 voucher allocation be and hereby awarded to Turnout  
6 Uniforms, 195 Patterson Avenue, Little Falls, New  
7 Jersey 07424.

8 I move the resolution.

9 MAYOR SCARPELLI: Second.

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 COMMISSIONER PETRACCO: Be it resolved by the  
19 Board of Commissioners of the Township of Nutley,  
20 County of Essex, New Jersey, that the township clerk is  
21 hereby authorized to advertise for sealed bids for  
22 surplus equipment that is no longer in use by the  
23 Township. The Township equipment vehicle is listed  
24 below:

25 Department of Public Safety. A 1999 (sic)

1 van ambulance; mileage, 8,790. The VIN number is here.

2 Be it further resolved that the minimum offer  
3 on the above vehicle is \$100;

4 Be it further resolved that the above  
5 equipment is available for inspection on Wednesday, May  
6 15, 2019, between the hours of 8:30 and 11:30 a.m.;

7 Be it further resolved that the equipment is  
8 to be sold "as is" and "where is" and bids are to be  
9 received by Wednesday, May 22, 2019, at 11:00 a.m.  
10 prevailing time in the Commission Chambers, Township  
11 Hall, 1 Kennedy Drive, Nutley, New Jersey, at which  
12 time they will be publicly opened and read.

13 I move the resolution.

14 MAYOR SCARPELLI: Second.

15 THE CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER PETRACCO: Thank you.

24 MAYOR SCARPELLI: Thank you, Commissioner.

25 Whereas, the Law Firm of Piro, Zinna,

1 Cifelli, Paris & Genitempo, 360 Passaic Avenue, Nutley,  
2 New Jersey, has been awarded a non-fair and open  
3 contract as a professional service as pursuant to  
4 provisions of N.J.S.A. 19:44A-20.4 or 20.5 as  
5 appropriate to provide legal advice and services in  
6 connection with the Township's land use litigation for  
7 the Township of Nutley on February 6, 2018, by  
8 resolution 46-18; and

9           Whereas, such services have exceeded the  
10 original amount of the contract of \$17,000; and

11           Whereas, Change Order Number 1 was authorized  
12 January 15, 2019 via Resolution Number 16 19 for an  
13 increase in the amount of \$1,136, and such services  
14 have exceeded in the amount of the original contract  
15 and Change Order Number 1; and

16           Whereas, the Mayor and Board of Commissioners  
17 have recommended the following change order from said  
18 contract:

19           Change Order Number 2. Provide legal advice  
20 and services in connection with the Township's land use  
21 litigation and Township of Nutley in the amount of  
22 \$330.

23           Whereas, funds are available from Account  
24 Number 8 01 012 205 and have been certified by the  
25 chief financial officer, said certification being

1 attached to this resolution;

2 Now, therefore, be it resolved by the Board  
3 of Commissioners of the Township of Nutley, County of  
4 Essex, State of New Jersey, that Change Order Number 2  
5 in the amount of \$330 be and is hereby approved.

6 I move the resolution.

7 COMMISSIONER TUCCI: Second.

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: Aye.

14 THE CLERK: Mayor Scarpelli?

15 MAYOR SCARPELLI: Aye.

16 MAYOR SCARPELLI: Whereas, raffle  
17 applications have been received from the following  
18 organizations: Nutley Family Service Bureau, License  
19 Number 24-19, on-premise 50/50 cash raffle; and License  
20 Number 25-19, on-premise merchandise raffle; both to be  
21 held Saturday, June 8, 2019; and

22 Whereas, the applications have been reviewed  
23 and approved by the municipal clerk and the police  
24 department;

25 Now, therefore, be it resolved by the Board

1 of Commissioners of the Township of Nutley, County of  
2 Essex, State of New Jersey, that the aforementioned  
3 licenses are approved and the municipal clerk is  
4 authorized to issue the raffle licenses.

5 Move the resolution.

6 COMMISSIONER TUCCI: Second.

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 MAYOR SCARPELLI: That concludes the business  
16 portion of our meeting, Madam Clerk.

17 THE CLERK: Thank you, Mayor. All persons  
18 addressing the Board of Commissioners regarding  
19 community concerns should approach the microphone and  
20 provide their name and address for the record. Unless  
21 further time is granted by the Board, each person shall  
22 limit their address to three minutes.

23 All remarks to the board and its individual  
24 members much be addressed to the Mayor. The Mayor may  
25 defer citizens' comments to the appropriate member of



1 the Board. Dialogue between citizens and others  
2 addressing the Board shall be allowed unless the Mayor  
3 or presiding officer or the majority of the membership  
4 of the Board shall determine that the interest of  
5 decorum and/or the expeditious conduct of municipal  
6 business are being adversely affected by such dialogue.

7 MAYOR SCARPELLI: Anybody wish to address the  
8 Board of Commissioners this evening?

9 MR. WALLACE: Glenn Wallace, 106 Hopper  
10 Avenue, Nutley.

11 With regard to the 1997 employee handbook  
12 manual that hadn't been updated for 21 years, I asked  
13 the Mayor whose responsibility it was, and the question  
14 -- actually, I asked two, if not three times whose  
15 responsibility it was. That's how many times I had to  
16 ask to get an answer. The question was referred to Mr.  
17 Genitempo, who stated the responsibility was that of  
18 Mr. Harkins. Mr. Harkin, unfortunately, passed away,  
19 like, five years ago, God rest his soul, and was not  
20 here -- or is not here to express himself.

21 So my question is, can I get someone to  
22 accept the responsibility for the last five years?

23 MR. GENITEMPO: I'll take the responsibility,  
24 Mr. Wallace, and I never --

25 MR. WALLACE: Okay. Thank you.

1           MR. GENITEMPO: -- blamed Mr. Harkins for  
2 anything. He's a good friend of mine and an excellent  
3 township attorney. We passed a resolution approving  
4 the new handbook. Since that time, we've seen some  
5 additional changes that we want to make. I'm making  
6 them now and hope to have them back to the  
7 commissioners shortly for reapproval.

8           It's my responsibility. I take it 100  
9 percent. And I do not agree with your statement that  
10 somehow I put this on Mr. Harkins. Mr. Harkins started  
11 it, turned it over to me. It took a long time to get  
12 it done, and it's my responsibility.

13          MR. WALLACE: Thank you.

14          I'd like to read something, 1997 employee  
15 manual, Page 57:

16 "Annual update of employee manual. The provisions of  
17 this employment manual may be modified and/or changed  
18 on an annual basis at the direction of the Township of  
19 Nutley. The Township shall designate an annual date in  
20 which modifications or changes to the employment manual  
21 will be implemented.

22          "Any and all modifications and/or changes to  
23 the employment manual shall be communicated  
24 through official notice and shall be  
25 implemented in conformity with the

1 requirement of MEL."

2 So what I did is I OPRA on March  
3 25th, please provide me with any copy of changes,  
4 modifications, omissions, or insertions between 1997  
5 and present. And the response was, no responsive  
6 records were located, so in other words, nothing was  
7 done.

8 So I stated that the manual reads that it  
9 will be updated annually, but Mr. Genitempo insisted at  
10 the meeting it states it will be reviewed annually.  
11 Nowhere in that reading that I just made did I hear the  
12 word "review." I heard "update." Okay? So this has  
13 not been updated. There's been nothing, no changes  
14 whatsoever made in 21 years. That statement was either  
15 ignorant or deceitful, ignorant if someone had made --  
16 had knowledge of the manual to make that statement, or  
17 deceitful if one had knowledge and did make that  
18 statement. You be the judge.

19 So my question is, what can we do to prevent  
20 another 21 years of an un-updated manual? That's my  
21 first question. My second one is, has -- have all our  
22 employees in town received this new, updated manual?

23 MAYOR SCARPELLI: Do you want to answer that,  
24 Mr. Genitempo?

25 MR. GENITEMPO: Sure. First of all, I

1 drafted the 1997 handbook when I was doing the work for  
2 the GIF. I wasn't a township attorney at the time.  
3 And every year that I've been involved, in the last  
4 few, we do review it. That manual still is valid and  
5 enforceable. We are reviewing it again. I'm going to  
6 have it ready. I can't speak for what's going to  
7 happen in the future, but we do look at it every year.

8 And, Mr. Wallace, you can say what you want  
9 about being deceitful. You're completely wrong. And  
10 I'll leave it at that. Thank you.

11 MAYOR SCARPELLI: Thank you, Mr. Wallace.

12 Anybody else wish to address the Board of  
13 Commissioners this evening? Seeing none, can I have --

14 COMMISSIONER TUCCI: Mayor, I'd like to make  
15 one comment, and again, just by way of clarification.  
16 During Commissioner Evans' presentation, I pointed out  
17 the finances of the water department and the fact that  
18 I thought they should be included with the DPW, but it  
19 was done entirely correct, all right, because the water  
20 utility is a separate utility. But I don't want anyone  
21 to think for one moment that I was taking a shot at the  
22 DPW or the water department, all right? I just merely  
23 wanted to clarify, all right, in that presentation,  
24 what the overall impact was, all right, because the  
25 Mayor is not only my friend, but someone that I respect

1 and someone that I admire very much.

2 So, Mayor, I just wanted to clarify that for  
3 everyone that's here and anyone that may be watching.

4 MAYOR SCARPELLI: Thank you, Commissioner.

5 Anybody -- what do we have to do? We have to  
6 continue the meeting? We need a motion for that, Mr.  
7 Genitempo? Can I have a motion to continue the meeting  
8 until Friday --

9 COMMISSIONER EVANS: At 11:00 a.m.

10 THE CLERK: 11:00 a.m.

11 MAYOR SCARPELLI: 11:00 a.m.

12 COMMISSIONER TUCCI: So moved.

13 COMMISSIONER EVANS: So moved.

14 THE CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Yes. That's Friday, May  
18 10th, right?

19 COMMISSIONER TUCCI: Friday, May 10th.

20 THE CLERK: Yes.

21 COMMISSIONER EVANS: All right. Yes. Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER TUCCI: My daughter's birthday.

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye.

2 MAYOR SCARPELLI: Goodnight, everybody.

3 THE CLERK: The time is 9:53.

4 (End of Recording)

5 (Public Session Resumed on 5/10/2019)

6 MAYOR SCARPELLI: Madam Clerk, this is a  
7 continuation of the meeting of Tuesday. Please call  
8 the roll.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Here.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Here.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Here.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Here.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Here.

19 THE CLERK: All present, Mayor. The time is  
20 now 11:08.

21 MAYOR SCARPELLI: I have a motion to go into  
22 executive session to discuss --

23 COMMISSIONER PETRACCO: Contracts?

24 COMMISSIONER TUCCI: So moved.

25 COMMISSIONER PETRACCO: Second.

1           THE CLERK: Whereas, Section 8 of the Open  
2       Public Meeting Act, Chapter 231, Public Law 1975,  
3       permits the exclusion of the public from meeting in  
4       certain circumstances; and

5           Whereas, the public body is of the opinion  
6       that such circumstances exist; and

7           Whereas, the Board of Commissioners of the  
8       Township of Nutley in the County of Essex and State of  
9       New Jersey desires to proceed to a closed executive  
10      session; and

11          Now, therefore, be it resolved by the Board  
12      of Commissioners of the Township of Nutley to move into  
13      closed executive session to discuss contracts;

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

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: Just one moment before we start  
7 talking.

8 (Recess Taken)

9 MAYOR SCARPELLI: All right. We're back on  
10 the record in open session. Can I have a motion to  
11 continue the meeting to --

12 THE CLERK: May 13th.

13 MAYOR SCARPELLI: -- 2:00 p.m. Monday,  
14 2:00 p.m. May 13th.

15 COMMISSIONER PETRACCO: Move it.

16 COMMISSIONER EVANS: Second.

17 THE CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Reluctantly aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?



1 MAYOR SCARPELLI: Aye.

2 MR. GENITEMPO: Just let the record reflect  
3 that prior to going into executive, there were no  
4 members of the public in the council chambers, and even  
5 now there are no members of the public here.

6 MAYOR SCARPELLI: All right. Everybody have  
7 a good Mother's Day.

8 COMMISSIONER PETRACCO: Happy Mother's Day.

9 THE CLERK: Happy Mother's Day. Bye,  
10 everybody. Yeah, 11:33. The time is now 11:33.

11 (End of Recording)

12 (Public session resumed on 5/13/2019)

13 THE CLERK: This is a continuation meeting  
14 from May 10, 2019. Today is May 13, 2019, and the time  
15 is 2:05. Commissioner Rogers is absent/excused.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Here.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Here.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Here.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Here.

24 THE CLERK: All present, Mayor, except for  
25 Commissioner Rogers.

1                   MAYOR SCARPELLI: Can I have the motion to go  
2 into executive session to discuss contract  
3 negotiations.

4                   MR. GENITEMPO: Yes, sir.

5                   COMMISSIONER TUCCI: Move.

6                   COMMISSIONER EVANS: Second.

7                   THE CLERK: Whereas, Section 8 of the Open  
8 Public Meeting Act, Chapter 231, Public Law 1975,  
9 permits the exclusion of the public from meeting in  
10 certain circumstances; and

11                   Whereas, the public is of the opinion that  
12 such circumstances exist; and

13                   Whereas, the Board of Commissioners of the  
14 Township of Nutley in the County of Essex and State of  
15 New Jersey desires to proceed to a closed executive  
16 session; and

17                   Now, therefore, be it resolved by the Board  
18 of Commissioners of the Township of Nutley move into  
19 closed executive session to discuss contract  
20 negotiations;

21                   Be it further resolved that the time when  
22 such discussions may be disclosed to the public shall  
23 be when and such disclosure may be made without  
24 adversely affecting the Township of Nutley pending  
25 and/or anticipated legal, personnel, contractual

1 matters, and other matters within the exception  
2 provided for by statute.

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 THE CLERK: The time is 2:06.

12 (Recess Taken)

13 MAYOR SCARPELLI: Madam Clerk, we're back on  
14 the record.

15 THE CLERK: Yes, Mayor. It's 2:25.

16 MAYOR SCARPELLI: All right.

17 MR. GENITEMPO: Just let the record reflect  
18 there was no members of the public in the large room.  
19 Everyone's inside.

20 MAYOR SCARPELLI: Okay. Do I have a motion  
21 on introduction of Ordinance Number 3420?

22 Seeing none, open the meeting up for public  
23 comment. Madam Clerk, read the notice.

24 THE CLERK: Yes, Mayor.

25 All persons addressing the Board of

1 Commissioners regarding community concerns should  
2 approach the microphone and provide their name and  
3 address for the record. Unless further time is granted  
4 by the Board, each person shall limit their address to  
5 five minutes.

6 All remarks to the board and its individual  
7 members must be addressed to the Mayor. The Mayor may  
8 defer citizens' comments to the appropriate member of  
9 the Board.

10 Dialogue between citizens and others  
11 addressing the Board shall be allowed unless the Mayor,  
12 presiding officer, or the majority of the membership of  
13 the Board shall determine that the interest of decorum  
14 and/or the expeditious conduct of municipal business  
15 are being adversely affected by such dialogue.

16 MAYOR SCARPELLI: Anybody wish to address the  
17 Board of Commissioners this afternoon?

18 Seeing none --

19 COMMISSIONER TUCCI: Move to adjourn.

20 COMMISSIONER EVANS: Second.

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 THE CLERK: And the time is 2:26.

5 MAYOR SCARPELLI: Next meeting is May 21st.

6 (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.

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ILENE WATSON, AAERT NO. 447      DATE: May 22, 2019  
ACCESS TRANSCRIPTS, LLC