

In The Matter Of:
In Re: Nutley Board of Commissioners

Transcript of Proceedings
December 15, 2020



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Min-U-Script® with Word Index

1 TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

2 ONE KENNEDY DRIVE

3 3RD FLOOR COMMISSION CHAMBERS

4 NUTLEY, NEW JERSEY 07110

5
6 *** PUBLIC SESSION ***

7
8 DATE: December 15, 2020

9
10 BOARD OF COMMISSIONERS:

11 MAURO G. TUCCI, MAYOR

12 JOSEPH P. SCARPELLI, COMMISSIONER

13 THOMAS J. EVANS, COMMISSIONER

14 ALPHONSE PETRACCO, COMMISSIONER

15
16 Also Present:

17 ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 MAYOR TUCCI: Everyone please stand for the
3 Pledge of Allegiance.

4 (Pledge of Allegiance)

5 MAYOR TUCCI: Thank you. Sunshine Notice
6 please, Madam Clerk?

7 THE CLERK: Thank you, Mayor. Board of
8 Commissioners Public Meeting, Tuesday, December 15,
9 2020. The time is now 7:04.

10 Pursuant to the requirement of the Open
11 Public Meeting Act, Chapter 231, Public Law 1975,
12 notice of this meeting was published in the November
13 28, 2019 issues of the Nutley Sun, the Herald News, and
14 the Star Ledger. In an effort to prevent further
15 spread of Covid-19 pandemic, the public meeting for the
16 remainder of the year 2020 have been changed to Zoom
17 webinar teleconference meetings until further notice.
18 The public will be able to listen to the Board of
19 Commissioners meeting and participate during the
20 designated public comment portion of the meeting by
21 utilizing access through a URL link or dial-in numbers
22 provided on the township website.

23 Commissioner Kelly is absent, excused.

24 Commissioner Evans?

25 COMMISSIONER EVANS: Here.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Here.

3 THE CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Here.

5 THE CLERK: Mayor Tucci.

6 MAYOR TUCCI: Here.

7 THE CLERK: All present, Mayor, except for
8 Commissioner Kelly. He is absent, excused this
9 evening.

10 MAYOR TUCCI: Thank you so much. I see we
11 have minutes. We have open session minutes for
12 November 17th, 2020. I'll --

13 COMMISSIONER EVANS: Move it.

14 MAYOR TUCCI: -- entertain a motion.

15 COMMISSIONER EVANS: Move it.

16 COMMISSIONER SCARPELLI: Second.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye. And then I see we have
25 executive session minutes for September 15th, 2020,

1 October 20th, 2020, November 5th, 2020, November 17th,
2 2020, and December 1st, 2020.

3 COMMISSIONER SCARPELLI: Move it.

4 COMMISSIONER PETRACCO: Second.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye, except for
7 November 17th, when I was absent, excused.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 THE CLERK: Mayor Tucci.

13 MAYOR TUCCI: Aye, except for October 20th.

14 THE CLERK: And that's it for minutes, Mayor.

15 MAYOR TUCCI: Thank you, Madam Clerk. Do we
16 have any communications or correspondence?

17 COMMISSIONER EVANS: Eleni, did we have any
18 communications?

19 THE CLERK: Oh, no, I'm sorry, Mayor. I
20 thought you were --

21 MAYOR TUCCI: That's quite all right.

22 THE CLERK: -- asking the Board. I'm sorry.

23 MAYOR TUCCI: Did we have any?

24 THE CLERK: No, we do not.

25 MAYOR TUCCI: We have no proclamations this

1 evening. We'll get into reports. Commissioner Evans?

2 COMMISSIONER EVANS: Yes. I have a Code
3 Enforcement report for the month of November.

4 MAYOR TUCCI: Commissioner Petracco?

5 COMMISSIONER PETRACCO: I do have a Public
6 Safety report.

7 MAYOR TUCCI: And I have a Shade Tree report
8 for the month of November. Bills, please?

9 THE CLERK: Yes, Mayor. Bill list for
10 December 15th, 2020. Public Affairs, \$259,805.84;
11 Revenue and Finance, \$2,688,513.98; Public Safety,
12 \$43,772.81; Public Works, \$75,780.17; Parks and Public
13 Property, \$204,006.47; Water Utility, \$79,351.51.

14 Payroll for December 11, 2020. Regular
15 Payroll, \$913,488.07; Overtime Payroll, \$45,609.60;
16 Covid Overtime Payroll, \$32,994.71. Total Payroll,
17 \$992,092.38, for a grand total of \$4,343,323.16.

18 COMMISSIONER EVANS: Move the bills.

19 COMMISSIONER PETRACCO: Second.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Aye.

1 THE CLERK: Mayor Tucci.

2 MAYOR TUCCI: Aye.

3 THE CLERK: And that's it for bills, Mayor.

4 MAYOR TUCCI: Thank you. We will now
5 entertain public comment on agenda items only.

6 THE CLERK: Thank you, Mayor. All persons
7 addressing the Board of Commissioners regarding
8 community concerns shall state their name and address
9 for the record. Unless further time is granted by the
10 Board, each person shall limit their address to three
11 minutes. All remarks to the Board and its individual
12 members must be addressed to the mayor. The mayor may
13 defer citizens' comments to the appropriate member of
14 the board. There's no one there.

15 MAYOR TUCCI: There's no one there? Thank
16 you very much. Board of Commissioner announcements.
17 Commissioner Scarpelli?

18 COMMISSIONER EVANS: I have none, Mayor.

19 MAYOR TUCCI: Commissioner Petracco?

20 COMMISSIONER PETRACCO: I don't really have
21 an announcement, but I just want to say that at our
22 holiday tree lighting this year, first of all, I'm a
23 big traditional guy in Nutley, and when I saw the
24 Christmas tree off to the side, I actually said to Sam
25 Carella, did somebody lose their mind? I said, I hate

1 the way that looks, but of course, it was during the
2 day. But I have to tell you, when they lit it up, it
3 is magnificent. It really looks great. You know, we
4 saved the church by doing that as well, and a lot of
5 people have been commenting, even though we did it on
6 Zoom. I was in Centre Ridge the other day, someone
7 grabbed me and said, you know what, they're so happy to
8 see that we're continuing to try to do some things to
9 make people feel good during this virus. So I have to
10 say, kudos to your department, Mayor, (indiscernible)
11 looks great. I really like it a lot, and so do a lot
12 of other people.

13 MAYOR TUCCI: Thank you, Commissioner.
14 Commissioner Evans?

15 COMMISSIONER EVANS: I just was going to echo
16 that. I thought the tree lighting ceremony was really
17 great. It was very thoughtful. I think well done. As
18 well as the Santa drive-by. I think, you know, all of
19 these things that we're doing to keep the spirit of
20 traditions alive and well in Nutley, I think are really
21 well. And I just really want to shout out to the
22 resident on King Street who sent me a Christmas card.
23 It was very thoughtful. It's the first one I've gotten
24 in 18 years as the Revenue and Finance Commissioner.
25 So taking my picture off the tax bill probably was a

1 good idea. So --

2 MAYOR TUCCI: The commissioner has a good
3 sense of humor this evening. Thank you. I have a few
4 announcements to make this evening.

5 As was already mentioned, on Monday,
6 December 7th, we had our tree lighting, which was
7 virtual, and I have to give a shout out to our IT
8 wizards, Sal Scarpelli and Jason Kirk, for doing such
9 an outstanding job. And on Sunday, this past Sunday,
10 the 13th, we had Santa in front of the middle school
11 with a horse drawn sleigh, and it was just phenomenal.
12 You could see the smiles on peoples' faces. It was a
13 mission accomplished. We try to lift peoples' spirits
14 at this time of the year under the conditions that
15 we're working under.

16 So I need to say some thank yous to some
17 folks. Number one, the men and women of my Parks
18 Department. They have done a superb job. There's not
19 enough kudos and credit I can give to them. What
20 they've done in the Mudhole, what they did with the
21 tree, and all of the other decorations was phenomenal.
22 I need to thank the Board of Education grounds crew,
23 Timmy and company, for giving us a big assist. It was
24 phenomenal, the way everyone worked together really
25 warmed my heart.

1 Our Public Safety Department, our Fire -- our
2 Fire Department for putting up the wreaths, our Police
3 Department for helping out with Santa and the sleigh.
4 Our DPW for the guidance that they gave us, because
5 really, the Parks Department, we were in uncharted
6 waters, all right, this was the first year the mayor's
7 office has been in our department, so Joe, thank you
8 and all your people for all your help.

9 Public Affairs, Commissioner Kelly, for
10 pitching in wherever he could, and was always willing
11 to help. Revenue and Finance, I know you were always
12 with us, Tom, and --

13 COMMISSIONER EVANS: Oh, yeah.

14 MAYOR TUCCI: -- I know there's bills on
15 there tonight.

16 COMMISSIONER EVANS: There are.

17 MAYOR TUCCI: The bills are fine, so thank
18 you very much, so --

19 COMMISSIONER EVANS: Getting paid.

20 MAYOR TUCCI: -- this is what Nutley is
21 about. This is a team effort, all right, and, you
22 know, I was speaking with Commissioner Scarpelli before
23 the meeting started, and naturally, the children
24 driving by, with seeing Santa in the sleigh, were
25 smiles from ear to ear. Even some of the grumpier

1 older people who were coming by, who were a little
2 tentative in smiling, by the time they got to Santa,
3 were smiling like, unbelievably. So again, mission
4 accomplished. Thank you, everyone, for all of your
5 help. Without everyone's help, it wouldn't have been
6 as successful as both events were.

7 Commissioner Kelly's also asked me to wish
8 everyone a Merry Christmas and Happy Holidays. He's on
9 active duty in the military. I think he's confined to
10 his computer. I'm not exactly sure what that set up
11 is, but it's the military, and he's doing his duty.
12 So, Merry Christmas and Happy Holidays from
13 Commissioner Kelly.

14 I was also on a call this morning with the
15 County Executive and the Governor's Office relative to
16 the Covid vaccinations, which will start next week at
17 235 Prospect Avenue in West Orange at the former K-Mart
18 building, and towns that will be participating at the
19 site are West Orange, Cedar Grove, Essex Fells,
20 Montclair, Newark, Nutley, and Verona. And the first
21 folks to get the shots will be our First Responders and
22 those in nursing homes.

23 They're also soliciting people to volunteer,
24 all right, because they need people to help them with
25 some administrative duties, and they're also looking

1 for folks with medical backgrounds, either nursing or
2 some other type of medical background to volunteer and
3 to help out.

4 I also have to have another shout out this
5 evening to Tom McEnery. Congratulations, Tom, on being
6 the Ghiblan (ph) Association awardee for their
7 Community Prestige Award. That happened this past
8 Sunday, for all you do not only for Nutley but
9 throughout the state, so thank you, Tom.

10 And in conclusion, I just want to wish
11 everyone all the happiness and blessings and magic of
12 this season. No matter what you celebrate, if you
13 celebrate Christmas, Merry Christmas, Happy Hanukkah,
14 Happy Kwanzaa or any other festive type occasion you
15 want to celebrate, enjoy yourself. We're under
16 difficult times right now, but we will get through
17 this. Nutley is Nutley because of what everyone in
18 this town does and how everyone pitches in, and I'm
19 just so proud to be able to serve here with my fellow
20 commissioners, so Happy Holidays to everyone.

21 And that's it for commissioner announcements.
22 We have no ordinances this evening, nothing to be
23 introduced, nothing on second hearing, but we do need a
24 short executive session, so I'll entertain a motion to
25 go off close?

1 COMMISSIONER PETRACCO: Move it.

2 COMMISSIONER SCARPELLI: Second.

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

7 Whereas, the public body is of the opinion
8 that such circumstances exists; and

9 Whereas, the Board of Commissioners of the
10 Township of Nutley and the County of Essex and the
11 State of New Jersey desires to proceed to closed
12 executive session.

13 And now therefore be it resolved by the Board
14 of Commissioners of the Township of Nutley to move into
15 closed executive session to discuss contract
16 negotiations.

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

24 COMMISSIONER EVANS: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 THE CLERK: Mayor Tucci.

5 MAYOR TUCCI: Aye.

6 THE CLERK: The time is 7:15.

7 (Pause)

8 MAYOR TUCCI: We're back on the record? All
9 right. Thank you, everyone, for your patience. We
10 will now move into resolutions. Commissioner Petracco,
11 will you read Commissioner Kelly's resolution?

12 COMMISSIONER PETRACCO: I sure will.

13 Whereas, the English settlement in North
14 America were a tiny fringe along the Eastern seaboard.
15 As settlement pushed west into the interior, the
16 institution of the militia, which colonists brought
17 with them from England, went with them;

18 Whereas, when the National Guard's oldest
19 regiment met for their first drill on the village green
20 in Salem, Massachusetts, they were barely three months
21 old, organized on December 13th, 1636, the date we now
22 celebrate as the National Guard's birthday;

23 Whereas, the military tradition meant
24 citizens organized themselves into military units,
25 responsible for their own defense. Organizing the

1 militia into regiments increased its efficiency and
2 responsiveness, which proved critical for the defense
3 of their communities. Its oldest units, like the one
4 pictured above, are the oldest units in the United
5 States Military, and among the oldest military units in
6 the world;

7 Whereas, the militia called the National
8 Guard since 1916, has served community, state, and
9 nation for nearly 400 years, and citizen soldiers have
10 fought in every major American conflict from 1637 to
11 present day operations in Afghanistan and Iraq. Much
12 has changed since the "first muster;"

13 Whereas, from the Revolution to the Civil War
14 to the World Wars to the present day, the Township of
15 Nutley is thankful for the -- and is proud to support
16 the United States National Guard on the occasion of the
17 National Guard's 384th birthday. The township
18 remembers those who have sacrificed to serve their
19 nation and thanks and recognizes the National Guard
20 veterans who call Nutley home today.

21 Now therefore be it resolved that the Board
22 of Commissioners of the Township of Nutley, County of
23 Essex, State of New Jersey, recognizes and celebrates
24 the United States National Guard on its 384th birthday.
25 I proudly move the resolution.

1 COMMISSIONER SCARPELLI: Second.

2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Aye.

8 THE CLERK: Mayor Tucci.

9 MAYOR TUCCI: Aye. Commissioner, would you
10 like to continue with your own resolutions?

11 COMMISSIONER PETRACCO: If I could find them.
12 Let's see. Wow. You have a lot tonight, Commissioner.
13 Okay.

14 Be it resolved by the Township of Nutley in
15 the County of Essex, and the State of New Jersey, as
16 follows:

17 The Township of Nutley is authorized to
18 accept a subaward grant from the State of New Jersey
19 Department of Law and Public Safety, Office of the
20 Attorney General, in the amount of \$32,400 under the
21 Safe and Secure Communities Program, Grant Number 21-
22 0716, with a Match-Fringe benefits for a total project
23 cost of \$32,400.

24 Mayor Mauro G. Tucci and the Chief, Thomas
25 Strumolo, Junior are authorized to execute and the

1 Township Clerk to attest to the Subgrant Award in
2 connection with the grant, and any and all documents in
3 connection with the grant;

4 The Township of Nutley is accepting the grant
5 of funds for the purpose described in the application;

6 Subaward period, August 1st, 2020 to July
7 31st, 2021;

8 A certified copy of this resolution shall be
9 provided by the Office of the Township Clerk to each of
10 the following;

11 Mayor Mauro Tucci, Township Attorney, Chief
12 Financial Officer, Police Department, State of New
13 Jersey Office of the Attorney General, and Office of
14 the Attorney General, Department of Law and Public
15 Safety. I move the resolution.

16 COMMISSIONER SCARPELLI: Second.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco.

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye.

25 COMMISSIONER PETRACCO: Whereas, N.J.S.A.

1 A:9-41 requires an Emergency Management Council be
2 formed to coordinate all disaster control activities on
3 behalf of the Township of Nutley, County of Essex,
4 State of New Jersey.

5 Now therefore be it resolved by the Board of
6 Commissioners of the Township of Nutley, County of
7 Essex, New Jersey, that the following be appointed as
8 Emergency Management Council/Local Emergency Planning
9 Council/Environmental Commission on behalf of the
10 Township of Nutley, January 1st, 2021, to December
11 31st, 2023.

12 William Cassidy, Emergency Management
13 Coordinator; Paul Cafone, Deputy Coordinator/Fire and
14 Rescue; David Hollywood, Deputy Coordinator/Emergency
15 Public Information/Communications; Don Santangelo,
16 department -- excuse me. Deputy Coordinator/Evacuation
17 Coordinator; Anthony Santoro, Hazardous Materials
18 Coordinator; William Vanroth, Radiological Protection;
19 Jason Kirk, Alert and Warning Coordinator; Salvatore
20 Ferraro, Damage Assessment Coordinator; Dave Berry,
21 Code Enforcement/Assessment Team member; Thomas
22 Melillo, Emergency Operations Center Coordinator; Emil
23 Pugliesi, Emergency Medical Coordinator; Thomas
24 Strumolo, Law Enforcement Coordinator; Thomas Restaino,
25 Public Health Coordinator; Michael Luzzi, Public Works

1 Coordinator; Frank DeMaio, Resource Management
2 Coordinator; Anthony Gagliardo, Debris Management
3 Coordinator; Daniel Jacoby, Shelter, and Katherine
4 Carmichael, Social Services Coordinator. I move the
5 resolution.

6 COMMISSIONER SCARPELLI: Second.

7 THE CLERK: Commissioner Evans.

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco.

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 THE CLERK: Mayor Tucci.

14 MAYOR TUCCI: Aye.

15 COMMISSIONER PETRACCO: Whereas, N.J.S.A.

16 40A:4-87 provides for the Director of a Division of
17 Local Government Services may approve the insertion of
18 any special item in the budget of any county or
19 municipality when such item shall have been made
20 available by law and the amount thereof was not
21 determined at the time of the adoption of the budget;
22 and

23 Whereas, the director may also approve the
24 insertion of any item of appropriation for equal
25 amount.

1 Now therefore be it resolved that the Board
2 of Commissioners of the Township of Nutley, of Essex
3 County, New Jersey, do hereby request that the Director
4 of the Division of Local Service, Government Service,
5 to approve the insertion of an item of revenue in the
6 budget of the year 2020 in the sum of \$818.40, which
7 item is now available as revenue from National Priority
8 Safety Program Grant, pursuant to provisions of the
9 statute;

10 Be it further resolved that a like sum of
11 \$818.40 be and the same is hereby appropriated under
12 the caption, General Appropriations.

13 Section 3, Be it further resolved that the
14 above is the result of revenue available from the
15 Municipal Alliance Grant Program.

16 Be it further resolved that the municipal
17 matching share for the Municipal Alliance Grant Program
18 is in the amount of \$204.60, and is included in the
19 2020 adopted budget, in accordance with the grant
20 agreement, and is hereby appropriated for the said
21 purpose;

22 Be it further resolved that the Township
23 Clerk forward one certified copy of this resolution to
24 the Director of Local Government Service. I move the
25 resolution.

1 COMMISSIONER SCARPELLI: Second.

2 THE CLERK: Commissioner Evans.

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco.

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Aye.

8 THE CLERK: Mayor Tucci.

9 MAYOR TUCCI: Aye.

10 COMMISSIONER PETRACCO: And that's all I
11 have, Mayor. Maybe it'll be an early night for me.

12 MAYOR TUCCI: Thank you, Commissioner.
13 Commissioner Evans?

14 COMMISSIONER EVANS: Thank you, Mayor.

15 Be it resolved by the Board of Commissioners
16 of the Township of Nutley in the County of Essex, State
17 of New Jersey, that the Treasurer be, and she is hereby
18 authorized to refund overpayment of property taxes in
19 the amount of \$25,885 for Block 9602, Lot 9. So move.

20 COMMISSIONER PETRACCO: Second.

21 THE CLERK: Commissioner Evans.

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco.

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Commissioner Scarpelli.

1 COMMISSIONER SCARPELLI: Aye.

2 THE CLERK: Mayor Tucci.

3 MAYOR TUCCI: Aye.

4 COMMISSIONER PETRACCO: Whereas, there exists
5 the need for the Board of Commissioners of the Township
6 of Nutley for legal counsel to advise and represent the
7 township in specialist -- special matters, including
8 but not limited to compliance in the procedural issues
9 involving Open Public Records Act, OPRA, and Open
10 Public Meetings Act, and other general legal matters as
11 may be determined and directed by the Township
12 Attorney;

13 Whereas, the above needs are for certain
14 specified professional services to be rendered or
15 performed by a persons -- person or persons authorized
16 by law to practice a recognized profession, whose
17 practice is regulated by law within the meaning of
18 N.J.S.A. 20A:11-1 as amended; and

19 Whereas, the performance of said professional
20 service requires knowledge of advanced -- of an
21 advanced type in the field of learning acquired by a
22 prolonged formal course of specialized training study
23 as distinguished from general academic instruction, or
24 apprenticeship and training; and

25 Whereas, funds are available for this account

1 -- for this purpose from Account 1-01-012-205, subject
2 to the adoption of the 2021 budget;

3 Whereas, services rendered pursuant to the
4 resolution shall not exceed \$65,000 in the aggregate;

5 Whereas, Inglesino, Webster, Wyciskala, and
6 Taylor has completed and submitted a business entity
7 disclosure certification, which certifies that they
8 have not made any disqualifying reportable
9 contributions to a political candidate committee in the
10 township of Nutley in the previous one year, as that
11 would violate N.J.S.A. 19:44-A20.5, or the township's
12 local Pay-To-Play ordinance, adopted by referendum;

13 Whereas, the Local Public Contracts Law,
14 N.J.S.A. 40A:11-1 as amended requires that this
15 resolution be publicly advertised.

16 Now therefore be it resolved by the Board of
17 Commissioners of the Township of Nutley that in
18 accordance with the Local Public Contract Law hereby
19 authorizes and approves the award of a professional
20 services contract to the firm of Inglesino, Webster,
21 Wyciskala, Taylor, LLC, pursuant to a non-fair and open
22 process, in accordance with the provisions of
23 N.J.S.A. 19:44A-20.5 as legal counsel in accordance
24 with a contract for professional services, which shall
25 provide that the legal counsel or any attorney on staff

1 shall be paid an hourly rate of \$215 for legal
2 services, an hourly rate of \$100 for services performed
3 by a paralegal or law clerk.

4 Further resolve that the Chief Financial
5 Officer has executed a certification of funds for the
6 contract and that sufficient funds will be available
7 for said contract through the '21 Municipal Budget.

8 Further resolve that the services pursuant
9 shall not exceed \$65,000 in the aggregate.

10 Further resolved that the anticipated term is
11 12 months, beginning January 1, 2021, through December
12 31st, 2021.

13 Further resolved that the Mayor and the
14 Township Clerk are hereby authorized and directed to
15 execute sale and deliver said contract for professional
16 services on behalf of and in the name of the township,
17 and further resolved that the Business Entity
18 Disclosure Certification, and Business Entity
19 Disclosure of Campaign Contributions, shall be placed
20 on file with this resolution.

21 Further resolved, that a copy of this
22 resolution shall be published as required by law within
23 10 days of its passage. So move.

24 COMMISSIONER PETRACCO: Second.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci.

7 MAYOR TUCCI: Aye.

8 COMMISSIONER EVANS: Whereas, the Township of
9 Nutley has a need to acquire the services of a
10 registered municipal accountant to conduct an annual
11 audit of the Township's books, accounts, and financial
12 transactions, inclusive of the Nutley Public Library
13 within five months after the close of its fiscal year
14 as a non-fair and open contract pursuant to the
15 provisions of N.J.S.A. 19:44A-20.4 and 20.5 as
16 appropriate;

17 Whereas, the Chief Financial Officer has
18 determined and certified in writing that the value of
19 the aggregate services provided by the vendor for one
20 year will exceed \$30,000; and

21 Whereas, the anticipated term is one year,
22 beginning January 1, 2021 through December 31st, 2021;

23 Whereas, Nisivoccia LLP, Certified Public
24 Accountants and Consultants, 200 Valley Road, Suite
25 300, Mount Arlington, New Jersey, has submitted a fee

1 schedule totaling \$163,219.89 for providing such
2 services;

3 Whereas, Nisivoccia LLP Certified Public
4 Accountants and Consultants, has completed and
5 submitted a business entity disclosure certification,
6 which certifies that they have not made any
7 disqualifying reportable contributions or political --
8 to a political or candidate committee in the Township
9 of Nutley within the previous one year, and that the
10 contract will prohibit them from making any reportable
11 contributions through the term of the contract;

12 Whereas, funds are available from Account 1-
13 01-222-205 in the amount of \$95,543.12 and Account 1-05-
14 706-205 in the amount of \$67,676.77. The second
15 account is actually for the library, as it's its --
16 they split the total amount. And these will be
17 certified by the Chief Financial Officer subject to the
18 adoption of the 2021 Budget.

19 Now therefore be it resolved by the Board of
20 Commissioners of the Township of Nutley, we authorize
21 the Mayor to enter into a contract with Nisivoccia LLP
22 Certified Public Accountants and Consultants to provide
23 the above service; and

24 Be it further resolved that the Business
25 Entity Disclosure Certification and Determination of

1 Value be placed on file with this resolution. So
2 moved.

3 COMMISSIONER PETRACCO: Second.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli.

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci.

11 MAYOR TUCCI: Aye.

12 COMMISSIONER EVANS: The next ordinance is --
13 or the next resolution is 302-20. This is a required
14 service requirement from using -- what's their name?
15 NW Financial Group in Hoboken, and the amount of the
16 fee is for \$1500. And it -- funds are available for
17 this. And this is because of an SEC ruling, that an
18 independent third party has to look at the debt
19 compliance disclosures. So I -- I'll read in summary
20 that

21 Now therefore be it resolved by the Board of
22 Commissioners of the Township of Nutley.

23 The Mayor and the Township Clerk are hereby
24 authorized and directed to execute an agreement with
25 NW Financial Group for services of Professional

1 Financial Audit Services in a total amount not to
2 exceed \$1500.

3 The contract is awarded without competitive
4 bidding as a professional service in accordance with
5 N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts
6 Laws.

7 Notice of this action will be printed once in
8 the Nutley Sun, the legal newspaper of the Township.
9 So moved.

10 COMMISSIONER PETRACCO: Second.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco.

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Commissioner Scarpelli.

16 COMMISSIONER SCARPELLI: Aye.

17 THE CLERK: Mayor Tucci.

18 MAYOR TUCCI: Aye.

19 COMMISSIONER EVANS: Whereas, the Township of
20 Nutley has the need to retain the services of an
21 attorney who specializes in Municipal Land Use Law and
22 Policy to provide legal advice and services for the
23 Code Enforcement Department in connection with the
24 township land use policies and procedures;

25 Whereas, N.J.S.A. 40A:11-5(1)(a(5) permits

1 the award of a contract without public bidding;

2 Whereas, Angelo Cifelli, Esquire, of the Firm
3 of Piro, Zinna, Cifelli, Paris, and Genitempo, 360
4 Passaic Avenue, Nutley, New Jersey, has submitted a
5 proposal in the amount not to exceed \$10,000;

6 Whereas, funds are available in Account 1-01-
7 226-205, and will be certified by the Chief Financial
8 Officer subject to the adoption of the 2021 Municipal
9 Budget. The anticipated term is from January 1, 2021
10 through December 31st, 2021;

11 Whereas, Piro, Zinna, Cifelli, and Genitempo
12 has completed and submitted a Business Entity
13 Disclosure Certification, which certifies they have not
14 made any reportable disqualifying contributions or a
15 political or a candidate -- to a political or candidate
16 committee in the Township of Nutley in the previous one
17 year, and that the contract will prohibit them from
18 making any reportable contributions through the term of
19 the contract.

20 Now therefore be it resolved by the Board of
21 Commissioners of the Township of Nutley, County of
22 Essex, State of New Jersey, that the Mayor is hereby
23 authorized to enter into a contract with Angelo Cifelli
24 of the Law Firm of Piro, Zinna, Cifelli, Paris, and
25 Genitempo as a professional service;

1 Be it further resolved that a copy of this
2 resolution as well as the contract, shall be placed on
3 file with the Clerk of the Township, and a notice in
4 accordance with the Public Contract Law of New Jersey
5 in the form subject to -- thereto shall be published in
6 the Nutley Sun. So moved.

7 COMMISSIONER PETRACCO: Second.

8 THE CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Mayor Tucci.

15 MAYOR TUCCI: Aye.

16 COMMISSIONER EVANS: My next resolution,
17 309-20, is the same as the previous resolution with the
18 Firm of Piro, Zinna, Cifelli, Paris, and Genitempo.
19 The change in it is that this is the need for a
20 specialized attorney for -- as Municipal Tax Counsel to
21 provide legal services concerning municipal tax appeals
22 of the township as we go through the year. The
23 contract term is January 1, 2021 through December 31st,
24 2021. The same Business Entity Disclosure
25 Certifications have been filed by Piro, Zinna, Cifelli,

1 Paris, and Genitempo's firm. Funds are available in
2 1-01-204-200, and will be certified by the Chief
3 Financial Officer, subject to the adoption of the 2021
4 budget.

5 Now therefore be it resolved by the Board of
6 Commissioners of the Township of Nutley, County of
7 Essex, State of New Jersey, that the Mayor be and he is
8 hereby authorized to enter into a contract with Frank
9 Zinna of that firm, as a professional service.

10 Be it further resolved that a copy of this
11 resolution, as well as the contract, shall be placed on
12 file with the Clerk of the Township of Nutley, and a
13 notice in accordance with the Public Contract Law of
14 New Jersey and the form attached thereto shall be
15 published in the Nutley Sun. So moved.

16 COMMISSIONER PETRACCO: Second.

17 THE CLERK: Commissioner Evans.

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco.

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye.

25 COMMISSIONER EVANS: Whereas, on October

1 15th, 2020, Governor Murphy issued Executive Order 190,
2 which states that no gas, public electric, or public
3 water system, shall collect any fee or charge imposed
4 for late or otherwise untimely payments; and

5 Whereas, on November 6th, a clarification of
6 the executive order was issued, that clearly states
7 that during the Public Health Emergency, penalties or
8 interest cannot be collected on a late or otherwise
9 delinquent water payment from residential accounts, or
10 accounts primarily serving residential customers;

11 Whereas, Executive Order 190 goes further by
12 restraining the Tax Collector from allowing third party
13 lienholders to pay subsequent charges during the period
14 covered by the executive order;

15 Whereas, subsequent delinquent water payments
16 with interest have been made on the following accounts
17 as listed in the resolution.

18 Now therefore be it resolved by the Board of
19 Commissioners of the Township of Nutley that the
20 Treasurer be and she is hereby authorized to refund the
21 subsequent water charges in a total amount of
22 \$3,408.57. So move.

23 COMMISSIONER PETRACCO: Second.

24 THE CLERK: Commissioner Evans.

25 COMMISSIONER EVANS: Aye.

1 THE CLERK: Commissioner Petracco.

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Commissioner Scarpelli.

4 COMMISSIONER SCARPELLI: Aye.

5 THE CLERK: Mayor Tucci.

6 MAYOR TUCCI: Aye.

7 COMMISSIONER EVANS: Be it resolved by the
8 Board of Commissioners of the Township of Nutley,
9 County of Essex, New Jersey, that in accordance with
10 the provisions of R.S. 40A:4-58, the following
11 transfers of appropriations in the 2020 budget be and
12 the same are hereby authorized and approved;

13 From Group Insurance, \$500,000 to Capital
14 Improvement Fund, \$500,000. So moved.

15 COMMISSIONER PETRACCO: Second.

16 THE CLERK: Commissioner Evans.

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Mayor Tucci.

23 MAYOR TUCCI: Aye.

24 COMMISSIONER EVANS: Whereas, R.S. 40A:5-17
25 allows for the cancellation of property tax credits for

1 delinquent amounts in the amount of less than \$10;

2 Whereas, the governing body may authorize the
3 Tax Collector to process without further action on
4 their part any cancellation of property tax credits or
5 delinquencies of less than \$10.

6 Now therefore be it resolved by the Board of
7 Commissioners of the Township of Nutley, County of
8 Essex, State of New Jersey, that hereby authorizes the
9 Tax Collector to cancel said amounts as deemed
10 necessary. So moved.

11 COMMISSIONER PETRACCO: Second.

12 THE CLERK: Commissioner Evans. Commissioner
13 Evans?

14 COMMISSIONER EVANS: Aye. Aye.

15 THE CLERK: Commissioner Petracco.

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli.

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci.

20 MAYOR TUCCI: Aye.

21 COMMISSIONER EVANS: Whereas, there exists
22 various reserves for deposit balances on the books of
23 the Special Trust Fund;

24 Whereas, various reserve balances have been
25 inactive, and it has been determined that these

1 balances shall be canceled.

2 Now therefore be it resolved by the Board of
3 Commissioners of the Township of Nutley that the
4 following reserve balances in the amount of \$7,229.39
5 be and are hereby canceled as listed in the resolution.
6 So moved.

7 COMMISSIONER PETRACCO: Second.

8 THE CLERK: Commissioner Evans.

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco.

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli.

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Mayor Tucci.

15 MAYOR TUCCI: Aye.

16 COMMISSIONER EVANS: Be it resolved by the
17 Board of Commissioners of the Township of Nutley, the
18 County of Essex, that in accordance with the provisions
19 of R.S. 40A:4-58, the following transfers of
20 appropriations in the 2020 Budget be and the same are
21 hereby authorized and approved:

22 From Municipal Elections, \$45,000; From
23 Administration of Township Ordinances Salary and Wage
24 \$19,000.

25 To Treasurer's Office, Salary and Wage,

1 \$35,000. Township Clerk's Salary and Wage, \$10,000.
2 Construction Code Salary and Wage, \$19,000. So moved.

3 COMMISSIONER PETRACCO: Second.

4 THE CLERK: Commissioner Evans.

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli.

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci.

11 MAYOR TUCCI: Aye.

12 COMMISSIONER EVANS: Thank you, Mayor.

13 MAYOR TUCCI: Thank you, Commissioner.

14 Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Thank you, Mayor.

16 Whereas, bids for the 2020 Acceptance of
17 Recycling Vegetative Waste to include Leaf and Grass
18 Clippings were received and opened on November 13th,
19 2019.

20 Now therefore be it resolved that the Board
21 of Commissioners of the Township of Nutley, County of
22 Essex, State of New Jersey, that a contract be awarded
23 to S. Rotondi and Sons not to exceed \$75,000 and that
24 the Mayor and Township Clerk are hereby authorized to
25 enter into and sign said contract for the Township of

1 Nutley. I move the resolution.

2 COMMISSIONER PETRACCO: Second.

3 THE CLERK: Commissioner Evans.

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Scarpelli.

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Mayor Tucci.

10 MAYOR TUCCI: Aye.

11 COMMISSIONER SCARPELLI: Whereas, Wayne DeFeo
12 of DeFeo and Associates, 15 Washington Valley Road,
13 Warren Township, New Jersey, has been awarded a
14 contract for consulting advice and services to the
15 Department of Public Works for the Marketing of
16 Recyclable Materials in the Township of Nutley on
17 June 4th, 2020, by Resolution 118-20;

18 Whereas, such services have exceeded the
19 original contract in the amount of \$950,000 and whereas
20 -- \$950, excuse me.

21 And a change order has been authorized for an
22 increase in the contract amount.

23 Change Order Number 1: Wayne DeFeo provided
24 additional consulting service to review specifications
25 related to the Marketing of Recyclable Materials to the

1 Township of Nutley in the amount of \$950.

2 Whereas, funds are available from Account
3 Number 0-01-424-205, and have been certified by the
4 Chief Financial Officer, said certification being
5 attached to this resolution.

6 Now therefore be it resolved by the Board of
7 Commissioners of the Township of Nutley, County of
8 Essex, State of New Jersey, that Change Order Number 1
9 in the amount of \$950 be and is hereby approved. I
10 move the resolution.

11 COMMISSIONER PETRACCO: Second.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco.

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Mayor Tucci.

19 MAYOR TUCCI: Aye.

20 COMMISSIONER SCARPELLI: Be it resolved by
21 the Board of Commissioners of the Township of Nutley,
22 County of Essex, New Jersey, that in accordance with
23 the provisions of R.S. 40A:4-58, the following
24 transfers of appropriations in the 2020 budget be and
25 the same are hereby authorized and approved;

1 From Water Salary and Wage, \$100,000 to Water
2 Other Expenses, \$100,000. I move the resolution.

3 COMMISSIONER PETRACCO: Second.

4 THE CLERK: Commissioner Evans.

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli.

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci.

11 MAYOR TUCCI: Aye.

12 COMMISSIONER SCARPELLI: That's all I have,
13 Mayor.

14 MAYOR TUCCI: Thank you, Commissioner.

15 Be it resolved by the Board of Commissioners
16 of the Township of Nutley, County of Essex, New Jersey,
17 that in accordance with the provisions of R.S.

18 40A:4-58, the following transfer of appropriations of
19 the 2020 budget be, and same are hereby authorized;

20 From Health Insurance, \$60,000, to Parks,
21 other expenses; Shade Tree other expenses, and
22 Recreation, other expenses, in a like amount. I move
23 the resolution.

24 COMMISSIONER PETRACCO: Second.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci.

7 MAYOR TUCCI: Aye.

8 Be it resolved by the Board of Commissioners
9 of the Township of Nutley, County of Essex, State of
10 New Jersey, that MAuro Tucci and Kathy Rempusheski be
11 appointed as representatives of the Community
12 Development Block Grant Committee for the term January
13 1, 2021, through December 31st, 2021. I move the
14 resolution.

15 COMMISSIONER PETRACCO: Second.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Mayor Tucci.

23 MAYOR TUCCI: Aye.

24 Whereas, the Township of Nutley, pursuant to
25 N.J.S.A. 52:34-6.2c139 may, by a resolution and without

1 advertising for bid, purchase goods or services through
2 the use of a nationally recognized, accepted
3 cooperative purchasing program that has been developed
4 utilizing a competitive bidding process by another
5 contracting unit within the State of New Jersey, or
6 within any other state when available;

7 Whereas, the Board of Commissioners of the
8 Township of Nutley passed Resolution 295-19 on
9 November 18th, 2019, authorizing the Purchasing Agent
10 to purchase certain goods or services from an approved
11 U.S. Communities Government Purchasing Alliance
12 Vendors, pursuant to all the conditions of the
13 individual contracts for the year 2020, commencing
14 January 1, 2020, through December 31st, 2020; and

15 Whereas, the Municipal Clerk of the Township
16 of Nutley has advertised the township's notice of
17 intent to award a contract under a national cooperative
18 purchasing agreement in the November 19th, 2020 issue
19 of the Nutley Sun; and

20 Whereas, the Township of Nutley Department of
21 Parks and Public Property intends to purchase one
22 Caterpillar Model 930 Wheel Loader from Foley Cat, 855
23 Centennial Avenue, Piscataway, New Jersey; and

24 Whereas, the Department of Parks and Public
25 Property has reached -- researched front wheel loaders,

1 and has determined that the Caterpillar 90 -- Model 930
2 wheel loader, based on performance, cost savings, and
3 minimum of down time; and

4 Whereas, Foley Cat has provided a quote for
5 Caterpillar Model 930 Wheel Loader in the amount of
6 \$205,245; and

7 Whereas, funds are available in
8 Account 0-01-504-200 in the amount of \$205,245, and
9 have been certified by the Chief Financial Officer,
10 said certification being attached to this resolution.

11 Now therefore be it resolved that the Board
12 of Commissioners of the Township of Nutley in the
13 County of Essex, State of New Jersey, that the
14 Purchasing Agent be, and she is hereby authorized, to
15 purchase Caterpillar Model 930 Wheel Loader in the
16 amount of \$205,245 from Foley Cat, who is an approved
17 OMNIA Partners/U.S. Communities Government Purchasing
18 Alliance Cooperative Vendor. I move the resolution.

19 COMMISSIONER PETRACCO: Second.

20 THE CLERK: Commissioner Evans.

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco.

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Commissioner Scarpelli.

25 COMMISSIONER SCARPELLI: Aye.

1 THE CLERK: Mayor Tucci.

2 MAYOR TUCCI: Aye.

3 Whereas, sealed bids were received for
4 electrical services on November 24, 2020, in the
5 Township of Nutley; and

6 Whereas, TSUJ Corporation, P.O. Box 4621,
7 Wayne, New Jersey, was the low bidder at a rate per
8 hour for foremen of \$79; a journeyman's rate of \$75; an
9 apprentice rate of \$28. No add-on for materials, and
10 no minimum service charge;

11 Whereas, the contract was not to exceed
12 \$90,000 and funds are available from Account 1-01-508-
13 200, in the amount of \$40,000, and Capital Ordinance
14 3425A in the amount of \$50,000 for services, contingent
15 upon the adoption of the 2021 budget, with an option to
16 extend for one year, have been certified by the Chief
17 Financial Officer, said certification being attached to
18 this resolution.

19 Now therefore be it resolved by the Board of
20 Commissioners of the Township of Nutley, County of
21 Essex, State of New Jersey, that a contract for
22 electrical services be awarded to TSUJ Corporation,
23 P.O. Box 4621, Wayne, New Jersey. I move the
24 resolution.

25 COMMISSIONER PETRACCO: Second.

1 THE CLERK: Commissioner Evans.

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco.

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Commissioner Scarpelli.

6 COMMISSIONER SCARPELLI: Aye.

7 THE CLERK: Mayor Tucci.

8 MAYOR TUCCI: Aye.

9 Whereas, sealed bids were received for
10 recreation uniforms, equipment, and supplies on
11 November 24, 2020, in the Township of Nutley; and

12 Whereas, the Board of Commissioners of the
13 Township of Nutley in the County of Essex, State of New
14 Jersey, has determined that a contract for recreation
15 uniforms, equipment, and supplies, be awarded to Dot
16 Designing, LLC, 242 Possum Hollow Road, Monroe
17 Township, as per the attached sheet, not to exceed
18 \$21,000;

19 Whereas, funds are available from
20 Accounts T-24-909-901 through 915, and have been
21 certified by the Chief Financial Officer, said
22 certification being attached to this resolution.

23 Now therefore be it resolved that the Mayor
24 and the Township Clerk be and they are hereby
25 authorized to enter into and sign said contract for the

1 Township of Nutley in the County of Essex and the State
2 of New Jersey. I move the resolution.

3 COMMISSIONER PETRACCO: Second.

4 THE CLERK: Commissioner Evans.

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli.

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci.

11 MAYOR TUCCI: Aye.

12 Whereas, sealed bids were received for
13 recreation uniforms, equipment, and supplies on
14 November 24, 2020, in the Township of Nutley; and

15 Whereas, the Board of Commissioners of the
16 Township of Nutley in the County of Essex, State of New
17 Jersey, has determined that a contract for recreation
18 uniforms, equipment, and supplies, be awarded to BSN
19 Sports, P.O. Box 49, Jenkintown, PA, as per the
20 attached sheet, not to exceed \$27,800;

21 Whereas, funds are available from Accounts
22 T-24-900-901 through 915, and have been certified by
23 the Chief Financial Officer.

24 Now therefore be it resolved that the Mayor
25 and Township Clerk be, and they are hereby authorized

1 to enter into and sign said contract for the Township
2 of Nutley, County of Essex, State of New Jersey. I
3 move the resolution.

4 COMMISSIONER PETRACCO: Second.

5 THE CLERK: Commissioner Evans.

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco.

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Commissioner Scarpelli.

10 COMMISSIONER SCARPELLI: Aye.

11 THE CLERK: Mayor Tucci.

12 MAYOR TUCCI: Aye.

13 Whereas, a raffle application has been
14 received from the following organization; UNICO
15 National Nutley Chapter, License Number 29-20, for an
16 off-premise 50/50 cash raffle on Thursday, February 4,
17 2021;

18 Whereas, the application has been reviewed
19 and approved by the Municipal Clerk and the Police
20 Department.

21 Now therefore be it resolved by the Board of
22 Commissioners of the Township of Nutley, County of
23 Essex, State of New Jersey, that the aforementioned
24 license is approved and the Municipal Clerk is
25 authorized to issue said license. I move the

1 resolution.

2 COMMISSIONER PETRACCO: Second.

3 THE CLERK: Commissioner Evans.

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Scarpelli.

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Mayor Tucci.

10 MAYOR TUCCI: Aye.

11 Be it resolved by the Board of Commissioners
12 of the Township of Nutley, County of Essex, State of
13 New Jersey, that the Township of Nutley shall apply for
14 Community Development Block Grant Monies for the year
15 2021; and

16 Whereas, public hearings regarding the CDBG
17 program were held on November 23rd, 2020, and December
18 8th, 2020, at which time applications for grants were
19 accepted.

20 Now therefore be it resolved that the
21 Township of Nutley submits the following application
22 for funding for 2021;

23 King Street Reconstruction and Resurfacing
24 from the Belleville border to Union Avenue, in the
25 amount of \$204,795. I move the resolution.

1 COMMISSIONER PETRACCO: Second.

2 THE CLERK: Commissioner Evans.

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco.

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Aye.

8 THE CLERK: Mayor Tucci.

9 MAYOR TUCCI: Aye.

10 Resolution Number 321-20, I'm deferring this
11 evening, so I will move on to Resolution Number 322-20,
12 and I offer this resolution on behalf of the Board of
13 Commissioners.

14 This is a resolution authorizing the
15 appointment of DMR Architects, P.C., as consulting
16 professional planners for the Township of Nutley for a
17 redevelopment project within the township.

18 Whereas, there exists a need by the Board of
19 Commissioners of the Township of Nutley for specialized
20 professional planning and consulting services to be
21 rendered by a professional, relating to the
22 investigation and redevelopment of property identified
23 as noted in this resolution, also known as the
24 Ciccolini Property; and

25 Whereas, the aforementioned needs are for

1 certain specified professional services to be rendered
2 or performed by a person or persons authorized by law
3 to practice a recognized profession, which practice is
4 regulated by law within the meaning of N.J.S.A.

5 20A:11-1 as amended; and

6 Whereas, the performance of said professional
7 service requires knowledge of an advanced type in a
8 field of learning acquired by a prolonged formal course
9 of specialized training study, as distinguished from
10 general academic instruction or apprenticeship and
11 training;

12 Whereas, said professional services cannot
13 reasonably be described by written specifications; and

14 Whereas, funds are available for this purpose
15 in the amount of \$25,000, and a certificate of
16 availability has been or will be filed by the Chief
17 Financial Officer of the Township, with the Township
18 Clerk in accordance with Local Budget Law N.J.S.A.

19 40A:4-57; and

20 Whereas, the township has been provided with
21 the Business Entity Disclosure of campaign
22 contributions of the firm at least 10 days prior
23 hereto, as required by Public Law 2005, c 271; and

24 Whereas, DMR Architects of 777 Terrace
25 Avenue, Hasbrouck Heights, New Jersey, has completed

1 and submitted a Business Entity Disclosure
2 Certification, which certifies that the firm has not
3 made any reportable contributions to a political
4 candidate or candidate committee in the township in the
5 previous one year that would violate either N.J.S.A.
6 19:44A-20.5, or the township's Local Unit Pay to Play
7 Ordinance, adopted by referendum, or any and all
8 relevant Executive Orders of the New Jersey Election
9 Law Enforcement Commission disclosure requirements, and
10 that the appointment will bar the firm from making any
11 reportable contribution through the term of the
12 appointment;

13 Whereas the Board of Commissioners has
14 reviewed the qualifications of the firm, and has deemed
15 them appropriate and acceptable and consistent with the
16 professional planning services required by the Board of
17 Commissioners; and

18 Whereas, Local Public Contracts Law N.J.S.A.
19 40A:11-1 as amended requires that this resolution be
20 publicly advertised.

21 Now therefore be it resolved by the Board of
22 Commissioners of the Township of Nutley as follows:

23 1. The Board of Commissioners, in accordance
24 with Local Public Contract Law, hereby authorizes and
25 approves the appointment of DMR Architects, PC as the

1 Township Professional Planner and Consultant in
2 connection with such specialized professional planning
3 services required or desirable for the investigation
4 and redevelopment of the property identified in this
5 resolution.

6 2. On the official Tax Map of the Township
7 of Nutley known as the Ciccolini Redevelopment area in
8 an amount not to exceed \$25,000, pursuant to a non-fair
9 and open process in accordance with the provisions of
10 N.J.S.A. 19:44A-20.5. The Chief Financial Officer of
11 the Township has executed or will execute a
12 certification of funds for the appointment and that
13 sufficient funds are available for said appointment.

14 3. The Business Entity Disclosure
15 Certification, Business Entity Disclosure of Campaign
16 Contribution, and Determination of Value shall be
17 placed on file with this resolution.

18 4. A copy of the resolution or a summary
19 thereof shall be published within 10 days of its
20 adoption, or as otherwise required by law, and

21 5. The resolution shall take effect
22 immediately, but no sooner than as permitted by law. I
23 move the resolution.

24 COMMISSIONER PETRACCO: Second.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci.

7 MAYOR TUCCI: Aye. That concludes our formal
8 business this evening; we will now open the meeting to
9 the public.

10 THE CLERK: All persons addressing the Board
11 of Commissioners regarding community concerns should
12 approach -- should state their name and address for the
13 record. Unless further time is granted by the Board,
14 each person shall limit their address to five minutes.
15 All remarks of the Board and its individual members
16 must be addressed to the Mayor. The Mayor may defer
17 citizens' comments to the appropriate member of the
18 Board.

19 MR. MOORE: Rory Moore, 462 Chestnut Street.
20 Can you hear me?

21 MAYOR TUCCI: Yes, we can, Mr. Moore.

22 MR. MOORE: Okay. Mayor Tucci, I have a
23 question about the plan that you're speaking of, for
24 between Vreeland and High Street. I received an OPRA
25 response this week. Is there a plan in place right

1 now, or a preliminary plan, because you had Inglesino
2 as being in charge of the contract, it looks like.

3 MAYOR TUCCI: Sorry, I couldn't hear what you
4 were saying, Mr. Moore. Could you --

5 MR. MOORE: That's all right.

6 MAYOR TUCCI: -- please repeat that for me?

7 MR. MOORE: Is there a plan in place, or do
8 we have any kind of idea of what the redevelopment will
9 look like between Vreeland and High Street? I know
10 that's --

11 MAYOR TUCCI: No, Mr. Moore. We are in the
12 very early steps of the process, in declaring it in
13 need, an area in need of redevelopment, and
14 rehabilitation. At the appropriate time, we will go
15 out and solicit recommendation (audio interference) all
16 right, from people that do this type of work,
17 developers, redevelopers, which of course we will lend
18 guidance to as far as what our vision is, as a board,
19 all right, but we must also be cognizant of the fact
20 that there are market forces that come into play here,
21 and whatever we move forward with, we want to ensure to
22 the best of our ability that it's successful.

23 MR. MOORE: Is it -- is the public going to
24 have any portion to add comments to that before the
25 final solution?

1 MAYOR TUCCI: Yes, Mr. Moore. The public is
2 plugged into the process pretty much every step of the
3 way.

4 MR. MOORE: Okay, thank you.

5 MAYOR TUCCI: Thank you. Have a good
6 evening. Merry Christmas.

7 COMMISSIONER PETRACCO: Move to adjourn.

8 THE CLERK: There's no one else, Mayor.

9 MAYOR TUCCI: Before we move to adjourn, just
10 one more little piece of business. I'd like to thank
11 Belleville Mayor Michael Melham for holding up his end
12 of the Nutley/Belleville Mayor's Cup Football Game,
13 relative to the pizza bet that we made. He supplied
14 two pizzas for the Board of Commissioners, and we thank
15 you for that, and we look forward to next year's game.
16 Yes, Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Thank you, Mayor.
18 As we sit here, we are awaiting a snowstorm on
19 Wednesday night and into Thursday. Just asking
20 everybody to stay safe. Get the cars off the road when
21 they're snow covered, and please don't throw the snow
22 back into the street. It promises to be a significant
23 snowstorm, and hopefully, the weather forecasters are
24 wrong, but we will see what happens. But just
25 everybody stay safe, and stay off the street till

1 they're cleared. Thank you.

2 MAYOR TUCCI: Thank you, Commissioner.

3 Anyone else? I'll entertain that motion now,

4 Commissioner.

5 COMMISSIONER PETRACCO: And very

6 respectfully, I didn't mean to jump in, but

7 Commissioner Scarpelli was kicking me under my seat, so

8 I too, would just like to wish everybody a Merry

9 Christmas, Happy Holiday season, and to make a motion
10 to adjourn.

11 COMMISSIONER SCARPELLI: Second.

12 THE CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco.

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Mayor Tucci.

19 MAYOR TUCCI: Aye.

20 THE CLERK: And the time is 8:49.

21 MAYOR TUCCI: Thank you, everyone. Good
22 night.

23 (End of recording)

24 * * * * *

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

I, Alicia Jarrett, do hereby certify that the foregoing is a correct transcript from the electronic sound recording provided for transcription and prepared to the best of my professional skills and ability.

December 30, 2020

Alicia Jarrett

AAERT Cert. No. 428

Certified Court Transcriptionist

	\$500,000 (2) 32:13,14	accepting (1) 16:4	21:20,21;48:7	38:22;41:5,8,16;
\$	\$60,000 (1) 38:20	access (1) 2:21	adversely (1) 12:20	42:13,14;46:25;
\$10 (2) 33:1,5	\$65,000 (2) 22:4;23:9	accomplished (2) 8:13;10:4	advertised (3) 22:15;40:16;49:20	48:15;50:8
\$10,000 (2) 28:5;35:1	\$67,676.77 (1) 25:14	Account (1) 25:13	advertising (1) 40:1	amounts (2) 33:1,9
\$100 (1) 23:2	\$7,229.39 (1) 34:4	accordance (14) 19:19;22:18,22,23; 27:4;29:4;30:13;32:9; 34:18;37:22;38:17; 48:18;49:23;50:9	advice (2) 27:22;36:14	and/or (1) 12:21
\$100,000 (2) 38:1,2	\$75 (1) 42:8	account (8) 21:25;22:1;25:12, 15;28:6;37:2;41:8; 42:12	advise (1) 21:6	ANGELO (3) 1:17;28:2,23
\$1500 (2) 26:16;27:2	\$75,000 (1) 35:23	accountant (1) 24:10	Affairs (2) 5:10;9:9	announcement (1) 6:21
\$163,219.89 (1) 25:1	\$75,780.17 (1) 5:12	Accountants (3) 24:24;25:4,22	affecting (1) 12:20	announcements (3) 6:16;8:4;11:21
\$19,000 (2) 34:24;35:2	\$79 (1) 42:8	accounts (6) 24:11;31:9,10,16; 43:20;44:21	Afghanistan (1) 14:11	annual (1) 24:10
\$2,688,513.98 (1) 5:11	\$79,351.51 (1) 5:13	acquire (1) 24:9	aforementioned (2) 45:23;47:25	Anthony (2) 17:17;18:2
\$204,006.47 (1) 5:13	\$818.40 (2) 19:6,11	acquired (2) 21:21;48:8	again (1) 10:3	anticipated (3) 23:10;24:21;28:9
\$204,795 (1) 46:25	\$90,000 (1) 42:12	Act (4) 2:11;12:4;21:9,10	agenda (1) 6:5	appeals (1) 29:21
\$204.60 (1) 19:18	\$919,488.07 (1) 5:15	action (2) 27:7;33:3	Agent (2) 40:9;41:14	application (4) 16:5;45:13,18; 46:21
\$205,245 (3) 41:6,8,16	\$95,543.12 (1) 25:13	active (1) 10:9	aggregate (3) 22:4;23:9;24:19	applications (1) 46:18
\$21,000 (1) 43:18	\$950 (3) 36:20;37:1,9	activities (1) 17:2	agreement (3) 19:20;26:24;40:18	apply (1) 46:13
\$215 (1) 23:1	\$950,000 (1) 36:19	actually (2) 6:24;25:15	Alert (1) 17:19	appointed (2) 17:7;39:11
\$25,000 (2) 48:15;50:8	\$992,092.38 (1) 5:17	add (1) 52:24	alive (1) 7:20	appointment (6) 47:15;49:10,12,25; 50:12,13
\$25,885 (1) 20:19		additional (1) 36:24	Allegiance (2) 2:3,4	apprentice (1) 42:9
\$259,805.84 (1) 5:10	*	add-on (1) 42:9	Alliance (4) 19:15,17;40:11; 41:18	apprenticeship (2) 21:24;48:10
\$27,800 (1) 44:20	*** (2) 1:6,6	address (4) 6:8,10;51:12,14	allowing (1) 31:12	approach (1) 51:12
\$28 (1) 42:9	A	addressed (2) 6:12;51:16	allows (1) 32:25	appropriate (5) 6:13;24:16;49:15; 51:17;52:14
\$3,408.57 (1) 31:22	A9-41 (1) 17:1	addressing (2) 6:7;51:10	along (1) 13:14	appropriated (2) 19:11,20
\$30,000 (1) 24:20	ability (1) 52:22	adjourn (3) 53:7,9;54:10	ALPHONSE (1) 1:14	appropriation (1) 18:24
\$32,400 (2) 15:20,23	able (2) 2:18;11:19	Administration (1) 34:23	always (2) 9:10,11	Appropriations (5) 19:12;32:11;34:20; 37:24;38:18
\$32,994.71 (1) 5:16	above (4) 14:4;19:14;21:13; 25:23	administrative (1) 10:25	amended (4) 21:18;22:14;48:5; 49:19	approve (3) 18:17,23;19:5
\$35,000 (1) 35:1	absent (3) 2:23;3:8;4:7	adopted (3) 19:19;22:12;49:7	America (1) 13:14	approved (8) 32:12;34:21;37:9; 25:40;10;41:16; 45:19,24
\$4,343,323.16 (1) 5:17	academic (2) 21:23;48:10	adoption (7) 18:21;22:2;25:18; 28:8;30:3;42:15; 50:20	American (1) 14:10	approves (2) 22:19;49:25
\$40,000 (1) 42:13	accept (1) 15:18	advanced (3)	among (1) 14:5	Architects (3) 47:15;48:24;49:25
\$43,772.81 (1) 5:12	acceptable (1) 49:15		amount (27) 15:20;18:20,25; 19:18;20:19;25:13, 14,16;26:15;27:1; 28:5;31:21;33:1;34:4; 36:19,22;37:1,9;	area (2) 50:7;52:13
\$45,000 (1) 34:22	Acceptance (1) 35:16			Arlington (1) 24:25
\$45,609.60 (1) 5:15	accepted (2) 40:2;46:19			
\$50,000 (1) 42:14				

Assessment (1) 17:20 assist (1) 8:23 Associates (1) 36:12 Association (1) 11:6 attached (7) 30:14;37:5;41:10; 42:17;43:17,22;44:20 attest (1) 16:1 ATTORNEY (9) 1:17;15:20;16:11, 13,14;21:12;22:25; 27:21;29:20 audio (1) 52:15 audit (2) 24:11;27:1 August (1) 16:6 authorize (2) 25:20;33:2 authorized (20) 15:17;25;20:18; 21:15;23:14;26:24; 28:23;30:8;31:20; 32:12;34:21;35:24; 36:21;37:25;38:19; 41:14;43:25;44:25; 45:25;48:2 authorizes (3) 22:19;33:8;49:24 authorizing (2) 40:9;47:14 availability (1) 48:16 available (17) 18:20;19:7,14; 21:25;23:6;25:12; 26:16;28:6;30:1;37:2; 40:6;41:7;42:12; 43:19;44:21;48:14; 50:13 Avenue (5) 10:17;28:4;40:23; 46:24;48:25 awaiting (1) 53:18 Award (5) 11:7;16:1;22:19; 28:1;40:17 awarded (6) 27:3;35:22;36:13; 42:22;43:15;44:18 awardee (1) 11:6 Aye (129) 3:18,20,22,24;4:6,9, 11,13;5:21,23,25;6:2; 12:24;13:1,3,5;15:3,5,	7,9;16:18,20,22,24; 18:8,10,12,14;20:3,5, 7,9,22,24;21:1,3;24:1, 3,5,7;26:5,7,9,11; 27:12,14,16,18;29:9, 11,13,15;30:18,20,22, 24;31:25;32:2,4,6,17, 19,21,23;33:14,14,16, 18,20;34:9,11,13,15; 35:5,7,9,11;36:4,6,8, 10;37:13,15,17,19; 38:5,7,9,11;39:1,3,5, 7,17,19,21,23;41:21, 23,25;42:2;43:2,4,6,8; 44:5,7,9,11;45:6,8,10, 12;46:4,6,8,10;47:3,5, 7,9;51:1,3,5,7;54:13, 15,17,19 B back (2) 13:8;53:22 background (1) 11:2 backgrounds (1) 11:1 balances (4) 33:22,24;34:1,4 bar (1) 49:10 barely (1) 13:20 based (1) 41:2 beginning (2) 23:11;24:22 begins (1) 2:1 behalf (4) 17:3,9;23:16;47:12 Belleville (2) 46:24;53:11 benefits (1) 15:22 Berry (1) 17:20 best (1) 52:22 bet (1) 53:13 bid (1) 40:1 bidder (1) 42:7 bidding (3) 27:4;28:1;40:4 bids (4) 35:16;42:3;43:9; 44:12 big (2) 6:23;8:23 Bill (2)	5:9;7:25 Bills (5) 5:8,18;6:3;9:14,17 birthday (3) 13:22;14:17,24 blessings (1) 11:11 Block (3) 20:19;39:12;46:14 BOARD (52) 1:1,10;2:7,18;4:22; 6:7,10,11,14,16;8:22; 12:9,13;14:21;17:5; 19:1;20:15;21:5; 22:16;25:19;26:21; 28:20;30:5;31:18; 32:8;33:6;34:2,17; 35:20;37:6,21;38:15; 39:8;40:7;41:11; 42:19;43:12;44:15; 45:21;46:11;47:12, 18;49:13,16,21,23; 51:10,13,15,18;52:18; 53:14 body (2) 12:7;33:2 books (2) 24:11;33:22 border (1) 46:24 both (1) 10:6 Box (3) 42:6,23;44:19 brought (1) 13:16 BSN (1) 44:18 budget (15) 18:18,21;19:6,19; 22:2;23:7,25;18;28:9; 30:4;32:11;34:20; 37:24;38:19;42:15; 48:18 building (1) 10:18 business (13) 22:6;23:17,18;25:5, 24;28:12;29:24; 48:21;49:1;50:14,15; 51:8;53:10 C Cafone (1) 17:13 call (2) 10:14;14:20 called (1) 14:7 Campaign (3) 23:19;48:21;50:15 can (3)	8:19;51:20,21 cancel (1) 33:9 canceled (2) 34:1,5 cancellation (2) 32:25;33:4 candidate (6) 22:9;25:8;28:15,15; 49:4,4 Capital (2) 32:13;42:13 caption (1) 19:12 card (1) 7:22 Carella (1) 6:25 Carmichael (1) 18:4 cars (1) 53:20 cash (1) 45:16 Cassidy (1) 17:12 Cat (3) 40:22;41:4,16 Caterpillar (4) 40:22;41:1,5,15 CDBG (1) 46:16 Cedar (1) 10:19 celebrate (4) 11:12,13,15;13:22 celebrates (1) 14:23 Centennial (1) 40:23 Center (1) 17:22 Centre (1) 7:6 ceremony (1) 7:16 certain (4) 12:6;21:13;40:10; 48:1 certificate (1) 48:15 certification (13) 22:7;23:5,18;25:5, 25;28:13;37:4;41:10; 42:17;43:22;49:2; 50:12,15 Certifications (1) 29:25 certified (14) 16:8;19:23;24:18, 23;25:3,17,22;28:7; 30:2;37:3;41:9;42:16; 43:21;44:22	certifies (4) 22:7;25:6;28:13; 49:2 CHAMBERS (1) 1:3 change (4) 29:19;36:21,23; 37:8 changed (2) 2:16;14:12 Chapter (3) 2:11;12:4;45:15 charge (3) 31:3;42:10;52:2 charges (2) 31:13,21 Chestnut (1) 51:19 Chief (14) 15:24;16:11;23:4; 24:17;25:17;28:7; 30:2;37:4;41:9;42:16; 43:21;44:23;48:16; 50:10 children (1) 9:23 Christmas (8) 6:24;7:22;10:8,12; 11:13,13;53:6;54:9 church (1) 7:4 Ciccolini (2) 47:24;50:7 Cifelli (7) 28:2,3,11,23,24; 29:18,25 circumstances (2) 12:6,8 citizen (1) 14:9 citizens (1) 13:24 citizens' (2) 6:13;51:17 Civil (1) 14:13 clarification (1) 31:5 cleared (1) 54:1 clearly (1) 31:6 Clerk (161) 2:6,7;3:1,3,5,7,17, 19,21,23;4:5,8,10,12, 14,15,19,22,24;5:9, 20,22,24;6:1,3,6;12:3, 25;13:2,4,6;15:2,4,6, 8;16:1,9,17,19,21,23; 18:7,9,11,13;19:23; 20:2,4,6,8,21,23,25; 21:2;23:3,14,25;24:2, 4,6;26:4,6,8,10,23;
--	--	--	--	--

27:11,13,15,17;29:3, 8,10,12,14;30:12,17, 19,21,23;31:24;32:1, 3,5,16,18,20,22; 33:12,15,17,19;34:8, 10,12,14;35:4,6,8,10, 24;36:3,5,7,9;37:12, 14,16,18;38:4,6,8,10, 25;39:2,4,6,16,18,20, 22;40:15;41:20,22, 24;42:1;43:1,3,5,7,24; 44:4,6,8,10,25;45:5,7, 9,11,19,24;46:3,5,7,9; 47:2,4,6,8;48:18; 50:25;51:2,4,6,10; 53:8;54:12,14,16,18, 20	17,18,19,20,21,22,25; 18:6,7,8,9,10,11,12, 15;20:1,2,3,4,5,6,7,10, 12,13,14,20,21,22,23, 24,25;21:1,4;23:24, 25;24:1,2,3,4,5,8; 26:3,4,5,6,7,8,9,12; 27:10,11,12,13,14,15, 16,19;29:7,8,9,10,11, 12,13,16;30:16,17,18, 19,20,21,22,25;31:23, 24,25;32:1,2,3,4,7,15, 16,17,18,19,20,21,24; 33:11,12,12,14,15,16, 17,18,21;34:7,8,9,10, 11,12,13,16;35:3,4,5, 6,7,8,9,12,13,14,15; 36:2,3,4,5,6,7,8,11; 37:11,12,13,14,15,16, 17,20;38:3,4,5,6,7,8,9, 12,14,24,25;39:1,2,3, 4,5,15,16,17,18,19,20, 21;41:19,20,21,22,23, 24,25;42:25;43:1,2,3, 4,5,6;44:3,4,5,6,7,8,9; 45:4,5,6,7,8,9,10; 46:2,3,4,5,6,7,8;47:1, 2,3,4,5,6,7;50:24,25; 51:1,2,3,4,5;53:7,16, 17;54:2,4,5,7,11,12, 13,14,15,16,17	21:8;26:19 computer (1) 10:10 concerning (1) 29:21 concerns (2) 6:8;51:11 concludes (1) 51:7 conclusion (1) 11:10 conditions (2) 8:14;40:12 conduct (1) 24:10 confined (1) 10:9 conflict (1) 14:10 Congratulations (1) 11:5 connection (4) 16:2,3;27:23;50:2 consistent (1) 49:15 Construction (1) 35:2 Consultant (1) 50:1 Consultants (3) 24:24;25:4,22 consulting (4) 36:14,24;47:15,20 contingent (1) 42:14 continue (1) 15:10 continuing (1) 7:8 contract (36) 12:15;22:18,20,24; 23:6,7,15;24:14; 25:10,11,21;27:3; 28:1,17,19,23;29:2,4, 23;30:8,11,13;35:22, 25;36:14,19,22; 40:17;42:11,21; 43:14,25;44:17;45:1; 49:24;52:2 contracting (1) 40:5 Contracts (4) 22:13;27:5;40:13; 49:18 contractual (1) 12:21 contribution (2) 49:11;50:16 contributions (8) 22:9;23:19;25:7,11; 28:14,18;48:22;49:3 control (1) 17:2	cooperative (3) 40:3,17;41:18 coordinate (1) 17:2 Coordinator (13) 17:13,17,18,19,20, 22,23,24,25;18:1,2,3, 4 Coordinator/Emergency (1) 17:14 Coordinator/Evacuation (1) 17:16 Coordinator/Fire (1) 17:13 copy (6) 16:8;19:23;23:21; 29:1;30:10;50:18 Corporation (2) 42:6,22 correspondence (1) 4:16 cost (2) 15:23;41:2 Council (1) 17:1 Council/Environmental (1) 17:9 Council/Local (1) 17:8 counsel (4) 21:6;22:23,25; 29:20 County (27) 10:15;12:10;14:22; 15:15;17:3,6;18:18; 19:3;20:16;28:21; 30:6;32:9;33:7;34:18; 35:21;37:7,22;38:16; 39:9;41:13;42:20; 43:13;44:1,16;45:2, 22;46:12 course (4) 7:1;21:22;48:8; 52:17 covered (2) 31:14;53:21 Covid (2) 5:16;10:16 Covid-19 (1) 2:15 credit (1) 8:19 credits (2) 32:25;33:4 crew (1) 8:22 critical (1) 14:2 Cup (1) 53:12 customers (1) 31:10	D Damage (1) 17:20 Daniel (1) 18:3 DATE (2) 1:8;13:21 Dave (1) 17:20 David (1) 17:14 day (4) 7:2,6;14:11,14 days (3) 23:23;48:22;50:19 Debris (1) 18:2 debt (1) 26:18 December (15) 1:8;2:8;4:2;5:10, 14:8;6:13;21:17;10; 23:11;24:22;28:10; 29:23;39:13;40:14; 46:17 declaring (1) 52:12 decorations (1) 8:21 deemed (2) 33:9;49:14 defense (2) 13:25;14:2 DeFeo (3) 36:11,12,23 defer (2) 6:13;51:16 deferring (1) 47:10 delinquencies (1) 33:5 delinquent (3) 31:9,15;33:1 deliver (1) 23:15 DeMaio (1) 18:1 department (16) 7:10;8:18;9:1,2,3,5, 7;15:19;16:12,14; 17:16;27:23;36:15; 40:20,24;45:20 deposit (1) 33:22 Deputy (3) 17:13,14,16 described (2) 16:5;48:13 designated (1) 2:20 Designing (1)

43:16 desirable (1) 50:3 desires (1) 12:11 Determination (2) 25:25;50:16 determined (7) 18:21;21:11;24:18; 33:25;41:1;43:14; 44:17 developed (1) 40:3 developers (1) 52:17 Development (2) 39:12;46:14 dial-in (1) 2:21 difficult (1) 11:16 directed (3) 21:11;23:14;26:24 Director (4) 18:16;23;19:3,24 disaster (1) 17:2 disclosed (1) 12:18 disclosure (13) 12:19;22:7;23:18, 19:25;5,25;28:13; 29:24;48:21;49:1,9; 50:14,15 disclosures (1) 26:19 discuss (1) 12:15 discussions (1) 12:18 disqualifying (3) 22:8;25:7;28:14 distinguished (2) 21:23;48:9 Division (2) 18:16;19:4 DMR (3) 47:15;48:24;49:25 documents (1) 16:2 Don (1) 17:15 done (3) 7:17;8:18,20 Dot (1) 43:15 down (1) 41:3 DPW (1) 9:4 drawn (1) 8:11 drill (1)	13:19 DRIVE (1) 1:2 drive-by (1) 7:18 driving (1) 9:24 during (5) 2:19;7:1,9;31:7,13 duties (1) 10:25 duty (2) 10:9,11 E ear (2) 9:25,25 early (2) 20:11;52:12 Eastern (1) 13:14 echo (1) 7:15 Education (1) 8:22 effect (1) 50:21 efficiency (1) 14:1 effort (2) 2:14;9:21 either (2) 11:1;49:5 Election (1) 49:8 Elections (1) 34:22 electric (1) 31:2 electrical (2) 42:4,22 Eleni (1) 4:17 else (2) 53:8;54:3 Emergency (7) 17:1,8,8,12,22,23; 31:7 Emil (1) 17:22 end (2) 53:11;54:23 Enforcement (4) 5:3;17:24;27:23; 49:9 Enforcement/Assessment (1) 17:21 England (1) 13:17 English (1) 13:13 enjoy (1)	11:15 enough (1) 8:19 ensure (1) 52:21 enter (6) 25:21;28:23;30:8; 35:25;43:25;45:1 entertain (4) 3:14;6:5;11:24; 54:3 entity (11) 22:6;23:17,18;25:5, 25:28;12;29:24; 48:21;49:1;50:14,15 equal (1) 18:24 equipment (4) 43:10,15;44:13,18 Esquire (1) 28:2 Essex (26) 10:19;12:10;14:23; 15:15;17:3,7;19:2; 20:16;28:22;30:7; 32:9;33:8;34:18; 35:22;37:8,22;38:16; 39:9;41:13;42:21; 43:13;44:1,16;45:2, 23;46:12 EVANS (92) 1:13;2:24,25;3:13, 15,17,18;4:5,6,17;5:1, 2,18,20,21;6:18;7:14, 15;9:13,16,19;12:23, 24;15:2,3;16:17,18; 18:7,8;20:2,3,13,14, 21,22;23:25;24:1,8; 26:4,5,12;27:11,12, 19;29:8,9,16;30:17, 18,25;31:24,25;32:7, 16,17,24;33:12,13,14, 21;34:8,9,16;35:4,5, 12;36:3,4;37:12,13; 38:4,5,25;39:1,16,17; 41:20,21;43:1,2;44:4, 5;45:5,6;46:3,4;47:2, 3;50:25;51:1;54:12, 13 even (2) 7:5;9:25 evening (9) 3:9;5:1;8:3,4;11:5, 22;47:11;51:8;53:6 events (1) 10:6 everybody (3) 53:20,25;54:8 Everyone (10) 2:2;8:24;10:4,8; 11:11,17,18,20;13:9; 54:21 everyone's (1)	10:5 exactly (1) 10:10 exceed (10) 22:4;23:9;24:20; 27:2;28:5;35:23; 42:11;43:17;44:20; 50:8 exceeded (1) 36:18 except (3) 3:7;4:6,13 exceptions (1) 12:22 exclusion (1) 12:5 excuse (2) 17:16;36:20 excused (3) 2:23;3:8;4:7 execute (4) 15:25;23:15;26:24; 50:11 executed (2) 23:5;50:11 executive (10) 3:25;10:15;11:24; 12:12,15;31:1,6,11, 14;49:8 exists (4) 12:8;21:4;33:21; 47:18 Expenses (4) 38:2,21,21,22 extend (1) 42:16 F faces (1) 8:12 fact (1) 52:19 far (1) 52:18 February (1) 45:16 fee (3) 24:25;26:16;31:3 feel (1) 7:9 fellow (1) 11:19 Fells (1) 10:19 Ferraro (1) 17:20 festive (1) 11:14 few (1) 8:3 field (2) 21:21;48:8	file (5) 23:20;26:1;29:3; 30:12;50:17 filed (2) 29:25;48:16 final (1) 52:25 Finance (3) 5:11;7:24;9:11 Financial (17) 16:12;23:4;24:11, 17:25;17:26;15,25; 27:1;28:7;30:3;37:4; 41:9;42:17;43:21; 44:23;48:17;50:10 find (1) 15:11 fine (1) 9:17 Fire (2) 9:1,2 firm (10) 22:20;28:2,24; 29:18;30:1,9;48:22; 49:2,10,14 first (7) 6:22;7:23;9:6; 10:20,21;13:19;14:12 fiscal (1) 24:13 five (2) 24:13;51:14 FLOOR (1) 1:3 Foley (3) 40:22;41:4,16 folks (3) 8:17;10:21;11:1 following (10) 16:10;17:7;31:16; 32:10;34:4,19;37:23; 38:18;45:14;46:21 follows (2) 15:16;49:22 Football (1) 53:12 forces (1) 52:20 forecasters (1) 53:23 foremen (1) 42:8 form (2) 29:5;30:14 formal (3) 21:22;48:8;51:7 formed (1) 17:2 former (1) 10:17 forward (3) 19:23;52:21;53:15 fought (1)
---	---	---	---	--

14:10 Frank (2) 18:1;30:8 fringe (1) 13:14 front (2) 8:10;40:25 Fund (2) 32:14;33:23 funding (1) 46:22 funds (16) 16:5;21:25;23:5,6; 25:12;26:16;28:6; 30:1;37:2;41:7;42:12; 43:19;44:21;48:14; 50:12,13 further (20) 2:14,17;6:9;12:17; 19:10,13,16,22;23:4; 8,10,13,17,21;25:24; 29:1;30:10;31:11; 33:3;51:13	7:7 grand (1) 5:17 grant (11) 15:18,21;16:2,3,4; 19:8,15,17,19;39:12; 46:14 granted (2) 6:9;51:13 grants (1) 46:18 Grass (1) 35:17 great (3) 7:3,11,17 green (1) 13:19 grounds (1) 8:22 Group (3) 26:15,25;32:13 Grove (1) 10:19 grumpier (1) 9:25 Guard (4) 14:8,16,19,24 Guard's (3) 13:18,22;14:17 guidance (2) 9:4;52:18 guy (1) 6:23	Heights (1) 48:25 held (1) 46:17 help (6) 9:8,11;10:5,5,24; 11:3 helping (1) 9:3 Herald (1) 2:13 hereby (22) 19:3,11,20;20:17; 22:18;23:14;26:23; 28:22;30:8;31:20; 32:12;33:8;34:5,21; 35:24;37:9,25;38:19; 41:14;43:24;44:25; 49:24 hereto (1) 48:23 High (2) 51:24;52:9 Hoboken (1) 26:15 holding (1) 53:11 holiday (2) 6:22;54:9 Holidays (3) 10:8,12;11:20 Hollow (1) 43:16 Hollywood (1) 17:14 home (1) 14:20 homes (1) 10:22 hopefully (1) 53:23 horse (1) 8:11 hour (1) 42:8 hourly (2) 23:1,2 humor (1) 8:3	33:25 include (1) 35:17 included (1) 19:18 including (1) 21:7 inclusive (1) 24:12 increase (1) 36:22 increased (1) 14:1 independent (1) 26:18 indiscernible (1) 7:10 individual (3) 6:11;40:13;51:15 Information/Communications (1) 17:15 Inglesino (3) 22:5,20;52:1 insertion (3) 18:17,24;19:5 institution (1) 13:16 instruction (2) 21:23;48:10 Insurance (2) 32:13;38:20 intends (1) 40:21 intent (1) 40:17 interest (2) 31:8,16 interference (1) 52:15 interior (1) 13:15 into (16) 5:1;12:14;13:10,15, 24;14:1;25:21;28:23; 30:8;35:25;43:25; 45:1;52:20;53:2,19, 22 introduced (1) 11:23 investigation (2) 47:22;50:3 involving (1) 21:9 Iraq (1) 14:11 issue (2) 40:18;45:25 issued (2) 31:1,6 issues (2) 2:13;21:8 item (5) 18:18,19,24;19:5,7	items (1) 6:5 J Jacoby (1) 18:3 January (7) 17:10;23:11;24:22; 28:9;29:23;39:12; 40:14 Jason (2) 8:8;17:19 Jenkintown (1) 44:19 JERSEY (38) 1:4;12:11;14:23; 15:15,18;16:13;17:4, 7;19:3;20:17;24:25; 28:4,22;29:4;30:7,14; 32:9;33:8;35:22; 36:13;37:8,22;38:16; 39:10;40:5,23;41:13; 42:7,21,23;43:14; 44:2,17;45:2,23; 46:13;48:25;49:8 job (2) 8:9,18 Joe (1) 9:7 JOSEPH (1) 1:12 journeyman's (1) 42:8 July (1) 16:6 jump (1) 54:6 June (1) 36:17 Junior (1) 15:25 K Katherine (1) 18:3 Kathy (1) 39:10 keep (1) 7:19 Kelly (4) 2:23;3:8;9:9;10:13 Kelly's (2) 10:7;13:11 KENNEDY (1) 1:2 kicking (1) 54:7 kind (1) 52:8 King (2) 7:22;46:23
G				
Gagliardo (1) 18:2 Game (2) 53:12,15 gas (1) 31:2 gave (1) 9:4 General (7) 15:20;16:13,14; 19:12;21:10,23;48:10 GENITEMPO (5) 1:17;28:3,11,25; 29:18 Genitempo's (1) 30:1 Ghiblan (1) 11:6 giving (1) 8:23 goes (1) 31:11 good (5) 7:9;8:1,2;53:5; 54:21 goods (2) 40:1,10 governing (1) 33:2 Government (5) 18:17;19:4,24; 40:11;41:17 Governor (1) 31:1 Governor's (1) 10:15 grabbed (1)	H Hanukkah (1) 11:13 happened (1) 11:7 happens (1) 53:24 happiness (1) 11:11 happy (7) 7:7;10:8,12;11:13, 14,20;54:9 Hasbrouck (1) 48:25 hate (1) 6:25 Hazardous (1) 17:17 Health (3) 17:25;31:7;38:20 hear (2) 51:20;52:3 hearing (1) 11:23 hearings (1) 46:16 heart (1) 8:25	I idea (2) 8:1;52:8 identified (2) 47:22;50:4 immediately (1) 50:22 imposed (1) 31:3 Improvement (1) 32:14 inactive (1)		

Kirk (2) 8:8;17:19 K-Mart (1) 10:17 knowledge (2) 21:20;48:7 known (2) 47:23;50:7 kudos (2) 7:10;8:19 Kwanzaa (1) 11:14	listed (2) 31:17;34:5 listen (1) 2:18 lit (1) 7:2 little (2) 10:1;53:10 LLC (2) 22:21;43:16 LLP (3) 24:23;25:3,21 Loader (4) 40:22;41:2,5,15 loaders (1) 40:25 Local (11) 18:17;19:4,24; 22:12,13,18;27:5; 48:18;49:6,18,24 look (3) 26:18;52:9;53:15 looking (1) 10:25 looks (4) 7:1,3,11;52:2 lose (1) 6:25 lot (5) 7:4,11,11;15:12; 20:19 low (1) 42:7 Luzzi (1) 17:25	17:17;36:16,25; 42:9 matter (1) 11:12 matters (4) 12:21,22;21:7,10 MAURO (4) 1:11;15:24;16:11; 39:10 may (9) 6:12;12:18,19; 18:17,23;21:11;33:2; 39:25;51:16 Maybe (1) 20:11 MAYOR (130) 1:11;2:2,5,7;3:5,6, 7,10,14,23,24;4:12, 13,14,15,19,21,23,25; 5:4,7,9;6:1,2,3,4,6,12, 12,15,18,19;7:10,13; 8:2,9:14,17,20;13:4,5, 8;15:8,9,24;16:11,23, 24;18:13,14;20:8,9, 11,12,14;21:2,3; 23:13;24:6,7;25:21; 26:10,11,23;27:17,18; 28:22;29:14,15;30:7, 23,24;32:5,6,22,23; 33:19,20;34:14,15; 35:10,11,12,13,15,24; 36:9,10;37:18,19; 38:10,11,13,14;39:6, 7,22,23;42:1,2;43:7,8, 23;44:10,11,24;45:11, 12;46:9,10;47:8,9; 51:6,7,16,16,21,22; 52:3,6,11;53:1,5,8,9, 11,17;54:2,18,19,21 mayor's (2) 9:6;53:12 McEnergy (1) 11:5 mean (1) 54:6 meaning (2) 21:17;48:4 meant (1) 13:23 medical (3) 11:1,2;17:23 Meeting (10) 2:8,11,12,15,19,20; 9:23;12:4,5;51:8 meetings (2) 2:17;21:10 Melham (1) 53:11 Melillo (1) 17:22 member (3) 6:13;17:21;51:17 members (2)	6:12;51:15 men (1) 8:17 mentioned (1) 8:5 Merry (5) 10:8,12;11:13;53:6; 54:8 met (1) 13:19 Michael (2) 17:25;53:11 middle (1) 8:10 military (6) 10:9,11;13:23,24; 14:5,5 militia (3) 13:16;14:1,7 mind (1) 6:25 minimum (2) 41:3;42:10 minutes (6) 3:11,11,25;4:14; 6:11;51:14 mission (2) 8:13;10:3 Model (4) 40:22;41:1,5,15 Monday (1) 8:5 Monies (1) 46:14 Monroe (1) 43:16 Montclair (1) 10:20 month (2) 5:3,8 months (3) 13:20;23:11;24:13 MOORE (11) 51:19,19,21,22; 52:4,5,7,11,23;53:1,4 more (1) 53:10 morning (1) 10:14 motion (4) 3:14;11:24;54:3,9 Mount (1) 24:25 Move (30) 3:13,15;4:3;5:18; 12:1,14;13:10;14:25; 16:15;18:4;19:24; 20:19;23:23;31:22; 36:1;37:10;38:2,22; 39:13;41:18;42:23; 44:2;45:3,25;46:25; 47:11;50:23;52:21; 53:7,9	moved (8) 26:2;27:9;29:6; 30:15;32:14;33:10; 34:6;35:2 much (5) 3:10;6:16;9:18; 14:11;53:2 Mudhole (1) 8:20 Municipal (13) 19:15,16,17;23:7; 24:10;27:21;28:8; 29:20,21;34:22; 40:15;45:19,24 municipality (1) 18:19 Murphy (1) 31:1 must (3) 6:12;51:16;52:19 muster (1) 14:12
L				N
Land (2) 27:21,24 late (2) 31:4,8 Law (25) 2:11;12:4;15:19; 16:14;17:24;18:20; 21:16,17;22:13,18; 23:3,22;27:21;28:24; 29:4;30:13;48:2,4,18, 23;49:9,18,24;50:20, 22 Laws (1) 27:6 Leaf (1) 35:17 learning (2) 21:21;48:8 least (1) 48:22 Ledger (1) 2:14 legal (9) 12:21;21:6,10; 22:23,25;23:1;27:8, 22;29:21 lend (1) 52:17 less (2) 33:1,5 Library (2) 24:12;25:15 License (3) 45:15,24,25 lienholders (1) 31:13 lift (1) 8:13 lighting (3) 6:22;7:16;8:6 limit (2) 6:10;51:14 limited (1) 21:8 link (1) 2:21 list (1) 5:9	Madam (2) 2:6;4:15 magic (1) 11:11 magnificent (1) 7:3 major (1) 14:10 making (3) 25:10;28:18;49:10 Management (5) 17:1,8,12;18:1,2 Map (1) 50:6 market (1) 52:20 Marketing (2) 36:15,25 Massachusetts (1) 13:20 Match-Fringe (1) 15:22 matching (1) 19:17 Materials (4)			name (4) 6:8;23:16;26:14; 51:12 nation (2) 14:9,19 National (10) 13:18,22;14:7,16, 17,19,24;19:7;40:17; 45:15 nationally (1) 40:2 naturally (1) 9:23 nearly (1) 14:9 necessary (1) 33:10 need (11) 8:16,22;10:24; 11:23;21:5;24:9; 27:20;29:19;47:18; 52:13,13 needs (2) 21:13;47:25 negotiations (1) 12:16 NEW (38) 1:4;12:11;14:23; 15:15,18;16:12;17:4, 7;19:3;20:17;24:25; 28:4,22;29:4;30:7,14; 32:9;33:8;35:22; 36:13;37:8,22;38:16; 39:10;40:5,23;41:13; 42:7,21,23;43:13; 44:2,16;45:2,23; 46:13;48:25;49:8 Newark (1)

10:20	26:15,25	49:8	Paul (1)	47:1,4,5;50:24;51:2,
News (1)	O	ordinance (4)	17:13	3;53:7;54:5,14,15
2:13		22:12;26:12;42:13;	Pause (1)	ph (1)
newspaper (1)	occasion (2)	49:7	13:7	11:6
27:8		ordinances (2)	pay (2)	phenomenal (3)
next (5)	11:14;14:16	11:22;34:23	31:13;49:6	8:11,21,24
10:16;26:12,13;	October (3)	organization (1)	payment (1)	picture (1)
29:16;53:15	4:1,13;30:25	45:14	31:9	7:25
night (3)	off (5)	organized (2)	payments (2)	pictured (1)
20:11;53:19;54:22	6:24;7:25;11:25;	13:21,24	31:4,15	14:4
Nisivoccia (3)	53:20,25	Organizing (1)	Payroll (5)	piece (1)
24:23;25:3,21	offer (1)	13:25	5:14,15,15,16,16	53:10
NJSA (15)	47:12	original (1)	Pay-To-Play (1)	Piro (5)
16:25;18:15;21:18;	office (7)	36:19	22:12	28:3,11,24;29:18,
22:11,14,23;24:15;	9:7;10:15;15:19;	otherwise (3)	PC (2)	25
27:5,25;39:25;48:4,	16:9,13,13;34:25	31:4,8;50:20	47:15;49:25	Piscataway (1)
18;49:5,18;50:10	Officer (13)	out (6)	penalties (1)	40:23
none (1)	16:12;23:5;24:17;	7:21;8:7;9:3;11:3,	31:7	pitches (1)
6:18	25:17;28:8;30:3;37:4;	4:52:15	pending (1)	11:18
non-fair (3)	41:9;42:17;43:21;	outstanding (1)	12:20	pitching (1)
22:21;24:14;50:8	44:23;48:17;50:10	8:9	people (8)	9:10
North (1)	official (1)	overpayment (1)	7:5,9,12;9:8;10:1,	pizza (1)
13:13	50:6	20:18	23,24;52:16	53:13
noted (1)	off-premise (1)	Overtime (2)	peoples' (2)	pizzas (1)
47:23	45:16	5:15,16	8:12,13	53:14
Notice (7)	old (1)	own (2)	per (3)	place (2)
2:5,12,17;27:7;	13:21	13:25;15:10	42:7;43:17;44:19	51:25;52:7
29:3;30:13;40:16	older (1)	P	performance (3)	placed (5)
November (15)	10:1		21:19;41:2;48:6	23:19;26:1;29:2;
2:12;3:12;4:1,1,7;	oldest (4)	PA (1)	performed (3)	30:11;50:17
5:3,8;31:5;35:18;	13:18;14:3,4,5	44:19	21:15;23:2;48:2	plan (4)
40:9,18;42:4;43:11;	OMNIA (1)	paid (2)	period (2)	51:23,25;52:1,7
44:14;46:17	41:17	9:19;23:1	16:6;31:13	Planner (1)
Number (8)	once (1)	pandemic (1)	permits (2)	50:1
8:17;15:21;36:23;	27:7	2:15	12:5;27:25	planners (1)
37:3,8;45:15;47:10,	ONE (17)	paralegal (1)	permitted (1)	47:16
11	1:2;6:14,15;7:23;	23:3	50:22	Planning (4)
numbers (1)	8:17;14:3;19:23;	Paris (4)	person (4)	17:8;47:20;49:16;
2:21	22:10;24:19,21;25:9;	28:3,24;29:18;30:1	6:10;21:15;48:2;	50:2
nursing (2)	28:16;40:21;42:16;	Parks (6)	51:14	Play (2)
10:22;11:1	49:5;53:8,10	5:12;8:17;9:5;	personnel (1)	49:6;52:20
NUTLEY (77)	only (2)	38:20;40:21,24	12:21	please (5)
1:1,4;2:13;6:23;	6:5;11:8	part (1)	persons (5)	2:2,6;5:8;52:6;
7:20;9:20;10:20;11:8,	Open (9)	33:4	6:6;21:15,15;48:2;	53:21
17,17;12:10,14,20;	2:10;3:11;12:3;	participate (1)	51:10	Pledge (2)
14:15,20,22;15:14,17;	21:9,9;22:21;24:14;	2:19	PETRACCO (106)	2:3,4
16:4;17:3,6,10;19:2;	50:9;51:8	participating (1)	1:14;3:1,2,19,20;	plugged (1)
20:16;21:6;22:10,17;	opened (1)	10:18	4:4,8,9;5:4,5,19,22,	53:2
24:9,12;25:9,20;	35:18	Partners/US (1)	23:6;19,20;12:1,25;	PO (3)
26:22;27:8,20;28:4,	operations (2)	41:17	13:1,10,12;15:4,5,11;	42:6,23;44:19
16,21;29:6;30:6,12,	14:11;17:22	party (2)	16:19,20,25;18:9,10,	Police (3)
15:31;19;32:8;33:7;	opinion (1)	26:18;31:12	15:20;4,5,10,20,23,	9:2;16:12;45:19
34:3,17;35:21;36:1,	12:7	passage (1)	24:21;4:23;24:24,2,3;	policies (1)
16;37:1,7,21;38:16;	OPRA (2)	23:23	26:3,6,7;27:10,13,14;	27:24
39:9,24;40:8,16,19,	21:9;51:24	Passaic (1)	29:7,10,11;30:16,19,	Policy (1)
20;41:12;42:5,20;	option (1)	28:4	20;31:23;32:1,2,15,	27:22
43:11,13;44:1,14,16;	42:15	passed (1)	18,19;33:11,15,16;	political (6)
45:2,15,22;46:12,13,	Orange (2)	40:8	34:7,10,11;35:3,6,7;	22:9;25:7,8;28:15,
21;47:16,19;49:22;	10:17,19	past (2)	36:2,5,6;37:11,14,15;	15:49:3
50:7	Order (7)	8:9;11:7	38:3,6,7,24;39:2,3,15,	portion (2)
Nutley/Belleville (1)	31:1,6,11,14;36:21,	patience (1)	18,19;41:19,22,23;	2:20;52:24
53:12	23;37:8	13:9	42:25;43:3,4;44:3,6,	Possum (1)
NW (2)	Orders (1)		7;45:4,7,8;46:2,5,6;	43:16

practice (4) 21:16;17;48:3,3 preliminary (1) 52:1 Present (4) 1:16;3:7;14:11,14 Prestige (1) 11:7 pretty (1) 53:2 prevent (1) 2:14 previous (5) 22:10;25:9;28:16; 29:17;49:5 primarily (1) 31:10 printed (1) 27:7 prior (1) 48:22 Priority (1) 19:7 probably (1) 7:25 procedural (1) 21:8 procedures (1) 27:24 proceed (1) 12:11 process (6) 22:22;33:3;40:4; 50:9;52:12;53:2 proclamations (1) 4:25 profession (2) 21:16;48:3 professional (18) 21:14,19;22:19,24; 23:15;26:25;27:4; 28:25;30:9;47:16,20, 21:48;1,6,12;49:16; 50:1,2 Program (6) 15:21;19:8,15,17; 40:3;46:17 prohibit (2) 25:10;28:17 project (2) 15:22;47:17 prolonged (2) 21:22;48:8 promises (1) 53:22 Property (9) 5:13;20:18;32:25; 33:4;40:21,25;47:22, 24;50:4 proposal (1) 28:5 Prospect (1) 10:17	Protection (1) 17:18 proud (2) 11:19;14:15 proudly (1) 14:25 proved (1) 14:2 provide (4) 22:25;25:22;27:22; 29:21 provided (7) 2:22;12:22;16:9; 24:19;36:23;41:4; 48:20 provides (1) 18:16 providing (1) 25:1 provisions (8) 19:8;22:22;24:15; 32:10;34:18;37:23; 38:17;50:9 PUBLIC (50) 1:6;2:8,11,11,15,18, 20;5:5,10,11,12,12; 6:5;9:1,9;12:4,4,5,7, 18;15:19;16:14; 17:15,25,25;21:9,10; 22:13,18;24:12,23; 25:3,22;27:5;28:1; 29:4;30:13;31:2,2,7; 36:15;40:21,24; 46:16;48:23;49:18, 24;51:9;52:23;53:1 publicly (2) 22:15;49:20 published (5) 2:12;23:22;29:5; 30:15;50:19 Pugliesi (1) 17:23 purchase (4) 40:1,10,21;41:15 purchasing (6) 40:3,9,11,18;41:14, 17 purpose (4) 16:5;19:21;22:1; 48:14 Pursuant (9) 2:10;19:8;22:3,21; 23:8;24:14;39:24; 40:12;50:8 pushed (1) 13:15 putting (1) 9:2	quite (1) 4:21 quote (1) 41:4 R Radiological (1) 17:18 raffle (2) 45:13,16 rate (5) 23:1,2;42:7,8,9 reached (1) 40:25 read (2) 13:11;26:19 really (8) 6:20;7:3,11,16,20, 21;8:24;9:5 reasonably (1) 48:13 received (6) 35:18;42:3;43:9; 44:12;45:14;51:24 recognized (3) 21:16;40:2;48:3 recognizes (2) 14:19,23 recommendation (1) 52:15 Reconstruction (1) 46:23 record (3) 6:9;13:8;51:13 Recording (2) 2:1;54:23 Records (1) 21:9 Recreation (5) 38:22;43:10,14; 44:13,17 Recyclable (2) 36:16,25 Recycling (1) 35:17 redevelopers (1) 52:17 redevelopment (6) 47:17,22;50:4,7; 52:8,13 referendum (2) 22:12;49:7 refund (2) 20:18;31:20 regarding (3) 6:7;46:16;51:11 regiment (1) 13:19 regiments (1) 14:1 registered (1) 24:10	Regular (1) 5:14 regulated (2) 21:17;48:4 rehabilitation (1) 52:14 related (1) 36:25 relating (1) 47:21 relative (2) 10:15;53:13 relevant (1) 49:8 remainder (1) 2:16 remarks (2) 6:11;51:15 remembers (1) 14:18 Rempusheski (1) 39:10 rendered (4) 21:14;22:3;47:21; 48:1 repeat (1) 52:6 report (3) 5:3,6,7 reportable (7) 22:8;25:7,10;28:14, 18;49:3,11 reports (1) 5:1 represent (1) 21:6 representatives (1) 39:11 request (1) 19:3 required (6) 23:22;26:13;48:23; 49:16;50:3,20 requirement (2) 2:10;26:14 requirements (1) 49:9 requires (5) 17:1;21:20;22:14; 48:7;49:19 Rescue (1) 17:14 researched (1) 40:25 reserve (2) 33:24;34:4 reserves (1) 33:22 resident (1) 7:22 residential (2) 31:9,10 resolution (48)	13:11;14:25;16:8, 15:18;5:19;23,25; 22:4,15;23:20,22; 26:1,13;29:2,16,17; 30:11;31:17;34:5; 36:1,17;37:5,10;38:2, 23;39:14,25;40:8; 41:10,18;42:18,24; 43:22;44:2;45:3;46:1, 25;47:10,11,12,14,23; 49:19;50:5,17,18,21, 23 resolutions (2) 13:10;15:10 resolve (2) 23:4,8 resolved (41) 12:13,17;14:21; 15:14;17:5;19:1,10, 13,16,22;20:15; 22:16;23:10,13,17,21; 25:19,24;26:21; 28:20;29:1;30:5,10; 31:18;32:7;33:6;34:2, 16;35:20;37:6,20; 38:15;39:8;41:11; 42:19;43:23;44:24; 45:21;46:11,20;49:21 Resource (1) 18:1 respectfully (1) 54:6 Responders (1) 10:21 response (1) 51:25 responsible (1) 13:25 responsiveness (1) 14:2 Restaino (1) 17:24 restraining (1) 31:12 result (1) 19:14 Resurfacing (1) 46:23 retain (1) 27:20 Revenue (6) 5:11;7:24;9:11; 19:5,7,14 review (1) 36:24 reviewed (2) 45:18;49:14 Revolution (1) 14:13 Ridge (1) 7:6 right (10) 4:21;9:6,21;10:24;
---	---	--	--	---

11:16;13:9;51:25; 52:5,16,19 Road (4) 24:24;36:12;43:16; 53:20 Rory (1) 51:19 Rotondi (1) 35:23 RS (5) 32:10,24;34:19; 37:23;38:17 ruling (1) 26:17	5:26;8,9;27:15,16; 29:12,13;30:21,22; 32:3,4,20,21;33:17; 18;34:12,13;35:8,9, 14,15;36:7,8,11; 37:16,17,20;38:8,9, 12;39:4,5,20,21; 41:24,25;43:5,6;44:8, 9;45:9,10;46:7,8; 47:6,7;51:4,5;53:16, 17;54:7,11,16,17 schedule (1) 25:1 school (1) 8:10 seaboard (1) 13:14 sealed (3) 42:3;43:9;44:12 season (2) 11:12;54:9 seat (1) 54:7 SEC (1) 26:17 Second (34) 3:16;4:4;5:19; 11:23;12:2;15:1; 16:16;18:6;20:1,20; 23:24;25:14;26:3; 27:10;29:7;30:16; 31:23;32:15;33:11; 34:7;35:3;36:2;37:11; 38:3,24;39:15;41:19; 42:25;44:3;45:4;46:2; 47:1;50:24;54:11 Section (2) 12:3;19:13 Secure (1) 15:21 seeing (1) 9:24 sense (1) 8:3 sent (1) 7:22 September (1) 3:25 serve (2) 11:19;14:18 served (1) 14:8 Service (12) 19:4,4,24;21:20; 25:23;26:14;27:4; 28:25;30:9;36:24; 42:10;48:7 Services (30) 18:4,17;21:14;22:3, 20,24;23:2,2,8,16; 24:9,19;25:2,26:25; 27:1,20,22;29:21; 36:14,18;40:1,10;	42:4,14,22;47:20; 48:1,12;49:16;50:3 serving (1) 31:10 SESSION (6) 1:6,3;11,25;11:24; 12:12,15 set (1) 10:10 settlement (2) 13:13,15 Shade (2) 5:7;38:21 shall (22) 6:8,10;12:18;16:8; 18:19;22:4,24;23:1,9, 19,22;29:2,5;30:11, 14;31:3;34:1;46:13; 50:16,19,21;51:14 share (1) 19:17 sheet (2) 43:17;44:20 Shelter (1) 18:3 short (1) 11:24 shots (1) 10:21 shout (3) 7:21;8:7;11:4 side (1) 6:24 sign (3) 35:25;43:25;45:1 significant (1) 53:22 sit (1) 53:18 site (1) 10:19 sleigh (3) 8:11;9:3,24 smiles (2) 8:12;9:25 smiling (2) 10:2,3 snow (2) 53:21,21 snowstorm (2) 53:18,23 Social (1) 18:4 soldiers (1) 14:9 solicit (1) 52:15 soliciting (1) 10:23 solution (1) 52:25 somebody (1) 6:25	someone (1) 7:6 Sons (1) 35:23 sooner (1) 50:22 sorry (3) 4:19,22;52:3 speaking (2) 9:22;51:23 special (3) 18:18;21:7;33:23 specialist (1) 21:7 specialized (5) 21:22;29:20;47:19; 48:9;50:2 specializes (1) 27:21 specifications (2) 36:24;48:13 specified (2) 21:14;48:1 spirit (1) 7:19 spirits (1) 8:13 split (1) 25:16 Sports (1) 44:19 spread (1) 2:15 staff (1) 22:25 stand (1) 2:2 Star (1) 2:14 start (1) 10:16 started (1) 9:23 state (27) 6:8;11:9;12:11; 14:8,23;15:15,18; 16:12;17:4;20:16; 28:22;30:7;33:8; 35:22;37:8;39:9;40:5, 6;41:13;42:21;43:13; 44:1,16;45:2,23; 46:12;51:12 States (5) 14:5,16,24;31:2,6 statute (2) 12:23;19:9 stay (3) 53:20,25,25 step (1) 53:2 steps (1) 52:12 Street (7)	7:22;46:23;51:19, 24;52:9;53:22,25 Strumolo (2) 15:25;17:24 study (2) 21:22;48:9 subaward (2) 15:18;16:6 Subgrant (1) 16:1 subject (5) 22:1;25:17;28:8; 29:5;30:3 submits (1) 46:21 submitted (6) 22:6;24:25;25:5; 28:4,12;49:1 subsequent (3) 31:13,15,21 successful (2) 10:6;52:22 sufficient (2) 23:6;50:13 Suite (1) 24:24 sum (2) 19:6,10 summary (2) 26:19;50:18 Sun (5) 2:13;27:8;29:6; 30:15;40:19 Sunday (3) 8:9,9;11:8 Sunshine (1) 2:5 superb (1) 8:18 supplied (1) 53:13 supplies (4) 43:10,15;44:13,18 support (1) 14:15 sure (2) 10:10;13:12 system (1) 31:3
S				
sacrificed (1) 14:18 Safe (3) 15:21;53:20,25 Safety (6) 5:6,11;9:1;15:19; 16:15;19:8 Sal (1) 8:8 Salary (5) 34:23,25;35:1,2; 38:1 sale (1) 23:15 Salem (1) 13:20 Salvatore (1) 17:19 Sam (1) 6:24 same (7) 19:11;29:17,24; 32:12;34:20;37:25; 38:19 Santa (5) 7:18;8:10;9:3,24; 10:2 Santangelo (1) 17:15 Santoro (1) 17:17 saved (1) 7:4 savings (1) 41:2 saw (1) 6:23 saying (1) 52:4 SCARPELLI (86) 1:12;3:3,4,16,21, 22;4:3,10,11;5:24,25; 6:17;8:8;9:22;12:2; 13:2,3;15:1,6,7;16:16, 21,22;18:6,11,12; 20:1,6,7,25;21:1;24:4,				T
				T-24-900-901 (1) 44:22 T-24-909-901 (1) 43:20 tax (9) 7:25;29:20,21; 31:12;32:25;33:3,4,9; 50:6 taxes (1) 20:18 Taylor (2)

22:6,21 team (2) 9:21;17:21 teleconference (1) 2:17 tentative (1) 10:2 term (8) 23:10;24:21;25:11; 28:9,18;29:23;39:12; 49:11 Terrace (1) 48:24 thankful (1) 14:15 thanks (1) 14:19 therefore (21) 12:13;14:21;17:5; 19:1;22:16;25:19; 26:21;28:20;30:5; 31:18;33:6;34:2; 35:20;37:6;41:11; 42:19;43:23;44:24; 45:21;46:20;49:21 thereof (2) 18:20;50:19 thereto (2) 29:5;30:14 third (2) 26:18;31:12 THOMAS (5) 1:13;15:24;17:21, 23,24 though (1) 7:5 thought (2) 4:20;7:16 thoughtful (2) 7:17,23 three (2) 6:10;13:20 throughout (1) 11:9 throw (1) 53:21 Thursday (2) 45:16;53:19 till (1) 53:25 times (1) 11:16 Timmy (1) 8:23 tiny (1) 13:14 today (1) 14:20 together (1) 8:24 Tom (4) 9:12;11:5,5,9 tonight (2)	9:15;15:12 Total (6) 5:16,17;15:22; 25:16;27:1;31:21 totaling (1) 25:1 town (1) 11:18 towns (1) 10:18 TOWNSHIP (90) 1:1,17;2:22;12:10, 14,20;14:14,17,22; 15:14,17;16:1,4,9,11; 17:3,6,10;19:2,22; 20:16;21:5,7,11; 22:10,17;23:14,16; 24:8;25:8,20;26:22, 23;27:8,19,24;28:16, 21;29:3,22;30:6,12; 31:19;32:8;33:7;34:3, 17,23;35:1,21,24,25; 36:13,16;37:1,7,21; 38:16;39:9,24;40:8, 15,20;41:12;42:5,20; 43:11,13,17,24;44:1, 14,16,25;45:1,22; 46:12,13,21;47:16,17, 19;48:17,17,20;49:4, 22;50:1,6,11 township's (4) 22:11;24:11;40:16; 49:6 tradition (1) 13:23 traditional (1) 6:23 traditions (1) 7:20 training (4) 21:22,24;48:9,11 transactions (1) 24:12 transfer (1) 38:18 transfers (3) 32:11;34:19;37:24 Treasurer (2) 20:17;31:20 Treasurer's (1) 34:25 Tree (7) 5:7;6:22,24;7:16; 8:6,21;38:21 Trust (1) 33:23 try (2) 7:8;8:13 TSUJ (2) 42:6,22 TUCCI (102) 1:11;2:2,5;3:5,6,10, 14,23,24;4:12,13,15,	21,23,25;5:4,7;6:1,2, 4,15,19;7:13;8:2; 9:14,17,20;13:4,5,8; 15:8,9,24;16:11,23, 24;18:13,14;20:8,9, 12;21:2,3;24:6,7; 26:10,11;27:17,18; 29:14,15;30:23,24; 32:5,6,22,23;33:19, 20;34:14,15;35:10,11, 13;36:9,10;37:18,19; 38:10,11,14;39:6,7, 10,22,23;42:1,2;43:7, 8;44:10,11;45:11,12; 46:9,10;47:8,9;51:6,7, 21,22;52:3,6,11;53:1, 5,9;54:2,18,19,21 Tuesday (1) 2:8 two (1) 53:14 type (5) 11:2,14;21:21;48:7; 52:16 U unbelievably (1) 10:3 uncharted (1) 9:5 under (7) 8:14,15;11:15; 15:20;19:11;40:17; 54:7 UNICO (1) 45:14 uniforms (4) 43:10,15;44:13,18 Union (1) 46:24 unit (2) 40:5;49:6 United (3) 14:4,16,24 units (4) 13:24;14:3,4,5 Unless (2) 6:9;51:13 untimely (1) 31:4 up (4) 7:2,9;2;10:10; 53:11 upon (1) 42:15 URL (1) 2:21 Use (3) 27:21,24;40:2 using (1) 26:14 Utility (1)	5:13 utilizing (2) 2:21;40:4 V vaccinations (1) 10:16 Valley (2) 24:24;36:12 value (3) 24:18;26:1;50:16 Vanroth (1) 17:18 various (2) 33:22,24 Vegetative (1) 35:17 vendor (2) 24:19;41:18 Vendors (1) 40:12 Verona (1) 10:20 veterans (1) 14:20 village (1) 13:19 violate (2) 22:11;49:5 virtual (1) 8:7 virus (1) 7:9 vision (1) 52:18 volunteer (2) 10:23;11:2 Vreeland (2) 51:24;52:9 W Wage (5) 34:23,25;35:1,2; 38:1 War (1) 14:13 warmed (1) 8:25 Warning (1) 17:19 Warren (1) 36:13 Wars (1) 14:14 Washington (1) 36:12 Waste (1) 35:17 Water (7) 5:13;31:3,9,15,21; 38:1,1	waters (1) 9:6 way (3) 7:1;8:24;53:3 Wayne (4) 36:11,23;42:7,23 weather (1) 53:23 webinar (1) 2:17 website (1) 2:22 Webster (2) 22:5,20 Wednesday (1) 53:19 week (2) 10:16;51:25 West (3) 10:17,19;13:15 what's (1) 26:14 Wheel (5) 40:22,25;41:2,5,15 Whereas (70) 12:3,7,9;13:13,18, 23;14:7,13;16:25; 18:15,23;21:4,13,19, 25;22:3,5,13;24:8,17, 21,23;25:3,12;27:19, 25;28:2,6,11;30:25; 31:5,11,15;32:24; 33:2,21,24;35:16; 36:11,18,19;37:2; 39:24;40:7,15,20,24; 41:4,7;42:3,6,11;43:9, 12,19;44:12,15,21; 45:13,18;46:16; 47:18,25;48:6,12,14, 20,24;49:13,18 wherever (1) 9:10 whose (1) 21:16 William (2) 17:12,18 willing (1) 9:10 wish (3) 10:7;11:10;54:8 within (10) 12:22;21:17;23:22; 24:13;25:9;40:5,6; 47:17;48:4;50:19 Without (6) 10:5;12:19;27:3; 28:1;33:3;39:25 wizards (1) 8:8 women (1) 8:17 work (1) 52:16
--	--	--	--	---

worked (1) 8:24	1- (1) 25:12	2019 (3) 2:13;35:19;40:9	47:10	13:6
working (1) 8:15	10 (3) 23:23;48:22;50:19	2020 (30) 1:8;2:9,16;3:12,25; 4:1,1,2,2;5:10,14; 16:6;19:6,19;31:1; 32:11;34:20;35:16; 36:17;37:24;38:19; 40:13,14,14,18;42:4; 43:11;44:14;46:17,18	322-20 (1) 47:11	706-205 (1) 25:14
Works (3) 5:12;17:25;36:15	1-01- (1) 28:6		3425A (1) 42:14	777 (1) 48:24
world (2) 14:6,14	1-01-012-205 (1) 22:1		360 (1) 28:3	7th (1) 8:6
Wow (1) 15:12	1-01-204-200 (1) 30:2		384th (2) 14:17,24	8
wreaths (1) 9:2	1-01-508- (1) 42:12	2021 (20) 16:7;17:10;22:2; 23:11,12;24:22,22; 25:18;28:8,9,10; 29:23,24;30:3;39:13, 13;42:15;45:17; 46:15,22	3RD (1) 1:3	
writing (1) 24:18	1-05- (1) 25:13		4	8 (1) 12:3
written (1) 48:13	11 (1) 5:14		4 (2) 45:16;50:18	8:49 (1) 54:20
wrong (1) 53:24	118-20 (1) 36:17	2023 (1) 17:11	400 (1) 14:9	855 (1) 40:22
Wyciskala (2) 22:5,21	12 (1) 23:11	20A11-1 (2) 21:18;48:5	40A11-1 (2) 22:14;49:19	8th (1) 46:18
Y	13th (3) 8:10;13:21;35:18	20th (2) 4:1,13	40A11-51a (1) 27:5	9
year (16) 2:16;6:22;8:14;9:6; 19:6;22:10;24:13,20, 21;25:9;28:17;29:22; 40:13;42:16;46:14; 49:5	15 (3) 1:8;2:8;36:12	21 (1) 23:7	40A11-51a5 (1) 27:25	
years (2) 7:24;14:9	15th (3) 3:25;5:10;31:1	21- (1) 15:21	40A4-57 (1) 48:19	9 (1) 20:19
year's (1) 53:15	1636 (1) 13:21	226-205 (1) 28:7	40A4-58 (4) 32:10;34:19;37:23; 38:18	90 (1) 41:1
yous (1) 8:16	1637 (1) 14:10	231 (2) 2:11;12:4	40A4-87 (1) 18:16	915 (2) 43:20;44:22
Z	17th (3) 3:12;4:1,7	235 (1) 10:17	40A5-17 (1) 32:24	930 (4) 40:22;41:1,5,15
Zinna (6) 28:3,11,24;29:18, 25;30:9	18 (1) 7:24	23rd (1) 46:17	462 (1) 51:19	9602 (1) 20:19
Zoom (2) 2:16;7:6	18th (1) 40:9	24 (3) 42:4;43:11;44:14	4621 (2) 42:6,23	
0	19:44A-20.4 (1) 24:15	242 (1) 43:16	49 (1) 44:19	
0-01-424-205 (1) 37:3	19:44A-20.5 (3) 22:23;49:6;50:10	271 (1) 48:23	4th (1) 36:17	
0-01-504-200 (1) 41:8	19:44-A20.5 (1) 22:11	28 (1) 2:13	5	
01-222-205 (1) 25:13	190 (2) 31:1,11	29-20 (1) 45:15	5 (1) 50:21	
07110 (1) 1:4	1916 (1) 14:8	295-19 (1) 40:8	50/50 (1) 45:16	
0716 (1) 15:22	1975 (2) 2:11;12:4	3	52:34-6.2c139 (1) 39:25	
1	19th (1) 40:18	3 (2) 19:13;50:14	5th (1) 4:1	
1 (9) 23:11;24:22;28:9; 29:23;36:23;37:8; 39:13;40:14;49:23	1st (3) 4:2;16:6;17:10	300 (1) 24:25	6	
	2	302-20 (1) 26:13	6th (1) 31:5	
	2 (1) 50:6	309-20 (1) 29:17	7	
	20.5 (1) 24:15	31st (8) 16:7;17:11;23:12; 24:22;28:10;29:23; 39:13;40:14	7:04 (1) 2:9	
	200 (2) 24:24;42:13	321-20 (1)	7:15 (1)	
	2005 (1) 48:23			