

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

January 15, 2019

Conference Session



66 W. Mt. Pleasant Avenue
Livingston, NJ 07039
T (973)992-7650 F (973)992-0666
www.rizmanrappaport.com
reporters@rizmanrappaport.com

Min-U-Script®

Conference Session

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

*** CONFERENCE SESSION ***

DATE: January 15, 2019

BOARD OF COMMISSIONERS:

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

ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 THE CLERK: Board of Commissioners Public
3 Meeting, Tuesday, January 15, 2019. The time is 7:01.
4 Pursuant to the requirements of the Open Public Meeting
5 Act, Chapter 231, Public Law 1975, the notice of this
6 meeting was published in the November 29, 2018 issues
7 of The Nutley Sun, The Herald News, and The Star
8 Ledger. A copy of this notice has been posted on the
9 Nutley town hall bulletin board, and a copy is on file
10 in the municipal clerk's office.

11 Commissioner Rogers?

12 COMMISSIONER ROGERS: Here.

13 THE COURT: Commissioner Tucci?

14 COMMISSIONER TUCCI: Here.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Here.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Here.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Here.

21 THE CLERK: All present, Mayor.

22 MAYOR SCARPELLI: Commissioner Petracco --

23 COMMISSIONER PETRACCO: Yes?

24 MAYOR SCARPELLI: -- would you run the agenda
25 tonight?

1 COMMISSIONER PETRACCO: I had an ordinance
2 introduction to put a four-way stop sign in that I
3 think we need to have a conversation about. Are you
4 aware of that location?

5 MAYOR SCARPELLI: On record?

6 COMMISSIONER PETRACCO: Yes. So I'm going to
7 table it tonight because I just found out about this
8 today. So maybe we could reintroduce and I'll just
9 have him call you today, and we couldn't get it off,
10 right? I thought that. So I'm going to table that
11 tonight.

12 And then, I have a couple resolutions.
13 Appointment of emergency management, grant leave for
14 Anthony Borino, and authorize to enter into contract
15 with Cummins. This is for one of the fire trucks to
16 replace an -- to rebuild an engine. And that's all I
17 have.

18 MAYOR SCARPELLI: Commissioner Evans?

19 COMMISSIONER EVANS: I have two reports for
20 tonight. One for the Code Enforcement Department for
21 the fourth quarter and the annual report for Millennium
22 Strategies, the grant activities. I had two ordinances
23 for public hearing, 3411 and 3412. We have to table
24 those tonight based on a call that we had around 3:30
25 this afternoon. There's some language that needs to be

1 looked at by counsel, and there wasn't time to get that
2 ready in time for this evening's meeting, so it will go
3 on to the next meeting.

4 And then, I have several resolutions for,
5 yeah, cancellation of property, just the annual stuff
6 that we due, interest on tax -- late tax payments,
7 cancellation of balances. And I just wanted to point
8 out, on the fixed rate for nonpayment of taxes, the
9 minimum rate that -- by state statute, that we can
10 apply is 8 percent. So that's what we're applying.
11 And the maximum is 18 percent in excess of \$1,500, but
12 we only apply the 8 across the board as the minimum.

13 I have a couple, you know, refunds, some
14 change orders for some legal services. The temporary
15 budget, since we're in 2019, we don't have our budget
16 yet. This is the annual temporary budget
17 authorizations.

18 I have a budget transfer, and the rest that I
19 have is a request for bids for -- to hire an appraisal
20 company to begin the plan for the revaluation of the
21 Township in 2020. We have been working with the Essex
22 County Tax Board through that, and the first step is
23 for us, one, to get our maps updated, which has already
24 been done, which was on the 24-month time limit. We
25 need to now do the next step, which is the RFP to look

1 at hiring the company. So it's just the beginning
2 stages of it, but it's time to get moving. And that's
3 all I have.

4 MAYOR SCARPELLI: Commissioner Rogers?

5 COMMISSIONER ROGERS: Mayor, I have one
6 resolution designating the month of February as
7 National Heart Health month, and that's it.

8 MAYOR SCARPELLI: Commissioner Tucci?

9 COMMISSIONER TUCCI: I had a shade tree
10 report for the month of December, and I also have my
11 long-awaited white paper on the effects of multi-family
12 housing, which is not such a horrible read, and I have
13 one resolution awarding a contract for electrical
14 services to Sal Electric from the period of January 1,
15 2019 to December 31st, not to exceed \$90,000. That's
16 all I have.

17 MAYOR SCARPELLI: Thank you, Commissioner.

18 COMMISSIONER EVANS: On the white paper, you
19 want us to read that and -- for discussion up for
20 that --

21 COMMISSIONER TUCCI: Yeah, I'm going -- I
22 pretty much summarized it at the last meeting. I'm
23 going to -- I have a copy for everyone, but I'll send
24 them around right now. Pretty straightforward.

25 MAYOR SCARPELLI: Thank you, sir.

1 COMMISSIONER TUCCI: You know, most of the --
2 not most, just about all of the information is -- was
3 gleaned from reports and all public information and
4 just conversations that I've had with different people
5 about different things in town and just some of my
6 observations. And the purpose of this, and I outline
7 it right in the beginning with my first page, which is
8 definition of a white paper, all right, aside from just
9 the traditional --

10 COMMISSIONER EVANS: We appreciate the font.

11 COMMISSIONER TUCCI: I thought I could get
12 away with reading it without my glasses. Didn't work,
13 and it's a 20, so I refuse to go any bigger. But the
14 purpose of this is just to bring to light some
15 observations, based on information that's been out
16 there, it's all public information, and to initiate
17 some thought, some discussion, and to solicit input as
18 to, you know, what we can support, what we want, and
19 how we're going to approach it moving forward.

20 COMMISSIONER EVANS: I look forward to
21 reading it.

22 MAYOR SCARPELLI: Thank you, Commissioner.

23 COMMISSIONER TUCCI: Yeah, it's a nice read.

24 MAYOR SCARPELLI: Thank you for your hard
25 work on that. I'm sure --

1 COMMISSIONER TUCCI: Oh, you're welcome.

2 MAYOR SCARPELLI: -- it took a little bit.

3 COMMISSIONER TUCCI: It's long overdue, but I
4 promised.

5 MAYOR SCARPELLI: All right. Let's see what
6 I have. I have an introduction for our long-awaited
7 density ordinance that distributed --

8 COMMISSIONER TUCCI: A lot of long-awaited
9 tonight, huh?

10 MAYOR SCARPELLI: It's long-awaited. Chris
11 Colley's here from Topology, if anybody had any
12 questions on where we are at this point. I had a mixup
13 with Paul Ricci. I thought I invited him, but
14 apparently I didn't. So I apologize to that, but he
15 said he'll be here before the public hearing.

16 I hope you guys had a chance to look at that.
17 The -- really, it's gone through with Code Enforcement.
18 Dave looked at it, made some tweaks in the last couple
19 days so that it makes sense to him. I would -- I would
20 ask you to look at the cleaned-up version first, and
21 then go back because there's a lot of changes that --
22 from where we started.

23 COMMISSIONER TUCCI: Yes.

24 MAYOR SCARPELLI: And then, I have a public
25 hearing on the parking meter fees, and then I have

1 resolutions. I have various raffle applications,
2 change order for Topology, change order for Piro Zinna,
3 award of an extension to Basso for the pickup of the
4 comingling, and award to S. Rotondi for dumping of the
5 vegetation, the tipping of the vegetative list. And I
6 think that's all I have.

7 Madam Clerk, do you have anything?

8 THE CLERK: Yes, Mayor. We have meeting
9 minutes for both the December 4th and 18 and an
10 application from the Nutley Irish to have their Saint
11 Patrick's Day parade on Saturday, March 2nd, and that's
12 all.

13 MAYOR SCARPELLI: Mr. Genitempo?

14 MR. GENITEMPO: Nothing.

15 MAYOR SCARPELLI: Wow.

16 MR. GENITEMPO: Pretty short.

17 MAYOR SCARPELLI: Wow. No one else has a
18 need for a --

19 MR. GENITEMPO: Want me to make
20 something up?

21 MAYOR SCARPELLI: Make something up?

22 MR. GENITEMPO: I've got a lot running
23 around in my head, but you don't want to hear it.

24 COMMISSIONER PETRACCO: I don't want to know.

25 MAYOR SCARPELLI: It's up to you.

1 COMMISSIONER EVANS: Maybe we should -- just
2 a short executive on contract negotiations.

3 MAYOR SCARPELLI: Sure.

4 Madam Clerk?

5 THE CLERK: Commissioner?

6 MAYOR SCARPELLI: Move a motion.

7 COMMISSIONER ROGERS: Second. Oh, I made the
8 motion.

9 COMMISSIONER PETRACCO: Move it. Second. Aye.
10 Whatever he needs, something --

11 THE CLERK: We're at Section 8 of the Open
12 Public Meeting Act, Chapter 231, Public Law 1975
13 permits the exclusion of the public from meetings under
14 certain circumstances, and whereas the public body is
15 of the opinion that such circumstances exist, and
16 whereas the Board of Commissioners of the Township of
17 Nutley, in the County of Essex, in the State of New
18 Jersey desirous to proceed to close executive session
19 and now therefore, be it resolved by the Board of
20 Commissioners of the Township of Nutley, move in to
21 close executive session to discuss contract
22 negotiations.

23 Be it further resolved that the time of such
24 discussions may be disclosed to the public, shall be
25 when and as such disclosure may be made without it

1 grossly affecting the Township of Nutley, pending
2 and/or anticipated legal, personnel, contractual
3 matters, and other matters within the exceptions
4 provided for by statute.

5 Commissioner Rogers? Commissioner Rogers?

6 COMMISSIONER ROGERS: Here.

7 THE CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 THE CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye. That's fine.

15 COMMISSIONER EVANS: I'm not sure if we'll
16 make it.

17 MAYOR SCARPELLI: Sure. That would work.

18 (End of recording)

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CERTIFICATION

I, Ilene Watson, 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.

January 31, 2019

Ilene Watson
AAERT Cert. No. 447
Certified Court Transcriptionist

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*** PUBLIC SESSION ***

DATE: January 15, 2019

BOARD OF COMMISSIONERS:

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ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 MAYOR SCARPELLI: Everybody please stand.

3 (Pledge of Allegiance)

4 MAYOR SCARPELLI: Good evening, everybody.

5 (Indiscernible - away from microphone)

6 Madam Clerk.

7 THE CLERK: Thank you, Mayor. Board of
8 Commissioners Public Meeting Tuesday, January 15, 2019.
9 The time is now 7:26. Pursuant to the requirements of
10 the Open Public Meeting Act, Chapter 231, Public Law
11 1975, notice of this meeting was published in the
12 November 29, 2018, issues of The Nutley Sun, The Herald
13 News, and The Star Ledger. A copy of this notice has
14 been posted on the Nutley town hall bulletin board, and
15 a copy is on file in the municipal clerk's office.

16 Commissioner Rogers?

17 COMMISSIONER ROGERS: Here.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Here.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Here.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Here.

24 THE CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Here.

Public Session

3

1 THE CLERK: All present, Mayor.

2 MAYOR SCARPELLI: Minutes?

3 THE CLERK: We have Board Commissioner
4 Meeting minutes for December 4th, 2018 and
5 December 18th, 2018. I need a motion.

6 COMMISSIONER TUCCI: Move it.

7 COMMISSIONER EVANS: Second.

8 THE CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 THE CLERK: And that's it for minutes.

19 MAYOR SCARPELLI: Communications?

20 THE CLERK: Communications. The Nutley Irish
21 American Alliance has submitted an event application
22 for the 41st Saint Patrick's Day parade to be held on
23 Saturday, March 2nd, 2019, from 12 p.m. to 3 p.m., on
24 Franklin Avenue down to Harrison and ending on Chestnut
25 Street. I need a motion, please.

Public Session

4

1 COMMISSIONER EVANS: Move it.

2 COMMISSIONER TUCCI: Second.

3 THE CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 Reports, Commissioner Tucci?

14 COMMISSIONER TUCCI: Yes, Mayor. I have a
15 shade tree report for the month of December 2018.

16 MAYOR SCARPELLI: Commissioner Evans?

17 COMMISSIONER EVANS: Yes, Mayor. I have the
18 code enforcement report for the fourth quarter, 2018,
19 as well as the year-end report for Millennium
20 Strategies and their grant activities for 2018.

21 MAYOR SCARPELLI: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Yes. I have my
23 public safety report, and I have to tell you, I urge --
24 oh, I urge people to get a copy of this because it'll
25 give you a good idea, like, just for the month of

1 December, the calls for service for the police
2 department was 5,942 calls. That was just for the
3 police. So it's some interesting reading.

4 MAYOR SCARPELLI: Thank you.

5 Bills, Madam Clerk?

6 THE CLERK: Yes, Mayor. Bill list for
7 January 15, 2019. Public affairs, zero. Revenue and
8 finance, \$3,391,871.20. Public safety, zero. Public
9 works, \$420,738.33. Parks and public property,
10 \$699,939.33. Water utility, \$4,811.34. Total payroll
11 is \$820,821.19, for a grand total of \$5,338,181.39.

12 COMMISSIONER EVANS: Move the bills.

13 COMMISSIONER TUCCI: Second.

14 THE CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

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

25 MAYOR SCARPELLI: Public comments on agenda

1 items only. Madam Clerk?

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

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

17 MR. MOORE: Rory Moore, 462 Chestnut Street.
18 Mr. Scarpelli, I'd like to refer to Mr. Evans the
19 Millennial Strategies, the report there, and I was
20 looking at the bill list of the overtime for public
21 safety. I do have a question. Is there a
22 relationship, because under awards, we seem to have
23 received \$26,000 for overtime in the grants. And I
24 wanted to find out -- this -- it looks like this
25 two-week period, we paid \$34,000 in overtime for public

1 safety, is that correct, for two weeks?

2 COMMISSIONER EVANS: It's on the bill list,
3 but it's --

4 MR. MOORE: It's on the bill. It's right
5 here. It's on the bill list.

6 COMMISSIONER EVANS: Then that would be a
7 question directed to Commissioner Petracco.

8 COMMISSIONER PETRACCO: I can -- I can answer
9 that. We believe that information is correct, and it
10 is a little high that month, and the reason why is for
11 December, is all the added patrols we do, you know,
12 because Christmas season is also home robbery season,
13 and that's when we spend a little extra money to ensure
14 the safety of the residents.

15 MR. MOORE: The reason --

16 COMMISSIONER PETRACCO: I --

17 MR. MOORE: The reason I was curious, because
18 on the Millennial list, it says "overtime," and it
19 indicates a holiday season. That means if we didn't
20 receive these awards, the overtime would be higher? Is
21 that -- am I understanding correctly?

22 COMMISSIONER EVANS: Just real quick, which
23 line item?

24 MR. MOORE: It should be the first, third,
25 and the fourth. I can --

1 COMMISSIONER PETRACCO: I'll just answer the
2 first leg of that question. It's a no, the overtime
3 would still be the same despite any grant or anything,
4 because we budget that overtime dollars every year, as
5 you know, and if you track it, you know, the summertime
6 with vacation season, things like that, it peaks a
7 little bit, and then the holiday season, like I said,
8 we add a lot of extra patrols out to do that.

9 So the difference in the number, the 34,000,
10 I don't think that would change. As far as grant money
11 that we've received and gotten in, and that we could
12 use that money for funding for the budget, it goes into
13 -- it's a public safety grant. We get that into our
14 kind of, you know, general fund, not directly into the
15 overtime account.

16 MR. MOORE: Well, it does -- it stipulates
17 overtime.

18 COMMISSIONER EVANS: So there's about 27,000,
19 roughly?

20 MR. MOORE: That -- 26, 27.

21 COMMISSIONER EVANS: 27,000 --

22 MR. MOORE: That's -- it looks --

23 COMMISSIONER EVANS: Yes.

24 MR. MOORE: -- like it was --

25 COMMISSIONER EVANS: And those were for very

1 specific initiatives.

2 MR. MOORE: Yes.

3 COMMISSIONER EVANS: So the Click-it or
4 Ticket, I think, activity, the overtime reimbursed for
5 that, that would -- that money would be grant-received,
6 and it would go to offset costs in the Public Safety
7 Department. I don't know as on -- as far as the bill
8 list, what the 34,000 specifically represents in
9 relation to these, because this is the annual -- this
10 is the annual report, so I don't know which months
11 these -- in this particular report, when we got that
12 grant money in.

13 MR. MOORE: No, that's fair enough. It's
14 just that it looked like there's 26,000 somewhere being
15 contributed for overtime usage --

16 COMMISSIONER EVANS: Yes, but --

17 MR. MOORE: -- here.

18 COMMISSIONER EVANS: -- we did get those
19 awards.

20 MR. MOORE: But if the \$34,000 is just for
21 two weeks, that's a little high.

22 COMMISSIONER PETRACCO: But just to be
23 specific too, like, that grant money for Ticket or
24 Click-it, those man hours have to be specific for that
25 initiative. It's not that --

1 MR. MOORE: Yes.

2 COMMISSIONER PETRACCO: -- we just get it,
3 and then at Christmastime, we want to add on patrols,
4 and we could take that money for Click-it and Ticket
5 and transfer it towards that. They have to -- you have
6 to do, you know, have those man hours allocated for
7 that specific duty.

8 MR. MOORE: I would think so. And is 34,000
9 -- is that for two weeks?

10 COMMISSIONER PETRACCO: Yes, it's for our
11 payroll stuff. But however --

12 MR. MOORE: But that's overtime, that's not
13 payroll.

14 COMMISSIONER PETRACCO: Well, I'm saying,
15 yes, I believe it's for a two-week period. That's how
16 we run, yeah.

17 MR. MOORE: So isn't that rather high for two
18 weeks?

19 COMMISSIONER PETRACCO: I would say that if
20 it wasn't Christmastime, and like I said, that we take
21 a proactive approach in patrolling the streets and
22 adding on to our complement at that time, and you know,
23 and this year, we hardly had a -- I believe we only had
24 one house break-in, which, you know, traditionally,
25 it's much higher.

1 So do we traditionally spend that kind of
2 money during the holiday season? Yes, we do. We beef
3 up patrol that time of year, and I think that it's
4 really money well-spent, and only having the one house
5 break-in with having these extra patrols out, you don't
6 know what those guys prevented also, you know, by
7 having, you know, extra duties out there. So I think
8 it's money well-spent for it. I really do.

9 MR. MOORE: Okay, thank you.

10 COMMISSIONER PETRACCO: Yes.

11 MAYOR SCARPELLI: Anybody else wish to
12 address the Board of Commissioners on agenda items
13 only?

14 Seeing none, Board of Commissioner
15 announcements?

16 COMMISSIONER TUCCI: Yes, Mayor, I have one.
17 What I'd like to summarize, as briefly as I can, is my
18 long-awaited white paper on the affects of multi-family
19 housing on the township, and it will be up on the -- on
20 the website tomorrow. I believe John Lee from the
21 Patch has it. I know Rory has the copy that I promised
22 him, and it'll be available for public consumption. So
23 what I'd like to start with is just with a definition
24 for those of you who are not familiar with the white
25 paper.

1 A white paper is an authoritative report or
2 guide that informs readers concisely about a complex
3 issue, and presents the issuing body's philosophy on
4 the matter. It's meant to help readers understand an
5 issue, solve a problem, or make a decision.
6 Additionally, this white paper is intended to initiate
7 thought, discussion, and solicit public input relative
8 to measuring the impact of multi-family housing, and
9 what it's had on the township, and what, if any,
10 additional units can be supported from a service,
11 physical, and psychological perspective.

12 Throughout the report, I summarized the
13 methodology I used. I went department by department,
14 and I'd like to thank all of the commissioners for
15 their cooperation, as well as the Nutley Board of
16 Education, and all of our boards, our Planning Board,
17 our Zoning Board, and the other boards that gave me
18 input for this, and you can read it at your leisure. I
19 welcome comments and any other input that people would
20 like to provide. The synopsis of this white paper is,
21 at the beginning of this paper, I provided the
22 definition, which I just read to you, what a white
23 paper is what it -- what it provides.

24 I presented information as provided by all of
25 the departments in the school district, along with my

1 own observations of the impact that multi-family
2 housing is having on our township. The affect of the
3 housing, all right, is very complex, all right? It's
4 multifaceted and it impacts our physical appearance,
5 our infrastructure, township services and expenses,
6 taxes, and an intangible psychological affect on our
7 perception of what our township is and what it is
8 becoming.

9 One of my greatest concerns, all right, is
10 the erosion of what I've often referred to as our deep
11 root commitment to our hometown. We've been as stable
12 and attractive to both our existing residents and those
13 who would be residents because of our enviable rich
14 sense of community, which keeps generation after
15 generation of Nutleyites returning to live and raise
16 their families here. Our property values, as
17 everyone's aware of, are the envy of many of our
18 surrounding communities because of who and what we are.
19 The addition of over 2,200 multi-family units, all
20 right, concerns me not because of who our new neighbors
21 are, but rather because they are renters, and as such,
22 may not ever establish the deep roots that many of us
23 have.

24 The nature and character of this township, in
25 my opinion, should never substantially change. Change

1 is not necessarily a bad thing or something I'm opposed
2 to, but it needs to be managed and planned properly.
3 Our recipe for success has been one of our many
4 constants due to the commitment and foresight of our
5 professionals and our town leaders. We agree and
6 disagree on many issues, which I'm sure will include
7 some of the findings and opinions that are in this
8 paper. But at the end of the day, the future of our
9 township must always come first.

10 I believe that additional study is required,
11 and should be done immediately. The additional units
12 that have been built, and those that are in the
13 pipeline, are already having affects, some which are
14 obvious, some others, which are not so others, that
15 need to be measured and managed. So basically, that's
16 a summary of what this paper is all about, and what the
17 intent is.

18 So I invite everyone to read it, to send me
19 your comments, and we can -- if need be, we can
20 schedule a forum, and we can have an open discussion
21 about what the future of our township is going to look
22 like, and what impacts multi-family housing -- and I'm
23 sure in the future, we can also talk about other
24 developments, including what's going on on three,
25 potential development of the swim club, and anything

1 else that comes up. Thank you, Mayor.

2 MAYOR SCARPELLI: Commissioner, we have that
3 put up on the website?

4 COMMISSIONER TUCCI: Yes. If it's not up
5 already, it'll be up tomorrow morning.

6 MAYOR SCARPELLI: All right, very good.

7 COMMISSIONER TUCCI: It would've been up
8 already. We had a little transmission issue with my
9 computer, even though IT is under my department, but
10 I'm sure we'll rectify that.

11 MAYOR SCARPELLI: I have an announcement. I
12 would like to congratulate our clerk, Eleni Pettas, on
13 being elected to president of the Essex County Clerk's
14 Association.

15 Madam Clerk, congratulations.

16 Any other announcements? Let's move to
17 ordinance introductions.

18 Commissioner Petracco, we're going to table
19 Ordinance Number 3413?

20 COMMISSIONER PETRACCO: Correct.

21 MAYOR SCARPELLI: Okay. Ordinance Number 314
22 -- 3414, is the long-awaited mixed-use density
23 ordinance. Chris Colley's here from topology.

24 Chris, you want say a couple words on the
25 ordinance?

1 MR. COLLEY: Good evening, Commissioners,
2 Mayor. My name is Chris Colley. I'm with topology.
3 I'm joined by my colleague, Greer Patras (phonetic).
4 We were asked by the town to comment on the standards
5 that were developed internally by staff and members of
6 the Board and that are incorporated into this new
7 ordinance. And the major flaw with the existing
8 ordinance is that the standards for mixed-use buildings
9 that are included are poorly explained. In certain
10 cases, they're confusing, and in certain times, they
11 simply don't apply to mixed use buildings.

12 For example, in the existing ordinance, there
13 are no minimum dwelling unit sizes or lot widths for
14 mixed use buildings. So not having these regulations
15 makes it difficult for the town to regulate the types
16 of development that comes in. The ordinance, as
17 proposed tonight, fixes a lot of those problems, and it
18 puts forth regulations for mixed-use buildings that
19 allows the town to better regulate and better control
20 the type of development that comes in.

21 In the ordinance proposed tonight, the
22 standards that are set forth for mixed-use buildings
23 are consistent with the standards for other types of
24 buildings that are already in those other districts.
25 So what this ordinance really does, in most cases, is

1 it takes the existing standards for other building
2 types, and applies them simply to mixed-use buildings.
3 And in doing so, it remedies the problem of not having
4 bulk standards for mixed-use buildings, as the
5 ordinance was previously ran.

6 So I think this is a great step forward.
7 There's always elements for clarification. We're happy
8 to work with the Town to clarify on things, as
9 necessary, and in terms of sort of establishing and
10 achieving the Township's goal of creating standards and
11 requirements for mixed use buildings. I think the
12 ordinance is successful.

13 MAYOR SCARPELLI: Thank you, Chris.

14 MR. COLLEY: Thank you.

15 MAYOR SCARPELLI: I would like to thank
16 Topology and Paul Ricci, our two planners. I'd like to
17 thank the Board of Commissioners for your input, the
18 Code Department for looking at this, so that -- they're
19 the ones that have to interpret it, so they had some
20 input on this. And I'd especially like to thank the
21 Planning Board members and the subcommittee who put
22 forth the original recommendations. Some of those have
23 been clarified, and we think that the ordinance is very
24 clear right now. It calls for 28 units per acre, has a
25 30-percent commercial minimum requirement on the first

1 floor, and a minimum of 925 square feet for a
2 one-bedroom apartment.

3 So there's some -- I'm sure the commissioners
4 are going to go through this before the public hearing,
5 but I'd like to introduce this ordinance, number 3414,
6 an ordinance to amend an ordinance, codified in the
7 Code of the Township of Nutley, Chapter 700, entitled
8 Zoning, particularly Article 3, entitled Terminology,
9 Definitions, Article 5, General Regulations, Article 6
10 -- Article 7, Use Regulations, Mixed Use, Article 9,
11 Garden Departments, and Article 13, Parking Spaces and
12 Loading Berths.

13 I move that this ordinance be passed to a
14 second reading, advertised in the Nutley Sun together
15 with the notice required by law, and that further
16 consideration of said ordinance for final passage by
17 the Board of Commissioners be held at a second reading
18 on February 19, 2019. I move the ordinance.

19 COMMISSIONER ROGERS: Second.

20 THE CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 THE CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 THE CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye. Let's move on to
5 public hearings. Ordinance number 3406, ordinance to
6 amend an ordinance codified in the Code of the Township
7 of Nutley, Chapter 484, entitled Parking Lots,
8 Municipal. Particularly, the following sections,
9 Article 1, section 8, entitled Hours of Operations,
10 Parking Fees, and Multi-parking. Open to public
11 hearing. Anybody want to be heard on ordinance number
12 3406? Seeing none, I move to close the public hearing.

13 COMMISSIONER TUCCI: Second.

14 THE CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye. I move the ordinance.

24 THE CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 Commissioner, you want to comment on the
10 other two ordinances?

11 COMMISSIONER EVANS: Yes. I had hoped that
12 we would have the next two ordinances, 3411 and 3412,
13 on for a public hearing tonight. They relate to the
14 pilot refinancing agreements, really, for two buildings
15 on the Roche property. A matter came up today that
16 required some legal investigation to resolve it, so
17 there wasn't enough time to do that, so these will be
18 tabled and be on -- they'll stand the agenda for the
19 next meeting.

20 MAYOR SCARPELLI: Thank you, Commissioner.
21 Commissioner Rogers, resolutions?

22 COMMISSIONER ROGERS: Resolution Number 14-19,
23 designating the month of February as National Health --
24 National Heart Health month. As -- move it as written.

25 COMMISSIONER PETRACCO: Second.

1 THE CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 COMMISSIONER ROGERS: That's it, Mayor.

12 Thanks.

13 MAYOR SCARPELLI: Thank you, Commissioner.

14 Commissioner Tucci?

15 COMMISSIONER TUCCI: Yes, for a sealed bid to
16 receive for electrical services on December 27, 2018,
17 in the Township of Nutley.

18 And, whereas, Sal Electric, 83 Fleet Street,
19 Jersey City, New Jersey was the lowest bidder at the
20 rate of -- for per hour for foreman, \$101.91; for
21 journeyman, \$85.86; for apprentice \$28.50. No add-on
22 for materials, and no minimum service charge.

23 Whereas, as per the bid specification, the
24 contract term is from January 1, 2019 through
25 December 31, 2019, with the option to extend for one

1 year.

2 And, whereas, the contract is not to exceed
3 \$90,000, and funds are available from Account Number
4 9-01-508-200 in the amount of \$40,000 in Capital
5 Ordinance 3372A, in the amount of \$50,000 for services
6 contingent upon the adoption of the 2019 Municipal
7 Budget, with an option to extend for one year, and have
8 been certified by the Chief Financial Officer, said
9 certification being attached to this resolution.

10 Now, therefore, be it resolved by the Board
11 of Commissioners of the Township of Nutley, County of
12 Essex, State of New Jersey, that a contract for
13 electrical services be awarded to Sal Electric,
14 83 Fleet Street, Jersey City, New Jersey. I move the
15 resolution.

16 COMMISSIONER EVANS: Second.

17 THE CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye.

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

4 MAYOR SCARPELLI: Thank you, Commissioner.
5 Commissioner Evans?

6 COMMISSIONER EVANS: Thank you. Whereas
7 R.S. 40A:5-17 allows for the cancellation of property
8 tax credits for delinquent amounts in the amount of
9 \$10 or less.

10 Whereas, the governing body may authorize the
11 Tax Collector to process, without further action on
12 their part, any cancellation of property tax credits
13 for amounts that are \$10 or less.

14 Now, therefore, be it resolved by the Board
15 of Commissioners of the Township of Nutley, State of
16 New Jersey, that we authorize our tax collector to
17 cancel said amounts as deemed necessary. So moved.

18 COMMISSIONER TUCCI: Second.

19 THE CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 THE CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 THE CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Aye.

4 COMMISSIONER EVANS: Whereas, R.S. 54:4-67
5 permits the governing body of each municipality to fix
6 the rate of interest to be charged for non-payment of
7 taxes or assessments subject to any abatement or
8 discount for late payment or taxes provided by law.

9 Now, therefore, be it resolved by the Board
10 of Commissioners, Township of Nutley, County of Essex,
11 State of New Jersey:

12 One, that the Tax Collector is hereby
13 authorized and directed to charge 8 percent per annum.
14 This is the minimum amount that's allowed by state
15 statute. It's not set by the municipality, it's set by
16 the state, so it's just something we have to comply
17 with. The rates can go up to 18 percent, but we're
18 fixing it at the minimum of 8 percent. 8 percent per
19 annum on all taxes becoming delinquent after the due
20 date, subject to any abatement or discount for the late
21 payment of taxes provided by law.

22 Effective January 1, 2019, quarterly payments
23 made by cash, check, or money order shall have a ten-
24 day grace period.

25 Any payments not made in accordance with

1 Section 2 will be charged the interest rate from the
2 due date. So moved.

3 COMMISSIONER TUCCI: Second.

4 THE CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 THE CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 THE CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 COMMISSIONER EVANS: Be it resolved, by the
15 Board of Commissioners of the Township of Nutley,
16 County of Essex, State of New Jersey, the Treasurer
17 being and she is hereby authorized to refund
18 overpayments of tax charges in the amount of \$32,557.12
19 for the tax slots and blocks listed below.so move.

20 COMMISSIONER TUCCI: Second.

21 THE CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 THE CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 THE CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 COMMISSIONER EVANS: Be it resolved, by the
7 Board of Commissioners of the Township of Nutley,
8 County of Essex, State of New Jersey, the Treasurer be
9 and is hereby authorized to refund overpayment of
10 property taxes in the amount of \$797 for block
11 1200/2/C5408. So moved.

12 COMMISSIONER TUCCI: Second.

13 THE CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 THE CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER EVANS: My next resolution is a
24 change order for the law firm of Piro, Zinna, Cifelli,
25 Paris & Genitempo regarding our resolutions made in

1 August and in -- August of 2018, and in December of
2 2018. The change order is for an amount of \$270.

3 Now, therefore, be it resolved by the Board
4 of Commissioners of the Township of Nutley that Change
5 Order Number 3 in amount of \$270 is hereby approved.

6 So moved.

7 COMMISSIONER TUCCI: Second.

8 THE CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 COMMISSIONER EVANS: Whereas New Jersey
19 Statutes 40A:4-19 provide that where debt service is to
20 be paid in 2019 prior to the time of the final adoption
21 of the 2019 Budget, temporary appropriations should be
22 made in the amount of such debt service in the manner
23 and time therein provided.

24 Now, therefore, be it resolved by the Board
25 of Commissioners that the following temporary

1 appropriations are made:

2 Total current debt service \$125,608 for the
3 current fund, and for the operating utility, \$33,079.

4 So moved.

5 COMMISSIONER TUCCI: Second.

6 THE CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: Aye.

8 THE CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 THE CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 THE CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 THE CLERK: Mayor Scarpelli?

15 MAYOR SCARPELLI: Aye.

16 COMMISSIONER EVANS: Whereas, 40A:4-19, Local
17 Budget Law provides that where any contracts,
18 commitments, or payments are to be made prior to the
19 final adoption of the 2019 Budget, a temporary
20 appropriation may be made for the purpose and amounts
21 required.

22 Whereas, the total appropriation in 2018
23 Budget, less appropriations made for capital
24 improvements, debt service, and public assistance are
25 as follows:

1 Current Fund, \$49,089,340.05;

2 Water Utility \$4,400,605.

3 Whereas, twenty-six and one-quarter percent
4 of the total appropriations in 2018's budget, less
5 appropriations for capital improvement, debt service,
6 and public assistance in said 2019 budget would be:

7 Current Fund, \$12,885,951.76;

8 The Water Utility, \$1,155,158.81.

9 Now, therefore, be it resolved by the Board
10 of Commissioners, the following temporary
11 appropriations be made, and that a certified copy of
12 this resolution is transmitted to the Chief Financial
13 Officer for her records for the various accounts
14 covering the mayor's office, Public Works, Public
15 Affairs, Revenue and Finance, and Parks and Recreation,
16 as well as Public Safety. So moved.

17 COMMISSIONER TUCCI: Second.

18 THE CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 COMMISSIONER EVANS: Whereas, certain Capital
4 Improvement appropriation balances remain dedicated to
5 projects now completed.

6 Whereas, it is necessary to formally cancel
7 said balances so that the unexpended balance may be
8 returned to each respective capital improvement fund or
9 credited to surplus, and unused debt authorizations may
10 be cancelled.

11 Now, therefore, be it resolved by the Board
12 of Commissioners of the Township of Nutley, that the
13 following unexpended dedicated capital balances --
14 capital appropriations be cancelled for the ordinance
15 numbers listed for a total of \$205,203.50. So moved.

16 COMMISSIONER TUCCI: Second.

17 THE CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye.

2 COMMISSIONER EVANS: Be it resolved by the
3 Board of Commissioners of the Township, County of
4 Essex, State of New Jersey, that in accordance with the
5 provisions of R.S. 40A:4-59, the following transfer of
6 the 2018 Appropriation Reserves may and same are hereby
7 authorized and approved. From Unemployment
8 Compensation, \$55,000 to Economic Development, \$50,000
9 and Township Attorney O&E \$5,000, for a total of
10 \$55,000. So moved.

11 COMMISSIONER TUCCI: Second.

12 THE CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 THE CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye.

22 COMMISSIONER EVANS: My last resolution
23 tonight relates to a request for bids to hire an
24 appraisal company to begin a process of revaluing the
25 property of the Township. We have been ordered to do

1 so by the Essex County Board of Taxation and the State,
2 and we are subject to a periodic review. So this
3 particular resolution will initiate a process to
4 identify an independent appraisal company to come in
5 and actually execute a review of all of the property in
6 the township.

7 Whereas, the Township of Nutley has been
8 ordered to revalue all properties within the Township.

9 The Township is desirous of achieving a fair
10 and equitable distribution of the property taxes by
11 ensuring that every taxpayer pays his or her share --
12 fair share of the property tax.

13 Whereas, N.J.S.A. 11-4.1 provides that
14 competitive contracting may be used for the procurement
15 of specialized goods and services, the price of which
16 exceeds the bid threshold.

17 Whereas, the Division of Local Governmental
18 Services and the Division of Taxation recommend the use
19 of the competitive contracting process for the proposal
20 solicitations in connection with the revaluation of
21 real property within the Township.

22 Now, therefore, be it resolved by the Board
23 of Commissioners of the Township, County of Essex,
24 State of New Jersey, that the Township Clerk be and is
25 hereby authorized to advertise a notice for the

1 availability of request for proposal documentation for
2 the revaluation of all real property in the Township to
3 be received at the Municipal Clerk's office, One
4 Kennedy Drive, on February 15th at 11 a.m., prevailing
5 time. The proposals will be evaluated in accordance
6 with the methodology that is provided in the
7 documentation. So moved.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER EVANS: Thank you, Mayor.

20 MAYOR SCARPELLI: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Whereas N.J.S.A.

22 A:9-41 requires that an Emergency Management Council be
23 formed to coordinate all disaster control activities on
24 behalf of the Township of Nutley, County of Essex,
25 State of New Jersey.

1 We had one change on here, I believe, and
2 that is we have Thomas Nicoletti retiring from the fire
3 department, who's done an excellent job in this role.
4 William Cassidy, who's just finished number one on our
5 Lieutenant's list on the fire department, I am
6 appointing him to the emergency management coordinator
7 position. So I want to wish Will a lot of luck in
8 there. I want to tell -- say that Thomas Nicoletti did
9 a great job, and we appreciate all your dedication and
10 years of service. He was unbelievable, and we wish
11 Will Cassidy all the luck in the world. I think he's
12 going to be great. I move the resolution.

13 COMMISSIONER ROGERS: Second.

14 THE CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 COMMISSIONER PETRACCO: Be it resolved by the
25 Board of Commissioners, Township of Nutley, County of

1 Essex, State of New Jersey that Anthony Borino, an
2 employee of the Department of Public Safety, be granted
3 an extension of medical leave of absence without pay,
4 effective January 5, 2019 through March 5, 2019. I
5 move the resolution.

6 COMMISSIONER ROGERS: Second.

7 THE CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 COMMISSIONER PETRACCO: And my last
18 resolution, 28-19, I'll just read by title. This is
19 for one of our fire trucks. It's a new engine that --
20 not a new engine, but a rebuilt engine that we need,
21 and in order to do it, we needed to pass a resolution.
22 So I move Resolution 28-19 by title.

23 COMMISSIONER ROGERS: Second.

24 THE CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 COMMISSIONER PETRACCO: That's all I have.

10 Thank you.

11 MAYOR SCARPELLI: Thank you, Commissioner.

12 Whereas, raffle applications have been received from
13 the following organization:

14 Rotary Club of Nutley, License Number 4-19,
15 On-Premise 50/50 Cash Raffle, and License Number 5-19,
16 On-Premise Merchandise Raffle, to be held Saturday,
17 March 23, 2019.

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

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

1 COMMISSIONER TUCCI: Second.
2 THE CLERK: Commissioner Rogers?
3 COMMISSIONER ROGERS: Aye.
4 THE CLERK: Commissioner Tucci?
5 COMMISSIONER TUCCI: Aye.
6 THE CLERK: Commissioner Evans?
7 COMMISSIONER EVANS: Aye.
8 THE CLERK: Commissioner Petracco?
9 COMMISSIONER PETRACCO: Aye.
10 THE CLERK: Mayor Scarpelli?
11 MAYOR SCARPELLI: Aye. Whereas Topology,
12 LLC, 60 Union Street, Newark, New Jersey has been
13 awarded a non-fair and open contract as a professional
14 service pursuant to the provisions of N.J.S.A. 19:44A-
15 20.4 or 20.5, as appropriate, to provide Professional
16 Planning Services primarily related to the ongoing
17 redevelopment of the Hoffman-LaRoche and Ciccolini
18 properties in the Township of Nutley on June 8, 2017,
19 by Resolution Number 133-17.
20 Whereas, such services have exceeded the
21 original contract in the amount of \$50,000.
22 On behalf of the Board of Commissioners, we
23 recommend that the following change order from said
24 contract, Change Order Number 1, that provides
25 Professional Planning Services, primarily related to

1 the redevelopment of Hoffman-LaRoche and Ciccolini to
2 increase in the amount of \$64,200.

3 Whereas, funds are available from Account
4 Number 8-01-226-205 and have been certified by the
5 Chief Financial Officer, said certification being
6 attached to this resolution.

7 Now, therefore, be it resolved by the Board
8 of Commissioners, Township of Nutley, County of Essex,
9 State of New Jersey that Change Order Number 1, in the
10 amount of \$64,200 be and is hereby approved. I'll move
11 the resolution, but just to -- that will be reimbursed
12 by our redevelopers. So move the resolutions.

13 COMMISSIONER TUCCI: Second.

14 THE CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 Whereas, the law firm of Piro, Zinna,
25 Cifelli, Paris & Genitempo, 360 Passaic Avenue, Nutley,

1 New Jersey has been awarded a non-fair and open
2 contract as a professional service pursuant to the
3 provisions of N.J.S.A. 19:44A-20.4 or 20.5, as
4 appropriate to provide legal advice and services in
5 connection with the Township's Land Use Litigation for
6 the Township of Nutley on February 6, 2018, by
7 Resolution 46-18.

8 Whereas, such services have exceeded the
9 original amount of the contract in the amount of
10 \$17,000.

11 Whereas, the Board of Commissioners recommend
12 that the following change order from said contract:

13 Provide legal advice and services in
14 connection with the Township's Land Use Litigation for
15 the Township of Nutley in the amount of \$1,136.

16 Whereas, funds are available from Account Number
17 8-01-012-205 and have been certified by the Chief
18 Financial Officer, said certification being attached to
19 this resolution.

20 Now, therefore, be it resolved by the Board
21 of Commissioners, Township of Nutley, County of Essex,
22 State of New Jersey that Change Order Number 1 in the
23 amount of \$1,136 be and is hereby approved. Move the
24 resolution.

25 COMMISSIONER TUCCI: Second.

1 THE CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 Whereas, bids for the Collection Service of
12 Co-Mingled Recycled Material were received and opened
13 on December 13, 2017.

14 Whereas, F. Basso Rubbish Removal, 55-93
15 South 20th Street, Irvington, New Jersey, was awarded a
16 contract for the project via Resolution Number 18-18 on
17 January 16, 2018.

18 Whereas, the term of the contract shall be
19 extended for one additional year, beginning February 1,
20 2019 through January 31, 2020, as per the bid
21 specifications in the amount of \$169,450.

22 Whereas, funds are available from Account
23 Number 9-01-424-200 in the amount of \$169,450, and have
24 been certified by the Chief Financial Officer, said
25 certification being attached to this resolution.

1 Now, therefore, be it resolved by the Board
2 of Commissioners, Township of Nutley, County of Essex,
3 State of New Jersey, that a contract be awarded to
4 F. Basso Jr. Rubbish Removal not to exceed \$169,450,
5 and that the Mayor and the Township Clerk are hereby
6 authorized to enter into and sign said contract for the
7 Township of Nutley. Move the resolution.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 Whereas, bids for the 2017 Acceptance of
20 Recycling Vegetative Waste to include leaf and grass
21 clippings were received and open on January 25, 2017.

22 Whereas, S. Rotondi & Sons, P.O. Box 1407,
23 Summit, New Jersey was the low bidder for the removal
24 and recycling of Class B Clean Wood/Brush in the amount
25 of \$6.75 per cubic yard; for the removal and recycling

1 of Class C leaves in the amount of \$8.15 per cubic
2 yard; and for the removal and recycling of Class C
3 grass clippings in the amount of \$14.69 per cubic yard.

4 Whereas, the terms of this contract was for
5 one year from the awarded date with the option of a
6 two-year extension at the same price, and an agreed
7 upon pre-stated increase, and subject to the
8 availability of funds in the subsequent annual budget.

9 Whereas, the terms of the contract shall be
10 extended for one year, beginning February 7, 2019
11 through February 6, 2020, with the same price option
12 subject to the availability of funds in the annual
13 budget.

14 Whereas, the funds are available from Account
15 Number 9-01-422-209 in the amount of \$71,000, subject
16 to the adoption of 2019 Municipal Budget and have been
17 certified by the Chief Financial Officer, said
18 certification being attached to this resolution.

19 Now, therefore, be it resolved by the Board
20 of Commissioners, Township of Nutley, County of Essex,
21 State of New Jersey, that a contract be awarded to
22 S. Rotondi & Sons, not to exceed \$71,000, and that the
23 Mayor and the Township Clerk be hereby authorized to
24 enter into and sign said contract for the Township of
25 Nutley. Move the resolution.

1 COMMISSIONER TUCCI: Second.

2 THE CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 THE CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye. That concludes the
12 business portion of our meeting. Before Madam Clerk
13 reads the notice, I'll turn it over to Commissioner
14 Rogers.

15 COMMISSIONER ROGERS: Ladies and gentlemen,
16 thanks for coming tonight. I know many of you have
17 come so that we would have a public discussion on the
18 issue of term limits. Now, there's one thing that I'd
19 like to make clear. The reason why this was advanced
20 was to help encourage people to get involved in our
21 township governance. We want to see more people become
22 involved. People feel they're shut out. They feel
23 that they have no chance of getting on any boards, and
24 that doesn't mean that's reality. It's a perception,
25 to a certain degree. But I want to hear, I really want

1 to hear from everyone this evening, and I think it's
2 important that we go down a road, which we did last
3 week, and I was rather impressed.

4 I think we're one of the few towns that had
5 as many people at a meeting as we have, and had good
6 solid articulated discussion. So I want to hear from
7 you tonight. I know the Board of Commissioners wants
8 to hear from you tonight, and I got some ideas after
9 everyone speaks that I would like to advance to you.
10 But the whole idea -- the whole idea is an idea that's
11 sweeping across this country. It's not only Nutley.

12 From congress to local-level governments,
13 people are looking to get involved, and they're looking
14 for term limits for no other reason but to get new,
15 fresh ideas. Now, there's one thing that I did --
16 well, I left the last meeting with a few things, but
17 something was very profound at least week's meeting, at
18 least for me, and in speaking to some of the people,
19 for them.

20 The Library Board. I did not know, and I can
21 tell you a lot of people did not know the work and the
22 things that you have done for that library. No idea.
23 I was impressed, I tell you what. I went home
24 thinking, they did one hell of a job, which leads me to
25 this, and then I'll stop, and then you can speak. I've

1 said all along, since I came here in 2012, we do good
2 things in this town, but the one thing we really need
3 to do is start marketing all the good things we have.
4 So if there's a perception out there, and perception is
5 reality, we've got to work together to change that
6 perception.

7 So I'll stop, and Mr. Mayor, thanks for
8 giving me the floor, and I think we're all ears, and
9 then maybe we'll come to some satisfactory conclusion
10 tonight as to where we go from here. Thank you, Mr.
11 Mayor.

12 MAYOR SCARPELLI: Thank you, Commissioner.
13 Before I turn it over to Madam Clerk, I did send out to
14 the Commissioners the list of boards and the members on
15 the boards that were two terms or less. As
16 Commissioner said, sometimes, you know, perception is
17 reality, right? But when you look at our boards, if
18 you look at the Historic Preservation Board, out of the
19 seven members, three have less than two terms, less
20 than full terms.

21 On the Library Board, out of the seven
22 members, one is less than two, and she's rather new.
23 On the Planning Board, out of -- 1, 2, 3, 4, 5, 6, 7,
24 8, 9, 10, 11 -- out of 11 people, 1, 2, 3, 4, 5, 6, 7
25 are less than two full terms. On the Zoning Board, out

1 of the 11 people, 7 are new members. On the Rent
2 Leveling Board, out of the members, only one is a new
3 member on that board. But I think, like you said, as
4 perception is reality, I don't think people realize the
5 number of new people that are on those boards.

6 So with that, Madam Clerk?

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

16 Dialogue between citizens and others
17 addressing the Board shall be allowed unless the mayor
18 or presiding officer, or the majority of the membership
19 of the Board shall determine that the interest of the
20 quorum and/or the expeditious conduct of municipal
21 business are being adversely affected by such dialogue.

22 MAYOR SCARPELLI: Anyone wish to address the
23 Board of Commissioners first on term limits, and then
24 we'll move to anything else?

25 MR. DEMMER: John Demmer, town historian, 263

1 Harrison Street. Once again, I find myself here in
2 front of a microphone, speaking against term limits for
3 volunteer boards. I have gone over this proposed
4 ordinance in my head for the past several weeks, and I
5 still can find no real reason or justification for it.
6 The mechanisms for reappointing or removing board
7 members are already in place, and this ordinance is
8 just a doubling up on a system that, in my opinion, is
9 working just fine. Excuse me.

10 Since last speaking with you, my board needed
11 a new member. One was suggested to us, and other than
12 some minor Facebook interaction on my town historian
13 page, no one really knew this member, but she wanted to
14 join, and we welcomed her participation. Maybe it will
15 work out, and she will like it and stay. Maybe it
16 won't, and she'll leave. But the point was, she was
17 given the chance to participate, and not at the cost of
18 losing a seasoned member. This is the way it is and
19 this is the way it should be.

20 In taking an inventory of my own board, I've
21 counted almost four times as many people who have come
22 and gone during my tenure, as there are people that
23 have served two terms or more. Again, there is no need
24 for this ordinance. It only serves to hurt boards with
25 volunteer members that are already naturally fluid.

1 It's also my understanding that one of the leading
2 petitioners for term limits also obtained a spot on a
3 well-known board.

4 This is terrific, and in my opinion, it was
5 not an ordinance change that did it. It was the
6 vocalization of that group looking to make sure that
7 there is no favoritism against anyone, and that the
8 system is working. That was the best thing that did
9 come out of this all. Their concerns were made, they
10 were addressed, they were answered. As a volunteer, I
11 try to give everything I can to the groups I'm involved
12 with, and the fact that I'm here, along with many
13 others tonight, is an ongoing part of that
14 volunteerism.

15 Once again, we are here of our own free will,
16 away from our friends and families, trying to do good
17 for the town. What bothers me most about this proposed
18 ordinance is that not one specific example has ever
19 been given to me. No one said, here is exhibit A, B,
20 C. Here is who's been excluded. Also, out of the 565
21 municipalities in New Jersey, I can't find another
22 municipality that is addressing this on volunteer
23 boards. Why are -- why are we?

24 Also, there's the question of MLU laws, which
25 still have to be looked into. You can call as many

1 meetings as you want, and I will be here to fight for
2 our rights as volunteers every time. I even hear that
3 there's possibly a committee that might be formed, and
4 if one is done, I will spend my time to address that
5 committee too. Please, do me one favor before calling
6 another meeting or setting a committee. I know Mr.
7 Genitempo's been very busy. He's got a lot on his
8 plate, but can we please take some time out and give
9 him adequate time to look into the MLU to see whether
10 this is even allowed or necessary? We might be putting
11 the cart before the horse here. This might all be for
12 nothing.

13 I think the existing way that we are
14 conducting these boards is appropriate. I'm going to
15 sit down for a little while and listen to both sides
16 and listen to more people, but I am very sick, very
17 tired, and possibly a little cranky tonight. But
18 again, I will meet with you as many times as it takes
19 to show you that this ordinance is unpopular,
20 unwarranted, and a duplication of efforts.

21 But just to let you know on a personal level,
22 the more times that I'm called here, the less I feel
23 like it's about an ordinance that is supposed to do
24 some kind of good, and the more I feel like I have to
25 come here to plea to be a volunteer for the town of

1 Nutley, and that's a very uncomfortable feeling. So
2 again, I politely ask that we move off this subject out
3 of respect for those already fully fluid, functional
4 volunteer boards, and for the people who so generously
5 volunteer their time on them. Thank you.

6 MAYOR SCARPELLI: Anybody else wish to
7 address the Board of Commissioners on term limits?

8 MS. TANGORRA: Carol Tangorra, 43 Colonial
9 Terrace, Nutley. I currently serve as chairperson of
10 the Planning Board. I want to commend the mayor for
11 appointing a lot of new people to the various boards.
12 I think that as each new person has been appointed,
13 they have brought something special to the board, and
14 the interaction on all the boards has been a very
15 positive one.

16 May I ask, Mayor, has Mr. Genitempo looked
17 into this? Can we have any kind of a discussion or
18 opinion as to the legality? I, myself, have discussed
19 it with lawyers from all over the state, and everyone
20 has said the same thing. It's not legal. So I would
21 like to know, before we waste anymore time on this, is
22 it legal? Are we spinning our wheels when we could
23 well-afford to, you know, spend our time doing more
24 positive things?

25 MAYOR SCARPELLI: I don't know the answer to

1 that, Ms. Tangorra.

2 Mr. Genitempo?

3 MR. GENITEMPO: Sure. Ms. Tangorra, first,
4 let's understand where we are today. I think
5 Commissioner, at the last meeting, was very clear. He
6 even said he's done his own research in conjunction
7 with my research, and that specific term limits are not
8 legal. I think the Commissioner is looking for
9 different feedback, and Commissioner, I don't want to
10 speak for you, of course, but I've given my opinion on
11 that, and I don't disagree with you. But I think we're
12 not talking about particular term limits right now on
13 the Board, as I think the Commissioner's looking for
14 input on what he thinks might help provide more
15 participation from people.

16 So I'll let the Commissioner, if he wants, to
17 comment. Obviously, it's his move, but there's no
18 resolution pending. There's no ordinance pending on
19 anything related to term limits tonight, and there's
20 been no modification from the last one that we had
21 about a month or -- I guess about two months ago.

22 MS. TANGORRA: Thank you. So then, now, I
23 can only say that I commend the mayor for bringing as
24 much, you know, new participation to the boards as he
25 has. Thank you so much.

1 MAYOR SCARPELLI: Anybody else wish to
2 address the Board of Commissioners on term limits?

3 MR. MOORE: Rory Moore, 462 Chestnut Street.
4 Mr. Scarpelli, I did call the legal municipalities, and
5 I spoke with your attorneys extensively. There is no
6 law, per se, that -- to prevent any town from
7 introducing an ordinance for their town to impose term
8 limits. I believe it was Ms. McGovern who stood here
9 and provided some citations. I did not have any of her
10 citations, and I did some legal research on this, and I
11 also called DCA, and DCA said the same thing, that
12 there is no law on the books today that says a town
13 cannot impose term limits on boards that are appointed.

14 I don't really understand why it has to be
15 this way, because some people want to participate, and
16 if you're going to sit here and say, oh, it's illegal,
17 it's against the law, it's not. It's -- what people, I
18 think, are looking for is an avenue to say, I would
19 like to be on a particular board, and I think they
20 should be able to say, somewhere, Mr. Scarpelli, I want
21 to serve on the Zoning Board, or I would like to serve
22 on the Library Board. They might not do it right away,
23 but at least their name is there, the opportunity, when
24 it presents itself, will be able to be available to
25 somebody that's interested.

1 There's individuals who have come and said
2 that they were looking for people on their boards.
3 Well, how do you know that? Why don't you just let the
4 general public know, yes, there is an avenue to get
5 onto a board. I think that's what people are asking
6 for. And as Mr. Tucci said, this town is now starting
7 to change. We're going from single family homes, and
8 we're going to have a lot of apartments coming in very
9 shortly.

10 Some people might actually want to
11 participate in the town, and it's just fair to say, if
12 people should have that available to them, and we
13 should not scare people by saying it's illegal. Thank
14 you.

15 MAYOR SCARPELLI: Thank you. Mr. Moore, just
16 so you know, we're working with the IT Department to
17 set up a portal so that people can upload the -- not
18 really their resume, but their address and some
19 background information so that that'll be like a pool
20 of people for us to, whoever the mayor is, to put onto
21 the boards. I can tell you that, in the last month, I
22 interviewed some people -- or sat down, whatever you
23 call an interview, sat down and talked with some
24 people. And out of that, we appointed some new people
25 to the boards.

1 So the process is working, and I'm not going
2 to comment on the legal ramifications. I'll have maybe
3 Mr. Genitempo reach out to you, see who you spoke with
4 with the legal municipalities. So anybody else?

5 Mr. Odraea?

6 MR. ODREA: Michael Odraea, 133 High Street.
7 If term limits is good for our president, and then for
8 the governor of the state, it's good for anyone who is
9 being in a position of power in the town, county, or
10 state. I really think the term limits, but I have to
11 be, because I'm forced to be, because the way I am
12 seeing our Planning Board of this town allow more
13 apartment buildings and apartments being built in this
14 town, which has overcrowded our school system to the
15 point where our school system is driving
16 (indiscernible), on a \$7 million referendum -- yeah,
17 I'm for term limits. I am damn right for term limits.

18 We need term limits in this town. We've got
19 to have fresh blood that stands for the home leaders of
20 this town. We don't want -- what happens in the
21 Planning Board and Zoning Board, they have a lot of
22 power and a lot of say, which affects our property
23 taxes when it comes to our school system. And not only
24 that, the more people who know in our small town, in
25 3.4 square miles, more infrastructure damage is done to

1 our -- is done to our streets.

2 And like I said before, I don't want this
3 town to turn into a Patterson or a Brooklyn or a
4 Queens. You know, they're not Nutley, because in my
5 opinion, the leadership of this town, for the past 10
6 or 14 years, it's destroying our culture and character
7 of this town, which is a town full of small family
8 homes. Let Nutley be an oasis in this corrupt council
9 of Essex County. Let it be the town that is supposed
10 to be, a town of small family homes and businesses.
11 That's why I'm for term limits. If the Planning Board
12 and Zoning Board were doing a better job, I would be
13 against term limits. Thank you.

14 MAYOR SCARPELLI: Thank you. Anybody wish to
15 address the Board of Commissioners on term limits?

16 MR. GREENFEDER: Thank you, Mr. Mayor. It's
17 Wayne Greenfeder, 224 Grant Avenue. The way I look at
18 is we're dealing with a proposed solution looking for a
19 problem. There isn't a problem. There are term
20 limits. If you're on a board and they -- and you're
21 not very good at it, the word's going to get around,
22 and you have the ability not to reappoint. That is the
23 term limit. And that way, if you have someone that you
24 really like, that you've evaluated the person, they're
25 willing to work 40, 50 hours a month for free, as a

1 volunteer, why in God's name would you want that person
2 off a board? Are you going to be able to get someone
3 in to do that amount of time? Are you going to have
4 people with the institutional memory that you really
5 need?

6 It is not easy to be on the Zoning Board or
7 Planning Board. There's tremendous amount of knowledge
8 you have to have, and the same thing with the Library
9 Board. The things you have to do with finance,
10 bidding, construction. We went -- Mr. Tucci, who was
11 willing to come on a day off, to come to the library
12 and sit with us over construction problems we're
13 having, you have to make sure on these boards you have
14 those kind of people.

15 So you have people that are on the board, why
16 in God's name would you want to take them off? And
17 again, if someone isn't good, you have the full right
18 to not reappoint them. You have the right to not
19 reappoint them if you're mayor and counsel, if you just
20 don't want to. There's no -- none of us have a vested
21 right to our position on a board. We could be removed.
22 Just wait for the time and let us go.

23 And in terms of the perception of volunteers,
24 I don't see where people don't have the ability to
25 join. They have a lot of it. The perception is, we

1 can't get people. Take a look at the Red Cross
2 building. It's empty. There's no one there. They ran
3 out of volunteers. They couldn't do it. We have the
4 Friends of the Library here. We're desperate for
5 people. We need people to come and help raise money
6 for the library. We need people for the book drive.
7 We cannot get them.

8 So if there are a lot of volunteers that
9 really want to become involved in this town, really
10 help out with things like the library, we welcome you.
11 Come to the Friends of the Library. Get involved in
12 it. Come to the -- come to the library and read to
13 kids. There are a tremendous amount of volunteer jobs.
14 We're begging for people. So if there's a perception
15 that people cannot get involved, I think that's just
16 wrong. That's all I have to say.

17 MAYOR SCARPELLI: Thank you.

18 Anybody else wish to address the Board of
19 Commissioners on term limits?

20 MR. IANNARONE: Tony Iannarone, 103 Rhoda
21 Avenue. I addressed you last time. I think I could
22 talk for about four hours about this subject.

23 MAYOR SCARPELLI: Let's stop, Mr. Iannarone.

24 MR. IANNARONE: But I know I -- I know I have
25 five minutes. You know, things change, times change,

1 towns change. That's normal. That's natural. But
2 certain things should be immutable, and what makes
3 Nutley great is our traditions and our institutions.
4 One of our traditions is that if you're on a board and
5 you're doing a good job, you get reappointed, no matter
6 who the mayor is.

7 I'm very proud to get appointed by seven
8 mayors, some multiple times. First, by Carmen Orechio.
9 I didn't go to him. He came to me. I won't tell you
10 the nature of the problem, but I solved it for him by
11 agreeing to join the board. His political rival at the
12 time was Mayor Chenoweth. They were exchanging back
13 and forth, mayor, commissioner, mayor, commissioner,
14 but Mayor Chenoweth reappointed me even though I was so
15 closely associated with Carmen. I was reappointed by
16 your father, Peter Scarpelli, by Garry Furnari, by
17 Joanne Cocchiola, by then mayor, Al Petracco, and by
18 you.

19 You must've been doing some reason that you
20 did it. I must have been doing some kind of a good
21 job. The stress on being on a board is really being
22 overdone. The guts of Nutley isn't necessarily in the
23 boards. It's in its institutions. Now, this is not
24 braggadocio, but just to tell you how you can get
25 involved.

1 I'm best known for being president of the
2 Library Board. I'm in my 47th year as a trustee, and
3 my 33rd as president. But far beyond that, presently,
4 I'm a founding member of the Mattia Committee. I wrote
5 all their rules. I incorporated them. I got their IRS
6 exemption. I'm the only one who's been to all 45
7 dinners, and I'm still active. I'm a founding member
8 of the Hall of Fame Committee. I wrote all their
9 rules. I'm a founding member of the Friends of the
10 Library. I incorporated them. I got their IRS
11 exemption.

12 Incidentally, no charge. No charge at all for
13 the hundreds and thousands of hours I've given this
14 town. I spent 30 years as counsel to the Auxiliary
15 Police. I worked with the Boy Scouts. I was a little
16 league coach in American League for five years. I was
17 a basketball coach for four years. I wrote all their
18 rules. I'm presently a member of Unico, the Third Half
19 Club, the Historical Society. I mean, there's so many
20 things I've done over the years. I was on the Family
21 Service Board for six years.

22 I was the chairman of the committee that
23 renamed this building for Mayor Chenoweth. That plaque
24 downstairs in the lobby, I got it. So there's so many
25 things you can do. The ones -- I've made sure. And

1 I've done a lot more than that, but you can be with the
2 Kingsland Manor. They need people. You can be with
3 the Walker Society. They need people. The Friends of
4 the Library can always use people.

5 There are dozens and dozens and dozens of
6 things and ways you can get involved in this town. The
7 service organizations, rotary, Utico, Elks, whatever.
8 The Irish American Association. I can name dozens of
9 them. So if you want to get involved, you don't have
10 to be on a board. You don't have to be on a board at
11 all. In fact, I'd say, the bulk of the activities, the
12 Columbus parade committee, all of these groups, where
13 are the people who are complaining? I don't see them
14 on these organizations. Get out there. Do something
15 for the town. Make it the great town it is.

16 As I said, I can talk about this stuff for a
17 long time, but I just -- I just don't see any need for
18 this. And particularly, I think the complaints have
19 been about two boards in particular, and the rest of us
20 are being drawn into it, even though there's no
21 complaint.

22 I mean, you were in charge in essence of the
23 library, and so were you, Mayor Scarpelli. You know,
24 we don't bring you problems. We bring you excellence.
25 People love the place. I don't know what more we could

1 do or what more you could expect of us. We have a few
2 building problems, but no performance problems. We
3 work with the town. We work closely with the town.
4 We're never a wise duck. We always work closely, so
5 there's no issue.

6 I just really -- this has been very, very
7 upsetting to me. I'm very, very dedicated to the
8 library. Just let me give you one little example of
9 what things happen. Next to the entrance of the
10 library, there's a big brown stone. That came from the
11 Saint Mary's church, originally from the Nutley quarry,
12 and it has a plaque on it to Hoffman La Roche. That
13 was a gala event we held in 1990. It was a town event,
14 not a library event, but we had hundreds of people
15 there. It was a wonderful event. And as part of that,
16 we gave that to Roche.

17 That stone sat outside the gate house of
18 Roche for a long time. They moved it when they changed
19 the gate house. When they announced that Roche was
20 leaving, one person remembered that stone. One person
21 called Hoffman La Roche about that stone. One person
22 got Hoffman La Roche to move that stone, and they had
23 to find it. They didn't know where it was, because I
24 knew where it was, to get that stone and put it next to
25 the library. So that little piece of Nutley history is

1 reserved. That person was I, because I was the
2 chairman of that gala event, and I knew about the
3 stone.

4 Things come up all the time. Last night, a
5 man had a question, we had a program, about 70 people,
6 a piano program. A man had a question about the piano.
7 There was one person that could answer it. I could
8 answer it. There's a plaque for Mr. Butler that
9 started the library funds in the circulation room. Why
10 is that plaque there? I know why that plaque is there.
11 That was the first funds. I've since raised over a
12 half a million dollars in permanent funds that provide
13 an income for the library every year. I didn't do that
14 in two terms. It took a lot more than two terms. I
15 still work on it diligently.

16 So from my standpoint, holding apart from the
17 fact that I do not believe it is legal, regardless of
18 what the municipal -- yeah, I know there's no specific
19 overall statute, but there are statutes governing the
20 library and other boards. Those are state statutes.
21 They're very specific on their board membership, and
22 they say nothing about term limits. That's why I don't
23 think it's legal either.

24 So thank you very much for your attention,
25 and I hope we can resolve this. And as I say, if

1 people want to get involved in Nutley, it is the
2 easiest thing in the world. There are dozens of good
3 organizations that do good things for a lot of people.
4 All you have to do is go, and they'll welcome you with
5 open arms. Go work in the thrift shop or any number of
6 other places. The food bank. There are dozens, dozens
7 of things you can do.

8 MAYOR SCARPELLI: Thank you, Mr. Iannarone.
9 Anybody else wish to address the Board of
10 Commissioners on term limits?

11 MS. ROSSI: Tammy Rossi, 28 Colonial Terrace.
12 The last meeting, this idea was introduced. I spoke
13 out in favor of term limits. I've listened to some of
14 the board members tonight speak, and I commend you for
15 the time and efforts you've put into the -- serving
16 this town. I think it's wonderful.

17 But I also get a sense from some of these
18 board members, they feel they have rights as a
19 volunteer, and they will fight for their rights. How
20 can that be? That is -- that's basically saying,
21 you're denying the rest of the populace in this town,
22 who are willing and capable to serve on these boards,
23 just because you want to hold onto your position. And
24 I ask, is that really a fair way to be an active
25 participant in the community?

1 This community needs to be more inclusive of
2 all members, that when you have a community that is not
3 that way, it becomes disjointed. People become
4 strangers in town. That's not Nutley. Nutley has
5 always been a close-knit community. But that inner
6 close-knit part of Nutley that's always been around has
7 to evolve and embrace the newcomers to town, and they
8 have to offer them a term to serve on these boards.

9 I hear conflicting comments about how
10 difficult it is to find volunteers, which begs the
11 question, how are these opportunities even publicized?
12 Were they put on the cable channel? Were these
13 opportunities on these boards posted in town hall
14 downstairs?

15 Many people I speak to never hear about these
16 opportunities, and I've spoken to many citizens, very
17 intelligent and capable and willing citizens, who are
18 interested to serve on these boards, and they aren't
19 even given a second thought. Historically, I'm
20 speaking.

21 So right now, I think, especially in this
22 great time of change, where we have an influx of new
23 citizens moving to town from the city, from Brooklyn,
24 from Jersey City, and they want to become an active
25 participant in this community, they ought to be given

1 an opportunity. And this is where the term limits come
2 in.

3 There are members on the boards, some are
4 past their prime. Some of them, and I won't state
5 names, but some of them miss meetings. Some of them
6 are not really giving an intelligible vote yes or no.
7 They're just a yes vote every time. And this is
8 concerning, especially with the building going on in
9 town. I see a lot of yes voting. So with this said, I
10 do believe that it is necessary to have term limits,
11 and I hope you will consider this. Thank you.

12 MAYOR SCARPELLI: Thank you, Ms. Rossi.

13 MR. SLICKLEN: Hi, my name's Charles
14 Slicklen, 36 Hampton Place. A lot of people know me as
15 Cory. I'm not so much for term limits with volunteers.
16 I did a lot of volunteering in my town -- in the town
17 myself, but more so for elected politicians. I think
18 that that's part of our problem. A gentleman said
19 before, it's good enough for the governor, it's good
20 enough for the president. No offense, I think it's
21 good enough for you guys, too. Thank you.

22 MAYOR SCARPELLI: Thank you.

23 Anybody else wish to address the Board of
24 Commissioners on term limits?

25 MS. DOHERTY: Patricia Doherty, 387 Hillside

1 Avenue. Last night, I was sworn in as an alternative 3
2 member of the Zoning Board. I'd like to just share a
3 personal anecdote that may reflect on what we're
4 talking about tonight. For the past several months,
5 over the course of the past year, I had been attending
6 Planning Board and Board of Commission meetings
7 whenever my work schedule allowed.

8 I live in the neighborhood of On3, and I was
9 particularly interested in what the plans were for
10 that. The evening of the on 3 phase 1 presentation, I
11 attended to find out what Prism was going to be
12 presenting and offering to the Board in terms of the
13 vote, and what the entire phase would involve. I was
14 surprised to find out when I was at the Planning Board
15 that I was the only member of the Nutley public, except
16 for another resident, who was attending this very
17 important presentation.

18 I live in the neighborhood, but I was also
19 not within the 200 foot range of On3. All of those
20 people who were informed that there was a very
21 important meeting that they could attend, offer
22 feedback and comments, and I had a number of questions
23 of Mr. Diaz, and the Prism representatives, their
24 engineers, their architects. I believe I made myself a
25 pest. Ms. Tangorra will probably concur that a lot of

1 my questions made the evening go overly long.

2 After the meeting, Mayor Scarpelli came over
3 to me and said, would you be interested in serving on
4 one of the boards? And I said, I would be. And he
5 appointed me, and I'm looking forward to learning as
6 much as I can over the term that I have, and
7 contributing as much as I can to the Township of
8 Nutley. I've been here 20 years. Not a native, but I
9 do love the town, and I feel that, and hope that I can
10 contribute a lot by serving on the Board.

11 MAYOR SCARPELLI: Thank you, Ms. Doherty.

12 Anybody else with to address the Board of
13 Commissioners on term limits?

14 MR. SIMKO: John Simko, 32 Maple Place. I
15 chair the Historical Preservation Committee, and what I
16 think the best thing to come out of all of this tonight
17 is the thought that word is not getting out to everyone
18 that there are these positions that are open, and there
19 are these volunteer positions. That's what I would
20 like to see come out of here, because I think you guys
21 have already got the tools to get rid of people on the
22 Board, to decide that somebody has overstayed their
23 welcome, or that it's just time for you to go. But to
24 be forced to be put out, I don't think it's the way
25 that you get a good board.

1 I think the woman who spoke earlier, just
2 before me, is a perfect example of how people should
3 come on these boards. There are plenty of volunteer
4 opportunities. I volunteered. I'm not a Nutley
5 native. I volunteered for a lot of different things
6 before somebody noticed me and asked me to join the
7 board, and I've been happy to do it since then. I
8 expect that that's the way that people should come.
9 It's not so much a sort of learning as you are training
10 on the board.

11 I've had nobody from the public come to any
12 of our meeting who are interested, who were sitting
13 around, looking to volunteer to see what they could do
14 without being a board member. So I don't think it's
15 necessarily that newcomers need to be appointed to a
16 board as their first experience to volunteer and to
17 help this town.

18 That's how I got there. That's how I hear
19 other people got there, and again, I think you guys
20 have got all of the tools to make that happen, to make
21 sure that we don't become stagnant, that we remain
22 diverse, and I think that we should just all believe in
23 what we're doing, rather than imposing these limits.

24 MAYOR SCARPELLI: Thank you, Mr. Simko.

25 MR. SIMKO: All right.

1 MAYOR SCARPELLI: Anybody else wish to
2 address the Board of Commissioners on term limits?

3 MS. HIRSCH: Good evening. Barbara Hirsch,
4 477 Washington Avenue. No, I'm not really in favor of
5 term limits because I think the process we have in
6 place is very good. However, I do agree with some of
7 the previous speakers, we need to have more
8 communication. We need to get out there and say, yes,
9 in some way, I -- Mayor, I have to commend you for what
10 you've done recently in looking at people who have
11 volunteered, who were interested in volunteering, and
12 they've been recently appointed to boards.

13 Also, I noticed there's some communication
14 that you are now putting out a little blog called the
15 Nut, which I think is very helpful too in telling us
16 about things that are happening in town. So I think we
17 have to open communication. I think this is a good
18 forum, actually, to hear different people. I've been
19 in this community, and now I'm giving away my age, for
20 three quarters of a century, and I'm still okay. You
21 know, just -- you know, just saying. I've seen it all,
22 from -- for the last 75 years.

23 We have a wonderful town. We have wonderful
24 people. I do not want to serve on appointed boards.
25 I'm not looking to do that, but I serve on many boards.

1 Volunteer boards, I am president of the Friends of the
2 Library. Please, we welcome you. I serve on many
3 other boards. We welcome new people. So just give me
4 a call, and I have a place for you. I even have some
5 things on my table at home that really need to be done
6 right now for the Friends of the Library. Come to me.
7 So thank you very much. And again, I commend the
8 Commissioners.

9 MAYOR SCARPELLI: Thank you, Ms. Hirsch.
10 Anybody else wish to address the Board of
11 Commissioners on term limits?

12 Commissioner, you want to comment now?
13 Later?

14 COMMISSIONER ROGERS: I'll comment now. The
15 question is, where do we go from here? I know I
16 learned a lot tonight. I think a lot of us learned a
17 lot tonight. And what came out of this is a few
18 things. There's passion. Passion for the people who
19 have -- are opposed to term limits for very good,
20 legitimate reasons, and people who are for term limits.
21 At the end of the day, two things came out, and I'm
22 glad we had this, because the one underlying factor is,
23 all this good stuff's going on and we're not
24 communicating, as Ms. Hirsch said.

25 We're not -- and that's we. Me too. We're

1 not communicating to the public. So the question is,
2 where do we go from here? So I have a proposal to my
3 colleagues, and if you'd like to add some input, maybe
4 we could really do something significant here. We
5 might be the first town in the State of New Jersey that
6 maybe we're proposing this, if we haven't done already.

7 The pathway to participation, can we set up
8 an apprentice mentoring program for each of these
9 boards, where people don't have to be appointed to the
10 boards, but like -- Patricia is your name, if I may?
11 Patricia is a prime example of a citizen who stepped up
12 and wanted to get involved, and self-motivated herself.
13 But if we open up the doors and set up an apprentice
14 mentoring program where -- and I know we all do, over
15 the summer.

16 How many college kids come to us and say they
17 want to work, they want to get involved? So we -- or
18 the mayor or the appointing evaluator, you would assign
19 these people, and when I talk about apprentice and
20 people to mentor, I'm also talking about high school
21 kids, meant to get the millennial generation involved
22 in governing and in learning about the process of
23 government and what you do, and the values and rewards
24 of volunteerism. That would be exciting.

25 So here's what I'm going to do. First and

1 foremost, putting aside all of the possible legal
2 issues. And there are. I've heard, you know, you get
3 ten lawyers in a room, five say this and five say that,
4 and no offense to the lawyers in the room. But it
5 isn't a question of legality because there are legal
6 hurdles that we would have to jump over, and I'm not
7 going to take the town down that road.

8 So I'm going withdraw the ordinance. I'm
9 going to withdraw that ordinance, and I would ask this.
10 That maybe we can get together, I'll get together with
11 you. Why don't we set up an apprentice mentoring
12 program that we open up to the citizens of this town,
13 get it on the website, mayor will invite people to just
14 try to come onboard and volunteer for these boards, and
15 I think we would all benefit about that. Any input or
16 objections or anything?

17 MAYOR SCARPELLI: Commissioner, I look
18 forward to working with you on that.

19 COMMISSIONER ROGERS: Right.

20 MAYOR SCARPELLI: And you know, the specifics
21 of how that works out, but I think it's a good idea to
22 get people involved. And you know, I think we can work
23 something out with that.

24 COMMISSIONER ROGERS: Because we all -- we
25 all have the same -- we all have the same desire to

1 make sure our township and the people of this township
2 work together. Thank you.

3 MAYOR SCARPELLI: Thank you, Commissioner.

4 MR. MOORE: Rory Moore, 462 Chestnut Street.
5 Mr. Scarpelli, I don't know if you heard that civil
6 cities have -- I believe it's called -- it's -- I know
7 Newark was the first city to do that, which is exactly
8 what Mr. Rogers is saying. And it's -- the mayor -- I
9 believe it was NJ Channel 13, Mr. Aron is a reporter,
10 and he helped spearhead this, where the mayor opens the
11 city, and the mayor invites other people in, which
12 handbooks are given out, because I saw one of the
13 handbooks. It was very impressive. How government
14 works, who does what, what are the boards for, what --
15 how the town functions.

16 Now, I know Newark was the only one who did
17 that, but this is a great opportunity for Nutley to be
18 the second one to do that, and I think it's exactly
19 what Commissioner Rogers is saying that we should do as
20 a mentoring program, and I applaud you for that. But I
21 think that we should look into that.

22 MAYOR SCARPELLI: We'll look into that, Mr.
23 Moore, and see what Newark did.

24 MR. MOORE: I'd be happy to help you with
25 that.

1 MAYOR SCARPELLI: Okay.

2 COMMISSIONER ROGERS: And, Mr. Mayor, if we
3 can get the boards to send us all of what we heard,
4 because Department of Public Affairs, I always said I'd
5 like to utilize that department as our marketing tool
6 for the township. We've got great departments here,
7 great services. Maybe we'll go down that road.

8 MAYOR SCARPELLI: Thank you, Commissioner.

9 COMMISSIONER ROGERS: Thank you.

10 MAYOR SCARPELLI: Anybody else wish to
11 address the Board of Commissioners on any topic?

12 MR. SIMKO: So --

13 MAYOR SCARPELLI: Good crowd here tonight.

14 MR. SIMKO: The same topic, what I'd just
15 like to propose is that we get together the chairs of
16 each of the organizations we're talking about, meet
17 with you guys, because as we learned today, each of
18 these boards are very different. And the abilities
19 that we've got are different, the ways that we can
20 mentor people are different. So I would like for all
21 of the commissioner -- for all of the chairs of those
22 particular boards, to get together with you guys and to
23 begin that process. I think that's a wonderful idea.

24 COMMISSIONER ROGERS: That's great. Thank
25 you.

1 MAYOR SCARPELLI: Thank you, Mr. Simko.

2 MR. VONROTH: Brent Vonroth, 32 Colonial
3 Terrace. Hearing everyone just kind of speak what
4 they're saying, it's really about communication. I
5 mean, we talk about the town is changing. It is. I
6 mean, there's -- and I know everyone says that, if I
7 put in a resume, or anyone my age or younger that's
8 from Nutley, and I know they look at, you know,
9 Nutleyites as being what -- I'm proud of that.

10 That's why I'm still in this town, and some
11 of my friends are also still in this town for that
12 reason. But a lot of them work outside of this town,
13 and we have knowledge that we learn, and talking to
14 kind of everybody in a sense that there's -- there is
15 no communication in that aspect. Like, there isn't,
16 there is, and I do.

17 I saw it. I almost couldn't wait to comment
18 on your post on the blog, because I can answer a bunch
19 of those questions. And some of those questions I
20 couldn't answer, but I know where to go to get it, and
21 I'm proud of that. And the reason I say that, because
22 I think the volunteerism is low, because we don't have
23 time. I just finished a run and I saw Tammy leaving
24 here, and oh, are you coming, and I was like, oh, man,
25 I don't know if I can. But I want to hear it. I want

1 to be involved, because it's important.

2 I mean, Nutley, to me, I'm proud of, and I
3 think everyone on this board is. You can say what you
4 want here. Until you get out to all the masses and get
5 public involved, even if it's in the park somewhere,
6 more people show up. And maybe you'll get people. You
7 know what? I'm going to get involved. And I think --
8 I don't think you would deny any of us if we put an
9 application in. If you did, then I feel then maybe
10 there's discrimination, but I don't think there would
11 be.

12 It's about getting people involved, and
13 there's a lot of passion. Young, not new, young blood.
14 And that young blood is here, and it's in this town,
15 and I think they want to get involved. And that's kind
16 of what it's about. It's not -- I don't want to say
17 term limits, because you're right. You get two term
18 limits, you get a good guy, and he's gone, how do you
19 get him back? Is he going to have no take back in?

20 You want to find a passion, people that are
21 willing to commit to the township and what this town is
22 built on, and that's kind of what I wanted to add to
23 what Commissioner Rogers was saying. You know, you've
24 got to get out there. Get there -- find people that
25 will be willing to get the word out, and to get

1 involved, because the Friends of the Library, to me,
2 that's -- my son goes there every day after school. I
3 want to hear what the programs are doing. I want to
4 get involved in that.

5 But when you're in a household that has two
6 people working, you won't find the time. You've got to
7 make the time, and I did today, and I'm glad I did,
8 because I hope that this is something heard by all of
9 you, and you start to announce it to really the youth
10 of our town so that people can come in and decide to
11 put in a resume. I can't wait to see that portal,
12 because I would like to put a resume in because I don't
13 think anyone knows what I do. And if they do, they
14 don't the depth of it. And there's a lot of people in
15 our town that do good work outside of here that could
16 bring the knowledge internal and really make a change.
17 So --

18 MAYOR SCARPELLI: Thank you, Mr. Vonroth.

19 MS. HIRSCH: Barbara Hirsch, 477 Washington
20 Avenue. I think the idea of having high school
21 students, particularly, involved in this kind of
22 process is wonderful. Now, the students are required
23 to have a community day of service, which is going to
24 be occurring at Nutley High School this April.

25 Also, I had the privilege the other day of

1 working with almost 50 high school kids. We made --
2 it's called the Linus Project. We made blankets for
3 babies and for the elderly. These young people want to
4 volunteer, and I think if we can get them into
5 mentorship programs, this would be wonderful. So
6 again, thank you.

7 MAYOR SCARPELLI: Thank you, Ms. Hirsch.
8 Anybody else wish to address the Board of Commissioners
9 on any topic?

10 MS. SOMERS: Jeanna Somers, 27 Stewart
11 Avenue. I'm here to address the building, the mixed
12 use multi-family buildings. My family and I were
13 pretty much all in agreement that we don't see how
14 continuing to add the multi-family buildings aligns
15 with our town's goal of being a suburban center.

16 Our town's website boasts that it's designed
17 for walking and biking, but it's in fact the opposite.
18 I could be wrong, but I don't believe I see any
19 designated bike lanes in Nutley. The approval of each
20 new building results in an increase to the rental
21 population, which negatively affects community
22 involvement, decreases home values, brings increased
23 traffic congestion, and overcrowding in our schools.

24 When we moved here seven plus years ago, my
25 husband and I compared a number of statistics in our

1 search for the right place to raise our family. We
2 were looking to purchase a home, not to rent an
3 apartment. A couple items on our list are two being
4 discussed tonight. The ratio of renters to home
5 owners, and no overnight street parking. At the time,
6 Nutley had a low renter to home owner ratio. In fact,
7 it was very low. I'm not sure what that number is now,
8 but if I was moving to Nutley today, we would more than
9 likely skip right over Nutley as our top choice.

10 My family and I prefer to walk, bike, and use
11 public transportation daily. With Nutley's three-mile
12 radius, it's not difficult to leave my car behind when
13 I want to run errands around town. It seems that
14 almost on a daily basis, either I'm running out of the
15 way of an oncoming vehicle that is blatantly
16 disregarding pedestrian right of way mandates, stop
17 signs, and even red lights, or I'm witnessing my
18 children escape near-death collisions as they cross
19 Pasaic Ave, coming home from school.

20 Just walking here tonight, a car ran through
21 a stop sign and almost hit us. This is far from the
22 culture and warm feelings we had when we first moved
23 here. How do you plan to mitigate the problems to our
24 infrastructure? The approval of each new building
25 brings increased traffic, unsafe walking and biking

1 conditions, increasing amount of distracted drivers
2 with blatant disregard for pedestrians and bicyclists,
3 overcrowding in our schools, a strain on access for
4 first responders and our public utilities.

5 Just last spring, I was once again burdened
6 with having to show my proof of residency to the Board
7 of Ed, which is more than likely stemming from our
8 exhaustive overcrowding problem. This was the third
9 time that I had to do this since we moved here. It
10 seems that we can't handle the pace at which we're
11 growing, and our children will be the collateral
12 damage.

13 MAYOR SCARPELLI: Thank you, Ms. Somers.

14 COMMISSIONER ROGERS: Mr. Mayor?

15 MAYOR SCARPELLI: Go ahead. Go ahead,
16 Commissioner.

17 COMMISSIONER ROGERS: Ms. Somers, this is
18 your daughter?

19 MS. SOMERS: Yes.

20 COMMISSIONER ROGERS: And what's your name?

21 MS. B. SOMERS: My name is Braden Somers.

22 COMMISSIONER ROGERS: Well, I didn't know you
23 were coming up, but I was going to ask you -- actually,
24 I was going to ask your mother permission for me to ask
25 you to come up. I notice you're into scouting.

1 MS. B. SOMERS: Yes.

2 COMMISSIONER ROGERS: Well, I want to thank
3 you very much for being involved in scouting, and I
4 know all of the adults here are probably as proud of
5 you as I am, and you keep up the good work, and thanks
6 for being here, and thanks for being involved in
7 scouting.

8 MS. B. SOMERS: Thank you.

9 COMMISSIONER ROGERS: Okay.

10 MS. B. SOMERS: So my name is Braden Somers,
11 27 Stewart Ave. I wanted to say thank you for opening
12 up the discussion of single use plastic, and looking
13 into ways to move -- to move towards more
14 environmental-friendly options. I have been working on
15 a project in order to earn my Silver Award for Girl
16 Scouts, and I have spent a significant amount of time
17 researching the negative affects of single use plastic
18 bags.

19 I conducted a town-wide survey, some
20 individuals in this room may have even participated,
21 and would love to share the results and my research
22 with you, as I think it may be helpful in moving
23 forward. One of the requirements for completion of my
24 project is education and awareness. Sharing my results
25 and speaking to you about my research will help with

1 earning this high-ranking award, and I am asking for
2 the opportunity to do so.

3 I've also commenced a social media platform
4 of #BYORBNutley, which means bring your own reusable
5 bag, Nutley. This is currently a senate -- there is
6 currently a senate bill introduced to Governor Murphy,
7 which has support of local green initiatives in the New
8 Jersey Sierra Club, and if signed, would outlaw the use
9 of single use plastics in the entire State of New
10 Jersey, and is said to be the most comprehensive and
11 strongest plastic bill in the nation.

12 In New Jersey, our post-consumer plastics
13 recycling rates may vary between 6 to 9 percent.
14 Almost 20 towns in 1 county have, or are working on
15 plastic banning. By reducing how much plastic we use,
16 we will see less litter and less plastic bags harming
17 our wildlife and ecosystems. Please let me know when
18 is the best time to present my findings and research
19 results to you. Thank you. And I also have reusable
20 bags for you.

21 MAYOR SCARPELLI: Thank you very much. We'll
22 be in contact when we -- we want to see your survey.

23 COMMISSIONER EVANS: Braden, I just wanted to
24 mention -- Tom Evans. Hi. I saw your note today when
25 I was in the office, so I did respond to you.

1 MS. B. SOMERS: Okay.

2 COMMISSIONER EVANS: And I look forward to
3 getting together with you next week.

4 MS. B. SOMERS: Okay, thank you.

5 MAYOR SCARPELLI: Anybody else wish to
6 address the Board of Commissioners on any item? Seeing
7 none, move to adjourn?

8 COMMISSIONER EVANS: No, not yet.

9 MAYOR SCARPELLI: Oh, sorry.

10 MS. ROSSI: One more. Sorry. Tammy Rossi,
11 28 Colonial Terrace. I just wanted to follow up on a
12 few items. So the research is continuing on the impact
13 of further apartments being built, Mayor Tucci?

14 COMMISSIONER TUCCI: Yes, my proposal is that
15 the research continues. I think I touched on many of
16 the major impacts, but I'm sure there are others that
17 I've missed, and that there are others out there who
18 are much more qualified than I am to do even deeper
19 research, because I think the last thing we want is
20 development by accident, all right? And we don't want
21 to wake up one day and realize that our town looks
22 nothing like what we wanted it to look like if we don't
23 -- if we didn't take the proper steps to manage the
24 growth, and the plan for the future.

25 MS. ROSSI: Right. Right. So I just want

1 remind you again, it's been over 10 years since the
2 Zoning Board asked from the Planning Board for that
3 definition for mixed use and density. I hope whatever
4 further research needs to be done is done in a timely
5 manner, because ten years is an awful long time.

6 COMMISSIONER TUCCI: Yeah. I'm sure it will
7 be.

8 MS. ROSSI: Okay.

9 COMMISSIONER TUCCI: And I plan on budgeting
10 for that in this 2019 budget, and I also plan on
11 getting total involvement from our Planning Board and
12 our Zoning Board, and all of the good people that serve
13 there, and all of our professionals, because they have
14 information that some of us maybe wouldn't even think
15 of. So we want to take advantage of all those years of
16 knowledge.

17 MS. ROSSI: Great. Thank you very much. And
18 one last question for Mr. Genitempo. The status of the
19 negotiation or litigation with the developer and his
20 code violations. I know at the last meeting you said
21 you were getting close.

22 MR. GENITEMPO: We are very close. We're
23 hoping to have something at -- we thought we would have
24 something tonight, but probably at the next meeting.

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

1 will this developer be charged the penalties per
2 infraction per day? So for example, the building that
3 he had two bedroom apartments, from the date he
4 received the CO to today, will he be charged a fine per
5 infraction per day from that date to current?

6 MR. GENITEMPO: I really -- and I know we've
7 been down this road, and I don't mean to be evasive,
8 but if you can just wait another two weeks or so, we'll
9 get you the document and hopefully you can see it for
10 yourself.

11 MS. ROSSI: Thank you very much.

12 MR. GENITEMPO: You're welcome.

13 MAYOR SCARPELLI: Anybody else wish to
14 address the Board of Commissioners on the -- on any
15 topic? Seeing none --

16 COMMISSIONER PETRACCO: Move to adjourn.

17 COMMISSIONER ROGERS: Second.

18 THE CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye. Goodnight, everybody.

3 Thank you for coming.

4 THE CLERK: The time is 8:59.

5 (End of recording)

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CERTIFICATION

I, Ilene Watson, 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.

January 31, 2019

Ilene Watson
AAERT Cert. No. 447
Certified Court Transcriptionist