Conference Session

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

*** CONFERENCE SESSION ***

DATE: October 1, 2019

BOARD OF COMMISSIONERS:

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

Also Present:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
Conference Session

(Recording begins)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Thank you, Mayor. Board of Commissioners public meeting, Tuesday, October 1st, 2019, the time is 7:07. Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 29th, 2018 issues of the Nutley Sun, the Herald-News, and the Star Ledger. A copy of this notice has been posted on the Nutley Town Hall bulletin board, and a copy is on file in the Municipal Clerk's office. Commissioner Rogers is absent, excused. Commissioner Tucci will be joining us in a few minutes.

Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

THE CLERK: All present, Mayor, except for Commissioner Rogers. He's absent, excused, and Commissioner Tucci will be here in a few minutes.

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

COMMISSIONER PETRACCO: I have October 10th
Conference Session

is Put The Brakes on Fatalities Day, a resolution, an insert of revenue into the 2019 budget of 5,500 for the Click It or Ticket Grant program, and I have the municipal alliance also. And I think that's all I have.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: I have -- not too much. The need for executive, on a personnel contracts. A short -- I also have -- I accept and read into the record the summary of the recent tax sale. We have 17 properties for property tax arrearages, plus 53 properties for water arrearages. The total sale is 120,000 -- roughly $120,000. Very consistent with prior years, (indiscernible) in prior years. And it doesn't help, it's from state aid. And then I have four resolutions. All for refunds. And that's it.

MAYOR SCARPELLI: Thank you, Commissioner.

COMMISSIONER TUCCI: Commissioner Rogers --

COMMISSIONER PETRACCO: Commissioner, could you -- you beat me?

COMMISSIONER PETRACCO: This time. I have lights and sirens.

COMMISSIONER TUCCI: Sorry, folks. All right.

MAYOR SCARPELLI: I'll go to while Commissioner Tucci gets caught up Commissioner Rogers has a recognize the month of
October as Breast Cancer Awareness. I have three resolutions. One's for an insertion of revenue for the Clean Communities Grant Program, it's $53,915 and change. Authorize and approve various raffle applications and a change order for a decrease amount of $32,739 and change for 2018 various roadways improvements. And that's all I have.

Commissioner Tucci?

COMMISSIONER TUCCI: Yes. I do not have a report, but I do have two resolutions, both insertion of revenues. One for a Cooperative Forestry Assistance Program, that's to assist us with our Shade Tree Department, inventory, and the other is an insertion of a like amount, $3,000 for both of them, for the Green Community Grant Program, and that helps us with tree plantings and similar things of that nature. That's all I have.

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Yes, Mayor. We have minutes for approval for executive and regular board of commissioner meeting minutes, and also the Nutley Chamber has submitted an application for the arrival of Santa Claus for November 20th.

MAYOR SCARPELLI: Mr. Genitempo?

MR. GENITEMPO: Two matters for the
executive. One potential litigation, and the other contract negotiations.

    MAYOR SCARPELLI: All right. Shall we --

    COMMISSIONER TUCCI: At some point.

    MAYOR SCARPELLI: -- take a motion to go into executive session to discuss contract negotiations, potential litigations?

    MR. GENITEMPO: Personnel.

    MAYOR SCARPELLI: Personnel.

    COMMISSIONER TUCCI: You go have one.

    COMMISSIONER TUCCI: You going to make a motion?

    COMMISSIONER PETRACCO: I make a motion --

    COMMISSIONER TUCCI: Second.

    MAYOR SCARPELLI: I was looking at him, I wasn't looking at you, I was looking at him.

    COMMISSIONER PETRACCO: Yeah, I'm back --

    THE CLERK: As Section 8 of the Open Public Meeting Act, Chapter 231, Public Law 1975, permits the exclusion of the public from meeting under certain circumstances. And whereas, the public body is of the opinion that those circumstances exist, and whereas, the Board of Commissioners of the Township of Nutley in the County of Essex, in the State of New Jersey, desires to proceed to closed executive session. And
now therefore be it resolved by the Board of
Commissioners of the Township of Nutley to enter into a
closed executive session to discuss personnel contracts
and potential litigation and contract negotiations.

Be it further resolved that at the time and
event that such discussion may be disclosed to the
public shall be when such disclosure may be made
without adversely affecting the Township of Nutley,
pending and/or anticipated legal, personnel,
contractual matters, and other matters within the
exceptions provided for by statute.

Commissioner Tucci?

COMMISSIONER TUCCI:  Aye.

THE CLERK:  Commissioner Evans?

COMMISSIONER EVANS:  I'll have to
double-check.

COMMISSIONER TUCCI:  Yeah.

THE CLERK:  Commissioner Evans?

COMMISSIONER EVANS:  What is --

COMMISSIONER TUCCI:  If it was me, I think.

COMMISSIONER EVANS:  Yeah, I --

THE CLERK:  Commissioner Petracco?

COMMISSIONER PETRACCO:  Aye.

THE CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.
THE CLERK: The time is 7:12.

(End of recording)

* * * * * 

"When every word counts"
CERTIFICATION

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

_____________________________  October 16, 2019

Alicia Jarrett

AAERT Cert. No. 428

Certified Court Transcriptionist
In The Matter Of:
In RE: Nutley Board of Commissioners

Transcript of Proceedings
October 1, 2019
Public Session

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Min-U-Script®
Public Session

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*** PUBLIC SESSION ***

DATE: October 1, 2019

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Also Present:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
Public Session

(Recording begins)

MAYOR SCARPELLI: Everybody please stand for the flag salute.

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Thank you, Mayor. Board of Commissioners Public Meeting, Tuesday, October 1st, 2019. The time is 8:27. Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 29th, 2018 issues of the Nutley Sun, the Herald News, and the Star Ledger. A copy of this notice has been posted on the Nutley Town Hall bulletin board, and a copy is on file in the Municipal Clerk's office. Commissioner Rogers is absent, excused.

Commissioner Tucci?

COMMISSIONER TUCCI: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

THE CLERK: All present, Mayor, except for Commissioner Rogers. He is absent, excused.
MAYOR SCARPELLI: Apologize for our late start tonight. We had some pressing executive session that we had to get through. Let's go to minutes.

Madam Clerk?

THE CLERK: Yes, Mayor. We have Board of Commissioner meeting minutes for September 3rd, 2019. I need a motion.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Move it.

COMMISSIONER EVANS: Second.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: We have executive session minutes for September 17, 2019.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Abstain?

COMMISSIONER PETRACCO: Yes.

THE CLERK: Thank you.

Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: Thank you. And that's it for minutes.

MAYOR SCARPELLI: Communications?

THE CLERK: The Nutley Chamber of Commerce has submitted an event application to host Santa's arrival at the Nutley Town Hall Park Oval on Friday, November 29th, between 1 and 3 p.m., with a rain date of November 30th, from the hours of 11 a.m. to 1 p.m. I need a motion.

COMMISSIONER EVANS: Move it.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: And that’s it for communications.

MAYOR SCARPELLI: Discussion. Commissioner Evans?

COMMISSIONER EVANS: Yes, Mayor. On September 17th, we held our annual tax sale. This includes both property taxes and water, and it deals with properties that are in arrearages from 2018. A total of 17 properties were in the sale for property tax arrearages and 53 properties were in the tax sale for water arrearages. The total value was -- it was $129,479.28. Our total levy for the town is over $115 million. That's very minor in relation, and many of these liens have actually been redeemed by the owners since the 17th, so it's very consistent with last year. Thank you, Mayor. I needed to read that into the record.

MAYOR SCARPELLI: Thank you, Commissioner.

Bills, Madam Clerk?

THE CLERK: Thank you, Mayor. Bill list for October 1st, 2019. Public Affairs, $119,132.67; Revenue and Finance, $2,894,912.15; Public Safety, $32,003.17; Public Works, $37,321.48; Parks and
Public Property, $722,927.51; Overtime Payroll, $39,560.10; Total Payroll, $802,064.96; for a grand total of $4,702,706.63.

COMMISSIONER EVANS: Move the bills.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: Public comment on agenda items only. Madam Clerk?

THE CLERK: Thank you, Mayor. All persons addressing the Board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the board, each person shall limit their address to three minutes. All remarks to the board and its individual members must be addressed to the mayor. The mayor may defer citizens' comments to the appropriate member of the board. Dialogue
between citizens and others addressing the board shall
be allowed, unless the mayor or presiding officer or
the majority of the membership of the board shall
determine that the interests of the quorum and/or the
expeditious conduct of municipal business are being
adversely affected by such dialogue.

MAYOR SCARPELLI: Does anybody wish to
address the Board of Commissioners on the agenda items
only? Seeing none, let's move to Board of Commissioner
announcements.

COMMISSIONER EVANS: Go ahead.

COMMISSIONER TUCCI: Yes, I'd just like to
thank all of my colleagues up here for their help in
having us pull off what was probably the best
Fall Festival in the Park ever. We had over a hundred
vendors, we had our Farmer's Market very well
represented, and the white peaches were out of this
world, by the way, so I'll be back again this week for
more of those. It was a wonderful event, it was
attended by thousands of people. There were so many
people, we couldn't get a good count, but we do have
some aerial shots that we hope to put up on the
website. So I just want to thank everybody for your
help.
Public Session

MAYOR SCARPELLI: Commissioner, it was a great event. Great weather --

COMMISSIONER EVANS: Yeah.

MAYOR SCARPELLI: -- in fact, I would say, four to five thousand people easy.

COMMISSIONER TUCCI: Uh-huh.

MAYOR SCARPELLI: Through the park, you know, many from outside of town coming through to see our beautiful park, and spend money with our vendors, and hopefully, maybe went to some of our restaurants and other shops while they were in town.

COMMISSIONER TUCCI: I would hope so --

MAYOR SCARPELLI: Great, great event.

COMMISSIONER TUCCI: -- yeah, and our people were walking around very proud that they live here, and that we have these type of events, and this kind of unity on the Board of Commissioners and how everyone pulled together, you know, police, fire, rescue, DPW, revenue --

COMMISSIONER EVANS: Good thoughts.

COMMISSIONER TUCCI: -- revenue and finance helped, I mean, you name it, the entire group, and I just want to give a special thank you to my Parks Department people. There aren't many of them, but they are outstanding individuals and they did --
COMMISSIONER EVANS: Yeah.

COMMISSIONER TUCCI: -- an excellent job.

MAYOR SCARPELLI: Good job, Commissioner.

COMMISSIONER EVANS: Commissioner, I want to add to that that it was a beautiful day. I was all worried in the morning, because it was very cloudy.

COMMISSIONER TUCCI: A little cloudy, I'm with you.

COMMISSIONER EVANS: All right. But the weather turned out to be beautiful, and it was so nice to -- actually, I was down at the park earlier, and to see the number of town employees that were so involved with setting that up and making it look great. It was nice. And even you, Joe, I watched you, you know, cruising around, making people, you know, feel very welcome and very warm while you were actually there to protect them. So I thought it was great to see the presence of everybody --

COMMISSIONER TUCCI: Great selection, Commissioner.

COMMISSIONER EVANS: -- who was present. And so it was really --

COMMISSIONER PETRACCO: That's my job to thank him, Commissioner Evans, that's -- you just stole my line. I'm going to have to hear that for the next
ten years, that I didn't thank him, now.

COMMISSIONER EVANS: Yeah, yeah, yeah. Okay.

And thanks for the tip on the white peaches.

COMMISSIONER TUCCI: White peaches excellent.

COMMISSIONER PETRACCO: I'd just like to say, it was probably one of the nicest events I've been to. The weather couldn't have been beautiful -- the parks are stellar in Nutley. I drove through them again today, and the Parks Department did an awesome job, DPW with you, Mr. Mayor, with the Farmer's Market, and I am very proud of my good friend Joe, over there to do the job he did, and Joe's got an unbelievable sense of keeping the drama down at all the events he goes to, he's not one of the guys that throw gasoline on the problems, so thank you, and we had another special on Freeland Avenue doing the traffic --

COMMISSIONER TUCCI: Yes, you did.

COMMISSIONER PETRACCO: -- and it was really -- I can't say -- I was proud to be from Nutley that day.

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: Me, too.

COMMISSIONER PETRACCO: I mean that. So thank you.

Mr. Mayor, if I can, I just have a comment to
add to the end of the meeting, if you can give me a couple minutes.

    MAYOR SCARPELLI: No problem.

    COMMISSIONER EVANS: Mayor.

    COMMISSIONER PETRACCO: Thank you.

    COMMISSIONER EVANS: Just two quick points.

October 11th is the DMV Mobile Unit. We'll be down at the Parks Department from 10 until 2. It -- just a reminder, there's -- in addition to the services that they provide, which is vast, just a reminder that if your motor vehicle is within 60 days of having a need to be reinspected, you can actually bring your car down to Parks on the 11th and it will be inspected.

The other thing that is in the materials that I wanted to just put a note on is, if you are a disabled veteran, and you have your DD-214 or DD-215 record, you can actually go down to the Motor Vehicle Unit and actually get a placard that will exempt you from having to pay parking, parking meter fees. So I think that's just another point that we should encourage people to take advantage of. And that's statewide. So those are just things we have to put on -- the other, just real quick, is a reminder that October 15th, we won't have a meeting before then, it'll be that night, but the Municipal Clerk's office
will be open late for voter registration. Thank you, Mayor.

    MAYOR SCARPELLI: And the Public Works will be giving out ten free leaf bags to anybody who comes out on Saturday from 8 to 1 at the town garage. So leaf season is coming quickly, even though it doesn't feel like it today and tomorrow, but it will be here before we know it. Let's move on to resolutions.

    Commissioner Tucci?

    COMMISSIONER TUCCI: Yes, thank you, Mayor.

    Whereas, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget;

    Whereas, said director may also approve the insertion of any item of appropriation for equal amount;

    SECTION 1:

    Now therefore be it resolved that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby requests the Director of the Division of Local Government Services
to approve the insertion of an item of revenue into the budget of the year 2019, in the sum of $3,000, which item is now available as a revenue from the Cooperative Forestry Assistance Program, pursuant to the provisions of statute;

SECTION 2:

Be it further resolved that a like sum of $3,000, be and same, is hereby appropriated under the caption of general appropriations, operations excluded from 5 percent CAPS Cooperative Forestry Assistance Program, in the amount of $3,000;

Be it further resolved that the above is the result of revenues available for the Cooperative Forestry Assistance Program. I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Whereas, N.J.S.A. 40A:4-87 -- basically, the same resolution, provides
that the Director of Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget;

Whereas, said director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1:

Now therefore be it resolved that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue into the budget of the year 2019, in the sum of $3,000, for the Green Community Grant Program, pursuant to the provisions of the statute;

Be it further resolved that a like sum of $3,000 be and same is hereby appropriated under the caption of general appropriations;

Be it further resolved that the result is the result of revenues available for the Green Community Grant, and that the municipal matching share for the Green Community Grant in the amount of $3,000 is
included in the 2019 adopted budget, and is hereby appropriated for said purpose;

Be it further resolved that the Township Clerk forward one certified copy of this resolution to the Director of Local Government Services. I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: Thank you, Commissioner. Commissioner Evans?

COMMISSIONER EVANS: Thank you. Be it resolved by the Board of Commissioners of the Township of Nutley, the County of Essex, the State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayment of water charges in the amount of $116.22 for Block 2402, Lot 19. So move.
COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.
COMMISSIONER EVANS: My next three resolutions, 237, 238, and 239, for '19, are basically the same. I'm going to read the first one, and then I'll refer to the other two as just --
MR. GENITEMPO: By order of resolution number.
COMMISSIONER EVANS: Right, by resolution number. Thank you. Right. And it's okay for me to consolidate those, right?
MR. GENITEMPO: Yes.
COMMISSIONER EVANS: All right, thank you.
All right.
Whereas, New Jersey Statute 54:4-3.3 provides certain war veterans who have suffered serious disability while in service a full tax exemption on their principal residence; and
Whereas, Mr. Daniel Fasanelli was granted a full exemption from payment of property taxes from February 19th, 2019, and all subsequent years for Block 8900, Lot 12, known as 27 Brown Street on May 7th, 2019, via Resolution 28 -- 128-19;

Whereas, Mr. Fasanelli received a homestead rebate in error, and for the year 2016, which was applied to the fourth quarter of 2019's property record;

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, that the Treasurer be and she is hereby authorized to refund the 2016 homestead rebate in the amount of $416 that was incorrectly applied to the fourth quarter property taxes.

MR. GENITEMPO: 408.16.

COMMISSIONER EVANS: Oh, it was -- 408, excuse me, yes. $408.16, thank you. So move.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: 238-19 is for Mr. Michael Walsh, for -- related to Resolution 170-17. The same -- same point as the 2016 homestead rebate was applied in the amount of $409.19. I move this resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: And the last one is 239-19 for Mr. Dennis Cedrone, Resolution 129-19, which granted his exemption. Same thing for the homestead rebate, which was applied in error for the year 2016, in the amount of $404.37. So move.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: And thank you, Mayor.

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Petracco?

COMMISSIONER PETRACCO: Whereas, across the nation, traffic crashes cause 36,750 fatalities in 2018, and are the leading cause of death for young people ages 15 to 34; and

Whereas, in New Jersey, 563 individuals lost their lives in traffic crashes in 2018; and

Whereas, pedestrian related crashes accounted for 31 percent of state's traffic fatalities;

Whereas, motorcyclists and pedestrians face increased risk on New Jersey's roadways as people opt for alternative modes of transportation;

Whereas, 53 motorcyclists and 165 pedestrians were killed in New Jersey in traffic-related crashes in 2018;

Whereas, safer driver behavior, such as buckling up every ride, obeying posted speed limits, stopping for pedestrians and crosswalks and using...
crosswalks when walking, avoiding aggressive driving
behaviors, never driving impaired, wearing proper
safety gear while riding a motorcycle or bicycle, and
focusing solely on driving by avoiding distractions,
can dramatically reduce the number of traffic related
injuries and deaths.

Now therefore be it resolved by the Board of
Commissioners, Township of Nutley, County of Essex,
State of New Jersey, hereby proclaim October 10, 2019,
Put The Brakes on Fatalities Day, and call upon
everyone to put their lifesaving behaviors into
practice to improve safety on the roadways in our
communities and throughout the state.

Before I move this on, I'd just like to say
that our crosswalks in Nutley, our pedestrians, where
they cross, please show courtesy there. I know
everybody's in a race; can you imagine having to be the
person who hits anyone and takes their life, because
you were rushing? It's a big problem in Nutley, so we
posted areas, we give out tickets. We have had
fatalities because of it. So it's not just the trouble
that you're going to get in, it's something that you're
going to have to live with the rest of your life that
is way greater to me than a summons or having to go to
court. So I read this resolution in good faith, trying
to send a message to all our residents, saying please, the traffic in Nutley has increased. There's no doubt about it. And people, I see it all the time, blowing through these crosswalks with people, you know, standing on the curb. So please slow down. I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: Whereas,

N.J.S.A. 40A4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality when such items shall be -- have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

Whereas, the Director may also approve the insertion of any item of appropriation for equal
amount;

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of $5500, which is an item now available as revenue for the Click It or Ticket Grant, pursuant to the provisions of the statute.

SECTION 2

Be it further resolved that a like sum of $5500 be and same is hereby appropriated under the caption general appropriations;

Be it further resolved that the above is a result of revenue available from the Click It or Ticket Grant Program. Be it further resolved that the Township Clerk forward one certified copy of this resolution to the department of Local Government Service. I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.
Public Session

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: This one I'm not going to read. It's Number 233-19. This is a grant from Municipal Alliance for 20,000. I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: That's all I have, Mayor.

MAYOR SCARPELLI: Thank you, Commissioner. This is Commissioner Rogers's resolution, Number 240-19.

Therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, to recognize October as
Breast Cancer Awareness Month. Be it further resolved that we urge all women and their families in the Township of Nutley to seek assistance in obtaining the facts and information about breast cancer, mammography, and available support groups for victims and to participate in the programs scheduled this year for residents of the township and breast cancer survivors.

I move the resolution.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Tucci?


THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Whereas, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality and that such items shall be -- shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the budget;

Now therefore be it resolved by the Board of
Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2019 in the amount of $53,915.71, which item is now available as a revenue from the Clean Communities Program Grant pursuant to the provisions of the state statute.

Be it further resolved that a like sum of $53,915.71 be and same is appropriated under the caption of general appropriations, excluded from the 5 percent cap; Clean Communities Program Grant, $53,915.71;

Be it further resolved that the above is the result of revenues available from the fiscal year 2019, Clean Communities Program Grant;

Be it further resolved the Township Clerk forward one certified copy of this resolution to the Director of Local Government Services; I move the resolution.

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
Whereas, raffle applications have been received from the following organizations; Nutley High School Soccer Booster Club, license 43-19, off-premise 50/50 cash raffle, to be held Thursday, November 21st, 2019. Nutley Irish-American Alliance, license number 44-19, off-premise 50/50 cash raffle, to be held Friday, December 13th, 2019;

Whereas, the applications have been reviewed and approved by the Municipal Clerk and the police department;

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Whereas, bids for the 2018 various roadway improvements were received and opened on Wednesday, May 30th, 2018; and

Whereas, D&L Paving Contractors, 657 Franklin Avenue, Nutley, New Jersey, was the low bidder; and

Whereas, the base bid for the 2018 various roadway improvements was in the amount of $216,514, and Alternate Number 1 Bid in the amount of $31,062.27, for a total bid amount of $247,576.27; and

Whereas, the Township of Nutley entered into a contract with D&L Paving Contractors for the amount of $247,576.27; and

Whereas, Change Order Number 1 for the base bid has been authorized for a decrease in the amount of $32,671.15, and Alternate Number 1 has been authorized for a decrease in the amount of $68.43 for a total deductive change order in the amount of $32,739.58;

Whereas, the original contract is being decreased in the amount of $32,739.58 for an adjusted contract price of $214,836.69. The contract deduction is to be credited to account number G04113401,
Ordinance Number 3295A, and account number G04104401, Ordinance Number 3345A;

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that change order number one as attached is a change from the contract previously made by the Township of Nutley with D&L Paving Contractors for the project known as 2018 various roadway improvements and hereby is authorized and approved; I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci.

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Madam Clerk?

THE CLERK: Thank you, Mayor.

All persons addressing the Board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the board, each person shall limit their address to
five minutes. All remarks to the board and its 
individual members must be addressed to the mayor. The 
mayor may defer citizens' comments to the appropriate 
member of the board. Dialogue between citizens and 
others addressing the board shall be allowed unless the 
mayor or presiding officer or the majority of the 
membership of the board shall determine that the 
interests of the quorum and/or the expeditious conduct 
of municipal business are being adversely affected by 
such dialogue.

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

MR. CULLARI: Chris Cullari, 152 Joerg 
Avenue. I have a question regarding our municipal 
debt. Going through the previous community hearings 
with the debt statements and budgets, it appears that 
the amount of our debt has gone down, and our principal 
payments have gone up, and I was just curious to see if 
that was a part of the (indiscernible) our debts.

COMMISSIONER EVANS: Exactly. We -- at this 
point in time, our true debt outstanding as a 
municipality, not for the school board, but for the 
municipality, is $13 and a half million, at roughly 10 
years at 2 and a half percent. So about -- basically, 
a great mortgage rate if you can get it.
We have been, you have been, paying that down. You're seeing accelerated payments associated with the Davis -- the bike shop building on Franklin Avenue. There's no debt on that building now, it's completely paid for, and we've been paying down the Ciccolini property as well, to manage our way through that. So yes, our ultimate borrowing ceiling for the municipality is $140 million, so we're well below -- you know, and we intend to stay that way.

MR. CULLARI: Okay, thank you.

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

MS. SPENCE: Hi. Annelise Spence, 302 Harrison Street. I just wanted to follow up on the parking ordinance on Conduit Street, and if Nutley homeowners will be eligible for parking passes there.

COMMISSIONER PETRACCO: You know, I've been waiting for you to come in, actually. The one thing that I didn't realize was there's a Park and Ride in the Clifton Commons right down the street from Conduit, so my first question that I've been waiting for you to come, is why would you not take advantage of that Park and Ride? Why would you want to park on Conduit?

MS. SPENCE: For me it's kind of a quality of life issue. A large parking space, busier traffic
area, all of that, versus quiet, peace, neighborhood, and I mean, I like my commute. I'm not trying to change my commute. And besides that, just the fact of the matter is that it doesn't make sense that another homeowner should not also have that same access to a parking ticket as another homeowner, that just doesn't make sense to me.

COMMISSIONER PETRACCO: Uh-huh.

MS. SPENCE: It's not fair, I guess, is how I would put it.

COMMISSIONER PETRACCO: You know what, it is, like you're saying, like a quiet neighborhood, and these quiet neighborhoods haven't been too quiet because of the commuter parking. And I get your point, that you live in Nutley, and you should be able to park there. This is really a work in progress, as you know. I'm learning a lot of things about it. I learned that when we make these, you know, parking restrictions, that it pushes the problem down to the next block as well. And I have to tell you, you know, that Park and Ride being another two seconds for you to travel and keep these neighborhoods quiet, and I mean, if the Board of Commissioners like to jump in here, because this is really a pilot program still, as far as I'm concerned, and I'm willing to listen to you, but, you
know, if I -- if we were to allow -- if we start
allowing that, you know, for you, how many more
requests are we going to get when there's a parking
area two seconds down the street?

MS. SPENCE: Again, I hear what you're saying, but --

COMMISSIONER PETRACCO: And I didn't know
that when you came the first time. That's why I really
looked into it.

MS. SPENCE: Well, my understanding of that
street, it's still a public street. There are no
addresses there and why can't there be a limited number
of parking passes. Those people already have their
parking lots, or their driveways in front of their
house.

COMMISSIONER PETRACCO: You know what I think
we need to do? I think, you know, and we could debate
this back and forth on the mic all night long here,
because there is a lot of questions. I really think
that we need to think about this, and I would love for
you to come into my office one day, and, you know,
brainstorm this a little bit, because it's an issue,
and no matter what we do, it creates problems, and, you
know, you know, like, you want to park there, I got 30
neighbors screaming at me why they don't want cars
there, and so there's two sides of the story, and I'm always the first one to say up here, you know, we need to strike a balance in government to make, you know, try to give a little sugar to both sides of the parties, but it's -- it's an incredible issue in Nutley, to this commuting park, or parking, and then when you put the signs up to alleviate it, then you have the neighbors saying why can't I park in front of my house? You know, now you're taking the parking away from my --

MS. SPENCE: To accommodate other homeowners in Nutley, or actually for that parking space, my guess is that we leave that (indiscernible) and if it's over a permitted number, allow people to apply to -- whether or not I got an (indiscernible) but regardless of that incident, how is that they can't -- that can't be a limited number of free parked cars? They -- people should be allowed to park --

COMMISSIONER PETRACCO: I want to -- I've been in business I think it's -- I'm embarrassed to say this, but probably about 30 years now, and a good friend of mine told me this the first day I opened up my business, which is not my -- the one that I have now, it was in a different location, and I have to heed these words. He says, Al, watch what you start. You
know, and that's what I'm afraid of, you know, starting something else, because, you know, and we've all talked about this overnight parking, how this can open up the door about overnight parking, and I have gotten many calls about this overnight parking, which I am not willing to change as long as I'm sitting up here, and I don't think any of my fellow commissioners up here and the mayor are not willing to change, but this is a -- we -- this is a conversation that, you know, we need to have. And I respect your opinion, and I really do, and I'm not saying no at this time, either, but I don't think we're going to solve this problem in five minutes here tonight.

MS. SPENCE: Okay.

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

Before we adjourn, Commissioner Petracco?

COMMISSIONER PETRACCO: Yes, Mayor. This is a tough subject for me. As many of you guys are -- as many people are aware, my mom passed away on September 10th, after a year battle with lung cancer, and I wanted to start with the Board of Commissioners, and thank each one of you, as you know, starting with Tom for the phone calls, Mauro for all the support and visits to my mother's house. Joe, you know what you
were -- you are to my mother, I should say.

I want to thank Steve Rogers, Commissioner Rogers, for all the spiritual, and prayers, and coming, and everything that he did to help me. I'd also like to thank all the law enforcement that was there to -- that day. I want to thank Mayor Michael Venezia, a good friend of mine, and Director Sam DiMeo from Bloomfield for sending the police escort, the motorcycles. I want to thank the mayor of Belleville, and the whole council there, especially Mark Minichini, the Chief, a dear friend of mine, for his help. I also want to thank Mike Gardener. At the time, I didn't even know he sent cards there, from Rutherford, and their chief and their staff. I'd like to thank the State Police also, Dominic Oriem (phonetic) and James Calero for giving my mother quite the sendoff.

I'd like to thank everyone from the town. I wanted to thank the girls in the clerk office for attending. I'd like to thank our Sheriff, Armando Fontoura, for the cars. A big surprise was seeing Chris Durkin there, our County Clerk, a true gentleman, I'd like to thank him. And I'd especially like to thank Nutley Police Department, and Chief Strumolo for organizing all that. It was again,
quite the send-off. The Nutley PBA for all their efforts, the Fire Department. I want to thank everyone from Public Safety. I know my head has been not in the game the last nine months, going through that with my mother, and I appreciate their support.

And mainly, I want to thank all the township employees. All of your departments. The support, the stops by the deli, you know, especially when my mother was going through it, it was really heartfelt.

I'd like to thank Biondi's Funeral Home. You know, when we're in these seats, Biondi's didn't do this funeral for me, but they'll get the next one, unfortunately, because Anthony and his family and his wife were true gentlemen and ladies, but Brown's Funeral Home did an excellent job for my mom, and I'm indebted to them.

I'd like to thank all my people, my employees, my friends, my family from the deli. I'd like to thank all the customers, and which, all my customers are family to us, because you know how instrumental my mom was at the deli.

I can't express the duffel bags of Mass cards that were at the wake, and have been delivered to the deli. They're still coming. I want to say thank you publicly to everyone, because I am writing thank yous,
but I read every single one of them, and I still am reading them, and I never realized how important a Mass card is, and I want to thank everybody for their Mass cards, and their -- all the other things that were sent to me. I'd like to thank my wife, my family. I'd like to thank Joe and Jerry. Oh, boy.

I'd really like to thank Sam Carella. I can't get into -- with her. I'd like to thank Ida Carnevale also, for all their support and many, many families like the Studies (phonetic), the Barlottos (phonetic), the Mitschkes (phonetic), all the people from Park Ave. I grew up with.

I'd also like to just mention one thing, that, you know, when you get involved in politics, and somehow, you can't make everybody happy all the time, as we all know, I'd like to thank my mom for all the relationships because of her death that were fractured who are now back in my life, which is very important to me.

Lastly, I'd like to thank this town of Nutley. You know, my brother said to me at the casket, at the wake that day, he says, Al, I hope you know, you don't turn this into a political event. And I said, Larry, you know, what -- what -- how can I stop that?

The great moves at the -- my mom's wake was held 4 to 8
at Brown's, and we shook the last hand at ten o'clock that night, the tribute was unbelievable, and my brother leans next to me, and he says, as we shook that last hand at ten o'clock and said, you know, Al, everybody had something nice to say about Mommy. And it wasn't about you, you know, and your political career and that stuff, and that was so heartfelt, that everybody that came, and there was a line out the door, as we all know, that they all had kind words to say.

Lastly, I said this once before on Facebook, my mother was a very private person, and she didn't want people to know she was sick. She never complained going through it. Not one time. It was unbelievable. The woman she was, all the conversations she had on the campaign trails, and in the delis, in the stores that we had all over town, and I sure wish I could kiss her good night, but if your mom's still alive, kiss her for me.

MAYOR SCARPELLI: Thank you, Commissioner.

Motion to adjourn?

COMMISSIONER TUCCI: So move.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: 9:04.

MAYOR SCARPELLI: Good night, everybody.

(End of recording)

* * * * *
CERTIFICATION

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

________________________________  October 16, 2019
Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist