

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

November 18, 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

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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: November 18, 2019

BOARD OF COMMISSIONERS:

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

Also Present:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 THE CLERK: Board of Commissioners public
3 meeting, Monday, November 18th, 2019. The time is
4 7:05. Pursuant to the requirement of the Open Public
5 Meeting Act, Chapter 231, Public Law 1975, notice of
6 this meeting was published in the November 29, 2018
7 issues of the Nutley Sun, the Herald News, and the
8 Star Ledger. A copy of this notice has been posted on
9 the Nutley Town Hall bulletin board, and a copy is on
10 file in the Municipal Clerk's office.

11 Commissioner Rogers?

12 COMMISSIONER ROGERS: Here.

13 THE CLERK: 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: Thank you, Madam Clerk.

23 THE CLERK: Thank you.

24 MAYOR SCARPELLI: Commissioner Petracco, what
25 do you have today?

1 COMMISSIONER PETRACCO: I have a report that
2 usually I miss, and I didn't miss it tonight. I have
3 one public hearing. This, I believe is for the --
4 let's see what I have. I have the handicapped spot,
5 and then I have the fire contract for 2017. And I
6 think -- I don't know if I have any resolutions. No?

7 THE CLERK: Yeah, you do.

8 COMMISSIONER PETRACCO: Yeah, I do. Declare
9 support of Drive Sober or Get Pulled Over. 2018
10 Year-End Holiday Crackdown. Should that be 2019?

11 THE CLERK: That you DPM -- yes. 2020, for
12 2020.

13 COMMISSIONER PETRACCO: It says Get Pulled
14 Over, 2018 Year-End Holiday Crackdown from
15 December 11th. So that -- should I -- I'm thinking
16 that should just be --

17 THE CLERK: Yes. That should be -- yes.

18 COMMISSIONER PETRACCO: -- 2019? Okay. And
19 then I have an authorize of an unfair and open -- this
20 is the e-ticketing that we've been doing the last few
21 years. And that's all I have.

22 MAYOR SCARPELLI: Thank you, Commissioner.

23 COMMISSIONER PETRACCO: You're welcome.

24 MAYOR SCARPELLI: Commissioner Evans?

25 COMMISSIONER EVANS: Thank you. I have a

1 report from the Code Enforcement Department for the
2 month of October. And Joe, I see you're reading the
3 salary ordinance on behalf of everybody?

4 MAYOR SCARPELLI: I guess so. Surprised, are
5 you?

6 COMMISSIONER EVANS: I have a bunch of --

7 COMMISSIONER TUCCI: Unless you just want to
8 take credit for it yourself.

9 MAYOR SCARPELLI: Oh, man.

10 COMMISSIONER EVANS: I think Steve should.

11 THE CLERK: Is that okay, Dr. Jones? Is that
12 okay?

13 COMMISSIONER ROGERS: Throw a guy to the
14 wolves.

15 COMMISSIONER EVANS: I have nine resolutions,
16 so if you want to take a five minute intermission
17 before I read them, you could. I have -- it's the
18 renewal of all the contracts, of Cifelli, for his legal
19 services helping the Code Department, municipal tax
20 appeals, that's Frank Zinna, Millennium, it's the
21 annual contract. And we should sort of talk about
22 that, if you guys feel like we're getting all the value
23 and benefit out of it. It's -- I cover the costs all
24 in my department, but, you know, I don't use it, but I
25 want to make sure you guys are all satisfied with that

1 renewal.

2 COMMISSIONER TUCCI: Well, they just helped
3 us get 750 -- 730,000 and change for a park, so --

4 COMMISSIONER EVANS: Yeah, so --

5 COMMISSIONER TUCCI: -- right there, I think
6 it's a value.

7 COMMISSIONER EVANS: Yeah, I think -- it's
8 not that --

9 COMMISSIONER TUCCI: Yeah.

10 COMMISSIONER EVANS: -- they're not doing a
11 great job, I just want to --

12 COMMISSIONER TUCCI: Yeah, I know --

13 COMMISSIONER EVANS: -- make sure you guys --

14 COMMISSIONER TUCCI: -- they do a lot in
15 public safety --

16 COMMISSIONER EVANS: Yeah.

17 COMMISSIONER TUCCI: -- and you know, other
18 places, like public affairs. I think they do a good
19 job.

20 MAYOR SCARPELLI: They're good for our
21 roadways.

22 COMMISSIONER TUCCI: Roadways, yeah, there
23 you go.

24 COMMISSIONER EVANS: They don't do anything
25 in Revenue part of it --

1 COMMISSIONER TUCCI: Thank you for picking up
2 that tab, we appreciate it.

3 COMMISSIONER EVANS: -- but they're helping
4 you guys. Remember me in your Christmas cards, which I
5 never get. Just so --

6 COMMISSIONER PETRACCO: In the mail, Tom.
7 The mail has not been consistent lately.

8 COMMISSIONER TUCCI: Wait, you want to talk
9 about the mail? I just got a return letter from
10 MicroTech, which was the business before my business on
11 Passaic Avenue. It was dated 2001. 2001, it --

12 THE CLERK: You just got that?

13 COMMISSIONER TUCCI: -- was just returned, or
14 was it -- it's us, but it was addressed to MicroTech.
15 Like, where did they hide it?

16 COMMISSIONER EVANS: What'd the mail carrier
17 look like? They must have been like, scratching for 18
18 years.

19 MAYOR SCARPELLI: Eighteen years.

20 COMMISSIONER TUCCI: You believe it?
21 Eighteen years. I should have called News 12. Steve,
22 get out of here.

23 COMMISSIONER ROGERS: Yeah, make the call. I
24 bought a computer there.

25 COMMISSIONER EVANS: I have a renewal of

1 Nissivoccia's Auditors. Mark Hendricks as our
2 appraiser. Inglesino for OPRA and all the other stuff
3 that's out there, and I have the purchasing alliance
4 contracts for the number 295-19 is for the purchasing
5 cooperative, one of the ones we belong to, the next,
6 the next, actually the next three, the last three are
7 all purchasing cooperatives. So it's just all the
8 renewal stuff that we have to do. And I have a need
9 for an executive on personnel.

10 MAYOR SCARPELLI: Thank you, Commissioner.
11 Commissioner Rogers?

12 COMMISSIONER ROGERS: Mr. Mayor, I have one
13 resolution, and that is an agreement with the Township
14 of Montclair, who historically has provided us with
15 very technical and professional health services. And
16 believe it or not, it is a money saver for us, too.

17 MAYOR SCARPELLI: Thank you, Commissioner.
18 Commissioner Tucci?

19 COMMISSIONER TUCCI: Yes. I don't have a
20 report. I have a change order for Viridian
21 Environmental. This is relative to underground storage
22 tanks, which hopefully, we're winding up. I have the
23 2020 Shade Tree Committee Meeting schedule. I have an
24 authorization to enter into a contract with
25 Delta Dental, which carries with it a 3-percent

1 reduction for a two-year renewal, and an authorization
2 to enter into a contract with Premier Vision Care for
3 \$1,564.

4 MAYOR SCARPELLI: Thank you, Commissioner.

5 COMMISSIONER PETRACCO: The reduction is
6 really good to hear, isn't it? Is that from Trump's
7 administration, coming through the federal government
8 or any chance?

9 COMMISSIONER TUCCI: I think it came through
10 Joey Marullo (phonetic).

11 COMMISSIONER PETRACCO: Close.

12 COMMISSIONER TUCCI: It was close, Joe, the
13 federal government. They have similar assets.

14 COMMISSIONER PETRACCO: Maybe.

15 MAYOR SCARPELLI: Thank you, Commissioner.

16 COMMISSIONER TUCCI: That's all I have.

17 MAYOR SCARPELLI: I have two ordinance
18 introductions, as of the two salary ordinances. And I
19 have --

20 COMMISSIONER PETRACCO: I have a question.
21 This is for the Teamsters, this one?

22 MAYOR SCARPELLI: Yes.

23 COMMISSIONER PETRACCO: I thought we were all
24 going together with that, with the fire and all that.
25 I thought we were going to do them all together.

Conference Session

9

1 MAYOR SCARPELLI: To where we're going to go
2 through --

3 COMMISSIONER PETRACCO: And I'm just asking,
4 how --

5 MAYOR SCARPELLI: -- 19. You said that,
6 right?

7 COMMISSIONER PETRACCO: So I'm doing 17
8 right, tonight, Sam?

9 COMMISSIONER EVANS: Yeah.

10 COMMISSIONER PETRACCO: So we don't have 18
11 and 19 --

12 COMMISSIONER EVANS: No, but after the last
13 meeting, we had said we were going to --

14 COMMISSIONER TUCCI: I thought we were
15 sending up all of them.

16 COMMISSIONER EVANS: Yeah. You had said --

17 UNIDENTIFIED: No.

18 COMMISSIONER TUCCI: I thought you were
19 sending up 17, 18, and 19.

20 COMMISSIONER EVANS: -- for this meeting you
21 had them all up.

22 MS.CARELLA: We did 17 in public hearing
23 today.

24 COMMISSIONER TUCCI: I thought you did 17 a
25 while ago.

1 COMMISSIONER PETRACCO: We did the
2 introduction, so this is the --

3 COMMISSIONER EVANS: Yeah, but the -- we were
4 supposed to do --

5 COMMISSIONER PETRACCO: -- the final.

6 COMMISSIONER EVANS: -- the others --

7 COMMISSIONER TUCCI: 18 and 19 for tonight,
8 yeah. That's what we said at the last meeting.

9 COMMISSIONER PETRACCO: Yeah.

10 COMMISSIONER TUCCI: That's what I thought, I
11 thought you guys sent it up. Sal doesn't know? It's
12 not --

13 MS. CARELLA: I was told it was just
14 civilians, and not to do the -- the Teamsters weren't
15 settling today, because it was some --

16 COMMISSIONER PETRACCO: Who said that?

17 MS.CARELLA: -- it was -- like where -- how
18 we were going to work out the numbers.

19 COMMISSIONER PETRACCO: Whatever. I mean, I
20 can put it on the next meeting or whatever, because
21 truthfully, I need a memorandum --

22 MS.CARELLA: No, it's ready.

23 COMMISSIONER PETRACCO: -- of agreement --

24 MS.CARELLA: No, it's ready.

25 COMMISSIONER PETRACCO: But I need a

1 memorandum of agreement with the Fire Department
2 anyways, so --

3 MS.CARELLA: Right, we did.

4 COMMISSIONER PETRACCO: Probably just a
5 crossup, no problem.

6 COMMISSIONER TUCCI: Yeah.

7 MS.CARELLA: No, but -- you know, we're all
8 ready to settle, I mean, it's all done. It's just --

9 COMMISSIONER PETRACCO: Sal, did you do the
10 numbers for the Fire Department as well, or no?

11 UNIDENTIFIED: No.

12 COMMISSIONER PETRACCO: No? Okay.

13 COMMISSIONER TUCCI: Well, you should
14 probably -- probably do --

15 COMMISSIONER PETRACCO: Yeah, no, we'll work
16 on this for the --

17 COMMISSIONER EVANS: You've got to do --

18 COMMISSIONER TUCCI: Yeah.

19 COMMISSIONER EVANS: Yeah.

20 COMMISSIONER PETRACCO: I mean, could we get
21 it done before the first of the year? Would that -- we
22 could do the introduction at the next meeting, and --

23 THE CLERK: Yes.

24 COMMISSIONER PETRACCO: -- then will we have
25 time?

1 THE CLERK: Okay.

2 COMMISSIONER PETRACCO: I'm fine with that.

3 COMMISSIONER EVANS: It would be the first
4 meeting in December, so you'll have to do it the second
5 meeting in December.

6 THE CLERK: At the second meeting -- if we
7 have ten days in between? Yes --

8 COMMISSIONER EVANS: As long as we have ten
9 days, right?

10 THE CLERK: -- I have the calendar, it's ten
11 days. I'll get -- we'll get the --

12 COMMISSIONER EVANS: Well, see, it's really
13 two weeks, so that should work for ten days.

14 THE CLERK: Yeah.

15 COMMISSIONER EVANS: But it's got to be that
16 first meeting in December.

17 COMMISSIONER PETRACCO: So start processing now.

18 THE CLERK: Yeah, it has to be --

19 COMMISSIONER PETRACCO: It goes -- the wheel's
20 moving.

21 THE CLERK: -- it definitely has to be the
22 first meeting in December.

23 COMMISSIONER PETRACCO: Okay. We'll have it.

24 THE CLERK: All right? And then you'll have
25 it before the end of the year.

1 COMMISSIONER PETRACCO: Perfect.

2 THE CLERK: Okay.

3 MAYOR SCARPELLI: And I have one, two, three
4 -- five resolutions. We have a transfer of person to
5 person of Southside Grill, which is Luna Wood
6 (phonetic). Authorize and approve a raffle for the
7 Nutley Youth Baseball, announce our meeting schedule,
8 announce our holiday schedule, and designate the
9 accounts of official newspapers and online newspaper.
10 And that's all I have.

11 COMMISSIONER TUCCI: What's Luna getting
12 transferred to?

13 MAYOR SCARPELLI: It's -- the light, so it's
14 internal.

15 THE CLERK: It's internal. They took one
16 person out, so it's just person to person within
17 themselves.

18 COMMISSIONER TUCCI: Okay.

19 MAYOR SCARPELLI: Going into executive to
20 discuss -- oh, yeah, Madam Clerk, what do you have?
21 I'm getting ahead of myself, sorry.

22 THE CLERK: Thank you. I have no minutes
23 this evening, but we have one social affair permit for
24 the Historic Restoration Trust of Nutley. And that's
25 it.

1 MAYOR SCARPELLI: Counselor?

2 MR. GENITEMPO: I have potential litigation
3 and a personnel. Potential litigation and personnel.

4 MAYOR SCARPELLI: Personnel. All right. Do
5 we have a motion to go into executive to discuss --

6 COMMISSIONER TUCCI: A lot of personnel
7 tonight, huh?

8 MAYOR SCARPELLI: -- personnel, potential
9 litigation --

10 THE CLERK: Just a motion.

11 COMMISSIONER PETRACCO: Move it.

12 COMMISSIONER TUCCI: Second.

13 THE CLERK: Whereas, Section 8 of the Open
14 Public Meeting Act, Chapter 231, Public Law 1975,
15 permits the exclusion of the public from meetings in
16 certain circumstances; and

17 Whereas, the public body is of the opinion
18 that such circumstances exist; and

19 Whereas, the Board of Commissioners of the
20 Township of Nutley in the County of Essex in the State
21 of New Jersey proceed to closed executive session; and

22 Now therefore be it resolved by the Board of
23 Commissioners of the Township of Nutley move into
24 closed executive session to discuss personnel and
25 potential litigation;

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

7 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 THE CLERK: The time is 7:16. Hold on a
18 second.

19 (End of recording)

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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.

_____ December 4, 2019

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist

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In RE: Nutley Board of Commissioners

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TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS
ONE KENNEDY DRIVE
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NUTLEY, NEW JERSEY 07110

*** PUBLIC SESSION ***

DATE: November 18, 2019

BOARD OF COMMISSIONERS:

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

Also Present:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

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

4 (Pledge of Allegiance)

5 MAYOR SCARPELLI: Madam Clerk?

6 THE CLERK: Thank you, Mayor.

7 Board of Commissioners Public Meeting,
8 Monday, November 18th, 2019. The time is 8:05.
9 Pursuant to the requirements of the Open Public Meeting
10 Act, Chapter 231, Public Law 1975, notice of this
11 meeting was published in the November 29th, 2018 issues
12 of the Nutley Sun, the Herald News, and the Star
13 Ledger. A copy of this notice has been posted on the
14 Nutley Town Hall bulletin board, and a copy is on file
15 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.

1 THE CLERK: All present, Mayor.

2 MAYOR SCARPELLI: Communications, Madam
3 Clerk?

4 THE CLERK: Thank you, Mayor. The Historic
5 Restoration Trust of Nutley, Kingsland Manor, located
6 at 3 Kingsland Street, has submitted a social affair
7 permit to hold a wine tasting event on Saturday,
8 January 18th, 2020, with a snow date of Saturday,
9 January 25th, 2020, from 7 p.m. to 10 p.m. I need a
10 motion?

11 COMMISSIONER ROGERS: Move it.

12 COMMISSIONER PETRACCO: 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 THE CLERK: And that's it for communications.

24 MAYOR SCARPELLI: Reports.

25 Commissioner Petracco?

1 COMMISSIONER PETRACCO: Yes, I have my
2 Department of Public Safety monthly report.

3 MAYOR SCARPELLI: Commissioner Evans?

4 COMMISSIONER EVANS: I have a Code
5 Enforcement report for the month of October.

6 MAYOR SCARPELLI: Bills, Madam Clerk?

7 THE CLERK: Yes, Mayor. Bill list for
8 November 18th, 2019. Public Affairs, \$110,808.29;
9 Revenue and Finance, \$2,685,140.92; Public Safety,
10 \$51,015.86; Public Works, \$36,253.52; Parks and
11 Public Property, \$85,224.94; Water Utility, \$75,627.98.
12 Payroll for November 1st, 2019; Overtime Payroll is
13 \$43,409.23; Total Payroll for November 1st, 2019, is
14 \$830,759.99. Payroll for November 15th, 2019.
15 Overtime Payroll, \$41,654.93; Total Payroll for
16 November 15th, 2019, is \$827,801.03, for a grand total,
17 \$4,702,632.53.

18 COMMISSIONER EVANS: Move the bills.

19 COMMISSIONER TUCCI: Second.

20 THE CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 THE CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 THE CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye.

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

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

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

23 MAYOR SCARPELLI: Anybody wish to address the
24 Board of Commissioners on the agenda items only?

25 MR. ALESSIO: Yeah, good evening,

1 Carmine Alessio. 81 East Centre Street. I'm looking
2 at Number 287-19, Execution of Professional Service
3 Contract with Angelo Cifelli, in regards to counsel
4 services regarding Municipal Land Use Law.

5 I'm looking at that, and I know that, you
6 know, Mr. Cifelli's a great guy, but he's had this job
7 for numerous years, and I've been coming to these
8 meetings for a long time, and I have a beef with the
9 Municipal Land Use Act and Laws that go with certain
10 properties, or laws that are being changed to fit
11 certain properties, or something to that effect. And
12 I'm definitely not happy with what has been going on.
13 To give you an example, you know, my neck of the woods
14 is down on East Centre Street, and a lot of the
15 buildings there, you know, as we make progress, people
16 go for variances, but there are numerous buildings and
17 numerous land up there and around town that when I look
18 at -- or attend the Planning Board meetings, you know,
19 resolutions that are stipulated with what, you know,
20 prohibits what, or what entails here, or whatnot.

21 As far as I'm concerned, nothing gets
22 enforced. So, you know, I don't know if that falls
23 under the gentleman's category as a professional person
24 in regards to Municipal Land Use, when a citizen comes
25 in front of the board, in my case, numerous years, and

1 states my case, pretty much under oath, because which,
2 I could raise my right hand on everything I come here
3 and say is a hundred percent, and absolutely the truth,
4 that like I -- like I said, there's -- nothing's really
5 enforced, at least in my area. And this has a domino
6 effect.

7 Why? Would it -- what pertains to me, why am
8 I here, speaking my case? Because when someone gets
9 something, and it's not enforced properly, it hinders
10 another person like, in my case, me, for certain
11 things. It makes either my quality of life less, or
12 the value of my property and the area I'm in, go down,
13 or deteriorate. And I hold someone who's in charge of
14 -- or -- I'm winding it up, Mayor.

15 So like when someone comes in here and gets
16 up in front of this podium, it's not so easy, okay, so
17 they evidently need help, or they want assistance. And
18 when you walk out of here, and you're denied what's
19 right, in my case, like some of these buildings have
20 gone for variances, but the variance, I don't know,
21 after a few years, gets swept under the carpet, you
22 come here and complain about it and nothing gets done.
23 So, you know, that's my opinion.

24 MAYOR SCARPELLI: Thank you, Mr. Alessio.

25 Commissioner, do you want to address that at

1 all?

2 COMMISSIONER EVANS: Mr. Cifelli is an
3 exceptional land use attorney in the state of
4 New Jersey. He does not sit on the Planning Board or
5 the Board of Adjustment. He does advise -- his purpose
6 is to advise the Construction Official on matters when
7 there's an interpretation of land use law, and he does
8 an excellent job.

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

12 Mr. Alessio, you've had your three minutes,
13 I'm sorry.

14 MR. ALESSIO: I've come to an understanding,
15 like with what Mr. Evans said about Mr. Cifelli.

16 MAYOR SCARPELLI: Mister --

17 MR. ALESSIO: So he doesn't have anything to
18 do with something that has been granted, it's the
19 Planning Board?

20 MAYOR SCARPELLI: I think we --

21 MR. ALESSIO: I mean, I'm just trying to --

22 MAYOR SCARPELLI: -- I think what the
23 commissioner said is that Mr. Cifelli is not involved
24 with the Planning Board.

25 MR. ALESSIO: Right, obviously, he's just --

1 MAYOR SCARPELLI: And I think --

2 MR. ALESSIO: -- an expert, and I --

3 MAYOR SCARPELLI: -- some of the things that
4 you brought up were either planning or zoning issues.
5 And I think that was the distinction.

6 MR. ALESSIO: Right, but -- so isn't he an
7 overseer of what goes on?

8 MAYOR SCARPELLI: No.

9 MR. ALESSIO: Maybe like --

10 COMMISSIONER EVANS: Mayor, can I --

11 MR. ALESSIO: -- I mean, once these --

12 MAYOR SCARPELLI: Sure.

13 COMMISSIONER EVANS: Mr. Alessio, all right,
14 I understand your point, and I understand your concern.
15 And I know it relates to a specific property that's
16 right next door to your property.

17 MR. ALESSIO: Many. Well, yeah. Not just
18 that, there's -- and I don't have time, I only get like
19 three --

20 COMMISSIONER EVANS: I understand, but I just
21 want to relate to the fact is that Mr. Cifelli's role
22 is that when there comes to an interpretation of
23 compliance with a variance or land use law in advising
24 Mr. Berry, who is the construction official, that's the
25 capacity with which he acts in these services. If

1 there is a matter about whether or not something is at
2 issue regarding a property that's seeking a variance,
3 or something before the Planning Board, that would go
4 through either the Zoning Board of Adjustment or the
5 Planning Board, and Andy is not the attorney for those
6 boards.

7 So to your point is, is if you raise a
8 question of concern that goes to the construction
9 official, and that requires an interpretation based
10 upon the law and compliance, Andy would help as an
11 adviser and counsel to Dave, who would provide that
12 advice. So he acts in that capacity.

13 And in your particular -- one particular
14 case, and I understand you're referring to many, but in
15 one, the adjacent property has been followed through
16 based upon your complaints. It did go to court in
17 Belleville, and they -- it was required to be cleaned
18 up, and the current issue that you have raised,
19 regarding a small trailer that's being used as a
20 storage shed, is a matter of interpretation, and it's
21 my understanding that both the counsel and Dave Berry
22 do not see it as non-compliance with the variance that
23 was granted.

24 MR. ALESSIO: Okay. Okay, that's one --

25 MAYOR SCARPELLI: Thank you, Mr. Alessio.

1 MR. ALESSIO: -- I disagree. I just want to
2 put that on the record with everything --

3 COMMISSIONER EVANS: That's fine.

4 MR. ALESSIO: -- that the gentleman had just
5 said, because there's a big discrepancy on -- but what
6 -- in real life, I'm seeing as opposed to what he's
7 saying.

8 COMMISSIONER EVANS: And to the extent that
9 that property needs to be addressed again, I assure
10 you, as I have said many times, Carmine, if it needs to
11 be followed up on, it will be followed up on every
12 single time. Nobody -- no one is allowed to be exempt
13 from the law.

14 MR. ALESSIO: But if you're involved in being
15 a leader in municipal land use, there's no question
16 about anything. This is the attorney now, that's the
17 expert in the Town of Nutley.

18 COMMISSIONER EVANS: That's right. And he is
19 the expert, that's correct.

20 MR. ALESSIO: It's like buying a new car.
21 Once you pull it out of the showroom, it's like, it
22 loses ten, twenty thousand dollars right then and
23 there. It's like, what he thinks is being done is not
24 what it is in the real world. With numerous, not just
25 next door, numerous -- numerous properties in the town

1 that I could like, actually sit down and like discuss,
2 but I don't have time.

3 COMMISSIONER EVANS: Every --

4 MR. ALESSIO: And I'm not going to bring --
5 I'm just going to talk about --

6 COMMISSIONER EVANS: -- no, Carmine, I
7 understand. Every property that has gone through a
8 variance of some sort, either before the Board of
9 Adjustment or the Planning Board, has gone through a
10 board where it's been subject to testimony and evidence
11 that would support -- presented to those boards, where
12 citizens of the town have voted on that, and they were
13 represented by counsel. They're separate boards.

14 MR. ALESSIO: But if they're not followed
15 through appropriately --

16 COMMISSIONER EVANS: And I would disagree
17 that they're not followed through appropriately.

18 MR. ALESSIO: Well, I --

19 COMMISSIONER EVANS: And that's all -- just
20 that --

21 MAYOR SCARPELLI: Mr. Alessio, let's move on.

22 COMMISSIONER EVANS: I appreciate that --

23 MR. ALESSIO: Okay. You've had enough.

24 MAYOR SCARPELLI: Okay. Thank you.

25 MR. ALESSIO: Because we're getting nowhere.

1 MAYOR SCARPELLI: Anybody else wish to
2 address the Board of Commissioners on the agenda items
3 only?

4 Seeing none, Board of Commissioner,
5 announcements? Commissioners?

6 COMMISSIONER TUCCI: Yes, Mayor, I have one.

7 On December 9th, we will be holding, at the
8 Parks Department at 44 Park Avenue, Christmas Cookies
9 and Holiday Hearts, it's an event for grandparents and
10 their grandchildren, similar to what we did for
11 Halloween, Pumpkin Painting with the grandchildren.
12 Space is limited. There is a \$5 per person, per child
13 cost, grandparents are free, and we would encourage
14 everyone to attend. It helps keep our community
15 together, and it gives our grandparents some quality
16 time with their grandchildren.

17 COMMISSIONER EVANS: Mauro, when is that date
18 again?

19 COMMISSIONER TUCCI: It's December 9th.

20 MAYOR SCARPELLI: Thank you, Commissioner.

21 COMMISSIONER TUCCI: From 6 to 7:30.

22 MAYOR SCARPELLI: Anybody else? Just a
23 reminder that December 8th will be our tree lighting
24 ceremony. The tree was cut today, donated by a citizen
25 on Bloomfield Avenue, and we delivered it today, and

1 it'll be decorated, and I want to thank you in advance
2 for all the help in getting the tree here, and also in
3 running the event on the 8th. So I think it begins at
4 5:30 on Sunday, December 8th. Let's move to the new
5 ordinance introductions.

6 Ordinance Number 3431, an ordinance to fix
7 salaries of certain officers and employees of the
8 Township of Nutley, County of Essex, State of
9 New Jersey, effective January 1st, 2018. Be it
10 ordained by the Board of Commissioners of the Township
11 of Nutley, as follows: I move that this ordinance be
12 passed to a second reading advertised in the
13 Nutley Sun, together with the notice required by law,
14 and that further consideration of said ordinance for
15 final passage by the Board of Commissioners be held at
16 its second reading on December 17th, 2019. I move the
17 ordinance.

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 This is also Ordinance Number 3432, an
5 ordinance to fix the salaries of certain officers and
6 employees of the Township of Nutley of the County of
7 Essex, State of New Jersey, effective January 1st,
8 2018. I move that this ordinance be passed to a second
9 reading advertised in the Nutley Sun, together with the
10 notice required by law, and further consideration of
11 said ordinance for final passage by the Board of
12 Commissioners be held at its second reading on
13 December 17th, 2019. I move the ordinance.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye. Let's move into

25 public hearings.

1 Commissioner Petracco?

2 COMMISSIONER PETRACCO: Yes. I have
3 Ordinance Number 3429, an ordinance to amend -- an
4 ordinance codified in the code of the Township of
5 Nutley, Chapter 228, entitled Vehicles and Traffic,
6 particularly Article VII, Special Zones and Areas,
7 Section 29A, entitled Handicapped Parking, to add the
8 location set forth thereon. I move to open the public
9 hearing.

10 COMMISSIONER ROGERS: Second.

11 MAYOR SCARPELLI: Anybody want to be heard on
12 Ordinance Number 3429?

13 COMMISSIONER PETRACCO: Seeing none, I move
14 to close.

15 COMMISSIONER ROGERS: Second.

16 THE CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

1 COMMISSIONER PETRACCO: I move the ordinance.

2 COMMISSIONER ROGERS: 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 COMMISSIONER PETRACCO: My next ordinance,
14 Number 3430, an ordinance to fix the salaries of
15 certain officers and employees of the Township of
16 Nutley, County of Essex, State of New Jersey, effective
17 January 1st, 2017, move to open the public portion of
18 the meeting.

19 MAYOR SCARPELLI: Anybody want to be heard on
20 Ordinance Number 3430? Seeing none.

21 COMMISSIONER PETRACCO: Move to close.

22 COMMISSIONER ROGERS: Second.

23 THE CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 THE CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.
2 THE CLERK: Commissioner Evans?
3 COMMISSIONER EVANS: Aye.
4 THE CLERK: Commissioner Petracco?
5 COMMISSIONER PETRACCO: Aye.
6 THE CLERK: Mayor Scarpelli?
7 MAYOR SCARPELLI: Aye.
8 COMMISSIONER PETRACCO: I move the ordinance.
9 COMMISSIONER ROGERS: Second.
10 THE CLERK: Commissioner Rogers?
11 COMMISSIONER ROGERS: Aye.
12 THE CLERK: Commissioner Tucci?
13 COMMISSIONER TUCCI: Aye.
14 THE CLERK: Commissioner Evans?
15 COMMISSIONER EVANS: Aye.
16 THE CLERK: Commissioner Petracco?
17 COMMISSIONER PETRACCO: Aye.
18 THE CLERK: Mayor Scarpelli?
19 MAYOR SCARPELLI: Aye.
20 COMMISSIONER PETRACCO: Thank you.
21 MAYOR SCARPELLI: Thank you, Commissioner.
22 Let's move to resolutions. Commissioner
23 Rogers?
24 COMMISSIONER ROGERS: Resolution
25 Number 281-19. Whereas, the Township of Nutley and the

1 Township of Montclair desires to enter into an
2 agreement wherein the Township of Montclair will
3 furnish health services of a technical and professional
4 nature to the Township of Nutley, pursuant to
5 N.J.S.A. 26:3A22-1 and N.J.S.A. 40A:84-1; and

6 Whereas, it is the -- in the best interests
7 of the Township of Nutley to continue to utilize
8 services of the Township of Montclair for the
9 furnishing of health services to cover the period of
10 January 1st, 2020 through December 31st, 2023, for a
11 fee of \$22,235.50 per calendar half in 2020, per
12 calendar half in 2021, and \$23,590 per calendar half in
13 2022, and \$24,297.50 per calendar half in 2023; and

14 Whereas, funds will be available from
15 Account Number 0-01-643-200, subject to the adoption of
16 the 2020 Municipal Budget, and have been certified by
17 the Chief Financial Officer, said certification being
18 attached to this resolution.

19 Now therefore be it resolved by the Board of
20 Commissioners of the Township of Nutley, County of
21 Essex, State of New Jersey, that the Mayor and
22 Township Clerk are hereby authorized to execute
23 agreement with the Township of Montclair for furnishing
24 health services. So move.

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 all I have,
12 Mayor. Thank you.

13 MAYOR SCARPELLI: Thank you, Commissioner.
14 Commissioner Tucci?

15 COMMISSIONER TUCCI: Yes, thank you, Mayor.

16 Whereas, the Township of Nutley entered into
17 a contract with Viridian Environmental Consultants,
18 Upper Montclair, New Jersey, for groundwater
19 investigation services; and

20 Whereas, the Director of Parks and Public
21 Property has recommended the following change order
22 from said contract:

23 Change Order Number 1, site investigation
24 services, in the amount of \$3,365; and

25 Whereas, funds are available from

1 Capital Ordinance 3372C, and have been certified by the
2 Chief Financial Officer, said certification being
3 attached to this resolution.

4 Now therefore be it resolved by the Board of
5 Commissioners of the Township of Nutley, County of
6 Essex, State of New Jersey, that Change Order 1 in the
7 amount of \$3,365 be and is hereby approved. I move the
8 resolution.

9 COMMISSIONER EVANS: Second.

10 THE CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

20 COMMISSIONER TUCCI: Be it resolved by the
21 Board of Commissioners, Township of Nutley, County of
22 Essex, State of New Jersey, that the Shade Tree
23 Committee meetings will be held on the following dates
24 for the year 2020;

25 January 14th, March 10th, April 7th,

1 June 16th, September 22nd, and November 17th. I move
2 the resolution.

3 COMMISSIONER EVANS: Second.

4 THE CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 THE CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 THE CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 COMMISSIONER TUCCI: Whereas, the Township of
15 Nutley has a need to acquire dental plan services on
16 behalf of the Township; and

17 Whereas, such services may be acquired as a
18 non-fair and open contract, pursuant to the provision
19 of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

20 Whereas, IMAC Insurance Management and
21 Consulting shopped rates, but none of the quotes were
22 comparable to the benefits the township currently has
23 with Delta Dental; and

24 Whereas, the Township has negotiated with
25 Delta Dental of New Jersey, P.O. Box 369, Parsippany,

1 New Jersey, and has retained a two-year renewal rate
2 with a 3-percent reduction; and

3 Whereas, the anticipated cost for this
4 service will not exceed \$362,100 per year; and

5 Whereas, funds will be available from
6 account 0-01-526-243, and 0-05-707-243, and will be
7 certified by the Chief Financial Officers, said funds
8 to be available through the 2020 Municipal Budget; and

9 Whereas, Delta Dental of New Jersey has
10 completed and submitted a business entity disclosure
11 certification, which certifies that Delta Dental has
12 not made any reportable contributions to a political or
13 candidate committee in the Township of Nutley in the
14 previous one year, and that the contract will prohibit
15 Delta Dental from making any reportable contributions
16 through the term of the contract.

17 Now therefore be it resolved that the Board
18 of Commissioners of the Township of Nutley authorizes
19 the mayor to enter into a contract with Delta Dental of
20 New Jersey. I move the resolution.

21 COMMISSIONER EVANS: Second.

22 THE CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER TUCCI: Whereas, the Township of
8 Nutley has a need to acquire a vision care network plan
9 services on behalf of the township; and

10 Whereas, such services may be acquired as a
11 non-fair and open contract, pursuant to the provisions
12 of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

13 Whereas, Premier Vision Care, 990 Cedar
14 Bridge Avenue, Brick, New Jersey, submitted a proposal
15 indicating they will provide services for the sum of
16 \$1,564; and

17 Whereas, funds will be available from
18 account 0-01-526-245, and have been certified by the
19 Chief Financial Officer.

20 Now therefore be it resolved that the Board
21 of Commissioners of the Township of Nutley, County of
22 Essex, State of New Jersey, authorize the Commissioner
23 of Parks and Public Property to enter into a contract
24 with Premier Vision Care. I move the resolution.

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

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

15 COMMISSIONER EVANS: Thank you, Mayor. I
16 have several, a total of nine resolutions that I need
17 to read tonight.

18 Whereas, the Township of Nutley has the need
19 to retain the services of an attorney who specializes
20 in municipal land use law, and policy to provide legal
21 advice and services to the Code Enforcement Department
22 in connection with the Township's land use policies and
23 procedures; and

24 Whereas, N.J.S.A. 40A:11-5(1)(a)(i) permits
25 the award of a contract without public bidding; and

1 Whereas, Angelo Cifelli, Esquire, of the
2 Law Firm of Piro, Zinna, Cifelli, Paris, and Genitempo,
3 of Nutley, has submitted a proposal in the amount not
4 to exceed \$10,000;

5 Whereas, funds are available from
6 account 0-01-226-205 and will be certified by the Chief
7 Financial Officer, subject to the adoption of the
8 2020 Municipal Budget;

9 Whereas, the anticipated terms of the -- the
10 anticipated term of this contract is for 12 months,
11 from January 1, 2020 to December 31st, 2020;

12 Whereas, the Law Firm of Piro, Zinna,
13 Cifelli, Paris, and Genitempo has completed and
14 submitted a business entity disclosure certification,
15 which certifies that they have not made any reportable
16 disqualifying contributions to a political or candidate
17 committee in the Township of Nutley in the previous one
18 year, and that the contract will prohibit them from
19 making any reportable contributions through the term of
20 the contract.

21 And now therefore be it resolved by the Board
22 of Commissioners of the Township of Nutley, County of
23 Essex, State of New Jersey that the mayor is hereby
24 authorized to enter into a contract with Angelo Cifelli
25 as a professional service.

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

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, the Township of
19 Nutley has the need to acquire the services of an
20 attorney as Municipal Tax Counsel, to provide legal
21 services concerning municipal tax appeals in the
22 Township of Nutley as a non-fair and open contract
23 pursuant to the provisions of N.J.S.A. 1944:A-20.4,
24 20.5 as appropriate;

25 Whereas, the Tax Assessor has determined and

1 certified in writing that the value of the aggregate
2 services provided by the vendor for the year will
3 exceed \$30,000;

4 Whereas, the Law Firm of Piro, Zinna,
5 Cifelli, Paris, and Genitempo of Passaic Avenue in
6 Nutley have submitted a fee schedule for providing such
7 services, the total of which will not exceed \$50,000;

8 Whereas, the anticipated term of this
9 contract is for a 12-month period, beginning on
10 January 1, 2020;

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

20 Whereas, funds are available from
21 account 0-01-204-200, and will be certified by the
22 Chief Financial Officer, subject to the adoption of the
23 2020 Municipal Budget.

24 And now therefore be it resolved by the Board
25 of Commissioners of the Township of Nutley, County of

1 Essex, State of New Jersey, that the mayor be, and is
2 hereby authorized, to enter into a contract with
3 Frank Zinna, Esquire, of the Law Firm of Piro, Zinna,
4 Cifelli, Paris, and Genitempo, as a professional
5 service.

6 Be it further resolved that a copy of this
7 resolution as well as the contract shall be placed on
8 file with the Clerk of the Township of Nutley, and a
9 notice in accordance with Public Contracts Law of
10 New Jersey in the form attached hereto shall be
11 published in the Nutley Sun. So move.

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: Whereas, the Township of
24 Nutley, through the Department of Revenue and Finance,
25 has a need to acquire grant consulting services on

1 behalf of the township, as a non-fair and open --
2 non-open contract, pursuant to the provisions of
3 N.J.S.A. 19:44A or 20.5 as appropriate;

4 Whereas, Millennium Strategies, 60 Columbia,
5 Suite 230, Morristown, New Jersey, has submitted a
6 proposal indicating that they will provide such
7 services for a sum not to exceed \$35,000; and

8 Whereas, the term of this contract is for
9 12 months, beginning January 1, 2020;

10 Whereas, Millennium Strategies has completed
11 and submitted the business entity disclosure
12 certification, which certifies that the said
13 corporation has not made any reportable contributions
14 to a political or candidate committee in the Township
15 of Nutley in the previous one year, and that the
16 contract will prohibit Millennium Strategies partners
17 from making any reportable contributions through the
18 term of the contract; and

19 Whereas, funds are available from
20 account 0-01-209-205, subject to the adoption of the
21 2020 Municipal Budget, and will be certified by the
22 Chief Financial Officer, said certification being
23 attached to this resolution.

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

1 Essex, State of New Jersey as follows;

2 A contract shall be entered into between the
3 Township of Nutley and Millennium Strategies for grant
4 consulting services for an amount not to exceed
5 \$35,000. A copy of this resolution, as well as the
6 contract, shall be placed on file with the Township
7 Clerk.

8 I want to note on this that while we pay
9 \$35,000 for this service, the benefit to the town is
10 significant. Last week, Commissioner Tucci announced a
11 -- an effort for the improvements to DeMuro Park, where
12 we're receiving a grant and loan combination of over
13 \$700,000. We also have been awarded significant
14 contracts for roadway repairs and improvements that go
15 into the hundreds of thousands of dollars as well, and
16 there's other things. So the benefit to the town for
17 the \$35,000 every year, you know, generally exceeds
18 more than a million dollars worth of grant benefits as
19 a result of that service.

20 Next resolution. Whereas, the Township of
21 Nutley has a need to --

22 THE CLERK: We need to do a --

23 COMMISSIONER EVANS: Oh, I'm sorry. So move.

24 COMMISSIONER TUCCI: Second.

25 THE CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 THE CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 COMMISSIONER EVANS: Now the next one.

11 Whereas, the Township of Nutley has a need to acquire
12 the services of a registered municipal accountant to
13 conduct the annual audit of the township's books,
14 accounts, and financial transactions, inclusive of the
15 Nutley Public Library, within five months of its --
16 this fiscal year as a non-fair and open contract,
17 pursuant to the provisions of N.J.S.A. 19:44A 20.4,
18 20.5 as appropriate;

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

23 Whereas, the anticipated term of this
24 contract is for 12 months, beginning January 1, 2020;

25 Whereas, Nisivoccia, LLP, Certified Public

1 Accountants, 200 Valley Road, Suite 300, Mount
2 Arlington, New Jersey, has submitted a fee schedule
3 totaling \$160,019.59 for providing such services;

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

13 Whereas, funds will be available from account
14 0-01-222-205 in the amount of \$93,669.72, and account
15 0-05-706-205 in the amount of \$66,349.87, and will be
16 certified by the Chief Financial Officer, subject to
17 the adoption of the 2020 municipal budget.

18 Now therefore be it resolved by the Board of
19 Commissioners of the Township of Nutley, County of
20 Essex, that now authorizes the mayor to enter into a
21 contract with Nisivoccia, LLP and consultants to
22 provide the above services. Be it further resolved
23 that the business entity disclosure certification and a
24 determination of value be placed on file with this
25 resolution. So move.

1 COMMISSIONER TUCCI: Second.

2 THE CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 THE CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye.

12 COMMISSIONER EVANS: Whereas, the Township of
13 Nutley has a need to acquire the services of a
14 professional real estate appraiser to assist with real
15 estate appraisals, tax appeals, and tax court
16 appearances, and to complete the necessary procedures
17 to ensure the capture of added assessments arising from
18 ongoing improvement activities in the Township of
19 Nutley as a non-fair and open contract pursuant to the
20 provisions of N.J.S.A. 19:44A-20.4, 20.5;

21 Whereas, the Tax Assessor has determined and
22 certified in writing that the value of the aggregate
23 services provided by the vendor for the year will
24 exceed \$30,000;

25 Whereas, Hendricks Appraisal Company,

1 7 Hutton Avenue in West Orange, New Jersey, has
2 submitted a fee schedule for providing such service,
3 the total of which will not exceed \$45,000;

4 Whereas, the anticipated term of this
5 contract is for 12 months, from January 1, 2020,
6 through December 31st, 2020;

7 Whereas, funds will be available from
8 account 0-01-204-205, and will be certified by the
9 Chief Financial Officer subject to the adoption of the
10 2020 Municipal Budget;

11 Whereas, Hendricks Appraisal has completed
12 and submitted the business entity disclosure
13 certification, which certifies that they have not made
14 any reportable disqualifying contributions to a
15 political or a candidate committee in the Township of
16 Nutley in the previous one year, and that the contract
17 will prohibit them from making any reportable
18 contributions through the term of the contract; and

19 Whereas, the Business Entity Disclosure
20 Certification and the determination of value be placed
21 on file with this resolution.

22 Now therefore be it resolved by the Board of
23 Commissioners of the Township of Nutley, County of
24 Essex, State of New Jersey, it authorizes the mayor to
25 enter into a contract with Hendricks Appraisal

1 Company, LLC. So move.

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 COMMISSIONER EVANS: The next resolution is a
14 resolution for the Township of Nutley authorizing the
15 engagement of Inglesino, Webster, Wyciskala, and
16 Taylor, as counsel for the Township concerning
17 compliance and procedural and general legal issues,
18 pursuant to N.J.S.A. 20A:11-1 as amended. This service
19 is a specialized service, requiring special knowledge
20 of an advanced topic in the field of learning acquired
21 by a prolonged formal course of specialized training
22 and study as distinguished from general academic
23 instruction or apprenticeship and training. Funds are
24 available for the purposes of this account in
25 0-01-012-205, and the certificate of availability of

1 funds has been filed with the Chief Financial Officer
2 in accordance with the local budget law,
3 N.J.S.A. 40:A4-57, and N.J.A.C. 5-345.2.

4 The term of this is for the -- for 2020, and
5 I'm looking -- hold on one second. At -- yes. The
6 Chief Financial Officer -- it's in the resolutions.
7 This one's written a little bit differently. I was
8 looking for the certification by the Chief Financial
9 Officer for the funds. I just want to clarify for the
10 record with this resolution that this resolution is for
11 2020, and that the funds will be certified and provided
12 in the municipal budget for the 2020 budget year.

13 Whereas, Inglesino, Webster, Wyciskala, and
14 Taylor has completed and submitted a business entity
15 disclosure certification, which certifies the firm has
16 not made any disqualifying reportable contributions to
17 a political candidate or candidate committee in the
18 township in the previous one year that would violate
19 either N.J.S.A. 19:44A-20.5, or the Township's local
20 unit pay to play ordinance adopted by referendum, or
21 any and all relevant executive orders, or the State of
22 New Jersey election enforcement law commission
23 disclosure requirements, and that the contract will bar
24 Inglesino, Webster, Wyciskala, Taylor -- and Taylor,
25 from making any reportable contributions through the

1 term of the contract.

2 Whereas, local public contract law as amended
3 requires this resolution be publicly advertised.

4 Now therefore be it resolved by the Board of
5 Commissioners of the Township of Nutley, that in
6 accordance with local public contract law that hereby
7 authorize and approves the award of this professional
8 service contract to the firm of Inglesino, Webster,
9 Wyciskala, Taylor, pursuant to a non-fair and open
10 process, in accordance with the provisions of
11 N.J.S.A. 19:44A-20.5 as a -- as legal counsel in
12 accordance with a contract for professional services
13 which shall provide that the legal counsel or any
14 attorney on the staff are paid an hourly rate of \$215
15 for legal services by attorneys, and an hourly rate of
16 \$100 for services performed by a paralegal or a law
17 clerk.

18 Further resolve that the Chief Financial
19 Officer has executed a certification of funds for the
20 contract and that sufficient funds will be available in
21 the municipal budget for 2020. Further resolve that
22 the services rendered pursuant to this resolution shall
23 not exceed \$35,000 in the aggregate.

24 Further resolve that the anticipated term of
25 this contract is one year, January 1, 2020 through

1 December 31st, 2020, and that the mayor and clerk are
2 hereby authorized and directed to execute, seal, and
3 deliver said contract for these services on behalf of
4 and in the name of the township; that the business
5 entity disclosure certification, and business entity
6 disclosure of campaign contributions shall be placed on
7 file with this resolution, and finally, that a copy of
8 this resolution shall be public -- published as
9 required by law within ten days of its passage. So
10 move.

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: All right. Three more.

23 Whereas, the Township of Nutley, pursuant to

24 N.J.S.A. 40:A11-11 may by resolution and with

25 advertising, purchase goods and services under the

1 approved National Cooperative Purchasing Program; and

2 Whereas, the Township of Nutley has a need on
3 a timely basis to purchase goods and services utilizing
4 the following National Cooperative Purchasing Programs;
5 U.S. Communities Government Purchasing Alliance,
6 National Joint Powers Alliance, Keystone Purchasing
7 Network, HGCABuy.

8 Whereas, the Township of Nutley intends to
9 enter into contracts with U.S. Communities Government
10 Purchasing, Joint Power -- Joint Powers Alliance,
11 Keystone, and HGACBuy Vendors through this resolution
12 and properly execute contracts which shall be subject
13 to all the conditions applicable to the current
14 contracts;

15 Now therefore be it resolved that the
16 Township of Nutley authorizes the purchasing agent to
17 purchase certain goods and services from the alliances
18 mentioned herein, pursuant to all the conditions of
19 individual contracts for the year 2020, commencing
20 January 1. So move.

21 COMMISSIONER TUCCI: Second.

22 THE CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER EVANS: Whereas, the Township of
8 Nutley, pursuant to N.J.S.A. 40A:11-12(a), and
9 N.J.A.C. 5:347.29(c), may by resolution and without
10 advertising for bids, purchase any goods or services
11 under the State of New Jersey Cooperative Program for
12 any state contracts entered into on behalf of the state
13 by the Division of Purchase and Property in the
14 Department of the Treasury;

15 Whereas, the Township of Nutley has the need
16 on a timely basis to purchase goods or services
17 utilizing state contracts;

18 Whereas, the Township of Nutley intends to
19 enter into contracts with state contracts, and is
20 authorized through this resolution to enter into any
21 and all contracts administered by the New Jersey
22 Division of Purchase and Property with the state
23 contract vendors and properly executed contracts listed
24 on their website, and legacy contracts listed on N.J.
25 -- on -- excuse me. State dot NJ dot US Treasury

1 Purchase, which shall be subject to all the conditions
2 applicable to the current -- to current state contract.

3 Now therefore be it resolved that the
4 Township of Nutley authorizes the purchasing agent to
5 purchase certain goods and services from any approved
6 state contract vendor pursuant to all the conditions of
7 the state contract;

8 Be it further resolved that the governing
9 body of the Township of Nutley, pursuant to
10 N.J.A.C. 5:30-5.5(b), the certification of available
11 funds shall either certify the full maximum amount
12 against the budget at the time the contract is awarded,
13 or no contracts shall be chargeable or certified until
14 such time as the goods or services are ordered or
15 otherwise called for prior to placing the order, and a
16 certification of the availability of funds is made by
17 the Chief Financial Officer;

18 Be it further resolved that the duration of
19 this contract is for the period January 1, 2020,
20 through December 31st, 2020. So move.

21 COMMISSIONER TUCCI: Second.

22 THE CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner --

4 COMMISSIONER EVANS: My last one.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli.

8 MAYOR SCARPELLI: Aye.

9 COMMISSIONER EVANS: Whereas, the Township of
10 Nutley, pursuant to N.J.S.A. 40A:11-11, may by
11 resolution and without advertising for bids, purchase
12 any goods or services under an approved County
13 Cooperative Purchasing Program;

14 Whereas, the Township of Nutley has the need
15 on a timely basis to purchase goods or services
16 utilizing Essex County Purchasing Program;

17 Whereas, the Township of Nutley intends to
18 enter into a contract with the Essex County Cooperative
19 Purchasing Program through this resolution of properly
20 executed contracts, which shall be subject to all
21 conditions applicable to the current contracts.

22 Now therefore be it resolved that the
23 Township of Nutley authorizes the purchasing agent to
24 purchase certain goods or services from this approved
25 co-op vendor, pursuant to all the conditions of

1 individual county contracts;

2 Be it further resolved that the governing
3 body of the township pursuant to N.J.A.C. 5:30-5.5(b),
4 the certification of available funds shall either
5 certify the full maximum amount against the budget at
6 the time the contract is awarded, or no contract shall
7 be chargeable or certified until such time as goods and
8 services are ordered or otherwise called for prior to
9 placing the order and a certification of the
10 availability of funds is made by the Chief Financial
11 Officer.

12 Be it further resolved that the duration of
13 this contract is for the period January 1, 2020,
14 through December 31st, 2020. So move.

15 COMMISSIONER TUCCI: Second.

16 THE CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

1 COMMISSIONER EVANS: Thank you, Mayor.

2 MAYOR SCARPELLI: Thank you, Commissioner.

3 Commissioner Petracco?

4 COMMISSIONER PETRACCO: Yes, sir.

5 Whereas, impaired drivers on our nation's
6 roads kill more than 10,000 people each year and cost
7 society more than \$37 billion annually; and

8 Whereas, 29 percent of motor vehicle
9 fatalities in New Jersey in 2018 were alcohol related;
10 and

11 Whereas, an enforcement crackdown is planned
12 to combat impaired driving; and

13 Whereas, the season at the end of this year,
14 traditionally a time of social gathering, which often
15 include alcohol;

16 Whereas, the State of New Jersey Division of
17 Highway Traffic Safety has asked law enforcement
18 agencies throughout the state to participate in
19 Drive Sober or Get Pulled Over End Holiday Crackdown.
20 Year End Holiday Crackdown.

21 And whereas, the project will involve
22 increased impaired driving enforcement from
23 December 11th, 2019 through January 1st, 2020; and

24 Whereas, an increase in impaired driving
25 enforcement and reduction in impaired driving will save

1 lives on our roadways.

2 Now therefore be it resolved, be -- be it
3 resolved by the Township of Nutley declares its support
4 for Drive Sober or Get Pulled Over 2019 Year End
5 Holiday Crackdown from December 11, 2019 through
6 January 1st, 2020, and pledges to increase awareness of
7 the dangers of drinking and driving.

8 I urge everyone this holiday season to please
9 use Uber if you're going to drink and drive. I know
10 our kids are masters at it. I get the bill every
11 month, along with some friends in the audience for
12 that. But our police department will be out there in
13 force, so please, use common sense. I move the
14 resolution.

15 COMMISSIONER ROGERS: Second.

16 THE CLERK: Commissioner Rogers.

17 COMMISSIONER ROGERS: Aye.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: May --

25 COMMISSIONER PETRACCO: And just to save a

1 little time, I'm just going to read this one --

2 MAYOR SCARPELLI: Aye.

3 THE CLERK: Mayor Scarpelli.

4 COMMISSIONER PETRACCO: I'm sorry.

5 THE CLERK: Thank you.

6 COMMISSIONER PETRACCO: I'm sorry, Mayor.

7 I'm going to read this one by title. This is just --
8 our police department is acquiring proprietary
9 software. It's as written, Resolution 299-19. I move
10 the resolution.

11 COMMISSIONER ROGERS: 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 PETRACCO: And that's good
23 advice. It's not an endorsement for Uber, but just
24 don't drive your own car. Thank you,
25 Commissioner Rogers.

1 MAYOR SCARPELLI: Thank you, Commissioner.

2 Whereas, application has been filed by
3 Luna Wood Tavern for a person-to-person transfer of
4 plenary retail consumption license number 071633027011,
5 heretofore issued to Southside Grill, LLC, for premises
6 located at 223A Franklin Avenue, Nutley, New Jersey;

7 Whereas, the submitted application form is
8 complete in all aspect -- in all respects, the transfer
9 fees have been paid, and the license has been promptly
10 renewed for the current license term.

11 Now therefore be it resolved that the Board
12 of Commissioners, Township of Nutley, does hereby
13 approve, effective November 18th, 2019, the transfer of
14 aforesaid plenary retail consumption license to
15 Luna Wood Tavern, and does hereby direct the
16 Municipal Clerk to endorse the license certificate to
17 the new owner as follows;

18 This license, subject to all its terms and
19 conditions, is hereby transferred to Luna Wood
20 Fire Tavern, effective November 18, 2019. I move the
21 resolution.

22 COMMISSIONER TUCCI: Second.

23 THE CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 THE CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye.

8 Whereas, a raffle application has been
9 received from the following organization: Nutley Youth
10 Baseball Club, license number 54-19, off-premise 50/50
11 cash raffle, to be held Friday, March 27th, 2019;

12 Whereas, the application has been reviewed
13 and approved by the Municipal Clerk and the Police
14 Department.

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

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. Be it resolved in
6 accordance with the Open Public Meetings Law,
7 Chapter 231, Public Law 1975, the public meetings of
8 the Nutley Board of Education of the Township of
9 Nutley, County of Essex, State of New Jersey, are held
10 the first and third Tuesday of every month.

11 Please take further notice, the Board of
12 Commissioners of the Township of Nutley may hold an end
13 of the year meeting on Thursday, December 31st, 2020,
14 at 9 a.m. in the Township of Nutley Municipal Building,
15 Third Floor, Board of Commission Chambers, 1 Kennedy
16 Drive, formal action may be taken, and the list there
17 in the resolution. I move the resolution.

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 Be it resolved by the Board of Commissioners
5 of the Township of Essex -- Township of Nutley, County
6 of Essex, State of New Jersey, that the following days
7 shall be considered paid holidays, and the 2020 holiday
8 schedule as listed. I move the resolution.

9 COMMISSIONER TUCCI: Second.

10 THE CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Mayor Scarpelli.

19 MAYOR SCARPELLI: Aye.

20 Be it resolved by the Board of Commissioners
21 of the Township of Nutley, County of Essex, State of
22 New Jersey, that the following newspapers are hereby
23 designated as the official newspapers for advertising
24 for the Township of Nutley for the year 2020;

25 The Nutley Sun, the Star Ledger, Herald News.

1 Be it further resolved that Tap Into Nutley be and
2 hereby is designated as the electronic news source for
3 which notices and other matters to be provided under
4 the Open Public Meetings Act of the State of New
5 Jersey, otherwise known as the Sunshine Law. I move
6 the resolution.

7 COMMISSIONER TUCCI: Second.

8 THE CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 That concludes the business portion of our
19 meeting. Madam Clerk?

20 THE CLERK: Yes, Mayor.

21 All persons addressing the Board of
22 Commissioners regarding community concerns should
23 approach the microphone and provide your name and
24 address for the record. Unless further time is granted
25 by the board, each person shall limit their address to

1 five minutes. All remarks to the board and its
2 individual members must be addressed to the mayor. The
3 mayor may defer citizens' comments to the appropriate
4 member of the board. Dialogue between citizens and
5 others addressing the board shall be allowed unless the
6 mayor or presiding officer, or the majority of the
7 membership of the board, shall determine that the
8 interests of the quorum, and/or the expeditious conduct
9 of municipal business are being adversely affected by
10 such dialogue.

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

13 MR. DIAZ: Eugene Diaz, 100 Metro Boulevard,
14 Nutley, New Jersey. Good evening, Commissioners. You
15 all know me as the managing member of the ownership
16 entity that owns the ON3 campus and LaRoche campus. We
17 reached another milestone last week. I think it's
18 important to report on this milestone. A couple
19 milestones, actually, were reached. One, we crossed
20 the \$200 million threshold mark of our investment into
21 the ON3 campus. And I think it's important to note
22 that accomplishments and the things that are happening
23 to date there certainly require a lot of capital, a lot
24 of dedication, hard work and effort by the Prism team,
25 and crossing that \$200 million investment mark into the

1 communities, I think is a big mark of confidence, and
2 our commitment to responsible development in the
3 campus.

4 The second mark of that was Ralph Lauren
5 moved their final personnel into the building, now
6 amounting to over 1,100 people into that building, and
7 to get them in, and meet their schedule took an awful
8 lot of work. So we know, as we do this in lots of
9 communities, that development is not just a developer
10 doing its work, that the Township has an awful lot to
11 do, the township gets involved in a significant way,
12 and it can help make or break the success of any
13 project.

14 And what we've found in working with Nutley,
15 I wanted to officially commend the Nutley building
16 inspectors and code official inspectors, for the
17 incredible amount of dedication, hard work, and effort
18 that they exhibited in meeting a really, really,
19 aggressive schedule, to help get Ralph Lauren into the
20 building, safe and sound and on time. So, keep your
21 heads up, don't worry, this is just a box. What we'd
22 like to do tonight is, we'd like to present this award,
23 which says, October 19th, For the Nutley Code
24 Officials, in commemoration of your hard work,
25 dedication, and determination to ensure the safe and

1 timely occupancy of Ralph Lauren at 100 Metro Boulevard
2 and the 100-200 Metro Garage. Dave Berry,
3 Construction Official, Rich Keeley, Elevator Inspector,
4 Pete Kamecki, Plumbing Inspector, Bob Bell, Electrical
5 Inspector, Carl Thunell, Building Inspector, and Ron
6 Moscow, Fire Inspector.

7 Now, we would have probably put
8 Alan Genitempo's name down here, as well, since he
9 helped orchestrate this all, but I have found that
10 spurring the ego on of attorneys has an immediate
11 reaction in their billable hour rate, so sorry, Alan,
12 but thank you nonetheless for all your work and
13 efforts, too.

14 But we hope that the Town will proudly
15 display this -- but your people did an amazing job.
16 They worked really hard. They were there on a moment's
17 notice. They kept coming back, and we really felt that
18 it meant the world in order to make it happen. So
19 thanks to all those officials, and we look forward to
20 continuing to work with them on this project as we move
21 forward.

22 THE CLERK: Thank you.

23 MAYOR SCARPELLI: Commissioner, do you want
24 to --

25 COMMISSIONER EVANS: Oh, Gene, listen, thank

1 you very much. It's an honor for me that when someone
2 comes to the podium and acknowledges the people in my
3 department for their hard work. I think that's
4 wonderful, and it's very thoughtful on your part,
5 because they don't seek any type of recognition. They
6 were there whenever they were needed. They worked
7 through the issues, and there were -- obviously,
8 several that had to be overcome. But they were all
9 dedicated on the fact that -- as well, with the backing
10 of the Board of Commissioners, that we want Ralph
11 Lauren in that building on time, and we want them to be
12 happy with their new home in Nutley. And we thank you
13 for bringing them to Nutley, because it's a great win
14 for all of us.

15 But I will also share with you, while you got
16 exposure to the people in the Code Department, I think
17 you would be equally impressed as you actually got to
18 know some of the -- all of the dedicated employees that
19 we have here in town, because they're aligned on a very
20 simple premise, to serve the people of our town in the
21 very best of their ability, and the best interests of
22 the town. So thank you.

23 MAYOR SCARPELLI: Mr. Diaz, I'd like to, you
24 know, also thank you for recognizing our employees.
25 You know, I always say Nutley is the center of the

1 universe, I said this the other day, and Ralph Lauren
2 kind of brings that home. There's a documentary on HBO
3 on the story of Mr. Lauren's life, called Very Ralph.
4 In the documentary, two Nutley High School graduates,
5 and members of the Hall of Fame are in the documentary.
6 Martha Stewart and Paul Goldberger. And very
7 interesting that out of all the -- I mean, there were
8 maybe ten people who commented throughout the
9 documentary. Two of them, graduates of Nutley High
10 School. Ralph Lauren, located now in Nutley,
11 New Jersey. Just like I always say, Nutley is the
12 center of the universe. Thank you, Mr. Diaz.

13 MR. DIAZ: If I may, address now is 200
14 Metro Boulevard --

15 MAYOR SCARPELLI: Sure.

16 MR. DIAZ: Because we own some other
17 properties. So, this is an official request, and
18 appeal to this governing body to withdraw your
19 objection to the application in Clifton in front of
20 their planning board for development of a
21 Marriott Hotel and medical office building. It's
22 having irreparable damage to our ongoing discussions
23 and negotiations with potential tenants to attract
24 them, continue to attract them to this campus, and I
25 really think that the public nature of the objection

1 tarnishes Nutley's own brand image as a pro-business
2 friendly municipality. If you have concerns about
3 impacts, I think you know that our relationship
4 throughout this process over the past three years is
5 such that, pick up the phone, call us, we'll be
6 available to sit and discuss. I don't think at any
7 point in time, Prism has ever evidenced any kind of
8 lack of desire or willingness to address traffic
9 impacts, or infrastructure impacts in any way, shape,
10 or form, and proof to the positive with the QUEST
11 application in Clifton, we spent over \$2 million in
12 improvements to happen on Bloomfield Avenue, stretching
13 all the way down to Passaic, and all the way up to
14 Allwood Circle.

15 So I think that if you have these concerns,
16 these concerns can be dealt with in this fashion.
17 Unfortunately, I think the advice that you were getting
18 from your redevelopment council, which I boil down to
19 this idea that somehow you have to hold leverage over
20 us as a developer here to get us to do the right thing,
21 I think is completely wrong. I think we have always
22 represented ourselves to have the best interests of the
23 community at heart. We know for this campus to exceed
24 all of our expectations and do what we feel really can
25 be done in creating a truly sustainable and value add

1 community asset, that people need to be able to get in
2 and out of it, and it needs to be developed
3 responsibly. And I don't think anything that we've
4 done to date could come remotely near irresponsible
5 development. I think it goes just the opposite. So I
6 ask you to remove that from the public realm, and let's
7 have these discussions as we have had previously, all
8 right, in one on one discussions between the
9 redevelopment committee and Prism, so that we can get
10 down to the root of any of the issues, and solve them
11 constructively, as opposed to sending messages out
12 there that, quite frankly, say, hey wait, maybe this
13 campus does not -- or people don't want this campus
14 developed as a mixed use livable, workable environment.

15 COMMISSIONER ROGERS: Mr. Mayor?

16 MAYOR SCARPELLI: Thank you for your
17 comments, Mr. Diaz.

18 COMMISSIONER ROGERS: I'd like to respond.

19 MAYOR SCARPELLI: Sure.

20 COMMISSIONER ROGERS: Mr. Diaz, you did good,
21 with the award, you did good, up until you came to part
22 two. And I'm going to be very frank and very firm the
23 way I feel, I don't know how my colleagues feel, but I
24 see you're a little angry.

25 THE CLERK: Alan.

1 COMMISSIONER ROGERS: To begin with, I feel
2 like you came up here and you tried to soften the
3 target, and then after the target is softened, you come
4 off with this idea that you should officially request
5 us to withdraw something that we feel is necessary to
6 do what? Not to tarnish the image of you, or of the
7 project or to this township, but to represent the
8 people of this community. That is the goal of this
9 board of commissioners. That is my goal as a board of
10 commissioner. Now you talk about us not bringing
11 things public, not going back and forth. What you did
12 here today is an outrage. In my view, is an outrage.
13 To present something fine to a fine group of people,
14 and then after that, after that, do what you did, to me
15 is just an outrage.

16 So I'm going to ask you to do me a favor. I
17 want you to understand that you've come to a community
18 where the people stick together, work together. We
19 have a group of commissioners here where I've had the
20 pleasure of knowing for 38 years as a police officer,
21 and eight years as a commissioner, whose integrity is
22 without question, whose motives are without question.
23 Whose motives have always been and always will be the
24 best interests of the taxpayers of this community. So
25 when I hear terms like, well, you know, you guys are

1 going to tarnish the image of the town, and -- that is
2 outrageous. And I feel offended by what you did
3 tonight and by what you said. I'm just one
4 commissioner. But I've got to tell you, I think when
5 the people of this community see on these TV screens
6 what I saw and heard tonight, you've outraged them.

7 Mr. Mayor, that's all I have to say.

8 MR. DIAZ: Commissioner, Mr. Mayor, I would
9 address and say that none of my statements at all went
10 to ethics at all of anybody or motive. It simply went
11 to path. And that I think that there is a path that we
12 had previously embarked on over three years that
13 somewhere has gone off on a different direction. And
14 it's generated animus between the two parties, which
15 cannot continue to go on. And we used to meet monthly.
16 We no longer meet monthly. And I think that what I'm
17 trying to suggest is that there are ways to do things
18 that continue to represent the good nature of everybody
19 in this community, and --

20 COMMISSIONER ROGERS: And may I say this is
21 not the way to do it.

22 MR. DIAZ: Commissioner Rogers --
23 Commissioner Rogers --

24 COMMISSIONER ROGERS: Mister -- that this is
25 not the way to do it. To come to a public meeting --

1 MR. DIAZ: And neither is to show up in
2 Clifton on two days' notice --

3 COMMISSIONER ROGERS: Look, this is not
4 the --

5 MR. DIAZ: -- with a formal objection.

6 COMMISSIONER ROGERS: This is not the time or
7 place. You're talking about we should do things, get
8 together, make phone calls, you're in a public forum
9 right now, and God knows how many residents are going
10 to see this, you're contradicting the very methodology
11 that you are dictating to us.

12 MR. DIAZ: We have --

13 COMMISSIONER ROGERS: Mr. Mayor, I would just
14 ask that -- he had his 15 minutes, and that we just end
15 this.

16 MAYOR SCARPELLI: Thank you, Commissioner.

17 MR. DIAZ: Thank you, Mayor.

18 MAYOR SCARPELLI: Thank you, Mr. Diaz.

19 MR. ALESSIO: Carmine Alessio, 81 East Centre
20 Street. Well, I'm glad I wasn't the one to ruin the
21 award. It's a beautiful award to the workers of our
22 Code Enforcement. But getting back to the
23 Resolution 287-19, with Mr. Angelo Cifelli, and
24 regarding the Municipal Land Use Act. I have one
25 that's about 72 hours recent and maybe this could be

1 Mr. Cifelli's first look at job.

2 I was walking down into the park in Monsignor
3 Owens Field, which is directly across the street from
4 where I live, and I walked around the track, and I
5 noticed that two properties, actually, 98 and 102 East
6 Centre Street, the rear, the back end, faces the public
7 property, which is the Monsignor Owens Field. And I
8 noticed, after being in that neighborhood for, I don't
9 know, over 50 years, I noticed that the cyclone fence
10 was removed. And it seems that the property was
11 extended a little bit more than 10 feet, with, it looks
12 like a self-made wall and stockade fence.

13 So now, getting back to what I initially came
14 up here for with the three minutes' worth of testifying
15 towards the resolution before. Can somebody explain
16 that? That's like stealing public property. And I've
17 been here numerous times in regards to other issues
18 that have gone on in my neighborhood, and I really
19 don't want to get into it, but the electronic fence
20 that initially, the BPW's section there was supposed to
21 be in the plans 50 years ago as being an upper level
22 parking lot, and now it turns out that it's sticking,
23 because it's stuck. You, Mr. Mayor, made a resolution
24 in 2015, saying that that was that, and it's now
25 commercial property, along with another right of way

1 from Washington Avenue that is 9 feet by 125 feet,
2 entering the park from Washington School side, that's
3 like closed. There's no more right of way.

4 I mean, I know things have changed, but this
5 is not in the books for, you know, someone to actually
6 take ten, twelve feet of public property, and use the
7 facility from their property as a work area, where I
8 notice that trucks were parked, and supplies were kept,
9 and actually four trees were removed, four solid, giant
10 trees, from the park's side that were cut down. Looks
11 like it's to compliment the people who probably asked
12 our town fathers if they could do it, because it's too
13 obvious that the trees were removed, and it looks like
14 it was an issue to them.

15 And I don't see any kind of a way that there
16 may be a documentation or a payout for something like
17 that, because it's obviously park property, and like I
18 said, the fence, cyclone fence was removed, and it
19 looks different, and I don't like it. And if you were
20 down there, you would see, and justify the reasoning
21 why.

22 MAYOR SCARPELLI: Commissioner, you want to
23 address that?

24 COMMISSIONER TUCCI: Yes, I'll address the
25 park part.

1 COMMISSIONER EVANS: Okay, I'll do the other.

2 COMMISSIONER TUCCI: Carmine -- you can do
3 the other part. Carmine, thank you for bringing that
4 to my attention. I'm not aware that anyone has
5 extended their property ten feet onto parks property,
6 but we will absolutely investigate that, and if that's
7 the case, which I do not believe is correct, all right,
8 we will correct that. And if there were trees cut, all
9 right, there were -- I can assure you, there were no
10 trees cut on park property to accommodate anyone, all
11 right, and the only reason we ever cut down trees, all
12 right, and we're often criticized for not cutting down
13 trees, is because they're either dead or hazardous.
14 All right? So there was no accommodation made for
15 anyone, and there is never, all right, any park
16 property that's appropriated to any private citizen,
17 and the fences that you're speaking of on those
18 properties, all right, I could be wrong, but I don't
19 believe so, all right, were the properties of the
20 homeowners there. That's not exactly park property,
21 because we've been in discussion about putting a fence
22 along that whole hillside there. But I'll be happy to
23 look into this, and I thank you for bringing this to my
24 attention, but I'm not aware of any of this.
25 Commissioner?

1 COMMISSIONER EVANS: Sure. Mr. Alessio,
2 again, it's the same thing. I spoke to you for the two
3 properties, here, 98 East Centre Street and 102 East
4 Centre Street?

5 COMMISSIONER TUCCI: Uh-huh.

6 MR. ALESSIO: Yeah, that's correct. They're
7 the --

8 COMMISSIONER EVANS: All right.

9 MR. ALESSIO: -- the back end of the
10 property. I guess when you get accustomed to looking
11 at something for all of them years, and you see the
12 ununiformity (sic) and what it looks like now, looks
13 like it's boxed off 10, 12 feet, to accommodate these
14 people for use of it.

15 COMMISSIONER EVANS: So Mr. Alessio --

16 MR. ALESSIO: And if everyone does that, I
17 think -- or know, that it's -- it's going to just ruin
18 everything.

19 COMMISSIONER EVANS: Mr. Alessio, first,
20 thank you for bringing that to our attention this
21 evening. I was not aware of that. There are -- or
22 there will be a check, and I will notify the
23 construction official in the morning to make sure that
24 there's an inspection of the property that's done
25 immediately. Many times, though, we both -- and we've

1 had this instance where people have had fence or a wall
2 constructed on their property, but their actual
3 property boundary goes beyond where they actually put
4 it up. So although we will investigate. I don't have any --

5 MR. ALESSIO: Well, we shall see if there's
6 any paperwork in regards to what you're speaking about.

7 COMMISSIONER EVANS: It'll be inspected.
8 It'll definitely be inspected.

9 MR. ALESSIO: Because it doesn't look like
10 it's uniform in respect to all the other properties
11 that border that park.

12 COMMISSIONER EVANS: I assure you it'll be
13 inspected and if there is an issue --

14 MR. ALESSIO: Okay. Thank you.

15 COMMISSIONER EVANS: -- with the park, we will
16 be --

17 MR. ALESSIO: And as --

18 COMMISSIONER EVANS: -- it will be addressed.

19 MR. ALESSIO: -- far as trees go, it appears
20 to be like that. Could be trees on the border. Looks
21 like it -- it could be -- you know. I -- that's what
22 it appears to be.

23 COMMISSIONER EVANS: I understand.

24 MR. ALESSIO: Okay. All right, thank you.

25 MAYOR SCARPELLI: Mr. Alessio, I'm sure

1 between the two departments, we'll figure it out. So
2 thank you --

3 MR. ALESSIO: All right. Have a good
4 evening.

5 MAYOR SCARPELLI: -- for bringing it to our
6 attention. Anyone else wish to address the Board of
7 Commissioners this evening? Seeing none --

8 MR. GENITEMPO: Mr. Mayor?

9 MAYOR SCARPELLI: Oh, yes, Mr. Genitempo.

10 MR. GENITEMPO: Mr. Mayor? Can I just make a
11 comment for the record based on some things Mr. Diaz
12 said? I just think they should be stated for the
13 record here, since he did make a statement in public?

14 Number one, the -- these -- the biweekly or
15 bimonthly or twice a month or so meetings that we have
16 on the calendar have been canceled by their side. We
17 were told there's no new news to report, so there's
18 really nothing to meet about. We've always been ready
19 to meet at any time. I mean, I'm on the committee to
20 meet with them, so I think that should be clear. We're
21 more than happy to meet with them any time they want
22 to. But the standard meeting has been canceled because
23 from what we're understanding, there's no news to
24 report.

25 That being said, I just want it clear that

1 the committee that I've been working on, the
2 redevelopment committee, has consistently dealt with
3 Prism in terms of trying to get detailed information
4 regarding the future development of the property. That
5 is why the town has taken the steps to hire our own
6 traffic engineer to determine what impact the total
7 redevelopment will have on the Township of Nutley and
8 its residents, and I think that -- let's just be clear.
9 You know, I know that at this point we are objecting to
10 certain things in Clifton relative to understanding the
11 impacts that are going to occur in Nutley because of
12 the development in Clifton. Happy to hear that
13 Mr. Diaz is interested and willing to invest money in
14 infrastructure on roadways, and we're more than happy,
15 and have been having those discussions with him. So I
16 just -- I wanted some of those issues on the record, so
17 that they don't -- the factual issues don't go
18 unanswered or unreported. Thank you.

19 MAYOR SCARPELLI: Mr. Genitempo, you also put
20 on the record how often the attorneys have been
21 meeting, and the other professionals, for the last two,
22 three, four years.

23 MR. GENITEMPO: Well, for the last two years,
24 I would estimate we -- we've had a weekly phone call, a
25 weekly conference call, with the attorneys to discuss

1 any issues that need to be discussed. I would say over
2 the last year, and I don't want to be held to the
3 number, but we've had, I don't know, I can't even count
4 how many meetings with engineers, with Mr. Diaz and his
5 professionals, our professionals, to discuss traffic
6 uses, certain uses on Kingsland Avenue, certain roadway
7 changes that they're requesting, the intersection of
8 Bloomfield and Kingsland, Bloomfield and Ideation --
9 I'm sorry. Kingsland and Ideation Way. Cathedral,
10 just to name a few.

11 So I think those items are -- constantly
12 discussing them. That's just meetings that I'm at.
13 And I pretty much attend all the meetings, but we do
14 have our development council that attends the meetings,
15 our planners attend the meetings, our engineers
16 sometimes attend the meetings, sometimes commissioners
17 attend the meetings. And so there have been numerous
18 meetings at the site, 14th Floor, Building 200,
19 including the multiple meetings to negotiate the pilots
20 that Commissioner Evans and you, Mayor, were involved
21 directly in those meetings.

22 So I just -- you know, I understand
23 Mr. Diaz's position, I think he may misunderstand the
24 Township's objection to the Clifton application. I
25 have made it clear to the attorney for the Clifton

1 Planning Board that it's not -- I don't believe the
2 Commissioners are absolutely objecting to the uses, but
3 they need to know the impacts, and we believe that that
4 needs to come through our zoning board. So I'd be more
5 than happy to add anything else if the commissioners
6 think it's relevant, but --

7 MAYOR SCARPELLI: I just want to say for the
8 record that I think the public should know that we have
9 asked for a traffic study for over a year, and it has
10 not been provided, and that we had to go out and
11 provide our own traffic study, get our own traffic
12 engineers to do that study. And we're concerned about
13 the development of this entire site, and how it's going
14 to affect our services, our infrastructure, and our
15 traffic. And I think, you know, we know that over
16 two-thirds of the traffic in and out of that site have
17 to go through Nutley, because of the configuration of
18 Route 3. The only way to get into the campus and out
19 of the campus is going Route 3 eastbound. You're on
20 Route 3 westbound, you have to get off at one of the
21 exits, you have to come down either Bloomfield Avenue,
22 in Clifton to Kingsland or down Cathedral to Kingsland
23 to enter the site through the main entrance on
24 Bloomfield Avenue and Kingsland.

25 So we -- we're -- as a board, are very

1 concerned about what the impacts of the entire site,
2 when it's redeveloped, and we want to make sure that we
3 mitigate any of those potential problems going forward.
4 And, you know, it's convenient to try to sometimes
5 piecemeal this process, but this Board of Commissioners
6 has been steadfast that we're not going to piecemeal
7 this. We allowed the vacant buildings to be occupied,
8 but going forward, we're going to make sure that the
9 citizens, and our way of -- our quality of life are not
10 affected in the Township of Nutley.

11 COMMISSIONER TUCCI: Mayor, if I could just
12 add to that, I think you summed it up very well there.
13 We are not going to approve things on a transactional
14 basis, all right? We will approve things that are
15 appropriate because our responsibility as commissioners
16 here are to the people of Nutley. So we need to know
17 what the overall impact would be, and exactly what we
18 said we did not want, piecemeal redevelopment, is
19 what's been occurring, and I believe it's closer to two
20 years that we've been asking for that traffic study,
21 and for whatever reason, there is resistance. All
22 right?

23 We welcome the redevelopment and the
24 repurposing of that site, I mean, we fought hard to get
25 it to the point that it's at, and we are a willing

1 partner in that redevelopment, but we will not
2 sacrifice the people of Nutley for a tax dollar.
3 Tax dollars are important, but quality of life is
4 equally important. Thank you, Mayor.

5 MAYOR SCARPELLI: Thank you, Commissioner.

6 COMMISSIONER EVANS: Mayor, and I would add,
7 it is very clear, we have a philosophical difference, I
8 think, in the approach to the redevelopment of the
9 property. We are, as a board, and Mayor, you and I
10 sitting on the committee, have reinforced time and time
11 again, that we need to understand what a full buildout,
12 not just on the Nutley side, but on the Clifton side,
13 there's 120 acres of property here. Much of it is
14 development on the Clifton side. So there is a
15 significant risk, given the limitations on how traffic
16 roadways can be used right now, especially without a
17 Route 3 West flyover, that there can be significant
18 impacts on our community.

19 We haven't lost one moment of the thinking on
20 the part of our residents about what the impacts can be
21 on our schools, what can the impacts be on our
22 roadways, and Commissioner, as you said, and the
23 quality of life, what kind of town we are. We've been
24 insistent that the development of that property, the
25 redevelopment, needs to fit with the community, and we

1 haven't moved from that. The types of things that
2 we've asked for in terms of understanding what the
3 potential full buildout could be, and what that might
4 be, and what the impacts associated with that would be,
5 from everything that we've been counseled on by our
6 experts, we haven't asked for anything that isn't out
7 of the ordinary. They're normal requests for a project
8 this size.

9 I believe that there is a resistance around
10 providing that, because of the philosophical difference
11 in the approach, whereas we want to see the whole
12 picture, and currently, Prism wants to actually follow
13 a step more opportunistic and staged approach to this,
14 which we find is not acceptable. And so I stand, you
15 know, with all of you, and with your comments, because
16 I agree with all of them, that we have stabilized the
17 tax base. We will continue to echo our concerns and
18 our need for support from the state, for as long as
19 it's necessary. And we will continue to advocate for
20 the buildout for things that will be great for Nutley,
21 will advance our brand as a community, make our homes
22 attractive and more valuable, create job opportunities
23 for us, but it will be in the scale of which the town
24 can -- itself can support. So thank you.

25 MAYOR SCARPELLI: Thank you, Commissioner.

1 COMMISSIONER ROGERS: Mr. Mayor, I have a
2 statement on another related -- another topic. I want
3 to share something with the board and with the public,
4 especially you, Commissioner. It involves your
5 department. Captain Green, you're here, it involves
6 the detective bureau.

7 Now, Saturday night, I guess it was around
8 ten o'clock, I received an email from a non-resident,
9 and I want to underscore this as a non-resident. And
10 this resident had shared with me that, you know, we've
11 been saying, when I say we in law enforcement have been
12 saying, whether it be on TV or radio or at meetings
13 like this, if you see something, say something.

14 Well, this New Jersey resident saw something
15 on social media. And what she saw, she sent to me.
16 And what I saw was bone-chilling. So I sent the
17 information immediately off to the FBI. Now, I know,
18 because I've worked with them, that they receive, if
19 not thousands, millions of bits of information from
20 people regarding some of the things they see on social
21 media. And I sat back and I got to thinking, this
22 really, this information really needs to be
23 investigated immediately.

24 So I think it was around 10 or 10:30, I
25 called Detective Anthony -- Detective Lieutenant

1 Anthony Montanari, who you had appointed as our
2 intelligence gathering and (indiscernible) task force
3 guy here in Nutley. And I shared with him what I had.
4 And he didn't bat an eyelash, he said send it to me.
5 So I sent it to him, and I got to tell you, that the
6 individual who sent it to me was contacted, I'd say
7 within an hour or so, can you imagine that? On a
8 weekend. By other law enforcement agencies. That
9 individual woman and another individual in her home
10 were interviewed for about an hour, hour and a half.
11 And I believe today, the investigation continues, but
12 here's my point.

13 My point is, here's somebody that saw
14 something, said something, and reported it, and I must
15 tell you, I was not the first person she reported it
16 to. And I'm not going to get into the details of what
17 happened between her first report to someone else and
18 then to me. But the Nutley Police Department took
19 immediate action that had to be taken. Believe me, if
20 I didn't believe that Nutley PD would do the things
21 they're best -- at jumping at things like this, I would
22 have probably hand delivered it to the FBI. That's how
23 bone chilling this was.

24 You have set up, you, Commissioner, and I
25 know Jerry, you worked for me, and you've done a great

1 job when you worked for me, but you have set up a
2 culture in that police department that really, truly,
3 is serving the best interests in this community.
4 People in town are not going to hear about this, or
5 read about this, but without getting into too much
6 detail, I just want to commend you, and commend your
7 department. Captain, commend you, and if you could
8 pass on to, you know, the Detective Lieutenant
9 Montanari a big thanks from that person. Because I've
10 got to tell you something, that individual who reported
11 it to me did it for a reason, and I told her that I got
12 it to the cops I know do the job. So I just wanted to
13 share that with this board, we have invested well in
14 our police department and I want to thank you for the
15 time you've given me to share that.

16 MAYOR SCARPELLI: Thank you, Commissioner.

17 COMMISSIONER PETRACCO: I'd just like to add
18 as well, Steve, thank you so much for recognizing what
19 our police department does, and you are a big influence
20 on all of us, me included, in the 38 years you served
21 there with honor and dignity. And, you know, just a
22 little statement about, you know, what happened here
23 with Gene Diaz tonight, as well. I think that we all
24 have to consider what the impacts on the town's going
25 to be. I know already our police department has been

1 dispatched there. Our fire department, the other night
2 I was on my way home, Clifton and Nutley Fire
3 Departments were there, as well.

4 So I think that we have to keep the
5 communications open. I hope that we could move forward
6 with Gene. I think that when Mauro and I sat on the
7 first committee and Joe as the mayor, when we switched
8 seats, you did a great job there, too. I mean, that
9 site was 25 years out from being repurposed, and I
10 think working together, we could get there.

11 But as everybody said, and not to beat this
12 dead horse, you know, we're here to serve the people of
13 the township, and they have to come first. Obviously,
14 the school overcrowding issue, you know, how does the
15 developments going to move forward? We have to take
16 that into consideration, and I think that our developer
17 needs to take all that into consideration of if there
18 is residential there, what are we going to do with the
19 kids that come out of the -- you know, into the school
20 system?

21 So I think there's a lot at play, but I think
22 that we should sit down with him and really have a
23 meeting, and -- you know, so we can keep moving forward
24 on the process, and have a good working relationship
25 with them and our people that we represent up here.

1 Thank you.

2 MAYOR SCARPELLI: Thank you, Commissioner.

3 Motion to adjourn?

4 COMMISSIONER ROGERS: Motion to adjourn.

5 COMMISSIONER PETRACCO: Move it.

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 THE CLERK: The time is 9:27.

17 (End of recording)

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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.

_____ December 4, 2019

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist

	4:14	50:16;76:19	Affairs (1)	56:25;57:11;58:21;
\$	\$85,224.94 (1)	activities (1)	4:8	60:23,23;68:18
	4:11	34:18	affect (1)	amazing (1)
\$1,564 (1)	\$93,669.72 (1)	acts (2)	71:14	55:15
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\$10,000 (1)	*	actual (1)	5:21;53:9;72:10	16:3
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\$110,808.29 (1)		63:5;64:5,9;67:3;	48:14	20:24;21:7;26:3;
4:8	A	74:12	again (4)	31:4;33:14,15;42:11;
\$160,019.59 (1)		add (6)	11:9;13:18;66:2;	44:5;54:17
33:3		16:7;58:25;71:5;	73:11	amounting (1)
\$2 (1)	ability (1)	72:12;73:6;77:17	against (2)	54:6
58:11	56:21	added (1)	42:12;44:5	and/or (2)
\$2,685,140.92 (1)	able (1)	34:17	agencies (2)	5:20;53:8
4:9	59:1	address (15)	45:18;76:8	Andy (2)
\$200 (2)	above (1)	5:11,12,23;7:25;	agenda (4)	10:5,10
53:20,25	33:22	8:10;13:2;52:24,25;	5:6,24;8:10;13:2	Angelo (4)
\$215 (1)	absolutely (3)	53:11;57:13;58:8;	agent (3)	6:3;26:1,24;62:23
38:14	7:3;65:6;71:2	61:9;64:23,24;68:6	40:16;42:4;43:23	angry (1)
\$22,235.50 (1)	academic (1)	addressed (4)	aggregate (4)	59:24
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\$23,590 (1)	acceptable (1)	67:18	38:23	61:14
19:12	74:14	addressing (4)	aggressive (1)	announced (1)
\$24,297.50 (1)	accommodate (2)	5:8,17;52:21;53:5	54:19	31:10
19:13	65:10;66:13	adjacent (1)	ago (1)	announcements (1)
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