

**In The Matter Of:**

*In RE: Nutley Board of Commissioners*

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*Transcript of Proceedings*

*December 17, 2019*

*Conference Session*

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*Min-U-Script®*

Conference Session

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

\*\*\* CONFERENCE SESSION \*\*\*

DATE: December 17, 2019

BOARD OF COMMISSIONERS:

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

Also Present:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 THE CLERK: Board of Commissioners  
3 Public Meeting, Tuesday, December 17th, 2019. The time  
4 is 7:03. Pursuant to the requirements of the Open  
5 Public Meeting Act, Chapter 231, Public Law 1975,  
6 notice of this meeting was published in the  
7 November 29, 2018 issues of the Nutley Sun, the  
8 Herald News, and the Star Ledger. A copy of this  
9 notice has been posted on the Nutley Town Hall bulletin  
10 board, and a copy is on file in the Municipal Clerk's  
11 office. Commissioner Rogers is absent, excused.  
12 Commissioner Tucci is absent, excused.

13 Commissioner Evans?

14 COMMISSIONER EVANS: Here.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Here.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Here.

19 THE CLERK: All present, Mayor, except for  
20 Commissioner Rogers and Commissioner Tucci. They are  
21 both absent, excused, this evening.

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

24 COMMISSIONER PETRACCO: I have a report, I  
25 know that. And I think I just have one, two

1 resolutions. This is for authorizing our submission of  
2 our strategic plan for the Municipal Alliance, and then  
3 I have a budget transfer. And that's all I have.

4 MAYOR SCARPELLI: Commissioner Evans?

5 COMMISSIONER EVANS: I have a report tonight  
6 for the month of November for the Code Enforcement  
7 department, and then I also have one, two -- six  
8 resolutions. One's just reestablishing the petty cash  
9 fund for the effective January, 2020. Reappointing  
10 Eleni as the Public Agency Compliance Officer, PACO,  
11 for 2020, as she was in '19. And then the contract  
12 renewals for Inglesino. One's for the special counsel  
13 for the ongoing work at Hoffman/LaRoche, and the other  
14 is just the -- just a -- a little bit, it's 15,000,  
15 it's for the cleanup related to COAH, because we have  
16 to establish the rehab ordinance, and going through  
17 that paperwork, so a little bit of that. I have a  
18 refund for the filming that was being done in town, the  
19 performance bond, of \$5,000, and a change order for  
20 Inglesino for \$8,500. I also -- Mayor, if you want to  
21 read Commissioner Rogers' and Commissioner Tucci's,  
22 because they're short.

23 MAYOR SCARPELLI: Thank you, Commissioner. I  
24 appreciate that. All right. I have two proclamations  
25 on behalf of the Board of Commissioners, one to UNICO

1 for their 60 years of community service, and one to the  
2 Agostino Family and Rocky, in particular, for Rocky's  
3 store on the corner of Passaic Avenue and Wharton. And  
4 we'll split those up accordingly.

5 I also have a Public Works progress reports,  
6 and Commissioner Tucci has Parks and Public Property.

7 COMMISSIONER EVANS: Shade Tree.

8 MAYOR SCARPELLI: And shade -- and a Shade  
9 Tree report. I have two ordinances that were scheduled  
10 for public hearings. The first, 3431, is going to be  
11 tabled to December 31st. And the second one is on --  
12 it's the salary ordinance for the Teamsters on behalf  
13 of Commissioner Tucci and myself. And I have a CDBG  
14 funding application, and contract award to Cifelli for  
15 a DOT grant for Grant Avenue, and some budget -- a  
16 budget transfer of \$12,000 and approve a VFW  
17 off-premise merchandise raffle. I think I hit  
18 everything, yes?

19 THE CLERK: Uh-huh.

20 COMMISSIONER EVANS: Topology?

21 MAYOR SCARPELLI: Oh, yes. We're going to  
22 have a presentation by Topology outside, which we'll do  
23 after the proclamations. Madam Clerk?

24 THE CLERK: Yes, Mayor. We have minutes,  
25 regular meeting minutes, for November 7th and

1 November 18th, and executive session minutes for  
2 November 7th, November 18th, and December 3rd for  
3 approval tonight, and that's it. And also, they called  
4 from the Freeholder; they want to come and have a  
5 meeting here on April 15th. They said they go from  
6 town to town and they schedule their meetings, but they  
7 want to have one here.

8 COMMISSIONER PETRACCO: All by themselves, or  
9 do they --

10 MAYOR SCARPELLI: Yes.

11 COMMISSIONER PETRACCO: -- do they want us  
12 here, too?

13 THE CLERK: They -- well, they want you to  
14 come and see, to sit, of course --

15 COMMISSIONER PETRACCO: Hmm.

16 THE CLERK: -- but there's nine of them. So  
17 they want to sit, they want to hold their meeting here.  
18 They record, they bring all their own stuff, and they  
19 said they do this all the time.

20 COMMISSIONER PETRACCO: That sounds like a  
21 great idea.

22 THE CLERK: April 15th.

23 MAYOR SCARPELLI: What they do is they --

24 COMMISSIONER PETRACCO: I won't be able to  
25 make that date, though.

1           MAYOR SCARPELLI: April 15th?

2           THE CLERK: From now, you're telling me that?

3           COMMISSIONER PETRACCO: Yeah, I'm going to be  
4 busy.

5           MR. GENITEMPO: That's tax day.

6           COMMISSIONER PETRACCO: You, too?

7           MAYOR SCARPELLI: Excuse me?

8           COMMISSIONER PETRACCO: Tax day, yeah.

9           MR. GENITEMPO: You're going to be carrying  
10 your tax returns in to the --

11           COMMISSIONER PETRACCO: Yeah.

12           THE CLERK: But I'll send out reminders, and  
13 then --

14           MAYOR SCARPELLI: Yeah. What they usually do  
15 is, you know, the governing body welcomes them here.  
16 They say some flowery things, and then they proceed  
17 with their meeting.

18           COMMISSIONER EVANS: Can we do a video?

19           THE CLERK: Yeah. No. Ceci checked, so  
20 we're good. There's no meetings that night.

21           COMMISSIONER EVANS: Conference based.

22           THE CLERK: Okay. I will.

23           MAYOR SCARPELLI: I can tell you from  
24 experience, you probably don't want to sit. Their  
25 meetings go a little long.

1 COMMISSIONER EVANS: Yeah. They're riveting.

2 MAYOR SCARPELLI: Yeah. Yeah, riveting is  
3 right. Anything else you have, Madam Clerk?

4 COMMISSIONER PETRACCO: Thank you for --  
5 thank you, I appreciate it.

6 THE CLERK: No, Mayor. I'm going to put that  
7 -- I'm going to send that to Sam, put it on your  
8 schedule.

9 COMMISSIONER PETRACCO: I'll make sure.

10 THE CLERK: Commissioner, did you want to  
11 talk about this letter, or no?

12 COMMISSIONER EVANS: Just -- yes. Thank you.  
13 I didn't remember. In your packet, you have a draft  
14 letter. It needs to be finalized, but it's the  
15 beginning of the revaluation process, where there'll be  
16 an initial letter to property owners, letting them know  
17 that the inspection -- the house inspection, property  
18 inspection process, will begin and it will be posted on  
19 the website, when they're going to be in a specific  
20 area, they will issue a postcard, reminding people that  
21 they're coming. They'll -- it's all electronic, so  
22 there's no sketching or things like that. They take  
23 photos and all that for the record, because it's the  
24 technology in use today, so it goes faster. And then  
25 the only thing they also are very clear that they need

1 to see proper identification before they let anyone  
2 into their house. All of the field inspectors will be  
3 issued identification from the police department. So  
4 unless they have that, they're not allowed in. But  
5 anyway, it's a nice letter. It just gives them a lot  
6 of information that the process is beginning.

7           It's only the beginning of the process. Any  
8 thinking around what the actual valuation will be, at  
9 the earliest, would be at the end of August. And then  
10 they will be scheduling meetings with people who want  
11 to review their valuation in the September time frame,  
12 because all of this goes into what they call the  
13 October book, because the tax base for 2021 is set in  
14 October by statute. October '20, so it's a year  
15 behind. So they're getting that all done, and then any  
16 changes in tax values would be effective for 2021. So  
17 it's just the process is beginning. This is -- I just  
18 want you guys all to see the letter, so you're aware of  
19 it.

20           COMMISSIONER PETRACCO: So when will it  
21 actually start? Like when is there -- when will they  
22 be in the field, do you think?

23           COMMISSIONER EVANS: I think probably after  
24 the first of the year.

25           COMMISSIONER PETRACCO: This January?

1 COMMISSIONER EVANS: Yeah. Yeah.

2 COMMISSIONER PETRACCO: Wow.

3 COMMISSIONER EVANS: They wanted -- they  
4 actually want to start now, but it's the holidays, so,  
5 if they can without being too disruptive, fine, but I  
6 told them they have to be considerate of that. But  
7 it's going to probably take them, you know, three, four  
8 months, to actually do the initial inspections and the  
9 follow ups, and then there'll be the valuation  
10 determination, land value, improvements, they'll list  
11 the technical term. So -- and it's a long process.  
12 Just wanted you to be aware. It's starting.

13 MAYOR SCARPELLI: Thank you for good news.

14 COMMISSIONER PETRACCO: Yep.

15 COMMISSIONER EVANS: And by the way, we're --  
16 just so it's clear, this is under order from the  
17 Essex County Tax -- Board of Taxation, the State Board  
18 of Taxation, pushing to do these revaluations. And  
19 they want to do them more frequently, to keep the  
20 valuations closer. Okay? So it's going to be a  
21 growing trend.

22 MAYOR SCARPELLI: Counselor?

23 MR. GENITEMPO: I need a brief executive on  
24 personnel and negotiations with Prism.

25 MAYOR SCARPELLI: And maybe contract

1 negotiations.

2 MR. GENITEMPO: And maybe contract  
3 negotiations.

4 MAYOR SCARPELLI: Can I have a motion to go  
5 into executive?

6 COMMISSIONER EVANS: Motion to go into  
7 executive.

8 COMMISSIONER PETRACCO: Second.

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

13 Whereas, the public body is of the opinion  
14 that such circumstances exist; and

15 Whereas, the Board of Commissioners of the  
16 Township of Nutley in the County of Essex, State of  
17 New Jersey, desires to proceed to closed executive  
18 session.

19 And now therefore be it resolved by the Board  
20 of Commissioners of the Township of Nutley to move into  
21 closed executive session to discuss personnel, contract  
22 -- and contract negotiations.

23 COMMISSIONER EVANS: Yes.

24 THE CLERK: Alan, just those two? Personnel  
25 and contract negotiations?

1 MR. GENITEMPO: And -- yes. Yeah.

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

9 Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 THE CLERK: The time is 7:13.

16 (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 31, 2019

Alicia Jarrett  
AAERT Cert. No. 428  
Certified Court Transcriptionist

**In The Matter Of:**

*In RE: Nutley Board of Commissioners*

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*Transcript of Proceedings*

*December 17, 2019*

*Public Session*

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

\*\*\* PUBLIC SESSION \*\*\*

DATE: December 17, 2019

BOARD OF COMMISSIONERS:

- JOSEPH P. SCARPELLI, MAYOR
- STEVEN L. ROGERS, COMMISSIONER A/E
- MAURO G. TUCCI, COMMISSIONER A/E
- 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. Board of  
7 Commissioners public meeting, Tuesday, December 17th,  
8 2019. The time is 7:32. Pursuant to the requirements  
9 of the Open Public Meeting Act, Chapter 231,  
10 Public Law 1975, notice of this meeting was published  
11 in the November 29th, 2018 issues of the Nutley Sun,  
12 the Herald News, and the Star Ledger. A copy of this  
13 notice has been posted on the Nutley Town Hall bulletin  
14 board, and a copy is on file in the Municipal Clerk's  
15 office. Commissioner Rogers is absent, excused.  
16 Commissioner Tucci is absent, excused.  
17 Commissioner Evans?

18 COMMISSIONER EVANS: Here.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Here.

21 THE CLERK: Mayor Scarpelli.

22 MAYOR SCARPELLI: Here.

23 THE CLERK: All present, Mayor, except for  
24 Commissioner Rogers and Commissioner Tucci. They are  
25 absent, excused, this evening.

1           MAYOR SCARPELLI: Madam Clerk, go to minutes.

2           THE CLERK: We have Board of Commissioner  
3 meeting minutes for November 7th, 2019, and  
4 November 28th, 2019.

5           COMMISSIONER EVANS: Move it.

6           COMMISSIONER PETRACCO: Second.

7           THE CLERK: Commissioner Evans?

8           COMMISSIONER EVANS: Aye.

9           THE CLERK: Commissioner Petracco?

10          COMMISSIONER PETRACCO: Aye.

11          THE CLERK: Mayor Scarpelli?

12          MAYOR SCARPELLI: Aye.

13          THE CLERK: We have minutes for executive  
14 session for November 7th, 2019, November 18, 2019, and  
15 December 3rd, 2019.

16          COMMISSIONER EVANS: Move it.

17          COMMISSIONER PETRACCO: Second.

18          THE CLERK: Commissioner Evans?

19          COMMISSIONER EVANS: Aye.

20          THE CLERK: Commissioner Petracco?

21          COMMISSIONER PETRACCO: Aye.

22          THE CLERK: Mayor Scarpelli?

23          MAYOR SCARPELLI: Aye.

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

25          MAYOR SCARPELLI: All right. We're going to

1 go to -- we have a couple of proclamations tonight.  
2 The first proclamation is on behalf of Nutley UNICO,  
3 and we're going to split -- since we're all three of  
4 the commissioners here tonight are UNICO members, we're  
5 going to split up the proclamation.

6           Whereas, in 1953, a group of Nutley residents  
7 formed the Columbus Civic Club of Nutley, as a way to  
8 develop Italian-American pride in the Nutley community;  
9 and

10           Whereas, the Columbus Civic Club of Nutley  
11 operated in Nutley until 1958, when it applied for  
12 national membership to the UNICO national organization;

13           Whereas, the signature page of the original  
14 UNICO nation charter application was signed on  
15 August 12th, 1959, by the membership of the  
16 Columbus Civic Club of Nutley; and

17           Whereas, Nutley UNICO was officially  
18 chartered on October 10th, 1959, as part of the UNICO  
19 national organization, which is the largest  
20 Italian-American service organization in the United  
21 States; and

22           Whereas, Nutley UNICO is comprised of  
23 individuals of Italian ancestry, who are committed to  
24 preserving Italian heritage and ethnicity, and  
25 providing a better quality of life for those in need on

1 a community and national level.

2 COMMISSIONER EVANS: Whereas, Nutley UNICO is  
3 one of the largest chapters in the nation, and in 2002,  
4 was recognized by UNICO National as the model chapter  
5 in the nation;

6 Whereas, Nutley UNICO's motto is, "Service  
7 above self;" and

8 Whereas, Nutley UNICO donates on a yearly  
9 basis over \$30,000 in scholarships to Nutley students  
10 seeking post-secondary education careers; and

11 Whereas, Nutley UNICO contributes more than  
12 \$15,000 to a variety of national and local charities  
13 and causes. A few of these causes include MS Research,  
14 Autism Awareness, Prostate Cancer Research, young --  
15 Special Young Adults, the Nutley Public Library,  
16 Thriving Survivors, the Jimmy V. Fund, Cooley's Anemia,  
17 just to note a few; and

18 Whereas, Nutley UNICO has also made a major  
19 commitment to education in the form of support for  
20 Italian Studies chairs at various universities, most  
21 notably, Seton Hall, Montclair State, and  
22 Stonybrook University.

23 COMMISSIONER PETRACCO: Whereas, throughout  
24 the last 60 years, UNICO National has recognized the  
25 Nutley chapter for its many contributions and donations

1 to the National Earthquake Relief Fund in Italy,  
2 Twin Towers 9-11 Fund, and UNICO National Scholarships;  
3 and

4           Whereas, Nutley UNICO has instilled many  
5 important values and beliefs in its members over the  
6 years, helping them become honorable citizens and  
7 prominent professionals; and

8           Whereas, on Thursday, October 10th, 2019,  
9 Nutley UNICO hosted its 60th Anniversary Dinner,  
10 commemorating 60 years of service.

11           Now therefore be it proclaimed that the Board  
12 of Commissioners of the Township of Nutley, County of  
13 Essex, State of New Jersey, applaud Nutley UNICO for  
14 60 years of community involvement, commitment to  
15 promoting the Italian-American heritage and culture,  
16 and for being a positive influence in the Nutley  
17 community.

18           MAYOR SCARPELLI: Lorraine, you want to come  
19 up and say a couple words?

20           MS. KUCINSKI: Good evening. I'm  
21 Lorraine Kucinski. I'm the current president of  
22 Nutley UNICO. We are very proud and grateful to the  
23 board for recognizing our organization, for all the  
24 good that we do. Service above self is our motto, and  
25 we try to fulfill that every time we meet, and care to

1 do something for the community. And we think about it  
2 all the time, and we thank you. And I thank all of the  
3 members who have come and received this proclamation  
4 for us. Thank you so much.

5 MAYOR SCARPELLI: How about if we come up and  
6 take a picture?

7 MS. KUCINSKI: I'd like that.

8 (Pause)

9 MAYOR SCARPELLI: All right. We have one  
10 more proclamation. This proclamation is for the  
11 Agostino's Market. Rocky Agostino recently retired,  
12 and again, the commissioners are going to read this  
13 proclamation together.

14 Whereas, in 1967 Al and Rose Bissell opened  
15 Bissell's Food Market at 632 Passaic Avenue in Nutley,  
16 New Jersey, which was later renamed Agostino's Market  
17 under Rocky and Barbara Agostino; and

18 Whereas, Agostino's Market has been a staple  
19 in Nutley for over 52 years, providing many local  
20 residents with food market goods; and

21 Whereas, much of the food supplies and  
22 merchandise sold at Agostino's Market was distributed  
23 by Filligree Foods in Totowa, New Jersey, and picked up  
24 by Rocky in his delivery truck; and

25 Whereas, a few of the first items available

1 at Agostino's Market were cold cuts, milk, soda, fresh  
2 vegetables, bread, canned goods, and paper products;  
3 and

4           Whereas, Rocky Agostino was also a butcher by  
5 trade and provided fresh cuts of meat for his  
6 customers.

7           COMMISSIONER EVANS: Whereas, the vegetables  
8 sold at Agostino's were supplied fresh from Newark  
9 Farmer's Market and the bread from Zinicola Bakery on  
10 King Street in Nutley;

11           Whereas, Tuscan Dairy delivered milk daily in  
12 original glass deposit bottles, as they did many of the  
13 soda products, such as Pepsi, Coke, 7-Up, and Vigor;

14           Whereas, in 1970, Agostino's Market added  
15 fresh coffee, greeting cards, magazines, newspapers,  
16 T&W Ice Cream, Easter flowers, and Christmas wreath  
17 items were sold. And by the way, the coffee was great.  
18 It was always good. The -- let's see.

19           Whereas, in the 1980s, the store expanded  
20 into the back of the building, which was a barber shop,  
21 called Tom the Barber, and was used for additional  
22 storage, office space, and an original refrigerator  
23 built by Fink Brothers of Newark, New Jersey, which is  
24 still in use today;

25           Whereas, in the 1990s, the New Jersey Lottery

1 was added. No machine at first, just paper tickets and  
2 scratch-offs. Later, the Green Machine was put into  
3 service.

4 COMMISSIONER PETRACCO: Whereas, in the  
5 2000s, the store continued to increase its services by  
6 staying open seven days a week to sell the Sunday  
7 papers, such as the Star Ledger, the New York Times,  
8 New York Post, Herald News, Bergen Record, and the New  
9 York Daily News;

10 Whereas, Agostino's Market provided residents  
11 in the area with home delivery service by the way of  
12 Rocky's truck or neighborhood kids who would walk or  
13 bicycle the goods to each home; and

14 Whereas, Agostino's continued to be a  
15 neighborhood staple where many friends gathered to  
16 enjoy a great cup of coffee, the morning paper, and  
17 some good conversations.

18 Now therefore be it proclaimed that the Board  
19 of Commissioners of the Township of Nutley, County of  
20 Essex, State of New Jersey, hereby congratulate the  
21 Agostino Family for exceptional service to their  
22 customers and the Nutley community, and commends them  
23 for many years of hard work and dedication to our  
24 township.

25 MAYOR SCARPELLI: Congratulations to Rocky.

1 He could not be here tonight. He has an infection that  
2 he went to the hospital with. I would like to thank  
3 Red Wilson for all his help and information in having  
4 the -- giving to our staff to put together a  
5 proclamation. You know, I received a text from  
6 Tom Greco (phonetic). I didn't know Rocky, but Tom  
7 grew up in that area, and went to that store, so I'm  
8 going to read the text that he sent me as my comments,  
9 and then I'm going to turn it over to the  
10 commissioners, who I know frequented that store.

11 If you ask anyone who grew up in the Yantacaw  
12 section of town if they ever heard of  
13 Agostino's Deli, most would probably say no. But if  
14 you ask if they heard of Rocky's, well then, everyone  
15 would smile widely and say, of course. There are  
16 certain words that you hear that automatically bring  
17 you back to your childhood. For our neighborhood,  
18 Rocky's is one of those words. Even at almost 60 years  
19 of age, I can't remember a time when Rocky wasn't there  
20 on the corner of Passaic and Wharton Avenues. I can  
21 remember him hand-delivering groceries to my mom a few  
22 times a week when I was just a kid. In fact, I  
23 honestly don't think I knew the Shop-Rite existed until  
24 I went to junior high school. That's how important  
25 Rocky's was to us. It was our Shop-Rite, our deli, our

1 bakery, our comic book shop, our ice cream shop, our  
2 newspaper shop, our magazine shop, and most  
3 importantly, our candy shop. Rocky always had the best  
4 candy.

5 For us, every day meant playing at  
6 Kingsland Park, and then hitting Rocky's for the  
7 important stuff. And if you were a little short of a  
8 few cents, Rocky wouldn't think twice. He'd make sure  
9 you get what all your friends did. Rocky never let  
10 anyone leave the store unhappy. It's extremely fitting  
11 that we are honoring Rocky at this time of year,  
12 because Rocky was our Mr. Gower from It's A Wonderful  
13 Life.

14 There are many who stayed in the neighborhood  
15 who have had the luxury of seeing Rocky all these  
16 years. Regrettably, I haven't seen him in probably 30  
17 years, but even so, every day as I drive past that  
18 corner, I can't help but smile and think of those great  
19 days, when Rocky's was a huge part of our daily world.  
20 He truly is a Nutley institution, and no one deserves  
21 this honor more. Tom Greco.

22 COMMISSIONER EVANS: Nice.

23 MAYOR SCARPELLI: Commissioner?

24 COMMISSIONER EVANS: Sure. Sure. I live in  
25 that area, and I've been going to Rocky's for many,

1 many years. I would stop in in the morning on my way  
2 to New York to get coffee, get a sandwich. My kids, I  
3 would bring in for the candy, and I would stop in for  
4 that.

5 Rocky and I had always had this dialogue  
6 which was around lottery tickets. One, he always told  
7 me that if you're going to buy lottery tickets, never  
8 buy an odd number. So -- but I think that meant he was  
9 just trying to sell me an extra ticket, right? And  
10 then I would always say to him, I'd say, Rocky, I said,  
11 I need a winner. Give me a winning ticket. And then  
12 he would hand me a ticket, and he goes, this is a  
13 winner. And I would go home and I'd lose, and I'd  
14 bring it back to him, and I'd say, Rocky, I said, I  
15 lost. And he goes, I really thought that was a winner.  
16 Right? So we always had this dialogue.

17 But I have enjoyed many years of going in,  
18 and as I said earlier, one of the things I enjoy is a  
19 great cup of coffee, and I always got that with Rocky.

20 MAYOR SCARPELLI: Commissioner?

21 COMMISSIONER PETRACCO: Well, being in a  
22 very, very similar business, I have to say that I hope  
23 someday there's a couple kids from my neighborhood  
24 sitting back there like the two of you guys and saying  
25 these wonderful words about Rocky.

1           So I grew up on Park Avenue, so I didn't  
2 start going in to Rocky's until I was 17, and -- but my  
3 father always traveled to work that way, too, and he  
4 always stopped in for his coffee by Rocky's. And the  
5 funny part of how I really got to know Rocky was, it  
6 was just -- it was a morning just like how today was,  
7 with the freezing rain, and I wind up borrowing a  
8 friend of mine's Blazer back in the day, and it was an  
9 icy day, and I wound up doing 360s down Passaic Avenue,  
10 and the tree that I hit when I stopped was right in  
11 front of Rocky's store.

12           So he came running out, and he says to me,  
13 what are you doing? And I'm like, oh, I didn't realize  
14 it was icy out. I started spinning and I couldn't stop  
15 spinning. He goes, oh, man, I can't wait to see your  
16 father tomorrow morning. I know he's not going to be  
17 happy with you. I'm like, you know my father? You  
18 know, because we were never in there together, but  
19 Rocky had that magic about him of putting people  
20 together and knowing who was who, and always looking  
21 out for the kids.

22           So God bless him. I can tell you, the deli  
23 life, the store life, is not an easy life, seven days a  
24 week, and he deserves, and his family, nothing but the  
25 best.

1           MAYOR SCARPELLI: I know a couple people from  
2 the neighborhood are here. Anybody want to share  
3 anything since Rocky's not able to be here tonight?  
4 Red?

5           MR. WILSON: Well, a lot of you probably know  
6 me. I'm Red Wilson. Yeah. Okay. I can remember Joe  
7 over here coming in to Rocky's for his cup of coffee  
8 and going back to Billy's Gas Station on a regular  
9 basis. Tom coming in for his lottery tickets. Al, the  
10 grocery store, coming in there. The mayor himself  
11 coming in there on many times.

12           Rocky's history, how he got started, his  
13 original occupation was managing the Acme Supermarkets.  
14 So that's where it all started. So he was kind of in  
15 the food business. They were grooming him. And then  
16 the opportunity came after Bissell's School Market,  
17 where I believe it was Al Bissell and Rose, Al had  
18 passed away, and they needed somebody to come in, and  
19 that was Barbara's aunt and uncle. So he kind of just  
20 fell into it, okay, perfect opportunity. And like the  
21 mayor just said there, did everything for you. He  
22 would never close the door, if he seen you coming like  
23 at eight o'clock at night, open the door, let that man  
24 in. You know. Yeah. He was just a very good person.

25           COMMISSIONER EVANS: Well, he's --

1 MR. WILSON: Still is. To this day.

2 COMMISSIONER EVANS: Yeah.

3 MR. WILSON: Yeah.

4 MAYOR SCARPELLI: How long did you work  
5 there, Red?

6 MR. WILSON: Me? About 52 years. About as  
7 long as Rocky. Yeah. Yeah. And in fact, a lot of  
8 people right here are from the neighborhood here, but  
9 grew up with me over there, and here they are right  
10 here.

11 COMMISSIONER EVANS: That's great.

12 MR. WILSON: They would support -- if Rocky's  
13 was there, we would still be going there. Yeah.

14 MAYOR SCARPELLI: Thank you for sharing.

15 MR. WILSON: I want to thank you. Yeah, for  
16 honoring --

17 MAYOR SCARPELLI: Anybody else want to share  
18 anything? Well, we're going to make sure that we go  
19 and either bring Rocky here -- I would like to thank  
20 Tom Greco and Mike Iverson (phonetic) for the impetus  
21 to get this going, and then Red for all the  
22 information. So the three of you were very important  
23 in having this done today, and we're going to make sure  
24 Rocky gets this proclamation. You want to take a  
25 picture with everybody? Sure, we can take a picture.

1 (Pause)

2 MAYOR SCARPELLI: Chris and Phil, you ready?  
3 Before we go to reports, we have a presentation by our  
4 planners, Topology. They've got a little update on  
5 where we are in relation to their community outreach.  
6 So Chris Colley and Phil Abramson, the floor is yours.

7 THE CLERK: I'll get the lights.

8 MR. COLLEY: Okay, great. Well, thank you  
9 for having us here tonight. The place really emptied  
10 out after those proclamations, but thanks to --

11 MAYOR SCARPELLI: Don't take it personally.

12 MR. COLLEY: Not at all. Not at all. Thanks  
13 to the members of the public who are still here and the  
14 commissioners for letting us come out tonight. As the  
15 Mayor said, my name's Chris Colley. I'm joined by my  
16 colleague, Phil Abramson. We're with Topology. We're  
17 the redevelopment planners on the LaRoche site, and  
18 we've been running over the last month and a half or so  
19 a public engagement process around this property, and  
20 the next phase of development for this property, which  
21 we're going to kind of refer to interchangeably as ON3  
22 and Roche, so if I say either one, you can keep up.

23 And we just wanted to take this opportunity  
24 to sort of give an update as to where we stand, and  
25 give a peek at what's going to be coming up next. So

1 anything we say today, like, we're sort of at a  
2 midpoint in the process. The surveys that we're going  
3 to be referencing are still ongoing, and we encourage  
4 anyone to go take them, but we did want to take this  
5 chance to share some preliminary findings, or interim  
6 conclusions, and then also just share some of the data  
7 that we've --

8           So sort of two steps. I shouldn't be up here  
9 for more than 10, 12 minutes. We're going to go over  
10 what we've done, those first findings, and then we can  
11 talk to the next steps in the process. So, you know,  
12 you don't just do engagement for the sake of doing  
13 engagement. You try and have objectives and reasons  
14 that you're talking to people, and in particular,  
15 things that you want to talk to them about. And for  
16 this project, like -- and where we are in the phase --  
17 or at the phase currently, I want to understand, what  
18 are people's concerns and objectives. We want to  
19 understand what community benefits that might come out  
20 of this project should be prioritized. And we want to  
21 understand what types of land uses are going to best  
22 serve Nutley in the long term, and sort of this initial  
23 -- these conversations that we're having are really  
24 important to understanding those things.

25           Eventually, as I said, you don't do

1 engagement just for the sake of engagement.

2 Eventually, there's going to be a redevelopment plan  
3 that's going to be written for this property and full  
4 of this sort of feedback and conversations and input  
5 that we're having now are going to inform that.

6 So we showed this slide on November 6th, at  
7 our kickoff, and it sort of laid out what we intended  
8 to do between the end of the year. I wanted to put it  
9 up again just for context, but like really we want to  
10 tell you where we are in the process, what we've been  
11 hearing so far, in bold, to emphasize the fact that  
12 this process remains ongoing, and then ultimately  
13 what's going to come next.

14 Great. So as I said, we launched this  
15 engagement effort back on November 6th, so about six  
16 weeks ago now. We had a quite well attended meeting  
17 over at the high school. We did an interactive polling  
18 exercise there, which 121 people participated in, and  
19 quite a few more people were there. So we'll keep in  
20 mind for next time how to get those holdouts involved.  
21 But 121 participants, and then also we launched this  
22 online engagement, and really talking about the  
23 findings of that online engagement is going to form the  
24 brunt of what we discuss.

25 But I do think, and we have this on the

1 website, but, in case folks haven't seen it, we did  
2 sort of cherry pick a couple of the questions that we  
3 did that night which we think are relevant to what  
4 we're starting to hear, and starting to see, and this  
5 first one, well, you know, what's your biggest concern  
6 with the redevelopment project, like, it really jumps  
7 out, these three top categories. You know, local  
8 schools, traffic, and then that the town might miss an  
9 opportunity to attract residents and preserve property  
10 values, going to the issue of taxes. And like, it, you  
11 know, unsurprisingly, those are themes that we're going  
12 to -- that we've seen throughout some of the  
13 conversations.

14 We also wanted to like look a little bit at  
15 the positives. We asked people to rank what outcomes  
16 they'd like to see, and you see those here. Obviously,  
17 tax revenue coming tops, and sort of another thing  
18 you're going to see throughout is a push for the  
19 downtown new direction, that was another thing. And  
20 yeah, this was actually our favorite question. Looking  
21 at -- looking down the road, like what might this  
22 campus be? And overwhelmingly the folks who  
23 participated selected this option, a new center of  
24 activity for Nutley, which frankly, I -- like, I find a  
25 little bit inspirational, right? I mean, this sort of

1 acknowledgment that there's like, a great special  
2 opportunity here, beyond the scope of just any sort of  
3 average project you might have. And we think that that  
4 sort of idea of a new center of activity for Nutley is  
5 like a compelling idea that might underscore our  
6 subsequent plan forward.

7           So we did the thing on the 6th, and we  
8 launched this online survey, which, as I said, remains  
9 ongoing, but just as a snapshot of some of the things  
10 we've heard from people on it. We're at 181 responses,  
11 which, you know, we got out of the gate well.  
12 Responses continue to trickle in, but we do want to do  
13 sort of one big push on that, so (indiscernible). So  
14 the people that responded to this are 80 percent from  
15 Nutley, and then sort of all, from all different points  
16 in their life. Student, empty nesters,  
17 (indiscernible).

18           The survey skews a little older than the  
19 median age of Nutley, as presently. And I just -- we  
20 sort of focused on three subject topics; housing, open  
21 space, to sort of show you what people are starting to  
22 say in those. But as an overall, where do we stand?  
23 We asked this one question. We've heard schools,  
24 taxes, and traffic are the big issues in Nutley. Are  
25 these the biggest? If not, are there others?

1           And only the folks who are here are obviously  
2 regular council -- or sorry, commissioner attendees,  
3 and the commissioners themselves, so unsurprisingly,  
4 yes, people said that. So there were 17 percent of  
5 people who identified something else. We heard some  
6 parking comments, some transportation comments, but,  
7 you know, these are the sort of the big issues that  
8 we're facing, and we sort of knew that going in, but  
9 it's important to have these processes and to confirm  
10 under that.

11           We asked some questions around commercial  
12 development, and really downtown development. And I'm  
13 not going to read each one of these (indiscernible)  
14 saying that. Of the questions, or of the things that  
15 we asked people to rank, routine and existing  
16 businesses was the category that had the highest  
17 percentage of very -- or I'm sorry, actually has  
18 currently the highest percentage of very important or  
19 somewhat important. I think that survey gets to what  
20 we just saw with this proclamation and the pride of the  
21 community's local businesses.

22           And then if you go all the way down to the  
23 end there, you see the create new housing at 19 percent  
24 currently, the percent varied (indiscernible). Oh. We  
25 asked some like targeted questions, or we're asking

1 some targeted questions about housing and what kind of  
2 housing there are or there is in Nutley presently, and  
3 what might be or might not be, and I'm going to show  
4 you two graphs in a moment about specifically for young  
5 people the question, Nutley offers adequate housing for  
6 young people, and the second question, Nutley offers  
7 adequate housing for empty nesters.

8           And we've -- really interestingly, like of  
9 the responses we've received so far, the most common  
10 response has been neither agree nor disagree, which  
11 suggests to us that there's a lot more exploration of  
12 that topic, and like, conversation about that topic,  
13 because it's just -- a third, or up to 40 percent of  
14 people on those two responses, just didn't have an  
15 opinion on the issue, which was unusual.

16           In terms of -- we asked people if you're  
17 moving, or we're asking people, if you're moving, are  
18 you going to stay? You're going to go? And over half  
19 of the folks who intend to move within the next five  
20 years currently said that they intend to stay in Nutley  
21 even after they move. We asked them why, and those  
22 responses would go beyond the scope of this, but we  
23 have a bunch of answers from folks on that, and we can  
24 talk about that more another day.

25           But of the people that want to move, we

1 thought it was interesting that it's about 70 percent  
2 of them would prefer to be in a single-family home,  
3 which you know, is really a lot of what you see in  
4 Nutley's housing stock. And we did see a small  
5 portion, or actually, I shouldn't say small. A  
6 somewhat significant portion, the second highest  
7 respondent would prefer (indiscernible).

8           These are the two graphs I spoke to before,  
9 and it's kind of interesting on the topic Nutley offers  
10 adequate housing for empty nesters, young people, and  
11 see that (indiscernible). That suggests there's a lot  
12 more work to be done on that subject.

13           To speak a little bit about like,  
14 transportation, and mobility, what we've seen so far,  
15 we're urban planners, so we're naturally into  
16 walkability. A really positive response, I think, in  
17 terms of people walking around town right now. Also a  
18 desire to walk more, if there were more facilities.

19           And then this next one I think is quite  
20 interesting so far, too, about the greatest  
21 transportation challenge Nutley faces. We just on the  
22 face assumed that traffic was going to probably come  
23 number one here. Interestingly, public transit is  
24 currently pulling ahead, at 37 percent. And then we  
25 started to look at that compared to, well, why do

1 people come to Nutley, and is there anything in these  
2 parallels to talk to that, and a third of the people,  
3 when we asked them, well, why do you live in Nutley,  
4 about a third of the people said they come here because  
5 of convenience and accessibility to jobs. So the fact  
6 that transit is seen as a challenge, but accessibility  
7 is seen as an asset like presents a sort of paradox,  
8 what you call it.

9 Commissioner Tucci's not here. We do have  
10 some initial stuff on open space. We keep -- we'll  
11 keep asking people. 83 percent of respondents to the  
12 survey visit a park in Nutley at least monthly, which  
13 makes sense (indiscernible). But also and then this  
14 sort of gets to this question of what kind of benefits  
15 might -- the township might focus on, like sports  
16 fields and exercise equipment are polling very low  
17 right now, whereas pathways, places to hang out, things  
18 of that nature are (indiscernible). So that's sort of  
19 what we've seen so far in this -- in this survey, which  
20 as I said, goes ongoing.

21 The other big place that we're currently  
22 collecting feedback, which we're going to talk about  
23 very briefly, is on this coUrbanize website. If  
24 anyone has not visited the site, or subscribed to the  
25 site, I encourage you to do so. It's fun. There's a

1 lot of information on there. We've got reference  
2 documents, the timeline. We'll send out email blasts  
3 if there's an event coming up. You can see the URL  
4 there.

5 So we're asking people these open-ended  
6 questions on there about, it's a great place, Nutley,  
7 is Nutley special? I think the -- sort of the most fun  
8 one is this last one, which is the if you had  
9 \$5 million to spend improving Nutley how would you  
10 spend it? I'd say about, I don't know, two-thirds of  
11 our comments have been around this question. We've  
12 seen, you know, some interesting ideas, some of which  
13 we expected to see, some of which we didn't.

14 Frankly, I was not aware of the drastic push  
15 for a town pool. (Indiscernible) keep talking about a  
16 town pool. People talking about -- Nichols Park  
17 improvements, sort of a wide range of transit  
18 improvements, from, you know, a tram (indiscernible)  
19 downtown, people want parking, streetscape. Schools,  
20 as I said, are mainly the big issue (indiscernible).

21 These conversations remain ongoing. I  
22 encourage you, as I said, to go on there. Folks will  
23 respond. Some organic conversations are starting to  
24 (indiscernible).

25 And lastly, we've gone out on a couple days,

1 I was hoping I could find something to (indiscernible),  
2 but that's me. Up there, we've gone three times, once  
3 in front of Shop-Rite on the 19th, Franklin and Center  
4 on the 26th, and then we were out last Friday early in  
5 the morning talking to bus commuters. And like these  
6 are really sort of informal conversations that we've  
7 been having with people, just making sure that they're  
8 aware of the site, and making sure that they know  
9 there's a survey, and know how to engage, and it's --  
10 surprising, actually, the amount of people I've met who  
11 don't know anything going on. But I will say that the  
12 conversations that we've had during those tabling  
13 exercises were, you know, largely consistent with the  
14 types of things we've seen at this point.

15 So this is labeled conclusions to date, and I  
16 really want to emphasize the to date on that. As I  
17 said, like this is an ongoing process, this is a  
18 checkpoint, and we're here to provide an update. There  
19 are sort of like these big themes starting to emerge  
20 that were worth mentioning. So as I said earlier, this  
21 idea that taxes, traffic, and schools are confirmed as  
22 the primary concerns. That's -- we see that in almost  
23 every conversation we have. We have seen this -- and  
24 you saw it in that first polling question, that there  
25 is a negative attitude towards new housing, and then we

1 think that that's really tied into that first point,  
2 taxes, traffic, and schools.

3 But we have also sort of seen like a need,  
4 an acknowledgment of a need for housing, which is  
5 (indiscernible). This idea of a new center of  
6 activity, which I think, us planners, we're always  
7 looking for big objectives, and I think that's a good  
8 one to sort of keep in the center of the conversation.

9 Sort of transit paradox that I referenced  
10 earlier, that accessibility is a reason to live in  
11 Nutley, but we've had all these conversations  
12 (indiscernible) to transit, like the (indiscernible).

13 And then lastly, we've seen this culture of  
14 walkability. You see that in town. There aren't,  
15 frankly, many towns where you can even this much --  
16 have as much conversation with people just standing on  
17 a street corner, and we were able to, and that was a  
18 positive.

19 We'd also like -- there's a question, maybe,  
20 if there's already this walkable culture, how can we  
21 improve the walkability (indiscernible).  
22 (Indiscernible) is at its checkpoint interim, so we'll  
23 continue to find (indiscernible) because we know we  
24 have to have those conversations. So we've been having  
25 general conversations, high-level objectives, concerns,

1 things like that, but we really think that the  
2 residents need and deserve like a more detailed  
3 conversation to kind of like grasp (indiscernible) and  
4 the site, and like, how those things translate  
5 (indiscernible) how those links translate into those  
6 things.

7           And also, one thing we found, we sort of  
8 glossed over it on the 6th, but, you know, the township  
9 does have its (indiscernible). And we think there's a  
10 need to really explain what that means to  
11 (indiscernible). And there's a sort of need to engage  
12 with people who live around the campus, and then also  
13 the business community.

14           When I showed you that slide in the beginning  
15 that referenced the sort of focus groups as a third  
16 plan, we do intend to have those meetings in January  
17 with the Chamber, Rotary and then a (indiscernible).  
18 And then we really want to make a push to make sure  
19 that anyone who wants to do that survey does so,  
20 because the more numbers we get, like the better off  
21 it's going to be, so we're going to really go over it  
22 aggressively on promoting advertisements, and hopefully  
23 we can get some assistance in any local listservs in  
24 terms of getting that out, and all that's sort of  
25 really building to what we think makes sense, and those

1 are those next steps, but have another get together  
2 with folks, probably, hopefully in early February, to  
3 go through a more detailed conversation about  
4 (indiscernible). These are the issues that we hear  
5 people raising (indiscernible) and also to go into the  
6 important (indiscernible).

7 So ultimately, as I said to start, all of  
8 that gets translated into a rebuilding plan. That  
9 would be the end goal, but we did think that since it  
10 had been about six weeks of chatting with people and  
11 hearing from people that it was worthwhile to come in  
12 and share some of the data (indiscernible) spark a new  
13 round of engagement and to (indiscernible). That's  
14 what I have to say, so we're here for chats and  
15 discussion and questions as needed, and those in  
16 response. So thank you.

17 MAYOR SCARPELLI: Commissioners, do you have  
18 any questions?

19 Commissioner Evans?

20 COMMISSIONER EVANS: Just, I noticed that you  
21 were going to have a focus session with the Chamber,  
22 with the Rotary, and then I think (indiscernible) I  
23 think that they said that they approved it. I would  
24 ask that you -- just to be fairer about the  
25 opportunity, circulate, maybe have something that's

1 more open, so you get the community at large to come?  
2 So and -- it's a little less -- have one -- if you want  
3 to do those three, that's fine, I don't disagree with  
4 that, but have something that's absolutely more  
5 targeted.

6 I do agree that what we've been hearing  
7 around taxes, schools, traffic, you know, is an ongoing  
8 theme, but I also agree with you that -- and your  
9 digesting of what you've heard, a need to have  
10 something that's more detailed, more informational to  
11 help people to become better grounded on what all the  
12 issues are. So I think -- you were suggesting that you  
13 were going to do that in February. It feels to me that  
14 -- if that could be done sooner? Because I do think  
15 that that type of meeting will influence what people  
16 really have to say about the site, because they'll have  
17 a better foundation. So I think it may influence what  
18 -- the (indiscernible) data that you've been gathering  
19 to date. Okay?

20 MAYOR SCARPELLI: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Yes. I was -- I --  
22 all the people that were polled in this, this was all  
23 from the high school, or have you added to those  
24 numbers?

25 MR. COLLEY: No. So these questions here,

1 this is from the high school, but no, we have -- this  
2 is a whole separate survey. These have all been  
3 completed since the evening --

4 COMMISSIONER PETRACCO: So how many people do  
5 you think have -- we've touched through this --

6 MR. COLLEY: Yeah, so --

7 COMMISSIONER PETRACCO: -- type of -- almost  
8 like social media, I would call it, right? I mean --

9 MR. COLLEY: Yeah. I can tell you that it's  
10 some --

11 COMMISSIONER PETRACCO: -- the process.

12 MR. COLLEY: -- 550 people have come to the  
13 Courbanized website. I can tell you that 180 people  
14 have completed the survey, and I can tell you that  
15 we've spoken to about 130 people on the street. So all  
16 told, like that adds up to around 900 people.

17 COMMISSIONER PETRACCO: And I have to tell  
18 you, I -- my next statement is I -- I think it's --  
19 that you guys are doing an awesome, great, fantastic  
20 job for Nutley. I -- at the high school, I was so  
21 impressed how you had the audience participating in the  
22 whole night.

23 When we were thinking about hiring a firm, I  
24 loved that you guys were younger, because I think that  
25 we're going to be able to touch a lot of younger people

1 who are up and coming, or who are thinking about buying  
2 a home in Nutley, or, you know, even going to work on  
3 that campus, so I think that we're really touching all  
4 the bases.

5 I think it's a big shout out to the Nutley  
6 people to get your voice heard, because you could see  
7 through the presentation that you made, you know, I  
8 have always said as elected officials it's not what  
9 five people want up here, it's, you know, it's what the  
10 town people want and what the residents want, and now  
11 it's really time for them to voice, you know, their --  
12 you know, what they want to see Nutley become in the  
13 future. And, you know, we're all anxious to see that.

14 But I just want to say, you know, to you  
15 guys, that I think that you're doing a great job, and I  
16 -- and thank you for standing on those cold corners in  
17 the morning, and really getting Nutley to participate  
18 in it, because it's, you know, everybody has stock in  
19 Nutley. So, thank you, guys.

20 MAYOR SCARPELLI: Just to dovetail a little  
21 bit on what Commissioner Petracco said, to anybody out  
22 there listening, that if you go to our website, on the  
23 homepage itself of our -- there is a tab for Nutley --  
24 or for Roche redevelopment, which brings you to the  
25 links to the survey, and to the CoUrbanization site,

1 so, you know, just -- you can go to our website, go to  
2 the homepage, go to the Roche redevelopment, and you  
3 can access a lot of the documents that are out there  
4 that have been prepared, but also the survey, and the  
5 CoUrbanize site.

6 I wanted to commend you guys also for going  
7 out there. I was in front of the Shop-Rite with Chris  
8 for about a half hour. He was out there a lot longer  
9 than that, and those were the three themes that we  
10 heard in the half hour I was out there, traffic, taxes,  
11 and schools.

12 I'm interested in, since you were at Route 3  
13 and Clifton Commons, and at the Darling Avenue in  
14 Kingsland, on the adequate transportation -- people --  
15 you know, do the commuters think there's adequate  
16 transportation, and is it just the people who don't  
17 commute don't think there's adequate transportation?  
18 Did you get that feeling?

19 MR. COLLEY: Yeah, that's interesting. Look,  
20 I commute via transit (indiscernible) Friday morning,  
21 so everybody was in a good mood, but everybody's always  
22 going to be -- (indiscernible) development liability,  
23 and consistency of service, and like, we definitely --  
24 we heard some of that. But I think what we did hear a  
25 little bit of when we were on Route 3 was -- it just

1 kind of being a pain to get to that bus stop? All  
2 right? And like, organized services may be like not  
3 sufficient, to like service all the people there. We  
4 did hear that. Frankly, I was impressed by how quickly  
5 the bus came on the Route 3. Just being a  
6 (indiscernible) concerns about reliability service, and  
7 adequate seat -- of course some parking and that type  
8 stuff.

9           MAYOR SCARPELLI: I know in just some of the  
10 questions that you had asked me that between 7:30 and  
11 nine o'clock on Kingsland and Darling there's a bus  
12 every ten minutes, which I wasn't aware of. So that's  
13 interesting. And you said there was a frequent bus on  
14 Clifton -- on Route 3?

15           MR. COLLEY: Yeah.

16           MAYOR SCARPELLI: And plus then we also have,  
17 on Kingsland, we have, all along Kingsland, there's bus  
18 pickups, too. So, I'm just -- maybe that's something  
19 to explore, that -- with the commuters, you know, how  
20 is the existing transportation, in their opinion?  
21 Because it does seem there's a disconnect for the  
22 people who are commuting. You know, that's one of the  
23 reasons they moved here, right, because of the access  
24 into the city, and -- so, you know, we do seem to have  
25 quite a few bus lines here. The 33, 88, the 199, the

1 192, the 32. So we do have some access via bus. And  
2 25 minutes, you're in the city, so -- anything else,  
3 commissioners? Thank you, guys, really appreciate you  
4 coming out.

5 MR. COLLEY: Thank you.

6 COMMISSIONER EVANS: Thank you.

7 MAYOR SCARPELLI: And we look forward to  
8 further study and your interaction with our -- with the  
9 public. Thank you. Have a good night.

10 Let's move on to reports. Commissioner  
11 Petracco?

12 COMMISSIONER PETRACCO: I have a report for  
13 public safety this month, yes.

14 MAYOR SCARPELLI: Commissioner Evans?

15 COMMISSIONER EVANS: I have a report for  
16 November 19th for the Code Enforcement Department.

17 MAYOR SCARPELLI: Commissioner Tucci has a  
18 Shade Tree report, and I have a monthly progress  
19 reports also from the Department of Public Works.  
20 Bills, Madam Clerk?

21 THE CLERK: Yes, Mayor. Bill list for  
22 December 17th, 2019. Public Affairs, \$174,584.56;  
23 Revenue and Finance, \$2,709,732.89; Public Safety,  
24 \$75,748.78; Public Works, \$208,256.68; Parks and Public  
25 Property, \$113,382.42; Water Utility, \$35,430.79.

1 Overtime Payroll total is \$50,288.91; Total Payroll,  
2 \$955,560.80, for a grand total of \$4,272,696.92.

3 COMMISSIONER EVANS: Move the bills.

4 COMMISSIONER PETRACCO: Second.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli.

10 MAYOR SCARPELLI: Aye.

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

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

14 THE CLERK: Yes, Mayor. All persons  
15 addressing the Board of Commissioners regarding  
16 community concerns should approach the microphone and  
17 provide their name and address for the record. Unless  
18 further time is granted by the board, each person shall  
19 limit their address to three minutes. All remarks to  
20 the board and its individual members must be addressed  
21 to the mayor. The mayor may defer citizens' comments  
22 to the appropriate member of the board. Dialogue  
23 between citizens and others addressing the board shall  
24 be allowed, unless the mayor or presiding officer, or  
25 the majority of the membership of the board shall

1 determine that the interests of the quorum and/or the  
2 expeditious conduct of municipal business are being  
3 adversely affected by such dialogue.

4           MAYOR SCARPELLI: Anybody wish to address the  
5 Board of Commissioners on the agenda items only?  
6 Seeing none, let's move on to commissioner  
7 announcements. Commissioners, any announcement?  
8 Commissioner Petracco?

9           COMMISSIONER PETRACCO: I do have one  
10 announcement to make. I just wanted to really thank  
11 the Nutley Volunteer Fire Department. I actually went  
12 on the Santa Run that they do with the fire trucks  
13 every year to many corners in town, and I have to tell  
14 you, seeing those youngsters come out and chase that  
15 fire truck down with Santa in it, it's -- it was really  
16 incredible, and they've been doing that for many, many  
17 years now, in town, it's become a really great  
18 tradition. And even with the weather not so great, on  
19 a misty kind of rainy day, it was really fantastic to  
20 be part of that. So, I've got to say, my hat's off to  
21 the Nutley Fire Department, the volunteers.

22           MAYOR SCARPELLI: Thank you, Commissioner.  
23 Commissioner Evans?

24           COMMISSIONER EVANS: I just wanted to  
25 acknowledge Carmine Bucco. He had a breakfast on this

1 past Sunday Al and I were able to attend. I was so  
2 impressed and moved by -- he's established a foundation  
3 for orphan children and adults, helping them transition  
4 out of a foster environment into adult life. And it --  
5 given his background, and his own experience as a  
6 foster child, I just wanted to offer congratulations  
7 and commending him for his willingness to pursue that.  
8 It's his new area of -- I think, where Nutley can get  
9 involved and really help others, especially young  
10 adults, to get on the right path, avoid some of the  
11 negatives that are out there in life, you know, drugs  
12 and crime and other things, that I've been reading  
13 about, which suggest that, you know, there's got to be  
14 some help to help those children avoid those negative  
15 consequences. So I just wanted to just offer our  
16 congratulations to him.

17 The other is just a really quick thing. As  
18 part of COAH, we're required to establish a rehab --  
19 rehabilitation ordinance for income-qualifying  
20 properties for different repairs, such as roofs,  
21 furnaces, things like that, if they meet a certain  
22 income level. We've been working on that program now,  
23 because the trust fund for COAH has about \$600,000 in  
24 it that has to be used for that purpose. So probably  
25 in the February time frame we'll have the ordinances

1 ready, but more importantly, we've been able to  
2 continue to work with the county to couple it with the  
3 county program, which could make as much as \$35,000 in  
4 total available to a homeowner who income qualifies for  
5 certain, you know, major-type repairs. The interesting  
6 thing about it is, it's a -- it's actually a loan,  
7 interest free, but it lasts for ten years. So ten  
8 years and a day, the loan is forgiven. So it's a real  
9 opportunity for people who need to and want to stay in  
10 their home, need to do the improvements, but that'll be  
11 before the Board of Commissioners probably in the  
12 February time frame, and we'll move forward with it.

13           MAYOR SCARPELLI: They have to stay in their  
14 home for ten years, correct.

15           COMMISSIONER EVANS: Stay in the home, yeah.  
16 Yeah. And if they sell prior, then they have to repay  
17 the loan.

18           MAYOR SCARPELLI: Thank you, Commissioner.  
19 Again, I'd like to thank everybody for all your  
20 participation in getting ready for the holiday season  
21 and the tree lighting. I'd especially like to thank  
22 the Department of Public Works for all they do on my  
23 behalf in getting us ready for that. So, you know,  
24 there's a lot that we offer in town, Santa Claus on the  
25 back of the fire truck, pictures with Santa, the

1 Chamber of Commerce having Santa come in by helicopter,  
2 the tree lighting with carriage rides, and, you know,  
3 it's part of what makes our community great, because we  
4 do offer these things, and we come together as a  
5 community to help celebrate not only this holiday --

6 COMMISSIONER EVANS: Absolutely.

7 MAYOR SCARPELLI: -- but many of the other  
8 holidays --

9 COMMISSIONER EVANS: Absolutely.

10 MAYOR SCARPELLI: -- in town. So I'd like to  
11 thank you all again for your help.

12 COMMISSIONER EVANS: Sure. And Mayor, let's  
13 put a plug in, shop Nutley. I got some great gifts on  
14 Saturday that I needed to pick up from local stores,  
15 and I think there's some great opportunities out there.

16 MAYOR SCARPELLI: Shop Nutley. Buy your gift  
17 certificates from our local eateries. I know everybody  
18 likes a gift certificate, everybody wants to go out to  
19 eat, they can, you know, go to your deli. So yes, shop  
20 local.

21 COMMISSIONER EVANS: If anybody's interested,  
22 I like to go to Bell Paese.

23 MAYOR SCARPELLI: All right, Commissioner.  
24 Let's move on to the public hearings. Ordinance --

25 COMMISSIONER EVANS: I'm just kidding.

1           MAYOR SCARPELLI: -- Number 3431 is being  
2           tabled to December 31st. That was -- it kind of has to  
3           be readvertised and will be on December 20th.

4           THE CLERK: (Indiscernible).

5           MAYOR SCARPELLI: Hmm?

6           THE CLERK: -- for January 2nd.

7           MAYOR SCARPELLI: What's that?

8           THE CLERK: Are you going to the  
9           (indiscernible)?

10          MAYOR SCARPELLI: Oh, no, that's right, it's  
11          not going to be the -- I misspoke. That'll be on  
12          January 2nd, and not on the 31st. So it'll be tabled  
13          to January 2nd. Ordinance Number 3432, I'd like to  
14          open the public hearing. Anybody who would like to be  
15          heard on 3432? Seeing none, I move to close the public  
16          hearing.

17          COMMISSIONER PETRACCO: Second.

18          THE CLERK: Commissioner Evans?

19          COMMISSIONER EVANS: Aye.

20          THE CLERK: Commissioner Petracco?

21          COMMISSIONER PETRACCO: Aye.

22          THE CLERK: Mayor Scarpelli?

23          MAYOR SCARPELLI: Aye. Move the ordinance.

24          COMMISSIONER PETRACCO: Second.

25          THE CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye. Let's move on to  
6 resolutions. Commissioner Evans, will you take  
7 Commissioner Rogers' and Commissioner Tucci's also?

8 COMMISSIONER EVANS: Yes. My first  
9 resolution is for Commissioner Rogers.

10 Be it resolved by the Board of Commissioners  
11 of the Township of Nutley, County of Essex, State of  
12 New Jersey, that in accordance with the provisions of  
13 R.S. 40A:4-58, the following transfers of appropriation  
14 in the 2019 budget be and the same are hereby  
15 authorized and approved: garbage and trash removal,  
16 \$5,000, to Health Department O/E, \$5,000. So move.

17 COMMISSIONER PETRACCO: Second.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 COMMISSIONER EVANS: For Commissioner Tucci.

25 Be it resolved by the Board of Commissioners of the

1 Township of Nutley, County of Essex, State of  
2 New Jersey, that in accordance with the provisions of  
3 R.S. 40A:4-58, the following transfers of appropriation  
4 in the 2019 budget be and the same are hereby  
5 authorized and approved: from Health Insurance,  
6 \$49,000, to Building O/E, \$5,000; Parks O/E, \$7,500;  
7 Telephone Salary and Wage, \$4,000; Information  
8 Technology Salary and Wage, \$5,000; Recreation  
9 Committee O/E, \$16,500; Recreation Committee Salary and  
10 Wage, \$6,000; Shade Tree O/E, \$5,000, for a total of  
11 \$49,000. So move.

12 COMMISSIONER PETRACCO: Second.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER EVANS: The second for  
20 Commissioner Tucci. Whereas, the Van Riper House, a  
21 non-profit corporation duly organized under the laws of  
22 the State of New Jersey, would like to renew the lease  
23 agreement with the Township of Nutley to lease the  
24 Van Riper House, located at 437 River Road in Nutley;  
25 Whereas, the tenant agrees to lease from the

1 landlord, and the landlord agrees to lease to the  
2 tenant the premises located at 437 River Road in  
3 Nutley, commonly referred to as the Van Riper House;

4           Whereas, the term of the lease shall be for  
5 20 years, commencing December 18th, 2019, and ending on  
6 December 17th, 2039; and

7           Whereas, the tenant agrees to pay the  
8 landlord a rent of \$1 per year, payable on  
9 December 18th, 2019, and each December 18th thereafter.

10           Now therefore be it resolved by the Board of  
11 Commissioners of the Township of Nutley, County of  
12 Essex, State of New Jersey, that the contract be  
13 awarded to the Van Riper House, Inc., and that the  
14 Mayor and Township Clerk are hereby authorized to enter  
15 into and sign said contract for the Township of Nutley.  
16 So move.

17           COMMISSIONER PETRACCO: Second.

18           THE CLERK: Commissioner Evans?

19           COMMISSIONER EVANS: Aye.

20           THE CLERK: Commissioner Petracco?

21           COMMISSIONER PETRACCO: Aye.

22           THE CLERK: Mayor Scarpelli?

23           MAYOR SCARPELLI: Aye.

24           COMMISSIONER EVANS: These are -- the next  
25 several are from me.

1           Be it resolved by the Board of Commissioners  
2 of the Township of Nutley, County of Essex, State of  
3 New Jersey, that there be established in the Department  
4 of Revenue and Finance a Petty Cash account in the  
5 amount of \$650 for the year 2020, said funds to be in  
6 the custody of the custodian of petty cash. All petty  
7 cash vouchers are to be approved by the department  
8 designee and authorized by the purchasing agent or her  
9 designee. So move.

10           COMMISSIONER PETRACCO: Second.

11           THE CLERK: Commissioner Evans?

12           COMMISSIONER EVANS: Aye.

13           THE CLERK: Commissioner Petracco?

14           COMMISSIONER PETRACCO: Aye.

15           THE CLERK: Mayor Scarpelli?

16           MAYOR SCARPELLI: Aye.

17           COMMISSIONER EVANS: Whereas, in accordance  
18 with N.J.A.C. 17:27-3.2, each public agency, which is  
19 the Township of Nutley, shall designate an individual  
20 to serve as its Public Agency Compliance Officer,  
21 commonly referred to as PACO, which serves as a liaison  
22 between the Department of Treasury, the Division of  
23 Public Contracts Equal Employment Opportunity, and the  
24 Township of Nutley;

25           Whereas, the PACO serves as the public

1 agencies' point of contact for all matters concerning  
2 implementation and administration of the  
3 above-referenced statute, and is responsible for  
4 ensuring that no public contract may be awarded, nor  
5 monies paid until the contractor has agreed to contract  
6 performance which complies to approved Affirmative  
7 Action Plans.

8           And now therefore be it resolved that the  
9 Mayor and the Board of Commissioners of the County of  
10 Essex, State of New Jersey, hereby appoints  
11 Eleni Pettas, Municipal Clerk, as its PACO for the  
12 calendar year 2019 (sic). Be it further resolved that  
13 in accordance with N.J.A.C. 17:27-3.2, that the  
14 Township Clerk is hereby authorized and directed to  
15 forward a certified copy of this resolution to the  
16 State of New Jersey, Department of the Treasury,  
17 Division of Contracts Compliance and E.E.O. in  
18 Public Contracts, P.O. Box 209, Trenton, New Jersey.  
19 So move.

20           COMMISSIONER PETRACCO: Second.

21           THE CLERK: Commissioner, that should be  
22 2020, though, okay? That was a misprint on the --

23           COMMISSIONER EVANS: Yes, I -- thank you for  
24 picking that up. Now therefore should be for the year  
25 2020.

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: My next ordinance and  
8 resolution is, I'm reading it along with the Board of  
9 Commissioners.

10 Whereas, the Township of Nutley has a  
11 continuing need for the services of a Special  
12 Development Counsel through a non-fair and non-open  
13 contract, as a professional service, pursuant to the  
14 provisions of N.J.S.A. 19:44A-20.5, and  
15 N.J.S.A. 20A:11-1, as amended; and

16 Whereas, John Inglesino of the law firm of  
17 Inglesino, Webster, Wyciskala, and Taylor,  
18 600 Parsippany Road, Suite 204, Parsippany, New Jersey,  
19 has ably and continuously applied -- provided these  
20 services since October 1, 2013;

21 Whereas, John Inglesino has submitted a 2020  
22 fee schedule to provide such services at an hourly rate  
23 of \$215 for legal services by attorneys, and an hourly  
24 rate of \$100 for services by a paralegal or law clerk;

25 Whereas, the contract will not exceed \$95,000

1 for the period January 1, 2020, through December 31st,  
2 2020, and funds are available from Account 0-01-226-205  
3 which will be certified by the Chief Financial Officer,  
4 said certification subject to the adoption of the  
5 2020 Municipal Budget;

6           Whereas, the law firm has completed and  
7 submitted the business entity disclosure certification,  
8 which certifies that they have not made any reportable  
9 disqualifying contributions to a political or candidate  
10 committee in the Township of Nutley in the previous one  
11 year that would violate N.J.S.A. 19:44A-20.5, or the  
12 town's Local Unit Pay to Play ordinance, or N.J.  
13 Election Law Commission disclosure requirements, and  
14 that the contract will bar John Inglesino from making  
15 any reportable contributions for the term of the  
16 contract.

17           Now therefore be it resolved that the Board  
18 of Commissioners of the Township of Nutley, County of  
19 Essex, State of New Jersey, contracts for Special  
20 Development Counsel as follows;

21           The Mayor and Township Clerk are hereby  
22 authorized and directed to execute, seal, and deliver a  
23 2020 contract for professional legal services with  
24 John Inglesino of the firm of Inglesino, Webster,  
25 Wyciskala, Taylor, in Parsippany as stated above,

1 pursuant to a non-fair and non-open process, in  
2 accordance with N.J.S.A. 19:44A-20.5, for the term  
3 beginning January 1, 2020, through December 31st for  
4 the stated hourly rates, not to exceed \$95,000. A copy  
5 of this resolution, as well as the contract and the  
6 business disclosure entity certification and the  
7 business entity disclosure of campaign contributions  
8 shall be placed on file with the Clerk. A copy of the  
9 resolution shall be published, as required by law,  
10 within 10 days of passing it. So move.

11 COMMISSIONER PETRACCO: Second.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 COMMISSIONER EVANS: Again, I'm reading along  
19 with the Board of Commissioners.

20 Whereas, there exists a continuing need for  
21 the Board of Commissioners of the Township of Nutley  
22 for legal counsel to provide legal services related to  
23 the Township's Affordable Housing requirements through  
24 a non-fair and open contract pursuant to the provisions  
25 of N.J.S.A. 19:44A-20.5;

1           Whereas, Inglesino, Webster, Wyciskala, and  
2 Taylor, 600 Parsippany Road, Suite 204,  
3 Parsippany, New Jersey, has ably and continuously  
4 provided these services, and has provided a fee  
5 schedule which reflects no changes for the period  
6 January 1, 2020, through December 31st, 2020 as  
7 follows; an attorney on staff shall be paid an hourly  
8 rate of \$215 for legal services, and a paralegal or  
9 law clerk will be paid \$100;

10           Whereas, the total amount of the services  
11 rendered pursuant to this resolution shall not exceed  
12 \$15,000 in the aggregate, which amount shall not  
13 include any fees to be reimbursed via developer escrows  
14 or otherwise; and

15           Whereas, funds are available for this purpose  
16 through the COAH Trust Account, T-26-909-902, and  
17 certification of funds has been provided by the Chief  
18 Financial Officer;

19           Whereas, the -- John Inglesino of the -- of  
20 Inglesino, Webster, Wyciskala, has completed and  
21 submitted a Business Entity Disclosure Certification,  
22 which certifies that he and the firm have not made any  
23 disqualifying reportable contributions to a political  
24 candidate or committee in the Township in the previous  
25 one year that would violate N.J.S.A. 19:44A-20.5, or

1 the Township's local pay -- local Unit Pay to Play or  
2 unit -- or the New Jersey Election Law Enforcement  
3 Commission Disclosure requirements, and that the  
4 contract will bar John Inglesino and the firm from  
5 making any reportable contributions through the term of  
6 the contract.

7 Now therefore be it resolved by the Board of  
8 Commissioners of the Township of Nutley in accordance  
9 with Local Public Contracts Law, do hereby authorize  
10 the Mayor and the Clerk to execute, seal, and deliver a  
11 contract to John P. Inglesino of the firm of Inglesino,  
12 Webster, Wyciskala, and Taylor, pursuant to the  
13 provisions of N.J. 19:44A-20.5, for an amount not to  
14 exceed \$15,000 as state -- with the stated hourly rates  
15 for the terms stated herein.

16 Further resolve that the copy of this  
17 resolution shall be published as required by law, and  
18 that the Business Entity Disclosure Certification and  
19 Business Entity Disclosure of Campaign Contributions  
20 shall be placed on file with this resolution. So move.

21 COMMISSIONER PETRACCO: Second.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 COMMISSIONER EVANS: Whereas, the Code  
4 Enforcement Department received a Filming Performance  
5 Bond deposit in the amount of \$5,000 from ABC Studios  
6 for filming "Emergence, Season One" at various  
7 locations. ABC Studios has completed filming for  
8 season one, and the zoning official has determined that  
9 a fee of 15 -- \$5,000, excuse me, shall be refunded to  
10 ABC Studios, and funds will be available from  
11 Account 9-15-909-919.

12 Now therefore be it resolved by the Board of  
13 Commissioners of the Township of Nutley, County of  
14 Essex, State of New Jersey, that the treasurer is  
15 hereby authorized to refund the Filming Performance  
16 Bond deposit in the amount of \$5,000 to ABC Studios.  
17 So move.

18 COMMISSIONER PETRACCO: Second.

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.

25 COMMISSIONER EVANS: Whereas, the law firm of

1 Inglesino, Webster, Wyciskala and Taylor,  
2 600 Parsippany Road, Suite 204, Parsippany, has been  
3 awarded a non-fair and open contract as a professional  
4 service, pursuant to the provisions of N.J.S.A.  
5 19:44A-20.5, to provide services to the Board of  
6 Commissioners as counsel for the Township concerning  
7 compliance procedures and general legal issues;

8           Whereas, such services will exceed the  
9 contract amount of \$35,000 in Change Order 1, and the  
10 amount of \$5,000, and the following change order is  
11 needed:

12           Change Order Number 2, provide legal services  
13 not to exceed \$8,500.

14           Whereas, funds are available from  
15 Account 9-01-210-205, and have been certified by the  
16 Chief Financial Officer, said certification being  
17 attached to this resolution.

18           Now therefore be it resolved by the Board of  
19 Commissioners of the Township of Nutley, in the County  
20 of Essex, that Change Order Number 2 in the amount of  
21 \$8,500 be and is hereby approved. So move.

22           COMMISSIONER PETRACCO: Second.

23           THE CLERK: Commissioner Evans?

24           COMMISSIONER EVANS: Aye.

25           THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Aye.

4 COMMISSIONER EVANS: Thank you, Mayor.

5 MAYOR SCARPELLI: Thank you, Commissioner.

6 Commissioner Petracco?

7 COMMISSIONER PETRACCO: Whereas, the  
8 Governor's Council on Alcoholism and Drug Abuse  
9 established the Municipal Alliance for Prevention of  
10 Alcoholism and Drug Abuse in 1989 to educate the -- and  
11 engage residents, local government and local -- and law  
12 enforcement officials, schools, nonprofit  
13 organizations, the faith community, parents, youth, and  
14 other allies, in efforts to prevent alcoholism and drug  
15 abuse in the communities throughout the -- New Jersey;

16 Whereas, the Board of Commissioners, Township  
17 of Nutley, County of Essex, State of New Jersey,  
18 recognizes that the abuse of alcohol and drugs is a  
19 serious problem in our society among persons of all  
20 ages, and therefore has an established Municipal  
21 Alliance Committee; and

22 Whereas, the Board of Commissioners further  
23 recognizes that it is incumbent upon not only public  
24 officials, but upon the entire community to take action  
25 to prevent such abuses in our community; and

1           Whereas, the Board of Commissioners has  
2 applied for funding to the Governor's Council on  
3 Alcoholism and Drug Abuse through the County of Essex.

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, hereby recognizes the  
7 following:

8           The Board of Commissioners do hereby  
9 authorize submission of a strategic plan for the  
10 Nutley Municipal Alliance Grant, fiscal year 2021, in  
11 the amount of, DEDR; \$19,906.54. Cash amount,  
12 \$4,976.64. In-Kind, \$14,929.91.

13           The Board of Commissioners acknowledges the  
14 terms and conditions for administrating the Municipal  
15 Alliance Grant, including the administrative compliance  
16 and audit requirements. I move the resolution.

17           MAYOR SCARPELLI: Second.

18           THE CLERK: Commissioner Evans?

19           COMMISSIONER EVANS: Aye.

20           THE CLERK: Commissioner Petracco?

21           COMMISSIONER PETRACCO: Aye.

22           THE CLERK: Mayor Scarpelli?

23           MAYOR SCARPELLI: Aye.

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

1 Essex, State of New Jersey, in accordance with the  
2 provisions of R.S. 40A:4-58, the following transfer of  
3 appropriations of the 2019 budget be and the same are  
4 hereby authorized and approved. I move the resolution.

5 MAYOR SCARPELLI: Second.

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 PETRACCO: That's all I have.

13 MAYOR SCARPELLI: Thank you, Commissioner.

14 Be it resolved by the Board of Commissioners, Township  
15 of Nutley, County of Essex, State of New Jersey, that  
16 the Township of Nutley shall apply for Community  
17 Development Block Grant monies for the year 2020; and

18 Whereas, public hearings regarding the  
19 CDBG Program were held on November 25th, 2019, and  
20 December 2nd, 2019, at which time application for  
21 grants were accepted.

22 Now therefore be it resolved by the Board of  
23 -- by the Township of Nutley submits the following  
24 applications for funding for 2020;

25 ADA Elevator at Nutley Park -- Nutley Public

1 Library, \$95,000.

2 2., Duncan Place reconstruction and  
3 resurface, \$132,290.

4 And 3., Entwistle Street reconstruction and  
5 resurfacing, \$171,035. I move the resolution.

6 COMMISSIONER EVANS: Second.

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. Whereas, bids for the  
13 NJDOT Grant Avenue Roadway Improvement Project,  
14 Section 1, Passaic Avenue, to Myrtle, were received --  
15 to Myrtle Avenue, were received and opened on  
16 November 7th, 2019;

17 Whereas, Cifelli and Son General Contracting,  
18 81 Franklin Avenue, Nutley, New Jersey, was the low  
19 bidder;

20 Whereas, the Base Bid for the NJDOT Grant  
21 Avenue Roadway Improvement Project, Section 1,  
22 Passaic Avenue to Myrtle Avenue, is in the amount of  
23 \$376,281, for a total bid amount of \$376,281;

24 Whereas, funds are available from  
25 Account G-04-161-400 -- 401, in Ordinance 3422, in the

1 amount of \$376,281, for money received by a grant from  
2 the New Jersey Department of Transportation Local Aid  
3 Municipal Grant, and have been certified by the Chief  
4 Financial Officer, said certification to be attached to  
5 this resolution.

6 Now therefore be it resolved by the Board of  
7 Commissioners of the Township of Nutley, County of  
8 Essex, State of New Jersey, that a contract be awarded  
9 to Cifelli and Son General Contracting, not to exceed  
10 \$376,281, and that the Mayor and Township Clerk are  
11 hereby authorized to enter into and sign said contract  
12 for the Township of Nutley. I move the resolution.

13 COMMISSIONER PETRACCO: Second.

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. Be it resolved by the  
20 Board of Commissioners of the Township of Nutley,  
21 County of Essex, State of

22 New Jersey, that in accordance with Provision R.S.  
23 40A:4-58, the following transfers of appropriations in  
24 the 2019 budget be and the same are hereby authorized  
25 and approved from P.E.R.S., \$12,000, to Social

1 Security, \$12,000. I move the resolution.

2 COMMISSIONER PETRACCO: Second.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye. Whereas, raffle  
9 application has been received from the VFW Post  
10 Number 493, Stuart E. Edgar, License Number 57-19,  
11 off-premise merchandise raffle, to be held  
12 Monday, March 2nd, 2020;

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

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

21 COMMISSIONER PETRACCO: Second.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye. That concludes the  
3 business portion of our meeting. Madam Clerk?

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

19 MR. MOORE: Rory Moore, 462 Chestnut Street.  
20 Mr. Scarpelli, I have two questions and this --  
21 Ms. Rossi's is unable to attend tonight due to  
22 (indiscernible). I'd like to read two questions on her  
23 behalf if that's okay?

24 MAYOR SCARPELLI: Read the questions,  
25 Mr. Moore.

1 MR. MOORE: On February 19, 2019, the adopted  
2 Resolution 57-19 to move to a new employee handbook.  
3 That was adopted by resolution. Was there a recent  
4 resolution, or should it have been a ordinance?

5 MR. GENITEMPO: You want me to answer that,  
6 Mr. Mayor?

7 MAYOR SCARPELLI: Sure, Mr. Genitempo.

8 MR. GENITEMPO: Sure. We can adopt it by  
9 resolution, which we did. Since that time, it's been  
10 modified because of the new changes in the law that  
11 came down since that time, including the new Sick Leave  
12 law, Domestic Violence Leave Act, Family and Medical  
13 Leave Insurance Act, and so forth. There are a couple  
14 others. So the resolution is appropriate.

15 MR. MOORE: Will there be an update to that?

16 MAYOR SCARPELLI: Yes.

17 MR. GENITEMPO: Yes. And it should be going  
18 out shortly.

19 MR. MOORE: Probably early next year? I'm  
20 just curious.

21 MR. GENITEMPO: Yeah.

22 MR. MOORE: Okay, thank you. And the second  
23 question was, is it possible to post resolutions and  
24 ordinances on the website prior to the meeting, so that  
25 the people could have an opportunity to look at it?

1           MAYOR SCARPELLI: You mean instead of an  
2 agenda, Mr. Moore? I mean, the agenda's up there quite  
3 early.

4           MR. MOORE: I believe it's to say, is there  
5 any more information that could be up there, that the  
6 people have an opportunity to read prior to the --

7           MAYOR SCARPELLI: We'll take that under  
8 advisement, Mr. Moore.

9           MR. MOORE: Thank you.

10          MAYOR SCARPELLI: Anyone else wish to address  
11 the Board of Commissioners this evening? Seeing none,  
12 before we adjourn, we wish everyone a Merry Christmas,  
13 Happy Hanukkah, Happy Holidays, and a healthy and Happy  
14 New Year.

15          THE CLERK: I need a motion.

16          COMMISSIONER PETRACCO: Move it.

17          THE CLERK: Commissioner --

18          COMMISSIONER EVANS: Second.

19          THE CLERK: Commissioner Evans?  
20 Commissioner Evans?

21          COMMISSIONER EVANS: Aye.

22          THE CLERK: Commissioner Petracco?

23          COMMISSIONER PETRACCO: Aye.

24          THE CLERK: Mayor Scarpelli?

25          MAYOR SCARPELLI: Aye.

1 THE CLERK: The time is 8:47.

2 MAYOR SCARPELLI: Good night everybody.

3 Happy Holidays.

4 (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 31, 2019

Alicia Jarrett  
AAERT Cert. No. 428  
Certified Court Transcriptionist