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
Conference Session

(Recording begins)

THE CLERK: Board of Commissioners

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

Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

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

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

COMMISSIONER PETRACCO: I have a report, I
know that. And I think I just have one, two
resolutions. This is for authorizing our submission of
our strategic plan for the Municipal Alliance, and then
I have a budget transfer. And that's all I have.

MAYOR SCARPELLI: Commissioner Evans?

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

MAYOR SCARPELLI: Thank you, Commissioner. I
appreciate that. All right. I have two proclamations
on behalf of the Board of Commissioners, one to UNICO
for their 60 years of community service, and one to the
Agostino Family and Rocky, in particular, for Rocky's
store on the corner of Passaic Avenue and Wharton. And
we'll split those up accordingly.

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

COMMISSIONER EVANS: Shade Tree.

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

THE CLERK: Uh-huh.

COMMISSIONER EVANS: Topology?

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

THE CLERK: Yes, Mayor. We have minutes,
regular meeting minutes, for November 7th and
November 18th, and executive session minutes for
November 7th, November 18th, and December 3rd for
approval tonight, and that's it. And also, they called
from the Freeholder; they want to come and have a
meeting here on April 15th. They said they go from
town to town and they schedule their meetings, but they
want to have one here.

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

MAYOR SCARPELLI: Yes.

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

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

COMMISSIONER PETRACCO: Hmm.

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

COMMISSIONER PETRACCO: That sounds like a
great idea.

THE CLERK: April 15th.

MAYOR SCARPELLI: What they do is they --

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

1 MAYOR SCARPELLI:  April 15th?
2 THE CLERK:  From now, you're telling me that?
3 COMMISSIONER PETRACCO:  Yeah, I'm going to be busy.
4 MR. GENITEMPO:  That's tax day.
5 COMMISSIONER PETRACCO:  You, too?
6 MAYOR SCARPELLI:  Excuse me?
7 COMMISSIONER PETRACCO:  Tax day, yeah.
8 MR. GENITEMPO:  You're going to be carrying your tax returns in to the --
9 COMMISSIONER PETRACCO:  Yeah.
10 THE CLERK:  But I'll send out reminders, and then --
11 MAYOR SCARPELLI:  Yeah.  What they usually do is, you know, the governing body welcomes them here. They say some flowery things, and then they proceed with their meeting.
12 COMMISSIONER EVANS:  Can we do a video?
13 THE CLERK:  Yeah.  No.  Ceci checked, so we're good.  There's no meetings that night.
14 COMMISSIONER EVANS:  Conference based.
15 THE CLERK:  Okay.  I will.
16 MAYOR SCARPELLI:  I can tell you from experience, you probably don't want to sit.  Their meetings go a little long.
Conference Session

COMMISSIONER EVANS: Yeah. They're riveting.

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

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

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

COMMISSIONER PETRACCO: I'll make sure.

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

COMMISSIONER EVANS: Just -- yes. Thank you. I didn't remember. In your packet, you have a draft letter. It needs to be finalized, but it's the beginning of the revaluation process, where there'll be an initial letter to property owners, letting them know that the inspection -- the house inspection, property inspection process, will begin and it will be posted on the website, when they're going to be in a specific area, they will issue a postcard, reminding people that they're coming. They'll -- it's all electronic, so there's no sketching or things like that. They take photos and all that for the record, because it's the technology in use today, so it goes faster. And then the only thing they also are very clear that they need
to see proper identification before they let anyone into their house. All of the field inspectors will be issued identification from the police department. So unless they have that, they're not allowed in. But anyway, it's a nice letter. It just gives them a lot of information that the process is beginning.

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

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

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

COMMISSIONER PETRACCO: This January?
COMMISSIONER EVANS: Yeah. Yeah.

COMMISSIONER PETRACCO: Wow.

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

Just wanted you to be aware. It's starting.

MAYOR SCARPELLI: Thank you for good news.

COMMISSIONER PETRACCO: Yep.

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

MAYOR SCARPELLI: Counselor?

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

MAYOR SCARPELLI: And maybe contract
negotiations.

MR. GENITEMPO: And maybe contract negotiations.

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

COMMISSIONER EVANS: Motion to go into executive.

COMMISSIONER PETRACCO: Second.

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

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

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

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

COMMISSIONER EVANS: Yes.

THE CLERK: Alan, just those two? Personnel and contract negotiations?
MR. GENITEMPO: And -- yes. Yeah.

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

Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: The time is 7:13.

(End of recording)

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Rizman Rappaport (973)992-7650
"When every word counts"
CERTIFICATION

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

______________________________   December 31, 2019

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist
In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings
December 17, 2019
Public Session
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:

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THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER

Also Present:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
(Recording begins)

MAYOR SCARPELLI: Everybody please stand for the flag salute.

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk.

THE CLERK: Thank you, Mayor. Board of Commissioners public meeting, Tuesday, December 17th, 2019. The time is 7:32. Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 29th, 2018 issues of the Nutley Sun, the Herald News, and the Star Ledger. A copy of this notice has been posted on the Nutley Town Hall bulletin board, and a copy is on file in the Municipal Clerk's office. Commissioner Rogers is absent, excused. Commissioner Tucci is absent, excused.

Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli.

MAYOR SCARPELLI: Here.

THE CLERK: All present, Mayor, except for Commissioner Rogers and Commissioner Tucci. They are absent, excused, this evening.
MAYOR SCARPELLI: Madam Clerk, go to minutes.

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

COMMISSIONER EVANS: Move it.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

COMMISSIONER EVANS: Move it.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: All right. We're going to
Public Session

1 go to -- we have a couple of proclamations tonight.

2 The first proclamation is on behalf of Nutley UNICO, and we're going to split -- since we're all three of
3 the commissioners here tonight are UNICO members, we're going to split up the proclamation.
4
5 Whereas, in 1953, a group of Nutley residents formed the Columbus Civic Club of Nutley, as a way to develop Italian-American pride in the Nutley community; and

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

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

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

9 Whereas, Nutley UNICO is comprised of individuals of Italian ancestry, who are committed to preserving Italian heritage and ethnicity, and providing a better quality of life for those in need on
a community and national level.

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

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

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

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

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

COMMISSIONER PETRACCO: Whereas, throughout the last 60 years, UNICO National has recognized the Nutley chapter for its many contributions and donations
to the National Earthquake Relief Fund in Italy,
Twin Towers 9-11 Fund, and UNICO National Scholarships; and

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

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

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

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

MS. KUCINSKI: Good evening. I'm Lorraine Kucinski. I'm the current president of Nutley UNICO. We are very proud and grateful to the board for recognizing our organization, for all the good that we do. Service above self is our motto, and we try to fulfill that every time we meet, and care to
do something for the community. And we think about it all the time, and we thank you. And I thank all of the members who have come and received this proclamation for us. Thank you so much.

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

MS. KUCINSKI: I'd like that.

(Pause)

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

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

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

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

Whereas, a few of the first items available
at Agostino's Market were cold cuts, milk, soda, fresh
vegetables, bread, canned goods, and paper products;
and

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

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

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

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

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

Whereas, in the 1990s, the New Jersey Lottery
was added. No machine at first, just paper tickets and
scratch-offs. Later, the Green Machine was put into
service.

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

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

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

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

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

If you ask anyone who grew up in the Yantacaw
section of town if they ever heard of
Agostino's Deli, most would probably say no. But if
you ask if they heard of Rocky's, well then, everyone
would smile widely and say, of course. There are
certain words that you hear that automatically bring
you back to your childhood. For our neighborhood,
Rocky's is one of those words. Even at almost 60 years
of age, I can't remember a time when Rocky wasn't there
on the corner of Passaic and Wharton Avenues. I can
remember him hand-delivering groceries to my mom a few
times a week when I was just a kid. In fact, I
honestly don't think I knew the Shop-Rite existed until
I went to junior high school. That's how important
Rocky's was to us. It was our Shop-Rite, our deli, our
bakery, our comic book shop, our ice cream shop, our newspaper shop, our magazine shop, and most importantly, our candy shop. Rocky always had the best candy.

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

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

COMMISSIONER EVANS: Nice.

MAYOR SCARPELLI: Commissioner?

COMMISSIONER EVANS: Sure. Sure. I live in that area, and I've been going to Rocky's for many,
many years. I would stop in in the morning on my way to New York to get coffee, get a sandwich. My kids, I would bring in for the candy, and I would stop in for that.

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

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

MAYOR SCARPELLI: Commissioner?

COMMISSIONER PETRACCO: Well, being in a very, very similar business, I have to say that I hope someday there's a couple kids from my neighborhood sitting back there like the two of you guys and saying these wonderful words about Rocky.
So I grew up on Park Avenue, so I didn't start going in to Rocky's until I was 17, and -- but my father always traveled to work that way, too, and he always stopped in for his coffee by Rocky's. And the funny part of how I really got to know Rocky was, it was just -- it was a morning just like how today was, with the freezing rain, and I wind up borrowing a friend of mine's Blazer back in the day, and it was an icy day, and I wound up doing 360s down Passaic Avenue, and the tree that I hit when I stopped was right in front of Rocky's store.

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

So God bless him. I can tell you, the deli life, the store life, is not an easy life, seven days a week, and he deserves, and his family, nothing but the best.
MAYOR SCARPELLI: I know a couple people from the neighborhood are here. Anybody want to share anything since Rocky's not able to be here tonight? Red?

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

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

COMMISSIONER EVANS: Well, he's --
MR. WILSON: Still is. To this day.

COMMISSIONER EVANS: Yeah.

MR. WILSON: Yeah.

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

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

COMMISSIONER EVANS: That's great.

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

MAYOR SCARPELLI: Thank you for sharing.

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

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

MAYOR SCARPELLI: Chris and Phil, you ready?

Before we go to reports, we have a presentation by our planners, Topology. They've got a little update on where we are in relation to their community outreach. So Chris Colley and Phil Abramson, the floor is yours.

THE CLERK: I'll get the lights.

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

MAYOR SCARPELLI: Don't take it personally.

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

And we just wanted to take this opportunity to sort of give an update as to where we stand, and give a peek at what's going to be coming up next. So
anything we say today, like, we're sort of at a midpoint in the process. The surveys that we're going to be referencing are still ongoing, and we encourage anyone to go take them, but we did want to take this chance to share some preliminary findings, or interim conclusions, and then also just share some of the data that we've --

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

Eventually, as I said, you don't do
engagement just for the sake of engagement. Eventually, there's going to be a redevelopment plan that's going to be written for this property and full of this sort of feedback and conversations and input that we're having now are going to inform that.

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

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

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

We also wanted to like look a little bit at the positives. We asked people to rank what outcomes they'd like to see, and you see those here. Obviously, tax revenue coming tops, and sort of another thing you're going to see throughout is a push for the downtown new direction, that was another thing. And yeah, this was actually our favorite question. Looking at -- looking down the road, like what might this campus be? And overwhelmingly the folks who participated selected this option, a new center of activity for Nutley, which frankly, I -- like, I find a little bit inspirational, right? I mean, this sort of
acknowledgment that there's like, a great special
opportunity here, beyond the scope of just any sort of
average project you might have. And we think that that
sort of idea of a new center of activity for Nutley is
like a compelling idea that might underscore our
subsequent plan forward.

So we did the thing on the 6th, and we
launched this online survey, which, as I said, remains
ongoing, but just as a snapshot of some of the things
we've heard from people on it. We're at 181 responses,
which, you know, we got out of the gate well.

Responses continue to trickle in, but we do want to do
sort of one big push on that, so (indiscernible). So
the people that responded to this are 80 percent from
Nutley, and then sort of all, from all different points
in their life. Student, empty nesters,
(indiscernible).

The survey skews a little older than the
median age of Nutley, as presently. And I just -- we
sort of focused on three subject topics; housing, open
space, to sort of show you what people are starting to
say in those. But as an overall, where do we stand?

We asked this one question. We've heard schools,
taxes, and traffic are the big issues in Nutley. Are
these the biggest? If not, are there others?
And only the folks who are here are obviously regular council -- or sorry, commissioner attendees, and the commissioners themselves, so unsurprisingly, yes, people said that. So there were 17 percent of people who identified something else. We heard some parking comments, some transportation comments, but, you know, these are the sort of the big issues that we're facing, and we sort of knew that going in, but it's important to have these processes and to confirm under that.

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

And then if you go all the way down to the end there, you see the create new housing at 19 percent currently, the percent varied (indiscernible). Oh. We asked some like targeted questions, or we're asking
some targeted questions about housing and what kind of housing there are or there is in Nutley presently, and what might be or might not be, and I'm going to show you two graphs in a moment about specifically for young people the question, Nutley offers adequate housing for young people, and the second question, Nutley offers adequate housing for empty nesters.

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

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

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

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

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

And then this next one I think is quite interesting so far, too, about the greatest transportation challenge Nutley faces. We just on the face assumed that traffic was going to probably come number one here. Interestingly, public transit is currently pulling ahead, at 37 percent. And then we started to look at that compared to, well, why do
people come to Nutley, and is there anything in these parallels to talk to that, and a third of the people, when we asked them, well, why do you live in Nutley, about a third of the people said they come here because of convenience and accessibility to jobs. So the fact that transit is seen as a challenge, but accessibility is seen as an asset like presents a sort of paradox, what you call it.

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

The other big place that we're currently collecting feedback, which we're going to talk about very briefly, is on this coUrbanize website. If anyone has not visited the site, or subscribed to the site, I encourage you to do so. It's fun. There's a
lot of information on there. We've got reference
documents, the timeline. We'll send out email blasts
if there's an event coming up. You can see the URL
there.

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

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

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

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

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

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

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

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

We'd also like -- there's a question, maybe, if there's already this walkable culture, how can we improve the walkability (indiscernible). (Indiscernible) is at its checkpoint interim, so we'll continue to find (indiscernible) because we know we have to have those conversations. So we've been having general conversations, high-level objectives, concerns,
things like that, but we really think that the residents need and deserve like a more detailed conversation to kind of like grasp (indiscernible) and the site, and like, how those things translate (indiscernible) how those links translate into those things.

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

When I showed you that slide in the beginning that referenced the sort of focus groups as a third plan, we do intend to have those meetings in January with the Chamber, Rotary and then a (indiscernible). And then we really want to make a push to make sure that anyone who wants to do that survey does so, because the more numbers we get, like the better off it's going to be, so we're going to really go over it aggressively on promoting advertisements, and hopefully we can get some assistance in any local listservs in terms of getting that out, and all that's sort of really building to what we think makes sense, and those
are those next steps, but have another get together
with folks, probably, hopefully in early February, to
go through a more detailed conversation about
(indiscernible). These are the issues that we hear
people raising (indiscernible) and also to go into the
important (indiscernible).

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

MAYOR SCARPELLI: Commissioners, do you have
any questions?

Commissioner Evans?

COMMISSIONER EVANS: Just, I noticed that you
were going to have a focus session with the Chamber,
with the Rotary, and then I think (indiscernible) I
think that they said that they approved it. I would
ask that you -- just to be fairer about the
opportunity, circulate, maybe have something that's
more open, so you get the community at large to come?
So and -- it's a little less -- have one -- if you want
to do those three, that's fine, I don't disagree with
that, but have something that's absolutely more
targeted.

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

MAYOR SCARPELLI: Commissioner Petracco?

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

MR. COLLEY: No. So these questions here,
this is from the high school, but no, we have -- this
is a whole separate survey. These have all been
completed since the evening --

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

MR. COLLEY: Yeah, so --

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

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

COMMISSIONER PETRACCO: -- the process.

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

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

When we were thinking about hiring a firm, I
loved that you guys were younger, because I think that
we're going to be able to touch a lot of younger people
who are up and coming, or who are thinking about buying
a home in Nutley, or, you know, even going to work on
that campus, so I think that we're really touching all
the bases.

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

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

MAYOR SCARPELLI: Just to dovetail a little
bit on what Commissioner Petracco said, to anybody out
there listening, that if you go to our website, on the
homepage itself of our -- there is a tab for Nutley --
or for Roche redevelopment, which brings you to the
links to the survey, and to the CoUrbanization site,
so, you know, just -- you can go to our website, go to the homepage, go to the Roche redevelopment, and you can access a lot of the documents that are out there that have been prepared, but also the survey, and the CoUrbanize site.

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

I'm interested in, since you were at Route 3 and Clifton Commons, and at the Darling Avenue in Kingsland, on the adequate transportation -- people -- you know, do the commuters think there's adequate transportation, and is it just the people who don't commute don't think there's adequate transportation?

Did you get that feeling?

MR. COLLEY: Yeah, that's interesting. Look, I commute via transit (indiscernible) Friday morning, so everybody was in a good mood, but everybody's always going to be -- (indiscernible) development liability, and consistency of service, and like, we definitely -- we heard some of that. But I think what we did hear a little bit of when we were on Route 3 was -- it just
kind of being a pain to get to that bus stop? All
right? And like, organized services may be like not
sufficient, to like service all the people there. We
did hear that. Frankly, I was impressed by how quickly
the bus came on the Route 3. Just being a
(indiscernible) concerns about reliability service, and
adequate seat -- of course some parking and that type
stuff.

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

MR. COLLEY: Yeah.

MAYOR SCARPELLI: And plus then we also have,
on Kingsland, we have, all along Kingsland, there's bus
pickups, too. So, I'm just -- maybe that's something
to explore, that -- with the commuters, you know, how
is the existing transportation, in their opinion?
Because it does seem there's a disconnect for the
people who are commuting. You know, that's one of the
reasons they moved here, right, because of the access
into the city, and -- so, you know, we do seem to have
quite a few bus lines here. The 33, 88, the 199, the
192, the 32. So we do have some access via bus. And 25 minutes, you're in the city, so -- anything else, commissioners? Thank you, guys, really appreciate you coming out.

     MR. COLLEY: Thank you.
     COMMISSIONER EVANS: Thank you.
     MAYOR SCARPELLI: And we look forward to further study and your interaction with our -- with the public. Thank you. Have a good night.

     Let's move on to reports. Commissioner Petracco?
     COMMISSIONER PETRACCO: I have a report for public safety this month, yes.

     MAYOR SCARPELLI: Commissioner Evans?
     COMMISSIONER EVANS: I have a report for November 19th for the Code Enforcement Department.

     MAYOR SCARPELLI: Commissioner Tucci has a Shade Tree report, and I have a monthly progress reports also from the Department of Public Works.

     Bills, Madam Clerk?
     THE CLERK: Yes, Mayor. Bill list for December 17th, 2019. Public Affairs, $174,584.56; Revenue and Finance, $2,709,732.89; Public Safety, $75,748.78; Public Works, $208,256.68; Parks and Public Property, $113,382.42; Water Utility, $35,430.79.
Overtime Payroll total is $50,288.91; Total Payroll, $955,560.80, for a grand total of $4,272,696.92.

COMMISSIONER EVANS: Move the bills.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

MAYOR SCARPELLI: Aye.

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

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

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

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

Seeing none, let's move on to commissioner
announcements. Commissioners, any announcement?

Commissioner Petracco?

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

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Evans?

COMMISSIONER EVANS: I just wanted to
acknowledge Carmine Bucco. He had a breakfast on this
past Sunday Al and I were able to attend. I was so impressed and moved by -- he's established a foundation for orphan children and adults, helping them transition out of a foster environment into adult life. And it -- given his background, and his own experience as a foster child, I just wanted to offer congratulations and commending him for his willingness to pursue that. It's his new area of -- I think, where Nutley can get involved and really help others, especially young adults, to get on the right path, avoid some of the negatives that are out there in life, you know, drugs and crime and other things, that I've been reading about, which suggest that, you know, there's got to be some help to help those children avoid those negative consequences. So I just wanted to just offer our congratulations to him.

The other is just a really quick thing. As part of COAH, we're required to establish a rehab -- rehabilitation ordinance for income-qualifying properties for different repairs, such as roofs, furnaces, things like that, if they meet a certain income level. We've been working on that program now, because the trust fund for COAH has about $600,000 in it that has to be used for that purpose. So probably in the February time frame we'll have the ordinances
ready, but more importantly, we've been able to continue to work with the county to couple it with the county program, which could make as much as $35,000 in total available to a homeowner who income qualifies for certain, you know, major-type repairs. The interesting thing about it is, it's a -- it's actually a loan, interest free, but it lasts for ten years. So ten years and a day, the loan is forgiven. So it's a real opportunity for people who need to and want to stay in their home, need to do the improvements, but that'll be before the Board of Commissioners probably in the February time frame, and we'll move forward with it.

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

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

MAYOR SCARPELLI: Thank you, Commissioner. Again, I'd like to thank everybody for all your participation in getting ready for the holiday season and the tree lighting. I'd especially like to thank the Department of Public Works for all they do on my behalf in getting us ready for that. So, you know, there's a lot that we offer in town, Santa Claus on the back of the fire truck, pictures with Santa, the
Chamber of Commerce having Santa come in by helicopter, the tree lighting with carriage rides, and, you know, it's part of what makes our community great, because we do offer these things, and we come together as a community to help celebrate not only this holiday --

COMMISSIONER EVANS: Absolutely.

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

COMMISSIONER EVANS: Absolutely.

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

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

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

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

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

COMMISSIONER EVANS: I'm just kidding.
MAYOR SCARPELLI: -- Number 3431 is being tabled to December 31st. That was -- it kind of has to be readvertised and will be on December 20th.

THE CLERK: (Indiscernible).

MAYOR SCARPELLI: Hmm?

THE CLERK: -- for January 2nd.

MAYOR SCARPELLI: What's that?

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

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

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Move the ordinance.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

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

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

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: For Commissioner Tucci.

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

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

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

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

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

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

So move.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: These are -- the next
several are from me.
Be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that there be established in the Department of Revenue and Finance a Petty Cash account in the amount of $650 for the year 2020, said funds to be in the custody of the custodian of petty cash. All petty cash vouchers are to be approved by the department designee and authorized by the purchasing agent or her designee. So move.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

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

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

COMMISSIONER PETRACCO: Second.

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

COMMISSIONER EVANS: Yes, I -- thank you for
picking that up. Now therefore should be for the year
2020.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

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

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

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

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

Whereas, the contract will not exceed $95,000
for the period January 1, 2020, through December 31st, 2020, and funds are available from Account 0-01-226-205 which will be certified by the Chief Financial Officer, said certification subject to the adoption of the 2020 Municipal Budget;

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

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

The Mayor and Township Clerk are hereby authorized and directed to execute, seal, and deliver a 2020 contract for professional legal services with John Inglesino of the firm of Inglesino, Webster, Wyciskala, Taylor, in Parsippany as stated above,
pursuant to a non-fair and non-open process, in accordance with N.J.S.A. 19:44A-20.5, for the term beginning January 1, 2020, through December 31st for the stated hourly rates, not to exceed $95,000. A copy of this resolution, as well as the contract and the business disclosure entity certification and the business entity disclosure of campaign contributions shall be placed on file with the Clerk. A copy of the resolution shall be published, as required by law, within 10 days of passing it. So move.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

Whereas, there exists a continuing need for the Board of Commissioners of the Township of Nutley for legal counsel to provide legal services related to the Township's Affordable Housing requirements through a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5;
Whereas, Inglesino, Webster, Wyciskala, and Taylor, 600 Parsippany Road, Suite 204, Parsippany, New Jersey, has ably and continuously provided these services, and has provided a fee schedule which reflects no changes for the period January 1, 2020, through December 31st, 2020 as follows; an attorney on staff shall be paid an hourly rate of $215 for legal services, and a paralegal or law clerk will be paid $100;

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

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

Whereas, the -- John Inglesino of the -- of Inglesino, Webster, Wyciskala, has completed and submitted a Business Entity Disclosure Certification, which certifies that he and the firm have not made any disqualifying reportable contributions to a political candidate or committee in the Township in the previous one year that would violate N.J.S.A. 19:44A-20.5, or
the Township's local pay -- local Unit Pay to Play or unit -- or the New Jersey Election Law Enforcement Commission Disclosure requirements, and that the contract will bar John Inglesino and the firm from making any reportable contributions through the term of the contract.

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

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

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

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

So move.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

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

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

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

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

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
Public Session

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.

Commissioner Petracco?

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

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

    Whereas, the Board of Commissioners further recognizes that it is incumbent upon not only public officials, but upon the entire community to take action to prevent such abuses in our community; and
Whereas, the Board of Commissioners has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex.

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, hereby recognizes the following:

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

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

MAYOR SCARPELLI: Second.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.
COMMISSIONER PETRACCO: Be it resolved by the Board of Commissioners, Township of Nutley, County of
Essex, State of New Jersey, in accordance with the provisions of R.S. 40A:4-58, the following transfer of appropriations of the 2019 budget be and the same are hereby authorized and approved. I move the resolution.

MAYOR SCARPELLI: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: That's all I have.

MAYOR SCARPELLI: Thank you, Commissioner.

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

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

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

ADA Elevator at Nutley Park -- Nutley Public
Public Session

Library, $95,000.

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

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

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Whereas, bids for the NJDOT Grant Avenue Roadway Improvement Project, Section 1, Passaic Avenue to Myrtle, were received --

to Myrtle Avenue, were received and opened on

November 7th, 2019;

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

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

Whereas, funds are available from Account G-04-161-400 -- 401, in Ordinance 3422, in the
amount of $376,281, for money received by a grant from
the New Jersey Department of Transportation Local Aid
Municipal Grant, and have been certified by the Chief
Financial Officer, said certification to be attached to
this resolution.

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

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Be it resolved by the
Board of Commissioners of the Township of Nutley,
County of Essex, State of
New Jersey, that in accordance with Provision R.S.
40A:4-58, the following transfers of appropriations in
the 2019 budget be and the same are hereby authorized
and approved from P.E.R.S., $12,000, to Social
Security, $12,000. I move the resolution.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

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

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

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?

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

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

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

MAYOR SCARPELLI: Read the questions, Mr. Moore.
MR. MOORE: On February 19, 2019, the adopted Resolution 57-19 to move to a new employee handbook. That was adopted by resolution. Was there a recent resolution, or should it have been an ordinance?

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

MAYOR SCARPELLI: Sure, Mr. Genitempo.

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

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

MAYOR SCARPELLI: Yes.

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

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

MR. GENITEMPO: Yeah.

MR. MOORE: Okay, thank you. And the second question was, is it possible to post resolutions and ordinances on the website prior to the meeting, so that the people could have an opportunity to look at it?
MAYOR SCARPELLI: You mean instead of an agenda, Mr. Moore? I mean, the agenda's up there quite early.

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

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

MR. MOORE: Thank you.

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

THE CLERK: I need a motion.

COMMISSIONER PETRACCO: Move it.

THE CLERK: Commissioner --

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Evans?

Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.
Public Session

THE CLERK: The time is 8:47.

MAYOR SCARPELLI: Good night everybody.

Happy Holidays.

(End of recording)

* * * * *
CERTIFICATION

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

_____________________________   December 31, 2019
Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist