

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

December 3, 2019

Conference Room



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Conference Room

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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 3, 2019

BOARD OF COMMISSIONERS:

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

Also Present:

- ANGELO CIFELLI, JR., TOWNSHIP ATTORNEY

1 (Recording begins)

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

11 Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Here.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Here.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Here.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Here.

21 THE CLERK: All present, Mayor.

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

24 COMMISSIONER PETRACCO: I have a couple
25 ordinance introductions. I have a -- it looks like a

Conference Room

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1 handicapped spot, too. I have a fire -- well, a fire
2 -- (indiscernible*00:00:51) in here, and our
3 dispatchers as well. And then I have a budget transfer
4 of 100,000 and a contract. This is the contract -- or
5 the one with the (indiscernible).

6 MAYOR SCARPELLI: Commissioner, I -- just
7 like -- I thought we were ending at 2019, 2019.

8 COMMISSIONER ROGERS: Officer (indiscernible)
9 could you do us a favor, could you close the door?

10 UNIDENTIFIED: Am I allowed?

11 MR. GENITEMPO: He can't.

12 COMMISSIONER TUCCI: I don't think he can,
13 no.

14 COMMISSIONER ROGERS: He can't? He can't
15 close the door?

16 UNIDENTIFIED: This is from '18 and '19 --

17 COMMISSIONER TUCCI: Sorry to have so long --

18 COMMISSIONER EVANS: What else is from '19?

19 MAYOR SCARPELLI: Ready to give it all up?

20 COMMISSIONER TUCCI: Is it a typo, or --

21 COMMISSIONER PETRACCO: I think it's a typo.

22 2019 -- it's 2019.

23 COMMISSIONER TUCCI: I remember the
24 discussions, though.

25 COMMISSIONER PETRACCO: That's all I have.

Conference Room

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1 MAYOR SCARPELLI: Commissioner Evans?

2 COMMISSIONER EVANS: Fix the typo when you're
3 in there.

4 COMMISSIONER PETRACCO: I will.

5 COMMISSIONER EVANS: All right. Mayor, I
6 have -- I don't have much on the agenda tonight. I
7 have two resolutions. One for a refund, and the other
8 is the memorandum of understanding with the Division of
9 Local Governmental Services. It's our annual
10 resolution, which we have to read into the record in
11 order to get our \$3.2 million worth of aid.

12 MAYOR SCARPELLI: Thank you, Commissioner.
13 Commissioner Rogers?

14 COMMISSIONER ROGERS: Nothing tonight,
15 Mr. Mayor.

16 MAYOR SCARPELLI: Thank you, Commissioner.

17 COMMISSIONER ROGERS: You're welcome.

18 MAYOR SCARPELLI: Commissioner Tucci?

19 COMMISSIONER TUCCI: Yes. I have a few
20 resolutions, one authorizing a refund for a tree
21 permit. We are going to congratulate the members and
22 coaches of the fifth and sixth grade Super Bowl
23 Champion Junior Raiders football team. We're going to
24 extend the electrical services contract with
25 TSUJ Corporation, we're going to extend the plumbing,

1 heating, air conditioning and refrigeration services
2 contract with Advanced Mechanical, we're going to
3 authorize the Clerk to advertise for sealed bids for
4 recreation uniforms and equipment, and we're also going
5 to authorize the Clerk to advertise for sealed bids for
6 removal of township trees. And that's all I have, I
7 don't have any report.

8 MAYOR SCARPELLI: Thank you, Commissioner.

9 COMMISSIONER TUCCI: My pleasure.

10 MAYOR SCARPELLI: I have a proclamation for
11 the band, for coming in first in the state. And I have
12 15 resolutions, which I'm going to read most of them by
13 title. One is for the Music Booster raffle, I have a
14 plenary retail distribution license to operate on
15 Christmas Eve and New Year's Eve. I have a contract
16 with Pennoni, a contract with Basso, a contract with
17 Rotondi, a contract with Arterial, a contract with
18 Inglesino, Webster, Wyciskala and Taylor, an
19 appointment of Kathy Rempusheski and myself to the
20 CDBG Committee, a contract with Genova Burns, free
21 two-hour metered parking from December 16th through the
22 29th, a contract with Mott McDonald, a 2020
23 Municipal Services agreement with Cambridge Heights, a
24 contract with Angelo Cifelli, a contract with
25 Ricci Planning, and an authorized two-year contract

1 with the Teamsters, and that's on behalf of
2 Commissioner Tucci and myself. You want to take that
3 one so I don't have a --

4 COMMISSIONER TUCCI: I'll take it. You want
5 me to take it?

6 MAYOR SCARPELLI: Okay, we're going to have
7 fourteen --

8 COMMISSIONER TUCCI: Okay.

9 COMMISSIONER PETRACCO: I decided I'm going
10 to pull that resolution. (Indiscernible).

11 MAYOR SCARPELLI: Okay.

12 COMMISSIONER PETRACCO: Okay? I'll read the
13 salary ones, but I'll pull that one.

14 MAYOR SCARPELLI: Do we need to do that
15 before the next meeting, or will we be okay?

16 COMMISSIONER TUCCI: Can we process and
17 ratify it?

18 COMMISSIONER PETRACCO: I like that. Process
19 and ratify --

20 MR. GENITEMPO: What are you going to read
21 tonight? Hold off to the -- oh, yeah, I mean --

22 COMMISSIONER TUCCI: He's going to read the
23 ordinance, yeah --

24 MR. GENITEMPO: -- to the next meeting?

25 COMMISSIONER TUCCI: Yeah.

1 MR. GENITEMPO: The resolutions, sure.

2 COMMISSIONER TUCCI: Okay.

3 COMMISSIONER PETRACCO: Okay.

4 COMMISSIONER EVANS: Just move the
5 resolution, it says January of '18, so the salary range
6 is recorded '18 to '19, so you get enough in the
7 (indiscernible)? Because in the past, you're going to
8 have (indiscernible).

9 COMMISSIONER PETRACCO: What?

10 COMMISSIONER EVANS: So just --

11 COMMISSIONER PETRACCO: I have --

12 COMMISSIONER EVANS: -- I'm looking at it
13 right now.

14 COMMISSIONER PETRACCO: I'll be honest with
15 you, I'm just looking at it, too, so I'll -- that's why
16 I'm going to pull it.

17 COMMISSIONER EVANS: But all -- but you need
18 to look through the end, so the (indiscernible).

19 COMMISSIONER PETRACCO: 5.2, okay.

20 COMMISSIONER EVANS: I just want to make sure
21 that if the ranges come down in here.

22 MAYOR SCARPELLI: What's this -- for the
23 processing. You can always amend it.

24 COMMISSIONER TUCCI: Yeah, I would do it
25 anyway.

1 MAYOR SCARPELLI: Yeah.

2 COMMISSIONER TUCCI: Read it, if you've got
3 to amend it, you've got an approval.

4 COMMISSIONER EVANS: Yeah, that's what I'm
5 just saying, just as this question, that if we have to,
6 we can amend the amounts, so that we can --

7 MAYOR SCARPELLI: Madam Clerk, do you have
8 anything?

9 THE CLERK: I don't have anything, Mayor.

10 COMMISSIONER TUCCI: The commissioner does
11 anticipate things. It's like a transaction.

12 MAYOR SCARPELLI: All right. Motion to go
13 into executive to discuss --

14 THE CLERK: Personnel.

15 COMMISSIONER TUCCI: Personnel. Move.

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

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

22 Whereas, the Board of Commissioners of the
23 Township of Nutley in the County of Essex in the State
24 of New Jersey desires to proceed to closed executive
25 session; and

1 Now therefore be it resolved by the Board of
2 Commissioners of the Township of Nutley to move into
3 closed executive session to discuss personnel
4 negotiations. Be it further resolved that at the time
5 when such discussions may be disclosed to the public
6 may be when as -- and as such disclosure may be made
7 without adversely affecting the Township of Nutley,
8 pending and/or anticipated legal, personnel,
9 contractual matters, and other matters within the
10 exemption provided for by statute.

11 Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 THE CLERK: The time is 7:12.

22 (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 19, 2019

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist

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December 3, 2019

Public Session



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ONE KENNEDY DRIVE
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*** PUBLIC SESSION ***

DATE: December 3, 2019

BOARD OF COMMISSIONERS:

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- ALPHONSE PETRACCO, COMMISSIONER

Also Present:

- ANGELO CIFELLI, JR., TOWNSHIP ATTORNEY

1 (Recording begins)

2 (Pledge of Allegiance)

3 MAYOR SCARPELLI: Madam Clerk?

4 THE CLERK: Board of Commissioners public
5 meeting, Tuesday, December 3rd, 2019. The time is
6 7:30. Pursuant to the requirement of the Open Public
7 Meeting Act, Chapter 231, Public Law 1975, notice of
8 this meeting was published in the November 29th, 2018
9 issues of the Nutley Sun, the Herald News, and the
10 Star Ledger. A copy of this notice has been posted on
11 the Nutley Town Hall bulletin board, and a copy is on
12 file in the Municipal Clerk's office.

13 Commissioner Rogers?

14 COMMISSIONER ROGERS: Here.

15 THE CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Here.

17 THE CLERK: 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.

24 MAYOR SCARPELLI: Thank you, Madam Clerk.

25 We're going to go right to -- go out of order

1 a little bit today. We're going to do a proclamation
2 and then we're going to do a resolution, because we
3 have some people to honor here tonight, so the first
4 thing we're going to do is read a proclamation for the
5 Nutley High School Raider Marching Band.

6 Whereas, 2019 was a remarkable, competitive
7 season for the Nutley High School Raider Marching Band;
8 and

9 Whereas, on Saturday, November 2nd, 2019, the
10 Nutley Raider Marching Band received first place in
11 Group 4-A at the U.S. Band New Jersey State
12 Championships, held in Sayreville, New Jersey, winning
13 Caption Awards for Best Music, Best Visual, Best
14 Overall Effect, Best Percussion, and Best Color Guard;
15 and

16 Whereas, their score of 95.24 was the highest
17 received out of all marching bands competing in the
18 New Jersey State Championships; and

19 Whereas, on Sunday, November 3rd, 2019, the
20 Raider Band received second place out of 14 in
21 Group 4-A at the U.S. Bands National Championships,
22 held in Allentown, Pennsylvania, with a score of 93.99,
23 winning Caption Awards for Best Music and Best Visual;
24 and

25 Whereas, the Raider Band had a stellar

1 performance recording -- record -- performance record,
2 receiving five first place finishes, one second place
3 finish, and 23 Caption Awards; and

4 Whereas, the 94-member Nutley Raider
5 Marching Band is under the direction of Band Director
6 Mr. Vincent Vicchiariello, Assistant Band Director
7 Miss Julie Wehrer, Drum Majors Zachary Mackiewicz and
8 Alex Merritt, and also received administrative support
9 from Dr. Julie Glazer, Superintendent of Schools,
10 Dr. James Riley, District Coordinator of Fine,
11 Practical, and Performing Arts; and Principal
12 Denis Williams.

13 Now therefore be it resolved that that the
14 Board of Commissioners of the Township of Nutley,
15 County of Essex, State of New Jersey, hereby commends
16 and congratulates the members of the Nutley High School
17 Raider Marching Band and staff for their exceptional
18 success this season, and for representing themselves,
19 Nutley High School, and the entire Nutley community
20 with such distinction through their talent, hard work,
21 and determination. Congratulations.

22 Mr. Vicchiariello, would you like to come up
23 and say a couple words?

24 MR. VICCHIARIELLO: Good evening,
25 Commissioners, Mayor Scarpelli. Thank you for this

1 wonderful honor. This group behind me, and those who
2 aren't present tonight, have exceeded every expectation
3 that we had this season. As the Raider Marching Band,
4 we pushed every single limit that we had. Ninety-four
5 is the biggest group that we've had in, I want to say,
6 at least 20 years here in Nutley. Somebody reminded me
7 that back in the '80s, they were at 120. I said, well,
8 this is within the last 20 years.

9 So this group again, I can't say, we're
10 graduating 29 seniors, which is a ridiculous number
11 that I am happy to have underneath my direction, but
12 I'm sad to see them go, because their leadership and
13 guidance has been wonderful this year, and I hope it
14 trickles down into the rest of the students that we
15 have coming up through our program. So we're looking
16 forward to the years that we have coming, and we hope
17 that we did everybody Nutley proud.

18 MAYOR SCARPELLI: Absolutely. Let's see if
19 we can get everybody up here.

20 (Pause)

21 MAYOR SCARPELLI: Madam Clerk? Madam Clerk?
22 Madam Clerk? Madam Clerk? You want to do bills and
23 get that out of the way while we're -- while they're
24 still (indiscernible)? Madam Clerk, do you want to
25 move on to bills?

1 THE CLERK: Yes, Mayor. Bill list for
2 December 3rd, 2019. Public Affairs, \$81,641.91;
3 Revenue and Finance, \$2,652,347.81; Public Safety,
4 \$76,010.41; Public Works, \$71,638.30; Parks and Public
5 Property, \$729,860.12; Water Utility, \$33,167.05.
6 Total Payroll, \$812,284.21, for a grand total of
7 \$4,456,949.81.

8 COMMISSIONER EVANS: Move the bills.

9 COMMISSIONER TUCCI: Second.

10 THE CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

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

21 MAYOR SCARPELLI: Thank you, Madam Clerk.

22 We've had a great ball season, and to
23 continue with our congratulations, Commissioner Tucci?

24 COMMISSIONER TUCCI: Thank you, Mayor.

25 Whereas, the Nutley Junior Raider 5th and 6th Grade

1 Football Team has enjoyed an outstanding season,
2 posting a record of 7 wins and 3 losses, capturing the
3 West Essex Junior Football League Super Bowl
4 Championship; and

5 Whereas, the Nutley Junior Raider 5th and 6th
6 Grade Football Team entered the playoffs as the number
7 four seed, which defeated the number one seed by a
8 score of 14 to 13, and the number two seed in the
9 championship game by a score of 19 to 12 to claim the
10 Super Bowl Championship; and

11 Whereas, the members of the 5th and 6th Grade
12 Football Team are Victoria Aponte, Aidan Rotbaum,
13 Henry Nalvarte, Daniel Zacatzontle,
14 Jonathon Cirigliano, Eddie Butts, Jeremiah Tirado,
15 Brady King, Rocco Diliberto, Franklin Rodriguez,
16 Michael Fazo, A.J. Delgreco, Justin Lees,
17 Santino Cundiff, Mohammed Mughal, Nicholas DelTufo,
18 Jonathon Tucci, Riley Garofalo, Sean Torres,
19 Devin Martin, Marcello Marfia, Sean Vilchez,
20 Jacob Salvador, Christopher Cifelli, Trace Castellanos,
21 Russell Van de Zilver, Avian Santana, Raymond Agosto,
22 Matty Richards, A.J. Maiden, James Colarusso,
23 Marcus Durham, Anthony Curcio, Brayden Hernandez,
24 Jacob Harlow, Michael Berardesco, Liam Murphy,
25 Devin Telcide, Foster Smith, Nolan Brewer,

1 Angel Cedeno, Brandon Walder, Joshua Salgado,
2 Anthony Raffa; and

3 Whereas, Head Coach Justin Murphy, along with
4 Assistant Coaches Donnie King, Carmen Lore,
5 Antonio Maiden, John Cifelli, and Mike Berardesco
6 worked tirelessly to train and guide these athletes;
7 and

8 Whereas, the members of the 5th and 6th Grade
9 Football Team are the West Essex Junior Football League
10 Super Bowl Champions for the 2019 season, with the
11 record of 7 wins and 3 losses.

12 Now therefore be it resolved that the Board
13 of Commissioners of the Township of Nutley in the
14 County of Essex in the State of New Jersey join with
15 the citizens of Nutley to honor and congratulate the
16 members and coaches of the 5th and 6th Grade Football
17 Team for their exceptional efforts and accomplishments.
18 Before I -- go ahead, time for a round of applause.

19 Before I move this resolution, I'd like to
20 say that in all my years in attending Super Bowl
21 Championship games and playoff games and regular season
22 games, this was absolutely one of the most exciting and
23 enjoyable games I have ever witnessed. On a cold,
24 snowy day, and the fact that -- not only the fact that
25 we won, all right, which was outstanding, but the fact

1 that the coaches from the other team commended our
2 players and our coaches on the way they conducted
3 themselves, spoke volumes for this township and the way
4 we raise our children here. So I'd like to
5 congratulate you, and I very proudly move this
6 resolution.

7 COMMISSIONER EVANS: Second.

8 THE CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Before I vote, I just
10 want to thank you, and a word to the parents and to the
11 young people. The reason why we live in an
12 extraordinary nation is because we have extraordinary
13 people like yourselves, who here in this community,
14 among the thousands of communities throughout the
15 country, have worked very hard to build character, to
16 build teamwork, I mean, to really build from the bottom
17 up, so, I want to thank you so much for what you've
18 done, and God bless you all. And I vote yes.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: In addition to thanking
21 all of our players and our coaches, I'd like to thank
22 the parents. Because they're the ones who also
23 sacrificed, along with everyone else, and bring the
24 children back and forth and making sure that they do
25 their homework, that they keep their grades up, and

1 that they continue to be the fine Nutley citizens that
2 they are. So I am so very proud, and I absolutely vote
3 yes.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Before I vote, there's a
6 little saying that says, all good things, you know,
7 start at home. So to the parents, congratulations on,
8 you know, how well you did at raising your children.
9 Leadership is something that you actually learn to
10 appreciate, but you have few opportunities when you're
11 young, to display it. One way of doing that is being
12 part of a team and going after something as a goal,
13 such as a championship. In your case, guys, you did a
14 fabulous job. I'm so proud of you. Congratulations.
15 Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: I'd just like to add
18 one thing. Commissioner Rogers said a lot, but one
19 thing that I think is the most important thing is the
20 friendships that you foster, that you guys are all
21 sitting next to each other. Years and years and years
22 and years ago, I actually played. And you know what,
23 the friends that you have made through these years,
24 you're going to carry through your whole life, because
25 there's nothing like your childhood friends, especially

1 when you're all from Nutley. So congratulations on a
2 very exciting game, I heard. You guys represented your
3 town well, and take a look at each other, guys, because
4 50 years from now, you'll still be staring in each
5 other's eyes, God willing. God bless you. I vote aye.

6 THE CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: You know, you guys, you won
8 and you lost together. And you learned about teamwork,
9 and you learned about discipline, and you learned about
10 time management. Those are the things that sports does
11 for you. It teaches you those things. I think you
12 should also congratulate your parents for getting you
13 back and forth to practices and to games, and to your
14 coaches, who put in hours and hours of work, dedicated
15 to making you better ball players. So gentlemen,
16 congratulations on a job well done. Coaches,
17 congratulations, and parents, absolute congratulations
18 on all you do, all year round, for your kids and all
19 the sports and all the activities that you have to get
20 everybody to. So congratulations to everybody.

21 COMMISSIONER TUCCI: Come on up, boys. Come
22 on up for a photo.

23 (Pause)

24 COMMISSIONER TUCCI: There we go, it looks
25 like --

1 MAYOR SCARPELLI: Public comments on agenda
2 items only. Madam Clerk?

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

18 MR. MOORE: Rory Moore, 462 Chestnut Street.
19 Mr. Scarpelli, is there a reason Ordinance 34-31 and
20 34-32 aren't on for tonight?

21 MAYOR SCARPELLI: Excuse me?

22 MR. MOORE: I don't know, is this on?
23 Ordinance 34-31 and 34-32. Were they supposed to be on
24 tonight?

25 MAYOR SCARPELLI: For what ordinance,

1 Mr. Moore?

2 MR. MOORE: A salary ordinance --

3 MAYOR SCARPELLI: I think you're on for the
4 next meeting, Mr. Moore. I think they were put on for
5 the next meeting. I think --

6 MR. MOORE: Both of them?

7 MAYOR SCARPELLI: I believe so. I --

8 Madam Clerk, do you know?

9 THE CLERK: Which -- I'm sorry?

10 MAYOR SCARPELLI: He's saying Ordinance
11 Number 31 -- 34-31 and 31-32, that the public -- next
12 meeting, right?

13 THE CLERK: Yes.

14 MAYOR SCARPELLI: The public hearing's next
15 meeting.

16 MR. MOORE: On both of them?

17 MAYOR SCARPELLI: I believe so, Mr. Moore.

18 MR. MOORE: Yeah, okay. I just wanted to
19 make sure. I just have three technical questions.

20 On --

21 THE CLERK: Excuse me.

22 MR. MOORE: On your item 314-19 for
23 professional contract for wayfinding systems, what is
24 that?

25 MAYOR SCARPELLI: Wayfinding are systems that

1 direct you throughout the township. We've been in
2 discussions with Arterial. We had actually a
3 presentation by them, a number of months ago. We're
4 looking for our partners, and how much it's going to
5 cost our partners to contribute to that wayfinding
6 system, and the -- Arterial was the one that designed
7 it.

8 MR. MOORE: Is it just for Nutley?

9 MAYOR SCARPELLI: Yes.

10 MR. MOORE: I'm assuming that.

11 MAYOR SCARPELLI: Yes.

12 MR. MOORE: Wayfinders is also used to detect
13 movements of the cars, where they go.

14 MAYOR SCARPELLI: This is for directing
15 people to certain areas of town. Municipal buildings,
16 ON3, Eastwood College.

17 MR. MOORE: Okay, thank you. And your --
18 360-19. You have a committee down there. CDBG. What
19 is that?

20 MAYOR SCARPELLI: It's the Community
21 Development Block Grant.

22 MR. MOORE: Okay.

23 MAYOR SCARPELLI: Ms. Rempusheski really
24 represents us and we have to have a --

25 MR. MOORE: I was just curious what it was.

1 MAYOR SCARPELLI: -- special --

2 MR. MOORE: And there's one last one.

3 Cambridge Heights, your 320-18. Could you --

4 MAYOR SCARPELLI: It's our --

5 MR. MOORE: -- go over that briefly?

6 MAYOR SCARPELLI: It's our annual services
7 contract with Cambridge Heights we do every year.

8 MR. MOORE: Yes, but is that for garbage
9 pickup and -- what was that for?

10 MAYOR SCARPELLI: It's for all services, I
11 think, Mr. Moore. I'd have to check that in its
12 entirety, but it's -- what we do routinely every year
13 with that.

14 MR. MOORE: We do that with the other ones as
15 well, don't we? I think -- I believe --

16 MAYOR SCARPELLI: We do with some of the
17 other ones, yes.

18 MR. MOORE: Okay. All right. Thank you.

19 MAYOR SCARPELLI: Anyone else wish to address
20 the Board of Commissioners on the agenda items only?
21 Seeing none, commissioner announcements.

22 Commissioners?

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

24 I'll start. On Monday, December 9th, from 6 to 7:30,

25 we are holding a special event for grandparents and

1 their grandchildren at the Parks Department at
2 44 Park Avenue. It's called Christmas Cookies and
3 Holiday Hearts, all right, it's where the grandparents
4 and their grandchildren can come together and make some
5 cookies for the holidays. So we encourage everyone to
6 come out and support this. This is similar to what we
7 did during Halloween, we had pumpkin painting with
8 grandparents and grandchildren, and it's a good way for
9 busy folks to bond and really do something positive
10 with their grandchildren.

11 My second announcement this evening, if
12 everyone will just bear with me, this is in response to
13 a post that Mayor Scarpelli put up on You Know You're
14 From Nutley, New Jersey, When -- I believe it's
15 Mr. Buccino's site. Which I totally agree with, and I
16 want to offer some comments to support what he said.

17 Whether you favor roundabout circles or
18 improved intersection, the bottom line here is we as a
19 Board of Commissioners have been asking for an overall
20 buildout and a traffic study for over two years. It
21 would be irresponsible for us to allow any traffic
22 modifications or improvements without having the best
23 information, or in this case, any information
24 available. From the beginning, we agreed that our
25 community would be best served by requesting from the

1 developer an overall, including Nutley and Clifton,
2 conceptual plan for the entire site. We should never
3 allow another developer to move forward without
4 safeguards in place. Take a right on Kingsland Avenue
5 from three o'clock on, and you can see the traffic
6 there is backed up beyond belief.

7 In the absence of cooperation concerning the
8 traffic impact, we as a board have requested numerous
9 times, all right, and we've decided to commission
10 because we did not get a response, our own study to
11 protect our neighborhoods and our citizens. Piecemeal
12 transactional development is unacceptable. We remain
13 open minded, and welcome smart development that will
14 serve both communities well into the future, with open,
15 honest dialogue, we have negotiated, supported, and
16 secured, the Seton Hall/Hackensack Meridian Graduate
17 School of Medicine, Modern Meadow, Ralph Lauren,
18 Qwest Diagnostics, and appropriate parking facilities.

19 Our responsibility, and this is something we
20 never lose sight of, as a Board of Commissioners, first
21 and foremost, is to our residents. We look forward to
22 a long lasting and mutually beneficial relationship
23 between the Township of Nutley and the ON3 development,
24 and we will absolutely make sure that everything is
25 done correctly and appropriately.

1 I felt it was important to support what the
2 Mayor put up, all right, because it wasn't the Mayor's
3 decision, it was the Board of Commissioners' decision,
4 all right, and it's something that I totally believe
5 in, and I know Commissioner Evans has also voiced his
6 concerns and his comments on this, and it's not that
7 Nutley is not open to development. We fought hard,
8 going back to when Mayor Petracco and I were the
9 representatives there, to get that development
10 underway, to get the medical school there, and we were
11 told, and I know you've all heard this time and time
12 again, you're not going to get any big pharm or any
13 medical type development there, all right, for the next
14 25 years.

15 Well, guess what? We beat the odds, all
16 right, we got them there, it's moving along nicely, but
17 we will not proceed without appropriate safeguards.
18 That's all I have to say, Mayor.

19 MAYOR SCARPELLI: Thank you, Commissioner.
20 Any other commissioner announcements?

21 COMMISSIONER PETRACCO: I do. I'd just like
22 to dovetail a little bit on Commissioner Tucci's
23 comments about that site, and I wasn't aware of the
24 website, but I am now, and I try to stay off them as
25 much as possible. No laughing in the front row?

1 At any rate -- but I couldn't agree more with
2 you, Mauro, tonight, and all the commissioners. You
3 know, we're not here to give our -- give the store
4 away, so to speak, and Commissioner Tucci is right.
5 When I was the mayor and him and I were there, the
6 buildout was 25 to 30 years, but because of this whole
7 body, not any individuals, but the whole body, that
8 site is way ahead of schedule, and the residents of
9 Nutley are reaping the benefits of that. If it's --
10 you know, because of (indiscernible) that are coming
11 out of line or the jobs that are out there, and, you
12 know, they -- all I have to say -- you know, all the
13 companies there have been fantastic to us as far as
14 trying to, you know, steer Nutley residents there for
15 jobs and all that stuff, but I have to also commend
16 Commissioner Rogers for the way you conducted yourself
17 at the last commissioner meeting when Mr. Diaz came
18 here.

19 Because, you know, like Steve and everybody
20 else up here, we're not going to be bullied and we're
21 here, and we live in the town, and we're here for the
22 best interests of the taxpayer, the residents, the
23 children, our parents, our grandparents, and everybody
24 else.

25 So there's a history there, and sometimes

1 when you go on these websites and you just get a blurb
2 of something, you know, you should really look into all
3 the details, because again, this board and our
4 professionals have been very, very committed, and have
5 been putting extraordinary hours in over the years to
6 make this a success, which I think it already is. So
7 thank you, Commissioners, and Mayor Scarpelli.

8 MAYOR SCARPELLI: Commissioner Rogers.

9 COMMISSIONER ROGERS: Yeah. Mr. Mayor, thank
10 you. With regard to the subject we're talking about, I
11 think the Mayor articulated in a very comprehensive way
12 the position of this board, and I've got to tell you,
13 Mayor, I commend you for the way you put it out there.
14 We have challenges all the time, and this Roche
15 situation since I've been on this board has been a
16 challenge.

17 Now, just think about this. Every time you
18 look at the news, or you open a paper, what do we read
19 about? A.C. Moore leaving New Jersey. Sears leaving
20 New Jersey. Companies leaving New Jersey. But they're
21 coming to Nutley, and they're coming to Nutley because
22 what we've been able to do as a board is to do a couple
23 of things, but I think the most important thing is to
24 look out for the taxpayers. To look out for your
25 pocketbooks, and I think Commissioner Petracco and

1 Commissioner Tucci, the way you framed it and -- I
2 think it was, well, we're not going to be bullied by
3 anybody, just to make a decision because it would be
4 politically healthy. It would be politically
5 advantageous.

6 The board doesn't work that way. We work
7 very, very hard. Very hard. So I would just say to
8 you is that if you have any friends that are
9 questioning the motives of this board, or the intent of
10 this board, something I would love to see, before I
11 leave in May, I would love to see one of many things
12 happen, but I'd love to see the people who have
13 questions to pick up the phone, to call any one of the
14 five of us, and we'd be more than glad, and I know I
15 can speak on behalf of my colleagues, we'll be more
16 than glad to take all the time you need for us to
17 explain how we got from Point A to Point B.

18 It's no good, no good at all, to put things
19 up on -- whether they be internet sites or whatever,
20 which is not accurate and not true, it divides this
21 community. It's not healthy. I believe in debate. I
22 believe in healthy discussion, but discussion, and
23 that's a good thing.

24 Secondly, Mr. Mayor, I've got to tell you
25 this. I've been meaning to tell you this personally,

1 and I mentioned it in the back, and I'm going to
2 mention it here publicly. I do a lot of traveling, and
3 I got home the other night, and I had to cancel -- I
4 wouldn't be here tonight, I'm supposed to be in
5 Los Angeles, but the flights were canceled because of
6 the weather, and I remember my wife saying to me the
7 night of the storm, boy, I tell you, how are we going
8 to get around? Look at this.

9 I wake up in the morning, and I look out the
10 front window of my house, and I tell you what, if I
11 didn't know it was winter, it looked like springtime.
12 And I asked you, didn't I, in the back, did your guys
13 go out there overnight and do the job they did? And
14 the answer was yes. And I thought it was rather
15 remarkable, because of the quickness and ferocity of
16 the storm, and you wake up in the morning, and you see
17 Nutley streets clean, and I happen to live not too far
18 from Bloomfield, and I'm looking at the Bloomfield
19 streets, and I can see one of them. It was a totally
20 -- it was like night and day.

21 And my point is this, folks. You know what,
22 there may be a lot of things we see wrong in
23 government. I do. But there are a lot of right
24 things, and these are the kinds of services that make
25 us special and a very extraordinary community. On

1 behalf of my wife, who had to get to work that morning,
2 thank you, Mr. Mayor.

3 MAYOR SCARPELLI: Thank you, Commissioner.

4 COMMISSIONER EVANS: Joe, a lot has been
5 said. I'll add to it in this way. Right now, social
6 media is being used to influence public opinion, that
7 would suggest that for some reason the approach that we
8 are taking as a Board of Commissioners isn't sound, it
9 isn't the right path. I think you articulated very
10 well the justification, the reasons, Joe, behind that,
11 as we have all articulated. We've all heard comments,
12 but I want to put a point on them.

13 We will look for great job opportunities for
14 our -- for the residents of the town. We will look to
15 recover permanently every tax dollar that we can
16 recover from that property. We will look to greater
17 opportunities to improve the property values of our
18 homes. But we won't forsake the quality of life of our
19 town to do it. There are issues, and one of the issues
20 that's been raised is the traffic study, is core to
21 understanding what that impact can be. So it's nice to
22 say, ooh, let's go look at a assisted living project,
23 because it's only on four acres, and that's something
24 quick that we can do. That's exactly what the builder
25 would like us to do.

1 It's great to say, ooh, he's put out in the
2 past, that on the west side of the railroad tracks,
3 he'd like to build 400,000 square feet of space. It's
4 also nice to say, okay, those are nice improvements on
5 the Nutley side. But there's well over 2 million
6 square feet of space that's going to be developed on
7 the Clifton side. Right? And the question becomes,
8 what is the impact of all of that on our town? On our
9 roadways? And the quality of life associated with
10 that?

11 There's been comparisons have been raised
12 already that suggest that the fact that there were a
13 lot of people on the Roche site, you know, 30, 40 years
14 ago, and we had traffic patterns, heavy traffic
15 patterns, 30, 40 years ago. If you think about where
16 the town was 40 years ago to what kind of town we have
17 today, it's ludicrous to suggest that the impacts are
18 the same, and that it's okay, or suggest -- to suggest
19 that. So it's the position of the board, we've taken
20 an approach that says, we don't want to do it
21 piecemeal. We don't want to do it without good,
22 competent data that suggests that we know what the
23 impacts are going to be on all of those decisions,
24 whether it's our roadways, whether it's our schools,
25 our infrastructure, we want to know what those impacts

1 are going to be.

2 And the reality is, it's not that it takes
3 years. It doesn't take all that time. But if we --
4 and by the way, the developer is suggesting that we're
5 -- this is all a surprise, and he's been blindsided,
6 and that's not true. We've been asking for a traffic
7 study for two years, and we have yet to have one. The
8 reality is, is that it's time, that now that the
9 existing buildings have been addressed, and we start to
10 look at the open acreage, and there's greater expansion
11 going on in Clifton, we need to better understand what
12 those impacts are. And whether he's going to be
13 willing to do that, or whether or not we have to take
14 that upon ourselves to learn more about that, that's
15 the position of this board, because the board is
16 unified in acting and making it very clear, we want to
17 know what the impact is on our town, and we will not
18 forsake the town for a buck.

19 MAYOR SCARPELLI: I'm just going to dovetail
20 on what everybody else has said. Is that this board of
21 commissioners is always going to watch out for the
22 people of Nutley. That's what this board is going to
23 do. And we will cooperate where we need to cooperate,
24 and we have cooperated, to make sure that those four
25 buildings are already -- that four of the five vacant

1 buildings have been filled. You know, we bent over
2 backwards to make sure that Ralph Lauren got in there
3 on time --

4 COMMISSIONER EVANS: Yeah.

5 MAYOR SCARPELLI: -- so the developer didn't
6 get penalized. We made sure there was -- we approved
7 the temporary driveway, we approved a garage that was
8 still under construction. That was still safe, we made
9 sure it was safe, but we --

10 COMMISSIONER EVANS: Right.

11 MAYOR SCARPELLI: -- bent over backwards to
12 make sure that we cooperated with the developer. For
13 anybody to think that we're not being cooperative,
14 that's just not true, and that's just not being
15 transparent, and that's not being truthful. So, I
16 think, you know, we have a lot of successes that have
17 happened there, the medical school, Ralph Lauren, the
18 research and development building that'll be fully
19 occupied, the dropping of the tax appeals, which seems
20 to have got lost in all this, is huge, huge, for the
21 taxpayers of Nutley.

22 So I just want everybody to know that, like I
23 said, this Board of Commissioners is going to watch out
24 for the people of Nutley, and that's what we're going
25 to do. And I think we're doing it successfully, and

1 when we get to the table, we'll get to the table, and
2 we'll cooperate again. Any other announcements?

3 COMMISSIONER PETRACCO: I do -- on a much
4 lighter note, I do have a -- an event at Public Safety
5 this Thursday, December 5th, pictures with Santa, and
6 we're doing it with the fire chiefs, the police and
7 fire chiefs, and a lot of our police officers and our
8 EMTs as well, so if you'd like to take a picture with
9 Santa, it's going to be from 5:30 to 7:30 this Thursday
10 night. I'd like to invite all the commissioners and
11 the Mayor to stop by, it'd be nice to take a good group
12 pictures with everybody, too, if you're available, and
13 that's rain, shine, snow or whatever, right, Sam? So
14 that's December 5th.

15 Oh, and the big thing, Commissioner Rogers.
16 Pets are welcome at our event. Pets are welcome to
17 take a picture as well. Thank you.

18 MAYOR SCARPELLI: I have an announcement. We
19 have electronics recycling on Saturday, December 7th,
20 from 9 to 1 in the Parking Lot 7, that's the parking
21 lot behind Bella Luce. You know, maybe Santa Claus is
22 going to bring some big screen TVs this year, so if you
23 got some old ones you want to get rid of, come this
24 Saturday and get rid of them.

25 Let's move on to ordinance introductions.

1 Commissioner Petracco?

2 COMMISSIONER PETRACCO: Yes. I have
3 Ordinance Number 34-33, an ordinance to amend an
4 ordinance codified in the code of the Township of
5 Nutley, Chapter 228, entitled Vehicles and Traffic,
6 particularly Article VII, special zones and areas,
7 Section 29A, entitled Handicapped Parking, to add and
8 remove the locations set forth thereon. I move that
9 this ordinance be passed to a second reading and
10 advertised in the Nutley Sun, together with notice
11 required by law and that further consideration of said
12 ordinance for final passage by the Board of
13 Commissioners be held at its second reading on -- this
14 one will be January 2nd, 2020.

15 COMMISSIONER ROGERS: Second.

16 THE CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

1 COMMISSIONER PETRACCO: Thank you.
2 Ordinance Number 34-34, an ordinance to fix the
3 salaries of certain officers and employees of the
4 Township of Nutley, County of Essex, State of
5 New Jersey, effective January 1st, 2018. Be it
6 ordained by the Board of Commissioners of the Township
7 of Nutley, in the County of Essex, New Jersey, as
8 follows. I move that this ordinance be passed to a
9 second reading and advertised in the Nutley Sun, and
10 together with notice required by law that further
11 consideration of said ordinance for a final passage by
12 the Board of Commissioners be held at its second
13 reading on December 31st.

14 COMMISSIONER ROGERS: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 COMMISSIONER PETRACCO: Ordinance

1 Number 3435, an ordinance to fix the salaries of
2 certain officers and employees of the Township of
3 Nutley, County of Essex, State of New Jersey, effective
4 January 1st, 2018. Be it ordained by the Board of
5 Commissioners of the Township of Nutley in the County
6 of Essex, New Jersey, as follows. I move that this
7 ordinance be passed to a second reading and advertised
8 in the Nutley Sun together with notice required by law,
9 and that further consideration of said ordinance for
10 final passage by the Board of Commissioners to be held
11 at its second reading on December 31st. I move it.

12 COMMISSIONER ROGERS: Second.

13 THE CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 THE CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Mayor Scarpelli.

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER PETRACCO: Thank you.

24 MAYOR SCARPELLI: Let's move on to

25 resolutions. Commissioner Tucci?

1 COMMISSIONER TUCCI: Yes, thank you, Mayor.
2 I introduce this resolution on behalf of Mayor
3 Scarpelli and myself, because it affects both of our
4 departments. Actually, three departments, Public
5 Works, Parks and Public Property, and the
6 Water Department.

7 Whereas, on November 19th, 2019, a negotiated
8 settlement was reached between the Township of Nutley
9 and Teamsters Local 97, representing members of the
10 Department of Parks and Public Property, Department of
11 Public Works, and the Water Department; and

12 Whereas, the Township of Nutley desires to
13 enter into a two-year contract with Teamsters Local 97,
14 in accordance with the terms and conditions outlined in
15 the negotiated settlement/contract.

16 Now therefore be it resolved by the Board of
17 Commissioners of the Township of Nutley, County of
18 Essex, State of New Jersey, that the Township of Nutley
19 be and is hereby authorized to enter into a contract
20 with Teamsters Local 97, in accordance with the terms
21 and conditions set forth in the negotiated settlement
22 signed on November 19th, 2019, and in a form approved
23 by counsel. I move the resolution.

24 MAYOR SCARPELLI: Second.

25 THE CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 THE CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 COMMISSIONER TUCCI: Whereas, the Township of
11 Nutley Ordinance 665-22, Preservation of Trees, states
12 that tree removal permits must be obtained for a cost
13 of \$50 per tree; and

14 Whereas, the Township of Nutley Department of
15 Parks and Recreation and/or Public Property, authorizes
16 a refund for each tree permit submitted upon the
17 planting of a new one on said property, replacement
18 tree size and species must be approved in advance by
19 the Township Forester; and

20 Whereas, funds will be available from
21 Account C-01-904-905.

22 Now therefore be it resolved by the Board of
23 Commissioners of the Township of Nutley, County of
24 Essex, State of New Jersey, that the Township Treasurer
25 is authorized to refund the tree permit fee collected

1 as per the Shade Tree Preservation Ordinance to
2 Mr. Winfield Chasmar at 110 Beech Street for one tree
3 at the rate of \$50. I move the resolution.

4 COMMISSIONER EVANS: Second.

5 THE CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 THE CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 THE CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 COMMISSIONER TUCCI: Whereas, the resolution
16 was adopted on December 27th, 2018 awarding a contract
17 to TSUJ Corporation, P.O. Box 4621, Wayne, New Jersey,
18 for electrical services; and

19 Whereas, the agreement entered into between
20 TSUJ and the Township of Nutley on January 1, 2019 was
21 for a period of one year with the option to be extended
22 for one additional year, not to exceed two years in
23 total; and

24 Whereas, funds are available from 0-01-508-
25 200, pending adoption of the 2020 Municipal Budget, not

1 to exceed \$40,000 for the year, and \$50,000 in
2 Capital Ordinance 3425A, and have been certified by the
3 Chief Financial Officer, said certification being
4 attached to this resolution.

5 Now therefore be it resolved that the
6 Township of Nutley renewed the contract with
7 TSUJ Corp., P.O. Box 4621, Wayne, New Jersey, for
8 electrical services pursuant to the previously signed
9 agreement. I move the resolution.

10 COMMISSIONER EVANS: Second.

11 THE CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 COMMISSIONER TUCCI: Whereas, the resolution
22 was adopted on December 27th, 2018, awarding a contract
23 to Advanced Mechanical Corp., 173 Franklin Avenue,
24 Nutley, New Jersey; and

25 Whereas, the agreement entered into according

1 to the bid specifications between Advanced Mechanical
2 and the Township of Nutley on January 1, 2019, was for
3 a period of one year, with the option to be extended
4 for an additional year; and

5 Whereas, funds are available from 0-01-508-
6 200, pending adoption of the 2020 Municipal Budget, not
7 to exceed \$40,000 and Capital Ordinance 3425A in the
8 amount of \$50,000 for the year, and have been certified
9 by the Chief Financial Officer, said certification
10 being attached to this resolution.

11 Now therefore be it resolved that the
12 Township of Nutley renew the contract with Advanced
13 Mechanical Corporation, 173 Franklin Avenue, Nutley,
14 New Jersey, for plumbing, heating, air conditioning,
15 and refrigeration service and purchase, pursuant to the
16 previously signed agreement. I move the resolution.

17 COMMISSIONER EVANS: Second.

18 THE CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 COMMISSIONER TUCCI: Be it resolved by the
4 Board of Commissioners of the Township of Nutley of the
5 County of Essex, State of New Jersey, that the Township
6 Clerk be and she is hereby authorized to advertise
7 sealed bids for recreation uniforms and equipment, bids
8 to be received on Friday, December 27th, 2019, in the
9 Commission Chambers, Township Hall, 1 Kennedy Drive, at
10 11:00 a.m. prevailing time, at which time they will be
11 publicly opened and read. I move the resolution.

12 COMMISSIONER EVANS: Second.

13 THE CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 THE CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER TUCCI: Whereas, the Township of
24 Nutley has a need to acquire professional service as a
25 fair and open contract pursuant to the provision of

1 N.J.S.A. 19:44A-20.5; and

2 Whereas, the Department of Parks and Public
3 Property has a need to acquire specialized professional
4 services for a qualified tree removal service.

5 Now therefore be it resolved by the Board of
6 Commissioners of the Township of Nutley in the County
7 of Essex, State of New Jersey, that the Township Clerk
8 is hereby authorized to advertise for sealed bids for
9 the removal of township trees throughout the township,
10 bids to be received on Friday, December 27th, 2019 in
11 the Commission Chambers, Township Hall, at 11:00 a.m.
12 prevailing time, at which time they will be publicly
13 opened and read. These are for trees that are beyond
14 the capability of our Shade Tree Department and the
15 Parks Department to take down by themselves. I move
16 the resolution.

17 COMMISSIONER EVANS: Second.

18 THE CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

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

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

7 COMMISSIONER EVANS: Yes, Mayor. Be it
8 resolved by the Board of Commissioners of the Township
9 of Nutley in the County of Essex, State of New Jersey
10 that the Treasurer be, and she is hereby authorized to
11 refund overpayments of water charges in the amount of
12 \$2,530.22 for account 2503, Lot 21, so move.

13 COMMISSIONER TUCCI: Second.

14 THE CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 COMMISSIONER EVANS: My second resolution is
25 a requirement from the state, the Division of Local

1 Governmental Services, that I need to read this into
2 the record in order for us to actually receive payment
3 for our transitional state aid in the amount of
4 \$3,250,000.

5 Whereas, P.L. 219 -- 2019 c.150, the state
6 budget, extends transitional aid to localities, to
7 those localities experiencing financial distress caused
8 by destruction or the loss of a major business ratable;
9 and

10 Whereas, the Township of Nutley, County of
11 Essex, has experienced a substantial erosion of its
12 property tax ratable base due to the departure of
13 Hoffman/LaRoche, the Municipality's largest taxpayer;

14 Whereas, the Director of the Division of
15 Local Governmental Services is authorized by the state
16 budget to award transitional aid to local government
17 units experiencing financial distress due to ratable
18 losses;

19 Whereas, after reviewing an application
20 submitted by the Municipality, the Director has
21 determined that the Municipality meets the necessary
22 criteria of the Transitional Aid Program, and that an
23 award of \$3,250,000 of transitional aid is appropriate
24 in accordance with the criteria set forth in the state
25 budget.

1 Now therefore be it resolved in addition to
2 all other sums provided by the State of New Jersey or
3 its municipal subdivisions thereof, the Director hereby
4 authorizes payment of transitional aid funds in the
5 amount of \$3,250,000 to the Municipality in support of
6 its budget.

7 Be it further resolved that the Director
8 shall advance funds to the Township based upon a review
9 of the Municipality's cash flow needs. Sufficient
10 Transitional Aid funds in the amount not to 75 percent
11 of the Municipality's total Transitional Aid award may
12 be disbursed upon execution of this memorandum of
13 understanding. All remaining funds will be withheld in
14 the Division's account until such time the Director,
15 based upon her evaluation of the Municipality's
16 compliance with the terms of this agreement, recommends
17 payment.

18 The Division retains the power to hold back
19 funds and provide less than the anticipated amount,
20 should the Municipality no longer need the funds,
21 become non-compliant with the terms of this MOU, or
22 fail to act in a manner otherwise required.

23 Be it further resolved, the Municipality
24 agrees to work with the Division to remedy the
25 Municipality's structural budget imbalance, and will

1 comply with all laws, regulations, local finance
2 notices, and any government administrative and
3 oversight measure necessary for the fiscal recovery of
4 the municipality as the Director may order from time to
5 time pursuant to the state budget. The Municipality
6 will also make available to the Director or to her
7 designee upon request all documents or resources
8 necessary to review the Municipality's financial
9 condition.

10 We have received full clearance from the
11 Division of Local Governmental Services to receive our
12 full amount of aid in the amount of \$3,250,000. So
13 move.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 COMMISSIONER EVANS: Thank you, Mayor.

1 MAYOR SCARPELLI: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Be it resolved by the
3 Board of Commissioners, Township of Nutley, County of
4 Essex, New Jersey, that in accordance with the
5 provisions of R.S. 40A:4-58, the following transfer of
6 appropriation in the 2019 budget be and the same are
7 hereby authorized and approved. I move the resolution.

8 COMMISSIONER ROGERS: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER PETRACCO: And this -- I know I
20 said in the back that I wanted to pull this resolution,
21 but if it's okay, I think that instead of reading a
22 three-year term, I can just read a two, and I'm okay
23 with that. If that's okay, Madam Clerk.

24 MAYOR SCARPELLI: Just specify to two years?

25 COMMISSIONER PETRACCO: Yeah, I'm going to.

1 Is that okay with you?

2 THE CLERK: Absolutely.

3 COMMISSIONER PETRACCO: Thank you, ma'am.

4 Whereas, on December 2nd, 2019, a memorandum of
5 agreement was reached between the Township of Nutley,
6 and the Nutley FMBA Local 44 and Local 44-A; and

7 Whereas, in the Township of Nutley desires to
8 enter into a two-year contract, and that's the typo,
9 with FMBA Local 44 and Local 44-A, in accordance with
10 the terms and conditions outlined in the memorandum
11 agreement.

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 Township of Nutley
15 be, and is hereby authorized to enter into a contract
16 with FMBA Local 44 and Local 44-A, in accordance with
17 the terms and conditions set forth in the memorandum of
18 agreement signed on December 2nd, 2019, and in a form
19 approved by counsel. I move the resolution.

20 COMMISSIONER ROGERS: Second.

21 THE CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 THE CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 THE CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 COMMISSIONER PETRACCO: Thank you.

7 MAYOR SCARPELLI: Thank you, Commissioner.

8 Whereas, a raffle applications have been received from
9 the following organizations, Nutley Music Booster
10 Association, License Number 55-19, on-premise 50/50
11 cash raffle, and License Number 56-19, on-premise
12 merchandise raffle, both to be held Saturday,
13 January 25th, 2020;

14 Whereas, the application has been received
15 and approved by the Municipal Clerk and the police
16 department.

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

23 COMMISSIONER TUCCI: Second.

24 THE CLERK: Commissioner Rogers.

25 COMMISSIONER ROGERS: Aye.

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye. This on behalf of the
9 Board of Commissioners. Whereas, the Nutley Board of
10 Commissioners and the Nutley Chief of Police have
11 approved the following plenary retail distribution
12 licenses to be open 9 a.m. to 9 p.m. on Christmas Eve,
13 December 24th, 2019, and New Year's Eve, December 31st,
14 2019. Heller and Heller, Nutley Wine Shop, Nutley News
15 and Liquors.

16 Whereas, the above plenary retail
17 distribution licenses have only been permitted to be
18 open during these hours on the above dates and time.

19 Now therefore be it resolved by the Board of
20 Commissioners of the Township of Nutley, County of
21 Essex, State of New Jersey, has granted permission to
22 the above listed plenary retail distribution licensees
23 to be open during these dates and times. I move the
24 resolution.

25 COMMISSIONER TUCCI: Second.

1 THE CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye. Whereas, the Township
11 of Nutley, through the Department of Public Works, has
12 a need to acquire services of an engineering
13 consultant, as a non-fair and open contract pursuant to
14 the provisions of N.J.S.A. 19:44A-20.5, whereas,
15 Pennoni Associates, 24 Commerce Street, Suite 300,
16 North, New Jersey, has submitted a proposal indicating
17 they will provide engineering services according to a
18 fee schedule; and

19 Whereas, the contract is not to exceed
20 \$165,000.

21 Now therefore be it resolved by the Board of
22 Commissioners of the Township of Nutley enter into a
23 contract with Pennoni Associates as described herein.

24 I move the resolution.

25 COMMISSIONER TUCCI: Second.

1 THE CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli.

10 MAYOR SCARPELLI: Aye. Whereas, the bids for
11 collection services of co-mingled recyclable material
12 was received and opened on December 13th, 2017;

13 Whereas, F. Basso Junior Rubbish Removal, 55-
14 93 South 20th Street, Irvington, New Jersey, was
15 awarded a contract for collection and hauling co-
16 mingled recyclable material as per the bid
17 specifications in the amount of \$169,450.

18 Now therefore be it resolved by the Board of
19 Commissioners of the Township of Nutley, County of
20 Essex, State of New Jersey, that a contract be awarded
21 to F. Basso Rubbish Removal not to exceed \$169,450, and
22 that the Mayor and the Township Clerk are hereby
23 authorized to enter into and sign a contract. I move
24 the resolution.

25 COMMISSIONER TUCCI: Second.

1 THE CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye. Whereas, bids for
11 2020 Acceptance of Recycling Vegetative Waste to
12 include leaf and grass clippings were received and
13 opened on November 13th, 2019;

14 Whereas, S. Rotondi and Sons, P.O. Box 1407,
15 Summit, New Jersey, was the low bidder.

16 Now therefore be it resolved that the Board
17 of Commissioners of the Township of Nutley, County of
18 Essex, State of New Jersey, enter into a contract to be
19 awarded to S. Rotondi and Sons, not to exceed \$75,000
20 and the mayor and the Township Clerk are hereby
21 authorized to enter into and sign a contract with the
22 Township of Nutley. I move the resolution.

23 COMMISSIONER TUCCI: Second.

24 THE CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye. Whereas, the Township
9 of Nutley has the need to retain the professional
10 services for a vehicular wayfinding system design
11 services; and

12 Whereas, the Board of Commissioners has
13 determined Arterial, located at 105 Grove Street,
14 Suite 7, Montclair, New Jersey, is best suited to
15 provide these services.

16 Now therefore be it resolved by the Board of
17 Commissioners of the Township of Nutley, the County of
18 Essex, State of New Jersey, that the mayor is hereby
19 authorized to enter into a contract with Arterial as a
20 professional service in the amount not to exceed
21 \$25,000. I move the resolution.

22 COMMISSIONER TUCCI: Second.

23 THE CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 THE CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye. This is Resolution
8 315-19, Resolution of the Township Commissioners of the
9 Township of Nutley, authorizing the engagement of
10 Inglesino, Webster, Wyciskala, and Taylor, as counsel
11 for the Township of Nutley concerning litigation
12 related to the development of the former
13 Hoffman-LaRoche campus. I move the resolution.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Be it resolved by the Board
25 of Commissioners of the Township of Nutley, County of

1 Essex, State of New Jersey, that Joseph P. Scarpelli
2 and Kathy Rempusheski be appointed as representatives
3 of the Community Development Block Grant Committee for
4 the term January 1st, 2020, through December 31st,
5 2020. I move the resolution.

6 COMMISSIONER TUCCI: Second.

7 THE CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye. Whereas, the Township
17 of Nutley has the need to retain the services of legal
18 counsel who specializes in matters related to railroads
19 and railroad crossings to represent the Township
20 regarding grade railroad crossings by Norfolk Southern
21 Industrial Railroad as a non-fair and open contract;

22 Whereas, the law firm of Genova Burns,
23 located at 494 Broad Street, Newark, possesses the
24 necessary qualifications to represent and have
25 submitted a proposal to provide these services at an

1 hourly rate of \$200 -- \$200 an hour for all attorneys,
2 \$75 for all paralegals, not to exceed \$15,000.

3 Now therefore be it resolved by the Board of
4 Commissioners of the Township of Nutley, County of
5 Essex, State of New Jersey that the mayor is authorized
6 to enter into a contract with the law firm of
7 Genova Burns. I move the resolution.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye. Whereas, the
19 Department of Public Works announces there will be free
20 two-hour metered parking December 16th, 2019, through
21 December 29th, 2019;

22 Whereas the suspension of metered parking
23 during the holidays is a Nutley tradition to promote
24 our business district and support local merchants; and

25 Whereas, the free two-hour parking will allow

1 ample time for residents to take the opportunity to
2 leisurely walk and shop Nutley First.

3 Now therefore be it resolved by the Board of
4 Commissioners of the Township of Nutley, County of
5 Essex, State of New Jersey, will allow free, two-hour
6 metered parking from December 16th, 2019 through
7 December 29th, 2019. I move the resolution.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye. Whereas, the Township
19 of Nutley has a need to acquire services of
20 professional engineers to assist the Township defending
21 itself against a tort claim made by Hoffman-LaRoche and
22 other environmental issues as a non-fair and open
23 contract;

24 Whereas, the Chief Financial Officer has
25 determined and certified in writing that the value of

1 the aggregate services provided by the vendor for
2 January 1st, 2020 to December 31st, 2020, will not
3 exceed \$15,000.

4 Now therefore be it resolved by the Board of
5 Commissioners of the Township of Nutley, County of
6 Essex, State of New Jersey, that the Mayor enter into a
7 contract with Mott MacDonald, a professional
8 engineering service, for their proposal as stated
9 above. I move the resolution.

10 COMMISSIONER TUCCI: Second.

11 THE CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye. Whereas, pursuant to
21 N.J.S.A. 40:67-23.2, as required by law, the Township
22 has selected -- has elected to provide municipal
23 services to the Cambridge Heights at Nutley Umbrella
24 Associates in the same manner as the Township provides
25 services on public roads and streets in the Township of

1 Nutley. I move the resolution.

2 COMMISSIONER TUCCI: Second.

3 THE CLERK: Commissioner Rogers.

4 COMMISSIONER ROGERS: Aye.

5 THE CLERK: Commissioner Tucci.

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco.

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye. Whereas, the Township
13 of Nutley has a need to retain the services of an
14 attorney who specializes in municipal land use and
15 policy to provide legal advice and services in
16 connection with the Township land use policy;

17 Whereas, Angelo Cifelli of the law firm of
18 Piro, Zinna, Cifelli, Paris and Genitempo have
19 submitted a proposal in an amount not to exceed
20 \$17,000.

21 Now therefore be it resolved by the Board of
22 Commissioners of the Township of Nutley, County of
23 Essex, State of New Jersey, that the Mayor is hereby
24 authorized to enter into a contract with
25 Angelo Cifelli, Junior, of the law firm of Piro, Zinna,

1 Cifelli, Paris, and Genitempo. I move the resolution.

2 COMMISSIONER TUCCI: Second.

3 THE CLERK: Commissioner Rogers.

4 COMMISSIONER ROGERS: Aye.

5 THE CLERK: Commissioner Tucci.

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans.

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco.

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli.

12 MAYOR SCARPELLI: Aye. Whereas, the Township
13 of Nutley has the need to acquire services of an
14 independent planning expert to assist Zoning Board of
15 Adjustments as a non-fair and open contract, pursuant
16 to the provisions of N.J.S.A. 19:44A-20.5;

17 Whereas, the Zoning Board of Adjustment of
18 the Township of Nutley wish to retain an independent
19 planning expert to assist the board in reviewing
20 evidence submitted with respect to applications
21 submitted;

22 Whereas, Paul Ricci of Ricci Planning,
23 10 Georgian Way, Clark, New Jersey, is willing and able
24 to provide such expert reviews of plans, applications,
25 and other documents and matters submitted before the

1 Board to be paid at a rate of \$120 per hour.

2 Now therefore be it resolved by the Board of
3 Commissioners of the Township of Nutley, County of
4 Essex, State of New Jersey, to authorize the contract
5 of Ricci Planning to assist the Zoning Board of
6 Adjustment with respect to applications submitted. I
7 move the resolution.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Rogers.

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci.

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans.

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco.

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli.

18 MAYOR SCARPELLI: Aye. That concludes the
19 business portion of our meeting. Madam Clerk --

20 MR. GENITEMPO: Mr. Mayor? May I just add a
21 point?

22 MAYOR SCARPELLI: Sure.

23 MR. GENITEMPO: Any of the resolutions that
24 indicate that the funds have been certified with the
25 CFO, although they have been reviewed by the

1 department, she's away. She'll be back, and then
2 she'll certify them. Just so the record's clear, we're
3 not going to disburse any funds, obviously, until
4 they're certified, or enter into any contracts. We
5 just wanted that to be clear, for any of the
6 resolutions where they were -- certifications are
7 required. Thank you.

8 MAYOR SCARPELLI: Thank you, Mr. Genitempo.
9 Madam Clerk?

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

25 MR. MOORE: Rory Moore, 462 Chestnut Street.

1 Mr. Tucci, I appreciate your comments this evening, but
2 I'd like to comment if I may.

3 COMMISSIONER TUCCI: Sure.

4 MR. MOORE: When Mr. Scarpelli put that out,
5 from what I could see, personally, a lot of people were
6 shocked, that they didn't know. They may have heard.
7 They think about it. It becomes an end game. I heard
8 this from (indiscernible).

9 The only suggestion I could make is somewhere
10 on the webpage, on the Nutley page, to have some type
11 of update. At least update it once a month, what's
12 going on, because I think that's the shock to a lot of
13 people. Now you're seeing a circle, and with
14 everybody's lives being as confusing and busy as they
15 are, it's not easy to get information about it, but it
16 does significantly impact people's lives. So I would
17 like to suggest, because whether or not we agree or
18 disagree on it, it should be published at least so
19 people can see it. Have an idea.

20 COMMISSIONER TUCCI: Mr. Moore, I couldn't
21 agree with you more. And I think we've already started
22 that, all right, with the meeting that we had in the
23 high school, all right, outlining for people what we've
24 done so far, all right, I think the Mayor's update as
25 to what's going on with the traffic study, I think

1 you're going to see more and more of that, so people
2 are brought up to date. Some things, obviously, we
3 can't talk about, because they're confidential, and
4 we're still negotiating, but anything that we can
5 share, all right, and we've shared pretty much
6 everything that we could share up until this point, all
7 right, we will absolutely share, and I couldn't agree
8 with you more.

9 MR. MOORE: And you share in this forum here.

10 COMMISSIONER TUCCI: Not only in this forum,
11 but on the webpage, and I'm talking about major
12 outreach, so people know, so they don't have to guess.
13 All right? As to what's going on.

14 MR. MOORE: Two years ago, when ON3 was first
15 forming, I went to several meetings over in Clifton,
16 and the mayor never closed the meeting until
17 everybody's questions were answered, because he wanted
18 everybody to be satisfied. Maybe you couldn't get a
19 correct answer, or you didn't know all of the details,
20 but you at least got -- somebody heard you, and
21 answered your question.

22 COMMISSIONER TUCCI: I think as I've
23 commented, this is is an evolving project here. I
24 mean, there were some corporations that were supposed
25 to come in, that for whatever reason, did not come in.

1 All right? There were some comments made that, you
2 know, you don't do a traffic study before a city is
3 built. Yes, you do, all right? You anticipate what's
4 going to happen. You don't put yourself in a position
5 where you're reacting, when it's too late, and you
6 can't correct something.

7 MR. MOORE: Oh, I'm not disagreeing with you.

8 COMMISSIONER TUCCI: And I couldn't agree
9 with you more, and we've agreed and disagreed over the
10 years, but on this one, we are 100 percent.

11 MR. MOORE: Didn't -- recently, if I remember
12 correctly, the Board of Commissioners, you authorized
13 the traffic study.

14 COMMISSIONER TUCCI: That is correct.

15 MR. MOORE: Is that finished yet?

16 COMMISSIONER EVANS: No.

17 COMMISSIONER TUCCI: No.

18 MR. MOORE: How much -- how long does that --
19 I'm just curious, how long does that take?

20 COMMISSIONER TUCCI: Well, we commissioned it
21 what, about --

22 MR. GENITEMPO: I can tell you.

23 MAYOR SCARPELLI: Go ahead, Mr. Genitempo.

24 MR. GENITEMPO: We're hoping to see a draft
25 report by the middle of this month, and hopefully have

1 a final report by January.

2 MR. MOORE: Oh, okay.

3 MR. GENITEMPO: So it's not a long period of
4 time.

5 MR. MOORE: No, I didn't think it was that
6 long, but even when the report is available, when the
7 synopsis of the report, let's put it on the web page,
8 and then people have the opportunity to see it.
9 Because, Commissioner Rogers, when you said phone
10 calls, you immediately reminded me of Frank Cocchiola,
11 every time there was a problem, he said, come on down
12 to my office, we'll have coffee. That's a one on one
13 conversation. And you're trying to reach people who
14 work faster because of the internet.

15 COMMISSIONER ROGERS: Well, Mr. Moore, I got
16 to tell you something, you hit the nail right on the
17 head. We had a discussion, and I think we're all in
18 agreement. We have to be more proactive. I had
19 mentioned in some of my discussions that if enough lies
20 were out there and information goes out there,
21 misinformation, inaccurate, people are going to believe
22 it. So I am concerned, and I know my colleagues are
23 concerned. We have a large population in town that are
24 not computer savvy, you know, we've got a lot of
25 seniors here, and so perhaps down the road, you'll see

1 action taken as Mister -- as Commissioner Tucci said,
2 that we have to do a better job getting the information
3 out there sooner. But what the Mayor put out I think
4 was excellent, and I think it was a great idea to get
5 it in printed form --

6 MR. MOORE: Yes. Yes.

7 COMMISSIONER ROGERS: -- as well as --

8 MR. MOORE: Absolutely.

9 COMMISSIONER ROGERS: -- social media form.

10 MR. MOORE: But at least it's there for now.

11 COMMISSIONER ROGERS: Point well taken.

12 Thank you.

13 MR. MOORE: Thank you.

14 MAYOR SCARPELLI: And Mr. Moore, if you'll go
15 to our website, and you -- there is a -- you can click
16 on it, and it has all the updates on everything that's
17 happened on the Roche site.

18 MR. MOORE: But is it easy to get to?

19 MAYOR SCARPELLI: Absolutely.

20 MR. MOORE: And I'm not being critical.

21 MAYOR SCARPELLI: Absolutely. It's --

22 MR. MOORE: It's in the center.

23 MAYOR SCARPELLI: -- it's front and center.

24 MR. MOORE: Front and center. Because that
25 way, at least people -- with it publicized, so at least

1 people know where --

2 MAYOR SCARPELLI: Everything that's happened
3 is up there.

4 MR. MOORE: Okay. Thank you very much.

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

7 MS. ROSSI: Tammy Rossi, 28 Colonial Terrace.
8 And I have a few questions this evening. One of them
9 is, Mayor Scarpelli, would you ensure that our website
10 is updated to reflect our current members on all
11 township boards? I've visited the township website,
12 and at least one board I see has not been updated, so I
13 would think for maybe the community, to --

14 MAYOR SCARPELLI: We'll check on that,
15 Ms. Rossi. As far as I know, everything is updated.

16 MS. ROSSI: Okay. Thank you. Please do.
17 One year ago, December 4th, 2018, at our Board of
18 Commissioner meeting, Commissioner Rogers, you said in
19 January you wanted to hold a meeting for all interested
20 citizens to serve on the various boards, and I'll quote
21 you. You had said, "I think the end game is to widen
22 the scope of allowing people to participate on these
23 boards." And it's in the spirit of reaching out to
24 other members of the community, and getting them to
25 become more engaged. Is there any intention of you

1 doing that this January?

2 COMMISSIONER ROGERS: Well, that actually was
3 my -- wasn't for me to do it, it was the intent. I
4 know the Mayor's in charge of the boards. He makes the
5 appointments, and I believe you did reach out to some
6 people, Mr. Mayor, and --

7 MAYOR SCARPELLI: Yeah, we conducted
8 interviews last year. We'll do that again this year if
9 we have openings that need to be filled.

10 COMMISSIONER ROGERS: Okay.

11 MS. ROSSI: Great. Thank you very much. My
12 third question is, what is the current status of the
13 Diamond Springs versus Township of Nutley litigation?

14 MAYOR SCARPELLI: Mr. Genitempo?

15 MR. GENITEMPO: Right now, we just completed
16 some depositions, and there's no current court
17 appearance or court dates on the calendar, and so it's
18 kind of in a holding pattern.

19 MS. ROSSI: Okay. My next question is, I've
20 heard that there is construction equipment on that
21 site. I would imagine they've had to apply for permits
22 to do anything on that site. Can you share --

23 MR. GENITEMPO: As far as I know, there's
24 been no applications to do anything, and they would
25 have --

1 MS. ROSSI: There's not --

2 MR. GENITEMPO: -- to come to the -- to the
3 department --

4 MS. ROSSI: Okay.

5 MR. GENITEMPO: -- here to get permission,
6 so --

7 MS. ROSSI: Okay.

8 MR. GENITEMPO: -- I don't know what that
9 could be. Unless they're storing vehicles there, and
10 we should check into that, too, because it's not a --

11 COMMISSIONER EVANS: I'll have --

12 MR. GENITEMPO: -- storage yard.

13 COMMISSIONER EVANS: -- yeah, I'll have
14 Dave Barry check it tomorrow.

15 MS. ROSSI: Okay, great. Thank you. And I
16 just wanted to make one comment about the traffic
17 circle. My parents live in Wayne, and Wayne is a
18 heavily trafficked township. And there are times when
19 I don't even like living there, because of the traffic.
20 But with these intersections, like, one behind Roche,
21 in Wayne, it can take three or four light changes to
22 reach the intersection before you can actually make the
23 turn. So I'm not sure which is the better way, a
24 circle or an intersection, but at least a circle may
25 allow continuity of traffic flow versus the traffic

1 getting backed up Bloomfield Avenue and
2 Kingsland Avenue. I'm not sure, but I just want you to
3 know, to think about that could be a potential issue,
4 of taking three or four light changes --

5 MAYOR SCARPELLI: Ms. Rossi --

6 MS. ROSSI: -- just to bend a corner --

7 MAYOR SCARPELLI: -- I can tell you this
8 board's very concerned about traffic, how it's going to
9 flow, safety, safety of pedestrians, of flooding,
10 infrastructure, services, we're concerned about
11 everything that's going on on that site. That's why we
12 hired experts to do the traffic study who will counsel
13 us on if, when, and what needs to be happening on that
14 site, in their judgment. And they'll counsel us, and
15 then we'll make a decision. But that's why we hire
16 experts. We don't go up -- fly by the seat of our
17 pants and say, well, it's a good idea, it's a bad idea.
18 We hire experts, and then we have them give them our --
19 their opinion.

20 MS. ROSSI: Great. Thank you very much.

21 MR. GENITEMPO: Mr. Mayor, can I just address
22 that one issue and --

23 MAYOR SCARPELLI: Sure.

24 MR. GENITEMPO: -- for the public. There
25 should be no impression that we have not had

1 discussions with them. Our engineers have looked at
2 the designs. We haven't gotten final designs even, the
3 county -- we've met with the county engineers, their
4 engineer -- Prism's engineers, our own engineers. The
5 design of the one that they have, that the Mayor put
6 out for Kingsland and Bloomfield, our engineers say
7 cannot work, because of the way the roadways are all in
8 strange angles.

9 MS. ROSSI: Uh-huh.

10 MR. GENITEMPO: Plus you have a railroad
11 track there, which we don't own, and they have to get
12 permission from many different entities before they
13 could even contemplate that. So the commissioners have
14 never said no, we just haven't gotten an answer from
15 the engineers, as to that it's actually feasible.

16 The other one, they propose on Ideation Way
17 and Kingsland, which is a much smaller one, again, same
18 discussion. How does it work in relation to Franklin?
19 The light at Franklin? And Cathedral? And Four
20 Corners? Because that's what the traffic study's going
21 to help tell us, where the cars come from, where
22 they're going. They can track the cars from many
23 different places, not just how many run down Bloomfield
24 Avenue. They'll tell you where they're coming from.

25 So it's much more sophisticated now, and

1 that's what really we need to present to the -- the
2 engineers need, we don't, to go over this information.
3 Plus there's another one they're planning in the center
4 of the property, in the middle -- on the Clifton side.
5 So it's really three circles that have -- we haven't
6 really gotten any clear engineering on.

7 So I don't think the commissioners are closed
8 minded about that at all, but engineering wise,
9 nobody's shown a plan that actually works yet. Our own
10 road experts say it can't be done that way. It's
11 unsafe. Because you need to have pedestrians be able
12 to cross.

13 MS. ROSSI: Right.

14 MR. GENITEMPO: It's not just about moving
15 the cars, it's about moving people into the parks and
16 into the rest of the town.

17 MS. ROSSI: Sure.

18 MR. GENITEMPO: So that's been a
19 complication. But there should be no impression that
20 we have not met constantly with the engineers. I can
21 probably tell you, we've been at ten meetings in the
22 last year and a half with the engineers, discussing the
23 roadways. So the information that's coming out now is
24 not really accurate, and once we have this traffic
25 study, I think the commissioners will have the data

1 they need to get the experts to give them real
2 information.

3 MS. ROSSI: Right. Thank you so much.

4 MR. GENITEMPO: Thank you, Ms. Rossi.

5 MAYOR SCARPELLI: And just to follow up a
6 little bit on what Mr. Genitempo said, just to know
7 Big Brother's alive and well, if they're -- just choose
8 a number, a hundred cars that flow through the
9 intersection of Kingsland and Bloomfield, there's data
10 available that can tell you where those cars started,
11 and where they ended up through Google. So.

12 MS. ROSSI: I didn't even realize there were
13 three circles. I thought there was only one, so this
14 is even --

15 MAYOR SCARPELLI: There's one main one, and
16 there's other ones out there. So --

17 MS. ROSSI: All right.

18 MAYOR SCARPELLI: -- that's why we need
19 answers.

20 MS. ROSSI: All right. Thank you so much.

21 MAYOR SCARPELLI: You're welcome.

22 MS. ROSSI: And Eleni, could you just have
23 (indiscernible).

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

1 Seeing none --

2 COMMISSIONER PETRACCO: Before we adjourn,
3 I'd just like to recognize a couple --

4 THE CLERK: That's -- there's no notes on
5 that --

6 COMMISSIONER PETRACCO: I'd just like to
7 recognize a couple really good friends of mine and
8 business owners that have chosen to close and retire.
9 The first one is Anthony Cavallo, Cavallo's. And I
10 have to say, Anthony was never a competitor of mine,
11 but a dear friend, who has worked great together, and
12 they served this community with pride for many years.
13 He donated a lot of money back to Nutley, he served
14 Nutley really well. He will be missed.

15 And the other business is Zinicola's Bakery.
16 Who is -- Billy is retiring also, and Zinicola's has
17 been there for 98 years. I was trying to press Billy
18 into staying another two years, but he said he was
19 tired, and he was looking forward to retirement.

20 That's back in my neighborhood, where I grew up, there
21 was nothing like a Zinicola's pizza on a Friday night,
22 that we all remember picking up, and his father, or it
23 was his grandfather at the time, would only make so
24 many of them, so you better -- you had to get there
25 quick, where you could get one. But two great

1 businesses, two great families, and I just want to
2 really acknowledge them, the food business is a tough
3 business, like other businesses, seven days a week, and
4 I wish them really, really, the best of health, and the
5 best, you know, time spent with family in their
6 retirement.

7 MAYOR SCARPELLI: I will follow up on that,
8 that, you know, generations of Nutleyites being fed by
9 Zinicolas and by Cavallos. Cavallos in my
10 neighborhood, that the years they kept a book, and
11 people who could not afford to come in every night and
12 pay, they'd wait until they got paid at the end of the
13 week, and then collect the money. So they worked with
14 families during the Depression and after. So it's a
15 sad day, but it's also people who've worked hard, and,
16 you know, it's time to retire and get on with their
17 lives and the next chapter of their lives, too.

18 COMMISSIONER TUCCI: Mayor, I'd be remiss, I
19 have one more short announcement if I might. Our
20 Nutley theater program will be performing A Christmas
21 Story at the Nutley High School. The first one, the
22 opening night, will be Thursday, the 5th, at 7:30. The
23 second one will be the 6th at 7:30, and there'll be two
24 shows on Saturday, the 7th. One at two o'clock, and
25 one at 7:30. Thank you.

1 MAYOR SCARPELLI: Motion to adjourn.
2 COMMISSIONER PETRACCO: Move it.
3 COMMISSIONER ROGERS: Second.
4 THE CLERK: Commissioner Rogers.
5 COMMISSIONER ROGERS: Aye.
6 THE CLERK: Commissioner Tucci.
7 COMMISSIONER TUCCI: Aye.
8 THE CLERK: Commissioner Evans.
9 COMMISSIONER EVANS: Aye.
10 THE CLERK: Commissioner Petracco?
11 COMMISSIONER PETRACCO: Aye.
12 THE CLERK: Mayor Scarpelli.
13 MAYOR SCARPELLI: Aye.
14 THE CLERK: The time is 8:50.

15 (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 19, 2019

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist