In The Matter Of:
In RE: Nutley Board of Commissioners

Transcript of Proceedings
December 3, 2019
Conference Room
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
(Recording begins)

THE CLERK: Board of Commissioners public meeting Tuesday, December 3rd, 2019. The time is 7:05. Pursuant to the requirement 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, and 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?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

THE CLERK: All present, Mayor.

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

COMMISSIONER PETRACCO: I have a couple ordinance introductions. I have a -- it looks like a
handicapped spot, too. I have a fire -- well, a fire -- (indiscernible*00:00:51) in here, and our
dispatchers as well. And then I have a budget transfer
of 100,000 and a contract. This is the contract -- or
the one with the (indiscernible).

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

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

UNIDENTIFIED: Am I allowed?

MR. GENITEMPO: He can't.

COMMISSIONER TUCCI: I don't think he can,

no.

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

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

COMMISSIONER TUCCI: Sorry to have so long --

COMMISSIONER EVANS: What else is from '19?

MAYOR SCARPELLI: Ready to give it all up?

COMMISSIONER TUCCI: Is it a typo, or --

COMMISSIONER PETRACCO: I think it's a typo.

2019 -- it's 2019.

COMMISSIONER TUCCI: I remember the
discussions, though.

COMMISSIONER PETRACCO: That's all I have.
Conference Room

1. MAYOR SCARPELLI: Commissioner Evans?

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

3. COMMISSIONER PETRACCO: I will.

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

5. MAYOR SCARPELLI: Thank you, Commissioner. Commissioner Rogers?

6. COMMISSIONER ROGERS: Nothing tonight, Mr. Mayor.

7. MAYOR SCARPELLI: Thank you, Commissioner.

8. COMMISSIONER ROGERS: You're welcome.

9. MAYOR SCARPELLI: Commissioner Tucci?

10. COMMISSIONER TUCCI: Yes. I have a few resolutions, one authorizing a refund for a tree permit. We are going to congratulate the members and coaches of the fifth and sixth grade Super Bowl Champion Junior Raiders football team. We're going to extend the electrical services contract with TSUJ Corporation, we're going to extend the plumbing,
heating, air conditioning and refrigeration services contract with Advanced Mechanical, we're going to authorize the Clerk to advertise for sealed bids for recreation uniforms and equipment, and we're also going to authorize the Clerk to advertise for sealed bids for removal of township trees. And that's all I have, I don't have any report.

MAYOR SCARPELLI: Thank you, Commissioner.

COMMISSIONER TUCCI: My pleasure.

MAYOR SCARPELLI: I have a proclamation for the band, for coming in first in the state. And I have 15 resolutions, which I'm going to read most of them by title. One is for the Music Booster raffle, I have a plenary retail distribution license to operate on Christmas Eve and New Year's Eve. I have a contract with Pennoni, a contract with Basso, a contract with Rotondi, a contract with Arterial, a contract with Inglesino, Webster, Wyciskala and Taylor, an appointment of Kathy Rempusheski and myself to the CDBG Committee, a contract with Genova Burns, free two-hour metered parking from December 16th through the 29th, a contract with Mott McDonald, a 2020 Municipal Services agreement with Cambridge Heights, a contract with Angelo Cifelli, a contract with Ricci Planning, and an authorized two-year contract
with the Teamsters, and that's on behalf of
Commissioner Tucci and myself. You want to take that
one so I don't have a --

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

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

COMMISSIONER TUCCI: Okay.

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

MAYOR SCARPELLI: Okay.

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

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

COMMISSIONER TUCCI: Can we process and
ratify it?

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

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

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

MR. GENITEMPO: -- to the next meeting?

COMMISSIONER TUCCI: Yeah.
MR. GENITEMPO: The resolutions, sure.

COMMISSIONER TUCCI: Okay.

COMMISSIONER PETRACCO: Okay.

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

COMMISSIONER PETRACCO: What?

COMMISSIONER EVANS: So just --

COMMISSIONER PETRACCO: I have --

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

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

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

COMMISSIONER PETRACCO: 5.2, okay.

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

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

COMMISSIONER TUCCI: Yeah, I would do it anyway.
MAYOR SCARPELLI: Yeah.

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

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

MAYOR SCARPELLI: Madam Clerk, do you have anything?

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

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

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

THE CLERK: Personnel.


THE CLERK: Whereas, Section 8 of the Open Public Meeting Act, Chapter 231, Public Law 1975, permits the exclusion of the public 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 in the State of New Jersey desires to proceed to closed executive session; and
Now therefore be it resolved by the Board of Commissioners of the Township of Nutley to move into closed executive session to discuss personnel negotiations. Be it further resolved that at the time when such discussions may be disclosed to the public may be when as -- and as such disclosure may be made without adversely affecting the Township of Nutley, pending and/or anticipated legal, personnel, contractual matters, and other matters within the exemption provided for by statute.

Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: The time is 7:12.

(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 19, 2019
Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist
In The Matter Of:
In RE: Nutley Board of Commissioners

Transcript of Proceedings
December 3, 2019
Public Session

RIZMAN RAPPAPORT
CERTIFIED COURT REPORTERS
66 W. Mt. Pleasant Avenue
Livingston, NJ 07039
T (973)992-7650 F (973)992-0666
www.rizmanrappaport.com
reporters@rizmanrappaport.com

Min-U-Script®
TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

ONE KENNEDY DRIVE

3RD FLOOR COMMISSION CHAMBERS

NUTLEY, NEW JERSEY 07110

*** PUBLIC 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
(Recording begins)

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Board of Commissioners public meeting, Tuesday, December 3rd, 2019. The time is 7:30. Pursuant to the requirement 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?

COMMISSIONER ROGERS: Here.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

THE CLERK: All present, Mayor.

MAYOR SCARPELLI: Thank you, Madam Clerk.

We're going to go right to -- go out of order
a little bit today. We're going to do a proclamation and then we're going to do a resolution, because we have some people to honor here tonight, so the first thing we're going to do is read a proclamation for the Nutley High School Raider Marching Band.

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

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

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

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

Whereas, the Raider Band had a stellar
performance recording -- record -- performance record, receiving five first place finishes, one second place finish, and 23 Caption Awards; and

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

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

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

MR. VICCHIARIELLO: Good evening, Commissioners, Mayor Scarpelli. Thank you for this
wonderful honor. This group behind me, and those who aren't present tonight, have exceeded every expectation that we had this season. As the Raider Marching Band, we pushed every single limit that we had. Ninety-four is the biggest group that we've had in, I want to say, at least 20 years here in Nutley. Somebody reminded me that back in the '80s, they were at 120. I said, well, this is within the last 20 years.

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

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

(Pause)

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

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

COMMISSIONER EVANS: Move the bills.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: Thank you, Madam Clerk. We've had a great ball season, and to continue with our congratulations, Commissioner Tucci?

COMMISSIONER TUCCI: Thank you, Mayor.

Whereas, the Nutley Junior Raider 5th and 6th Grade
Football Team has enjoyed an outstanding season, posting a record of 7 wins and 3 losses, capturing the West Essex Junior Football League Super Bowl Championship; and

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

Whereas, the members of the 5th and 6th Grade Football Team are Victoria Aponte, Aidan Rotbaum, Henry Nalvarte, Daniel Zacatzontle, Jonathon Cirigliano, Eddie Butts, Jeremiah Tirado, Brady King, Rocco Diliberto, Franklin Rodriquez, Michael Fazo, A.J. Delgreco, Justin Lees, Santino Cundiff, Mohammed Mughal, Nicholas DelTufo, Jonathon Tucci, Riley Garofalo, Sean Torres, Devin Martin, Marcello Marfia, Sean Vilchez, Jacob Salvador, Christopher Cifelli, Trace Castellanos, Russell Van de Zilver, Avian Santana, Raymond Agosto, Matty Richards, A.J. Maiden, James Colarusso, Marcus Durham, Anthony Curcio, Brayden Hernandez, Jacob Harlow, Michael Berardesco, Liam Murphy, Devin Telcide, Foster Smith, Nolan Brewer,
Angel Cedeno, Brandon Walder, Joshua Salgado,

Anthony Raffa; and

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

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

Now therefore be it resolved that the Board
of Commissioners of the Township of Nutley in the
County of Essex in the State of New Jersey join with
the citizens of Nutley to honor and congratulate the
members and coaches of the 5th and 6th Grade Football
Team for their exceptional efforts and accomplishments.

Before I -- go ahead, time for a round of applause.

Before I move this resolution, I'd like to
say that in all my years in attending Super Bowl
 Championship games and playoff games and regular season
games, this was absolutely one of the most exciting and
enjoyable games I have ever witnessed. On a cold,
snowy day, and the fact that -- not only the fact that
we won, all right, which was outstanding, but the fact
that the coaches from the other team commended our
players and our coaches on the way they conducted
themselves, spoke volumes for this township and the way
we raise our children here. So I'd like to
congratulate you, and I very proudly move this
resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?

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

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: In addition to thanking
all of our players and our coaches, I'd like to thank
the parents. Because they're the ones who also
sacrificed, along with everyone else, and bring the
children back and forth and making sure that they do
their homework, that they keep their grades up, and
that they continue to be the fine Nutley citizens that they are. So I am so very proud, and I absolutely vote yes.

THE CLERK: Commissioner Evans?

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

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: I'd just like to add one thing. Commissioner Rogers said a lot, but one thing that I think is the most important thing is the friendships that you foster, that you guys are all sitting next to each other. Years and years and years and years ago, I actually played. And you know what, the friends that you have made through these years, you're going to carry through your whole life, because there's nothing like your childhood friends, especially
when you're all from Nutley. So congratulations on a very exciting game, I heard. You guys represented your town well, and take a look at each other, guys, because 50 years from now, you'll still be staring in each other's eyes, God willing. God bless you. I vote aye.

THE CLERK: Mayor Scarpelli?

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

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

(Pause)

COMMISSIONER TUCCI: There we go, it looks like --
MAYOR SCARPELLI: Public comments on agenda items only. Madam Clerk?

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

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

MAYOR SCARPELLI: Excuse me?

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

MAYOR SCARPELLI: For what ordinance,
Mr. Moore?

MR. MOORE: A salary ordinance --

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

MR. MOORE: Both of them?

MAYOR SCARPELLI: I believe so. I --

Madam Clerk, do you know?

THE CLERK: Which -- I'm sorry?

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

THE CLERK: Yes.

MAYOR SCARPELLI: The public hearing's next
meeting.

MR. MOORE: On both of them?

MAYOR SCARPELLI: I believe so, Mr. Moore.

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

On --

THE CLERK: Excuse me.

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

MAYOR SCARPELLI: Wayfinding are systems that
direct you throughout the township. We've been in
discussions with Arterial. We had actually a
presentation by them, a number of months ago. We're
looking for our partners, and how much it's going to
cost our partners to contribute to that wayfinding
system, and the -- Arterial was the one that designed
it.

MR. MOORE: Is it just for Nutley?
MAYOR SCARPELLI: Yes.
MR. MOORE: I'm assuming that.
MAYOR SCARPELLI: Yes.
MR. MOORE: Wayfinders is also used to detect
movements of the cars, where they go.
MAYOR SCARPELLI: This is for directing
people to certain areas of town. Municipal buildings,
on3, Eastwood College.
MR. MOORE: Okay, thank you. And your --
360-19. You have a committee down there. CDBG. What
is that?
MAYOR SCARPELLI: It's the Community
Development Block Grant.
MR. MOORE: Okay.
MAYOR SCARPELLI: Ms. Rempusheski really
represents us and we have to have a --
MR. MOORE: I was just curious what it was.
MAYOR SCARPELLI: -- special --

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

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

MAYOR SCARPELLI: It's our --

MR. MOORE: -- go over that briefly?

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

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

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

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

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

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

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

Commissioners?

COMMISSIONER TUCCI: Yes, Mayor, I have one. I'll start. On Monday, December 9th, from 6 to 7:30, we are holding a special event for grandparents and
their grandchildren at the Parks Department at
44 Park Avenue. It's called Christmas Cookies and
Holiday Hearts, all right, it's where the grandparents
and their grandchildren can come together and make some
cookies for the holidays. So we encourage everyone to
come out and support this. This is similar to what we
did during Halloween, we had pumpkin painting with
grandparents and grandchildren, and it's a good way for
busy folks to bond and really do something positive
with their grandchildren.

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

Whether you favor roundabout circles or
improved intersection, the bottom line here is we as a
Board of Commissioners have been asking for an overall
buildout and a traffic study for over two years. It
would be irresponsible for us to allow any traffic
modifications or improvements without having the best
information, or in this case, any information
available. From the beginning, we agreed that our
community would be best served by requesting from the
developer an overall, including Nutley and Clifton, conceptual plan for the entire site. We should never allow another developer to move forward without safeguards in place. Take a right on Kingsland Avenue from three o'clock on, and you can see the traffic there is backed up beyond belief.

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

Our responsibility, and this is something we never lose sight of, as a Board of Commissioners, first and foremost, is to our residents. We look forward to a long lasting and mutually beneficial relationship between the Township of Nutley and the ON3 development, and we will absolutely make sure that everything is done correctly and appropriately.
I felt it was important to support what the Mayor put up, all right, because it wasn't the Mayor's decision, it was the Board of Commissioners' decision, all right, and it's something that I totally believe in, and I know Commissioner Evans has also voiced his concerns and his comments on this, and it's not that Nutley is not open to development. We fought hard, going back to when Mayor Petracco and I were the representatives there, to get that development underway, to get the medical school there, and we were told, and I know you've all heard this time and time again, you're not going to get any big pharm or any medical type development there, all right, for the next 25 years.

Well, guess what? We beat the odds, all right, we got them there, it's moving along nicely, but we will not proceed without appropriate safeguards.

That's all I have to say, Mayor.

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

COMMISSIONER PETRACCO: I do. I'd just like to dovetail a little bit on Commissioner Tucci's comments about that site, and I wasn't aware of the website, but I am now, and I try to stay off them as much as possible. No laughing in the front row?
At any rate -- but I couldn't agree more with you, Mauro, tonight, and all the commissioners. You know, we're not here to give our -- give the store away, so to speak, and Commissioner Tucci is right. When I was the mayor and him and I were there, the buildout was 25 to 30 years, but because of this whole body, not any individuals, but the whole body, that site is way ahead of schedule, and the residents of Nutley are reaping the benefits of that. If it's -- you know, because of (indiscernible) that are coming out of line or the jobs that are out there, and, you know, they -- all I have to say -- you know, all the companies there have been fantastic to us as far as trying to, you know, steer Nutley residents there for jobs and all that stuff, but I have to also commend Commissioner Rogers for the way you conducted yourself at the last commissioner meeting when Mr. Diaz came here.

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

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

MAYOR SCARPELLI: Commissioner Rogers.

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

Now, just think about this. Every time you look at the news, or you open a paper, what do we read about? A.C. Moore leaving New Jersey. Sears leaving New Jersey. Companies leaving New Jersey. But they're coming to Nutley, and they're coming to Nutley because what we've been able to do as a board is to do a couple of things, but I think the most important thing is to look out for the taxpayers. To look out for your pocketbooks, and I think Commissioner Petracco and
Commissioner Tucci, the way you framed it and -- I think it was, well, we're not going to be bullied by anybody, just to make a decision because it would be politically healthy. It would be politically advantageous.

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

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

Secondly, Mr. Mayor, I've got to tell you this. I've been meaning to tell you this personally,
and I mentioned it in the back, and I'm going to mention it here publicly. I do a lot of traveling, and I got home the other night, and I had to cancel -- I wouldn't be here tonight, I'm supposed to be in Los Angeles, but the flights were canceled because of the weather, and I remember my wife saying to me the night of the storm, boy, I tell you, how are we going to get around? Look at this.

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

And my point is this, folks. You know what, there may be a lot of things we see wrong in government. I do. But there are a lot of right things, and these are the kinds of services that make us special and a very extraordinary community. On
behalf of my wife, who had to get to work that morning, thank you, Mr. Mayor.

MAYOR SCARPELLI: Thank you, Commissioner.

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

We will look for great job opportunities for our -- for the residents of the town. We will look to recover permanently every tax dollar that we can recover from that property. We will look to greater opportunities to improve the property values of our homes. But we won't forsake the quality of life of our town to do it. There are issues, and one of the issues that's been raised is the traffic study, is core to understanding what that impact can be. So it's nice to say, ooh, let's go look at a assisted living project, because it's only on four acres, and that's something quick that we can do. That's exactly what the builder would like us to do.
It's great to say, ooh, he's put out in the past, that on the west side of the railroad tracks, he'd like to build 400,000 square feet of space. It's also nice to say, okay, those are nice improvements on the Nutley side. But there's well over 2 million square feet of space that's going to be developed on the Clifton side. Right? And the question becomes, what is the impact of all of that on our town? On our roadways? And the quality of life associated with that?

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

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

        MAYOR SCARPELLI: I'm just going to dovetail on what everybody else has said. Is that this board of commissioners is always going to watch out for the people of Nutley. That's what this board is going to do. And we will cooperate where we need to cooperate, and we have cooperated, to make sure that those four buildings are already -- that four of the five vacant
buildings have been filled. You know, we bent over backwards to make sure that Ralph Lauren got in there on time --

COMMISSIONER EVANS: Yeah.

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

COMMISSIONER EVANS: Right.

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

So I just want everybody to know that, like I said, this Board of Commissioners is going to watch out for the people of Nutley, and that's what we're going to do. And I think we're doing it successfully, and
when we get to the table, we'll get to the table, and we'll cooperate again. Any other announcements?

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

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

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

Let's move on to ordinance introductions.
Commissioner Petracco?

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

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.
COMMISSIONER PETRACCO: Thank you.

Ordinance Number 34-34, an ordinance to fix the salaries of certain officers and employees of the Township of Nutley, County of Essex, State of New Jersey, effective January 1st, 2018. Be it ordained by the Board of Commissioners of the Township of Nutley, in the County of Essex, New Jersey, as follows. I move that this ordinance be passed to a second reading and advertised in the Nutley Sun, and together with notice required by law that further consideration of said ordinance for a final passage by the Board of Commissioners be held at its second reading on December 31st.

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: Thank you.

MAYOR SCARPELLI: Let's move on to resolutions. Commissioner Tucci?
COMMISSIONER TUCCI: Yes, thank you, Mayor. I introduce this resolution on behalf of Mayor Scarpelli and myself, because it affects both of our departments. Actually, three departments, Public Works, Parks and Public Property, and the Water Department.

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

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

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

MAYOR SCARPELLI: Second.

THE CLERK: Commissioner Rogers?
COMMISSIONER ROGERS:  Aye.

THE CLERK:  Commissioner Tucci?

COMMISSIONER TUCCI:  Aye.

THE CLERK:  Commissioner Evans?

COMMISSIONER EVANS:  Aye.

THE CLERK:  Commissioner Petracco?

COMMISSIONER PETRACCO:  Aye.

THE CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.

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

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

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

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Treasurer is authorized to refund the tree permit fee collected
as per the Shade Tree Preservation Ordinance to
Mr. Winfield Chasmar at 110 Beech Street for one tree
at the rate of $50. I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

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

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

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

COMMISSIONER EVANS: Second.
THE CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.
COMMISSIONER TUCCI: Whereas, the resolution was adopted on December 27th, 2018, awarding a contract to Advanced Mechanical Corp., 173 Franklin Avenue, Nutley, New Jersey; and

Whereas, the agreement entered into according
to the bid specifications between Advanced Mechanical and the Township of Nutley on January 1, 2019, was for a period of one year, with the option to be extended for an additional year; and

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

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

COMMISSIONER EVANS: Second.  

THE CLERK: Commissioner Rogers? 

COMMISSIONER ROGERS: Aye.  

THE CLERK: Commissioner Tucci?  

COMMISSIONER TUCCI: Aye.  

THE CLERK: Commissioner Evans?  

COMMISSIONER EVANS: Aye.  

THE CLERK: Commissioner Petracco?  

COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Whereas, the Township of Nutley has a need to acquire professional service as a fair and open contract pursuant to the provision of
N.J.S.A. 19:44A-20.5; and

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

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

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
PUBLIC SESSION

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Evans?

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: My second resolution is a requirement from the state, the Division of Local
Governmental Services, that I need to read this into
the record in order for us to actually receive payment
for our transitional state aid in the amount of
$3,250,000.

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

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

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

Whereas, after reviewing an application
submitted by the Municipality, the Director has
determined that the Municipality meets the necessary
criteria of the Transitional Aid Program, and that an
award of $3,250,000 of transitional aid is appropriate
in accordance with the criteria set forth in the state
budget.
Now therefore be it resolved in addition to all other sums provided by the State of New Jersey or its municipal subdivisions thereof, the Director hereby authorizes payment of transitional aid funds in the amount of $3,250,000 to the Municipality in support of its budget.

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

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

Be it further resolved, the Municipality agrees to work with the Division to remedy the Municipality's structural budget imbalance, and will
comply with all laws, regulations, local finance
notices, and any government administrative and
oversight measure necessary for the fiscal recovery of
the municipality as the Director may order from time to
time pursuant to the state budget. The Municipality
will also make available to the Director or to her
designee upon request all documents or resources
necessary to review the Municipality's financial
condition.

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: Thank you, Mayor.
MAYOR SCARPELLI: Commissioner Petracco?

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

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: Just specify to two years?

COMMISSIONER PETRACCO: Yeah, I'm going to.
Is that okay with you?

THE CLERK: Absolutely.

COMMISSIONER PETRACCO: Thank you, ma'am.

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

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

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township of Nutley be, and is hereby authorized to enter into a contract with FMBA Local 44 and Local 44-A, in accordance with the terms and conditions set forth in the memorandum of agreement signed on December 2nd, 2019, and in a form approved by counsel. I move the resolution.

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: Thank you.

MAYOR SCARPELLI: Thank you, Commissioner.

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

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

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers.

COMMISSIONER ROGERS: Aye.
THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

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

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

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

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

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley enter into a contract with Pennoni Associates as described herein. I move the resolution.

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

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

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

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 F. Basso Rubbish Removal not to exceed $169,450, and that the Mayor and the Township Clerk are hereby authorized to enter into and sign a contract. I move the resolution.

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye. Whereas, bids for 2020 Acceptance of Recycling Vegetative Waste to include leaf and grass clippings were received and opened on November 13th, 2019;

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

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

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

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Be it resolved by the Board of Commissioners of the Township of Nutley, County of
Essex, State of New Jersey, that Joseph P. Scarpelli and Kathy Rempusheski be appointed as representatives of the Community Development Block Grant Committee for the term January 1st, 2020, through December 31st, 2020. I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

Whereas, the law firm of Genova Burns, located at 494 Broad Street, Newark, possesses the necessary qualifications to represent and have submitted a proposal to provide these services at an
hourly rate of $200 -- $200 an hour for all attorneys, 
$75 for all paralegals, not to exceed $15,000.

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

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

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

Whereas, the free two-hour parking will allow
ample time for residents to take the opportunity to
leisurely walk and shop Nutley First.

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

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye. Whereas, the Township
of Nutley has a need to acquire services of
professional engineers to assist the Township defending
itself against a tort claim made by Hoffman-LaRoche and
other environmental issues as a non-fair and open
contract;

Whereas, the Chief Financial Officer has
determined and certified in writing that the value of
the aggregate services provided by the vendor for
January 1st, 2020 to December 31st, 2020, will not
exceed $15,000.

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers.

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci.

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco.

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

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

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

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Mayor is hereby authorized to enter into a contract with Angelo Cifelli, Junior, of the law firm of Piro, Zinna,
Cifelli, Paris, and Genitempo. I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers.

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci.

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans.

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco.

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

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

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

Whereas, Paul Ricci of Ricci Planning, 10 Georgian Way, Clark, New Jersey, is willing and able to provide such expert reviews of plans, applications, and other documents and matters submitted before the
Board to be paid at a rate of $120 per hour.

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

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers.

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci.

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans.

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco.

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

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

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

MAYOR SCARPELLI: Sure.

MR. GENITEMPO: Any of the resolutions that indicate that the funds have been certified with the CFO, although they have been reviewed by the
department, she's away. She'll be back, and then
she'll certify them. Just so the record's clear, we're
not going to disburse any funds, obviously, until
they're certified, or enter into any contracts. We
just wanted that to be clear, for any of the
resolutions where they were -- certifications are
required. Thank you.

MAYOR SCARPELLI: Thank you, Mr. Genitempo.

Madam Clerk?

THE CLERK: Thank you, Mayor. All persons
addressing the Board of Commissioners regarding
community concerns should approach the microphone and
provide their name and address for the record. Unless
further time is granted by the Board, each person
should 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. Tucci, I appreciate your comments this evening, but I'd like to comment if I may.

COMMISSIONER TUCCI: Sure.

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

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

COMMISSIONER TUCCI: Mr. Moore, I couldn't agree with you more. And I think we've already started that, all right, with the meeting that we had in the high school, all right, outlining for people what we've done so far, all right, I think the Mayor's update as to what's going on with the traffic study, I think
you're going to see more and more of that, so people are brought up to date. Some things, obviously, we can't talk about, because they're confidential, and we're still negotiating, but anything that we can share, all right, and we've shared pretty much everything that we could share up until this point, all right, we will absolutely share, and I couldn't agree with you more.

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

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

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

COMMISSIONER TUCCI: I think as I've commented, this is is an evolving project here. I mean, there were some corporations that were supposed to come in, that for whatever reason, did not come in.
All right? There were some comments made that, you know, you don't do a traffic study before a city is built. Yes, you do, all right? You anticipate what's going to happen. You don't put yourself in a position where you're reacting, when it's too late, and you can't correct something.

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

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

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

COMMISSIONER TUCCI: That is correct.

MR. MOORE: Is that finished yet?

COMMISSIONER EVANS: No.

COMMISSIONER TUCCI: No.

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

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

MR. GENITEMPO: I can tell you.

MAYOR SCARPELLI: Go ahead, Mr. Genitempo.

MR. GENITEMPO: We're hoping to see a draft report by the middle of this month, and hopefully have
1 a final report by January.
2
3           MR. MOORE: Oh, okay.
4
5           MR. GENITEMPO: So it's not a long period of
time.
6
7           MR. MOORE: No, I didn't think it was that
long, but even when the report is available, when the
synopsis of the report, let's put it on the web page,
and then people have the opportunity to see it.
8 Because, Commissioner Rogers, when you said phone
calls, you immediately reminded me of Frank Cocchiola,
every time there was a problem, he said, come on down
to my office, we'll have coffee. That's a one on one
conversation. And you're trying to reach people who
work faster because of the internet.
9
10          COMMISSIONER ROGERS: Well, Mr. Moore, I got
to tell you something, you hit the nail right on the
head. We had a discussion, and I think we're all in
agreement. We have to be more proactive. I had
mentioned in some of my discussions that if enough lies
were out there and information goes out there,
 misinformation, inaccurate, people are going to believe
it. So I am concerned, and I know my colleagues are
concerned. We have a large population in town that are
not computer savvy, you know, we've got a lot of
seniors here, and so perhaps down the road, you'll see
action taken as Mister -- as Commissioner Tucci said, that we have to do a better job getting the information out there sooner. But what the Mayor put out I think was excellent, and I think it was a great idea to get it in printed form --

MR. MOORE: Yes. Yes.

COMMISSIONER ROGERS: -- as well as --

MR. MOORE: Absolutely.

COMMISSIONER ROGERS: -- social media form.

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

COMMISSIONER ROGERS: Point well taken.

Thank you.

MR. MOORE: Thank you.

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

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

MAYOR SCARPELLI: Absolutely.

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

MAYOR SCARPELLI: Absolutely. It's --

MR. MOORE: It's in the center.

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

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

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

MR. MOORE: Okay. Thank you very much.

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

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

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

MS. ROSSI: Okay. Thank you. Please do.

One year ago, December 4th, 2018, at our Board of Commissioner meeting, Commissioner Rogers, you said in January you wanted to hold a meeting for all interested citizens to serve on the various boards, and I'll quote you. You had said, "I think the end game is to widen the scope of allowing people to participate on these boards." And it's in the spirit of reaching out to other members of the community, and getting them to become more engaged. Is there any intention of you
doing that this January?

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

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

    COMMISSIONER ROGERS: Okay.

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

    MAYOR SCARPELLI: Mr. Genitempo?

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

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

    MR. GENITEMPO: As far as I know, there's
been no applications to do anything, and they would
have --
MS. ROSSI: There's not --

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

MS. ROSSI: Okay.

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

MS. ROSSI: Okay.

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

COMMISSIONER EVANS: I'll have --

MR. GENITEMPO: -- storage yard.

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

MS. ROSSI: Okay, great. Thank you. And I just wanted to make one comment about the traffic circle. My parents live in Wayne, and Wayne is a heavily trafficked township. And there are times when I don't even like living there, because of the traffic. But with these intersections, like, one behind Roche, in Wayne, it can take three or four light changes to reach the intersection before you can actually make the turn. So I'm not sure which is the better way, a circle or an intersection, but at least a circle may allow continuity of traffic flow versus the traffic
getting backed up Bloomfield Avenue and
Kingsland Avenue. I'm not sure, but I just want you to
know, to think about that could be a potential issue,
of taking three or four light changes --

MAYOR SCARPELLI: Ms. Rossi --

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

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

MS. ROSSI: Great. Thank you very much.

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

MAYOR SCARPELLI: Sure.

MR. GENITEMPO: -- for the public. There
should be no impression that we have not had
discussions with them. Our engineers have looked at the designs. We haven't gotten final designs even, the county -- we've met with the county engineers, their engineer -- Prism's engineers, our own engineers. The design of the one that they have, that the Mayor put out for Kingsland and Bloomfield, our engineers say cannot work, because of the way the roadways are all in strange angles.

MS. ROSSI: Uh-huh.

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

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

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

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

MS. ROSSI: Right.

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

MS. ROSSI: Sure.

MR. GENITEMPO: So that's been a complication. But there should be no impression that we have not met constantly with the engineers. I can probably tell you, we've been at ten meetings in the last year and a half with the engineers, discussing the roadways. So the information that's coming out now is not really accurate, and once we have this traffic study, I think the commissioners will have the data
they need to get the experts to give them real information.

    MS. ROSSI: Right. Thank you so much.

    MR. GENITEMPO: Thank you, Ms. Rossi.

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

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

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

    MS. ROSSI: All right.

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

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

    MAYOR SCARPELLI: You're welcome.

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

    MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?
COMMISSIONER PETRACCO: Before we adjourn, I'd just like to recognize a couple really good friends of mine and business owners that have chosen to close and retire. The first one is Anthony Cavallo, Cavallo's. And I have to say, Anthony was never a competitor of mine, but a dear friend, who has worked great together, and they served this community with pride for many years. He donated a lot of money back to Nutley, he served Nutley really well. He will be missed.

And the other business is Zinicola's Bakery. Who is -- Billy is retiring also, and Zinicola's has been there for 98 years. I was trying to press Billy into staying another two years, but he said he was tired, and he was looking forward to retirement. That's back in my neighborhood, where I grew up, there was nothing like a Zinicola's pizza on a Friday night, that we all remember picking up, and his father, or it was his grandfather at the time, would only make so many of them, so you better -- you had to get there quick, where you could get one. But two great
businesses, two great families, and I just want to really acknowledge them, the food business is a tough business, like other businesses, seven days a week, and I wish them really, really, the best of health, and the best, you know, time spent with family in their retirement.

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

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

MAYOR SCARPELLI: Motion to adjourn.

COMMISSIONER PETRACCO: Move it.

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers.

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci.

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans.

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

MAYOR SCARPELLI: Aye.

THE CLERK: The time is 8:50.

(End of recording)

* * * * *

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 19, 2019
Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist