TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

ONE KENNEDY DRIVE

3RD FLOOR COMMISSION CHAMBERS

NUTLEY, NEW JERSEY 07110

*** PUBLIC SESSION ***

DATE: December 31, 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
Public Session

(Recording begins)

THE CLERK: Board of Commissioners Public
Meeting. Today is Tuesday, December 31st, 2019. The
time is 9:03. Pursuant to the requirements of the Open
Public Meeting Act, Chapter 231, Public Law 1975,
notice of this meeting was published in the
November 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. Commissioner
Petracco and Commissioner Tucci are present via phone.

MAYOR SCARPELLI: Let's -- Commissioner
Petracco, thank you for joining us. I see you have no
resolutions on the agenda tonight. Today.

COMMISSIONER PETRACCO: Yeah, I just wanted
to wish everybody a Happy New Year and have a great
time. I'll see you guys later. Am I dismissed?

MAYOR SCARPELLI: You could stick around a
little if you'd like.

MR. GENITEMPO: You're still allowed to vote,
Commissioner.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Happy New Year to
everyone. I have three resolutions. One's a budget
transfer, and another refund of an overpayment in
taxes, and the last one is cancelling a reserve in the
Water Utility for $368,000 which would allow that to
drop the reserve in the Water Utility.

MAYOR SCARPELLI: Commissioner?

COMMISSIONER ROGERS: You forgot my name? I
mean --

MAYOR SCARPELLI: Commissioner Rogers.

COMMISSIONER ROGERS: All right. Happy New
Year, everyone, I have nothing, and see you in March.

MAYOR SCARPELLI: He's using his time.

Commissioner Tucci?

COMMISSIONER TUCCI: I have one resolution
for a budget transfer.
MAYOR SCARPELLI: I have a authorization for raffles and a budget transfer of $111,000. So we have no reports. Any commissioner announcements? None --

COMMISSIONER TUCCI: Just Happy New Year, everybody, happy and healthy.

MAYOR SCARPELLI: Healthy is the most important. I --

COMMISSIONER EVANS: Couldn't agree more.

MAYOR SCARPELLI: I do have to announce that two salary ordinances, Number 3434 for the dispatchers, and 3435 for the FMBA, were advertised to be heard at a public hearing today. They will be moved to our meeting on Thursday night.

Seeing none, let's -- Commissioner Tucci, your resolution.

COMMISSIONER TUCCI: Yes, thank you, Mayor.

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 appropriations in the 2019 budget be and same are hereby authorized and approved;

The Department of Parks and Public Property, from health insurance, $22,000;

To Recreation Salaries and Wages in the amount of $1,000;
Parks, Other Expenses, in the amount of $20,000;
And Telephones Salary and Wages in the amount of $1,000, totaling like amount of $22,000. 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.

MR. GENITEMPO: And one thing before you go on. You -- we skipped over public comment on agenda items only. I just want to acknowledge for the record that --

MAYOR SCARPELLI: There's nobody here.

MR. GENITEMPO: Well, you should announce it, and then we'll state that there's no one here to make any public comments, just for the record.

MAYOR SCARPELLI: Is there anybody here who'd
like to address the Board of Commissioners on the
agenda items only?

MR. GENITEMPO: Mr. Mayor, there's no one
here from the public at this meeting. I checked the
main hall, and of course this room. Also, one other
thing. Ceci is here as the Clerk today. She has
passed all of her clerk courses, and I believe she is
completely authorized to act as Deputy Clerk here for
this meeting. Thank you.

MAYOR SCARPELLI: Thank you, Counselor, for
keeping us on point.

MR. GENITEMPO: No problem.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor.

Be it resolved by the Board of Commissioners
of the Township of Nutley, County of Essex, New Jersey,
that in accordance with the provision of R.S. 40A:4-58,
the following transfers of appropriations in the
2019 budget be and the same are hereby authorized and
approved;

From Construction Code Official O/E, to
Construction Code Official Salaries, $18,000. So move.

MAYOR SCARPELLI: Second.

COMMISSIONER TUCCI: Second.

COMMISSIONER ROGERS: Aye.
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: 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 tax charges in the amount of $2,196.89 for Block 6702, Lot 9. So move.
COMMISSIONER ROGERS: Second.
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: Whereas, there exists a reserve for accounts payable in the balance sheet of the Water Operating Fund;

Whereas, the funds creating this reserve have been investigated, and it has been determined that these accounts payable should be canceled.

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, that the following accounts payable reserve balance in the amount of $368,400 and -- $864.67, be and is hereby canceled. So move.

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 EVANS: Thank you.

MAYOR SCARPELLI: Thank you, Commissioner.

Whereas, raffle applications have been received from the Nutley Junior Raiders Booster Club, License Number 58-19, on-premise 50/50 cash raffle. License Number 59-19, on-premise merchandise raffle, to be held Sunday, February 9th, 2020;

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

Now therefore be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, that the aforementioned licenses are approved and the Municipal Clerk has authorized the issue of the raffle license. So moved.

COMMISSIONER ROGERS: Second.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Petracco?

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

- Sewer System, Solid Waste, $30,000.
- City of Newark, Water O/E, $40,000.
- Annual audit, $3,000.
- Group insurance, $38,000.
- To Recycling Salary and Wage, $22,000.
- Parking lot meter, O/E, $8,000.
- Passaic Valley Water O/E, $81,000. A total of $111,000. 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. That concludes the business portion of our meeting. Anybody from the public like to address the Board of Commissioners this morning?

MR. GENITEMPO: Mr. Mayor, there's no one here from the public.

MAYOR SCARPELLI: Seeing none, we wish everybody a Happy New Year.

MR. GENITEMPO: And I have executive for a few items. Very brief. I have four items, very briefly.

MAYOR SCARPELLI: All right. So rather than adjourning this meeting --

MR. GENITEMPO: Sorry.

MAYOR SCARPELLI: -- we'll move into executive session. Do I have a motion to move into executive for -- what, Counselor?

MR. GENITEMPO: Litigation, potential litigation, and negotiations.

MAYOR SCARPELLI: Is there a motion? Motion?

COMMISSIONER TUCCI: Move it.
PUBLIC SESSION

COMMISSIONER EVANS: Second.

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: Okay. The time is 9:11.

(Off record)

MAYOR SCARPELLI: We are back on the record at 9:33. Commissioners may I have a motion to adjourn and wish everybody a healthy and happy New Year? Do I have a motion?

COMMISSIONER EVANS: Second. Motion adjourn with a provision that --

COMMISSIONER TUCCI: Second.

COMMISSIONER EVANS: -- it's filled with much happiness, much health, in the New Year for everyone.

COMMISSIONER ROGERS: I ditto that, and I vote yes, aye.
THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Yes.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye. Yes.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: And the time is 9:33.

MAYOR SCARPELLI: Happy healthy New Year, everybody.

COMMISSIONER ROGERS: Happy New Year.

MAYOR SCARPELLI: We'll see you --

THE CLERK: Happy New Year.

MAYOR SCARPELLI: -- next year, Thursday.

(Recording ends)

* * * * *
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.

______________________________   January 17, 2020
Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist