

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

---

*Transcript of Proceedings*  
*February 5, 2019*  
*Conference Session*

---



66 W. Mt. Pleasant Avenue  
Livingston, NJ 07039  
T (973)992-7650 F (973)992-0666  
[www.rizmanrappaport.com](http://www.rizmanrappaport.com)  
[reporters@rizmanrappaport.com](mailto:reporters@rizmanrappaport.com)

*Min-U-Script®*

Conference Session

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

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

DATE: February 5, 2019

BOARD OF COMMISSIONERS:

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

ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

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

11 Commissioner Rogers is absent and excused.

12 Commissioner Tucci?

13 COMMISSIONER TUCCI: Here.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Here.

16 THE CLERK: Commissioner Petracco is going to  
17 be a few minutes late.

18 Mayor Scarpelli?

19 MAYOR SCARPELLI: Here.

20 THE CLERK: Everyone present except  
21 Commissioner Rogers, and Commissioner Petracco will be  
22 here shortly.

23 MAYOR SCARPELLI: Commissioner Evans, what do  
24 you have on the agenda today?

25 COMMISSIONER EVANS: I have the two

1 ordinances --

2 THE CLERK: Oh, no, you can't close the door.  
3 You can't close that door.

4 UNIDENTIFIED: John --

5 UNIDENTIFIED: John, you can't close --

6 THE CLERK: You can't close that door.

7 COMMISSIONER EVANS: I have two ordinances  
8 that relate to the financing agreements for 100 Metro, 200  
9 metro, I'm not sure if We will be able to move on that  
10 contract or if we need to table those until the next  
11 session, or we --

12 MAYOR SCARPELLI: Again?

13 COMMISSIONER EVANS: Yeah. There's still  
14 some meetings going on, I believe, between executives  
15 on contract negotiations, but I have that. I also have  
16 a refund -- a couple resolutions for refunds, and a  
17 resolution correcting an account number on the previous  
18 professional service, the resolution, and also, I have  
19 gone forward on executive for litigation.

20 MAYOR SCARPELLI: Executive, you mean, two  
21 parts on it.

22 COMMISSIONER EVANS: Yes.

23 MAYOR SCARPELLI: Okay. Can you take  
24 Commissioner Rogers's resolution on the budget  
25 transfer?

Conference Session

4

1 COMMISSIONER EVANS: Let me read and see how  
2 many asterisks.

3 MAYOR SCARPELLI: It only has one.

4 COMMISSIONER EVANS: Okay. Okay. I'll do  
5 it.

6 MAYOR SCARPELLI: And Commissioner Tucci,  
7 is --

8 COMMISSIONER TUCCI: He's not proclaiming  
9 something, something say?

10 COMMISSIONER EVANS: It's a budget transfer.

11 COMMISSIONER TUCCI: Sometimes he loads up,  
12 there's like three or four.

13 COMMISSIONER EVANS: I'd be happy to do that.

14 COMMISSIONER TUCCI: What do I have? Okay.  
15 (indiscernible). I have --

16 COMMISSIONER EVANS: (Indiscernible).

17 COMMISSIONER TUCCI: I've got a bunch of  
18 resolutions for the Nutley Irish, for the St. Patrick's  
19 Day parade. I guess I'm amending a resolution.

20 Who keeps making these mistakes, Frank?

21 MR.DeMaio: That one was me.

22 COMMISSIONER TUCCI: All right. So we're  
23 correcting a resolution, that's my first one. We're  
24 advertising for sealed bids for surplus equipment  
25 that's probably 25 or 30 years old, a bunch of honorees

1 and authorization to enter into a contract with  
2 Viridian Environmental Consultants. They're doing our  
3 underground storage tanks and remediation and  
4 investigations and everything else that the State comes  
5 up with for an amount not to exceed 16,5. And I think  
6 that's all I have. I don't see any more reports.  
7 That's it.

8 COMMISSIONER EVANS: Mauro, will you be able  
9 to consolidate the salutes?

10 COMMISSIONER TUCCI: Oh, yeah.

11 COMMISSIONER EVANS: Okay.

12 MAYOR SCARPELLI: Can you do it --

13 COMMISSIONER TUCCI: So if we could -- if we  
14 do it first, so we hopefully could get them out of  
15 there?

16 MAYOR SCARPELLI: Yeah. Yeah. Absolutely.

17 COMMISSIONER TUCCI: I think that's -- some  
18 of what's in front of us.

19 MAYOR SCARPELLI: Commissioner Petracco has  
20 two ordinance introductions. One is for stop  
21 intersections, and the other is for amend the salary  
22 ordinance.

23 COMMISSIONER EVANS: (Indiscernible).

24 COMMISSIONER TUCCI: It's in transit?

25 COMMISSIONER EVANS: It's in transit.

1           MAYOR SCARPELLI: He also has a resolution to  
2 -- for a leave of absence.

3           COMMISSIONER PETRACCO: Excuse me, what?

4           COMMISSIONER TUCCI: Speak of the devil.

5           MAYOR SCARPELLI: I was just giving your last  
6 resolution.

7           COMMISSIONER PETRACCO: Oh, good.

8           MAYOR SCARPELLI: And approval to participate  
9 in the grant planning. I have award of contract to  
10 Ricci Planning as a planning expert to the Zoning  
11 Board, authorize and approve various raffle  
12 applications, acknowledge February as National  
13 African American History Month, and authorize and  
14 approve a \$20,000 budget transfer. That's all we have.

15           COMMISSIONER PETRACCO: Just so -- just for  
16 the record, that one, I'm going to table, that  
17 resolution that --

18           MAYOR SCARPELLI: Is this your --

19           COMMISSIONER PETRACCO: -- one more time --

20           MAYOR SCARPELLI: -- the ordinance?

21           COMMISSIONER PETRACCO: Yeah.

22           MAYOR SCARPELLI: The first one?

23           THE CLERK: 3413.

24           COMMISSIONER PETRACCO: The four-way stop  
25 sign?

Conference Session

7

1           MAYOR SCARPELLI: Yeah.

2           THE CLERK: Yeah.

3           COMMISSIONER PETRACCO: Yes. The only reason  
4 why, too -- and I think that you and I should talk  
5 about that.

6           MAYOR SCARPELLI: Oh, no problem.

7           COMMISSIONER PETRACCO: So you're clear.

8           MAYOR SCARPELLI: Madam Clerk, what do you  
9 have?

10          THE CLERK: Yes, Mayor. We have meeting  
11 minutes for January 2nd, and we have some applications  
12 for --

13          MAYOR SCARPELLI: I didn't do that.

14          THE CLERK: -- events. One is for --

15          COMMISSIONER TUCCI: It's not your vote --

16          THE CLERK: -- Commissioner Tucci's outdoor  
17 concert --

18          COMMISSIONER TUCCI: -- is it? I was going  
19 to say, you know, yeah, I said, what the hell are you  
20 doing?

21          THE CLERK: -- Knights of Columbus, the Nutley  
22 Elks, and the Chamber.

23          COMMISSIONER TUCCI: Oh.

24          THE CLERK: And that's it.

25          COMMISSIONER TUCCI: All right. Am I aye?

1 Counselor? I guess you -- do you have a need for  
2 executive, also?

3 MR. GENITEMPO: We do. Two issues. A  
4 contract negotiation and potential litigation.

5 COMMISSIONER EVANS: Great.

6 MAYOR SCARPELLI: All right.

7 Madam Clerk, could -- first, can I have a  
8 motion to go on to executive session?

9 COMMISSIONER TUCCI: So move.

10 COMMISSIONER EVANS: Second.

11 THE CLERK: Whereas Section 8 of the Open  
12 Public Meeting Act, Chapter 231, Public --

13 COMMISSIONER TUCCI: I already voted.

14 THE CLERK: -- Public Law 1975 permits the  
15 exclusion of the public from meetings in certain  
16 circumstances, and whereas the public body is of the  
17 opinion that such circumstances exist.

18 And, whereas, the Board of Commissioners of  
19 the Township of Nutley, in the County of Essex, in the  
20 State of New Jersey decide to proceed to close  
21 executive session.

22 And now, therefore, be it resolved by the  
23 Board of Commissioners of the Township of Nutley, we  
24 are going to close executive session to discuss  
25 contract negotiations, litigation, potential

1 litigations, and negotiations.

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

9 Commissioner Tucci?

10 COMMISSIONER TUCCI: I'll vote aye again.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER TUCCI: Sorry, I already voted,  
15 Al. You're supposed to get me out of trouble.

16 COMMISSIONER PETRACCO: Aye. I was ahead of  
17 that.

18 COMMISSIONER TUCCI: You're not paying  
19 attention here.

20 THE CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye.

22 COMMISSIONER TUCCI: And both of us can't be  
23 joking around.

24 MAYOR SCARPELLI: (Indiscernible).

25 THE CLERK: What time is it?

Conference Session

1                   COMMISSIONER PETRACCO: Are we in a meeting  
2 right now? I'm not even sure.

3                   THE CLERK: The time is 7:16.

4                   (End of recording)

5   \* \* \* \* \*

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1     C E R T I F I C A T I O N

2

3                   I, Ilene Watson, court-approved transcriber,  
4 hereby certify that the foregoing is a correct  
5 transcript from the official electronic sound recording  
6 of the proceedings in the above-entitled matter.

7

8

9

10     \_\_\_\_\_  
11     ILENE WATSON, AAERT NO. 447     DATE: February 20, 2019  
12     ACCESS TRANSCRIPTS, LLC

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

---

*Transcript of Proceedings*  
*February 5, 2019*  
*Public Session*

---



66 W. Mt. Pleasant Avenue  
Livingston, NJ 07039  
T (973)992-7650 F (973)992-0666  
[www.rizmanrappaport.com](http://www.rizmanrappaport.com)  
[reporters@rizmanrappaport.com](mailto:reporters@rizmanrappaport.com)

*Min-U-Script®*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

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

DATE: February 5, 2019

BOARD OF COMMISSIONERS:

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

ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 MAYOR SCARPELLI: Everybody, please stand.

3 (Pledge of Allegiance)

4 MAYOR SCARPELLI: Madam Clerk?

5 THE CLERK: Thank you, Mayor.

6 Board of Commissioners Public Meeting,  
7 Tuesday, February 5th, 2019. The time is now 8:01.  
8 Pursuant to the requirements of the Open Public Meeting  
9 Act, Chapter 231, Public Law 1975, notice of this  
10 meeting was published in the November 29, 2018 issues  
11 of the Nutley Sun, The Herald News, and the Star  
12 Ledger. A copy of this notice has been posted on the  
13 Nutley Town Hall bulletin board, and a copy is on file  
14 in the Municipal Clerk's Office.

15 Commissioner Rogers is absent, excused.

16 Commissioner Tucci?

17 COMMISSIONER TUCCI: Here.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Here.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Here.

22 THE CLERK: Mayor Scarpelli.

23 MAYOR SCARPELLI: Here.

24 THE CLERK: All present, Mayor, except for  
25 Commissioner Rogers. He is absent and excused this

1 evening.

2 MAYOR SCARPELLI: Thank you, Madam Clerk.

3 On behalf of the Scarpelli Family, I would  
4 like to thank the commissioners and your departments  
5 for all your efforts and support over the last couple  
6 of weeks. Pete would have really appreciated it.  
7 Thank you to everyone who sent a card, emailed a  
8 message, or came to the services. The outpouring of  
9 love and support was overwhelming, and it provided much  
10 comfort during this trying time.

11 My dad dedicated a lifetime to public  
12 service, either volunteering in the community or  
13 sitting in this seat for four years or in that empty  
14 seat over there for 20-plus years. He taught our  
15 family love and discipline, kindness and strength,  
16 charity and hard work. He's left a hole in all our  
17 hearts, and I thank you again. If we could have just a  
18 moment of silence?

19 (Moment of silence)

20 MAYOR SCARPELLI: Madam Clerk, the minutes?

21 THE CLERK: Yes, Mayor. We have the Board of  
22 Commissioners meeting minutes for January 2nd, 2019. I  
23 need a motion, please.

24 COMMISSIONER EVANS: Move it.

25 COMMISSIONER TUCCI: Second.

Public Session

4

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 Communications?

10 THE CLERK: Yes, Mayor. Commissioner  
11 Mauro Tucci has submitted an event application for an  
12 outdoor concert on Franklin Avenue between Vreeland and  
13 High Street on Thursday, June 13th, 2019, between  
14 6 p.m. and 10 p.m. Motion, please?

15 COMMISSIONER PETRACCO: Move.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Evans.

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 THE CLERK: The Knights of Columbus, the Holy  
25 Family Council, has submitted a letter requesting

1 permission to hold a raffle drawing on Sunday,  
2 April 28th 2019, at 1:05 p.m. at Holy Family Church,  
3 located at 28 Brookline Avenue. I need a motion.

4 COMMISSIONER EVANS: Move it.

5 COMMISSIONER TUCCI: So move.

6 THE CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Sorry, second.

8 COMMISSIONER EVANS: I'm going to second.

9 COMMISSIONER TUCCI: Okay.

10 COMMISSIONER EVANS: Okay. You can do this  
11 one.

12 THE CLERK: So Commissioner Evans is the  
13 second, and Commissioner Tucci moved. Is that correct?

14 COMMISSIONER EVANS: Yes.

15 THE CLERK: Thank you. Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 THE CLERK: The Nutley Elks have submitted an  
24 application for a social affair permit for their  
25 Saint Patrick's Day event, to be held on Saturday,

1 March 2nd, 2019, from 9 a.m. to 11 p.m., located at  
2 242 Chestnut Street.

3 COMMISSIONER TUCCI: So move.

4 COMMISSIONER EVANS: Second.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 THE CLERK: The Nutley Chamber of Commerce  
14 has submitted an event application for their annual  
15 5K Fun Run to be held on Sunday, May 5th, 2019 from  
16 8 a.m. to 12 p.m.

17 COMMISSIONER TUCCI: So move.

18 COMMISSIONER EVANS: Second.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?

1           MAYOR SCARPELLI:  Aye.

2           THE CLERK:  And that's it for communications.

3           MAYOR SCARPELLI:  Oh, we're going to switch  
4 with the agenda a little bit and turn it over to  
5 Commissioner Tucci.  We have some guests here tonight.

6           COMMISSIONER TUCCI:  Yes, we do, and I want  
7 to first start by apologizing.  We tried to get out for  
8 7:30, just we had too many pressing issues that we  
9 needed to talk to back there.  So thank you once again  
10 for all being here, and on behalf of the board, it's my  
11 honor and my pleasure to offer these resolutions.

12           Whereas, on Saturday, March 2, 2019, the  
13 Nutley Irish American Association will hold its 41st  
14 Annual St. Patrick's Day Parade to celebrate the legend  
15 and the spirit of St. Patrick through a fun, good  
16 old-fashioned parade, and to promote an atmosphere of  
17 benevolence, friendship, and community spirit.

18           And, whereas, St. Patrick's Day honors the  
19 cultural traditions of the Irish, but also the historic  
20 American commitment to embrace the multifaceted  
21 traditions of all immigrant people who have come to our  
22 shores.

23           And, whereas, the Nutley Irish American  
24 Association celebrated its annual St. Patrick's Day  
25 Parade Grand Marshal Dinner on Saturday, February 2 at

1 The Brownstone in Paterson.

2 And, whereas, this year's Grand Marshal is  
3 Ed Saegers.

4 And, whereas, Ed and his wife, Karen, have  
5 been married since 1976 and are the proud parents of  
6 Ed Jr. and Courtney and have been blessed with four  
7 beautiful grandchildren.

8 And, whereas, Ed has been an active member of  
9 the Belleville Community in numerous capacities,  
10 including service to the Chamber of Commerce, the  
11 school board, sports associations, member and past  
12 president of the Lion's Club of Belleville, past Grand  
13 Knight and active member of the Belleville Knights of  
14 Columbus, Council 835, life member of Catholic War  
15 Veterans and an ardent supporter of St. Peter's Parish.

16 And, whereas, Ed is proud to be associated  
17 with the Newark St. Patrick's Day Parade committee,  
18 where he has been a delegate, Trustee, and Sergeant at  
19 Arms, as well as a strong supporter and member of the  
20 Gibling Association.

21 And, whereas, Ed was honored in 2012 as Man  
22 of the Year by the Belleville Irish American  
23 Association, and in 2015 he was presented the Community  
24 Service Award by the Kevin G. Kennedy Civic  
25 Association.

1                   And, whereas, this year's Deputy Grand  
2 Marshal is Noreen Haveron.

3                   And, whereas, Noreen was raised in Nutley by  
4 her loving parents, Noreen and the late Owen Haveron,  
5 and is one of four children.

6                   And, whereas, Noreen graduated from  
7 St. Mary's Grammar School and Paul IV Regional High  
8 School and continued her education at Seton Hall  
9 University, where she received a Bachelor of Science in  
10 social work and completed her studies at Kane  
11 University, where she received a Master's Degree in  
12 Public Administration with a concentration in health  
13 care.

14                   And, whereas, Noreen is extremely proud of  
15 her Irish heritage. Her maternal grandfather, Owen  
16 Lavan, hails from County Mayo in Ireland, and her great  
17 grandparents, Nora and John Philbin, are from Kilnock,  
18 Brickens, County Mayo. Her paternal grandparents,  
19 Patrick and Margaret Haveron, were first generation  
20 from County Roscommon.

21                   Whereas, this year's Parade Queen is  
22 Kellie Cole.

23                   And, whereas, Kellie has always been a proud  
24 -- has always been proud of her Irish heritage, with  
25 her ancestors hailing from County Cavan.

1           And, whereas, Kellie currently resides in  
2 Nutley, graduating from Nutley High School in 2012,  
3 where she served as corresponding secretary of her  
4 class, as well as a member of the crew team.

5           And, whereas, Kellie has always been an  
6 active part of the community, volunteering her time and  
7 donating to various food banks and toy drives.

8           And, whereas, the 2019 Member of the Year is  
9 Allen Magill.

10           And, whereas, Allen was born and raised in  
11 Jersey City and Bayonne by his late parents, Jean and  
12 Arthur Magill, along with his five siblings.

13           And, whereas, Allen currently resides in  
14 Nutley with his wife, Shari, and their three beautiful  
15 daughters, Lindsay Caitlyn, Samantha Rose, and Jaclyn  
16 Ruth.

17           And, whereas, Allen has been an active member  
18 of the community, volunteering for many organizations  
19 and events, including Nutley's Relay for Life team, and  
20 post-parade chair for the Nutley Irish-American  
21 Association for over five years.

22           And, whereas, this year's Firefighter of the  
23 Year is Richard Cavanagh.

24           And, whereas, Richard was born in Bronx, New  
25 York, before his family moved to Nutley in 1968, where

1 he was raised by his loving parents, Edward and  
2 Catherine, along with his five siblings.

3 And, whereas, Richard began his career as a  
4 firefighter in the Township of Belleville on September  
5 3rd, 1996, being promoted to lieutenant on March 28th,  
6 2006, captain on October 24th, 2011, with the promotion  
7 to the rank of battalion chief on December 12th, 2012.

8 And, whereas, Richard has been a member of  
9 the Essex County Emerald Society for over 20 years, and  
10 in 2012 was nominated Firefighter of the Year, was  
11 honored in 2014 by the Irish Echo of New York City, and  
12 was given the First Responders Award. He received the  
13 State Silver Medal of Valor from the New Jersey  
14 Firefighter's Mutual Benefit Association, has been  
15 nominated to receive the Department of Defense  
16 Patriot Award, has served as vice-president of the  
17 Belleville Fireman's Association, Local 229, from 2006  
18 to 2010, and became president of Local 229 in 2010,  
19 where he is still currently serving.

20 Now, therefore, be it resolved that the Board  
21 of Commissioners of the Township of Nutley, County of  
22 Essex, State of New Jersey, join with the citizens of  
23 Nutley to salute and congratulate our Grand Marshal,  
24 Ed Saegers, our Deputy Grand Marshal, Noreen Haveron,  
25 our Queen, our Parade Queen, Kellie Cole, and our

1 Member of the Year, Allen Magill, and our Firefighter,  
2 Richard Cavanagh, as they are honored here tonight. I  
3 so proudly move this resolution.

4 COMMISSIONER EVANS: Second.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans.

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye. And we look forward  
13 to a great parade.

14 COMMISSIONER TUCCI: Yes, we do. I want to  
15 thank everyone again. I mean, I've been doing this for  
16 well over a dozen years, and quite frankly, I think I  
17 should be honored one of these years, and I'm doing the  
18 Ancestry.com, so if I have even a scintilla of Irish in  
19 me, McEnergy, there'll be a lot of pressure put on you,  
20 okay?

21 But all kidding aside, you had a wonderful  
22 event on Saturday night. Your Grand Marshal Dinner,  
23 once again, was outstanding. I mean, they just keep  
24 getting better and better. Your honorees are top  
25 notch, and I don't know where you keep finding all of

1 these quality people, but please, President McEnery,  
2 keep up the good work, you and your committee. We love  
3 what you do, we love what you do for our township, and  
4 it's our honor to be associated with you, and to salute  
5 and congratulate you. God bless all of you.

6 We'd love to have a picture. Come on up.

7 MR. MCENERY: Mr. President. Tom McEnery,  
8 550 Centre Street, Nutley, New Jersey, President of the  
9 Nutley Irish. Mayor, Commissioners, I just want to say  
10 thank you for everything you do every year for us.  
11 This parade would not happen if it weren't for you  
12 five, and we're all honored to march behind you guys  
13 with us, with the parade.

14 This wouldn't happen if it wasn't for you  
15 guys. We're all over the state the month of March, I  
16 mean, and to me, not just being president, our parade's  
17 the best, because it's a family parade. You go to  
18 other places, it's not chaos, it's, you know, they  
19 match with us, but ours, we give back to the community,  
20 because what you do for us is outstanding. You're --  
21 you know, your support. So we're there in your corner,  
22 you know, whatever you need, and I know you are there  
23 for us. And just pray for a good day, and thank you  
24 for everything you do for us.

25 MAYOR SCARPELLI: Thank you, Tom. And thank

1 you all for what you do for the township. We're going  
2 to continue with the meeting. I don't know if you guys  
3 want to stick around or not, but -- all right, that's  
4 what I thought.

5 COMMISSIONER TUCCI: I think there are a lot  
6 of past grand marshals making a beeline for the door  
7 there. Grand Marshal O'Mara.

8 UNIDENTIFIED: Good night.

9 MAYOR SCARPELLI: Good night.

10 COMMISSIONER TUCCI: Good night.

11 COMMISSIONER EVANS: That was a speech there,  
12 but you said it so well. It was like, okay, that's --

13 COMMISSIONER TUCCI: Is that what it was?

14 MAYOR SCARPELLI: Are you ready for bills,  
15 Madam Clerk?

16 THE CLERK: Yes, mayor.

17 MAYOR SCARPELLI: All right. Let's go to  
18 bills.

19 THE CLERK: Bill list for February 5th, 2019.  
20 Public affairs, \$186,701.49; revenue and finance,  
21 \$7,451,558.16; public safety, \$139,093.76; parks and  
22 public property, \$864,147.39; water utility,  
23 \$35,616.20; total payroll, \$1,058,396.83, for a grand  
24 total of \$9,932,713.46.

25 COMMISSIONER EVANS: Move the bills.

1 COMMISSIONER TUCCI: Second.

2 THE CLERK: Commissioner Tucci.

3 COMMISSIONER TUCCI: Aye.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Mayor Scarpelli.

9 MAYOR SCARPELLI: Aye.

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

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

13 THE CLERK: Yes, Mayor. All persons  
14 addressing the Board of Commissioners regarding  
15 community concerns should approach the microphone and  
16 provide their name and address for the record. Unless  
17 further time is granted by the board, each person shall  
18 limit their address to three minutes. All remarks to  
19 the board and its individual members must be addressed  
20 to the mayor.

21 The mayor may defer citizens' comments to the  
22 appropriate member of the board. Dialogue between  
23 citizens and others addressing the board shall be  
24 allowed, unless the mayor or presiding officer or the  
25 majority of the membership of the board shall determine

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

4 MAYOR SCARPELLI: Anybody wish to address the  
5 Board of Commissioners on the agenda items only?  
6 Seeing none, move to commissioner announcements?

7 Commissioner?

8 COMMISSIONER EVANS: You guys going to -- I  
9 just -- I have two. Joe, I just want to acknowledge  
10 your dad for his many years of service to the public  
11 and to the township. He had a wonderful sense of humor  
12 that I always enjoyed, but he always -- he was always  
13 passionate and caring about the town, and that's  
14 carried on from generation to generation, so I just  
15 want to acknowledge that and recognize the passing of  
16 your dad.

17 MAYOR SCARPELLI: Thank you.

18 COMMISSIONER EVANS: I have a second item.  
19 Do I do it here? I want to announce that there's been  
20 -- every meeting, there's questions about what's  
21 happening with the Mecca review and the settlement.  
22 I'm here tonight, I can announce that we've now reached  
23 a settlement, and that settlement agreement has been  
24 signed. So, Joe, do you want me to talk about that  
25 now, or we --

1           MAYOR SCARPELLI: How about we go around the  
2 table and come back?

3           COMMISSIONER EVANS: All right. Fair enough.

4           MAYOR SCARPELLI: How's that?

5           COMMISSIONER EVANS: And so we'll both be  
6 talking about that in one minute, stay tuned.

7           MAYOR SCARPELLI: Commissioner?

8           COMMISSIONER TUCCI: Yes, thank you. I'd  
9 also like to publicly extend my condolences to the  
10 entire Scarpelli family. Pete was a little extra  
11 special to me because when I came on this board in  
12 2000, Peter Scarpelli was our mayor at the time, and he  
13 was an outstanding mayor. He was the guy that kept  
14 everybody in the loop, everybody knew what was going  
15 on, all the time. He was always reaching out, all  
16 right. He loved this town, he went above and beyond,  
17 all right, and in the course of doing all that, which  
18 we still do to this day, we had a lot of fun with Pete.

19           COMMISSIONER EVANS: Yep.

20           COMMISSIONER TUCCI: Pete brought us  
21 Swing Night, Pete brought us Family Day, Pete brought  
22 us so many things, all right, that are -- were so  
23 obvious, but nobody noticed. All right? But he had  
24 that unique quality, all right, to pick out those  
25 little things, and to bring them to everyone's

1 attention, and as far as I'm concerned, and I've  
2 watched a lot of great mayors, like Petracco,  
3 Scarpelli, Joseph, I mean, Mayor Orechio, Mayor  
4 Chenoweth, I mean, Mayor Kelly, I mean, you go down the  
5 list, Mayor Cocchiola. Pete Scarpelli was absolutely  
6 one of the best mayors this township ever had, and I  
7 just want to thank you and your family for loaning him  
8 to us, and I know he's up there looking down at us, all  
9 right, and saying, you guys better do the right thing,  
10 because it's still my town. And we will.

11 MAYOR SCARPELLI: Thank you.

12 COMMISSIONER TUCCI: God bless you and your  
13 family, Joe.

14 MAYOR SCARPELLI: Commissioner?

15 COMMISSIONER PETRACCO: You know, I'd just  
16 like to reiterate kind of the text I sent to you, Joe,  
17 you know, it's, it hasn't, it's no secret that you and  
18 I have been very competitive since we came on this  
19 board. But I sent Joe a text, you know, when I heard  
20 about the passing of his dad, and, unfortunately I  
21 couldn't make the funeral because I was at the hospital  
22 with my own mother that day.

23 But I just told a little story to Joe about,  
24 you know, the deli, and how Pete and Jimmy Blanda and a  
25 bunch of -- a cast of other characters used to come in

1 the deli every single day, and we had so many laughs  
2 there, Joe, it was incredible. I mean, we -- that  
3 lunch hour, you know, for those years, were a really  
4 special time, you know, and a lot of people don't know  
5 this, but Joe's dad and I, we used to exchange  
6 Christmas presents.

7           And one year, Graham went and got him a pan  
8 that had the grill marks in it, because he loved the  
9 grilled chicken at the store. So, you know, it's --  
10 just a tribute to your dad, and one thing that, you  
11 know, I've been saying to people, is that, you know,  
12 again, I apologize for missing the funeral, but, you  
13 know, Pete was there for the people, you know.

14           And I'll never forget, Joe, when he was  
15 sitting in this chair over here, when I was thinking  
16 about running for commissioner, I start coming to some  
17 of the meetings, and I'll never forget what he said,  
18 and it stayed with me all these years, about when a  
19 budget went down for the Board of Ed. And the  
20 commissioners were really put in a terrible spot, to  
21 have to make a decision.

22           And I'll never forget what your father said,  
23 and I hope we all carry this to us today, is that I  
24 can't vote for something that the people already voted  
25 on, and the people have spoken, and I have to cast my

1 vote no, agreeing with the people of the town. And I  
2 think that's the character your father leaves behind,  
3 is that he wasn't afraid to stand out in a crowd and  
4 make a tough decision and say it the way it is, but,  
5 you know, he believed in the kind of democracy of, you  
6 know, when the people speak, we have to listen. And  
7 your dad was a good man, Joe. And I'm going to miss  
8 him.

9                   MAYOR SCARPELLI: Thank you all. Thank you  
10 all. Commissioner?

11                   COMMISSIONER EVANS: It's hard to follow  
12 that, you know --

13                   MAYOR SCARPELLI: Well, I know, but harder  
14 for me.

15                   COMMISSIONER EVANS: Yeah. So just for  
16 everyone's benefit, there's been a significant period  
17 of time that we've had to go through to evaluate what  
18 went on in terms of the violations that are associated  
19 with the Mecca property. In order to do that, we had  
20 previously discussed that we did an independent review  
21 and had someone come in from Montclair to go through  
22 the property and identify what would be the  
23 (indiscernible) the violations in those properties, as  
24 well as a final review, to see if he was in compliance  
25 with the terms of any of the decisions.

1 Oh, right. We okay now? You okay now?

2 THE CLERK: Can you hear?

3 COMMISSIONER EVANS: All right.

4 THE CLERK: Yes. Thank you.

5 COMMISSIONER EVANS: So as part of that  
6 review, it became clear that on our side, there were  
7 some mistakes that were made, and there was also some  
8 actions that the builder took that he shouldn't have.  
9 So the next step was to summarize those violations and  
10 provide him with notice that based upon our review, the  
11 things that we identified, that we were noticing him of  
12 those violations, and that we were going to take all  
13 remedies that were available to us to address it.

14 After we took that step, we then took -- we  
15 spent time to one, understand how do we address this as  
16 a governing body, and two, how do we address -- what  
17 are the legal risks that we face, because there were  
18 quite a few that had to be evaluated.

19 In addition to those steps, if you remember,  
20 back in May we announced the change in leadership in  
21 the Code Department, and right now, we have an outside  
22 consultant, and -- who's doing some prospective best  
23 practice type reviews of procedures, to make sure that  
24 some of the things that occurred in the past can't  
25 happen again, and those changes are being looked at

1 right now.

2           With the -- based on the advice of counsel,  
3 and that legal evaluation, which I will defer to  
4 counsel on, it was determined the best approach for the  
5 township was to approach a settlement. The litigation  
6 was expected to be a protracted litigation if we were  
7 to pursue it, and the outcome was unclear as to the  
8 fact of whether or not we would prevail.

9           So in terms of the settlement, the total  
10 amount of the settlement that the builder, Mr. Mecca,  
11 will pay the town is one million dollars. That covers  
12 -- \$100,000 of that amount covers any costs we  
13 incurred, including the review that's going on right  
14 now. As far as the specific apart -- bedroom  
15 violations that were -- existed, the fine attributed to  
16 that is \$200,000, and the balance of \$700,000 relates  
17 to the settlement, with regard to the density issue  
18 that exists with the units on East Centre Street.

19           In total, we will be receiving that money in  
20 installments over the next four years, \$300,000 this  
21 year, 250 the next two years, and \$200,000 in the final  
22 year. In taking the money in, the question is, what do  
23 we do with it? And how do we address that for the  
24 benefit of the taxpayers? So there were a number of  
25 things that were looked at, but one of the more

1 significant things that we face as a town is that we've  
2 been ordered by the Essex County Board of Taxation to  
3 revalue the township. That occurred the last time in  
4 2005, and it cost the township taxpayers over \$900,000,  
5 approximately \$950,000, to actually hire an outside  
6 appraisal company to come in and look at every single  
7 property in town.

8           Given the fact that we now have been ordered  
9 to do that again for 2020, the monies that we collect  
10 will be set aside to offset that cost, so because of  
11 collecting this money, we will be able to avoid having  
12 to pass on almost a million dollars in costs to the  
13 taxpayer to address the Essex County order to revalue  
14 the town.

15           So in summary, the violations of the  
16 apartments, just to be clear, any of the violations in  
17 those apartments where it relates to the offending  
18 bedrooms have to be eliminated, they have to be  
19 eliminated by or before the end of the current lease  
20 term of the tenant, at the -- and there's a significant  
21 amount of landlord/tenant issues that you get involved  
22 with when you are disrupting a tenant under a lease  
23 agreement.

24           However, the settlement requires that the  
25 owner will need to relocate the tenants at his own

1 expense, in order to free up those apartments to  
2 correct and eliminate the offending bedroom. He will  
3 -- and he will not get a CO for those apartments until  
4 that happens. So while they're currently occupied by a  
5 tenant, we're not disrupting that, but before the end  
6 of the lease term, that will have to be addressed.

7 That's -- there's another element, just be --  
8 simply to address the fact that certain units have  
9 superintendent apartments in it, so to ensure that  
10 those remain superintendent apartments, he had -- the  
11 owner has an annual requirement to certify that those  
12 are occupied by his superintendent for the buildings  
13 where the super units exist.

14 So in total, you know, while it's unfortunate  
15 that it occurred, the matter has been settled, and the  
16 total settlement amount is one million dollars. Alan,  
17 is there anything that you need to --

18 MR. GENITEMPO: Yes. Just in term -- I'm  
19 sorry. In terms of the settlement agreement, as we  
20 have promised, it will be made public starting  
21 tomorrow, if anybody wants to get a copy, they just  
22 reach out with an OPRA request to the clerk, and they'll  
23 get a copy. There's a settlement agreement, and  
24 there's an Exhibit A. Exhibit A -- excuse me -- talks  
25 about the specific requirements for each particular

1 building, and some of which has already taken place in  
2 terms of conversions, and others that will take place  
3 going forward. We'll be working with the Code  
4 Department to make sure that that is done smoothly, and  
5 in accordance with the agreement. There's also some  
6 technical requirements that the builder still has to  
7 comply with, relative to the purchase of Springer Lane,  
8 and also some parking requirements that they have to  
9 meet in terms of documentation, which we will oversee.

10 This settlement, I believe, is a reasonable  
11 and valid settlement on the basis that the research  
12 that we conducted, my partner, Angelo Cifelli, who is a  
13 zoning expert, and been a land use attorney for over 30  
14 years, represented -- represented the Newark Zoning  
15 Board, and the Newark -- the Essex County Planning  
16 Board, for over 35 years, has done the research, and  
17 based on our review of the law, we think this is an  
18 appropriate settlement of the potential litigation.

19 If not settled, this would cost the taxpayers  
20 a lot of money in legal fees, and it would probably go  
21 on for years, so under those circumstances, we believe  
22 that this is a reasonable, and appropriate settlement  
23 under all the conditions and all the circumstances, and  
24 it is the subject of a negotiation, but a very hard  
25 negotiation that unfortunately took a long time, but we

1 wanted to try to get it right. We wanted to try to  
2 make sure we addressed every detail, and so the tighter  
3 the agreement, the better the settlement. And we  
4 believe we've reached that. So that's what I can tell  
5 you, and I think once the public sees the agreement,  
6 they'll understand the complexity of it, the detail of  
7 it, and the requirements of the developer now going  
8 forward to make sure that they are in complete  
9 compliance as we work with Code Enforcement to make  
10 sure this never happens again. Thank you.

11 MAYOR SCARPELLI: Thank you. Let's move on  
12 to ordinance introductions. Commissioner Petracco?

13 COMMISSIONER PETRACCO: Yes. On ordinance  
14 number -- let's see, where am I? 3413, we're going to  
15 table one more time tonight, and I'm going to introduce  
16 Ordinance Number 3415, an ordinance to amend the  
17 salaries of certain officers and employees of the  
18 Township of Nutley, County of Essex, State of  
19 New Jersey. I move that this ordinance be passed to a  
20 second reading and advertised in the Nutley Sun, with  
21 notice required by law, and that further consideration  
22 of said ordinance for final passage by the Board of  
23 Commissioners be held at its second reading on -- is it  
24 March 14th?

25 THE CLERK: March 5th.

1 COMMISSIONER PETRACCO: Oh, sorry.

2 March 5th, 2019. I move the ordinance.

3 MAYOR SCARPELLI: Second.

4 THE CLERK: Commissioner Tucci.

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Mayor Scarpelli.

11 MAYOR SCARPELLI: Aye.

12 COMMISSIONER PETRACCO: Thank you.

13 MAYOR SCARPELLI: Commissioner Evans, do you  
14 want to --

15 COMMISSIONER EVANS: Yeah --

16 MAYOR SCARPELLI: -- explain about the public  
17 hearings?

18 COMMISSIONER EVANS: Yeah. There's two  
19 ordinances on tonight for public hearing. 3411 and  
20 3412. These will be tabled tonight one more time.  
21 There are further discussions that have cropped up over  
22 the last two days, and there's a meeting actually  
23 tomorrow which should address what have become some of  
24 the recent open items. I hope to have these on the  
25 agenda at our next meeting, once those discussions are

1 completed, so they're tabled for this evening.

2 MAYOR SCARPELLI: Thank you, Commissioner.

3 Commissioner Tucci, resolutions?

4 COMMISSIONER TUCCI: Yes, Mayor. Whereas,

5 Resolution Number 18-19 was adopted by the Board of

6 Commissioners on January 15th, 2019, awarding the

7 contract to Sal Electric Company, 83 Fleet Street,

8 Jersey City, New Jersey, for the provision of

9 electrical services.

10 And, whereas, due to a typographical error,

11 said resolution stated an incorrect amount for prices

12 for material paid by the contractor, and must therefore

13 be amended to read "Materials Plus 10 percent," as

14 stated in the bid proposal submitted by Sal Electric

15 Company on December 27th, 2018.

16 Now, therefore, be it resolved by the Board

17 of Commissioners, Township of Nutley, County of Essex,

18 State of New Jersey, that Resolution 18-19 is hereby

19 amended as stated above. I move the resolution.

20 COMMISSIONER EVANS: Second.

21 THE CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 THE CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Aye.

4 COMMISSIONER TUCCI: Be it resolved by the  
5 Board of Commissioners, Township of Nutley, County of  
6 Essex, New Jersey, that the Township Clerk is hereby  
7 authorized to advertise for sealed bids for surplus  
8 equipment that is no longer in use by the township.  
9 The equipment vehicles are as listed: Department of  
10 Parks and Public Property, one is -- the first one is a  
11 2000 Bluebird Model F127217 Bus, mileage, 75,675 miles.  
12 The second is a 1991 GMC Topkick truck, 41,271 miles --  
13 I'm sorry, 41,277 miles. The third is a 1995  
14 Ford F-450 SuperDuty truck, 66,258 miles.

15 Be it further resolved that the equipment is  
16 to be sold as-is and where-is, and bids are to be  
17 received on Wednesday, February 27th, 2019, at 11 a.m.  
18 prevailing time, in the Commission Chambers, Township  
19 Hall, 1 Kennedy Drive, Nutley, New Jersey, at which  
20 time they will be publicly opened and read. I move the  
21 resolution.

22 COMMISSIONER EVANS: Second.

23 THE CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 THE CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 COMMISSIONER TUCCI: Whereas, the Township of  
7 Nutley has a need to acquire specialized professional  
8 services as a fair and open contract pursuant to the  
9 provisions of N.J.S.A. 19:44A-20.5.

10 And, whereas, the Township of Nutley through  
11 the Department of Parks and Public Property, has a need  
12 to acquire a specialized and professional services for  
13 site investigations for Father Glotzbach Field, and  
14 whereas, the anticipated term of this contract is for  
15 12 months from the date of contract award.

16 And, whereas, Viridian Environmental  
17 Consultants, P.O. Box 3009, Upper Montclair, New  
18 Jersey, has submitted a proposal indicating they will  
19 provide such services for a sum not to exceed \$16,500.

20 And, whereas, Viridian Environmental  
21 Consultants has completed and submitted a business  
22 entity disclosure certification, which certifies that  
23 said corporation has not made any reportable  
24 contributions to a political or candidate committee in  
25 the Township of Nutley in the previous one year and

1 that the contract will prohibit Viridian Environmental  
2 Consultants from making any reportable contributions  
3 through the term of the contract.

4 And, whereas, funds are available from  
5 account 3372A in the amount of \$16,500, and have been  
6 certified by the Chief Financial Officer, said  
7 certification being attached to this resolution.

8 Now, therefore, be it resolved that the Board  
9 of Commissioners of the Township of Nutley, County of  
10 Essex, State of New Jersey, enter into a contract with  
11 Viridian Environmental Consultants as described herein,  
12 and be it further resolved that the business disclosure  
13 entity certification and the determination of value be  
14 placed on file with this resolution. And be it further  
15 resolved that a notice of this action shall be printed  
16 once in the Nutley Sun, in accordance with local public  
17 contracts law. I move the resolution.

18 COMMISSIONER EVANS: Second.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?

1                   MAYOR SCARPELLI:  Aye.

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

4                   MAYOR SCARPELLI:  Thank you, Commissioner.  
5                   Commissioner Evans, will you also take  
6  Commissioner Rogers's resolution?

7                   COMMISSIONER EVANS:  Sure.  I'll read  
8  Commissioner Rogers's resolution.  He has one  
9  resolution for this evening, and it's a budget  
10 transfer.  Be it resolved by the Board of Commissioners  
11 of the Township of Nutley, County of Essex, New Jersey,  
12 that in accordance with the provisions of  
13 R.S. 40A:4-59, the following transfers of the 2018  
14 appropriation reserve, being the same, are hereby  
15 authorized and approved:

16                   From the Department of Health O/E, \$10,000 to  
17 Garbage and Trash Removal, \$10,000.  So moved.

18                   COMMISSIONER TUCCI:  Second.

19                   THE CLERK:  Commissioner Tucci?

20                   COMMISSIONER TUCCI:  Aye.

21                   THE CLERK:  Commissioner Evans?

22                   COMMISSIONER EVANS:  Aye.

23                   THE CLERK:  Commissioner Petracco?

24                   COMMISSIONER PETRACCO:  Aye.

25                   THE CLERK:  Mayor Scarpelli.

1           MAYOR SCARPELLI:  Aye.

2           COMMISSIONER EVANS:  I have three resolutions  
3 this evening.  Be it resolved by the Board of  
4 Commissioners of the Township of Nutley in the County  
5 of Essex, State of New Jersey, that the Treasurer be  
6 and she is hereby authorized to refund overpayments of  
7 tax charges in the amount of \$4,110.54 for the accounts  
8 included and the amounts included in this resolution.  
9 So move.

10           COMMISSIONER TUCCI:  Second.

11           THE CLERK:  Commissioner Tucci.

12           COMMISSIONER TUCCI:  Aye.

13           THE CLERK:  Commissioner Evans?

14           COMMISSIONER EVANS:  Aye.

15           THE CLERK:  Commissioner Petracco?

16           COMMISSIONER PETRACCO:  Aye.

17           THE CLERK:  Mayor Scarpelli.

18           MAYOR SCARPELLI:  Aye.

19           COMMISSIONER EVANS:  Whereas, the Board of  
20 Commissioners adopted Resolution 275-18 on  
21 December 4th, 2018.

22           Whereas, this resolution authorized the  
23 engagement of the law firm of Inglesino, Webster,  
24 Wyciskala & Taylor as counsel for the Township of  
25 Nutley concerning litigation related to the Township's

1 Affordable Housing obligations.

2           Whereas, that resolution stated that funds  
3 are available for this purpose from account  
4 T-26-909-902.

5           Whereas, the Township wishes to amend that  
6 resolution, being that funds are available in account  
7 9-01-226-205, and will be certified by the Chief  
8 Financial Officer, pending the adoption of the 2019  
9 budget.

10           Basically, it's just correcting an error that  
11 it was charged to the wrong account. Now, therefore be  
12 it resolved by the Board of Commissioners of the  
13 Township of Nutley, County of Essex, State of New  
14 Jersey, that we hereby amend Resolution 275-18 to make  
15 funds available from account 9-01-226-205. So move.

16           COMMISSIONER TUCCI: Second.

17           THE CLERK: Commissioner Tucci?

18           COMMISSIONER TUCCI: Aye.

19           THE CLERK: Commissioner Evans?

20           COMMISSIONER EVANS: Aye.

21           THE CLERK: Commissioner Petracco?

22           COMMISSIONER PETRACCO: Aye.

23           THE CLERK: Mayor Scarpelli?

24           MAYOR SCARPELLI: Aye.

25           COMMISSIONER EVANS: Whereas, the Code

1 Enforcement Department received a permit fee in the  
2 amount of \$716 from Star-Teck Construction, located at  
3 242 High Street.

4           Whereas, it was determined by the  
5 construction official that the applicant does not  
6 require a fire sub-code application for this property.

7           Whereas, the construction official has  
8 determined that the fire sub-code fee of \$50 shall be  
9 refunded to Star-Teck Construction Corp.

10           Whereas, funds will be available from account  
11 C-01-904-903. I believe they -- excuse me, it's a  
12 refund, they are available in that account.

13           Now, therefore, be it resolved by the Board  
14 of Commissioners of the Township of Nutley, that the  
15 treasurer be and she is hereby authorized to refund the  
16 fire sub-code fee in the amount of \$50 to Star-Teck  
17 Construction. So move.

18           COMMISSIONER TUCCI: Second.

19           THE CLERK: Commissioner Tucci?

20           COMMISSIONER TUCCI: Aye.

21           THE CLERK: Commissioner Evans?

22           COMMISSIONER EVANS: Aye.

23           THE CLERK: Commissioner Petracco?

24           COMMISSIONER PETRACCO: Aye.

25           THE CLERK: Mayor Scarpelli?

1           MAYOR SCARPELLI:  Aye.

2           COMMISSIONER EVANS:  Thank you, Mayor.

3           MAYOR SCARPELLI:  Commissioner Petracco?

4           COMMISSIONER PETRACCO:  Be it resolved by the  
5 Board of Commissioners, Township of Nutley, County of  
6 Essex, State of New Jersey, that Kevin Hussey, an  
7 employee in the Department of Public Safety, be granted  
8 a medical leave of absence without pay effective  
9 January 8th, 2019 through February 15th, 2019.

10           Before I move this, I'd just like to say,  
11 Kevin is one of the best crossing guards we have.  He's  
12 on -- usually on the corner of Chestnut and  
13 Franklin Avenue, by the florist there, which is an  
14 extremely busy corner.  He really had a scary heart  
15 issue, where he was helicoptered to another hospital,  
16 actually, to Hackensack, and I actually didn't know it.  
17 I saw him at the store after this all happened, and I  
18 just want to wish him a really speedy recovery.  He is  
19 really a stellar, stellar man with a great family and  
20 does an excellent job because people fight to get off  
21 that corner that Kevin's been on all these years.

22           So I just -- I'll move this, and I wish him  
23 the best, all my best.

24           COMMISSIONER TUCCI:  Second.

25           MAYOR SCARPELLI:  Second, and I wish him the

1 best, also.

2 THE CLERK: Commissioner Tucci.

3 COMMISSIONER TUCCI: Aye.

4 THE CLERK: Commissioner Evans.

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 COMMISSIONER PETRACCO: My next resolution is  
11 the State of New Jersey Department of Law and  
12 Public Safety, Division of Criminal Justice. A  
13 resolution approving participation with the State of  
14 New Jersey Federal Grant Program administered by the  
15 Division of Criminal Justice, Department of Law and  
16 Public Safety.

17 Whereas, the Township of Nutley Police  
18 Department wishes to apply for funding for  
19 approximately 60,000, with a match of \$162,875.94, for  
20 an approximate project total of cost of \$222,875.94,  
21 for a project under the 2018/2019 State of New Jersey  
22 Safe and Secure Grant Program.

23 And, whereas, the Nutley Board of  
24 Commissioners have reviewed the accompanying  
25 application and has approved said request.

1           And, whereas, the project is a joint effort  
2 between Department of Law and Public Safety and the  
3 Township of Nutley Police Department for the purpose  
4 described in the application.

5           Now, therefore, be it resolved by the Nutley  
6 Board of Commissioners that: One, as a matter of  
7 public policy that the Township of Nutley Police  
8 Department wishes to participate in the fullest extreme  
9 possible with the Department of Law and Public Safety;  
10 two, the Attorney General received funds on behalf of  
11 the applicant; three, the Division of Criminal Justice  
12 shall be responsible for receipt and review of  
13 applications of said funds; four, the Division of  
14 Criminal Justice shall initiate allocations to each  
15 applicant as authorized. I move the resolution.

16           MAYOR SCARPELLI: Second.

17           THE CLERK: Commissioner Tucci?

18           COMMISSIONER TUCCI: Aye.

19           THE CLERK: Commissioner Evans?

20           COMMISSIONER EVANS: Aye.

21           THE CLERK: Commissioner Petracco?

22           COMMISSIONER PETRACCO: Aye.

23           THE CLERK: Mayor Scarpelli?

24           MAYOR SCARPELLI: Aye.

25           COMMISSIONER PETRACCO: That's all I have.

1           MAYOR SCARPELLI: Thank you, Commissioner.

2           Whereas, the Township of Nutley needs to  
3 acquire the service of an independent planning expert  
4 to assist the Zoning Board of Adjustment as a non-fair  
5 open contract, pursuant to the provisions of N.J.S.A.  
6 19:44A-20.4 or 20.5 as appropriate.

7           Whereas, the Zoning Board of Adjustments of  
8 the Township of Nutley wish to retain an independent  
9 planning expert to assist the board in reviewing the  
10 evidence submitted with respect to applications  
11 submitted.

12           And, whereas, Section 85.13 and 85.14 of  
13 Chapter 85 of the Code of the Township of Nutley  
14 empowers the board to appoint such staff as the board  
15 may deem necessary.

16           Whereas, Paul Ricci of Ricci Planning,  
17 10 Georgian Way, Clark, New Jersey, is willing and able  
18 to provide such an expert review of plans,  
19 applications, and other documents and matters submitted  
20 before the board, to be paid a rate of \$120 per hour.

21           Whereas, the anticipated term of this  
22 contract is from January 1st through December 31st,  
23 2019.

24           Whereas, funds are available from the  
25 applicant's escrow deposit, developer's accounts.

1           Now, therefore, be it resolved by the Board  
2 of Commissioners of the Township of Nutley, County of  
3 Essex, State of New Jersey, authorizes a contract of  
4 Ricci Planning to assist the Zoning Board of Adjustment  
5 with respect to applications submitted.

6           Be it further resolved that the business  
7 disclosure, entity certification, and determination of  
8 value will be placed on file with this resolution. Be  
9 it further resolved that a notice of this action will  
10 be printed in the Nutley Sun in accordance with the  
11 local public contract law. I move the resolution.

12           COMMISSIONER TUCCI: Second.

13           THE CLERK: Commissioner Tucci?

14           COMMISSIONER TUCCI: Aye.

15           THE CLERK: Commissioner Evans?

16           COMMISSIONER EVANS: Aye.

17           THE CLERK: Commissioner Petracco?

18           COMMISSIONER PETRACCO: Aye.

19           THE CLERK: Mayor Scarpelli.

20           MAYOR SCARPELLI: Aye. Whereas, raffle  
21 applications were received from the following  
22 organizations: Knights of Columbus Number 14712 Holy  
23 Family Council, License Number 6-19, off-premise  
24 merchandise raffle, to be held Sunday, April 28th,  
25 2019; Friends of Phoenix Center Foundation

1 Incorporated, License Number 7-19, on-premise 50/50  
2 cash raffle, and License Number 8-19, Casino Night,  
3 both to be held Friday, May 3rd, 2019.

4           Whereas, the applications have been reviewed  
5 and approved by the Municipal Clerk and the  
6 Police Department.

7           Now, therefore, be it resolved by the Board  
8 of Commissioners of the Township of Nutley, County of  
9 Essex, State of New Jersey, that the aforementioned  
10 licenses are approved, and the Municipal Clerk is  
11 authorized to issue the raffle licenses. I move the  
12 resolution.

13           COMMISSIONER TUCCI: Second.

14           THE CLERK: Commissioner Tucci?

15           COMMISSIONER TUCCI: Aye.

16           THE CLERK: Commissioner Evans?

17           COMMISSIONER EVANS: Aye.

18           THE CLERK: Commissioner Petracco?

19           COMMISSIONER PETRACCO: Aye.

20           THE CLERK: Mayor Scarpelli.

21           MAYOR SCARPELLI: Aye.

22           Whereas, the Board of Commissioners of the  
23 Township of Nutley honors the heritage of  
24 African-Americans and acknowledge their many  
25 contributions to our Nation, our State, and our

1 Township.

2           Whereas, Dr. Carter Godwin Woodson  
3 established Black History Month in February of 1926,  
4 choosing a month that marks the birthdays of two  
5 important men who greatly impacted the African-American  
6 population, Abraham Lincoln and Frederick Douglass.

7           And, whereas, in the year 1976, the  
8 observance was expanded to Black History Month,  
9 celebrating freedom, equality, and opportunity, and in  
10 1996, renamed National African-American History Month.

11           Now, therefore, be it resolved by the Board  
12 of Commissioners of the Township of Nutley to celebrate  
13 National African-American History Month 2019 and honor  
14 the many achievements and contributions made by  
15 African-Americans to our economic, cultural, and  
16 spiritual development in our nation, our state, our  
17 township. I move the resolution.

18           COMMISSIONER TUCCI: Second.

19           THE CLERK: Commissioner Tucci?

20           COMMISSIONER TUCCI: Aye.

21           THE CLERK: Commissioner Evans?

22           COMMISSIONER EVANS: Aye.

23           THE CLERK: Commissioner Petracco?

24           COMMISSIONER PETRACCO: Aye.

25           THE CLERK: Mayor Scarpelli?

1                   MAYOR SCARPELLI:  Aye.

2                   Be it resolved that the Board of  
3 Commissioners of the Township of Nutley, County of  
4 Essex, New Jersey, that in accordance with the  
5 provision of R.S. 40A:4-59, the following transfers of  
6 2018 appropriation reserves be and the same are hereby  
7 authorized and approved:  From City of North Water,  
8 \$20,000, to Passaic Valley Water, \$20,000.  I move the  
9 resolution.

10                   COMMISSIONER TUCCI:  Second.

11                   THE CLERK:  Commissioner Tucci?

12                   COMMISSIONER TUCCI:  Aye.

13                   THE CLERK:  Commissioner Evans?

14                   COMMISSIONER EVANS:  Aye.

15                   THE CLERK:  Commissioner Petracco?

16                   COMMISSIONER PETRACCO:  Aye.

17                   THE CLERK:  Mayor Scarpelli?

18                   MAYOR SCARPELLI:  Aye.

19                   That concludes the business portion of our  
20 meeting.  Madam Clerk?

21                   THE CLERK:  Yes, Mayor.  All persons  
22 addressing the Board of Commissioners regarding  
23 community concerns should approach the microphone and  
24 provide their name and address for the record.  Unless  
25 further time is granted by the board, each person shall

1 limit their address to five minutes. All remarks to  
2 the board and its individual members must be addressed  
3 to the mayor.

4 The mayor may defer citizens' comments to the  
5 appropriate member of the board. Dialogue between  
6 citizens and others addressing the board shall be  
7 allowed, unless the mayor or presiding officer, or the  
8 majority of the membership of the board shall determine  
9 that the interests of the quorum and/or the expeditious  
10 conduct of municipal business are being adversely  
11 affected by such dialogue.

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

14 MR. WALLACE: Good evening. Glenn Wallace,  
15 106 Hopper Ave. I have a question for the mayor. I'd  
16 like to know if there's any policy on the public  
17 portion of the open comment at the meeting. The reason  
18 I ask is that I notice that the format has changed a  
19 few different times.

20 I've also noticed that some of the questions  
21 have gone unanswered. It seems to me that the more the  
22 citizens of Nutley search for transparency and  
23 accountability, the more roadblocks come up. So, I'm  
24 going to go back to the questions that were unanswered  
25 for me the last time I asked.

1           Regarding the township handbook, I asked --  
2           one of the questions I asked that was unanswered is  
3           whose responsibility was the town handbook? And it  
4           also states that it's supposed to be updated annually,  
5           and it hasn't been, obviously, and why does it take 21  
6           years to update a handbook?

7           Okay. And my final question regarding that  
8           handbook is on the last page of it, there's a stamp  
9           with a different town's name. And I was wondering, did  
10          we borrow that from another town?

11          My next question is for me, personally. My  
12          sidewalks in front of my house are a mess. Now, a  
13          couple times, I have emailed our sidewalk inspector,  
14          and I didn't get an email back, but I did in August get  
15          a phone call from somebody from the DPW. They stated  
16          that they were looking at my sidewalks, they found out  
17          that there was damage to them, and they will be  
18          replacing them, soon. Okay, so that was in August, the  
19          sidewalks have gotten worse. I noticed that it's not  
20          just my house. There's plenty of other areas in town.

21          Now, just to make it clear, my sidewalk was  
22          damaged from the town tree, and a lot of residents are  
23          unclear, or not aware, that if the town tree disrupts  
24          the sidewalk, it then becomes their responsibility. So  
25          I also called my insurance company, because I don't

1 want the responsibility, and they said it was not my  
2 responsibility. I do have little kids living right  
3 next door to me that are constantly going back and  
4 forth. One of these days, I know one of them's going  
5 to get hurt.

6 So I would like to find out when, I mean, I  
7 understand we're in the middle of winter now, but when  
8 these could be fixed, because it's really getting  
9 worse. It's really getting worse. Now I have like  
10 three inches of water that I have to cross over just to  
11 get to my stairs. The curb is out about six inches.

12 Lastly, I'd like to know, I noticed in the  
13 paperwork that we submitted that -- regarding the  
14 overtime, time and a half, certain people aren't going  
15 to get it, and I just was curious, who is our municipal  
16 engineer? I didn't even know we had one. I know we  
17 used to have one, but I see they don't get overtime,  
18 the superintendent doesn't get overtime, and so, so  
19 that was just out of curiosity. Thank you.

20 MAYOR SCARPELLI: Thank you, Mr. Wallace.

21 COMMISSIONER TUCCI: Mayor, can I answer one  
22 of his questions?

23 MAYOR SCARPELLI: Sure.

24 COMMISSIONER TUCCI: If you don't mind?

25 MAYOR SCARPELLI: Sure.

1           COMMISSIONER TUCCI: Mr. Wallace, as far as  
2 the township tree is concerned, and the sidewalk that  
3 was damaged as a result of that, you should be calling  
4 the Parks Department. That comes under our purview. I  
5 will forward your address -- that's 106 Hopper, is that  
6 correct -- to Mr. DeMaio, who is here, and I'm sure  
7 he's writing that down as we speak, and as soon as the  
8 weather breaks, we will, in fact, repair that sidewalk  
9 for you. Okay? That's not a DPW responsibility,  
10 that's a Parks Department responsibility. So we can  
11 take care of that.

12           MR. WALLACE: I apologize.

13           COMMISSIONER TUCCI: No, no problem, no  
14 problem, I just wanted to clarify that.

15           Sorry, Mayor.

16           MAYOR SCARPELLI: That's all right. I will  
17 -- I'll add on to Commissioner Tucci that we work  
18 together on some of these issues --

19           COMMISSIONER TUCCI: Yes, we do.

20           MAYOR SCARPELLI: -- to resolve some of the  
21 sidewalk issues. I will advise Mr. Wallace, I'm not an  
22 attorney, I'm not an insurance expert, but I think if  
23 your insurance company said that you're not responsible  
24 for those sidewalks, that may not be correct, if  
25 they're on your property. So just a word of advice.

1           Mr. Genitempo, do you want to address the  
2 handbook issue?

3           MR. GENITEMPO: Yes, Mr. Mayor. I don't know  
4 what the reference was to another town, I don't -- I  
5 haven't seen that. In fact, I thought I could  
6 hopefully finalize it today and get it distributed, but  
7 our new one will be ready -- we're not required to  
8 change it every year. We're required to review it, to  
9 make sure that it's still a valid document, which we  
10 have done over the years. But I expect by the next  
11 meeting, the commissioners, and I hope to have this to  
12 them by tomorrow or the next day, a final, final draft  
13 of all those two documents, and we --

14           COMMISSIONER TUCCI: Sorry, Alan --

15           MR. GENITEMPO: I just started --

16           THE CLERK: Sorry.

17           MR. GENITEMPO: -- I -- that wasn't five  
18 minutes for me.

19           THE CLERK: I'm sorry.

20           MR. GENITEMPO: That was about 30 seconds.

21           COMMISSIONER TUCCI: We got a fast clock.

22           MR. GENITEMPO: Yeah. And I fully expect the  
23 commissioners will be okay with it, and we'll adopt it  
24 by resolution at the next meeting. It'll be  
25 distributed soon thereafter to all the employees. But

1 we have had a valid handbook in place, and it's  
2 supposed to be distributed to every new employee, and  
3 from my understanding, it is. We're at a little bit of  
4 a disadvantage because of our form of government, we  
5 kind of have five different sections, but, you know,  
6 unfortunately, Kevin Harkins undertook to redo it, and  
7 of course we know what happened to Kevin, and it just  
8 took me some time to get around to it, but hopefully it  
9 will be done. Thank you.

10 MAYOR SCARPELLI: Thank you, Mr. Genitempo.  
11 And as far as the municipal engineer is concerned, our  
12 municipal engineer is Todd Hay. He is an employee of  
13 Pennoni Engineering, and that's who our official town  
14 engineer -- he is not paid, as an employee of the  
15 township. He is part of our contract with Pennoni. So  
16 even though that language is still in the ordinance,  
17 that currently is not a township employee. Anybody  
18 else wish to address the Board of Commissioners this  
19 evening?

20 MS. SPENCE: Hi, good evening everybody. My  
21 comment is about the parking --

22 MAYOR SCARPELLI: State your name and your  
23 address.

24 MS. SPENCE: Oh, I'm sorry. Annelise Spence,  
25 and I live at 302 Harrison Street. My comment is about

1 the parking ordinance that was recently put into effect  
2 on Conduit Place. The ordinance restricts commuter  
3 parking, but it states that parking decals are  
4 available to residents on Conduit Place. This is  
5 problematic because Conduit Place actually doesn't have  
6 any residences. This is a side street with no  
7 driveways or addresses. All of the residences that  
8 border Conduit Place do have their own driveways, and  
9 also their own street parking in front of their houses  
10 on either White Terrace or Highfield Lane.

11 My question is, if those homes are eligible  
12 for the parking decals, as a Nutley homeowner and  
13 taxpayer, am I also eligible to apply for one of the  
14 parking decals?

15 COMMISSIONER PETRACCO: Are you guys having a  
16 problem with commuter parking over there?

17 MS. SPENCE: Personally, yes, I am, because  
18 that was where I parked, and give or take --

19 COMMISSIONER PETRACCO: So you were parking  
20 on Conduit?

21 MS. SPENCE: Yes.

22 COMMISSIONER PETRACCO: So you live on  
23 Harrison, but you were going over there and parking?

24 MS. SPENCE: Uh-huh.

25 COMMISSIONER PETRACCO: Yeah.

1 MS. SPENCE: Yeah, because there's not a lot  
2 of -- I'm kind of in the middle of nowhere, no great  
3 commuter options, I've tried a few. So now I am  
4 parking on Washington Avenue, down a street with no  
5 sidewalks.

6 COMMISSIONER PETRACCO: Yeah. You know, we  
7 did this as a pilot program, and we are getting phone  
8 calls from Nutley Ave. now that people are parking, and  
9 we just seem to be pushing the problem around, and  
10 that's a big reason why we did it as a pilot program  
11 right now, to address some of these issues. You know,  
12 that's something we have to look into because the thing  
13 that -- my goal is not to chase Nutley people out of  
14 Nutley, like yourself, that are saying, I'm trying to  
15 commute, and it's a long walk, and all that stuff.

16 You know, I'm going to have Sam write that  
17 stuff down, and maybe you could exchange numbers, and  
18 we could have a conversation about it because we're  
19 trying to build enough information to get to a better  
20 situation of a bad situation because when you live at  
21 these houses, and everybody's parking in front of them,  
22 people are complaining, you know. And I feel their  
23 pain.

24 You know, at first we thought a lot of the  
25 people that were doing that were from out of town, you

1 know, so when we have somebody from town, that's an  
2 issue. I mean, does that trolley go by Harrison, or  
3 how does the trolley work?

4 COMMISSIONER TUCCI: I'm not sure that that's  
5 part of the route --

6 COMMISSIONER PETRACCO: I'm saying, like  
7 she's a commuter --

8 COMMISSIONER TUCCI: -- but if there is a  
9 need, we can -- obviously, we can redirect it, if we  
10 have enough folks to pick up there that need to --

11 MS. SPENCE: Right --

12 COMMISSIONER TUCCI: -- get transportation to  
13 the station.

14 MS. SPENCE: -- yeah. And that's definitely  
15 an option that I'm open to, but I kind of like my  
16 commute, I kind of liked my commute, I kind of liked  
17 parking there, I liked getting on my bus at that  
18 particular stop, it's very convenient for me in  
19 general, and again, that street is currently not being  
20 used at all. I don't think I've seen parking on it one  
21 time, because they have parking.

22 So looking out their window to see one car  
23 parked, two cars, three cars, however many homeowners  
24 that actually are using that particular street for a  
25 couple hours, I don't know. I mean, I do understand

1 how 16 cars becomes a problem, but from my perspective,  
2 it's not their street. It's just as much my street,  
3 and I should be able to park there as well.

4 COMMISSIONER PETRACCO: Yep, and a couple  
5 months ago, there was 30, 40 people telling us that it  
6 is their street --

7 MS. SPENCE: Thirty or forty? I don't think  
8 so. I don't think --

9 COMMISSIONER PETRACCO: -- and it's -- and I  
10 -- and I know it's not, technically, I know it's not,  
11 but, you know, we're trying to make a very difficult  
12 situation a little better, and I have to tell you, at  
13 the end of this, I don't know that it is going to be  
14 any better or worse, so again, that's why we did it as  
15 a pilot, and we're open to the discussion, so I hear  
16 what you're saying.

17 MS. SPENCE: Excellent. And in the meantime,  
18 is it possible to be eligible for a decal?

19 COMMISSIONER PETRACCO: I would have to say  
20 the answer to that right now is no, but we could  
21 discuss it. I don't think, from what we've drawn up,  
22 that it is an option. If there --

23 MS. SPENCE: There's no residence on that  
24 street. There is not an address on that street.

25 UNIDENTIFIED: It needs an address --

1           COMMISSIONER PETRACCO: Sandra, why don't you  
2 talk into the mic, this way they could --

3           MS. CARELLA: Sandra Carella, 19 Dogwood  
4 Lane. The reason that Conduit was included in that was  
5 because there were a lot of cars that were getting  
6 there at 5 in the morning, they were slamming their  
7 doors, they were emptying their trash, and it was a  
8 real hindrance to the homeowners on those corners. So  
9 that's why for those couple people that did that, they  
10 ruined it for the rest of you. And that leads to  
11 constant calls --

12           COMMISSIONER PETRACCO: Yeah, no, I remember.

13           MS. CARELLA: -- so right.

14           MS. SPENCE: Right. But I mean  
15 (indiscernible).

16           MS. CARELLA: No, there's homeowners, but the  
17 homeowners are on that part of the street.

18           MS. SPENCE: They're also allowed to get  
19 decals to park there.

20           COMMISSIONER PETRACCO: I think, Sam, what I  
21 think we should do is have -- why don't we exchange  
22 information --

23           MS. SPENCE: Right.

24           COMMISSIONER PETRACCO: -- because we could  
25 debate it all night, here, back there, back and forth.

1 MS. SPENCE: Yes.

2 COMMISSIONER PETRACCO: And I just want to  
3 let you know, I'm not -- I think you bring a good point  
4 to view, and maybe we can extend that, but it's  
5 something that we have to look into.

6 MS. SPENCE: Thank you.

7 MAYOR SCARPELLI: Commissioner, you made it a  
8 six-month pilot, so --

9 COMMISSIONER PETRACCO: Yes.

10 MAYOR SCARPELLI: -- so you can review those  
11 issues after six months. So --

12 COMMISSIONER PETRACCO: And this is really  
13 good that you came, because that's part of the process.  
14 What we want is to get as much feedback, and see what's  
15 going to work.

16 MAYOR SCARPELLI: Anybody else wish to  
17 address the Board of Commissioners this evening?  
18 Seeing none, move to adjourn.

19 COMMISSIONER TUCCI: Second.

20 THE CLERK: Commissioner Tucci. Commissioner  
21 Tucci?

22 MAYOR SCARPELLI: Commissioner.

23 COMMISSIONER TUCCI: Aye.

24 THE CLERK: Commissioner Evans.

25 COMMISSIONER EVANS: Aye.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Mayor Scarpelli.

4 MAYOR SCARPELLI: Aye. Good night,  
5 everybody.

6 THE CLERK: The time is 8:59.

7 (End of recording)

8 \* \* \* \* \*

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T I O N

I, Ilene Watson, court-approved transcriber,  
hereby certify that the foregoing is a correct  
transcript from the official electronic sound recording  
of the proceedings in the above-entitled matter.

---

ILENE WATSON, AAERT NO. 447      DATE: February 20, 2019  
ACCESS TRANSCRIPTS, LLC