

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

Transcript of Proceedings
March 19, 2019
Conference Session



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Conference Session

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

*** CONFERENCE SESSION ***

DATE: March 19, 2019

BOARD OF COMMISSIONERS:

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

ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 THE CLERK: Board of Commissioners Public
3 Meeting, Tuesday, March 19th, 2019. The time is 7:07
4 p.m. 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?

12 COMMISSIONER ROGERS: Here.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Here.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Here.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Here.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Here.

21 THE CLERK: All present, Mayor.

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

24 COMMISSIONER PETRACCO: I have a couple
25 resolutions only. Okay. Appointment of Adriana Russo

1 as our interim municipal court administrator for one
2 year and then a medical leave of absence without pay
3 for Linda DiModica.

4 COMMISSIONER PETRACCO: And is that a guard?

5 THE CLERK: DiModica.

6 UNIDENTIFIED: The guard?

7 THE CLERK: The guard.

8 COMMISSIONER PETRACCO: Yeah, (indiscernible)
9 guard. I believe so.

10 MAYOR SCARPELLI: Is that interim until they
11 get tenured or --

12 COMMISSIONER PETRACCO: Do you know why that is
13 with Adriana?

14 MAYOR SCARPELLI: Commissioner Evans.

15 COMMISSIONER EVANS: Why is it interim? I --

16 THE CLERK: She's not finished her classes
17 yet.

18 COMMISSIONER EVANS: She's got to finish up?
19 Okay.

20 MAYOR SCARPELLI: Commissioner Evans. I said
21 "Commissioner Evans." That's you. You're Evans, yeah.

22 COMMISSIONER PETRACCO: And I would also like
23 a short executive on the technical personnel issue.

24 COMMISSIONER EVANS: I have a code
25 enforcement report for the present month of February,

1 and I have -- tonight, we also have the temporary
2 budget authorization. Tonight, we'll see that. And
3 then, I have resolutions -- a resolution for just
4 basically three temporary appropriations and a couple
5 overpayments of taxes. We do -- we hear these on
6 anticipation of this short-term one-year financing.
7 The rates remain favorable for that.

8 The last piece is the resolution of the
9 board. It's in my area, but it's a resolution of
10 the board, requesting a preliminary investigation of
11 the Ciccolini property in that area on Franklin Avenue
12 to determine if it's an area that qualifies as an area
13 in need of redevelopment.

14 We also have updated draft budget
15 schedules. I gave them all to you guys, which these
16 drafts basically show that the levy impact is down at
17 3.61 percent at this point, or \$1.5 million. It also
18 continues if you basically look at the fact that we
19 have more work to do as best we can. We don't have to
20 do the budget introduction tonight as we were told. The
21 State extended the date to March 29th or the first
22 meeting following, which now is the first meeting in
23 April for budget introduction.

24 So I want to give this to you. You guys take
25 a look at it, see if there's the update and the numbers

1 track this time. It does show overall we're -- the
2 increase to the taxpayer, which was at 209 in the last
3 round, is at 166 today. So it's coming down.

4 You also have in your packet a draft -- set
5 of slides that talk to the budget that I think -- the
6 goal is to get very plain language out explaining
7 what's involved with calculating the tax rate, how
8 property taxes are distributed across the municipal,
9 the school, the county and library and the open space
10 areas. Also, to help people understand that while we
11 collect the money, what's the money being spent on and
12 how is it being spent?

13 So there's a slide in here that talks to the
14 distribution of our budget, the appropriation budget.
15 And it's not by department. It's by category of
16 service. So police and fire services, roadway, sewer,
17 sewer treatment, street lighting, parks, buildings,
18 tree maintenance, recreation, our administrative
19 operations, which include legal, treasury, IT, the
20 municipal clerk's office, the construction code
21 enforcement office, health and veteran services, and
22 garbage collection, as well as the library of services.
23 And it shows the distribution of our municipal
24 appropriation.

25 So as of today, for example, the municipal

1 budget is at 55 -- 25 million appropriation excluding
2 transitional aid, and of that distribution, 40 percent
3 of what we spend money on is in -- obviously, it would
4 make sense given the nature of the service -- in police
5 and fire services. We have another 20 percent that
6 goes into debt service, insurance other than medical,
7 and our reserve fund for uncollected taxes. And then,
8 we have 14 percent deals with roadway, sewer, sewer
9 treatment, street lighting. Another 8 percent tracks
10 to our parks, buildings, tree maintenance, recreation,
11 and, you know, things like oil, electricity, stuff like
12 that to support the buildings. And then, we have, you
13 know, our administrative services, which I mentioned
14 before as legal, treasury, IT, municipal clerk's
15 office, construction code office, which is another 8
16 percent. And then, health and veteran services and
17 garbage collection, which the bulk of that is garbage
18 collection, is another 7 percent. And then, in our
19 appropriation is the allocation to the library to
20 support library services at roughly 3 percent.

21 So you look at the allocation. These are
22 draft slides, and I'm working on them. It gets it away
23 from saying, you know, this line item or that line
24 item. It really looks at it and says, where are we
25 spending money and what are the services that we're

1 providing to the municipality that link to the health,
2 welfare, and safety of the community. So I'm working
3 on that.

4 COMMISSIONER PETRACCO: So, Tom, let me excuse
5 myself one second. So we're -- I'm just looking at the
6 slide that we were just on. So now, I know my budget
7 wasn't 23 million, but you have 23 million here.

8 COMMISSIONER EVANS: Your budget is -- it's
9 not your budget. It's what's the cost of public -- of
10 police and fire services, so it actually also includes
11 pension and healthcare costs that are related to them,
12 fuel costs. So you have, like, fuel for the whole
13 city, the whole town in your budget, but that budget --
14 in this analysis, the fuel budget is spread through all
15 of the departments.

16 COMMISSIONER PETRACCO: So just so I understand
17 it, so what you did is you pulled some charts, the
18 pension contributions, all that stuff. So in other
19 words, when I look at this 40 percent, even though that
20 insurance is in Mauro's department. You just did
21 man by man, person by person of what all --

22 COMMISSIONER TUCCI: He broke it out.

23 COMMISSIONER TUCCI: Broke it out.

24 COMMISSIONER EVANS: Just to get it because I
25 would look to -- just don't look at this as your

1 budget, okay, because this is --

2 COMMISSIONER TUCCI: Ours.

3 COMMISSIONER EVANS: -- services. This is
4 the services. So we're taking in \$55 million. We're
5 costing 23.2 million to provide for public safety.

6 COMMISSIONER TUCCI: Yeah.

7 COMMISSIONER EVANS: Okay. It's costing us
8 a --

9 COMMISSIONER TUCCI: All in, so to speak.

10 COMMISSIONER EVANS: All in. Yeah, all in.
11 It's costing us, for example, 7.9 million to take care
12 of the roadways, sewer maintenance, treatment of
13 sewage, right, and street lighting isn't free, right?
14 We have to pay the PSE&G for street lighting and to the
15 cost of recycling. Free health -- all the health
16 services, the veterans' bureau, garbage collection,
17 those types of things are in our health and veterans'
18 services area.

19 So it just goes to a plain language and say,
20 this is how -- it's no one department. It just
21 basically says from the municipal standpoint, this is
22 how the money gets spent.

23 COMMISSIONER ROGERS: Commissioner, one thing
24 I'd like to make note of, the police department now has
25 animal control, and that's \$75,000. We're going to

1 continue with public affairs to pay that bill for you,
2 all right?

3 COMMISSIONER PETRACCO: I appreciate that,
4 sir.

5 COMMISSIONER ROGERS: You've got enough
6 problems. All right?

7 COMMISSIONER PETRACCO: I agree.

8 COMMISSIONER ROGERS: I don't know if that'll
9 impact the budget, at least our budget, in any way,
10 but --

11 COMMISSIONER EVANS: This is appropriation in
12 paying it.

13 COMMISSIONER ROGERS: Okay.

14 COMMISSIONER EVANS: It just -- it shows as
15 an increase in your department.

16 COMMISSIONER ROGERS: All right.

17 COMMISSIONER EVANS: As of right now, it
18 shows as an increase in your department.

19 COMMISSIONER ROGERS: Okay. Well, I don't --

20 COMMISSIONER EVANS: If you wanted to give
21 it --

22 COMMISSIONER PETRACCO: In other words, if he
23 was paying the 75,000 --

24 COMMISSIONER ROGERS: My increase is 103,000.
25 It would be 28,000 without the 75.

1 COMMISSIONER EVANS: Or -- right, or --

2 COMMISSIONER ROGERS: But --

3 COMMISSIONER EVANS: -- it's (indiscernible)
4 tax dollars.

5 COMMISSIONER ROGERS: -- in the spirit of --
6 okay.

7 COMMISSIONER EVANS: It doesn't -- it really
8 doesn't matter. I mean, it belongs in -- part of
9 public safety services is animal control.

10 COMMISSIONER ROGERS: Right.

11 COMMISSIONER EVANS: So if it belongs there,
12 then we can move it to get it into the right account.
13 That's not a problem.

14 COMMISSIONER ROGERS: No, I have
15 no problem. We're paying it anyway.

16 COMMISSIONER EVANS: Yeah.

17 COMMISSIONER ROGERS: Okay. But I just, you
18 know, I just -- you know, I'm looking over the budget.
19 I'm seeing the problems you're facing with keeping cops
20 off the street. That's the issue, okay. So if I can
21 do at least our part.

22 COMMISSIONER EVANS: Yeah, but Steve, my
23 point is in order for us all to do our part and for --
24 to do the municipal appropriation is \$55 million,
25 right? So all this says is not, you know, your budget

1 could be lower but you're keeping some money and help
2 the public affairs department away from public safety.
3 This particular analysis doesn't do that. It basically
4 says this is a service area. It goes there, and it's
5 neutral as to which department because it's just how
6 the money moves.

7 COMMISSIONER ROGERS: Yeah, okay, good.

8 COMMISSIONER EVANS: It sort of takes the
9 middle man out of it and says the money coming in, how
10 is this being spent? And the idea is to, you know,
11 recognize that -- maybe because administratively, you
12 know, for example, the sewer bill is in the revenue and
13 finance department, right. I -- you know, I wouldn't
14 know anything about sewage. It's really a DPW area
15 from a service standpoint. Administratively, it just
16 happens to be in my budget.

17 COMMISSIONER ROGERS: The same.

18 COMMISSIONER EVANS: So the idea is I just
19 moved it to where it belongs to show that's the cost of
20 maintaining our roads, processing our sewage, as well
21 as treating the sewer line.

22 COMMISSIONER ROGERS: I just wouldn't want it
23 to be moved there, and then they've got to take more
24 money out of their budget to pay for it. I want to
25 make sure that it's coming out of ours.

1 COMMISSIONER EVANS: When we look at the
2 budget, the appropriation -- our appropriation is up
3 with \$1.3 million, right? So if we're going to be
4 taking money out, anywhere we can find money to take
5 out, not just public safety who should be taking it out
6 (indiscernible).

7 COMMISSIONER ROGERS: Thank you. I just
8 needed some clarification.

9 COMMISSIONER EVANS: That's all. And I can't
10 say that those are great clarification because I think
11 a lot of times, we get hung up on department, this
12 department, this department, or what this thing is
13 doing. The important thing is to get the plain
14 language and explain to the taxpayers how the money is
15 being spent.

16 And the next slide says, well, where do we
17 get revenue from and how do we -- how does that break
18 out. And that, you know, kind of shows, you know, the
19 next piece of it. And it says, you know, we get
20 \$6.1 million in state aid. We get -- we take, each
21 year -- as you guys know, if we don't spend all the
22 money, we sweep it. It goes into our fund balance, and
23 then 75 percent of the fund balance is reapplied to
24 lower the tax levy. So that's 4.65 million being
25 returned to the taxpayers from the previous year's

1 budget.

2 Anyway, this analysis is simply just to say
3 where is it the revenues come from, and you know,
4 logically, most of the revenue comes from taxpayers,
5 72 percent comes from the taxpayers. And I wanted to
6 do (indiscernible) because we are very conservative
7 about how we spend money, especially on a capital
8 basis, and basically while at a municipal level, we
9 could borrow up to \$131 million, we probably have
10 outstanding \$13.7 million, or 9 percent of what we're
11 able to borrow as now we have a strong fund rating. And
12 if you look at our debt, it's like a mortgage. It's
13 two-and-a-half percent over ten years. So -- and then
14 (indiscernible) within that, it keeps on allowing us to
15 do the capital appropriation every year, which we try
16 and keep it around one-and-a-half million.

17 COMMISSIONER PETRACCO: And we're at double-A?

18 COMMISSIONER EVANS: AA2, yeah.

19 COMMISSIONER PETRACCO: Weren't we AAA at one time?

20 COMMISSIONER EVANS: No.

21 COMMISSIONER PETRACCO: That's the highest
22 standard?

23 COMMISSIONER EVANS: So far. (Indiscernible).
24 Absent the variable with (indiscernible) trade now, our bond
25 rating would be (indiscernible). So that's it. I

1 didn't -- this is something I'm working on, and I'm
2 sharing it with you. So, guys, I'd like your feedback
3 on this. If there's anything we can do to make these
4 things plainer, more clarity, if there's anything you
5 think we should add. I didn't want to make it too long
6 because I think this is a baseline for helping the
7 taxpayers.

8 One of the slides I wanted to have on how to
9 calculate property taxes based upon 2018 because we
10 don't have the '19 numbers yet, but that's the concept.
11 So if you look at this, I really would like any
12 feedback you can give me. I'd appreciate it. That's
13 all I have.

14 MAYOR SCARPELLI: Commissioner Rogers.

15 COMMISSIONER ROGERS: Mayor, I have nothing.
16 Thank you.

17 MAYOR SCARPELLI: Thank you, Commissioner.

18 Mr. Tucci?

19 COMMISSIONER TUCCI: Thanks for showing up.

20 What do I have? I have a -- I believe I have
21 a shade tree report for the month of February, and I
22 have a budget transfer that I understand a portion of
23 it. I have an award to Contemporary Glass for some
24 renovations, particularly in the clerk's area, put some
25 protective glass down there, and I have an award of

1 contract to Preferred Outdoor Experience, and this is
2 goose control because the first warm day and they're
3 out there already. They're pecking on my doors on
4 Passaic Avenue of my business, and they need to go.
5 That's all I have.

6 MAYOR SCARPELLI: Okay. Needs to be moved.

7 COMMISSIONER TUCCI: We're not going to eat
8 them, we're just going to move them.

9 MAYOR SCARPELLI: Alive or --

10 COMMISSIONER TUCCI: Alive. They peck on the
11 doors.

12 MAYOR SCARPELLI: I have various raffle
13 applications and a budget transfer, and just a reminder
14 that Thursday's student government day.

15 Madam Clerk?

16 COMMISSIONER PETRACCO: are we having a meeting?

17 MAYOR SCARPELLI: We're going to do the parks
18 and rec. No, we're going to -- we did -- last year, we
19 did the speeches at the end. Kids got up and talked.

20 MAYOR SCARPELLI: Madam Clerk.

21 THE CLERK: We have meeting minutes for
22 approval for February 19th and two event applications.
23 One is for the annual Memorial Day parade, and the
24 other one is for the Nutley Elks for Saturday, April
25 13th. And that's it.

1 MAYOR SCARPELLI: Just a reminder, that's our
2 100th Annual Memorial Day Parade.

3 THE CLERK: One hundred.

4 MAYOR SCARPELLI: So it's kind of a big, big
5 thing. I don't know of any other town that has a 100
6 year or more. Perhaps sure they're out there, but I
7 don't know of any.

8 COMMISSIONER PETRACCO: Well, if we don't know,
9 them they can't (indiscernible).

10 MAYOR SCARPELLI: That's good.

11 COMMISSIONER PETRACCO: How important are they?

12 COMMISSIONER EVANS: (Indiscernible) 65 or 66
13 of them.

14 UNIDENTIFIED: (Indiscernible).

15 MAYOR SCARPELLI: Mr. Genitempo, do you have
16 anything?

17 MR. GENITEMPO: Nothing.

18 MAYOR SCARPELLI: So we have a short
19 personnel?

20 MR. GENITEMPO: Yes.

21 MAYOR SCARPELLI: Short personnel. We have a
22 motion to go into executive to discuss personnel?

23 COMMISSIONER ROGERS: Second.

24 THE CLERK: Whereas, Section 8 of the Open
25 Public Meetings Act, Chapter 231, Public Law 1975,

1 permits the exclusion of the public from a meeting in
2 certain circumstances; and whereas, the public body is
3 of the opinion that such circumstance exists; and
4 whereas, the Board of Commissioners of the Township of
5 Nutley, in the County of Essex, and State of New Jersey
6 desires to proceed to closed executive session; and
7 now, therefore be it resolved by the Board of
8 Commissioners of the Township of Nutley to move into
9 closed executive session to discuss personnel.

10 Be it further resolved, that the time when
11 such discussions may be disclosed to the public shall
12 be when and as such disclosure may be made without
13 adversely affecting the Township of Nutley pending
14 and/or anticipated legal, personnel, contractual
15 matters and other matters within the exceptions
16 provided for by statute.

17 THE CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

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?

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MAYOR SCARPELLI: Aye.

THE CLERK: Time is 7:19.

(End of recording)

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

I, Alicia Jarrett, 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, and to the best of my ability.

ALICIA JARRETT, AAERT NO. 428 DATE: April 3, 2019
ACCESS TRANSCRIPTS, LLC

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In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

March 19, 2019

Public Session



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

*** PUBLIC SESSION ***

DATE: March 19, 2019

BOARD OF COMMISSIONERS:

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

ALSO APPEARING:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 (Pledge of Allegiance)

3 MAYOR SCARPELLI: Good evening, folks.

4 (Indiscernible). Apologize for the late start tonight.

5 Madam Clerk?

6 THE CLERK: Thank you, Mayor.

7 Board of Commissioners Public Meeting,

8 Tuesday, March 19, 2019. The time is now 8:01.

9 Pursuant to the requirements of the Open Public Meeting
10 Act, Chapter 231, Public Law 1975, notice of this
11 meeting was published in the November 29th, 2018 issues
12 of the Nutley Sun, the Herald News, and the Star-
13 Ledger. A copy of this notice has been posted on the
14 Nutley Town Hall bulletin board, and a copy is on file
15 in the Municipal Clerk's office.

16 Commissioner Rogers?

17 COMMISSIONER ROGERS: Here.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Here.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Here.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Here.

24 THE CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Here.

Public Session

3

1 THE CLERK: All present, Mayor.

2 MAYOR SCARPELLI: Minutes, Madam Clerk?

3 THE CLERK: Yes. We have Board of
4 Commissioner meeting minutes from February 19, 2019. I
5 need a motion.

6 COMMISSIONER EVANS: Move it.

7 COMMISSIONER TUCCI: Second.

8 THE CLERK: Commissioner Rogers.

9 COMMISSIONER ROGERS: Aye.

10 THE CLERK: Commissioner Tucci.

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco.

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli.

17 MAYOR SCARPELLI: Aye.

18 THE CLERK: And that's it for minutes.

19 MAYOR SCARPELLI: Communications?

20 THE CLERK: Yes. Mayor Scarpelli has
21 submitted an event application -- excuse me -- to hold
22 the 100th Annual Memorial Day Parade on Monday, May 27,
23 2019 from 10 a.m. to 1 p.m., starting at the Nutley
24 Park Oval.

25 MAYOR SCARPELLI: I'll move it.

Public Session

4

1 COMMISSIONER TUCCI: Second.
2 THE CLERK: Commissioner Rogers.
3 COMMISSIONER ROGERS: Aye.
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 THE CLERK: The Nutley Elks have submitted a
13 Social Affair Permit Application for their Night at the
14 Races fundraiser for the Nutley Family Services Bureau,
15 to be held Saturday, April 13, 2019 from 6 p.m. to
16 11:59 p.m. at 242 Chestnut Street.
17 MAYOR SCARPELLI: Motion, please.
18 COMMISSIONER TUCCI: Move it.
19 COMMISSIONER EVANS: Second.
20 THE CLERK: Commissioner Rogers.
21 COMMISSIONER ROGERS: Aye.
22 THE CLERK: Commissioner Tucci.
23 COMMISSIONER TUCCI: Aye.
24 THE CLERK: Commissioner Evans.
25 COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Petracco.

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Scarpelli.

3 MAYOR SCARPELLI: Aye.

4 Reports, Commissioner Tucci.

5 COMMISSIONER TUCCI: Yes, I have a shade tree
6 report for the month of February 2019.

7 MAYOR SCARPELLI: Commissioner Evans.

8 COMMISSIONER EVANS: Yes, I have a code
9 enforcement report for the month of February 2019.

10 MAYOR SCARPELLI: Commissioner Petracco.

11 COMMISSIONER PETRACCO: I have a public
12 safety monthly report for February 2019.

13 MAYOR SCARPELLI: Bills, Madam Clerk.

14 THE CLERK: Thank you, Mayor. Bill list for
15 March 19, 2019: public affairs, \$78,458.51; revenue
16 and finance, \$6,972,472.13; public safety, \$34,692.56;
17 public works, \$59,983.85; parks and public property,
18 \$62,248.57; water/utility, \$317,542.50; total payroll,
19 \$851,090.39; for a grand total of \$8,376,488.51.

20 COMMISSIONER EVANS: Move bills.

21 COMMISSIONER TUCCI: Second.

22 THE CLERK: Commissioner Rogers.

23 COMMISSIONER ROGERS: Aye.

24 THE CLERK: Commissioner Tucci.

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans.

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco.

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Mayor Scarpelli.

6 MAYOR SCARPELLI: Aye.

7 THE CLERK: And that's it for bills.

8 MAYOR SCARPELLI: Public comment on agenda
9 items only, Madam Clerk.

10 THE CLERK: All persons addressing the Board
11 of Commissioners regarding community concerns should
12 approach the microphone and provide their name and
13 address for the record. Unless further time is granted
14 by the board, each person should limit their address to
15 three minutes. All remarks to the board and its
16 individual members must be addressed to the Mayor. The
17 Mayor may defer citizens' comments to the appropriate
18 member of the board.

19 Dialogue between citizens and others
20 addressing the board shall be allowed, unless the
21 mayor, the presiding officer, or the majority of the
22 membership of the board shall determine that the
23 interests of the quorum and/or the expeditious conduct
24 of municipal business are being adversely affected by
25 such dialogue.

1 MR. MOORE: Rory Moore, 462 Chestnut
2 Street. Mr. Evans, I only have four questions on your
3 bill list. I like to try to avoid OPRAs this
4 week. I have exams. The first point is 3546. I
5 believe you have two for the same company. Could you
6 explain this, please.

7 COMMISSIONER EVANS: Hold on.

8 MR. MOORE: First page? Middle of the page,
9 third of the way down. 3 --

10 MR. MOORE: 3546, the top of yours?

11 COMMISSIONER EVANS: Yes. Inglesino. Yes. I have
12 multiple bills for him --

13 MR. MOORE: Could you explain those,
14 please.

15 COMMISSIONER EVANS: Sure. It relates to the
16 work that was done to get us to the point where we had
17 our financing agreements, which we adopted. So it was
18 all the negotiations associated with the financing
19 agreements, as well as the redevelopment agreement for
20 what is known as Phase 2A of the prison redevelopment
21 work.

22 Yeah, there -- Mr. --

23 MR. MOORE: What was that?

24 COMMISSIONER EVANS: There might -- we do
25 have outstanding litigation relating to the

1 environmental class-action matter, and there might be
2 some cleanup as to the co-settlement that we negotiated
3 in the fall. So just to be clear, I believe it's
4 relating to the redevelopment, but there might be some
5 of those other -- part of those bills might have some
6 of those other charges in it.

7 UNIDENTIFIED: It's very hard to hear you. I
8 can't hear a word you're saying.

9 COMMISSIONER EVANS: I'm sorry. I will move
10 closer to the mic.

11 UNIDENTIFIED: (Indiscernible).

12 COMMISSIONER EVANS: That's quite all right.
13 The question was around two bills relating to Inglesino
14 Wyciskala, and the bills primarily relate to the
15 redevelopment work on the Hoffman Laroche property now
16 known as Prism to negotiate what is known as Phase 2A,
17 which involved the -- some subdivisions in the major
18 buildings that are on the site. I don't know the
19 specific -- included in those bills, there may be some
20 other charges related to the class-action lawsuit
21 regarding environmental litigation, which is known as
22 the Baptista litigation, as well as the remainder of
23 the co-op settlement negotiation with the courts that
24 occurred in the December/January timeframe.

25 MAYOR SCARPELLI: Commissioner, can you explain

1 that the Prism bills will be reimbursed through escrow.

2 COMMISSIONER EVANS: You can say that, as
3 well. So most of the bills that you see for Prism,
4 there's others now that are coming in here for
5 Arterial, are all subject to reimbursement under the
6 redevelopment agreement by Prism, and we are in the
7 process of summarizing our reimbursement to them, and
8 we will be receiving a check shortly. And that will
9 cover the amount of fees that we incurred for the
10 beginning of Phase 2, which actually goes back earlier
11 than 2018.

12 MR. MOORE: When will that be realized? Any
13 timeframe?

14 COMMISSIONER EVANS: Yeah, very shortly
15 because we're processing the bills, and he's already
16 agreed that he would pay that bill.

17 MR. MOORE: You have another one for Ocean
18 Computers here, two down.

19 COMMISSIONER EVANS: Yes. It's --

20 MR. MOORE: What is that for?

21 COMMISSIONER EVANS: Sure. It's replacing
22 the computer in the tax collector's area.

23 MR. MOORE: The where?

24 COMMISSIONER EVANS: Tax collector.

25 MR. MOORE: And the final one is Millennial

1 [sic] again. We -- it's pretty close to 3,000.

2 COMMISSIONER EVANS: Sure. Yeah, Millennial
3 is a year contract to do grant writing services
4 and investigation, search out grants for the
5 municipality, and you had actually raised it last year
6 regarding the bill. Attached to the bill is their
7 monthly report of the grants that they researched, the
8 grants that they filed, the grants we won, and what is
9 pending. So it's that process.

10 MR. MOORE: So this is -- is this a
11 monthly --

12 COMMISSIONER EVANS: Correct.

13 MR. MOORE: Recurrent? Okay.

14 COMMISSIONER EVANS: Yes. The total fee for
15 the year for that service is \$35,000.

16 MR. MOORE: Thank you.

17 MAYOR SCARPELLI: Anybody else with to
18 address the Board of Commissions on the agenda items
19 only?

20 Seeing none, let's move to Board of
21 Commissioner announcements. Any announcements,
22 Commissioners?

23 COMMISSIONER TUCCI: I have an announcement,
24 Mayor. I have been informed that Assemblyman Caputo
25 has nominated Tom McEnery, the president of our Nutley

1 Irish-American Association, former Nutley Parade grand
2 marshal and member of the year and honoree of the
3 John V. Kelly Memorial Foundation, as well as the
4 entire Nutley Irish Association to one of the most
5 influential persons and organizations in the State of
6 New Jersey. So I'd just like to congratulate President
7 McEnery, who is here with us again this evening, and
8 the Nutley Irish for all (indiscernible).

9 And I want to thank Assemblyman Caputo for
10 recognizing both Tom and the Nutley Irish for all the
11 good that they do.

12 MAYOR SCARPELLI: Thank you, Commissioner.
13 Good news.

14 COMMISSIONER TUCCI: You're welcome.

15 MAYOR SCARPELLI: Good news.

16 COMMISSIONER ROGERS: Mayor, may I add
17 something?

18 MAYOR SCARPELLI: Sure.

19 COMMISSIONER ROGERS: Thanks, Commissioner
20 Tucci. That was good.

21 Well deserved, Mr. McEnery, and as I said at
22 the last meeting, to carry on the tradition that the
23 Nutley Irish have for this community has been an asset
24 to all of us. And thank you very much. Thank you.

25 MAYOR SCARPELLI: Any other announcements?

1 COMMISSIONER PETRACCO: I do, Mr. Mayor, if I may.
2 On a sadder note, this week, or actually last week, we
3 lost an icon in Nutley. And I know everybody on this
4 board will know who it is. That man is -- name is Al
5 Gargiulo. Tom Gargiulo's a gym teacher, I think, at
6 Lincoln school. It's his dad, Michael and Joey. And I
7 have to tell you, Al Gargiulo gave back so much to this
8 community. He was everyone's baseball coach,
9 everyone's basketball coach for many, many years with
10 coaching the Nutley Chiefs. I don't know if you
11 remember Al, Mr. Mayor.

12 MAYOR SCARPELLI: I do.

13 COMMISSIONER PETRACCO: Baseball team with
14 Billy McDonald on it, and it just brings back so many
15 good memories. And I have to say playing for Al
16 Gargiulo taught me and many other kids life lessons,
17 not just how to be a good athlete but how to be a good
18 person, how to handle yourself, how to never quit, how
19 to keep going, and how, most importantly, to pay it
20 forward. And he's a great man. He was living down in
21 Florida, I believe, the last couple years. They had
22 the memorial at Biondi's, and if we can, I'd just like to
23 have a moment of silence for a great man and my former
24 coach.

25 MAYOR SCARPELLI: If I could add --

1 COMMISSIONER PETRACCO: Please.

2 MAYOR SCARPELLI: He was a great coach. He was
3 my Legion coach. But I'd also like to add in a
4 moment's silence for Danny Marese, also, did a lot for
5 the American Legion. So if we could just have a moment
6 of silence. Thank you.

7 COMMISSIONER PETRACCO: Thank you.

8 MAYOR SCARPELLI: Commissioner Tucci,
9 resolutions?

10 COMMISSIONER EVANS: Yes, mayor. Just one
11 real quick thing.

12 MAYOR SCARPELLI: Sure.

13 COMMISSIONER EVANS: It's little early, but
14 it will be in April for our next meeting. The clerk's
15 office will be open late in April three nights for dog
16 and cat registrations. So that's coming up in the
17 month of April, so we'll say more about that. It'll be
18 up on the website. But I just wanted to start the ball
19 rolling tonight and just help people understand the
20 volume is, you know, between dogs and cats, it's a
21 couple-thousand pets that need to be processed. So
22 we're looking at whatever we can do from that
23 standpoint to provide evening hours so people can come
24 in and get their licenses up to date. We'll say more
25 about that in April when the -- when we have more, and

1 it's also -- Commissioner Rogers, you have your rabies
2 clinic, as well, that comes up in April.

3 MAYOR SCARPELLI: Okay. Any other
4 announcements?

5 COMMISSIONER PETRACCO: I'd just like to
6 dovetail a little bit on what Mauro said about the
7 Nutley Irish and Steve -- and Tom, congratulations. I
8 just wanted to make sure I didn't forget that moment of
9 silence.

10 Best parade, you know, snow, all that stuff.
11 You guys always come through, and I always have a ball
12 there myself, and I have a lot of fun with you people.
13 So, you know, with the support of Commissioner Tucci
14 and the Board of Commissioners, you know, the Nutley
15 Irish, I just want to say God bless you and keep it
16 going. You're really doing a good job. Thank you.

17 MAYOR SCARPELLI: Resolutions.

18 COMMISSIONER TUCCI: Okay. Here we go.

19 Be it resolve, by the Board of Commissioners
20 of the Township of Nutley, County
21 of Essex, New Jersey that in accordance with the
22 provision of R.S. 40A:4-59, the following
23 transfer of 2018 Appropriation Reserves be and the same
24 are hereby authorized and approved: From Department of
25 Parks and Public Property, from group insurance,

1 \$50,000, to economic development in the like amount.

2 I move that we have resolution.

3 COMMISSIONER EVANS: Second.

4 THE CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 THE CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 THE CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 COMMISSIONER TUCCI: Whereas Department of
15 Parks and Public Property, Township of Nutley, has a
16 need to renovate the Town Hall Municipal Clerk's Office
17 and Cashier's Office and to improve the safety there;
18 and whereas two quotes were received, and the lowest
19 quote was received from Contemporary Glass Service, 158
20 Bloomfield Avenue, Nutley, NJ 07110, in the amount of
21 \$19,479.99 which is below the Township bid threshold;
22 and whereas, funds are available from Account Number
23 G-04-154-401, Ordinance Number 3372A in the amount of
24 \$18,055.85 and G-04-159-40I, Ordinance Number 34084 in
25 the amount of \$1,424.15 for a total amount of

1 \$19,479.99 and have been certified by the Chief
2 Financial Officer, said certification being attached to
3 this resolution;

4 Now therefore, be it resolved by the Board of
5 Commissioners of the Township of Nutley, County of
6 Essex, State of New Jersey, that Contemporary Glass
7 Service, 158 Bloomfield Avenue, Nutley, NJ 07110 be
8 awarded a contract to renovate at the Township Hall,
9 Municipal Clerk's Office and Cashier Office. I move
10 the resolution.

11 COMMISSIONER EVANS: Second.

12 THE CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

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 COMMISSIONER TUCCI: Whereas, the Department
23 of Parks and Public Property, Township of Nutley, has a
24 need to

25 maintain a geese-free environment, or as best we can,

1 at the Township parks; and whereas, Preferred Outdoor
2 Experience, LLC, Great Meadows, New Jersey, is a
3 specialized service that has been effective in the
4 past, will provide the service in the amount of \$429
5 per week for an annual maintenance contract in the
6 amount of \$22,308 which is below the Township bid
7 threshold, but above the New Jersey State mandated
8 Pay-to-Play threshold; and whereas Preferred Outdoor
9 Experience has completed and submitted a Business
10 Entity Disclosure Certification which certifies that
11 they have not made any reportable disqualifying
12 contributions to a political or candidate committee in
13 the Township of Nutley in the previous one year
14 that would violate N.J.S.A. 19:44A20.5, or the
15 Township's Local Unit Pay-to-Play Ordinance or New
16 Jersey Election Law Enforcement Commission disclosure
17 requirements, and that the contract will bar the
18 owner of Preferred Outdoor Experience from making any
19 reportable contributions through the term of
20 the contract; and whereas, funds are available from
21 Account 9-01-504-205, which have been certified by the
22 Chief Financial Officer subject to the adoption of the
23 2019 Municipal Budget, said certification being
24 attached to this resolution; Now, therefore, be it
25 resolved by the Board of Commissioners of the Township

1 of Nutley be authorized to enter into a 52-week
2 maintenance contract with Preferred Outdoor Experience,
3 Great Meadows. I move the resolution.

4 And just as an added note, this is a service
5 that does not harm the geese in any way, shape, or
6 form. It just chases them out of our parks and keeps
7 our park clean so our residents and our pets can enjoy
8 them. I move the resolution.

9 COMMISSIONER EVANS: Second.

10 THE CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

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

22 THE COURT: Thank you, Commissioner.
23 Commissioner Evans.

24 COMMISSIONER EVANS: Thank you, Mayor. My
25 first resolution is for \$2,036,000 in bond anticipation

1 notes. These are short-term, one-year notes. The --
2 we continue to track the bond market, the federal
3 reserve as these go up on rate increases. So it's
4 still in our best interest to look at the short-term
5 borrowing and continue to do that. So this first
6 resolution authorizes the Township to bond the issuance
7 of bonds in an amount not to exceed \$2,036,808 and that
8 the obligations would not be greater than one year. I
9 move this resolution.

10 COMMISSIONER TUCCI: Second.

11 THE CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 COMMISSIONER EVANS: Be it resolved, by the
22 Board of Commissioners of the Township of Nutley, in
23 the County of Essex, State of New Jersey, that the
24 Treasurer be and she is hereby authorized to refund
25 overpayments of the tax charges in the amount of

1 \$3,355.87 for Block 2800/Lot 8. So move.

2 COMMISSIONER TUCCI: Second.

3 THE CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 COMMISSIONER EVANS: Be it resolved, by the

14 Board of Commissioners of the Township of Nutley,

15 County

16 of Essex, New Jersey that in accordance with the

17 provision of R.S. 40A:4-59, the following transfer(s)

18 of 2018 Appropriation Reserves be and the same are

19 hereby authorized and approved: From administration of

20 Township Ordinances salary and wage, 5,000; to the

21 administration of Township ordinances O/E, 5,000. So

22 move.

23 COMMISSIONER TUCCI: Second.

24 THE CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 THE CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 COMMISSIONER EVANS: My next three
10 resolutions establish the temporary budget for 2019.
11 We're allowed by statute to establish a temporary
12 operating budget that would not be greater than 26-and-
13 one-quarter percent of the 2018 budget that was
14 approved by -- last year. So the first resolution
15 addresses the operating budget for the Municipality.

16 Whereas, N.J.S.A. 40A: 4-20 provides that
17 where contracts, commitments or payments are to be made
18 prior to the final adoption of the 2019 Budget,
19 emergency appropriations may be fully lawfully made for
20 the purposes and amounts required in the manner and
21 time therein provided; and whereas, the total emergency
22 temporary resolutions adopted in the year 2019 pursuant
23 to the provisions of Chapter 96, P.L. 195 1 (N.J.S.A.
24 40A:4-20), including this resolution, total
25 \$14,281,235.

1 Now therefore be it resolved that in accordance
2 with N.J.S.A. 40A: 4-20: Emergency temporary
3 appropriations be and the same are hereby made for the
4 total amount \$14,281,235 and that said emergency
5 appropriation will be provided for in the 2019 budget.
6 And that's distributed across all of the departments of
7 the Municipality, so the mayor's office, Department of
8 Public Affairs, Department of Revenue and Finance,
9 Public Safety, Parks, and Buildings. So move.

10 COMMISSIONER TUCCI: Second.

11 THE CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 COMMISSIONER EVANS: The next one related to
22 the temporary budget authorization relates to the water
23 utility for the same reason. In this case, the
24 emergency temporary resolution for '19 pursuant to the
25 provisions of Chapter 96 P.L. 1951 is \$1,155,058 and

1 that this amount will be included in the 2019 water
2 utility budget for the accounts that are included and
3 distributed in the resolution. So move.

4 COMMISSIONER TUCCI: Second.

5 THE CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 THE CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 THE CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 COMMISSIONER EVANS: And the last relates to
16 debt payment.

17 Whereas, New Jersey Statutes 40A:4-19
18 provides that where debt service is to be paid in
19 2019 prior to the time of the final adoption of the
20 2019 Budget, temporary appropriations should be
21 made for the amount of such debt service in the manner
22 and time therein provided.

23 Now, therefore be it resolved, by the Board
24 of Commissioners of the Township of Nutley, that the
25 following temporary appropriations be made: Interest on

bonds, \$ 83,000. So move.

1 COMMISSIONER TUCCI: second

2 THE CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

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 EVANS: The last resolution that

13 I have in my packet actually is a resolution of the

14 Board of Commissioners, and this resolution relates to

15 requesting that the planning board conduct a

16 preliminary investigation into whether an area of the

17 municipality is an area in need of redevelopment.

18 Specifically, this resolution covers the lots and

19 blocks by the -- what is known as the Ciccolini site

20 from High Street down to Vreeland on the west side of

21 the block.

22 So now, therefore, be it resolved by the

23 Board of Commissioners of the Township of Nutley that

24 The Planning Board of the Township is hereby directed

25 to conduct a preliminary investigation to determine

1 whether the aforementioned Property, or any portions
2 thereof constitute a condemnation "area in need of
3 redevelopment" according to the criteria set forth
4 in N.J.S.A. 40A:12A-5; The Planning Board of the
5 Township is hereby directed to study the area covering
6 the lots and blocks in here -- including here, but that
7 area is High Street down to Vreeland on the west side
8 of the block; the results of the preliminary
9 investigation shall be submitted to the Board for
10 review and consideration in determining whether to
11 declare the Property, or any portion thereof as a
12 condemnation "area in need of redevelopment" in
13 accordance with the statute. So move.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 COMMISSIONER EVANS: Thank you, Mayor.

1 MAYOR SCARPELLI: Thank you, Commissioner.
2 Commissioner Petracco.

3 COMMISSIONER PETRACCO: Resolution appointing
4 Adriana Russo as interim administrator of the municipal
5 court of the Township of Nutley for a one-year term.

6 Whereas, Adriana Russo served as Interim
7 Municipal Court Administrator of the Nutley
8 Municipal Court since April 4,2017; and whereas, it is
9 the desire of the Board of Commissioners to re-appoint
10 Adriana Russo as Interim Administrator of the Municipal
11 Court of the Township of Nutley from April 4, 2019 for
12 a one-year term expiring April 3rd, 2020; whereas, it
13 is required that the Interim Municipal Court
14 Administrator complete the required municipal
15 certification within three years from the date of
16 hire/appointment to obtain certification pursuant to
17 N.J.S.A. 2:11-2 (d); and whereas, the Interim Municipal
18 Administrator of the Court can be re-appointed yearly
19 for two years until certification is obtained.

20 And now therefore, be it resolved by the
21 Board of Commissioners, Township of Nutley, County of
22 Essex, State of New Jersey as follows: Adriana Russo
23 be and is hereby re-appointed Interim Administrator of
24 the Municipal Court of the Township of Nutley for a
25 one-year term beginning April 4,2019; 2. The resolution

1 shall take effect immediately.

2 Before I pass this resolution, I would just
3 like to say that Adriana Russo has been a really
4 stellar employee and doing a great job with the court
5 in Nutley. She's a team player, and we -- I only have
6 nice things to really say about her. She's really fit
7 that position well for us. So I move for resolution.

8 COMMISSIONER ROGERS: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER PETRACCO: Be it resolved by the
20 Board of Commissioners of the Township of Nutley,
21 County

22 of Essex, State of New Jersey that Linda DiModica, an
23 employee in the Department of Public Safety, be granted
24 a medical leave of absence without pay effective
25 February 17, 2019 through April 15, 2019. I move that

1 resolution.

2 COMMISSIONER ROGERS: Second.

3 THE CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 COMMISSIONER PETRACCO: That's all I have.

14 MAYOR SCARPELLI: Thank you, Commissioner.

15 Whereas, raffle applications have been
16 received from the following organizations: VFW Post
17 #493, License Number 18-19, Off-Premise 50/50 Cash
18 Raffle license to be held Wednesday, July 10, 2019;
19 Nutley Family Service Bureau, License Number 19-19, On-
20 Premise Merchandise Raffle, and License Number 20-19,
21 Night at the Races Raffle, both to be held Saturday,
22 April 13, 2019. Whereas, the applications have been
23 reviewed and approved by the Municipal Clerk and the
24 Police Department.

25 Now, therefore be it resolved by the Board of

1 Commissioners of the Township of Nutley, County of
2 Essex, State of New Jersey, that the aforementioned
3 licenses are approved and the Municipal Clerk is
4 authorized to issue the raffle licenses. I move the
5 resolution.

6 COMMISSIONER TUCCI: Second.

7 THE CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 Be it resolved, by the Board of Commissioners
18 of the Township of Nutley, County of Essex, New Jersey
19 that in accordance with the provision of R.S. 40A:
20 4-59, the following transfer(s) of 2018 Appropriation
21 Reserves be and the same are hereby authorized and
22 approved: From water operations, other expenses,
23 \$10,000; water operations, salary and wage, \$10,000;
24 water operation O/E, \$10,000; group insurance, \$20,000;
25 to Passaic Valley Water, \$50,000. And road repair

1 other expenses and parking lot other expenses, \$23,000
2 be to: road repair salary and wage, 10,000; recycling
3 salary and wage, 10,000; and parking lot salary and
4 wage, \$3,000; for a total of \$73,000.

5 I move the resolution.

6 COMMISSIONER TUCCI: Second.

7 THE CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 That concludes the business portion of our
18 meeting, Madam Clerk.

19 THE CLERK: Thank you, Mayor.

20 All persons addressing the Board of
21 Commissioners regarding community concerns should
22 approach the microphone and provide their name and
23 address for the record. Unless further time is granted
24 by the board, each person should limit their address to
25 three minutes. All remarks to the board and its

1 individual members must be addressed to the Mayor. The
2 Mayor may defer citizens' comments to the appropriate
3 member of the board.

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

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

13 MS. CHRISTMAN: Good evening. Amy Christman,
14 237 River Road. My question is -- really has to do
15 with the parks and rec department, and I was curious
16 Mr. Tucci's knowledge of the Nutley United Program.

17 COMMISSIONER TUCCI: Mm-hmm, I am familiar
18 with it.

19 MS. CHRISTMAN: And I was -- I have some
20 concerns about the upper-level team, U-19 team, which
21 is high-school level, and I was curious as to -- with
22 regards to the boys team, why senior boys are not being
23 allowed to participate when they fall into the
24 appropriate age group.

25 COMMISSIONER TUCCI: I'm sorry, why the --

1 MS. CHRISTMAN: They're not being allowed to
2 participate when they fall into the appropriate age
3 group. So I was told -- this is what I was told.

4 COMMISSIONER TUCCI: Okay.

5 MS. CHRISTMAN: I was told that it is a
6 numbers game and that the Nutley United team is for
7 underclassmen, which is not -- can't really be true
8 because if it's a U-19 team, that's for boys who are
9 born in 2000 and 2001, so that would really be seniors.
10 And I was also told that the seniors can't play
11 because, well, they won't benefit -- it won't benefit
12 the high school next year. They -- that's what I was
13 told.

14 COMMISSIONER TUCCI: I'm not questioning what
15 you were told.

16 MS. CHRISTMAN: Yeah, yeah.

17 COMMISSIONER TUCCI: I'm just --

18 MS. CHRISTMAN: Yeah, so --

19 COMMISSIONER TUCCI: -- responding and
20 reacting to it. Go ahead.

21 MS. CHRISTMAN: Yeah. So I was just
22 wondering what you knew about it or didn't know about
23 it or --

24 COMMISSIONER TUCCI: I am not familiar with
25 this situation --

1 MS. CHRISTMAN: Okay.

2 COMMISSIONER TUCCI: -- but I will be happy
3 to investigate it and find out what exactly is going on
4 or what is not going on.

5 MS. CHRISTMAN: I mean, my -- you know, I
6 know a lot of boys wanted to play. I know that for
7 sure.

8 COMMISSIONER TUCCI: That's a good thing,
9 right.

10 MS. CHRISTMAN: That's a great thing. And I
11 know that there are five to six seniors who are very
12 interested in playing.

13 COMMISSIONER TUCCI: Okay.

14 MS. CHRISTMAN: And I actually went up to the
15 field and I spoke to the coaches the other day, who
16 were sort of like -- had -- you know, they kind of had
17 their hands tied and the information is trickling down
18 to them as to what they're supposed to do, which I
19 understand. You know, and I just said -- but, you
20 know, they are the appropriate age. "Well, we don't
21 have enough space" is what I was told. But I was like,
22 "Well, then why didn't you make two teams?" Because
23 there was almost enough for two teams. He said, well,
24 you know, kids start -- they stop showing up and -- I
25 said, I get that. And I said, well, then why didn't --

1 why weren't there tryouts? Because every other level
2 of Nutley United --

3 COMMISSIONER TUCCI: Right.

4 MS. CHRISTMAN: -- has tryouts. Oh, well,
5 this is the way it's -- I mean, I have an email
6 exchange with an employee of yours, and basically I was
7 told, this is the way it's always been done, this is
8 the way it was done before me, and this is the way it
9 will remain. And I said, just because it's been done
10 for that long doesn't make it correct.

11 COMMISSIONER TUCCI: I would tend to agree
12 with that.

13 MS. CHRISTMAN: Yeah. So I -- hence, that's
14 why I'm here, because I disagree with that response and
15 I wanted to get you involved.

16 COMMISSIONER TUCCI: Well, I appreciate that,
17 and we -- just as a matter of fact, we give our coaches
18 and our United teams a lot of latitude, but our purpose
19 is to offer a positive experience for all of our
20 children, all right, from the real small ones up to --
21 through the seniors. And let me look into this and
22 find out exactly what's going on.

23 MS. CHRISTMAN: Okay.

24 COMMISSIONER TUCCI: If something needs to be
25 changed, I'll be happy to do that.

1 MS. CHRISTMAN: Okay.

2 COMMISSIONER TUCCI: Our purpose is, again,
3 to make sure --

4 MS. CHRISTMAN: Right.

5 COMMISSIONER TUCCI: -- that our children
6 participate and have a good time and enjoy themselves -
7 -

8 MS. CHRISTMAN: Right, yeah.

9 COMMISSIONER TUCCI: -- and build
10 relationships that they're going to carry with them --

11 MS. CHRISTMAN: Yeah.

12 COMMISSIONER TUCCI: -- throughout their
13 whole lives.

14 MS. CHRISTMAN: Yeah. I mean, the
15 underlying, like, feeling I was getting was that, you
16 know, they're -- they want the younger kids -- you
17 know, the younger grade levels to play so they can be
18 stronger for the high school team. And I was like,
19 yeah, but, you know, there's a lot of boys who leave
20 Nutley High.

21 COMMISSIONER TUCCI: Right.

22 MS. CHRISTMAN: So you -- I mean, I happy --
23 it happens to be, like, there's a couple boys from
24 Seton Hall, there's a couple boys from Bergen Catholic
25 and St. Peters, and they all grew up playing Nutley

1 together.

2 COMMISSIONER TUCCI: Mm-hmm.

3 MS. CHRISTMAN: You know, and then when they
4 separate at the high school, so now they've come back
5 and they've played Nutley United together, and it's
6 like their last hurrah.

7 COMMISSIONER TUCCI: Which is a good thing.

8 MS. CHRISTMAN: Yeah, and it's -- but it's
9 their last time to kind of get together, too, you know.
10 And I think it's wonderful that they all want to come
11 together and play, you know.

12 COMMISSIONER TUCCI: Well, part of our --

13 MS. CHRISTMAN: I mean --

14 COMMISSIONER TUCCI: -- part of our purpose -
15 - I don't mean to interrupt you.

16 MS. CHRISTMAN: No, that's okay.

17 COMMISSIONER TUCCI: Part of our purpose is
18 to become a feeder program for the high school, all
19 right. But even beyond high school, there's nothing
20 that says we shouldn't be a feeder program for any
21 colleges or any other institutions that any of our
22 children want to go play in. I mean, that's why we're
23 here.

24 MS. CHRISTMAN: Correct.

25 COMMISSIONER TUCCI: We're here to support

1 all of them.

2 MS. CHRISTMAN: Correct. I mean, I
3 understand the purpose of a feeder program, but not
4 with limiting other kids.

5 COMMISSIONER TUCCI: Right. And again, it's
6 -- it was never intended, nor will it ever be intended
7 under my tenure, to be exclusionary for anyone. So
8 give me an opportunity to --

9 MS. CHRISTMAN: I will. Okay.

10 COMMISSIONER TUCCI: -- to check into it, and
11 I know where to find you, and I will call you and
12 perhaps sit down and we'll talk about it. But at the
13 very least, we'll have a conversation and I'll give you
14 an explanation.

15 MS. CHRISTMAN: I appreciate it.

16 COMMISSIONER TUCCI: My pleasure.

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

19 MR. MOORE: Rory Moore, 462 Chestnut Street.
20 I have a question for Mr. Petracco and Mr. Evans.

21 Mr. Evans, Mr. Petracco, I approached you
22 several times about having a public meeting about
23 overnight parking. Is it possible that we can pencil
24 in a date?

25 COMMISSIONER PETRACCO: Yeah, you know what,

1 it's funny that you should bring that up because I
2 brought it up tonight again, and actually, I made a
3 comment on that in Nutley Citizens. I don't know if
4 you saw it because of, you know, it's becoming a hot
5 topic. And I think that there needs to be a
6 discussion. I think people need to have their voices
7 heard about this. It's -- like I said in my post, it's
8 not 1970, and I get it, and there's a lot of reasons
9 why we do have that ordinance in effect. But it's
10 becoming a bigger and bigger obstacle, so to speak.

11 But I'll work with Sam tomorrow about coming
12 up with a date to do that. And I don't even know if we
13 should do that as a special meeting here that the board
14 -- the whole Board of Commissioners can hear that or if
15 we can dovetail that on one of the commission meetings,
16 and then --

17 MR. MOORE: I'd like to suggest after a
18 commission meeting.

19 COMMISSIONER PETRACCO: Yeah. I mean --

20 MR. MOORE: I think that's (indiscernible)
21 anyway.

22 COMMISSIONER PETRACCO: I mean, would we have
23 to advertise for that or anything or --

24 MAYOR SCARPELLI: If we're all here, we would.

25 COMMISSIONER PETRACCO: Yeah. So I mean, if

1 you're -- if everybody's willing --

2 MAYOR SCARPELLI: (Indiscernible) for the
3 attorney, but I believe I'm correct.

4 MR. GENITEMPO: That's correct. That is
5 correct. If more than two of you are here, you have to
6 have a public notice, public advertisement.

7 COMMISSIONER PETRACCO: Okay. Even though if
8 it's a continuation of a meeting?

9 MR. GENITEMPO: No. If it's part of the same
10 meeting, you could, if you put it on the agenda. But
11 if you're going to have a separate meeting, it has to
12 be separately advertised.

13 COMMISSIONER PETRACCO: Okay. So we'll work
14 out that. You know, I'll see what we can work out
15 tomorrow and try to get it on the agenda then.

16 MR. MOORE: I think -- because I was at the
17 board of ed meeting last night, and --

18 COMMISSIONER PETRACCO: I was, too.

19 MR. MOORE: Considering 2 percent, I have a
20 funny feeling this is going to be a tremendous impact
21 because there's going to be a lot of cuts of programs,
22 and the apartments in Nutley will not become as wanted
23 as everybody else thought they were going to be. A lot
24 of people move to Nutley because of the school, but
25 with the 2-percent cap, there's going to be a lot of

1 cuts. So it's going to be difficult to attract people
2 later on. And this would just add to that.

3 COMMISSIONER PETRACCO: What could add to
4 that? The parking problem?

5 MR. MOORE: The parking problem because a lot
6 of people are going to not want to move to Nutley
7 because the school system --

8 COMMISSIONER PETRACCO: I mean, you know
9 what, Rory, I have to tell you, I mean, there's a lot
10 of people here, and I know that the debate is getting
11 bigger of people that are saying that they don't want
12 it. So you're correct in saying that.

13 MR. MOORE: I understand that.

14 COMMISSIONER PETRACCO: But I have to say
15 there's a lot of reasons and there's a lot of benefit
16 to keeping that ordinance the way it is.

17 MR. MOORE: I'm not going to disagree with
18 you on that, but there is a forum to say it does really
19 need to be addressed. Just because we don't want to
20 doesn't mean that we can avoid it. How much longer --

21 COMMISSIONER PETRACCO: No, no, I know -- I'm
22 not avoiding it and I'm not -- I agree, I think that
23 it's time that it becomes a discussion and the whole
24 board gets to listen to as many residents that will
25 come out and speak about it. And then, at the end of

1 the day, we're your elected officials. We're going to
2 have to, you know, vote on it or do something to --

3 MR. MOORE: It's a hot issue. We know that
4 either way.

5 COMMISSIONER PETRACCO: Yeah.

6 MR. MOORE: It doesn't really --

7 COMMISSIONER PETRACCO: But for the record,
8 it's not an easy issue because --

9 MR. MOORE: I never said it was going to be.

10 COMMISSIONER PETRACCO: You know, it's not an
11 easy issue because I have to say I've lived in Nutley
12 my whole life, and it is what separates us from a lot
13 of towns, you know, such as the plowing, you know, that
14 we're able to go curb to curb. As far as the policing
15 is concerned, if we see a vehicle parked overnight, it
16 raises the antenna on a police officer, what's that car
17 doing there. So things like that. So there's a
18 debate, and I'm not so sure which side of the fence I'm
19 on anymore because it is an issue.

20 MR. MOORE: I can probably tell you which.
21 I'll get my crystal ball out.

22 COMMISSIONER PETRACCO: Okay.

23 MR. MOORE: Mr. Evans, last night, I was at
24 the board of ed meeting, and I have to say that
25 Ms. Glazer laid out her plan a lot better than you do

1 as the Board of Commissioners because she demonstrated,
2 here's 2 percent, 3 percent, and she showed what the
3 deficits were going to be. And in my opinion, I
4 thought the board acted very rational last night
5 because it's 2-percent cap and there's going to be a
6 lot of cuts.

7 But what I noticed that different there,
8 there's no more public education for the teachers. You
9 still provide that for your staff. You see a lot in
10 the bill was you send people to school. They stopped
11 that. And they took very serious steps to eliminate a
12 lot of extra things that were good or enjoyable, but
13 now that it's going to 2 percent, they were serious.

14 And one thing I noticed was about the cell
15 phones. The only one -- because I asked a question.
16 Only ones who have a cell phone are people who have
17 children in their care. That's it. And they actually
18 watch the bill, where we just give them out. I had --
19 in my opinion, I thought -- I will conclude with this.
20 I thought that she did a much better job of actually
21 going down to the nickels and dimes to try to figure
22 out what it was. And part of this was they were
23 talking about how all the kindergarten might be cut,
24 and there's other programs that would probably have to
25 be cut. But I admired her for standing up there and

1 put it out so the people could actually see it.

2 Thank you.

3 MAYOR SCARPELLI: Thank you, Mr. Moore.

4 Anybody else to address the Board of
5 Commissioners this evening?

6 MS. RUBINO: Joan Rubino, 48 North Road. I
7 know the ink hasn't dried on the new storm runoff law,
8 but I was wondering if you have any information on how
9 that's going to affect the homeowners in Nutley. I
10 mean, I read about it, and I really wasn't too clear on
11 how this going to work. Are you familiar?

12 MAYOR SCARPELLI: Mrs. Rubino, I don't think
13 it's going to affect them at all because I think it'd
14 have to come through my department, and I don't think
15 we plan on adding any additional tax to the people of
16 Nutley, so --

17 MS. RUBINO: Okay. Very good. Thank you.

18 MAYOR SCARPELLI: Somebody else wish to
19 address the Board of Commissioners this evening?

20 I would like to say something to Commissioner
21 Petracco about the overnight parking, and not just --
22 it's an overall statement, but people move into town
23 for a reason. Then, when they get here, they try to
24 change it. So there's a reason they move in here to
25 begin with, and I think we should keep that in mind

1 before we starting changing a lot of things. So that's
2 my thought of the day.

3 COMMISSIONER EVANS: I just have a comment.
4 One is that we have not introduced our budget yet. The
5 school board did have to introduce their budget. We,
6 as a board, have had many conversations already about
7 how we have to look at our spending and try and control
8 it. I think a point of clarification that helps every
9 taxpayer understand the nature of that challenge is a
10 very simple statistic.

11 In order for us, or the board or anyone, to
12 affect our tax rate by one penny -- so the tax rate for
13 2018 was \$3.51 for -- per hundred of assessed value.
14 In order for us to make that \$3.50 versus \$3.51, we
15 would need to reduce spending or increase revenue by
16 \$326,000. And the benefit of that would move property
17 tax on the average taxpayer by \$32 a year, or roughly
18 \$8 a quarter.

19 So the challenge that we have as a board, and
20 as everybody who's sitting at public sector cost to
21 provide services for the health, welfare, and safety of
22 the community, is a very daunting one. And I think we
23 are continuing to look through our budget to look at
24 areas where we can identify spending. I will say that
25 I -- being a former chief learning officer of my -- of

1 PriceWaterhouseCoopers and doing it for many years, I
2 firmly believe in the importance of educating your
3 employee staff because a well-educated staff, you can
4 actually do more with less. So if we are going to look
5 for efficiencies, a well-trained staff getting it done
6 right the first time is important.

7 And in my area, I have many positions that
8 have significant statutory requirements and law changes
9 that are a requirement in order for them to be --
10 maintain currency in their job, and I do believe that
11 that's an employer cost. And I -- and for my
12 department, I will not change that position.

13 So I will invest in my people as necessary.
14 I'm careful about where they go and what they do, but I
15 think it's a necessary cost of doing business.

16 And I think we all have to appreciate that.
17 Imagine if we were to sit back and say that, by the
18 way, police officers don't get trained anymore, just
19 say, we don't do training, don't believe in that
20 training. Where would that leave us with police
21 officers, given the challenges that they have? When
22 you look at the nature of how complex these roles have
23 become, I think we can and should talk more about why
24 it's important to do this. And when we do introduce
25 our budget, we will do -- provide an explanation of

1 where we're spending our money and why we're spending
2 it in those areas.

3 As far as something like cell phones, in my
4 department, I have very few cell phones, and then I
5 look at them and we are -- we all should be looking at
6 that. But again, a cell phone bill, when you look at
7 the total cost of cell phones for the year, it doesn't
8 make a significant dent in the \$326,000 (indiscernible)
9 we have to reduce the tax rate by one penny.

10 So there's much to be said about that, but I
11 think it's important that people understand how
12 significant the challenges when you look at the cost
13 structure that is associated with providing for the
14 health, welfare, and safety of a community. Thank you.

15 MAYOR SCARPELLI: Anything else,
16 Commissioners? Seeing none, can we have a motion to
17 adjourn.

18 COMMISSIONER TUCCI: Move it.

19 COMMISSIONER ROGERS: Second.

20 THE CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 THE CLERK: Commissioner Tucci?

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.
5 Good night, everybody.
6 THE CLERK: The time is 8:45.

7 (End of recording)

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

I, Alicia Jarrett, 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, and to the best of my ability.

ALICIA JARRETT, AAERT NO. 428 DATE: April 3, 2019
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