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

Transcript of Proceedings
March 05, 2019
Budget Workshop

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NUTLEY, NEW JERSEY 07110

*** BUDGET WORKSHOP ***

DATE: March 5, 2019

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR

MAURO G. TUCCI, COMMISSIONER

THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER

STEVEN L. ROGERS, COMMISSIONER

ALSO APPEARING:

ALAN GENITEMPO, TOWNSHIP ATTORNEY

RAYMOND SARINELLI, CPA TOWNSHIP AUDITOR
Budget Workshop

(Recording begins)

THE CLERK: Yes, Mayor. You ready? Board of
Commissioners Budget Workshop Meeting, Tuesday,
March 5th, 2019. The time is 6:12.

Pursuant to the requirements of the Open
Public Meetings Act, Chapter 231, Public Law 1975,
notice of this meeting was published in the
February 25th, 2019 issues of the Herald News, and the
February 28th, 2019 issue of the Nutley Sun. A copy of
this notice has been posted on the Nutley Town Hall
bulletin board, and a copy is on file in the
Municipal Clerk's office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

THE CLERK: All present, Mayor, and
Mr. Sarinelli and Rosemary Costa will be joining us as
well.
MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Thank you. So by statute we need to have the budget workshop prior to the introduction of the budget. I want to thank all of you for getting your budget sheets in to us and the work that you've done so far.

What's really important about where we are right now is there is more work that needs to be done, and I say that in all seriousness, because, you know, this budget, on a revenue side -- and I apologize, the schedules that are being printed up, Ro and Ray Sarinelli are bringing them up in a second, and we'll go through this, but just at a high level, the budget right now, the process reflects a $400,000 reduction in revenue, primarily because we can only anticipate 85 percent of the aid that we got the previous year, so last year -- this year we got $4.1 million worth of state aid (indiscernible) temporary aid. By statute we can only anticipate 85 percent of that, so that's down to 306 -- $3.6 million, so roughly $600,000 less.

That's partially offset by two things. One is the settlement in the Mecca matter required him to reimburse us for costs of $100,000, which this budget reflects the revenue associated with that, and as well as with the RDA that we're going to sign tonight
there's an additional $25,000 reimbursement for the legal fees. So the 600 gets -- is offset down to about $438,000 shortfall in revenue year over year in the budget, primarily because of a statutory limitation. The -- rather the other budget items that comprise the budget, so construction fees, regular state aid, cable revenues, things like that, are all pretty stable year over year.

Now, when you move on to the appropriations side, right now the budget shows an increase in appropriations of approximately $1.7 million. And that's spread out across all of the departments. The most significant component of that increase is Public Safety. Your budget's up $1,089,000 year over year. So -- and then, when I look at the other departments, my budget is up $534,000, but I have pensions and I have sewer.

COMMISSIONER PETRACCO: Oh, okay.

COMMISSIONER EVANS: So I mean --

COMMISSIONER PETRACCO: That seemed very high for Revenue and Finance, Tom.

COMMISSIONER EVANS: Yeah, so --

COMMISSIONER PETRACCO: You're almost catching up to me.

COMMISSIONER EVANS: Yeah, and so, when you
go through that, you know, Steve and I are the babies on the block, all right, we take out sewer and pension. Joe, your budget is up $260,000, but it primarily reflects an increase in salaries of $317,000, and it offset -- or it will offset an O&E of 64. Mauro, yours has gone down, all right --

COMMISSIONER TUCCI: Praise the Lord.

COMMISSIONER EVANS: Yes. And so -- and I think -- you know, what's important about that is I think there's -- so the work that we did last year --

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: -- and some of the changes the state are making and they're talking about, so before we get into the details, though, (indiscernible) do you want to comment on that?

COMMISSIONER TUCCI: Yeah. Well, last year, we realized by the time we got through all of the reductions and everything only half of what we expected on an annualized basis, okay? So this year, with the elimination of the ten, ten and a half positions, and not filling positions like everyone did, we will realize the full $435,000 savings.

Now, in addition to that, we will also realize the reduction on the health benefits side, okay? And I have -- do you want me to get into the
health benefits now?  Shall I roll into that, or do you want to wait?

COMMISSIONER EVANS:  Well, we're going to get (indiscernible) in all of that --

COMMISSIONER TUCCI:  Okay.

COMMISSIONER EVANS:  -- but I think it's really, you know, very important, though, for you to talk about it, because I think it's a --

COMMISSIONER TUCCI:  Uh-huh.

COMMISSIONER EVANS:  -- significant change.

COMMISSIONER PETRACCO:  I'd like to hear it.

COMMISSIONER TUCCI:  I'm sure you would.

Well -- well --

COMMISSIONER EVANS:  Actually, we're more interested in hearing your argument there.

COMMISSIONER TUCCI:  Your story's a lot better than mine, Al.  But anyway, what we had on the active side, all right, we had roughly a 3 percent increase, all right, which came out to about $4.7 million, all right, and then when you factor in the amount for the water, it's like almost another 200,000.  Where we really saved a lot of money was with retirees, all right?  We got something like a 37, 37 and a half percent reduction.  We went from $215,000 a month payment for retirees down to 85,000.
COMMISSIONER PETRACCO: Wow.

COMMISSIONER TUCCI: All right? And the reason for that was the state's change from Medicare to the Medicare Avanti Aetna Medicare Advantage. All right? Our numbers are relatively stable. Some went up, some went down, as far as active and retirees, but I believe the net change with people that are active, people that are retired, and those that waived, was one person. Okay?

So we're realizing a lot of savings. We stay on top of this. We monitor this constantly, all right? So that's why you're going to see — and we also built -- we have to build in a contingency, all right.

COMMISSIONER EVANS: Always. Yeah.

COMMISSIONER TUCCI: In the event that there's some type of change, or a new hire during the course of the year. So we're very happy, and Tom, you and I spoke about this at great length, that we were able to do the work that we did, and unfortunately, suffer the pain that we suffered, but it's bearing fruit at this point.

COMMISSIONER EVANS: Yeah. And do you want to comment -- I know you do, in your analysis, to get there. Are we better off in state health benefits or private insurance?
COMMISSIONER TUCCI: Yes. We are absolutely still -- we're probably -- probably save a little bit over a million dollars a year staying with state health benefits, as opposed to going self-insured, all right? And we're constantly monitoring that, and it's just right now the pool is large enough we're -- and we're not -- we're not a major detriment to the pool, all right, because our experience is relatively good as compared to other municipalities of similar size, all right, but in the event that we do get a little blip and it does increase at some point the pool is large enough to spread that loss. All right?

And on the liability, and automobile, and casualty side, we looked -- we're looking at like a 3 percent increase, all right, but the protections that we get with cyber liability, all right, and everything else more than pays for that, and if we were to go to the open market even with that piece of insurance we would be paying at least 50 to 60 percent more.

COMMISSIONER EVANS: Yeah. It's an extraordinary number.

COMMISSIONER TUCCI: Yeah.

COMMISSIONER EVANS: Extraordinary number.

So the reason why that's so important is, because of roughly the $530,000 savings in medical costs, the
appropriation is up 1.6 million, well, almost
1.7 million. It could have been, actually, 2 point,
you know, 3 million, and if we -- if that, plus a
revenue shortfall, we would have been back up at a 2.8,
$2.9 million increase in the levy. Where -- so, right
now, because of that, we're down to 1.6, almost 1.7 on
appropriations, and we have a revenue shortfall of
434,000, where if we basically -- the tax levy, which
means that the tax -- taxes that need to be raised from
taxpayers is going up $2.1 million right now. That's a
5.1 percent increase, or, on average, about $209 per
household. I think that that's entirely unacceptable.

COMMISSIONER TUCCI: I would agree.

COMMISSIONER EVANS: And I'm not comfortable
introducing a budget that reflects these increases. We
have -- obviously, I have an argument with the state
regarding around the issue of continuing our aid. As I
shared with you at the end of last year when we were
finished, we didn't get finished negotiating the aid
until the -- in the afternoon of September 20th, when --
we -- the actual deadline for getting that aid
negotiated and set was the next day, September 21st.

It was a brutal fight. It was a very hard
fight to get that far, and so I'm -- as I said, I'm not
comfortable that the state, given where they're
looking, because they just announced a billion dollars
worth of budget cuts, all right, that we're going to be
successful getting that kind of aid. So I am -- not
only am I concerned about the fact that we have to
absorb the $600,000 statutory shortfall, I'm concerned
that the number's going to be less than $3.6 million, and that we -- this increase could rise because of
lower state aid.

So when I look, I -- you know, I think you
all have to look at your budgets, all right, and see
where is there an opportunity to address this increase?
Some of it I think we're going to -- we're going to
basically be guided by the budget introduction and look
at where we have to get to in order to introduce a
budget, but I believe it's going to be an ongoing
process between now and when we ultimately settle on
the state aid as to where we are going to have a need
to further address the budget. I --

MAYOR SCARPELLI: Tom, when do we have to
statutorily introduce?

COMMISSIONER EVANS: Next week.

MAYOR SCARPELLI: Ah.

COMMISSIONER EVANS: At the next meeting, in
two weeks.

MAYOR SCARPELLI: Two weeks?
COMMISSIONER EVANS: The next meeting, the 19th. March 19th.

COMMISSIONER TUCCI: They pushed it back to the 19th, didn't they?

COMMISSIONER EVANS: Yeah, and that's --

COMMISSIONER TUCCI: Yeah.

COMMISSIONER EVANS: That's the date.

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: And when I talked to them today, as of now they have no intention of moving it. So --

MAYOR SCARPELLI: Thank you.

COMMISSIONER TUCCI: Oh, I need two hands now.

MR. GENITEMPO: Might need a third.

UNIDENTIFIED: There's the revenue --

COMMISSIONER TUCCI: With this, we're getting double teamed here.

COMMISSIONER EVANS: So if I go down the budget, you know, if you look at the budget summary sheet I gave you, now, this is really -- this is all draft. All right? These are all working copies. And one of the things I will tell you is that I apologize for being late with this. We were scrubbing it before coming upstairs.
THE CLERK: Ro, do you have an extra set?

COMMISSIONER EVANS: I've asked Ro to actually go through and tomorrow, and do another scrub, to make sure there aren't any formula errors, or any things like that that are in here, and I'm hopeful that -- I'm hoping that there might be a formula error that lowers it. But I'm not comfortable that there is.

So if you look at the top part of the schedule, all right, the top part of the schedule, each department is broken out, Mayor's Office right through Parks and Public Property. What I would tell you is, Joe, the Mayor's Office, what we've captured is roughly a -- it's primarily, you know, it's a reduction in salaries of about 8,500 bucks and a increase in the civic celebration of ten and consulting costs for Inglesino and so on, given some of the things that are going on, all right, that represents that $63,000.

What's important about the consulting fees that are in there, a lot of that work is subject to reimbursement once we go into Phase III of the RDA process, redevelopment agreement process. So it's just the fact that we're going to incur it before we get it back.

And Steve, in your department?

COMMISSIONER ROGERS: Yeah.
COMMISSIONER EVANS: What I looked at and I saw in your department, it's about a 41 to $46,000 increase in garbage.

COMMISSIONER ROGERS: Uh-huh.

COMMISSIONER EVANS: With like a 30 something thousand dollar increase in animal control. And there was a couple other small --


COMMISSIONER EVANS: -- small things in there, but primarily you have a salary adjustment that's in there. If you go to your -- the detail sheet that each of you have, and you -- you want to track along what I'm explaining to you is roughly laid out there. So if you go to Public Affairs, Steve, go -- and you go to the end, it shows basically salaries are adjusting $21,000. Next page. There you go.

COMMISSIONER ROGERS: Okay.

COMMISSIONER EVANS: Salaries are adjusting $21,000, and your other expense is $82,000. All right? And that's -- so animal control and garbage is most of that. And you have your regular --

COMMISSIONER ROGERS: Yeah, that was that significant increase I've talked about.

COMMISSIONER EVANS: And you -- yeah, you
teed it up, and it came through on your budget.

COMMISSIONER ROGERS: Yeah.

COMMISSIONER EVANS: And it was easy enough to track, because if you go -- once you hit animal control and garbage --

COMMISSIONER ROGERS: Yeah.

COMMISSIONER EVANS: -- you know, there ain't nothing left.

COMMISSIONER ROGERS: All right.

COMMISSIONER EVANS: So there's not much there. All right. If you flip, then, and you go to revenue and finance, you know, to the end, you'll see that revenue and finance, my salary change is $38,000, increase, but my bigger change is in the other expense, and that's primarily contributing -- or comprised of three things: $301,000 for a pension increase, and $172,000 for a sewer increase, and some miscellaneous O&E of $25,000. So the bulk of what the change is in revenue and finance relates to pension increases and sewer, substantially.

When you flip the page, and you go to public safety -- when you scroll back to public safety -- so public safety, we're seeing two things. It's a 1.1 million 9,000 dollar increase in public safety, $834,000 increase in salaries, with a $175,000 increase
in other expense. Do you have anything to --

COMMISSIONER PETRACCO: Tom -- yeah, I am.

COMMISSIONER EVANS: Okay.

COMMISSIONER PETRACCO: When -- that grant that we took, you know, for keeping our complement at a certain number, where -- I mean, we should be getting payment that year, this year for that.

COMMISSIONER EVANS: A piece of it.

COMMISSIONER PETRACCO: A piece of it. I think it's 175 --

MS. COSTA: 80,000.

COMMISSIONER PETRACCO: Huh?

MS. COSTA: But it's split, it's not all salaries. It's a rough, almost a 50/50 split.

COMMISSIONER PETRACCO: Right?

MS. COSTA: So 80 of it, it's -- if you look at your sheet, and if you look at your sheet --

COMMISSIONER EVANS: One page back, yeah.

MS. COSTA: Go back to the grants.

82,506, is for the cops' grant for salaries --

COMMISSIONER EVANS: One more page.

MS. COSTA: -- and 85,873.80 is for OE.

COMMISSIONER PETRACCO: Right.

MS. COSTA: And that brings you to the total for this year's grant, which 160 -- 168.
COMMISSIONER PETRACCO: 168,000?

MS. COSTA: Uh-huh.

COMMISSIONER PETRACCO: All right, I was thinking it was 174.

MS. COSTA: It's going to change every year. Basically it weans you off until it's zero.

COMMISSIONER PETRACCO: Correct.

MS. COSTA: So last year it was higher, this year it's less.

COMMISSIONER EVANS: Now --

MS. COSTA: And it'll phase out.

COMMISSIONER EVANS: -- part of that is because it's a grant, that's on the revenue side. It doesn't come into your budgets on the revenue side, so there's a revenue piece for $168,000, and there's a -- then your appropriations side, because that's where the cost is.

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: All right? But yes, so there is that element in there, but you also have the rest of it.

COMMISSIONER PETRACCO: Right, so I'm just saying, but that would be against -- if we're going up a million, that 168,000 is -- get -- I know it doesn't, it shows differently there, but just simple math off my
increase, I would say. For now.

COMMISSIONER EVANS: Oh, yeah, yeah, it will
-- there's a million nine increase in appropriations
for you --

COMMISSIONER PETRACCO: Uh-huh.

COMMISSIONER EVANS: -- but of that million
nine, 168,000 less isn't affecting the taxpayer,
because there's a grant also.

COMMISSIONER PETRACCO: That's my point.

COMMISSIONER EVANS: Yeah. I understand it.

I understand.

COMMISSIONER PETRACCO: Yeah.

COMMISSIONER EVANS: But this shows where
that (indiscernible) to what --

COMMISSIONER PETRACCO: I understand.

COMMISSIONER EVANS: -- your actual budget is.
Okay? But that's -- and it's a very significant
increase, and we've been working hard to manage our way
through this.

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: And it's a -- one of my
asks to you is you take a real hard look at that.

COMMISSIONER PETRACCO: And I will, and just
a point of information, too, in the police department
and in the fire department also, we're expecting a
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couple of retirements this year. We already had a person put in for a transfer that wants to transfer out of our department, so you replace some big money with some small money, you know, hopefully throughout the year -- and even sometimes in public safety, we have to prepare for the worst and hope for the best. At the end of the year, or however we want to do it, you know, we hopefully will have money in our budget to give back.

COMMISSIONER EVANS: Yeah --

COMMISSIONER PETRACCO: You know, but, again, just preparing for the -- you know, the worst.

COMMISSIONER EVANS: I understand --

COMMISSIONER PETRACCO: You understand what I'm saying.

COMMISSIONER EVANS: -- yeah, and you do.

COMMISSIONER PETRACCO: And especially with the police department, Tom, it's very difficult, like when people transfer or lateral out of here, and it's not like the old days, where people got hired and they stay, I mean, in one job forever. They go now, and this happens all the time, and, you know, God forbid, if somebody gets hurt at this -- you can't order up a cop, either. So, you know, and I talked to Chief Strumolo today about that, because of the grant,
with somebody leaving now, unexpectedly, the next
academy's not until, you know, this summer, so it's six
months, so I wanted to make --

COMMISSIONER EVANS: I understand.

COMMISSIONER PETRACCO: -- sure that we still
qualified for the --

COMMISSIONER EVANS: I understand.

COMMISSIONER PETRACCO: -- grant, as well.

COMMISSIONER EVANS: So where are we right
now in terms of the TOO -- the table of
organization of the police? I think it called for,
including the chief, 71?

COMMISSIONER PETRACCO: 72 it is.

COMMISSIONER EVANS: 72? So where are we --

COMMISSIONER PETRACCO: Yeah.

COMMISSIONER EVANS: -- in relation to that,
then?

COMMISSIONER PETRACCO: Right now, I think
we're at 71, with this lateral.

COMMISSIONER EVANS: Okay. And what about --

COMMISSIONER PETRACCO: So we're short one.

COMMISSIONER EVANS: -- on the fire side?

COMMISSIONER PETRACCO: I think it's 33?

UNIDENTIFIED: It's more like I think with
the two (indiscernible).
COMMISSIONER PETRACCO: I think it -- okay, 33, 35, yeah.

COMMISSIONER EVANS: And so you just take a look?

COMMISSIONER PETRACCO: Yeah.

COMMISSIONER EVANS: All right? Just because, you know, we -- again, those are -- as we all know, those are expensive spots.

COMMISSIONER PETRACCO: Yeah. And I have to say, I mean, you know, and you know, especially with the police department, it is very expensive running this, and I appreciate everybody's cooperation, and as you all know, finishing in the top 50 safest communities in the state of New Jersey, at least we're getting a return on our investment, you know, for the dollars invested. And --

COMMISSIONER ROGERS: (Indiscernible).

COMMISSIONER PETRACCO: Yeah.

COMMISSIONER EVANS: Yeah. I -- for right now, all I'm looking at --

COMMISSIONER PETRACCO: Is the numbers, I know.

COMMISSIONER EVANS: I -- I got a big number, okay?

COMMISSIONER PETRACCO: And I wish you a lot
of luck with it.

    COMMISSIONER EVANS: Yeah, well.

    COMMISSIONER PETRACCO: That's very (indiscernible).

    COMMISSIONER EVANS: I appreciate that support.

    COMMISSIONER PETRACCO: You have my fullest cooperation.

    COMMISSIONER EVANS: When I'm being pounded, I know where you guys stand, so -- but that's the -- but I'm serious, I really am serious, it's a lot. And (indiscernible) in a single year, and when you look at the fact that the average tax in Nutley is up at 11,300, and, we're, you know, this is the (indiscernible) increase right now, and if we take that average tax and make it 11,500, before the school and the county. So that's a big increase, right.

    COMMISSIONER PETRACCO: It's a $500 increase, you're saying, it's 11, or --

    COMMISSIONER EVANS: Well, and when you look at the -- what the school would put up, we're looking between 5- and $600 on average per household, and that's just way too much.

    COMMISSIONER PETRACCO: I agree.

    COMMISSIONER EVANS: And I don't think we can
support that, so, so I just -- I -- I can understand if 
we're supporting it and saying look, this is state 
pensions, I know the state's looking at this, we're 
following the law, right, and then that's what we have 
to absorb. You know, until then, until that changes, 
like the medical stuff changes, you know, we have to 
stand by that.

But I think we all have to continue to 
monitor very closely what's going on in our departments 
from a manpower standpoint and so on, because that's 
there like -- you're going, your salaries are changing 
$21,000. Mine's changing $38,000. My manpower is 
basically the same. So --

COMMISSIONER ROGERS: Commissioner, the 
problem -- I don't know if you're facing the same 
problem, but competitiveness, I mean, we've got people 
well trained up, they're ready to leave.

COMMISSIONER EVANS: Well --

COMMISSIONER ROGERS: I mean, I mean, you 
know, what am I going to do?

COMMISSIONER EVANS: -- look, I --

COMMISSIONER ROGERS: Lose somebody after 15 
years --

COMMISSIONER EVANS: No, no --

COMMISSIONER ROGERS: -- of working, and --
COMMISSIONER EVANS: No, these people, they have their licenses, their competitive salaries. You know, the problem I have is simple with a payroll -- simple payroll position, all right, I was getting a lot of pushback on it. We -- the challenge that we have is, you know, we're ultimately a municipality located in a -- the northeast corridor of the United States, which is a very expensive corridor to live in.

So when I look at national -- like for the salaries that I track nationally, you know, because they're accounting, based on accounting, I can track them, when you say, okay, here's this salary, you have to put 30 percent on top of it for the New Jersey, northern New Jersey market, this area, all right? And when they look at the location of that, it's like, you know, it looks like between here and Paramus, all right, so it's this, this corridor where there's a significant -- it's cost of living.

COMMISSIONER ROGERS: And keep in mind they're doing collateral duties, too. It isn't just a job description that they have when they were hired. They're doing the work of two or three people.

COMMISSIONER EVANS: That's it. That's true.

COMMISSIONER ROGERS: So the choice is, either you -- you know, you made that investment, and
you keep them, or you're going to hire two or three
more people, so you lose --

    COMMISSIONER EVANS: Yeah.

    COMMISSIONER ROGERS: -- either way.

    COMMISSIONER EVANS: Yeah.

    COMMISSIONER ROGERS: I just --

    COMMISSIONER EVANS: No, it's --

    COMMISSIONER ROGERS: -- hope that --

    COMMISSIONER EVANS: -- rather than hire

somebody in the tax collector's area, I just gave an
individual a $3,500 adjustment, or $3,200 adjustment,
to cover the cashier's area, simply because I don't
want to hire, you know, a $35,000 person to do that.
So, just -- we have to -- we -- when we went through
this last year, we all went through very, very
significant reviews of our department.

And when you then say, you know, after going
through that, through also the $2.9 million increase,
which is what we did last year, to come along and say,
okay, now it's back up another, you know, $1.7 million,
you -- in appropriations, you can only go to the well
so many times. There's a certain -- there are
statutory structures that are in place, there are
safety, health-related things that are in place that we
have to manage through. It just makes it a very, very
complex financial picture.

So just -- Al, take another look.


COMMISSIONER EVANS: All right? Joe, you know, you're going up, you know, $252,000 there, that's, you know, roughly $317,000 in salaries, with an offset of $64,000 reduction in O&E, and that's in there. Again, same thing.

And one of the things that we have to talk about is included in all of this is a shortfall in the water utility revenue. I think it's roughly $234,000 shortfall that we have to capture. And I know, Joe, you know, you and I, we've talked about this. You're doing a lot of analysis to understand what that is, because on one side it would be suggestive of older revenue, all right, but the consumption wouldn't -- you know, it doesn't track it, so just take a real hard look at that.

MAYOR SCARPELLI: Yeah, the water utility is -- over the last four years we've lost a million dollars in revenue, which doesn't seem to make sense. So it could be just a decrease in consumption, or it could be something else, but it doesn't seem likely that we would lose a quarter of our revenue over a four-year term. So it's something we've got to look
at.

COMMISSIONER TUCCI: That's a lot, yeah.

MAYOR SCARPELLI: Yeah.

COMMISSIONER EVANS: But Mauro raised an interesting point when we were talking about the health care. If we're -- if our sewer bill is going up, right, and that's water based --

COMMISSIONER TUCCI: Uh-huh. Water in, water out, yeah.

COMMISSIONER EVANS: Right? Why would we have then a lower water bill? Because you would think that if the sewer's going up --

MAYOR SCARPELLI: Well --

COMMISSIONER EVANS: -- the water would track with it.

MAYOR SCARPELLI: -- you can't -- it can't -- the -- it doesn't seem like we're bringing in less water. So it's a matter of --

COMMISSIONER TUCCI: We're just billing less.

MAYOR SCARPELLI: We may be billing less, we may be collecting less, we may be -- there's --

COMMISSIONER EVANS: Capturing less.

COMMISSIONER TUCCI: But we have more unaccounted for -- well, unaccounted for water?

MAYOR SCARPELLI: It doesn't -- that doesn't
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-- yes, maybe. But that wouldn't track the revenue. Why would the revenue be decreasing each year? Whatever all you are on your appropriation end, that's your appropriation end. But your revenue is based on what your water rates are.

COMMISSIONER EVANS: Right.

MAYOR SCARPELLI: So it -- it does seem to be something that's tracking lower, but why?

COMMISSIONER TUCCI: Yeah.

COMMISSIONER EVANS: Yeah. So we do it -- it's the meter reading, right?

MAYOR SCARPELLI: Right.

COMMISSIONER EVANS: So if the water that's coming into the (indiscernible) says X and the meter reading says Y and there's a difference, the question then becomes why is that difference coming --

MAYOR SCARPELLI: That still wouldn't account for the revenue decreasing.

COMMISSIONER EVANS: Yeah, it would. We're billing less. If I bring it in -- what I'm saying --

MAYOR SCARPELLI: But if you're constant --

COMMISSIONER EVANS: In your consumption, right, do --

MAYOR SCARPELLI: Right, but if you're constant in what you're billing, but still your
revenue's going down -- okay, it's something we have to look at, to --

COMMISSIONER EVANS: Well, yeah, no, if you said, if you said, look, every year I'm billing a thousand gallons of water, and I'm -- and my water pit is saying a thousand gallons of water is coming in, but my revenue, where -- and there hasn't been a rate change, and my revenue is going down, that would suggest that --

MAYOR SCARPELLI: That suggests there's a metering problem.

COMMISSIONER EVANS: Exactly. Exactly. But there might be a technical problem between what the meter is reading and what's actually making it --

MAYOR SCARPELLI: Correct.

COMMISSIONER EVANS: -- into the billing. But that -- we checked that --

MAYOR SCARPELLI: It's something we're --

COMMISSIONER EVANS: -- and that -- that's tracking --

MAYOR SCARPELLI: -- we're looking at. The other thing about the increase is recycling. We're paying to get rid of our recycling now, where in the past, we were, you know, getting some revenue. So now we're paying approximately $5,000 a month to --
basically tipping fees, for our recycling.

So it's another area where we have to look at doing things a different way. And I don't know what that way is, but certainly, the way it's headed is not the right way. It's really a global issue that the state needs to correct, but we don't know if we're going to get -- they -- get there, so we got to look internally.

COMMISSIONER EVANS: Would you take a hard look at, though, the salary, to make sure there is like a classification?

MAYOR SCARPELLI: Yeah.

COMMISSIONER EVANS: Because I -- I was surprised when I sit here, saw it going up that much.

MAYOR SCARPELLI: I think that's the -- from the recycling coming in, but I'll look at it.

COMMISSIONER EVANS: Just, it seems like, if it seems like there's a classification issue. Because I didn't think your salary going up would 317,000 --

MAYOR SCARPELLI: It is. So that's --

COMMISSIONER EVANS: -- because you got rid of people. So this is contrary.

MAYOR SCARPELLI: Yeah, so I got to look at it. But I think that's from the recycling coming into the budget. But hold on.
COMMISSIONER EVANS: It just may be a classification error, just, because it makes sense, that if you're going to -- if we have an O&E now for the recycling bill, that O&E would be higher than it would --

MAYOR SCARPELLI: Right, I think maybe that's --

COMMISSIONER EVANS: If you could just look at it.

MAYOR SCARPELLI: I will.

COMMISSIONER EVANS: Mauro, yeah, when we looked at yours, moving right along. Well, my schedule doesn't have a summary just for salary and -- so --

COMMISSIONER PETRACCO: What a coincidence.

COMMISSIONER TUCCI: What are you trying to say, Al? What do you mean, what a coincidence?

COMMISSIONER PETRACCO: I have no filter tonight, we're in trouble.

COMMISSIONER EVANS: Yeah, well.

COMMISSIONER TUCCI: Well, mine is 5.4 after salaries, pretty good to me.

COMMISSIONER EVANS: Yeah, see, your salaries are up $123,000.

COMMISSIONER TUCCI: Correct.

COMMISSIONER EVANS: Right, so --
COMMISSIONER TUCCI: And that's part of my (indiscernible) to the staff, with the little adjustments, and --

COMMISSIONER EVANS: Yeah, you have -- it's really --

COMMISSIONER TUCCI: Yeah.

COMMISSIONER EVANS: Yeah, I have that page, and we're going to look at it. And -- but the other side of the big -- so we were talking about it already, the medical?

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: You know, pulling out $530,000 out of the medical right now, you know, is a huge --

COMMISSIONER TUCCI: Right. And you know we're still looking at that.

COMMISSIONER EVANS: Yeah.

COMMISSIONER TUCCI: You know, we're taking a --

COMMISSIONER EVANS: Yeah, and my suspicion is later on, when you do that deeper analysis --

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: -- we'll probably fund our way, you know, hoping to absorb a little bit more.

COMMISSIONER TUCCI: And this budget also
includes, let's see, $25,000 in I guess the
Commissioners' line, and a thousand dollars in other
expenses, the 26, that 25 is the followup to the white
paper, to take that next step to look at, you know,
some of the effects of multifamily housing and begin
that process.

COMMISSIONER EVANS: Okay. Thank you. And
anything I can do to collaborate on that --

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: -- because I think as
we're finding, there's a lot of detailed analysis
that's behind those summary numbers --

COMMISSIONER TUCCI: Yeah.

COMMISSIONER EVANS: -- that needs to be
done. And then --

COMMISSIONER TUCCI: And like I said, it's
not what we would think are the obvious things, it's
the quiet impacts --

COMMISSIONER EVANS: Yeah.

COMMISSIONER TUCCI: -- that are really
affecting the budget, and that --

COMMISSIONER EVANS: It's more to the --

COMMISSIONER TUCCI: -- goes across all five
of the budgets.

COMMISSIONER EVANS: It would be. When I
look at -- the next line item is debt service, right, and overall, our debt service is going down by $12,000. It's basically flat. If you recall, last year we lowered debt service by $300,000, and this is staying consistent with the change that we saw last year, so, you know, debt service is basically flat. The uncollected taxes is $87,000. That's a statutory requirement, to manage our uncollected taxes. We did work with the auditors and got cooperation to waive that last year, but I'm not going to get that cooperation two years in a row. So that was more of a one and done.

So if you can then look to the bottom of that summary sheet I gave you, it basically shows that we have a -- if you look at the summary, we have a little summary over here.

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: All right? It basically shows that we have a -- the water deficit, and we did have the outside police duty that we had to accrue last year for $20,000, we didn't have to do that this year, because you have an outside agent that does that, so you got -- we didn't have to do it.

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: But if you look at, you
know, the water area, it's down about $109,000, so
there's a decrease there. If you look at the big
increases, and we look at -- as I said, we have a
$300,000 increase in pension, we have a $172,000
increase in sewer. The library, at $31,000, we didn't
go over that, but that's the statutory requirement, to
fund the library, based upon our assessed value.

The debt service is going down by $12,000.
There's our uncollected taxes is going up by 87, we
have a $250,000 increase related to the recycling
change that's partially offset because of the lower
revenue -- the lower state aid, we also have a lower
appropriation because we don't have to give the money
to the school and to the county, so we have a $397,000
reduction there, and we have overall, if you look
across all of the departments right now, that's a
million three increase in salaries, which I don't think
that number is right, because I think you guys got to --
- again, you got to look at it.

COMMISSIONER PETRACCO: This is where you're
at, right?

COMMISSIONER EVANS: I'm right here. I'm
right here. I'm reading down that.

COMMISSIONER PETRACCO: Okay. But it's up
there, right?
COMMISSIONER EVANS: Yeah, but -- but there, that's not -- that's something else.

COMMISSIONER PETRACCO: Okay.

COMMISSIONER EVANS: All right? That's just (indiscernible).

COMMISSIONER PETRACCO: A million (indiscernible).

COMMISSIONER EVANS: Million, yeah. And then that and our other expense of $37,000. So a total appropriation increase of a million, 662. The revenues, as I said, it's lower state aid by $615,000 with an offset, and one-time revenues related to the Mecca settlement, and the RDA. So we have a revenue shortfall of $438,000.

If you add those two numbers together, that says that the levy impact is $2.1 million, or a 5.1 percent increase, which translates to, on average, to $209 per household. So, again, I'm a lot more focused around what we need to do to really see where we can tighten.

You know, there are certain places, like the health care bill is a bill, it's a piece of paper, it comes in. The sewer bill is a piece of paper, it comes in. Right? There's not much we can do about that, and Mauro, if I heard you correctly, when --
COMMISSIONER TUCCI: Uh-huh?

COMMISSIONER EVANS: -- you think about, you know, all of our people, when you -- who are taking health care, that's pretty flat, year over year.

COMMISSIONER TUCCI: Pretty much. Yeah.

COMMISSIONER EVANS: Pretty -- you know --

COMMISSIONER TUCCI: Pretty much.

COMMISSIONER EVANS: -- so it's not --

there's -- and beyond that --

COMMISSIONER TUCCI: The big benefit to us this year was on the retiree side.

COMMISSIONER EVANS: Yeah.

COMMISSIONER TUCCI: I mean, and if that wasn't there, we would probably be in the same spot.

COMMISSIONER EVANS: Yeah. So in summary, that's where we are with this. I wish it was better news. But, as I said, please take a really hard look. I'm available to go through it with all of you, to see where we could come up with any types of changes. On the one side, while it's an increase, it helps with the discussion with the state, because a 5 percent increase in our municipal levy alone is a very significant increase, and overall, as I said, I think it's unacceptable in our climate.

So, and as I said in the beginning, I'm very
concerned about what -- how much the state's going to give us this year --

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: -- (indiscernible) given what we went through last year to get what we got.

COMMISSIONER PETRACCO: I know I keep on asking this question, and I will continue to ask it. I asked John Inglesino this a couple of times. I know we've made that wish list of our -- what impacts, you know, that is going on in the town and all that stuff. So now Phase III is coming, where we're finally going to be asking, I know, Alan, I want to ask for Public Safety, you know, what kind of funding we could get because of what that is going to do to Public Safety, you know, and the -- you know, even the ambulance squad.

So I mean, I know we can't assume anything in this budget cycle, I'm getting at, but I know Phase III is coming.

COMMISSIONER EVANS: Yeah.

COMMISSIONER PETRACCO: And is that doable? I mean, could we -- would you plan for the future that we're going to get these impact fees?

MR. GENITEMPO: The problem is then you're probably going to increase the budget and then be
offset by whatever impact fees we can get. I don't think you're going to -- you're not going to be able to just go against your current -- because of your current budget issues, you know what I'm saying. You're going to add four more police because you think you're going to have more need --

COMMISSIONER PETRACCO: Right.

MR. GENITEMPO: -- or more firemen, or more ambulance, you're just going to raise the costs --

COMMISSIONER PETRACCO: Well, I've had --

MR. GENITEMPO: -- and those costs may be offset, the future costs --

COMMISSIONER PETRACCO: Well, I have to tell you the truth, even with accepting that grant, with that police grant, which was a half a million dollar grant, you know, that is -- that's what we are doing in public safety, building and getting ready for this all to come, because we can't say, okay, it's built, and let's go put more on. I mean --

MR. GENITEMPO: think you --

COMMISSIONER PETRACCO: So that's with the --

MR. GENITEMPO: -- just -- yeah --

COMMISSIONER PETRACCO: -- and I'm saying that --

MR. GENITEMPO: I'm just going to have a sit
down with John, we should have a separate meeting --

COMMISSIONER PETRACCO: Yeah.

MR. GENITEMPO: -- with just you and I and John, and sit down and go over that. A lot of it may be more towards equipment and materials, and I don't know about salaries --

COMMISSIONER PETRACCO: And manpower?

MR. GENITEMPO: Yeah. But it's going to be harder to get a continuous, you know, benefit regarding --

COMMISSIONER PETRACCO: I mean, they think -- they're saying that when that site's fully developed that they're expecting 10,000 people through that site a day. So just think of all the cars, people backing up into each other, a security team cannot take that, then, so that's going to be more of a burden --

MR. GENITEMPO: Right.

COMMISSIONER PETRACCO: -- on the police department.

COMMISSIONER EVANS: Yeah.

COMMISSIONER PETRACCO: And you'd be surprised (indiscernible) --

COMMISSIONER EVANS: That's Nutley and Clifton.

COMMISSIONER PETRACCO: Yeah, and
(indiscernible). Speaking to the mayor of Clifton, I mean, even the mall that they put on Route 3, that they are in there all the time.

MR. GENITEMPO: Kind of a difference, they had their own fire department at Roche when they were operating --

COMMISSIONER PETRACCO: Right.

MR. GENITEMPO: And now your fire department and Clifton's are going to have to cover it.

COMMISSIONER PETRACCO: So I'm saying, as much as that -- it's -- you know, we wanted to take a pen and swipe this, it's very difficult knowing what's on the horizon. For me, also.

MR. GENITEMPO: And that's why I think it's important that you all sit down separately with John and I, and talk about your individual departments, and what you're looking for, because we need to put those together soon. Very soon.

COMMISSIONER PETRACCO: I mean, I could tell you this real quick, I mean --

COMMISSIONER EVANS: Including the firemen.

COMMISSIONER PETRACCO: -- I don't know that how -- how -- the -- all the calls of service that we do in Public Safety, how we could add on another X amount of calls over there with just the manpower we
have. Because we're at 70 -- really, 1, cops right
now, and, you know, as we all know, it's 24 hours a
day, 7 days a week. So we don't have them all out
there at the same time, and it's a lot of hours and
days to cover with that many on there, as we all know.

    MR. GENITEMPO: Well, there's no doubt your
response times are going to be affected, and --

    COMMISSIONER PETRACCO: Yeah. I mean,
Clifton, you know, to my knowledge, is now stacking
calls. A friend of mine got in a little car accident.
Two hours for a cop. You know, you have a barking dog
in Nutley, they're there in two minutes, so we have to
figure out --

    COMMISSIONER ROGERS: Or you have a domestic
violence call, you have no police at all.

    COMMISSIONER PETRACCO: Exactly.

    COMMISSIONER ROGERS: Let's keep that in
mind.

    MR. GENITEMPO: Well, the other thing is to
do an analysis related to when Roche was at full bloom.
What was their usage? What was their need? It wasn't
probably as great as it will be, because they had their
own fire department and security, but --

    COMMISSIONER PETRACCO: Sure.

    MR. GENITEMPO: -- there's going to be
private security at --

    COMMISSIONER PETRACCO: And it was gated.

    MR. GENITEMPO: No question. And so I'm saying, there might be -- the number of people in and out, though, is probably going to be what it's going to be when it's fully built out, I would think.

    COMMISSIONER TUCCI: Well, you saw in the white paper, your calls for service are already up. You're already feeling --

    COMMISSIONER PETRACCO: Exactly.

    COMMISSIONER TUCCI: -- you know, the impact of that, so I think that's a good starting point for you.

    COMMISSIONER EVANS: Right.

    COMMISSIONER TUCCI: Get a hold of what Roche's investment was in manpower and equipment and use that as your guide as part of the negotiation --

    COMMISSIONER EVANS: Sure.

    COMMISSIONER TUCCI: -- on the community impact fees.

    MR. GENITEMPO: That's what I'm saying, I think that data might be very helpful.

    COMMISSIONER TUCCI: Yeah, I think it would be very helpful.

    COMMISSIONER ROGERS: But a key component is
the fact that it's not gated anymore.

COMMISSIONER PETRACCO: Exactly.

COMMISSIONER ROGERS: That was a deterrent.

COMMISSIONER PETRACCO: Exactly.

COMMISSIONER ROGERS: Now you can go in there from any -- including Route 3, I think you could get there from Route 3.

COMMISSIONER PETRACCO: Right. You already can.

COMMISSIONER ROGERS: So there's your --

COMMISSIONER EVANS: I think -- as you were saying, going deeper dive to understand what's the nature of the calls, what kind of calls we're getting. And I know, I remember, it's -- and I'm dated, but I remember that because of changes in laws, requirements, the paperwork associated with a call. So if it's a -- remember, like a domestic violence call might involve one or two officers that go in and make a report out --

COMMISSIONER PETRACCO: Two officers for about four hours.

COMMISSIONER EVANS: Right. And so they got one call, and because of the paperwork --

COMMISSIONER PETRACCO: Yep.

COMMISSIONER EVANS: -- you've got two people tied up for in effect a half a shift on one call
because of those requirements. I think -- you know, there's this -- there's another impact that we're seeing as a town, not just from the development, but what is the expanded reporting requirements that we're now subject to because of changes in laws?

  COMMISSIONER PETRACCO: The administrative work.

  COMMISSIONER EVANS: Right, exactly.

  COMMISSIONER PETRACCO: Behind the scenes.

  COMMISSIONER EVANS: Just (indiscernible) are around because of the other things that we're in. So I think there's a lot of good data that could be gathered to testify. But --

  COMMISSIONER PETRACCO: And you know what, Tom, this one other really important part --

  COMMISSIONER EVANS: I didn't hear you helping me with the budget (indiscernible).

  COMMISSIONER PETRACCO: -- no. Well, because I want you guys to know that when I start slashing it what the impact is going to be, and even with, you know, the new court -- I'm lost for exactly what it is. But now the process is when they have to -- we make an arrest, we have to call the prosecuting --

  COMMISSIONER ROGERS: Bail reform forms.

  COMMISSIONER EVANS: Bail reform.
COMMISSIONER PETRACCO: Bail reforms, thank you. You know, so my budget for overtime actually went up, it's actually what we spent, and the reason why, somebody, you know, makes an arrest at the end of the shift, now you're waiting four hours to get a phone call back, blah, blah, blah --

COMMISSIONER EVANS: Yeah.

COMMISSIONER PETRACCO: -- you know, and 99 percent of the time, it's ROR them anyway, but long story short, you know, that's -- there's a lot of things that --

COMMISSIONER EVANS: Yeah, and I -- that's a good --

COMMISSIONER PETRACCO: -- are out of control, out of --

COMMISSIONER EVANS: -- so that's an example, that's a good example of the data that would be very important. It's just, as a big -- because of bail reform, bail reform --

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: -- we're -- we have to do -- these new procedures, we've got to do this, there's a waiting time associated with that which under -- which we're obligated to pay for.

COMMISSIONER PETRACCO: We are.
COMMISSIONER EVANS: Right? So it means it's not that -- that there's an increase in calls, it's just an increase of costs associated with a call that we have --

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: -- to deal with. And I think that that's very beneficial to understand.

MR. GENITEMPO: What about the effect of marijuana legalization?

UNIDENTIFIED: That's another issue.

COMMISSIONER PETRACCO: That's -- I got to be home by tomorrow.

COMMISSIONER EVANS: Well, that's ridiculous, that whole thing.

MR. GENITEMPO: No, but it's going to have a significant effect on the --

COMMISSIONER PETRACCO: No, listen, it is.

COMMISSIONER EVANS: Absolutely.

COMMISSIONER TUCCI: But that's where the big challenge comes in, in keeping the services where they are, keeping the town safe, and providing all the things that we provide, while at the same time keeping it affordable, because this 209 is on a house -- you said the average house assessed at what?

COMMISSIONER EVANS: 226.
COMMISSIONER PETRACCO: It's up a little this year.

COMMISSIONER TUCCI: So we're still looking for that house, huh?

MR. GENITEMPO: And I think, Commissioner, you just --

COMMISSIONER EVANS: Two doors down from you.

COMMISSIONER TUCCI: I would hope. And then mine --

COMMISSIONER EVANS: Or around in the back.

COMMISSIONER ROGERS: I think you just nailed it. You know, my concern is, are we going to go so far that we're going to literally send the town to a journey we don't want to go? We saw -- we've seen over the years what's happened around us. Cut police, cut fire, cut -- you know, cut everything. Cut Public Works. Look what's happened to these communities.

COMMISSIONER EVANS: Yeah.

COMMISSIONER ROGERS: So, you know, I'm worried about that, I really am.

COMMISSIONER EVANS: Absolutely.

MAYOR SCARPELLI: So --

COMMISSIONER EVANS: You know, when you say we can get a cop to a scene in two, three minutes, a fire truck in three, three to four minutes, how many
Budget Workshop

towns can actually do that?

COMMISSIONER ROGERS: Not too many.

COMMISSIONER PETRACCO: Yeah.

COMMISSIONER EVANS: Right? But there's a
cost associated with that, and then the question
becomes --

COMMISSIONER TUCCI: And if you're looking
to reduce the cost, then maybe some of the models need
to change.

COMMISSIONER EVANS: Exactly. Exactly.

COMMISSIONER TUCCI: You can't stay constant
in what we used to do with that under three minutes,
you know, to respond, and you know, keep everything
affordable with all the added requirements, both
reporting, manpower and everything else, it's --

COMMISSIONER EVANS: Exactly, it's just that
the --

MAYOR SCARPELLI: And that's across the
board.

COMMISSIONER ROGERS: Yeah. That's
everything, yeah, that's all the departments.

COMMISSIONER EVANS: Yeah, when I look at the
-- the statutory positions I have, the statutory
reporting associated with that, none of these
requirements are going down, and they're not getting
any easier.

COMMISSIONER ROGERS: I know.

COMMISSIONER EVANS: Right? So -- and -- but there is a bright light here. We have a reevaluation coming up that we don't have to bond for.

MAYOR SCARPELLI: Always --

COMMISSIONER ROGERS: I remember the last time I had to get that done, that bright light.

MAYOR SCARPELLI: Always the bearer of good news, Mr. Evans.

COMMISSIONER EVANS: No, so the reason why I raise this is like that on one side, you can say, wow, Public Safety's going up a million dollars, oh my God. Right? But there's a -- there's reasons for it. Right? There's reasons for it.

And what -- so we -- we have to, I think, prepare for on the budget and our introduction to do more for the benefit of the public is helping them understand what it takes to do what we're doing. And then ultimately, you know, as we're all reminded, we're -- we -- we're here at the service of the public. Right? So if this starts to go into a certain area, and the public tells us they don't want to go into that area, then we're going to have to respond to that.

COMMISSIONER ROGERS: You know, John Holland
used to -- we used to talk about this a lot. He said, you know what, Steve? Nutley is an exclusive community. He actually used those words. And we are. We're an exclusive community. You know, I get around, and I see the crime rates, and I'm really worried about that, Al, I've got to tell you, I'm really worried about it. I mean, the shootings not far from here, the muggings --

COMMISSIONER PETRACCO: Oh, it's right around the corner.

COMMISSIONER ROGERS: -- and a lot of people don't hear --

COMMISSIONER EVANS: Right.

COMMISSIONER ROGERS: -- about what's going on. But we don't have that. So I mean, I -- our department, I mean, we're handling it well, I think, you know, the services are good here, but I'm really worried about that.

COMMISSIONER EVANS: Yeah.

COMMISSIONER ROGERS: Really worried about it.

COMMISSIONER EVANS: And you add to that, which we're not talking about, is what's the requirement it takes to educate our children well today.
MAYOR SCARPELLI: So let's sharpen our pencils, if we can. Commissioner, you've done a good job sharpening yours.

COMMISSIONER TUCCI: Thank you, Mayor.

COMMISSIONER PETRACCO: We'll sharpen ours.

MAYOR SCARPELLI: And let's -- yeah, we're going to sharpen ours.

COMMISSIONER ROGERS: Can I borrow your --

COMMISSIONER TUCCI: Here, use my pencil, here.

MAYOR SCARPELLI: And I want to just reiterate what Alan said about getting to John Inglesino, and getting your lists of what you think the impact of the development on Roche is going to be to your departments, things that we should be asking for. So just, you know, let's get that done, because sooner more than later, is that what you -- the phrase you used to --

MR. GENITEMPO: Sooner rather than later.

MAYOR SCARPELLI: Yes.

MR. GENITEMPO: Sooner, very soon.

MAYOR SCARPELLI: We're at 7:00 o'clock, Mr. Genitempo, can we just roll into the regular meeting?

MR. GENITEMPO: Yes, we built it right into
the conference session for that very reason.

MR. SARINELLI: So the mechanics, March 19th is the introduction date, we need a few days' lead time in order to get it on the state budget.

MAYOR SCARPELLI: 18th, right?

MR. SARINELLI: Well. I would like to say maybe the 14th or 15th at the latest, so we'd have the weekend to get the actual state form prepared, if there aren't any changes?

COMMISSIONER PETRACCO: March?

COMMISSIONER EVANS: March, yeah.

MS. COSTA: Also, capital, the capital budgets, gentlemen, I haven't received any, so if you wouldn't mind, I'd appreciate that.

COMMISSIONER ROGERS: We have nothing on our --

MS. COSTA: Okay.

COMMISSIONER ROGERS: Okay.

COMMISSIONER PETRACCO: This is the first point.

COMMISSIONER EVANS: We're ready.

COMMISSIONER TUCCI: I'm not going to say the same.

MS. COSTA: Okay.

COMMISSIONER TUCCI: Steve's going to yield
his board to the Parks Department.

THE CLERK: March 14th?

COMMISSIONER EVANS: Look at the bright side --

THE CLERK: March 13th?

COMMISSIONER TUCCI: That's right.

COMMISSIONER ROGERS: Am I going away --

COMMISSIONER EVANS: -- you don't have a time to --

MAYOR SCARPELLI: 13th, yeah, the 13th, the 14th, let's say the 13th if we want the --

THE CLERK: 13th?

MR. SARINELLI: Any final corrections, or final revisions --

COMMISSIONER TUCCI: 13th?

UNIDENTIFIED: -- by March 13th?

THE CLERK: What time?

MAYOR SCARPELLI: Oh, we're not -- we don't think we need a meeting, we don't need a meeting.

MR. SARINELLI: Oh, it's not a meeting.

MR. SARINELLI: No, just whatever revisions.

MS. COSTA: No, just send me the revisions.

MR. SARINELLI: Send to Rosemary as final for the budget.
UNIDENTIFIED: 14th is good, too.

MAYOR SCARPELLI: 13th.

COMMISSIONER TUCCI: Okay.

MAYOR SCARPELLI: So let's just go right into
the agenda.

THE CLERK: Mayor, I'm just going to read the
Sunshine Notice, okay?

MAYOR SCARPELLI: You can read it again,
sure.

THE CLERK: Yeah. Pursuant to the
requirements of the Open Public Meeting Act,
Chapter 231, Public Law 1975, notice of this meeting,
the regular scheduled meeting for the Board of
Commissioners, was published in the November 29th, 2018
issues of the Nutley Sun, the Herald News, and the
Star Ledger. A copy of this notice was posted in -- on
the Nutley Town Hall bulletin board, and a copy is on
file in the Municipal Clerk's Office. And everyone is
present, Mayor.

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

COMMISSIONER PETRACCO: I have a public
hearing, if I remember looking at this. Yes, I have a
public hearing tonight on salary ordinance, and I don't
think I have any resolutions this week.
UNIDENTIFIED: You have one.

COMMISSIONER PETRACCO: Oh, I have one, I see, we have another leave of absence for Kevin Hussey. That's all I have.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: I have two public hearings related to the financing agreements for 100 and 200 Nutclif, which is the former Hoffman LaRoche site. It's the Tax Pilot agreements. And I also have the resolution which authorizes the settlement of the tax appeal on the Roche site for the years 2016, '17, and '18. So -- and that's what I have on the agenda tonight, Mayor.

MAYOR SCARPELLI: Any discussion on the pilots that --

COMMISSIONER EVANS: Just a -- just a -- a couple.

MR. GENITEMPO: Do you want to do that in executive?

MAYOR SCARPELLI: We could do that.

MR. GENITEMPO: Yeah, if you need to, we have a couple more I need to --

MAYOR SCARPELLI: Okay. Good. All right.

Commissioner Rogers?

COMMISSIONER ROGERS: Yes, the resolution
observing the month of March as National Women's History Month.

MAYOR SCARPELLI: Commissioner Tucci?

COMMISSIONER TUCCI: I have two resolutions, one accepting a bid offer from Marczak's, Inc., and Jersey One Auto Sales for surplus equipment, and I have an award of contract to Quality Fence of Peekskill for the replacement of fencing at the American Little League Field.

MAYOR SCARPELLI: Oh.

COMMISSIONER TUCCI: And I believe that I have -- no, that's it.

MAYOR SCARPELLI: I have raffle applications, I have award of a professional service contract to Mr. Cifelli of Piro, Zinna, Cifelli, and Genitempo. I have an endorsement of the submission of the 2018 Municipal Recycling Tonnage Grant, and a designee, designating Sal Ferraro as the Recycling Coordinator. And I have a resolution in opposition of the closure of Highfield Lane by Norfolk Southern, so, which will go to the Department of Transportation, so I'm asking for support on that, that we all be behind that 100 percent. Madam Clerk?

THE CLERK: Yes, Mayor. We have minutes for approval, and under communications we have several
applications. One is the Nutley-Belleville Columbus Day Parade, a Rubber Ducky that's organized for --

UNIDENTIFIED: What'd you say?

THE CLERK: A Rubber Ducky. The Rubber Ducky Walk. One's from the Nutley Rotary Club, the Nutley High School Hockey Boosters, and the Friends of Phoenix Center. They have all submitted applications.

MAYOR SCARPELLI: Mr. Genitempo?

MR. GENITEMPO: I have a litigation matter to discuss, and I would like to go -- with negotiations, to talk about negotiations with Dean and final discussion on the (indiscernible).

MAYOR SCARPELLI: And --

COMMISSIONER TUCCI: Personnel?

MAYOR SCARPELLI: -- personnel, and I want to executive on contract negotiations.

COMMISSIONER EVANS: Do we have to say what it's for?

MR. GENITEMPO: Contract negotiations, unless it's going to reveal something that's highly confidential and it's not for public consumption yet.

MAYOR SCARPELLI: The redevelopment of the Ciccolini property.

MR. GENITEMPO: Okay. That's fine.

THE CLERK: Motion?
MAYOR SCARPELLI: I need a motion.

COMMISSIONER TUCCI: Move.

COMMISSIONER PETRACCO: Second.

THE CLERK: Whereas Section 8 of the Open Public Meeting Act, Chapter 231, Public Law 1975, permits the exclusion of the public from meeting in certain circumstances, and whereas the public body is of the opinion that such circumstances exist, and whereas the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, desires to proceed to closed executive session, and now therefore be it resolved by the Board of Commissioners of the Township of Nutley to move into closed executive session to discuss litigation, negotiations, contract negotiations for the redevelopment of the Ciccolini property, and personnel matters.

Be it further resolved at a time when such discussion may be disclosed to the public shall be when and such disclosure may be made without adversely affecting the Township of Nutley, pending and/or anticipated legal personnel contractual matters, and other matters within the exception provided for by statute.

Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Here. Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: And Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

(End of recording)

* * * * *

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CERTIFICATION

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: March 20, 2019
ACCESS TRANSCRIPTS, LLC
In The Matter Of:
In RE: Nutley Board of Commissioners

Transcript of Proceedings
March 5, 2019
Public Session

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*** PUBLIC SESSION ***

DATE: March 5, 2019

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR

MAURO G. TUCCI, COMMISSIONER

THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER

STEVEN L. ROGERS, COMMISSIONER

ALSO APPEARING:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
(Recording begins)

MAYOR SCARPELLI: Everybody please stand for the flag salute.

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Thank you, Mayor. Board of Commissioners Public Meeting, Tuesday, March 5th, 2019. The time is now 7:47.

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

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?
Public Session

1. MAYOR SCARPELLI: Here.
2. THE CLERK: All present, Mayor.
3. MAYOR SCARPELLI: Minutes, Madam Clerk?
4. THE CLERK: Yes, Mayor. We have Board of Commissioner meeting minutes for January 15, 2019, and February 5th of 2019. I need a motion.
5. COMMISSIONER EVANS: Move it.
6. COMMISSIONER PETRACCO: Move it.
7. COMMISSIONER TUCCI: Second.
8. THE CLERK: Commissioner Rogers?
10. THE CLERK: Commissioner Tucci?
11. COMMISSIONER TUCCI: Aye.
12. THE CLERK: Commissioner Evans?
14. THE CLERK: Commissioner Petracco?
15. COMMISSIONER PETRACCO: Aye.
16. THE CLERK: Mayor Scarpelli?
17. MAYOR SCARPELLI: Aye. Communications?
18. THE CLERK: Thank you, Mayor. The Nutley-Belleville Columbus Day and Italian Heritage Committee has submitted a letter requesting permission to hold a raffle drawing on Sunday, March 31st, 2019, from 2:30 p.m. to 6:30 p.m. at 44 Park Ave. I need a motion?
COMMISSIONER TUCCI: Move it.
COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

THE CLERK: The Rubber Ducky Organization and Crank Systems have submitted an event application to hold a charitable walk starting at the end of 55 Washington Avenue on Sunday, April 7, 2019, from 9:00 a.m. to 12 p.m.

COMMISSIONER TUCCI: Move it.
COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?
COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: The Nutley Rotary Club has submitted an event application to hold their Second Annual Car and Motorcycle Show on Franklin Avenue, between Chestnut Street and Center Street on Wednesday, September 4, 2019, from 3:30 p.m. to 9 p.m. I need a motion.

COMMISSIONER EVANS: Move it.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: The Nutley High School Hockey Booster Club has submitted an event application to hold a Father's Day Street Fair on Franklin Avenue between Chestnut Street and Center Street on
Public Session

Sunday, June 16th, 2019, from 7 a.m. to 7 p.m.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: The Friends of the Phoenix Center have submitted a social affair permit application for their Casino Night event to be held Friday, May 3rd, 2019, at 16 Monsignor Owens Place from 6 p.m. to 11 p.m.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: And that's it for communications.

MAYOR SCARPELLI: Thank you. Bills?

THE CLERK: Thank you, Mayor. Bill list for March 5th, 2019: Public Affairs, $108,732.94; Revenue and Finance, $2,567,371.74; Public Safety, $89,474.54; Public Works, $109,631.48; Parks and Public Property, $611,781.24; Water Utility, $148,321.53; Total Payroll: $859,298.60; for a grand total of $4,494,612.07.

COMMISSIONER EVANS: Move the bills.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.
THE CLERK: That's it for bills, Mayor.

MAYOR SCARPELLI: Public comment on agenda items or the budget workshop. Madam Clerk?

THE CLERK: Thank you, Mayor. All persons addressing the Board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the Board, each person shall limit their address to three minutes.

All remarks to the Board and its individual members must be addressed to the Mayor. The mayor may defer citizens' comments to the appropriate member of the Board. Dialogue between citizens and others addressing the Board shall be allowed unless the mayor or presiding officer or the majority of the membership of the Board shall determine that the interests of the quorum and/or the expeditious conduct of municipal business are being adversely affected by such dialogue.

MR. MOORE: Rory Moore, 462 Chestnut Street. Mr. Scarpelli, I'd like to get a copy of those papers tonight. Are they public yet?

MAYOR SCARPELLI: What papers?

MR. MOORE: You -- Ms. Costa was handing out papers.

COMMISSIONER EVANS: No, they're just --
Public Session

1 MAYOR SCARPELLI: No, they're not public.

2 COMMISSIONER EVANS: -- they're draft working

3 copies for the workshop. I'm sorry, they're not

4 available.

5 MR. MOORE: When will they be publicly

6 available?

7 COMMISSIONER EVANS: When we introduce the

8 budget on March 19th.

9 MR. MOORE: So it's like there's no

10 information whatsoever between now and then that the

11 public can review?

12 COMMISSIONER EVANS: No, just well, again, it

13 was a workshop session to discuss with the

14 commissioners where we're at. The public can listen to

15 that, but those papers are in draft, and they're

16 working copies, and they're subject to a lot of change.

17 So they're not available.

18 MR. MOORE: Okay. Thank you.

19 MAYOR SCARPELLI: Anybody else wish to

20 address the Board of Commissioners?

21 MS. ROSSI: Tammy Rossi, 28 Colonial Terrace.

22 Under revenue and finance I see a fee for $964 for

23 Rutgers. Could you tell me what specifically that is

24 for?

25 COMMISSIONER EVANS: I can. That is for my
-- in my treasury area, for one of my clerks to attend
a course regarding the construction of the budgets. I
don't remember the specific name of the course, but
it's specifically targeted to her job function.

MS. ROSSI: Okay, thank you. And then there
are, I see, over $10,000 for public safety with
Ocean Computer Group.

COMMISSIONER PETRACCO: I could check that
out for you. I'm thinking that's probably a
maintenance agreement with us.

MS. ROSSI: Okay, because it's under two
different line items. One's $7,654 and the other is
$3,343. I thought that sounded -- this is a two-week
bill list, so I'm just wondering.

COMMISSIONER PETRACCO: Okay, I could get
back to you tomorrow on that, if you like.

MS. ROSSI: Okay. Okay, great. Thank you
very much.

COMMISSIONER PETRACCO: You're welcome.

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

MS. SOLENTO: Amy Solento, 70 Newman Avenue.

Regarding the current draft budget, there was mention
that the state aid reduction, or the anticipated state
aid reduction, would be over $600,000.
But there was talk of some of the Mecca settlement offsetting that. So I'm not sure, I think in a prior meeting about the Mecca settlement, there was some discussion about that potentially offsetting expenses for the town library assessment. So I'm not sure, like, how much Mecca money goes towards what. It seems like it's --

COMMISSIONER EVANS: Sure.

MS. SOLENTO: -- sort of coming up a lot.

COMMISSIONER EVANS: Yeah, and Amy, that's actually -- I actually outlined in the settlement agreement itself, but for tonight we discussed a couple of things. One is by statute we're only allowed to anticipate 85 percent of the previous year's state aid. So we received -- technically, this is a transitional state aid, so we received 4.1 million of transitional aid for 2018.

We're only allowed to anticipate 85 percent of that, which is roughly $3.6 million, so in total, that's a $615,000 reduction in revenue for us, until we're able to meet with the state and determine what the number will be for 2019.

Offsetting that revenue decrease, which we talked about, is that we do have an entry of a new revenue item, which is actually two items. One is a
hundred thousand dollars, which, specific to the Mecca settlement, was a reimbursement to the town for its costs incurred. So we -- since we did incur those costs that revenue came into the budget to offset those costs. Some of those costs were incurred in '18, some of them are actually part of the 2019 budget.

And there is a $25,000 adjustment for the work at Roche for legal fees for our town attorney, reimbursing us for some of the costs for the time that he has spent in addition to his regular duties there. So that's -- in summary, the -- those three points discuss the overall change in revenue year over year and addresses your question regarding the budget, as well as the settlement agreement.

MS. SOLENTO: Okay, thank you. I do have a question. I think possibly part of the closed session was about Ciccolini Building redevelopment, and you may not be able to answer this, but if I recall, there are two buildings the town has purchased in the past few years, the Davis Building and the Ciccolini Building. Both of them don't have a plan attached to them as of yet. I asked about this last meeting about Ciccolini. It sounds like something will be forthcoming. Is there a timeline as to when there will be a plan for either or both buildings, Ciccolini and Davis?
MAYOR SCARPELLI: The Ciccolini Building, there will probably be something on the agenda at the next meeting.

MS. SOLENTO: Okay, thank you. And the Davis Building, which there was some talk previously of it being transferred to the school district? I mean, it's still -- still the same taxpayer money, so is there any plan information about the Davis Building?

MAYOR SCARPELLI: Not at this time, Ms. Solento.

MS. SOLENTO: Okay. So my last thing I just want to say is you are base budgeting. It was mentioned last year that the budget would be zero based budget. I still don't hear that anybody's doing zero based budgeting, and with the anticipated shortfalls, and possible --

COMMISSIONER EVANS: -- take a zero based --

MS. SOLENTO: -- right now, proposed 5.1 percent increase just in the town's tax budget, taxes, I don't know, it seems like possibly going back to scratch is a way to really get down to the very, very bottom-line possibilities of expenditures, so, just wanted to suggest that.

MAYOR SCARPELLI: Thank you.

MS. SOLENTO: Thank you.
Public Session

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners? Seeing none, let's move on to Board of Commissioner announcements.

COMMISSIONER TUCCI: I have one, Mayor. Last evening the Essex County Chapter of the National Football Foundation and the College Hall of Fame awarded Frank DeMaio the -- I guess you were the Man of the Year, Frank, for your contribution to amateur football, and that's not only all of our levels here in Nutley with the Junior Raiders, but for all his work and collaboration with all of the other organizations throughout the County of Essex, all right, and I just wanted to publicly congratulate Frank.

Again, I had the pleasure of being there, and clapping with his family and his four tables of friends, and I just think it's important for everyone to know what kind of people we have working for us.

So, thank you, Frank.

MAYOR SCARPELLI: Anybody else have an announcement?

COMMISSIONER PETRACCO: Mayor, I'd just like to answer Ms. Rossi's own question that she had for me about that money on the bill list. That was for computers and new work stations in the detective
Public Session

bureau, just so you know. Thank you.

MAYOR SCARPELLI: Let's move on to ordinance introductions. Commissioner Petracco, public hearings?

COMMISSIONER PETRACCO: Yes.

Ordinance Number 3415, an ordinance to amend the salaries of certain officers and employees of the Township of Nutley, County of Essex, State of New Jersey; be it attained by the Board of Commissioners of Township of Nutley in the County of Essex, New Jersey.

MAYOR SCARPELLI: Anybody want to be heard on Ordinance Number 3415?

MR. MOORE: Rory Moore, 462 Chestnut Street.

Mr. Petracco, this a $10,000 raise for Clerk 1, I believe, if I'm reading this correctly.

COMMISSIONER PETRACCO: This is for -- what we're doing -- this is actually only going to be temporary. What I did was I moved a dispatcher up to the Court, and we didn't have a clerk's position there. We have a retirement coming up of our deputy clerk, actually, and with that being said, we're just doing this to train. Meanwhile I have not filled that dispatcher's spot while I'm doing this, as well.

MR. MOORE: Filling a dispatcher's spot, that's not on the ordinance for this evening. It's going from a -- as I understand it, it's a Clerk 1
position. Now, according to DCA you can assign to -- each town can assign whatever value that is, how much they want to pay for them.

COMMISSIONER PETRACCO: Uh-huh.

MR. MOORE: Isn't there a Clerk 2 so that we wouldn't have to raise a Clerk 1's salary?

COMMISSIONER PETRACCO: I don't think -- I think the reason why we're doing this is because the way our table of organization is in, and we didn't have the civil service title in that -- in the Court to put her there, and that's where the issue came up. So, again, I mean, to -- the way it's been explained to me, it's just a bookkeeping matter, because we didn't have that slot in order to do this pre-training until that person retires.

MR. MOORE: I guess your explanation is --

COMMISSIONER PETRACCO: And just so you know, actually, that person's taking a pay cut of what they were making as a dispatcher to move into that Court position.

MR. MOORE: So the dispatch position --

COMMISSIONER PETRACCO: Why I'm doing this, this training, you know, very simply put, we have somebody leaving in the Court. Okay? So before that person leaves we're trying to train someone. It
happened to be the person that I put there was a dispatcher, because as we're looking at these budgets and trying to save money that position I might not even fill again, that dispatch position. So it's -- actually, there's no more money coming out of my budget while I'm doing this, is what I'm saying. And it was just a bookkeeping matter that I didn't have the civil service title in the Court in order to put that person there.

MR. MOORE: But that means -- how many -- are there any Clerk 1s? Maybe I'm misunderstanding.

COMMISSIONER PETRACCO: I would --

MR. MOORE: Right now are there any --

COMMISSIONER PETRACCO: There wasn't any vacancy for a Clerk 1 position to put this person in that spot.

MR. MOORE: So what, you're basically creating a position in the Court as a Clerk 1?

COMMISSIONER PETRACCO: I'm creating a position temporarily only because of the training. In other words, I wouldn't have the -- the Court is like a separate entity -- it's not like, it is a separate entity.

MR. MOORE: I get it, but --

COMMISSIONER PETRACCO: And through civil
service, so when we -- when I went to move this person, I thought because that person was in public safety it was simply going from dispatcher to the Court. We didn't have a position in civil service to make that transition work, I mean, very well.

MR. MOORE: So based on your explanation, I'm trying to understand. The -- any other clerks over there, are they Clerk 1s as well? By title?

COMMISSIONER PETRACCO: I believe we have Clerk 1 and Clerk 2 positions, but I don't -- I -- and throughout public safety and the township, but we didn't have it in the court where this person was going.

MR. MOORE: I guess it -- I'm -- the point I'm trying to raise is that you can bring somebody in as a title as Clerk 1.

COMMISSIONER PETRACCO: Right.

MR. MOORE: At 35,000.

COMMISSIONER PETRACCO: Right.

MR. MOORE: Rather than raising it 10,000 as a Clerk 1, because everybody else by title goes up, as well, because of this ordinance, why don't you just continue --

COMMISSIONER PETRACCO: No, everybody else is not going up because of this ordinance.
MR. MOORE: But you do, by the -- by ordinance, just by the definition, a Clerk 1 will now be titled to $45,000.

COMMISSIONER PETRACCO: No, that's the -- that's just the range.

COMMISSIONER TUCCI: That's just the range.

COMMISSIONER PETRACCO: That's just the range.

MR. MOORE: I understand it's a range, but the range is $45,000.

COMMISSIONER PETRACCO: The range is $45,000, and I tell you, Rory, you do -- for the -- how many years I been on the board, I get that range, what you're saying, and I was always advocating to be very specific, but then we would be doing this every meeting as people grow their salaries.

MR. MOORE: But this -- by definition, this now raises every Clerk 1 to $45,000, potentially.

COMMISSIONER PETRACCO: That's not how I'm looking at that. I mean, I see it's -- this is for Municipal Court. It's a Municipal Court position.

COMMISSIONER PETRACCO: Commissioner, if I can help clear -- this ordinance only adds the position. It doesn't -- the salary range, I believe, is already what's in the salary range for Clerk 1s, so all you're
doing is adding a position to the Municipal Court that doesn't exist in civil service. So the salary is what's, I believe, already in place for Clerk 1s in that position. So we're not changing the salary structure, Mr. Moore. We're just adding a Clerk 1 position to the Municipal Court.

MR. MOORE: I guess I'm just -- I -- is your current --

COMMISSIONER EVANS: Rory, I understand your question. I understand your question. Is there more than one Clerk 1 in the Municipal Court?

COMMISSIONER PETRACCO: I would think there is, but I -- but I --

COMMISSIONER EVANS: And so for all the municipal clerks, for all of the Clerk 1s in the Municipal Court --

MR. MOORE: They just got a pay raise.

COMMISSIONER EVANS: -- are they -- no. Are they all within the range of 35 to $45,000?

COMMISSIONER PETRACCO: I believe so.

COMMISSIONER EVANS: So if someone is a Clerk 1 and they're currently at $38,000 their pay isn't changing. This just, that's a salary range. It says their salary could be between a minimum of 35 and a maximum of $45,000.
COMMISSIONER PETRACCO: Exactly how I understand it.

COMMISSIONER EVANS: But it's -- again, but it's not giving them all a raise. It's just simply adding that range, so if -- if you -- and the reason I asked the question is, if you have Clerk 1s that are already in the Municipal Clerk -- and I would say, in the Municipal Court, right, and they're already there, right? I understand the question is that why would you need an ordinance line item, because my suspicion is that there isn't any other Clerk 1s, and that this is the first one. Is that correct?

UNIDENTIFIED: (Indiscernible.)

COMMISSIONER EVANS: So this is -- yes, but I'm saying, this isn't -- this is a position of Clerk 1.

UNIDENTIFIED: (Indiscernible.)

COMMISSIONER EVANS: The position of Clerk 1 but it has two -- but there's now -- you're adding a person to it.

UNIDENTIFIED: Yes, exactly.

COMMISSIONER EVANS: Right. So --

COMMISSIONER PETRACCO: I think it's just -- I think -- I think it's just -- Commissioner, I think it's very simply put. There wasn't a vacancy in the
Clerk 1 to put her in the Clerk 1 position. So then --

COMMISSIONER EVANS: Or this --

COMMISSIONER PETRACCO: -- so then rather than put her in a Clerk 2 position, which was more money, it was just a vacancy that we had to make.

COMMISSIONER EVANS: Al, so all I'm saying is, the title of Clerk 1 already exists, and so does service in the Municipal Court.

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: The salary range is 35 to $45,000 --

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: -- for all the Clerk 1s in that position, and the one that's currently a Clerk 1, based upon what you said, is already within this range. All this is saying is that that got two people.

COMMISSIONER PETRACCO: And that person's taking a pay cut to do that.

COMMISSIONER EVANS: You're just adding -- you're adding a head count.

COMMISSIONER PETRACCO: We're adding a head count.

COMMISSIONER EVANS: That's all.

COMMISSIONER PETRACCO: Just temporarily
until that person retires.

Commissioner Evans: Right.

Commissioner Petracco: So we're going to replace somebody with a similar salary.

Commissioner Evans: Yeah. So to be clear, then this would be Clerk 1, parenthetically, the number 2, to say there's two positions here.

Commissioner Petracco: You nailed it. Exactly.

Mr. Moore: You should have wrote it that way.

Commissioner Petracco: Well, you know what? I don't know how -- I'll check that tomorrow, but I don't know how specific that is, as far as its -- I'm assuming it didn't say clerks, and that's why we had to go to this. So it doesn't say one clerk or two clerks or five clerks. So that's --

Mr. Moore: You're -- so --

Commissioner Petracco: -- a little bit confusing.

Mr. Moore: -- effectively you have one Clerk 1, and you're going to add to two. Effectively, that's what you're going to do.

Commissioner Petracco: Temporarily. That's the key word.
MR. MOORE: Thank you.

MAYOR SCARPELLI: Anybody else want to be heard on Ordinance Number 3415? Seeing none.

COMMISSIONER PETRACCO: I move we close the public portion of the meeting.

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: I move the ordinance.

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: Thank you.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Good news I have tonight. Our esteemed counsel just told me I don't have to read the ordinance in its entirety tonight.

COMMISSIONER TUCCI: That is good news.

COMMISSIONER EVANS: Yeah, that's good news.

I am going to introduce it by its title.

Ordinance Number 3416, this specific ordinance is for a pilot agreement, a payment in lieu of tax, related to building -- a building which is known as 100 Metro on the Hoffman-La Roche property. Some might recognize this building as originally as Building One.

The importance of this ordinance is very significant to the township. One, it's been publicly released that Ralph Lauren is going to occupy this building. It is critical to securing that leasehold, and having that tenant, that we have a financing agreement in place. So by -- one, by moving forward on this, it's securing the greater ability to have that building fully occupied by a stellar tenant, and then
much of that support goes to Prism for the hard work
that they've done in identifying a wonderful tenant to
occupy that building.

What's also important about this financing
agreement is, why should we do this as a town? All
right? Prior agreements, when you read about them,
sort of will tell you that you collect your municipal
tax, you don't collect the school tax, and you only
collect five percent of the county tax, and the rest of
that isn't paid. So that would -- if you're on your --
if you read it just at that level, then the default is
that the remaining taxpayers have to pick up that
differential cost.

In this particular financing agreement -- and
it's the same with the next ordinance, so we won't go
through this twice -- is the negotiating posture of the
town, which was acceptable to Prism, was that we would
secure full local taxation based upon the taxes that we
received in 2018. And local taxation is, the full
amount is the school, full municipal and school tax.
So we're excluding that.

We also were able to negotiate that part of
the county savings, so part of the 95 percent savings
in the county, the township would be able to retain
that, as well. In addition, the financing agreement
has an escrow add in it, that -- and it's a minimum of 2 percent, as well as an administrative fee.

So collectively we've been able to work with Prism, who is very passionate about their future for the property in making sure that they're attracting premium tenants to the site. You may have also heard that through the Planning Board that the -- in order to insure that we have that tenant, that there's also a structure parking garage that will be built next to Building One and Building 200, to provide parking for these tenants that are going to be there.

So basically in summary it basically says that Nutley participates at a full local taxation with increasing -- an increase, an annual increase of 2 percent a year. And that's on both buildings, that's -- the concept is on both buildings. We're very grateful for that, because what's the benefit of the town?

A vacant property is now becoming redeveloped, we're adding some stellar tenants to the property, and all this, you know, is critical to understand is that it wasn't my position to negotiate this. It was the universal position of the Board of Commissioners that this was our negotiating posture. We have to secure the full benefit for the
residents of the town, and make sure that this site remains very competitive and very, very attractive. So with the unanimous commitment of the Board, and you guys can, you know, chime in, we were able to move forward, because in negotiating this, it was the posture of the entire Board of Commissioners, and there was no leeway on that. It was just -- it was a firm position.

So at the end, you know, we're basically securing tax revenue for the future for the town over the life of the 30-year pilot. We are -- those revenues actually grow, so it's not static, and we now have the ability to have a wonderful building occupied by Ralph Lauren, which then creates the opportunity for jobs, real jobs, for the residents of the township and the opportunity for that. So that's the public hearing.

(Indiscernible) my comments. And then I'm going to ask Dean Donatelli -- if you want to add -- but before I do that, Commissioners, would you like to add anything to what I just commented on, or your --

COMMISSIONER TUCCI: Well, let's have Dean add his comments, and --

COMMISSIONER EVANS: And then we'll go into it.
COMMISSIONER TUCCI: -- and we'll comment after that, yeah.

COMMISSIONER EVANS: Dean?

MR. DONATELLI: Good evening, Mayor and Commissioners. For the record, Dean Donatelli. I'm Special Redevelopment Counsel for the Township. I'm going to really reiterate some highlights that Commissioner Evans had mentioned. He mentioned Prism, they're very tough negotiators. The Commissioners took a very hard stance, got the best deal possible for the township.

A couple unique pieces of this -- these financial agreements for both buildings, 100 and 200, is the school share. Typically, you'll see in these financial agreements, as the Commissioner mentioned, Commissioner Evans mentioned, they don't typically encompass the school share of what the town would have otherwise received, and that was mutually negotiated and is incorporated into these agreements.

The second piece of it, which also was mentioned, is there is a minimum payment schedule for each agreement, which increases, the minimum payment that the township will receive increases 2 percent each year, which again, is a relatively unique piece of a financial agreement structure. And really you can kind
of summarize it, and the town's financial consultant
could tell you, what it allows is the town to have
upside participation by way of the annual percentage of
-- percentage of annual gross revenue, as well as
downside protection with the minimum annual service
charge payments. That's really all.

COMMISSIONER EVANS: Thank you.

MR. DONATELLI: Thank you.

MAYOR SCARPELLI: Any questions for Dean,
Commissioners?

COMMISSIONER TUCCI: Not a question, just a
comment. I just want to compliment our professionals,
all right, and Prism's professionals, all right, for
hammering out such a -- an equitable deal. All right?
This is somewhat unique, having been involved with some
other pilots in some other places. I think this is one
of the fairest ones that I've ever seen, and I'd just
like to commend everyone for all the hard work that
went into this. And Prism is a top notch developer. I
think everyone's seeing the fruits of their labors, and
every day it just gets better and better. And yes,
Dean, they are tough negotiators, but that's why
they're successful.

So we welcome you to our community. We
expect to continue on and perhaps do more agreements
like this. So thank you all.

MAYOR SCARPELLI: Commissioners?

COMMISSIONER PETRACCO: I'd just like to add that when we first met -- first of all, I'd like to thank Dean, too. I know, Dean, you do a lot of the work, and I know John gets a lot of the credit for it, but --

MR. DONATELLI: Thank you. Thank you.

COMMISSIONER PETRACCO: -- I'd like to thank you and John and everybody else here. Let's hear it for Dean. That's right.

UNIDENTIFIED: (Indiscernible.)

COMMISSIONER PETRACCO: Gene, there'll be no outbursts tonight here either, okay? But anyway, it's been a -- oh, here we go. It's been a privilege for me to work with -- well, first of all, everybody on our board, and I keep saying this, and I'll say it at every meeting.

You know, in 2013, or 2012, I became the mayor in 2013, was it, that they announced Roche was leaving? And when we first started working with all the professionals, they all said you're 20 to 30 years out from, you know, having something, you know, fill up that site, because office space was way down in northern New Jersey at the time. And the reason why I
keep bringing that up is because the leaps and bounds we've made together, gentlemen, I think is astonishing for the town.

And there's still some people in town that think we're moving a little too slow, and I get that, because we're all anxious to get this done and to get ratables and get jobs for our people. But I have to say, it's been really, again, an honor and a privilege to work with Prism, the -- Tom Lyons (sic) from Roche at the time, all his staff and our board, and all our professionals, and I have to say, we're way ahead of schedule as far as what's been going on on that site compared to where we were in 2013. So thanks for your efforts, too, everyone.

MAYOR SCARPELLI: Thank you, Commissioner. Dean, I'd like to thank you and John and Tom Banker and Commissioner Evans, who led the Board of Commissioners on your team, and we're happy to welcome Prism here. And we've got some signing to do later on, not only with the two pilot agreements, but also with the redevelopment agreement and the withdrawal of the tax appeals. So all in all we're doing well, and I'd like to thank you and John for your leadership.

MR. DONATELLI: Thank you all.

MAYOR SCARPELLI: Anybody want to be heard on
Ordinance Number 3416?

MR. MOORE: Rory Moore, 462 Chestnut. Is this on? Can you hear me? Rory Moore, 462 Chestnut Street. Mr. Evans, there's just two questions. It's 30 years on the pilot program?

COMMISSIONER EVANS: Yes.

MR. MOORE: And Dean just referred to some minimum payment. What is that minimum payment?

COMMISSIONER EVANS: It basically says that the minimum tax that we would get was based upon the local taxes that we paid, plus this 20 -- 25 percent of the county savings, as a -- 2018 is the base year, and that it escalates 2 percent a year for the next 30 years, and that's the minimum that we would collect. It can -- if it grows greater than that, we win, but that's the minimum that we would collect.

MR. MOORE: Is there a number? On that minimum?

COMMISSIONER EVANS: Yeah. Yeah, there is a schedule for that. I --

MR. GENITEMPO: The schedule's been on file with the clerks for the last two weeks. Once it's signed tonight you'll be able to get -- OPRA a copy of it.

MR. MOORE: Okay.
MAYOR SCARPELLI: Anybody else want to be heard on Ordinance Number 3416. Mr. Diaz?

MR. DIAZ: Eugene Diaz, 340 Kingsland Street, Nutley, New Jersey.

MAYOR SCARPELLI: Very nice. Very nice.

MR. DIAZ: Thank you. So, you know, I think, on behalf of my partner and I, you know, Prism has -- we believe we've built our reputation on win/win partnerships with the municipalities that we've been fortunate enough to develop in. This was a -- we took this on, it was a very daunting task. 120 acres, 1.2 million square feet of vacant space, a very complex environmental situation, a very complex utility and infrastructure situation.

And it's been a joy, quite frankly, for my partner and I to have worked with such a professional township. Both from the commissioner level, down to your professionals. I need to take a minute to thank our professionals, since they're here tonight, (indiscernible) provided such great leadership with us in negotiating these agreements.

What Prism gets out of this at the end of the day -- the town is getting pretty much what you're getting today, plus growth going forward. People might question, well, what's in it for Prism? The most
important thing for us is certainty, and the most important thing for the tenants that are coming into this campus, and occupying these buildings, is certainty of understanding what their expenses are, and what their costs are going to be, going forward.

And I think what this -- what this pilot agreement provides is 30 years of certainty, of understanding what those numbers are going to be. And that's really a critical important step for us to be able to continue to grab and attract great blue chip companies to Nutley, and to the ON3 campus.

So yes, it was a -- we got through some pretty tough details with you guys and ladies and your professionals, but at the end of the day, I think cool heads prevailed. Everybody recognized the importance of providing stability, certainty, and open-arm expression to the business community that Nutley's open for business and that you're here to have the kind of substantive discussions that are necessary in today's economic environment to tell blue chip companies and blue chip tenants, hey, if you need to talk, if you need to understand, if you need to see what we're about or where we are, what we can offer you? Nutley planted your flag out there today, and told the world, hey, come see us, because we're open for business, and we
can negotiate complex transactions and entertain a
fundamental financial agreement that makes sense to
everybody.

So, Commissioners, we thank you. We're
excited about this. This is, again, another -- yet
another milestone in the redevelopment of ON3, and we
look forward to many more to come. So thank you again.

MAYOR SCARPELLI: Thank you, Mr. Diaz.

Mr. Cohen?

MR. COHEN: I'm not going to bore you with
repeating what my partner had to say, but the vision
that we had for this campus when we decided to move
forward on it is happening. And it's happening faster
than we thought it would be happening, and that's with
your cooperation, with all of the people in this room
that I'm looking right now.

And we appreciate it, and we look to just
make this bigger and better as we move forward. And I
want to thank you for all of your cooperation, and all
of the hard work that all of us went through to make it
happen. Thank you.

MAYOR SCARPELLI: Thank you, Mr. Cohen.

Anybody else want to be heard about Ordinance
Number 3416? Before we close the public hearing I want
to say that, just to dovetail on Mr. Diaz, this is a
win/win/win -- win for the taxpayers, win for the municipality, win for the school district, and also a win for the developer in offering a predictability to attract a quality tenant like they have in Ralph Lauren. So I thank you very much for that.

COMMISSIONER EVANS: Moving to close the public hearing.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: You know, before I vote, I would just like to bring one other thing to the table, that, you know, with Modern Meadow there, all those companies that are already there, Gene and Ed, the businesses, including mine, have definitely felt that uptick. So another positive for Nutley is that, you know, we can already see through the construction, the workers coming throughout our town and spending their dollars there. So I really think it's been fantastic, what's going on there, and I vote aye.
THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Move the --

COMMISSIONER EVANS: Move the ordinance.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: Thank you.

MAYOR SCARPELLI: Commissioner, 3417?

COMMISSIONER EVANS: Yes. So just in case you forgot everything I said on the first ordinance, let me repeat it. So 3417 is linked to the previous ordinance, in that the only difference in it is the fact that it's a different building. It's Building 200, previously known as Building 76, and this is the tall glass building that everyone sees from the highway when they look and they think about this campus.
So I'm not going to repeat anything that was said because everything carries over to this. It -- the only thing that I would add is that this building is currently vacant. We're hoping to hear soon that we will have a stellar tenant in that building, which will further create greater job opportunities for the people of Nutley. So with that we can open the public hearing.

MAYOR SCARPELLI: Anybody want to be heard on Ordinance Number 3417?

COMMISSIONER EVANS: Move to close --

MAYOR SCARPELLI: Seeing none --

COMMISSIONER EVANS: Move to close.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: Move the ordinance.
COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: Thank you, Mayor.

MAYOR SCARPELLI: Resolutions.

Commissioner Rogers?

COMMISSIONER ROGERS: Resolution Number 70-19, observing the month of March as National Women's History Month, 2019, so move.

COMMISSIONER PETRACCO: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Thank you, Commissioner. Commissioner Tucci?

COMMISSIONER TUCCI: Sure.

Whereas, the Township of Nutley received sealed bids for surplus equipment no longer in use by the Township on February 5th, 2019.

And, whereas, Jersey One Auto Sales, 495-497 Tonnele Avenue, Jersey City, New Jersey, and Marczaks, Inc., 247 Central Avenue, Metuchen, were the highest bidders for the equipment as listed on this resolution, which includes a 2000 Bluebird bus, with the Jersey One price for it was $660, and a 1995 Ford F450 Dump Truck, in the amount of $2,661, also by Jersey One, and one 1991 GMC Topkick Dump Truck to Marczaks, Inc., in the amount of $560.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the surplus items to be sold to the highest bidder, Jersey One Auto Sales, and Marczaks, Inc.

I move the resolution.

COMMISSIONER EVANS: Move it. Second, second, I'm sorry.
THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Whereas, the Department of Parks and Public Property in the Township of Nutley has a need to replace the fencing at the American Little League Baseball Field.

And, whereas, three quotes were received, and the lowest quote was received from Quality Fence of Peekskill, Inc., 1223 Lincoln Terrace, Peekskill, New York, with the price of $29,695, which is below the Township bid threshold.

And, whereas, funds are available from account G-04154403, Ordinance 3372C, and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley,
County of Essex, State of New Jersey, that Quality Fence of Peekskill, New York, be awarded the contract to replace the fencing at American Little League Baseball Field. I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: I vote aye, and I'm glad we're doing that.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor.

Resolution Number 65-19 authorizes the treasurer to refund overpayments of tax charges in the amount of $2,882.36 for Block 1300, 1-C of 2084.

So move.
COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPONI: Aye.

COMMISSIONER EVANS: My next resolution is 69-19. This resolution authorizes the execution of a property tax appeal settlement agreement between the Township and PB Nutclif. There has been outstanding tax appeals associated with the La Roche property covering the years '16 -- 2016, 2017, and 2018.

What this resolution does, ultimately, with the signing of the settlement agreement, we now remove that risk to the township, and in effect it solidifies our tax base, which is important for us, because we need to continue to move forward with the great progress that we're making to continue to move forward on a solid base and build additional revenues that contribute to the value of the township and the job
opportunities. We can't do that with things like this outstanding.

    So as part of the negotiation I want to thank both Gene and Ed for agreeing to recognize how important this was for the town. It really helps us now stay focused on the future development of the property.

    So with that, this resolution basically authorizes the settlement agreement between the Board of Commissioners and PB Nutclif concerning the properties described herein, and therefore, prepared -- and heretofore prepared or to be prepared in a form and with conditions and revisions as deemed advisable by the Township Attorney, is hereby authorized and approved. So moved.

    COMMISSIONER TUCCI: Second.

    THE CLERK: Commissioner Rogers?

    COMMISSIONER ROGERS: Aye.

    THE CLERK: Commissioner Tucci?

    COMMISSIONER TUCCI: Before I vote, there's just one comment I'd like to make. Like the pilot agreements that we've previously executed which gave Prism financial certainty, this settlement also gives the Township financial certainty.

    COMMISSIONER EVANS: Absolutely.
COMMISSIONER TUCCI: So I vote aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpoelli?

MAYOR SCARPELLI: Aye. Thank you, Commissioner. Commissioner Petracco?

COMMISSIONER PETRACCO: Be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Kevin Hussey, an employee of the Department of Public Safety, has been granted an extension of medical leave of absence without pay, effective February 18th, 2019, through April 1st, 2019.

I move the resolution.

COMMISSIONER ROGERS: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Thank you, Commissioner.

COMMISSIONER PETRACCO: You're welcome.

MAYOR SCARPELLI: Whereas, raffle applications have been received from the following organizations: Nutley-Belleville Columbus Day and Italian Heritage Month Parade Committee, License Number 12-19, Number 13-19, and Number 14-19, 12 and 13 to be held on Sunday, March 31st, 2019; Number 14 to be held on Sunday, October 13th, 2019; Washington School PTO, License Number 15-19, 16-19, and 16-19 --

THE CLERK: I'm sorry, that should be 17-19.

MAYOR SCARPELLI: 17-19, to be held Saturday, April 27th, 2019.

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

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

I move the resolution.

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

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

Whereas, the Township of Nutley has the need to retain the services of an attorney to specialize in municipal land use law and policy, to provide legal advice and services in connection with the township land use policies and litigation.

Whereas, Angelo Cifelli, of the law firm of Piro, Zinna, Cifelli, Paris & Genitempo, 360 Passaic Avenue, has submitted a proposal in the amount not to exceed $17,000.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Mayor is hereby authorized to enter into a contract with Angelo Cifelli.

Be it further resolved that a copy of this
resolution, as well as the contract, shall be placed on file with the Clerk of the Township of Nutley, and a notice in accordance with the Local Public Contracts Law of New Jersey, and the form attached hereto shall be published in the Nutley Sun. I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Whereas, the Mandatory Source Separation Recycling Act, Public Law 1987, Chapter 102, has established a recycling fund from which tonnage grants may be made to municipalities or to encourage local source separation and recycling programs.

Whereas, it is the intent and spirit of the Mandatory Source Separation Recycling Act to use the tonnage grants to develop new municipal recycling
programs and to continue to expand existing programs.

Whereas, such a resolution should designate the individual authorized to ensure that application is properly completed and timely filed.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township of Nutley hereby endorses the submission of the 2018 Municipal Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection. It designates Salvatore Ferraro, Recycling Coordinator, Township of Nutley, to ensure the application is properly filled.

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

This is on behalf of the Board of
Commissioners. This is Resolution 72-19.

Whereas, Norfolk Southern Corp. petitioned the New Jersey Department of Transportation for the closure of Highfield Lane at grade rail crossing to vehicular and pedestrian traffic.

Whereas, the Township of Nutley strongly objects to the arbitrary and capricious selection of Norfolk Southern to the closure of Highfield Lane at grade rail crossing in Nutley.

Whereas, Highfield Lane is an important and viable roadway within the Township of Nutley, servicing its citizens as a major connection point between Washington Avenue, State Route 7, and Passaic Avenue.

And, whereas, there is no justifiable reason for the closing of Highfield Lane at grade rail crossing, and where there are no current -- where currently, no train movements on Norfolk Southern's Newark industrial track crossing Highfield Lane, and there have not been any train movements for several years.

And, whereas, the closure of Highfield Lane at grade rail crossing will divert traffic to adjacent intercession -- intersections, thus increasing the amount of vehicular and pedestrian traffic at those intersections.
And, whereas, the closing of Highfield Lane will negatively impact emergency response time for the Township of Nutley Police Department, Fire Department, EMS/EMTs and Paramedics to respond to emergency and life-threatening situations in the area of Highfield Lane east of the existing crossing.

Whereas, the County of Passaic will be constructing a new bridge at nearby Kingsland Street in Clifton, wherein Kingsland Street will be closed for 12 to 18 months, thus further impact traffic patterns in the area of Highfield Lane.

And, whereas, in a letter dated January 8th, 2019, Prism Capital Partners objected to the arbitrary closing of Norfolk Southern Corp. of Highfield Lane at grade rail crossing in Nutley.

And, whereas, in letters dated November 18th, 2018, to Norfolk Southern, and New Jersey DOT the Township of Nutley objected to the closing of Highfield Lane at grade rail crossing in Nutley, and withdrew their support for the conversion of private rail crossings at the former Hoffman La Roche site in Clifton into permanent public crossings.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township is
vehemently opposed to the arbitrary and capricious closure of Norfolk Southern Corp. to Highfield Lane at grade rail crossing in Nutley, New Jersey.

Be it further resolved that the Board of Commissioners of the Township of Nutley strongly petitions the New Jersey Department of Transportation to render a decision to not allow for the closure of Highfield Lane at grade rail crossing in Nutley, New Jersey, as it would cause severe and permanent hardships to its residents and taxpayers and negatively impact their health and safety due to the delay of the emergency response time.

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

MAYOR SCARPELLI: Aye.

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

THE CLERK: Thank you, Mayor. All persons addressing the Board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the Board, each person shall limit their address to five minutes. All remarks to the Board and its individual members must be addressed to the Mayor.

The Mayor may defer citizens' comments to the appropriate member of the Board. Dialogue between citizens and others addressing the Board shall be allowed, unless the Mayor or presiding officer or the majority of the membership of the Board shall determine that the interests of the quorum, and/or the expeditious conduct of municipal business are being adversely affected by such dialogue.

MR. MOORE: Rory Moore, 462 Chestnut Street. Commissioner Petracco, January of this year, I approached, and I had asked about overnight parking, and you're starting to see a number of cars parked on the street. And I remember -- if I remember my dialogue correctly, you said that if we came up with a plan, you might be considering it.

Just in -- right up here, in Chestnut,
usually there's 40 cars on the street, and normally
they're not ticketed, and my remarks are not to have
them ticketed, but I said the residents of an existing
apartment house, where there's not enough parking, they
have to park on the street, there's no other place
available.

Is it possible to have a sticker, or some
type of a placard, for a better word, to say that your
car would be registered, I live here, and I would go
park on the street in a confined area, which would
allow the residents of the apartments to actually park
on the street?

COMMISSIONER PETRACCO: So, ironically, today
I had a conversation with the Chief of Police just
about this overnight parking, and he walked in my store
and he said that the stress it's putting on our police
department as far as fielding those calls every day,
you know, just to grant permission, is overwhelming.
They get from 75 to 100 calls in -- on -- in the
afternoon about people that want to park on their
street.

So with that being said, it is definitely
putting a burden on our police department. I also
asked him how many tickets, overnight parking tickets,
we write a month. I believe he said six to 700
overnight parking tickets a month, that we're -- we are writing. Can you get them all? Obviously not, and I know that's not what you're here for. But it's funny that you should bring that up tonight, Rory, and I did want to discuss this with the Board of Commissioners, and we might as well have a little discussion now about it.

The Chief of Police was telling me in Montclair, what they're doing right there now is with the parking kiosks, Mr. Mayor? Are you aware what they do with the overnight parking there? In Montclair, they're charging the fee, and the people are -- if you need to park on the street for whatever reason, just like you would go to the kiosk to pay for your parking, you know, in one of our municipal lots, they're doing it in Montclair right now.

So I think -- I don't know if the Board of Commissioners agree with that, if they don't, but I think that our town is definitely changing, the needs are, and I think that we do need to come up with a plan, and maybe what we should do, and I will do this, maybe in the corner over here, just maybe have some public meetings, like town meetings, to get the residents out, get the input of the Board of Commissioners, because I have to tell you, fielding 75
to 100 calls between four, you know, o'clock, and
pretty much eight o'clock, you know, when God forbid
you need an ambulance dispatched or something else,
it's really taking away from -- and it seems like more
than ever, there really is a need.

I'll tell you, I'm from Nutley my whole life,
I think that the overnight parking ordinance is what
keeps Nutley a little different than our surrounding
communities. I know it helps the Mayor with the snow
removal and all that stuff.

But I don't think it's 1950 here anymore, and
as much as I don't want to see that ordinance removed
or changed in any way, I think the public is -- the
outcry that we're getting is that we should go through
some type of exercise to see if it's not doing a charge
for overnight parking, where you can get it out of the
kiosk, if it's doing something else, but I think that
we do need to get on that.

MR. MOORE: I'm not sure -- when you say a
kiosk, are you saying, park in a parking lot, kiosk?

COMMISSIONER PETRACCO: No, what they're
doing in Montclair, according to the Chief's
conversation with me today, is that he said that -- and
he was in a meeting today about this, ironically, that
in Montclair what you could do is go to one of the
municipal lots, where you would pay for your parking, and instead of paying for your parking in a municipal lot it has a function that you could hit, overnight parking. And there's a -- I think in Montclair, they're charging $5 a transaction for that.

And then it gives that person to hang that decal up in their window. If a police officer goes through there at night, they see the decal in the window, they check, you know, the date, and then I think it's -- you know, they would be good to go.

If that's something that we want to look into -- you know, if there's something else. But I hear your comments, and they're received loud and clear, because even for us in the Police Department, it is putting a great deal of stress on the Police Department right now.

MR. MOORE: I could understand a fee. I don't think a resident of an apartment should have to run over every day to fetch a placard.

COMMISSIONER PETRACCO: Well, that's why I think we should do it like in a public setting, Rory, because --

MR. MOORE: It should -- it should be --

COMMISSIONER PETRACCO: -- that opens up -- you know what, maybe you can get it for a week, you
know, or maybe that would be a discussion that, you know, we can get out of the group. You know, like you said, you shouldn't have to run over there every day.

MR. MOORE: Yeah, because most people it -- the Planning Board allots for I believe it's 1.8 parking lots for a one-bedroom apartment, two people, two cars, that's difficult to do. Eventually, with all the apartments that are being built, you're going to eventually spill over and it's going to increase the size, eventually.

COMMISSIONER PETRACCO: I mean, eventually, they're saying that we're not going to have cars anymore, I mean, but, you know, that's a whole other thing.

MR. MOORE: I'm leaving.

COMMISSIONER PETRACCO: No, I know. But I'm just saying that you bring up a great point, and I really, you know, more than ever, hate for -- you know, the truth of the matter is that it is putting a very good amount of stress during our busiest tour on the Police Department. Okay, what's your need for overnight parking, then when you deny a resident because now there is a criteria to meet, you know, and we urge everyone, if you could find a neighbor in your neighborhood, you know, an elderly person that's not
driving, maybe rent a space somewhere, I mean, we've gone through all those drills. And apparently if we're writing 600 tickets a month, you know what? We're still -- we still have an issue here that needs to be resolved.

MR. MOORE: I'd like to suggest that probably in April after the business portion of a regular meeting that the public could be able to speak, at least be able not to be afraid to be limited to --

COMMISSIONER PETRACCO: No, I want people to come out and really voice their concerns, because I think communication is the most important thing. You know, if we -- look, I've said this time and time again. We're an extension of the people. It's not what Al Petracco wants up here, it's what the majority of the people of Nutley want. That's what I represent. You know, and again, I'm from Nutley, I don't want to see that ordinance changed, and I know, I mean, we've talked about this, and we all feel very strong. However, in the 12 years that I've been on this Board, I have seen that issue really, really arise now. Parking overnight is an issue in Nutley.

MAYOR SCARPELLI: Thank you, Mr. Moore.

MR. MOORE: You should pick a date.

MAYOR SCARPELLI: Anybody --
COMMISSIONER PETRACCO: Yes.

MAYOR SCARPELLI: -- wish to address the Board this evening?

COMMISSIONER ROGERS: And Mr. Moore, before you sit down?

MR. MOORE: I knew this was going to come.

COMMISSIONER ROGERS: No, no, no, listen. Listen. You had a conversation with myself, with me in the back, and I'll tell you, there's nothing more than hearing a proud dad talk about his son who served in the U.S. Military, and recently retired. So I want to take this opportunity to thank you and your son for serving this country. Thank you very much.

MR. MOORE: Thank you. His last duty station was the White House.

MAYOR SCARPELLI: All right. Thank you, Mr. Moore. Does anybody else wish to address the Board of Commissioners this evening?

MS. ROSSI: Tammy Rossi, 28 Colonial Terrace. Listening to the budget workshop I had a few questions. So, Commissioner Petracco, it seems that there is an over a million dollar increase in salaries for Public Safety, and I think it's important to shed light on that and help the citizens understand why such an increase.
My first question, though, is what criteria defines the role of a fire chief versus a deputy fire chief?

COMMISSIONER PETRACCO: Sure. A fire chief is in charge, and a deputy is one notch under a fire chief, and it's different job responsibility. In Nutley, as you know, the volunteer -- it's -- the chief's position is on the volunteer side --

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: -- and on the paid career sides, we have the deputy chief that runs the day to day operations. So --

MS. ROSSI: So what does the fire chief do? He's not running day to day operations?

COMMISSIONER PETRACCO: The fire chief -- look, Nutley's a very unique town with this. You know, the fire chief again is a volunteer, so does he oversee it? Yes. Is it -- and the deputy chief is the one that is running the day-to-day operations, not the fire chief here, because the fire chief is a volunteer.

MS. ROSSI: Okay, but the criteria, or the required skills and knowledge for fire chief, I understand one would have to pass a fire chief exam.

Is that --

COMMISSIONER PETRACCO: Well, Nutley is
civil service. These are all civil service exams, the
promotional exams that are -- you know --

    MS. ROSSI: Uh-huh.

    COMMISSIONER PETRACCO: -- through civil
service, you know, that we have -- they test -- they do
the testing, and then we get the results from them.

    MS. ROSSI: Right. So the civil service exam
required of the fire chief would, or should, require
more than that of the deputy fire chief?

    COMMISSIONER PETRACCO: Yes.

    MS. ROSSI: Okay. So -- and because of that,
the role of the fire chief, he does have greater
responsibility in day-to-day operations over the deputy
fire chief. Correct?

    COMMISSIONER PETRACCO: Yes.

    MS. ROSSI: Okay. I'm just trying to
understand, because the -- I know you say we have a
volunteer fire chief?

    COMMISSIONER PETRACCO: We have a very unique
situation in Nutley, I said.

    MS. ROSSI: It's very unique.

    COMMISSIONER PETRACCO: It is. And --

    MS. ROSSI: There's literally a $175,000
difference in salary between the fire chief and the
deputy fire chief, and the fire chief is --
COMMISSIONER PETRACCO: Well, again --

MS. ROSSI: -- making the lesser amount.

COMMISSIONER PETRACCO: Well --

MS. ROSSI: So that's just -- it's just -- I'm -- but I'm just trying to learn, you know, and provide the citizens of Nutley clarity on why we're paying a deputy fire chief this type of salary when he has less responsibilities --

COMMISSIONER PETRACCO: Well, you know what?

MS. ROSSI: -- than the fire chief.

COMMISSIONER PETRACCO: I have to tell you, that's always good to clarify, and when you're clarifying, what you should do is check in other towns and see --

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: -- what these deputy chiefs are making there, and fire chiefs. So Nutley is not paying the fire chief, because it's on the volunteer side, and, you know, to have a deputy chief that should really -- well, I shouldn't say should really be -- but acts as a chief every day, because --

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: -- you know, a volunteer's a volunteer, and our volunteer chief does
an excellent job. However, you know, the deputy chief is running the day-to-day operations. Way back when, when I first got elected, there was a desk audit done with the Nutley Fire Department saying that instead of, you know, lieutenants and chiefs, really there should be battalion chiefs there as well, and, you know, through the desk audit, it addressed the chief versus the deputy chief, you know, and the chief being a volunteer position.

MS. ROSSI: Okay.

COMMISSIONER PETRACCO: So really, kind of like, how I want to answer that, Tammy, if you don't mind --

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: -- is really, Nutley's kind of, you know, what's the right word I want to -- is profiting a little bit, because most departments have chiefs. Most departments have multiple deputy chiefs, and they have battalion chiefs. So when you do your research, just know the difference in titles, because when people say to me in Nutley we have lieutenants, you know, when we did the desk audit, there was some language back and forth of what their titles should really be. So --

MS. ROSSI: Uh-huh.
COMMISSIONER PETRACCO: -- there's a
difference between a battalion and a captain.

MS. ROSSI: Okay.

COMMISSIONER PETRACCO: According to what you
go through the county and state averages.

MS. ROSSI: Right. Okay, great, thank you
very much for that clarity. My next question would be,
what is the ratio of patrolmen to leadership in the
Police Department?

COMMISSIONER PETRACCO: I don't know if it's
four or five to one. I would have to get back to you
on that. But the Police Department, I will tell you,
we just became, as you know, one of the safest
communities in the state, the top 50 to live in.

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: And I'm going to tell
you, you know what, it's not cheap. You know? And we
put on supervision probably more than other agencies do
around the state, but I have to tell you, I mean, in my
opinion, the Nutley Police Department, first of all, we
don't know what we're preventing, there's no way to
measure what they prevent, and I have to tell you, I
mean, I'll put our guys against anyone in our budget.

Just like a little new point, being you're
bringing it up, our overtime budget in the
Police Department is 350,000 every year. Usually in other towns they're in the millions, just for overtime, because of, you know, the -- of trying to cover shifts and all that kind of stuff. So the Nutley Police Department, again, I'm not arguing the salaries and rank and that kind of things --

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: -- but I have to tell you, I mean, to come in the top 50, especially where we're located in the state, and what our surroundings and where we're by, I think it's money well spent.

MS. ROSSI: Okay. Great. I know in the back room, you said we were at 71 for the police, and you have a total between sergeants, lieutenants, captains and the chief, 20. Is that 20 part of that 71?

COMMISSIONER PETRACCO: Yes.

MS. ROSSI: Oh, so then the ratio would be like a two to one? Because -- are these all --

COMMISSIONER PETRACCO: You're saying --

MS. ROSSI: -- considered leadership positions?

COMMISSIONER PETRACCO: -- 20 -- you're saying there's --

MS. ROSSI: Or no?

COMMISSIONER PETRACCO: -- well, let's go
through it. There's a chief, there's --

MS. ROSSI: Three captains, six --

COMMISSIONER PETRACCO: -- three captains, six lieutenants --

MS. ROSSI: -- lieutenants --

COMMISSIONER PETRACCO: -- and up to 13 sergeants. Up to.

MS. ROSSI: Okay.

COMMISSIONER PETRACCO: Yep.

MS. ROSSI: All right. So it's -- it is -- well -- and they're all considered leadership?

COMMISSIONER PETRACCO: Well, a -- a sergeant is a first-line supervision, so to speak --

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: -- and then you have lieutenants and captains and then we have a deputy chief's position on the books that I haven't filled, and we also have the chief. So if it's 20 spots there, you know, it's -- you know, I'm not a mathematician, but it's close to three to one, I would think, two to one.

MS. ROSSI: Okay, great. My next question is --

COMMISSIONER PETRACCO: Two and a half.

MS. ROSSI: Pardon -- thank you very much.
COMMISSIONER PETRACCO: Maybe two and a half.

MS. ROSSI: Okay, 2.5. My next question is for Mayor Scarpelli. A year ago at the joint meeting you were asked by a citizen what was our utilization of water in town, because you had mentioned that we were -- if we exceeded a threshold of utilization that we were penalized for it, and at that time, it was a little over a year ago, it was February of 2018, you said we were already at that limit. So I'm not sure I understand how our revenues have fallen, considering that our -- and I'm not --

MAYOR SCARPELLI: We're trying to understand some of that, too, Ms. Rossi, but --

MS. ROSSI: Uh-huh.

MAYOR SCARPELLI: -- let me say that our -- when we look at our 3 million gallons a day that is our allocation from the North Jersey Water District, that $3 million -- that 3 million gallons is based on your worst day. So if you have a month where you're using a lot of water from North Jersey, and it's over the amount, or up to the amount, that's what they look at. So although your consumption may be down on a daily basis, what they look at is your worst month, and that's what they consider your allocation.

MS. ROSSI: Okay, great. Thank you very
much. My next question is regarding -- it's -- it seems as though Commissioner Evans is very concerned about managing this budget. Will you consider freezing salaries and cease raising the upper limit of salary ranges for town employees, even if it's for three, four years, in light of the challenges that we're facing for the taxpayers of Nutley? And will you use natural attrition, retirement or transfer, of town employees to mitigate budget challenges?

MAYOR SCARPELLI: Ms. Rossi, let's just say that the budget's -- it's in process. So don't take what you got at the workshop as what's going to happen in the end. So --

MS. ROSSI: Okay.

MAYOR SCARPELLI: -- I think we're all going to work on our budgets and see where we can cut. I think we're all committed to that.

MS. ROSSI: Great. If I may just offer a solution, I spoke with a councilman from another town in Essex County, and he -- their town shares services with neighboring towns, and he provided me a list of their shared services: police dispatch, municipal clerk, building code enforcement, tax assessor, drinking water they buy from another town, animal service, they buy from another. They sell
subscriptions to the town pool to surrounding towns, they buy subscriptions to another town's library. They let other towns use their athletic fields, and as a result of sharing their costs are much less and services are much better.

So this was coming from a councilman in North Caldwell. I'm just asking for you to consider that, looking into that, to also aid in the budgetary challenges.

MAYOR SCARPELLI: Thank you, Ms. Rossi.

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

MS. SOLENTO: Amy Solento, 70 Newman Avenue. First of all, I just want to make an announcement. Ms. Rossi suggested people be aware of this at the last meeting. It's an OPRA 101, how to use the Open Public Records Act to hold the government accountable, and that will be held next Tuesday, March 12th, at 7 p.m. at the Nutley Public Library. I believe it will be recorded and broadcast -- or I don't think it's being broadcast live, right? It's being recorded? Okay. And broadcast on the public access channel, so thank you.

Just in terms of the budget I wanted to just mention that Commissioner Evans, a few months ago you
mentioned in a conversation after a Board of Commissioners meeting that there would be a town hall on the budget. So I know that the process, or at least as I understand it was, tonight was the workshop, the budget would be submitted at the March 19th Board of Commissioners meeting, and then there will be a public hearing in April. Will there also be a town hall meeting? Or is that -- what you were suggesting is the public meeting is the same as a town hall? Just checking.

COMMISSIONER EVANS: So I have to (indiscernible) so I have to evaluate, but I am very open to a town hall discussion about the budget so to build understanding around what the cost structure is, and why it is what it is. If we can accomplish that in a public hearing session, I'm fine. If not, we'll host a town hall.

As consistent with prior years, we will introduce the budget in March. We'll hold a public hearing on it. But we won't adopt until we have the final word on our aid. So I was looking at that window of time between the public hearing and before we adopt to allow for a lot of good discussion about it.

MS. SOLENTO: That would be great. Thank you. And in relation to the budget and taxes, the
resolution tonight regarding the tax appeal settlement, does this close out all remaining tax appeals on the former Roche property? Or is there still a tax appeal from Roche?

COMMISSIONER EVANS: No, at the present time this would close out the tax appeals.

MS. SOLENTO: Okay. So I think there was a reserve in the budget. Was there a reserve?

COMMISSIONER EVANS: Yes.

MS. SOLENTO: And what happens to that reserve?

COMMISSIONER EVANS: We will look at what we need to -- in terms of our other risks in town. We weren't fully accrued for the liability, so a portion is just we don't have to provide for it, but we're also facing a revaluation of the town, and generally there's an uptick in appeals and challenges, so, you know, we're looking at the reserve in relation to the upcoming revaluation of the town, as well.

MS. SOLENTO: Okay. And if I understand correctly, in the resolution, there's a freeze -- there's a freeze act, which I haven't read, but it doesn't mean the taxes won't change. They'll still be subject to the tax revaluation because it says the township cannot agree to freeze the tax rate. We
can't --

COMMISSIONER EVANS: Yeah, we cannot agree to freeze the tax rate. What will be frozen is the assessed value that's currently on those properties for two years.

MS. SOLENTO: Right, okay. So the assessed value will be frozen for two years. So even with an upcoming reassessment it won't be subject to a change.

COMMISSIONER EVANS: It will be, because the reassessment will be outside the two-year period.

MS. SOLENTO: Oh, okay, great. Thank you. I do want to say thank you to Mayor Scarpelli for filing with the state our -- the town's opposition to closing Highfield Lane at the railroad crossing. I mean, this is crazy, that somebody can petition with -- the railroad, which is inactive, can petition for closure.

So how do we -- sort of how do we guarantee that the state will, you know, come out, look at the situation? I mean, what's the process to guarantee that the state gives us a --

MAYOR SCARPELLI: They've already been out --

MS. SOLENTO: -- favorable response?

MAYOR SCARPELLI: -- and assessed it.

MS. SOLENTO: Okay.

MAYOR SCARPELLI: We're working our end to
make sure that they don't close it.

MS. SOLENTO: I understand. Thank you.

Another thing, and I know Ms. Rossi just sort of asked about it, but the water situation. So it sounds like during the budget workshop discussion, over four years our water utility revenue is down about a million dollars. Did I hear that correctly? Okay, so that's roughly --

MAYOR SCARPELLI: That's about right.

MS. SOLENTO: -- a quarter of a million dollars a year, and you're looking into it. So I'm not a big fan of hiring consultants, but is there a service or a company we can hire to come in and figure out what could possibly be happening?

MAYOR SCARPELLI: We may get to that point, but right now we're looking internally to see what the issue is.

MS. SOLENTO: Okay, then on the --

MAYOR SCARPELLI: It could be --

MS. SOLENTO: Sorry.

MAYOR SCARPELLI: -- it could be a multitude of things.

MS. SOLENTO: Okay. Thank you. On the flip side, our sewerage keeps going up. I'm not sure if the $172,000 increase projected in the proposed budget is
based on volume or based on weight increases or both, but I think there's been an increase the last couple of years.

MAYOR SCARPELLI: Probably both.

MS. SOLENTO: Yeah, probably both, so -- I don't know, it seems -- again, odd, that water use is down but sewerage keeps rising, because the water goes somewhere, goes down the drain.

MAYOR SCARPELLI: That's the conundrum.

MS. SOLENTO: Okay. Is there any way to audit that, or to determine --

MAYOR SCARPELLI: The sewage?

MS. SOLENTO: Yeah.

MAYOR SCARPELLI: That's metered.

UNIDENTIFIED: It's all metered, yeah.

MS. SOLENTO: Okay.

COMMISSIONER EVANS: Amy, to your point, you're actually raising one of the questions. So if sewage, which is a flow, that's, you know, incorporates water, right --

MS. SOLENTO: Yeah.

COMMISSIONER EVANS: -- and that's rising, then why is water consumption going down? All right, water billing going down? So is there -- it opens up a lot of questions about what happens to water once it
hits the town? Is it making it to the meter readers?
And is that getting into the billing system?

I'm satisfied that it's getting -- whatever
we're reading is getting into the billing system and is
being billed. It's a question of is it getting into
the -- is it getting to the readers, you know, which is
electronic, and to do that.

So it's hard to narrow it down and say, oh,
it's this, and that's where the Mayor said, you know,
it's being fully analyzed at a lot of levels. But one
of the roots of that is what you just raised, is if one
is going -- one flow is going up and the other one's
going down it does raise a question.

MS. SOLENTO: Okay, thank you. And the one
thing I want to say, I understand that the current
proposed budget is not what's being submitted, that the
current 5.1 percent increase on -- I'm going to call it
the town, the municipal budget, it doesn't include
county and it doesn't include schools, right?

COMMISSIONER EVANS: That's correct.

MS. SOLENTO: So I will reflect for the
record that Commissioner Evans, you did indicate that a
5.1 percent increase is probably not acceptable to the
taxpayers. I think you indicated it's not acceptable
to you, so I appreciate that.
I guess the challenge for taxpayers is that we don't really hear anything about the school budget, and I still sometimes never understand why that doesn't get consolidated and ever discussed at the Board of Commissioners meetings. I understand they're separate entities, but they are part of the town services.

So I just want to say that if there is a town hall on the budget, I hope that it will be comprehensive, and include a discussion about county taxes, which we have no control over, and school taxes, which we seemingly have no control over, as well.

COMMISSIONER EVANS: Yes, so to your point is, the governing body here has direct control over the municipal portion of the budget. We do make inquiries, and we work very hard -- so one of the ways we control the county tax is to do a thorough job of understanding what, quote/unquote, "qualifies as assessed civil value" for the township.

So, for example, if a home is sold, but it's sold to -- from a father to a son, for example, or a mother to a daughter, or so on, it may not necessarily be an arm's length transaction. You're able to exclude those sales and that value from that calculation. So it puts every municipality on an equal setting.

Now, the County then apportions that, their
bill, whatever they determine that bill to be, to the 21 municipalities based upon what their individual assessed value is. So if you take -- if you add up all the assessed values you get a total.

Nutley's value is X, divided by that total gets a percent. That becomes our percent that we have to pay, and it's statutory on how that is determined, and that is approved by the -- the -- the tax rate is approved by the Essex County Tax Board. So they have to review that.

So we do our best in managing the county by the formula, in what we contribute to the county, and that's -- we make sure, and that's the assessor's responsibility, is to make sure that only qualifying value is included in that calculation, and we do a very thorough job of that every year.

MS. SOLENTO: Right.

COMMISSIONER EVANS: I do agree that when we -- I will put together, and we do provide like a pie chart --

MS. SOLENTO: Yes.

COMMISSIONER EVANS: -- for the taxpayers to see --

MS. SOLENTO: That was the new -- yes.

COMMISSIONER EVANS: -- which is the
contribution of each of the three components through
the tax bill, so people can see what their taxes are
going to, and who -- and where they're going.

MS. SOLENTO: Right. I guess my only
question is how does the county -- I mean, it's like we
-- everything that you said makes sense, and we work to
manage our percentage or our share. However, you know,
the county budget is great. They'll spend a million
dollars on a park in Nutley. But it just seems like
the county has a lot of money to throw around, and it
does seem like the county budget sometimes almost
appears overinflated. Okay. Thank you.

MAYOR SCARPELLI: All right. Thank you,
Ms. Solento. Anybody else wish to address the Board of
Commissioners this evening? Seeing none --

COMMISSIONER ROGERS: Mr. Mayor, one more
thing. I -- it was unfortunate that I was unable to
attend the Nutley Irish Parade. I understand it was
another smashing hit, and, you know, that's one of the
traditions that really make Nutley what it is. And I
know, Mr. McEnery, you're way back there. Thank you
for your hard work all these years. So it was really
-- I was really happy to hear that. Thank you.

MAYOR SCARPELLI: Can I have a motion to
adjourn?
COMMISSIONER ROGERS: Move it.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER EVANS: She didn't hear you.

COMMISSIONER TUCCI: Aye, I said.

THE CLERK: Oh, I'm sorry. Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: The time is 9:09.

MAYOR SCARPELLI: Anybody who wishes to come in the back and watch us sign the documents, you're welcome to come in the back.

(End of recording)

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Rizman Rappaport (973)992-7650
"When every word counts"
CERTIFICATION

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.

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ILENE WATSON, AAERT NO. 447    DATE: March 20, 2019
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