

**In The Matter Of:**

*In RE: Nutley Board of Commissioners*

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*Transcript of Proceedings*

*June 21, 2019*

*Emergency Meeting*

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*Min-U-Script®*

Emergency Meeting

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

\*\*\* EMERGENCY MEETING \*\*\*

DATE: June 21, 2019

BOARD OF COMMISSIONERS:

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

Also Present:

- DAVID PARIS, BOARD ATTORNEY

Emergency Meeting

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1 (Recording begins)

2 COMMISSIONER PETRACCO: I don't have that  
3 text for some reason. That's why I called you back.

4 THE CLERK: That's okay. Okay. We got --I'm  
5 going to keep you on my phone on speaker, so you just  
6 have to talk loud because Commissioner Tucci and  
7 yourself are on my speakerphone.

8 COMMISSIONER PETRACCO: Okay, good.

9 UNIDENTIFIED: So you have Commissioner  
10 Tucci, Petracco, and --

11 THE CLERK: Commissioner Rogers, and --

12 UNIDENTIFIED: Okay, and then the --

13 THE CLERK: -- the mayor's calling in,  
14 probably any second now. I hope that there's no issue  
15 there.

16 COMMISSIONER EVANS: No, Joe's on. Joe's on  
17 already.

18 THE CLERK: Oh, Dr. Joe, you're on?

19 COMMISSIONER EVANS: Let's go.

20 MAYOR SCARPELLI: I'm on.

21 COMMISSIONER EVANS: Let's go.

22 MAYOR SCARPELLI: Everybody stand for the  
23 flag salute.

24 (Pledge of Allegiance)

25 COMMISSIONER EVANS: Very good. Go ahead.

## Emergency Meeting

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1           MAYOR SCARPELLI: Madam Clerk?

2           THE CLERK: Thank you, Mayor. Board of  
3 Commissioners emergency meeting, Friday, June 21st,  
4 2019. The time is now 10:03. Pursuant to the  
5 requirement of the Open Public Meeting Act,  
6 Chapter 231, Public Law 1975, notice of this meeting  
7 was advertised on the township website, the Nutley  
8 Town Hall bulletin board, and also Tap Into Nutley, our  
9 electronic newspaper. A copy of this notice is on file  
10 in the Municipal Clerk's office.

11           Commissioner Rogers?

12           COMMISSIONER ROGERS: Here.

13           THE CLERK: Commissioner Tucci?

14           COMMISSIONER TUCCI: Here.

15           THE CLERK: Commissioner Evans?

16           COMMISSIONER EVANS: Here.

17           THE CLERK: Commissioner Petracco?

18           COMMISSIONER PETRACCO: Here.

19           THE CLERK: Mayor Scarpelli?

20           MAYOR SCARPELLI: Here.

21           THE CLERK: Commissioner Evans is present,  
22 and Commissioner Tucci, Petracco, and Mayor Scarpelli  
23 and Commissioner Rogers are on the phone.

24           MAYOR SCARPELLI: Are any members of the  
25 public present?

## Emergency Meeting

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1 THE CLERK: There are no members present, and  
2 also, Mr. Paris is here.

3 MAYOR SCARPELLI: All right. So if there's  
4 no members of the public, there's no public comments.  
5 Any announcements (indiscernible)?

6 THE CLERK: No announcements.

7 MAYOR SCARPELLI: Seeing none, let's just  
8 move the resolutions. Commissioner Evans?

9 COMMISSIONER EVANS: Thank you. I have three  
10 resolutions regarding the temporary budget  
11 authorization. We are doing this on a special meeting  
12 emergency basis. Given the fact that we do not have  
13 state aid approved yet, we cannot adopt our budget, so  
14 we have to do temporary budget authorizations.  
15 Unfortunately, it can't wait until the next meeting  
16 because we will not have sufficient funds to pay for  
17 our payroll that will be coming up, as well as garbage  
18 and other expenses. So it's -- the importance of this  
19 is we need it to be able to continue to do business,  
20 and we will ratify these at the first meeting in July.  
21 Again, so with that, my first resolution, 165-19.

22 Whereas N.J.S.A. 40A:4-20 provides where  
23 contracts, commitments, or payments are made prior to  
24 the final adoption of the 2019 budget emergency  
25 appropriations may lawfully be made for purposes and

1 amounts required in the manner and time therein  
2 provided;

3           Whereas, the total emergency resolution  
4 adopted for the year 2019, pursuant to the provisions  
5 of Chapter 96, P.L. 1951, include this resolution and  
6 \$14,307,577;

7           Now therefore be it resolved, in accordance  
8 with N.J.S.A. 40A:4-20,

9           1. The emergency temporary appropriation be and  
10 the same is hereby made for the total amount of  
11 \$26,342; said emergency temporary appropriation will be  
12 provided in the 2019 budget for the accounts that are  
13 shown herein. So move.

14           COMMISSIONER TUCCI: Second.

15           THE CLERK: Commissioner Rogers?

16           COMMISSIONER ROGERS: Aye.

17           THE CLERK: Commissioner Tucci?

18           COMMISSIONER TUCCI: Aye.

19           THE CLERK: Commissioner Evans?

20           COMMISSIONER EVANS: Aye.

21           THE CLERK: Commissioner Petracco?

22           COMMISSIONER PETRACCO: Aye.

23           THE CLERK: Mayor Scarpelli?

24           MAYOR SCARPELLI: Aye.

25           COMMISSIONER EVANS: 166.

1           Whereas, N.J.S.A. 40A:4-20 provides that  
2 where contracts, commitments, or payments are made  
3 prior to the final adoption of the 2019 budget,  
4 emergency appropriations may lawfully be made for the  
5 purposes in the amounts required in the manner and time  
6 therein provided; and

7           Whereas, total emergency temporary  
8 resolutions adopted in the year 2019 pursuant to the  
9 provisions of Chapter 96 P.L. 1951, including this  
10 resolution, total of \$25,602,843;

11           Now therefore be it resolved that in  
12 accordance with N.J.S.A. 40A:4-20,

13           1. The emergency temporary appropriations and the  
14 same be made for the total amount of \$11,295,266. Said  
15 emergency temporary appropriation will be provided for  
16 in the 2019 budget for the accounts listed within the  
17 resolution for all of the departments of the township,  
18 as well as other accounts that are necessary for the  
19 normal operation of business. So move.

20           COMMISSIONER TUCCI: Second.

21           THE CLERK: Commissioner Rogers?

22           COMMISSIONER ROGERS: Aye.

23           THE CLERK: Commissioner Tucci?

24           COMMISSIONER TUCCI: Aye.

25           THE CLERK: Commissioner Evans?

Emergency Meeting

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 COMMISSIONER EVANS: All right, last  
7 resolution.

8 Whereas, New Jersey Statutes 40A:4-19  
9 provides that where debt service is to be paid in 2019  
10 prior to the time of the final adoption of the 2019  
11 budget, temporary appropriations shall be made for the  
12 amount of such debt in the manner and time therein;

13 Whereas, the date of this resolution is  
14 subsequent to the December 20th, 2018. Debt service  
15 will become due during the first six months of 2019;

16 Now therefore be it resolved by the Board of  
17 Commissioners of the Township of Nutley the following  
18 appropriations are made: Principal bonds, \$470,000;  
19 Interest on bonds, \$30,550; for a total current debt  
20 service of \$500,550;

21 Water Operating Trust principal, \$20,000;  
22 Trust Principal for N.J.E.I.T., \$7,372.50, and Fund  
23 Principal on -- these are all different notes -- for  
24 \$50,412, for a total water operating debt service of  
25 \$77,784.50.

Emergency Meeting

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1 So move.

2 COMMISSIONER TUCCI: Second.

3 THE CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 COMMISSIONER EVANS: Thank you, gentlemen.

14 MAYOR SCARPELLI: Is there any other --

15 (indiscernible) from the public?

16 UNIDENTIFIED: Any public?

17 UNIDENTIFIED: There's nobody there?

18 THE CLERK: No, there's no one in the public.

19 MAYOR SCARPELLI: All right. So do we have a  
20 motion to adjourn?

21 COMMISSIONER EVANS: Motion to adjourn.

22 COMMISSIONER TUCCI: So moved.

23 THE CLERK: I need a second.

24 COMMISSIONER EVANS: Second.

25 THE CLERK: Commissioner Rogers?

Emergency Meeting

1 COMMISSIONER ROGERS: Aye.  
2 THE CLERK: Commissioner Tucci?  
3 COMMISSIONER TUCCI: Aye.  
4 THE CLERK: Commissioner Evans?  
5 COMMISSIONER EVANS: Aye.  
6 THE CLERK: Commissioner Petracco?  
7 COMMISSIONER PETRACCO: Aye.  
8 THE CLERK: Mayor Scarpelli?  
9 MAYOR SCARPELLI: Aye.  
10 THE CLERK: The time is 10:10.  
11 MAYOR SCARPELLI: Everybody have a good  
12 weekend.  
13 THE CLERK: Have a nice weekend.  
14 UNIDENTIFIED: Take care.  
15 COMMISSIONER TUCCI: Thank you, have a good  
16 weekend everyone. Bye.  
17 THE CLERK: Have a nice weekend.  
18 UNIDENTIFIED: All right.  
19 THE CLERK: Okay.

20 (End of recording)

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

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

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ALICIA JARRETT, AAERT NO. 428      DATE: July 30, 2019  
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