In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings
June 6, 2019
Conference Session

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TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

ONE KENNEDY DRIVE

3RD FLOOR COMMISSION CHAMBERS

NUTLEY, NEW JERSEY 07110

*** CONFERENCE SESSION ***

DATE: June 6, 2019

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR

STEVEN L. ROGERS, COMMISSIONER

MAURO G. TUCCI, COMMISSIONER

THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER
Conference Session

(Recording begins)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Yes, Mayor. Board of Commissioners Public Meeting, Thursday, June 6th, 2019. The time is 7:09. Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 29, 2018 issues of the Nutley Sun, the Herald-News, and the Star Ledger. A copy of this notice has been posted on the Nutley Town Hall bulletin board, and a copy is on file in the Municipal Clerk's Office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

THE CLERK: All present, Mayor.

MAYOR SCARPELLI: Thank you, Madam Clerk.

THE CLERK: Thank you, Mayor.
MAYOR SCARPELLI: Commissioner Petracco, what do you have on the agenda this evening?

COMMISSIONER PETRACCO: Well, I know I have a proclamation that I'm honored to read on D-Day, right, Steve?

COMMISSIONER ROGERS: Yes, Commissioner.

COMMISSIONER PETRACCO: On D-Day for Alan Baxter-Green, who I believe is -- let's see --

COMMISSIONER TUCCI: Sixty-four years, the man.

COMMISSIONER PETRACCO: Sixty-four years of service. Unbelievable, right? And he's a veteran of World War II. So I have that, and then I think I have two resolutions. One's for a bid, a kind of a bid, I believe, let's see. Rejected -- a rejected $10 bid, okay, and then appointment of the volunteer assistant chiefs, Michael Spagnuolo and Jose Rivera. And that's all I have.

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Evans?

COMMISSIONER EVANS: Believe it or not, I don't have any reports, I don't have any ordinances, and I have two resolutions.

MAYOR SCARPELLI: Commissioner?

COMMISSIONER EVANS: It was a light week. I
Conference Session

have standing report with the recommendations, and the appointment of ROK Industries to do the electronic tax sale program.

    MAYOR SCARPELLI: Commissioner Rogers.

    COMMISSIONER ROGERS: I am here, Mayor.

    MAYOR SCARPELLI: Thank you for coming.

    COMMISSIONER ROGERS: You're welcome.

    MAYOR SCARPELLI: I'm glad that the sling is off, and you're --

    COMMISSIONER ROGERS: I'm moving along.

    MAYOR SCARPELLI: -- moving along.

    COMMISSIONER ROGERS: Thank you.

    COMMISSIONER TUCCI: I have no resolutions, I only have a Shade Tree Report and nothing else.

    MAYOR SCARPELLI: Thank you, Commissioner. I have two resolutions. One is authorizing the discharge and the use of fireworks for our 4th of July celebration, and a award the professional services to Topology for planning for the Groce/Ciccolini, so that's -- I do have a need for a very, very short executive, (indiscernible).

    Madam Clerk?

    THE CLERK: Yes. We have Board of Commissioner meeting minutes from May 17th for approval and two applications. One is for Doctor Joe for the
Fourth of July celebration, and the other one's for the Van Riper Trust for September 1st, 2019. And that's it.

MAYOR SCARPELLI: I don't know when.

Mr. Paris (phonetic), do you have anything?

MR. PARIS: I have nothing.

MAYOR SCARPELLI: All right. So we -- for contract negotiating.

THE CLERK: Okay. I need a motion.

MAYOR SCARPELLI: I need a motion to go to the --

COMMISSIONER PETRACCO: Move it.

COMMISSIONER TUCCI: Second.

THE CLERK: Whereas, Section 8 of the Open Public Meeting Act, Chapter 231, Public Law 1975, permits the exclusion of the public for a 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 in the 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 contract negotiations.

Be it further resolved that the time when such discussions may be disclosed to the public shall be when such disclosure may be made without adversely affecting the Township of Nutley, pending and/or anticipating legal, personnel, potential 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:  Aye.

THE CLERK:  Commissioner Petracco?

COMMISSIONER PETRACCO:  Aye.

THE CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.

THE CLERK:  And the time is 7:13.

(End of recording)

* * * * *
CERTIFICATION

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.

______________________________
ALICIA JARRETT, AAERT NO. 428 DATE: June 26, 2019
ACCESS TRANSCRIPTS, LLC
In The Matter Of:
In RE: Nutley Board of Commissioners

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June 6, 2019
Public Session

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*** PUBLIC SESSION ***

DATE: June 6, 2019

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR

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THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER
(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, Thursday, June 6th, 2019. The time is now 7:37.

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

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI:  Here.

THE CLERK:  All present, Mayor.

MAYOR SCARPELLI:  Minutes, Madam Clerk?

THE CLERK:  Thank you. Minutes for May 7th, 2019. We need a motion.

COMMISSIONER EVANS:  Move it.

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:  And that's it for minutes.

MAYOR SCARPELLI:  Communications.

THE CLERK:  Yes, we have two communications, Mayor. Mayor Scarpelli has submitted an application for the 4th of July celebration to be held on Thursday, July 4th, 2019, from 6 p.m. to 10 p.m. on Franklin Avenue between Church Street and Chestnut Street.
COMMISSIONER EVANS: Move it.

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: The Van Riper Trust has submitted an event application to hold their street fair on Franklin Avenue between Center Street and Harrison Street on Sunday, September 1st, 2019, from 11 a.m. to 5 p.m.

COMMISSIONER ROGERS: Move it.

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.

THE CLERK:  And that's it for communications.

MAYOR SCARPELLI:  Commissioner Petracco, you have a proclamation tonight?

COMMISSIONER PETRACCO:  Yes, I do.  Tonight, you can see all the firefighters are here, and I would like to welcome them all.  For a change, it seems like it's a happy occasion that we can talk about.  At this time, I would like to call Mr. Baxter up to the podium.

Al, would you mind coming up here?  Take your time.

So -- you can stand right there, Al.  Right there.  Before I read the proclamation, I just want to say that, I didn't know how many years of service Mr. Baxter had in here, and it's 64 years, Al, this year?  And Al, just for the record, do you mind telling us how old you are again?  How old are you?  Ninety --

MR. BAXTER:  Ninety-six.

COMMISSIONER PETRACCO:  Ninety-six?  Let's give Mr. Baxter a round of applause for that.  So before I read our proclamation honoring Mr. Baxter-Green, I'd just like to say a few words about
him if I may, from my heart. I didn't know that he had
64 years of service. I didn't know how long you lived
in Nutley, and I sure didn't know how old you are.
Because of all the volunteering you've done through the
years, and I have to say, every day since I've been an
elected official, Al, you have, no matter what the
issue has been, you've always came up to me with a
smile on your face and shook my hand. And that's
respect, and that's being old school, and I can't tell
you what that means to me, the respect that you've
given me, and tonight, I would like to give you some
respect that -- back, that you've earned. So without
further ado, I'm going to read the proclamation.

Whereas, Alvin Baxter-Green was born on
October 19th, 1922, in Taunton, Massachusetts; and

Whereas, Mr. Baxter-Green married
Lorena Munro in 1943 and had three children, six
grandchildren, and 1 great-grandchild; and

Whereas, Mr. Baxter-Green proudly served in
World War II as a sergeant in the 83rd Infantry
Division; and

Whereas, during his military experience,
Mr. Baxter-Green received numerous awards and
commendations, including the Purple Heart. I'll say
that one more time. Including a Purple Heart, a
Public Session

Bronze Star, a D-Day medal, and the French Legion of Honor medal, which is the highest medal of merit awarded to a civilian by the French government; and

Whereas, after the war, Mr. Baxter-Green settled in Nutley, went to the Newark College of Engineering and graduated with a degree in chemical engineering; and

Whereas, Mr. Baxter-Green became active in the Township of Nutley, and joined Hose Company 2 of the Nutley Fire Department in 1955, and during the years, portrayed Santa at the company's Santa Run and Pancake Breakfast, and is still an active member as of today; and

Whereas, in addition to his volunteering in the Fire Department, was active in the Township's Civics Celebration Committee, and the Nutley Old Guard.

Now therefore be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, that Al Baxter-Green be recognized for his extraordinary service and dedication to the Nutley Fire Department and the Township of Nutley for over 64 years. Mr. Baxter-Green personifies the true meaning of volunteerism and community spirit.

Let's give Mr. Baxter-Green another round of applause.
Mr. Green? Al, would you like to say a few words? Would you like to say a few words? Sam. Sam.

THE CLERK: Sam.

COMMISSIONER PETRACCO: Help him so he understands?

MR. BAXTER-GREEN: Thank you a lot for this (indiscernible). Thanks.

COMMISSIONER PETRACCO: Our pleasure, Al. Thank you. Now let's take a picture.

(Pause)

COMMISSIONER PETRACCO: And again, we just want to recognize that Al is a World War II veteran, and thank you for your service. And excuse me, if any of my colleagues would like to say a few kind words, please feel free.

COMMISSIONER ROGERS: Al, it's always an honor to be in the presence of a member of the Greatest Generation. And I thank you so much for what you've given this country all these years, and I've got to tell you, I always take pleasure in doing one thing with another vet, and that is, saluting you and thanking you. Thank you.

Thank you, Mr. Mayor.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Al, congratulations. Go
out and celebrate, go howl at the moon tonight, do anything you'd like to do. But from my side, thank you again for your service, especially on today, June 6th, D-Day, the 75th anniversary of the invasion, and your participation in that. Thank you for the fact that you made it through it successfully, but also, just, well done. Thank you.

MAYOR SCARPELLI: Commissioner?

COMMISSIONER TUCCI: Al, I'm not going to call you Al today, I'm going to call you Mr. Green. All right? And I always knew that you were a great guy, and a wonderful person who always had a smile on his face, and I knew that you were a great Nutley volunteer. What I didn't know was that you were such an outstanding war hero, and received all of these medals, so I'm just very proud to know you and to be one of your friends. Congratulations to you, and God bless you.

MAYOR SCARPELLI: Thank you, Commissioner.

Al, God bless you. Thank you for your service to our community for over 64 years. Thank you for your service to our country. And it's -- not many of those Greatest Generations left, so it's great that you're here with us today. And I'd like to say hello to Scott, who is my classmate, Class of '77. So.
Commissioner, you want to move on to -- we're going to alter the agenda a little bit tonight. Commissioner, you want to do your resolutions?

COMMISSIONER PETRACCO: Yes. I just want -- I'd like to now read a resolution for my good friend Michael Spagnuolo and Jose Rivera. Would you guys come up to the podium now? And maybe we could bring Chief Nicolette up here as well? I have a resolution, just appointing them both to another year of assistant chiefs, and, you know, again, and I have to tell you, this has been our chief's idea, to bring this back to the commission meeting and just recognize these people that are doing this job for free for us, and all that in our paid departments, and I have to say, you know, I haven't really worked with anybody else in the 12 years besides these guys, because I think we put a good team together, and, you know, when we have guys that are still there after 64 years, I think that's a tribute to our department, to our Chief Nicolette, and to you guys that are, you know, in charge of those houses, and making these guys feel comfortable and doing the job.

So at this point,

Be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the following volunteers are being
appointed as Assistant Chiefs of the Nutley Fire Department, effective June 6th, 2019, until June 6th, 2020, and that's Michael Spagnuolo on Engine 2, Hose 2, and Jose Rivera, Engine 3 Company Hose 1. I move the resolution.

COMMISSIONER ROGERS: I second.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Before I vote, I want to thank you for your service. Extraordinary men in an extraordinary town, in an extraordinary fire department. Thank you, and it's my pleasure to vote yes.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Gentlemen, thank you for your service. Thank you for keeping our community safe. I proudly vote aye.

THE CLERK: Commissioner Evans?

THANK YOU FOR YOUR SERVICE AS WELL, THANK YOU FOR KEEPING US SAFE. ABSOLUTELY YES, AYE.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: I'd like to vote yes, too, and then, please don't run away from the mic, guys, I'd like for you both to say a couple of words, but I wanted to especially thank the two of you, and I
want to thank Phil Nicolette as well. You know, Phil was the person that's been saying to bring this back to our Board of Commissioners, and, Phil, I think that from the turnout we have tonight, it was a great idea to do that. So I vote, I proudly vote aye, too, and thank you for all you guys do.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Yes, our volunteers are what make our town great, and our volunteer firefighters especially. And we thank you for your service, and God bless you. Aye.

COMMISSIONER PETRACCO: Would you guys like to say a few words? Jose? Jose? You've never been lost for words with me.

MR. RIVERA: I'm always getting picked. I would just like to say I'm thanks -- thankful for being, living in this town, and of giving a service that is well needed here.

COMMISSIONER PETRACCO: Thank you, Jose.

MR. SPAGNUOLO: Thank you for reappointing me. I'm proud to be a Nutley resident. I try to give back as much as I can. Thank you, guys.

COMMISSIONER PETRACCO: Thank you, Michael.

Chief, would you like to say a few words?

CHIEF NICOLETTE: I can't talk.
COMMISSIONER PETRACCO: You can't -- that's a first, too. That's a first.

CHIEF NICOLETTE: I really can't talk. My throat.

COMMISSIONER PETRACCO: Your throat? Okay.

We'd like to thank you guys for coming. Let's give them a round of applause, too. Can we -- can we -- Paul. Can we take a -- can we just take a quick picture?

MAYOR SCARPELLI: We'll give you guys a couple minutes if you don't want to hang around for the rest of the meeting.

COMMISSIONER PETRACCO: Do I have one more resolution?

MAYOR SCARPELLI: We've got to go to reports. Reports, bills. Take a couple of seconds.

(Pause)

MAYOR SCARPELLI: All right. Reports. Commissioner Tucci?

COMMISSIONER TUCCI: Yes, thank you, Mayor. I have a Shade Tree Report for the month of May.

MAYOR SCARPELLI: Thank you, Commissioner.

Bills, Madam Clerk?

Public Affairs, $116,285.55; Revenue and Finance, $2,468,297.73; Public Safety, $35,256.18; Public Works, $37,062.33; Parks and Public Property, $591,174.34; Water Utility, $93,538.39; Total Payroll, $1,400,799.64; for a grand total of $4,346,414.16.

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: And that's it for bills.
MAYOR SCARPELLI: Public comment on agenda items only. 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.

MAYOR SCARPELLI: Anybody wish to address the Board of Commissioners on the agenda items only? Seeing none, let's move on to the commissioner announcements. Commissioners?

COMMISSIONER TUCCI: I have one announcement, Mayor. Tomorrow evening, we will be holding our Movie Under The Stars at the Park Oval. And it will begin at sunset, and the movie for tomorrow night is Ralph Breaks The Internet. Thank you.

MAYOR SCARPELLI: Springfest, Commissioner?

COMMISSIONER TUCCI: Well, yeah, we can do the Spring Festival, too. We also have coming up our Spring Festival, which will take place on June 13th on Franklin Avenue, between High Street and Vreeland Avenue. In the past, it's proven to be a
wonderful event. I'd like to thank all the
commissioners for all their help and participation, in
particular, Commissioner Petracco. Without the support
of the Police Department, we couldn't hold events like
this in Nutley. Thank you, Mayor.

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Evans?

COMMISSIONER EVANS: Just, I think we all
recognize that today is D-Day. And it's the 75th
anniversary of the Normandy Invasion. I think it's
important that we never forget those that have served.
Those that have sacrificed for the freedoms that we
enjoy today. And I just think that while we see that
the soldiers that fought in that war have -- are now,
you know, later in their senior years, it's on us to
always remember the price of the freedom that we enjoy,
and never forget, not just them, but anybody who's
serving in whatever the conflict, wherever it is.

MAYOR SCARPELLI: Thank you, Commissioner.

COMMISSIONER TUCKI: Well said.

MAYOR SCARPELLI: Any other announcements?

COMMISSIONER ROGERS: Just to follow up on
what Commissioner Evans said, I'll tell you, what's
extraordinary about D-Day is when you look at the faces
of those sailors and those soldiers. 17, 18, 19 year
old kids, jumping out of planes and hitting the beaches, and, you know, we hear a lot of negative things about young people, but I've got to tell you, we've got a lot of dedicated, committed young people to this country, but Commissioner, thanks for that. That was very good. Thank you.

COMMISSIONER PETRACCO: Mr. Mayor, I just have an announcement myself. I would just like to, if we could do a minute, a moment of silence, just for our good friend, a really good friend of Nutley, even though I believe his practice was in Jersey City, Dr. Cherise (phonetic) passed away. I think you know him as well. I went to school with his children. I have many, many great memories of him. I heard that he served the community of Jersey City extraordinarily with goodwill toward all the residents there, and I can tell you, anything he could do in Nutley, he sure did. He lived to a very ripe age. He has a fantastic family. They're from Grant Avenue, and I just can't say enough about him. He was just so good to the neighborhood in that section of town, and his children and his wife, they were really lucky to have him in his life, because he was a true gentleman. So just a moment of silence for Dr. Cherise if we can.

(Pause)
COMMISSIONER PETRACCO: Thank you.

MAYOR SCARPELLI: Thank you, Commissioner.

Let's move to resolutions. Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor. My first resolution for this evening is 147-19, and this one relates to the submission of our annual report, with the related comments that related to the findings. Our -- we had a very good review from our external auditors, and this is a resolution that supports the submission of that, and the fact that the governing body has familiarized themselves with the minimum requirements required by the local finance board.

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, it hereby states that it has complied with N.J.A.C. 5:30-6.5, and does hereby submit a certified copy of this resolution, and the required affidavit to said board to show evidence of said compliance.

We members of the governing body of the Township of Nutley in the County of Essex, being duly sworn according to law, upon oath, depose and say,

1. We are duly elected commissioners of the township in performance of our duties pursuant to N.J.A.C. 5:30-6.5. We have familiarized ourselves with the contents of the annual municipal audit filed by the
Clerk pursuant to 48:5-6, and we certify that we have personally reviewed and are familiar with, as a minimum, the sections at the end of the report of the audit entitled comments and recommendations.

There -- I think in the affidavit in here it says 2005. I believe that should be 2019, and that is a typo. Okay? I 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 SCARPELLI: Aye.

COMMISSIONER EVANS: My other resolution is 148-19.

Whereas, the Township of Nutley Department of Revenue and Finance has a need to acquire an electronic tax sale contractor on behalf of the Township; and

Whereas, ROK Industries, d/b/a, New Jersey Tax Lien Investors.com in Belle Mead, New Jersey, is
the only certified electronic sale contractor in the state of New Jersey; and

Whereas, ROK Industries has submitted a proposal stating that they will provide this service at the same rate as 2018 of $15 per line item, not to exceed $4500;

Whereas funds are available from Account 901206298, and will be certified by the Chief Financial Officer upon adoption of the 2019 budget. These funds are provided for in the proposed 2019 budget;

Now therefore be it resolved by the Board of Commissioners in the Township of Nutley,

1. That Mayor and Clerk are hereby authorized and directed to execute an agreement with ROK Industries for the electronic tax sale at the rate stated in here and of $15 per line item, not to exceed $4500, in accordance with the proposed date -- proposal date of May 30th, 2019. A copy of this resolution as well as the contract shall be placed on file with the Town Clerk. 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 SCARPELLI:  Aye.

COMMISSIONER EVANS:  Thank you, Mayor.

MAYOR SCARPELLI:  Thank you, Commissioner.

Commissioner Petracco?

COMMISSIONER PETRACCO:  Yes. I'm going to just pass this as Resolution 149-19. This is the Township of Nutley Police Department has determined the need to dispose of certain municipal vehicles. This one happens to be a van ambulance. The amount is $10 that they're returning. I move the resolution as-is.

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.

MAYOR SCARPELLI:  Thank you, Commissioner.

COMMISSIONER PETRACCO:  Thank you.

MAYOR SCARPELLI:  Whereas, the 4th of July, also known as Independence Day, is a national holiday celebrated annually commemorating the adoption of the Declaration of Independence; and

Whereas, the Township of Nutley, in observance of Independence Day, will be hosting 4th of July festivities and fireworks display on or about Thursday, July 4, 2019; and

Whereas, Garden State Fireworks, P.O. Box 403 Millington, New Jersey, is the vendor to perform the fireworks activities for the Township of Nutley;

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 authorizes the discharge and use of fireworks by its vendor on or about July 4th, 2019, with a rain date for the next clear night.  I move the resolution.

COMMISSIONER TUCCI:  Second.

THE CLERK:  Commissioner Rogers?

COMMISSIONER ROGERS:  Aye.

THE CLERK:  Commissioner Tucci?
Whereas, the Township of Nutley has a continuing need to retain the professional services of a licensed planner, Toplogy, LLC, to provide professional planning services, primarily related to the ongoing redevelopment of Hoffman-LaRoche, and the Ciccolini properties in the Township of Nutley; and

Whereas, the anticipated term of the contract is for 12 months from July 3rd, 2019, through July 2nd, 2020; and

Whereas Topology continues to provide planning services at a cost not to exceed $50,000;

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, does hereby designate Topology, LLC, as the planner, and enter into an agreement contract prepared by the Township Attorney in the amount not to exceed $50,000.

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: Yes, 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.

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

MR. WALLACE: Good evening. Glenn Wallace, 106 Hopper Ave., Nutley. About a year ago, I came here and I asked a question about the street lights in the town of Nutley. And I actually did some work, and I counted them, I counted how many were broke, how many were in need of new bulbs, so on and so forth. And Mayor Scarpelli, you told me at the time, public service responsibility. Okay, so, I went in back. And in the last past year, a couple people have also had the same concern as me.

So I did a little more homework, and I went on Nutley's website, and if you Google Township of Nutley, and you go on our website, and you navigate to the department, it will tell you the responsibility and services provided by our DPW. And one of them is street lighting. Street lighting throughout the entire town.

So, I'm wondering, did somebody make this website up without conferring with you first? I understand if a resident has a streetlight out in front of their house, you might want to go get the number off
and call Public Service yourself. But with this big of
a problem on Franklin Avenue, do you think some
resident should go and take all the numbers down and
report it? I think we have to find out whose
responsibility it is and take care of it.

MAYOR SCARPELLI: Well, let me answer you,
Mr. Wallace. The responsibility is the Department of
Public Works, because it comes out of our budget to pay
for the lights, which amounts to about, a little over
$300,000 a year. We do go and at times talk to the
Public Services and give them the pole numbers, but
it's up to them to come out and fix them. We stay on
them and that's it.

MR. WALLACE: Okay, so I could be assured,
you know, in a year, it doesn't look like anything's
been through there.

MAYOR SCARPELLI: I think you're mistaken,
Mr. Wallace.

MR. WALLACE: All right. I'm mistaken, all
right.

MAYOR SCARPELLI: Correct.

MR. WALLACE: So I'll do my homework once
again, but I can count on you that they will be
updated?

MAYOR SCARPELLI: Absolutely. It's done --
MR. WALLACE: Okay.

MAYOR SCARPELLI: -- it's done weekly.

MR. WALLACE: Okay. The other thing I'm a little concerned about is the parking meters. I mean, it's been three years since somebody presented here the issue with our meters. That they're constantly broken, so on and so forth. People are damaging them. And we're fixing one per day, okay, and the amount --

MAYOR SCARPELLI: Where'd you get that information from, Mr. Wallace?

MR. WALLACE: I'm not sure. If we're not fixing one a day, then correct me if I'm wrong.

MAYOR SCARPELLI: I think you're wrong.

MR. WALLACE: Okay.

MAYOR SCARPELLI: Okay.

MR. WALLACE: So anyway, with the amount of meters that we have in town, I figured it would be -- take about nine months to fix them all, but then at the end of that, we're going to be back where we started, because there are going to be more broken ones.

So what I'm suggesting -- I mean, for three years, this has been going on now. Okay, you've got to pay somebody, I'd say, in those three years, about $180,000. That would put a nice dent in some new meters. And new meters could be installed right on the
top of these poles with a matter of seconds, and then you could free that person up maybe to do something else.

You know, so what I'm saying is, we've got to, you know, I'm going to go ahead and say, yeah, okay, the streetlights have been updated. I don't believe it, but I'm going to take your word for it, okay. The other thing is, I want to check and see how we're making out with the manual. I see Mr. Genitempo is not here. Do we have a finalization on the handbook?

MAYOR SCARPELLI: Well, Mr. Genitempo's not here, so I can't answer that question.

MR. WALLACE: But you're the mayor of our town.

MAYOR SCARPELLI: Yes, I am.

MR. WALLACE: Okay. This really falls, even though he prepares, this is really your thing. It's your town, you know what I mean? I've seen a lot of people here tonight, they're doing things for their country, doing things for their town. You know, this has to be a group effort. I come here, I don't get paid for this. Okay? I'm trying to better the town. I don't get any perks out of this. So what I'm sensing here is a serious case of I'm a gonna's.
MAYOR SCARPELLI: What's that, Mr. Wallace?

MR. WALLACE: I'm a gonna. I'm a gonna.

MAYOR SCARPELLI: Yeah. I'm a gonna.

MR. WALLACE: So --

MAYOR SCARPELLI: Thank you, Mr. Wallace.

MR. WALLACE: You're welcome.

MAYOR SCARPELLI: Let me just update everybody on the meters, so everybody knows where we are with the parking meters. We had a presentation in here about three years ago, and it was for a company to come in and replace all the meters at no cost to the township, and get in on the back end. And they were doing a pilot program in Palisades Park, so we're kind of seeing where that went, and Bloomfield, New Jersey, was also looking at them. Bloomfield didn't go forward with them, and we're not sure where Palisades Park is.

The company's an upstart, and it didn't feel like it was a good idea for us to go with them, because changing all the meters over to their technology and them going out of business is a real possibility, so that's not the direction we've gone in. So the direction we've gone in is to slowly replace the meters. Which each meter is pretty expensive, so at the end of last year, we purchased 20 meters, and we're going through, and we're just going to go in that
direction, to replace all the meters on a basis, and we may put that in capital next year. So that's where we're at.

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

MS. FROBOSE: Hi, Mayor. Rhonda Frobose, 312 East Passaic Avenue, Nutley. I'm very nervous this evening, I just want to let you know. It was really good to see --

MAYOR SCARPELLI: Don't be nervous, Rhonda.

MS. FROBOSE: Well, I am, because this is a very important matter. The Nutley fireman that was here, that was very moving for me, because I'm married into the Frobose family, and as far as I knew, Frank Frobose was the longest serving Nutley fireman in Nutley history, but I think Mr. Green may have surpassed that. And I think there's a Frobose that's in that mural up there. I'm 99.9 percent sure.

So Nutley is very important to the Frobose family. We chose to raise our family here. And I'm here because it just came on my radar this past week that it is Pride Month, which I should know. I'm a parent of an LGBTQ child who graduated from Nutley High School two years ago. Almost didn't graduate, because it was very difficult for my child to go to school
every day. When you question your own existence because of the chatter that you hear on a daily basis, not necessarily even directed at you, walking through the hallways at school, it's difficult to get out of bed every day. My child is one of many. They're doing very, very well now, but not without a lot of love and support. There is a lot of support at Nutley High School, and at home, of course.

I noticed that recently that a lot of our surrounding towns are raising the Pride Flag at their town halls, not just to celebrate Pride Month, but to let their citizens know that they have a right to exist. They're not deviants. They're not evil. They're not indoctrinating other people. This is really important. This is a life and death issue, and I'm not exaggerating. I've had children in my home that are no longer here.

So I'd like the Commissioners to seriously consider, it might be too late for this year, but for June, 2020, to have the Town of Nutley send a message to all of Nutley's citizens, that LGBTQ people have a right to exist. They're welcome, and they're embraced in the Town of Nutley, and at the same time, it would send a message that hate is not welcome in this town. And I hope you can think about that and consider that.
The Frobose family has been here since the mid-1800s, and hopefully, quite a much longer time, I hope. And thank you. Thank you for the time.

MAYOR SCARPELLI: Thank you, Mrs. Frobose.

As you know, we just got your email today, so I think maybe we can sit down and talk about an appropriate way to acknowledge not only Pride Month, but that we are an inclusive community.

Anybody else wish to address the Board of Commissioners this evening? Seeing none.

COMMISSIONER ROGERS: I make a motion to close.

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.

THE CLERK: And the time is now 8:15.

MAYOR SCARPELLI: The next meeting --
June 18th. Take care, everybody.

(End of recording)

* * * * *
CERTIFICATION

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: June 26, 2019
ACCESS TRANSCRIPTS, LLC