

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

June 6, 2019

Conference Session



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Min-U-Script®

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

1 (Recording begins)

2 MAYOR SCARPELLI: Madam Clerk?

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

13 Commissioner Rogers?

14 COMMISSIONER ROGERS: Here.

15 THE CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Here.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Here.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Here.

21 THE CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Here.

23 THE CLERK: All present, Mayor.

24 MAYOR SCARPELLI: Thank you, Madam Clerk.

25 THE CLERK: Thank you, Mayor.

1 MAYOR SCARPELLI: Commissioner Petracco, what
2 do you have on the agenda this evening?

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

6 COMMISSIONER ROGERS: Yes, Commissioner.

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

9 COMMISSIONER TUCCI: Sixty-four years, the
10 man.

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

19 MAYOR SCARPELLI: Thank you, Commissioner.
20 Commissioner Evans?

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

24 MAYOR SCARPELLI: Commissioner?

25 COMMISSIONER EVANS: It was a light week. I

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

4 MAYOR SCARPELLI: Commissioner Rogers.

5 COMMISSIONER ROGERS: I am here, Mayor.

6 MAYOR SCARPELLI: Thank you for coming.

7 COMMISSIONER ROGERS: You're welcome.

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

10 COMMISSIONER ROGERS: I'm moving along.

11 MAYOR SCARPELLI: -- moving along.

12 COMMISSIONER ROGERS: Thank you.

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

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

22 Madam Clerk?

23 THE CLERK: Yes. We have Board of
24 Commissioner meeting minutes from May 17th for approval
25 and two applications. One is for Doctor Joe for the

1 Fourth of July celebration, and the other one's for the
2 Van Riper Trust for September 1st, 2019. And that's
3 it.

4 MAYOR SCARPELLI: I don't know when.

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

6 MR. PARIS: I have nothing.

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

9 THE CLERK: Okay. I need a motion.

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

12 COMMISSIONER PETRACCO: Move it.

13 COMMISSIONER TUCCI: Second.

14 THE CLERK: Whereas, Section 8 of the Open
15 Public Meeting Act, Chapter 231, Public Law 1975,
16 permits the exclusion of the public for a meeting in
17 certain circumstances; and

18 Whereas the public body is of the opinion
19 that such circumstances exist; and

20 Whereas the Board of Commissioners of the
21 Township of Nutley in the County of Essex in the State
22 of New Jersey desires to proceed to closed executive
23 session; and

24 Now therefore be it resolved by the Board of
25 Commissioners of the Township of Nutley to move into

1 closed executive session to discuss contract
2 negotiations.

3 Be it further resolved that the time when
4 such discussions may be disclosed to the public shall
5 be when such disclosure may be made without adversely
6 affecting the Township of Nutley, pending and/or
7 anticipating legal, personnel, potential matters and
8 other matters within the exception provided for by
9 statute.

10 Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 THE CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

20 THE CLERK: And the time is 7:13.

21 (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.

ALICIA JARRETT, AAERT NO. 428 DATE: June 26, 2019
ACCESS TRANSCRIPTS, LLC

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

June 6, 2019

Public Session



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*** PUBLIC 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

1 (Recording begins)

2 MAYOR SCARPELLI: Everybody please stand for
3 the flag salute.

4 (Pledge of Allegiance)

5 MAYOR SCARPELLI: Madam Clerk?

6 THE CLERK: Thank you, Mayor. Board of
7 Commissioners public meeting, Thursday, June 6th, 2019.
8 The time is now 7:37.

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

17 Commissioner Rogers?

18 COMMISSIONER ROGERS: Here.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Here.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Here.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Here.

25 THE CLERK: Mayor Scarpelli?

Public Session

3

1 MAYOR SCARPELLI: Here.

2 THE CLERK: All present, Mayor.

3 MAYOR SCARPELLI: Minutes, Madam Clerk?

4 THE CLERK: Thank you. Minutes for

5 May 7th, 2019. We need a motion.

6 COMMISSIONER EVANS: Move it.

7 COMMISSIONER TUCCI: Second.

8 THE CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

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

19 MAYOR SCARPELLI: Communications.

20 THE CLERK: Yes, we have two communications,

21 Mayor. Mayor Scarpelli has submitted an application

22 for the 4th of July celebration to be held on

23 Thursday, July 4th, 2019, from 6 p.m. to 10 p.m. on

24 Franklin Avenue between Church Street and Chestnut

25 Street.

Public Session

4

1 COMMISSIONER EVANS: Move it.

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 THE CLERK: The Van Riper Trust has submitted
14 an event application to hold their street fair on
15 Franklin Avenue between Center Street and
16 Harrison Street on Sunday, September 1st, 2019, from
17 11 a.m. to 5 p.m.

18 COMMISSIONER ROGERS: Move it.

19 COMMISSIONER PETRACCO: Second.

20 THE CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 THE CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 THE CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye.

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

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

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

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

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

21 MR. BAXTER: Ninety-six.

22 COMMISSIONER PETRACCO: Ninety-six? Let's
23 give Mr. Baxter a round of applause for that. So
24 before I read our proclamation honoring Mr.
25 Baxter-Green, I'd just like to say a few words about

1 him if I may, from my heart. I didn't know that he had
2 64 years of service. I didn't know how long you lived
3 in Nutley, and I sure didn't know how old you are.
4 Because of all the volunteering you've done through the
5 years, and I have to say, every day since I've been an
6 elected official, Al, you have, no matter what the
7 issue has been, you've always came up to me with a
8 smile on your face and shook my hand. And that's
9 respect, and that's being old school, and I can't tell
10 you what that means to me, the respect that you've
11 given me, and tonight, I would like to give you some
12 respect that -- back, that you've earned. So without
13 further ado, I'm going to read the proclamation.

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

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

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

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

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

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

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

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

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

24 Let's give Mr. Baxter-Green another round of
25 applause.

1 Mr. Green? Al, would you like to say a few
2 words? Would you like to say a few words? Sam. Sam.

3 THE CLERK: Sam.

4 COMMISSIONER PETRACCO: Help him so he
5 understands?

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

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

10 (Pause)

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

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

23 Thank you, Mr. Mayor.

24 MAYOR SCARPELLI: Commissioner Evans?

25 COMMISSIONER EVANS: Al, congratulations. Go

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

8 MAYOR SCARPELLI: Commissioner?

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

19 MAYOR SCARPELLI: Thank you, Commissioner.

20 Al, God bless you. Thank you for your
21 service to our community for over 64 years. Thank you
22 for your service to our country. And it's -- not many
23 of those Greatest Generations left, so it's great that
24 you're here with us today. And I'd like to say hello
25 to Scott, who is my classmate, Class of '77. So.

1 Commissioner, you want to move on to -- we're
2 going to alter the agenda a little bit tonight.

3 Commissioner, you want to do your resolutions?

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

22 So at this point,

23 Be it resolved by the Board of Commissioners
24 of the Township of Nutley, County of Essex, State of
25 New Jersey, that the following volunteers are being

1 appointed as Assistant Chiefs of the Nutley Fire
2 Department, effective June 6th, 2019, until June 6th,
3 2020, and that's Michael Spagnuolo on Engine 2, Hose 2,
4 and Jose Rivera, Engine 3 Company Hose 1. I move the
5 resolution.

6 COMMISSIONER ROGERS: I second.

7 THE CLERK: Commissioner Rogers?

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

13 THE CLERK: Commissioner Tucci?

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

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Gentlemen, thank you.
19 Thank you for your service as well, thank you for
20 keeping us safe. Absolutely yes, aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: I'd like to vote yes,
23 too, and then, please don't run away from the mic,
24 guys, I'd like for you both to say a couple of words,
25 but I wanted to especially thank the two of you, and I

1 want to thank Phil Nicolette as well. You know, Phil
2 was the person that's been saying to bring this back to
3 our Board of Commissioners, and, Phil, I think that
4 from the turnout we have tonight, it was a great idea
5 to do that. So I vote, I proudly vote aye, too, and
6 thank you for all you guys do.

7 THE CLERK: Mayor Scarpelli?

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

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

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

19 COMMISSIONER PETRACCO: Thank you, Jose.

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

23 COMMISSIONER PETRACCO: Thank you, Michael.
24 Chief, would you like to say a few words?

25 CHIEF NICOLETTE: I can't talk.

1 COMMISSIONER PETRACCO: You can't -- that's a
2 first, too. That's a first.

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

5 COMMISSIONER PETRACCO: Your throat? Okay.
6 We'd like to thank you guys for coming. Let's give
7 them a round of applause, too. Can we -- can we --
8 Paul. Can we take a -- can we just take a quick
9 picture?

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

13 COMMISSIONER PETRACCO: Do I have one more
14 resolution?

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

17 (Pause)

18 MAYOR SCARPELLI: All right. Reports.
19 Commissioner Tucci?

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

22 MAYOR SCARPELLI: Thank you, Commissioner.
23 Bills, Madam Clerk?

24 THE CLERK: Thank you, Mayor. Bill list for
25 June 6th, 2019.

1 Public Affairs, \$116,285.55; Revenue and
2 Finance, \$2,468,297.73; Public Safety, \$35,256.18;
3 Public Works, \$37,062.33; Parks and Public Property,
4 \$591,174.34; Water Utility, \$93,538.39; Total Payroll,
5 \$1,400,799.64; for a grand total of \$4,346,414.16.

6 COMMISSIONER EVANS: Move the bills.

7 COMMISSIONER TUCCI: Second.

8 THE CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 THE CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Mayor Scarpelli.

17 MAYOR SCARPELLI: Aye.

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

19 MAYOR SCARPELLI: Public comment on agenda
20 items only. Madam Clerk?

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

1 limit their address to three minutes. All remarks to
2 the Board and its individual members must be addressed
3 to the Mayor. The Mayor may defer citizens' comments
4 to the appropriate member of the Board. Dialogue
5 between citizens and others addressing the Board shall
6 be allowed, unless the Mayor or presiding officer, or
7 the majority of the membership of the Board shall
8 determine that the interests of the quorum and/or the
9 expeditious conduct of municipal business are being
10 adversely affected by such dialogue.

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

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

20 MAYOR SCARPELLI: Springfest, Commissioner?

21 COMMISSIONER TUCCI: Well, yeah, we can do
22 the Spring Festival, too. We also have coming up our
23 Spring Festival, which will take place on June 13th on
24 Franklin Avenue, between High Street and
25 Vreeland Avenue. In the past, it's proven to be a

1 wonderful event. I'd like to thank all the
2 commissioners for all their help and participation, in
3 particular, Commissioner Petracco. Without the support
4 of the Police Department, we couldn't hold events like
5 this in Nutley. Thank you, Mayor.

6 MAYOR SCARPELLI: Thank you, Commissioner.
7 Commissioner Evans?

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

19 MAYOR SCARPELLI: Thank you, Commissioner.

20 COMMISSIONER TUCCI: Well said.

21 MAYOR SCARPELLI: Any other announcements?

22 COMMISSIONER ROGERS: Just to follow up on
23 what Commissioner Evans said, I'll tell you, what's
24 extraordinary about D-Day is when you look at the faces
25 of those sailors and those soldiers. 17, 18, 19 year

1 old kids, jumping out of planes and hitting the
2 beaches, and, you know, we hear a lot of negative
3 things about young people, but I've got to tell you,
4 we've got a lot of dedicated, committed young people to
5 this country, but Commissioner, thanks for that. That
6 was very good. Thank you.

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

25 (Pause)

1 COMMISSIONER PETRACCO: Thank you.

2 MAYOR SCARPELLI: Thank you, Commissioner.

3 Let's move to resolutions. Commissioner Evans?

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

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

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

22 1. We are duly elected commissioners of the
23 township in performance of our duties pursuant to
24 N.J.A.C. 5:30-6.5. We have familiarized ourselves with
25 the contents of the annual municipal audit filed by the

1 Clerk pursuant to 48:5-6, and we certify that we have
2 personally reviewed and are familiar with, as a
3 minimum, the sections at the end of the report of the
4 audit entitled comments and recommendations.

5 There -- I think in the affidavit in here it
6 says 2005. I believe that should be 2019, and that is
7 a typo. Okay? I so move.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER EVANS: My other resolution is
20 148-19.

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

24 Whereas, ROK Industries, d/b/a, New Jersey
25 Tax Lien Investors.com in Belle Mead, New Jersey, is

1 the only certified electronic sale contractor in the
2 state of New Jersey; and

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

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

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

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

22 COMMISSIONER TUCCI: Second.

23 THE CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 THE CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye.

8 COMMISSIONER EVANS: Thank you, Mayor.

9 MAYOR SCARPELLI: Thank you, Commissioner.

10 Commissioner Petracco?

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

17 COMMISSIONER ROGERS: Second.

18 THE CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 MAYOR SCARPELLI: Thank you, Commissioner.

4 COMMISSIONER PETRACCO: Thank you.

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

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

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

16 Now therefore be it resolved by the Board of
17 Commissioners of the Township of Nutley, County of
18 Essex, State of New Jersey, that the Township
19 authorizes the discharge and use of fireworks by its
20 vendor on or about July 4th, 2019, with a rain date for
21 the next clear night. I move the resolution.

22 COMMISSIONER TUCCI: Second.

23 THE CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 THE CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye.

8 Whereas, the Township of Nutley has a
9 continuing need to retain the professional services of
10 a licensed planner, Toplogy, LLC, to provide
11 professional planning services, primarily related to
12 the ongoing redevelopment of Hoffman-LaRoche, and the
13 Ciccolini properties in the Township of Nutley; and

14 Whereas, the anticipated term of the contract
15 is for 12 months from July 3rd, 2019, through July
16 2nd, 2010; and

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

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

25 I move the resolution.

1 COMMISSIONER TUCCI: Second.

2 THE CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 THE CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye. That concludes the
12 business portion of our meeting. Madam Clerk?

13 THE CLERK: Yes, Mayor. All persons
14 addressing the Board of Commissioners regarding
15 community concerns should approach the microphone and
16 provide their name and address for the record. Unless
17 further time is granted by the Board, each person shall
18 limit their address to five minutes. All remarks to
19 the Board and its individual members must be addressed
20 to the Mayor. The Mayor may defer citizens' comments
21 to the appropriate member of the Board. Dialogue
22 between citizens and others addressing the Board shall
23 be allowed unless the Mayor or presiding officer, or
24 the majority of the membership of the Board shall
25 determine that the interests of the quorum and/or the

1 expeditious conduct of municipal business are being
2 adversely affected by such dialogue.

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

5 MR. WALLACE: Good evening. Glenn Wallace,
6 106 Hopper Ave., Nutley. About a year ago, I came here
7 and I asked a question about the street lights in the
8 town of Nutley. And I actually did some work, and I
9 counted them, I counted how many were broke, how many
10 were in need of new bulbs, so on and so forth. And
11 Mayor Scarpelli, you told me at the time, public
12 service responsibility. Okay, so, I went in back. And
13 in the last past year, a couple people have also had
14 the same concern as me.

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

22 So, I'm wondering, did somebody make this
23 website up without conferring with you first? I
24 understand if a resident has a streetlight out in front
25 of their house, you might want to go get the number off

1 and call Public Service yourself. But with this big of
2 a problem on Franklin Avenue, do you think some
3 resident should go and take all the numbers down and
4 report it? I think we have to find out whose
5 responsibility it is and take care of it.

6 MAYOR SCARPELLI: Well, let me answer you,
7 Mr. Wallace. The responsibility is the Department of
8 Public Works, because it comes out of our budget to pay
9 for the lights, which amounts to about, a little over
10 \$300,000 a year. We do go and at times talk to the
11 Public Services and give them the pole numbers, but
12 it's up to them to come out and fix them. We stay on
13 them and that's it.

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

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

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

21 MAYOR SCARPELLI: Correct.

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

25 MAYOR SCARPELLI: Absolutely. It's done --

1 MR. WALLACE: Okay.

2 MAYOR SCARPELLI: -- it's done weekly.

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

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

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

13 MAYOR SCARPELLI: I think you're wrong.

14 MR. WALLACE: Okay.

15 MAYOR SCARPELLI: Okay.

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

21 So what I'm suggesting -- I mean, for three
22 years, this has been going on now. Okay, you've got to
23 pay somebody, I'd say, in those three years, about
24 \$180,000. That would put a nice dent in some new
25 meters. And new meters could be installed right on the

1 top of these poles with a matter of seconds, and then
2 you could free that person up maybe to do something
3 else.

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

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

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

16 MAYOR SCARPELLI: Yes, I am.

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

1 MAYOR SCARPELLI: What's that, Mr. Wallace?

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

3 MAYOR SCARPELLI: Yeah. I'm a gonna.

4 MR. WALLACE: So --

5 MAYOR SCARPELLI: Thank you, Mr. Wallace.

6 MR. WALLACE: You're welcome.

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

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

1 direction, to replace all the meters on a basis, and we
2 may put that in capital next year. So that's where
3 we're at.

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

6 MS. FROBOSE: Hi, Mayor. Rhonda Frobose,
7 312 East Passaic Avenue, Nutley. I'm very nervous this
8 evening, I just want to let you know. It was really
9 good to see --

10 MAYOR SCARPELLI: Don't be nervous, Rhonda.

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

19 So Nutley is very important to the Frobose
20 family. We chose to raise our family here. And I'm
21 here because it just came on my radar this past week
22 that it is Pride Month, which I should know. I'm a
23 parent of an LGBTQ child who graduated from Nutley High
24 School two years ago. Almost didn't graduate, because
25 it was very difficult for my child to go to school

1 every day. When you question your own existence
2 because of the chatter that you hear on a daily basis,
3 not necessarily even directed at you, walking through
4 the hallways at school, it's difficult to get out of
5 bed every day. My child is one of many. They're doing
6 very, very well now, but not without a lot of love and
7 support. There is a lot of support at Nutley High
8 School, and at home, of course.

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

18 So I'd like the Commissioners to seriously
19 consider, it might be too late for this year, but for
20 June, 2020, to have the Town of Nutley send a message
21 to all of Nutley's citizens, that LGBTQ people have a
22 right to exist. They're welcome, and they're embraced
23 in the Town of Nutley, and at the same time, it would
24 send a message that hate is not welcome in this town.
25 And I hope you can think about that and consider that.

1 The Frobose family has been here since the mid-1800s,
2 and hopefully, quite a much longer time, I hope. And
3 thank you. Thank you for the time.

4 MAYOR SCARPELLI: Thank you, Mrs. Frobose.
5 As you know, we just got your email today, so I think
6 maybe we can sit down and talk about an appropriate way
7 to acknowledge not only Pride Month, but that we are an
8 inclusive community.

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

11 COMMISSIONER ROGERS: I make a motion to
12 close.

13 COMMISSIONER PETRACCO: Second.

14 THE CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

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

25 MAYOR SCARPELLI: The next meeting --

1 June 18th. Take care, everybody.

2 (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.

ALICIA JARRETT, AAERT NO. 428 DATE: June 26, 2019
ACCESS TRANSCRIPTS, LLC