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

Transcript of Proceedings
July 2, 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: July 2, 2019

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR

THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER

STEVEN L. ROGERS, COMMISSIONER

MAURO G. TUCCI, COMMISSIONER

ALSO APPEARING:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
Conference Session

(Recording begins)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Yes, Mayor. Board of Commissioners Public Meeting, Tuesday, July 2nd, 2019. The time is 7:04. 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: What do you have there, Commissioner?

COMMISSIONER PETRACCO: I think I only have a
couple resolutions on tonight. Let me get my pair of
glasses so I can see. Yeah, I'll just borrow yours,
Tom. We have an amended resolution for appropriated
funds from account for police dispatchers, crossing
guard uniforms and equipment. Then I have an
appointment of Jennifer Gardener to Deputy Court
Administrator. They help, huh, Tom?

COMMISSIONER EVANS: Yeah, they do.

COMMISSIONER PETRACCO: Effective June 16th,
2019, and I have to say, she's really stepped up and
doing a great job there. Authorizing 22 employees to
donate sick leave to Linda Buel, an employee of the
Department of Public Safety. And just before I read
that resolution, this is something that we've kind of
done with a lot of rules and regulations to that, and,
you know, as far as employees being able to donate some
time, but Linda Buel has had some health challenges,
and I think it's just extraordinary circumstances, and
that's why we're doing it this time. And that's all I
have.

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor. I
have -- and I don't have any reports, we do have the
normal bills tonight. I do have the three bond
ordinance introductions for tonight. One's covering roadways, the other is for the water utility, the other is general operating. I also have a few resolutions. One is a capital budget amendment, in which we have to read tonight as well, given the adjustments. I want to thank you all for re-looking at your capital and lowering it. In total, we're -- we lowered capital $350,000, so thank you for contributing. I have a refund. I also have the temporary budget authorization for the water utility tonight, a property tax exemption for a disabled war vet, and also, we -- our main banking, we're -- we did an RFP, and we're awarding our main banking services to Investors Bank.

COMMISSIONER TUCCI: Yeah, what is that? I don't quite understand that.

COMMISSIONER EVANS: Yeah, so when we collect taxes -- the main -- the operating account.

COMMISSIONER TUCCI: Okay.

COMMISSIONER EVANS: It's just the general operating account, and the money market. What we had for years was at TD, and we've went through an RFP process back in January, went through an interviewing process, processes, and Investors has offered us the best deal, which is the best deal for the taxpayers. A higher rate of interest, no fees, armored car service,
and so on, that really benefits. But when you looked
at them all together, and you went through all the
banks, they were the ones that stood out. So, we're
transferring the relationship from TD to Investors. It
doesn't affect -- there's multiple accounts, but it
just affects --

COMMISSIONER TUCCI: Right. Are they picking
up the cost of any services, the processing payroll and
all that?

COMMISSIONER EVANS: All of it.

COMMISSIONER TUCCI: So they're all in, so
they're doing all that?

COMMISSIONER EVANS: They're all in. So --
yeah, exactly. The -- you know, you know exactly.

COMMISSIONER TUCCI: Uh-huh.

COMMISSIONER EVANS: So that main core, that
main core, we're getting a better deal.

COMMISSIONER TUCCI: Good.

COMMISSIONER EVANS: Okay?

COMMISSIONER TUCCI: Okay. Nice work.

COMMISSIONER EVANS: So, yeah. So that's all
I have, Mayor. Also, I just -- I need to read -- you
know, we did the -- we had the emergency meeting, and
we had the three resolutions for the temporary budget,
so we could continue to operate, because we needed to
pay some bills before this meeting. So I just want to
put on the record that we have those resolutions, and
that's what we did. That was the only business that
was conducted during that meeting, as well. Okay?

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Rogers?

COMMISSIONER ROGERS: Thank you, Mayor. I
have a resolution to authorize the Municipal Clerk to
advertise for sealed bids for a collection of our --
removal of our solid waste and vegetative waste,
et cetera.

MAYOR SCARPELLI: Thank you. Commissioner
Tucci?

COMMISSIONER TUCCI: I have no agendas this
evening, but I do have a Shade Tree Report, and
basically I'm here for the good company.

MAYOR SCARPELLI: Thank you, sir. Thank you
for joining us.

COMMISSIONER EVANS: What, no coffee?
COMMISSIONER TUCCI: I thought I was bringing
the coffee.

COMMISSIONER PETRACCO: I'm a tea drinker
now.

COMMISSIONER TUCCI: Oh.

COMMISSIONER PETRACCO: I switched.
CONFERENCE SESSION

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COMMISSIONER TUCCI: Tea?

COMMISSIONER PETRACCO: Calories.

MAYOR SCARPELLI: I have an ordinance introduction for the reconstruction of Grant Avenue, which is through a DOT loan -- a DOT grant. I have a couple of resolutions. One is to authorize various raffles. Another is to -- a one-year extension with Integrity Recycling for our recycling vendor. One -- another one's call for sealed bids for Grant Avenue, and then authorize a liquor license for GLO, which is Bella Luce. And that, I believe, is all I have.

COMMISSIONER EVANS: Mayor, one point that I forgot to mention. I was on the phone this evening, trying to follow up on our state aid. And so while the budget's been passed it'll be a few more weeks yet before they know where they land. The budget adopted didn't grant any new revenue to co-cover the expenses, so we're basically working through the aftermath of all of that, so I haven't gotten -- we also -- as of now, we don't have permission yet to adopt our budget.

MAYOR SCARPELLI: Thank you, Commissioner.

Madam Clerk?

THE CLERK: Yes, Mayor. We have executive session minutes for approval from April till June, and then we have a couple of applications. One is for
Saint Mary's for a social affair, Nutley-Belleville Columbus Day Parade wants to have the Columbus Day Parade, and Holy Family Church has submitted an application for a social affair permit. And that's it. Alan? Can we read these three together? The three communications? Or separate --

MR. GENITEMPO: Yeah. Just --

THE CLERK: -- we can --

MR. GENITEMPO: -- say what -- just explain what they are, and you can read one, or just all together.

MAYOR SCARPELLI: Counselor?

MR. GENITEMPO: I have nothing, Mayor.

MAYOR SCARPELLI: Can you update us in public on where we are with Prism?

MR. GENITEMPO: Yeah, sure, we can do that without revealing any confidential information. We're still negotiating with them on issues related to traffic impacts and overall development. On our next meeting, we're going to have a presentation executive related to potential buildout of the Nutley side. Other than that, it's been relatively quiet. Do you want to talk about yesterday?

We met yesterday with Prism, and with a company that brings in an assisted living facility, that
wants to put it on the property south of Kingsland. A
190-bed facility. Seems to be very nice and modern.
They have a -- they have eight other locations in
New Jersey, plus one they just got approved for. So
you'll have an opportunity to go view -- there's some
-- there's one in Gramercy. There's one in Tenafly.
Take a look at it. Just very preliminary, it's a long
process, they have to get approval from the state, in
addition to your approval, if they -- if we decide to -
- if you decide to go that way.

COMMISSIONER PETRACCO: How long is the
process?

MR. GENITEMPO: Probably two years to two and
a half to get it finished, because of the -- what
happens is, even if we had a redevelopment agreement
with them, and you approve the rezoning of it, with the
site plan, it gets -- if you approve it, then they have
to do construction plans, and submit the construction
plans.

UNIDENTIFIED: Sorry guys.

MR. GENITEMPO: If this was court, we'd
confiscate his phone, but -- right, Jeff?

COMMISSIONER PETRACCO: Yeah. It's
appropriate.

MR. GENITEMPO: So what happens is, then it
goes to DCA, they have to approve the construction plans. It takes eight to ten months for them to review that. Then if they have changes, they have to go back, and then there's also some DEP issues regarding the stream that they have to deal with.

COMMISSIONER EVANS: It sounds similar to like if you're going to build a school, you've got to go back and forth, back and forth, get the approvals.

MR. GENITEMPO: Oh, yeah. It's a process. But they're -- you know, they're willing to do it. They like the site, they like Nutley. So, there's a lot to go on, you know, about what kind of deal there may be to be made, what the tax rateables are going to be. But I just met the one person with Diaz.

So we'll see. That's just the beginning. We'll present to you some information formally on that.

COMMISSIONER TUCCI: And did they ever speak about any extensions with any of the other people that are going to go there? Well, I need a short executive session, if that's better.

MR. GENITEMPO: Oh, all right, well, we could do --

COMMISSIONER TUCCI: There's a better spot past that.

MR. GENITEMPO: -- we can go into more detail
there. Okay. We'll do a more detailed -- there.

COMMISSIONER TUCCI: Yeah.

MR. GENITEMPO: I have -- other than that, there's nothing else.

MAYOR SCARPELLI: Motion to go to executive for?

COMMISSIONER TUCCI: Contract negotiations, personal.

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: I need a motion.

MAYOR SCARPELLI: Move that, Commissioner Tucci.

COMMISSIONER TUCCI: Move it.

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 contract negotiations and personnel matters.
Be it further resolved that at the time of such discussion may be disclosed to the public, it shall be, when such disclosures may be made without adversely affecting the Township of Nutley, pending and/or anticipated legal, personnel, contractual matters, and other matters within the exceptions 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: Here. Aye.

THE CLERK: Mayor Scarpelli?

Aye.

THE CLERK: The time is 7:15.

(End of recording)

* * * * *
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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In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings
July 2, 2019
Public Session
TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS
ONE KENNEDY DRIVE
3RD FLOOR COMMISSION CHAMBERS
NUTLEY, NEW JERSEY 07110

*** PUBLIC SESSION ***

DATE: July 2, 2019

BOARD OF COMMISSIONERS:

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

ALSO APPEARING:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
(Recording begins)

MAYOR SCARPELLI: Everyone please stand for
the flag salute.

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Thank you, Mayor. Board of
Commissioners Public Meeting, Tuesday, July 2nd, 2019.
The time is 7:53. Pursuant to the requirement 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, Mayor. We have executive session minutes for April 16, 2019, for sessions 1 and 2; May 7th, 2019, for sessions 1 and 2; May 13th, 2019; May 21st, 2019; June 6th, 2019; and June 18th, 2019.

COMMISSIONER TUCCI: Move them.

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 minutes, Mayor.

MAYOR SCARPELLI: Communications?

THE CLERK: Thank you, Mayor. We have three this evening. The first one is Saint Mary's Church has submitted an application for a social affair permit for their Oktoberfest on Friday, September 27, 2019, from 6 p.m. to 12 a.m. at Monsignor Owens' Place. The
second one is the Nutley/Belleville Columbus Day Parade Committee has submitted an event application to hold their 37th Annual Columbus Day Parade along Franklin Avenue on Sunday, October 13, 2019. And the third one is Holy Family Church has submitted an application for a social affair permit, and is also requesting to hold a Sunday raffle during their 28th Annual Italian Festival, to be held on Thursday, September 19, through Sunday, September 22nd, at 28 Brookline Avenue. I need a motion, please.

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 communications.

MAYOR SCARPELLI: Reports? Commissioner Tucci?
COMMISSIONER TUCCI: Yes, thank you, Mayor. I have a Shade Tree Report for the month of June.

MAYOR SCARPELLI: Bills, Madam Clerk?

THE CLERK: Yes, Mayor, thank you. Bill list for July 2nd, 2019: Public Affairs, $125,112.92; Revenue and Finance, $2,489,953.80; Public Safety, $123,919.03; Public Works, $91,286.27; Parks and Public Property, $583,059.49; Total Payroll, $831,298.86; for a grand total of $4,333,856.08.

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 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.

MR. MOORE: Rory Moore, 462 Chestnut Street. Mr. Scarpelli, I only have two questions this evening. Mr. Evans, in the middle of the first page, Pennoni, $20,000. What was that for?

COMMISSIONER EVANS: That's the one to Pennoni?

MR. MOORE: Yes.

COMMISSIONER EVANS: In here?

MR. MOORE: It's right in the middle of the page.

COMMISSIONER EVANS: Yes, but it's Pennoni,
right? Correct?

MR. MOORE: Yeah.

COMMISSIONER EVANS: Yeah. The -- that was for a study that they did on Highfield Lane related to a railroad crossing.

MR. MOORE: I'm -- I didn't hear you --

COMMISSIONER EVANS: Related to a railroad crossing on Highfield Lane.

MR. MOORE: Okay, thank you. And Mr. Tucci?

COMMISSIONER TUCCI: Yes.

MR. MOORE: I remember some time ago we talked about the phone bills, we did, and the mobile phones, and I remember you said that you were going to address that. But looking at it right now, the phone -- they still seem very, very high. Has there been any positive movement on lowering the phone bill?

COMMISSIONER TUCCI: Well, I believe the services are being (indiscernible) they're being paid the services -- sorry about that. I believe the amount that we pay for the monthly service was drastically reduced, and we are now offering all of our employees, I guess it's iPhone 7s, which cost us 99 cents and --

COMMISSIONER EVANS: 8.

COMMISSIONER TUCCI: I'm sorry?

COMMISSIONER EVANS: 8.
COMMISSIONER TUCCI: 8?

MR. MOORE: I thought it was 8.

COMMISSIONER EVANS: iPhone 8s.

COMMISSIONER TUCCI: iPhone 8s, I'm sorry, thank you.

MR. MOORE: Yeah, you said -- originally, you had said iPhone 8s.

COMMISSIONER TUCCI: Right, right.

MR. MOORE: Everybody was supposed to get --

COMMISSIONER TUCCI: I stand corrected, iPhone 8s.

MR. MOORE: Yeah, no, no.

COMMISSIONER TUCCI: But it was a while ago. So yes, we are making substantial progress there, and I -- Frank, what was the amount? Was it $48 a month that it was -- 40?

MR. DEMAIO: $40 a month.

COMMISSIONER TUCCI: Right, $40 a month per user which is --

MR. MOORE: Per phone.

COMMISSIONER TUCCI: Per phone. Which is --

MR. MOORE: Isn't that --

COMMISSIONER TUCCI: -- quite substantial.

MR. MOORE: -- if that's the rate, isn't that still a little high? Because, you know, we're looking
at $2,000. That's a lot of money. 40 divided by --

COMMISSIONER TUCCI: That's town wide.

That's not -- when you do the math, that's not high.

MR. MOORE: It's still pretty high.

COMMISSIONER TUCCI: Well, $40, I wish my

personal account was $40 a month, that's -- because

it's substantially more than that, for -- I'd be happy
to go over it with you if you'd like to take a look at
it.

MR. MOORE: Pardon me?

COMMISSIONER TUCCI: We would be happy to go

over it with you if you would like to take a look at
it.

MR. MOORE: Yes, I would. I would love to.

COMMISSIONER TUCCI: Be our pleasure.

MR. MOORE: Thank you.

COMMISSIONER TUCCI: You're welcome.

MAYOR SCARPELLI: Anybody else wish to

address the Board of Commissioners on the agenda items

only? Seeing none, let's go to commissioner

announcements.

COMMISSIONER TUCCI: I have one announcement,

and I'll make this announcement again. On July 18th at

seven o'clock, we're having our first Concert in the

Park, and the performance -- the performers will be
Jersey Sound. Thank you, Mayor.

MAYOR SCARPELLI: Thank you. Commissioner Evans?

COMMISSIONER EVANS: Yes, Mayor. I have two. One is, the latter part of June we had a Division of Motor Vehicle here in the new mobile truck program. We were a pilot location. The turnout with residents going there was fantastic. There was -- it started, it was from 10 to 2, and people lined up before they were opened, and they were still there after two o'clock.

In order to do this, one, is, the Clerk, who deals with DMV a lot, identified the program and worked to bring it to all of our attention, and, you know, Al, thank you for providing Joe Gallano (phonetic) to be out there all day. He was great, to be -- and I told him this, he was great with all the people, you know, just helping to keep them organized, making -- he was even helping them to understand what services that were going on that day, which he didn't have to do, but it was great. Mauro, you know, from your standpoint of your team working with Frank to get the location set up, all right, on short -- this was all on short notice, right.

COMMISSIONER TUCCI: Yes.

COMMISSIONER EVANS: And so, you know, the
reason I'm raising it is, is that, you know, often we take a bow for things that get done. In this particular case, you know, I want to take a bow for the employees that we have in town for working together and making sure that this went smoothly, because I think everybody went above and beyond.

COMMISSIONER TUCCI: I couldn't agree more.

COMMISSIONER EVANS: The other thing I have is that we did have an emergency meeting in June for the sole purpose of voting on temporary budget authorizations for our debt service and for our operating account. Those were resolutions that were identified as 165-19, 166-19, and -- it's stuck together. And 167-19. They are items that are done in the normal course. Because we're not able to adopt our budget yet, we're working under temporary authorizations, so cash had to be expended before the meeting tonight. So I just wanted to bring those into the record, that that -- they were unanimously voted on by all of the commissioners, and that was the only business that was conducted at that meeting. Thank you.

MAYOR SCARPELLI: Thank you. Commissioners, any other announcements? Just, announced tomorrow, I mean, Thursday, 4th of July, the Board having our
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1 fireworks in the Oval. I'd like to thank the
2 Commissioners and their departments for all their help
3 in helping organize, and the weather looks like it's
4 going to be good, which wasn't at the beginning of the
5 week, so we'll have a good night to have the --
6 celebrate our nation's birthday. Let's move to one
7 resolution. Commissioner?

COMMISSIONER PETRACCO: Thank you, Mayor.

We're going to take this one resolution out of order,
and actually, when I was shuffling through it, this is
our appointment of Deputy Court Administrator
Jennifer Gardner. I thought this resolution was going
to be a little longer, because I know her personally,
and she's such a good person, and she's been very well
received by our court -- our courts in Nutley here, and
I'd just like to acknowledge our Court Administrator,
Adriana Russo, is here tonight supporting us, too.

But I want to say congratulations on Ann
Rizzo's retirement. She spent many years here, and she
did an excellent job. We're very excited to have Jenn
here now to fill those shoes, which are big shoes, but
so far it's been going great. So --

Be it resolved by the Board of Commissioners,
Township of Nutley, County of Essex, State of New
Jersey, that Jennifer Garner be appointed Deputy Court
Administrator of the Nutley Municipal Court in the Township of Nutley, effective June 6th, 2019. I move the resolution.

COMMISSIONER ROGERS: Before I second it, Jennifer, I want you to know that we deeply appreciate the work you've done here, and I cannot escape the fact that Mike is with you, your husband, who I had the honor of working with in the Nutley Police Department for many years. So as a family, you've brought so much to this town. God bless you, and it's my pleasure to second it.

THE CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Yes, before I vote, I also have a comment. I was fortunate enough to be part of the review committee with the County Court Administrator, Mr. Restaino, to actually interview all of the folks, all right, who applied for this position. And I am very happy and very proud to say that while all of the candidates were highly qualified, our own homegrown Nutley candidate was head and shoulders above all of them. I am very proud and very happy to vote aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Yes. This is wonderful.

It's a bit bittersweet, because I had to give up a
great employee to go across the street to work for
Public Safety. Jenn, you did great work while you were
at Revenue and Finance, I'm just thrilled that you are
still progressing, and much success. I vote aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Again,

congratulations. Welcome aboard. I just -- I can

speak volumes of the Nutley Court System, what everyone
does there. Being my good friend Joe Vallano

(phonic) over there, got a -- a little pat on the
back before -- for doing the motor vehicle thing, I'd
like acknowledge my friendship with him, and say that,
even in the court system, having Joe there as well
makes the court system move along a lot faster, because
he's very compassionate to the people that are going
there. So, Jenn, congratulations again, welcome
aboard, you're doing a great job. Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Jenn, congratulations. I
know you're going to do a great job. I miss sitting
next to you over there, but you'll do a great job here.
I vote aye.

(Pause)
MAYOR SCARPELLI: Let's move on to ordinance introductions.

Ordinance Number 3422, ordinance providing the reconstruction of the roadway on Grant Avenue in the Township of Nutley in the County of Essex, New Jersey, appropriating $424,193 therefore from grant monies received from the New Jersey Department of Transportation for the costs thereof.

This is for the reconstruction of Grant Avenue. I move that this ordinance be passed to a second reading, advertised in the Nutley Sun, together with the notice required by law, and that further consideration of said ordinance for a final passage by the Board of Commissioners be held at its second reading on August 6th, 2019. I 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?

COMMISSIONER EVANS: Thank you, Mayor. I have the three capital ordinances for improvements in the township. The first is for roadway improvements. This is Number 3423, bond ordinance providing for the reconstruction of various roadways and sidewalks in the Township of Nutley, County of Essex, State of New Jersey, appropriating $384,125, therefore authorizing the issuance of $365,750 in bonds or notes of the Township for financing part of the costs thereof. I move that this ordinance be passed to a second meeting, and advertised in the Nutley Sun together with the notice required by law, and that further consideration of said ordinance for a final passage by the Board of Commissioners be held at its second meeting on August 6th, 2019. So moved.

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: 3424 is for improvements related to the Water Utility, a bond ordinance appropriating $257,250, and authorizing the issuance of $244,390 in bonds or notes on the Township for various Water Utility improvements or purposes authorized to be undertaken by the Township of Nutley in the County of Essex, State of New Jersey. I move that this ordinance be passed to its second reading, and advertised in the Nutley Sun, together with the notice required by law, and that further consideration of said ordinance for final passage by the Board of Commissioners be held at its second reading on August 6th, 2019. 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: The last bond ordinance is the general capital, broader -- which relates overall to the township. This bond ordinance, appropriating $1,905,750, and authorizing the issuance of $1,810,650 in bonds or notes of the township for various improvements or purposes authorized, to be undertaken by the Township of Nutley, in the County of Essex, State of New Jersey. I move that this ordinance be passed to a second reading and advertised in the Nutley Sun, together with a notice required by law, and that further consideration of said ordinance for final passage by the Board of Commissioners be held at its second meeting on August 6th, 2019. So moved.

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: Commissioner Rogers?

COMMISSIONER ROGERS: Resolution Number 173-19. Whereas, due to the time requirement of 60 days in bid advertising, the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, it is necessary for the Township Clerk to advertise for sealed bids on July 11th, 2019, in the Newark Star-Ledger and the Nutley Sun for collection, removal, and disposal -- excuse me -- of solid waste, bulk waste, veggie waste, leaves and grass clippings; and,

Whereas, it is the desire of the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, to authorize and ratify the actions of the Township Clerk in advertising for said bids;

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the actions of the Township Clerk in so advertising for sealed bids for collection, removal, and disposal of solid waste, bulk waste, veggie waste, leaves and grass clippings, on July 11, 2019, as aforesaid, be and are hereby authorized and ratified;

And be it further resolved that, as
advertised said bids as may be received in accordance with said advertisement shall be publicly opened and read on September 11, 2019, in the Commission Chambers, Township Hall, Kennedy Drive, at 11 a.m. prevailing time. 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 Scarpetti?

MAYOR SCARPELLI: Aye. Thank you, Commissioner.

COMMISSIONER ROGERS: You're welcome.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor.

Be -- whereas, the Planning Board received an escrow deposit in the amount of $4,000 from Acme Properties for a property located at 212 Hancox Avenue in Nutley, and the escrow fee of $4,000 was collected and deposited in account T-15911974; and
Whereas, the Planning Board has reviewed and determined that the balance of the escrow account of $905 is due to Acme Properties;

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 Treasurer, be and she is authorized to refund escrow fees in the amount of $905 to Acme Properties, LLC. 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: Whereas, N.J.S.A. 40A:4-20 provides that where contracts, commitments, or payments are to be made prior to the final adoption of the 2019 Water Utility budget, emergency appropriations may be lawfully made for the purposes and amounts
required in the manner and time therein provided;

Whereas, the total emergency temporary resolution adopted in the year 2019 pursuant to the provisions of Chapter 96 P.L. 1951, including this resolution total $2,310,316;

Now, therefore, be it resolved that in accordance with N.J.S.A. 40A:4-20, the emergency temporary appropriations being the same are hereby made, for the total amount of $1,155,158;

That said emergency appropriations will be provided for the 2019 Water Utility budget for the accounts that are listed herein. 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: Whereas, New Jersey State Statute 54:4-33.30 provides war veterans who were
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1. honorably discharged from active service in a time of war in any branch of the Armed Services of the United States who have been, or shall be declared by
the United States Veterans Administration to be 100 percent totally, permanently disabled in connection with their wartime service a full tax exemption of their dwelling, and the lot on which it is situated; and

Whereas, the following taxpayer has filed an application for the allowance of the full exemption, with proper supporting documentation, thus making the taxpayer eligible;

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that John Kruk be granted full exemption from payment of property taxes from June 11th, 2019 and all subsequent years thereafter, on the property identified as Block 2900, Lot 17, also known as 621 Prospect Street;

Be it further resolved that the treasurer is hereby authorized to refund $695.97 for 2019 property taxes. 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: Whereas, the Township of Nutley advertised for proposals for banking services on December 27th, 2018; and

Whereas, the request for proposals were for banking services were accepted by the Township Clerk on January 9th, 2019;

Whereas, the Township of Nutley reviewed and analyzed all submitted proposals;

Whereas, the proposals received -- proposal received from Investors Bank, 101 JFK Parkway, Short Hills, was the most favorable proposal for the Township of Nutley;

Whereas, Investor Bank was recommended for a one-year contract award, with two one-year options for contract extensions;

Whereas, the Township has selected to exercise the terms of the contract for one year,
effective July 1, 2019, through June 30th, 2020;

Whereas, funds will not be expended by the Township for the performance of this contract.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley that the contract be awarded to Investors Bank, and is hereby authorized and approved. 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: Almost done. My last resolution.

Whereas, the capital budget for the year 2019 was introduced on the second day of April, 2019;

Whereas, it is the desire to amend said approved capital budget section;

Now, therefore, be it resolved by the Board
of Commissioners of the Township of Nutley, of the County of Essex, State of New Jersey, that the following amendments be to the approved capital budget section, be made for the accounts in the amounts that are listed herein. 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. Thank you, Commissioner. Commissioner Petracco?

COMMISSIONER PETRACCO: Yes.

Whereas, Resolution Number 123-19 for sealed bids for finishing and delivering police dispatch and of crossing guard uniforms and equipment was approved on May 7th, 2019, by the Board of Commissioners;

Whereas, the resolution Number 123-19 stated the funds for the crossing guards allowance were available in appropriation titled 9-01-308-200, which
is -- was incorrect; and

Whereas, the correct appropriation for these funds, in the amount of $12,500 are available in the appropriation that is entitled 9-01-310-200;

Now, therefore, be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, New Jersey, that the appropriation for crossing guards allowance in Resolution Number 123-19 be changed from 9-01-308-200 to 9-01-310-200. 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.

COMMISSIONER PETRACCO: Whereas, Linda Buel, who is an employee of the Township of Nutley, the Department of Public Safety; and

Whereas, Linda Buel has exhausted all of her available sick leave and other time due; and
Whereas, 22 employees of the Department of Public Safety are desirous of transferring one of each of their accumulated sick leave for a total of 22 days, being transferred to Linda Buel; and

Whereas, under the circumstances presided hereon, and in view of Linda Buel's medical situation, and her service to the Department of Public Safety, the Board of Commissioners are desirous of accommodating this request;

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, in the County of Essex, New Jersey, that the following employees are permitted to transfer days to Linda Buel.

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.
COMMISSIONER PETRACCO: That's all I have.

MAYOR SCARPELLI: Thank you, Commissioner.

Whereas, raffle applications have been received from the following organizations: Saint Mary's Roman Catholic Church, license number 29-19 on-premise merchandise raffle, to be held Friday, September 27th, 2019; Saint Mary's Roman Catholic Church, license number 30-19, on-premise 50/50 cash raffle, to be held Friday, September 27th, 2019; and Holy Family Church, license number 31-19, carnival games and money wheel from Thursday, September 19th, through Sunday, September 22nd, 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 of the 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 advertised
for proposals for the marketing of recyclable materials
on March 17, 2015; and

Whereas, the request for proposals for the
marketing of recycling materials were accepted by the
Township Clerk on May 8th, 2015; and

Whereas, the Township of Nutley reviewed and
analyzed all submitted proposals; and

Whereas, the proposal received from
Integrity Recycling Waste Solutions, 111 Route 31,
Suite 223, Flemington, New Jersey, was the most
favorable proposal for the Township of Nutley; and

Whereas, Integrity Recycling Waste Solutions
was recommended for a three-year contract, with two
one-year options for contract extensions, effective on
July 1st, 2015; and

Whereas, the Township has selected to
exercise the option to extend contract for the final
one-year contract extension, and the terms of the contract are for one year, effective July 1st, 2019 through June 30th, 2020; and

Whereas, funds are available from July 1st, 2019 through December 31st, 2019, from account number 9-01423209, in the amount not to exceed $30,000; and from January 1st, 2020, through June 30th, 2020, from account number 001423209, in the amount not to exceed $30,000, subject to adoption in the municipal budget for a total contract not to exceed $60,000, and have been served by the Chief Financial Officer, said certification being attached to this resolution;

Now, therefore, be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, that the contract be awarded to Integrity Recycling Waste Solutions, not to exceed $60,000, and it is hereby authorized and approved. 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.

COMMISSIONER PETRACCO: You can't talk today.

I can't hear her today.

MAYOR SCARPELLI: Be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to advertise for sealed bids for the NJDOT Grant Avenue Roadway Improvement Project in the Township of Nutley to be received on behalf of the Board of Commissioners in Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley, New Jersey, on Wednesday, July 31st, 2019, at 11 a.m. prevailing time, at which time they will be opened and read. 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 New Jersey Department of the Treasury, Division of Taxation, has provided a tax clearance certificate for the establishment listed below for this renewal period; and

Whereas, the establishment has been inspected by the Board of Health, Fire Department, Code Enforcement Department, and Police Department of the Township of Nutley, and is in satisfactory condition;

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the renewal of plenary retail consumption license be granted to the following licensee, effective July 1st, 2019, through June 30th, 2020;

Be it further resolved that the Municipal Clerk be, and she is hereby directed and authorized to issue said license, for the licensing period of July 1st, 2019, through June 30th, 2020;

GLO Group, trading as Bella Luce, 507 Franklin Avenue, plenary retail consumption license, with broad package powers. 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 should 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 and municipal business
are being adversely affected by such dialogue.

MR. MOORE: Rory Moore, 462 Chestnut Street.

Mr. Scarpelli, I wanted to speak to Mr. Evans, but I do want to ask you a question. At a caucus meeting, I understood that there was no executive sessions? But you were in an executive sessions What was that for?

COMMISSIONER TUCCI: Personnel and contract negotiations.

MR. MOORE: I was a little confused, because everybody said -- anything in executive, everybody says no, but then there was something -- contracts and personnel?

COMMISSIONER TUCCI: Contract negotiations and personnel. Yes.

MR. MOORE: What contracts did we negotiate?

COMMISSIONER TUCCI: It -- contracts relative to the ON3, the redevelopment.

MR. MOORE: Okay. Mr. Evans, I would like to discuss two recent OPRA responses I received, and I find them rather annoying, and I'd like to discuss them. You hired a new employee who is a relative of the Township Clerk. And you put her downstairs in Code Enforcement. Actually, my question is for Code Enforcement. But you now have two Clerk 1s, two Engineer Assistants, Construction Inspector, and
Code Enforcement. What was the purpose of putting her downstairs? Did you need more people down there?

MR. GENITEMPO: Mr. Moore -- do you have a comment, Commissioner?

MR. MOORE: Yes, I do.

MR. GENITEMPO: I wouldn't comment, particularly on an individual employee.

COMMISSIONER EVANS: I'm not about to.

MR. MOORE: I can't hear. I can't hear.

MR. GENITEMPO: I would not want the commissioner to comment on an individual employee.

MR. MOORE: I'm not asking about the employee, I'm asking --

MR. GENITEMPO: Yes, you -- well, you are --

MR. MOORE: -- why the position was filled down there in Code Enforcement.

MR. GENITEMPO: Are you asking him what was the need in Code Enforcement?

MR. MOORE: Yes.

MR. GENITEMPO: That's your question to the commissioner?

MR. MOORE: Yes. Right now. That's the first question. What was the need of putting yet another Clerk-2 in Code Enforcement? You have one. You have two engineering assistants. You have a
construction inspector, and a code enforcer.

COMMISSIONER EVANS: Mr. Moore? One, I want to make it very clear, I will not talk about any employee, all right, with you or anybody in this forum. It's not fair to that employee, who is a good working employee of the township. My reasons for placing a person in the code office is simply is that I transferred a member from the code office to the purchasing department, given the retirement of an individual, and I had a vacancy that I needed to fill.

MR. MOORE: Okay. So you need these two people down there?

COMMISSIONER EVANS: I'm sorry, what do you mean, down there? Code Office is on the second floor.

MR. MOORE: In Code enforcement, I apologize, down in code enforcement?

COMMISSIONER EVANS: Yes. Every one of them. Yes. Absolutely.

MR. MOORE: Because on the second response I received, I asked for a variance in code permits for a property on 44 Freedman. I won't use the person's name, who is an employee. And after I went through the permits, I want to know why you have two Clerk-1s, two engineer assistants, and you can't even fill out a proper permit. So why do you have all these people
down there, if you can't even fill them out?

COMMISSIONER EVANS: Thank you for your comment.

MR. MOORE: It's not a comment. I want to know. Really. They're down here, they're very clear. You sent this to me in an open response. The one permit, $25, or $40.

COMMISSIONER TUCCI: Uh-huh.

MR. MOORE: The reason that caught my eye, see, Sarah Schuster (phonetic) had to have -- had to replace a retaining wall, and Pat Intindola quoted her a permit price of a thousand dollars. Yet this particular employee, who works in Code Enforcement, only had to pay $25. The other permit was $30.

MR. GENITEMPO: Mr. Moore, let me just say one thing. You're waving around documents that no one has an opportunity to see. I'm not going to look at them now because you have a question. You submit OPRA requests every week. We comply. If you have a specific issue, I'm sure the commissioner would be happy to talk to you about it. But to wave documents around and ask why, applications are filled out by homeowners and by applicants, not always by the Code Department. So it's really not a fair question of
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anyone up here to start waving documents and ask why they were filled out this way.

MR. MOORE: No, they're not.

MR. GENITEMPO: Well, that's your position, but I'm telling you that's --

MR. MOORE: It's -- it's the permit --

MR. GENITEMPO: -- it's not an appropriate --

MR. MOORE: Look at that.

MR. GENITEMPO: -- it's not an appropriate question to ask a commissioner when you're waving documents around, after the numerous OPRA requests that you make, and you receive every document you've requested that you're allowed to get under law.

MR. MOORE: I didn't get the variance yet, but that's asked for.

MR. GENITEMPO: Well, you can ask for whatever you want --

MR. MOORE: I did. I did.

MR. GENITEMPO: -- and I'm sure you'll get it, Mr. Moore.

MR. MOORE: Now my question is, seriously, I remember when you said, when you introduced the budget, and this is what bothers me. You said that -- it was 3.67, I believe, was the rate. If I'm correct.

COMMISSIONER EVANS: The increase was 3.86.
MR. MOORE: It was 3.67. But you said that had that been the night to vote on the budget, you would never have voted on it.

COMMISSIONER EVANS: Correct.

MR. MOORE: For that. But yet we're putting more people into a department that can't even fill out a form.

MR. GENITEMPO: Mr. Moore, you've made your comments --

COMMISSIONER EVANS: Sir -- so Mr. Moore, I do not agree with your characterization of that department that does great work. There's hardworking people up there, and I don't agree with your characterization. As far as your comment regarding the budget introduction, and I would not vote on that, the third quarter tax bills went out, and the municipal increase is not 3.86 percent. The municipal increase is 2 percent.

MR. MOORE: That's good. I'm really -- I'm glad you did that.

COMMISSIONER EVANS: We did that. So thank you. Thank you for acknowledging that we did something good.

MR. MOORE: Actually, you did. Two percent. You did just almost as good as the Board of Ed.
COMMISSIONER EVANS: They didn't do it. They didn't achieve that. They were at actually 4 percent, actually, in the end.

MR. MOORE: See, my question, and I'll conclude. You want people to believe that this is a great department. Yet in an OPRA response I received about the Meka complaint, you had a code official go over there to do the framing inspection, and couldn't even see the second bedroom in four apartments. You couldn't get even a blueprint. We -- what you -- do you see what other people might see? Could you acknowledge that?

COMMISSIONER EVANS: I would agree with you that someone in that department did not do something that they were supposed to do, which I've already publicly acknowledged. I won't go any further on that. And sometimes, the department does a great job, but sometimes they make mistakes, and they're not perfect. But your overall characterization basically of condemning the department I don't agree with.

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

MS. SOMERS: Braden Somers, 27 Stewart Ave. On April 2nd, 2019, Clean Ocean Action released their
2018 Beach Sweep support, highlighting the 12 most commonly collected items, labeled as the Dirty Dozen, and detailing the breakdown of the debris collected. To no surprise, and the reason I'm here again, the Dirty Dozen did not disappoint. It was consistent with previous years, containing harmful plastics dominating the list. 93 percent of the Dirty Dozen debris is plastic debris, including bags and foam plastic.

Marine debris is a human caused, human solved issue. Twenty-two municipalities in New Jersey individually now have effective bans in place, and a banned county. Another three or four will be effective by January, 2020. On June 25th, I attended Montclair's town council meeting, where they introduced their ban prohibiting single-use plastic bags with a great deal of support from their residents and business owners. They also plan to introduce separate bans on other plastics.

Bridgewood, Maplewood, South Orange, and Asbury Park each have pending ordinances. I am the future of Nutley, as a citizen and an entrepreneur. I ask my municipal leaders to follow these examples and show your commitment to reversing this human-caused problem. Now is the time to usher in a new wave of social responsibility, and take the steps to make sure...
that my generation will not have to continue to suffer
from this crazy plastic world that seems to have caught
up with us.

It is time for my municipal leaders to
introduce its own ordinance, whether to be multi-
faceted or hybrid, or a single-use plastic bag ban.
Plastic-Free July is a global movement. I encourage
you to sign up for the challenge at
PlasticfreeJuly.org. Be part of the solution to
plastic pollution. We need to take action today, right
now. Thank you.

MAYOR SCARPELLI: Thank you, Brayden.

(Applause)

COMMISSIONER EVANS: Mayor, may I make a
comment? May I comment?

MAYOR SCARPELLI: Sure, Commissioner.

COMMISSIONER EVANS: Braden, thank you for
raising that again. You and I haven't talked in a
little while, and maybe we should, because I can help
you with that. Just so you know, I have been working
consistently with the Nutley Shop-Rite on a plan that
would ban those bags, and I have been reaching out to
several residents. You might be aware of Jersey City,
which just introduced a ban on them.

The challenge is a wonderful one to take on,
because it certainly improves the environment, because it is a necessity to do that. How we do it is part of the work that I'm in the middle of right now, and that I will have an ordinance later this year for the commissioners to address. There's quite a few things that have been written.

The most important thing is to understand, there are requirements, for example, where you still need to use plastic, for example, because -- if you're involved with raw meat, and several things that require special handling, because of the nature of what that is.

So I'm looking at that, and so -- and how you would actually look at -- how you would craft an ordinance. And what's more is that I think that in a lot of places, these ordinances have basically just simply said, oh, we're banning it, and it puts a burden on the taxpayers to figure out what they're going to do and how they're going to address that.

So I think the commissioners and I have some more conversations around how we want to approach that, and maybe do something a little bit more -- a little bit different in Nutley that might be more appealing, because at the end of the day we want people to stop using these plastic bags. Hopefully, we'll expand it
to include plastic straws, styrofoam, and other things that are contaminants, but we also need the solution. So we'll start, you know, on bags, but there's more to come. So stay tuned. Maybe you and I should just link up, and I can share more with you about what I've been doing.

MAYOR SCARPELLI: Thank you, Commissioner. Anybody else wish to address the Board of Commissioners this evening?

MS. BOZZA: Bozza, 209 Highfield Lane. I don't know what the town philosophy is, but we walk every day. And it's --

MAYOR SCARPELLI: Could you speak up, Ms. Bozza?

MS. BOZZA: -- yeah. We walk every day along Washington Avenue by Viola's. And there's a caravan of cars there with people -- with men, I should say. They're eating, we even saw some of them changing clothes. They're obviously waiting for jobs. I don't know if that's really a nice picture for Nutley, you know, and also, it's not very nice to observe as you're walking, going out for a walk.

MAYOR SCARPELLI: That's a -- that's -- I haven't heard that before, so, Commissioner Petracco?

MS. BOZZA: I don't never feel --
MAYOR SCARPELLI: Is that a -- there's people changing clothes --

COMMISSIONER PETRACCO: I have heard about so-called day workers that have been down that way. Me personally, I applaud anybody that wants to go to work, but as part --

MS. BOZZA: I can't hear you.

COMMISSIONER PETRACCO: I said, me, personally, I applaud anybody that wants to go to work for a living.

MS. BOZZA: Yeah, but that's --

COMMISSIONER PETRACCO: However, I'm -- let me finish. But if they're getting changed in cars and eating and all that stuff, and leaving papers around, we could -- you know, we'll send a car to patrol that area and see --

MS. BOZZA: And besides from that, I didn't know Washington Avenue was an employment agency.

COMMISSIONER PETRACCO: Well, you know what, it's a public street --

MS. BOZZA: Yes, but --

COMMISSIONER PETRACCO: -- it's a public street and people are allowed to stay on the public streets.

MS. BOZZA: Yes, I understand it's a public
Public Session

street.

COMMISSIONER PETRACCO: You know, it's still America here in Nutley, too.

MS. BOZZA: You can't wait there for jobs, you know, I mean, that's --

COMMISSIONER PETRACCO: What's that?

MS. BOZZA: You can't wait there for jobs, I would think --

COMMISSIONER PETRACCO: Why can't they?

MS. BOZZA: -- that's not appropriate.

COMMISSIONER PETRACCO: Why can't they?

MS. BOZZA: Why can't they?

COMMISSIONER PETRACCO: Yeah. Why can't they?

MS. BOZZA: Well, I don't think it gives Nutley a very nice picture, for one thing. You know, and secondly, that's not the --

COMMISSIONER PETRACCO: What's the difference if people are --

MS. BOZZA: Because that's not the appropriate place to look for a job, on Washington Avenue when kids are walking by, and people are walking by?

COMMISSIONER PETRACCO: Yeah, but my point is, is what law can we -- what law could we use to
enforce something like that? So in other words, if there --

MS. BOZZA: Because they --

COMMISSIONER PETRACCO: -- if there's a bunch of kids hanging in front of the high school, that's okay, but if there's people that are hanging in front of Viola Brothers, maybe to get a job and put food on their family's table, that's not allowable?

MS. BOZZA: So in other words, it's perfectly okay if I park my car there and had a picnic all day, that would be okay?

COMMISSIONER PETRACCO: No, not a picnic. I'm saying, if they're breaking any laws --

MS. BOZZA: Well?

COMMISSIONER PETRACCO: -- we'll enforce them, but it's not --

MS. BOZZA: You said they can wait for jobs, so why can't I have a picnic?

COMMISSIONER PETRACCO: -- there's not inclined to stand on a sidewalk.

MS. BOZZA: I pay taxes, they don't.

COMMISSIONER PETRACCO: So do I. What does that have to do with it?

MS. BOZZA: Well, they obviously don't live in Nutley, because they wouldn't be changing in the
COMMISSIONER PETRACCO: So in other words, if you don't live in Nutley, you can't walk through here, you can't stand on a sidewalk?

MS. BOZZA: No, I'm not saying walking, you're misconstruing what I'm saying. I'm just --

COMMISSIONER PETRACCO: Well, I have to be honest with you, my own opinion, I'll talk to the Chief about this issue, as far as the littering and the loitering and that kind of thing. Although I don't think loitering is even on the books anymore, I think they've taken that. It's -- you know, I can let them make patrols, I mean, nobody can have a picnic on the sidewalk, but, like I said, if they're hanging out there or whatever, you know, if they're not breaking the law, that's public property. As far as I know.

MS. BOZZA: So I guess that's your philosophy then, so now I know --

COMMISSIONER PETRACCO: My philosophy is anybody that --

MS. BOZZA: Okay, thank you.

COMMISSIONER PETRACCO: My philosophy is anybody that is looking to go to work, I applaud that.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?
Seeing none?

THE CLERK: I need a motion.

COMMISSIONER PETRACCO: Move to adjourn.

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.

THE CLERK: The time is 8:39.

MAYOR SCARPELLI: Happy 4th of July, everybody.

THE CLERK: Thank you.

(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.

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ILLENE WATSON, AAERT NO. 447 DATE: July 23, 2019
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