

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript Of Proceedings

October 20, 2020

Public Session



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Public Session

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

*** PUBLIC SESSION ***

DATE: October 20, 2020

BOARD OF COMMISSIONERS:

- JOHN V. KELLY III, COMMISSIONER
- JOSEPH P. SCARPELLI, COMMISSIONER
- THOMAS J. EVANS, COMMISSIONER
- ALPHONSE PETRACCO, COMMISSIONER

Also Present:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 (Pledge of Allegiance)

3 THE CLERK: We ready?

4 UNIDENTIFIED: Yeah, we're ready to go.

5 THE CLERK: Board of Commissioners Public

6 Meeting, Tuesday, October 20th, 2020. The time is now

7 7:05.

8 Pursuant to the requirements of the Open
9 Public Meeting Act, Chapter 231, Public Law 1975,
10 notice of this meeting was published in the
11 November 28th, 2019 issues of the Nutley Sun, the
12 Herald News, and the Star Ledger. In an effort to
13 prevent further spread of COVID-19 pandemic, the public
14 meetings for the remainder of the year 2020 have been
15 changed to Zoom webinar or teleconference meetings
16 until further notice. The public will be able to
17 listen to the Board of Commissioners meeting and
18 participate during the designated public comment
19 portion of the meeting by utilizing access through a
20 URL link or a dial-in number provided on the township
21 website.

22 Commissioner Kelly?

23 COMMISSIONER KELLY: Present.

24 THE CLERK: Commissioner Evans?

25 DEPUTY MAYOR EVANS: Here.

1 THE CLERK: Commissioner Petracco will be
2 here shortly?

3 DEPUTY MAYOR EVANS: He's on his way. He'll
4 be here shortly.

5 THE CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Here.

7 THE CLERK: And Mayor Tucci is absent,
8 excused.

9 All present, Deputy Mayor, except for Mayor
10 Tucci and Commissioner Petracco is on his way.

11 DEPUTY MAYOR EVANS: Thank you. We don't
12 have any minutes tonight, or communications, or
13 proclamations. We do have a report for Public Safety
14 for the month of September, which I'm adding into the
15 record on Commissioner Petracco's behalf. Bills, Madam
16 Clerk?

17 THE CLERK: Thank you. Bill list for
18 October 20th by department totals.

19 Public Affairs, \$110,934.13; Revenue and
20 Finance, \$3,648,825.12; Public Safety, \$57,163.00;
21 Public Works, \$238,938.10; Parks and Public Property,
22 \$22,861.75; Water Utility, \$28,489.42.

23 Regular Payroll Total, \$883,767.71; Overtime
24 Payroll, \$27,332.11; COVID-19 Overtime Payroll Total,
25 \$5,152.57; Total Payroll, \$916,252.39, for a grand

1 total of \$5,023,401.54.

2 DEPUTY MAYOR EVANS: Move the bills.

3 COMMISSIONER SCARPELLI: Second.

4 THE CLERK: Commissioner Kelly?

5 COMMISSIONER KELLY: Aye.

6 THE CLERK: Deputy Mayor Evans?

7 DEPUTY MAYOR EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

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

13 DEPUTY MAYOR EVANS: We have public comment
14 on agenda items only. Eleni, do we have to read the
15 notice for that?

16 THE CLERK: Yes.

17 All persons addressing the Board of
18 Commissioners regarding community concerns should state
19 their name and address for the record. Unless further
20 time is granted by the Board, each person should limit
21 their address to three minutes. All remarks are made
22 to the Board and its individual members must be
23 addressed to the mayor. The mayor may defer citizens'
24 comments to the appropriate member of the board.

25 Do we have anyone? There's no one who'd like

1 to speak.

2 DEPUTY MAYOR EVANS: Thank you. Let's move
3 on. Commissioner comments? Any announcements,
4 gentlemen? Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: I do, Deputy Mayor.
6 This Saturday from 10 to 2, which is October 24th, we
7 will be having our shredding day that was canceled in
8 April, but we're having it this Saturday. We're going
9 to make it contactless, so it's a stop, drop and go.
10 We're asking everybody to have everything in their
11 trunk or the back of their truck, and pull up, and we
12 will take the documents out, and they will be -- you
13 go, and we'll make sure they get shredded. So that's
14 10 to 2. Enter from Parking Lot 7, which is next to
15 Bella Luce, into Parking Lot 9, then you will queue up
16 in that parking lot, and hopefully we have a successful
17 day. And it's until -- from 10 to 2, or until the
18 truck is full. And I anticipate that it'll probably
19 filled up -- fill up fast, so --

20 DEPUTY MAYOR EVANS: And again, that's this
21 coming Saturday?

22 COMMISSIONER SCARPELLI: This coming
23 Saturday.

24 DEPUTY MAYOR EVANS: Great.

25 COMMISSIONER SCARPELLI: Thank you.

1 DEPUTY MAYOR EVANS: Commissioner Kelly?

2 COMMISSIONER KELLY: Nothing from me tonight,
3 thank you, Deputy Mayor.

4 DEPUTY MAYOR EVANS: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Nothing.

6 DEPUTY MAYOR EVANS: All right. Thank you.

7 Commissioner Petracco, I read your report into the
8 record. I think we're ready for ordinance
9 introductions. Would you like to proceed?

10 COMMISSIONER PETRACCO: Sure. Okay. I have
11 an ordinance introduction tonight. An ordinance to
12 amend an ordinance in the Code of the Township of
13 Nutley, Chapter 228, entitled Vehicles and Traffic,
14 particularly Article 7, Special Zones and Areas,
15 Section 29, entitled Handicapped Parking, to add to the
16 locations set forth thereon. Move to open the public
17 hearing.

18 DEPUTY MAYOR EVANS: This is a --

19 COMMISSIONER PETRACCO: Oh, I'm sorry, this
20 is an introduction. Okay.

21 THE CLERK: I need a motion.

22 COMMISSIONER PETRACCO: I move that this
23 ordinance be passed to its second reading and
24 advertised in the Nutley Sun, together with the notice
25 required by law, and that further consideration of said

1 ordinance for final passage by the Board of
2 Commissioners be held at the second reading on I
3 believe I seen November 17th?

4 THE CLERK: Yes.

5 COMMISSIONER PETRACCO: I move it.

6 COMMISSIONER SCARPELLI: Second.

7 THE CLERK: Commissioner Kelly?

8 COMMISSIONER KELLY: Aye.

9 THE CLERK: Deputy Mayor Evans?

10 DEPUTY MAYOR EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 DEPUTY MAYOR EVANS: Commissioner, do you
16 want to proceed with your second -- your public
17 hearing? You have a -- 3454?

18 COMMISSIONER PETRACCO: Sure. An ordinance
19 to -- Ordinance Number 3454, this is a public hearing.
20 An ordinance to amend an ordinance codified in the Code
21 of the Township of Nutley, Chapter 228, entitled
22 Vehicles and Traffic, particularly Article 7, Special
23 Zones and Areas, Section 29A, entitled Handicapped
24 Parking, to add to locations set forth thereon. I move
25 to open the public hearing.

1 DEPUTY MAYOR EVANS: Would anyone like to
2 comment on Ordinance Number 3454?

3 THE CLERK: No. Nobody.

4 DEPUTY MAYOR EVANS: Seeing no one.

5 COMMISSIONER PETRACCO: Move to close.

6 COMMISSIONER SCARPELLI: Second.

7 THE CLERK: Commissioner Kelly?

8 COMMISSIONER KELLY: Aye.

9 THE CLERK: Deputy Mayor Evans?

10 DEPUTY MAYOR EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 COMMISSIONER PETRACCO: I move the ordinance.

16 COMMISSIONER SCARPELLI: Second.

17 THE CLERK: Commissioner Kelly?

18 COMMISSIONER KELLY: Aye.

19 THE CLERK: Deputy Mayor Evans?

20 DEPUTY MAYOR EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 DEPUTY MAYOR EVANS: Mayor Tucci has a public

1 hearing on an ordinance tonight, Number 3453, which we
2 will handle on his behalf. And this is an ordinance
3 providing for \$150,000 recognizing grant funds that we
4 received for improvements to Glotzbach Park, including
5 a band shell. Would anyone like to comment on this
6 ordinance?

7 THE CLERK: There's no one there.

8 DEPUTY MAYOR EVANS: Seeing no one, I move to
9 close the public hearing.

10 COMMISSIONER SCARPELLI: Second.

11 THE CLERK: Commissioner Kelly?

12 COMMISSIONER KELLY: Aye.

13 THE CLERK: Deputy Mayor Evans?

14 DEPUTY MAYOR EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 DEPUTY MAYOR EVANS: Move the ordinance.

20 COMMISSIONER SCARPELLI: Second.

21 THE CLERK: Commissioner Kelly?

22 COMMISSIONER KELLY: Aye.

23 THE CLERK: Deputy Mayor Evans?

24 DEPUTY MAYOR EVANS: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 DEPUTY MAYOR EVANS: Resolutions.

5 Commissioner Kelly?

6 COMMISSIONER KELLY: Thank you, Deputy Mayor.

7 I have two resolutions tonight. The first one took
8 some considerable thought by me, and I was able to move
9 some things around in my budget to be able to manage
10 this, and with the help and advice of some of the other
11 commissioners, or the other commissioners, we were able
12 to pass a resolution waiving the retail food license
13 fees for our restaurants for the 2021 calendar year.

14 Whereas, due to the COVID-19 Coronavirus
15 Pandemic, the restaurant and hospitality industry has
16 been among the hardest hit of the industries worldwide;

17 Whereas, due to the COVID-19 Coronavirus
18 Pandemic, the restaurant and food establishments have
19 seen record closures and layoffs since March, 2020;

20 Whereas, many of our own local food
21 establishments are struggling to keep their doors open;
22 and

23 Whereas, the Nutley Board of Commissioners is
24 dedicated to assisting the Retail Food Industry, an
25 industry that has long been part of the rich culture

1 and identity of our town.

2 Now therefore be it resolved by the Board of
3 Commissioners of the Township of Nutley in the County
4 of Essex, State of New Jersey, that all retail food
5 establishment fees for 2021 will be waived due to
6 hardships experienced by the Food and Hospitality
7 Industry since March of 2020 as a result of the
8 COVID-19 health pandemic. So moved.

9 COMMISSIONER SCARPELLI: Second.

10 THE CLERK: Commissioner Kelly?

11 COMMISSIONER KELLY: Aye.

12 THE CLERK: Deputy Mayor Evans?

13 DEPUTY MAYOR EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 COMMISSIONER KELLY: This second resolution
19 that I have is pretty straightforward.

20 Whereas, pursuant to N.J.S.A. 40:67-23.1 et
21 sequence, Arbor Hills is recognized as a qualified
22 private community;

23 Whereas, the Township of Nutley is
24 responsible to reimburse the qualified community for
25 certain services, including solid waste disposal, or

1 provide said services to the qualified private
2 community in the same fashion as the municipality
3 provides these services on public roads and streets;

4 Whereas, the Township has elected to
5 reimburse Arbor Hills for solid waste disposal services
6 for the 2021 year.

7 Now therefore be it resolved by the Board of
8 Commissioners of the Township of Nutley in the County
9 of Essex as follows:

10 The Mayor and the Township Clerk are hereby
11 authorized to enter into a municipal services agreement
12 for solid waste collection disposal with 432 Owners
13 Inc., 1 River Road, Nutley, known as Arbor Hills, in a
14 form approved by the Township Attorney. Funds in the
15 amount of \$18,144 are available from
16 Account 1-01-138-275.

17 A copy of this resolution, as well as the
18 municipal services agreement, shall be placed on file
19 with the Township Clerk, and a notice of this action
20 shall be printed once in the Nutley Sun.

21 So moved.

22 COMMISSIONER SCARPELLI: Second.

23 COMMISSIONER PETRACCO: Second.

24 THE CLERK: Commissioner Kelly?

25 COMMISSIONER KELLY: Aye.

1 THE CLERK: Deputy Mayor Evans?

2 DEPUTY MAYOR EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: I vote aye on that,
5 and I was just looking at that first resolution that
6 Commissioner Kelly read. I need to change my vote to
7 abstain on that, being I -- I have a store in town.
8 But I do want to thank Commissioner Kelly for not only
9 myself but all of the, you know, retail stores in town.
10 I think that's a great thing to do at this point,
11 because I know a lot of them that could use relief.
12 So, thank you.

13 THE CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 COMMISSIONER KELLY: That's it.

16 DEPUTY MAYOR EVANS: Commissioner Scarpelli,
17 you don't have any resolutions tonight, but would you
18 read two for Mayor Tucci, please?

19 COMMISSIONER SCARPELLI: Yes.

20 Whereas, the Township of Nutley Department of
21 Parks and Public Property has determined a need to
22 dispose of certain municipal vehicles and equipment
23 that are no longer useful or have come to an end for
24 their practical term of service;

25 Whereas, the Township of Nutley Department of

1 Parks and Public Property has identified the following
2 as not practical to continue its service with the
3 township;

4 1992 GMC 3500, mileage 64,729, utility pickup
5 truck.

6 Whereas, the Nutley Department of Parks and
7 Public Property has made the determination to scrap
8 said equipment at Bibb's Auto Recycling, 54 Stover
9 Avenue, Kearney, New Jersey, in the amount of \$300.

10 Now therefore be it resolved by the Board of
11 Commissioners of the Township of Nutley, County of
12 Essex, State of New Jersey, will scrap said equipment
13 at Bibb's Auto Recycling in the amount of \$300. I move
14 the resolution.

15 COMMISSIONER PETRACCO: Second.

16 THE CLERK: Commissioner Kelly?

17 COMMISSIONER KELLY: Aye.

18 THE CLERK: Deputy Mayor Evans?

19 DEPUTY MAYOR EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 Whereas, the Township of Nutley needs to
25 acquire specialized professional services as a fair and

1 open contract, pursuant to the provisions of
2 N.J.S.A. 19:44A-20.5; and

3 Whereas, the Request for Qualifications for
4 Township Forester were received and opened on
5 Wednesday, October 14th, 2020;

6 Whereas, the responsible and responsive
7 Request for Qualifications was from the Shade Tree
8 Department LLC, John Linson, P.O. Box 6089, West
9 Orange, New Jersey; and

10 Whereas, the Shade Tree Department, John
11 Linson, N.J. Certified Tree Expert Number 198, has
12 provided these services in the past to the Township of
13 Nutley and is particularly suited to provide continued
14 services;

15 Whereas, the term of the contract is for one
16 year, commencing on October 21st, 2020, continuing
17 through October 20th, 2021;

18 Whereas, the contract is not to exceed
19 \$22,000, and funds are available from Account Number 0-
20 01-512-200 in the amount of \$5,505, and 1-01-512-200 in
21 the amount of \$16,495, and have been certified by the
22 Chief Financial Officer, said certification being
23 attached to this resolution.

24 Now therefore be it resolved by the Board of
25 Commissioners of the Township of Nutley, County of

1 Essex, State of New Jersey, that a contract be awarded
2 to the Shade Tree Department LLC, John Linson, as
3 described herein. The response to the Request for
4 Qualifications shall be placed on file with this
5 resolution, and a notice of this action shall be
6 printed once in the Nutley Sun in accordance with the
7 local public contracts law.

8 I move the resolution.

9 COMMISSIONER PETRACCO: Second.

10 THE CLERK: Commissioner Kelly?

11 COMMISSIONER KELLY: Aye.

12 THE CLERK: Deputy Mayor Evans?

13 DEPUTY MAYOR EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Scarpelli?

17 DEPUTY MAYOR EVANS: Aye. That's all I have,
18 Deputy Mayor. Commissioner Petracco, I see you don't
19 have any other resolutions tonight?

20 COMMISSIONER PETRACCO: I do not.

21 DEPUTY MAYOR EVANS: You're cool. That's
22 great.

23 COMMISSIONER PETRACCO: Thank you.

24 DEPUTY MAYOR EVANS: All right. I'm going to
25 read mine, plus I'll read one for Mayor Tucci.

1 Whereas, certain grant fund appropriation
2 balances were lapsed to the Current Fund Surplus as
3 there were no further grant charges foreseen at the
4 time;

5 Whereas, it has been determined that those
6 funds' balances need to be re-established.

7 Now therefore be it resolved by the Board of
8 Commissioners of the Township of Nutley, County of
9 Essex, that the following appropriated grant fund
10 reserve balances are hereby reestablished.

11 State of New Jersey Drunk Driving Enforcement
12 Fund Grant, \$7,780.25.

13 Body Armor Replacement Fund, \$95.80.

14 So move.

15 COMMISSIONER PETRACCO: Second.

16 THE CLERK: Commissioner Kelly?

17 COMMISSIONER KELLY: Aye.

18 THE CLERK: Deputy Mayor Evans?

19 DEPUTY MAYOR EVANS: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 DEPUTY MAYOR EVANS: My next resolution is
25 read on behalf of the Board of Commissioners. This

1 resolution has already been read into the record
2 earlier this year, when, as part of the Business
3 Reopening Committee, we granted temporary relief from
4 various provisions of our zoning code, as well as
5 certain fees.

6 In light of the environment that we remain
7 in, and the fact that the Alcohol Beverage Control
8 Commission has granted an extension of liquor licensing
9 through March, this resolution extends what was
10 originally a deadline of November 30th will now allow
11 all of our restaurants that have been utilizing
12 sidewalks as well as parking and other areas to
13 continue to do that through March of 2021. And the fee
14 that's normally associated with applications will -- is
15 waived, that \$100 fee is currently waived.

16 We continue to have good compliance by the
17 town in terms of owner/operators of businesses, but
18 it's important that we encourage everyone to recognize
19 that COVID is still with us, and that the risks are
20 still with us, as well, so, continue to practice
21 wearing masks, good social distancing, and good
22 behavior when you're out in the public arena.

23 So with that, I move Resolution Number
24 236-20. So move.

25 COMMISSIONER PETRACCO: Second.

1 THE CLERK: Commissioner Kelly?

2 COMMISSIONER KELLY: Aye.

3 THE CLERK: Deputy Mayor Evans?

4 DEPUTY MAYOR EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 DEPUTY MAYOR EVANS: Last resolution I'll
10 read on behalf of Mayor Tucci, which is on behalf of
11 the Board of Commissioners. This resolution, Number
12 238-20, is a resolution authorizing the execution of an
13 amendment to the redevelopment agreement between the
14 Township of Nutley and Kingsland Street Urban Renewal.
15 Many would know this as the medical school.

16 The resolution itself and the amendment is
17 actually allowing Kingsland Street Renewal to become
18 the redeveloper for the purpose of building an elevated
19 skywalk that will connect their parking garage in
20 Clifton to the existing elevated skywalk in Nutley.

21 So now therefore be it resolved by the Mayor
22 and the Board of Commissioners of the Township of
23 Nutley as follows:

24 Section One. The second amendment to the
25 redevelopment agreement by and between the township as

1 a redevelopment entity and Kingsland Street Urban
2 Renewal, concerning the walkway substantially in the
3 form attached hereto as Exhibit A is hereby authorized
4 and approved, subject to any and all conditions
5 contained therein, and such revisions are deemed
6 advisable by the counsel of the Township.

7 Section Two. The Mayor and the Township is
8 hereby authorized to execute a second amendment to the
9 redevelopment agreement and the Township Clerk is
10 hereby authorized to attest said signature and to affix
11 the seal of the township unto the same, substantially
12 in the form attached hereto as Exhibit A, with such
13 changes as deemed satisfactory, desirable, or
14 necessary, by township counsel.

15 Section Three. Upon the effective date of
16 the second amendment for the redevelopment agreement,
17 the township representatives, in consultation with the
18 township's consultants, internal staff, are each hereby
19 authorized and directed to perform the obligations and
20 exercise the rights of the township thereunder, in a
21 manner consistent therewith and with the redevelopment
22 law.

23 Section Four. The Township Clerk is hereby
24 directed to publish and post the notice of this
25 resolution as required by applicable law.

1 And Section Five. This resolution shall take
2 effect at the time and in the manner provided by
3 applicable law.

4 So move.

5 COMMISSIONER PETRACCO: Second.

6 THE CLERK: Commissioner Kelly?

7 COMMISSIONER KELLY: Aye.

8 THE CLERK: Deputy Mayor Evans?

9 DEPUTY MAYOR EVANS: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 DEPUTY MAYOR EVANS: That concludes (audio
15 interference) formal business before the Board of
16 Commissioners this evening. We will need to have a
17 short executive, which we will have after the public
18 comment period. So Madam Clerk, could you read the
19 notice?

20 THE CLERK: Sure. All persons addressing the
21 Board of Commissioners regarding community concerns
22 should approach the microphone -- I'm sorry. Should
23 state their name and address for the record. Unless
24 further time is granted by the Board, each person
25 should limit their address to five minutes. All

1 remarks to the Board and its individual members must be
2 addressed to the Mayor. The Mayor may defer citizens'
3 comments to the appropriate member of the Board.

4 MR. MOORE: Rory Moore, 462 Chestnut Street.
5 Mr. Evans, last meeting, Mr. Tucci read into the
6 resolution for, I believe it was Diamond Springs and
7 the Ciccolini Building. Area municipality
8 condemnation, area in need of redevelopment. Could you
9 reexplain that very briefly, please?

10 DEPUTY MAYOR EVANS: Certainly, Mr. Moore.

11 MR. MOORE: What is the -- is there an intent
12 on the town to do something with those properties?

13 DEPUTY MAYOR EVANS: The intent of the town
14 is to evaluate areas where there's a potential to
15 redevelop it to a new future use. Particularly, it
16 started with the Ciccolini property itself, recognizing
17 that it has been a furniture store, and what would the
18 future use be? It's been a while in coming, but we're
19 now proceeding with what can -- what's the possible
20 range of options for what that property can be
21 converted into.

22 By declaring it in need of redevelopment, it
23 allows us to adjust the zoning in that area, as well as
24 to actually issue an RP that could actually take the
25 future of selling that property to a future third party

1 who would be the redeveloper at that point.

2 In addition with that, in that area, certain
3 of the properties were looked at as to see what their
4 condition was, and are they eligible, but certain of
5 the properties were evaluated, and are -- but are not
6 part of redevelopment, they're part of rehabilitation,
7 which is another section of the code, and that's simply
8 -- that helps those property owners, that if they were
9 to improve their buildings, that they would have some
10 tax reliefs for a period of time.

11 MR. MOORE: Okay, thank you.

12 DEPUTY MAYOR EVANS: Okay? Is there anyone
13 else?

14 THE CLERK: There's no one else.

15 DEPUTY MAYOR EVANS: Seeing no one, I move to
16 close the public comment period.

17 COMMISSIONER PETRACCO: Second.

18 THE CLERK: Commissioner Kelly?

19 COMMISSIONER KELLY: Aye.

20 THE CLERK: Deputy Mayor Evans?

21 DEPUTY MAYOR EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Aye.

1 THE CLERK: Commissioner -- that's it.

2 DEPUTY MAYOR EVANS: And we need a motion to
3 go into executive.

4 COMMISSIONER PETRACCO: Move it.

5 DEPUTY MAYOR EVANS: For?

6 THE CLERK: Contract negotiations.

7 MR. GENITEMPO: And (indiscernible).

8 COMMISSIONER SCARPELLI: Second.

9 THE CLERK: Whereas, Section 8 of the Open
10 Public Meeting Act, Chapter 231, Public Law 1975
11 permits the exclusion of the public from meeting in
12 certain circumstances; and

13 Whereas, the public body is of the opinion
14 that such circumstances exist; and

15 Whereas, the Board of Commissioners of the
16 Township of Nutley in the County of Essex and State of
17 New Jersey desires to proceed into closed executive
18 session.

19 And now therefore be it resolved by the Board
20 of Commissioners of the Township of Nutley to move into
21 closed executive session to discuss personnel and
22 potential litigation.

23 Be it further resolved that the time when
24 such discussion may be disclosed to the public shall be
25 when and such disclosure may be made without adversely

1 affecting the Township of Nutley, pending and/or legal,
2 personnel, contractual matters and other matters within
3 the exceptions provided for by statute.

4 THE CLERK: Commissioner Kelly?

5 COMMISSIONER KELLY: Aye.

6 THE CLERK: Deputy Mayor Evans?

7 DEPUTY MAYOR EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 THE CLERK: The time is 7:28. Yeah. Are you
13 back on?

14 DEPUTY MAYOR EVANS: For the record, there
15 won't be any action taken by the Board once this
16 executive session is over. We will be adjourning the
17 meeting.

18 (End of recording)

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

I, Alicia Jarrett, do hereby certify that the foregoing is a correct transcript from the electronic sound recording provided for transcription and prepared to the best of my professional skills and ability.

_____ November 4, 2020

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist