

In The Matter Of:
IN RE: Nutley Board of Commission

Transcript of Proceedings
November 17, 2020



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TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

ONE KENNEDY DRIVE

3RD FLOOR COMMISSION CHAMBERS

NUTLEY, NEW JERSEY 07110

*** CONFERENCE SESSION ***

DATE: November 17, 2020

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BOARD OF COMMISSIONERS:

MAURO G. TUCCI, MAYOR

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 MAYOR TUCCI: Please stand for the Pledge of
3 Allegiance.

4 (Pledge of Allegiance)

5 MAYOR TUCCI: Thank you. Sunshine Notice,
6 Madam Clerk?

7 THE CLERK: Yes, Mayor. Board of
8 Commissioners public meeting, Tuesday, November 17th.
9 The time is now 7:05.

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

23 Commissioner Kelly?

24 COMMISSIONER KELLY: Present.

25 THE CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Here.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Here.

4 THE CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Here.

6 THE CLERK: Mayor Tucci.

7 MAYOR TUCCI: Here.

8 THE CLERK: All present, Mayor.

9 MAYOR TUCCI: Thank you very much. We do
10 have a need for an executive session this evening, so
11 I'll entertain a motion to go into executive, please.

12 COMMISSIONER PETRACCO: Move it.

13 COMMISSIONER KELLY: 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 from 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 and State of
22 New Jersey, desires to proceed to closed executive
23 session.

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

1 closed executive session to discuss contract
2 negotiations. Be it further resolved that the time
3 when such discussion may be disclosed to the public
4 shall be when and as such disclosure may be made
5 without adversely affecting the Township of Nutley,
6 and/or anticipated legal, personnel, contractual
7 matters, or other matters within the exception provided
8 for by statute. Commissioner Kelly?

9 COMMISSIONER KELLY: Aye.

10 THE CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 THE CLERK: Commissioner Petracco.

13 COMMISSIONER PETRACCO: Aye.

14 THE CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 THE CLERK: Mayor Tucci.

17 MAYOR TUCCI: Aye.

18 THE CLERK: The time is 7:06.

19 MAYOR TUCCI: Thank you.

20 (Pause)

21 MAYOR TUCCI: Okay. Are we ready? We're --

22 THE CLERK: Yes, Mayor.

23 MAYOR TUCCI: -- good? All right. We are
24 back in open session. I see we have no minutes this
25 evening, Madam Clerk?

1 THE CLERK: No minutes, Mayor.

2 MAYOR TUCCI: No communication or
3 correspondence?

4 THE CLERK: None this evening.

5 MAYOR TUCCI: No proclamations. Reports: I
6 see Commissioner Evans has a Code Enforcement/Revenue
7 report for the month of October, 2020. And
8 Commissioner Petracco, you have a report?

9 COMMISSIONER PETRACCO: I do have a report,
10 Mayor, for Public Safety. Thank you.

11 MAYOR TUCCI: Okay, thank you. Bills, Madam
12 Clerk?

13 THE CLERK: Thank you. Bill list for
14 November 17, 2020. Public Affairs, \$129,233.29;
15 Revenue and Finance, \$2,709,117.69; Public Safety,
16 \$162,407.92; Public Works, \$80,160.78; Parks and Public
17 Property, \$38,362.48; Water Utility, \$21,507.49.

18 Payroll Total, \$796,054.99; Overtime Payroll
19 Total, \$39,814.69; Covid-19 Overtime Payroll Total,
20 \$10,411.27; Total Payroll, \$846,280.95, for a grand
21 total of \$3,987,060.60. I need a motion.

22 COMMISSIONER SCARPELLI: Move the bills.

23 COMMISSIONER PETRACCO: Second.

24 THE CLERK: Commissioner Kelly?

25 COMMISSIONER KELLY: Aye.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 THE CLERK: Mayor Tucci.

6 MAYOR TUCCI: Aye. Thank you.

7 THE CLERK: Thank you.

8 MAYOR TUCCI: We're now at the portion of the
9 agenda where we will accept public comment on agenda
10 items only.

11 THE CLERK: All persons addressing the Board
12 of Commissioners regarding community concerns should
13 state their name and address for the record. Unless
14 further time is granted by the board, each member
15 (audio interference). All remarks to the Board and its
16 individual members must be addressed to the mayor. The
17 mayor may defer citizens' comments to the appropriate
18 member of the board.

19 There's no one, Mayor.

20 MAYOR TUCCI: There's no one? All right.

21 Moving right along. Board of Commissioner
22 announcements? Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: I have nothing,
24 Mayor.

25 MAYOR TUCCI: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Nothing, Mayor, thank
2 you.

3 MAYOR TUCCI: Commissioner Kelly?

4 COMMISSIONER KELLY: Nothing at this time,
5 Mayor, thank you.

6 MAYOR TUCCI: Okay. I just have one
7 announcement to make. Earlier this evening, we had
8 Catherine Carmichael, the new executive director of the
9 Nutley Family Service Bureau with us this evening to
10 discuss their mission and how they will proceed, and
11 we've also been informed that in light of the, I guess
12 the shortage of turkeys, Commissioner Petracco --

13 COMMISSIONER PETRACCO: Yes.

14 MAYOR TUCCI: -- the Family Service Bureau is
15 also running short on turkey donations. So if anyone
16 is so inclined, please contact the Nutley Family
17 Service Bureau, and donate a turkey. Thank you.
18 That's all I have.

19 Ordinances? We have one ordinance on second
20 reading. I will open the public hearing.

21 THE CLERK: There's no one, Mayor.

22 MAYOR TUCCI: There's no one there? I'll
23 entertain a motion to close the public hearing.

24 COMMISSIONER PETRACCO: Move it.

25 COMMISSIONER SCARPELLI: Second.

1 THE CLERK: Commissioner Kelly?
2 COMMISSIONER KELLY: Aye.
3 THE CLERK: Commissioner Petracco?
4 COMMISSIONER PETRACCO: Aye.
5 THE CLERK: Commissioner Scarpelli?
6 COMMISSIONER SCARPELLI: Aye.
7 THE CLERK: Mayor Tucci?
8 MAYOR TUCCI: Aye.
9 COMMISSIONER PETRACCO: Move the ordinance.
10 COMMISSIONER SCARPELLI: Second.
11 THE CLERK: Commissioner Kelly?
12 COMMISSIONER KELLY: Aye.
13 THE CLERK: Commissioner Petracco?
14 COMMISSIONER PETRACCO: Aye.
15 THE CLERK: Commissioner Scarpelli?
16 COMMISSIONER SCARPELLI: Aye.
17 THE CLERK: Mayor Tucci?
18 MAYOR TUCCI: Aye. Thank you.
19 COMMISSIONER PETRACCO: Thank you, Mayor.
20 MAYOR TUCCI: Commissioner Kelly, will you
21 take Commissioner Evans's first five resolutions?
22 COMMISSIONER KELLY: Sure. This is
23 Resolution 266-20. It's a memorandum of understanding
24 for the receipt of 2020 Calendar Year Transitional Aid.
25 I think that's pretty self-explanatory. We got our

1 transitional aid.

2 So therefore now be it resolved -- in
3 addition to all our sums by the State of New Jersey or
4 its municipal subdivisions thereof, the Director hereby
5 authorizes payment of Transitional Aid funds in the
6 amount of \$3,250,000 to the Municipality in support of
7 its budget.

8 Be it further resolved the Director shall
9 advance funds to the township based on a review of the
10 Municipality's cash flow needs. Sufficient
11 Transitional Aid funds in the amount not to exceed 75
12 percent of the Municipality's total Transitional Aid
13 award may be disbursed upon execution of this
14 memorandum of understanding. All remaining funds will
15 be withheld in the Division's accounts until such a
16 time as the Director, based upon her evaluation of the
17 Municipality's compliance with the terms of this
18 agreement, recommends payment.

19 The Division retains power to hold back funds
20 and provide less than the anticipated amount of the
21 \$3,250,000, should the Municipality (audio
22 interference) need the funds, become noncompliant with
23 the terms of this MOU, or fail to act in a manner
24 otherwise required.

25 Be it further resolved the Municipality

1 agrees to work with the Division to remedy the
2 Municipality's structural budget imbalance, and will
3 comply with all laws, regulations, local finance
4 notices, and any government administrative and
5 oversight measures necessary for the fiscal recovery of
6 the Municipality as the Director may order from time to
7 time, pursuant to the state budget.

8 The Municipality will also make available to
9 the Director or her designee upon request all documents
10 and resources necessary for the review of the
11 Municipality's financial condition. So moved.

12 COMMISSIONER PETRACCO: Second.

13 THE CLERK: Commissioner Kelly?

14 COMMISSIONER KELLY: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci?

20 MAYOR TUCCI: Aye.

21 COMMISSIONER KELLY: This is Resolution
22 Number 267-20. Designation of Public Agency Compliance
23 Officer. It's pretty -- also pretty self-explanatory.

24 Now therefore be it resolved that the Mayor
25 and Board of Commissioners of the County of Essex,

1 State of New Jersey, hereby appoints Eleni Pettas,
2 Municipal Clerk, as the Township's P.A.C.O. for the
3 calendar year 20 -- 2021, excuse me.

4 Be it further resolved that in accordance
5 with the New Jersey Administrative Code 1727-3.2, that
6 the Township Clerk is hereby authorized and directed to
7 forward a certified copy of this resolution to the
8 State of New Jersey Department of the Treasury,
9 Division of Contract Compliance in EEO Public
10 Contracts, P.O. Box 209, Trenton, New Jersey, 08625-
11 0209. So moved.

12 COMMISSIONER PETRACCO: Second.

13 THE CLERK: Commissioner Kelly?

14 COMMISSIONER KELLY: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci?

20 MAYOR TUCCI: Aye.

21 COMMISSIONER KELLY: This is a resolution
22 Number 270-20. This is to appoint the law firm of
23 Webster -- I'm going to butcher this name -- Wyciskala,
24 Taylor, at 600 Parsippany Road, Suite 204, Parsippany,
25 New Jersey, as the Special Development Counsel for the

1 year 2021.

2 Now therefore be it resolved that the Board
3 of Commissioners of the Township of Nutley, County of
4 Essex, State of New Jersey, contract for the Special
5 Development Counsel as follows:

6 That the Mayor and Township Clerk are hereby
7 authorized and directed to execute, seal, and deliver a
8 2021 contract for the professional and legal services
9 with John P. Inglesino of Inglesino, Webster,
10 Wyciskala, Taylor, LLC, 600 Parsippany Road in
11 Parsippany, New Jersey, 07054, pursuant to the -- a
12 non-fair and non-open process in accordance with the
13 New Jersey Statutes Administrator -- New Jersey
14 Statutes and stated 19:44A-20.5, for a term beginning
15 in January -- of January 1st, 2021, through
16 December 31st, 2021, for stated hourly rates not to
17 exceed \$95,000.

18 A copy of this resolution, as well as the
19 contract and Business Disclosure Entity Certificate and
20 Business Entity Disclosure of campaign contributions
21 shall be placed on file with the Clerk.

22 A copy of this resolution shall be published
23 as required by law within 10 days of its passage. So
24 moved.

25 COMMISSIONER PETRACCO: Second.

1 THE CLERK: Commissioner Kelly?

2 COMMISSIONER KELLY: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 THE CLERK: Mayor Tucci?

8 MAYOR TUCCI: Aye.

9 COMMISSIONER KELLY: This is Resolution
10 Number 271-20. I'll just read the whole thing. It's
11 pretty short.

12 Whereas, the Township of Nutley has a need to
13 acquire the services of a professional real estate
14 appraiser to assist with the real estate appraisals,
15 tax appeals, tax court appearances, and to complete the
16 necessary procedures to ensure the capture of the added
17 assessments arising from the ongoing improvement
18 activities in the Township of Nutley as a non-fair or
19 open contract pursuant to the provisions of the New
20 Jersey Statutes Annotated 19:44A-20.5;

21 Whereas, the Tax Assessor has determined and
22 certified in writing the value of the aggregate
23 services provided by the vendor will exceed \$30,000;

24 Whereas, Hendricks Appraisal Company LLC,
25 7 Hutton Avenue, West Orange, New Jersey, 07052 has

1 submitted a fee schedule providing such services, the
2 total of which is not to exceed \$50,000; and

3 Whereas, the anticipated term of this
4 contract for 12 months, from January 1st, 2021, to
5 December 31st, 2021;

6 Whereas, funds will be available from Account
7 Number 1-01-204-205 and will be certified by the Chief
8 Financial Officer, subject to the adoption of the 2021
9 Municipal Budget;

10 Whereas, Hendricks Appraisal Company has
11 completed and submitted a Business Entity Disclosure
12 Certification which certifies that they have not made
13 any reportable disqualifying contributions to a
14 political or candidate committee in the Township of
15 Nutley in the previous one year, and that the contract
16 will prohibit them from making any reportable
17 contributions through the term of the contract;

18 Whereas, the Business Entity Disclosure
19 Certification Determination of Value be placed on file
20 with this resolution.

21 Now therefore be it resolved that the Board
22 of Commissioners of the Township of Nutley, County of
23 Essex, State of New Jersey, authorizes the mayor to
24 enter into a contract with Hendricks Appraisal Company,
25 LLC. So moved.

1 COMMISSIONER PETRACCO: Second.

2 THE CLERK: Commissioner Kelly?

3 COMMISSIONER KELLY: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 THE CLERK: Mayor Tucci?

9 MAYOR TUCCI: Aye.

10 COMMISSIONER KELLY: And I'll also be reading
11 Ordinance Number 259-20. It's pretty short. I'll read
12 the whole thing.

13 Be it resolved by the Board of Commissioners
14 of the Township of Nutley in the County of Essex, State
15 of New Jersey, that the Treasurer be, and she is hereby
16 authorized to refund overpayments of tax charges in the
17 amount of \$7,049.02 for the following account: Block
18 Lot 3100/45, 250 Vreeland Avenue, \$2,378.22; Block Lot
19 5503/33, 55 Ridge Road, \$2,979.84; Block Lot Number
20 2401/51, 258 High Street, \$1,690.96. So moved.

21 COMMISSIONER PETRACCO: Second.

22 THE CLERK: Commissioner Kelly?

23 COMMISSIONER KELLY: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 THE CLERK: Mayor Tucci?

4 MAYOR TUCCI: Aye. Thank you, Commissioner.

5 Commissioner Scarpelli, will you take the second half
6 of Commissioner Evans's resolutions?

7 COMMISSIONER SCARPELLI: And then I'll take
8 mine.

9 MAYOR TUCCI: That's fine, thank you.

10 COMMISSIONER SCARPELLI: All right, thanks,
11 Mayor.

12 Whereas, the Township of Nutley, pursuant to
13 N.J.S.A. 40A:11-11, made by resolution and with
14 advertising, purchase any goods or services under an
15 approved National Cooperative Purchasing Program;

16 Whereas, the Township of Nutley has a need on
17 a timely basis to purchase goods or services utilizing
18 the following National Cooperative Purchasing Program:

19 U.S. Communities Government Purchasing
20 Alliance, National Joint Powers Alliance, Keystone
21 Purchasing Network, and HGACBuy.

22 Whereas, the Township of Nutley intends to
23 enter into contracts with the U.S. Communities
24 Purchasing Alliance Contract, National Joint Powers
25 Alliance, Keystone Purchasing Network, and HGACBuy

1 Vendors through the resolution and properly executed
2 contracts, which shall be subject to all conditions
3 applicable to the current contracts.

4 Now therefore be it resolved by the Township
5 of Nutley authorizes that the Purchasing Agent to
6 purchase certain goods or services from the approved
7 U.S. Communities Purchasing Alliance, National Power --
8 National Joint Powers Alliance, Keystone Purchasing
9 Network, HGACBuy Vendors, pursuant to all conditions of
10 the individual contracts for the year 2021 commencing
11 January 1st, 2021, through December 31st, 2021. I move
12 the resolution.

13 COMMISSIONER PETRACCO: Second.

14 THE CLERK: Commissioner Kelly?

15 COMMISSIONER KELLY: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Mayor Tucci?

21 MAYOR TUCCI: Aye.

22 COMMISSIONER SCARPELLI: Whereas, the
23 Township of Nutley, pursuant to N.J.S.A. 40A:11-12(a)
24 and N.J.A.C. 5:34-7.29(c), may by resolution and
25 without advertising for bids, purchase any goods or

1 services under the State New Jersey Cooperative
2 Purchasing Program for any state contracts entered into
3 on behalf of the State by the Division of Purchase and
4 Property and the Department of the Treasury; and

5 Whereas, the Township of Nutley has a need on
6 a timely basis to purchase goods and services utilized
7 in state contracts;

8 Whereas, the Township of Nutley intends to
9 enter into contracts with state contracts, and is
10 authorized through the resolution to enter into any and
11 all contracts submitted by the New Jersey Division of
12 Purchase and Property with state contract vendors and
13 properly executed contract listed on the N.J. state
14 website, www.NJSTART.gov, and the legacy contracts
15 listed on the www.state.nj.us/treasury/purchase, which
16 shall be subject to all conditions applicable to the
17 current state contracts.

18 Now therefore be it resolved that the
19 Township of Nutley authorizes the Purchasing Agent to
20 purchase certain goods or services from any approved
21 New Jersey state contract vendor, pursuant to all
22 conditions of the state contract;

23 And be it further resolved that the governing
24 body of the Township of Nutley, pursuant to
25 N.J.A.C. 5:30-5.5(b), the certification of available

1 funds shall certify the full maximum amount against the
2 budget at the time the contract is awarded, or no
3 contract amount shall be chargeable or certified until
4 such time as the goods or services are ordered and
5 otherwise called for prior to the placing the order and
6 certification of the available funds is made by the
7 Chief Financial Officer; and

8 Be it further resolved that the duration of
9 the contract between the Township of Nutley and State
10 Contract Vendors shall be from January 1st, 2021
11 through December 31st, 2021. I move the resolution.

12 COMMISSIONER PETRACCO: Second.

13 THE CLERK: Commissioner Kelly?

14 COMMISSIONER KELLY: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci?

20 MAYOR TUCCI: Aye.

21 COMMISSIONER SCARPELLI: Whereas, the
22 Township of Nutley, pursuant to N.J.S.A. 40A:11-11, may
23 by resolution and without advertising for bids,
24 purchase any goods or services under an approved County
25 Cooperative Purchasing Program; and

1 Whereas, the Township of Nutley has the need
2 on a timely basis to purchase goods or services
3 utilizing the Essex County Purchasing Program; and

4 Whereas, the Township of Nutley intends to
5 enter into a contract with the Essex County Cooperative
6 Purchasing Program through this resolution and properly
7 executed contracts, which shall be subject to all
8 conditions applicable to the current contracts.

9 Now therefore be it resolved that the
10 Township of Nutley authorizes the Purchasing Agent to
11 purchase certain goods or services from the approved
12 co-op vendor, pursuant to all conditions of the
13 individual county contracts; and

14 Be it further resolved that the governing
15 body of the Township of Nutley, pursuant to
16 N.J.A.C. 5:30-5.5(b), the certification of available
17 funds shall either be -- certify the full maximum
18 amount against the budget at the time the contract is
19 awarded, or no contract amount shall be chargeable or
20 certified until such time as the goods or services are
21 ordered, or otherwise offered prior to placing the
22 order and certification of availability of funds is
23 made by the Chief Financial Officer.

24 And be it further resolved the duration of
25 the contract between the Township of Nutley and the

1 Essex County Cooperative Purchasing Program Vendors
2 shall be from January 1st, 2021, through December 31st,
3 2021. I move the resolution.

4 COMMISSIONER PETRACCO: Second.

5 THE CLERK: Commissioner Kelly?

6 COMMISSIONER KELLY: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 THE CLERK: Mayor Tucci?

12 MAYOR TUCCI: Aye.

13 COMMISSIONER SCARPELLI: Whereas, the
14 Township of Nutley through the Department of Revenue
15 and Finance has the need to acquire grant consulting
16 services as a non-fair and non-open contract, pursuant
17 to the provisions of N.J.S.A. 19:44-A or 20.5 as
18 appropriate; and

19 Whereas, Millennium Strategies LLC, 60
20 Columbia Road, Suite 230, Morristown, New Jersey, has
21 submitted a proposal indicating they will provide such
22 services for the sum not to exceed \$40,000;

23 Whereas the term of this contract is for 12
24 months, from January 1st, 2021 through December 31st,
25 2021; and

1 Whereas, Millennium Strategies has completed
2 and submitted a Business Entity Disclosure
3 Certification, which certifies that the said
4 corporation has not made any reportable contributions
5 to a political or candidate committee in the Township
6 of Nutley in the previous one year, and that the
7 contract will prohibit Millennium Strategies Partners
8 from making any reportable contributions through the
9 term of the contract;

10 Whereas, the funds are available from Account
11 Number 1-01-209-205, subject to the adoption of the
12 2021 Municipal Budget, and will be certified by the
13 Chief Financial Officer, said certification to be
14 attached to this resolution.

15 And now therefore be it resolved by the Board
16 of Commissioners of the Township of Nutley, County of
17 Essex, State of New Jersey, that -- as follows; a
18 contract should be entered into with the Township of
19 Nutley and Millennium Strategies for a grant consulting
20 services for an amount not to exceed \$40,000. A copy
21 of the resolution, as well as the contract, shall be
22 placed on file with the Township Clerk. I move the
23 resolution.

24 COMMISSIONER PETRACCO: Second.

25 THE CLERK: Commissioner Kelly?

1 COMMISSIONER KELLY: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci?

7 MAYOR TUCCI: Aye.

8 COMMISSIONER SCARPELLI: Whereas, on January
9 18th, 2020, the Russo Family, located at 320 Park
10 Avenue, Nutley, New Jersey, suffered a tragic loss of
11 human life arising from a catastrophic fire that
12 engulfed their home; and

13 Whereas, Mr. Alfred G. Russo sustained
14 serious burns arising from the fire, which required
15 hospitalization and extended care; and

16 Whereas, as a result of the fire, the Tax
17 Assessor has reduce the 2021 property assessment to
18 temporarily recognize the loss in property value, and
19 it has now been determined that the property value
20 should also be adjusted for 2020;

21 Whereas, Mr. Alfred G. Russo has paid his
22 property taxes for 2020, and that will be partially
23 refunded in the amount of \$5,386.78.

24 And now therefore be it resolved by the Board
25 of Commissioners of the Township of Nutley that the Tax

1 Collector and the Tax Assessor are hereby authorized to
2 adjust the property assessment, and to process a
3 partial refund in the amount of \$5,386.78, made payable
4 to Mr. Alfred G. Russo, owner of Block 6503, Lot 19,
5 which is also known as 320 Park Avenue, Nutley, New
6 Jersey.

7 Furthermore, the Board of Commissioners
8 wishes to extend our condolences to the Russo Family.
9 I move the resolution.

10 COMMISSIONER PETRACCO: Second.

11 THE CLERK: Commissioner Kelly?

12 COMMISSIONER KELLY: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 THE CLERK: Mayor Tucci?

18 MAYOR TUCCI: Aye.

19 COMMISSIONER SCARPELLI: And on that, I'll
20 take my much shorter resolution.

21 Be it resolved by the Board of Commissioners
22 of the Township of Nutley, County of Essex, State of
23 New Jersey, that the Township Clerk is hereby
24 authorized to advertise for sealed bids for the
25 collection of Co-Mingled Recycling, and the Township of

1 Nutley to receive on behalf of the Board of
2 Commissioners in Commission Chambers, Township Hall,
3 1 Kennedy Drive, Nutley, New Jersey, on Wednesday,
4 December 9th, 2020, at 11 a.m. prevailing time, at
5 which time they will be opened and publicly read by
6 Zoom teleconference. I move the resolution.

7 COMMISSIONER PETRACCO: Second.

8 THE CLERK: Commissioner Kelly?

9 COMMISSIONER KELLY: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Mayor Tucci?

15 MAYOR TUCCI: Aye.

16 COMMISSIONER SCARPELLI: That's all I have,
17 Mayor.

18 MAYOR TUCCI: Thank you, Commissioner.

19 Commissioner Petracco?

20 COMMISSIONER PETRACCO: Whereas, the Township
21 of Nutley Police Department needs to acquire
22 proprietary software for the issuance of electronic
23 tickets through mobile computers as non-fair and open
24 contracts; and

25 Whereas, the use of electronic ticketing

1 increase efficiency and enables officers to return to
2 service faster, eliminates data entry errors and
3 autopopulates citations with the appropriate statute
4 number, fine, and court information;

5 Whereas, N.J.S.A. 40A:11-5(d) permits award
6 of a contract without public bidding for the provision
7 of proprietary software; and

8 Whereas, GTBM, Inc., owns the Info-Cop
9 E-Ticketing System, and has submitted a proposal to
10 provide the system software;

11 Whereas, GTBM, Inc., has completed and
12 submitted a Business Entity Disclosure Certification,
13 which certifies that it has not made any reportable
14 contribution through the previous one year, and will
15 prohibit it from making any reportable contribution
16 throughout the term of the contract; and

17 Whereas, the contract is in the amount not to
18 exceed \$45,000, the funds for which are available in an
19 account entitled Municipal Court E-Ticket Program,
20 Account Number 1-01-325-200, said funds subject to the
21 adoption of the 2021 budget and certification by the
22 Chief Financial Officer; and

23 Whereas, the anticipated term of this
24 contract is for 12 months, January 1st, 2021, through
25 December 31st, 2021.

1 Now therefore be it resolved by the Board of
2 Commissioners of the Township of Nutley in the County
3 of Essex that the contract be awarded to GTBM, Inc., in
4 a form approved by the Township Attorney;

5 Be it further resolved that the Business
6 Entity Disclosure be placed on file with this
7 resolution. I move the resolution.

8 COMMISSIONER SCARPELLI: Second.

9 THE CLERK: Commissioner Kelly?

10 COMMISSIONER KELLY: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 THE CLERK: Mayor Tucci?

16 MAYOR TUCCI: Aye.

17 COMMISSIONER PETRACCO: This resolution,
18 262-20, is reappointing our Municipal Clerk, who I have
19 to say personally, does a great job, and I'm very proud
20 of her, and I'm very happy to have her.

21 Resolution appointing Adriana Russo as a
22 Court Administrator of the Municipal Court of the
23 Township of Nutley.

24 Whereas, Adriana Russo has served Municipal
25 Court Administrator of the Nutley Municipal Court since

1 April 4, 20017; and

2 Whereas, as required, Adriana Russo has
3 completed the required municipal certifications within
4 three years from the date of hire/appointment to obtain
5 certification and -- pursuant to N.J.S.A. 2:B12-11(d);
6 and

7 Whereas, in accordance with the statute, must
8 apply for recertification every three years; and

9 Whereas, it is the desire of the Board of
10 Commissioners to appoint Adriana Russo as Court
11 Administrator of the Municipal Court of the Township of
12 Nutley, effective April 4, 2020.

13 Now therefore be it resolved by the Board of
14 Commissioners of the Township of Nutley, County of
15 Essex, State of New Jersey, as follows:

16 Adriana Russo be and is hereby appointed as
17 the Court Administrator of the Municipal Court of the
18 Township of Nutley, beginning April 4th, 2020. I move
19 the resolution.

20 COMMISSIONER SCARPELLI: Second.

21 THE CLERK: Commissioner Kelly?

22 COMMISSIONER KELLY: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye, and I'd just
25 like to make one more comment. Adriana has been a

1 really, really great find for the Township of Nutley.
2 Right now, the Court is working from home, which makes
3 it a lot difficult, and she's managing employees and
4 all that stuff, and she's really a team player, and
5 steps up to the plate, you know, no matter what the
6 circumstances are. So it's really an honor and a
7 privilege to have someone like that working in Public
8 Safety. I vote aye.

9 MAYOR TUCCI: Great.

10 THE CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 THE CLERK: Mayor Tucci?

13 MAYOR TUCCI: Aye.

14 COMMISSIONER PETRACCO: Whereas, the Nutley
15 Police Department desires to utilize police pistol
16 range facilities of the borough of North Arlington
17 Police Department, having its principal offices at 214
18 Ridge Road in the Hackensack Meadowlands, North
19 Arlington, New Jersey, in the amount not to exceed
20 \$2,000 for one year, beginning January 1st, 2021
21 through December 31st, 2021; and

22 Whereas, the funds are available from Account
23 Number 1-01-308-209, subject to adoption of the 2021
24 Municipal Budget, and have been certified by the Chief
25 Financial Officer, said certification being attached to

1 this resolution.

2 And now therefore be it resolved by the Board
3 of Commissioners, Township of Nutley, County of Essex,
4 State of New Jersey, that the mayor and the town clerk
5 be and are hereby authorized to enter into an agreement
6 with the Borough of North Arlington for use of its
7 police pistol range for the period of January 1st, 2021
8 through December 31st, 2021. I move the resolution.

9 COMMISSIONER SCARPELLI: Second.

10 THE CLERK: Commissioner Kelly?

11 COMMISSIONER KELLY: Aye.

12 THE CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 THE CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 THE CLERK: Mayor Tucci?

17 MAYOR TUCCI: Aye.

18 COMMISSIONER PETRACCO: And I have one more,
19 and this, I'm just going to move by title. It's kind
20 of a long one, so I'm going to move this Resolution
21 Number 264-20. I move the resolution.

22 COMMISSIONER SCARPELLI: Second.

23 THE CLERK: Commissioner Kelly?

24 COMMISSIONER KELLY: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 THE CLERK: Mayor Tucci?

5 MAYOR TUCCI: Aye.

6 COMMISSIONER PETRACCO: Thank you, Mayor.

7 MAYOR TUCCI: Thank you, Commissioner.

8 Be it resolved by the Board of Commissioners
9 of the Township of Nutley, County of Essex, State of
10 New Jersey, that in accordance with the provisions of
11 R.S. 40A:4-58, the following transfers of
12 appropriations in the 2020 budget be and the same are
13 hereby authorized and approved;

14 To the Department of Parks and Public
15 Property, from Health Insurance, \$106,000;

16 From other insurance premiums, \$100,000, for
17 a total of \$206,000 to Parks, the Parks Department
18 other expenses in a like amount.

19 This transfer is to facilitate the purchase
20 of a new boom truck, because our old boom truck is in
21 excess of 20 years old, and is no longer safe. I move
22 the resolution.

23 COMMISSIONER PETRACCO: Second.

24 THE CLERK: Commissioner Kelly?

25 COMMISSIONER KELLY: Aye.

1 THE CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 THE CLERK: Mayor Tucci?

6 MAYOR TUCCI: Aye.

7 Whereas, sealed bids were received by the
8 Department of Parks and Public Property for the upgrade
9 of the skylight at the Nutley Public Library; and

10 Whereas, Integrity Roofing, 1385 Witherspoon
11 Street, Rahway, New Jersey, was the low bidder at
12 \$249,340; and

13 Whereas, the Township of Nutley has funds
14 available for upgrade of the skylight at the Nutley
15 Public Library from Capital Ordinance Number 3425K.

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 a contract for the
19 upgrading of the skylight at the Nutley Public Library
20 be awarded to Integrity Roofing, 1385 Witherspoon
21 Street, Rahway, New Jersey. I move the resolution.

22 COMMISSIONER PETRACCO: Second.

23 THE CLERK: Commissioner Kelly?

24 COMMISSIONER KELLY: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 THE CLERK: Mayor Tucci?

5 MAYOR TUCCI: Aye.

6 Whereas, sealed bids for the ADA Glotzbach
7 Pathway were opened and read on Wednesday, October
8 28th, 2020 in the Township of Nutley; and

9 Whereas, Stanziale Construction, P.O. Box
10 2597, Bloomfield, New Jersey, was the lowest
11 responsible bidder at a cost of \$30,626; and

12 Whereas, funds are available from CBGB
13 Funding, and have been certified by the Chief Financial
14 Officer, said certification being attached to this
15 resolution.

16 Now therefore be it resolved by the Board of
17 Commissioners of the Township of Nutley, in the County
18 of Essex, and the State of New Jersey, that a contract
19 for ADA Glotzbach Walkway be awarded to Stanziale
20 Construction. I move the resolution.

21 COMMISSIONER PETRACCO: Second.

22 THE CLERK: Commissioner Kelly?

23 COMMISSIONER KELLY: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 THE CLERK: Mayor Tucci?

4 MAYOR TUCCI: Aye.

5 Be it resolved by the Board of Commissioners
6 of the Township of Nutley in the County of Essex in the
7 State of New Jersey, that the Treasurer be and she is
8 hereby authorized to refund payments for recreation
9 programs in the amounts listed below;

10 Jamie Lynn Richards Enterprises for the
11 Festival in the Park Program, \$100 for the year 2020;

12 120 Franklin Avenue for Camp Nutley in the
13 amount of \$150 for the year 2020;

14 And 124 Raymond Avenue for Camp Nutley in a
15 like amount. I move the resolution.

16 COMMISSIONER KELLY: Second.

17 THE CLERK: Commissioner Kelly?

18 COMMISSIONER KELLY: Aye.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci?

24 MAYOR TUCCI: Aye.

25 Whereas, the Township of Nutley has a need to

1 acquire specialized professional services for a
2 consultant and risk manager for the Township of Nutley
3 through a fair and open process, pursuant to
4 N.J.S.A. 19:44A-20.5; and

5 Whereas, the Request for Qualifications for a
6 consultant and risk manager were received and opened on
7 October 28, 2020; and

8 Whereas, C. Walter Searle Insurance Agency,
9 410 Franklin Avenue, Nutley, New Jersey, was the most
10 responsible and responsive Request for Qualifications;
11 and

12 Whereas, the contract for a professional risk
13 management consulting services is required in the
14 bylaws of the Suburban Essex Joint Insurance Fund --
15 newly changed name to Suburban Metro Joint Insurance
16 Fund, this contract shall not exceed \$40,000 per year
17 for 2021 and 2022, and the funds are available from the
18 Suburban Essex Joint Insurance Fund.

19 Now therefore be it resolved that the Board
20 of Commissioners of the Township of Nutley, County of
21 Essex, State of New Jersey, authorizes a contract to be
22 entered into with C. Walter Searle Insurance Agency,
23 LLC, as described herein; and

24 Be it further resolved that the response to
25 the Request for Qualifications for consultant and risk

1 manager be placed on file with this resolution. I move
2 the resolution.

3 COMMISSIONER KELLY: Second.

4 THE CLERK: Commissioner Kelly?

5 COMMISSIONER KELLY: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci?

11 MAYOR TUCCI: Aye. And my last one is,

12 Whereas, the Township of Nutley has a need to acquire
13 specialized professional services as a fair and open
14 contract, pursuant to the provisions of N.J.S.A.
15 19:44A-20.5; and

16 Whereas, the Request for Qualification for
17 Insurance Accident and Safety Review Board Meetings
18 were received on October 28th, 2020; and

19 Whereas, C. Walter Searle Insurance Agency
20 LLC, 410 Franklin Avenue, Nutley, New Jersey, has
21 provided these services in the past to the Township of
22 Nutley, and is particularly suited to provide continued
23 service; and

24 Whereas, the term of this contract is for a
25 one-year period, commencing on January 1, 2021, and

1 continuing through December 31st, 2021, with the option
2 to extend for one additional year; and

3 Whereas, funds are available from Account 1-
4 01-516-245 in the amount of \$10,000, and have been
5 certified by the Chief Financial Officer, subject to
6 the adoption of the 2021 Municipal Budget, said
7 certification being attached to this resolution.

8 Now therefore be it resolved by the Board of
9 Commissioners of the Township of Nutley, County of
10 Essex, State of New Jersey, that a contract be awarded
11 to C. Walter Searle Insurance Agency, LLC, as described
12 herein. The response to the Request for Qualification
13 be placed on file with this resolution, and that notice
14 of this action shall be printed once in the Nutley Sun,
15 in accordance with the Local Public Contracts Law. I
16 move the resolution.

17 COMMISSIONER KELLY: Second.

18 THE CLERK: Commissioner Kelly?

19 COMMISSIONER KELLY: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 THE CLERK: Mayor Tucci?

25 MAYOR TUCCI: Aye. That concludes all our

1 business for this evening. We will now open the
2 meeting to the public.

3 THE CLERK: Just one person?

4 MR. GENITEMPO: You want to read the notice?

5 MAYOR TUCCI: You want to read the notice?

6 THE CLERK: Sure. All persons addressing the
7 Board of Commissioners regarding community concerns
8 should approach -- I'm sorry. Should state your name
9 and address for the record. Unless further time is
10 granted by the Board, each person shall limit their
11 address to five minutes. All remarks to the Board and
12 its individual members must be addressed to the mayor.
13 The mayor may defer citizens' comments to the
14 appropriate member of the Board.

15 MR. MOORE: Rory Moore, 462 Chestnut Street.
16 Can everybody hear me?

17 MAYOR TUCCI: Yes, we can.

18 MR. MOORE: Mayor Tucci, a few weeks ago, the
19 Board authorized monies for -- I believe it was
20 planning or to review the Ciccolini property and the
21 Diamond Springs property. Has -- have you received any
22 information back from that as of yet?

23 MAYOR TUCCI: No, Mr. Moore, we have not.
24 That's been referred to the Planning Board for
25 consideration.

1 MR. MOORE: Yeah, that I remember. My
2 question really is, if -- is Diamond Springs a
3 privately owned property, why are we as a township, ask
4 -- for planning or some guidance for a privately owned
5 property? I can understand the Ciccolini Building,
6 because we own it. However, what is the rationale for
7 a privately owned property?

8 MAYOR TUCCI: It is a privately held
9 property, Mr. Moore, and in order to designate that
10 property an area of redevelopment and/or
11 rehabilitation, there's a process that you need to go
12 through. And referring it to the Planning Board for
13 investigation is the first step in that process.

14 MR. MOORE: Would that have anything to do
15 with ultimately for the sale of the property, if there
16 was one? How -- would that not be influential, or
17 would be -- would we be, as a township interfering with
18 that?

19 MAYOR TUCCI: I don't think that would have
20 any bearing on a sale. Mr. Genitempo, would you like
21 to respond to that?

22 MR. GENITEMPO: Sure, Mr. Mayor. The -- it
23 doesn't have anything to do with the sale of a
24 property. It has to do with the potential use of the
25 property, and whether or not -- what can be developed

1 there, and the Township has certain control over the
2 property once it's declared in need of redevelopment or
3 in need of rehabilitation. It also opens up the
4 possibility of finance arrangements for the renovation
5 or redevelopment of the property.

6 MR. MOORE: Okay. Thank you very much.

7 MAYOR TUCCI: Thank you, Mr. Moore. No one
8 else?

9 THE CLERK: No one else, Mayor.

10 MAYOR TUCCI: Okay. Seeing that there are no
11 other members of the public that wish to be heard, I
12 will entertain a motion for adjournment.

13 COMMISSIONER SCARPELLI: Move to adjourn.

14 THE CLERK: Commissioner Kelly?

15 COMMISSIONER KELLY: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Mayor Tucci?

21 MAYOR TUCCI: Aye.

22 THE CLERK: The time is 8:54.

23 (End of recording)

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

I, Lisa Luciano, 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.

LISA LUCIANO, AAERT NO. 327 DATE: December 4, 2020

ACCESS TRANSCRIPTS, LLC