In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings
February 18, 2020
Conference Session
TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

ONE KENNEDY DRIVE

3RD FLOOR COMMISSION CHAMBERS

NUTLEY, NEW JERSEY 07110

*** CONFERENCE SESSION ***

DATE: February 18, 2020

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR

MAURO G. TUCCI, COMMISSIONER

THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER

STEVEN ROGERS, COMMISSIONER A/E

Also Present:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
Conference Session

(Recording begins)

MAYOR SCARPELLI: Madam Clerk.

THE CLERK: Thank you. Board of Commissioners Public Meeting, Tuesday, February 18th, 2020. The time is now 7:06. Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 28th, 2019 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 is absent, excused.

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, except for Commissioner Rogers. He's absent, excused.

MAYOR SCARPELLI: All right. Commissioner Petracco, what do you have on the agenda tonight?
COMMISSIONER PETRACCO: I have a Public Safety report, and I have another ordinance introduction. This is probably for a handicapped spot, I'm guessing. And then I have three resolutions. I have the authorized to enter into a contract with Scarinci, our labor counsel, and Hollenbeck. I have an authorized to sell abandoned personnel -- actually, I have another one for the same thing.

COMMISSIONER EVANS: Personal property.

COMMISSIONER PETRACCO: Personal property.

COMMISSIONER EVANS: Another way of the person is that --


MAYOR SCARPELLI: You auctioning off some people?

COMMISSIONER PETRACCO: I have -- yeah. No. No, Mayor. No comment. No comment.

COMMISSIONER TUCCI: See what happens when he doesn't have anything? Now he's got to proofread everything.

COMMISSIONER EVANS: I'm just listening. I'm listening. I'm listening.

COMMISSIONER TUCCI: You're correcting -- you're reading with your pen again?
MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Abandoned personnel, I mean.

MAYOR SCARPELLI: Commissioner Evans, what do you have on the agenda tonight?

COMMISSIONER EVANS: I have a report and good wishes.

MAYOR SCARPELLI: Okay.

COMMISSIONER TUCCI: Good wishes. That's wonderful.

MAYOR SCARPELLI: Commissioner Rogers has nothing on the agenda.

COMMISSIONER TUCCI: Thank God.

MAYOR SCARPELLI: Commissioner Tucci?

COMMISSIONER TUCCI: I have a Shade Tree report, and let's see what else I have. I have five resolutions congratulating the dignitaries for the Saint Patrick's Day Parade, and I have a resolution to enter into a contract with Viridian Environmental Consultants for DeMuro Park. That's all I have.

MAYOR SCARPELLI: I have an ordinance introduction, which is a floodplain management that's come down from the DEP, which they issued in October and has to be done, you know, right away or else we'll get fined. So, they've come back with some diminimous
changes to what we submitted to them, so --

COMMISSIONER TUCCI: Is this for compliance purposes? I was wondering what that was. Is this, they changed the rules, so we have to --

MAYOR SCARPELLI: Well, this is what you have to do.

COMMISSIONER TUCCI: Okay.

MAYOR SCARPELLI: I have a couple of resolutions. Some raffle applications, authorize an award to professional services to Mercury, which is the government relations firm. A budget -- budget appropriations, and I have a resolution supporting the replacement of the bridge, the De Jessa Memorial Bridge over Passaic River, and improvements to the roadway intersections in Lyndhurst and Nutley.

COMMISSIONER TUCCI: That's three going and what, two coming back? Or the other way?

MAYOR SCARPELLI: I think it's three and two.

Three --

COMMISSIONER TUCCI: Three going? Okay.

COMMISSIONER PETRACCO: What year is that for?

COMMISSIONER TUCCI: They commissioned that when?

MAYOR SCARPELLI: Three coming in, two going
out, I think it was.

COMMISSIONER TUCCI: Oh.

COMMISSIONER PETRACCO: Yeah, I went to that.

When are they -- are they -- do they have the plans, are they just -- or a date that they're going to start digging?

MAYOR SCARPELLI: Just (indiscernible). I would say the out end is ten years.

COMMISSIONER PETRACCO: Crazy.

MAYOR SCARPELLI: Before that bridge is replaced. My opinion.

COMMISSIONER PETRACCO: Hopefully, nobody winds up in the drink.

COMMISSIONER EVANS: Just on the Mercury one, on the resolution, the cost of that is allocated to five departments, okay?

COMMISSIONER TUCCI: The cost of what's allocated, again? What was that?

COMMISSIONER EVANS: Mercury.

COMMISSIONER TUCCI: You're in that low voice again, I have to --

COMMISSIONER EVANS: It's all five departments that's allocated.

COMMISSIONER TUCCI: Oh, we're all in for a piece? Oh, okay.
COMMISSIONER EVANS: We spread it -- yeah, we're all in for a piece.

MAYOR SCARPELLI: Madam Clerk, what do you have on?

THE CLERK: Thank you, Mayor. We have regular meeting minutes. We have minutes for executive session for January 2nd, January 14th, and February 4th. We have several applications. One is for Sam Fleitell for a social affair, the Nutley High School Booster Club for the Father's Day affair, the Nutley Family Service Bureau for a social affair permit, the Nutley Irish has also submitted an application for a social affair. The Nutley-Belleville Columbus Day and Italian Heritage Month Parade has submitted an affair to hold a raffle on a Sunday, and the Nutley High School PTO has submitted a letter requesting permission to hold a raffle on a Sunday as well. And that's it for communications.

COMMISSIONER EVANS: Are you going to read them all? Or are you going to --

THE CLERK: I was going to ask you, can I read them all together and then we take one vote?

MR. GENITEMPO: Yes.

THE CLERK: Okay, great.

MAYOR SCARPELLI: Counsel?
MR. GENITEMPO: Mayor, we have this -- in your packet is a draft of an ordinance from the leveling board. This is something that we went over about a year ago regarding some changes. Not really anything significant. Mainly increasing from the number -- from two to four -- two units would constitute a dwelling unit as opposed to just four in the previous one. It gives them more ability to enforce the ordinance.

We've been through this, but I'm going to ask to put it on at the next meeting, and if you want Joe Hannon here, he said he'll come and go over the changes again with you. So I can have him here at the next meeting to just explain to you again what the changes meant. I know it's been a while since we looked at it.

COMMISSIONER TUCCI: So a multiple dwelling's going to be two units or more, not four units or more.

MR. GENITEMPO: For their purposes of being able to get reporting back on the units.

MAYOR SCARPELLI: Not necessarily under rent control, correct?

MR. GENITEMPO: No. No, but --

MAYOR SCARPELLI: Just for --

MR. GENITEMPO: -- there are reporting requirements --
MAYOR SCARPELLI: -- reporting requirements.

MR. GENITEMPO: -- based on reporting requirements.

MAYOR SCARPELLI: Got you.

COMMISSIONER EVANS: So then a two-family home, two-family house, would be considered two dwelling units?

MR. GENITEMPO: Have to report, yes.

COMMISSIONER EVANS: That has now -- would have a new reporting obligation.

COMMISSIONER PETRACCO: What are you -- what's the purpose of that? To report for what?

MR. GENITEMPO: They were having issues with getting accurate data, my recollection is, from a year ago. And, you know, I'd rather have him explain it to you, because they have really -- the issues they were dealing with, with the rent leveling board are not -- I'm foreign to.

COMMISSIONER PETRACCO: I'd like to sit in on that one.

MR. GENITEMPO: So -- we'll get him in.

Yeah.

COMMISSIONER PETRACCO: Because it might affect --

COMMISSIONER TUCCI: Yeah. Yeah.
MR. GENITEMPO: Yeah, there's no rush on it, because it's been sitting, but -- you see the changes are on there, the actual redline changes.

MAYOR SCARPELLI: Your department, you meant, right?

COMMISSIONER PETRACCO: Exactly. Puts a little more wear on the fire and police department.

COMMISSIONER EVANS: Just keep smiling. It will pass.

MAYOR SCARPELLI: What else do you have, Counsel?

MR. GENITEMPO: I don't think it affects -- Al, I don't think it affects inspection issues, I think it's just reporting issues and the like.

COMMISSIONER PETRACCO: Like what? Upgrades and things like that, or --

MR. GENITEMPO: Well, they have to report certain things to the rent leveling board every year, and I think --

COMMISSIONER EVANS: I think it'll be a great idea to --

MR. GENITEMPO: -- like multiple family units.

COMMISSIONER EVANS: -- just table it until he can explain it to us.
MR. GENITEMPO: Yeah. I'm saying, it's not on the agenda tonight, it just --

MAYOR SCARPELLI: Well, it's not on the agenda, so we'll bring him in.

MR. GENITEMPO: -- it's in your package if you want to take a look at it. He'll be in next week. Other than that, we need executive to discuss litigation, the pool club, and some potential litigation and some contract negotiation.

MAYOR SCARPELLI: All right, could I have a motion to go into executive.

COMMISSIONER PETRACCO: Move it.

COMMISSIONER TUCCI: Second.

THE CLERK: Whereas, Section 8 of the Open Public Meeting Act, Chapter 231, Public Law 1975, permits the exclusion of the public 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, in the State of New Jersey, desires to proceed to closed executive session; and

Now therefore be it resolved by the Board of Commissioners of the Township of Nutley move into
closed executive session to discuss litigation, potential litigation, and contract negotiations;

   Be it further resolved that at the time when such discussions may be disclosed to the public shall be when as 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 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 7:15.

   COMMISSIONER EVANS: I have a quick question on this.

   THE CLERK: We just need one second, please.

   (End of recording)

   * * * * *
CERTIFICATION

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.

______________________________ March 6, 2020

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist
In RE: Nutley Board of Commissioners

Conference Session

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"When every word counts"

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DATE: February 18, 2020

BOARD OF COMMISSIONERS:

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THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER

STEVEN ROGERS, COMMISSIONER

Also Present:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
(Recording begins)

MAYOR SCARPELLI: Everybody please stand for the flag salute.

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Thank you, Mayor. Board of Commissioners Public Meeting Tuesday, February 18th, 2020. The time is now 7:52. Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the November 28, 2019 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 is absent, excused. 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, except for Commissioner Rogers, he's absent, excused, this
evening.

    MAYOR SCARPELLI: Thank you, Madam Clerk.

We're going to skip around on the agenda tonight, so
Commissioner Petracco, I'll turn it over to you, first.

    COMMISSIONER PETRACCO: Thank you, Mayor.

Tonight's a really, really nice night. I want to
recognize our Chief of the Fire Department, Phil
Nicolette. I'll read the proclamation first.

    Whereas, Phil Nicolette, a Nutley resident
for many years, is married to Ann Marie, and together,
they have three children, Jenna, Thomas, and Daniel;

and

    Whereas, joined the Nutley Fire Department as
a volunteer fireman in 1980; and

    Whereas, in 1991, became an Assistant Chief
of Hose 1, completing many courses, including the
Firefighter I, II, and III, Emergency Response
Awareness Level One Operational, Instructor Courses for
Live Burn Certifications, General Safety, and
Smokehouse; and

    Whereas, in addition to his duties as
Assistant Chief, Phil became an active member of the
Nutley HazMat Team, taking many courses involved in
HazMat training and procedures; and

    Whereas, on March 6th, 2010, Phil was
promoted to Volunteer Chief of the Nutley Fire Department, and proudly remained in this position until retirement on February 1st, 2020.

And now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that Phil Nicolette be recognized for his tireless dedication and support of the Nutley Fire Department, in all of his roles, especially in his tenure as Chief. His service is of great pride to the Township of Nutley.

(Applause)

COMMISSIONER PETRACCO: Before I pass this along, because I'm sure all the commissioners would like to say something, I have to say I know Phil and Ann Marie and his kids for a very, very long time, growing up across the street from them. And I can remember when Phil first moved to Park Avenue. I think you were doing all the gases at the time when we first met. And even as a young child, I have to tell you, Phil was like this great with all the neighborhood kids, you know, he was bright, intelligent, and he was always willing to talk to you about, you know, topics that we had no idea about, you know? What kind of job Phil had. And then he went off to the Board of Education, and we know what a great job he did there,
and the most important thing that I'd like to say tonight about Phil Nicolette, you know, I look at Phil as part of my family. Like I said, growing up across the street all them years, and when Freddie Scolari (phonetic) and John Rhein (phonetic) used to sit on the porch, Phil, I could remember that alarm going off, man, and everybody, you know, running up Park Avenue to that firehouse, right, Ann Marie? And those porch visits were very nice in the 1980s, right?

But the most important thing I want to say tonight, Phil, is that, you know, we had your son on the Fire Department. He did a stellar job. You know, you've been in my life, and most importantly, in your retirement from this position, I want to say the thing that was most important to me, you were always my friend. And I respect you for that. So God bless you. It's well deserved. Phil is going to stick around the fire department, you know, as a volunteer. We're hoping, right, Phil? At a lesser capacity, exactly. But what he's done for the town is really stellar, and it's been a pleasure to work with you and also grow up in your neighborhood.

MAYOR SCARPELLI: Thank you, Commissioner.

UNIDENTIFIED: (Indiscernible).

MAYOR SCARPELLI: Well, we're going to --
Public Session

COMMISSIONER PETRACCO: Yeah, we're going to do some pictures.

MAYOR SCARPELLI: We're going to probably all say something nice about Phil, so you wait, Ann Marie. Phil, congratulations, and, you know, all your hard work, you know, on the Board of Education and as a volunteer chief, really appreciate everything you did for Nutley. And I think that's the bottom line. We know that Phil Nicolette loved Nutley. And we wish you health and good luck in your retirement, and thank you for all your service to our township. Commissioner?

COMMISSIONER TUCCI: Yes. Phil, the Mayor said it aptly, and it's hard to follow Al, because he pretty much said everything the rest of us were going to say about you, but I do want to thank you for your commitment to this township. You are truly a Nutley guy. Thank you for all the hours that you took away from your family to take the courses that you needed to educate yourself, to keep the citizens of this township safe. We truly appreciate it. I want to wish you nothing but the best of everything in retirement, and try and relax and enjoy yourself a little bit. All right? God bless you and your family.

COMMISSIONER EVANS: So part of the trouble of going last is you get to hear everything, all the
nice things that everybody's already said. So first, I'll echo all of it. Phil, what's important to me is that we all understand Nutley. Nutley is about giving, it's about sharing, it's about caring for others. And when you are in a role where you are the chief of the volunteers, all right, nothing in my mind manifests that more, than in that spirit of service. So I want to thank you for your leadership, and I want to thank you for your friendship. I want to thank you for all of those years of service, and I'll echo with what all of my commissioners have said, is that our truest wish is that you enjoy a very long, happy, and satisfying retirement.

    (Applause)

    MAYOR SCARPELLI: All right, Ann Marie. You ready?

    (Pause)

    COMMISSIONER PETRACCO: Phil. Phil. Would you like to say a few words?

    MR. NICOLETTE: Al has asked me to say a few words. What I'd really like to say is thank you to everyone. Thank you for a career and to the department for being here. Donnie, you and I go back a long way, one of my men at Engine 3. Paul, the shift in the back, I see Teddy Capalbo, another one of my men. I
see on the other side, the Spaguolos. And thank you all. It wasn't easy, and I don't think it's going to be easy retiring, but if anybody needs any help, I'm there. Thank you all for all your kind words.

MAYOR SCARPELLI: Thank you, Phil.

Commissioner Tucci.

COMMISSIONER TUCCI: Yes, thank you, Mayor.

Well, once again this year I have the pleasure of sponsoring and introducing the resolution on behalf of the Board of Commissioners to our dignitaries for this year's Saint Patrick's Day Parade. For those of you who attended the Grand Marshal Dinner on February 8th at the Brownstone, once again, it was an outstanding event. I believe it was sold out again. It was standing room only, and before I read this, I just want to congratulate the President of the Nutley Irish, Tom McEnery, the Vice-President, Karen O'Connor, if she's here. All of the other officers -- oh, right, she's here? Okay. All right. All of our trustees, because once again, you've done an outstanding job in selecting the best of the best, and every year we pretty much say the same thing, we think we have the best dignitaries ever, until the next year comes along, and then this group trumps the previous group. So they're all quality groups, but outstanding job, and
please continue what -- doing what you do for our township.

Whereas, on Saturday, March 7th, 2020, the Nutley Irish-American Association will hold its 42nd Annual Saint Patrick's Day Parade to celebrate the legend and the spirit of Saint Patrick through a fun, good old-fashioned parade, and to promote an atmosphere of benevolence, friendship, and community spirit; and

Whereas, the Saint Patrick's Day Parade honors the cultural traditions of the Irish but also the historic American commitment to embrace the multi-faceted traditions of all immigrant people who have come to our shores; and

Whereas, the Nutley Irish-American Association celebrated its Annual Saint Patrick's Day Parade Grand Marshal Dinner on Saturday, February 8th, 2020 at the Brownstone in Patterson; and

Whereas, this year's Grand Marshal is the outstanding and exemplary former Chief Judge in the Township of Belleville, my good friend, Karen Smith. Our Deputy Grand Marshal, another great friend, Brian Blum; our Parade Queen, Erin Baker. Our Member of the Year, Dan Kane; and our own Police Officer of the Year, Bob McDermott.
Now therefore be it resolved that the Board of Commissioners of the Township of Nutley in the County of Essex in the State of New Jersey join with the citizens of Nutley to salute and congratulate the Grand Marshal and all of the other dignitaries as they are all honored here this evening. I move the resolution.

COMMISSIONER EVANS: Second.

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, go ahead, well, you went last, so you can --

MAYOR SCARPELLI: I'll let you start this time.

COMMISSIONER EVANS: I just want to offer my congratulations to everyone. I'm looking forward to the parade. I'll echo Mauro's comments about it's a great cast of leadership, leaders, and honorees this year. So congratulations again to the Nutley Irish for all that you do, and to all of the honorees.
MAYOR SCARPELLI: Commissioner?

COMMISSIONER PETRACCO: I'd just like to say that the Saint Patrick's Day Parade, the dinners, it's unbelievable how much fun I always have at them. I'm thinking I'm going to have to start bringing my wife to them so I stay married after them, but you guys do an unbelievable job. It's always so much fun. Everybody that's receiving, you know, an award, it's always well deserved. You guys pick out the best people, really, and I'm just happy to be up here and happy to be part of it, to recognize you guys. Great job, God bless you.

MAYOR SCARPELLI: Thank you, Commissioner. Honorees, Judge Smith, Brian, Erin, who I -- Erin's mom and I went from Lincoln School all the way through school together, and Dan and Bob, congratulations. I look forward to the parade and the good job that the Nutley Irish do with the parade in a couple weeks, and I'm sure we'll have a good time. We'll have good weather. Hopefully, it doesn't snow like last year. So hopefully everything's in good shape. So congratulations to all, and let's look forward to a great parade.

(Applause)

MAYOR SCARPELLI: Anybody want to come up and
say a couple words before we take a picture?

COMMISSIONER TUCCI: Judge, would you like to start it off?

MAYOR SCARPELLI: No, Tom's coming.

COMMISSIONER TUCCI: Oh, Tom's coming. Oh.

Sorry, Mr. President.

MR. MCENERY: Tom McEnery for the Nutley Irish. I'm just here to say thank you, gentlemen, for the outstanding support you give us every year. We've been doing this 42 years. We must be doing something right. We represent Nutley throughout the whole state, we have parades every weekend, activities every weekend, and people really come up to us and say what a beautiful town it is, and that wouldn't be if it wasn't for you, you know, the commissioners right here. And the thing is about the Nutley Saint Patrick's Day, it's a family event. Other places we go, and I'm not putting them down, it's a big party. We start that with our Mass, which, you're all invited, ten o'clock, Saint Mary's, the day of the parade. It's a beautiful Mass. That's how we start our day. The after festivities is great too, but like I said, we represent the Town of Nutley, and you are our leaders, and we really appreciate it, because other towns aren't like this. We -- they don't get the support like we do, and
I really want to thank you very much for everything you do for us. Thank you. And I'm going to introduce our Grand Marshal, the Honorable Karen Smith.

MS. SMITH: I'd like to thank you all very much, and I'd like to speak on behalf of all the dignitaries, since only one of us flipped a coin. And in case you were wondering, you should have seen the Englishman.

We are truly grateful for the opportunity, and for all you do to make the parade a success. Years as a spectator, I got to see your law enforcement, wonderful people, your sanitation troops, everybody that supported the parade. But this year, I got to see all the other things that you commissioners have done. Most importantly, your participation. Your showing up and your being there, and all your well wishes. So we really want to thank you for all you do.

And too, I'm sure you already know, but this is a really important occasion. I thought it was a big deal when I retired and I could say how honored I was to have served Belleville and Nutley for so many decades, but I've got to tell you, this is a whole different honor, because, on behalf of all the dignitaries, we get to include our extended families, and it's very important that we get to celebrate and
honor our treasured heritage. I'm first generation, my
dad was born in Ireland, so we really do make a big
deal of it, and in my family, they'll all be showing up
here in Nutley from -- and marching, from age 1 to 90.
And in case it was a question, I'm not the 90-year-old
one.

But my entire family will be here. We thank
you for your support, and I know all the dignitaries
thank you for the support you've given as well, and
we'll see you all there. Thank you.

MAYOR SCARPELLI: Thank you, Karen.

COMMISSIONER TUCCI: Would all the
dignitaries please come forward for a photo?

(Pause)

MAYOR SCARPELLI: Give you guys a couple
seconds to clear out, unless you want to stay and
observe.

COMMISSIONER PETRACCO: Yeah, they got to go.

COMMISSIONER TUCCI: All right.

MAYOR SCARPELLI: All right, Madam Clerk.

THE CLERK: Thank you. Would you like to
continue with the minutes, or --

MAYOR SCARPELLI: Minutes.

THE CLERK: Minutes. We have regular meeting
minutes for January 14th of 2020.
COMMISSIONER EVANS: Move it.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?


THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: Executive session minutes for January 2nd, 2020, sessions 1 and 2, January 14th of 2020, sessions 1 and 2, and February 4th, 2020, sessions 1 and 2.

COMMISSIONER EVANS: Move it.

COMMISSIONER TUCCI: Second.

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. Correspondence?

THE CLERK: Thank you. Communications.
Sanford Fleitell for Commissioner has submitted an application for a social affair permit for a political fundraiser event to be held on Saturday, March 15th, from 3 p.m. to 5 p.m. at the Knights of Columbus Hall in Nutley. The Nutley High School Hockey Booster Club has submitted an event application for their Father's Day Fair to be held on Sunday, June 21st, from 7 a.m. to 7 p.m. on Franklin Avenue between Center Street and Chestnut Street.

The Nutley Family Service Bureau has submitted an application for a social affair permit for the Night at the Races event to be held on Saturday, April 18th, from 7 p.m. to 11 p.m. at the Starlight Dance Center. The Nutley Irish-American Alliance has submitted an application for a social affair permit for their Saint Patrick's Day Parade Afterparty to be held on Saturday, March 7th, from 2 p.m. to 7 p.m. at 44 Park Avenue. The Nutley/Belleville Columbus Day and Italian Heritage Month Parade Committee has submitted a letter requesting permission to hold a raffle on Sunday, March 29th from 2 p.m. to 6 p.m. at 44 Park Avenue, and the Nutley High School PTO has submitted a letter requesting permission to hold a raffle on Sunday, April 26th, from 1 p.m. to 5 p.m. at Saint Mary's Church. And that's it for communications.
COMMISSIONER EVANS: Do you need a vote?

THE CLERK: I need a motion.

COMMISSIONER EVANS: Motion on all six.

COMMISSIONER TUCCI: Second.

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 --

MAYOR SCARPELLI: Let's move to reports.

Commissioner Tucci?

COMMISSIONER TUCCI: Yes, thank you Mayor. I have a Shade Tree Report for the month of January, 2020, for the Department of Parks and Public Property.

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Petracco?

COMMISSIONER PETRACCO: Yes, I have a Public Safety report for the police, fireman commissioner report an (indiscernible).

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Evans?
COMMISSIONER EVANS: Yes, I have a Code Enforcement monthly report for January for the Code Enforcement Department as part of Revenue and Finance.

MAYOR SCARPELLI: Thank you, Commissioner.

Bills, Madam Clerk?

THE CLERK: Thank you, Mayor. Bill list for February 18th, 2020. Public Affairs, $105,564.55; Revenue and Finance, $2,695,590.44; Public Safety, $169,963.38; Public Works, $108,441.37; Parks and Public Property, $298,770.32; Water Utility, $23,254.28, for a total of $3,401,584.34. Payroll for February 7th, 2020, is $825,187.70. Total Payroll is $871,763.96, for a grand total of $4,273,348.30.

COMMISSIONER EVANS: Move the bills.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli.

MAYOR SCARPELLI: Aye.

THE CLERK: And that's it for bills.

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

THE CLERK: Thank you, Mayor. All persons addressing the Board of Commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the board, each person shall limit their address to three minutes. All remarks to the board and its individual members must be addressed to the mayor. The mayor may defer citizens' comments to the appropriate member of the board. Dialogue between citizens and others addressing the board shall be allowed unless the mayor or presiding officer or the majority of the membership of the board shall determine that the interests of the quorum and/or the expeditious conduct of municipal business are being adversely affected by such dialogue.

MAYOR SCARPELLI: Does anybody wish to address the Board of Commissioners on agenda items only? Come on up. You have to come up to the microphone.

UNIDENTIFIED: I've never done this before, so I don't know if I'm supposed to be up here now or not.

MAYOR SCARPELLI: Is it on the agenda, an item on our agenda?
UNIDENTIFIED: No.

MAYOR SCARPELLI: Okay. There'll be time at
the end of the meeting.

UNIDENTIFIED: Okay. Thank you.

MAYOR SCARPELLI: Thank you. Seeing none,
let's move to Board of Commissioner announcements.
Commissioners?

COMMISSIONER EVANS: Just one quick one.
March 27th, the DMV Mobile Unit will be back down on
Park Avenue, and again they'll be there for license
renewal, car inspections, license plate redemptions,
including the new required license, the validated
federal license. They'll be able to do that as well.
So they'll be there from 10:00 to 2:00, back on
Park Avenue, and we'll say more about it as it gets
closer, but it's just an early reminder.

MAYOR SCARPELLI: Commissioner?

COMMISSIONER PETRACCO: I just wanted to
recognize, and I'm sure you guys would like to jump in
and maybe have a moment of silence for our good friend
in Belleville, Kevin Kennedy passed away last week,
unfortunately, kind of suddenly, too. Kevin was a
councilman in Belleville for a bunch of years, right,
Mauro? And I have to tell you --

COMMISSIONER TUCCI: For many years, on and
Public Session

off.

MR. GENITEMPO: Twenty.

COMMISSIONER TUCCI: Yeah. Twenty.

COMMISSIONER PETRACCO: Yeah. And you never had to guess where Kevin was, because how he felt, he was sure to tell everybody. But with that being said, what a wonderful man. I got to know him on a personal basis, and as rough as he was on the inside, he was so soft on the inside, and really, really, really cared about the Township of Belleville, and I have to say Belleville was lucky to have him all those years, so I know, Mauro, you worked with him, and before we have a moment of silence for him, if you'd like to say a few words.

COMMISSIONER TUCCI: Yeah. Kevin was quite the character. He was very animated. But as Al said, he had a heart of gold. He would go out of his way to help you, and he would -- he did many things, gave out turkeys --

COMMISSIONER PETRACCO: Yes.

COMMISSIONER TUCCI: -- at Thanksgiving, made sure children always had a Christmas present under their tree if there was a needy family in the township, or surrounding townships I'm sure over the years, he also helped people here in Nutley. Kevin was always
there. As Al said, it was a -- it was a very sudden, unexpected death, but he will be missed. He's -- I'm sure he's up there looking down on all of us and wishing us all well, and in his own way still helping everyone.

COMMISSIONER PETRACCO: Yes. Well said.

MAYOR SCARPELLI: Moment of silence.

(Pause)

COMMISSIONER PETRACCO: Thank you.

MAYOR SCARPELLI: Commissioner Petracco, ordinance introductions?

COMMISSIONER PETRACCO: Yes, I have Ordinance Number 343, an ordinance to amend an ordinance codified in the code of the Township of Nutley, Chapter 228, entitled Vehicles and Traffic, particularly Article 7, Special Zones and Areas, Section 29A entitled Handicapped Parking, to add the location set forth thereon. I move that this ordinance be passed to a 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 -- it looks like March --

THE CLERK: Seventeenth.

I move the ordinance.

MAYOR SCARPELLI: Second.

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: Thank you.

MAYOR SCARPELLI: Thank you, Commissioner. I have Ordinance Number 3439, an ordinance to amend an ordinance codified in the code of the Township of Nutley, Chapter 349, entitled Flood Damage Prevention. I move that this ordinance be passed to a 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 March 17th, 2020. I move the ordinance.

COMMISSIONER TUCCI: Second.

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. Let's move to resolutions. Commissioner Tucci?

COMMISSIONER TUCCI: Yes, thank you Mayor.

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

Whereas, the Township of Nutley, through the Department of Parks and Public Property, has a need to acquire specialized professional services for preliminary assessment of DeMuro Park; and

Whereas, the anticipated term of this contract is for 12 months from the date of contract award; and

Whereas, Viridian Environmental Consultants, P.O. Box 3009, Upper Montclair, New Jersey, has submitted a proposal indicating they will provide such services for a sum not to exceed $12,000; and

Whereas, Viridian Environmental Consultants has completed and submitted a business entity disclosure certification, which certifies that said
Corporation has not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit Viridian Environmental Consultants from making any reportable contributions through the term of the contract; and

Whereas, funds are available from Account G-04-154-403, in the amount of $12,000, and was certified by the Chief Financial Officer, said certification being attached to this resolution.

Now therefore be it resolved that the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey, enter into a contract with Viridian Environmental Consultants as described herein, and be it further resolved that the business disclosure entity certification and the determination of value will be placed on file with this resolution, and be it further resolved that a notice of this action shall be printed once in the Nutley Sun, in accordance with local public contracts law. I move the resolution.

COMMISSIONER EVANS: Second.

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 TUCCI: That's all I have, Mayor.

MAYOR SCARPELLI: Thank you, Commissioner.

Commissioner Petracco?

COMMISSIONER PETRACCO: Whereas, the Township of Nutley Department of Public Safety has need to acquire the services of labor counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

Whereas, the Director of Public Safety has determined and certified in writing that the value of the acquisition will exceed $17,500; and

Whereas, the anticipated term of this contract is January 1st, 2020 through December 31st, 2020, and may be extended as approved by the governing body; and

Whereas, the Law Offices of Scarinci and Hollenbeck, LLC, 1100 Valley Brook Avenue, Lyndhurst, New Jersey, has submitted a proposal indicating they provided labor counsel at the rate of $150 per hour;
and

Whereas, the firm of Scarinci and Hollenbeck has completed a business entity disclosure certification, which certifies that the firm has not made any reportable contributions to political candidate's committee in the Township of Nutley in the previous one year, and that the contract will prohibit the firm of Scarinci and Hollenbeck from making any reportable contributions through the term of the contract; and

Whereas, funds are available from account 0-01-012-205, not to be -- not to exceed $50,000, will be appropriated in the 2020 budget, and have been certified by the Chief Financial Officer, said certification being and attached to this resolution;

Now therefore be it resolved that the Board of Commissioners of the Township of Nutley authorizes a contract with the firm Scarinci and Hollenbeck as described hereon, and be it further resolved by the business -- that the business disclosure entity certification and determination of value be placed on file with this resolution.

Be it further resolved that the notice of this action shall be printed in the Nutley Sun in accordance with the local public contract law. I move
the resolution.

MAYOR SCARPELLI: Second.

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, the Township of Nutley determined that property described on Schedule A attached hereto and incorporated hereon has been abandoned by its owners and the title is junk cleared through the Division of Motor Vehicles; and

Whereas, the town -- the towing contract between the Township of Nutley and Nicolette Towing authorizes sale of abandoned vehicles left on their premises by the owners; and

Whereas, the Township of Nutley intends to utilize the facilities of Nicolette Towing, 177 Passaic Avenue, Belleville, New Jersey, for an auction on Tuesday, March 10th, 2020, at 10 a.m.; and

Whereas, the sales are being conducted pursuant to the Division of Motor Vehicle N.J.S.A.
39-10A-1 through 39-10A-7 laws;

And 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 is hereby
authorized to sell abandoned personal properties,
vehicles, as indicated in the Schedule A at a live
auction. I move the resolution.

MAYOR SCARPELLI: Second.

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, the Township
of Nutley has determined that property described on
Schedule A attached hereto, incorporated hereon, as
abandoned by its owners, as titled as junk cleared
through the Division of Motor Vehicles; and

Whereas, the towing contract between the
Township of Nutley and Twin Towing authorizes the sale
of abandoned vehicles left on their premises by the
owners; and
Whereas, the Township of Nutley intends to utilize the facilities of Twin Towing, 35 Mill Street, Belleville, New Jersey, auction on Tuesday, March 10th, 2020, at 2 p.m.; and

Whereas, the sales are being conducted pursuant to the Division of Motor Vehicle N.J.S.A. 39:10A through 39:10A-7 laws;

And 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 is hereby authorized to sell abandoned personal property vehicles as indicated in Schedule A at a live auction. I move the resolution.

MAYOR SCARPELLI: Second.

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, thank you.

MAYOR SCARPELLI: Thank you, Commissioner.
Public Session

Whereas, raffle applications have been received from the following organizations:

Nutley/Belleville Columbus Day Parade Committee, License Number 9-20, on-premise merchandise raffle, and License Number 10-20, on-premise 50/50 cash raffle, to be held Friday, March 29th, 2020;

Nutley Music Booster Associations, License Number 11-20, on-premise merchandise raffle, License Number 12-20, on-premise 50/50 cash raffle, to be held on Saturday, March 14th;

Rotary Club of Nutley, License Number 13-30, on-premise 50/50 cash raffle, and License Number 14-20, on-premise merchandise raffle, to be held on Saturday, April 4th, 2020;

PTO of Nutley High School, License Number 15-20, on-premise merchandise raffle, License Number 16-20, 50/50 cash raffle, and License Number 17-20, bingo, all to be held on Sunday, April 26th, 2020;

Nutley Family Service Bureau, License Number 18-20, on-premise 50/50 cash raffle, License Number 19-20, on-premise merchandise raffle, and License Number 20-20, Night at the Races, all to be held on Saturday, April 18th, 2020. I move the resolution.

COMMISSIONER TUCCI: Second.

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 has the need to retain the services of a consultant who specializes in matters related to government relations, and support primarily related to ongoing redevelopments at the Hoffman/LaRoche site as a non-fair and non-open contract pursuant to N.J.S.A. 19:44A-20.5; and

Whereas, the Board of Commissioners has determined that Mercury, LLC, located at 1 Elm Street, Suite 2, Westfield, New Jersey, is best suited to provide these services to the Township of Nutley. Now therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Mayor is hereby authorized to enter into a contract with Mercury, LLC, as a professional service;

Be it further resolved that a copy of this resolution, as well as the contract, shall be placed on file with the Clerk of the Township of Nutley, and a
notice in accordance with the local public contracts
law of New Jersey in the form attached hereto shall be
published in the Nutley Sun. I move the resolution.

COMMISSIONER TUCCI: Second.

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. Be it resolved by the
Board of Commissioners of the Township of Nutley,
County of Essex, New Jersey, that in accordance with
the provisions of R.S. 40:A4-59, the following
transfers of 2019 appropriation reserves be and the
same are hereby authorized and approved:

From Water Operations, salary and wage,
$17,000; Water Operation, Other Expenses, $2,000; Water
Operations Salary and Wage, $45,000; Water Operations
Other Expenses, $15,000; North Jersey Water, $3,000;
City of Newark, $6,000; P.E.R.S., $3,000; Social
Security, $5,000; to Passaic Valley Water, $96,000; and
from Road Repair Salary and Wage, $25,000; Road Repair,
Other Expenses, $50,000; Street Lighting, $50,000; and
Unemployment -- Unemployment Insurance, $75,000; to Parking Lot Other Expenses, $200,000; for a total amount of $296,000. I move the resolution.

COMMISSIONER TUCCI: Second.

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. Resolution Number 51-20, a resolution supporting a preliminary preferred alternative for the replacement of the Bergen County, Essex County, Kingsland Avenue De Jessa Memorial Bridge over the Passaic River, and improvements to the approach roadway intersections in the Township of Lyndhurst and the Township of Nutley, New Jersey. I move the resolution.

COMMISSIONER TUCCI: Second.

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 of municipal business, are being adversely affected by such dialogue.

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

THE CLERK: Pull that -- pull that closer.

MS. BEADLE: Good evening. Suzanne Beadle, 571 Passaic Avenue. I'm here this evening on behalf of the Nutley Community Preservation Partnership. I was
their former past president. We were active in the community for a number of years with the idea that we had volunteers advocating for the preservation of the historic properties in town, the passage of the Community Historic Preservation Act, and contributing volunteer time in beautification projects, such as the planters downtown. We also did the plantings at Lambert Square, and although we are no longer active, we have one last gesture that we'd like to have with the township before we formally dissolve the organization. And that regards -- that is regarding Lambert Square.

Lambert Square is dedicated to William A. Lambert, who was the architect and builder who built over 500 towns -- 500 houses in this township, and Nutley looks like Nutley because of William A. Lambert, and we spent a lot of time and effort building his legacy, and one way that we can continue the legacy is to dedicate Lambert Square in his name. And we hope that the Township and the Mayor and the Board of Commissioners will join us on April 25th at Lambert Square for a dedication, and at the Nutley Museum for a talk and a reception.

But we also would like the Mayor and the Board of Commissioners to declare April 25th, 2020, as
Lambert Day. Thank you.

MAYOR SCARPELLI: Thank you, Sue -- Suzanne.

I think we all recognize the importance of William Lambert to the planning of Nutley, the architecture of Nutley. Probably he -- you know, taking advantage of the rail yard into the city, and marketing the town, he's probably had the single biggest influence on what we became from the early 1900s to today. So we'll take your recommendation, and we'll talk about it at -- among the board, and we'll go from there.

MS. BEADLE: Thank you.

MAYOR SCARPELLI: Thank you. And thank you for your work through the years.

Just state your name and your address.

MS. SIDWELL: Can you --

COMMISSIONER EVANS: There you go.

MS. SIDWELL: I'm Julie Sidwell, I live at 219 Whitford Avenue. I wanted to talk to everybody about the -- I'm probably not pronouncing it properly, but the Frank Cocchiola playground?

COMMISSIONER EVANS: Cocchiola.

THE CLERK: Yeah.

MS. SIDWELL: The new green -- let me call it the green playground. For me and my kids.

MAYOR SCARPELLI: The playground off of
Center Street. Is that the one you're talking about?

MS. SIDWELL: Right by the diner, the big one that was just --

MAYOR SCARPELLI: Thank you.

MS. SIDWELL: -- renovated last year.

MAYOR SCARPELLI: Okay.

MS. SIDWELL: Or the last year. It's a really nice playground, we were excited when it opened. I have been thinking for months and months I want to get here and talk to somebody, because I think that there is an accident waiting to happen there. There's a serious issue. If you look at the two different -- there's two main structures at the playground. There's a smaller one and there's a larger one, and the larger one is pretty high off of the ground, and on both sides, there are two pretty steep slides that come down.

Right behind those slides, if the slide comes here, I'm telling you, no further than where I stand right here, is an eight-foot drop with nothing to block anybody from falling, and when kids go up there, it doesn't matter what the age requirement is. It might say, to five to 12-year-olds, but God knows, every time I've been out there, there are 3-year-olds, and I know that the little kids from the Community School right
here go down to the playground during the day, and I
don't know what an eight-foot drop would do to
somebody, but I'm pretty sure if they fell the wrong
way they could seriously have some brain trauma, and
it's scary. I've got some pictures. I wanted to show
them to you, if that's okay? So --

MAYOR SCARPELLI: So --

MS. SIDWELL: Yeah.

MAYOR SCARPELLI: -- Commissioner Tucci can
address this, but that's a county park, it's not our
park.

MS. SIDWELL: I know it is. I know it is.

MAYOR SCARPELLI: Yeah. Commissioner?

MS. SIDWELL: But I --

COMMISSIONER TUCCI: Yes. Well, thank you
for bringing that to our attention. Even though it is
a county park, we will be in touch with the county
parks department, and we will advise them, and if need
be, we will deliver these photos to them, because the
last thing in the world that any of us want, all right,
is for a child or anyone to get hurt there.

MS. SIDWELL: (Indiscernible) especially when
(indiscernible).

THE CLERK: She's got to get near the
microphone so we can hear it. I'm sorry. Only because
we can't hear you.

MS. SIDWELL: When I think about the kids, like as a parent, I have to be right -- I mean like right there, waiting for the kids to turn around and make a wrong move, but when I think about the little kids coming from the Community School, there's maybe one or two teachers there watching those kids, maybe there's three teachers. It's not enough to man all of them. So I just want to show you guys. I took --

MAYOR SCARPELLI: Could --

MS. SIDWELL: -- pictures of both sides --

MAYOR SCARPELLI: -- could you give those to the Clerk, and then she --

MS. SIDWELL: Yeah, I'm happy to.

MAYOR SCARPELLI: -- she can bring --

MS. SIDWELL: I just want to show you, this one goes to this side, and the other one goes to the other side, and just make sure you're looking at them the right way up.

MAYOR SCARPELLI: Just give them to Commissioner Tucci.

COMMISSIONER TUCCI: Thank you.

MS. SIDWELL: It's right -- you know -- it's right there. And, you know, kids get up there, and they're -- whether they're pushing, playing, not paying
attention, they're kids. Something is going to happen.
And I'm concerned because I know it's a county park,
and I don't know, you know, how that goes, and I don't
know how to get involved with anything like that, but
what I'm hoping is that it doesn't become a big
runaround where we can't solve the problem. It's
something that needs to be replaced.

MAYOR SCARPELLI: I'm sure Commissioner Tucci
will take care of it --

MS. SIDWELL: Okay.

MAYOR SCARPELLI: -- with the county.

MS. SIDWELL: Thank you.

COMMISSIONER TUCCI: Yes. And typically, the
county does in fact respond to us very well. We have a
good working relationship with them. I'm sure it's
something that, for whatever reason, they're not aware
of. All right? But we will bring it to their
attention. Frank DiMaio, who's sitting in the front
pew here this evening, and I will be there tomorrow
morning to go take another look first.

MS. SIDWELL: Okay.

COMMISSIONER TUCCI: And -- all right, so we
can speak from a position of authority. And thank you
for the pictures --

MS. SIDWELL: My pleasure.
COMMISSIONER TUCCI: -- and we will send them on to them.

MS. SIDWELL: Great. When could I, you know, just sort of, would I come back to another meeting, or just --

COMMISSIONER TUCCI: If you'll just give your information to Frank --

MS. SIDWELL: Uh-huh.

COMMISSIONER TUCCI: -- we'll be happy to keep you in the loop. You're always welcome to come back to the meeting --

MS. SIDWELL: Okay.

COMMISSIONER TUCCI: -- or we can call you as soon as we speak to the county, but hopefully we'll get some resolution to this problem.

MS. SIDWELL: Okay. Thank you so much.

MAYOR SCARPELLI: Thank you.

THE CLERK: Thank you.

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

COMMISSIONER PETRACCO: Move to adjourn.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci.

COMMISSIONER TUCCI: Aye.
Public Session

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 8:41.
MAYOR SCARPELLI: Good night, everybody.

(End of recording)

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CERTIFICATION

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.

_____________________________ March 6, 2020
Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist