

In The Matter Of:

In RE: Nutley Board of Commissioners

Transcript of Proceedings

March 3, 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: March 3, 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

(Recording begins)

1 MAYOR SCARPELLI: Madam Clerk?

2 THE CLERK: Thank you, Mayor. You ready?
3 Board of Commissioners Public Meeting Tuesday,
4 March 3rd, 2020. The time is now 7:05. Pursuant to
5 the requirement of the Open Public Meeting Act,
6 Chapter 231, Public Law 1975, notice of this meeting
7 was published in the November 28th, 2019 issue of the
8 Nutley Sun, the Herald News, and the Star Ledger. A
9 copy of this notice has been posted on the Nutley Town
10 Hall bulletin board, and a copy is on file in the
11 Municipal Clerk's office. Commissioner Rogers is
12 absent, excused.

13 Commissioner Tucci?

14 COMMISSIONER TUCCI: Here.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Here.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Here.

19 THE CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Here.

21 THE CLERK: All present, Mayor, except for
22 Commissioner Rogers. He's absent, excused.

23 MAYOR SCARPELLI: Commissioner Petracco, what
24 do you have on the agenda tonight?

25 COMMISSIONER PETRACCO: I have a public

1 hearing for that peddler's ordinance, and then I have a
2 insertion to the budget. This is for the Safe and
3 Security grant. That's all I have.

4 COMMISSIONER TUCCI: I just have one
5 question, Al. That 167 match, that's part of your
6 budgeted money, or is that over and above?

7 COMMISSIONER PETRACCO: I'd have -- I think
8 that's over and above. I'm just looking at the whole
9 267.

10 COMMISSIONER TUCCI: I don't think so. I --

11 COMMISSIONER PETRACCO: Do we -- is that --
12 something -- is that a -- do we match that?

13 COMMISSIONER EVANS: Yeah, you have to, yes.

14 COMMISSIONER PETRACCO: Right?

15 COMMISSIONER TUCCI: Yeah. Typically, it's
16 part of your existing budget.

17 UNIDENTIFIED: It is on the budget -- it was
18 on the budget worksheet.

19 COMMISSIONER TUCCI: I asked the question not
20 because of the Public Safety department --

21 COMMISSIONER PETRACCO: Right.

22 COMMISSIONER TUCCI: -- but I know sometimes
23 the funding sources get a little tricky.

24 COMMISSIONER PETRACCO: Down there?

25 COMMISSIONER TUCCI: Oh, yeah. So this is

1 part of the existing budget. Okay. Great, thank you.

2 MAYOR SCARPELLI: Commissioner Evans?

3 COMMISSIONER EVANS: We have a budget
4 workshop meeting on Friday morning at 9.

5 COMMISSIONER TUCCI: I know, crack of dawn,
6 uh-huh.

7 COMMISSIONER PETRACCO: We have a budget workshop
8 meeting when?

9 COMMISSIONER EVANS: Friday at 9.

10 COMMISSIONER PETRACCO: Really.

11 COMMISSIONER EVANS: Uh-huh.

12 UNIDENTIFIED: Are you guys --

13 COMMISSIONER TUCCI: -- be on my side.

14 MAYOR SCARPELLI: We agreed to that last
15 week.

16 COMMISSIONER PETRACCO: Was I here? Was I involved?

17 COMMISSIONER TUCCI: You didn't have your
18 hearing aid in, buddy?

19 COMMISSIONER PETRACCO: No, nine o'clock? You're
20 Okay with 9?

21 COMMISSIONER TUCCI: No, but I'll be here.
22 Around there. I'm going last.

23 COMMISSIONER EVANS: We'll bring coffee, all
24 right?

25 COMMISSIONER TUCCI: I'll bring intravenous.

1 Sorry, Mayor.

2 MAYOR SCARPELLI: That's all right.

3 Commissioner Evans?

4 COMMISSIONER EVANS: I have just one
5 resolution for water waste management, our purchase and
6 cooperative pricing system. That's all I have.

7 MAYOR SCARPELLI: Commissioner Rogers has one
8 approval for grant applications for the Nutley Health
9 and Homeless Community Needs Assessment, for 20 grand.
10 Commissioner Tucci?

11 COMMISSIONER TUCCI: I have a Shade Tree
12 Report for the month of February. Oh, you guys are a
13 little slow this month? No other reports?

14 MAYOR SCARPELLI: No other reports.

15 COMMISSIONER TUCCI: I'm just checking.
16 Okay. And I have --

17 COMMISSIONER EVANS: Or one could view it as
18 somebody's behind and catching up.

19 UNIDENTIFIED: Negative. It's March.

20 COMMISSIONER TUCCI: Negative. It's only
21 March. March 3rd, buddy. Okay.

22 COMMISSIONER EVANS: I said one could view it
23 that way.

24 COMMISSIONER TUCCI: And one resolution, a
25 refund of a tree permit at 28 Colonial Terrace. Nobody

1 escapes those. That's all I have.

2 MAYOR SCARPELLI: Thank you, Commissioner. I
3 have a contract award with the New Brunswick Parking
4 Authority Cooperative Pricing System to purchase meters
5 for the -- on the avenue, not to exceed \$248,007.50.
6 And that's --

7 COMMISSIONER EVANS: Is that all of Franklin
8 Avenue?

9 MAYOR SCARPELLI: That's all of Franklin
10 Avenue and the other --

11 COMMISSIONER EVANS: What about Centre
12 Street? The ones on Centre?

13 MAYOR SCARPELLI: That's all of them. All of
14 them.

15 COMMISSIONER EVANS: All that? The whole
16 business --

17 MAYOR SCARPELLI: The whole business --
18 every --

19 COMMISSIONER EVANS: Cool.

20 MAYOR SCARPELLI: -- all the business
21 districts.

22 COMMISSIONER EVANS: Cool.

23 MAYOR SCARPELLI: Three hundred --
24 approximately 300 meters.

25 COMMISSIONER EVANS: And it'll take credit

1 cards?

2 MAYOR SCARPELLI: It'll take credit cards.
3 As long as everything works as it's supposed to.
4 There'll be a slot for the credit cards.

5 COMMISSIONER EVANS: Better answer.

6 MAYOR SCARPELLI: Yeah. Madam Clerk, what do
7 you have?

8 THE CLERK: Thank you, Mayor. We have
9 minutes for approval for February 4th, and also the
10 Nutley Elks Lodge has submitted an application for a
11 social affair permit for a Wild Game Charity Dinner for
12 March 28th. And that's it.

13 MAYOR SCARPELLI: Counselor?

14 MR. GENITEMPO: I have two executive matters,
15 brief ones. One of them's potential litigation and
16 other contract negotiations.

17 MAYOR SCARPELLI: And we have one after?

18 MR. GENITEMPO: Just -- yeah, they'll be
19 here. Topology will be here.

20 MAYOR SCARPELLI: And that is on?

21 MR. GENITEMPO: Pardon?

22 MAYOR SCARPELLI: What will that be on?

23 MR. GENITEMPO: Topology? They're going to
24 update us on the results of their --

25 MAYOR SCARPELLI: What's the reason to go

1 into executive?

2 MR. GENITEMPO: Oh, for them? Oh, potential
3 contract negotiation also.

4 MAYOR SCARPELLI: Okay. All right. So
5 everybody, I need a motion --

6 MR. GENITEMPO: I'm sorry, I didn't get what
7 you were asking.

8 MAYOR SCARPELLI: I'm sorry, I was -- I
9 probably didn't explain --

10 MR. GENITEMPO: I'm off today, I'm not --

11 MAYOR SCARPELLI: -- myself well.

12 COMMISSIONER TUCCI: So moved.

13 MAYOR SCARPELLI: Motion to go into executive
14 for --

15 COMMISSIONER PETRACCO: Second.

16 MR. GENITEMPO: Contract and potential -- and
17 the potential litigation.

18 COMMISSIONER TUCCI: All right, so moved
19 again.

20 THE CLERK: Okay. Whereas --

21 COMMISSIONER PETRACCO: Second.

22 THE CLERK: -- Section 8 of the Open Public
23 Meeting Act, Chapter 231, Public Law 1975, permits the
24 exclusion of the public from meeting in certain
25 circumstances; and

1 Whereas the public body is of the opinion
2 that such circumstances exist; and

3 Whereas, the Board of Commissioners of the
4 Township of Nutley in the County of Essex in the State
5 of New Jersey desires to proceed to closed executive
6 session.

7 And now therefore be it resolved by the Board
8 of Commissioners of the Township of Nutley to move into
9 a closed executive session to discuss potential
10 litigation and potential negotiations; and

11 Be it further resolved that the time when
12 such discussion may be disclosed to the public shall be
13 when that such disclosure may be made without adversely
14 affecting the Township of Nutley, pending and/or
15 anticipated legal, personnel, or contractual matters,
16 and other matters within the exceptions that are
17 provided for by statute.

18 Commissioner Tucci? Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Mayor Scarpelli.

25 MAYOR SCARPELLI: Aye.

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THE CLERK: The time is 7:11.

(End of recording)

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

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

March 12, 2020

Alicia Jarrett

AAERT Cert. No. 428

Certified Court Transcriptionist

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*** PUBLIC SESSION ***

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1 (Recording begins)

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

4 (Pledge of Allegiance)

5 MAYOR SCARPELLI: Madam Clerk?

6 THE CLERK: Thank you, Mayor. Board of
7 Commissioners Public Meeting Tuesday, March 3rd, 2020.
8 The time is now 8:05. Pursuant to the requirement of
9 the Open Public Meeting Act, Chapter 231, Public
10 Law 1975, notice of this meeting was published in the
11 November 28th, 2019 issues of the Nutley Sun, the
12 Herald News, and the Star Ledger. A copy of this
13 notice has been posted on the Nutley Town Hall bulletin
14 board, and a copy is on file in the Municipal Clerk's
15 office. Commissioner Rogers is absent, excused.

16 Commissioner Tucci?

17 COMMISSIONER TUCCI: Here.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Here.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Here.

22 THE CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Here.

24 THE CLERK: All present, Mayor, except for
25 Commissioner Rogers. He's absent, excused, this

1 evening.

2 MAYOR SCARPELLI: Minutes, Madam Clerk?

3 THE CLERK: We have minutes for February 4th,
4 2020. I need a motion, please.

5 COMMISSIONER TUCCI: Move it.

6 COMMISSIONER PETRACCO: Second.

7 THE CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 THE CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye. Reports?

15 Commissioner Tucci?

16 COMMISSIONER TUCCI: Yes. I have a Shade
17 Tree Report for the month of February.

18 MAYOR SCARPELLI: Thank you, Commissioner.

19 Bills, Madam Clerk?

20 THE CLERK: Yes, Mayor. Bill list for
21 March 3rd, 2020. Public Affairs, \$72,719.16; Revenue
22 and Finance, \$2,685,883.94; Public Safety, \$46,666.75;
23 Public Works, \$103,629.81; Parks and Public Property,
24 \$634,807.80; Water Utility, \$93,823.38; Regular Payroll
25 Total, \$917,424.16; Overtime Payroll, \$27,837.09; Total

1 Payroll, \$945,261.25; for a grand total of
2 \$4,582,792.09.

3 COMMISSIONER EVANS: Move the bills.

4 COMMISSIONER TUCCI: Second.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 THE CLERK: And that's it for bills, Mayor.

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

16 THE CLERK: Thank you, Mayor. All persons
17 addressing the Board of Commissioners regarding
18 community concerns should approach the microphone and
19 provide their name and address for the record. Unless
20 further time is granted by the board, each person shall
21 limit their address to three minutes. All remarks to
22 the board and its individual members must be addressed
23 to the mayor. The mayor may defer citizens' comments
24 to the appropriate member of the board. Dialogue
25 between citizens and others addressing the board shall

1 be allowed, unless the mayor or presiding officer, or
2 the majority of the membership of the board shall
3 determine that the interests of the quorum, and/or the
4 expeditious conduct of municipal business are being
5 adversely affected by such dialogue.

6 MR. MOORE: Rory Moore, 462 Chestnut Street.
7 Mr. Scarpelli, on the bill list, it's on each one of
8 the departments, in the middle of the page, that's the
9 first one, the League of Municipalities, it's \$423.

10 MAYOR SCARPELLI: Mr. Moore, I see the first
11 one that you're talking about. And you said each one
12 of us have that?

13 MR. MOORE: It's on each one of the
14 departments. It's on, basically five times. I'm just
15 curious, why are we paying this individually? Each
16 department paying 400 -- the same price on each one of
17 them.

18 MAYOR SCARPELLI: I don't -- I think it's
19 dues, Mr. Moore. It's our dues.

20 MR. MOORE: It --

21 MAYOR SCARPELLI: It's not any individual
22 that's paying for it.

23 MR. MOORE: Is that the -- is that a total?
24 I'm a little confused, because if it was you were just
25 paying dues, you would have just paid a one-time fee or

1 paid --

2 MAYOR SCARPELLI: It's to be a member of the
3 New Jersey League of Municipalities. As a township, we
4 are a member of the New Jersey League of
5 Municipalities.

6 MR. MOORE: That, I understand.

7 MAYOR SCARPELLI: Okay, so, and that cost is
8 split between the five departments.

9 MR. MOORE: So that's about what, roughly
10 2,000 a year? Approximately?

11 MAYOR SCARPELLI: I would assume --

12 COMMISSIONER EVANS: Yeah, it's --

13 MR. MOORE: Five times 400.

14 MAYOR SCARPELLI: -- that's correct.

15 COMMISSIONER EVANS: Roughly, yes.

16 MAYOR SCARPELLI: If your math is correct,
17 that's correct.

18 MR. MOORE: It's about two grand. Okay,
19 thank you.

20 MAYOR SCARPELLI: Thank you. Anybody else
21 wish to address the Board of Commissioners on the
22 agenda items only?

23 Seeing none, commissioner announcements? Any
24 announcements, commissioners? We're all good?

25 COMMISSIONER PETRACCO: I do, Mayor, and I

1 think all the commissioners would agree on what a
2 fantastic weekend it was. I know I saw a lot of them
3 at the high school play this year, Rock of Ages. The
4 talent there was just unbelievable, and I know that the
5 wrestling, Nutley Wrestling, they got, I think, what
6 was four kids across to the state, Mauro?

7 COMMISSIONER TUCCI: That's correct.

8 COMMISSIONER PETRACCO: Four kids to the
9 states. And the girls basketball games, too, the state
10 games have been so exciting at the high school. So
11 Nutley Sports and the programs that you feed them with,
12 Commissioner, it's paying dividends right now.

13 COMMISSIONER TUCCI: Commissioner --

14 COMMISSIONER PETRACCO: For the township.

15 COMMISSIONER TUCCI: -- you're absolutely
16 correct, and we are also, just to follow up on that, I
17 wasn't going to mention it, but being that you raised
18 it --

19 COMMISSIONER PETRACCO: Yes.

20 COMMISSIONER TUCCI: -- I will, we are also
21 redoing the wrestling room at the Rec Department on
22 Park Avenue. And that's where it starts for a lot of
23 these youngsters, and we can see the fruits of our
24 labor, because we have four Nutley High School
25 wrestlers going to states. And as far as the Rock of

1 Ages is concerned, they did an outstanding job, and
2 always do, and that's also in conjunction with what we
3 do in our theater program. And some of you may have
4 heard me already mention that this Board of
5 Commissioners is looking into siting a performing arts
6 center within our boundaries. All with grant funding,
7 I don't want anybody getting excited about increasing
8 taxes, but there's some dollars out there from
9 foundations and different arts groups --

10 COMMISSIONER EVANS: Yes.

11 COMMISSIONER TUCCI: -- and we are actively
12 pursuing that. Thank you, Commissioner.

13 MAYOR SCARPELLI: I skipped communications.
14 Communications, Madam Clerk?

15 THE CLERK: Yes, Mayor. The Nutley Elks
16 Lodge has submitted an application for a social affair
17 permit for their Wild Game Charity Dinner event on
18 Saturday, March 28th, 2020, from 6 p.m. to 10 p.m. at
19 242 Chestnut Street. I need a motion, please.

20 COMMISSIONER TUCCI: Move it.

21 COMMISSIONER PETRACCO: Second.

22 COMMISSIONER EVANS: Second.

23 THE CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 THE CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

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

7 MAYOR SCARPELLI: Let's go to ordinance
8 public hearings. Commissioner Petracco?

9 COMMISSIONER PETRACCO: Yes, I have an
10 ordinance --

11 COMMISSIONER EVANS: I have an announcement.

12 MAYOR SCARPELLI: Oh, sorry about that.

13 COMMISSIONER EVANS: Just a very quick -- on
14 Wednesday, March 11th, Congresswoman Pascrell's [sic]
15 staff will be here in Nutley at the Town Hall to meet
16 with residents to -- any questions regarding Veteran
17 Affairs, Social Security, Medicare, they're prepared to
18 answer those questions, offer assistance. I was asked
19 to mention that so that the town was more broadly
20 aware. And just a reminder that on March 27th, the
21 mobile unit for the DMV will be back on Park Avenue,
22 and my understanding is the federal ID that you have to
23 update your driver's license so you can use it at the
24 airport, they'll be able to do that this time around.

25 COMMISSIONER TUCCI: And I'm sorry. That's

1 Congressman Pascrell's office?

2 COMMISSIONER EVANS: Oh, I'm sorry, that is
3 -- old days, right? Mikie Sherrill. I'm sorry for --
4 I apologize.

5 COMMISSIONER TUCCI: Congresswoman Sherrill,
6 Tom. Thank you. Thank you.

7 COMMISSIONER EVANS: Mikie Sherrill. Yes,
8 Congresswoman Sherrill.

9 MAYOR SCARPELLI: Any other announcements
10 before we go to public hearing? Commissioner Petracco?

11 COMMISSIONER PETRACCO: Thank you. Ordinance
12 Number 3437, an ordinance to amend an ordinance
13 codified in the code of the Township of Nutley,
14 Chapter 510, Article 1 and 2, Section 510-1 through
15 Sections 510-20, entitled Peddling, Soliciting, and
16 Canvassing. I move that we open the public portion of
17 the meeting.

18 MAYOR SCARPELLI: Anybody wish to be heard on
19 Ordinance Number 3437?

20 COMMISSIONER PETRACCO: Seeing no one, move
21 to close.

22 COMMISSIONER TUCCI: Second.

23 MAYOR SCARPELLI: Second.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER PETRACCO: I move the ordinance.

8 COMMISSIONER TUCCI: Second.

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye. Thank you.

15 THE CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye. Let's move on to

17 resolutions. I'll do Commissioner Rogers's when I do

18 mine.

19 Commissioner Tucci?

20 COMMISSIONER TUCCI: Yes, thank you, Mayor.

21 Whereas, the Township of Nutley Ordinance Number

22 665-22, Preservation of Trees, states that tree removal

23 permits must be obtained for a cost of \$50 per tree;

24 and

25 Whereas, the Township of Nutley Department of

1 Parks and Recreation and/or Public Property authorizes
2 a refund for each tree permit submitted upon the
3 planting of a new tree on said property, replacement
4 tree size and species must be approved in advance by
5 the Township Forester; and

6 Whereas, funds will be available from Account
7 C-01-904-905.

8 Now therefore be it resolved by the Board of
9 Commissioners of the Township of Nutley in the County
10 of Essex in the State of New Jersey, that the Township
11 Treasurer is and she is authorized to refund the tree
12 permit fee collected as per the Shade Tree Preservation
13 Ordinance, permit holder Tammy Rossi, 28 Colonial
14 Terrace, number of trees, two, total refund \$50 per
15 tree, totaling \$100. I move the resolution.

16 COMMISSIONER EVANS: Second.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 COMMISSIONER TUCCI: That's all I have,

1 Mayor.

2 MAYOR SCARPELLI: Thank you, Commissioner.

3 Commissioner Evans?

4 COMMISSIONER EVANS: Thank you, Mayor.

5 Whereas, local public contracts law N.J.S.A.

6 40A:11-11(5) authorizes contracting with -- contracting
7 units to establish a cooperative pricing system and to
8 enter into cooperative pricing agreements for its
9 administration;

10 Whereas, North Jersey Wastewater Cooperative
11 Pricing System has offered voluntary participation in
12 its cooperative pricing system for the purchase of
13 goods or services;

14 Whereas, the Mayor and the Board of
15 Commissioners of the Township of Nutley, County of
16 Essex, State of New Jersey, duly desires to become a
17 member of the North Jersey Wastewater Cooperative
18 Pricing System for the provision of goods and services
19 effective March 3rd, 2020, and that such membership
20 shall be for the period ending November 24th, 2024, and
21 each renewal thereafter with the system, unless the
22 Township elects to formally withdraw from the system.

23 Now therefore be it resolved that the Mayor
24 and Board of Commissioners of the Township of Nutley,
25 County of Essex, State of New Jersey, are hereby

1 authorized to execute the required agreement for such
2 membership. So move.

3 COMMISSIONER TUCCI: Second.

4 THE CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye. Thank you,

12 Commissioner.

13 Commissioner Petracco?

14 COMMISSIONER PETRACCO: Yes. This is
15 Resolution Number 54-20. State of New Jersey
16 Department of Law and Public Safety Division of
17 Criminal Justice. A resolution improving participation
18 with the State of New Jersey Federal Grant Program,
19 administered by the Division of Criminal Justice,
20 Department of Law and Public Safety.

21 Whereas, the Township of Nutley Police
22 Department wishes to apply for funding of approximately
23 60,000, with a match of \$167,762.21 for an approximate
24 project total cost of \$227,762.21 for a project under
25 the 2019-2020 State of New Jersey Safe and Secure

1 Communities Grant Program; and

2 Whereas, the Nutley Board of Commissioners
3 has reviewed the accompanying application, and has
4 approved said request; and

5 Whereas, the project is a joint effort
6 between the Department of Law and Public Safety and the
7 Township of Nutley Police Department for the purpose
8 described in this application.

9 Now therefore be it resolved by the Board of
10 Commissioners that

11 1. As a matter of Public Safety, the Township of
12 Nutley Police Department wishes to participate in the
13 fullest extent possible with the Department of Law and
14 Public Safety.

15 2. The Attorney General will receive funds on
16 behalf of the applicant.

17 3. The Division of Criminal Justice shall be
18 responsible for the receipt and review of the
19 applications or said funds, and

20 4. The Division of Criminal Justice shall
21 initiate allocations to each applicant as authorized.

22 I move the resolution.

23 COMMISSIONER TUCCI: Second.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER PETRACCO: Thank you.

8 MAYOR SCARPELLI: Thank you, Commissioner.

9 This is Commissioner Rogers's resolution.

10 Whereas, the Township of Nutley recognizes
11 the importance of promoting a healthy lifestyle, which
12 includes healthy eating habits, exercise, and safety
13 for all members of our community; and

14 Whereas, the Township of Nutley recognizes
15 that as a community is changing and evolving every day;
16 and

17 Whereas, the Township of Nutley Department of
18 Public Affairs has applied for a grant in the amount of
19 \$20,000 through Partners For Health and New Jersey
20 Healthy Community Network, to create and implement a
21 localized health and wellness community needs
22 assessment in partnership with Robert Schermer, LLC;
23 and

24 Whereas, grant monies will be dispersed in
25 two payments of \$10,000 in January of 2020 and \$10,000

1 in January 2021; and

2 Whereas, results from the survey will be
3 utilized to address the major concerns highlighted by
4 the community within the survey.

5 Now therefore be it resolved that the mayor
6 and commissioners of the Township of Nutley in the
7 County of Essex, State of New Jersey, formally approves
8 the grant application for the Nutley Health and
9 Wellness Community Needs Assessment for the term of
10 January 27, 2020 through December 21st, 2021.

11 Be it further resolved that the Mayor and
12 Clerk are hereby authorized to sign the grant agreement
13 on behalf of the Township of Nutley, and that their
14 signature constitutes acceptance of the terms and
15 conditions of the grant agreement and approve the
16 execution of the grant agreement. I move the
17 resolution.

18 COMMISSIONER TUCCI: Second.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye. Whereas, the Township
2 of Nutley Department of Public Works has a need to
3 purchase new single space parking meters and
4 accessories from an authorized vendor participating in
5 the New Brunswick Parking Authority Cooperative Pricing
6 System; and

7 Whereas, the Township of Nutley is a member
8 of the New Brunswick Parking Authority Cooperative
9 Pricing System; and

10 Whereas, IPS Group, 7737 Kenamar Court,
11 San Diego, California, has been awarded the bid for
12 single space parking meters, and has been authorized
13 the Township of Nutley to utilize the cooperative
14 pricing; and

15 Whereas, the total project cost is not to
16 exceed \$248,007.50; and

17 Whereas, funds are available from Account
18 Number 9-01-426-213, in the amount of \$200,000, and
19 Account Number 9-01-806-277 in the amount of
20 \$48,007.50, and have been certified by the Chief
21 Financial Officer, said certification being attached to
22 this resolution.

23 Now therefore be it resolved by the Board of
24 Commissioners of the Township of Nutley that IPS Group
25 be awarded a contract for purchase of single space

1 parking meters and accessories in accordance with the
2 New Brunswick Parking Authority Cooperative System. I
3 move the resolution.

4 COMMISSIONER TUCCI: Second.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Scarpelli?

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

14 THE CLERK: Thank you, Mayor.

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

1 membership of the board shall determine that the
2 interests of the quorum, and/or the expeditious conduct
3 of municipal business are being adversely affected by
4 such dialogue.

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

7 MR. PATEL: Good evening. My name's Ronak
8 Patel. I live at 35 Nutley Avenue. So tonight, my
9 partners and I are here to request permission to open
10 up a tattoo studio and art gallery in Nutley. And I
11 just have a little statement kind of prepared for you.
12 If you have any questions, please feel free to stop me
13 and I will answer anything I can.

14 So tattoos, as you must know by now, are no
15 longer just for gangsters and bikers. I invite you to
16 briefly think about the people in your life that have
17 tattoos or piercings, maybe some of you even have them.
18 I'm sure almost everyone here has at least a close
19 family member or a friend that has a tattoo or a
20 piercing, maybe multiple. I know there used to be a
21 stigma, but we strongly believe that this isn't the
22 case anymore, and I'm sure you've seen changes around
23 this in the past 10 to 15 years.

24 Some concerns may still come up for you, such
25 as what kind of people would a studio in town attract,

1 and I can assure you that our collective experience
2 proves that reputation is everything, and we are the
3 ones that get to create a positive reputation. If we
4 were trying to just open another tattoo shop, similar
5 to what already exists in the area, to make a quick
6 buck, then I understand that we would attract that kind
7 of client which wouldn't be ideal for the town. That's
8 not what we're trying to do. We're trying to create an
9 upscale studio. And also, our existing clientele is
10 the opposite of shady characters. We perform a
11 high-end service and provide an upscale experience.
12 Our pricing averages around \$175 an hour, with that
13 only increasing in the years to come.

14 I'd like to note, a large number of our
15 clientele are the first responders and servicemen and
16 women from all around New Jersey. Personally, I've
17 tattooed people of all age groups and from all
18 different backgrounds. My oldest first-timer was a
19 75-year-old woman at this past year's tattoo convention
20 in Secaucus. Between the three of us, we have a
21 collective of almost 20 years of tattooing experience,
22 and 15 years of operational experience. We have opened
23 and helped open shops in Jersey City, Fairlawn, and
24 Ramsey, and that's just in New Jersey. We've also
25 opened shops in Philadelphia and New Haven,

1 Connecticut.

2 You can't deny now that -- now more than
3 ever, tattoos and piercings are accepted and more
4 normalized in society, and there's no sign of that
5 changing for the worse. In fact, it's only becoming
6 more and more popular, and more in demand. Tattooing
7 and piercing is also currently the most safe and
8 sanitary that it has ever been. The industry is
9 currently focused on being eco-friendly, while
10 providing one-time use instruments, and the exciting
11 thing is that we're still growing and evolving.

12 With us being granted permission to open up
13 our studio here in town, we get to set the standard for
14 quality. We believe now, more than ever before, young
15 adults and all people need to be exposed to higher
16 quality work than what's currently available in our
17 immediate area. In my professional opinion, there are
18 little to no quality studios in this area. The closest
19 shop I would go get tattooed at is all the way in
20 Montclair.

21 I've chosen Nutley because this is the town
22 that I grew up in, and I love the people here. I've
23 lived here for 23 years, minus the four that I moved to
24 Philadelphia to open a studio for the company I used to
25 work for. I also believe that this would benefit our

1 community in the sense that our existing clientele
2 would be traveling into town for their tattoos, giving
3 other local businesses new clientele. Tattoo sessions
4 can range anywhere from 20 minutes to four to six
5 hours. During the breaks, our clients go get food,
6 coffee, and explore the local area. This brings new
7 business to town, and maybe even potential new
8 residents.

9 We also don't want to brush past the art
10 gallery side of our studio. We will be displaying and
11 promoting artwork from local artists outside of just
12 tattoo art, helping and bringing up other artists in
13 our community. We also participate in community events
14 and donate to charities such as Autism Speaks, Pad Paw
15 Rescue, Catskill Animal Sanctuary, Sea Shepherd, Open
16 Heroes, et cetera, regularly. We believe in supporting
17 our community, and collaborating with other local
18 businesses to bring everyone up.

19 My friends, family, and neighbors have been
20 here for generations. I also plan on starting my
21 family here, and raising my kids here. This is a
22 community that supports small business, and it supports
23 a tone. I believe that it's only going to be a matter
24 of time before someone does open a tattoo studio in
25 town. Nutley is one of the last towns in the area, and

1 probably in New Jersey to not have a tattoo studio, and
2 if it's going to happen eventually, why not let it
3 happen now, and the someone to open it be a lifelong
4 resident at the town?

5 We are currently looking at the space at
6 381 Centre Street, and with your blessing today, we
7 would like to continue the process with the landlord in
8 locking down the location, and bringing something truly
9 extraordinary here. I hope that you'll give us the
10 opportunity to prove ourselves. After all, that is the
11 American Dream.

12 MAYOR SCARPELLI: Well, just for
13 clarification, it's not just to us to approve your
14 application, right? So having a tattoo parlor in any
15 zone is not a permitted use, so I encourage you to go
16 through the process through the Code Department, and go
17 through that process. A zoning change would take -- a
18 little long, and go through -- it has to go through the
19 Planning Board before it comes to us, so, just to let
20 you know that.

21 MR. PATEL: Okay. Thank you.

22 MAYOR SCARPELLI: Anything else the
23 commissioners want to add?

24 COMMISSIONER EVANS: No, I think the right
25 place is the Code Office.

1 MAYOR SCARPELLI: Anybody else want to
2 address the Board of Commissioners this evening?
3 Seeing none, could I have a motion to go into executive
4 session for contract negotiations?

5 MR. GENITEMPO: That's correct, Mr. Mayor.

6 COMMISSIONER TUCCI: So moved.

7 COMMISSIONER EVANS: Second.

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

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

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

18 And now therefore be it resolved by the Board
19 of Commissioners of the Township of Nutley to move into
20 closed executive session to discuss contract
21 negotiations. Be it further resolved the time when
22 such discussion may be disclosed to the public shall be
23 when and such disclosure may be made without adversely
24 affecting the Township of Nutley pending and/or
25 anticipated legal, personnel, contractual matters, and

1 other matters within the exceptions provided for by
2 statute. Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 THE CLERK: The time is 8:28.

11 MAYOR SCARPELLI: We will be coming back on
12 the record. There will be no further business
13 conducted at that time.

14 (Pause)

15 COMMISSIONER EVANS: Motion to adjourn.

16 COMMISSIONER TUCCI: Second.

17 THE CLERK: Okay. Commissioner Tucci?

18 COMMISSIONER TUCCI: Are we jumping the gun?

19 UNIDENTIFIED: Cece agreed.

20 MAYOR SCARPELLI: You ready? Motion to
21 adjourn?

22 COMMISSIONER EVANS: Aye. Second.

23 COMMISSIONER PETRACCO: Second.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye. Good night.

7 THE CLERK: The time is 10:06.

8 (End of recording)

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

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

_____ March 12, 2020

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist