

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

Transcript of Proceedings
September 1, 2020
Public Session



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

*** PUBLIC SESSION ***

DATE: September 1, 2020

BOARD OF COMMISSIONERS:

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

Also Present:

- ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 MAYOR TUCCI: Thank you. Sunshine Notice,
3 please?

4 THE CLERK: Thank you, Mayor. Board of
5 Commissioners public meeting, Tuesday, September 1st,
6 2020. The time is now 7:07. Pursuant to the
7 requirements of the Open Public Meeting Act, Chapter
8 231, Public Law 1975, notice of this meeting was
9 published in the November 28th, 2019 issue of the
10 Nutley Sun, the Herald News, and the Star Ledger. In
11 an effort to prevent further spread of Covid-19
12 pandemic, the public meeting of the remainder of the
13 year 2020 have been changed to Zoom webinar or
14 teleconference meeting until further notice. The
15 public will be able to listen to the Board of
16 Commissioners meeting and participate during the
17 designated comment portion of the meeting by utilizing
18 access through URL link or dial-in numbers provided on
19 the township website. Commissioner Kelly?

20 COMMISSIONER KELLY: Present.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Here.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Here.

25 THE CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Here.

2 THE CLERK: Mayor Tucci?

3 MAYOR TUCCI: Here.

4 THE CLERK: All present, Mayor.

5 MAYOR TUCCI: Thank you. I see we have

6 minutes from our August 11th, 2020 --

7 COMMISSIONER EVANS: Move it.

8 MAYOR TUCCI: -- meeting.

9 COMMISSIONER EVANS: Move it.

10 MAYOR TUCCI: Moved. Any second?

11 COMMISSIONER SCARPELLI: Second.

12 THE CLERK: Commissioner Kelly?

13 COMMISSIONER KELLY: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Mayor Tucci?

21 MAYOR TUCCI: Aye. Correspondence, please?

22 THE CLERK: Thank you, Mayor. The

23 Nutley/Belleville Columbus Day and Italian Heritage

24 Month Parade Committee has submitted a letter

25 requesting permission to hold their Italian Flag

1 Raising and Wreath Laying Ceremony at 12 noon in front
2 of the Columbus statue by Nutley Township Hall. The
3 event will also include a caravan of cars starting at
4 1:30 p.m. at Belleville High School, and proceeding
5 along Franklin Avenue in Nutley. Police escort has
6 been requested for this event. I need a motion.

7 COMMISSIONER PETRACCO: Move it.

8 THE CLERK: I need a second.

9 COMMISSIONER KELLY: Second.

10

11 THE CLERK: Commissioner Kelly?

12 COMMISSIONER KELLY: Aye.

13 THE CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci?

20 MAYOR TUCCI: Aye.

21 THE CLERK: And that's it for correspondence,
22 Mayor.

23 MAYOR TUCCI: Thank you. I see reports for
24 this -- for tonight's meeting. I have a Shade Tree
25 Report for the month of August, 2020. Bills please?

1 THE CLERK: Yes, Mayor. Bill list for
2 September 1, 2020. Department totals. Public Affairs,
3 \$17,516.98; Revenue and Finance, \$3,121,737.21; Public
4 Safety, \$25,150.55; Public Works, \$32,165.69; Parks and
5 Public Property, \$571,718.46; Water Utility,
6 \$140,354.46; August 21st Overtime Payroll Total,
7 \$29,880.55. Isaias Storm Overtime Payroll Total,
8 \$163,057.83; Covid-19 Overtime Payroll Total,
9 \$7,770.97. Total Payroll, \$1,058,400.71. For a grand
10 total of \$4,967,044.06.

11 COMMISSIONER EVANS: Move the bills.

12 COMMISSIONER PETRACCO: Second.

13 THE CLERK: Commissioner Kelly?

14 COMMISSIONER KELLY: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 THE CLERK: Mayor Tucci?

22 MAYOR TUCCI: Aye.

23 THE CLERK: That's it for bills, Mayor.

24 MAYOR TUCCI: Thank you. We will now take
25 public comment on agenda items only, please.

1 THE CLERK: All persons addressing the Board
2 of Commissioners regarding community concerns should
3 provide their name and address for the record. Unless
4 further time is granted by the Board, each person shall
5 limit their address to three minutes. All remarks to
6 the Board and its individual members must be addressed
7 to the Mayor. The Mayor may defer citizens' comments
8 to the appropriate member of the board. (Pause).

9 They have to raise their hand. There is no
10 one, Mayor.

11 MAYOR TUCCI: Seeing none, we will move along
12 to Board of Commissioner announcements. Commissioner
13 Evans?

14 COMMISSIONER EVANS: I'm good.

15 MAYOR TUCCI: Commissioner Kelly?

16 COMMISSIONER KELLY: I'm good as well.

17 MAYOR TUCCI: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: No announcement
19 tonight, Mayor.

20 MAYOR TUCCI: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Nothing at all,
22 Mayor.

23 MAYOR TUCCI: Thank you. I have one brief
24 announcement. To date, we have been reimbursed through
25 the CARES Act at \$551,377.29, and we have pending an

1 additional \$595,330.54. The majority of this money has
2 gone to remote government operations, to make sure that
3 people can continue to access their government in a
4 safe and accessible way, and we will give you updates
5 as we continue. I see we have no ordinance for
6 introductions this evening, but we do have our first
7 ordinance on second reading, Ordinance Number 3450,
8 sponsored by Commissioner Scarpelli. Does anyone want
9 to be heard on this?

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

11 COMMISSIONER SCARPELLI: Seeing no one,
12 Mayor, I move we close the public hearing.

13 COMMISSIONER PETRACCO: Second.

14 THE CLERK: Commissioner Kelly?

15 COMMISSIONER KELLY: Aye.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Mayor Tucci?

23 MAYOR TUCCI: Aye.

24 COMMISSIONER SCARPELLI: I move the
25 ordinance.

1 COMMISSIONER PETRACCO: Second.

2 THE CLERK: Commissioner Kelly?

3 COMMISSIONER KELLY: Aye.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci?

11 MAYOR TUCCI: Aye. The second ordinance on
12 second reading this evening is Ordinance Number 3451,
13 sponsored by Commissioner Evans. Does anyone want to
14 be heard on this ordinance?

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

16 MAYOR TUCCI: No one, Commissioner.

17 COMMISSIONER EVANS: This is an ordinance on
18 second reading to change a title only in our salary
19 ordinance. I move we close the public hearing.

20 COMMISSIONER KELLY: Second.

21 THE CLERK: Commissioner Kelly?

22 COMMISSIONER KELLY: Aye.

23 THE CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 THE CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 THE CLERK: Mayor Tucci?

5 MAYOR TUCCI: Aye.

6 COMMISSIONER EVANS: Move the ordinance.

7 MAYOR TUCCI: Second.

8 THE CLERK: Commissioner Kelly?

9 COMMISSIONER KELLY: Aye.

10 THE CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 THE CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 THE CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 THE CLERK: Mayor Tucci?

17 MAYOR TUCCI: Aye. Thank you, Commissioner.

18 We will move into resolutions. Commissioner Kelly?

19 COMMISSIONER KELLY: Thank you, Mayor. I
20 have three tonight. The first one is to cele-- or not
21 celebrate, but raise awareness regarding prostate
22 cancer, because September is National Prostate Cancer
23 Awareness Month.

24 So, Whereas, there are more than 3.1 million
25 men in the U.S. who have been diagnosed with prostate

1 cancer; and

2 Whereas, one in nine males in the United
3 States will be diagnosed with prostate cancer in their
4 lifetimes; and

5 Whereas, the American Cancer Society's
6 estimates in the United States for 2020 about 191,930
7 new cases of prostate cancer, and about 33,330 deaths
8 due to prostate cancer;

9 Whereas, aside from non-melanoma skin cancer,
10 prostate cancer is the most common cancer among men in
11 the United States. It is also one of the leading
12 causes of cancer death among men of all races, and
13 Hispanic origin populations;

14 Whereas, prostate cancer occurs mainly in
15 older men, about six in ten cases are diagnosed in men
16 ages 65 or older, and it is rare before age 40. The
17 average age at the time of diagnosis is about 66; and

18 Whereas, males in the United States with one
19 family member diagnosed with prostate cancer have a 33
20 percent chance of being diagnosed with the disease.
21 Males with two close family members diagnosed have an
22 83 percent chance, and males with three family members
23 diagnosed have a 97 percent chance;

24 Whereas, there are no noticeable symptoms of
25 prostate cancer while in the early changes, making

1 screening critical. Educating people in the United
2 States, including healthcare providers, about prostate
3 cancer and early detection strategies is crucial to
4 saving lives of males and preserving and protecting
5 families.

6 Now therefore be it resolved that the Board
7 of Commissioners of the Township of Nutley, County of
8 Essex, State of New Jersey, declare September as
9 National Prostate Cancer Awareness Month. Be it
10 further resolved that we urge all men and their
11 families in the Township of Nutley to seek assistance
12 in obtaining the facts and information about prostate
13 cancer, and encourage residents to support efforts and
14 activities that bring awareness and education to
15 finding a cure. So moved.

16 COMMISSIONER EVANS: Second.

17 THE CLERK: Commissioner Kelly?

18 COMMISSIONER KELLY: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 THE CLERK: Mayor Tucci?

1 MAYOR TUCCI: Aye.

2 COMMISSIONER KELLY: The second resolution I have is
3 191-20. This is because September is also National
4 Blood Cancer Month. I've had -- personally, I've had
5 friends who suffered from this, and luckily they were
6 able to beat it, so this is also something close to me.

7 Whereas, leukemia, lymphoma, myeloma, and
8 myelodysplastic syndromes, (MDS), are types of cancer
9 that can affect the bone marrow, blood cells, lymph
10 nodes, and other parts of the lymphatic system;

11 Whereas, approximately every three minutes,
12 one person in the United States is diagnosed with blood
13 cancer; and

14 Whereas, an estimated combined total of
15 178,520 people in the United States are expected to be
16 diagnosed with leukemia, lymphoma, or myeloma in 2020;

17 Whereas, new cases of leukemia, lymphoma, and
18 myeloma are expected to account for 9.9 percent of the
19 estimated 1,806,590 new cancer cases diagnosed in the
20 U.S. in 2020; and

21 Whereas, blood cancers can be extremely
22 complex, with some patients requiring bone marrow and
23 stem cell transplants as part of their treatment;

24
25 Whereas, an estimated 1,297,027 people in the

1 U.S. are either living with, or in remission from
2 leukemia, lymphoma, or myeloma;

3 Whereas, the health and vitality of residents
4 -- the residents of Nutley are significantly enhanced
5 by local efforts to increase communication and
6 education pertaining to blood cancers, and raising
7 general awareness of the disease.

8 Now therefore be it resolved that the Board
9 of Commissioners of the Township of Nutley, County of
10 Essex, State of New Jersey, recognizes September as
11 National Blood Cancer Month, and urge all citizens in
12 Nutley to support efforts and activities that bring
13 awareness and education to finding a cure for blood
14 cancers during the month of September and throughout
15 the year. So moved.

16 COMMISSIONER EVANS: Second, and I also would
17 comment that as it relates to leukemia, lymphoma, and
18 multiple myeloma, that's the actual focus of research
19 that is currently underway at the Center for Discovery
20 and Innovation at the Nutley Campus Site for Hackensack
21 Medical Center. They've done significant research, and
22 it's advancing every day, but it's right here local in
23 Nutley, which is a major center for research for blood
24 based cancers. I second.

25 COMMISSIONER KELLY: Thank you.

1 THE CLERK: Commissioner Kelly?

2 COMMISSIONER KELLY: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Mayor Tucci?

10 MAYOR TUCCI: Aye.

11 COMMISSIONER KELLY: This second -- or third
12 resolution that I have, and last resolution I have
13 tonight is 192-20. This is something that is being
14 sponsored by both myself and Commissioner Petracco.
15 Given especially the state of the pandemic and
16 everything, it's National Preparedness Month, as well,
17 and so we always want to be prepared for any
18 eventuality, and so this resolution is to support those
19 efforts.

20 Whereas, every year communities across our
21 country face emergencies from unforeseen natural
22 disasters to deliberate acts; and

23 Whereas, during the month of September, we
24 encourage residents to reeducate themselves in the
25 important task of being prepared in the face of any

1 crisis;

2 Whereas, the best time to prepare for an
3 emergency is before it happens. Residents should take
4 time to review their own emergency plans, and update
5 their emergency kits; and

6 Whereas, by discussing with our families,
7 friends, and neighbors how we will protect ourselves
8 and our communities, we can contribute to and share in
9 a stronger, more resilient society; and

10 Whereas, federal, state, and local agencies
11 have resources to share with the community as to how to
12 put personal emergency kits and plans, such as
13 www.ready.gov and www.FEMA.gov.

14 And now therefore be it resolved that the
15 Board of Commissioners of the Township of Nutley of the
16 County of Essex, State of New Jersey, recognize
17 September as National Preparedness Month, and encourage
18 all Nutley residents to encourage the importance of
19 preparedness and work together to enhance our
20 resilience and readiness. So moved.

21 COMMISSIONER EVANS: Second.

22 THE CLERK: Commissioner Kelly?

23 COMMISSIONER KELLY: Aye.

24 THE CLERK: Commissioner Evans?

25

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci?

7 MAYOR TUCCI: Aye. Thank you, Commissioner.

8 Commissioner Evans?

9 COMMISSIONER EVANS: Thank you. My first
10 resolution is 80 -- 186-20. It actually addresses
11 Resolution 50 -- 158-20, entitled Refund for
12 Overpayment of Taxes, which was adopted by the Board on
13 July 21. It -- there was a credit in the account.
14 There is no longer a credit as a result of things
15 absorbed with the third quarter taxes that were due
16 August 1st, so therefore, the Board of Commissioners
17 resolve that Resolution Number 158-20 is hereby
18 rescinded. So move.

19 COMMISSIONER KELLY: Second.

20 THE CLERK: Commissioner Kelly?

21 COMMISSIONER KELLY: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 THE CLERK: Mayor Tucci?

4 MAYOR TUCCI: Aye.

5 COMMISSIONER EVANS: 187-20. Be it resolved
6 by the Board of Commissioners of the Township of Nutley
7 in the County of Essex, State of New Jersey, that the
8 Treasurer be and she is hereby authorized to refund
9 overpayment of water charges in the amount of \$1,626.44
10 for Block 800, Lot 1, qualifying code C3018. So move.

11 COMMISSIONER PETRACCO: Second.

12

13 THE CLERK: Commissioner Kelly?

14 COMMISSIONER KELLY: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 THE CLERK: Mayor Tucci?

22 MAYOR TUCCI: Aye.

23 COMMISSIONER EVANS: Resolution 193-20.

24 Whereas, the Law Firm of Inglesino, Webster, Wyciskala,
25 Taylor, LLC, 600 Parsippany Road, Suite 204,

1 Parsippany, New Jersey, was awarded through Resolution
2 Number 294-19 a non-fair and open contract as a
3 professional service, pursuant to the provisions of
4 N.J.S.A. 19:44A-20.5, to provide legal services to the
5 Board of Commissioners for the Township of Nutley,
6 concerning compliance and procedural issues involving
7 Open Public Meetings Act and Open Public Records Act;

8 Whereas, given the significant volume of OPRA
9 requests that have been processed to date, and the
10 continuing need to be responsive to the high volume of
11 these requests, these services will exceed the contract
12 amount of \$50,000 as amended by Change Order Number 1,
13 thus necessitating the need for the following change
14 order:

15 Change Order Number 2: to provide legal
16 services not to exceed \$60,000.

17 Whereas, funds are available from
18 Account 0-01-226-205, will be certified by the Chief
19 Financial Officer subject to the adoption of the 2020
20 Municipal Budget.

21 Now therefore be it resolved by the Board of
22 Commissioners of the Township of Nutley, County of
23 Essex, State of New Jersey, that Change Order Number 2
24 in the amount of \$60,000 be and is hereby approved. So
25 move.

1 COMMISSIONER SCARPELLI: Second.

2

3 THE CLERK: Commissioner Kelly?

4 COMMISSIONER KELLY: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 THE CLERK: Mayor Tucci?

12 MAYOR TUCCI: Aye.

13 COMMISSIONER EVANS: My last resolution,
14 194-20. Whereas, Code Enforcement Department has
15 received the payment for Phase I Roadway Bond for
16 Seton Hall-Hackensack Meridian School Kingsland Street
17 Urban Renewal LLC in the amount of \$29,526.50 from PB
18 Nutclif care of Prism Property Services, LLC, 200
19 Broadacres Drive, for property located at 340 Kingsland
20 Street; and

21 Whereas, the Phase I Roadway Bond of
22 \$29,526.50 was collected and deposited in Account
23 T-15-912-911; and

24 Whereas, the Planning Board has reviewed and
25 determined that the \$29,526.50 bond is due to be

1 refunded to PB Nutclif, care of Prism Properties.

2 Now therefore be it resolved by the Board of
3 Commissioners of the Township of Nutley, County of
4 Essex, State of New Jersey, that the Township Treasurer
5 be and is hereby authorized to refund the 10 percent
6 cash portion of the Performance Bond in the amount of
7 \$29,526.50 to PB Nutclif, care of Prism Properties --
8 Prism Property Services, LLC. So move.

9 COMMISSIONER PETRACCO: Second.

10 THE CLERK: Commissioner Kelly?

11 COMMISSIONER KELLY: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Mayor Tucci?

19 MAYOR TUCCI: Aye.

20 COMMISSIONER EVANS: Thank you, Mayor.

21 MAYOR TUCCI: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Thank you, Mayor.

23 Be it resolved by the Board of Commissioners
24 of the Township of Nutley in the County of Essex, State
25 of New Jersey, that the Township Treasurer be, and she

1 is hereby authorized to refund \$100 to the below
2 listed, for a refund of payment for municipal parking
3 permit; Nicole Caputo, 17 Sherwood Lane, Frank
4 Montanez, 88 King Street. I move the resolution.

5 COMMISSIONER PETRACCO: Second.

6 THE CLERK: Commissioner Kelly?

7 COMMISSIONER KELLY: Aye.

8 THE CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Mayor Tucci?

15 MAYOR TUCCI: Aye.

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

18 MAYOR TUCCI: Thank you, Commissioner.
19 Commissioner Petracco?

20 COMMISSIONER PETRACCO: Mayor, I'm pleased to
21 say I do not have a thing tonight.

22 MAYOR TUCCI: Thank you, Commissioner. Thank
23 you for being here.

24 COMMISSIONER PETRACCO: My pleasure.

25 MAYOR TUCCI: All right. Be it resolved by

1 the Board of Commissioners of the Township of Nutley,
2 the County of Essex, State of New Jersey, that the
3 Treasurer be and she is hereby authorized to refund
4 payments for recreation programs in the amounts listed
5 below.

6 ZYN Restaurants Inc., for the Franklin Spring
7 Festival, in the amount of \$100 for the year 2020; Sean
8 McAloon for Track in the amount of \$60 for the year
9 2020; 153 Vreeland Avenue for the Gleeful Wellness, in
10 the amount of \$50 for 2020 and 544 East Passaic for
11 Gleeful Wellness in the amount of \$50. I move the
12 resolution.

13 COMMISSIONER PETRACCO: Second.

14 THE CLERK: Commissioner Kelly?

15 COMMISSIONER KELLY: Aye.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Mayor Tucci?

23 MAYOR TUCCI: Aye. Whereas, raffle
24 applications have been received from the following
25 organizations; the Home and

1 School Association of Good Shepherd Academy, License
2 Number 23-20 for a calendar raffle; all Mondays from
3 December 7, 2020 through February 22nd, 2021, and the
4 Rotary Club of Nutley, License Number 24-20,
5 off-premise 50/50 cash raffle, Thursday, November 19th,
6 2020;

7 Whereas, the applications have been reviewed
8 and approved by the Municipal Clerk and the Police
9 Department.

10 Now therefore be it resolved by the Board of
11 Commissioners of the Township of Nutley, in the County
12 of Essex, State of New Jersey, that the aforementioned
13 licenses are approved, and the Municipal Clerk is
14 authorized to issue said licenses. I move the
15 resolution.

16 COMMISSIONER KELLY: Second.

17 THE CLERK: Commissioner Kelly?

18 COMMISSIONER KELLY: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 THE CLERK: Mayor Tucci?

1 MAYOR TUCCI: Aye. That concludes our
2 business portion of the agenda for this evening. We
3 will now open the meeting up to the public for five
4 minutes each.

5 THE CLERK: There's nobody there? There's
6 nobody there, Mayor.

7 MAYOR TUCCI: Okay. We do in fact need a
8 brief executive session this evening, so I'll entertain
9 a motion to go into closed.

10 COMMISSIONER SCARPELLI: Move it.

11 COMMISSIONER KELLY: Second.

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

16 Whereas, the public body is of the opinion
17 that such circumstances exist; and

18 Whereas, the Board of Commissioners of the
19 Township of Nutley, in the County of Essex and State of
20 New Jersey desires to proceed to closed executive
21 session.

22 And now therefore be it resolved by the Board
23 of Commissioners of the Township of Nutley move into
24 closed executive session to discuss potential
25 litigation. Be it further resolved that the time when

1 such discussion may be made -- may be disclosed to the
2 public shall be when and as such disclosure may be made
3 without adversely affecting the Township of Nutley,
4 pending and/or anticipated legal, personnel,
5 contractual matters, and other matters within the
6 exceptions provided for by statute.

7 THE CLERK: Commissioner Kelly?

8 COMMISSIONER KELLY: Aye.

9 THE CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 THE CLERK: Mayor Tucci?

16 MAYOR TUCCI: Aye. And when we come out of
17 executive session, we will not be taking any action.

18 THE CLERK: And the time is now 7:27.

19 (Pause)

20 COMMISSIONER SCARPELLI: No, we're done.

21 MAYOR TUCCI: We're done. Motion to adjourn?

22 COMMISSIONER SCARPELLI: Move to adjourn.

23 COMMISSIONER KELLY: Second.

24 THE CLERK: Commissioner Kelly?

25 COMMISSIONER KELLY: Aye.

1 THE CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 THE CLERK: Mayor Tucci?

8 MAYOR TUCCI: Aye.

9 THE CLERK: The time is 9:11.

10 COMMISSIONER SCARPELLI: Good night

11 everybody.

12 MAYOR TUCCI: Thank you and good night

13 everyone.

14 COMMISSIONER PETRACCO: Good night everyone.

15 (End of recording)

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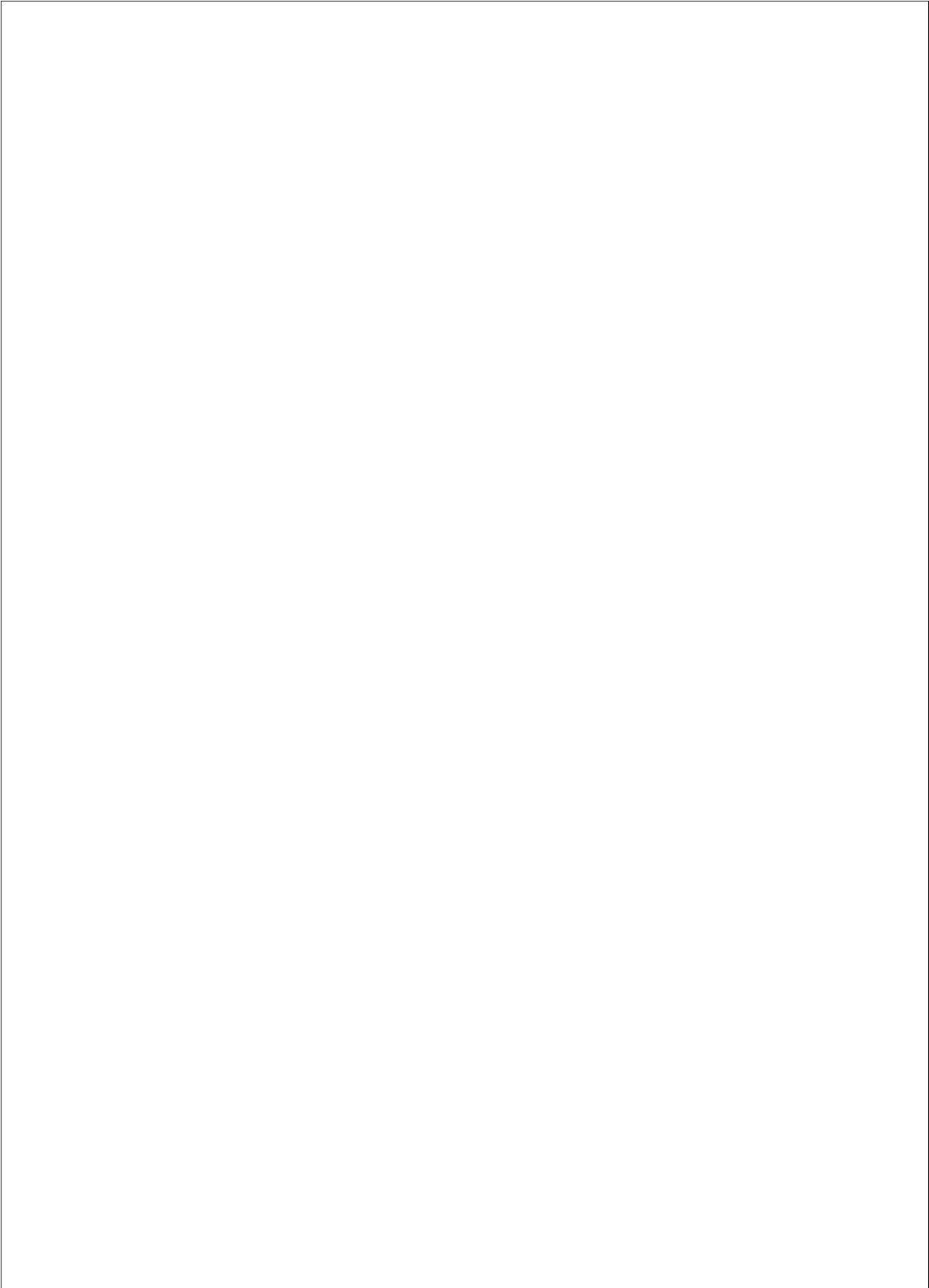
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C E R T I F I C A T I O N

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.

_____ September 16, 2020

Alicia Jarrett
AAERT Cert. No. 428
Certified Court Transcriptionist



Rizman Rappaport (973)992-7650
"When every word counts"

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