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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

)
CONFERENCE SESSION) TRANSCRIPT OF
) PROCEEDINGS:
)

December 5, 2017
7:07 p.m.

BEFORE:

- Commissioner Steven L. Rogers
- Commissioner Mauro G. Tucci
- Commissioner Thomas J. Evans
- Commissioner Alphonse Petracco
- Mayor Joseph P. Scarpelli

ALSO PRESENT:

- Alan Genitempo, ESQ, Board Attorney

Job No. NJ2774432

Transcribed by: Nicole Yawn

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P R O C E E D I N G S

MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Board of Commissioners public meeting Tuesday, December 5th, 2017. The time is 7:07.

Pursuant to the requirement of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the December 1st, 2016 issues of the Nutley Sun and the Herald News and the December 2nd, 2016 issue of 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?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor.

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

COMMISSIONER PETRACCO: Let's see. I think I have

1 an ordinance for the salaries, and then I have a bunch of
2 resolutions, appointing the Emergency Management Council and
3 other authorizations to sell abandoned personal properties,
4 authorize for advertisement and request for a proposal for
5 the towing contract. They're applying for that safe and
6 secure grant and a transfer -- budget transfer.

7 MAYOR SCARPELLI: Commissioner Evans?

8 COMMISSIONER EVANS: I have a report for the Code
9 Enforcement Department for the month of November, and I have
10 five resolutions, one reappointing Eleni as our public
11 agency compliance officer for 2018. I have a resolution on
12 the corrective action plan for the audit, the annual audit,
13 that needs to be filed, a refund for overpayment of taxes,
14 an award of contract to Millennium Strategies, which reduces
15 the contract amount from 40,000 to 30,000. So it's a
16 reduction for next year. And now, you're going to
17 (indiscernible) in town who's met the full property tax
18 exemption as a 100 percent disabled veteran. So I have that
19 resolution. And that's it (ph).

20 MAYOR SCARPELLI: Mr. Rogers?

21 COMMISSIONER ROGERS: I have a salary ordinance
22 I'm introducing tonight and also a resolution regarding our
23 contract with Northwest Essex Community Health Care. And
24 that's it.

25 MAYOR SCARPELLI: Commissioner Tucci?

1 COMMISSIONER TUCCI: Yes, I have a shade tree
2 report for the month of November 2017. Excuse me. And I
3 have one resolution establishing Shade Tree Committee
4 meeting dates. I have a one-year extension for C. Walter
5 Searle, Inc. for accident safety review consulting.

6 And I'm looking for an authorization to enter into
7 a contract with Premier Vision Care in the amount of \$1,836.
8 And that's for 2018. And that's what we presently have.

9 MAYOR SCARPELLI: Thank you.

10 COMMISSIONER TUCCI: That's all I have.

11 MAYOR SCARPELLI: I have a bunch of resolutions.
12 One is an announcement of our meeting dates. The other is
13 the holiday schedule. We have the designation of the
14 official newspapers, the appointment of Kathy Rempusheski as
15 the CDBG representative, for raffle applications, free two-
16 hour meter parking for the holidays, and authorization to
17 submit a CDBG application, and some budget transfers.
18 That's all I have.

19 Counselor?

20 MR. GENITEMPO: I don't have anything.

21 MAYOR SCARPELLI: Madam Clerk?

22 MADAM CLERK: I don't have anything.

23 MAYOR SCARPELLI: I have a need for a short
24 executive for potential litigation.

25 MADAM CLERK: Need a motion.

1 COMMISSIONER ROGERS: Make a motion.

2 COMMISSIONER TUCCI: Second.

3 MADAM CLERK: WHEREAS, Section VIII of the Open
4 Public Meeting Act, Chapter 231, Public Law 1975 permits the
5 exclusion of the public for meetings in certain
6 circumstances; and

7 WHEREAS, the public body is of the opinion that
8 such circumstances exist; and

9 WHEREAS, the Board of Commissioners of the Township
10 of Nutley, in the County of Essex, in the state of New Jersey
11 desires to proceed to closed executive session; and

12 NOW, THEREFORE, BE IT RESOLVED by the Board of
13 Commissioners of the Township of Nutley move into closed
14 executive session to discuss potential litigation;

15 BE IT FURTHER RESOLVED that the time of such
16 discussion may be disclosed to the public shall be when and
17 that such disclosure may be made without adversely affecting
18 the Township of Nutley pending and/or anticipated legal,
19 personnel, contractual matters, and other matters within the
20 exceptions provided for by statute.

21

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 COMMISSIONER TUCCI: Can we include personnel in
25 that before --

1 MAYOR SCARPELLI: Sure.

2 MADAM CLERK: And personnel.

3 Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 MADAM CLERK: And personnel.

8 Thank you.

9 (Proceedings were adjourned for the closed executive
10 session at 7:13 PM)

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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

December 5, 2017
7:43 p.m.

BEFORE:

- Commissioner Steven Rogers
- Commissioner Mauro Tucci
- Commissioner Thomas Evans
- Commissioner Alphonse Petracco
- Mayor Joseph P. Scarpelli

ALSO PRESENT:

- Alan Genitempo, ESQ, Board Attorney

Transcribed by: Nicole Yawn

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P R O C E E D I N G S

MAYOR SCARPELLI: Everybody, please stand for the flag salute.

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Yes, Mayor.

Board of Commissioners public meeting Tuesday, December 5th, 2017. The time is now 7:43.

Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the December 1st, 2016 issues of the Nutley Sun and the Herald News and the December 2nd, 2016 issue of 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?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye. Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

1 MADAM CLERK: All present, Mayor.

2 MAYOR SCARPELLI: Minutes, Madam Clerk?

3 MADAM CLERK: Yes, Mayor, we have regular Board of
4 Commissioner meeting minutes for November 8, 2017.

5 I need a motion, please.

6 COMMISSIONER EVANS: Move it.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 MADAM CLERK: And that's it for minutes, Mayor.

19 MAYOR SCARPELLI: Reports, Commissioner Tucci?

20 COMMISSIONER TUCCI: Yes, I have a Shade Tree
21 report for the month of November 2017.

22 MAYOR SCARPELLI: Commissioner Evans?

23 COMMISSIONER EVANS: Yes, I have a Code
24 Enforcement report for the month of November '17.

25 MAYOR SCARPELLI: Bills, Madam Clerk?

1 MADAM CLERK: Yes, Mayor, bill list for Tuesday,
2 December 5th, 2017. Public Affairs, \$107,931.62; Revenue
3 and Finance, \$12,057,448.24; Public Safety, \$69,536.98;
4 Public Works, \$399,671.43; Parks and Public Property,
5 \$672,443.58. Total payroll, \$907,818.60. Grand total,
6 \$14,214,850.45.

7 COMMISSIONER EVANS: Move the bills.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 MAYOR SCARPELLI: Public comment on agenda items
20 only.

21 Madam Clerk?

22 MADAM CLERK: Yes, Mayor.

23 All persons addressing the Board of Commissioners
24 regarding community concerns should approach the microphone
25 and provide their name and address for the record. Unless

1 further time is granted by the board, each person shall
2 limit their address to three minutes. All remarks of the
3 board and its individual members must be addressed to the
4 mayor.

5 The mayor may defer citizens' comments to the
6 appropriate member of the board. Dialogue between citizens
7 and others addressing the board shall be allowed, unless the
8 mayor or presiding officer or the majority of the membership
9 of the board shall determine that the interests of decorum
10 and/or the expeditious conduct of municipal business are
11 being adversely affected by such dialogue.

12 MAYOR SCARPELLI: Would anybody like to address
13 the Board of Commissioners on agenda items only?

14 Seeing none, may I have a motion to close the
15 public comment?

16 COMMISSIONER ROGERS: I make that motion.

17 COMMISSIONER PETRACCO: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 Commissioner announcements?

4 I just would like to thank all the commissioners
5 and their departments for all their help in having our
6 annual tree lighting ceremony. It was a great event, and I
7 appreciate all the help. So thank you.

8 I'd also like to thank the Franklin Reform Church
9 for donating the tree.

10 Ordinance introductions?

11 Commissioner Petracco?

12 COMMISSIONER PETRACCO: Ordinance Number 3376, an
13 ordinance to amend the salaries of certain officers and
14 employees of the Township of Nutley, County of Essex, State
15 of New Jersey. And I move that this ordinance be passed to
16 the second reading and advertised in the Nutley Sun,
17 together with the notice required by law and further
18 consideration of said ordinance for final passage by the
19 Board of Commissioners, to be held on -- is that January
20 11th?

21 MADAM CLERK: January 2nd.

22 COMMISSIONER PETRACCO: Oh, I'm sorry. January
23 2nd.

24 MADAM CLERK: Yes.

25 COMMISSIONER PETRACCO: I move the ordinance.

1 COMMISSIONER ROGERS: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye.

12 Commissioner Rogers?

13 COMMISSIONER ROGERS: Ordinance Number 3377, an
14 ordinance to amend the salaries of certain officers and
15 employees of the Township of Nutley, County of Essex, State
16 of New Jersey. I move that this ordinance be passed to a
17 second reading and advertised in the Nutley Sun, together
18 with the notice required by law and that further
19 consideration of said ordinance for final passage by the
20 Board of Commissioners, to be held at its second reading on
21 January 2nd, 2018.

22 I move that ordinance.

23 COMMISSIONER PETRACCO: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 MADAM CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 Commissioner Rogers, continue with your
10 resolution.

11 COMMISSIONER ROGERS: Okay. Resolution Number
12 271-17 is a resolution for an agreement made between
13 Northwest Essex Community Healthcare Network, a non-profit
14 corporation, having its principal place of business 570
15 Belleville Avenue, Belleville, New Jersey in the Township of
16 Nutley.

17 WHEREAS, the agency has agreed and functioned in
18 the past to provide behavioral healthcare for the residents
19 of Nutley and will continue to provide said services in
20 accordance with the terms and conditions of this agreement,
21 and;

22 WHEREAS, Nutley has agreed to make annual grants
23 of funds for the partial support and maintenance of the said
24 services rendered by this agency to Nutley residents, and;

25

1 It is hereby agreed that the agency will furnish
2 and provide behavioral healthcare services to residents of
3 Nutley by professionally-qualified personnel, and will
4 cooperate with other Nutley community programs which deal
5 with the provision of said services.

6 For services rendered by the agency and described
7 heretofore, during said contractual period of January 1,
8 2018 through December 31, 2018, Nutley agrees to pay the
9 agency a grant in the amount \$20,000.00. Payments on
10 account of the obligations set forth above shall be made
11 annually to the agency no later than December 31st, 2018 in
12 the amount of \$20,000.00 for the year. The agency will
13 provide a therapist once a week to see Veterans in need of
14 therapy at the Department of Public
15 Affairs/Health located at 149 Chestnut Street, Nutley, New
16 Jersey.

17 WHEREAS, funds will be available from account #8-
18 01-118-200 in the amount of \$20,000 and will be
19 certified by the chief financial officer, said certification
20 being subject to adoption of the 2018 Municipal Budget;
21 and

22 NOW, THEREFORE, BE IT RESOLVED by the Board of
23 Commissioners of the Township of Nutley, County
24 of Essex, State of New Jersey that the mayor and the township
25 clerk be and they are hereby authorized to

1 execute an agreement with Northwest Essex Community
2 Healthcare Network.

3 BE IT FURTHER RESOLVED that the parties hereto
4 have caused these presents to be executed by their
5 respective mayor, officer and attested to by their
6 respective municipal clerk or secretary and their official
7 seal to be affixed hereto.

8 Before I move this motion, this is going to be the
9 individual who is going to be in our department, who is
10 going to provide services, not only to combat veterans, but
11 also any individual, especially first responders, who are
12 suffering from post-traumatic stress disorder. This is no
13 additional funds to the township taxpayers. I had cut -- or
14 actually, reduced the payment to Nutley Family Service
15 Bureau.

16 I first reduced 65,000 in total, and then we
17 decided that they needed help on their thrift shop and their
18 food bank program. So I restored 25,000 to them. But I got
19 a net savings for the taxpayers of about \$45,000. Now, this
20 is a much-needed service.

21 This individual coming is also going to be
22 visiting, not only our veterans throughout town, but they're
23 going to be visiting senior citizens, disabled people. I've
24 got to tell you I learned it when I ran for office in 2012
25 and went door-to-door. We have a growing senior population.

1 We have senior citizens who are locked in their homes.

2 They're not getting out. They're not
3 communicating with people. We have a program set up now --
4 and I saw some of my staff doing it today -- shopping for
5 these senior citizens on the computer in our office in the
6 building.

7 Very lonely people, very depressed people. The
8 economy is crushing them. It's pretty bad out there. But
9 we can only do the best we can with what we have.

10 So with the help of my colleagues -- and they know
11 -- all their departments have been involved in transporting
12 people and visiting these seniors. This is the best we
13 could do right now, and I wish I could do more. But I want
14 to thank all the commissioners for supporting this, because
15 it's a critical need.

16 And I now move this motion.

17 COMMISSIONER PETRACCO: I second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: I abstain.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: I'd just like to add to

1 Commissioner Rogers as well and say that, you know, the
2 pulse of the senior citizens, the veterans -- I think that
3 we're all taking a hard look at our departments of what are
4 must needs and what we really need.

5 And I really appreciate you stepping up, Steve,
6 and having the courage to add this, because I think just
7 having the store and seeing all these people come in, there
8 really is a need for it. So thank you.

9 COMMISSIONER PETRACCO: I vote aye.

10 COMMISSIONER ROGERS: Thank you.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 Commissioner Tucci?

14 COMMISSIONER TUCCI: Yes.

15 BE IT RESOLVED, by the Board of Commissioners of
16 the Township of Nutley, county of Essex, state of New
17 Jersey, that Shade Tree Committee meetings will be held on
18 the following dates, for the year 2018. January 11, 2018;
19 March 8, 2018; April 5, 2018; June 7, 2018; September 13;
20 and November 8, 2018.

21 I move the resolution.

22 COMMISSIONER EVANS: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 MADAM CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye.

8 COMMISSIONER ROGERS: WHEREAS, a resolution was
9 adopted on December 6, 2016, awarding a contract to C.
10 Walter Searle Agency, 410 Franklin Avenue, Nutley, New
11 Jersey 07110 for accident safety review and consulting; and

12 WHEREAS, the agreement entered into between C.
13 Walter Searle Agency and the township of Nutley on January
14 1, 2017 was for a period of one year, with the option to be
15 extended, for an additional year, not to exceed two years; and

16 WHEREAS, funds are available from 8-01516-245, not
17 to exceed \$10,000 for the year, and have been certified by
18 the chief financial officer, said certification being
19 attached to this resolution; and

20 NOW THEREFORE, BE IT RESOLVED that the Township of
21 Nutley renew the contract with C. Walter Searle Insurance
22 Agency, 410 Franklin Avenue, Nutley, New Jersey, pursuant to
23 the previously-signed agreement.

24 I move the resolution.

25 COMMISSIONER EVANS: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: I have to abstain, only
9 because I do business with Bobby Searle. And I have to say
10 he does a fine job.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 WHEREAS, the Township of Nutley has the need to
14 acquire vision care network plan services on behalf of the
15 township employees; and

16 WHEREAS, such services may be acquired as a non-
17 fair and open contract pursuant to the provisions of
18 N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

19 WHEREAS, Premier Vision Care, 990 Cedar Bridge
20 Avenue, Suite B7-130, Brick, New Jersey submitted a proposal
21 indicating that they will provide the services for the sum of
22 \$1,836; and

23 WHEREAS, the term of this contract is for a one-
24 year period commencing on January 1, 2018 and continuing
25

1 through December 31, 2018 with the option to be extended for
2 one year; and

3 WHEREAS, funds will be available from account #8-
4 01-526-245, and have been certified by the chief financial
5 officer.

6 NOW THEREFORE, BE IT RESOLVED, that the Board of
7 Commissioners of the Township of Nutley, County of Essex,
8 State of New Jersey authorizes the Commissioner of Parks and
9 Public Property to enter into a contract with Premier Vision
10 Care.

11 I move the resolution.

12 COMMISSIONER EVANS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER TUCCI: That's all I have, Mayor.

24 MAYOR SCARPELLI: Thank you, Commissioner.

25 Commissioner Evans?

1 COMMISSIONER EVANS: Thank you, Mayor.

2 WHEREAS, in accordance with N.J.A.C. 17:27-3.2
3 each public agency in the Township of Nutley shall
4 designate an individual to serve as a public agency
5 compliance officer to liaise with the Department of
6 Treasury, Division of Public Contracts Equal Employment
7 Opportunity and the Township;

8 NOW, THEREFORE, BE IT RESOLVED that the Mayor and
9 Board of Commissioners hereby reappoints Eleni Pettas,
10 Municipal Clerk, as the township's compliance officer for
11 the calendar year 2018.

12 BE IT FURTHER RESOLVED a copy of this resolution
13 will be forwarded to the Department of Treasury, as
14 indicated in the resolution.

15 So move.

16 COMMISSIONER TUCCI: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye.

2 COMMISSIONER EVANS: WHEREAS, all government units
3 must prepare and submit a corrective action plan as part of
4 the annual audit process in accordance with OMB Circular A-
5 133 and 98-01;

6 NOW, THEREFORE, BE IT RESOLVED, by the Board of
7 Commissioners that the attached corrective action plan for
8 the audit year 2016 is hereby approved.

9 A copy of the plan shall be kept on file with the
10 Municipal Clerk and also a copy will be sent to the Division
11 of Local Governmental Services.

12 So move.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 COMMISSIONER EVANS: BE IT RESOLVED BY the Board of
25 Commissioners of the Township of Nutley, County of Essex

1 that the treasurer is hereby authorized to refund
2 overpayments of tax charges totaling \$19,660.26 individually
3 for Block 4500-9 for \$6,040.90; for 3900-1.01 individual
4 amounts for 16 of \$1,692 in 2016 and \$9,417.26 for '17 and
5 for Block 5600, Lot 37, \$2,510, for a grand total of
6 \$19,660.26.

7 So move.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER EVANS: My next resolution is the
20 reappointment of Millennial Strategies as our grant writing
21 service for reappointment for the year 2018, beginning
22 January 1st. It's a non-fair and open contract pursuant to
23 the provisions of N.J.S.A. 19:44A and 20.05. Overall, it's
24 critical that we continue to have a grant writing capability
25

1 for someone who's out there searching for grants for the
2 township. We benefit greatly by having this service.

3 However, you know, given -- in light of where we
4 are financially, we've negotiated with Millennium a \$10,000
5 reduction in the contract from 40,000 down to 30,000 for the
6 12-month period beginning in 2018, which is subject to the
7 adoption of our budget for the year 2018.

8 I move the resolution.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: I vote aye, but I'd just
18 like to add a comment as well. And I know the Board of
19 Commissioners know this, but I think Millennium is worth
20 their weight in gold. The work that went into getting the
21 police grant for a half a million dollars over the next four
22 years, which we were one of four in the state to achieve
23 that. And usually, those grants go into the inner cities. So
24 for Nutley to get a grant like that, I have to really commend
25 Millennium's effort. Really, a job well-done.

1 I vote aye.

2 COMMISSIONER EVANS: It was really nice of them
3 when I raised the issue of we have financial challenges.
4 They were very willing to work with us and reduce their
5 fees.

6 COMMISSIONER PETRACCO: That's great.

7 COMMISSIONER EVANS: So same service for less
8 money.

9 COMMISSIONER PETRACCO: Fantastic.

10 I vote aye.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 COMMISSIONER EVANS: My last resolution is
14 pursuant to New Jersey State Statute 54:4-3.3, which
15 provides that war veterans who were honorably discharged
16 from active service in a time of war, in any branch of the
17 armed services who have been declared 100 percent
18 permanently disabled shall be exempt from property taxes on
19 their dwelling.

20 NOW, THEREFORE, BE IT RESOLVED, by the Board of
21 Commissioners of the Township of Nutley, that Dominick Senna
22 be granted a full exemption from payment of property taxes
23 from November 28th, 2017 and all subsequent years on the
24 property identified as Block 9200, Lot 20, also known as 34
25 Newark Avenue; and

1 BE IT FURTHER RESOLVED, that he is entitled to a
2 refund of \$712.80 for 2017 property taxes.

3 So move.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 COMMISSIONER EVANS: Thank you, Mayor.

16 MAYOR SCARPELLI: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Thank you.

18 I'm just going to consolidate this. I'll read
19 these by title.

20 Resolution Number 261-17, appointment of Emergency
21 Management Council, local Emergency Planning Council,
22 Environmental Commission. This is from January 1st, 2018
23 through December 31st, 2020. There's a bunch of names on
24 it. I'm sure everybody has a packet, so I'll just move it
25 like that to save some time.

1 I move the resolution.

2 COMMISSIONER ROGERS: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 COMMISSIONER PETRACCO: Resolution 262-17,

14 WHEREAS, the Township of Nutley has determined that the

15 property described on Schedule A attached hereto

16 and incorporated herein has been abandoned by its owners and

17 titled as junk, cleared through the Division of Motor

18 Vehicle;

19 This is just things that we've confiscated, and
20 we'll looking to go out and actually to sell them off. So
21 this is Resolution 262-17.

22 I move the resolution.

23 COMMISSIONER ROGERS: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 MADAM CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 COMMISSIONER PETRACCO: Resolution 269-17,

10 WHEREAS, the Township of Nutley has the need to acquire
11 towing services; and

12 WHEREAS, the Municipal Clerk is hereby authorized
13 and directed to advertise for sealed bids for towing;

14 WHEREAS, specifications are available in the
15 Purchasing Department, Town Hall, One Kennedy Drive, Nutley;

16 WHEREAS, bids are to be received by Wednesday,
17 December 27, 2017 by 3:00 pm and addressed to the Municipal
18 Clerk, Township of Nutley, 3rd Floor, Commission Chambers,
19 Nutley, New Jersey, at which at which time, they will be
20 publicly opened and read;

21 NOW THEREFORE BE IT RESOLVED, by the Board of
22 Commissioners of the Township of Nutley, County of Essex,
23 State of New Jersey that the township clerk be and she is
24 hereby authorized to advertise for sealed bids for towing
25 services.

1 I move the resolution.

2 COMMISSIONER ROGERS: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 COMMISSIONER PETRACCO: And this Resolution 275-

14 17, this is our safe and secure grant that we applied for,

15 total cost of \$222,875.94. This is Resolution 275-17, which

16 we've been doing since I've been here.

17 I move the resolution.

18 COMMISSIONER ROGERS: Before I vote, I want to

19 emphasize the point that the Commissioner here to my left

20 has worked very, very hard to maintain the security of this

21 community. Needless to say, there's a lot around us, very

22 close to us that's very troubling. The problem with the

23 terrorist activity around the country -- never say it can't

24 happen here. It could. We have a police department that

25 does a real, real tremendous job.

1 And, Commissioner, you thanked me before, but I
2 want to thank you, too.

3 And look, this isn't just patting each other on
4 the back. This is serious business. When we think about
5 the security of our community and the safety of the
6 citizens, one of the greatest defenses is a very visible,
7 effective police department. So I just hope that you
8 continue to stay the course. And I just want to thank you
9 for that.

10 And I vote yes.

11 COMMISSIONER PETRACCO: I appreciate that, Steve.

12 MADAM CLERK: Commissioner Rogers, you said yes?

13 COMMISSIONER ROGERS: Yes.

14 MADAM CLERK: Okay.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER PETRACCO: BE IT RESOLVED, by the
24 Board of Commissioners of the Township of Nutley, County of
25 Essex, state of New Jersey that in accordance with the

1 provision of R.S. 40A 4-58, the following transfers of
2 appropriations in the 2017 budget be and the same are hereby
3 authorized and approved. It's salary -- fire salary and
4 wage, 50,000 from Account Number 7-01314-100 to Fire O&E,
5 \$50,000; 7-01-314-200.

6 I move the resolution.

7 COMMISSIONER ROGERS: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 COMMISSIONER PETRACCO: That's all I have.

19 MAYOR SCARPELLI: Thank you, Commissioner.

20 This is Resolution 263-17, 2018 Board of
21 Commissioners Public Meeting Schedule, with the dates listed
22 below.

23 I move the resolution.

24 COMMISSIONER TUCCI: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 Resolution 264-17, which is the 2018 holiday schedule,
11 as listed below.

12 I move the resolution.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 BE IT RESOLVED, by the Board of Commissioners of the
25 Township of Nutley, County of Essex, State of New

1 Jersey, that the following newspapers are hereby designated
2 as the official newspaper for advertising for the Township
3 of Nutley, for the year of 2018: The Nutley Sun, the Star
4 Ledger, and the Herald News.

5 I move the resolution.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 MADAM CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 BE IT RESOLVED by the Board of Commissioners of the
18 Township of Nutley, County of Essex, State of New Jersey,
19 that Joseph P. Scarpelli and Kathy Rempusheski be
20 appointed as representatives of the Community Development
21 Block Grant Committee for the term of January 1st, 2018
22 through December 31st, 2018.

23 I move the resolution.

24 COMMISSIONER TUCCI: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 WHEREAS, raffle applications have been received
11 from the following organizations. St. Mary's Church,
12 License Number 56-17, full day of instant raffle to be held
13 every Tuesday in 2018, except for March 27th and December
14 25th, 2018. St. Mary's Church, License Number 57-17, Bingo
15 every Tuesday in 2018, except for March 27th and December
16 25th, 2018.

17 WHEREAS applications have been reviewed and
18 approved by the municipal clerk and the police department;

19 NOW, THEREFORE, BE IT RESOLVED by the Board of
20 Commissioners of the Township of Nutley, County of Essex,
21 State of New Jersey that the aforementioned licenses are
22 approved. The municipal clerk is also authorized to issue
23 the raffle licenses.

24 I move the resolution.

25 COMMISSIONER TUCCI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 WHEREAS, the Department of Public Works announces
12 there will be free two-hour metered parking from December
13 11th, 2017 through December 25, 2017; and

14 WHEREAS, the suspension of metered parking during
15 the holidays is a Nutley tradition to promote our business
16 district and support local merchants; and

17 WHEREAS, the free two-hour parking will allow
18 ample time for residents to take the opportunity to
19 leisurely walk and "Shop Nutley First"; and

20 NOW, THEREFORE BE IT RESOLVED that the Board of
21 Commissioners of the Township of Nutley, County of Essex,
22 State of New Jersey, wishes you a happy and healthy holiday
23 season.

24 I move the resolution.

25 COMMISSIONER TUCCI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 BE IT RESOLVED by the Board of Commissioners of the Township
12 of Nutley, County of Essex, State of New Jersey, that the
13 Township of Nutley shall apply for Community Development
14 Grant (CDBG) monies for the year 2018; and

15 WHEREAS, the public hearings regarding the CDBG
16 Program were held on November 6th, 2017 and December
17 4, 2017, at which time applications of grants were accepted;

18 NOW, THEREFORE, BE IT RESOLVED that the Township
19 of Nutley submits the applications for funding for 2018;
20 Ernest Street, from Essex St. to Harrison Street
21 reconstruction and resurfacing, in the amount of \$180,448.

22
23 I move the resolution.

24 COMMISSIONER TUCCI: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 BE IT RESOLVED, by the Board of Commissioners of
11 the Township of Nutley, County of Essex, New Jersey that in
12 accordance with the provision of R.S. 40A 4-58, the
13 following transfers of appropriations in the 2017 budget be
14 and the same are hereby authorized and approved:

15 From mayor's salary and wages, \$9,000 to a
16 Celebration of Public Events, Recycling salary and wage,
17 35,000 to street lighting, 35,000, for a grand total of
18 \$44,000.

19 I move the resolution.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 MADAM CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 That concludes the business portion of our
7 meeting.

8 Madam Clerk?

9 MADAM CLERK: Yes, Mayor.

10 All persons addressing the Board of Commissioners
11 regarding community concerns should approach the microphone
12 and provide their name and address for the record. Unless
13 further time is granted by the board, each person shall
14 limit their address to five minutes. All remarks to the
15 board and its individual members must be addressed to the
16 mayor.

17 The mayor may defer citizens' comments to the
18 appropriate member of the board. Dialogue between citizens
19 and others addressing the board shall be allowed, unless the
20 mayor or presiding officer or the majority of the membership
21 of the board shall determine that the interests of decorum
22 and/or the expeditious conduct of municipal business are
23 being adversely affected by such dialogue.

24 MAYOR SCARPELLI: Would anybody like to address
25 the board of commissioners this evening?

1 Seeing none, motion to close?

2 MADAM CLERK: We're going into executive, right?

3 MAYOR SCARPELLI: Oh.

4 MADAM CLERK: Right? Oh, I'm sorry.

5 MS. ROSSI: Good evening. My name is Tammy Rossi
6 (ph). I reside at 28 Colonial Terrace. And as you can see
7 in the audience this evening, there are people from
8 different facets of town, and there is an elephant in the
9 room that I feel is so important to address.

10 With the upcoming election on the \$70 million
11 referendum -- there are many concerned citizens in this
12 town. And I do feel for the parents of young children who
13 are concerned about the quality of education their children
14 will receive. I also understand the commitment our
15 superintendent (indiscernible) because she tried to push
16 forward some additions on the schools to accommodate the
17 needs of the growing population in town.

18 What we have a concern over is -- you know, and
19 please correct me if I'm wrong. But I may not see a coming
20 together and working between the Commissioners and the Board
21 of Education to accommodate the taxpayers of this town. It
22 seems like in the time that I've been here, I go
23 (indiscernible). And I was told every, single time invest
24 in your schools. You're investing (indiscernible).

25 I (indiscernible) because (indiscernible),

1 considering (indiscernible). And it hasn't been because of
2 the schools, because the school rankings haven't improved.
3 Is that the latest study? I mean, (indiscernible) repeat
4 that?

5 So what is the real issue we're facing? Is the
6 issue that we're really facing the growing population of
7 town? This is a three-square-mile town. According to the
8 U.S.census.gov web site, by definition, an urban
9 neighborhood has a population density of 1,000 people per
10 square mile. We're only 9,000.

11 This is an urban town. It's not even a suburb. A
12 lot of people in town seem to think it is. It's not.

13 And with the continued approval of all these
14 apartments, approval of converting single-family homes into
15 multi-family dwellings, that's not only putting pressure on
16 our schools. It's putting additional pressure on the
17 congestion in town, on our resources, our water, our sewer,
18 our garbage collection.

19 Is anybody paying attention to all of these
20 additional challenges that are facing the taxpayer? So I
21 understand your situation. You're trying to create
22 rateables, but you're -- but at the same time, you're trying
23 to get -- and these bond referendums we have with the
24 Davis building and the Ciccolini bond next year. We're losing
25 \$4 million of transition aid from the State.

1 We are facing a lot. That's coming from your
2 side, the BOA is putting more on our plate with this other
3 referendum. So it's (indiscernible). You guys have your
4 agenda. They have theirs, but we're feeling it.

5 And I'm here today just to voice my opinion.
6 Because believe me, even though the townspeople aren't
7 showing up at their meeting and these meetings, they're
8 talking. People are struggling in town, and I think you
9 need to be made aware of it.

10 This is a great town, and we are lucky we
11 (indiscernible) and have faith that you'll do the best of
12 your abilities to make this a great quality town. It's
13 quality over quantity. That's all I have to say. Thank
14 you.

15 MAYOR SCARPELLI: Thank you, Ms. Rossi.

16 Would anybody else like to address the board of
17 commissioners this evening?

18 MS. CELENTO: Hi, my name is Amy Celento (ph). I
19 live at 70 Newman Avenue in Nutley. I'm a homeowner, also a
20 business owner in Nutley. And tonight I came home to this
21 five reasons to vote no on the referendum.

22 So this was left at my door by a concerned citizen
23 or maybe a group of concerned citizens. And it references
24 no more transitional aid, the school rankings not having gone
25 up, residential On-3 (ph) and new apartments, tax

1 increases and the anticipated 2021 reevaluation.
2 (indiscernible). So I know this was prepared by a citizen
3 or a group of citizens, and some of these issues are
4 seemingly unrelated, how they're presented to the citizens
5 of Nutley.

6 The school board referendum is being presented in
7 its very own election that cost \$10,000 to administer, from
8 what I understand. Maybe it's 50,000. There was a cost
9 involved with having a separate election, versus having had
10 a referendum vote via the very election that was held just a
11 month ago here in Nutley, the gubernatorial election, which
12 I believe was probably mostly paid for by the state.

13 So from a consumer's perspective and a citizen's
14 perspective, these issues all blend together, because they
15 impact the taxpayers. Yet, from what I understand, reading
16 minutes of the meeting, -- I've actually never been to one
17 of these meetings. I've never been to a planning board
18 meeting, but I look at minutes.

19 I've never been to a zoning board meeting, but I
20 look at minutes. And I haven't been to a school board
21 meeting, but I look at minutes. And from what I can tell,
22 none of these meetings ever sort of blend. You're all here
23 doing what you've been elected to do, and some of you
24 actually serve on the planning board and the zoning board.

25 But there doesn't seem to be a blended approach to

1 any of these issues. We have school board members here
2 tonight. I don't believe there's been a blended meeting
3 addressing a \$70 million referendum ever with this
4 committee. And please, correct me, if I'm wrong.

5 MR. GENITEMPO: You're wrong.

6 MS. CELENTO: Okay. So I'm wrong. So there has been a
7 blended meeting. And I don't know if it's been a public
8 meeting. So thank you. I don't know if that takes my time
9 when you answer.

10 MR. GENITEMPO: Over the years. Just so you know,
11 over the years -- I won't take up your time.

12 MS. CELENTO: But I have two more -- thank you.

13 MR. GENITEMPO: But over the years, over the last
14 year, there have been several meetings in executive because
15 of the contractual nature of the issues back and forth where
16 the board of commissioners have met with certain board of
17 education members. Not a full board, because they would
18 have to -- have to notice the meeting -- where they had
19 their committee here regarding this particular referendum.
20 So there have been meetings. You should be aware of that.

21 They are in the minutes. You should see them in
22 the minutes.

23 MS. CELENTO: Okay.

24 MR. GENITEMPO: And I just wanted to correct the
25 record on that.

1 MS. CELENTO: No, I appreciate that. And some of
2 them, you said, are in executive because of sensitive
3 nature. As far as I can tell, the budget that I -- the
4 proposed budgets that I've seen for the \$70 million
5 referendum they're not about salaries. They're not about
6 employment.

7 There are things like \$7 million in HVAC for 1
8 building alone. There are HVAC budgets that are seemingly
9 through the roof for all of these buildings, which I believe
10 will correct -- hopefully, correct problems that have been
11 in existence for years. But I thought that some of the
12 other referendums that involved construction included
13 correcting HVAC problems in some of the buildings. But that
14 doesn't ever seem to happen.

15 So as a homeowner who invests in her home
16 regularly, anybody is welcome to check the tax records. I
17 filed for a number of permits, paid for those permits, paid
18 for the construction to be completed, closed out the permits
19 in a timely basis, and also have accepted the tax increases
20 that go with those. I understand what's involved in
21 investing in your property, and I understand that it costs
22 money.

23 But it's odd that what's been presented to us --
24 and actually, the numbers were presented publicly fairly
25 late in the game, in terms of the individual breakdown. I

1 understand that was done by the board of education, but it's
2 odd that, when I look for evidence of what all of your
3 positions are, I've only been able to find evidence of a few
4 statements that are sort of not really for and not really
5 against. They're sort of in a reference to well, you know,
6 we have to address overcrowding, so the school board's
7 making their best effort.

8 But what I haven't seen is reference to what's
9 going to happen at On Three (ph). They advertise live,
10 work, and learn. I drive by the sign every day. They are
11 planning to have people live at that property. What's that
12 going to do for our taxes for or against? What's it going
13 to do for our schools, for or against?

14 It's an over-55 community rate. I believe over-55
15 rules typically prohibit students from living there. But
16 it's been well over a year since the last announced, I guess
17 we'll say, public meeting about On Three and what might
18 happen.

19 So my time would be up. However, I get back 30
20 seconds. So I'm concerned that none of you really have a
21 response to anything I'm saying, other than thank you to the
22 township attorney, Mr. Genitempo, about the meetings. There
23 doesn't seem to be any combined response about a \$70 million
24 referendum and what it means to the taxpayers and what's
25 coming down the pike in terms of housing.

1 MAYOR SCARPELLI: Well, I want to address just one
2 -- a couple of things you said. One, On Three -- we're in
3 ongoing talks with Prism and don't have a final plan on
4 what's going to be on that property. So there is no way of
5 answering that question at this time.

6 And two, I can guarantee you that we work together
7 with the board of education on multiple issues. And that is
8 ongoing all the time. And I think as far as the
9 referendum's concerned, the board of education has done
10 their due diligence in getting us to this point, and now
11 it's up to the taxpayers to make a decision. And I think
12 that's where we're at.

13 MS. CELENTO: Okay, so I appreciate that response.
14 I will say then that the taxpayers are being asked to make a
15 decision not knowing what's coming at On Three, in terms of
16 residential units.

17 MAYOR SCARPELLI: We don't have that answer right
18 now.

19 MS. CELENTO: Okay.

20 MR. GENITEMPO: May I interrupt you for one
21 second?

22 MAYOR SCARPELLI: Sure.

23 MR. GENITEMPO: Just so you know, I mean, the
24 mayor -- what the mayor's -- we've been meeting, literally,
25 on a weekly basis with either Prism or their planners or

1 their attorneys. We have a weekly phone call. And one of
2 the main issues that we discuss is if there's going to be
3 residential. We're not even sure there is.

4 We want to make sure that it's not the kind of
5 residential that's going to affect the school system. So
6 that's the number one priority, if I may say, for the board
7 members, in terms of that negotiation. And it's a
8 negotiation. And right now --don't forget. That property
9 is four buildings that have existed for a long time.

10 The developer's main goal right now is to fill
11 those buildings with tenants so that the site becomes active
12 again and also to start to pay rateables back to the
13 township that we've lost. And that's the priority of the
14 commissioners, too, to recover some of that lost revenue.
15 So right now, there is no exact plan for what kind of
16 residential, if there's going to be residential. So we're
17 in the middle of that negotiation.

18 But I can tell you, having been at every single
19 meeting -- and the commissioners can't go to every meeting,
20 because they can only go two at a time because of the rules.
21 That is a priority of the commissioners. If there's going
22 to be residential, there will be the type of residential
23 that will not affect the school system. So if nothing else,
24 I hope you can understand that this is a foremost important
25 criteria for the commissioners, and they are adamant about

1 it.

2 So I hope you understand. I know there's a lot of
3 rumors going around town, and the commissioners try to
4 address them individually, but that's a fact. And, you
5 know, we hope to -- I think the commissioners hope to have
6 this development be a shining example of the future.

7 There's a lot of exciting things that we think are
8 going to come there. So clearly, they are cognizant of that
9 issue and the crowding at the schools. So I just wanted you
10 to be aware of that.

11 MS. LENTO: And I appreciate that. And I think
12 the challenge for any of us is we're being asked to vote on
13 a bond referendum, when this plan from Prism could be
14 announced on December 15th.

15 MR. GENITEMPO: No, and I appreciate that.

16 MS. CELENTO: And we don't know.

17 MR. GENITEMPO: And that's obviously, a concern
18 that's reasonable. That's not my point. You're exactly
19 being reasonable. But I'm telling you right now there's
20 going to be no announcement by Prism after the vote that
21 they're going to put X number of things that's going to
22 affect the school system. The commissioners are working
23 extra hard to avoid any of that, and that's not going to
24 happen, even for a while.

25 Like I said, the priorities -- there's only one

1 building that's half full. The medical school is coming
2 next year. The other two buildings are in play. There's
3 potential tenants.

4 That's been the priority, because they're existing
5 assets. And the rest of the site, of which there's not much
6 more on our side, is going to be developed. And the
7 commissioners have been very careful about what they're
8 going to let be built.

9 They have the power of the zoning there. So you
10 can be assured that that's not an issue they're going to
11 give up on. So it's not going to be like the election and
12 then an announcement. Nothing like that is absolutely
13 onboard.

14 MS. CELENTO: Okay, well, I appreciate the
15 response, again, as the township's attorney, I understand you
16 are a paid employee, and you are representing the entire
17 commission.

18 MR. GENITEMPO: Yes.

19 MS. CELENTO: And I appreciate the response.

20 MR. GENITEMPO: Thank you.

21 COMMISSIONER PETRACCO: I'd like to add something,
22 if I may. It goes back to -- I think it was 2012 -- no,
23 2013, when Roche called us and told us that they were
24 leaving. It was funny, because I was just at a dinner and I
25 talked to Dr. Jeff Boscraft (ph).

1 Is his name, Alan?

2 MR. GENITEMPO: Yes.

3 COMMISSIONER PETRACCO: Right? And he brought me
4 over to a table with the dean and all that stuff.

5 And I don't know if you overheard him, Mayor. But
6 he said that, you know, we are very fortunate. And if it
7 wasn't for this board of commissioners and myself at the
8 time, that there was a good chance that there might have
9 been a fence around that Roche property.

10 So I just want you to know that we did work very
11 diligent on that project. And I really think that we're way
12 ahead of schedule, because at the time, there wasn't any big
13 push for office space in Northern New Jersey. I mean, a lot
14 of people were working out of their homes and all that
15 stuff. So I owe a lot of credit to the board and to Seton
16 Hall and Hackensack for really getting this moving.

17 Because when we first got notice of the resolve --
18 I think, Commissioner Tucci, you were there with me -- was
19 they were talking about like a 20-year fix, that we were 20
20 years out from fixing that problem. So I understand your
21 questions, as far as the timing of the referendum. And
22 there are some unknowns there about transitional aid and
23 what's the rest of the site.

24 But I just wanted you to know my response is is
25 that we're an extension of the people. And I remember one

1 time when I wasn't involved politically at all and there was
2 something. I don't know if it was a referendum. But Mayor
3 Scarpelli's dad actually said, you know, it's time to leave
4 it up to the people.

5 You know, you have that right to vote which way
6 that you want to vote. And, you know, we have the right as
7 individuals to vote, you know, how we're going to vote and
8 the privacy behind the curtain. And myself, I've voiced my
9 opinion about the referendum. I think the need is
10 explicitly there.

11 I know the timing is, with a lot of unknowns, is
12 not the greatest. You know, not knowing what the future is
13 going to hold. But I do know that, you know, we need a good
14 school system for our children of this town, and I think
15 that that does tie into property values.

16 And I'm a little on the fence at this point of
17 which way I'm going to vote. But I hope that answers some
18 of your questions.

19 MS. CELENTO: And I appreciate that. And when you
20 say the timing of the vote, I'm not just referencing the
21 potential On Three development. I mean, having a separate
22 referendum vote -- and again, I believe I -- it is \$50,000
23 spent. I think it's unconscionable to ask the citizens of
24 Nutley to shoulder the additional \$50,000 expense for an
25 election 5 weeks after an election.

1 COMMISSIONER ROGERS: Mr. Mayor?

2 MAYOR SCARPELLI: Sure.

3 COMMISSIONER ROGERS: Now that the doors have been
4 open, I'm going to walk through it. I articulated last
5 week, and I'll articulate again, that I am opposed to a
6 referendum. I understand. I was a school board member.
7 I've been all over this country. I understand the pressures
8 that school systems are under.

9 I'm one of those people, like everyone in this
10 room, who wants to give the best we could for our children.
11 But as I articulated before, I am very, very concerned,
12 deeply concerned about the tax impact that this is going to
13 have on all of us, including myself and every commissioner
14 up here. Very concerned.

15 I'm concerned about those senior citizens who have
16 been telling me they're going to move. They're going to end
17 up in nursing homes. They're going to move. This is not a
18 scare tactic. This is real life. I mean, we're talking
19 about the future of citizens who have struggled and continue
20 to struggle.

21 Now, saying that, I'm not opposed to the concept.
22 I know there's a need, but timing is very bad. I am very
23 concerned that the election is on December 15th. I believe
24 there was a legitimate reason for that, so I'm not going to
25 go off and criticize that.

1 I'm concerned about it, because it's suppressing
2 the vote. It really is. It's in the middle of Christmas
3 season. And I'm not blaming the school board for that.
4 They probably have a darn good reason. Maybe they had a
5 time limit or whatever.

6 But seeing what I see out there -- and this board
7 -- and, Commissioner Tucci, you've talked so often about
8 affordability. You have. We just can't afford it. We just
9 can't afford it now.

10 I want to see, as someone said together, us come
11 together. And we have. Believe me, we have. We've had a
12 lot of meetings.

13 But I'm looking for a plan B, I guess, and plan C.
14 There's always a way to get there, but I don't think now is
15 the time. I really don't believe now is the time, in view
16 of the fact that we don't know what's going to happen with
17 Roche.

18 We don't know -- we know, we have an idea, and all
19 of us up here worked diligently to ensure, as the Counsel
20 said, that the housing situation -- if it was up to us,
21 there wouldn't be any housing there. But we are facing some
22 court mandates with affordable housing. We're facing a lot
23 of challenges that we're trying to overcome.

24 But my point is this. All right? You've heard it
25 from me. My position -- I'm opposed to it, purely based on

1 the fact that it's just unaffordable for people right now.
2 And, as Commissioner Petracco said, it's up to the
3 taxpayers. So if you hear any rumors out there about
4 Commissioner Steve Rogers saying this or saying that, you
5 heard it from me.

6 And let me add this, and this is very, very
7 important. I know every school board member. I know them
8 personally. I'm sure that they've lost a lot of sleep over
9 this, too. They are probably -- no doubt that they're
10 breaking their back and wracking their brains out trying to
11 figure a way to do what's best for our children.

12 I get it. I understand that. And I think we're
13 all trying to figure out trying to do what's best for the
14 community.

15 But my view right now -- I just wish we could all
16 take a step back and figure out first what's coming at
17 Hoffmann LaRoche, figure out what kind of transitional aid
18 we're getting, figure out -- in other words, we shed some
19 light, okay. You know, I wish somebody up there could shed
20 some light on the future. And once we have those facts in
21 play, then we move forward. Okay? Thank you.

22 MAYOR SCARPELLI: Would anybody else like to
23 address the board of commissioners this evening?

24 MS. ROSSI: Can I just ask one more question?

25 (Pause)

1 MAYOR SCARPELLI: Please state --

2 MS. ROSSI: Tammy Rossi, 28 Colonial Terrace. So
3 that was a great point. Why don't we take a step back? Is
4 it possible to just stop building apartment buildings? Stop
5 approving additional residences that (indiscernible) just
6 five years so we can catch up.

7 We can see what happens with On Three. We can
8 assess what happens in our schools and catch up on our
9 debt situation. Is that something maybe you could consider?

10 MAYOR SCARPELLI: My understanding, Ms. Rossi --and
11 Mr. Genitempo can correct me, if I'm wrong. A moratorium on
12 building is not legal.

13 MR. GENITEMPO: That's correct. Any developer has
14 the right to file an application for a development, and there
15 are certain criteria that each of the boards has to approve
16 and has to meet -- you know, the application has to
17
18 meet. So it's not so easy to do that.

19 The second thing is the data you're referring to
20 regarding what's coming out of the apartments, I don't
21 think, is 100 percent correct. The school board has that
22 data. Yes, the Cambridge Heights development did produce a
23 lot, but that's a different kind of development than the
24 other -- the things that are going up.

25 I'm not saying there's no children. The

1 demographer that presented to the commissioners didn't
2 present that kind of data. He presented data that the
3 children are coming from the homes, the single-family homes
4 that are turning over more quickly than they were in the
5 past.

6 So -- and I know you live right on the next block
7 from me. So, you know, when people move out -- they get
8 older. They move out. People move in with families, and
9 that has -- that has been what has created a big part of
10 this problem.

11 So -- and most of the apartments that have been
12 going in are one-bedroom apartments. So statistically and
13 by all studies, they're not creating a lot of children, nor
14 are they, from my understanding, in reality. So -- and I
15 understand your point. And it's a point raised by a lot of
16 people.

17 But you cannot have a moratorium on construction.
18 You have COAH -- as the commissioner said, COAH obligations
19 coming to the town that haven't been resolved. We're facing
20 that issue very soon, and we're trying to figure out a way
21 to resolve it to be in compliance with the law. So it's not
22 a simple proposition.

23 I know you know that. But there are a lot of
24 moving parts in every one of these solutions.

25 MS. ROSSI: Right.

1 MR. GENITEMPO: And we're trying to balance --
2 when I say we, me as counsel, but the commissioners are
3 trying to balance how you affect all these situations in a
4 positive way and follow the law. So although everybody
5 thinks that it would be a great idea to freeze all the
6 construction, it's just not realistic. And it creates
7 rateables that, in fact, have made up for the loss of
8 rateables at Hoffmann-LaRoche.

9 I know Commissioner Evans knows the numbers ten
10 times better than I do, but it has offset the revenue loss
11 from everything at Hoffmann-LaRoche. So if it wasn't for a
12 lot of these projects -- and I'm not saying I'm for or
13 against them -- we would really be in a deep hole, relative
14 to the rateables. So -- and I understand you said that
15 already about getting rateables, but it is a lot -- a lot
16 that's goes on -- it's all of this. And I hope that
17 everybody understands that.

18 MS. ROSSI: I'm just thinking in terms of global
19 impact on the town as a whole, impact the community as a
20 whole, beyond the schools, the congestion, the additional
21 pressure on our services in town. As I mentioned, the
22 sewer, water, garbage collection, other services in town
23 that the occupants of these apartments would have. And I
24 just wonder if that is a key point that could be used when
25 dealing with the space requirement.

1 This is a very small geographic area.

2 MR. GENITEMPO: Right.

3 MS. ROSSI: You can only handle so much.

4 MR. GENITEMPO: Right. But understand when
5 anybody makes an application before the planning board or
6 the zoning board, those issues have to be addressed by
7 professionals, and they have to present to the board their
8 opinions on traffic and water and sewage and what the
9 effects are going to be on the community. So that all has
10 to be taken into consideration, and it's part of the
11 criteria that those boards determine or use to determine
12 whether they're going to grant an approval or at what level
13 they're going to grant an approval, in other -- how many
14 units and so forth.

15 So it is part of the overall evaluation. It's not
16 just everybody just dismisses it and says well, we don't
17 care what the impact's going to be. There are impacts, and
18 they have to be -- they have to be addressed in those
19 hearings. So those hearings are boring sometimes, and
20 they're -- you know, you don't want to sit through them,
21 because they put you to sleep. But the proofs, the evidence
22 are usually produced, or the board won't grant the
23 application.

24 So even the fire department has to weigh in on all
25 these -- you know, the fire department, the police

1 department have to give opinions about the feasibility of
2 the actual project. So all those things are all factored
3 in, at least, you know, to the best that they can be. So
4 It's a very complex problem, and I know that everyone is
5 aware of that.

6 The COAH issue is a major issue that we have to
7 deal with.

8 MS. ROSSI: And the COAH could not just be
9 inclusive of the (indiscernible) or the (indiscernible)?

10 MR. GENITEMPO: No, because you don't get the kind
11 of credits from that that you get from either apartments or
12 homes or other types of residential. Like, for example,
13 assisted living or nursing homes. You get credits for
14 certain beds, but not for the whole unit. So it's a
15 calculation that the commissioners are doing now with an
16 expert.

17 We have our own counsel on it, an expert in COAH.
18 And we're waiting to -- we're in litigation on that right
19 now. So -- and that's a complicated issue that's going to
20 affect the entire town, not just what happens at the Roche
21 site. So I'm more than happy to talk offline with anyone
22 that has a question about it, but the commissioners have
23 really -- they're juggling all these balls in the air to
24 make sure none of them fall to the ground. That's really
25 what's really happening.

1 MS. ROSSI: Thank you very much.

2 MAYOR SCARPELLI: Thanks, Ms. Rossi.

3 Can I have a -- can I have a motion to close the
4 public comment portion of the meeting? And we'll come back
5 to the commissioners for comments.

6 COMMISSIONER EVANS: Fine.

7 MAYOR SCARPELLI: Motion?

8 COMMISSIONER ROGERS: Make a motion to close
9 (indiscernible).

10 COMMISSIONER TUCCI: Move it.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 Commissioners?

22 COMMISSIONER TUCCI: Yes.

23 Tammy, I don't know. Maybe it's the air or the
24 water on Colonial Terrace, because we are neighbors. I
25 couldn't agree with you more, as far as the apartments are

1 concerned and the impact that they will have globally on
2 this town, not only on the school system, but on services
3 and more importantly, Nutley is the way it is because of
4 what I call deep roots. All right?

5 We have generations of families that live here.
6 All right? Our children go off to school, if that's what
7 they choose to do. And then they come back, and then they
8 raise their families.

9 I think for now, we have plenty of apartments.
10 You need a balance, all right, because populations change.
11 You have, you know, the millennials that are looking for
12 smaller apartments. And we want to keep those here and our
13 people here and attract others to the town.

14 But I couldn't agree with you more on the
15 apartments. I would not be in favor of building any more
16 apartments right now. But understand that the planning
17 board and the zoning board are quasi-judicial boards. All
18 right? So we really have no influence on them.

19 I know the mayor -- and he is a designee -- that
20 sits on some of the boards. But ultimately, it's the
21 majority of the board that would vote on that.

22 To this young lady here, who was saying, you know,
23 you believe that there may be a disconnect, there is not a
24 disconnect between the Board of Commissioners and the Board
25 of Education. We speak to them probably more than either of

1 us want to. All right?

2 As far as the referendum is concerned, we're not
3 here to direct this referendum. We all have our own
4 opinions. As a father who had four children go through this
5 Nutley School System -- each of them done very well, all
6 right -- and a grandfather, who has seven out of ten
7 grandchildren who are -- either are attending or will be
8 attending the schools, of course, we want the schools to be
9 the very best they can.

10 However, sometimes, all right, you don't have
11 planning that's exactly the way it should have been. That
12 created some of the situations that we're in now. We need
13 improvements. We need space. We need to expand.

14 The question becomes, all right -- and I think
15 we've all articulated this at the last meeting when were
16 questioned. No one's questioning the need, all right, that
17 the Board of Education and the administration has articulated
18 -- and I think they've done an outstanding job in doing that.
19 It's a question of affordability, as Commissioner Rogers said
20 and it's been echoed all the way around. It's a question of
21 timing.

22 But I think everyone needs to search their own
23 souls to see what it is that is affordable. Because it's
24 not just the referendum, all right. You also have to
25 include what the -- what has been the traditional increases,

1 all right, to see what that total impact is. And then you
2 need to weigh both sides to see what makes sense, all right.

3 And again, we're not here to direct anyone one way
4 or the other for the referendum. Is it necessary? Are the
5 improvements necessary? Absolutely. Is the timing correct?
6 I think that's a personal decision that everyone needs to
7 make.

8 But our job here, all right, is to maximize the
9 rateables at Hoffmann-LaRoche. And I'm sure Commissioner
10 Evans is going to follow-up on this, all right -- and to do
11 the very best we can to make this town attractive, not only
12 for the folks that are here, but for future generations to
13 come back here so Nutley remains the premier community that
14 it is, and we don't become like, unfortunately, some of our
15 surrounding towns, who aren't in as good a shape as we're
16 in.

17 So if you want to know where we stand on anything,
18 go back and read the minutes from the last meeting. I think
19 we've articulated them very well.

20 MAYOR SCARPELLI: Commissioner Evans?

21 COMMISSIONER EVANS: Yes, Mayor, just a few
22 points. I'll wait 'til the siren --

23 (Pause)

24 COMMISSIONER EVANS: Thank you. Several points
25 have been raised about the Hoffmann-LaRoche site, some of

1 the development in town, and some of the pressures that we
2 face. And I've shared this before. It's a very complex
3 financial structure.

4 We didn't lose \$4 million worth the transitional
5 aid. We lost \$1 million on a net basis for 2017. As it
6 relates to the transitional aid, we still have transitional
7 aid for next year that we will work to get adopted. I'm
8 already in negotiations. And the Board of Commissioners,
9 obviously, through all their contacts, are in negotiations
10 to make sure that we do everything we can to get our
11 transitional aid reinstated.

12 In part, the reason for that and the justification
13 around it has been is that, in order to enable the Hoffmann-
14 LaRoche site to actually progress at a more accelerated pace
15 is that we've established a medical school on the site, a
16 private medical school, first in the state. And it's a
17 State issue. And we've been very clear about the fact that
18 the challenges that Nutley faces with Hoffmann-LaRoche
19 closure and its transition is not a local issue. It's a
20 State issue -- and that the State needs to be continued to be
21 there to support us. And they have been.

22 We received, you know, including this year, some
23 \$16 million worth of aid over the last few years to help
24 soften the challenge. The reason why I say that is at the
25 time that Roche closed, the rateable attached to the piece

1 that did close was \$9.8 million. Today that same property
2 is producing \$4.2 million in tax revenue. Without the
3 transitional aid, we would have a tremendous burden on this
4 town that our concern has been to avoid any collapse of the
5 town as a result of this undue pressure.

6 So the State has been very appreciative of our
7 situation and has been helpful. And with the existing
8 administration -- we're negotiating with the new
9 administration. We're already at the table negotiating with
10 them to make them aware so that we preserve the transitional
11 aid.

12 What's very clear to me is that in transition, the
13 Hoffmann-LaRoche site will never produce the revenue that it
14 used to produce. It's a different use. It was a single-
15 owner campus site. It's now a multi-tenanted site. So the
16 highest and best use, from an assessing standpoint, has
17 changed.

18 And so, the challenge we have is that we have some
19 existing buildings that are going to be tenant-occupied, in
20 some cases, multi-tenant occupied. And then we have some
21 open space that will need to be addressed. And one of the
22 things that is obviously under great consideration is
23 actually establishing a continuing care center on a piece of
24 the property for the benefit of the town.

25 So in part, what that did is that that led us to

1 evaluate the need to add rateables in a very careful way.
2 And we have been challenged by that. But to date, in order
3 to help soften the burden with Roche, which has a permanent
4 revenue loss, the new apartment structure is actually adding
5 \$2.2 million worth of new tax revenue every year. So it's a
6 new taxpayer that's actually paying for a tax that
7 otherwise, the existing tax base would have to absorb.

8 And that's been part of our challenge, is
9 evaluating, you know, one, we need the rateable. But how
10 far do we go?

11 The other thing is I think there has been a lot of
12 generalization about what apartments actually mean. What's
13 the burden on services? What does it mean to the schools?
14 And there hasn't been a very specific conversation about
15 what, in reality, that that means.

16 So, for example, Cambridge Heights, in 1995, was
17 forecast that, when it was built, it would add 128 students
18 to the school system. Right? It's a 20-year study. We're
19 now up, I think, above -- over 150. But on a 20-year study,
20 it wasn't too bad, on terms of what it was going to project.

21 At the time, we didn't have full-day kindergarten.
22 We didn't have the special needs requirements that we face
23 today. So some of the burden and the impact of that at the
24 time was not seen as, in effect, excessively stressive to the
25 school system because the factors at the time were very

1 different than those that we face today.

2 We have this ongoing challenge as well is that --
3 and this is where Commissioner Tucci started to allude to. As
4 a Board of Commissioners, we're very sensitive to what the
5 tax burden is on the taxpayer and what the taxpayer can
6 absorb. We are continuing to, not only fight for
7 transitional aid, but additionally, from the State, because
8 that's, I think, part of the formula to address our needs.

9 The other part of the formula is that we have been
10 in ongoing discussions about how we were going to adjust and
11 reduce our budget for next year. You'll be hearing more
12 about that as we go on, but the commissioners have been in
13 very active conversations about how much of our budget can
14 be reduced and can we possibly achieve a \$3 million
15 reduction or a budget to actually offset a tax increase for
16 next year, which is extraordinary to do that, given the
17 size.

18 If you think about it, your tax bill, all five
19 departments, all the services that come from the township
20 represent 35 percent of your property tax bill. So all the
21 municipal services are basically 35 cents on the dollar.
22 Seventeen cents on the dollar goes to the county for the
23 privilege of being part of Essex County, for the services
24 that they provide. And the balance is the school, right?
25 And we've -- in those active negotiations, we've been very

1 clear that, not only, you know, are we faced with the
2 challenge of reducing our budget, the school board has to
3 step up and reduce their budget.

4 We've also gone to the library and have said, hey,
5 you've got to adjust your budget, all right, because of the
6 financial times that we're in to see what we can absorb.
7 Because the one thing that we're very sensitive to is that
8 it just can't be the same formula that keeps adding costs to
9 the system. All right? That's just an issue of failure.

10 The other challenge is that cutting budgets is a
11 death of 1,000 cuts, right? Because there are certain
12 things that you need to do to preserve the health, welfare,
13 and safety of the community. Public safety services are
14 very expensive today, but they're necessary. So there's
15 going to be a certain point that we can go before we
16 jeopardize what is the integrity of Nutley.

17 The other thing that we have been, you know,
18 talking about a great deal is, with the On Three situation,
19 the need to, in effect, establish a very powerful brand
20 associated with Nutley for who we are as a community and
21 make sure that we remain vibrant and attractive to future
22 generations. Because one of the -- and, you know, it's been
23 mentioned as well -- is that one of the greater issues that
24 we face as a community is the fact that our single-family
25 homes are turning over. There's a large percentage of homes

1 that are empty nesters. And they're going to turn.

2 And when they turn, those are going to add
3 children to the school system. And when they add children
4 to the school system, it's not going to be a one-bedroom
5 apartment that may have one child or no children. Those are
6 multi-bedroom houses, and those are going to be families
7 that are going to be moving in there.

8 So the challenge that the school board faces is
9 the future growth, not just from apartments, but more
10 importantly, from the actual natural churn of our houses.
11 And we can -- it's impossible for us to put a sign on a
12 house that says this house is for sale, but no children.
13 Right? So that is a natural consequence of our township.

14 So what I wanted to basically share was one of --
15 somebody mentioned \$4 million, and I wanted to correct that.
16 It's only -- it's actually a million. We are very much
17 involved with the State to reinstate our aid and preserve
18 our situation, hopefully, improve it. We've been very
19 active in preparing ourselves for 2018. Now, we've been in
20 those meetings for a while to do that.

21 And we've encouraged the school board to do
22 exactly the same thing, because it can't be just one-sided,
23 given the fact that roughly 50 percent of the tax bill is
24 the school board. So if we're going to look to how do we
25 address the needs of our school system, it can't be

1 additive. There's got to be a way to specifically identify
2 how we're going to do our best to at least absorb it in
3 total or absorb it in part, but recognize that we need to do
4 a better job of communicating how we're going to deal with
5 the financial side of this.

6 MAYOR SCARPELLI: Thank you, Commissioner.

7 Commissioners?

8 COMMISSIONER PETRACCO: I see many people every
9 day, many, many people. And, you know, I think it depends
10 on who you talk to, you know, of -- you know, what their
11 priorities are.

12 You know, I have a new couple that just moved into
13 my neighborhood. You know, they were -- they came by to
14 patronize the store. I think the guy's a -- the father's a
15 teacher in Hoboken, New Jersey. He said he was a baseball
16 coach.

17 And he was at one of the events. I don't know
18 what event it was. And he comes into the store, and he says
19 to me, you know, "I was just at this event, great event,"
20 this and that. I said, "You know what? The town's really a
21 great town. You know, I'm glad you're here."

22 He moved from Jersey City or Hoboken, and they're
23 raising a family. And I said, "I know the taxes are high.
24 You know, but we really have a great town." You know what
25 he said to me? He goes, "For everything I get here, I don't

1 mind paying the taxes."

2 Then I see other people who are struggling, and
3 they're like, "I can't go for one more penny if this
4 referendum passes. If these taxes continue on the track
5 they're going, I'm going to have to move out. I'm not going
6 to have a choice." So, you know, there's a few things, a
7 few common factors.

8 You know, like I said, I'm on the fence myself.
9 Then, you know, the pro side of that makes me want to vote
10 for the referendum. I have three sons that went through
11 this -- that two went through the school system. I still
12 have a fourth grader in town.

13 And you know what? My taxes are over 20,000, and
14 nobody bitches and moans more than me. Trust me.

15 You guys agree on that, right?

16 But with that being said, how much is it to
17 educate a kid? Close to 15,000 in Nutley now? Am I close?
18 So if I have three kids in the school system, I'm costing
19 the Township of Nutley \$45,000. If I'm paying 20,000,
20 really, what am I complaining about? You know?

21 And I know some of you that my kids went to school
22 with. You know? You know? So if you start doing the math,
23 you know what? I think we're getting a pretty good deal
24 from the town, from the board of ed., because like I said,
25 for a while, I was costing this town 45,000.

1 As far as the school ratings are concerned, that
2 argument, I don't really buy into that. Because when I go
3 over the criterias of what those ratings are -- as far it
4 goes by the cafeteria, your gym classes, you know, your
5 buildings, you know. It's not all academic. And that's
6 what I'm concerned about.

7 So even when my kids were going through school
8 here in Nutley, you know, I worked hard with them. We come
9 from, you know, a pro-education family. You know, my one
10 son's in Pace University Law School right now. He went
11 through these schools that are not so great, as far as what
12 people said. He did wonderful.

13 And my other son got in -- I know you know him,
14 Tammy. I have my other son at Seton Hall University. He
15 got an academic scholarship there, partial. I have to pay,
16 of course, like everybody else, which hurts. But again, you
17 know, I keep hearing these schools aren't so great. I don't
18 know.

19 My kids seemed to excel here. But we were on
20 them. I have a fourth grader that was having problems with
21 reading. I invested in him, met with the school leaders, the
22 Board of Education. I hired a tutor for him.

23 So I think that we could fill our heads with a lot
24 of excuses why, you know, some -- you know, my kid's not
25 doing so well. My kid's doing good, all that stuff. I

1 think, as parents, it's our responsibility to put them in
2 the best places and to make sure that they do well and, you
3 know, invest in that.

4 You know, my kids played baseball with your kids,
5 right? You know? It seems like everybody in Nutley has
6 money for batting lessons and pitching coaches and all that
7 stuff. But, you know, I focused on education,
8 unfortunately, and my kids didn't make the Yankees.

9 But with all that being said, you know, it really
10 is a tough decision to make. But I just want people to
11 realize, you know, that you get -- you know, and this is
12 something I had discussed with Commissioner Evans in length.
13 You know, it's the value that we should be looking for in
14 Nutley.

15 Yeah, our taxes are high, but -- somebody in my
16 store today lives in Tom's River. They pick up the garbage
17 once every two weeks, I think they're there. How many times
18 do we pick up the garbage in Nutley, Commissioner?

19 COMMISSIONER ROGERS: Three plus bulk.

20 COMMISSIONER PETRACCO: Twice. And you can put any
21 -- and you could put anything out there.

22 So, you know, we've been doing a lot of talks, you
23 know, and a lot of tough decisions up here. And, you know,
24 what we have to be considerate of is, you know, you start
25 shirking at these services. And I laid off cops and firemen

1 in 2008, when I first got elected. And it wasn't easy having
2 300 people in this room petitioning against me. But I
3 believed in what I was doing was the right thing at the time,
4 and I went through with it.

5 And my kids got pulled over on Franklin Avenue
6 after that. So these are tough jobs up here. They're tough
7 seats to fill. You know, we do our best.

8 It's never a good time when you're asking people
9 for money, but I could say, you know, sitting up here for
10 the last ten years, I've always tried to strike that balance
11 where, you know, people that are struggling, try to
12 accommodate them. People that have the money, that it
13 doesn't matter, you know, try to meet somewhere in the
14 middle.

15 Because whatever you do, I'm sure all of us in
16 this room know that you can't make all the people, you know,
17 happy all the time. But I think with this referendum -- and
18 like Steve did, I do want to thank the board members and Dr.
19 Glazer (ph). You know what? I know their hearts are in the
20 right places. I know that you worked so, so hard.
21 I think it was Roe Tangorra (ph) that was in here one night.
22 And I'll never forget what she said, and I don't even know
23 what the issue was about it may have been about apartments.
24 But she said, "All the debate is good. If you're on the left
25 side, if you're on the right side, isn't it nice that you

1 could come here and debate the situation? And then when you
2 go to vote, you vote what's in your heart."

3 So again, I've been trying to strike that balance
4 for ten years here. I hope I have answered some of your
5 questions. Thank you.

6 COMMISSIONER ROGERS: Mayor, I'd just like to add
7 one more thing that my colleagues brought to mind.

8 First of all, Commissioner Tucci, you've been very
9 -- I listen to you. I hear a lot of things you say because
10 of your experience. And you've consistently used the word
11 character of the community.

12 I walked out of here, and I leaned over to the
13 mayor. You didn't hear this, so I'm going to tell you what
14 I said to him. I said, "You know what, Mayor? Are we
15 losing Mayberry?" And he looked at me, and he said, "I hope
16 not." And we look at Nutley as the Mayberry that
17 Commissioner Tucci has quite often talked about, regarding
18 the character of our community.

19 I used to ride around town here with Chief John
20 Holland. And every day, we'd ride and ride, and we'd look
21 at Nutley. And then we'd realize what was happening around
22 us. And we always asked the question, "How did this happen
23 to these communities throughout the state of New Jersey and
24 around the country where property taxes are going down, the
25 school systems are failing, taxes are going up?"

1 People are seeing their governments -- they don't
2 trust government any more and on and on and on. And here I
3 am in the year 2017, living and being somebody that's going
4 to have to help answer that question for us.

5 And, you know, Commissioner Petracco, you know,
6 you talked about, partly, about that, about where do we go
7 and what do we do. And I'd say the only failure that I
8 could see is that we have so many great things in town we
9 haven't marketed it. We haven't marketed it.

10 The best finance guy in the world sitting right
11 there, folks. You know his background.

12 This Parks Department fellow here -- I've been all
13 over this country. I have not seen any recreational
14 programs that match what's happening in Nutley, none.

15 The mayor -- the roots, man, are so far down the
16 pride and the integrity and the honor that you have given to
17 this township, and your family, over the years.

18 And then we've got my buddy here to the left, Al
19 Petracco.

20 Came onboard pretty tough times, wasn't it?

21 But he shaped up a police department that still
22 allows your children to go to school walking without the
23 fear of being shot, mugged. There are no gangs in town. We
24 have our problems. We do.

25 But I remember a woman from Newark said to me

1 ago -- I said to her, you know what. And we had our Junior
2 Police Academy in Nutley.

3 I snuck something in, guys. I had this -- the aunt of
4 a young nephew from Newark come. And she had her -- I said,
5 "Bring your nephew. He could come and join."

6 And I said to her, "If there's anything I could give
7 you for Christmas, what would you want?" And she said to me,
8 look, I would -- the best gift you could give me is that I could
9 wake up in the morning without the fear of Joseph -- was the
10 kid's name -- being shot on the way to school. And that said
11 something to me.

12 It said something to me that we have so much richness
13 in this town. Our history is so deep. So together, together,
14 we could make things happen.

15 And as I said, you know -- and, Tammy, you said it
16 also. But, man, I wish we could take a step back, take a deep
17 breath, and say you know what? Let's come together, and let's
18 figure a way, because there is a way.

19 But my point is this. The struggle we have is that
20 decisions we make could very well change the character of this
21 town, and we're never going to get it back. We're being very,
22 very careful on the decisions we make. And I know the members
23 of that school board are doing the same thing.

24

25 But thank you for talking about democracy. Other

1 towns, they failed, and they collapsed, because people
2 didn't care. They cared.

3 The young lady that first came up, you're right.
4 They're not people here, but they care. And you're here as
5 their voice. And I just want you to know that we're
6 listening. And thank you very much.

7 Thank you, Mayor.

8 MAYOR SCARPELLI: Thank you, Commissioner.

9 I just want to address some of the issues that
10 were brought up in some of the comments tonight. It was how
11 does the Board of Education and the commissioners -- do they
12 work together? Well, when we got cut our transitional aid,
13 we all sat down in a room, and we decided how we were going
14 to make up that difference. And we were able to make it up,
15 which was very difficult when we learned in September to
16 make up the amount of money that we were cut. But together,
17 working together, we resolved that issue.

18 The apartments and over-building -- when this
19 board was faced with what we thought was over-density on the
20 East Centre Street property and those properties and that
21 corridor, we came together, and we changed the zones. And we
22 put a halt to the building that was going on there, because
23 we thought it was time to pause and see what you know, make
24 sure that we weren't overbuilding there. And it seemed like
25 we were, and we haven't changed that zone back. So that's

1 the things we've done.

2 We can argue about some of the other apartments
3 that were built and that they're too dense or too high. But
4 when you look at the properties that 95 percent of them have
5 replaced, those were unproductive properties. They were
6 falling apart.

7 Take a look what was on Passaic and Kingsland.
8 Take a look what was on Franklin Avenue, that old warehouse.
9 Take a look at that old, dilapidated five-bedroom apartment
10 that's been replaced. All improvements. People are
11 investing money in our community.

12 So, yes, do apartments add some children to the
13 school system? They do. But that's not the driving force
14 of what's going on and why the schools are overcrowded.

15 If you listen to the Board of Education's
16 presentations, all-day kindergarten was a driving force.
17 Special education the State mandates. You know, the
18 shrinking classroom, as they call it. And as Mr. Genitempo
19 said, the turnover of one-family homes.

20 We have people moving into this community. So as
21 much as we complain that there's people that want to move
22 out because the taxes are too high, we're desirous to a lot
23 of people. There's people willing to pay good money for a
24 home. And the home values are starting to rise.

25 And people willing to pay the taxes. So there are

1 people willing to move into this town. There are people
2 willing to invest in this town. It's a good town.

3 And as far as Roche is concerned, let me tell you.
4 This board -- as the commissioners have said, we're working
5 hard, because we're very cognizant that the decisions that
6 we make over the next six months to a year are going to
7 affect this town for the next century. And that's heavy
8 stuff, and it's -- you know, it's weight-bearing on us.

9 It really does weigh on our minds. How are we
10 going to resolve that? And the decisions that we make --
11 where is this town going to be 20 years from now? Thirty
12 years from now? And I have children that have homes here,
13 just as Commissioner Tucci said.

14 We worry about that, and we worry about how
15 they're going to pay the taxes and how we're going to pay
16 the taxes. You know, so we're all in this together, whether
17 it's the Board of Commissioners, the Board of Education. And
18 I can guarantee you we're working together for the betterment
19 of this community today and in the future.

20 So I appreciate your comments tonight, as
21 Commissioner Petracco and Commissioner Rogers says, that's
22 what democracy is all about. So with that, I'll entertain a
23 motion to go into -- back into executive session.

24 COMMISSIONER ROGERS: Why do you always look at
25 me?

1 MR. FERRARO: (Indiscernible).

2 MAYOR SCARPELLI: Unfortunately, Mr. Ferraro (ph),
3 the public portion has been closed. All right? That was a
4 while ago, about a half-hour now.

5 MR. FERRARO: (Indiscernible)?

6 MAYOR SCARPELLI: After the meeting. After the
7 meeting. After the meeting.

8 MR. FERRARO: Okay.

9 COMMISSIONER ROGERS: You always look at me.
10 I make a motion that we close the meeting and go
11 into executive for personnel contracts.

12 COMMISSIONER PETRACCO: Second.

13 MADAM CLERK: WHEREAS, Section VIII of the Open
14 Public Meeting Act, Chapter 231, Public Law 1975 permits the
15 exclusion of the public for meetings in certain
16 circumstances; and

17 WHEREAS, the public body is of the opinion that
18 such circumstances exist; and

19 WHEREAS, the Board of Commissioners of the
20 Township of Nutley, in the County of Essex, in the State of
21 New Jersey desires to proceed to closed executive session;
22 and

23 NOW, THEREFORE, BE IT RESOLVED that the Board of
24 Commissioners of the Township of Nutley move into closed
25 executive session to discuss personnel and contract

1 negotiations;

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

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 We will be coming back into public portion, but
19 just to close the meeting. There'll be no action taken.

20 Good night, everybody.

21 MADAM CLERK: The time is 9:04.

22 (Proceedings were adjourned for the closed executive
23 session at 9:04 PM)

24 COMMISSIONER ROGERS: Move to close

25 COMMISSIONER TUCCI: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11
12 (Whereupon, these proceedings were concluded at
13 10:23 PM)
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C E R T I F I C A T I O N

I, Nicole Yawn certify that the foregoing transcript is a true and accurate record of the proceedings.

A handwritten signature in cursive script that reads "Nicole Yawn". The signature is written in black ink and is positioned above the printed name.

Nicole Yawn

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