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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

December 29, 2017
9:00 AM

BEFORE:

- Commissioner Steven L. Rogers
- Mayor Joseph P. Scarpelli
- Commissioner Mauro G. Tucci (absent/excused)
- Commissioner Alphonse Petracco (absent/excused)
- Commissioner Thomas J. Evans

Job No. NJ2787567

P R O C E E D I N G S

(Pledge of allegiance)

MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Thank you, Mayor. Board of Commissioners public meeting, Friday, December 29th, 2017. The time is 9:00 a.m. 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 is absent/excused.

Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco is absent/excused. Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor, except for Commissioner Tucci and Commissioner Petracco. They are absent/excused.

MAYOR SCARPELLI: Executive session minutes?

1 MADAM CLERK: Executive session minutes for
2 October 17th, 2017; November 21st, 2017; November 27th,
3 2017; December 5th, 2017 for sessions 1 and 2.

4 COMMISSIONER EVANS: Move the minutes.

5 COMMISSIONER ROGERS: Second.

6 MADAM CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye.

12 MADAM CLERK: That's it for minutes.

13 MAYOR SCARPELLI: Let's move right to public
14 comment on agenda items only. Madam Clerk?

15 MADAM CLERK: Yes, Mayor.

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

1 membership of the Board, shall determine that the interest
2 of decorum and/or the expeditious conduct of municipal
3 business are being adversely affected by such dialogue.

4 MAYOR SCARPELLI: Would anybody like to be heard
5 or address the Board of Commissioners on agenda items only?

6 MS. LANDRY: Good morning. Pennie Landry,
7 135 Lakeside Drive. I had questions about the resolutions
8 for three copiers. My question is did we do a study to
9 determine if it would be more fiscally advantageous
10 to lease versus purchasing these copiers?

11 COMMISSIONER EVANS: The purchasing agent is right
12 behind you, but just to -- I will defer to her for a more
13 detailed answer if it's necessary. But yes, there's an
14 evaluation around whether or not we should purchase or lease.
15 But usually over a lease, you -- it's actually you pay for
16 the copier over the lease term. So it actually hasn't been
17 historically advantageous. We're -- after we --as we go
18 forward, the lease terms are actually changing and we'll
19 evaluate that going forward. But as of right now, the best
20 option for us is to purchase.

21 MS. LANDRY: So the best option is to purchase
22 versus leasing?

23 COMMISSIONER EVANS: Yes.

24 MS. LANDRY: Okay. And this company Leslie Digital Imaging,
25 where are they located?

1 COMMISSIONER EVANS: Kathy?

2 MS. REMPUSHESKI: The home office is in Jericho, New
3 York. Kathy Rempusheski, Nutley purchasing agent. The
4 home office is in Jericho, New York (indiscernible)state
5 contract.

6 MS. LANDRY: Does this purchase include some ink from them
7 or --COMMISSIONER EVANS: Yes. It actually -- it does
8 and one of the advantages of going to these machines is that
9 the -- what they call the per click charge, which is --
10 includes the ink and things like that, is actually
11 significantly cheaper as we go forward. So the operating
12 costs of these machines are cheaper than what they old
13 machines are.

14 MS. LANDRY: Right. Have we ever looked into
15 maybe one centralized copier instead of all of these
16 different very expensive copiers?

17 COMMISSIONER EVANS: They're in different
18 buildings. So one's up in public affairs. One's in public
19 safety. And one's in revenue and finance. So to network
20 them into a central location, that's not possible.

21 MS. LANDRY: And how long ago -- what are the age
22 of the copiers that these are replacing?

23 COMMISSIONER EVANS: Generally, the copiers last
24 about five years.

25 MS. LANDRY: Five years?

1 COMMISSIONER EVANS: Yeah.

2 MS. LANDRY: We can anticipate another 10, 10 --
3 20,000 in five years as opposed to leasing?

4 COMMISSIONER EVANS: Hopefully -- we'll evaluate
5 leasing again as we go forward, but yes, given the demand
6 that's on these machines, generally they have a useful life
7 of about five years.

8 MS. LANDRY: Can you give me an example of demand
9 for the machine that will be in the -- Mr. Evans -- I mean,
10 Commissioner Rogers' office? What is (indiscernible)?

11 COMMISSIONER EVANS: Commissioner Rogers?

12 COMMISSIONER ROGERS: What was the question?

13 COMMISSIONER EVANS: What type of printing do you
14 do in your office --

15 COMMISSIONER ROGERS: Every day we're printing,
16 every day. I mean, it's -- in fact --

17 MS. LANDRY: Can you give me an example?

18 COMMISSIONER ROGERS: I can't give you an example.
19 I don't count the --

20 MS. LANDRY: (Indiscernible) --

21 COMMISSIONER ROGERS: I can't give you -- I don't
22 stand there and count the pages for goodness sakes. The
23 fact of the matter is that our health department uses it,
24 our registrar uses it. As you know, we've got death
25 certificates, birth certificates. I mean, it's just -- you

1 know, I mean this was probably the most economical way to do
2 this. And Commissioner Evans, thank you for your department
3 finding an economical way to get this machinery. It's a
4 necessity.

5 COMMISSIONER EVANS: Yeah.

6 MS. LANDRY: Okay. We did -- a couple of people
7 did a Google search and we did find these exact copiers for
8 like 3 or \$4,000 and that's just looking at making sure that
9 a lease had been looked at as an option.

10 COMMISSIONER EVANS: It had been.

11 MS. LANDRY: Thank you.

12 MAYOR SCARPELLI: Would anybody else like to
13 address the Board of Commissioners on agenda items only? Seeing
14 none, Board of Commissioner announcements? Commissioner Evans,
15 anything?

16 COMMISSIONER EVANS: Looking forward to 2018.

17 COMMISSIONER ROGERS: Me too.

18 MAYOR SCARPELLI: I would just wish everybody a healthy, happy
19 and prosperous New Year. We will move on to resolutions
20 Commissioner Rogers?

21 COMMISSIONER ROGERS: Resolution number 307-17.

22 Whereas, the Public Affairs Department, Township of Nutley
23 wishes to purchase a Canon Image Runner Advance C5550i Color
24 Digital Copier System from an authorized vendor under the
25 State of New Jersey Cooperative Purchasing Program; and

1 Whereas, the purchase of goods and services by
2 local contracting units is authorized by the Local Public
3 Contracts Law, NJSA 40A:11-12; and

4 Whereas, Leslie Digital Imaging, LLC (LDI Color
5 Box), 50 Jericho Quadrangle, Suite 115, Jericho, New York,
6 has been awarded New Jersey State Contract A404462/G-2075
7 for Reprographic equipment for the period of 2/21/17 to
8 1/11/18; and

9 Whereas, the cost of the purchase of the Canon
10 Image Runner Advance Color Digital Copier System is \$14,325;
11 and

12 Whereas, the utilization of this contract is
13 recommended on the grounds that it represents the best price
14 available; and

15 Whereas, funds available from account 07-01-110-
16 212 have been certified by the chief financial officer and
17 certification being attached to this resolution; and

18 Now, therefore, be it resolved by the Board of
19 Commissioners of the Township of Nutley that Leslie Digital
20 Imaging, LLC be awarded a contract for the purchase of a
21 Canon Image Runner Advance C5550i Color Digital Copier
22 System in accordance with State Contract #A404462/G-2075.
23 So moved.

24 COMMISSIONER EVANS: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 Commissioner Evans?

7 COMMISSIONER EVANS: Thank you. Whereas, the
8 Revenue and Finance Department of the Township wishes to
9 purchase a Canon Image Runner Advance C7570 Color Digital
10 Copier System from an authorized vendor under State
11 contract;

12 Whereas, the purchase of goods and services by
13 local contracting units is authorized by Local Public
14 Contracts Law;

15 Whereas, Leslie Digital Imaging in Jericho, New
16 York, has been awarded New Jersey State Contract for
17 Reprographic equipment for the period of February 2017
18 through January 11th, 2018; and

19 Whereas, the cost of the purchase of the Canon
20 Image Runner Advance Copier is \$20,063; and

21 Whereas, the utilization of this contract is
22 recommended on the grounds that it represents the best price
23 available; and

24 Whereas, funds are available from account G-04-
25 154-409 (Ordinance 3372I) have been certified by the chief

1 financial officer and said certification attached to this
2 resolution; and

3 Now, therefore, be it resolved by the Board of
4 Commissioners of the Township of Nutley that Leslie Digital
5 Imaging be awarded a contract for the purchase of a Canon
6 Image Runner Advance Digital Copier in accordance with State
7 Contract. So moved.

8 COMMISSIONER ROGERS: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 COMMISSIONER EVANS: Be it resolved, by the Board
16 of Commissioners of the Township of Nutley, State of New
17 Jersey that in accordance with the provision R.S. 40A:4-58,
18 the following transfers of appropriations in the 2017 budget
19 be and the same are hereby authorized and approved. From
20 Administration of Township Ordinance salary and wage,
21 13,000, to construction official salary and wage -- excuse
22 me, construction code official salary and wage, 13,000. So
23 moved.

24 COMMISSIONER ROGERS: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 COMMISSIONER EVANS: Thank you, Mayor.

7 MAYOR SCARPELLI: Thank you, Commissioner. I'm
8 going to ready Commissioner Petracco's resolutions in
9 condensed fashion.

10 Resolution 309-17. Whereas, the Public Safety
11 Department, Fire Department, Township of Nutley has a need
12 to purchase self-contained breathing apparatus from an
13 authorized vendor under the State of New Jersey Cooperative
14 Purchasing Program;

15 Now, therefore, be it resolved by the Board of
16 Commissioners, Township of Nutley that Gen-El Industries be
17 awarded a contract for the purchase of 60 sets self-
18 contained breathing apparatus (PSS 7000HP back plate with
19 articulating harness and related accessories) in accordance
20 with the State contract #80962. I move the resolution.

21 COMMISSIONER EVANS: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 Resolution 310-17. Whereas the Public Safety
4 Department, Fire Department, Township of Nutley wishes to
5 purchase a Canon Image Runner Advance C5550i Color Digital
6 Copier System from an authorized vendor under the State of
7 New Jersey Cooperative Purchasing Program.

8 Now, therefore, be it resolved by the Board of
9 Commissioners, Township of Nutley that Leslie Digital
10 Imaging, LLC be awarded a contract for the purchase of a
11 Canon Image Runner Advance C5550i Color Digital Copier
12 System in accordance with State contract #A404462/G-2075. I
13 move the resolution.

14 COMMISSIONER EVANS: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 Resolution #311-17. Whereas, the Township of
22 Nutley through the Department of Public Safety, Fire
23 Department, has the need to acquire traffic light
24 installation services on behalf of the Township as a non-
25 fair and open contract pursuant to the provisions of NJSA

1 19:44A or 20.5 as appropriate.

2 Now, therefore, be it resolved by the Board of
3 Commissioners, Township of Nutley, County of Essex, State of
4 New Jersey that a contract shall be entered into between the
5 Township of Nutley and HBC Company, 131 Washington Street,
6 Lodi, New Jersey for traffic light installation services.

7 I move the resolution.

8 COMMISSIONER EVANS: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 That concludes the business portion of our
16 meeting. Madam Clerk?

17 MADAM CLERK: Yes, Mayor.

18 All persons addressing the Board of Commissioners
19 regarding community concerns should approach the microphone
20 and provide their name and address for the record. Unless

21 further time is granted by the Board, each person shall

22 limit their address to five minutes. All remarks to the

23 Board and its individual members must be addressed to the

24 Mayor. The Mayor may defer citizens' comments to the

25 appropriate member of the board. Dialogue between citizens

1 and others addressing the Board shall be allowed unless the
2 Mayor or presiding officer, or the majority of the
3 membership of the Board, shall determine that the interest
4 of decorum and/or the expeditious conduct of municipal
5 business are being adversely affected by such dialogue.

6 MAYOR SCARPELLI: Would anybody like to address
7 the Board of Commissioners this morning?

8 MS. ROSSI: Good morning. Happy holidays.

9 MAYOR SCARPELLI: Good morning. Happy New Year.

10 MS. ROSSI: Tammy Rossi 28 Colonial Terrace. So now
11 as we embark upon a new year, there are three really hot
12 topics that I would love to see addressed in 2018. The
13 first would be a review and revision of the master plan with
14 public input. And the whole intent behind this is because
15 now that Dr. Glazer is seeking public feedback on what types
16 of modification we need to make within our schools we would
17 be better equipped knowing the master plan(indiscernible).

18 The second item would be to publicize on the Town
19 website and social media the specifics about how the
20 Commissioners are reducing our municipal budget by \$3 million
21 as announced at our 12/5 Board of Commissioner meeting. As
22 you know, we as the Nutley citizens are always looking to
23 see how we're streamlining operations in Town to run much
24 more efficiently to cushion the blow of our tax increases
25 every year, considering the challenges we face.

1 And the third is a commitment from all of you and
2 all the other boards of collaboration to make decisions that
3 do not add to the overcrowding of our schools. Mr. Genitempo
4 had mentioned in a previous meeting that there's no way at
5 this time to turn down further development of multi-families
6 and whatnot in town and that is problematic, as you know.
7 Nutley is only (indiscernible) square miles. Not all schools
8 have (indiscernible). And so we are -- are we just going to
9 keep chasing that number. And I ask that you find a way to
10 somehow put a cap on the development of multi-families and
11 whatnot.

12 I know that there are at this time even applications
13 where single family converted to multi-families that are in an
14 M-1 zone not an M-2. And that's something that, perhaps, I
15 hope you will consider not allowing to happen in Nutley.
16 Thank you.

17 MAYOR SCARPELLI: Thank you. Would anybody else
18 like to address the Board of Commissioners this evening? This
19 morning? Good morning.

20 MR. DEFILIPPIS: Good morning. I'm a little tall
21 so I'm just going to grab this. My name is John DeFilippis.

22 MADAM CLERK: Thank you. Thank you.

23 MR. DEFILIPPIS: 101 River Road. I am the
24 president of the Sleepy Hollow Condominium Association. And I
25 wanted to start this morning first by thanking you, I brought

1 a couple concerns to the Board earlier this year. Those
2 concerns were addressed. One of them had to do with signs
3 that needed to be installed on River Road, no parking signs,
4 which have made it much safer for our residents when they
5 enter into the development, so thank you for that. I also
6 brought up the issue of the back area for Sleepy Hollow,
7 which is that hill that leads up to the recycling plant.
8 Every now and then it becomes littered with trash Mayor
9 Scarpelli gave me his word that it would be cleaned up and it
10 was. So again, thank you for that as well. I'm here today
11 to bring up that issue again, not so much because of the
12 trash but because it has now become a safety issue for our
13 residents. I don't know if you're aware, but two years ago,
14 a boulder on that hill came loose -- a huge boulder rolled
15 down the hill, through the fence, into one of our vehicles.
16 If a resident had been in its path, I can guarantee you the
17 resident would have been killed.

18 At the time, it was reported to the Town. The
19 boulder was removed. I don't know that anything beyond that
20 was done. (Indiscernible) study or assessment was done on
21 that whole area, but I have to tell you that last week, a
22 tree on that hill fell onto our property. It landed on a
23 vehicle. Again, thank God no residents were in the area. No
24 one was hurt. The damage to the vehicle was minimal. But I
25 now have some serious concerns about that whole area,

1 the stability of the soil. I don't know what's causing,
2 what's causing boulders to come loose and trees to fall
3 down, but I really think it's reached a point where the Town
4 should commission an engineer, if we have an engineer of
5 record, to look at that whole area, do some kind of
6 assessment. Now I think is a good time to do that, come up
7 with a report, and see if there's a way to remediate that
8 area to make it safer for our residents and thus reduce the
9 Town's liability. Because as you know, you're liable if God
10 forbid something happens, a tree falls on a resident or
11 something like that.

12 So I felt obligated to come this morning to get it
13 on the record, to bring it to your attention and was hoping
14 that, you know, you could get an engineer to take a look at
15 that.

16 MAYOR SCARPELLI: Thank you, Mr. DeFilippis.

17 MR. DEFILIPPIS: You're welcome. And if you do, is
18 there a way that I could get in contact with the point
19 person?

20 MAYOR SCARPELLI: We'll --

21 MR. DEFILIPPIS: (Indiscernible). Like, for
22 example, do you have a point person with the Town who's
23 handling this? Someone that can communicate with me and
24 (indiscernible) --

25 MAYOR SCARPELLI: Let me discuss with Commissioner

1 Tucci and see who we want to put as the point person, all
2 right?

3 MR. DEFILIPPIS: Okay. Okay. Should I --

4 MAYOR SCARPELLI: And he's not here tonight.

5 So --

6 MR. DEFILIPPIS: Should I leave my contact
7 information (indiscernible)?

8 MAYOR SCARPELLI: We'll get it from the clerk.

9 MR. DEFILIPPIS: Okay. Thank you.

10 MAYOR SCARPELLI: Would anybody else like to
11 address the Board of Commissioners this morning? Can I have
12 a motion to close public comment?

13 MADAM CLERK: Motion to close?

14 COMMISSIONER ROGERS: Motion.

15 COMMISSIONER EVANS: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye.

22 I would just like to address Mr. DeFilippis a
23 couple of seconds. One, we will go back and have our
24 engineer go out there and take a look. And along with
25 Commissioner Tucci, we'll put somebody in charge of being a

1 point person. And just -- we're changing some of the
2 recycling and the way we are going to handle things, so
3 there will be less dumping down in that area on an everyday
4 basis, so that should help with some of the trash that gets
5 blown around. So hopefully the changes we make will help
6 with the maintenance down there.

7 MR. DEFILIPPIS: Okay. Great. Thank you.

8 MAYOR SCARPELLI: Anybody else?

9 COMMISSIONER EVANS: No. Just I was thinking
10 about an earlier comment. Joe, just correct me, the master
11 plan is reviewed every 10 years?

12 MAYOR SCARPELLI: Yes.

13 COMMISSIONER EVANS: Right, full review, right?
14 And the last time was 2012?

15 MAYOR SCARPELLI: Yes.

16 COMMISSIONER EVANS: Can the -- and it's done by
17 the Planning Board.

18 MAYOR SCARPELLI: Correct.

19 COMMISSIONER EVANS: So is there something the
20 Planning Board can do as sort of like an interim review?

21 MAYOR SCARPELLI: Yeah. You don't have to do a
22 full evaluation. You can do an interim one. So we can take
23 a look at that.

24 COMMISSIONER EVANS: So we can raise that up. And
25 I think regarding the other point, we fully intend to share

1 what the budget will look like for 2018 and the actions that
2 are being taken by the Board to try and control costs. That
3 was the intent from the review that we started already this
4 fall. We've been looking at the budget since October,
5 trying to evaluate ways where we can reduce costs going
6 forward. So in the interest of transparency and continuing
7 that, I think we're all still aligned on having a public
8 presentation on the budget before it's introduced.

9 MAYOR SCARPELLI: Thank you, Commissioner.

10 COMMISSIONER ROGERS: Yeah, I'd just like to say,
11 folks, our best days are ahead. Believe me. Everyone is
12 working hard with the business community, with the residents.

13 So and I thank you, Ms. Rossi and Mr. DeFilippis, right?
14 DeFilippis, yeah, I know you long enough, but I just don't
15 get the name right, for coming forward. You're articulate
16 and what you say has a lot of substance. And believe me,
17 we're listening. Thank you so much.

18 MAYOR SCARPELLI: Thank you, everybody. Can I
19 have a motion to adjourn?

20 COMMISSIONER ROGERS: I make that motion.

21 COMMISSIONER EVANS: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye. Happy New Year, everybody.

3 See you on Tuesday.

4 MADAM CLERK: The time is 9:21.

5 (Meeting was adjourned)

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


Jamie Gallagher

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