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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS
)

February 20, 2018
BOARD OF COMMISSIONERS

BEFORE:
Commissioner Steven L. Rogers
Commissioner Mauro G. Tucci
Commissioner Thomas J. Evans
Commissioner Alphonse Petracco
Mayor Joseph P. Scarpelli
Township Clerk

Job No. VTNJ 2829448
Transcribed by: Pamela A. Skaw

1 P R O C E E D I N G S

2 CONFERENCE SESSION

3 (Background indiscernible conversation)

4 MADAM CLERK: Pursuant to the requirements of the
5 Open Public Meeting Act, Chapter 231, Public Law, 1975,
6 notice of this meeting was published in the December 14th,
7 2017 issues of The Nutley Sun and the Herald News and the
8 Star Ledger.

9 A copy of this notice has been posted on the
10 Nutley Town Hall bulletin board and a copy is on file in the
11 Municipal Clerk's office.

12 Commissioner Rogers is absent excused.

13 Commissioner Tucci? Commissioner Tucci?

14 COMMISSIONER TUCCI: Here.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Here.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Here.

19 MADAM CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Here.

21 MADAM CLERK: All present, Mayor, except for
22 Commissioner Rogers, who's absent excused this evening.

23 MAYOR SCARPELLI: Thank you, Madam Clerk.

24 MADAM CLERK: Thank you.

25 MAYOR SCARPELLI: Let's go -- we'll start with

1 Commissioner Evans today.

2 COMMISSIONER EVANS: I have a report for the Code
3 Enforcement Department for January this year and I have
4 three Resolutions for refunds for permit fees, escrow monies
5 and overpayment of tax charges.

6 MAYOR SCARPELLI: Commissioner Petracco?

7 COMMISSIONER PETRACCO: I have an ordinance on
8 those stop and yield signs intersections.

9 But, while I'm on that subject, too, we are
10 starting to get phone calls about this two-hour parking
11 again and all that.

12 So, I really have to -- we, I should say, or I
13 will put something up to remedy this issue because it's
14 coming back around. They didn't forget. So -- but that's
15 all I have tonight.

16 MAYOR SCARPELLI: Commissioner Tucci.

17 COMMISSIONER TUCCI: I have no report. But I do
18 have two Resolutions; one extending appreciation to the --
19 it's actually not just to Yolanda but to the Merritt family,
20 David and Yolanda Merritt. Because, as I'm sure everyone
21 knows, he's taken a job with Arizona and is leaving the
22 Giants. So, they'll be moving. I think he already left.
23 She's going in the summer.

24 And my second one is a -- actually I'm going to
25 read it by title. It's a Resolution to commission a study

1 to assess the amount of multi-family housing in the town --
2 that the Township can support and to measure the effect that
3 the potential affordable units will have on the Township.

4 And that's all I have.

5 MAYOR SCARPELLI: I have a Ordinance introduction,
6 the rent control ordinance, that we discussed a couple
7 months ago along with a renewal of an inactive liquor
8 license; an authorization to approve some raffles and a
9 transfer in water.

10 Madam Clerk.

11 MADAM CLERK: Yes, Mayor.

12 We have minutes for approval for January and
13 executive session minutes for January and February.

14 We have some applications for approval for the --
15 one is for the VFW, one is for Conca Brothers and one is for
16 Holy Family Church.

17 And that's it.

18 MAYOR SCARPELLI: Counselor.

19 MR. GENITEMPO: I have nothing, Mayor.

20 MAYOR SCARPELLI: All right. Let's go.

21 (Whereupon, the board moved to public session)

22 PUBLIC SESSION

23 MAYOR SCARPELLI: Everybody please stand for the
24 pledge, please.

25 (Pledge of Allegiance)

1 (Pause)

2 MAYOR SCARPELLI: Yes. Madam Clerk.

3 MADAM CLERK: Yes, Mayor.

4 Pursuant to the requirements of the Open Public
5 Meeting Act, Chapter 231, Public Law, 1975, notice of this
6 meeting was published in the December 14, 2017 issues of The
7 Nutley Sun. the Herald News and the Star Ledger.

8 A copy of this notice has been posted on the
9 Nutley Town Hall bulletin board and a copy is on file in the
10 Municipal Clerk's office.

11 The time is 7:13.

12 Commissioner Rogers is absent excused this
13 evening.

14 Commissioner Tucci.

15 COMMISSIONER TUCCI: Here.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Here.

18 MADAM CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Here.

20 MADAM CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Here.

22 MADAM CLERK: All present, Mayor, except for
23 Commissioner Rogers. He's absent excused this evening.

24 MAYOR SCARPELLI: Before we have the moment of
25 silence for the students and teachers in Parkland, Florida,

1 I would like to ask Commissioner Petracco if he's like to
2 say a few words about Nutley.

3 COMMISSIONER PETRACCO: Thank you, Mayor.

4 Actually, I brought some notes tonight about this.

5 Obviously, the Nutley Police Department has been
6 working very diligently since last Thursday and throughout
7 the weekend and we're still on it. It's a pending
8 investigation. So, there's really not much I can say,
9 unfortunately, because we don't want to hurt the
10 investigation in any way.

11 But I want to commend a few people, too. And the
12 people that I really want to commend are the kids of the
13 Nutley school system because all those promotions that we
14 always put out, as far as see something, say something, I
15 have to say we were very fortunate that our kids took the
16 initiative and brought it to their parents.

17 That night I got many phone calls from the parents
18 and, you know, I instantly reported it -- reported that the
19 the police department.

20 So, I have to give kudos to the police department,
21 the kids, the parents, all administrators and the Board of
22 Ed, also, because, without them, you know, this couldn't
23 have been reported and God only knows what we prevented
24 here.

25 With that being said, I know that there's been a

1 lot of talk about what do we do from here, you know, moving
2 forward?

3 I will say, I will not mince my words, I am an
4 advocate of putting cops in the school system. I did a
5 little study, financial, about what that cost would be
6 associated with doing it with class three, special police
7 officers.

8 It could be ran through the police department and
9 whatever that cost is associated with, if the Board of Ed
10 picks it up, and I know that we have to have a conversation
11 with them, and they have to be willing to do it because I
12 know the Mayor's phone's been ringing.

13 My phone has been ringing and it's not a public
14 safety decision if the cops go into the schools. It is
15 ultimately the Board of Ed's decision.

16 So, I have been in contact with some of our board
17 members and I really think it's a changing world in light of
18 what's going on in this country.

19 It's very upsetting to all of us. As a father of
20 a fourth grader, I know that I would feel more secure with
21 having these cops in the schools at this time.

22 So, hold on. You know, be calm. We are in good
23 place right now with this investigation. As the -- as the
24 investigation evolves and we're working with the
25 prosecutor's office as well, we'll be able to then release

1 some more information.

2 But, right now, I'm happy to report, we are in a
3 safe place.

4 So, without anything else being said, I'll turn it
5 back over to your with a moment of silence.

6 MAYOR SCARPELLI: Commissioner, I just wanted to
7 say that I think the police department and you responded
8 very quickly.

9 I think the Board of Education and the
10 Superintendent appropriately closed the schools and it
11 allowed us to be safe for that night.

12 So, kudos to your department. They did a great
13 job.

14 COMMISSIONER PETRACCO: Thank you.

15 MAYOR SCARPELLI: And also to the students and
16 parents who reported it. So, with that, if we could just
17 take a moment of silence for those in Florida.

18 (Pause)

19 MAYOR SCARPELLI: Thank you.

20 I have to say, we do this way too often.

21 COMMISSIONER PETRACCO: Lately, it's very true and
22 it's very sad.

23 MAYOR SCARPELLI: Way too often.

24 Madam Clerk, minutes.

25 MADAM CLERK: Yes, Mayor.

1 Minutes for January 16, 2018. I need a motion,
2 please.

3 COMMISSIONER EVANS: Move the minutes.

4 COMMISSIONER TUCCI: Second.

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 MADAM CLERK: Executive Session minutes for
14 January 16, 2018 and for February 6, 2018, Sessions 1 and 2.

15 COMMISSIONER EVANS: Move them.

16 COMMISSIONER TUCCI: Second.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 MADAM CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 MADAM CLERK: And that's it for minutes.

1 MAYOR SCARPELLI: Communications.

2 MADAM CLERK: The VFW has submitted an application
3 for a Social Affair Permit for an event to be held on
4 Saturday, March 3rd, 2018 from 2:00 PM to 7:00 PM located at
5 271 Washington Avenue.

6 I need a motion.

7 COMMISSIONER PETRACCO: Move it.

8 COMMISSIONER TUCCI: Second.

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 MADAM CLERK: Conca Brothers, The Old Canal Inn
18 has submitted an application for an Extension of Premises
19 for their St. Patrick's Day event on Saturday, March 17,
20 2018 for -- between the hours of 12 PM and 9 PM.

21 I need a motion.

22 COMMISSIONER TUCCI: Move it.

23 COMMISSIONER EVANS: Second.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 MADAM CLERK: And Holy Family Church has submitted
8 a letter requesting permission to hold a 50/50 cash raffle
9 on Sunday, September 23rd at 9:00 PM at 28 Brookline Avenue.

10 COMMISSIONER TUCCI: Move it.

11 COMMISSIONER EVANS: Second.

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: Aye.

18 MADAM CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

20 MADAM CLERK: And that's it for communications.

21 MAYOR SCARPELLI: Commissioner Tucci, I'd like to
22 turn it over to you before we go to reports.

23 COMMISSIONER TUCCI: Yes. Thank you, Mayor.

24 This is a bitter sweet moment for the Township of
25 Nutley. We have one of our premier families, and I'll take

1 that liberty to label them that way because they deserve
2 that type of recognition, who will be relocating to Arizona
3 after being here in Nutley, with us, for 14 years.

4 It's a wonderful giving family, both David
5 Merritt, Yolanda Merritt, all of their children. For what
6 you've done in the short 14 years you were here, have -- has
7 made a major impact on this community and we will never
8 forget any of you.

9 We always want you to come back and visit when
10 you're playing the Giants; all right? Or when you're just
11 passing through to say hello because you will always be our
12 friends and our neighbors, and you will always be welcome
13 here.

14 So, having that, I'm going to introduce this
15 Resolution on behalf of the entire Board of Commissioners
16 and I'll even take a little liberty and say probably on
17 behalf of the majority of this entire township.

18 WHEREAS, David and Yolanda Merritt have been proud
19 Nutley residents for 14 years, raising their 4 beautiful
20 children David Jr., Devin, Dawson and Drayah in our great
21 township; and

22 WHEREAS, both David and Yolanda Merritt gave
23 generously of their time and dedicated work to the Nutley
24 Department of Parks and Recreation in many capacities; and

25 WHEREAS, Yolanda Merritt introduced the NFL Flag

1 Football Program to Nutley in 2006, is a member of the
2 Recreation Oversight Committee and teaches the Nutley
3 Recreation Zumba Class; and

4 WHEREAS, David Merritt has been a dedicated member
5 of the community assisting in the screening process for the
6 Junior Raider Recreation Football Program; he has been a
7 member of the New York Giants coaching staff for 14 years
8 contributing to two Super Bowl Championships in 2008 and
9 2012; and

10 WHEREAS, David has announced his new position and
11 relocation, coaching with the Arizona Cardinals for 2018.

12 NOW THEREFORE, BE IT RESOLVED that the Board of
13 Commissioners of the Township of Nutley, County of Essex,
14 State of New Jersey join with the citizens of Nutley to
15 extend our sincere appreciation for the Merritts' dedicated
16 service and best wishes for their continued success,
17 happiness and good health in the future.

18 I very proudly move this Resolution.

19 COMMISSIONER EVANS: Second.

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 EVANS: I'm just glad it's --

4 MAYOR SCARPELLI: Commissioner.

5 COMMISSIONER EVANS: -- I'm just glad it's the
6 Cardinals and not the Patriots.

7 (Laughter)

8 MAYOR SCARPELLI: Commissioner.

9 COMMISSIONER PETRACCO: If I had some tissues, I'd
10 be crying up here, Yolanda.

11 But the Merritt family is this -- it's -- you
12 know, people say that you're -- what -- if you're not born
13 in Nutley, you're not really a truly -- a true Nutley-ite
14 but I have to tell you. You guys are Nutley-ites.

15 So, when you go away, make sure you wear that
16 title and I can't express how I feel about your family on a
17 microphone.

18 So, I love you guys and I'm going to miss you
19 dearly.

20 MAYOR SCARPELLI: I'm going to echo the
21 sentiments, Yolanda. Please pass them on to David. We're
22 going to miss you here in Nutley. Good luck with the -- in
23 Arizona with the Cardinals and I think the Giants are going
24 to miss you all -- miss your husband, too.

25 So, good luck and -- Commissioner.

1 COMMISSIONER TUCCI: Again, Yolanda, we can never
2 thank your entire family for everything you've done for us.
3 We appreciate it. We love you. You're part of our family.
4 What else can we say?

5 MS. MERRITT: Thank you.

6 COMMISSIONER TUCCI: Would you please come up for
7 a photo?

8 (Applause)

9 (Pause)

10 COMMISSIONER TUCCI: Thank you, Mayor.

11 MAYOR SCARPELLI: Reports, Commissioner Evans.

12 COMMISSIONER EVANS: Yes. A report for the Code
13 Enforcement Department for January, '18.

14 MAYOR SCARPELLI: Bills, Madam Clerk.

15 MADAM CLERK: Yes, Mayor.

16 The bill list for February 20th, 2018. Public
17 Affairs, \$182,794.45; Revenue and Finance, \$2,542,968.06;
18 Public Safety, \$170,917.26; Public Works, \$74,977.66; Parks
19 & Public Property, \$249,476.63; Water Utility, \$30,428.56;
20 total payroll, \$855,209.20 for a grand total of
21 \$4,106,771.82.

22 COMMISSIONER EVANS: Move the bills.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 MADAM CLERK: And that's it for bills, Mayor.

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

10 MADAM CLERK: Yes, Mayor.

11 All persons addressing the Board of Commissioners
12 regarding community concerns, should approach the
13 microphone, provide their name and address for the record.

14 Unless further time is granted by the Board, each
15 person shall limit their address to three minutes.

16 All remarks to the Board and its individual
17 members must be addressed to the Mayor. The Mayor may defer
18 citizens' comments to the appropriate member of the Board.

19 Dialogue between citizens and others addressing
20 the Board shall be allowed, unless the Mayor, presiding
21 officer or the majority of the membership of the Board,
22 shall determine that the interests of decorum and/or the
23 expeditious conduct of municipal business are being
24 adversely affected by such dialogue.

25 MAYOR SCARPELLI: Would anybody like to address

1 the Board of Commissioners on agenda items only?

2 Seeing no one, will move to Board of Commissioner
3 announcements. Any announcements, Commissioners?

4 COMMISSIONER TUCCI: No announcement, just one
5 comment, Mayor.

6 I'd like to commend Commissioner Petracco and the
7 Public Safety Department for their handling of the incident,
8 all right, in the school system.

9 And I'd also like to commend Superintendent
10 Glazer, President Carnicella and the entire Board for the
11 way they reacted to it. It was done in a very professional
12 way. I think it went a long way to calm the fears of the
13 parents and there were many parents -- there still are many
14 parents who are concerned about the safety of their
15 children, which is very understandable, and their
16 grandchildren; all right?

17 So, we're watching. We appreciate everything that
18 you've done together and we look forward to a final
19 resolution to give us even more peace of mind.

20 So, thank you for everything you've done.

21 COMMISSIONER PETRACCO: Thank you, Mauro.

22 And if I could just add one other thing, too, that
23 I didn't add before.

24 I have to tell you the police department did a
25 great job. But I have to take my hat off to Captain Gerry

1 Green who heads up our detective bureau. That man never
2 went home Thursday night. He was there all day Friday.

3 Everybody knows it was a holiday weekend. He was
4 in over the weekend. He was in yesterday and he was
5 constantly, you know, giving me updates of what was going
6 on.

7 And all the detectives also. It wasn't just a one
8 man band there. But the detective bureau, we are very, very
9 fortunate to have them in place and I just have to give a
10 shout out to Gerry because he was -- he went above and
11 beyond.

12 And out chief, you know, he stayed as well and
13 he's -- I have to tell you, it's -- you know, the Nutley
14 Police Department, it has become the model around the state,
15 you know, with the ask you training for an active shooter,
16 God forbid, or something like that.

17 So, you know, I know that we all get frustrated
18 sometimes with the salaries that are involved and the
19 expenses that go with it and the training and all of the
20 equipment. But, I have to tell you, if you don't have a
21 safe community, you have nothing.

22 And we have a group of guys now in the Nutley
23 Police Department that really care about the town.

24 So, again, thank you guys for your comments. I
25 appreciate it.

1 MAYOR SCARPELLI: Thank you, Commissioner.

2 COMMISSIONER EVANS: I'll just echo upon what has
3 already been shared with you (indiscernible) just, again,
4 congratulations and thank you. Very pleased and very proud to
5 be part of a Board for that has the dedication this Board has,
6 especially at this time.

7 I just have one real quick one, it is to acknowledge
8 that tomorrow my mother-in-law, Yolanda Perrotta, will
9 celebrate her 101st birthday --

10 COMMISSIONER TUCCI: Oh, God bless her.

11 COMMISSIONER EVANS: -- happy birthday wishes to her.

12 MAYOR SCARPELLI: It's a good day to be born.

13 COMMISSIONER TUCCI: We saw that on Facebook,
14 Joe. (Laughter)

15 MAYOR SCARPELLI: Let's go to ordinance
16 introductions.

17 Ordinance No. 3380. An Ordinance to Amend An
18 Ordinance Codified in the Code of the Township of Nutley,
19 Chapter 532, Entitled "Rent Control" Particularly Article I,
20 Sections 5 and 6.

21 I move that this Ordinance be passed to a second
22 reading, advertised in The Nutley Sun, together with the
23 notice required by law, and that further consideration of
24 said Ordinance for final passage by the Board of
25 Commissioners be held at a second reading on

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March 20th, 2018. I move the Ordinance.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Public Hearings, Commissioner Petracco.

COMMISSIONER PETRACCO: Yes. I have (indiscernible).

It's ordinance 3379. This is an Ordinance to Amend an Ordinance Codified in the Code of the Township of Nutley, Chapter 228, entitled "Vehicles and Traffic", Particularly Article V (Through Streets; Stop and Yield Intersections), by Crestwood Ave.

I move to open the Public Hearing.

MAYOR SCARPELLI: Anybody like to be heard on Ordinance No. 3379? Seeing none.

COMMISSIONER PETRACCO: Move to close.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

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 COMMISSIONER PETRACCO: I move the Ordinance.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Mayor Scarpelli?

15 MAYOR SCARPELLI: Aye.

16 COMMISSIONER PETRACCO: That's all I have.

17 MAYOR SCARPELLI: Thank you, Commissioner.

18 Resolutions. Commissioner Tucci, will take

19 Commissioner Rogers' --

20 COMMISSIONER TUCCI: Sure.

21 MAYOR SCARPELLI: -- Resolutions.

22 COMMISSIONER TUCCI: WHEREAS, the Township of
23 Nutley has determined that certain property are no longer
24 needed for public use; and

25 WHEREAS, the Local Unit Technology Pilot Program

1 and Study Act, P.L. 2001, C. 30, authorizes the sale of
2 surplus personal property no longer needed for public use
3 through the use of an online auction service, excuse me; and

4 WHEREAS, the Township of Nutley intends to utilize
5 the online auction services of Propertyroom.com; and

6 WHEREAS, the sales are being conducted pursuant to
7 the Division of Local Government Services' Local Finance
8 Notice 2008-9 and 2008-21R.

9 NOW, THEREFORE, BE IT RESOLVED by the Board of
10 Commissioners of the Township of Nutley, County of Essex,
11 State of New Jersey, that the Township is hereby authorized
12 to sell the surplus personal property at an online auction
13 website entitled Propertyroom.com; and (2) The terms and
14 conditions of the agreement entered into between
15 Propertyroom.com and the Township of Nutley are available at
16 propertyroom.com and in the Township Clerk's office; and
17 (3) A certified copy of the within Resolution be forwarded
18 by the Township Clerk to the following: (a) Director of
19 Public Affairs and (b) the Chief Financial Officer.

20 And Schedule A includes a medical table.

21 I move the Resolution.

22 COMMISSIONER EVANS: Second.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans? Commissioner

1 Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER TUCCI: Should I continue, Mayor?

8 MAYOR SCARPELLI: Sure.

9 COMMISSIONER TUCCI: Okay. This next Resolution
10 is my Resolution and I'm going to read this by title, which
11 we don't typically do.

12 This is a Resolution commissioning a study to
13 assess the amount of multi-family housing the Township of
14 Nutley can support and to measure the effect the potential
15 affordable units will have on the Township.

16 WHEREAS, there has been no current study on the
17 impact of residential multi-family housing within the
18 Township relative the existing water supply; and

19 WHEREAS, same is true for the impact on the
20 sewage system; and

21 WHEREAS, same is true as it relative to the
22 impact on township traffic system; and

23 WHEREAS, same is true as it relates to public
24 safety; and

25 WHEREAS, a qualified health professional needs

1 to investigate and certify that the multi-family housing
2 will not present any adverse impact to the citizens of
3 Nutley; and

4 WHEREAS, multi-family housing could most
5 definitely add to the existing overcrowding situation in
6 the Nutley Public Schools; and

7 WHEREAS, the On 3 Development Plan is still in
8 a state of flux, as to exactly what type of multi-family
9 residential development including affordable units will
10 eventually emerge; and

11 WHEREAS, a specific density per acre is yet to
12 be memorialized in the Township to prevent adverse impact
13 on the aforementioned municipal system/services.

14 NOW THEREFORE BE IT RESOLVED, that the Board of
15 Commissioners intend to maintain the nature and character
16 of the township that we so cherish; and

17 BE IT FURTHER RESOLVED, that currently over
18 2,200 multi-family residential housing units currently
19 exist, excepting what may be pending or filed and could
20 impact life as we recently enjoy it in Nutley; and

21 BE IT FURTHER RESOLVED, that said study should
22 be immediately initiated to provide the Board of
23 Commissioners the appropriate professionals to determine
24 the potential impacts residential multi-family housing
25 will have on the Township of Nutley.

1 I move the Resolution.

2 COMMISSIONER EVANS: Second.

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. Commissioner --

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

12 MAYOR SCARPELLI: Yeah. I hope we can look at
13 some of the impact fees that we can have because of the --
14 especially sewage and water that's affected. So --

15 COMMISSIONER TUCCI: Absolutely.

16 MAYOR SCARPELLI: -- so, I'm --

17 COMMISSIONER TUCCI: So, this way, we can assess
18 the -- if I might just elaborate. We can assess what the
19 impact will be, all right, on these different systems and
20 services and, in fact, put in place impact fees or any other
21 regulations that will further our objectives.

22 MAYOR SCARPELLI: Commissioner Evans.

23 COMMISSIONER EVANS: Thank you, Mayor.

24 WHEREAS, Holy Family Catholic Church, located at
25 28 Brookline Avenue Nutley, has submitted an application to

1 Code Enforcement in order to make interior alterations; and

2 WHEREAS, the cost of the permit fee for interior
3 alterations was collected in the amount of \$1,152 and said
4 amount was deposited in account C-OI-904-903; and

5 WHEREAS, the Township of Nutley has offered to
6 refund the municipal permit fee in the same amount from said
7 account to Holy Family Church.

8 NOW, THEREFORE BE IT RESOLVED by the Board of
9 Commissioners of the Township of Nutley, County of Essex,
10 State of New Jersey that all permit fees related to the
11 Parish Center at Holy Family Catholic Church be refunded.

12 So move.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 MADAM CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye.

22 COMMISSIONER EVANS: BE IT RESOLVED by the Board
23 of Commissioners of the Township of Nutley, in the County of
24 Essex, State of New Jersey, that the Treasurer by and she is
25 hereby authorized to refund escrow monies for land use

1 applications in the total amount of \$3,500 for the following
2 accounts: Block 5701-1; 5002-7; 9404-17.

3 So move.

4 COMMISSIONER TUCCI: Second.

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 EVANS: BE IT RESOLVED, by the Board
14 of Commissioners of the Township of Nutley, that the
15 Treasurer be and she is hereby authorized to refund
16 overpayments of tax charges in the amount of \$19,658.94 for
17 the lots and blocks summarized herein.

18 So move.

19 COMMISSIONER TUCCI: Second.

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 EVANS: Thank you, Mayor.

4 MAYOR SCARPELLI: WHEREAS, F & S Maintenance, LLC,
5 holder of Plenary Retail Consumption License No. 0716-33-
6 017-009, has submitted an application for renewal of said
7 license for the 2017-2018 license term pursuant to the
8 provisions of N.J.S.A. 33:1-12.39; and

9 WHEREAS, the State of New Jersey, Department of
10 Treasury, Division of Taxation has provided a Tax Clearance
11 Certificate for this said license; and

12 WHEREAS, the aforementioned licensee has paid all
13 required fees and submitted a petition to the Director of
14 the Division of Alcoholic Beverage Control for renewal of
15 an inactive license pursuant to N.J.S.A. 33:1-12.39; and

16 WHEREAS, the Director of the Division Alcoholic
17 Beverage Control has reviewed said Special Ruling petition
18 and has considered all the facts and circumstances related
19 to the inactive status of this license, and has determined
20 that the licensee has established good cause in accordance
21 with the statutory requirements to warrant an application
22 for renewal of Plenary Retail Consumption License Number
23 0716-33-017-009 for the 2017-2018 license term;

24 NOW, THEREFORE BE IT RESOLVED by the Board of
25 Commissioners of the Township of Nutley, County of Essex,

1 State of New Jersey that the license be and is hereby
2 renewed for the licensing period of July 1, 2017 through
3 June 30, 2018.

4 I move the Resolution.

5 COMMISSIONER TUCCI: Second.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 MADAM CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 WHEREAS, raffle application have been received
15 from the following organizations:

16 Holy Family Catholic Church, License No. 11-18,
17 Off-Premise 50/50 Cash Raffle to be held Sunday, September
18 23rd, 2018;

19 The Melissa A. Centrella Scholarship Fund, License
20 No. 12-18, On-Premise Merchandise Raffle, to be held Friday,
21 April 20th, 2018;

22 Rotary Club of Nutley, License No. 13-18 and 14-
23 18, to be held Saturday, April 28th, 2018.

24 WHEREAS, the applications have been reviewed and
25 approved by the Municipal Clerk and the Police Department;

1 NOW, THEREFORE BE IT RESOLVED by the Board of
2 Commissioners of the Township of Nutley, County of Essex,
3 State of New Jersey that the aforementioned licenses are
4 approved and the Municipal Clerk is authorized to issue the
5 raffle licenses.

6 I move the Resolution.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Mayor Scarpelli?

15 MAYOR SCARPELLI: Aye.

16 BE IT RESOLVED by the Board of Commissioners of
17 the Township of Nutley, County of Essex, New Jersey that in
18 accordance with the provision of R.S. 40A:4-59, the
19 following transfer(s) of 2017 Appropriation Reserves be and
20 the same are hereby authorized and approved: from the City
21 of Newark Water, \$10,000 to Passaic Valley Water, \$10,000.

22 I move the Resolution.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 That concludes the business portion of our
8 meeting.

9 Madam Clerk.

10 MADAM CLERK: Yes, Mayor.

11 All persons addressing the Board of Commissioners
12 regarding community concerns should approach the microphone,
13 provide their name and address for the record.

14 Unless further time is granted by the Board, each
15 person shall limit their address to five minutes.

16 All remarks to the Board and its individual
17 members must be addressed to the Mayor. The Mayor may defer
18 citizens' comments to the appropriate member of the Board.

19 Dialogue between citizens and others addressing
20 the Board shall be allowed, unless the Mayor, or presiding
21 officer or the majority of the membership of the Board,
22 shall determine that the interests of decorum and/or the
23 expeditious conduct of municipal business are being
24 adversely affected by such dialogue.

25 MAYOR SCARPELLI: Would anybody like to address

1 the Board of Commissioners this evening?

2 Seeing none.

3 COMMISSIONER PETRACCO: Move to adjourn.

4 COMMISSIONER TUCCI: Second.

5 COMMISSIONER EVANS: Second.

6 MADAM CLERK: Commissioner Tucci? Commissioner
7 Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 COMMISSIONER TUCCI: I couldn't hear you. Turn up
12 that volume.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 MADAM CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 Good night everybody.

18 MADAM CLERK: The time is 7:39.

19 (Whereupon, the meeting was adjourned)

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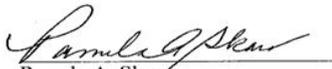
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I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the February 20, 2018 proceedings.


Pamela A. Skaw

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