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
MADAM CLERK: Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law, 1975, notice of this meeting was published in the December 14th, 2017 issues of The Nutley Sun and the Herald News and 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 is absent excused.

Commissioner Tucci? 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, except for Commissioner Rogers, who's absent excused this evening.

MAYOR SCARPELLI: Thank you, Madam Clerk.

MADAM CLERK: Thank you.

MAYOR SCARPELLI: Let's go -- we'll start with
Commissioner Evans today.

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

MAYOR SCARPELLI: Commissioner Petracco?

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

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

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

MAYOR SCARPELLI: Commissioner Tucci.

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

And my second one is a -- actually I'm going to read it by title. It's a Resolution to commission a study
to assess the amount of multi-family housing in the town --
that the Township can support and to measure the effect that
the potential affordable units will have on the Township.

And that's all I have.

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

Madam Clerk.

MADAM CLERK: Yes, Mayor.

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

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

And that's it.

MAYOR SCARPELLI: Counselor.

MR. GENITEMPO: I have nothing, Mayor.

MAYOR SCARPELLI: All right. Let's go.

(Whereupon, the board moved to public session)

PUBLIC SESSION

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

(Pledge of Allegiance)
MAYOR SCARPELLI: Yes. Madam Clerk.

MADAM CLERK: Yes, Mayor.

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

The time is 7:13.

Commissioner Rogers is absent excused this evening.

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, except for Commissioner Rogers. He’s absent excused this evening.

MAYOR SCARPELLI: Before we have the moment of silence for the students and teachers in Parkland, Florida,
I would like to ask Commissioner Petracco if he's like to say a few words about Nutley.

COMMISSIONER PETRACCO: Thank you, Mayor.

Actually, I brought some notes tonight about this. Obviously, the Nutley Police Department has been working very diligently since last Thursday and throughout the weekend and we're still on it. It's a pending investigation. So, there's really not much I can say, unfortunately, because we don't want to hurt the investigation in any way.

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

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

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

With that being said, I know that there's been a
lot of talk about what do we do from here, you know, moving forward?

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

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

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

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

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

So, hold on. You know, be calm. We are in good place right now with this investigation. As the -- as the investigation evolves and we're working with the prosecutor's office as well, we'll be able to then release
But, right now, I'm happy to report, we are in a safe place.

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

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

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

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

COMMISSIONER PETRACCO: Thank you.

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

(Pause)

MAYOR SCARPELLI: Thank you.

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

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

MAYOR SCARPELLI: Way too often.

Madam Clerk, minutes.

MADAM CLERK: Yes, Mayor.
Minutes for January 16, 2018. I need a motion, please.

COMMISSIONER EVANS: Move the minutes.

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.

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

COMMISSIONER EVANS: Move them.

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.

MADAM CLERK: And that's it for minutes.
MAYOR SCARPELLI: Communications.

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

I need a motion.

COMMISSIONER PETRACCO: Move it.

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.

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

I need a motion.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: 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.
MADAM CLERK: And Holy Family Church has submitted a letter requesting permission to hold a 50/50 cash raffle on Sunday, September 23rd at 9:00 PM at 28 Brookline Avenue.
COMMISSIONER TUCCI: Move it.
COMMISSIONER EVANS: 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.
MADAM CLERK: And that's it for communications.
MAYOR SCARPELLI: Commissioner Tucci, I'd like to turn it over to you before we go to reports.
COMMISSIONER TUCCI: Yes. Thank you, Mayor.
This is a bitter sweet moment for the Township of Nutley. We have one of our premier families, and I'll take
that liberty to label them that way because they deserve that type of recognition, who will be relocating to Arizona after being here in Nutley, with us, for 14 years.

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

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

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

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

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

WHEREAS, Yolanda Merritt introduced the NFL Flag
Football Program to Nutley in 2006, is a member of the
Recreation Oversight Committee and teaches the Nutley
Recreation Zumba Class; and

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

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

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

I very proudly move this Resolution.

COMMISSIONER EVANS: 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.

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

MAYOR SCARPELLI: Commissioner.

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

(Laughter)

MAYOR SCARPELLI: Commissioner.

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

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

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

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

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

So, good luck and -- Commissioner.
COMMISSIONER TUCCI: Again, Yolanda, we can never thank your entire family for everything you've done for us. We appreciate it. We love you. You're part of our family. What else can we say?

MS. MERRITT: Thank you.

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

(Applause)

(Pause)

COMMISSIONER TUCCI: Thank you, Mayor.

MAYOR SCARPELLI: Reports, Commissioner Evans.


MAYOR SCARPELLI: Bills, Madam Clerk.

MADAM CLERK: Yes, Mayor.

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

COMMISSIONER EVANS: Move the bills.

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.

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

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

MADAM CLERK: Yes, Mayor.

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

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

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

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

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

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

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

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

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

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

So, thank you for everything you've done.

COMMISSIONER PETRACCO: Thank you, Mauro.

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

I have to tell you the police department did a great job. But I have to take my hat off to Captain Gerry
Green who heads up our detective bureau. That man never went home Thursday night. He was there all day Friday.

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

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

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

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

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

So, again, thank you guys for your comments. I appreciate it.
MAYOR SCARPELLI: Thank you, Commissioner.

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

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

COMMISSIONER TUCCI: Oh, God bless her.

COMMISSIONER EVANS: -- happy birthday wishes to her.

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

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

MAYOR SCARPELLI: Let's go to ordinance introductions.

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

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


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?
COMMISSIONER EVANS:  Aye.

MADAM CLERK:  Commissioner Petracco?

COMMISSIONER PETRACCO:  Aye.

MADAM CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.

COMMISSIONER PETRACCO:  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.

COMMISSIONER PETRACCO:  That's all I have.

MAYOR SCARPELLI:  Thank you, Commissioner.  Resolutions.  Commissioner Tucci, will take

Commissioner Rogers' --

COMMISSIONER TUCCI:  Sure.

MAYOR SCARPELLI:  -- Resolutions.

COMMISSIONER TUCCI:  WHEREAS, the Township of

Nutley has determined that certain property are no longer

needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program
and Study Act, P.L. 2001, C. 30, authorizes the sale of
surplus personal property no longer needed for public use
through the use of an online auction service, excuse me; and

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

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

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

And Schedule A includes a medical table.

I move the Resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans? Commissioner
COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Should I continue, Mayor?

MAYOR SCARPELLI: Sure.

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

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

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

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

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

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

WHEREAS, a qualified health professional needs
to investigate and certify that the multi-family housing
will not present any adverse impact to the citizens of
Nutley; and

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

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

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

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

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

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

COMMISSIONER EVANS: 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. Commissioner --

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

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

COMMISSIONER TUCCI: Absolutely.

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

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

MAYOR SCARPELLI: Commissioner Evans.

COMMISSIONER EVANS: Thank you, Mayor.

WHEREAS, Holy Family Catholic Church, located at 28 Brookline Avenue Nutley, has submitted an application to
Code Enforcement in order to make interior alterations; and

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

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

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

So move.

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.

COMMISSIONER EVANS: BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer by and she is hereby authorized to refund escrow monies for land use
applications in the total amount of $3,500 for the following accounts: Block 5701-1; 5002-7; 9404-17.

So move.

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.

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

So move.

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.

COMMISSIONER EVANS: Thank you, Mayor.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex,
State of New Jersey that the license be and is hereby renewed for the licensing period of July 1, 2017 through June 30, 2018.

I move the Resolution.

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.

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

Holy Family Catholic Church, License No. 11-18, Off-Premise 50/50 Cash Raffle to be held Sunday, September 23rd, 2018;
The Melissa A. Centrella Scholarship Fund, License No. 12-18, On-Premise Merchandise Raffle, to be held Friday, April 20th, 2018;
Rotary Club of Nutley, License No. 13-18 and 14-18, to be held Saturday, April 28th, 2018.

WHEREAS, the applications have been reviewed and approved by the Municipal Clerk and the Police Department;
NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the aforementioned licenses are approved and the Municipal Clerk is authorized to issue the raffle licenses.

I move the Resolution.

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.

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

I move the Resolution.

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.

That concludes the business portion of our meeting.

Madam Clerk.

MADAM CLERK: Yes, Mayor.

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

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

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

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

MAYOR SCARPELLI: Would anybody like to address
the Board of Commissioners this evening?

Seeing none.

COMMISSIONER PETRACCO: Move to adjourn.

COMMISSIONER TUCCI: Second.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Tucci? Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

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

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Good night everybody.

MADAM CLERK: The time is 7:39.

(Whereupon, the meeting was adjourned)
CERTIFICATION

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

[Signature]

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