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TOWNSHIP OF NUTLEY, NEW JERSEY  
BOARD OF COMMISSIONERS

PUBLIC MEETING ) TRANSCRIPT OF  
 ) PROCEEDINGS  
 )

May 15, 2018

BOARD OF COMMISSIONERS

BEFORE:

Commissioner Steven L. Rogers

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Mayor Joseph P. Scarpelli

Township Clerk

Job No. NJ2923141

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: Board of Commissioners public meeting May  
5 15, 2018. The time is 7:10.

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

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

13 Commissioner Rogers.

14 COMMISSIONER ROGERS: Here.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Here.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Here.

19 MADAM CLERK: Commissioner Petracco is absent,  
20 excused.

21 Mayor Scarpelli?

22 MAYOR SCARPELLI: Here.

23 MADAM CLERK: All present, Mayor, except for  
24 Commissioner Petracco, who's absent excused this evening.

25 MAYOR SCARPELLI: Commissioner Petracco only has a

1 report on the agenda. So, he has no resolutions or  
2 ordinances. So, Commissioner Evans, what do you have?

3 COMMISSIONER EVANS: I have a report for the  
4 Construction Office for the month of April. A Code  
5 Enforcement Office for the month of April and then I have  
6 two resolutions for refunds. One of the -- for mid pay the  
7 other for overpayment of tax charges and then I wanted to  
8 discuss, with you guys, for a few minutes, this issue that  
9 percolating on -- in social media about land values and land  
10 value adjustments because I think we need to address that.

11 So, we'll circle around and get back to it.

12 MAYOR SCARPELLI: Okay. Commissioner Rogers,  
13 thank you for attending this evening.

14 COMMISSIONER ROGERS: You're welcome, Mayor.

15 Mayor, I have nothing. Thank you.

16 MAYOR SCARPELLI: Commissioner Tucci.

17 COMMISSIONER TUCCI: I have two resolutions; one  
18 honoring and congratulating the members and coaches of The  
19 Nutley Girls Eighth Grade Traveling Basketball team. And I  
20 have a change order for Viridian Environmental Consultants  
21 concerning a ground water investigation for one tank at  
22 Public Works and one at Public Safety that in years past the  
23 LSRP did not send all of the information to the State. So,  
24 we have to send it now, and I have a Shade Tree Report.

25 COMMISSIONER EVANS: Yeah. Interesting they

1 didn't do that, the LSRP?

2 COMMISSIONER TUCCI: Yep. He was horrible.  
3 Morrissey, he was horrible.

4 COMMISSIONER EVANS: Yeah.

5 COMMISSIONER TUCCI: I'd like to go -- if it  
6 wasn't so long, go ahead and -- if my good friend wasn't so  
7 inundated with other important legal work, I'd -- I'd go  
8 after these errors and omissions because DEP is like --

9 COMMISSIONER EVANS: Yeah.

10 COMMISSIONER TUCCI: -- they're crazy.

11 COMMISSIONER EVANS: That could hurt us because if  
12 they decide to take a hard line --

13 COMMISSIONER TUCCI: Yeah. I don't think they  
14 will because it was remediated. It's just -- it's just an  
15 investigation of the soil.

16 COMMISSIONER EVANS: Okay.

17 COMMISSIONER TUCCI: And I think we have most of  
18 the information. It just needs to be brushed up a little.

19 COMMISSIONER EVANS: Careless.

20 COMMISSIONER TUCCI: Yes.

21 UNIDENTIFIED SPEAKER: (Indiscernible).

22 COMMISSIONER TUCCI: Well, that's because the DEP  
23 doesn't want to do the work anymore.

24 MAYOR SCARPELLI: Correct.

25 COMMISSIONER TUCCI: They got rid of everybody and

1 -- it used to go to Babcock. Was it Babcock Road and -- in  
2 West Orange?

3 COMMISSIONER EVANS: Uh-huh.

4 COMMISSIONER TUCCI: Yeah.

5 MAYOR SCARPELLI: I have an introduction of an  
6 ordinance which is a salary ordinance by -- for -- on behalf  
7 of the Board of Commissioners for the non-union and with  
8 Commissioner Tucci, I have an ordinance introduction for the  
9 Teamsters Union.

10 Also, I have a couple resolutions. One is for  
11 authorization for approval for a raffle license for the  
12 Rotary and bids -- bids for surplus equipment and vehicles  
13 and, then, we'll need an executive to discuss this first,  
14 which we'll do when John Inglesino gets here which is  
15 probably going to be around eight o'clock. This is for the  
16 transfer of the interest in Kingsland from Seton Hall to  
17 Hackensack.

18 So, we'll do that after our executive. So, we'll  
19 come back on the record and vote on that whatever time that  
20 may be.

21 Madam Clerk.

22 MADAM CLERK: Yes, Mayor.

23 We have minutes for approval for April 17.

24 We have a few applications that need approval.

25 The first one is St. Mary's. It's only an amendment.

1 They're changing the date. So, that'll be simple.

2 The other one is the Nutley Educational  
3 Foundation. And then there's the Green Nutley Committee  
4 which is the farmer's market from June 17th of 2018 until  
5 October 28th of 2018. And that's it.

6 MAYOR SCARPELLI: Counselor.

7 MR. GENITEMPO: I have nothing.

8 MAYOR SCARPELLI: Commissioner, you want to talk  
9 about land values?

10 COMMISSIONER EVANS: Uh-huh.

11 MAYOR SCARPELLI: All right.

12 COMMISSIONER TUCCI: So, we're having an  
13 executive here.

14 COMMISSIONER EVANS: Just real quick. I don't  
15 engage with the social media and I don't think any of you do  
16 either.

17 But when there is factually incorrect information  
18 that's making an accusation which people are then relying  
19 on, we need to clarify that record.

20 So, my intent is I'm not going on social media  
21 because that's a gossip site. But the business of  
22 government is here in chambers. So, when we have the  
23 ability, we will address it here and it's videotaped and  
24 it's put up on the website. So, it's a public record.

25 At the June 4th meeting June 4th or June

1 7th meeting, I'm having Ed Brown come to publicly talk about  
2 what his role is and how he maintains the assessed value of  
3 the town.

4 What people are questioning is why have land  
5 values been adjusted in the town downward and, in  
6 particular, they are questioning why the land values of the  
7 five commissioners have been adjusted downward. And the  
8 answer is, they have, right?

9 But it's not that ours were adjusted downward.  
10 There is a -- what they call a compliance plan. It's a  
11 technical term, compliance plan. It's under the control of  
12 the tax assessor governed by the Essex County Tax Code. And  
13 they do it every year.

14 So, in the years, if you remember when Nutley was  
15 revalued in 2006, the assessed value of the town was \$4.3  
16 billion. Today, the assessed value of the town is \$3.3  
17 billion. So, when you consider the land value adjustments  
18 related to the whole town plus the adjustments that we made  
19 for Hoffman LaRoche, because of the changes there, you're  
20 talking about the change in value of a billion dollars.

21 And everybody believed that we revalued the town  
22 at the peak of the market. So, in order to avoid all of the  
23 tax appeals that would be coming after that, the Essex  
24 County understands that State statute allows people to make  
25 adjustments -- tax assessors to make adjustments based upon

1 changes in market value which they go through and calculate  
2 and determine that.

3 So, in 2011, 12, 13, 14, 15, adjustments were made  
4 to the town. In 2010, there was a reassessment of the town,  
5 all of which is controlled by the tax assessor.

6 What's important about that is the tax assessor is  
7 statutorily protected from any interference by any local  
8 official and reports directly to the Essex County Tax Board.

9 So, he does it on his own. As the Commissioner of  
10 the Department, I can't go into his office and say, hey,  
11 could you look at these values. Can't do that. And I don't  
12 do that. And I've never done that.

13 It's his independent control. So, he does his  
14 work. He does a sales analysis for the town and he adjusts  
15 what was called the neighborhood. The town is divided into  
16 64 neighborhoods. We're almost ten thousand taxable line  
17 items. And in each of our cases, as well as others, and  
18 some of the people who are making the accusation, they're  
19 properties, too, are comprised of these neighborhoods.

20 So, as I mentioned to Steve, your neighborhood,  
21 it's got 613 people in it. So, when the neighborhood land  
22 value was adjusted, it wasn't adjusted just for you. It was  
23 for you and 612 other homes.

24 Joe, for you, you have 682, you know, homes --  
25 properties in your neighborhood. So, yours was adjusted,

1 681 other properties were adjusted. In my neighborhood,  
2 488. Mauro, on yours, 225 and in Al's 114.

3 COMMISSIONER TUCCI: Which I was not one.

4 COMMISSIONER EVANS: You were, you absolutely  
5 were.

6 COMMISSIONER TUCCI: I was not adjusted down.

7 COMMISSIONER EVANS: Yes, you were.

8 COMMISSIONER TUCCI: I don't think so. But, okay.  
9 We can talk about it. But --

10 COMMISSIONER EVANS: I was prepared for that.

11 COMMISSIONER TUCCI: I'm curious. This must have  
12 been at the height of the market because --

13 COMMISSIONER EVANS: Look at 11 and 12. So, when  
14 you look at it -- now, under the rules, and I've explained  
15 this before, on the record, under the rules, when you do  
16 anything less than a revaluation of the entire town, the  
17 only way you can reflect an adjustment in value is to the  
18 land value because the land value is the only value that's  
19 consistently applied to every single property in that  
20 neighborhood or that section. It's the only way to do it.

21 So, all these adjustments were made and, when you  
22 look at it, over the period of time for the years that  
23 everybody was affected, 99, 98 percent of the town, land  
24 values were adjusted. It wasn't ours. It wasn't just these  
25 neighborhoods. Every neighbor except for a couple really

1 small ones, right, were adjusted.

2 And it's only to understand is that we went from  
3 4.3 billion and we're down to 3.3 billion and it was a way  
4 to manage and control the reduction in value of the town  
5 because of the crash of the market.

6 We are subject to a revaluation in 2021. It will  
7 be completed. As part of that, every home in Nutley will  
8 have the opportunity to be looked at. The land value will  
9 be recast as well as the improvement value and the total  
10 value of the properties will be reset.

11 There has been -- there is nothing in here that  
12 suggests that anyone that there is something was done  
13 uniquely to the Board of Commissioners. And the people that  
14 are posting, right, the people that are posting and are  
15 complaining, their land values were adjusted as well.

16 So, I want you to be aware of that because I  
17 think, you know, when you get -- when you get a text message  
18 or a message from someone that says, I support you but  
19 you've got a lot of explaining to do, people are believing  
20 this crap and we can't sit silently.

21 COMMISSIONER ROGERS: This is the result -- look.  
22 I'm too busy with this nonsense on social media other than  
23 twitter. But -- and it is nonsense. But I see something  
24 happening here.

25 When people want answers to questions, they pick

1 up the phone. We're all available. I like to sit down  
2 across from a person eyeball to eyeball and get a feel as to  
3 what they're really looking for.

4 But, unfortunately, what I see happening is there  
5 are some people, not all, there are some legitimate people  
6 who use social media for legitimate purposes, but it seems  
7 to me it's -- it's, you know, let me go out and embarrass  
8 them or get them. And that's what's troubling me. It never  
9 bothered me until I got a message this morning about how we  
10 need to explain why our land values are down.

11 Frankly, I couldn't -- I don't know your formulas.  
12 I could care less what they are. I just pay my taxes like  
13 everybody else.

14 COMMISSIONER EVANS: Right.

15 COMMISSIONER ROGERS: But the troubling part of it  
16 -- it -- as Commissioner Evans said, social media is a wide  
17 -- now a wide way of communicating with people. And the  
18 only way to -- to hopefully combat that is for us to get the  
19 right information out. But, unfortunately, I'll tell you,  
20 Commissioner, those who are the critics, they're never here.  
21 Some are here but most are not.

22 When they're asked to come to sit in an office and  
23 to have a discussion, they'll never show up.

24 So, the only way we can combat that is to tell the  
25 truth and to -- and we're going that. We're being as

1 transparent as we could. And that's another issue I see  
2 going on. We're not transparent? My goodness. My  
3 goodness. I mean --

4 COMMISSIONER EVANS: We're getting 23 OPRA (ph)  
5 requests a day.

6 COMMISSIONER TUCCI: Yeah.

7 COMMISSIONER EVANS: A day.

8 COMMISSIONER ROGERS: Yeah. Well, the other -- the  
9 other point is this, Commissioner.

10 COMMISSIONER EVANS: (Indiscernible) it's nuts.

11 COMMISSIONER ROGERS: Look, I'll speak for myself  
12 and I know you guys operate the same way. When you get a  
13 phone call or a letter or whatever, we're -- if we can't  
14 personally meet with the person, our staff is. So, how much  
15 more transparent can you be? I mean, these reports, you  
16 know, we see them every meeting.

17 So -- so, just -- I think the way to handle this  
18 -- I do, I -- I'll speak for -- I ignore all the garbage. I  
19 mean, it's just absolute garbage. What I don't ignore  
20 though are people have a legitimate reason and they'll make  
21 that phone call or look, I need to sit and talk to you.

22 COMMISSIONER EVANS: Uh-huh.

23 COMMISSIONER ROGERS: Or we're going to be going --

24 COMMISSIONER EVANS: But when you get a message  
25 that says, you've got explaining to do.

1 COMMISSIONER ROGERS: Well, that I objected to.

2 COMMISSIONER EVANS: That -- that's the only  
3 reason I'm --

4 COMMISSIONER ROGERS: By the way, that person is  
5 calling tomorrow. I left a message for them and I asked  
6 them to call me. And then I will have my discussion with  
7 that person if they call.

8 COMMISSIONER EVANS: Encourage them to go see the  
9 tax assessor.

10 COMMISSIONER ROGERS: Commissioner, I've encouraged  
11 them to come here; all right? Because you've explained in  
12 detail. We had an issue last meeting about --

13 COMMISSIONER EVANS: Development --

14 COMMISSIONER ROGERS: -- development. You  
15 explained in detail. There's nothing nefarious going on  
16 here. There's nothing -- you know --

17 COMMISSIONER EVANS: By the way, a couple days  
18 later, we got an OPRA request for the information supporting  
19 what I had said, which is great because now they have it.

20 COMMISSIONER ROGERS: Well, anyway, that's  
21 what I said and that's what meant.

22 Thank you, Mayor.

23 MAYOR SCARPELLI: Thank you. Anything else?

24 COMMISSIONER ROGERS: I stand corrected. My land  
25 value did go down. But my improvement value went up by

1 \$200. So, my net value is up from 598 to 696.8. But you  
2 are correct. My land value did go down.

3 COMMISSIONER EVANS: Yeah.

4 (Background conversations).

5 (Whereupon, the board moved to public session)

6 PUBLIC SESSION

7 MAYOR SCARPELLI: Would everybody please stand for  
8 the pledge.

9 (Pledge of Allegiance)

10 (Pause)

11 MAYOR SCARPELLI: Madam Clerk.

12 MADAM CLERK: Thank you, Mayor.

13 Board of Commissioners Public Meeting Tuesday, May  
14 15, 2018. The time is 7:28.

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

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

22 Commissioner Rogers.

23 COMMISSIONER ROGERS: Here.

24 MADAM CLERK: Commissioner Tucci.

25 COMMISSIONER TUCCI: Here.

1 MADAM CLERK: Commissioner Evans.

2 COMMISSIONER EVANS: Here.

3 MADAM CLERK: Commissioner Petracco is absent  
4 excused this evening.

5 Mayor Scarpelli.

6 MAYOR SCARPELLI: Here.

7 MADAM CLERK: All present, Mayor, except for  
8 Commissioner Petracco. He's absent excused.

9 MAYOR SCARPELLI: Yeah. I just want to have a  
10 moment of silence for a second. We lost one of our -- he  
11 was retired by he was a long time employee of the Township  
12 and the Department of Public Works. He always a smile on  
13 this face and everybody loved his meatballs.

14 So, could we just have a moment of silence for  
15 Frank Berry.

16 (Pause)

17 MAYOR SCARPELLI: Thank you.

18 Madam Clerk, minutes.

19 MADAM CLERK: Yes, Mayor.

20 We have Board of Commissioner Meeting Minutes for  
21 April 17th, 2018. We need a motion, please.

22 COMMISSIONER TUCCI: Move it.

23 COMMISSIONER EVANS: 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: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye. Communications.

7 MADAM CLERK: St. Mary's Church as submitted an  
8 application for a Social Affair Permit for St. Anthony's  
9 Feast event on Friday, June 8, 2018 from 6:00 PM to 12:00 AM  
10 at 17 Monsignor's Owens Place in Nutley. Said application  
11 was approved at a regular scheduled meeting of the Board of  
12 Commissioners on May 1st, 2018.

13 St. Mary's is requesting to make an amendment to  
14 said application to reflect a date change from Friday, June  
15 8th, 2018 to Friday, June 22nd, 2018.

16 I need a motion.

17 COMMISSIONER EVANS: Move it.

18 COMMISSIONER TUCCI: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Mayor Scarpelli?

1                   MAYOR SCARPELLI: Aye.

2                   MADAM CLERK: The Nutley Educational Foundation  
3 has submitted an application for a Social Affair Permit for  
4 their Showcase Aware event on Thursday, June 21st, 2018 from  
5 6:30 p.m. to 9:30 p.m. at the Nutley Museum on 65 Church  
6 Street.

7                   We need a motion.

8                   COMMISSIONER EVANS: Move it.

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: Mayor Scarpelli?

17                  MAYOR SCARPELLI: Aye.

18                  MADAM CLERK: The Green Nutley Committee has  
19 submitted an event application to hold a farmer's market  
20 2018 season on Sundays from June 17, 2018 to October 28th,  
21 2018 from 9 AM to 2 PM at 537 Franklin Avenue, Municipal Lot  
22 No. 9.

23                  I need a motion.

24                  COMMISSIONER TUCCI: I'll move it.

25                  COMMISSIONER ROGERS: 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: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

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

10 MAYOR SCARPELLI: Reports. Commissioner Tucci.

11 COMMISSIONER TUCCI: Yes. I have a Shade Tree  
12 Report for the month of April.

13 MAYOR SCARPELLI: Commissioner Evans.

14 COMMISSIONER EVANS: I have a Code Enforcement  
15 Department Report for the month of April. I just want to  
16 point out that there are 271 permits issued in the month as  
17 well as there was 701 inspections completed in that month.

18 MAYOR SCARPELLI: Commissioner Petracco has a  
19 Department of Public Safety Report.

20 Bills, Madam Clerk.

21 MADAM CLERK: Yes, Mayor.

22 The bill list for May 15, 2018. Public Affairs,  
23 \$102,309.19; Revenue and Finance, \$7,295,992.23; Public  
24 Safety, \$125,753.46; Public Works, \$23, 525.66; Parks &  
25 Public Property, \$77,192. 81; Water Utility, \$10,904.27;

1 total payroll, \$837,375.75; for a grand total of  
2 \$8,473,053.37.

3 COMMISSIONER EVANS: Move the bills.

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: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

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

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

16 MADAM CLERK: Yes, Mayor.

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

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

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

25 Dialogue between citizens and others addressing

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

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

8 MS. CELENTO: Yes. Hi. Amy Celento, 70  
9 Newman Avenue, regarding agenda item from the bill list.

10 There are two payments for Robert Half. Typically,  
11 Robert Half is a staffing agency. They might provide other  
12 services. So, the total is \$6,440.92 and I'm curious as to  
13 what services are provided to the town for the amount by  
14 Robert Half.

15 COMMISSIONER EVANS: They're providing a temporary  
16 person in my department for my treasury area. I had  
17 turnover in the department. I haven't recruited a person  
18 yet. So, they're fulfilling it on a temporary basis.

19 MS. CELENTO: All right. Okay. Thank you.

20 MAYOR SCARPELLI: Anybody wish to address the  
21 Board of Commissioners on agenda items only?

22 Seeing no one, let's move to Board of Commissioner  
23 announcements. Commissioner Tucci.

24 COMMISSIONER TUCCI: Thank you, Mayor.

25 Yes. This Friday the 18th at 6:30, we will be

1 holding our annual Relay for Life. We have an 80 percent  
2 projection of rain. So, we're moving it inside the gym at  
3 the Parks Department. So, please, everyone come and attend  
4 and support that.

5 Yesterday was a sad day. I just want to share  
6 this with everyone in the Parks Department. I'm sure  
7 everyone is aware that our aid is still in limbo and it was,  
8 in fact, cut last year. And, after a lot of hard work by  
9 this entire Board, we got some of it back. So, what we had  
10 to do in the Parks Department, in addition to not filling  
11 three positions and eliminating three temporary positions,  
12 we had to give out specific layoff notices to four  
13 individuals.

14 And, you know, these are not just folks that we  
15 casually talk to. They're part of our family. We feel for  
16 them. We're hoping that ultimately the aid will, in fact,  
17 come through and we don't have to eliminate these spots.

18 But, in the Parks Department, on an annualized  
19 basis, we're looking at a reduction of about 400,000 of  
20 which we'll probably realize half of that this year because  
21 they go into effect on the 30th.

22 And I believe everyone understands the gravity of  
23 the situation and what we all have done and what we need to  
24 do and continue to do to try and keep our taxes affordable  
25 and keep Nutley an affordable place for families.

1           But I would just ask everyone to keep the township  
2     in your -- in your good wishes and in your intentions and  
3     hopefully the State will come through with the -- some  
4     additional aid and we can make our family whole again.

5           Thank you, Mayor. That's all I have for now.

6           MAYOR SCARPELLI: Thank you, Commissioner.  
7     Commissioner, anything?

8           COMMISSIONER EVANS: Thank you, Mayor. I just  
9     wanted to call everybody's attention to two things. One, at  
10    the June 7th meeting --

11          MADAM CLERK: Yes.

12          COMMISSIONER EVANS: -- okay. So, at the June 7th  
13    meeting, the first meeting in June, Ed Brown, who is our tax  
14    assessor, will be here to share with the Board of  
15    Commissioners how the tax assessor executed what is known as  
16    compliance plan for the township, prior to years, roughly in  
17    the 2011, 12, 13 timeframe and, in some cases, right up  
18    through 2017.

19          The reason for that is to help people understand  
20    why land values have been adjusted in order to reduce the  
21    overall valuation of the township from its very peak of 4.3  
22    billion in 2006 to its current value of 3.3 billion.

23          The reason why we're doing this and I'm raising it  
24    is because there is misinformation that's out on social  
25    media sites and when Commissioners are being confronted and

1 being asked to basically have statements saying, you have a  
2 lot of explaining to do, because a social media site is  
3 suggesting that somehow the Commissioners were involved in  
4 having their taxes reduced, in effect suggesting that  
5 somehow that was done inappropriately, then we need to  
6 actually respond so that people understand that there is  
7 integrity within the Board of Commissioner.

8           So, our cards are face up. All of the work that  
9 is done by the tax assessor is done under the control of the  
10 Essex County Tax Board. Compliance plans are authorized by  
11 the State under State statute and just a simple fact is in  
12 order to reflect an overall change in the market value of a  
13 property, when you don't do a revaluation, which allows you  
14 to get access to every single property, the only way you can  
15 reflect that adjustment in one's overall valuation is  
16 specifically to adjust the land value because that's the  
17 only thing that's consistent across what they call tax  
18 neighborhoods.

19           For each of the Commissioners, the neighborhoods  
20 that we're talking about aren't about one, two, three, four  
21 five homes. We're talking several hundred homes within each  
22 one of the neighborhoods where the tax -- the tax  
23 neighborhoods where the Commissioners reside.

24           So, when we are being challenged because people  
25 somehow think there is something wrong, and the people that

1 are raising that, actually have had their own properties'  
2 land value adjusted, using the same process, then I it's  
3 valuable to spend the time here in chambers.

4 So, my point is is that on June 7th, the tax  
5 assessor will be here.

6 I also want to call people's attention to the fact  
7 is that tax records are public documents and are available.  
8 So, anyone who wants to ask the question, should feel free,  
9 anytime, to go to the tax assessor's office and have a full  
10 explanation to their satisfaction.

11 We do that as a matter of course for everyone and  
12 anyone in the township. So, June 7th. Thank you.

13 MAYOR SCARPELLI: Thank you, Commissioner.  
14 Commissioner.

15 COMMISSIONER ROGERS: Thank you, Mayor.

16 I'm going to amplify a little bit about what  
17 Commissioner Tucci and Commissioner Evans just said.

18 We are in a very, very critical situation with  
19 regard to where this town is going to be going in the years  
20 to come. In fact, we're at a crossroads. Something I would  
21 have never imagined sitting here on this Board for the past  
22 few years.

23 The question is why are we at this crossroads?  
24 We're the first line of government, municipal government,  
25 that people come in contact with and, unfortunately, we get

1 the blame for everything and, well, that's part of the job.

2 But the problem is taxes. High taxes. We, as a  
3 municipal government, don't control most of those taxes.  
4 And, yet, people will blame us and they'll blame conditions  
5 here in town and they'll ask us to do things that I thought  
6 would have been unthinkable years ago.

7 See these pictures on the walls here? These are  
8 our leaders that sat in these seats before us and they  
9 worked so very, very hard to do a few things uniquely to  
10 this township.

11 First and foremost, to maintain the services that  
12 we have. Nutley is famous. It is famous and an attractive  
13 town for the services we have.

14 I was in a town months ago and there was an  
15 incident where people needed the police. It took 22 minutes  
16 for a police car to arrive. I go to Manhattan just about  
17 every day and, you know, I look out the window of one of  
18 those tall buildings and I hear sirens on the street.  
19 Caught in traffic. Somebody maybe having a heart attack.  
20 They can't get to the hospital.

21 I talk to people that have beautiful parks like  
22 ours. They can't walk in those parks. So, they come to  
23 Nutley to walk in our parks because they're maintained.  
24 They're beautiful parks and the chance of you getting mugged  
25 in a Nutley park is almost zero, which talks to the issue of

1 public safety.

2 I had a drunk driver, three o'clock in the  
3 morning, a couple weeks ago, landed on my front lawn. You  
4 think about looking out your window, not knowing who's in  
5 that car. And I was going to go out there with my dog. I  
6 got a nice German shepherd who could do a lot of damage.  
7 But my wife said, you know what? What is somebody's in that  
8 car with a gun? That's how they're going to stop you or  
9 your dog.

10 I picked up the telephone and I've got to tell  
11 you, before I put that phone down, there were four police  
12 cars in front of my house. That's not happening in  
13 communities not far from here.

14 I think it's great that in our town that when  
15 people call us, they -- look. Every problem's in the eye of  
16 the beholder. And I'm not going to diminish anybody's  
17 issues when they call us whether it be to catch an animal  
18 that's bothering people or to fix a faucet or whatever they  
19 have to do.

20 But I've been around a long time and I think it's  
21 great that people in this town could still call for those  
22 issues other than calling about gun fire on your street.  
23 Calling about drug dealers on your corner. Calling about  
24 the Latin Kings and the Crypts taking over and taking  
25 complete control of your neighborhoods.

1           There's a reason that's not happening here.

2           I think it's great when a senior citizen could  
3 call my health department and we're able to send a doctor or  
4 a nurse right to their home and to help them out.

5           I think it's great when we have massive storms  
6 come through here and, look, I've heard it from people all  
7 over this State. You travel to Nutley, you're -- after a  
8 storm, it's like the storm never hit because of what Public  
9 Works does.

10           And this man, here, Commissioner Tucci, an  
11 unintended consequence of what he does, is he's really had a  
12 war on drugs. He's had a war on drugs for a long time and I  
13 don't think you realized it until I shared that with you  
14 because he and you see your parents here? And your coaches  
15 here? And the uniqueness of this town? They have worked  
16 very hard to get young people involved in programs to keep  
17 them away from trouble and the peer pressure that delivers  
18 that trouble.

19           So, when I hear people talk about high taxes, I  
20 get it. And I know my colleagues get it. The Commissioner  
21 of Revenue and Finance, you should Google this guy's name,  
22 find out who he worked for. One the largest financial  
23 corporations on the face of the Earth. And the follow who's  
24 not sitting here, he's busy tonight, Commissioner Petracco,  
25 with some personal business, he's maintained a police

1 department that I served 38 years on. And somehow, folks,  
2 just somehow, when I look at his reports about the crime  
3 rate not going up.

4 So, my point is this. We're at a very critical  
5 crossroads in our town. And if these fellows that I saw and  
6 I'm watching you, Commissioner Tucci, as you were speaking,  
7 and I just sensed it was a struggle because of -- and it's a  
8 struggle and I know it's a struggle for everyone up here.

9 But you know what's on our mind when we go to  
10 sleep at night? And I mean this. We don't want to change  
11 the character of this town. We don't want to cut services.

12 Chief John Holland and I rode around this town for  
13 years and when we went to other town, we said, how did this  
14 happen? How did this community fall apart? How did the  
15 crime go up? How did kids, they can't even walk to school  
16 anymore, not far from here.

17 And it all began, folks, when we began to cut  
18 services. And it all began when those communities saved --  
19 how much, Commissioner Evans, on a municipal budget? How  
20 much? Peanuts.

21 So, my point is this. I would ask all of you --  
22 and young people are here tonight and I know you're here for  
23 another reason, but, look, I don't say much at these  
24 meetings any more. But I'm going to -- I'd like to seize  
25 the opportunity when I could.

1           Use your talents and skills and the education you  
2 get and get involved. Get involved in government. Get  
3 involved in knowing who your elected officials are. Your  
4 State officials. Get involved and make your voice be heard  
5 because what we do up here is going to determine your  
6 future. And when we're gone, I'm going to be gone in two  
7 years from here, and there's going to be somebody else  
8 sitting here and they're going to have to make the same  
9 decisions that I've had to make and these gentlemen had to  
10 make.

11           So, I would ask you, as Commissioner Tucci said,  
12 keep up the best wishes of our town on your minds but also  
13 pray for our town. I still believe in a God who answers  
14 prayers. And He's had His -- He's had His hands on this  
15 town for a long time. That's my speech.

16           Thank you.

17           MAYOR SCARPELLI: Thank you, Commissioner.

18           And I'll just add that if you have a question  
19 about anything going on in the town, call us, email us, stop  
20 at our place of business. We're available. I'm in the Shop  
21 Rite every Sunday shopping. If you see me there, you can  
22 ask me any kind of question you want and I'm sure I speak  
23 for the rest of the Commissioners, we'll answer. There's  
24 nothing being hidden here. We're all up front as  
25 Commissioner Evans, I think, said, we all have the cards

1 face up. So --

2 One other announcement is that the county will be  
3 having an electronic recycling on Saturday up at 125  
4 Fairview.

5 So, let's move to ordinance introductions.

6 This is an ordinance to fix the salaries of  
7 certain officers and employees of the Township of Nutley,  
8 County of Essex, State of New Jersey, effective January 1st,  
9 2017, non-union employees.

10 I move this ordinance be passed to a second  
11 reading and advertised in The Nutley Sun together with the  
12 notice required by law and further consideration of said  
13 ordinance for final passage by the Board of Commissioners be  
14 held on the second reading on June 19th, 2018. I move the  
15 ordinance.

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: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye. Commissioner, you want to  
25 do the other one?

1           COMMISSIONER TUCCI: Sure. This is an ordinance  
2 to fix the salaries of certain officers and employees of the  
3 Township of Nutley, County of Essex, State of New Jersey,  
4 January 1, 2017 to the end of the year.

5           Be it ordained by the Board of Commissioners of  
6 the Township of Nutley in the County of Essex, New Jersey as  
7 follows and this is the salary ordinance for teamsters local  
8 97 which covers the employees in the Parks Department and in  
9 the Public Works.

10           I move that this ordinance be passed to a second  
11 reading and advertised in the Nutley Sun together with the  
12 Notice required by law and that further consideration of  
13 said ordinance for final passage by the Board of  
14 Commissioners to be held at its second reading on -- what's  
15 that date, Eleni?

16           MADAM CLERK: June 19th.

17           COMMISSIONER TUCCI: June 19th. I move the  
18 ordinance.

19           COMMISSIONER EVANS: Second.

20           MADAM CLERK: Commissioner Rogers?

21           COMMISSIONER ROGERS: Aye.

22           MADAM CLERK: Commissioner Tucci?

23           COMMISSIONER TUCCI: Aye.

24           MADAM CLERK: Commissioner Evans?

25           COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye. Commissioner, continue  
3 with resolutions.

4 COMMISSIONER TUCCI: Thank you, Mayor.

5 Well, I do this resolution pretty much every year  
6 and it's a wonderful resolution. It pretty much makes my  
7 year; all right? It's one of the high spots and every year  
8 when we think our ladies can't do any better, they surprise  
9 us and they do better and they just keep going and going and  
10 you are absolutely the best of what Nutley has to offer and  
11 we are so proud and grateful to you. Not only for being  
12 great basketball players, but for being great ladies and  
13 great Nutley citizens.

14 So, having said that, I am very proud to offer  
15 this resolution.

16 WHEREAS, the Girls Eighth Grade Basketball Team  
17 has enjoyed an outstanding season posting an overall record  
18 of 13 wins and 1 loss and a four year overall record, which  
19 is unbelievable, of 55 wins and 1 loss; and

20 WHEREAS, the members of the Girls Eighth Grade  
21 Basketball Team are Rebecca Echevarria, Rachel Echevarria,  
22 Mackenzie Albert, Alexandra Twomey, Julia Scheidel, Lia  
23 DeMaio, Natalie Rufino, Mia Geraghty, Sydney Hess, Patricia  
24 Columbia-Walsh, Alyssa Bartulovich, Stephanie Luberto,  
25 Jenna Garner; and

1           WHEREAS, head coach Joyce Bukowiec, along with  
2 Assistant Coach Dave Scheidel worked tirelessly to train and  
3 guide these athletes; and obviously their -- the fruits of  
4 the labor is coming through loud and clear; and

5           WHEREAS, the members of the Girls Eighth Grade  
6 Basketball Team were the Suburban Travel Basketball Division  
7 and League Champions, for the 4th year in a row, with a  
8 record of 13-1; and

9           NOW, THEREFORE, BE IT RESOLVED that the Board of  
10 Commissioners of the Township of Nutley, County of Essex,  
11 join with the citizens of Nutley to honor and congratulate  
12 the members and coaches of the Girls Eighth Grade Basketball  
13 Team, for their exceptional efforts and accomplishments.

14           I very proudly move this resolution.

15           COMMISSIONER EVANS: Second.

16           MADAM CLERK: Commissioner Rogers?

17           COMMISSIONER ROGERS: We're very proud of you.  
18 That's very, very impressive and I thank your parents and  
19 you and the coaches. That's really impressive. I vote yes.

20           MADAM CLERK: Commissioner Tucci?

21           COMMISSIONER TUCCI: Aye.

22           MADAM CLERK: Commissioner Evans?

23           COMMISSIONER EVANS: Congratulations. Well done.

24           Aye.

25           MADAM CLERK: Mayor Scarpelli?

1           MAYOR SCARPELLI: Congratulations to the coaches,  
2 parents and the girls. And I say this whenever I have young  
3 people here who play sports together, and they've been  
4 together for a long time, look at the people that you're  
5 sitting next to. Those are the people that you're going to  
6 be friends 20, 30, 40 years from now. Going through sports,  
7 sacrificing, winning, losing, crying, that's what it's all  
8 about. And they're going to be friends a long time.  
9 Congratulations girls.

10           Commissioner.

11           (Applause.)

12           COMMISSIONER TUCCI: Ladies and coaches, would you  
13 please come forward for a photo?

14           (Pause.)

15           COMMISSIONER TUCCI: We also have with us tonight,  
16 excuse me, a banner that will be hung in the gym at the  
17 Parks Department honoring this team.

18           (Pause.)

19           (Applause.)

20           (Background conversations.)

21           (Applause.)

22           COMMISSIONER EVANS: Is that yours or mine?

23           COMMISSIONER TUCCI: Sure, coach. Here you go.

24           MS. BUKOWIEC: First of all, I love

25 Nutley. I came here (indiscernible) Nutley (indiscernible)

1 more than I was born. So, I've been here much longer. I  
2 love Nutley. I definitely don't want to leave here. I don't  
3 even care about taxes. Me and Dave, just now we were  
4 talking, "Man, I don't even think about taxes." I love  
5 Nutley. So, we love Nutley.

6 Okay. I want -- I just want to say how  
7 extraordinary these girls are. And, to be undefeated, we  
8 lost our last game of our regular season. Okay? So, for  
9 four straight years they carried perfection. It's not easy  
10 for a young girl to have that and they -- you say  
11 (indiscernible) all they hear is (indiscernible) all I hear  
12 is the (indiscernible).

13 Believe me, it's like torture for me. But I have  
14 to say, girls, when you lose, it's a great thing because we  
15 learned something really big that day. So, being undefeated,  
16 that's one thing. But losing, we figured out how to win. We  
17 had to win the next two games. By losing, we -- I came to  
18 practice the next game and said, "I don't know how to beat a  
19 1-3-1. I just don't know how to beat it!" Like that.

20 I got but I'm going to call somebody that knows.  
21 And I called somebody that coached in the WNBA and I asked  
22 her, "What's your best offense against the 1-3-1?" And I  
23 came in the next day with my team and I go, "I have a plan, I  
24 have a plan!" And it was boring for six straight days, six  
25 straight days, that's all we did was the plan. And it was

1 boring and (indiscernible) and all I could say was, "Trust  
2 the plan, just trust the plan." And we got to the game and  
3 we hammered the team that beat us.

4 I mean, these girls are extraordinary. They  
5 (indiscernible) and they won (indiscernible) beat them  
6 without one of our best players which is extraordinary  
7 because everyone (indiscernible) have to to make  
8 (indiscernible). It was an amazing epic landing  
9 (indiscernible). It was an epic, epic time.

10 So, I just want to say thanks (indiscernible)  
11 special and they're all really, really great young ladies  
12 and I (indiscernible) too, so.

13 All right. Thank you. Thank you so much.

14 MAYOR SCARPELLI: Thanks. Thanks so much.

15 (Applause.)

16 MAYOR SCARPELLI: Girls, you're welcome to stay or  
17 you could take a couple minutes to head out.

18 (Pause.)

19 MAYOR SCARPELLI: Commissioner, you want to  
20 continue?

21 COMMISSIONER TUCCI: Yes. Thank you, Mayor.

22 WHEREAS, the Township of Nutley entered into a  
23 contract with Viridian Environmental Consultants, P.O. Box  
24 3009, Upper Montclair, New Jersey for Ground Water  
25 Investigation services; and

1           MAYOR SCARPELLI: Commissioner, you want to  
2 continue?

3           COMMISSIONER TUCCI: Yes. Thank you, Mayor.

4           WHEREAS, the Township of Nutley entered into a  
5 contract with Viridian Environmental Consultants, P.O. Box  
6 3009, Upper Montclair, New Jersey for Ground Water  
7 Investigation services; and

8           WHEREAS, the Director of Parks and Public  
9 Property, and that's me, has recommended the following  
10 change order from said contract:

11           CHANGE ORDER NO. 1.: Ground Water Investigation  
12 services, 228 Chestnut St. in the amount of: \$2,428.39 and  
13 the Tremont Garage in the amount of: \$8,614.00;

14           WHEREAS, funds are available from Capital  
15 Ordinance# 3372D and have been certified by the Chief  
16 Financial Officer, and said certification is attached to  
17 this resolution;

18           NOW, THEREFORE, BE IT RESOLVED by the Board of  
19 Commissioners of the Township of Nutley, County of Essex,  
20 State of New Jersey, that Change Order No. 1, in the  
21 amount of \$11,042.39 be and is hereby approved.

22           I move the resolution.

23           COMMISSIONER EVANS: 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: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

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

8 MAYOR SCARPELLI: Commissioner Evans.

9 COMMISSIONER EVANS: WHEREAS, Michael Duva,  
10 located at 189 Centre Street Nutley, New Jersey has  
11 submitted an application to make Interior Alterations; and

12 WHEREAS, the cost of the permit fee for Interior  
13 Alterations was collected in the amount of \$52.00 and said  
14 amount was deposited in account C-01-904-903; and

15 WHEREAS, the Township of Nutley has offered to  
16 refund the municipal permit fee of \$40.00 from said account  
17 to Michael Duva;

18 NOW, THEREFORE, BE IT RESOLVED by the Board of  
19 Commissioners of the Township of Nutley, County of Essex,  
20 State of New Jersey that all permit fees related to Michael  
21 Duva be refunded as stated.

22 So move.

23 COMMISSIONER TUCCI: 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: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER EVANS: BE IT RESOLVED, by the Board  
8 of Commissioners of the Township of Nutley, in the County of  
9 Essex, State of New Jersey, that the Treasurer be and she is  
10 hereby authorized to refund over payments of the tax  
11 charges in the amount of \$7.848.23 for the lots and blocks  
12 that are listed in this resolution.

13 So moved.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER EVANS: Thank you, Mayor.

24 MAYOR SCARPELLI: WHEREAS, a raffle application  
25 has been received from the following organization; Rotary

1 Club of Nutley, License No. 19-18, Off-Premise Cash Raffle  
2 to be held Thursday, August 9, 2018;

3 WHEREAS, the application has been reviewed and  
4 approved by the Municipal Clerk and the Police Department;

5 NOW, THEREFORE BE IT RESOLVED by the Board of  
6 Commissioners of the Township of Nutley, County of Essex,  
7 State of New Jersey that the aforementioned license is  
8 approved and the Municipal Clerk is authorized to issue the  
9 raffle license.

10 I move the Resolution.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Rogers?

13 COMMISSIONER ROGERS: Aye.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

20 WHEREAS, sealed bids for Surplus Equipment no  
21 longer in use by the Township were received and opened on  
22 Wednesday, April 18, 2018; and

23 WHEREAS, Marczaks Inc., 247 Central Avenue,  
24 Metuchen, NJ, 08840, was the sole bidder and the  
25 equipment/vehicles as listed below.

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 Township Clerk be and is  
4           hereby authorized to accept said offer from Marczaks Inc.,  
5           247 Central Avenue, Metuchen, NJ, 08840.

6           I move the resolution.

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:   Mayor Scarpelli?

15          MAYOR SCARPELLI:   Aye.

16                 My third resolution we're going to hold.  We're  
17                 going to open the meeting to the public and then we're going  
18                 to go into executive session.

19                 We will come back from executive session and take  
20                 action on that resolution.

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.

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

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

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

12           MAYOR SCARPELLI: Does anybody like to address the  
13 Board of Commissioners this evening?

14           MS. CELENTO: Amy Celento, 70 Newman Avenue.  
15 Mayor, we've been in contact regarding the municipal parking  
16 meter here in town. The new meters, I guess, to refer to  
17 them the centralized meters --

18           MAYOR SCARPELLI: Excuse me. Could you speak up a  
19 little bit.

20           MS. CELENTO: Sure. The centralized meters  
21 uni- meters and that they still are not accepting  
22 credit cards or payment cards and it's my understanding that  
23 there are some restrictions in terms of governmental  
24 agencies in each town using more than one merchant services  
25 provider.

1 So, if I understand from our previous conversations, the  
2 town's merchant services provider handles tax billing or tax  
3 payments, water payments, I think municipal court fees and  
4 fines but they can't handle these I guess these electronic  
5 payments for the uni-meter.

6 So, I know that you said that this has been  
7 submitted to the DCA and that they haven't responded. It  
8 just seems like -- is there a way to push that forward  
9 because the meters are there. You have to have quarters. I  
10 mean, it's 2018 and if people don't have enough quarters to  
11 put in for the amount of time that they need, then they have  
12 to go get change. They have to go back to the parking lot.  
13 You know -- I mean, it's a big song and dance just to park  
14 your car and avoid getting a traffic ticket.

15 MAYOR SCARPELLI: And we understand that, Ms.  
16 Solentos and we're working to resolving that issue.

17 MS. CELENTO: Okay. And I know we did speak  
18 about this and I appreciate your responding to my emails on  
19 it. Do you think there's a timeline to resolve the issue?

20 MAYOR SCARPELLI: I can't give you a timeline, no.

21 MS. CELENTO: Okay. Thank you.

22 Additionally, I think that, you know, that the  
23 conversation that took place in the pre-meeting and then  
24 what's been addressed here in terms of a tax presentation,  
25 the tax assessor presentation, that would be fantastic. So,

1 it's great it's being announced now that it will take place  
2 at the June 7th meeting.

3 Maybe there could be like a newsletter article  
4 that gets posted on the town's website following on from the  
5 meeting or even in advance of the meeting because there  
6 aren't that many people who are able to come to these  
7 meetings, you know, whether it's their schedule or their  
8 interests. But it seems like it's an interesting topic and  
9 to the points made in the pre-meeting and subsequent, you  
10 know, social media is a viable option for people to  
11 communicate. You know, it's happening around the world,  
12 around the globe. It can even swing elections, possibly.

13 And, you know, people do -- you know, it's sort  
14 like arm chair quarterbacking. It's like you can sit in  
15 your office, in your car, on the bus and make notes and post  
16 them on Facebook and you can see that people get frustrated.  
17 So, I don't know. It just seems like maybe the opportunity  
18 to increase transparency and make an effort to public  
19 information such as it going to be shared, would be well  
20 received by the citizens.

21 So, I'm just throwing that out there.

22 And then I'm not sure if I can ask questions  
23 related to the proposed budget that's announced, Mayor. Is  
24 that --

25 MAYOR SCARPELLI: Sure.

1 MS. CELENTO: Okay. Great. Thank you so much.

2 So, for 2018 as compared to 2017 there's a zero in  
3 the column on pending tax appeals which looked like it was a  
4 revenue line. In 2017, it was 346597. So far, I've only  
5 seen tax appeals going the other way in terms of money that  
6 we're refunding or reducing.

7 So, I'm just wondering if something has changed in  
8 how this is reported or tracked or anticipated.

9 COMMISSIONER EVANS: Exactly. We have an  
10 established reserve for risks associated with tax appeals.  
11 The most significant one is the pending tax appeal with  
12 Prism which is the company that took over the Hoffman  
13 LaRoche site.

14 Last year when the State notified us very late in  
15 the year that they were reducing our aid by \$1.8 million, we  
16 only had one tax quarter to actually absorb that loss of  
17 State aid. There was no way to, you know, to in effect look  
18 at it initially to argue that we could absorb all of that.  
19 So, one, we went back to the State and argued with them and  
20 we got an increase in our aid.

21 To close the gap for last year so that taxpayers  
22 did not get a huge tax bill which was a million dollars,  
23 part of the money that we used to offset that tax increase  
24 last year was to take the reserve for pending tax appeals  
25 and, with the approval of the State, reduce that reserve by

1 the amount of money that you see in 2017.

2 It's not in '18 because it's a one time revenue  
3 adjustment.

4 MS. CELENTO: Right.

5 COMMISSIONER EVANS: And we can't use it twice.  
6 So, what happens in and it's a related question to what you  
7 just asked, is a very important one, is because we made that  
8 one time adjustment last year, and we haven't been notified  
9 that we're going to get -- all that aid money back, we have  
10 to figure out how to absorb that loss of revenue in 2018.

11 And when we introduced the budget, we went through  
12 pretty extensive discussion on what the steps taken by this  
13 Board to in effect address the loss of aid. In fact, one of  
14 the things you saw tonight was Commissioner Tucci announce  
15 some layoffs in his departments. There were other things  
16 that happened as well in terms of positions, where someone  
17 retired and the position was frozen.

18 So, through attrition, you're seeing those  
19 adjustments being made. We're still waiting for approval  
20 from the State on the amount of aid we're going to get this  
21 year. The -- so far, you know, knock on wood, the  
22 discussions have been positive and I hope that some of the  
23 money that we lost will be restored.

24 I can't say exactly because the State itself  
25 hasn't struck a budget yet. And they won't do so until

1 July. So, we introduced. We held a public hearing but we  
2 can't adopt until we get the information. So, to your point,  
3 you'll see revenue -- one revenue item to help offset that  
4 loss from last year.

5 MS. CELENTO: Thank you. If I may ask a related  
6 question, the same line item -- or same section, reversal  
7 for school crossing guards -- reimbursement, sorry, for  
8 school crossing guards. 2017, there was a \$476,000 number  
9 but nothing in 2018.

10 COMMISSIONER EVANS: Correct. The other aspect of  
11 offsetting that loss of revenue was coordination with the  
12 school -- the school board where they agreed to reimburse  
13 the municipality for the cost of the school crossing guards  
14 which is in the amount of \$467,000 each year for school  
15 crossing guards for the township for all of our school  
16 needs.

17 So, they reimbursed us last year and took money  
18 out of reserves on their side to, in effect, offset that  
19 loss. We do not have that same ability to do that again  
20 this year. So, the same concept except it's not a tax  
21 reserve requiring State approval. It was cooperation  
22 between the school board and the municipality.

23 MS. CELENTO: Okay. So then you don't expect  
24 that to continue obviously in the 2018 budget or --

25 COMMISSIONER EVANS: Correct.

1 MS. CELENTO: -- possibly beyond? So, the  
2 township is absorbing that expense?

3 COMMISSIONER EVANS: Well, so far, you know, we've  
4 done quite a bit to absorb the tax loss and the tax  
5 increases. What I discussed at the hearing, the public  
6 hearing, and prior, was that we were facing, in the Fall, a  
7 \$2.9 million increase.

8 MS. CELENTO: Uh-huh.

9 COMMISSIONER EVANS: Today, we are looking at an  
10 increase of about four million -- one million four hundred  
11 and change, almost 1.5 million. So, we were able to,  
12 through cuts, not only in some cases in headcount, some  
13 cases consulting costs, you know, everywhere we could find a  
14 way to reduce spending, we looked at that as part of our  
15 review that we did this particular year in a more exhaustive  
16 way.

17 The items that comprise the tax increase, so far,  
18 is basically four major items. The first is that under  
19 State statute, we cannot anticipate the full amount of the  
20 aid that we received the prior year. We only can anticipate  
21 85 percent of it. So, the 15 percent is 551,000 of that  
22 \$1.4 or 5 million.

23 We also had an increase in our sewer bill from  
24 Passaic Valley Sewer Authority of \$194,000.

25 We also had an increase in our pension bill from

1 the State of \$389,000. And the last thing is, you know,  
2 contrary to what a lot of people were believed, we actually  
3 had a shortfall in our water utility arising from lower  
4 revenues in the water utility related to lower consumption.  
5 And that was \$343,000.

6 If you add those numbers up, that's were we are  
7 right now. We haven't struck a budget yet. We're hoping  
8 that one, we'll be able to anticipate the \$551,000 which  
9 means we'll get \$3.6 million in aid, which is the same  
10 amount we got last year. And if we're fortunate and that  
11 aid is increased, it'll further offset those items that  
12 increased.

13 When those bills come in, it's very difficult to  
14 find a way to absorb them because it's not that you can  
15 absorb it one year. Those bills are repeat bills. So, it's  
16 very hard.

17 MS. CELENTO: Okay.

18 COMMISSIONER EVANS: Does that help?

19 MS. CELENTO: That does help. Thank you for  
20 addressing so much about the anticipated aid and the  
21 percentages.

22 Just one other question. The Hurricane Sandy  
23 reserve from FEMA is estimated to be -- or budgeted at this  
24 point to be 102,297. How many years will that continue,  
25 that reserve? It's surprising that there's --

1           COMMISSIONER EVANS: Yeah. The delay with the  
2 federal government. So all of our paperwork is in. There's  
3 nothing that is -- we've met with all the compliance  
4 requirements. We're just waiting.

5           MS. CELENTO: Okay. So, we don't know if that will  
6 continue for --

7           COMMISSIONER EVANS: It may continue -- it may be  
8 resolved this year. It may be resolved next year. I hope  
9 it's resolved, you know, this year. It's long overdue.

10          MS. CELENTO: Okay. Thank you.

11          MAYOR SCARPELLI: Thank you, Ms. Celento.

12                   Anybody else wish to address the Board of  
13 Commissioners this evening?

14          MS. ROSSI: Tammy Rossi, 28 Colonial Terrace,  
15 Mayor Scarpelli, at the last Board of Commissioner meeting,  
16 I had brought up the definition for mixed use and density and  
17 if it would be heard, and you said probably at the next  
18 meeting. And --

19          MAYOR SCARPELLI: So, the Planning Board committee  
20 was invited to this meeting or a future meeting. They  
21 couldn't make tonight. They will be at our next meeting  
22 which is June 7th.

23          MS. ROSSI: So, then that's it. You're basically  
24 following also the request from Diamond Springs for you to  
25 hold off until after May 30th (indiscernible) --

1           MAYOR SCARPELLI: That has nothing to do with  
2 anything.

3           MS. ROSSI: Nothing to do with -- I certainly hope  
4 as a very concerned citizen that this finally does get  
5 resolved. Ten years is a long time. And developers have  
6 been getting every variance approved in town. And people in  
7 town are very concerned about the over development of  
8 apartments in these mixed use buildings.

9           MAYOR SCARPELLI: We're all concerned about that.

10          MS. ROSSI: Thank you.

11          MAYOR SCARPELLI: Anybody else wish to address the  
12 Board of Commissioners this evening?

13                 Seeing none, we need a motion to go into executive  
14 session.

15          COMMISSIONER ROGERS: (Indiscernible announcement.  
16 I'd be remiss if I didn't say this. Commissioner Petracco  
17 isn't here this evening because he has a family medical  
18 emergency. So, I would just ask everyone to please keep  
19 Vincent Petracco, one of Al's sons, in your prayers. He's  
20 having surgery tomorrow and I would ask everyone to pray for  
21 a successful surgery and a very speedy recovery. He's a  
22 wonderful young man.

23                 Thank you, Mayor.

24          MAYOR SCARPELLI: Thank you, Commissioner. May I  
25 have a motion to go into executive session?

1 COMMISSIONER TUCCI: Move it.

2 COMMISSIONER EVANS: Second.

3 MAYOR SCARPELLI: Mr. Genitempo, to discuss --

4 MR. GENITEMPO: Litigation and contract  
5 negotiations.

6 MADAM CLERK: Whereas, Section 8 of the Open  
7 Public Meeting Act, Chapter 231, P.L. 1975, permits the  
8 exclusion of the public from meetings under certain  
9 circumstances; and

10 WHEREAS, the public body is of the opinion that  
11 such circumstances exist; and

12 WHEREAS, the Board of Commissioners of the  
13 Township of Nutley in the County of Essex, State of New  
14 Jersey, desires to proceed to closed executive session.

15 AND, NOW, THEREFORE, BE IT RESOLVED by the Board  
16 of Commissioners of the Township of Nutley move into closed  
17 executive session to discuss litigation and contract  
18 negotiations.

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

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 SCARPELLI: Mayor Scarpelli.

7 MAYOR SCARPELLI: Aye.

8 MADAM CLERK: And the time is 8:16.

9 MAYOR SCARPELLI: Just as a reminder, we will be  
10 coming back on the record to vote on resolution 132-18. And  
11 then we will close the meeting.

12 (Pause)

13 MAYOR SCARPELLI: I'm waiting for Commissioner  
14 Tucci.

15 MADAM CLERK: He should be right out.

16 (Pause)

17 MAYOR SCARPELLI: I never use that.

18 COMMISSIONER EVANS: Chuck, I hope you're enjoying  
19 the night.

20 (Indiscernible background conversations.)

21 MAYOR SCARPELLI: All right, Madam Clerk.

22 MADAM CLERK: Yes, Mayor. We are reading  
23 Resolution 132-18.

24 MAYOR SCARPELLI: Yes. We're back on the record  
25 at what time?

1 MADAM CLERK: The time is now 9:20.

2 MAYOR SCARPELLI: All right. This resolution  
3 number 132-18, resolution of the Board of Commissioners  
4 approving the transfer greater than ten percent of the  
5 membership interest in Kingsland Street Urban Renewal, LLC  
6 to HUM -- HMH Hospitals Corporation or another wholly owned  
7 affiliate of Hackensack Meridian Health, Incorporated.

8 NOW, THEREFORE, BE IT RESOLVED, by the Mayor and  
9 the Board of Commissioners of the Township of Nutley as  
10 follows:

11 Section 1: The proposed Transfer of Seton Hall  
12 University's fifty percent (50%) membership interests in  
13 Kingsland Street Urban Renewal, LLC to HMH Hospitals  
14 Corporation or another wholly-owned affiliate of Hackensack  
15 Meridian Health, Inc. is hereby authorized and approved,  
16 subject to any and all conditions contained in the  
17 Agreements, including, but not limited to, Kingsland's  
18 payment to the Township of a non-refundable transfer fee  
19 equal to two percent of the current Annual Service Charge,  
20 and such transferee/affiliate providing a written instrument  
21 reasonably acceptable to the Township confirming that such  
22 transferee/affiliate will, for itself and its transferees,  
23 and expressly for the benefit of the Township, expressly  
24 assume all of the relevant obligations of Kingsland under  
25 the Agreements.

1           Section 2. The Township Clerk is hereby directed  
2 to publish and post notice of this resolution as required by  
3 applicable law.

4           Section 3. This resolution shall take effect at  
5 the time and in the manner provided by applicable law.

6           I move the Resolution.

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 SCARPELLI: Mayor Scarpelli.

15          MAYOR SCARPELLI: Aye.

16          A motion to adjourn.

17          COMMISSIONER TUCCI: Move it.

18          COMMISSIONER EVANS: Second.

19          MADAM CLERK: Commissioner Rogers.

20          COMMISSIONER ROGERS: Aye.

21          MADAM CLERK: Commissioner Tucci.

22          COMMISSIONER TUCCI: Aye.

23          MADAM CLERK: Commissioner Evans.

24          COMMISSIONER EVANS: Aye.

25          MADAM SCARPELLI: Mayor Scarpelli.

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MAYOR SCARPELLI: Aye.

MADAM CLERK: And the time is 9:22.

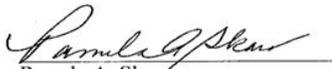
MAYOR SCARPELLI: Good night, everybody.

(Whereupon, the meeting was adjourned

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

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I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the May 15, 2018 proceedings.

  
Pamela A. Skaw

Date: May 31, 2018

<b>&amp;</b>	<b>19th</b> 30:14 31:16	<b>30</b> 34:6	<b>7</b>
<b>&amp;</b> 18:24	31:17	<b>3009</b> 35:6	<b>7,295,992.23</b> 18:23
<b>0</b>	<b>1st</b> 16:12 30:8	<b>30th</b> 21:21 48:25	<b>7.848.23</b> 37:11
<b>01-904-903</b> 36:14	<b>2</b>	<b>31</b> 55:11	<b>70</b> 20:8 40:14
<b>08840</b> 38:24 39:5	<b>2</b> 17:21 53:1	<b>3372d</b> 35:15	<b>701</b> 18:17
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<b>1</b> 31:4 32:18,19	<b>2.9</b> 46:7	<b>346597</b> 43:4	<b>7:10</b> 2:5
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<b>1.4</b> 46:22	<b>200</b> 14:1	<b>389,000</b> 47:1	<b>7th</b> 7:1 22:10,12
<b>1.5</b> 46:11	<b>2006</b> 7:15 22:22	<b>4</b>	24:4,12 42:2
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<b>11</b> 9:13	43:2,4 44:1 45:8	<b>400,000</b> 21:19	<b>8,614.00</b> 35:13
<b>11,042.39</b> 35:21	<b>2018</b> 1:9 2:5 6:4,5	<b>467,000</b> 45:14	<b>80</b> 21:1
<b>114</b> 9:2	14:14 15:21 16:9	<b>476,000</b> 45:8	<b>81</b> 18:25
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