

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

June 8, 2016

8:34 p.m.

BEFORE:

Commissioner Steven L. Rogers

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Alphonse Petracco

Mayor Joseph P. Scarpelli

Job No. NJ2332760

Transcribed by: Nicole Yawn

P R O C E E D I N G S

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Can you hear me?

(Pause)

MADAM CLERK: Ready Mayor.

Board of Commissioners public meeting, Wednesday,
June 2nd (sic), 2016. The time is now 8:34.

Pursuant to the requirements of the Open Public
Meeting Act, Chapter 231, Public Law 1975, notice of this
meeting was published in the June 2nd, 2016 issue of the
Nutley Sun. A copy of this notice has been posted in the
Nutley Town Hall bulletin board, and a copy is on file in
the municipal clerk's office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor.

1 MAYOR SCARPELLI: Minutes, Madam Clerk?

2 MADAM CLERK: Yes, Mayor, we have board of
3 commissioner meeting minutes for April 19, 2016;
4 May 3rd, 2016; and May 17th, 2016.

5 COMMISSIONER EVANS: Move the minutes.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 MADAM CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

17 Communication and correspondence?

18 MADAM CLERK: Yes, we have the Nutley Volunteer
19 Emergency and Rescue Squad has submitted an application to
20 hold an off-premise 50/50 cash raffle drawing on Sunday,
21 September 25th, 2016.

22 We need a motion, please.

23 COMMISSIONER TUCCI: Move it.

24 COMMISSIONER PETRACCO: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 MADAM CLERK: The Van Riper Trust has also
11 submitted an event application for a street fair on Franklin
12 Avenue between Centre Street and Harrison Street for Sunday,
13 September 4, 2016, from 11:00 to 5:00 p.m.

14 I need a motion, please.

15 COMMISSIONER TUCCI: Move it.

16 COMMISSIONER EVANS: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye.

2 MADAM CLERK: VFW No. 493 of 271 Washington Avenue
3 is requesting permission to hold their annual Pull Tab from
4 June 27, 2016 through June 27, 2017.

5 COMMISSIONER TUCCI: Move it.

6 COMMISSIONER EVANS: Second.

7 MADAM CLERK: Commissioner Rogers?

8 COMMISSIONER ROGERS: Aye.

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 MADAM CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Aye.

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

18 MAYOR SCARPELLI: Reports -- I have a monthly
19 progress reports for the Public Works Department.

20 Commissioner Tucci?

21 COMMISSIONER TUCCI: Yes, I have a shade tree
22 report for the month of May.

23 MAYOR SCARPELLI: Bills?

24 MADAM CLERK: Bill list for Wednesday, June 2nd,
25 2016 -- Public Affairs, \$23,641.48; Revenue and Finance,

1 \$2,833,506.87; Public Safety, \$141,691.68; Public Works,
2 \$134,168.21; Parks and Public Property, \$849,774.96.
3 Payroll for May 20th, 2016 is \$29,612.25. Payroll for June
4 3rd, 2016 is \$891,687.34, for a grand total of
5 \$5,658,155.53.

6 UNIDENTIFIED SPEAKER: (Indiscernible).

7 COMMISSIONER ROGERS : Second.

8 MADAM CLERK: Second? I'm sorry. I didn't hear
9 who was the second.

10 COMMISSIONER ROGERS: Second.

11 MADAM CLERK: Thank you.

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: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 MADAM CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye.

22 MADAM CLERK: That's it for bills.

23 MAYOR SCARPELLI: Public comment on agenda items
24 only.

25 Madam Clerk, will you read the notice?

1 MADAM CLERK: Yes, Mayor.

2 All persons addressing the board of commissioners
3 regarding community concerns should approach the microphone
4 and provide their name and address for the record. Unless
5 further time is granted by the board, each person shall
6 limit their address to three minutes. All remarks to the
7 board and its individual members must be addressed to the
8 mayor.

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

16 MAYOR SCARPELLI: If anybody would like to
17 approach the microphone and address the board on agenda
18 items only?

19 Seeing none, we'll go to board of commissioner
20 announcements.

21 Anybody have any announcements?

22 Ordinance introductions.

23 Commissioner Petracco?

24 COMMISSIONER PETRACCO: I have an ordinance
25 introduction for Ordinance Number 3338, an ordinance to

1 amend an ordinance codified in the Code of the Township of
2 Nutley, Chapter 228 entitled Vehicle and Traffic,
3 particularly Article 2, Section 11 entitled Parking Time
4 Limited to add to the location set forth thereon.

5 I move that the ordinance be passed to the second
6 reading and advertised in the Nutley Sun together with the
7 notice required by law and that further consideration of
8 ordinance for a final passage by the board of commissioners
9 to be held at its second reading on July 5th, 2016.

10 MADAM CLERK: Yes.

11 COMMISSIONER PETRACCO: Thank you.

12 I move the ordinance.

13 COMMISSIONER ROGERS: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24 COMMISSIONER PETRACCO: I have another Ordinance
25 Number, 3339, an ordinance to amend ordinance codified in

1 the Code of the Township of Nutley, Chapter 228 entitled
2 Vehicles and Traffic, particularly Article 7, Special Zones
3 and Areas, Section 29A entitled Handicapped Parking to add
4 the location set thereon.

5 I move that this ordinance be passed to the second
6 reading and advertised in the Nutley Sun together with the
7 notice required by law and that further consideration of the
8 said ordinance for final passage by the board of
9 commissioners to be held at its second reading on
10 July 5th, 2016.

11 I move the ordinance.

12 COMMISSIONER ROGERS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 Commissioner Evans?

24 COMMISSIONER EVANS: Thank you. Ordinance 3340 is
25 providing for the reconstruction of the roadway on Harrison

Street, Section 2 in the township of Nutley and the county of Essex, New Jersey appropriating \$245,000 therefore from grant monies received from the New Jersey Department of Transportation for the cost thereof.

I move that this ordinance be passed to a second reading and 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 its second reading on July 5th, 2016.

So moved.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

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.

Resolutions.

Commissioner Rogers?

COMMISSIONER ROGERS: Resolution 153-16 -- that's

1 a resolution that will mark National Men's Health Week as
2 its 22nd year as written and submitted.

3 So moved.

4 COMMISSIONER PETRACCO: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 COMMISSIONER ROGERS: Resolution Number 163-16 --
16 I'll read the whole resolution.

17 Emergency award of assignment and assumption of
18 contract for solid waste, bulk waste, vegetative waste, and
19 white goods collection services for the township of Nutley.

20 WHEREAS, on November 1st, 2014, the township of
21 Nutley entered into a contract with Future Sanitation,
22 Incorporated to provide solid waste, bulk waste, white
23 goods, and vegetative waste collection and other services,
24 which contract was to expire on October 31st, 2019; and
25

1 WHEREAS, as part of that contract Future
2 Sanitation, Incorporated was required to provide a
3 performance bond for the length of the contract; and

4 WHEREAS, Future Sanitation, Incorporated breached
5 the contract by not providing the required performance
6 bond, despite numerous requests by the township that they do
7 so, and Future Sanitation, Incorporated having admitted to
8 their breach of the contract; and

9 WHEREAS, providing solid waste collection services
10 is a matter of public health and the collection of
11 the garbage and the production of the performance bond is a
12 key element to the contract; and

13 WHEREAS, the commissioners have entered into an
14 agreement with Future Sanitation, Incorporated wherein
15 Future Sanitation, Incorporated will enter into an
16 assignment and assumption agreement with F. Basso, Jr.
17 Rubbish Removal Incorporated, hereinafter Basso, located at
18 P.O. Box 51 Harrison, New Jersey and 55-93 South 20th
19 Street, Irvington, New Jersey. Basso has agreed to assume
20 all obligations and responsibilities as required in the
21 original contract of November 1st, 2014 and to do so until
22 the contract's expiration on October 19th, 2019; and

23 WHEREAS, the township attorney, having reviewed
24 the assignment and assumption agreement and found it to be
25 acceptable; and

1 WHEREAS, that Basso has or will provide, within
2 three days of the date of this resolution, a fully
3 enforceable performance bond for the remainder of 2016 and
4 will provide annually the proper renewal of said performance
5 bond; and

6 WHEREAS, Basso will be paid on a pro-rata basis
7 for work performed up through June 9th, 2016, on which date,
8 Basso will assume the full obligations of the original
9 contract.

10 WHEREAS, funds are available from account number
11 6-01-138-263 and have been certified by the chief financial
12 officer, said certification being attached to this
13 resolution; and

14 NOW, THEREFORE, BE IT RESOLVED that the mayor and
15 commissioners of the township of Nutley, county of Essex,
16 state of New Jersey, hereby accept the assignment and
17 assumption agreement between Future Sanitation, Incorporated
18 and Basso and that Basso will officially take over the
19 original November 1st, 2014 contract on June 9th, 2016.

20 So moved.

21 COMMISSIONER PETRACCO: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

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

8 MADAM CLERK: Mayor?

9 MAYOR SCARPELLI: I didn't get the vote yet.

10 COMMISSIONER ROGERS: Oh, I'm sorry.

11 MAYOR SCARPELLI: I just want to commend

12 Commissioner Rogers for -- you know, this job's fairly easy
13 when everything runs smooth. But when we have a little fly
14 in the ointment, it gets a little bit more difficult.

15 And I have to commend you for, you know, moving
16 quickly, getting the issue resolved. And within less than a
17 week, we have a new contractor coming into town. So my
18 hat's off to you, Commissioner.

19 COMMISSIONER ROGERS: Well, thank you, Mayor.

20 And, folks, you need to know this was a team
21 effort. It was a difficult, difficult time for everyone.
22 People in this town had a right to be angry. But I got and
23 received input from every commissioner.

24 I tell you, the mayor, for, I guess, two nights,
25 Mayor, we were out on the streets with the garbage trucks of

1 the company that came in that worked 'til 2:00 in the
2 morning. We were out there with them. The mayor was out
3 there driving around. I was out there.

4 My colleagues all had input in this with regard to
5 the solution, something we haven't had before. But as a
6 township, we came together. And that was important.

7 So, Mayor, thank you. But thanks also goes to
8 you, the colleagues here, and the citizens of this town.

9 MAYOR SCARPELLI: Before I vote yes, just one more
10 thing. I would like to commend four of my Public Works guys
11 who were out there directing the trucks on where to pick up.
12 And they took it upon themselves -- all they had to do was
13 sit in the truck and direct them. They took it upon
14 themselves with the amount of garbage that was out there, to
15 pick up the garbage along with the contractor. I think that
16 goes beyond the call.

17 COMMISSIONER ROGERS: And I know Mr. --

18 MAYOR SCARPELLI: And I think they deserve a
19 little special recognition.

20 COMMISSIONER ROGERS: And Mr. Genitempo, our town
21 attorney -- I drove him absolutely crazy. Calls at 1:00 in
22 the morning and 1:30 in the morning going back and forth.

23 So, Alan, thank you for all your help. Thank you.

24 MAYOR SCARPELLI: All those kudos I vote aye.

25 Commissioner Tucci?

1 COMMISSIONER TUCCI: Yes.

2 WHEREAS, the township of Nutley has determined
3 that the property described on Schedule A attached hereto
4 and incorporated herein is no longer needed for public use;
5 and

6 WHEREAS, the Local Unit Technology Pilot Program
7 and Study Act authorizes the sale of surplus personal
8 property no longer needed for public use through the use of
9 an online auction service; and

10 WHEREAS, the township of Nutley intends to utilize
11 the online auction services of propertyroom.com; and

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

15 NOW, THEREFORE, BE IT RESOLVED, by the board of
16 commissioners, of the township of Nutley, county of Essex,
17 state of New Jersey, that the township is hereby authorized
18 to sell the surplus personal property as indicated in
19 Schedule A at an online auction website entitled
20 propertyroom.com; and

21 2. The terms and conditions of the agreement
22 entered into between propertyroom.com and the township of
23 Nutley are available at propertyroom.com and in the township
24 clerk's office; and

25

1 3. A certified copy of the resolution be forwarded
2 by the township clerk to the following: chief of police
3 And chief financial officer. The items to be liquidated are
4 Dodge Ram 3500 Van, 2002; vintage GMC 3500 truck; 2000
5 vintage Clark/Michigan 35GMCT, 1985 front end loader;
6 Dodge Durango 4x4 from 2002; and two Toro riding mowers, one
7 from 1993 and one from 1999.

8 I move the resolution.

9 COMMISSIONER EVANS: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

20 COMMISSIONER TUCCI: WHEREAS, the township of
21 Nutley Ordinance 665-22, Preservation of Trees, states
22 that the removal -- that the tree removal permits must be
23 obtained for a cost of \$50 per tree; and
24
25

1 WHEREAS, The Township of Nutley, Department of
2 Parks and Public Property authorizes a refund for each tree
3 permit submitted upon the planting of a new tree on the said
4 property; replacement tree(s) size and species must be
5 approved in advance by the township forester; and

6 WHEREAS, funds will be available from account C-
7 01-904-905; and

8 NOW THEREFORE, BE IT RESOLVED, by the board of
9 commissioners of the township of Nutley, county of Essex,
10 state of New Jersey that the township treasurer is
11 authorized to refund the tree permit fee collected as per
12 the Shade Tree Preservation Ordinance -- Andrew Hunton, 32
13 Howe Avenue in the amount of \$50.

14 I move the resolution.

15 COMMISSIONER EVANS: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 MADAM CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

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

2 MAYOR SCARPELLI: Commissioner Evans?

3 COMMISSIONER EVANS: Thank you.

4 WHEREAS, New Jersey Statute 54:3.30 (sic) provides
5 certain war veterans, who have suffered serious disability
6 while in service, a full tax exemption of their dwelling
7 house and lot on which it is located; and

8 WHEREAS, the following taxpayer has filed the
9 application for allowance of a full exemption with proper
10 supporting documentation thus making the taxpayer eligible;
11 and

12 NOW, THEREFORE, BE IT RESOLVED, by the board of
13 commissioners of the township of Nutley, county of Essex,
14 that Leonidas Zois be granted full exemption from payment of
15 property taxes from May 5th, 2016 and all subsequent years
16 thereafter for Block 7200, Lot 3 QC0102 known as 108-110
17 Passaic Avenue A-2.

18 So move.

19 COMMISSIONER TUCCI: 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: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 MADAM CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye.

5 COMMISSIONER EVANS: BE IT RESOLVED, by the board
6 of commissioners of the township of Nutley that the
7 treasurer be and she is hereby authorized to refund
8 overpayments of the tax charges for Block 5302, Lot 23;
9 Block 4000, Lot 15; Block 1701, Lot 04; Block 2304, Lot 20;
10 Block 6700, Lot 02; Block 2200, Lot 07, for a total combined
11 refunds of \$1,037.69.

12 So move.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner Rogers?

15 COMMISSIONER ROGERS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Mayor Scarpelli?

23 MAYOR SCARPELLI: Aye.

24

25

1 COMMISSIONER EVANS: BE IT RESOLVED, by the board
2 of commissioners of the township of Nutley, in the county of
3 Essex, state of New Jersey, that the treasurer be and she is
4 hereby authorized to refund overpayment of water charges for
5 Block 903, Lot 60 for the amount \$1,040.92.

6 So move.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 COMMISSIONER EVANS: WHEREAS, due to the delay in
19 the approval of state aid figures from the 2016 budget and
20 the Essex County Board of Taxation -- the Essex County Board
21 of Taxation is unable to certify tax rates for 2016; and

22 WHEREAS, without a 2016 certified tax rate the tax
23 collector of the township of Nutley will be unable to issue
24 2016 tax bills in a timely manner;

25

1 NOW, THEREFORE BE IT RESOLVED, by the board of
2 commissioners of the township of Nutley, county of Essex,
3 New Jersey, as follows:

4 1. the tax collector of the township of Nutley is
5 hereby authorized and directed to prepare and issue
6 estimated tax bills for the township of Nutley for the third
7 installment of 2016 taxes. The tax collector shall proceed
8 and take such action as is permitted and required by Chapter
9 72, Public Laws of 1994, and N.J.S.A. 54:66.2 (sic) and
10 54:4-66.3.

11 2. The total estimated tax levy for 2016 is hereby
12 set at \$107,423,103. The total estimated tax rate for 2016
13 is hereby set at \$3.36.1.

14 So move.

15 COMMISSIONER TUCCI: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 MADAM CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

1 Commissioner Petracco?

2 COMMISSIONER PETRACCO: WHEREAS, Adam Wayman has
3 submitted an application to become a volunteer firefighter
4 in the township of Nutley; and

5 WHEREAS, this application has been accepted by the
6 chief and deputy chief: and

7 NOW, THEREFORE BE IT RESOLVED by the board of
8 commissioners of the township of Nutley, county of Essex,
9 state of New Jersey, that Adam Wayman will become a
10 recruit within the fire department effective immediately.

11 BE IT FURTHER RESOLVED that Adam Wayman will have
12 18 months to successfully complete all requirements set
13 forth by the chief and deputy chief in order to be
14 assigned the rank of volunteer firefighter in the Nutley
15 Fire Department.

16 I move the resolution.

17 COMMISSIONER ROGERS: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 COMMISSIONER PETRACCO: That's all I have.

4 MAYOR SCARPELLI: WHEREAS, raffle applications
5 have been received from the following organizations: St.
6 Mary's Roman Catholic Church, license number 29-16 for an
7 off-premise 50/50 cash raffle on Friday, October 21st, 2016
8 and from VFW Post Number 493, Stuart E. Edgar, license
9 number 30-16 daily pull tabs to be held from June 27th, 2016
10 through June 27th, 2017.

11 WHEREAS, the applications have been reviewed and
12 approved by the municipal clerk and the police department;
13 and

14 NOW, THEREFORE BE IT RESOLVED by the board of
15 commissioners of the township of Nutley, county of Essex,
16 state of New Jersey that the aforementioned licenses
17 are approved and the municipal clerk is authorized to issue
18 the licenses.

19 I move the resolution.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 MADAM CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 WHEREAS, N.J.S.A. 40A: 4-87 provides that the
7 director of the Division of Local Government Services
8 may approve the insertion of any special item in the budget
9 of any county or municipality when such item shall have been
10 made available by law and the amount thereof was not
11 determined at the time of the adoption of the budget; and
12 WHEREAS, said director may also approve the insertion of any
13 item of appropriation for an equal amount;

14 Section 1: NOW, THEREFORE, BE IT RESOLVED, by the
15 board of commissioners of the township of Nutley, county of
16 Essex, state of New Jersey, hereby requests the director of
17 the Division of Local Government Services to approve the
18 insertion of an item of revenue in the budget of the year
19 2016 in the amount of \$59,433.17, which item is now available
20 as a revenue from the Clean Communities Program Grant
21 pursuant to the provisions of statute; and

22 Section 2: BE IT FURTHER RESOLVED, that a like
23 sum of \$59,433.17 be and the same is hereby appropriated
24 under the caption of general appropriations operations
25

1 excluded from 5 percent CAP CLEAN COMMUNITIES PROGRAM GRANT,
2 \$59,433.17.

3 Section 3: BE IT FURTHER RESOLVED, that the above
4 is the result of revenues available from fiscal year 2016
5 Clean Communities Program Grant.

6 BE IT FURTHER RESOLVED, that the township clerk
7 forward two certified copies of this resolution to the
8 director of Local Government Services.

9 I move the resolution.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 That concludes the business portion of the
22 meeting. We'll now open it up for the public.

23 Madam Clerk, will you read the --

24 MADAM CLERK: Yes, Mayor.

25 All persons addressing the board of commissioners

1 regarding community concerns should approach the microphone
2 and provide their name and address for the record. Unless
3 further time is granted by the board, each person shall
4 limit their address to five minutes. All remarks to the
5 board and its individual members must be addressed to the
6 mayor.

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

14 MAYOR SCARPELLI: Would anybody like to address
15 the board this evening?

16 MS. LANDRY: Pennie Landry, 135 Lakeside Drive.
17 This is regarding Resolution 159-16. Due to the delay in
18 approval of state aid figures in the 2016 budget, that we
19 will not know what our tax bill actually will be. It says
20 that estimated tax bills for the third installment in 2016
21 will be sent out. When will these estimated tax bills be
22 sent out, question one?

23 Question two, the estimated tax rate in this
24 resolution is 3.361. What was the resolution -- what was
25 the tax rate in the approved budget?

1 COMMISSIONER EVANS: This is the combined budget.
2 This is the tax -- full tax levies. It's not the municipal
3 budget. It's the full levy for the town. So that would
4 include the county, the school, and the municipal
5 (inaudible). So it's a combined rate.

6 There's no change to the school rate. There's no
7 change to the municipal rate. The question is is the state
8 hasn't adopted its budget yet. And they won't finalize
9 approvals to release tax rates until some time, I
10 understand, in early July.

11 MS. LANDRY: Does this include the state aid
12 category for Roche?

13 COMMISSIONER EVANS: Yes.

14 MS. LANDRY: Okay. So the 5.5 million that --

15 COMMISSIONER EVANS: It does not -- but let me be
16 real clear. It does not affect us.

17 MS. LANDRY: Okay.

18 COMMISSIONER EVANS: Just at the overall, at the
19 very highest level, the state, when they're looking at their
20 budget -- they haven't finalized their numbers yet. They're
21 not required to do that until July 1st.

22 MS. LANDRY: Okay. So the 5.5 million from the
23 state --

24 COMMISSIONER EVANS: Is in our budget --

25 MS. LANDRY: -- for GAP -- what was the

1 terminology you used for the --

2 COMMISSIONER EVANS: Transitional aid.

3 MS. LANDRY: Transitional aid is currently --

4 COMMISSIONER EVANS: Five-and-a-half million. It
5 has not changed.

6 MS. LANDRY: And it is in our --

7 COMMISSIONER EVANS: Absolutely.

8 MS. LANDRY: We have received that check?

9 COMMISSIONER EVANS: We cannot receive it until
10 November.

11 MS. LANDRY: Okay. We will receive that check in
12 November? So that is not going to change. The only thing
13 that may change is that the Essex County tax rate or what we
14 are paying Essex County may change?

15 COMMISSIONER EVANS: May.

16 MS. LANDRY: May? And are you anticipating that
17 to be higher or lower?

18 COMMISSIONER EVANS: I'm not -- this goes in at
19 100 percent. So I'm not really expecting any change. So
20 I'm just looking at the potential, and that's what we're
21 doing. We have to do this resolution to prepare us, the
22 town, to be able to issue the tax bills, estimated bills in
23 the event I have to.

24 I'm hoping that the regular bill will go out. But
25 if I have to, I'll have to issue a third quarter estimated

1 bill, which will go out in early July. Plenty of time for
2 the taxpayers to see it and get it, be able to pay their
3 taxes in August for the third quarter.

4 MS. LANDRY: Okay. All right. Thank you.

5 And there was an economic development advisory
6 committee meeting in February 2016. The minutes have been
7 available for the -- from the 2015 economic development
8 advisory committee meetings. However, I was informed by the
9 township clerk that there were no minutes for the February
10 2016 economic development advisory committee. My question
11 is will minutes be available in the year 2016 for economic
12 development advisory committee meetings? Will they be made
13 available to the public and the business owners of Nutley?

14 COMMISSIONER EVANS: I might have to review that. I
15 haven't decided. The committee itself, as you and I have
16 discussed many times, is not a quorum of this board. It has
17 no budget authority. It has no voting authority. It's not
18 subject to the Open Public Meeting Act.

19 So these are primarily just discussion points that
20 are memorialized for the people, for the benefit of the
21 people in the discussion, right, which I used for my
22 reference. I had made them available to the commissioners,
23 because that is just part of sharing information. I never
24 intended that they would be public meetings or public
25 minutes, right?

1 They have been shared. But, in fact, there's no
2 reason to do it. So I haven't decided what I'm going to do
3 with the committee (inaudible).

4 MS. LANDRY: Okay. Because they did make a
5 recommendation to the board of commissioners to spend
6 \$17,500 on a survey that was paid for by the taxpayers.

7 COMMISSIONER EVANS: Right. It was a
8 recommendation, not a (indiscernible).

9 MS. LANDRY: As a recommendation to spend money.
10 And they also made a recommendation that there be money
11 spent, as I believe, or research done into a bid and the
12 type of the downtown development, whatever. Can you say if
13 monies will be spent to do that research?

14 COMMISSIONER EVANS: I'm not at this time, because
15 that hasn't been discussed with the board. Again, that
16 committee has no authority to appropriate funds and has no
17 ability to vote and make that decision. And only after its
18 meetings, we talk and make a recommendation, a discussion of
19 the members.

20 I discuss that with the board of commissioners.
21 And it's the board of commissioners who decide whether or
22 not they're going to agree with (inaudible). So all voting
23 authority, all budgetary authority rests with the board of
24 commissioners.

25 MS. LANDRY: Okay. So I'm going to make my sixth

1 request that the economic development advisory committee
2 meetings of the township of Nutley be open to the public and
3 that the minutes from those meetings be made available to
4 the public, request number six. Thank you.

5 COMMISSIONER EVANS: Thank you.

6 MAYOR SCARPELLI: Anybody else want to be heard
7 tonight?

8 MR. CURSIO: Joe Cursio (ph), 499 Centre Street.
9 Please forgive me. First time doing this.

10 Thank you, by the way, Commissioner Rogers, for
11 reaching out to me.

12 499 Centre Street or Centre Street between Franklin
13 Avenue and East Passaic is turning into a drag (inaudible).
14 When you have the lights closer to Bloomfield Avenue past my
15 house, if they're both green and you're going up and down that
16 hill, it's insane. So I really don't know what a solution
17 would be. I'm just kind of here to say that it's nonsense.

18 We had, about a year-and-a-half ago, Nutley P.D. set
19 up a checkpoint. And they were catching people speeding. One
20 of the police had commented to me -- because I was standing
21 outside.

22 He said this guy was just going 65 down the street,
23 and that was about 11 o'clock in the morning. So at night,
24 it's getting bad. And if you guys could put a speed bump in
25 or something, I don't know. But, you know, --

1 MAYOR SCARPELLI: So you're on Centre Street, sir?

2 MR. CURSIO: I'm on Centre Street, yeah.

3 MAYOR SCARPELLI: That's a county road, and they
4 have jurisdiction over what goes on that road.

5 MR. CURSIO: Okay.

6 COMMISSIONER PETRACCO: What was your address
7 again?

8 MR. CURSIO: 499.

9 COMMISSIONER PETRACCO: Centre?

10 MR. CURSIO: Yes, sir.

11 COMMISSIONER PETRACCO: I'll tell you what the
12 problem is. What it's been in Nutley. Is that people come,
13 call. It's the biggest complaint we take in Public Safety.

14 It's either speeding or one or my kids or
15 husband's or wife's got a ticket. So it seems like when we
16 send the cops out on side streets, main drags, wherever we
17 send them, we get phone calls that we gave tickets out or
18 that we didn't. But Centre Street I know it well. And it
19 is a problem.

20 We send the cops there. We just did -- where are
21 you? By Bloomfield Avenue, you said?

22 MR. CURSIO: I'm between Bloomfield Avenue and the
23 gas station on the corner.

24 COMMISSIONER PETRACCO: We just did a joint
25 venture with the county police, sheriff's department --

1 MR. CURSIO: Right.

2 COMMISSIONER PETRACCO: -- of pedestrian
3 crosswalks a little further up Centre Street. We wrote 100
4 tickets in a week there. The cops disappear, and the people
5 start doing the same thing.

6 MR. CURSIO: We live there. We know.

7 COMMISSIONER PETRACCO: And then the problem is is
8 most of the times, it's the people in the neighborhood that
9 are complaining and they're the ones getting the tickets,
10 you know, down the road. So I tried to tell my own family,
11 and I've said this a thousand times. And I'm sure the
12 commissioners are tired of hearing me say it.

13 You know, we have to police ourselves to a certain
14 degree, too. There can't be a cop on every corner, behind
15 every tree. You know, we have really -- these cars go
16 faster. Everybody's driving, you know, BMWs, Mercedes,
17 sports cars, whatever they are. You touch the gas pedal,
18 and you're doing 55 miles an hour.

19 But if you look down, I'm sure there's times where
20 we're all speeding. You know? So we're all guilty of it.
21 But tomorrow I'll contact the chief.

22 We'll do a little more enforcement over there.
23 You know? But it's a problem, town-wide. And it's a shame
24 because soon as we take the cops out of there, people go
25 back to their same old habits. So --

1 MR. CURSIO: And it's even becoming troublesome
2 coming out of our driveway. I mean, I'm, you know, at the
3 point where I'm ready to -- you know, I'm getting out of the
4 car. I just get out, and people are -- literally, I have --
5 if I'm coming from East Passaic to make a right into my
6 driveway, I have people passing me on the right.

7 I've gotten almost t-boned at least three or four
8 times. So --

9 COMMISSIONER PETRACCO: We'll do more enforcement
10 there. You know, my parents live on Park Avenue. It's the
11 same thing. You know? They can't get out of their
12 driveway. It's because people really just aren't courteous
13 any more.

14 MR. CURSIO: No.

15 COMMISSIONER PETRACCO: You know, it's really
16 disgusting. Whatever we could do to help.

17 MR. CURSIO: You know, --

18 COMMISSIONER PETRACCO: I'll contact the chief
19 first thing in the morning.

20 MR. CURSIO: Thank you.

21 COMMISSIONER PETRACCO: Yep. And just to let you
22 know, too. If there's a problem, if there is an issue,
23 please call the police department and just ask to speak to
24 the chief. He's there every day. And address, you know,
25 your issues. This way, you don't have to wait to come to a

1 meeting or what have you.

2 MR. CURSIO: Okay.

3 COMMISSIONER PETRACCO: He'll be glad to help you.

4 MAYOR SCARPELLI: Anybody else like to address the
5 board of commissioners?

6 COMMISSIONER PETRACCO: Move to adjourn.

7 COMMISSIONER ROGERS: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Aye.

18 Take care, everybody.

19 MADAM CLERK: The time is now 9:06.

20 (Whereupon, these proceedings were concluded at 9:06

21 PM)

22

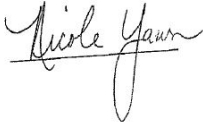
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C E R T I F I C A T I O N

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



Nicole Yawn

Date: June 15, 2016

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