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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

August 16, 2016

BEFORE:

- Commissioner Thomas J. Evans
- Commissioner Steven L. Rogers
- Mayor Joseph P. Scarpelli
- Township Clerk

Alan Genitempo, Esq.

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

2 (Pledge of Allegiance)

3 MADAM CLERK: Board of Commissioners Public
4 Meeting Tuesday, August 16th, 2016. The time is 7:05.

5 Pursuant to the requirements of the Open Public
6 Meeting Act, Chapter 231, Public Law, 1975, notice of this
7 meeting was published in the December 24th, 2015 issues of
8 The Nutley Sun, The Star Ledger and The Herald News.

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

12 Commissioner Rogers?

13 COMMISSIONER ROGERS: Here.

14 MADAM CLERK: Commissioner Tucci is absent
15 excused.

16 Commissioner Evans?

17 COMMISSIONER EVANS: Here

18 MADAM CLERK: Commissioner Petracco is absent
19 excused.

20 Mayor Scarpelli?

21 MAYOR SCARPELLI: Here.

22 MADAM CLERK: All present except for Commissioner
23 Tucci and Commissioner Petracco.

24 MAYOR SCARPELLI: Thank you, Madam Clerk.

25 I'm just going to go right in. I know Commissioner

1 Petracco's not here but his has a Proclamation on the
2 Agenda. So we will do that at the beginning of the meeting,
3 I'll take that out of out, for Mr. Balde who has been with
4 scouting 75 years, I think. Seventy-five years.

5 So -- so Commissioner Evans, you have the most on
6 the Agenda tonight.

7 COMMISSIONER EVANS: Yeah. I -- I have an
8 ordinance introduction tonight to amend the construction
9 code fees for commercial development. It doesn't affect any
10 residential development. Those fees haven't been -- been
11 adjusted in -- in many years.

12 The -- I also have an ordinance which -- I have
13 public hearings in relating to the three bond ordinances
14 that we normally go through for the Nutley business.

15 And then I also have a -- which was read on behalf
16 of the Board of Commissioners, the public hearing on the
17 financing agreement for the medical school as well as the
18 special assessment agreement for the medical school.

19 I also have three resolutions; two of which relate
20 to the ongoing medical school activities and the third is to
21 authorize a -- using a cooperative pricing agreement with
22 the Bergen County Co-Op.

23 MAYOR SCARPELLI: Good. Commissioner Rogers?

24 COMMISSIONER ROGERS: I have nothing
25 (indiscernible).

1 MAYOR SCARPELLI: Can you read Commissioner
2 Tucci's two resolutions?

3 COMMISSIONER ROGERS: Sure.
4 One's for non-fair and open professional architectural
5 contract to Dassa Haines and the other is the insertion of
6 revenue for Community Steward Incentive Program.

7 MAYOR SCARPELLI: Okay.
8 And I have authorization and approval of various raffle
9 applications and an authorize to go out for sealed bids on
10 curbside recycling bins again because we didn't get any
11 responses to the last advertisement.

12 COMMISSIONER EVANS: I have -- I have
13 Pat Intindola is here with Dave Berry (ph) to address the
14 board on the -- the construction.

15 We -- how do you prefer? It'll only take a few
16 minutes in order to -- we can't go until 7:30.

17 MAYOR SCARPELLI: Correct. Plus we do have an
18 executive -- I know we're going to meet --

19 COMMISSIONER EVANS: Yeah.

20 MAYOR SCARPELLI: So if they're here and they want to do that
21 right now, I'd be --

22

23 COMMISSIONER EVANS: Yeah. Well, it'll take a --
24 just a minute or two.

25 (Pause)

1 MAYOR SCARPELLI: (Indiscernible) we can let them
2 sit here (indiscernible); all right?

3 COMMISSIONER EVANS: Yeah.

4 MAYOR SCARPELLI: Pat, please sit here. Dave,
5 please sit there.

6 PAT INDINTOLA: Good.

7 (Pause)

8 PAT INTINDOLA: Do -- do you all have
9 (indiscernible)?

10 COMMISSIONER EVANS: They all have it. They all
11 have it.

12 PAT INTINDOLA: All -- I -- I -- all right. The
13 same as that.

14 (Pause)

15 COMMISSIONER EVANS: Pat I mentioned that we were increasing
16 the construction code piece for commercial properties not --
17 not -- not affecting residential.

18

19 PAT INTINDOLA: No, no. I'll get it to that
20 but --

21 COMMISSIONER EVANS: Am I -- was I wrong here?

22 PAT INTINDOLA: No. You're right. Just commercial.

23 Nothing -- one or two family sites --

24 In fact, when you go through the fee schedule that
25 we're proposing, everything in yellow is a new fee.

1 Anything not in yellow is -- is an existing fee.

2 So when you go through it, you'll see that
3 residential, one or two families, everything is staying the
4 same. And -- and with that, we're -- we're probably one of
5 the lowest, if not the lowest, in Essex County.

6 MAYOR SCARPELLI: Even with the increase?

7 PAT INTINDOLA: It -- well, we're not
8 increasing one or two family, no.

9 MAYOR SCARPELLI: No, no, no.

10 PAT INTINDOLA: As far as commercial?

11 MAYOR SCARPELLI: Even with the increase,
12 we're still low

13 COMMISSIONER EVANS: We're -- yeah.
14 If you were to look, we're in the lower half --

15

16 PAT INTINDOLA: Yes.

17 COMMISSIONER EVANS: -- of the -- the range of
18 fees.

19 I also want to point out, and I think it's just an
20 -- an error here, that we can fix, is that the existing
21 fees, should we look at the column on the first page
22 (indiscernible) it shows dash marks, or, I'm sorry, 1A, is a
23 dash but it says revised fee is .35, 035, those should be
24 reversed.

25 PAT INTINDOLA: Okay.

1 COMMISSIONER EVANS: All right. So we're not
2 increasing -- going from zero to .035. That should just --

3 MAYOR SCARPELLI: Staying the same?

4 COMMISSIONER EVANS: It's just staying the same.

5 PAT INTINDOLA: Yeah.

6 COMMISSIONER EVANS: It's just --

7 MAYOR SCARPELLI: Okay.

8 COMMISSIONER EVANS: The only thing that's
9 changing is those items that are highlighted in yellow.

10 MAYOR SCARPELLI: So -- so anything in the revised
11 fees with nothing under the existing fees is actually
12 staying the same? That's fine. I think we can figure that
13 out.

14 PAT INTINDOLA: Well -- what -- we haven't raised
15 our fees since -- the last time was 2004 when -- when we've
16 had a change in some of our fees, not all of them.

17 But every year, I have to come up -- in February
18 of every year, I have to come up with a budget that has to
19 go down to the Department of Community Affairs and also the
20 Department of Labor. And, in addition to my signing this
21 also the Township Treasurer has to sign it before your budget
22 gets approved.

23 Now, in looking at -- in looking at 2015, at that
24 time we had quite a few large building permits that we
25 issued and even with those larger building permits, we

1 brought in -- this is just the Uniform Construction Code,
2 nothing to do with zoning, we brought in 565,000 plus on
3 revenues. Our expenditures were 518 or a little bit more.

4 So this year, anticipating -- we don't have any
5 large projects on the table. Those buildings that were
6 permitted in 2015 are probably going to be completed in
7 November or December of this year.

8 We have nothing on the table that we can look at
9 bringing in additional revenues. So the State wants us to
10 kind of reasonably balance our budget. Our expenditures have
11 to be what we bring in and I can guarantee you that this
12 coming year of 2016, we're going to be losing a lot.

13 And we don't have the revenue. We don't have those
14 buildings.

15 I'm sure with, you know, Roche not coming in, at
16 this stage, not 2016, the only other large project we may
17 have is -- is Clover Street. We met with them today. We
18 might come in with a permit for Clover Street.

19 MAYOR SCARPELLI: You talking about 2016 or 2017?

20 PAT INTINDOLA: 2016. Through February of 2015, I have to
21 balance the budget. We're not going to have any --

22

23 UNIDENTIFIED SPEAKER: (Indiscernible).

24 UNIDENTIFIED SPEAKER: (Indiscernible).

25 UNIDENTIFIED SPEAKER: Yeah. This is my -- this

1 is my 2015 report. They go down to the State.

2 MAYOR SCARPELLI: Got you.

3 PAT INTINDOLA: So that -- that's why we --we -- we
4 have to -- we have to -- and it -- and it's reasonable.

5 What I'm also doing is I'm, as Tom asked, we're
6 doing some research on municipalities. I have a list of
7 every municipality in Essex County and we're also reaching
8 out to others. As an example, Belleville, we just got the
9 ordinance from Belleville today. They -- they're also
10 increasing their fees which are higher than ours.

11 So I'll have a comparison. If our fee versus the
12 fees throughout the county -- when I tell you, we're about
13 the lowest, we are -- we probably are going to be the lowest.

14 COMMISSIONER EVANS: (Indiscernible) part of it is
15 we want to make sure that Nutley if you're going to do
16 development in Nutley, Nutley's fees are reasonable so that
17 you're investing in the project not investing in paying a lot
18 of -- you know, all those fees.

19 However, there are -- there is a need to
20 periodically adjust those fees and -- and be sure that the
21 fees are keeping pace with the cost of the department.

22 MAYOR SCARPELLI: Right. Because you -- you have
23 costs for inspections and --

24

25

1 COMMISSIONER EVANS: Right.

2 MAYOR SCARPELLI: -- and personnel and --

3 COMMISSIONER EVANS: And there is an expectation
4 across the State that code enforcement departments should be
5 as close to cost neutral as possible.

6 PAT INTINDOLA: Yeah.

7 COMMISSIONER EVANS: Now, for ours, we have both
8 zoning and construction. The construction fees, what --
9 what Pat was talking about, those fees are tracked and you
10 can align those.

11 The zoning fees, and I present we'll find that
12 things like that, go to the municipal court and into the
13 general --general revenue fund historically. We haven't
14 called those out to track them separately but I've asked to
15 have that done.

16 PAT INTINDOLA: Yeah, we --

17 COMMISSIONER EVANS: So to make sure we do because we have
18 manpower that covers both the zoning and construction.

19

20 PAT INTINDOLA: Yeah.

21 COMMISSIONER EVANS: So the idea for us is around,
22 you know, managing taxes, is to keep the department as cost
23 neutral as possible.

24 PAT INTINDOLA: Yeah. And -- and our
25 report takes each and every person that's in our department

1 and we break their work hours down; how much they do with
2 UCC, how much they do with zoning. Each and every person.

3 And then we also take the salaries. We break those
4 down. Fringe benefits, other expenses, insurance, lighting,
5 we take a certain percent. Payments to -- interlocal agency,
6 payment to private agencies and then we come up with our
7 report. So -- and again, this year --

8 COMMISSIONER EVANS : So that -- that number --

9 PAT INTINDOLA: -- we anticipate we're going to be
10 losing.

11 COMMISSIONER EVANS: Yeah. So that, coupled with
12 the -- where we saw our fees, obviously, we have to manage
13 our costs. It's not -- it's not simply, let's raise the fees
14 as high as we possibly can to cover our costs because have a
15 different type of volume. You know, small volume jobs versus
16 large volume jobs, right? That volatility is always there.

17 PAT INTINDOLA: Yeah.

18 COMMISSIONER EVANS: All right? So we're not
19 going to say; well, this year, we're going to increase and
20 then next year we're going to lower them because we want to
21 that. But what we looked at is that, over time, the fees in
22 Nutley compared to the other municipalities were lower. And

23 so we were lagging behind. So we want to basically stay
24 behind but not be as far as we are, you know.

25

1 MAYOR SCARPELLI: It's -- it's been 12 years since
2 you've adjusted --

3 PAT INTINDOLA: Yeah.

4 PAT INTINDOLA: And -- and if -- we tried
5 to do it within a three-year period and if the Department of
6 Community Affairs note on this report, that we're making
7 money, they will ask us to lower the fees.

8 So we're not a money making department.

9 COMMISSIONER EVANS: Yeah. It's not -- yeah.
10 It's not -- it's not that type of business. So if -- if
11 they do get high, they -- they will be -- again, if it's a
12 one-year thing, they'll -- they'll grant the exception.

13 But, if not, lower the fees.

14 PAT INTINDOLA: Yeah. They -- they use like a
15 three-year average.

16 COMMISSIONER EVANS: What I -- what I was impressed
17 with, I didn't realize is that it's subject to State
18 oversight as to what those fees are and how they're going out
19 which is great.

20 MAYOR SCARPELLI: Any questions, Commissioner?

21 COMMISSIONER ROGERS: (Indiscernible) but based on what I'm
22 seeing, the numbers are pretty reasonable. I mean, you're
23 not talking about astronomical --

24 COMMISSIONER EVANS: We're --

25 COMMISSIONER ROGERS: -- (indiscernible) won't

1 have negative impact.

2 DAVID BERRY: No. We're going to get some
3 ordinance from -- from Clifton, as well, as Lyndhurst. Tom
4 wanted to get-we have Belleville today, I called Joe from
5 Clifton. So we'll --- Pat has a spreadsheet.

6 PAT INTINDOLA: Belleville's ordinance -- they
7 just introduced it -- they were quiet high (indiscernible) --

8 DAVID BERRY: We can list the different
9 numbers on that.

10 PAT INTINDOLA: -- they're -- right.

11 MAYOR SCARPELLI: Will we have those though
12 for public hearing?

13 COMMISSIONER EVANS Yes.

14 DAVID BERRY: Yeah.

15 COMMISSIONER EVANS: Yeah. You'll have all
16 those --

17 PAT INTINDOLA: I'll give you the whole
18 list that we have. We -- I have a spreadsheet already but -
19 -

20 DAVID BERRY: Are those the towns that you would
21 like --

22 PAT INTINDOLA: -- we're -- we're -- we're
23 updating.

24 DAVE BERRY: -- that's on here.

25 MAYOR SCARPELLI: Those --

1 DAVID BERRY: Yeah.

2 MAYOR SCARPELLI: I think -- I think it's
3 reasonable. I mean, it doesn't sound like anything that,
4 you know, extraordinary here.

5 COMMISSIONER EVANS: No.

6 MAYOR SCARPELLI: So --

7 COMMISSIONER EVANS: It's a -- it's -- we want to
8 do it incrementally; okay? So -- because, again, there's a
9 -- there is that side that says you don't want to -- if you
10 go too high and then you have to lower the fees, that's
11 really not a good place to be.

12 MAYOR SCARPELLI: NO

13 COMMISSIONER EVANS: So --

14 PAT INTINDOLA: I don't think we'll get to
15 that point.

16 COMMISSIONER EVANS: No.

17 MAYOR SCARPELLI: Thank you.

18 MAYOR SCARPELLI: Thank you, Commissioner. Thank
19 you, Pat. Thank you, Dave.

20 COMMISSIONER EVANS: Appreciate it.

21 PAT INTINDOLA: All right.

22 MAYOR SCARPELLI: (Indiscernible).

23 DAVID BERRY: You're welcome.

24 MAYOR SCARPELLI: We need a motion to go into a --
25 the short executive or --

1 THE CLERK: (Indiscernible) or go into executive or
2 (indiscernible) property acquisition, contract negotiations
3 and litigation.

4 MAYOR SCARPELLI: For that motion or --

5 COMMISSIONER EVANS: Second.

6 THE CLERK: Whereas, Section 8 of the Open Public
7 Meeting Act, Chapter 231, Public Law, 1975 --

8 MAYOR SCARPELLI: If you have questions
9 (indiscernible) --

10 THE CLERK: -- (indiscernible).

11 Whereas, (indiscernible) --

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 in closed executive session
15 (indiscernible), we'll be closing the executive session to
16 discuss contracts, property acquisition and litigation at
17 that time (indiscernible) without adversely affecting the
18 Township of Nutley, (indiscernible) by statute.

19 Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 THE CLERK: And the time is --

1 (Audio one ended in mid-sentence and audio two,
2 meeting minutes picked up in mid-sentence)

3 MAYOR SCARPELLI: He asked me if I would do it and
4 I was very honored to do it in -- on his behalf and it is
5 for Mr. Julio Balde.

6 Mr. Balde, could you stand for a second. We're
7 going to give you a hand right now.

8 (Applause)

9 MAYOR SCARPELLI: And I'm going to read this
10 Proclamation which -- which outlines some of Mr. Balde's
11 accomplishments over the last 75 years.

12 WHEREAS, Julio Balde, born on June 17th, 1921, and
13 lived for many years in the iron bound section of Newark,
14 moving to Nutley in 1950 with his wife, Joan, and daughter,
15 Anita; and

16 WHEREAS, Julio has become a scout at -- at 15,
17 started his own boy's scout troop in 1942, Troop 102, and
18 for 75 years taught young scouts survival skills as well as
19 the importance of civic engagements; and

20 WHEREAS, in the course of his tenure as a scout
21 master, more than one thousand scouts have been part of the
22 Troop 102 with 43 achieving the very prestigious and highly
23 recognized Eagle Scout level of scouting; and

24 WHEREAS, as scout leader, Julio attended five
25 national jamborees and in recognition of his dedication to

1 scouting received the highest award bestowed on a scout
2 leader, the Silver Beaver Award, in 1962; and

3 WHEREAS, in addition to the years dedicated to
4 scouting, Julio was also a proud member of the Nutley
5 Emergency Rescue Square, serving as a member for 15 years
6 and as an associate member for 38 years; 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 Julio Balde be recognized for his
10 extraordinary service and dedication to guiding over one
11 thousand young scouts over the past 75 years.

12 Mr. Balde personifies the true meaning of
13 volunteerism. Congratulations.

14 (Applause)

15 MAYOR SCARPELLI: I'm going to let the
16 Commissioners say a few words before we bring up Mr. Balde
17 for some pictures. Commissioner Evans.

18 COMMISSIONER EVANS: Mr. Balde, thank you for your
19 service.

20 As I was listening to the Mayor walk through your
21 accomplishments, I -- it is truly remarkable and an
22 individual can invest the majority of their adult life
23 investing in the future of young boys and today across a
24 large group a spectrum of boys and girls to -- and help them
25 understand civic responsibility; help them understand

1 leadership and what it means to be a member of a
2 contributing society.

3 I want to thank you for that because my son's an
4 Eagle Scout and -- and I appreciate all that you do to help
5 all scouts as well as your -- your dedication to the Nutley
6 Emergency (inaudible). You're quite an outstanding
7 individual and I'm very proud to say thank you and vote yes.

8 MAYOR SCARPELLI: Thank you, Commissioner.

9 Commissioner Rogers.

10 COMMISSIONER ROGERS: Mr. Balde, you're no doubt
11 one of this nation's unsung heroes. And I don't use that
12 word "hero" lightly. I use it when we see individuals, like
13 yourself, who have no doubt impacted the lives of thousands
14 and thousands of young men through scouting.

15 They will live for the rest of their lives with
16 the positive contribution that you have given to them. So
17 will this town.

18 So I thank you and God bless you for your service
19 to this town and to this country.

20 MAYOR SCARPELLI: Thank you, Commissioner.

21 Mr. Balde, (indiscernible) things that my
22 colleagues have said but your dedication over many years to
23 invest your time for the good of these young boys to become
24 outstanding citizens and men in our -- in our community and
25 your -- for also your dedication to the first aid squad.

1 It's to be commended. You are truly a Nutley
2 treasure and we -- we thank you for all your time and
3 service to our community.

4 So with that, we're going to have a little
5 presentation, okay?

6 (Applause)

7 (Pause)

8 MAYOR SCARPELLI: Mr. Balde, the floor is yours.

9 (Pause)

10 COMMISSIONER EVANS: That's right. That's it.
11 Face them. That's great.

12 (Pause)

13 MR. BALDE: My daughter and I wish to thank Nutley Township,
14 Commissioners for their thought for this reward.

15 When I joined scouting (inaudible) to try to be a
16 better boy, made me a better man. I have here all of my
17 Eagle Scouts (inaudible) as boys. (Inaudible) members of the
18 first aid squad (inaudible) I joined because I wanted to
19 give something back to the town I lived in.

20 I remember being at St. Mary's when in those days
21 we didn't have fancy uniforms (inaudible) the white
22 coveralls, jumpsuit (inaudible) trying to recruit people. A
23 man comes up to me, asks me questions (inaudible) why do you
24 do this? (Inaudible) have a family? Yes. I have a house
25

1 (inaudible) a family to support. (Inaudible) my job
2 (inaudible) back to the town. (Inaudible) works
3 (inaudible) give a little, take a little.

4 (Inaudible) on a squad. We went around most of
5 the houses (inaudible) collecting donations (inaudible)
6 house and (inaudible) says; we don't need you people. Thank
7 you very much.

8 That evening we were trying to get some sleep
9 (inaudible) we had a call. Where do you you think we went
10 to? The house that didn't need any help. The following
11 day, (inaudible) came down to headquarters to present us
12 with a check to thank us.

13 We do this to help our fellow people. Helpers.
14 Good man up there gives me life. I will continue to the
15 best I can.

16 God bless you all, the Township of Nutley
17 and the Rescue Squad(Applause)

18 (Pause)

19 MAYOR SCARPELLI: God bless you, Mr. Balde.

20 You -- friends and family and squad members,
21 you're welcome to stay for our meeting. If you would like
22 to leave, we'll give you a couple minutes before we continue
23 with our agenda.

24 (Pause)

25 MAYOR SCARPELLI: Thank you all for coming

1 tonight. We really appreciate it. And congratulations
2 again.

3 (Pause)

4 MAYOR SCARPELLI: Madam Clerk, we're going to go
5 right to the bills; all right? Bills. I'll do him at the
6 end.

7 (Pause)

8 MAYOR SCARPELLI: Madam Clerk, bills.

9 MADAM CLERK: Yes, Mayor.

10 The bill list for Tuesday, August 16, 2016.

11 Public Affairs, \$105,325.49; Revenue and Finance,
12 \$2,297,580.31; Public Safety, \$33,184.22; Public Works,
13 \$87,275.01; Parks and Public Property, \$98,038.33; total
14 payroll \$797,819.09; for a grand total of \$3,419,222.45.

15 COMMISSIONER EVANS: Move the bills.

16 COMMISSIONER ROGERS: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 MADAM CLERK: That's it for bills, Mayor.

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

1 Madam Clerk.

2 MADAM CLERK: All persons addressing the Board of
3 Commissioners regarding community concerns should approach
4 the microphone and provide their name and address for the
5 record.

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

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

11 Dialogue between citizens and other addressing the
12 Board shall be allowed unless the Mayor presiding
13 (indiscernible) majority of the membership of the Board
14 shall determine in the interest of decorum and/or the
15 expeditious conduct of municipal business are being
16 adversely affected by such dialogue.

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

19 (Pause)

20 MAYOR SCARPELLI: Seeing none, let's move to
21 ordinance introductions.

22 Commissioner Evans.

23 COMMISSIONER EVANS: Thank you, Mayor.

24 I have one introduction tonight, Ordinance 3348,
25 an ordinance to amend an ordinance codified in the code of

1 the Township of Nutley, Chapter 272, entitled Construction
2 Code Uniform Fees.

3 I move that this ordinance be passed to a second
4 reading and advertised in the Nutley Sun together with the
5 notice required by law and that further consideration of
6 said ordinance for final passage by the Board of
7 Commissioners be held at its second reading on September
8 20th, 2016. So move.

9 COMMISSIONER ROGERS: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Mayor Scarpelli?

15 MAYOR SCARPELLI: Aye.

16 Public hearings, Commissioner Evans.

17 COMMISSIONER EVANS: Yeah.

18 After discussion with counsel, the ordinances,
19 numbers 3343, 3344 and 3345 will be tabled to our next
20 meeting and I will, with your permission, I'll proceed to
21 ordinances --

22 ALAN GENITEMPO: One second, Commissioner.

23 What's the date of our next meeting?

24 COMMISSIONER EVANS: September 20th.

25 MADAM CLERK: September 20th.

1 ALAN GENITEMPO: Do you want to put that on the
2 record?

3 COMMISSIONER EVANS: Yeah. That's fine. The next
4 meeting on September 20th.

5 With your permission, Mayor, I'll move to --

6 ALAN GENITEMPO: Sixth.

7 MADAM CLERK: September 6th.

8 COMMISSIONER EVANS: Yes, the public hearing.

9 I'll move on to ordinance number 3346?

10 MAYOR SCARPELLI: Go ahead.

11 COMMISSIONER SCARPELLI: This is an ordinance
12 which we have a public hearing on tonight. It specifically
13 relates to the medical school property known as Phase I of
14 the Roche redevelopment site.

15 This particular ordinance establishes the -- what
16 they call the financial agreement and which is, in effect, a
17 tax -- a taxing agreement, which is a payment in lieu of
18 taxes given the exempt status of the entity as an urban
19 renewal entity.

20 So we need to have a specific ordinance in place
21 to establish a financing agreement to ensure that we obtain
22 taxes for the benefit of the Nutley taxpayers.

23 MAYOR SCARPELLI: Open the public hearing.

24 Any residents want to be heard on ordinance number
25 3346?

1 (Pause)

2 MS. LANDRY: Pennie Landry, 135 Lakeside Drive.

3 Page three, ordinance 3346, before I read this,
4 are these documents available on Nutley NJ.org?

5 MAYOR SCARPELLI: No, they're not.

6 MS. LANDRY: They are not. Thank you.

7 Section II, Approval of Exemption From Taxation.
8 An exemption from taxation as set forth in the application
9 is hereby approved and granted to the entity with respect to
10 the improvements for the Phase I project in accordance with
11 the terms set forth in the financial agreement, provided
12 that, in no event, shall the term of the financial agreement
13 exceed the earlier of thirty-five years from the date of
14 execution thereof or to the extent permitted by the LTTE
15 Law, thirty years from the entity's receive of a certificate
16 of occupancy as defined in the financial agreement for the
17 Phase I project and only so long as the entity remains
18 subject to and in compliance with the financial agreement
19 and the LTTE Law and any other agreement related to the
20 Phase I project or the Phase I premises; and provided,
21 further, that in no event shall the resulting property tax
22 obligation in each year the property tax exemption is in
23 effect, when combined with the annual service charge, as
24 defined in the financial agreement, be less than the amount

25

1 of the land taxes, as defined in the financial agreement,
2 prior to redevelopment.

3 A few questions.

4 This ordinance, which is to be considered tonight;
5 am I correct in reading that the \$346,000 payment in lieu of
6 taxes; is that correct? It's three hundred and -- what's
7 the number, Commissioner Evans?

8 COMMISSIONER EVANS: Three Hundred and Seventy-two
9 thousand (indiscernible) total payment is five sixteen.

10 MS. LANDRY: Okay. So this \$516,000 or taxation
11 on the land and on the buildings which the tax assessment is
12 approximately 12 million. I asked at the last meeting. You
13 didn't have the number.

14 COMMISSIONER EVANS: That's it. Yeah.

15 MS. LANDRY: What is the tax assessment?

16 COMMISSIONER EVANS: About -- about that
17 (indiscernible) I don't have that in front of me
18 (indiscernible) to give you an exact number (indiscernible)
19 it's the Nutley share in the value of that building which
20 are share is 37 percent which is about 12 million.

21 MS. LANDRY: Twelve million dollars will generate
22 to the citizens of Nutley five hundred and sixteen -- five
23 hundred and sixteen thousand dollars; correct?

24 COMMISSIONER EVANS: Correct.

25

1 MS. LANDRY: Okay. So that \$516,000 is a set
2 number for how many years?

3 COMMISSIONER EVANS: It is a fixed number and it
4 is adjusted every five years by five percent. But, based
5 upon the local -- the long term tax exemption, the LTTE Law,
6 long term tax exemption law, it can go for as long as 35
7 years. But it will be constrained to 30 years given the
8 bonds that are being placed that will be issued as well.

9 MS. LANDRY: Okay. Because --

10 COMMISSIONER EVANS: It's a 30-year exemption.

11 MS. LANDRY: Okay. The 30-year exemption -- so
12 when does this start? In 2016 or it says, certificate of
13 occupancy?

14 COMMISSIONER EVANS: Once the medical school
15 occupies the building, and it's substantially -- in effect,
16 substantially complete, they will have the right to, in
17 effect, authorize the start of this agreement.

18 Until then, they pay full ad valorem tax

19 MS. LANDRY: Okay. So until Roche -- I mean,
20 until Hackensack -- what are we calling that, HUSMC? What
21 is the official name?

22 COMMISSIONER EVANS: Well, not the medical school.

23 MS. LANDRY: Huh?

24 COMMISSIONER EVANS: Call it the medical school.

25

1 MS. LANDRY: Okay. So the medical school -- once
2 the medical school moves into the building, this \$516,000
3 agreement will start, correct?

4 And when do we anticipate them moving in?

5 COMMISSIONER EVANS: They have a timeline that's
6 sometime between -- I -- I -- I would gauge it since the
7 school has to be up and running by September of 2018,
8 sometime between now and -- well, actually, once they
9 execute all the agreements and we do the closings, you know
10 sometime between the closing and 2018, they're going to
11 occupy the (inaudible).

12 MS. LANDRY: And when do you anticipate closing?

13 COMMISSIONER EVANS: That's -- that's scheduled to
14 be by September 30th of this year.

15 MS. LANDRY: So September 30th, 2016, they will
16 close.

17 COMMISSIONER EVANS: It could be sooner. It could
18 be a couple days after but roughly.

19 MS. LANDRY: And then occupancy expected for 2018?

20 COMMISSIONER EVANS: Yeah. In the meantime, they
21 have to do renovations on the property so there will be
22 construction on the property, inside the building to do
23 interior renovations which will take some time.

24 MS. LANDRY: Okay. So when they sign -- between
25 now -- no, a month, September, 2016, (inaudible) occupancy,

1 they're going to be paying the regular tax rate and what is
2 that?

3 COMMISSIONER EVANS: The full -- the full
4 (indiscernible) ad valorem tax on that property for 2016 is
5 \$554,000.

6 The difference between the five sixteen and the
7 five fifty-four is the amount that would actually be paid to
8 the county, which will not be paid. So the Nutley residents
9 will keep a hundred percent share of the taxes that we would
10 normally (inaudible).

11 MS. LANDRY: Okay. Well, you say, Nutley
12 residents, but, as you said before, that's divided between
13 library, green space, schools and municipal, correct?

14 COMMISSIONER EVANS: Of course. That total
15 amount has always been -- just like the (indiscernible) ad
16 valorem tax --

17 MS. LANDRY: Right.

18 COMMISSIONER EVANS: -- is divided but all of that
19 contributes to our taxes, correct?

20 MS. LANDRY: If -- if the normal ad valorem was
21 five fifty, and the payment in lieu of taxes is five sixteen,
22 why didn't we just keep at fifty sixty? It's not the big of
23 a break for them to do a payment in lieu of taxes.

24
25 COMMISSIONER EVANS: I'm sure the parties on the

1 other side would have preferred a lower number, but we
2 didn't do that. We're negotiating on the basis that while
3 this is, in a normal course, a property that could be exempt
4 from taxes, that there was a significant overall benefit to
5 the State to have a place where doctors can be crafted and
6 that it -- we have a broader beneficial impact on Nutley.
7 We did not anticipate the ability to reduce our taxes on
8 that property.

9 So, in order to do that, we went through a series
10 of very significant negotiations to come to the amount that
11 I just (inaudible) discussing.

12 MS. LANDRY: Okay. So just so I'm clear. Nothing
13 (indiscernible) Nutley citizens' property taxes go up
14 (indiscernible) percent, okay? (Indiscernible) maybe, you
15 know, we don't have this same tax freeze in place --

16 COMMISSIONER EVANS: That's correct.

17 MS. LANDRY: -- that this is frozen at five
18 percent, correct?

19 COMMISSIONER EVANS: (Indiscernible).

20 MS. LANDRY: But the Nutley -- the Nutley
21 homeowners get (indiscernible) over the next five years --

22 COMMISSIONER EVANS: Correct.

23 MS. LANDRY: -- increase (indiscernible) --

24 COMMISSIONER EVANS: The difference between --
25

1 MS. LANDRY: -- and -- and could you explain to me
2 the reason why we have chosen to give such a great deal for
3 these two buildings when we don't have the same kind of caps
4 in place for the, you know, eight thousand plus homeowners
5 here in Nutley?

6 COMMISSIONER EVANS: So -- so if you were to back
7 up, right, and you start from the premise that an academic
8 facility --

9 MS. LANDRY: A non-profit.

10 COMMISSIONER EVANS: -- a non-profit academic
11 facility is normally exempt from taxes, right?

12 In -- for Nutley's case, we're having a medical
13 school that is not exempt from paying (inaudible). It's not
14 paying the ad valorem tax. It's not subject to --

15 MS. LANDRY: I thought you said they were paying
16 the ad valorem tax.

17 COMMISSIONER EVANS: Once -- we're talking about
18 the agreement. You were talking about the freeze.

19 Until the freeze -- until the agreement takes
20 effect, they're paying ad valorem tax like everybody else.

21 MS. LANDRY: Who is they? Because the --

22 COMMISSIONER EVANS: The medical school. There's
23 only one thing we're talking about.

24 MS. LANDRY: But they haven't signed -- they
25 bought -- the medical school has purchased --

1 COMMISSIONER EVANS: Has leased.

2 MS. LANDRY: -- leased that property.

3 COMMISSIONER EVANS: Correct.

4 MS. LANDRY: And so the lessor is who?

5 COMMISSIONER EVANS: Prism.

6 MS. LANDRY: Okay. So Prism is paying the ad
7 valorem tax right now to Nutley.

8 COMMISSIONER EVANS: Well, the venture is.

9 MS. LANDRY: The what?

10 COMMISSIONER EVANS: The venture is.

11 MS. LANDRY: What's the venture?

12 COMMISSIONER EVANS: The joint venture is the
13 medical school.

14 MS. LANDRY: Okay. So Prism and it -- is the
15 lessee --

16 MAYOR SCARPELLI: Ms. Landry, don't -- you're kind
17 of confusing a timeline here and I -- I think that's what's
18 confusing to me, personally.

19 I think what Commissioner Evans said is that up
20 until the time that they occupy the building, the medical
21 school, they will be paying ad valorem taxes.

22 MS. LANDRY: Okay.

23 MAYOR SCARPELLI: (Indiscernible) until that
24 (indiscernible) whenever the close of the deal is, until
25

1 that time, and, Commissioner Evans, you can -- you can --
2 correct me --

3 COMMISSIONER EVANS: Roche pays.

4 MAYOR SCARPELLI: -- Roche will be paying.

5 COMMISSIONER EVANS: Correct.

6 MS. LANDRY: Okay. I'm just, you know, trying to
7 figure out --

8 MAYOR SCARPELLI: Well, I just --

9 MS. LANDRY: -- I mean, because we have --

10 MAYOR SCARPELLI: -- I -- you kind of -- you kind
11 of jump from time to time and --

12 MS. LANDRY: Right.

13 MAYOR SCARPELLI: -- I just wanted to --

14 MS. LANDRY: Sorry.

15 MAYOR SCARPELLI: -- try to straighten that out.

16 MS. LANDRY: We have a huge ratable issue or loss
17 of ratable issue in this town and I met with several people
18 today. There's very much a concern about how are we going
19 to make up these ratables given the timeline that's
20 currently -- for the overall property --

21 COMMISSIONER EVANS: Uh-huh.

22 MS. LANDRY: -- redevelopment, because right now
23 (indiscernible) --

24 MAYOR SCARPELLI: Well, we're not talking about
25 the overall property.

1 MS. LANDRY: No. I know.

2 MAYOR SCARPELLI: We're talking about one section
3 of the property --

4 MS. LANDRY: Right. And -- and --

5 MAYOR SCARPELLI: -- and that project one and, in
6 the opinion of this Board, the medical school, being on that
7 property is advantageous to the whole campus being
8 redeveloped, we believe --

9 MS. LANDRY: No. I agree. I'm just looking at --
10 as we're speaking about a timeline for redevelopment of the
11 rest of it, to make up the difference in this ratable.

12 If the school is not going to be operational until
13 2018, okay? That's --

14 COMMISSIONER ROGERS: Mayor -- Mayor, may I step
15 in for one second?

16 MS. LANDRY: (Indiscernible).

17 MAYOR SCARPELLI: Sure. Go ahead.

18 ALAN GENITEMPO: There's -- there's a lot of
19 other things that are going to occur between now and 2018
20 so --

21 MS. LANDRY: Okay.

22 ALAN GENITEMPO: And these -- these -- these
23 agreements, although they may seem simple, they are not.
24 They are complicated.

25 MS. LANDRY: I --

1 ALAN GENITEMPO: There are other issues that come
2 out regarding if they give ten -- if they rent out tenant
3 space in the building to a non-profit, we would get tax from
4 that.

5 There are other things that are going to occur.

6 MS. LANDRY: If they did what, sir?

7 COMMISSIONER ROGERS: If they -- not all of the
8 school's going to be used as -- as the medical school.

9 MS. LANDRY: You said if they -- if they resell to
10 a non-profit (indiscernible).

11 COMMISSIONER EVANS: (Indiscernible) so Ms. Landry
12 just -- I understand your question.

13 In order to address what you've stated as your
14 very broad question was when Roche was operating there,
15 there was a certain amount of tax being paid.

16 Now that they're not, right, we're in a different
17 taxing structure so there's obviously a loss of taxes,
18 right, associated with that in the interim. There may not
19 be at end. But in the interim, there's a loss of taxes.

20 MS. LANDRY: And so far, the interim is how long?
21 We're going on three years now?

22 COMMISSIONER EVANS: It will -- well, when you
23 think about the whole property, it's actually longer than
24 that.

25 MS. LANDRY: Yeah. Okay.

1 COMMISSIONER EVANS: Okay. So we're talking about
2 -- there's two phases to this. Phase I is simply 10.98
3 acres of the (indiscernible) research facility.

4 MS. LANDRY: And that property you just spoke
5 about will generate in tax revenue for the five years is
6 \$516,000.

7 COMMISSIONER EVANS: Right. For the existing
8 building and the land.

9 MS. LANDRY: And the ten acres. Exactly.

10 COMMISSIONER EVANS: There will be additional
11 taxes that we will get when that additional land is
12 redeveloped.

13 MS. LANDRY: I know. And that's my question. The
14 when part of it --

15 COMMISSIONER EVANS: I -- I think -- I don't have
16 a crystal ball --

17 MS. LANDRY: I mean, I know that's unknown.

18 COMMISSIONER EVANS: -- on that. I don't have a
19 crystal ball on that but once the school is established,
20 which is right now everybody's working on getting it
21 established, there is an expectation that they will have a
22 need to further expand within the footprint of that 10.98
23 acres.

24 What we've done is we've ensured that for Nutley
25 taxpayers, as it exists today, a building with a bunch of

1 land that pays, on today's 2016 dollars, five hundred -- it
2 will pay full ad valorem tax.

3 But, once the agreement is activated, it will pay
4 \$516,000.

5 MS. LANDRY: For the years 2017, 18, 19, 20 and
6 21.

7 COMMISSIONER EVANS: Yeah. If the timeline is
8 that they activate in 17, yes. If it slips a year --

9 MS. LANDRY: So for five years, the most that we
10 can anticipate from those ten acres and two buildings is
11 \$516,000?

12 COMMISSIONER EVANS: Based upon -- based upon what
13 we know, we do not know how it's going to expand, right?
14 Those are the plans of the people that are on that site.

15 Five years from now, that number gets adjusted
16 by --

17 MS. LANDRY: By five percent.

18 COMMISSIONER EVANS: -- five percent.

19 MS. LANDRY: So you add five percent to 516,000?

20 COMMISSIONER EVANS: Correct.

21 MS. LANDRY: Okay. All right.

22 COMMISSIONER EVANS: Okay. So --

23 MS. LANDRY: Even though --

24 COMMISSIONER EVANS: Well, exactly. No. Exactly.

25 MS. LANDRY: -- other (indiscernible).

1 COMMISSIONER EVANS: So when you look at it, you'd
2 say; well, yeah. They're -- it's -- it's important and it's
3 very valuable to the town but it's -- but it's not perfect
4 because we are dealing with a situation of a medical school
5 that has a wonderful branding opportunity and has the
6 ability to hopefully build out the property faster than what
7 the Perkins Eastman reports because, if you remember those,
8 we were looking at plus 18 years, right?

9 MS. LANDRY: Right. But --

10 COMMISSIONER EVANS: So go back to the beginning.
11 But we're now talking about the ability to accelerate with
12 valuable uses on the property.

13 MS. LANDRY: Well, I have a question for you.
14 Because you said the hospital has the ability to build out
15 the rest of the property. You're talking --

16 COMMISSIONER EVANS: Right.

17 MS. LANDRY: -- about the eight acres?

18 COMMISSIONER EVANS: Yes.

19 MS. LANDRY: Well, how much -- I mean, how much
20 can be built on eight acres? I mean, really?

21 COMMISSIONER EVANS: Quite a bit.

22 MS. LANDRY: Okay. What dorms?

23 COMMISSIONER EVANS: Well, the two buildings that
24 are there, they're on 2.3 acres.

25 MS. LANDRY: Right. So that's --

1 COMMISSIONER EVANS: And it's a 500 --

2 MS. LANDRY: -- eight extra acres --

3 COMMISSIONER EVANS: -- it's almost 500,000 --

4 MS. LANDRY: -- that are being leased -- that are
5 being leased by the medical school which you just said they
6 have the ability to --

7 COMMISSIONER EVANS: So, for today --

8 MS. LANDRY: -- (indiscernible) --

9 COMMISSIONER EVANS: -- for today, they need that
10 -- that surface, that ground level surface, for parking
11 because there's going to be doctors. There's going to be
12 students, administrators (indiscernible) --

13 MS. LANDRY: I thought the parking was on the
14 Clifton side?

15 COMMISSIONER EVANS: There will be and their
16 plan's ultimately to build a parking deck.

17 But before you get the deck, you got to have some
18 place to park, right?

19 So, in the short term, it's parking.

20 MS. LANDRY: And where will all these people who
21 are going to these -- this parking lot, where will they
22 enter into the campus?

23 COMMISSIONER EVANS: I think we're way off topic
24 on the financing agreement.

25

1 You're asking a lot of broad questions which is
2 actually not part of this public hearing. I've been
3 accommodating it.

4 MS. LANDRY: Okay.

5 COMMISSIONER EVANS: But now you're talking about
6 wanting detail understanding about what the whole complex is
7 going to be and you're getting ahead us.

8 MS. LANDRY: Well, I was just looking at the --

9 COMMISSIONER EVANS: You're just getting ahead of
10 us, that's all.

11 MS. LANDRY: Yeah. I'm just looking at the area
12 that is --

13 COMMISSIONER EVANS: Yeah.

14 MS. LANDRY: -- relating to this public hearing.

15 COMMISSIONER EVANS: So it's -- in the interim,
16 they're going to go through the gate that's there and
17 they're going to make a right turn --

18 MS. LANDRY: On Kingsland?

19 COMMISSIONER EVANS: On Kingsland. They're --
20 actually, the acreage is right there. They're going to pull
21 into the parking lot.

22 MS. LANDRY: Okay. All right.

23 When you guys pass this tonight, which obviously
24 you are going to vote to move forward, where does it now go?
25 To the September date where the medical school says --

1 COMMISSIONER EVANS: This ordinance --

2 MS. LANDRY: -- yes. We will take this tax
3 whatever.

4 COMMISSIONER EVANS: Right. This ordinance --

5 MS. LANDRY: Exemption from taxation --

6 COMMISSIONER EVANS: Right. This ordinance
7 basically does two major things.

8 One, under law, accepts the fact that this is --
9 as allowable tax exemption under law.

10 Second, it authorizes the execution of a financing
11 agreement that will secure the taxes that we've been talking
12 about and it authorizes the Mayor and the town clerk and the
13 attorney to execute that agreement with the parties when
14 it's either able to execute that agreement.

15 And I don't have a date to say they're going to
16 execute it on this date. But sometime in the very near
17 future, that agreement will be fully executed by the parties
18 involved.

19 MS. LANDRY: Okay. Thank you very much.

20 I would like to make a request that once this
21 ordinance is adopted that it be uploaded to the Nutley New
22 Jersey.org website so that all the citizens and taxpayers
23 have the opportunity to read it (indiscernible).

24 MAYOR SCARPELLI: Any one else wish to address
25 Ordinance Number 3346. Seeing none (Indiscernible).

MS. LANDRY: (Indiscernible)

1 MAJOR SCARPELLI: (Indiscernible) as motion to
2 close the public hearing.

3 COMMISSIONER EVANS: Move it.

4 COMMISSIONER ROGERS: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 COMMISSIONER EVANS: Move the ordinance.

12 COMMISSIONER ROGERS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye. Commissioner.

19 COMMISSIONER EVANS: Okay. We have as an
20 additional ordinance, which -- this is the ordinance that is
21 -- has included in it the provisions for a special
22 assessment.

23 The special assessment is linked to the
24 authorization to issue redevelopment bonds (indiscernible)
25 which means once issued, they can't be called early. They

1 have to go to full term maturity and once (indiscernible) as
2 well as the non-recourse (indiscernible) secured by the
3 assets of the venture and the (indiscernible) and there's no
4 recourse to the Township who will (indiscernible) make
5 payment on these bonds.

6 The issuance of the bonds, in the simplest sense,
7 is necessary so it's the lowest amount possible that could
8 be issued which will allow us to activate the taxing
9 agreement and secures in making sure that the taxes will be
10 paid for 30 years.

11 So it's -- it's an ordinance that allows that --
12 you know, basically, puts on the books authorizing that to
13 happen.

14 ALAN GENITEMPO: Commissioner, just so -- I just
15 want it to be clear.

16 This is not a bond ordinance.

17 COMMISSIONER EVANS: No.

18 ALAN GENITEMPO: It's to create a mechanism --

19 COMMISSIONER EVANS: Correct.

20 ALAN GENITEMPO: -- to bond it at a future time.

21 COMMISSIONER EVANS: Exactly right.

22 MAYOR SCARPELLI: I'll open up the public hearing.
23 Does anybody want to be heard on ordinance number 3347?

24 Seeing none.

25 COMMISSIONER EVANS: Close the public hearing.

1 COMMISSIONER ROGERS: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye.

8 COMMISSIONER EVANS: Move the ordinance.

9 COMMISSIONER ROGERS: Second.

10 MADAM CLERK: Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Mayor Scarpelli?

15 MAYOR SCARPELLI: Aye.

16 Commissioner Rogers, will you read Commissioner
17 Tucci's resolutions?

18 COMMISSIONER ROGERS: Yes, Mayor.

19 Resolution number 204-16.

20 WHEREAS, the Department of Parks and Public
21 Property has a need to acquire specialized and professional
22 architectural services through a non-fair and open contract
23 pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5,
24 as appropriate, for construction of a new press box at Owens
25 Field; and

1 WHEREAS, the anticipated term of this contract is
2 for twelve months from the date of the contract award; and

3 WHEREAS, Dassa Haines Architectural Group, LLC, 16
4 Portland Place, Montclair, New Jersey, has submitted a
5 proposal indicating they will provide such services for the
6 sum not to exceed \$8,750; and

7 WHEREAS, Dassa Haines Architectural Group has
8 completed and submitted a business entity disclosure
9 certification which certifies that said corporation has not
10 made any reportable disqualifying contributions to a
11 political or candidate committee in the Township of Nutley
12 in the previous one year and that the contract will prohibit
13 Dassa Haines Architectural Group from making any reportable
14 contributions through the term of the contract; and

15 WHEREAS, funds are available from Capital
16 Ordinance 3323K in the amount of \$8,750 and have been
17 certified by the Chief Financial Officer, said certification
18 being attached to this resolution; and

19 NOW, THEREFORE, BE IT RESOLVED that the Board of
20 Commissioners of the Township of Nutley enter into a
21 contract with Dassa Haines Architectural Group, LLC as
22 described herein; and

23 BE IT FURTHER RESOLVED that the business
24 disclosure entity certification and the determination of
25 value be placed on file with this resolution.

1 So move.

2 MADAM CLERK: Second?

3 COMMISSIONER EVANS: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 COMMISSIONER ROGERS: Resolution 205-16.

11 WHEREAS, N.J.S.A. 40A:4-87 provides that the
12 Director of the Division of Local Government Services may
13 approve the insertion of any special item in the budget or
14 any county or municipality when such items shall have been
15 made available by law and the amount thereof was not
16 determined at the time of the adoption of the budget; and

17 WHEREAS, said Director may also approve the
18 insertion of any item of the appropriation of equal amount.

19 Section 1: NOW, THEREFORE, BE IT RESOLVED that
20 the Board of Commissioners of the Township of Nutley, County
21 of Essex, New Jersey, hereby requests the Director of the
22 Division of Local Government Services to approve the
23 insertion of an item of revenue in the budget of the year
24 2016 in the sum of \$25,000 which item is now available as a
25

1 revenue from the Community Stewardship Incentive Program
2 Grant pursuant to the provision of statute.

3 Section 2: BE IT FURTHER RESOLVED that a like sum
4 of \$25,000 be and the same is hereby appropriated under the
5 caption of: General Appropriations, Operations Excluded from
6 5% CAPS, Grant, Community Stewardship, \$25,000.

7 Section 3: BE IT FURTHER RESOLVED that the above
8 is the result of revenues available from the Community
9 Stewardship Incentive Program Grant.

10 BE IF FURTHER RESOLVED that the municipal matching
11 share for the Community Stewardship Incentive Grant --
12 Program Grant in amount of \$2,500 is included in the 2016
13 adopted budget and is hereby appropriated for said purpose.

14 So moved.

15 MADAM CLERK: Need a second.

16 COMMISSIONER EVANS: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER ROGERS: Mr. Mayor, thank you.

24 MAYOR SCARPELLI: Commissioner Evans.

25 COMMISSIONER EVANS: Okay.

1 (Indiscernible) 206-16. This is a resolution
2 authorizing the issuance of non-recourse redevelopment area
3 bonds of the Township of Nutley in an aggregate principal
4 amount not (inaudible) \$1 million. It -- the resolution,
5 one, basically, documents are determination to issue bonds
6 in the amount of -- not to exceed \$1 million pursuant to
7 redevelopment bond law.

8 Two, these are limited obligation bonds.
9 Therefore, consistent with what we've said earlier, non-
10 recourse, non-callable bonds, and, three, it authorizes
11 Mayor, that which such time there -- there is a need to
12 issue these bonds to execute that accordingly so that we
13 comply with related laws and commitments.

14 So move.

15 COMMISSIONER ROGERS: Second.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye.

22 COMMISSIONER EVANS: The second resolution is a
23 resolution authorizing execution of a non-condemnation
24 agreement between the Township of Nutley and Hoffmann-
25 LaRoche.

1 The origin of this resolution is -- goes back to
2 the actions taken by the Board originally to declare the
3 property in need of redevelopment which is commonly referred
4 to as a blight declaration.

5 At that time, this Board made that declaration
6 with a provision of condemnation which, ultimately, was
7 objected to by Hoffmann-LaRoche. Through an agreement,
8 since we cannot have an objection to the blight declaration
9 in order to actually issue redevelopment area bonds and
10 conclude the transaction, negotiations were agreed that the
11 condemnation clause will not apply to areas that are subject
12 to remediation because the thought of the municipality
13 condemning contaminated property, which is something we -- I
14 think we will agree (indiscernible) and therefore
15 (indiscernible) the cleanup.

16 So, basically, the resolution resolves a technical
17 issue that would, if in the event somebody would want to
18 condemn Hoffmann-LaRoche would have continued access to the
19 property in order to complete the environmental cleanup.

20 I also want to make it very clear that there has
21 not been any discussion by the Board on the -- on the matter
22 of condemnation. It's just a provision that's out there and
23 if the event, at some future date, it becomes important for
24 us to address it, we will. But, to date, it has been
25 completely unnecessary.

1 So this resolution authorizes the Mayor to execute
2 a non-condemnation agreement with Hoffmann-LaRoche in order
3 to establish the fact that the environmental areas where
4 they're known as environmental declaration would not be
5 condemned.

6 So move.

7 COMMISSIONER ROGERS: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 COMMISSIONER EVANS: (Indiscernible) 11-5 -- excuse
15 me 11-11-5 authorizes contracting units to establish a
16 cooperative pricing system and to enter into cooperative
17 pricing agreements for its administration;

18 WHEREAS, the County of Bergen, hereinafter known
19 as the Lead Agency has offered voluntary participation in
20 their cooperative;

21 WHEREAS, on August 16th, the Board of
22 Commissioners of the State of New Jersey duly considered
23 participation in a cooperative pricing system for the
24 provision and performance of goods and services.

25

1 NOW, THEREFORE, BE IT RESOLVED by the Board of
2 Commissioners in the Township of Nutley that:

3 (1) Pursuant to the provision of N.J.S.A
4 40A:11-11(5), the Mayor and Municipal Clerk are hereby
5 authorized to enter into a cooperative pricing agreement
6 with Bergen County Co-Op -- Bergen County Co-Op Pricing
7 System shall be responsible for complying with the
8 provisions of Local Public Contracts Law.

9 This resolution shall take effect immediately on
10 passage.

11 So move.

12 COMMISSIONER ROGERS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER EVANS: Thank you, Mayor.

20 MAYOR SCARPELLI: Thank you, Commissioner.

21 WHEREAS, raffle applications have been received
22 from the following organizations:

23 Nutley High School Soccer Booster Club, License
24 No. 33-16, Off-Premises 50/50 Cash Raffle taking place
25 Monday, November 14th, 2016;

1 Rotary Club of Nutley, License No. 34-16, On-
2 Premises 50/50 Cash Raffle held on Friday, October 21st,
3 2016;

4 Rotary Club of Nutley, License No. 35-16, On-
5 Premise Merchandise Raffle, to be held on Friday, October
6 21st, 2016;

7 St. Mary's Catholic Church, License No. 36-16, On-
8 Premise Merchandise Raffle, to be held on Friday, October
9 21st, 2016;

10 St. Mary's Catholic Church, License No. 37-16, On-
11 Premise, 50/50 Cash Raffle, to be held on Friday, October
12 21, 2016;

13 Homesharing, Inc., License No. 38-16, Bingo,
14 Friday, September 30th, 2016; and

15 Rotary Club of Nutley, License No. 39-16, Off-
16 Premise 50/50 Cash Raffle, to be held Thursday, November 17,
17 2016.

18 WHEREAS, the applications have been reviewed and
19 reviewed -- approved by the Municipal Clerk and the Police
20 Department; and

21 NOW, THEREFORE, BE IT RESOLVED by the Board of
22 Commissioners, of the Township of Nutley, County of Essex,
23 State of New Jersey, that the aforementioned licenses are
24 approved and the Municipal Clerk is authorized to issue to
25 licenses.

1 I move the resolution.

2 COMMISSIONER ROGERS: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 BE IT RESOLVED by the Board of Commissioners of
10 the Township of Nutley, County of Essex, State of New
11 Jersey, that the Township Clerk is hereby authorized to
12 advertise for sealed bids for the 2016 purchase of curbside
13 recycling bins for the Township of Nutley, to be received on
14 behalf of the Board of Commissioners in the Commission
15 Chambers, Township Hall, 1 Kennedy Drive, Nutley, New Jersey
16 on Wednesday, September 7, 2016 at 3 p.m., prevailing time,
17 at which time they will be opened and read.

18 I move the resolution.

19 COMMISSIONER ROGERS: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

1 That concludes the business portion of our
2 meeting. We will open it up to the public. Madam Clerk,
3 please read the notice.

4 MADAM CLERK: Yes, Mayor.

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

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

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

13 Dialogue between citizens and other addressing the
14 Board shall be allowed unless the Mayor presiding
15 (indiscernible) majority of the membership of the Board
16 shall determine in the interest of decorum and the -- and/or
17 the expeditious conduct of municipal business are being
18 adversely affected by such dialogue.

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

21 MS. LANDRY: Pennie Landry, 135 Lakeside Drive.

22 Mayor Scarpelli, I'd asked at a couple of
23 meetings, and you had said you would take it under
24 advisement, Nutley Code calls for a citizens' advisory
25 committee that serves at the favor of the Mayor for -- as an

1 auxiliary to support the planning board. Have you made a
2 decision, as our Mayor, to reenact -- reenact the citizens'
3 advisory committee?

4 MAYOR SCARPELLI: Not as of yet.

5 MS. LANDRY: Not as of yet. Thank you.

6 This will be my ninth request -- eighth request,
7 I'm also going to make my ninth request, the economic
8 development advisory committee is currently closed. The
9 meetings are closed to the citizens of Nutley and the
10 minutes are not available.

11 As the chairman of the economic advisory --
12 development advisory committee, Commissioner Evans, have you
13 made a decision to open that committee to the public and
14 make its minutes available; yes or no?

15 COMMISSIONER EVANS: No.

16 MS. LANDRY: No? No, you're not going to open it
17 to the public or the businesses of Nutley?

18 COMMISSIONER EVANS: I will take my course of
19 action and when I do that, you will know it.

20 MS. LANDRY: You're going to take a course of
21 action.

22 COMMISSIONER EVANS: When I execute a course of
23 action, you will know it. Until then, I haven't made up my
24 mind.

25

1 MS. LANDRY: Well -- well, I -- I mean, I'm going
2 to make my -- do you think you'll make it before the next
3 meeting?

4 COMMISSIONER EVANS: Ms. Landry, I've been very
5 respectful and very polite. You keep on pointing this out
6 as if you can change the law.

7 There's not a quorum of this commission body that
8 sits --

9 MS. LANDRY: No. It's -- it's just a decision,
10 your decision.

11 COMMISSIONER EVANS: That's exactly right.

12 MS. LANDRY: And I'm hoping that I can --

13 COMMISSIONER EVANS: (Indiscernible) --

14 MS. LANDRY: -- convince you --

15 COMMISSIONER EVANS: -- present it as -- you
16 present it as -- as if I'm doing something wrong.

17 MS. LANDRY: No, I do not. I -- I present it as a
18 request.

19 COMMISSIONER EVANS: (Indiscernible).

20 MS. LANDRY: (Indiscernible).

21 COMMISSIONER EVANS: (Indiscernible).

22 MS. LANDRY: The economic redevelopment advisory
23 committee for its citizens and businesses of Nutley.

24 COMMISSIONER EVANS: (Indiscernible).

25

1 MS. LANDRY: I am not inferring that anything is
2 wrong. I am --

3 COMMISSIONER EVANS: (Indiscernible).

4 MS. LANDRY: -- requesting --

5 COMMISSIONER EVANS: I would like to finish my
6 statement. Okay?

7 It is an advisory committee so that I can be
8 better informed about what it is that we will talk about as
9 a Board of Commissioners. I -- in addition to the economic
10 development advisory committee, I speak to residents all the
11 time (indiscernible).

12 MS. LANDRY: We haven't spoken.

13 COMMISSIONER EVANS: (Indiscernible).

14 MS. LANDRY: We haven't spoken (indiscernible)
15 said you speak to people all the time.

16 COMMISSIONER EVANS: I appreciate your comment.

17 And the simple fact (indiscernible) that when we
18 have a need to go out to the public, this Board has always
19 gone out to the public. So --

20 MS. LANDRY: In a public type forum or in one-on-
21 one type situation.

22 COMMISSIONER EVANS: (Indiscernible) in both.

23 Actually, in both.

24 MS. LANDRY: Okay.

25

1 COMMISSIONER EVANS: A small group, large group;
2 all right?

3 We've -- we've --

4 MS. LANDRY: I --

5 COMMISSIONER EVANS: -- actually, as you know from
6 the economic development committee, we actually broadly
7 surveyed 2500 people. All Nutley residents.

8 We (indiscernible) --

9 MS. LANDRY: How many years ago was that and why you
10 brought it up --

11 COMMISSIONER EVANS: And so --

12 MS. LANDRY: -- what exactly has been done?

13 COMMISSIONER EVANS: I appreciate your opinion.
14 I'm not here to argue with you. I'm not here to debate it.

15 MS. LANDRY: And I'm only here to make the
16 request.

17 COMMISSIONER EVANS: I'm only here to tell you
18 that every time you mention that, you -- it makes it sound
19 to me as if you feel as though I'm doing something wrong.

20 MS. LANDRY: Well, let me clarify it for you, sir,
21 respectfully.

22 COMMISSIONER EVANS: Go on.

23 MS. LANDRY: I know what you're doing is not wrong
24 by law. I am requesting that you do what's right by the
25 citizens of this town and the businesses of this town --

1 COMMISSIONER EVANS: And I will continue --

2 MS. LANDRY: -- and open out to a little

3 greater --

4 COMMISSIONER EVANS: -- I -- and Ms. Landry, I
5 will be very clear --

6 MS. LANDRY: -- transparency --

7 COMMISSIONER EVANS: -- I continue to object to
8 your statement as if I am not doing the right thing for the
9 benefit --

10 MS. LANDRY: And I just clarified --

11 COMMISSIONER EVANS: -- of (indiscernible).

12 MS. LANDRY: -- that it has nothing to do with
13 right or wrong.

14 COMMISSIONER EVANS: (Indiscernible).

15 MS. LANDRY: It has to do with --

16 COMMISSIONER EVANS: Is right.

17 MS. LANDRY: -- transparency.

18 COMMISSIONER EVANS: (Indiscernible).

19 MS. LANDRY: (Indiscernible) and we can disagree.

20 COMMISSIONER EVANS: And I --

21 MS. LANDRY: And I --

22 COMMISSIONER EVANS: And I -- and we do.

23 MS. LANDRY: -- have -- I have the right --

24 COMMISSIONER EVANS: But I appreciate -- I
25 appreciate your --

1 MS. LANDRY: -- to request it for the people of
2 this community --

3 COMMISSIONER EVANS: And you can continue to
4 request it.

5 MS. LANDRY: And I --

6 COMMISSIONER EVANS: I'm sure (indiscernible).

7 MS. LANDRY: -- will continue -- and I'm making my
8 ninth request because I'm going help with the flooding
9 efforts in Louisiana.

10 COMMISSIONER EVANS: And I appreciate that.

11 MS. LANDRY: I will not be in here in two weeks so
12 I'm making my ninth request.

13 COMMISSIONER EVANS: Right. So you can do that.

14 MS. LANDRY: And I just want it noted --

15 COMMISSIONER EVANS: You can make your request as
16 often as you like.

17 MS. LANDRY: Thank you.

18 COMMISSIONER EVANS: I want to verify --

19 MS. LANDRY: And I just want to clarify --

20 COMMISSIONER EVANS: -- for the benefit --

21 MS. LANDRY: -- I don't think you are doing
22 anything wrong.

23 COMMISSIONER EVANS: I want to clarify for the
24 benefit of those that are listening, and I'm sorry because
25 we're on video, and -- and for the statements that are out

1 there, that the (indiscernible) for the purpose of
2 (indiscernible) I am reaching out to the citizens of Nutley.
3 I am reaching out to a cross section of the citizens of
4 Nutley.

5 They may not be the citizens that you want me to
6 reach out to or you would like me to reach out to others, I
7 reach out to (indiscernible) group and I reach out to
8 (indiscernible). And I do that regularly.

9 So the implication (indiscernible) this is not
10 transparent (indiscernible) you know, I'm educating myself
11 to learn how to be a better commissioner, I can't believe
12 that I need to be a (indiscernible) --

13 MS. LANDRY: Do you call not having the minutes of
14 these meetings available transparent?

15 COMMISSIONER EVANS: They're not required.
16 There's no minutes that are required.

17 MS. LANDRY: I know it's not required but if --
18 what are you hiding?

19 COMMISSIONER EVANS: There's nothing to hide.

20 ALAN GENITEMPO: Ms. Landry --

21 MS. LANDRY: Because there have been no meetings.

22 ALAN GENITEMPO: Ms. Landry --

23 COMMISSIONER EVANS: I'm making it very clear.
24 There is no requirement for a meeting minutes. There's no
25 requirement to have a quorum --

1 MS. LANDRY: Okay.

2 COMMISSIONER EVANS: -- of this Board.

3 There is, under the law, open public meetings act,
4 when you mention the minutes, make them available, if I
5 don't produce those minutes, it's because they -- simply
6 they were not produced.

7 In fact, we called the minutes. They were just
8 like a basically a summary of discussions points for my
9 benefit.

10 MS. LANDRY: Well, then why is it then when the
11 minutes were OPRA'd, they were supplied via OPRA?

12 COMMISSIONER EVANS: Because when I produce them,
13 they were required, by law, for me to produce them because
14 the fact -- the simple fact is I had a document, a public
15 document.

16 I no longer have a public document.

17 MS. LANDRY: So you don't take minutes anymore --

18 COMMISSIONER EVANS: Right. I have a good memory.

19 MS. LANDRY: -- so you don't have to disclose what
20 happens.

21 COMMISSIONER EVANS: I have a very good memory.

22 ALAN GENITEMPO: (Indiscernible) excuse me.

23 Ms. Landry --

24 MS. LANDRY: Okay. All right.

25 ALAN GENITEMPO: Ms. Landry --

1 MS. LANDRY: Wait. I -- I --

2 COMMISSIONER EVANS: I want to be very clear.

3 ALAN GENITEMPO: You cannot talk over the
4 Commissioner or anyone else.

5 You're getting your chance. And let the
6 Commissioner speak.

7 You and I have been down this road on this
8 particular committee. It is not a public governing board.
9 They are not required to have minutes. They're not required
10 to be in public.

11 We've been through this. Your request has been
12 heard. Apparently, it's not going to be granted at this
13 time. That's all there is to it.

14 MS. LANDRY: So --

15 ALAN GENITEMPO: You can debate it all you want.

16 MS. LANDRY: So could we have another economic
17 development advisory group that, outside of Commissioner
18 Evans, economic development is a huge part of the future of
19 this community.

20 COMMISSIONER EVANS: Absolutely.

21 MS. LANDRY: And I would like to see a body that
22 is a community body for the Township of Nutley called an
23 economic divisory (ph) whatever you want to call it that
24 gets input, okay? That the input has been shared.

25

1 Your committee, okay, spent tax dollars to do a
2 survey. Part of the survey that we paid for --

3 ALAN GENITEMPO: That's not true.

4 MS. LANDRY: -- was -- was a strategic --

5 ALAN GENITEMPO: Excuse me. That is not true.

6 The Board of Commissioners spent -- authorized the spending
7 of that money.

8 MS. LANDRY: Well, I know.

9 ALAN GENITEMPO: That Board did not. Be -- be
10 accurate.

11 MS. LANDRY: I understand that.

12 ALAN GENITEMPO: Be accurate.

13 MS. LANDRY: They made a request that the money be
14 spent.

15 ALAN GENITEMPO: No. they --

16 MS. LANDRY: And the request was granted.

17 ALAN GENITEMPO -- they made a recommendation --

18 MS. LANDRY: A recommendation.

19 ALAN GENITEMPO: This Commission, through
20 Commissioner Evans, to make -- to take the study and the
21 Commissioners voted to do to.

22 That is how it works. And you know that.

23 MS. LANDRY: I have no problem with that. What I
24 have a problem is that part of what we paid for was a
25 strategic plan which is not developed yet or at least it may

1 be a document that exists but the people who paid for it
2 have not had the opportunity to (indiscernible) --

3 ALAN GENITEMPO: (Indiscernible) --

4 MS. LANDRY: -- (indiscernible) strategic plan.

5 ALAN GENITEMPO: Ms. Landry (indiscernible)
6 receive a copy of the document generated by the company that
7 the Commissioners hired --

8 MS. LANDRY: But it was not --

9 ALAN GENITEMPO: -- to prepare --

10 MS. LANDRY: -- a strategic plan.

11 ALAN GENITEMPO: Now -- now let me speak. Let me
12 finish and then you can say what you want.

13 And you were provided a document. You OPRA'd it
14 and you received it, the document created by that company,
15 that was retained by the Commissioners.

16 That's the only document that exists. If you want
17 to criticize them, that they didn't do enough or they didn't
18 go far enough, that's, of course, your right. But don't
19 pretend that something hasn't been produced to you.

20 MS. LANDRY: No. Well, you didn't hear me.

21 ALAN GENITEMPO: No. I hear you quite well, Ms.
22 Landry.

23 MS. LANDRY: I said the strategic -- I know that
24 we got the survey results document and we got the inventory
25 document. Those of us who took the time to OPRA it got it

1 because it was not made available to the citizens of Nutley
2 but the contract, the actual contract stated that part of
3 what (indiscernible) was being paid was a strategic plan.

4 Now if the contract was amended and we were not
5 apprised of that to say --

6 COMMISSIONER EVANS: Excuse me. You -- maybe
7 you're putting too much emphasis on a strategic plan
8 (indiscernible) that document actually comprises a strategic
9 plan.

10 MS. LANDRY: Okay. So here's the next question.

11 MAYOR SCARPELLI: There's no more questions this evening.

12

13 MS. LANDRY: (Indiscernible) --

14 MAYOR SCARPELLI: (Indiscernible) --

15 MS. LANDRY: - a strategic plan --

16 MAYOR SCARPELLI: Ms. -- Ms. Landry --

17 MS. LANDRY: -- (indiscernible) --

18 MAYOR SCARPELLI: -- your time is up.

19 MS. LANDRY: Thank you.

20 MAYOR SCARPELLI: (Indiscernible) anybody else like
21 to be heard by the Board of Commissioners?

22 COMMISSIONER EVANS: I would.

23 MAYOR SCARPELLI: Commissioner?

24 COMMISSIONER EVANS: I would. I want to get it
25 clear for the record, all right.

1 That this Board authorized me to get the work done
2 to make sure we investigated the -- a few things. One was;
3 do we now have a full inventory of what our -- our retail
4 commercial space is completed?

5 We surveyed twenty-five hundred residents in town;
6 all right? To get their opinions as to where they shop, how
7 much they spend and so on to create a level of what was the
8 opportunity in front of us. We did that.

9 We also, in that documents, it laid out, a series
10 of recommendations and directions that this Board has to
11 consider that are long term in nature. This is not fixed by
12 putting up directional street signs. It's not fixed by
13 saying; I'm going to get an anchor store.

14 This fundamentally links to how do we brand this
15 town? How do we address the things that are going to make
16 Nutley attractive and -- and make sure that we can raise the
17 economic environment in our town? It is very strategic. It
18 is long term.

19 The economic development advisory committee has
20 discussed these things. These matters need to be -- be
21 brought forward to the Board of Commissioners.

22 I have invited Commissioner Rogers to be part of
23 those discussions if he so chose to because he kindly
24 invited me to some meetings that he was having early on. We
25 have not met.

1 We will continue (indiscernible) determination of
2 what is (indiscernible) based upon (indiscernible) today
3 (indiscernible) what are the (indiscernible) attract us and
4 brand this town? How do we actually advance the culture and
5 the arts in -- in our community to change the definition of
6 what we mean by commercial and retail space to create that
7 opportunity?

8 They are very long term. They are very strategic
9 and I want to make very clear on the record that this
10 committee of very, very valuable people have not wasted
11 their time. They've been very patient. They've been very
12 thoughtful in providing advice so that we can start to build
13 as we -- we go forward.

14 I want it very clear on the record.

15 MAYOR SCARPELLI: Thank you, Commissioner.

16 Oh, does anybody else want to be heard?

17 MICHAEL ODRIA: Michael (indiscernible),
18 133 High Street.

19 MAYOR SCARPELLI: Yes.

20 MICHAEL ODRIA: I want to know -- well, I'm going
21 to ask you, the twenty-five hundred people that he's talking
22 about, how were they contacted and how were they picked? The
23 homeowners.

24 COMMISSIONER EVANS: Completely at random, on the
25 streets in Nutley. They were surveyed.

1 MICHAEL ODRIA They were walking the streets or --

2 MAYOR SCARPELLI: (Indiscernible) there were signs
3 all over town.

4 COMMISSIONER EVANS: Signs all over town. Did you
5 miss them? There were yellow signs all over the town for a
6 full six weeks. They were able to do it online. They were
7 able to do it by interviews on the street.

8 It was done in a very open forum. A very -- it
9 actually meets the standard for statistical sampling to go
10 and do that with plus or minus two percent error.

11 MICHAEL ODRIA: Okay. All right. All right.
12 That's what I wanted to know.

13 The second thing I want to say is if you want to
14 help the business owners of this town, and I've mentioned
15 this before, fight to keep the tax burdens as low as possible
16 and you'll see the homeowners of this town support these
17 local businesses so they don't go out of business in this
18 town.

19 Cap, control and reduce. That's what you have to
20 do. That's all you have to do and, trust me, I will spend
21 more money in this town. And I'm a homeowner here.

22 And what keeps me from that is that whatever is
23 done in this town by our town leaders, BOE and the BOC, it

24

25

1 takes away my expendable cash that I -- it could be used to
2 be supporting the local businesses in this town.

3 COMMISSIONER EVANS: Appreciate your point.

4 MAYOR SCARPELLI: Thank you.

5 Anybody else like to be heard by the Board of
6 Commissioners?

7 Before we adjourn, I would like to recognize Dante
8 Intindola (ph). Dante, will you step out from the back?

9 (Pause)

10 MAYOR SCARPELLI: He's done a great job. This is
11 his last meeting. He's done a great job in filming our
12 meetings in a very -- he's a very professional and mature
13 young man who's going on to school, to college and I've had
14 the pleasure of witnessing his hard work outside of this --
15 this chambers.

16 He's been inspecting some of our jobs, working for
17 an engineering firm and Neglia (ph) engineering firm, and we
18 appreciate the -- all your hard work over the summer in the
19 hot -- hot, hot weather.

20 So -- and thank you, Dante, and good luck in your
21 future endeavors.

22 MR. INTINDOLA: Thank you. It's -- it's been great
23 watching you guys work the past couple of years and

24 (indiscernible) whole LaRoche thing and you know (inaudible)

25

1 these were -- ordinances were being passed and I love
2 growing up in Nutley and I couldn't ask for anything better
3 and I appreciate your support and I'm definitely going to
4 miss watching these meetings (indiscernible) being around
5 Town Hall.

6 (Laughter)

7 MAYOR SCARPELLI: You've made yourself, your
8 family, your school and your town very proud. Thank you,
9 Dante.

10 MR. INTINDOLA: Thank you.

11 (Applause)

12 MAYOR SCARPELLI: Motion to adjourn.

13 COMMISSIONER ROGERS: I make a motion to adjourn.

14 COMMISSIONER EVANS: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Evans? Commissioner
18 Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Mayor Scarpelli?

21 MAYOR SCARPELLI: Aye. Good night everybody.

22 MADAM CLERK: The time is now 8:32.

23 (Whereupon, the meeting was adjourned.)
24
25

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 August 16, 2016
proceedings.


Pamela A. Skaw

DATE: August 31, 2016

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|---|---|---|--|
| 0 | 2015 2:7 7:23 8:6 8:21 9:1 | 3344 23:19 | 7:05 2:4 |
| 035 6:23 7:2 | 2016 1:10 2:4 8:12 8:16,19,20 21:10 23:8 27:12 28:15 28:25 29:4 46:24 47:12 51:25 52:3 52:6,9,12,14,17 53:12,16 72:4,12 | 3345 23:19 3346 24:9,25 25:3 3347 43:23 3348 22:24 34-16 52:1 346,000 26:5 35 6:23 27:6 35-16 52:4 36-16 52:7 37 26:19 37-16 52:10 38 17:6 38-16 52:13 39-16 52:15 | 7:30 4:17 |
| 1 | 2017 8:19 37:5 2018 28:7,10,19 34:13,19 204-16 44:19 205-126 46:10 206-16 48:1 20th 23:8,24,25 24:4 21 37:6 52:12 21st 52:2,6,9 2272317 1:25 231 2:6 15:7 24th 2:7 25,000 46:24 47:4 47:6 2500 58:7 272 23:1 2921 16:12 | 4 4-87 46:11 40a 46:11 51:3 43 16:22 | 8 |
| 1 46:19 48:4,6 51:3 53:15 10.98 36:2,22 102 16:17,22 105,325.49 21:11 11 51:3,4 11-11-5 50:15 11-5 50:14 12 12:1 26:12,20 133 68:18 135 25:2 54:21 14th 51:25 15 16:16 17:5 16 1:10 21:10 45:3 72:4 16th 2:4 50:21 17 37:8 52:16 17th 16:12 18 37:5 19 37:5 38:8 1942 16:17 1950 16:14 1962 17:2 1975 2:6 15:7 19:44 44:23 1a 6:22 | 3 3 47:7 53:16 3,419,222.45. 21:14 30 27:7,10,11 43:10 30th 28:14,15 52:14 31 72:12 33-16 51:24 33.184.22 21:12 3323k 45:16 3343 23:19 | 5 5 47:6 51:4 50/50 51:24 52:2 52:11,16 500 39:1 500,000 39:3 516,000 26:10 27:1 28:2 36:6 37:4,11 37:19 518 8:3 554,000 29:5 565,000 8:2 | 8 15:6 8,750 45:6,16 87.275.01 21:13 8:32 71:22 |
| 2 | | 6 6th 24:7 | 9 |
| 2 47:3 2,016 37:1 2,297,580.31 21:12 2,500 47:12 2.3 38:24 20 37:5 20.4 44:23 20.5 44:23 2004 7:15 | | 7 7 53:16 75 3:4 16:11,18 17:11 797,819.09 21:14 | 98,038.33 21:13 |
| | | | a |
| | | | ability 30:7 38:6 38:11,14 39:6 able 41:14 69:7,8 absent 2:14,18 absolutely 63:20 academic 31:7,10 accelerate 38:11 accepts 41:8 access 49:18 accommodating 40:3 accomplishments 16:11 17:21 accurate 64:10,12 72:4 achieving 16:22 acquire 44:21 acquisition 15:2 acreage 40:20 acres 36:3,9,23 37:10 38:17,20,24 39:2 act 2:6 15:7 62:3 action 55:19,21,23 actions 49:2 activate 37:8 43:8 activated 37:3 activities 3:20 actual 66:2 |

| | | | |
|--|---|---|--|
| ad 29:4,15,20 31:14,16,20 32:6 32:21 37:2 add 37:19 addition 7:20 17:3 57:9 additional 8:9 36:10,11 42:20 address 4:14 22:4 22:7,17 35:13 49:24 54:7,9,19 67:15 addressed 22:9 54:11 addressing 22:2 22:11 54:5,13 adjourn 70:7 71:12,13 adjourned 71:23 adjust 9:22 adjusted 3:11 12:2 27:4 37:15 administration 50:17 administrators 39:12 adopted 41:21 47:13 adoption 46:16 adult 17:22 advance 68:4 advantageous 34:7 adversely 15:17 22:16 54:18 advertise 53:12 advertised 23:4 advertisement 4:12 advice 68:12 | advisement 54:24 advisory 54:24 55:3,8,11,12 56:22 57:7,10 63:17 67:19 affairs 7:19 12:6 21:11 affect 3:9 aforementioned 52:23 agencies 11:6 agency 11:6 50:19 agenda 3:2,6 20:23 21:24 22:18 aggregate 48:3 agree 34:9 49:14 agreed 49:10 agreement 3:17,18 3:21 24:16,17,21 25:11,12,16,18,19 25:24 26:1 27:17 28:3 31:18,19 37:3 39:24 41:11 41:13,14,17 43:9 48:24 49:7 50:2 51:5 agreements 28:9 34:23 50:17 ahead 24:10 34:17 40:7,9 aid 18:25 19:19 align 10:10 allegiance 2:2 allow 43:8 allowable 41:9 allowed 22:12 54:14 allows 43:11 amend 3:8 22:25 amended 66:4 | amount 25:24 29:7,15 30:10 35:15 43:7 45:16 46:15,18 47:12 48:4,6 anchor 67:13 anita 16:15 annual 25:23 anticipate 11:9 28:4,12 30:7 37:10 anticipated 45:1 anticipating 8:4 anybody 22:17 43:23 54:19 66:20 68:16 70:5 anymore 62:17 apparently 63:12 applause 16:8 17:14 19:6 20:17 71:11 application 25:8 applications 4:10 51:21 52:18 apply 49:11 appreciate 14:20 18:4 21:1 57:16 58:13 59:24,25 60:10 70:3,19 71:3 apprised 66:5 approach 22:3 54:6 appropriate 22:10 44:24 54:12 appropriated 47:4 47:13 appropriation 46:18 appropriations 47:5 | approval 4:9 25:7 approve 46:13,17 46:22 approved 7:22 25:9 52:19,24 approximately 26:12 architectural 4:5 44:22 45:3,7,13,21 area 40:11 48:2 49:9 areas 49:11 50:3 argue 58:14 arts 68:5 asked 9:6 10:14 16:3 26:12 54:22 asking 40:1 asks 19:24 assessment 3:18 26:11,15 42:22,23 assets 43:3 associate 17:6 associated 35:18 astronomical 12:23 attached 45:18 attended 16:24 attorney 41:13 attract 68:3 attractive 67:16 audio 16:1,1 august 1:10 2:4 21:10 50:21 72:4 72:12 authorization 4:9 42:24 authorize 3:21 4:10 27:17 authorized 51:4 52:24 53:11 64:6 67:1 |
|--|---|---|--|

| | | | |
|--|--|---|---|
| <p>authorizes 41:10 41:12 48:10 50:1 50:15 authorizing 43:12 48:2,23 auxiliary 55:1 available 25:4 45:15 46:15,24 47:8 55:10,14 61:14 62:4 66:1 average 12:15 award 17:1,2 aware 45:2 eye 15:20,22,24 21:18,20,22 23:11 23:13,15 42:6,8,10 42:14,16,18 44:3,5 44:7,11,13,15 46:5 46:7,9 47:18,20,22 48:17,19,21 50:9 50:11,13 51:14,16 51:18 53:4,6,8,21 53:23,25 71:16,19 71:21</p> | <p>basis 30:2 beaver 17:2 beginning 3:2 38:10 behalf 3:15 16:4 53:14 believe 34:8 61:11 belleville 9:9,10 beneficial 30:6 benefit 24:22 30:4 59:9 60:20,24 62:9 benefits 11:4 bergen 3:22 50:18 51:5,6 best 20:15 bestowed 17:1 better 19:17,17 57:8 61:11 71:2 bids 4:11 53:12 big 29:23 bill 21:10 bills 21:5,5,8,15,23 bingo 52:13 bins 4:11 53:13 bit 8:3 38:21 bless 18:18 20:16 20:19 blight 49:4,8 board 1:2 2:3,10 3:16 4:15 15:12 17:7 22:2,6,8,10 22:12,13,18 23:6 34:6 45:19 46:20 49:2,5,21 50:21 51:1 52:21 53:9 53:14 54:5,8,10,12 54:14,15,20 55:1 57:9,18 62:2 63:8 64:6,9 66:21 67:1 67:10,21 70:5</p> | <p>boc 69:24 body 56:7 63:21 63:22 boe 69:24 bond 3:13 43:16 43:20 48:7 bonds 27:8 42:24 43:5,6 48:3,5,8,10 48:12 49:9 books 43:12 booster 51:23 born 16:12 bought 31:25 bound 16:13 box 44:24 boy 19:17 boy's 16:17 boys 17:23,24 18:23 19:18 brand 67:14 68:4 branding 38:5 break 11:1,3 29:23 bring 8:11 17:16 bringing 8:9 broad 35:14 40:1 broader 30:6 broadly 58:6 brought 8:1,2 58:10 67:21 budget 7:18,21 8:10,21 46:13,16 46:23 47:13 build 38:6,14 39:16 68:12 building 7:24,25 26:19 27:15 28:2 28:22 32:20 35:3 36:8,25 buildings 8:5,14 26:11 31:3 37:10 38:23</p> | <p>built 38:20 bulletin 2:10 bunch 36:25 burdens 69:16 business 3:14 12:10 22:15 45:8 45:23 54:1,17 69:15,18 businesses 55:17 56:23 58:25 69:18 70:2</p> |
| <p>b</p> | | | <p>c</p> |
| <p>back 19:20 20:2 31:6 38:10 49:1 70:9 balance 8:10,21 balde 3:3 16:5,6 16:12 17:9,12,16 17:18 18:10,21 19:8,13 20:19 balde's 16:10 ball 36:16,19 barry 4:14 based 12:21 27:4 37:12,12 68:2 basically 11:24 41:7 43:12 48:5 49:16 62:8</p> | | | <p>c 2:1 72:1,1 call 20:9 24:16 27:24 61:13 63:23 callable 48:10 called 10:13 13:4 42:25 62:7 63:22 calling 27:20 calls 54:24 campus 34:7 39:22 candidate 45:11 cap 69:20 capital 45:15 caps 31:3 47:6 caption 47:5 case 31:12 cash 51:24 52:2,11 52:16 70:1 catholic 52:7,10 certain 11:5 35:15 certificate 25:15 27:12 certification 45:9 45:17,24 certified 45:17 certifies 45:9 certify 72:3 chairman 55:11</p> |

| | | | |
|--|--|--|---|
| <p>chambers 53:15 70:16</p> <p>chance 63:5</p> <p>change 7:16 56:6 68:5</p> <p>changing 7:9</p> <p>chapter 2:6 15:7 23:1</p> <p>charge 25:23</p> <p>check 20:12</p> <p>chief 45:17</p> <p>chose 67:23</p> <p>chosen 31:2</p> <p>church 52:7,10</p> <p>citizens 18:24 22:10,11 26:22 30:13 41:22 54:12 54:13,24 55:2,9 56:23 58:25 61:2 61:3,5 66:1</p> <p>civic 16:19 17:25</p> <p>clarified 59:10</p> <p>clarify 58:20 60:18,19,23</p> <p>clause 49:11</p> <p>cleanup 49:15,19</p> <p>clear 30:12 43:15 49:20 59:5 61:23 63:2 66:25 68:9 68:14</p> <p>clerk 1:20 2:3,14 2:18,22,24 15:1,6 15:10,21,23,25 21:4,8,9,17,19,21 21:23 22:1,2 23:10,12,14,25 24:7 41:12 42:5,7 42:9,13,15,17 44:2 44:4,6,10,12,14 46:2,4,6,8 47:15 47:17,19,21 48:16</p> | <p>48:18,20 50:8,10 50:12 51:4,13,15 51:17 52:19,24 53:3,5,7,11,20,22 53:24 54:2,4 71:15,17,20,22</p> <p>clerk's 2:11</p> <p>clifton 13:3,5 39:14</p> <p>close 10:5 15:14 28:16 32:24 42:2 43:25</p> <p>closed 55:8,9</p> <p>closing 15:15 28:10,12</p> <p>closings 28:9</p> <p>clover 8:17</p> <p>club 51:23 52:1,4 52:15</p> <p>code 3:9 5:17 8:1 10:4 22:25 23:2 54:24</p> <p>codified 22:25</p> <p>colleagues 18:22</p> <p>collecting 20:5</p> <p>college 70:14</p> <p>column 6:21</p> <p>combined 25:23</p> <p>come 7:17,18 8:18 11:6 30:10 35:2</p> <p>comes 19:24</p> <p>coming 8:12,15 20:25</p> <p>commended 19:1</p> <p>comment 21:24 57:16</p> <p>comments 22:10 54:12</p> <p>commercial 3:9 5:17,23 6:10 67:4 68:6</p> | <p>commission 53:14 56:7 64:19</p> <p>commissioner 1:17,18 2:12,13,14 2:16,17,18,22,23 2:25 3:5,7,23,24 4:1,3,13,20,23 5:3 5:8,12,15 9:16 10:1,3,7,17,21 11:11,19 12:9,16 12:20,24 14:5,7,13 14:16,18,20 15:19 15:20,21,22 17:17 17:18 18:8,9,10,20 19:10 21:17,18,19 21:20 22:22,23 23:9,10,11,12,13 23:16,17,22,24 24:3,8,11 26:7,8 26:14,16,24 27:3 27:10,14,22,24 28:5,13,17,20 29:3 29:14,18,25 30:16 30:19,22,24 31:6 31:10,17,22 32:1,3 32:5,8,10,12,19 33:1,3,5,21 34:14 34:18,22 35:1,7,11 35:22 36:1,7,10,15 36:18 37:7,12,18 37:20,22,24 38:1 38:10,16,18,21,23 39:1,3,7,9,15,23 40:5,9,13,15,19 41:1,4,6 42:3,4,5,6 42:7,8,11,12,13,14 42:15,16,18,19 43:14,17,19,21,25 44:1,2,3,4,5,8,9,10 44:11,12,13,16,16 44:18 46:3,4,5,6,7</p> | <p>46:10 47:16,17,18 47:19,20,23,24,25 48:15,16,17,18,19 48:22 50:7,8,9,10 50:11,14 51:12,13 51:14,15,16,19,20 53:2,3,4,5,6,19,20 53:21,22,23 55:12 55:15,18,22 56:4 56:11,13,15,19,21 56:24 57:3,5,13,16 57:22 58:1,5,11,13 58:17,22 59:1,4,7 59:11,14,16,18,20 59:22,24 60:3,6,10 60:13,15,18,20,23 61:11,15,19,23 62:2,12,18,21 63:2 63:4,6,17,20 64:20 66:6,11,14,22,23 66:24 67:22 68:15 68:24 69:5 70:3 71:13,14,15,16,17 71:17,19</p> <p>commissioners 1:2 2:3 3:16 15:12 17:8,16 19:14 22:3,18 23:7 45:20 46:20 50:22 51:2 52:22 53:9 53:14 54:5,20 57:9 64:6,21 65:7 65:15 66:21 67:21 70:6</p> <p>commitments 48:13</p> <p>committee 45:11 54:25 55:3,8,12,13 56:23 57:7,10 58:6 63:8 64:1 67:19 68:10</p> |
|--|--|--|---|

| | | | |
|--|---|---|---|
| <p>commonly 49:3 community 4:6 7:19 12:6 18:24 19:3 22:3 47:1,6,8 47:11 54:6 60:2 63:19,22 68:5 company 65:6,14 compared 11:23 comparison 9:12 complete 27:16 49:19 completed 8:6 45:8 67:4 completely 49:25 68:24 complex 40:6 compliance 25:18 complicated 34:24 comply 48:13 complying 51:7 comprises 66:8 concern 33:18 concerns 22:3 54:6 conclude 49:10 concludes 54:1 condemn 49:18 condemnation 48:23 49:6,11,22 50:2 condemned 50:5 condemning 49:13 conduct 22:15 54:17 confusing 32:17 32:18 congratulations 17:13 21:1 consider 67:11 consideration 23:5</p> | <p>considered 26:4 50:22 consistent 48:9 constrained 27:7 construction 3:8 4:15 5:16 8:1 10:8 10:8,19 23:1 28:22 44:24 contacted 68:22 contaminated 49:13 continue 20:14,22 59:1,7 60:3,7 68:1 continued 49:18 contract 4:5 15:2 44:22 45:1,2,12,14 45:21 66:2,2,4 contracting 50:15 contracts 15:16 51:8 contributes 29:19 contributing 18:2 contribution 18:16 contributions 45:10,14 control 69:20 convince 56:14 cooperative 3:21 50:16,16,20,23 51:5 copy 2:9,10 65:6 corporation 45:9 correct 4:18 26:5 26:6,23,24 28:3 29:13,19 30:16,18 30:22 32:3 33:2,5 37:20 43:19 cost 9:23 10:5,22 costs 9:25 11:13 11:14</p> | <p>counsel 23:18 country 18:19 county 3:22 6:5 9:8,13 15:13 17:8 20:2 29:8 46:14 46:20 50:18 51:6 51:6 52:22 53:10 couple 20:22 28:18 54:22 70:24 coupled 11:11 course 16:20 29:14 30:3 55:18 55:20,22 65:18 court 10:12 cover 11:14 coveralls 19:23 covers 10:18 crafted 30:5 create 43:18 67:7 68:6 created 65:14 criticize 65:17 cross 61:3 crystal 36:16,19 culture 68:4 curbside 4:11 53:12 currently 33:20 55:8</p> <hr/> <p style="text-align: center;">d</p> <hr/> <p>d 2:1 dante 70:8,8,21 71:9 dash 6:22,23 dassa 4:5 45:3,7 45:13,21 date 23:23 25:13 40:25 41:15,16 45:2 49:23,24 72:12</p> | <p>daughter 16:14 19:13 dave 4:14 5:4 14:19 day 20:11 days 19:21 28:18 deal 31:2 32:24 dealing 38:4 debate 58:14 63:15 december 2:7 8:7 decision 55:2,13 56:9,10 deck 39:16,17 declaration 49:4,5 49:8 50:4 declare 49:2 decorum 22:14 54:16 dedicated 17:3 dedication 16:25 17:10 18:5,22,25 defer 22:9 54:11 defined 25:16,24 26:1 definitely 71:3 definition 68:5 department 7:19 7:20 9:23 10:22 10:25 12:5,8 44:20 52:20 departments 10:4 described 45:22 desires 15:14 detail 40:6 determination 45:24 48:5 68:1 determine 22:14 54:16 determined 46:16</p> |
|--|---|---|---|

| | | | |
|---|--|--|--|
| <p>developed 64:25 development 3:9 3:10 9:18 55:8,12 57:10 58:6 63:17 63:18 67:19 dialogue 22:11,16 54:13,18 difference 29:6 30:24 34:11 different 11:15 13:8 35:16 directional 67:12 directions 67:10 director 46:12,17 46:21 disagree 59:19 disclose 62:19 disclosure 45:8,24 discuss 15:16 discussed 67:20 discussing 30:11 discussion 23:18 49:21 discussions 62:8 67:23 disqualifying 45:10 divided 29:12,18 division 46:12,22 divisory 63:23 doctors 30:5 39:11 document 62:14 62:15,16 65:1,6,13 65:14,16,24,25 66:8 documents 25:4 48:5 67:9 doing 9:6,7 56:16 58:19,23 59:8 60:21</p> | <p>dollars 26:21,23 37:1 64:1 donations 20:5 dorms 38:22 doubt 18:10,13 drive 25:2 53:15 54:21 duly 50:22</p> <hr/> <p style="text-align: center;">e</p> <hr/> <p>e 2:1,1 72:1 eagle 16:23 18:4 19:18 earlier 25:13 48:9 early 42:25 67:24 eastman 38:7 economic 55:7,11 56:22 57:9 58:6 63:16,18,23 67:17 67:19 educating 61:10 effect 24:16 25:23 27:15,17 31:20 51:9 effort 60:9 eight 31:4 38:17 38:20 39:2 eighth 55:6 either 41:14 emergency 17:5 18:6 emphasis 66:7 endeavors 70:22 ended 16:1 enforcement 10:4 engagements 16:19 engineering 70:18 ensure 24:21 ensured 36:24 entendola 70:8,23 71:10</p> | <p>enter 39:22 45:20 50:16 51:5 entitled 23:1 entity 24:18,19 25:9,17 45:8,24 entity's 25:15 environment 67:17 environmental 49:19 50:3,4 equal 46:18 error 6:20 69:11 essex 6:5 9:8 15:13 17:8 46:21 52:22 53:10 establish 24:21 50:3,15 established 36:19 36:21 establishes 24:15 evans 1:17 2:16,17 3:5,7 4:13,20,23 5:3,8,12,15 9:16 10:1,3,7,17,21 11:11,19 12:9,16 12:24 14:5,7,13,16 14:20 15:21,22 17:17,18 19:10 21:19,20 22:22,23 23:12,13,16,17,24 24:3,8 26:7,8,14 26:16,24 27:3,10 27:14,22,24 28:5 28:13,17,20 29:3 29:14,18,25 30:16 30:19,22,24 31:6 31:10,17,22 32:1,3 32:5,8,10,12,19 33:1,3,5,21 35:11 35:22 36:1,7,10,15 36:18 37:7,12,18</p> | <p>37:20,22,24 38:1 38:10,16,18,21,23 39:1,3,7,9,15,23 40:5,9,13,15,19 41:1,4,6 42:3,7,8 42:11,15,16,19 43:17,19,21,25 44:4,5,8,12,13 46:3,6,7 47:16,19 47:20,24,25 48:18 48:19,22 50:10,11 50:14 51:15,16,19 53:5,6,22,23 55:12 55:15,18,22 56:4 56:11,13,15,19,21 56:24 57:3,5,13,16 57:22 58:1,5,11,13 58:17,22 59:1,4,7 59:11,14,16,18,20 59:22,24 60:3,6,10 60:13,15,18,20,23 61:15,19,23 62:2 62:12,18,21 63:2 63:18,20 64:20 66:6,11,14,22,24 68:24 69:5 70:3 71:14,17,18,19 evening 20:8 54:20 66:12 event 25:12,21 49:17,23 everybody 31:20 71:21 everybody's 36:20 exact 26:18 exactly 36:9 37:24 37:24 43:21 56:11 58:12 example 9:9 exceed 25:13 45:6 48:6</p> |
|---|--|--|--|

| | | | |
|--|---|--|--|
| <p>exception 12:12 excluded 47:5 excuse 50:14 62:22 64:5 66:6 excused 2:15,19 execute 28:9 41:13 41:14,16 48:12 50:1 55:22 executed 41:17 execution 25:14 41:10 48:23 executive 4:19 14:25 15:1,14,15 exempt 24:18 30:3 31:11,13 exemption 25:7,8 25:22 27:5,6,10,11 41:5,9 existing 6:1,20 7:11 36:7 exists 36:25 65:1 65:16 expand 36:22 37:13 expectation 10:3 36:21 expected 28:19 expeditious 22:15 54:17 expendable 70:1 expenditures 8:3 8:10 expenses 11:4 explain 31:1 extent 25:14 extra 39:2 extraordinary 14:4 17:10</p> | <p style="text-align: center;">f</p> <p>f 72:1 face 19:11 facility 31:8,11 36:3 fact 5:24 41:8 50:3 57:17 62:7,14,14 fair 4:4 44:22 families 6:3 family 5:23 6:8 19:25 20:1,20 71:8 fancy 19:22 far 11:25 35:20 65:18 faster 38:6 favor 54:25 february 7:17 8:20 fee 5:24,25 6:1,23 9:12 feel 58:19 fees 3:9,10 6:18,21 7:11,11,15,16 9:11 9:13,18,20,22,23 10:8,9 11:12,14,22 12:7,13,18 14:10 23:2 fellow 20:13 field 44:25 fifty 29:7,21,22 fight 69:16 figure 7:12 33:7 file 2:10 45:25 filming 70:12 final 23:6 finance 21:11 financial 24:16 25:11,12,16,18,24 26:1 41:10 45:17</p> | <p>financing 3:17 24:21 39:24 find 10:11 fine 7:12 24:3 finish 57:5 65:12 firm 70:18,18 first 6:21 18:25 19:19 five 3:4 16:24 25:13 26:9,22,22 27:4,4 29:6,7,21 29:21 30:17,21 36:5 37:1,9,15,17 37:18,19 54:9 67:5 68:21 fix 6:20 fixed 27:3 67:11 67:12 flooding 60:8 floor 19:8 following 20:10 51:22 footprint 36:22 foregoing 72:3 forth 25:8,11 forum 57:20 69:9 forward 40:24 67:21 68:13 four 19:17 29:7 freeze 30:15 31:18 31:19 friday 52:2,5,8,11 52:14 friends 20:20 front 67:8 frozen 30:17 full 27:18 29:3,3 37:2 43:1 67:3 69:7 fully 41:17</p> | <p>fund 10:13 fundamentally 67:14 funds 45:15 further 22:6 23:5 25:21 26:17 36:22 45:23 47:3,7,10 54:8 future 17:23 41:17 43:20 49:23 63:18 70:22</p> <p style="text-align: center;">g</p> <p>g 2:1 gate 40:16 gauge 28:6 general 10:12,13 47:5 generate 26:21 36:5 generated 65:6 getting 36:20 40:7 40:9 63:5 girls 17:24 give 13:17 16:7 19:20 20:3,22 26:18 31:2 35:2 given 18:16 24:18 27:7 33:19 gives 20:14 go 2:25 3:14 4:10 4:17 5:24 6:2 7:19 9:1 10:12 14:10 14:24 15:1 21:4 24:10 27:6 30:13 34:17 38:10 40:16 40:24 43:1 57:18 58:22 65:18 68:13 69:10,18 god 18:18 20:16 20:19</p> |
|--|---|--|--|

| | | | |
|--|--|--|---|
| <p>goes 49:1 going 2:25 4:19 7:2 8:6,12,21 9:14 9:17 11:10,20,20 11:21 12:19 13:2 16:7,9 17:15 19:4 21:4 28:10 29:1 33:18 34:12,19 35:5,8,21 37:13 39:11,11,21 40:7 40:16,17,20,24 41:15 55:7,16,20 56:1 60:8 63:12 67:13,15 68:21 70:14 71:3 good 3:23 5:6 14:11 18:23 20:14 62:18,21 70:21 71:21 goods 50:24 governing 63:8 government 46:12 46:22 grand 21:14 grant 12:12 47:2,6 47:9,11,12 granted 22:6 25:9 54:8 63:12 64:16 great 12:19 19:11 31:2 70:11,12,24 greater 59:3 green 29:13 ground 39:10 group 17:24 45:3 45:7,13,21 58:1,1 61:7 63:17 growing 71:2 guarantee 8:11 guiding 17:10 guys 40:23 70:24</p> | <p style="text-align: center;">h</p> <p>hackensack 27:20 haines 4:5 45:3,7 45:13,21 half 6:15 hall 2:10 53:15 71:5 hand 16:7 happen 43:13 happens 62:20 hard 70:15,19 headquarters 20:11 hear 65:20,21 heard 24:24 43:23 63:12 66:21 68:16 70:5 hearing 3:16 13:12 24:8,12,23 40:2,14 42:2 43:22,25 hearings 3:13 23:16 held 23:7 52:2,5,8 52:11,16 help 17:24,25 18:4 20:10,13 60:8 69:15 helpers 20:13 herald 2:8 hereinafter 50:18 hero 18:12 heroes 18:11 hide 61:19 hiding 61:18 high 11:14 12:11 14:10 51:23 68:18 higher 9:11 highest 17:1 highlighted 7:9</p> | <p>highly 16:22 hired 65:7 hoffmann 48:24 49:7,18 50:2 homeowner 69:22 homeowners 30:21 31:4 68:23 69:17 homesharing 52:13 honored 16:4 hopefully 38:6 hoping 56:12 hospital 38:14 hot 70:20,20,20 hours 11:1 house 19:25 20:6 20:10 houses 20:5 huge 33:16 63:18 huh 27:23 33:21 hundred 26:6,8,22 26:23 29:9 37:1 67:5 68:21 husmc 27:20</p> <p style="text-align: center;">i</p> <p>idea 10:21 ii 25:7 immediately 51:9 impact 13:1 30:6 impacted 18:13 implication 61:9 importance 16:19 important 38:2 49:23 impressed 12:17 improvements 25:10 inaudible 18:6 19:16,18,18,19,22 19:23,24,25 20:1,1</p> | <p>20:2,2,3,4,5,5,6,9 20:11,16 27:18 28:11,25 29:10 30:11 31:13 48:4 70:25 incentive 4:6 47:1 47:9,11 included 42:21 47:12 increase 6:6,11 11:20 30:23 increasing 5:16 6:8 7:2 9:11 incrementally 14:8 indicating 45:5 indiscernible 3:25 4:14 5:1,2,9,16 6:10,22 8:18,23,24 9:16 10:13 12:21 12:25 13:4,5,7 14:22 15:1,2,9,10 15:11,14,15,16,17 15:18 18:21 22:13 26:9,17,17,18 29:4 29:15 30:13,14,14 30:19,21,23 32:23 32:24 33:23 34:16 35:10,11 36:3 37:25 39:8,12 41:23,24,25 42:1 42:24 43:1,2,3,4 48:1 49:14,15 50:14 54:15 56:13 56:19,20,21,24 57:3,11,13,14,17 57:22 58:8 59:11 59:14,18,19 60:6 61:1,2,7,8,9,10,12 62:22 65:2,3,4,5 66:3,8,13,14,17,20</p> |
|--|--|--|---|

| | | | |
|--|---|---|---|
| <p>68:1,2,2,3,3,17 69:3 70:18,25 71:4 individual 17:22 18:7 22:8 54:10 individuals 18:12 inferring 57:1 informed 57:8 input 63:24,24 insertion 4:6 46:13,18,23 inside 28:22 inspecting 70:17 inspections 9:25 insurance 11:4 interest 22:14 54:16 interim 35:18,19 35:20 40:15 interior 28:23 interviews 69:8 introduction 3:8 22:24 introductions 22:21 inventory 65:24 67:3 invest 17:22 18:23 investigated 67:2 investing 9:19 17:23 invited 67:22,24 involved 41:18 iron 16:13 issuance 43:6 48:2 issue 33:16,17 42:24 48:5,12 49:9,17 52:24 issued 7:25 27:8 42:25 43:8</p> | <p>issues 2:7 35:1 it'll 4:16,23 item 46:13,18,23 46:24 items 7:9 21:24 22:18 46:14</p> <p style="text-align: center;">j</p> <p>j 1:17 jamborees 16:25 jersey 1:1 15:14 17:9 45:4 46:21 50:22 52:23 53:11 53:15 jersey.org 41:22 joan 16:14 job 1:25 20:1 70:11,12 jobs 11:16,16 70:17 joe 13:4 joined 19:16,19 joint 32:12 joseph 1:19 julio 16:5,12,16,24 17:4,9 jump 33:11 jumpsuit 19:23 june 16:12</p> <p style="text-align: center;">k</p> <p>keep 10:22 29:9,22 56:5 69:16 keeping 9:23 keeps 69:23 kennedy 53:15 kind 8:10 31:3 32:16 33:10,10 kindly 67:23 kingsland 40:18 40:19</p> | <p>know 2:25 4:19 8:15 9:20 10:22 11:15,25 14:4 28:9 30:15 31:4 33:6 34:1 36:13 36:17 37:13,13 43:12 55:19,23 58:5,23 61:10,17 64:8,22 65:23 68:20 69:13 70:25 known 24:13 50:4 50:18</p> <p style="text-align: center;">l</p> <p>l 1:18 labor 7:20 lagging 11:24 laid 67:9 lakeside 25:2 54:21 land 26:1,11 36:8 36:11 37:1 landry 25:2,2,6 26:10,15,21 27:1,9 27:11,19,23 28:1 28:12,15,19,24 29:11,17,20 30:12 30:17,20,23 31:1,9 31:15,21,24 32:2,4 32:6,9,11,14,16,22 33:6,9,12,14,16,22 34:1,4,9,16,21,25 35:6,9,11,20,25 36:4,9,13,17 37:5 37:9,17,19,21,23 37:25 38:9,13,17 38:19,22,25 39:2,4 39:8,13,20 40:4,8 40:11,14,18,22 41:2,5,19,25 54:21 54:21 55:5,16,20 56:1,4,9,12,14,17</p> | <p>56:20,22 57:1,4,12 57:14,20,24 58:4,9 58:12,15,20,23 59:2,4,6,10,12,15 59:17,19,21,23 60:1,5,7,11,14,17 60:19,21 61:13,17 61:20,21,22 62:1 62:10,17,19,23,24 62:25 63:1,14,16 63:21 64:4,8,11,13 64:16,18,23 65:4,5 65:8,10,20,22,23 66:10,13,15,16,17 66:19 large 7:24 8:5,16 11:16 17:24 58:1 larger 7:25 laroche 48:25 49:7 49:18 50:2 70:25 laughter 71:6 law 2:6 15:7 23:5 25:15,19 27:5,6 41:8,9 46:15 48:7 48:13 51:8 56:6 58:24 62:3,13 lead 50:19 leader 16:24 17:2 leaders 69:24 leadership 18:1 learn 61:11 leased 32:1,2 39:4 39:5 leave 20:22 ledger 2:8 lessee 32:15 lessor 32:4 level 16:23 39:10 67:7 library 29:13</p> |
|--|---|---|---|

| | | | |
|--|---|--|---|
| <p>license 51:23 52:1 52:4,7,10,13,15 licenses 52:23,25 lieu 24:17 26:5 29:21,23 life 17:22 20:14 lighting 11:5 lightly 18:12 limit 22:7 54:9 limited 48:8 linked 42:23 links 67:14 list 9:7 13:8,18 21:10 listening 17:20 60:24 litigation 15:3 little 8:3 19:4 20:3 20:3 59:2 live 18:15 lived 16:13 19:20 lives 18:13,15 llc 45:3,21 local 11:6 27:5 46:12,22 51:7 69:18 70:2 long 25:17 27:5,6 27:6 35:20 67:11 67:18 68:8 longer 35:23 62:16 look 6:14,21 8:8 38:1 looked 11:22 looking 7:23,23 34:9 38:8 40:8,11 losing 8:12 11:10 loss 33:16 35:17 35:19 lot 8:12 9:19 34:18 39:21 40:1,21</p> | <p>louisiana 60:9 love 71:1 low 6:12 69:16 lower 6:15 11:21 11:23 12:7,13 14:10 30:1 lowest 6:5,5 9:14 9:15 43:7 ltte 25:14,19 27:5 luck 70:21 lyndhurst 13:3</p> <p style="text-align: center;">m</p> <p>madam 2:3,14,18 2:22,24 21:4,8,9 21:17,19,21,23 22:1,2 23:10,12,14 23:25 24:7 42:5,7 42:9,13,15,17 44:2 44:4,6,10,12,14 46:2,4,6,8 47:15 47:17,19,21 48:16 48:18,20 50:8,10 50:12 51:13,15,17 53:3,5,7,20,22,24 54:2,4 71:15,17,20 71:22 major 41:7 42:1 44:18 62:22 majority 17:22 22:13 54:15 making 12:6,8 43:9 45:13 60:7 60:12 61:23 man 19:17,24 20:14 70:14 manage 11:12 managing 10:22 manpower 10:18 marks 6:22 mary's 19:21 52:7 52:10</p> | <p>master 16:21 matching 47:10 matter 49:21 matters 67:20 mature 70:13 maturity 43:1 mayor 1:19 2:20 2:21,24 3:23 4:1,8 4:18,21 5:1,4,15 5:21 6:6,9,11,16 6:25 7:3,7,10 8:19 9:2,24 10:2,6 12:1 12:20 14:2,6,18,22 14:24 15:4,8,23,24 16:3,9 17:15,20 18:8,20 19:8 20:19,25 21:4,8,9 21:21,22,23,24 22:9,9,12,17,20,23 23:14,15,22 24:1,5 24:6,10,23 25:5 32:16,23 33:4,8,10 33:13,15,24 34:2,5 34:14,14,17 41:12 42:9,10,17,18 43:14,18,20,22 44:6,7,14,15 46:8 46:9 47:21,22,23 47:24 48:11,20,21 50:1,12,13 51:4,17 51:18,19,20 53:7,8 53:24,25 54:4,11 54:11,14,19,22,25 55:2,4 61:20,22 62:25 63:3,15 64:3,5,9,12,15,17 64:19 65:3,5,9,11 65:21 66:16,18,20 66:23 68:15,19 69:3 70:4,11 71:7 71:12,20,21</p> | <p>mean 12:22 14:3 27:19 33:9 36:17 38:19,20 56:1 68:6 meaning 17:12 means 18:1 42:25 mechanism 43:18 medical 3:17,18 3:20 24:13 27:14 27:22,24 28:1,2 31:12,22,25 32:13 32:20 34:6 35:8 38:4 39:5 40:25 meet 4:19 meeting 1:4 2:4,6 2:7 3:2 15:7 16:2 20:21 23:20,23 24:4 26:12 54:2 56:3 61:24 70:12 71:23 meetings 54:23 55:9 61:14,21 62:3 67:24 70:13 71:4 meets 69:10 member 17:4,5,6 18:1 22:10 54:12 members 19:18 20:20 22:9 54:11 membership 22:13 54:15 memory 62:18,21 men 18:14,24 mention 58:18 62:4 mentioned 69:15 merchandise 52:5 52:8 met 8:17 33:17 67:25</p> |
|--|---|--|---|

| | | | |
|---|--|---|---|
| <p>michael 68:17 microphone 22:4 54:6 mid 16:1,2 million 26:12,20 26:21 48:4,6 mind 55:24 minus 69:11 minute 4:24 minutes 4:17 16:2 20:22 22:7 54:9 55:10,14 61:13,16 61:24 62:4,5,7,11 62:17 63:9 monday 51:25 money 12:7,8 64:7 64:13 69:22 montclair 45:4 month 28:25 months 45:2 motion 14:24 15:4 42:1 71:12,13 move 21:15 22:20 23:3,8 24:5,9 40:24 42:3,11 44:8 46:1 48:14 50:6 51:11 53:1 53:18 moved 47:14 moves 28:2 moving 16:14 28:4 municipal 2:11 10:12 22:15 29:13 47:10 51:4 52:19 52:24 54:17 municipalities 9:7 11:23 municipality 9:8 46:14 49:12</p> | <p style="text-align: center;">n</p> <p>n 2:1 72:1 n.j.s.a 51:3 n.j.s.a. 44:23 46:11 name 22:4 27:21 54:7 nation's 18:11 national 16:25 nature 67:11 near 41:16 necessary 43:7 need 9:21 14:24 20:6,10 24:20 36:22 39:9 44:21 47:15 48:11 49:3 57:18 61:12 67:20 negative 13:1 neglia 70:18 negotiating 30:2 negotiations 15:2 30:10 49:10 neutral 10:5,23 new 1:1 5:25 15:13 17:9 41:21 44:24 45:4 46:21 50:22 52:23 53:10 53:15 newark 16:13 news 2:8 night 71:21 ninth 55:6,7 60:8 60:12 nj.ord 25:4 non 4:4 31:9,10 35:3,10 43:2 44:22 48:2,9,10,23 50:2 normal 29:20 30:3 normally 3:14 29:10 31:11</p> | <p>note 12:6 noted 60:14 notice 2:6,9 23:5 54:3 november 8:7 51:25 52:16 number 11:8 24:9 24:24 26:7,13,18 27:2,3 30:1 37:15 43:23 44:19 numbers 12:22 13:9 23:19 nutley 1:1 2:8,10 3:14 9:18 11:23 15:13,18 16:14 17:4,8 18:5 19:1 19:14 23:1,4 24:22 25:4 26:18 26:22 29:8,11 30:6,13,20,20 31:5 32:7 36:24 41:21 45:11,20 46:20 48:3,24 51:2,23 52:1,4,15,22 53:10 53:13,15 54:24 55:9,17 56:23 58:7 61:2,4 63:22 66:1 67:16 68:25 71:2 nutley's 9:18 31:12</p> <p style="text-align: center;">o</p> <p>o 2:1 72:1 object 59:7 objected 49:7 objection 49:8 obligation 25:22 48:8 obtain 24:21 obviously 11:12 35:17 40:23</p> | <p>occupancy 25:16 27:13 28:19,25 occupies 27:15 occupy 28:11 32:20 occur 34:19 35:5 october 52:2,5,8 52:11 offered 50:19 office 2:11 officer 45:17 official 27:21 oh 68:16 okay 4:8 6:25 7:7 14:8 19:5 26:10 27:1,9,11,19 28:1 28:24 29:11 30:12 30:14 32:6,14,22 33:6 34:13,21 35:25 36:1 37:21 37:22 38:22 40:4 40:22 41:19 42:19 47:25 57:6,24 62:1,24 63:24 64:1 66:10 69:12 once 27:14 28:1,8 31:17 36:19 37:3 41:20 42:25 43:1 one's 4:4 ongoing 3:20 online 69:7 op 3:22 51:6,6 open 2:5 4:4 15:6 24:23 43:22 44:22 54:2 55:13,16 59:2 62:3 69:9 opened 53:17 operating 35:14 operational 34:12 operations 47:5</p> |
|---|--|---|---|

| | | | |
|--|--|--|--|
| <p>opinion 34:6 58:13 opinions 67:6 opportunity 38:5 41:23 65:2 67:8 68:7 opra 62:11 65:25 opra'd 62:11 65:13 order 4:17 30:9 35:13 49:9,19 50:2 ordered 13:7 ordinance 3:8,12 9:10 13:3 22:21 22:24,25,25 23:3,6 24:9,11,15,20,24 25:3 26:4 41:1,4,6 41:21 42:11,20,20 43:11,16,23 44:8 45:16 ordinances 3:13 23:18,21 71:1 organizations 51:22 origin 49:1 originally 49:2 outlines 16:10 outside 63:17 70:15 outstanding 18:6 18:24 overall 30:4 33:20 33:25 oversight 12:18 owens 44:24 owners 69:15</p> | <p>page 6:21 25:3 paid 29:7,8 35:15 43:10 64:2,24 65:1 66:3 pamela 72:3 park 39:18 parking 39:10,13 39:16,19,21 40:21 parks 21:13 44:20 part 9:16 16:21 36:14 40:2 63:18 64:2,24 66:2 67:22 participation 50:19,23 particular 24:15 63:8 parties 29:25 41:13,17 pass 40:23 passage 23:6 51:10 passed 23:3 71:1 pat 5:4 10:9 14:19 patient 68:11 pause 4:25 5:7,14 19:7,9,12 20:18,24 21:3,7 22:19 25:1 70:10 pay 27:18 37:2,3 paying 9:19 29:1 31:13,14,15,20 32:6,21 33:4 payment 11:6 24:17 26:5,9 29:21,23 43:5</p> | <p>people 19:23 20:6 20:13 33:17 37:14 39:20 57:15 58:7 60:1 65:1 68:10 68:21 percent 11:5 26:20 27:4 29:9 30:14 30:18 37:17,18,19 69:11 perfect 38:3 performance 50:24 period 12:5 periodically 9:22 perkins 38:7 permission 23:20 24:5 permit 8:18 permits 7:24,25 permitted 8:6 25:14 person 10:25 11:2 22:7 54:9 personally 32:18 personifies 17:12 personnel 10:2 persons 22:2 54:5 petracco 2:18,23 petracco's 3:1 ph 4:14 63:23 70:8 70:18 phase 24:13 25:10 25:17,20,20 36:2 phases 36:2 picked 16:2 68:23 pictures 17:17 piece 5:17 place 14:11 24:20 30:5,15 31:4 39:18 45:4 51:24</p> | <p>placed 27:8 45:25 plan 64:25 65:4,10 66:3,7,9,15 plan's 39:16 planning 55:1 plans 37:14 please 5:4,5 54:3 pleasure 70:15 pledge 2:2 plus 4:18 8:2 31:4 38:8 69:11 point 6:19 14:15 70:3 pointing 56:5 points 62:8 police 52:19 polite 56:5 political 45:11 portion 54:1 portland 45:4 positive 18:16 possible 10:5,23 43:7 69:17 possibly 11:14 posted 2:9 prefer 4:16 preferred 30:1 premise 31:7 52:5 52:8,11,16 premises 25:20 51:24 52:2 prepare 65:9 present 2:22 10:11 20:11 56:15,16,17 presentation 19:5 presiding 22:12 54:14 press 44:24 prestigious 16:22 pretend 65:19</p> |
| <p>p</p> | <p>payments 11:5 payroll 21:14 pays 33:3 37:1 penny 25:2 54:21</p> | | |
| <p>p 1:19 2:1 p.m. 53:16 pace 9:23</p> | | | |

| | | | |
|---|--|---|---|
| <p>pretty 12:22 prevailing 53:16 previous 45:12 pricing 3:21 50:16 50:17,23 51:5,6 principal 48:3 prior 26:2 prism 32:5,6,14 private 11:6 probably 6:4 8:6 9:14 15:2 problem 64:23,24 proceed 23:20 proceedings 1:5 72:5 proclamation 3:1 16:10 produce 62:5,12 62:13 produced 62:6 65:19 professional 4:4 44:21 70:13 profit 31:9,10 35:3 35:10 program 4:7 47:1 47:9,12 prohibit 45:12 project 8:16 9:19 25:10,17,20 34:5 projects 8:5 properties 5:17 property 21:13 24:13 25:21,22 28:21,22 29:4 30:3,8,13 32:2 33:20,25 34:3,7 35:23 36:4 38:6 38:12,15 44:21 49:3,13,19</p> | <p>proposal 45:5 proposing 5:25 proud 17:4 18:7 71:8 provide 22:4 45:5 54:7 provided 25:11,20 65:13 provides 46:11 providing 68:12 provision 47:2 49:6,22 50:24 51:3 provisions 42:21 44:23 51:7 public 1:4 2:3,5,6 3:13,16 13:12 15:6,7 21:11,12,12 21:13,24 23:16 24:8,12,23 40:2,14 42:2 43:22,25 44:20 51:8 54:2 55:13,17 57:18,19 57:20 62:3,14,16 63:8,10 published 2:7 pull 40:20 purchase 53:12 purchased 31:25 purpose 47:13 61:1 pursuant 2:5 44:23 47:2 48:6 51:3 put 24:1 puts 43:12 putting 66:7 67:12</p> | <p>questions 12:20 15:8 19:24 26:3 40:1 66:11 quite 7:24 18:6 38:21 65:21 quorum 56:7 61:25</p> <hr/> <p style="text-align: center;">r</p> <hr/> <p>r 2:1 72:1 raffle 4:10 51:21 51:24 52:2,5,8,11 52:16 raise 11:13 67:16 raised 7:15 random 68:24 range 6:17 ratable 33:16,17 34:11 ratables 33:19 rate 29:1 reach 61:6,6,7,7 reaching 9:8 61:2 61:3 read 3:15 4:1 16:9 25:3 41:23 44:16 53:17 54:3 reading 23:4,7 26:5 realize 12:17 really 14:11 21:1 38:20 reason 31:2 reasonable 9:5,18 12:22 14:3 reasonably 8:10 receive 25:15 65:6 received 17:1 51:21 53:13 65:14 recognition 16:25 recognize 70:7</p> | <p>recognized 16:23 17:9 recommendation 64:17,18 recommendations 67:10 record 22:5 24:2 54:7 66:25 68:9 68:14 72:4 recourse 43:2,4 48:2,10 recruit 19:23 recycling 4:11 53:13 redeveloped 34:8 36:12 redevelopment 24:14 26:2 33:22 34:10 42:24 48:2 48:7 49:3,9 56:22 reduce 30:7 69:20 reenact 55:2,2 referred 49:3 regarding 22:3 35:2 54:6 regular 29:1 regularly 61:8 relate 3:19 related 25:19 48:13 relates 24:13 relating 3:13 40:14 remains 25:17 remarkable 17:21 remarks 22:8 54:10 remediation 49:12 remember 19:21 38:7</p> |
| | <p style="text-align: center;">q</p> <hr/> <p>question 35:12,14 36:13 38:13 66:10</p> | | |

| | | | |
|---|--|--|--|
| renewal 24:19 renovations 28:21 28:23 rent 35:2 report 9:1 10:25 11:7 12:6 reportable 45:10 45:13 reports 38:7 request 41:20 55:6 55:6,7 56:18 58:16 60:1,4,8,12 60:15 63:11 64:13 64:16 requesting 57:4 58:24 requests 46:21 required 23:5 61:15,16,17 62:13 63:9,9 requirement 61:24,25 requirements 2:5 rescue 17:5 research 9:7 36:3 resell 35:9 residential 3:10 5:18 6:3 residents 24:24 29:8,12 57:10 58:7 67:5 resolution 44:19 45:18,25 46:10 48:1,4,22,23 49:1 49:16 50:1 51:9 53:1,18 resolutions 3:19 4:2 44:17 resolved 17:7 45:19,23 46:19 47:3,7,10 51:1 | 52:21 53:9 resolves 49:16 respect 17:24 25:9 respectful 56:5 respectfully 58:21 responses 4:12 responsibility 17:25 responsible 51:7 rest 18:15 34:11 38:15 result 47:8 resulting 25:21 results 65:24 retail 67:3 68:6 retained 65:15 revenue 4:6 8:13 10:13 21:11 36:5 46:23 47:1 revenues 8:3,9 47:8 reversed 6:24 reviewed 52:18,19 revised 6:23 7:10 reward 19:15 right 2:25 4:22 5:2 5:12,22 7:1 9:24 10:1 11:16,19 13:10 14:21 16:7 19:10 21:5,5 27:16 29:17 31:7 31:11 32:7 33:12 33:22 34:4 35:16 35:18 36:7,20 37:13,21 38:8,9,16 38:25 39:18 40:17 40:20,22 41:4,6 43:21 56:11 58:2 58:24 59:8,13,16 59:23 60:13 62:18 62:24 65:18 66:25 | 67:6 69:12,13 road 63:7 roche 8:15 24:14 27:19 33:3,4 35:14 rogers 1:18 2:12 2:13 3:23,24 4:3 15:19,20 18:9,10 21:17,18 23:9,10 23:11 34:14,18,22 35:1,7 42:4,5,6,12 42:13,14 44:1,2,3 44:9,10,11,16,18 46:4,5,10 47:17,18 47:23 48:15,16,17 50:7,8,9 51:12,13 51:14 53:2,3,4,19 53:20,21 67:22 71:13,15,16 rotary 52:1,4,15 roughly 28:18 running 28:7 | 20:25 21:4,8,21,22 21:24 22:17,20 23:14,15,22 24:1,6 24:10,11,23 25:5 32:16,23 33:4,8,10 33:13,15,24 34:2,5 34:17 42:1,9,10,17 42:18 43:14,18,20 43:22 44:6,7,14,15 46:8,9 47:21,22,24 48:20,21 50:12,13 51:17,18,20 53:7,8 53:24,25 54:19,22 55:4 61:20,22 62:22,25 63:3,15 64:3,5,9,12,15,17 64:19 65:3,5,9,11 65:21 66:16,18,20 66:23 68:15,19 69:3 70:4,11 71:7 71:12,20,21 schedule 5:24 scheduled 28:13 school 3:17,18,20 24:13 27:14,22,24 28:1,2,7 31:13,22 31:25 32:13,21 34:6,12 35:8 36:19 38:4 39:5 40:25 51:23 70:14 71:8 school's 35:8 schools 29:13 scout 16:16,17,20 16:23,24 17:1 18:4 scouting 3:4 16:23 17:1,4 18:14 19:16 scouts 16:18,21 17:11 18:5 19:18 |
| | | s 2:1 safety 21:12 salaries 11:3 sampling 69:10 saw 11:12 saying 67:13 says 6:23 14:9 20:6 27:12 40:25 scarpelli 1:19 2:20 2:21,24 3:23 4:1,8 4:18,21 5:1,4,15 5:21 6:6,9,11,16 6:25 7:3,7,10 8:19 9:2,24 10:2,6 12:1 12:20 14:2,6,18,22 14:24 15:4,8,23,24 16:3,9 17:15 18:8 18:20 19:8 20:19 | |

| | | | |
|--|--|--|--|
| <p>sealed 4:10 53:12</p> <p>second 15:5 16:6 21:16 23:3,7,9,22 34:15 41:10 42:4 42:12 44:1,9 46:2 46:3 47:15,16 48:15,22 50:7 51:12 53:2,19 69:14 71:14</p> <p>section 15:6 16:13 25:7 34:2 46:19 47:3,7 61:3</p> <p>secure 41:11</p> <p>secured 43:2</p> <p>secures 43:9</p> <p>see 6:2 18:12 63:21 69:17</p> <p>seeing 12:22 22:20 43:24</p> <p>sense 43:6</p> <p>sentence 16:1,2</p> <p>separately 10:14</p> <p>september 23:7,24 23:25 24:4,7 28:7 28:14,15,25 40:25 52:14 53:16</p> <p>series 30:9 67:9</p> <p>serve 58:7</p> <p>serves 54:25</p> <p>service 17:10,19 18:18 19:3 25:23</p> <p>services 44:22 45:5 46:12,22 50:24</p> <p>serving 17:5</p> <p>session 15:15,16</p> <p>set 25:8,11 27:1</p> <p>seventy 3:4 26:8</p> <p>share 26:19,19 29:9 47:11</p> | <p>shared 63:24</p> <p>shop 67:6</p> <p>short 14:25 39:19</p> <p>shows 6:22</p> <p>side 14:9 30:1 39:14</p> <p>sign 7:21 28:24</p> <p>signature 72:8</p> <p>signed 31:24</p> <p>significant 30:4,10</p> <p>signing 7:20</p> <p>signs 67:12 69:3,5 69:6</p> <p>silver 17:2</p> <p>simple 34:23 57:17 62:14</p> <p>simplest 43:6</p> <p>simply 11:13 36:2 62:5</p> <p>sir 35:6 58:20</p> <p>sit 5:2,4,5</p> <p>site 24:14 37:14</p> <p>sites 5:23</p> <p>sits 56:8</p> <p>situation 38:4 57:21</p> <p>six 69:7</p> <p>sixteen 26:9,22,23 29:6,22</p> <p>sixth 24:6</p> <p>sixty 29:22</p> <p>skaw 72:3</p> <p>skills 16:18</p> <p>sleep 20:8</p> <p>slips 37:8</p> <p>small 11:15 58:1</p> <p>soccer 51:23</p> <p>society 18:2</p> <p>somebody 49:17</p> <p>son's 18:3</p> | <p>sooner 28:17</p> <p>sorry 6:22 33:14 60:24</p> <p>sound 14:3 58:18</p> <p>space 29:13 35:3 67:4 68:6</p> <p>speak 57:10,15 63:6 65:11</p> <p>speaker 5:6,10,19 5:22 6:7,10,13,14 6:17 7:1,4,5,6,8,14 8:20,23,24,25 9:3 10:16,20,24 11:8,9 11:18 12:3,4,14,21 12:25 13:2,6,8,10 13:11,13,14,15,17 13:20,22,24,25 14:1,12,14,17,21 14:23 15:5 21:15 21:16 41:24 68:17 68:20 69:1,12</p> <p>speaking 34:10</p> <p>special 3:18 42:21 42:23 46:13</p> <p>specialized 44:21</p> <p>specific 24:20</p> <p>specifically 24:12</p> <p>spend 67:7 69:21</p> <p>spending 64:6</p> <p>spent 64:1,6,14</p> <p>spoke 36:4</p> <p>spoken 57:12,14</p> <p>spreadsheet 13:5 13:18</p> <p>squad 18:25 19:19 20:4,20</p> <p>square 17:5</p> <p>st 19:21 52:7,10</p> <p>stage 8:16</p> <p>stand 16:6</p> | <p>standard 69:10</p> <p>star 2:8</p> <p>start 27:12,17 28:3 31:7 68:12</p> <p>started 16:17</p> <p>state 8:9 9:1 10:4 12:18 15:13 17:9 30:5 50:22 52:23 53:10</p> <p>stated 35:13 66:2</p> <p>statement 57:6 59:8</p> <p>statements 60:25</p> <p>statistical 69:10</p> <p>status 24:18</p> <p>statute 15:18 47:2</p> <p>stay 11:24 20:21</p> <p>staying 6:3 7:3,4 7:12</p> <p>step 34:14 70:8</p> <p>steven 1:18</p> <p>steward 4:6</p> <p>stewardship 47:1 47:6,9,11</p> <p>store 67:13</p> <p>straighten 33:15</p> <p>strategic 64:4,25 65:4,10,23 66:3,7 66:8,15 67:17 68:8</p> <p>street 8:17 67:12 68:18 69:8</p> <p>streets 68:25 69:2</p> <p>structure 35:17</p> <p>students 39:12</p> <p>study 64:20</p> <p>subject 12:17 25:18 31:14 49:11</p> <p>submitted 45:4,8</p> <p>substantially 27:15,16</p> |
|--|--|--|--|

| | | | |
|---|---|---|--|
| <p>sum 45:6 46:24 47:3</p> <p>summary 62:8</p> <p>summer 70:19</p> <p>sun 2:8 23:4</p> <p>supplied 62:11</p> <p>support 20:1 55:1 69:17 71:3</p> <p>supporting 70:2</p> <p>sure 4:3 8:15 9:17 9:22 10:17 29:25 34:17 43:9 60:6 67:2,16</p> <p>surface 39:10,10</p> <p>survey 64:2,2 65:24</p> <p>surveyed 67:5 68:25</p> <p>survival 16:18</p> <p>system 50:16,23 51:6</p> | <p>tax 24:17 25:21,22 26:11,15 27:5,6 29:1,4,16 30:15 31:14,16,20 32:7 35:4,15 36:5 37:2 41:2,9 64:1 69:16</p> <p>taxation 25:7,8 26:10 41:5</p> <p>taxes 10:22 24:18 24:22 26:1,6 29:9 29:19,21,24 30:4,7 30:13 31:11 32:21 35:17,19 36:11 41:11 43:9</p> <p>taxing 24:17 35:17 43:8</p> <p>taxpayers 24:22 36:25 41:22</p> <p>technical 49:16</p> <p>tell 9:13 58:17</p> <p>ten 35:2 36:9 37:10</p> <p>tenant 35:3</p> <p>tenure 16:20</p> <p>term 25:12 27:5,6 39:19 43:1 45:1 45:14 67:11,18 68:8</p> <p>terms 25:11</p> <p>thank 2:24 14:17 14:18,18,19 17:18 18:3,7,8,18,20 19:2,13 20:6,12,25 22:23 25:6 41:19 47:23 51:19,20 55:5 60:17 66:19 68:15 70:4,21,23 71:8,10</p> <p>thereof 25:14 46:15</p> | <p>thing 7:8 12:12 31:23 59:8 69:14 70:25</p> <p>things 10:11 18:21 34:19 35:5 41:7 67:2,15,20</p> <p>think 3:4 6:19 7:12 14:2,2,14 20:9 32:17,19 35:23 36:15 39:23 49:14 56:2 60:21</p> <p>third 3:20</p> <p>thirty 25:13,15</p> <p>thomas 1:17</p> <p>thought 19:14 31:15 39:13 49:12</p> <p>thoughtful 68:12</p> <p>thousand 16:21 17:11 26:9,23 31:4</p> <p>thousands 18:13 18:14</p> <p>three 3:13,19 12:5 12:15 22:7 25:3 26:6,8 35:21 48:10</p> <p>thursday 52:16</p> <p>time 2:4 7:15,24 11:22 15:16,25 18:23 19:2 22:6 28:23 32:20 33:1 33:11,11 43:20 46:16 48:11 49:5 53:16,17 54:8 57:11,15 58:18 63:13 65:25 66:18 68:11 71:22</p> <p>timeline 28:5 32:17 33:19 34:10 37:7</p> | <p>today 8:17 9:10 17:23 33:18 36:25 39:7,9 68:2</p> <p>today's 37:1</p> <p>tom 9:6 13:4</p> <p>tonight 3:6,8 21:1 22:24 24:12 26:4 40:23</p> <p>topic 39:23</p> <p>total 21:13,14 26:9 29:14</p> <p>town 2:10 18:17 18:19 19:20 33:17 38:3 41:12 58:25 58:25 67:5,15,17 68:4 69:4,5,6,15 69:17,19,22,24,24 70:2 71:5,8</p> <p>towns 13:20</p> <p>township 1:1,20 15:13,17 17:8 19:14 23:1 43:4 45:11,20 46:20 48:3,24 51:2 52:22 53:10,11,13 53:15 63:22</p> <p>track 10:14</p> <p>tracked 10:9</p> <p>transaction 49:10</p> <p>transcript 1:4 72:3</p> <p>transparency 59:6 59:17</p> <p>transparent 61:10 61:14</p> <p>treasure 19:2</p> <p>treasurer 7:21</p> <p>tried 12:4</p> <p>troop 16:17,17,22</p> <p>true 17:12 64:3,5 72:4</p> |
| t | | | |
| <p>t 72:1,1</p> <p>table 8:5,8</p> <p>tabled 23:19</p> <p>take 3:3 4:16,23 11:3,5 20:3 28:23 41:2 51:9 54:23 55:18,20 62:17 64:20</p> <p>taken 49:2</p> <p>takes 10:25 31:19 70:1</p> <p>talk 57:8 63:3</p> <p>talking 8:19 10:9 12:23 31:17,18,23 33:24 34:2 36:1 38:11,15 40:5 41:11 68:22</p> <p>taught 16:18</p> | | | |

| | | | |
|---|--|--|--|
| <p>truly 17:21 19:1 trust 69:21 try 19:16 33:15 trying 19:23 20:8 33:6 tucci 2:14,23 tucci's 4:2 44:17 tuesday 2:4 21:10 turn 40:17 twelve 26:21 45:2 twenty 67:5 68:21 two 3:19 4:2,24 5:23 6:3,8 16:1 26:8 31:3 36:2 37:10 38:23 41:7 48:8 60:11 69:11 type 11:15 12:10 57:20,21</p> | <p>uniform 8:1 23:2 uniforms 19:22 units 50:15 unknown 36:17 unnecessary 49:25 unsung 18:11 updating 13:23 uploaded 41:21 urban 24:18 use 12:14 18:11,12 uses 38:12</p> | <p>24:24 43:15,23 49:17,20 60:14,18 60:19,23 61:5 63:2,15,23 65:12 65:16 66:24 68:9 68:14,16,20 69:14 69:14 wanted 13:4 19:19 33:13 69:13 wanting 40:6 wants 8:9 wasted 68:10 watching 70:24 71:4 way 39:23 we've 7:16 36:24 36:24 41:11 48:9 58:3,3 63:11 weather 70:20 website 41:22 wednesday 53:16 weeks 60:11 69:7 welcome 14:23 20:21 went 20:4,9 30:9 white 19:22 wife 16:14 wishes 19:13 witnessing 70:15 wonderful 38:5 word 18:12 words 17:16 work 11:1 67:1 70:15,19,24 working 36:20 70:17 works 20:2 21:12 64:22 wrong 5:21 56:16 57:2 58:19,23 59:13 60:22</p> | <p style="text-align: center;">y</p> <p>yeah 3:7 4:20,23 5:3 6:13 7:5 8:25 10:6,16,20,24 11:11 12:3,9,9,14 13:6,14,15 14:1 23:17 24:3 26:14 28:20 35:25 37:7 38:2 40:11,13 year 7:17,18 8:4,7 8:12 11:7,20,21 12:5,12,15 25:22 27:10,11 28:14 37:8 45:12 46:23 years 3:4,4,11 12:1 16:11,13,18 17:3,5,6,11 18:22 25:13,15 27:2,4,7 27:7 30:21 35:21 36:5 37:5,9,15 38:8 43:10 58:9 70:24 yellow 5:25 6:1 7:9 69:6 young 16:18 17:11 17:23 18:14,23 70:14</p> |
| u | <p style="text-align: center;">v</p> <p>valorem 29:4,16 29:20 31:14,16,20 32:7,21 37:2 valuable 38:3,12 68:10 value 26:19 45:25 various 4:9 venture 32:8,10,11 32:12 43:3 versus 9:12 11:16 vesting 9:19 video 60:25 volatility 11:16 volume 11:15,15 11:16 voluntary 50:19 volunteerism 17:13 vote 18:7 40:24 voted 64:21 vtnj 1:25</p> <p style="text-align: center;">w</p> <p>wait 63:1 walk 17:20 walking 69:1 want 4:21 6:19 9:17 11:21,24 14:7,9 18:3 24:1</p> | <p style="text-align: center;">z</p> <p>zero 7:2 zoning 8:2 10:8,11 10:18 11:2</p> | |