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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

)  
) PUBLIC MEETING ) TRANSCRIPT OF  
) ) PROCEEDINGS:  
)

September 20, 2016

7:04 p.m.

BEFORE:

- Commissioner Steven Rogers
- Mayor Joseph Scarpelli
- Commissioner Mauro Tucci
- Commissioner Alphonse Petracco
- Commissioner Thomas J. Evans

Job No. NJ2451227

P R O C E E D I N G S

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MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Yes, Mayor. Board of Commissioners Public meeting, Tuesday, September 20th, 2016, the time is 7:04.

Pursuant to the requirements of the Open Public Meeting Act (Chapter 231, Public Law 1975), notice of this meeting was published in the December 24th, 2015 issues of The Nutley Sun, The Star Ledger and The Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor.

MAYOR SCARPELLI: Commissioner Petracco, what do you have on the agenda today?

1           COMMISSIONER PETRACCO: I didn't see my name on  
2 here. I don't look like I have anything.

3           MAYOR SCARPELLI: Thank you for attending.

4           COMMISSIONER PETRACCO: Yeah, you're welcome.

5           MAYOR SCARPELLI: Commissioner Evans?

6           COMMISSIONER EVANS: I have an ordinance  
7 introduction tonight regarding the non-Union salaries, making  
8 some administrative changes and corrections. I also have a  
9 public hearing tonight on the change in the Code Office fees  
10 for non-residential activities as well as our two  
11 resolutions. One for refund of overpayment of property taxes  
12 due to Tax Court judgment and also participating in the  
13 Morris County Cooperative Pricing Council.

14           MAYOR SCARPELLI: Thank you. Commissioner Rogers?

15           COMMISSIONER ROGERS: Mayor, I have one resolution and that's  
16 to authorize the Township and the Nutley Board of Education  
17 to extend the existing shared services agreement we have for  
18 the position. We did this back in 2012 where we were able to  
19 really eliminate two physician positions and now we have one.  
20 And it's saved both the Township and the school board a good  
21 amount of money.

22

23           MAYOR SCARPELLI: Commissioner Tucci?

24           COMMISSIONER TUCCI: I have an advertisement for  
25 sealed bids for the Park Avenue cellular antenna

1 installation. I have a change order for Dujet Tree Experts  
2 in the amount of \$12,105. That will be paid out of a grant  
3 that we received. I have a resolution saluting and  
4 congratulating the honorees of the Nutley-Belleville  
5 Columbus Day and Italian Heritage Month parade. And I have  
6 an insertion of an item of revenue in the amount of \$2,595  
7 from the Green Community Grant Program. That's all I have.

8 MAYOR SCARPELLI: I have various monthly progress  
9 reports. Authorize and approve a raffle license application  
10 for the Junior Raiders Booster Club. Advertise for sealed  
11 bids for 2016 Hancox Avenue Improvements, which is through a  
12 CDBG grant. And an award of contract to Rehrig Pacific  
13 Company for recycling bins. And that's all I have.

14 Madam clerk?

15 MADAM CLERK: Yes, Mayor. We have meeting minutes  
16 for approval and we have the Academic Booster Club has  
17 submitted an application for a social affair permit. And the  
18 chamber submitted an application for Santa's arrival in  
19 November. Just those two.

20 MAYOR SCARPELLI: Counsel?

21 MR. GENITEMPO: I have one litigated matter to  
22 discuss in executive session.

23 MAYOR SCARPELLI: And I've -- for executive --

24 MR. GENITEMPO: Potential litigation.

25 MAYOR SCARPELLI: -- for --

1 MR. GENITEMPO: We can do it now, it'll be brief.

2 MAYOR SCARPELLI: Right. The one I have to  
3 contract negotiations.

4 MR. GENITEMPO: Yeah, yeah.

5 MAYOR SCARPELLI: And then we'll need to go into  
6 executive at the end of the meeting and then come back in  
7 and close in the public for -- the Board of Education for --

8 MR. GENITEMPO: Property acquisition.

9 MAYOR SCARPELLI: Okay.

10 MADAM CLERK: So right now it's contract  
11 negotiations and potential litigation?

12 MR. GENITEMPO: And litigation reports, yeah.

13 MADAM CLERK: Litigation reports.

14 MAYOR SCARPELLI: Have a motion to go in  
15 (indiscernible).

16 COMMISSIONER TUCCI: Move it.

17 COMMISSIONER PETRACCO: Second.

18 MADAM CLERK: Whereas, Section 8 of the Open  
19 Public Meeting Act Chapter 231, Public Law 1975 permits the  
20 exclusion of the public for meeting in certain  
21 circumstances. And whereas the public body is of the  
22 opinion that such circumstances exist. And whereas the  
23 Board of Commissioners in the Township of Nutley, in the  
24 County of Essex, in the State of New Jersey desire to  
25 proceed to close executive session. And now, therefore, be

1 it resolved by the Board of Commissioners of the Township of  
2 Nutley, move into closed executive session to discuss  
3 litigation reports and contract negotiations. Be it further  
4 resolved that the time when such discussion may be disclosed  
5 to the public shall be written as such disclosure may be  
6 made without adversely affecting the Township of Nutley,  
7 pending and/or anticipated legal personnel, contractual  
8 matters, and other matters within the exceptions provided  
9 for by statute.

10 Commissioner Rogers?

11 COMMISSIONER ROGERS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

20 MADAM CLERK: And the time is 7:09.

21 (Audio ends)

22 MAYOR SCARPELLI: Madam Clerk?

23 MADAM CLERK: Yes, Mayor. Board of Commissioners  
24 Public meeting, Tuesday, September 20th, 2016, the time is  
25 7:24.

1 Pursuant to the requirements of the Open Public  
2 Meeting Act (Chapter 231, Public Law 1975), notice of this  
3 meeting was published in the December 24th, 2015 issues of  
4 The Nutley Sun, The Star Ledger and The Herald News. A copy  
5 of this notice has been posted on the Nutley Town Hall  
6 bulletin board and a copy is on file in the Municipal  
7 Clerk's Office.

8 Commissioner Rogers?

9 COMMISSIONER ROGERS: Here.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Here.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Here.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Here.

16 MADAM CLERK: Mayor Scarpelli?

17 MAYOR SCARPELLI: Here.

18 MADAM CLERK: All present, Mayor.

19 MAYOR SCARPELLI: Minutes, Madam Clerk?

20 MADAM CLERK: Yes, we have the August 16th, 2016  
21 regular meeting minutes. I need a motion, please.

22 COMMISSIONER TUCCI: Move it.

23 COMMISSIONER EVANS: Second.

24 MADAM CLERK: Commissioner Rogers?

25 COMMISSIONER ROGERS: Aye.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 MADAM CLERK: Mayor Scarpelli?

8 MAYOR SCARPELLI: Aye.

9 MADAM CLERK: September 6th, 2016, executive  
10 session minutes.

11 COMMISSIONER TUCCI: Move it.

12 COMMISSIONER EVANS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

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

24 MAYOR SCARPELLI: Communications and  
25 correspondence?

1           MADAM CLERK: Yes. Today, the Academic Booster  
2 Club has submitted an application for social affair permit  
3 to host a wine tasting event at the Nutley Historical  
4 Society Museum on 65 Church Street on Saturday, October  
5 15th, 2016 between the hours of 7:30 and 10:00. I need a  
6 motion.

7           COMMISSIONER TUCCI: Move it.

8           COMMISSIONER EVANS: Second.

9           MADAM CLERK: Commissioner Rogers?

10          COMMISSIONER ROGERS: Aye.

11          MADAM CLERK: Commissioner Tucci?

12          COMMISSIONER TUCCI: Aye.

13          MADAM CLERK: Commissioner Evans?

14          COMMISSIONER EVANS: Aye.

15          MADAM CLERK: Commissioner Petracco?

16          COMMISSIONER PETRACCO: Aye.

17          MADAM CLERK: Mayor Scarpelli?

18          MAYOR SCARPELLI: Aye.

19          MADAM CLERK: The Nutley Chamber of Commerce has  
20 submitted an event application to host Santa's arrival at  
21 the Nutley Park Oval on Friday, November 25th, 2016 between  
22 the hours of 2:00 and 3:00, with a rain date of Saturday,  
23 November 26th between 11:00 a.m. and 12:00 p.m.

24          COMMISSIONER TUCCI: Move it.

25          COMMISSIONER EVANS: Second.

1 MADAM CLERK: Commissioner Rogers?

2 COMMISSIONER ROGERS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Mayor Scarpelli?

10 MAYOR SCARPELLI: Aye.

11 MADAM CLERK: And that's it for correspondence,  
12 Mayor.

13 MAYOR SCARPELLI: I have a monthly progress  
14 reports for various months from the Public Works Department.  
15 Madam Clerk, bills?

16 MADAM CLERK: Bills for Tuesday, September 20th,  
17 2016. Public Affairs, \$109,900.71; Revenue and Finance,  
18 \$2,932,295.25; Public Safety, \$46,867.51; Public Works,  
19 \$385,753.71; Parks and Public Property, \$79,769.47; Total  
20 payroll, \$766,240.40. For a grand total of \$4,320,827.05.

21 COMMISSIONER EVANS: Move the bills.

22 COMMISSIONER TUCCI: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 MADAM CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye.

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

9 MAYOR SCARPELLI: Public comment on agenda items  
10 only. Madam Clerk, please read the notice.

11 MADAM CLERK: Yes, Mayor.

12 All persons addressing the Board of Commissioners  
13 regarding community concerns should approach the microphone  
14 and provide their name and address for the record. Unless  
15 further time is granted by the Board, each person shall  
16 limit their address to three minutes. All remarks to the  
17 Board and its individual members must be addressed to the  
18 Mayor. The Mayor may defer citizens' comments to the  
19 appropriate member of the board. Dialogue between citizens  
20 and others addressing the Board shall be allowed unless the  
21 Mayor or presiding officer, or the majority of the  
22 membership of the Board, shall determine that the interest  
23 of decorum and the expeditious comment of municipal business  
24 are being adversely affected by such dialogue.

25 MAYOR SCARPELLI: Would anybody like to be --

1 approach the Board of Commissioners on agenda items only?

2 Seeing none.

3 Board of Commissioner announcements. Any  
4 announcements? Ordinance introductions. Commissioner  
5 Evans.

6 COMMISSIONER EVANS: Thank you, Mayor.

7 I have ordinance number 3342, which I'll read by  
8 title. An ordinance to fix the salaries of certain officers  
9 and employees of the Township of Nutley, County of Essex,  
10 State of New Jersey, effective October 18th, 2016. I move  
11 that this ordinance be passed to a second reading and  
12 advertised in the Nutley Sun, together with the notice  
13 required by law and that further consideration of said  
14 ordinance for final passage by the Board of Commissioners be  
15 held at its second meeting on October 18th, 2016. So moved.

16 COMMISSIONER TUCCI: I'll second that.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Mayor Scarpelli?

1           MAYOR SCARPELLI:  Aye.

2           Public hearings, Commissioner Evans?

3           COMMISSIONER EVANS:  Yes.  Tonight we have  
4 ordinance number 3348 which amends fees in the Code Office  
5 for commercial construction.  And it's a range of permit  
6 fees (indiscernible).  We haven't changed those fees in some  
7 time and we noted that we were lagging in comparison to other  
8 municipalities.  We're not the highest but we will remain in  
9 that mid-range.

10           MAYOR SCARPELLI:  But for the public hearing,  
11 would anybody like to be heard on ordinance number 3348?

12           COMMISSIONER EVANS:  Move to close the public  
13 hearing.

14           COMMISSIONER TUCCI:  Second.

15           MADAM CLERK:  Commissioner Rogers?

16           COMMISSIONER ROGERS:  Aye.

17           MADAM CLERK:  Commissioner Tucci?

18           COMMISSIONER TUCCI:  Aye.

19           MADAM CLERK:  Commissioner Evans?

20           COMMISSIONER EVANS:  Aye.

21           MADAM CLERK:  Commissioner Petracco?

22           COMMISSIONER PETRACCO:  Aye.

23           MADAM CLERK:  Mayor Scarpelli?

24           MAYOR SCARPELLI:  Aye.

25           COMMISSIONER EVANS:  Move the ordinance.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Rogers?

3 COMMISSIONER ROGERS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Mayor Scarpelli?

11 MAYOR SCARPELLI: Aye.

12 Resolutions. Commissioner Rogers?

13 COMMISSIONER ROGERS: Resolution number 220-16.

14 Whereas, N.J.S.A. 40A:61-1, the Uniform Shared Services and  
15 Consolidation Act authorizes and empowers local units to  
16 enter into agreements with other local entities regarding  
17 shared services and;

18 Whereas, the Township and the Board of Education  
19 recognize the value of inter-local cooperation as a way of  
20 reducing duplication and overlap of services; and

21 Whereas, the Township and the Board of Education  
22 have previously entered into such an Agreement in order to  
23 define the respective rights and obligations of the Township  
24 and the Board of Education regarding the employ of a  
25 physician/school physician to provide health services;

1           Now therefore be it resolved, that the Township of  
2 Nutley and the Nutley Board of Education wish to extend the  
3 existing Shared Services Agreement for Physician/School  
4 Physician Services for the period September 1st, 2016  
5 through August 31st, 2017 for which the Township will be  
6 compensated \$7,000.00, to be paid in ten equal installments  
7 of \$700.00.

8           Before I move this, I just want to note that this  
9 was a shared service that was actually orchestrated by the  
10 Nutley Board of Education and the Department of Health. And  
11 the objective here was to save tax dollars and we did. And  
12 we've become very successful and we're renewing the contract  
13 this year.

14           So moved.

15           COMMISSIONER PETRACCO: Second.

16           MADAM CLERK: Commissioner Rogers?

17           COMMISSIONER ROGERS: Aye.

18           MADAM CLERK: Commissioner Tucci?

19           COMMISSIONER TUCCI: Aye.

20           MADAM CLERK: Commissioner Evans?

21           COMMISSIONER EVANS: Aye.

22           MADAM CLERK: Commissioner Petracco?

23           COMMISSIONER PETRACCO: Aye.

24           MADAM CLERK: Mayor Scarpelli?

25           MAYOR SCARPELLI: Aye.

1 Commissioner Tucci?

2 COMMISSIONER TUCCI: Be it resolved by the Board  
3 of Commissioners of the Township of Nutley, County of Essex,  
4 State of New Jersey, that the Township Clerk is hereby  
5 authorized to advertise for sealed bids for the Park Avenue  
6 Cellular Antenna Installation, in the Township of Nutley, to  
7 be received on behalf of the Board of Commissioners, in the  
8 Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley,  
9 New Jersey, on Thursday, November 10th, 2016 at 3:00 p.m.  
10 prevailing time, at which time they will be opened and read.

11 I move the resolution.

12 COMMISSIONER EVANS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER TUCCI: Whereas, The Township of  
24 Nutley entered into a contract with Dujets Tree Experts, 54  
25 Notch Road, Woodland Park, New Jersey for Tree Removal

1 services; and

2           Whereas, Change Order No. 1 is required to  
3 increase the contract amount to include the changes and  
4 additional scope of work recommended by the Director of  
5 Parks and Public Property; and

6           Whereas, Change Order No. 1 will increase the  
7 amount for Tree Removal Services to \$12,105; and

8           Whereas, such additions have been reviewed and  
9 approved by the Township Forester and Grant Funding is  
10 available for hazard mitigation in township parks, Account  
11 6-01-635-299 in the amount of \$11,200 and Ordinance No.  
12 3344A in the amount of \$905 and have been certified by the  
13 chief financial officer and said certification being  
14 attached to this resolution; and

15           Now therefore, be it resolved, by the Board of  
16 Commissioners of the Township of Nutley, County of Essex,  
17 State of New Jersey, that Change Order No. 1, with Dujets  
18 Tree Experts, in the amount of \$12,105 for tree removal  
19 services be and is hereby authorized.

20           I move the resolution.

21           COMMISSIONER EVANS: Second.

22           MADAM CLERK: Commissioner Rogers?

23           COMMISSIONER ROGERS: Aye.

24           MADAM CLERK: Commissioner Tucci?

25           COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER TUCCI: I'm introducing this next  
8 resolution on behalf of the entire Board of Commissioners.

9 Whereas, On Sunday, October 9th, 2016, the Nutley-  
10 Belleville Columbus Day & Italian Heritage Month Parade  
11 Committee will celebrate its 34th Annual Columbus Day Parade  
12 festivities commemorating Columbus' historic voyage to the  
13 New World; and

14 Whereas, The Parade Committee has a long history  
15 of commemorating Columbus Day each year in the Township of  
16 Nutley, which is looked forward to and enjoyed by both  
17 spectators and participants alike; and

18 Whereas, The Nutley-Belleville Columbus Day &  
19 Italian Heritage Month Parade Committee will celebrate its  
20 Annual Honoree Dinner on Wednesday, September 28th, 2016 at  
21 Nanina's in the Park, Belleville, New Jersey; and

22 Whereas, this year the Grand Marshals are Barry  
23 Maurillo, Joseph Maurillo and Vito Cucci; and

24 Whereas, Barry Maurillo, Joseph Maurillo and Vito  
25 Cucci are joined by the Lifetime Achievement Award

1 recipient, Victor G. Mesce, the Italian Heritage Award  
2 recipient, Salvatore Cocco, Jr., Belleville Woman of the  
3 Year, Carol Damiano Casale, Belleville Man of the Year,  
4 Dr. John Cozzarelli, Nutley Woman of the Year, Michelle  
5 DeBlasio Fleitell, Nutley Man of the Year, Salvatore  
6 Rosamilia, 2016 Renaissance Man, PJ Sandomenico, 2016  
7 Italian Business Leader, Giacomo Nasisi, Community  
8 Excellence Award recipient, Lorraine Restel, along with the  
9 2016 Bella Signorina's Luciana Gilfone from Belleville and  
10 Dominique Campo from Nutley as this year's dignitaries; and

11 Now therefore, be it resolved that the Board of  
12 Commissioners of the Township of Nutley, County of Essex,  
13 join with the citizens of Nutley to salute and congratulate  
14 all of the honorees as they will be honored at this dinner.

15 I move the resolution.

16 COMMISSIONER EVANS: Second.

17 MADAM CLERK: Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Mayor Scarpelli?

1           MAYOR SCARPELLI: Aye.

2           COMMISSIONER TUCCI: Whereas, N.J.S.A. 40A: 4-87  
3 provides that the Director of the Division of Local  
4 Government Services may approve the insertion of any special  
5 item in the budget of any county or municipality when such  
6 item shall have been made available by law and the amount  
7 thereof was not determined at the time of the adoption of  
8 the budget; and

9           Whereas, said Director may also approve the  
10 insertion of any item of appropriation for equal amount;

11           SECTION 1: Now, therefore, be it resolved, that  
12 the Board of Commissioners of the Township of Nutley, County  
13 of Essex, State of New Jersey, hereby requests the Director  
14 of the Division of Local Government Services to approve the  
15 insertion of an item of revenue in the budget of the year  
16 2016 in the sum of \$2,595, which item is now available as a  
17 revenue from the Green Community Grant Program pursuant to  
18 the provisions of statute;

19           SECTION 2: Be it further resolved, that a like sum  
20 of \$2,595 be and same is hereby appropriated under the  
21 caption of: General Appropriations (A) Operations-Excluded  
22 from 5 percent cap green community grant program in the  
23 amount \$2,595.

24           SECTION 3: Be it further resolved, that the above  
25 is the result of revenues available for the Green Community

1 Grant;

2 Be it further resolved, that the municipal  
3 matching share for the Green Community Grant in the amount  
4 of \$2,595 is included in the 2016 adopted budget and is  
5 hereby appropriated for said purpose;

6 Be it further resolved, that the Township Clerk  
7 forward one certified copy of this resolution to the  
8 Director of Local Government Services.

9 I move the resolution.

10 COMMISSIONER EVANS: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

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

22 MAYOR SCARPELLI: Commissioner Evans.

23 COMMISSIONER EVANS: Thank you, Mayor.

24 Be it resolved, that the Treasurer be and she is  
25 hereby authorized to refund overpayment of the property

1 taxes in the amount of \$482.76 arising from tax court  
2 judgment for Block 3602-11 for the year 2016. So moved.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 MADAM CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 COMMISSIONER EVANS: Whereas, the Township of  
15 Nutley desires to enter into an agreement with the Morris  
16 County Cooperative Pricing Council, which is administered by  
17 Randolph Township as Lead Agency, to renew its membership in  
18 the pricing -- Morris County Cooperative Pricing Council for  
19 the period of October 1, 2016 through September 30th, 2021.  
20 Is that correct?

21 MADAM CLERK: Yes, it's from 2016 to September  
22 30th, 2021 is five years.

23 COMMISSIONER EVANS: Thank you. Just for  
24 clarification. Thank you. So September 30th, 2021.

25 Be it resolved, by the Board of Commissioners:

1           1. The Mayor and Township Clerk of the Township of  
2 Nutley are hereby authorized to execute the Agreement with  
3 the Morris County Cooperative with the Township of Randolph  
4 as Lead Agency dated October 1, 2016, pursuant to N.J.S.A.  
5 40A:11-11(5). Said Agreement is for the renewal of  
6 membership for a five year period from October 1, 2016,  
7 through September 30, 2021.

8           2. The Township Clerk is hereby directed to submit  
9 a copy of this adopted Resolution, along with an executed  
10 Agreement, to Randolph Township as Lead Agency.

11           3. This Resolution shall take effect immediately  
12 upon final passage.

13           4. All appropriate Township of Nutley officials  
14 are authorized and directed to perform all required acts to  
15 affect the purpose of this Resolution.

16           So moved.

17           COMMISSIONER TUCCI: Second.

18           MADAM CLERK: Commissioner Rogers?

19           COMMISSIONER ROGERS: Aye.

20           MADAM CLERK: Commissioner Tucci?

21           COMMISSIONER TUCCI: Aye.

22           MADAM CLERK: Commissioner Evans?

23           COMMISSIONER EVANS: Aye.

24           MADAM CLERK: Commissioner Petracco?

25           COMMISSIONER PETRACCO: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 COMMISSIONER EVANS: Thank you, Mayor.

4 MAYOR SCARPELLI: Commissioner Petracco, anything  
5 tonight?

6 COMMISSIONER PETRACCO: I have nothing, Mayor.

7 MAYOR SCARPELLI: Thank you.

8 Whereas, a raffle application has been received  
9 from the following organization: Nutley Junior Raiders  
10 Booster Club, license number 40-16, off-premise 50/50 cash  
11 raffle to be held Saturday, October 15th, 2016;

12 Whereas, the application has been reviewed and  
13 approved by the Municipal Clerk and the Police Department;  
14 and

15 Now, therefore be it resolved by the Board of  
16 Commissioners of the Township of Nutley, County of Essex,  
17 State of New Jersey that the aforementioned license is  
18 approved and the Municipal Clerk is authorized to issue the  
19 license.

20 I move the resolution.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Rogers?

23 COMMISSIONER ROGERS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 Be it resolved by the Board of Commissioners of  
8 the Township of Nutley, County of Essex, State of New  
9 Jersey, that the Township Clerk is hereby authorized to  
10 advertise for sealed bids for the 2016 Hancox Avenue  
11 Improvements, (Union Avenue to Passaic Avenue) in the  
12 Township of Nutley, to be received on behalf of the Board of  
13 Commissioners, in the Commission Chambers, Township Hall, 1  
14 Kennedy Drive, Nutley, New Jersey, on Wednesday, October  
15 12th, 2016 at 3:00 pm prevailing time, at which time they  
16 will be opened and read.

17 I move the resolution.

18 COMMISSIONER TUCCI: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 MADAM CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Aye.

4 Whereas, Bids for the 2016 Curbside Recycling Bins  
5 were received and opened on Wednesday, September 7th, 2016;  
6 and

7 Whereas, Rehrig Pacific Company, 1738 West 20th  
8 Street, Erie, Pennsylvania, was the low bidder; and

9 Whereas, the Curbside Recycling Bin price per unit  
10 is in the amount of \$9.05, the Curbside Recycling Bin price  
11 per pallet is in the amount of \$2,678.80, for a total  
12 quantity of 296 per pallet; and

13 Whereas, funds are available from Account Number  
14 6-01-626-299 in the amount not to exceed \$20,000 and have  
15 been certified by the Chief Financial Officer, said  
16 certification being attached to this resolution;

17 Now, therefore be it resolved by the Board of  
18 Commissioners of the Township of Nutley, County of Essex,  
19 State of New Jersey, that a contract be awarded to Rehrig  
20 Pacific Company for an amount not to exceed \$20,000 and the  
21 Mayor and Township Clerk are hereby authorized to enter into  
22 and sign said contract for the Township of Nutley.

23 I move the resolution.

24 COMMISSIONER TUCCI: Second.

25 MADAM CLERK: Commissioner Rogers?

1 COMMISSIONER ROGERS: Aye.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Scarpelli?

9 MAYOR SCARPELLI: Aye.

10 That concludes the business portion of our  
11 meeting. Madam Clerk, will you read the notice?

12 MADAM CLERK: Yes, Mayor.

13 All persons addressing the Board of Commissioners  
14 regarding community concerns should approach the microphone  
15 and provide their name and address for the record. Unless  
16 further time is granted by the Board, each person shall  
17 limit their address to five minutes. All remarks to the  
18 Board and its individual members must be addressed to the  
19 Mayor. The Mayor may defer citizens' comments to the  
20 appropriate member of the Board. Dialogue between citizens  
21 and others addressing the Board shall be allowed unless the  
22 Mayor or presiding officer, or the majority of the members  
23 of the Board, shall determine that the interest of decorum  
24 and/or the expeditious comment that municipal business are  
25 being adversely affected by such dialogue.

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

3           MS. LANDRY: Pennie Landry, 135 Lakeside Drive. I  
4 noticed on the agenda it says Nutley Board of Education  
5 Municipal Alliance Committee members, Dr. Julie Glazer,  
6 Karen Yeamans, Charlie Kucinski, Danny Carnicella, Salvatore  
7 Ferraro and Brenda Sherman. And will they be addressing us  
8 tonight?

9           MAYOR SCARPELLI: No, we'll be going into  
10 executive session with them.

11          MS. LANDRY: Okay, so the -- and what was the  
12 purpose of the executive session?

13          MAYOR SCARPELLI: Mr. Genitempo?

14          MR. GENITEMPO: We're going to be discussing  
15 property acquisition.

16          MS. LANDRY: Property acquisition with the Nutley  
17 Board of Education Municipal Alliance Committee and that  
18 will be in executive session?

19          MR. GENITEMPO: Yes, ma'am.

20          MS. LANDRY: Okay. Is this additional property?  
21 Can we know what the --

22          MR. GENITEMPO: Yes.

23          MS. LANDRY: It's the purchase of additional  
24 property by the council?

25          MR. GENITEMPO: I cannot say any more.

1 MS. LANDRY: Okay. All right. I have another  
2 questions. There was also the ordinance 3342, which is  
3 going to public hearing on October 18th, correct? Is it --  
4 can I ask a couple of questions about that before the public  
5 hearing?

6 MAYOR SCARPELLI: Genitempo?

7 MR. GENITEMPO: Well, it's your chance to speak on  
8 public matters. The opportunity to speak on agenda items  
9 was earlier but --

10 MS. LANDRY: Well, because I'm not following this  
11 because you're saying everything on these two pages is  
12 agenda items. So now I'll just make a comment.

13 MR. GENITEMPO: Okay. I'm not saying you can't.  
14 I'm just saying that it's also one of the agenda items. And  
15 there will be a public hearing on the document on October --

16 MAYOR SCARPELLI: You can ask the question.

17 MR. GENITEMPO: I'm sorry, October 18th is the  
18 public hearing.

19 MS. LANDRY: Thank you. I've spoken about this  
20 before because every year we have this as an ordinance where  
21 we change the base minimum salary and the base maximum  
22 salary. One that I'm noticing here looks like an addition of  
23 a new position and I'd like to ask about it. Attorney for  
24 the planning board redevelopment consulting. Minimum  
25 \$125 an hour to maximum \$10,000. Who is the redevelopment

1 consulting attorney for the planning board?

2 ALAN GENITEMPO: I don't think there is one  
3 right now. That might be for a future position.

4 MS. LANDRY: This is a potential --

5 MAYOR SCARPELLI: I don't believe there is one  
6 right now.

7 COMMISSIONER EVANS: Yeah, I would agree. There  
8 isn't. There isn't one.

9 ALAN GENITEMPO: The redevelopment attorney that  
10 we're using for the Roche project is on a different --

11 MS. LANDRY: Okay. Because it's listed under the  
12 legal department as a non-union employee and we are  
13 potentially going to be approving a \$10,000 salary. So I  
14 just --

15 MAYOR SCARPELLI: These are ranges for potential  
16 positions also.

17 MS. LANDRY: Okay. And last year, I'm looking at  
18 -- we had the same conversation last year, that a lot of  
19 Township employees were very close to the base maximum  
20 salary. So of these one, two, three, four, five, six, seven  
21 pages of base salary maximum changes, will all Township  
22 employees if ordinance number 3342 be seen as a result of  
23 these base salary -- I mean, maximum salary changes, be  
24 seeing an increase in compensation?

25 MAYOR SCARPELLI: Not necessarily.

1 MS. LANDRY: Not necessarily? Okay --

2 MAYOR SCARPELLI: These ranges haven't changed  
3 from when it was first introduced.

4 MS. LANDRY: Okay, but why are we changing these  
5 ranges?

6 MAYOR SCARPELLI: Some (indiscernible) but for the  
7 majority they have not (indiscernible).

8 MS. LANDRY: So --

9 MAYOR SCARPELLI: What the salary ordinance allows us is  
10 to pay our employees.

11 MS. LANDRY: Right. I understand that.

12 MAYOR SCARPELLI: So there may be adjustments  
13 here in there but --

14 MS. LANDRY: Because some of them double. I mean,  
15 they have huge increases from last year.

16 MAYOR SCARPELLI: Do you have a specific one you  
17 are questioning?

18 MS. LANDRY: Sure. Now, I question a lot of them,  
19 but -- especially with our tax increase. But for instance,  
20 you have here a registered environmental health specialist  
21 part time. And the base salary minimum is 10,000, but for a  
22 part time position, this ordinance raises the maximum to  
23 \$50,000 for a part time environmental health specialist.  
24 And then we also have a registered health specialist, a  
25 secondary position, which the max is 20 and is going to 50.

1           MAYOR SCARPELLI: I think you're reading this  
2 wrong, Ms. Landry. There's a base minimum and a base  
3 maximum.

4           MS. LANDRY: But last year I went through all of  
5 the bases and all of the actuals. And very few of those  
6 employees of the Township were at the base. So I guess I'll  
7 just redo that same research and then address it again at  
8 the next meeting. Thank you.

9           MAYOR SCARPELLI: Anyone else like to address the  
10 Board of Commissioners?

11           We're going to make it accessible for you, Mrs.  
12 Schuster (ph).

13           COMMISSIONER TUCCI: He's not in charge of the  
14 buildings. I am. And we did pay the bill.  
15 (Indiscernible).

16           COMMISSIONER EVANS: Only if Commissioner Tucci  
17 authorizes it for payment.

18           MS. SCHUSTER: (Indiscernible).

19           COMMISSIONER EVANS: Welcome back.

20           MS. SCHUSTER: (Indiscernible). I'm trying. Does  
21 this work? I don't want to swallow it. Oh my God. I came  
22 down tonight to speak --

23           MAYOR SCARPELLI: Name and address for the record  
24 Mrs. Schuster.

25           MS. SCHUSTER: Sarah T. Schuster. 462 Chestnut

1 Street, Nutley.

2 MAYOR SCARPELLI: Welcome back.

3 MS. SCHUSTER: Thank you very much. And I have a  
4 tree for you for Christmas. Call me, I'll give you the  
5 address. Mayor Joe. I did tell you it's not handicap  
6 accessible.

7 I came here to talk to you, Mr. Rogers, Roy  
8 Rogers. I've been leaving messages and I don't think you're  
9 getting them. I feel that your calls are being screened  
10 because I have two cell phone numbers and you're not getting  
11 the message. Lindsay said she calls you. Everybody calls  
12 you. I want to know why I am not being driven to the  
13 doctor's. I had a heart doctor's appointment, and I had to  
14 cancel it and they wanted to know why. I said, I don't have  
15 transportation. They said, what kind of car -- town do you  
16 live in? I said a crooked town. That's what I told them.  
17 Why are they not driving me? And your fellow, I don't know  
18 his name. He's the veteran. He hung up on me. He said we  
19 only get eight rides and that's it. We have to take care of  
20 dialysis. I told him dialysis is three times a week for  
21 life. He hung up on me. He's lucky I didn't have a car,  
22 I'm not driving there because I'd be down there taking up  
23 residency in your building.

24 I like you, Roy. I know you're a good guy. I  
25 know, but I want to know why didn't you return my call.

1 Two, why have I been cut off for transportation? Most of  
2 the calls were for Nutley. So I wish you would check on  
3 that because it's got me very annoyed, very upset. And as  
4 far as five minutes, it takes me longer than five minutes to  
5 say hello.

6 COMMISSIONER ROGERS: I can understand the  
7 frustration. When the Red Cross closed down, our Department  
8 as a courtesy, it wasn't a requirement. In fact, we didn't  
9 even have anything built to provide rides for people. But as  
10 a courtesy to help them out, what we did was we decided to  
11 take on that challenge. In the first few months, it wasn't  
12 bad. But then more, and more, and more people began to call.  
13 We ran into the situation where people needed 20, 30, maybe  
14 40 rides. We didn't have the cars. We didn't have the  
15 manpower. So I have limited their number of rides and it was  
16 really built to be a gap because we found that a lot of  
17 people were able to get transportation.

18 I'll give you an example. We have a woman who had  
19 been calling us that has three children and they could  
20 drive. And she had a rough time over about a one or two  
21 month period where they were busy. They were working,  
22 etcetera. So we filled in that gap for that eight or nine  
23 rides. But I had to limit it because of the number of  
24 people that we were transporting.

25 However, Commissioner Tucci, I worked with him in

1 the beginning and he has stepped up to help to provide the  
2 transportation that's needed for a lot of people. And there  
3 were things that I was unaware of. Let me give you an  
4 example. I was unaware that people that had to go for  
5 treatment that were -- had some handicaps, the liability that  
6 the Township would be taking if I had put one of those  
7 individuals in a vehicle and they got hurt would be  
8 tremendous. So we had to be real careful as to how we were  
9 approaching this.

10 This entire Board of Commissioners. I have asked  
11 for cars from all of them and they've all lent us cars.  
12 They've all kind of pitched in but we're trying to just  
13 shake this program out so that everyone is provided a ride.  
14 In Essex County, they do have a program called Essex County  
15 link that we have in the past referred people to, citizens  
16 to, and many of the citizens have opted out. They don't  
17 want that. So we're doing the best that we could, believe  
18 me. And Commissioner Tucci, I know you've been involved in  
19 this for quite some time.

20 COMMISSIONER TUCCI: Thank you, Commissioner. I'd  
21 just like to follow up on that. So what we're doing now and  
22 we're just beginning to ramp up and we're in the process of  
23 buying a vehicle, a low entry vehicle that folks can get in  
24 and out of very easily. We're providing rides for dialysis  
25 on Tuesdays and Thursdays. So if you call the Parks

1 Department, we'll be happy to try and accommodate it.

2 MS. SCHUSTER: I don't go for dialysis.

3 COMMISSIONER TUCCI: I'm sorry?

4 MS. SCHUSTER: I don't take dialysis.

5 COMMISSIONER TUCCI: Okay. Well that's what we're  
6 doing right now. If you have some other need, then call the  
7 department. We'll be happy to try and work something out  
8 with you so we can provide that ride to you.

9 MS. SCHUSTER: I called all over the State of New  
10 Jersey. I didn't get anywhere.

11 COMMISSIONER TUCCI: Well, and I'm sure you did,  
12 but you didn't call the Parks Department.

13 MS. SCHUSTER: I did call your park. I talked --

14 COMMISSIONER TUCCI: You called our department for  
15 a ride?

16 MS. SCHUSTER: -- to Lois Plenio (ph).

17 COMMISSIONER TUCCI: For a ride?

18 MS. SCHUSTER: No, about the transportation and  
19 then she connected me with someone else.

20 COMMISSIONER TUCCI: Okay.

21 MS. SCHUSTER: And it didn't work out.

22 COMMISSIONER TUCCI: Well, you know, we have other  
23 transportation services in place, but this is something new.  
24 And again, because as Commissioner Rogers said because the  
25 Red Cross pulled out, he was good enough to step in and

1 provide that gap assistance. But what we're doing now --

2 MS. SCHUSTER: That's a good department, Roy  
3 Rogers, he runs a good department.

4 MAYOR SCARPELLI: Commissioner Rogers, please,  
5 Mr. Schuster.

6 MS. SCHUSTER: Who said that?

7 MAYOR SCARPELLI: Me.

8 MS. SCHUSTER: Oh, Commissioner Roy Rogers. It  
9 does. That's how I know Mr. Rogers by.

10 COMMISSIONER ROGERS: You know, you're articulating  
11 a lot of frustration that people have, but believe me, this  
12 is something that will be rectified. This was thrust upon us  
13 pretty much overnight, right? I mean, it was just something  
14 we never expected, but we learned something. All right?  
15 We're learning from you and we're learning from others about  
16 the needs we need to meet. And collectively, we're going to  
17 do that.

18 MS. SCHUSTER: I don't take advantage of anyone.  
19 But your men, Pat and Mike, are lovely people. Really, they  
20 are gentlemen and they were really nice to me. So I have to  
21 tell you that.

22 COMMISSIONER ROGERS: Thank you.

23 MS. SCHUSTER: Also, I'd like to know one other  
24 thing from Mr. Evans. That's a big family and all family  
25 and I know them very well. They're good people. And when I

1 get The Nutley Sun, the free Nutley Sun, because I don't buy  
2 it because my birds don't like to read that paper. But  
3 anyway, I read in there that the man wanted to buy that  
4 property, put a three story building up, and you said no,  
5 you didn't want it. So I wondered if you could explain to  
6 me -- and we would have gotten tax from that. I want to  
7 know the difference between that three story building and  
8 DiBiasi's three story building. What's the difference? By  
9 the way, he's got eleven apartments. He's getting 2,700 for  
10 the apartment a month.

11 COMMISSIONER EVANS: The transaction you're  
12 referring to was never completed. Two, the buyer  
13 for that wanted to -- he actually build out the property with  
14 significant density, which would have eliminated all of the  
15 possibility for public parking and public access to parking.  
16 And then there is the Ciccolini's being the family that they  
17 are, were always very generous and allowing residents to park  
18 on their lot, as well as providing parking for the business  
19 owners in that section. So with the (indiscernible) I can't  
20 speculate on what that revenue would be, but it was  
21 significant density. With the town stepping in we have a gold  
22 opportunity to take control of the property, make sure we're  
23 addressing the municipal needs for allowing for parking and  
24 other services while controlling what we believe the right  
25 density would be for the property. As it relates to Mr.

(indiscernible)

1 Di Biasi's property, they're not comparable.

2 MS. SCHUSTER: But it's three story --

3 COMMISSIONER EVANS: That would be a comparison.  
4 Yes, thank you.

5 MS. SCHUSTER: That's the only thing I look at --

6 COMMISSIONER EVANS: It is three stories high.  
7 Particularly the DiBiasi property under an existing  
8 ordinance would have allowed him to build twice the units  
9 that he has there, which he chose not to do.

10 MS. SCHUSTER: That was nice of him. He doesn't  
11 even live in Nutley.

12 MAYOR SCARPELLI: One more question, Mrs.  
13 Schuster.

14 MS. SCHUSTER: I'm sorry?

15 MAYOR SCARPELLI: One more question.

16 MS. SCHUSTER: One more question. Commissioner  
17 Rogers, I'll try to remember to call you Steve. So take  
18 care and I know you're busy because I've called over. I  
19 know you're busy. Okay, so that's -- don't forget. I know  
20 someone that has a tree. And I'm sorry I missed so many  
21 meetings, but I'll try to make it up to whoever  
22 (indiscernible) or my presence because I've been getting  
23 many, many requests to do more flyers and I thank you.

24 MAYOR SCARPELLI: Would anybody else like to  
25 address the Board of Commissioner. That'll --

1           COMMISSIONER TUCCI: Mayor, before -- excuse me.  
2 Before we go into close because we may lose some folks. Two  
3 items that I'd like to bring up this evening. One, it's been  
4 brought to my attention that the meeting of September 6th  
5 has not been posted up on the website for viewing. That is  
6 correct. There was a mix-up in who was to drop the actual  
7 -- I call them tapes, the DVDs off, all right. And that did  
8 not occur. But it, in fact, has been on Channel 77 and  
9 Channel 42 and we will have that up by tomorrow.

10           The second thing is it's also been brought to my  
11 attention that folks are going to the high school talking to  
12 Mr. Williams about -- of these meetings. If anyone has any  
13 questions, we would appreciate it if you would direct those  
14 questions to my department and not direct them to the high  
15 school principal, all right, or our youngsters, all right,  
16 who are actually doing the filming at \$10 an hour as part of  
17 their technology program. Thank you.

18           MADAM CLERK: I'm sorry, Commissioner Tucci, the  
19 September 6th meeting is on the website.

20           COMMISSIONER TUCCI: It is up?

21           MADAM CLERK: It is posted, yes.

22           COMMISSIONER TUCCI: Okay. It was posted today.

23           MADAM CLERK: Today.

24           COMMISSIONER TUCCI: Thank you. I know it wasn't  
25 up because that was brought to my attention. And just one

1 more thing, in a conversation that someone had, and I'm not  
2 sure who that someone is, someone used a poor choice of  
3 words and said that it's not up yet, the meeting, because it  
4 needs to be edited. The meetings are not edited. They may  
5 be formatted, all right, for presentation on the website,  
6 but there is nothing that is edited. It's a public record.  
7 It's verbatim.

8 MAYOR SCARPELLI: Thank you, Commissioner. Can I  
9 have a motion to go into executive session?

10 COMMISSIONER ROGERS: Make a motion.

11  
12 COMMISSIONER PETRACCO: Second.

13 MAYOR SCARPELLI: Going into executive session  
14 for --

15 MADAM CLERK: Property acquisition, is that  
16 correct?

17 MAYOR SCARPELLI: Correct.

18 MADAM CLERK: Whereas, Section 8 of the Open  
19 Public Meetings Act, Chapter 231, P.L. 1975, permits the  
20 exclusion of the public from a meeting in certain  
21 circumstances; and

22 Whereas, the public body is of the opinion that  
23 such circumstance exists; and

24 Whereas, the Board of Commissioners of the  
25 Township of Nutley, in the County of Essex, and State of New  
Jersey desires to proceed to closed executive session; and

1           Now, therefore, be it resolved, by the Board of  
2 Commissioners of the Township of Nutley move into closed  
3 executive session to discuss property acquisition.

4           Be it further resolved, that the time when such  
5 discussions may be disclosed to the public shall be when and  
6 as such disclosure may be made without adversely affecting  
7 the Township of Nutley pending and/or anticipated legal,  
8 personnel, contractual matters and other matters within the  
9 exceptions provided for by statute.

10           Commissioner Rogers?

11           COMMISSIONER ROGERS: Aye.

12           MADAM CLERK: Commissioner Tucci?

13           COMMISSIONER TUCCI: Aye.

14           MADAM CLERK: Commissioner Evans?

15           COMMISSIONER EVANS: Aye.

16           MADAM CLERK: Commissioner Petracco?

17           COMMISSIONER PETRACCO: Aye.

18           MADAM CLERK: Mayor Scarpelli?

19           MAYOR SCARPELLI: Aye.

20           We will be coming back. There will be no action  
21 taken. We'll be coming back to close the meeting.

22           MADAM CLERK: The time is 8:30.

23           (Executive Session)

24           COMMISSIONER ROGERS: This is a motion to close,  
25 correct? Yeah, motion to close, right?

1 MADAM CLERK: We need a second, right?

2 MAYOR SCARPELLI: Need a motion to adjourn.

3 COMMISSIONER ROGERS: I make a motion to adjourn.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 MADAM CLERK: And the time is now 10:24.

14 COMMISSIONER EVANS: Commissioner Petracco had to  
15 (indiscernible).

16 MADAM CLERK: Yeah, Commissioner Petracco exited  
17 at 10:16.

18 (Meeting was adjourned at 10:24 P.M.)

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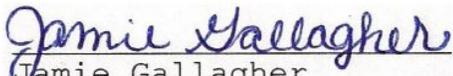
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I, Jamie Gallagher, certify that the foregoing transcript is a true and accurate record of the proceedings.

  
Jamie Gallagher

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