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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

February 21, 2017

BEFORE:

- Commissioner Steven Rogers (absent/excused)
- Mayor Joseph P. Scarpelli
- Commissioner Mauro G. Tucci
- Commissioner Alphonse Petracco
- Commissioner Thomas J. Evans

Job No. NJ2551510

P R O C E E D I N G S

1
2 MADAM CLERK: Board of Commissioners Public
3 meeting, Tuesday, February 21st, 2017, the time is 7:05.

4 Pursuant to the requirements of the Open Public
5 Meeting Act (Chapter 231, Public Law 1975), notice of this
6 meeting was published in the December 1st, 2016 issues of
7 The Nutley Sun and The Herald News, and the December 2nd,
8 2016 issue of The Star Ledger. A copy of this notice has
9 been posted on the Nutley Town Hall bulletin board and a
10 copy is on file in the Municipal Clerk's Office.

11 Commissioner Rogers is absent/excused.

12 Commissioner Tucci?

13 COMMISSIONER TUCCI: Here.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Here.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Here.

18 MADAM CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Here.

20 MAYOR SCARPELLI: Commissioner Petracco, what do
21 you have going tonight?

22 COMMISSIONER PETRACCO: Let me see.

23 MADAM CLERK: On the last page, Commissioner.

24 COMMISSIONER PETRACCO: Yes, I have a grant of a
25 medical leave of absence for Patricia Dominick and that's

1 all I believe I have. Thank you.

2 MAYOR SCARPELLI: Commissioner Evans, welcome
3 back.

4 COMMISSIONER EVANS: Thank you, thank you. And I
5 just have a -- one resolution tonight for a refund of a tax
6 sale certificate. I want to point out I only have one
7 resolution tonight. My goal was none, but it was snuck on
8 there.

9 MAYOR SCARPELLI: Okay. Commissioner Rogers is
10 not here and he doesn't have anything on the agenda.
11 Commissioner Tucci?

12 COMMISSIONER EVANS: He was on Jersey Matters
13 Sunday.

14 COMMISSIONER TUCCI: I have six, but I'm going to
15 consolidate the first five, all right? So and my last one -
16 - they were all congratulating and saluting the parade
17 dignitaries for St. Patrick's Day and --

18 COMMISSIONER EVANS: Wonderful.

19 COMMISSIONER TUCCI: It is a great thing. And my
20 last one is because of our change in status, I needed to
21 change the resolution for the application for Father
22 Glotzbach Park.

23 COMMISSIONER EVANS: Because that flips, doesn't
24 it?

25 COMMISSIONER TUCCI: It flips. Instead of 25/75

1 being grant to loan, it's 75/25.

2 COMMISSIONER EVANS: I like that better.

3 COMMISSIONER TUCCI: So we're going for the gold.
4 We may even -- I have to check on the deadlines, but I may
5 reinstate the Kingsland Manor project. Let's go back. Now,
6 that we're potentially eligible for 75 percent, that's
7 850,000 for them and 250 for us, so that's a good thing.
8 And that's all I have.

9 MAYOR SCARPELLI: Okay.

10 COMMISSIONER TUCCI: Excuse me. I also have -- I
11 was asked by Assemblyman Caputo to just hand out
12 his resolution.

13 MAYOR SCARPELLI: You want to do those first,
14 right?

15 COMMISSIONER TUCCI: Yeah, well, I figure we'll do
16 ours first and then we'll do his. I'm not going to read
17 them.

18 COMMISSIONER EVANS: So it will all be at the
19 beginning of the meeting?

20 COMMISSIONER TUCCI: It will all be at the
21 beginning of the meeting, yes.

22 COMMISSIONER EVANS: Okay.

23 COMMISSIONER PETRACCO: What, you've got a date
24 tonight or something? You're not kidding.

25 MAYOR SCARPELLI: I've got an authorization to

1 refund the \$5,000 to Stanziale. I've got authorization to
2 approve various raffle licenses. I've got a couple of
3 things that we have to take care of here. One is that
4 they're looking for that North Jersey transportation
5 planning authority to schedule a date to have a meeting.
6 So, Madam Clerk, if we can go through Commissioner Tucci's
7 office to see what day the community room is available.
8 We're looking for the 3rd, the 5th, or the 6th.

9 MADAM CLERK: (Indiscernible).

10 COMMISSIONER TUCCI: Usually Tuesdays and Fridays
11 are bad. The other days are -- I have open, unless you were
12 treading on a bingo day.

13 MADAM CLERK: Would you -- I can (indiscernible)
14 tomorrow and we can go over it.

15 COMMISSIONER TUCCI: Yeah, sure. That's fine.

16 MAYOR SCARPELLI: We have a -- need a budget
17 workshop meeting. Commissioner Evans --

18 COMMISSIONER EVANS: Do we have to introduce the
19 budget by the 17th, so it's our meeting which would be the
20 14th, I believe, we have to introduce it in March, so we
21 have to get together a week before, have that little public
22 gathering. Ideally -- we've historically done it in the
23 morning. It just gives everybody time to take a look at the
24 snapshot of where we are and make adjustments with it if we
25 need to.

1 MAYOR SCARPELLI: So is -- March 10th work on a
2 Friday morning?

3 COMMISSIONER TUCCI: What time?

4 MAYOR SCARPELLI: Whatever time you guys want to
5 get up.

6 COMMISSIONER PETRACCO: Ten?

7 COMMISSIONER EVANS: Nine?

8 COMMISSIONER TUCCI: Eleven? It's still morning,
9 right, before 12:00.

10 MADAM CLERK: Yes.

11 MAYOR SCARPELLI: Nine?

12 COMMISSIONER EVANS: We usually do it at 9:00,
13 does that work?

14 COMMISSIONER PETRACCO: That hurts.

15 MAYOR SCARPELLI: Friday, the 10th at 9 o'clock.

16 COMMISSIONER EVANS: I'm sorry, our meeting would
17 be the 21st, so if that looks to be a difficult date, maybe
18 Monday, the 13th?

19 COMMISSIONER PETRACCO: Mondays are my worst days.
20 So if there's any way we could not do it on a Monday.

21 COMMISSIONER EVANS: That's fine. That's fine.

22 COMMISSIONER PETRACCO: I can do any day but a
23 Monday.

24 COMMISSIONER TUCCI: Friday the 10th works for me.

25 MAYOR SCARPELLI: Friday the 10th at 9:00 a.m.

1 COMMISSIONER PETRACCO: What is it, Joe?

2 MAYOR SCARPELLI: Friday the 10th, 9:00 a.m.

3 COMMISSIONER TUCCI: Can we do 9:30?

4 COMMISSIONER PETRACCO: 9:30, Joe. Come on.
5 We'll be in and out.

6 (Simultaneous speaking)

7 MAYOR SCARPELLI: How about 9:15, we'll cut the
8 difference?

9 COMMISSIONER PETRACCO: Okay. What's the date
10 again?

11 MAYOR SCARPELLI: March 10th.

12 MADAM CLERK: 9:15.

13 COMMISSIONER EVANS: The 10th at 9:15.

14 COMMISSIONER TUCCI: 9:15 until 10:00?

15 COMMISSIONER EVANS: We'll get it done.

16 MAYOR SCARPELLI: Also, the clerk's included the
17 Historic Preservation Committee. We've got to work out some
18 things. We've got too many class A and class B members, so
19 Alan, if you could take a look at that, see how we maybe are
20 working that out.

21 COMMISSIONER TUCCI: Are you looking to eliminate
22 members?

23 MAYOR SCARPELLI: No, we have one up for -- that's
24 expired the 16th.

25 COMMISSIONER TUCCI: Right, just one. Okay. You

1 said you have too many?

2 MAYOR SCARPELLI: Too many class A, too many class
3 B. According to the ordinance, we should have one class A,
4 one class B, three C, and two alternates. We have two As,
5 two Bs, and three Cs, no alternates. I got progress reports
6 and I've got an introduction of a water ordinance, which I
7 sent out on Friday. How this came about, one, was we're
8 about 99.5 percent done with our water meter installation,
9 which leads us to what do we do in case we need to replace a
10 water meter. And according to the old ordinance, that would
11 be the responsibility of the home owner. So that was one
12 reason to look at the ordinance. And when we started
13 looking at it, we saw that the ordinance was outdated. The
14 fees were not up to date. And some of the practices that we
15 do were not included in the ordinance. So, it's time to
16 update the ordinance.

17 Another thing we looked at is over the past year
18 with the increase in awareness of lead of supply lines, which
19 is the line from the main to the curb box. Under the old
20 ordinance, it is the home owner's responsibility. So when we
21 would go in, especially in an emergency situation and have to
22 fix that line, we would then have to -- and we do the work
23 from the curb and in the street, we would then bill the
24 homeowner, which could be 1,500 to \$2,000. So that's always
25 been an area of concern and lots of phone

1 calls because when someone gets a \$1,500 bill and they kind
2 of got woke up in the middle of the night, knocked on the
3 door, and said listen, we've got to fix your water, that
4 always gets the phone calls, why am I getting billed? So
5 when we looked at that situation and the fact that we have
6 lines that need to be upgraded because some of them are
7 galvanized and some of them are lead, we thought about how
8 can we incentivize people to upgrade their supply line that
9 we're going to fix and bill them for. So we think that was
10 a pretty, that was a good idea. So we're looking for ways
11 to replace that line, come up with a program to do that.

12 COMMISSIONER PETRACCO: How many do you think you
13 do a year of them?

14 MAYOR SCARPELLI: It's a number of them. It's a
15 number of them.

16 COMMISSIONER PETRACCO: 50?

17 MAYOR SCARPELLI: I don't think it's 50.

18 COMMISSIONER PETRACCO: 20?

19 MAYOR SCARPELLI: It's probably between 15 and 20.
20 So when you look at that, we thought, well, how are we going
21 to accomplish that? So we started to rework this ordinance.
22 We were saying we're going to have to figure out how we're
23 going to also take control of that. So we decided to come
24 up with a minimal fee for maintenance for those lines. So
25 it's like \$5 a month, which we think would cover those

1 costs. In addition, over the last four years, the
2 department has also absorbed some of the costs of our
3 contractual obligations, increase in rates from our
4 purveyors, the interest on the loan for -- that we took to
5 put in the new meters that we put in. So all of those costs
6 have been absorbed over the years, along with health
7 benefits and pensions that the rest of the town has also
8 been stressed with. The water department picks up those
9 costs for its employees. So, that's it. So, I'll open it
10 up if you guys have any questions.

11 COMMISSIONER PETRACCO: I tried to -- I called up
12 -- actually, Sam called up -- Sam, you don't have that
13 paperwork, right? Did I leave it in the office then? Did I
14 leave that in the office or no? No or I did? The one we
15 marked up. I was looking all over for this thing. So I
16 tried to, like, get the old ordinance and compare it to the
17 new. I know Tom asked for a red line copy, which -- did
18 you --

19 MAYOR SCARPELLI: I sent out the old ordinance
20 because it's been complete reworked.

21 COMMISSIONER EVANS: Yeah, it's not comparable. I
22 read through both of them.

23 MAYOR SCARPELLI: It's not even close.

24 COMMISSIONER PETRACCO: So -- so none of the rates
25 are changing? I mean, so you're looking to add a \$5 service

1 fee to --

2 MAYOR SCARPELLI: No, the -- we are changing a lot
3 of the rates because they're not comparable to what the
4 marketplace is. And some of that needs to be done before
5 other development is done.

6 COMMISSIONER PETRACCO: Why?

7 MAYOR SCARPELLI: Because we'll perform the work
8 that we won't be able to if they get paid for it.

9 COMMISSIONER PETRACCO: That's what I'm not --
10 I've been trying to follow this. So what rates are being
11 changed? I mean, is there a bunch of them in here? Is it
12 for the construction or --

13 MAYOR SCARPELLI: I would say every rate in there
14 where there's a dollar amount attached to it is being
15 changed.

16 COMMISSIONER PETRACCO: So is the water rate
17 itself being changed?

18 MAYOR SCARPELLI: No.

19 COMMISSIONER PETRACCO: That's the only thing
20 that's not being changed.

21 MAYOR SCARPELLI: The rate is not being changed.

22 COMMISSIONER EVANS: When I read it, I saw the
23 rate -- water rate stayed the same. There's a new service
24 charge depending upon the size water pipe you use.

25 MAYOR SCARPELLI: Size of the meter.

1 COMMISSIONER EVANS: Five-eighths, three quarters
2 and so on. And that there were new fees that were included
3 where there might be some dispute with the owner not being
4 aware of the fact that if you have to open the street,
5 they're going to get charged for that. This ordinance now
6 stipulates what that charge is and it's clearly stated.

7 MAYOR SCARPELLI: So for any existing --

8 COMMISSIONER EVANS: Because the old ordinance, it
9 didn't state it.

10 MAYOR SCARPELLI: It didn't state that. So for
11 any existing water, right, if there's emergency repair,
12 right, on the supply line, that will be fixed at no charge
13 to the customer where that was being charged 15,000 and
14 \$2,000 -- 1,500 to \$2,000. So --

15 COMMISSIONER PETRACCO: And that's where the \$5
16 charge comes in?

17 MAYOR SCARPELLI: Well, that's how -- that would
18 cover some of that.

19 COMMISSIONER PETRACCO: So the \$5 is going to be
20 applied to everybody's bill?

21 MAYOR SCARPELLI: Correct.

22 COMMISSIONER EVANS: Yes.

23 COMMISSIONER PETRACCO: I mean, so if you do \$5
24 times 8,000 homes, what's that? 40,000?

25 MAYOR SCARPELLI: Yeah.

1 COMMISSIONER PETRACCO: And if you can say if
2 there's 20 that break, if it's 1,000, it's 20,000, another
3 500, another -- so there's a little cushion there.

4 MAYOR SCARPELLI: (Indiscernible) cushion. Like I
5 said, we've absorbed some of the costs over the last four
6 years. You know, Passaic Valley Water went up 5 percent a
7 year. Newark Water went up 5 percent a year. And you have
8 to pay that out to get the water.

9 COMMISSIONER TUCCI: I'd like, and I haven't had
10 the opportunity to -- I started going through it. I didn't
11 go through the whole thing, but I'd like to have an
12 opportunity to go through the old ordinance, all right, and
13 do a comparison as best I can. I know you --

14 COMMISSIONER EVANS: I did it today. And it's
15 hard to do.

16 COMMISSIONER TUCCI: Because I'll be honest with
17 you, I'm not prepared to vote for this right now without
18 doing --

19 MAYOR SCARPELLI: Well, don't forget, we're just
20 doing the introduction tonight.

21 COMMISSIONER TUCCI: I know, I know. But I mean,
22 what I did see, and correct me if I'm wrong, was there was
23 the \$5 maintenance fee, and then there's a minimum charge
24 for those that use less than 500 cubic yards of water. 24 -
25 - I don't know -- is that -- I don't know if that's the same

1 as --

2 MAYOR SCARPELLI: That's always been -- that will

3 --

4 COMMISSIONER EVANS: That's going -- that's the
5 base structure.

6 COMMISSIONER TUCCI: Well, I'd like you to
7 consider holding this until I can --

8 MAYOR SCARPELLI: I can hold this until the next
9 meeting. Absolutely, I can hold it.

10 COMMISSIONER TUCCI: I mean, I started going
11 through the one part --

12 MAYOR SCARPELLI: But I can tell you that -- don't
13 even bother looking -- you can look at the old ordinance and
14 read it, but this is completely reworked. And it does bring
15 us up to some of the standards of the surrounding
16 municipalities and what they're charging.

17 COMMISSIONER TUCCI: Did you do a financial
18 analysis of where we are and looking forward?

19 COMMISSIONER EVANS: We haven't had a rate
20 adjustment in the water utility for, like, going on I think
21 about four years. So in that time, the water utility had a
22 cushion -- had a fund balance cushion. And in that four
23 years, that's been absorbed. Partially through some level
24 of rate increase from our purveyors, but a lot of it is the
25 increase in insurance -- we've been experiencing it in the

1 regular budget. Salary increases, insurances increases,
2 things like that all go through that utility and as Joe
3 mentioned, also the debt service, that goes through that.
4 So we've been reaching a point --

5 COMMISSIONER TUCCI: And what was that our bond or
6 was that EIT?

7 COMMISSIONER EVANS: That's our bond. No, it's
8 our bond.

9 COMMISSIONER TUCCI: Our bonding? Okay.

10 COMMISSIONER EVANS: That's our bonding.

11 COMMISSIONER TUCCI: EIT?

12 COMMISSIONER EVANS: That's EIT. Yeah, I'm sorry.
13 It's -- it's our money.

14 COMMISSIONER PETRACCO: But the water department
15 pays the payment.

16 COMMISSIONER EVANS: Right, label it what you
17 want, but it's still a check. So it's been -- it's time to
18 look at that and consider like all the things that need to
19 be considered as we discuss the municipal budget, what can
20 we do to conserve cost and things like that. It's
21 increasingly more common -- and I asked Ray Sarinelli (ph)
22 about this, for water utilities to now include a minimal
23 maintenance charge to maintain the service of the system.
24 Now, when you think about our system, it's well over 100
25 years old, right? Maintenance is an important

1 consideration, especially since we've had some serious water
2 main breaks over the last couple of years which has eaten
3 into that fund balance because the overtime --

4 COMMISSIONER TUCCI: I'm -- believe me, I'm not
5 disputing any of --

6 COMMISSIONER EVANS: No, no. I'm just saying --

7 COMMISSIONER TUCCI: -- the assumptions that were
8 made in, you know, in putting the work into this ordinance,
9 just that I haven't had a chance --

10 COMMISSIONER EVANS: And I'm just sharing with
11 you, just to give you that base line, that --

12 COMMISSIONER TUCCI: Okay. Now, where are we with
13 North Jersey?

14 COMMISSIONER EVANS: North Jersey, we're good.
15 Their rate has been pretty flat.

16 MAYOR SCARPELLI: They're consistent.

17 COMMISSIONER EVANS: Very flat. They have,
18 actually, I mean the last two years have introduced bond
19 ordinances but we haven't seen a rate adjustment come
20 through yet.

21 COMMISSIONER TUCCI: Right.

22 COMMISSIONER EVANS: So there is a potential that
23 we could see more. But what this does is it holds the water
24 rate monthly charge and it actually creates -- and the only
25 change, really, right to that. But it puts it in a more, I

1 think -- when I thought about it today was that it's more of
2 a consumer consumption base service tax where you -- fees.
3 If you have a need for the service, you pay for it as you
4 have a need for the service rather than doing -- what
5 historically gets done is you put everything -- your
6 assumptions into the rate and you start building the rate.
7 So it actually defines things. And what you'll find when
8 you read the ordinance, there's a lot of language in there
9 that gives you a better articulation of when you do this, if
10 it's a near side cut, it's this charge. If you've got to go
11 across the street --

12 COMMISSIONER TUCCI: (Indiscernible).

13 COMMISSIONER EVANS: You've got across the street.
14 You've got to go to the other side of the street, you've got
15 to do that.

16 MAYOR SCARPELLI: Dominick Ferry (ph) and Sal
17 Ferraro (ph) did the bulk of the work. I'm a good editor,
18 that's about it.

19 COMMISSIONER TUCCI: How many gallons a day were
20 you on the contract for?

21 COMMISSIONER EVANS: Three million, right?

22 MAYOR SCARPELLI: Yeah. Three point something.

23 COMMISSIONER EVANS: 3.2 million and we were below
24 that. We had, if you remember, you and I go way back. We
25 had an issue, which we were over the limit.

1 COMMISSIONER TUCCI: Yes.

2 COMMISSIONER EVANS: And we solved that.

3 COMMISSIONER TUCCI: Right.

4 COMMISSIONER EVANS: Got the Newark people calmed
5 down and that all got solved. It was actually consumption
6 and we found the valve was turned the wrong way, right. So
7 you may remember all that.

8 COMMISSIONER TUCCI: I do remember that, yes.

9 COMMISSIONER EVANS: So that has never -- that
10 hasn't been a problem since. And they have the sounding
11 equipment to get after leaks right away.

12 COMMISSIONER TUCCI: Right.

13 COMMISSIONER EVANS: So I think you'll find the
14 language has been reworded to more extensively and
15 explicitly describe why a fee is charged and what that fee
16 is. My first reaction was I had a little bit of sticker
17 shock when I saw the fees, but you had mentioned that those
18 are now getting more competitive with other municipalities.
19 And maybe if we hold it, we might get a sense of what other
20 municipalities are charging.

21 MAYOR SCARPELLI: We can do that. I don't have
22 any problem doing that. Most of those rates, too, are for
23 new services.

24 COMMISSIONER EVANS: Yes.

25 MAYOR SCARPELLI: Not for existing people, unless

1 they want to upgrade their line. If they want to go from a
2 one inch service to a two inch service, well, they're
3 upgrading it because that's their choice, right. Someone
4 builds a new house, that's a new service. So --

5 COMMISSIONER TUCCI: Can we get a feel -- I'm
6 sorry, go ahead.

7 MAYOR SCARPELLI: Someone develops the Roche
8 property --

9 COMMISSIONER TUCCI: Right, it's a new service,
10 they need to pay.

11 COMMISSIONER EVANS: New service.

12 COMMISSIONER TUCCI: I understand.

13 COMMISSIONER EVANS: Right and cha-ching.

14 COMMISSIONER TUCCI: Right.

15 COMMISSIONER EVANS: Right.

16 COMMISSIONER TUCCI: Got you.

17 COMMISSIONER EVANS: I caught that.

18 COMMISSIONER TUCCI: My only concern was the
19 minimum fee, all right, for those that don't pierce that 500
20 cubic yards, I mean, do we have many seniors that will be
21 effected by this?

22 MAYOR SCARPELLI: You mean, where they're
23 minimum --

24 COMMISSIONER TUCCI: Yeah, where they're below
25 that minimum -- paying below that minimum?

1 MAYOR SCARPELLI: Well, they'll be -- the minimum
2 charge for the service, right, they're less than the 500 --
3 that's mostly -- I don't want to say they're seniors. I'd
4 say they're mostly vacant homes.

5 COMMISSIONER PETRACCO: So what's the minimum? Is
6 it -- how many --

7 COMMISSIONER EVANS: \$20.

8 COMMISSIONER TUCCI: 24.24.

9 COMMISSIONER EVANS: Right, something -- it's a
10 crazy number. I can --

11 COMMISSIONER PETRACCO: And what's the charge if
12 they don't meet that criteria?

13 MAYOR SCARPELLI: If they don't use the minimum
14 gallon, then they get charged the minimum fee of 24.24.

15 COMMISSIONER TUCCI: Under the new ordinance.

16 COMMISSIONER EVANS: It's the same as the old
17 ordinance.

18 MAYOR SCARPELLI: Same as the old ordinance.

19 COMMISSIONER TUCCI: So the same, there's still
20 that minimum fee in both --

21 COMMISSIONER EVANS: That hasn't changed.

22 COMMISSIONER TUCCI: -- ordinances, okay.

23 COMMISSIONER EVANS: Correct.

24 MAYOR SCARPELLI: That doesn't change.

25 COMMISSIONER EVANS: That hasn't changed.

1 COMMISSIONER TUCCI: Okay.

2 MAYOR SCARPELLI: That hasn't changed. That's
3 based on the rates.

4 COMMISSIONER TUCCI: See, these are the kind of
5 things that I want to look at and unfortunately, I
6 apologize, but I haven't had a chance.

7 MAYOR SCARPELLI: But the -- like I said, the
8 majority of the homes, the majority, are not the seniors.
9 Those are the vacant homes.

10 COMMISSIONER TUCCI: Got you.

11 MAYOR SCARPELLI: The majority of people are using
12 above that minimum amount.

13 COMMISSIONER TUCCI: I would love to pay that \$20.

14 MAYOR SCARPELLI: That's what I'm saying, do you
15 know what I mean?

16 COMMISSIONER EVANS: The other thing too is, as I
17 talked to you this afternoon, Pat is going to get together
18 with Sal.

19 MAYOR SCARPELLI: Yeah, they did. Pat talked --
20 just as an addition. So this gives them a little time too.
21 It didn't seem like there was any (indiscernible) that had
22 some questions and they talked by phone. It didn't seem
23 like there was anything that was going to be out of the
24 ordinary, but now it's moot anyway because --

25 COMMISSIONER EVANS: Yeah, he was looking for

1 clarifying language mostly, so I didn't think it would be a
2 big deal because it's a hold, but since we are considering
3 that, then it will give them time to take care of that.

4 COMMISSIONER TUCCI: Yeah, when I do this, do you
5 want everything to go through you or call Sal? What's most
6 convenient? If I have any questions, you know --

7 MAYOR SCARPELLI: Well, you can call me.

8 COMMISSIONER TUCCI: I'll call you, okay.

9 MAYOR SCARPELLI: And if I can't answer it, then
10 I'll --

11 COMMISSIONER TUCCI: No, I was not -- not to
12 bother you, that's all.

13 MAYOR SCARPELLI: That's fine. We'll push it to
14 the next meeting. It will give you time to look at it.
15 It's pretty comprehensive. I've got to give them kudos
16 because they put a lot of time and effort into it. They did
17 some research on other municipalities to see where we stand.
18 So it is what it is.

19 COMMISSIONER EVANS: There's one clarification
20 that I thought of later in the day, many times when people
21 come to the counter and they get a high water bill, they are
22 obviously upset about that and they're questioning the bill.
23 And they don't realize that the amount of water they use
24 when they let the toilet run, or the sink drips, or things
25 like that which they're responsible for paying. I thought

1 that maybe the ordinance should be a little clearer that
2 their bill is inclusive of not only what they -- it's
3 inclusive of consumption, which includes leaks.

4 COMMISSIONER TUCCI: Now, we get that
5 notification.

6 MAYOR SCARPELLI: Well, what's another thing is
7 that we actually thought about -- we could do a -- if people
8 have questions on the bills and we've done it, because of
9 the radio frequency meters and because of the technology
10 that's in there, we can actually do a profile on their meter
11 and go backwards on when they started using more water or
12 when they used more water. It's been very handy in figuring
13 out, you know, if people started having people live with
14 them and all of a sudden they didn't know why their water
15 went up. Or we had one gentleman who -- he was questioning
16 his bill and he showed us all of his paperwork, very well
17 organized, and the bill went down at a certain point. And
18 he had a bill in his file with a plumber's bill to fix the
19 leaks in two toilets. And we said, well, that looks about
20 the time that it went down. And he says, no, no, don't
21 worry about that bill.

22 COMMISSIONER TUCCI: Don't worry about that
23 correlation.

24 MAYOR SCARPELLI: Don't worry about that. Don't
25 worry about that. So, yeah, I think that maybe adding

1 something about --

2 COMMISSIONER EVANS: Just clarifying that
3 language.

4 MAYOR SCARPELLI: -- leaks.

5 COMMISSIONER PETRACCO: Okay, well, I need a short
6 executive when you get there.

7 MAYOR SCARPELLI: Do you have anything?
8 Litigation? Madam Clerk, do you have anything? Do you
9 have --

10 MADAM CLERK: We have two applications, one from
11 the Knights of Columbus and one from Southside Grill for
12 approval. And that's all I have.

13 MAYOR SCARPELLI: Need a motion to go to executive
14 for -- Mr. Genitempo.

15 MR. GENITEMPO: Litigation.

16 MAYOR SCARPELLI: Litigation.

17 COMMISSIONER TUCCI: So moved.

18 COMMISSIONER EVANS: Second.

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

1 proceed to closed executive session.

2 And now, therefore, be it resolved by the Board of
3 Commissioners of the Township of Nutley, move into closed
4 executive session to discuss litigation and contract
5 negotiaion.

6 COMMISSIONER EVANS: Yes.

7 MADAM CLERK: Be it further resolved that the time
8 when such discussion may be disclosed to the public shall be
9 when the special disclosure may be made without adversely
10 affecting the Township of Nutley, pending and/or anticipated
11 legal personnel, contractual matters, and other matters
12 within the exceptions provided for by statute.

13 Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Here. Aye.

19 MADAM CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Aye.

21 (Audio ends)

22 MAYOR SCARPELLI: Madam Clerk?

23 MADAM CLERK: Yes, Mayor. Board of Commissioners
24 Public meeting, Tuesday, February 21st, 2017, the time is
25 8:25.

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 1st, 2016 issues of
4 The Nutley Sun and The Herald News, and the December 2nd,
5 2016 issues of The Star Ledger. A copy of this notice has
6 been posted on the Nutley Town Hall bulletin board and a copy
7 is on file in the Municipal Clerk's Office.

8 Commissioner Rogers is absent/excused.

9 Commissioner Tucci?

10 COMMISSIONER TUCCI: Here.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Here.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Here.

15 MADAM CLERK: Mayor Scarpelli?

16 MAYOR SCARPELLI: Here.

17 MADAM CLERK: All present, Mayor, except for
18 Commissioner Rogers. He's absent/excused.

19 MAYOR SCARPELLI: We're going to take the agenda a
20 little bit out of order. First, I'm going to turn it over
21 to Commissioner Tucci. Commissioner Tucci has special
22 presentations.

23 COMMISSIONER TUCCI: Yes, Mayor, thank you very
24 much.

25 Once again this year, it's my privilege and my

1 honor on behalf of this Board of Commissioners to recognize
2 our St. Patrick's Day parade dignitaries for 2017. And I
3 have a resolution that I'd like to offer on behalf of the
4 board.

5 Whereas, On Saturday, March 4th, 2017, the Nutley
6 Irish American Association will hold its 39th Annual St.
7 Patrick's Day Parade to celebrate the legend and spirit of
8 St. Patrick through a fun, good old-fashioned parade and to
9 promote an atmosphere of benevolence, friendship, and
10 community spirit; and

11 Whereas, St. Patrick's Day honors the cultural
12 traditions of the Irish but also the historic American
13 commitment to embrace the multifaceted traditions of all
14 immigrant people who have come to our shores; and

15 Whereas, The Nutley Irish American Association
16 celebrated its Annual St. Patrick's Day Parade, Grand
17 Marshal Dinner, on Friday, February 3rd, 2017 at Nanina's in
18 the Park; and

19 Whereas, this year's Grand Marshal is Frank
20 Dauksis; deputy Grand Marshal, Shane McClafferty; member of
21 the year, Colleen Nielsen; parade queen, Morgan Sim; and our
22 firefighter of the year, Michael Budinick;

23 Now, therefore, be it resolved that the Board of
24 Commissioners of the Township of Nutley, County of Essex,
25 State of New Jersey, join with the citizens of Nutley to

1 salute and congratulate our parade dignitaries as they are
2 honored here tonight. I proudly move this resolution.

3 COMMISSIONER EVANS: Second.

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 COMMISSIONER TUCCI: I also have before we
13 actually make this presentation and take a photo, I also
14 have resolutions from the legislative delegation of the 28th
15 legislative district, which includes Senator Rice,
16 Assemblyman Caputo, and Assemblywoman Tucker, who asked me to
17 present these on their behalf. So if we could have our
18 dignitaries please come forward.

19 (Applause)

20 (Pause)

21 (Applause)

22 MAYOR SCARPELLI: I'd just like to congratulate
23 all of the parade awardees and I'll turn it over to Tom
24 McEnery, president of the Nutley Irish.

25 MR. MCENERY: Well, Mayor, Commissioners, Tom

1 McEnergy, president of the Irish American Association. I just
2 want to say thank you for all of your support you give us
3 every year. This parade wouldn't go on without you. You
4 know, we really want to thank you and Assemblyman Ralph
5 Caputo for all of his dedication to our organization and the
6 help. Thank you very much.

7 MAYOR SCARPELLI: Thank you, Tom.

8 (Applause)

9 MAYOR SCARPELLI: We had a late starter to the
10 agenda, Edison Avenue and Oakley Terrace, so I'm going to
11 turn it over to Commissioner Petracco.

12 COMMISSIONER PETRACCO: Thank you, Mayor.

13 MAYOR SCARPELLI: Councilman Cozzarelli from
14 Belleville, will you please stand? Welcome. Welcome to
15 Nutley. Come to the microphone.

16 COMMISSIONER TUCCI: One of those bashful
17 politicians.

18 MR. COZZARELLI: Good evening, Commissioners. I'd
19 just like to come to show my support for all of the
20 honorees. Especially two of them happen to be from
21 Belleville, so of course Belleville supports the parade and
22 the Nutley Irish. So thank you.

23 MAYOR SCARPELLI: Thank you, Councilman.

24 COMMISSIONER TUCCI: Thank you, Councilman.

25 MAYOR SCARPELLI: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Thank you, Mayor, yes.
2 First, let me apologize to everyone from Edison Avenue that
3 we ran late in the back, but there is a lot of stuff that
4 we're going through. Before we start about our parking
5 situation, the two hour parking. I think first we're going
6 to have the Chief come up and just give the Board of
7 Commissioners a little history of what's been going on with
8 our phone calls at the police department.

9 POLICE CHIEF: As the director said, I've had a
10 lot of residents inquiring about the two hour parking limit
11 in the area of the northwest, which would be Edison Avenue,
12 Oakley Avenue. Originally that was instituted with the
13 Roche property where we would get a lot of overflow from the
14 complex parking on the side streets. So I believe years
15 back, with the consensus of residents in the area, streets
16 were included into a two hour parking zone. So now, since
17 the property is closed, residents in the area are inquiring
18 about the two hour parking prohibition. And at this point,
19 we're just looking at, you know, whether they want to
20 continue it. And at this point, I've had some complaints
21 that have been sent to me. I know the director has
22 complaints sent to him. And it's a toss up. There's still
23 people that support it and don't support it. So at this
24 point, I guess we'll listen to see what the people in the
25 area still want and we can take that into consideration and

1 evaluate whether we want to continue two hour parking on
2 certain streets in the area.

3 COMMISSIONER PETRACCO: Okay.

4 MAYOR SCARPELLI: Chief, maybe you want to come up
5 here and sit in Commissioner Rogers' seat. We're going to
6 invite the neighbors from Edison and Oakley to come up.
7 Please try to limit your remarks to three minutes. And
8 please try not to be too redundant over what someone else may
9 say. So just come up and state your name and address.

10 MR. GIBBONS: Good evening. My name is Brian
11 Gibbons, 65 Edison Avenue. I live on Edison Avenue. I'm
12 here to address the parking on my street. In January, I get
13 a ticket for violating the two hour parking ordinance. I've
14 been parking on the street for years with no problem. I
15 don't understand why this day of all days, I get a ticket.
16 I've been told by other neighbors that tickets have been
17 issued to them as well. I'm here to propose that resident
18 parking stickers be issued.

19 I've also been told that this proposal has been put
20 forth in the past to no avail. My wife and I are both
21 retired. I have a handicap that limits my being able to get
22 in and out of my car easily. My wife has started a new
23 career and real estate, and our daughter, who is a college
24 student, also works. We are all in and out of the house
25

1 many times a day. With this ordinance in effect, we would
2 have to shift cars every two hours. I can understand this
3 being in effect when Roche was open. But as everybody
4 knows, it has been closed for a number of years. When it
5 does reopen, I think there's ample parking to accommodate
6 their parking needs. I also understand this was put into
7 effect to deter (indiscernible) parking on the street. With
8 the use of resident stickers, this would be resolved. This
9 ordinance even limits Saturday parking. I, like a number of
10 neighbors, only have a single width driveway and multiple
11 cars. (Indiscernible). I understand it works very well.
12 (Indiscernible) which will generate revenue, in addition to
13 parking -- to ticketing cars without a sticker. This
14 program might even be helpful in fighting crime. With the
15 night parking restrictions, a car without a parking permit
16 would raise a red flag. With the high taxes we pay, I feel
17 we should be able to park on our street without the fear of
18 being ticketed. Thank you.

19 MAYOR SCARPELLI: Anyone else want to address the
20 Board?

21 MS. COTTELL: Hi. I'm Maria Cottell from 81
22 Oakley Terrace. I also have been a resident for the past 15
23 years, never had a parking ticket. And just beginning of
24 February, dropped my husband off to work, parked in front of
25 the house, came out, there was a ticket on there. Never got

1 ticketed before. I also -- the same thing, I'm a stay at
2 home mom right now, so my driveway fits only two cars: one
3 behind the other. I also have a college student and it
4 would be a complete inconvenience constantly having to move
5 in and out of the driveway all day to accommodate a two hour
6 parking scenario.

7 I also was a commuter into the city, so I did it,
8 came home, parked my car, never had a problem. I originally
9 came from Jersey City, so I know in Jersey City, they did
10 the same thing where if you were a resident, you owned a
11 house, you paid for a parking sticker. They went on the
12 back of the car and it worked very smooth. Never had a
13 problem. I think it needs to be something that is looked at
14 because we're right by La Roche. I don't know when things
15 are going to go back into operation again, but I don't think
16 it's fair that the homeowner is the one that's getting
17 ticketed. So whatever could be done, I think we definitely
18 should look at it. Thank you.

19 MAYOR SCARPELLI: Thank you.

20 MS. ORTEGA: I'm just going to read a note from my
21 mother, who has received about three tickets in the last
22 year, year and a half or so, one very recently.

23 MADAM CLERK: Miss, can you just give us your name
24 and address, please.

25 MS. ORTEGA: Yes, my name is Cory Ortega. I live

1 at 35 Edison Avenue. And this is on behalf of my mother,
2 Lorraine Schwolick (ph). She writes, "I am a mother and
3 grandmother. I travel from Pennsylvania to visit or babysit
4 on occasion. Sometimes I park on Emily Ave, which runs
5 perpendicular to my daughter's home. I have received four
6 tickets over the course of a few years. The most recent one
7 was for going over the two hour time limit, only by moments,
8 on Saturday, February 4th. Ironically, the due date for the
9 citation happens to be today. I reluctantly mailed in my
10 \$29 fine for parking a half hour over the limit. My
11 daughter and son-in-law each have a vehicle and to avoid
12 shuffling cars so they could get out, I parked on Emily Ave.
13 They each have errands to run and when there was room in the
14 driveway, I went to move my vehicle back in the driveway and
15 discovered a ticket on the windshield. To me, there seems
16 to be no reason for the parking restrictions on the streets
17 in this section of Nutley and it is a nuisance to homeowners
18 and guests, sometimes a costly one. Please considering
19 amending or repealing this ordinance. Respectfully,
20 Lorraine Schwolick." Thank you.

21 MAYOR SCARPELLI: Thank you. Anyone else want to
22 address the Board?

23 MR. ROSELLI: Anthony Roselli, 78 Edison Avenue.
24 I just want to mention with the other parking programs, I
25 know Ridgefield Park has the exact same marshal plan that

1 you guys have -- has the stickers in play. And what they do
2 -- work for them is each registered home gets two or three
3 stickers per car, and they go to the police station and use
4 their registration number and echoes the sticker
5 registration number, but they also get a visitor's pass. So
6 I just wanted to bring that up.

7 MAYOR SCARPELLI: Thank you. Anybody else want to
8 address the Board?

9 MS. MAHANA: Hi. My name is Dana Mahana. I live
10 at 76 Oakley Terrace. I -- you know, I've been hearing so
11 much about these parking tickets. I've been warned
12 gracefully by my neighbors, which was really nice. They've
13 let us know. But I would like to -- while I think the
14 stickers are a really great idea, especially Oakley Terrace
15 is a very empty street. There aren't many cars that pass
16 through it. And, you know, we -- you know, we have Italian
17 and Irish families, big families. We have them over every
18 Sunday. And I'm kind of wondering if we have these permits,
19 what is the solution when we have family over? What's the
20 solution in the summer -- you know, our neighbors have a
21 pool. They have family over. You know, we're used to that
22 as neighbors, but how can we address, you know, the -- how
23 can we address the police officers taking care of this to
24 understand that? You know, we do entertain. We do have
25 people over, and visitors come from out of state, how can we

1 address this on a larger scale? You know, if I'm going to
2 have 20 people come over, how can I -- how can we address
3 this issue of having and entertaining people for longer than
4 two hours. That's all. Thank you.

5 MAYOR SCARPELLI: Thank you. Anybody else want to
6 address the Board on this issue?

7 MR. RAZOWITZ: Paul Razowitz, 70 Edison Avenue.
8 Is it possible if an officer comes to your car, scans your
9 plate, they notice you live on Edison Avenue and just not
10 give you a ticket. That simple. Everything's electronic.
11 We should be in the 21st century. Thank you.

12 MAYOR SCARPELLI: Thank you. Anybody else want to
13 address the Board on this issue? Anything from the
14 Commissioner, anything you want to say?

15 COMMISSIONER PETRACCO: Yeah, I'll click in
16 briefly. It's really a tough issue. And it's -- as simple
17 as it seems, it's not always that simple. When I -- when
18 Mr. Gibbons first e-mailed me and my assistant was telling me
19 that he had been trying to get a hold of me, I looked into
20 the problem and I actually went down to the police
21 department and I said to our chief, I'm like, why in the
22 world are we ticketing two hour parking in that area for,
23 you know, Roche is closed? And sure as God made apples, he
24 had his radio on and there was a call, I don't know if it
25 was to Edison, but it was -- was it Edison? It was to the

1 street where somebody on Edison complaining about a car
2 parked in front of their home for over two hours. So that
3 does happen.

4 When we were in the back before, I talked to all
5 of the Commissioners and the Mayor about what could we do to
6 resolve this problem. Because if we were to go to a sticker
7 program or some type of permit, to change an ordinance, it
8 would take the full vote of the Board in order to do that.
9 We kind of agreed in talking to the Chief, and I'll let you
10 chime in here too, is that maybe the first step we should
11 take before we rush into anything is to start rescinding the
12 two hour parking on these streets while there isn't an
13 issue.

14 So we came up with, if you have over 51% of the
15 residents on any given street that wanted the two hour
16 parking eliminated and lifted, we could do that. And, you
17 know, we could get some of your input on that. Chief, do
18 you want to join in about --

19 POLICE CHIEF: No. As the director said, I would
20 recommend to leave it up to the people that live on each
21 individual street. If the consensus is that they don't want
22 the prohibition from parking, then the Board could consider
23 lifting it based on the consensus of each block. If the
24 block does want the two hour prohibition, then it would
25 remain in those streets. And I believe that's before my

1 time of when they first enacted the bans in those areas of
2 the Roche property were based on what the people wanted, I
3 believe.

4 COMMISSIONER PETRACCO: And a consensus.

5 POLICE CHIEF: I believe they came to the board
6 with consensus on each street asking for two hour parking
7 due to the overflow from the Roche property. So it only
8 makes sense to go back -- to ask the people again if they
9 still want it. And on each street if they do want it, leave
10 it. And if they don't, you know, we could consider
11 rescinding each street that they no longer wanted
12 (indiscernible). I think that would be the simplest
13 resolution. And if it does become an issue when the
14 property is redeveloped, the Board could reexamine it and
15 take into consideration any new changes to the property.

16 MAYOR SCARPELLI: So as I understand you, chief,
17 you're asking the residents to basically get a petition with
18 51% of the homeowners in agreeance -- in agreement with
19 rescinding the two hour parking (indiscernible) action on
20 that.

21 POLICE CHIEF: Yes, yes.

22 COMMISSIONER PETRACCO: I think the best thing to
23 do, if you have a comment or something, to really come
24 forward because we really want to hear, you know, what you
25 have to say about what some of our ideas are.

1 MR. RAZOWITZ: Paul Razowitz, 70 Edison Avenue.
2 That's the only solution is to come up with a 51% vote to
3 rescind the two hour parking? I think that would be a
4 mistake because you're going to open up a school. You're
5 going to have problems with commuters parking on our street
6 because there's a bus stop on (indiscernible) Street and on
7 Kingsland. I think Brian's idea with the permits is the
8 best solution. If not, come up with an electronic system.
9 Scan the plate, this guy lives on -- at 70 Edison Avenue,
10 why bother giving him a ticket? We're in the 21st century.

11 COMMISSIONER PETRACCO: Chief, what do you think?
12 You can stay there for just one second. What do you think
13 about scanning plates and how would that work? How would it
14 affect our police department?

15 POLICE CHIEF: Well, it definitely would be
16 (indiscernible) -- would add to our resources. Currently,
17 the way the ordinance reads, even if the officer knows that
18 the car belongs there, that's not in the ordinance, the car
19 is still in violation. So --

20 MR. RAZOWITZ: Okay, so why can't you change the
21 ordinance? Instead of rescinding the two hour parking
22 entirely.

23 POLICE CHIEF: Well, again --

24 MR. RAZOWITZ: Because we'll be at this again in a
25 year or two when they start developing it up again.

1 POLICE CHIEF: -- I would leave it up to see what
2 the people on the block, the consensus is. That's how it
3 was enacted. So I would agree that, you know, as many
4 people are complaining that want it, there's also people
5 that are calling to say they don't want cars on the street.
6 So we have to kind of come up with a way and hear from
7 everybody on the block to say what does the consensus of the
8 street want?

9 MR. RAZOWITZ: So if we come up at a 51% vote on
10 getting resident permits, is that a viable solution or is
11 that totally off the table?

12 COMMISSIONER PETRACCO: I think that with the
13 Board of Commissioners, we discussed in the back and you
14 guys could join in at any time, is that before we went to
15 that permit parking situation, we'd rather try like a pilot
16 program on that street to see how it works out and then if,
17 at the end of the day, if that's what we have to do to solve
18 the problem, then we could discuss that.

19 MR. RAZOWITZ: So the pilot would be to eliminate
20 the two hour parking first?

21 COMMISSIONER PETRACCO: No -- well, the pilot
22 program would be to -- let me just finish. The pilot
23 program would be to petition your neighbors, come up with a
24 51% vote to say that you don't want the two hour parking
25 there. See how that goes. If it's problematic to you,

1 okay, then we would -- I would come back here and again, you
2 know, it's just not something that as the director of public
3 safety I could just change and say, okay, this is what we're
4 going to do. That would be a Board vote. To change any
5 ordinance, we need the Board to vote on that and to get that
6 through. So --

7 MR. RAZOWITZ: I foresee to eliminate the problem
8 with reenacting the two hour parking by coming up with a
9 petition of 51% towards buying a permit for -- the fee that
10 towns (indiscern.) towns, larger or towns or cities --

11 COMMISSIONER PETRACCO: Yeah, I'm not so -- I'm
12 not even concerned with a fee at this point or anything like
13 that. The thing that concerns me, just like the young lady
14 came up to the mic and said, okay, now if you have a permit,
15 you know, and she has a big family. Now, you have 20 people
16 that are coming to a kid's birthday party or whatever. Now
17 what stops them from getting a ticket there?

18 MR. RAZOWITZ: Make a phone call.

19 COMMISSIONER PETRACCO: You know what, it's --

20 MR. RAZOWITZ: Then you go onto the 21st century
21 and say plate number such and such called at this particular
22 time and she --

23 COMMISSIONER PETRACCO: It's not -- let me say
24 this to you, it's not so much of getting into the 21st
25 century. The thing is is that all of that stuff takes time

1 and resources on our police department. And, you know, we
2 have 70 police officers here total now. When I first got
3 elected, we only had 60. And sometimes there's only five
4 working at any given time. So, you know, I don't want to go
5 through the whole thing, but you have a domestic --

6 MR. RAZOWITZ: Yeah, but it eliminates --

7 COMMISSIONER PETRACCO: -- you have -- you know,
8 it's a very difficult thing just to have the police say,
9 okay, we're going to be able to police this issue where a
10 permanent solution, if it is to permit parking, if it is
11 lifting the two hour parking, I think that would better
12 serve people of the streets and for our police department
13 not to tie men up on just that. Because when you think
14 about it, it's not just a problem in the northwest. It's
15 also a problem down on Washington Avenue. You know, there's
16 a lot of spots where commuters are parking and jumping on
17 busses. The chief could tell you, we've got a lot of
18 complaints all over town. You know, so --

19 MR. RAZOWITZ: That's why I think it would be a
20 mistake to rescind it.

21 COMMISSIONER PETRACCO: It would be a mistake to
22 rescind the two hour parking?

23 MR. RAZOWITZ: I think it would be a mistake to
24 rescind it. I really do.

25 COMMISSIONER PETRACCO: Okay, well listen, you

1 know what, I'm glad you're coming up because we do need to
2 have this discussion. This way we can go back there as a
3 Board and say okay, this is what the people said. This is
4 what they want. And then we have to react to that. So I
5 agree. I'm glad you're talking.

6 COMMISSIONER TUCCI: Could I add something? Thank
7 you, Mayor. Because I was here when we enacted that two
8 hour parking prohibition. And it was because we were
9 petitioned by the folks who lived on Edison, and Oakley, and
10 Emily, and Laura, and all of those smaller blocks there.
11 And the problem at the time was we had the employees from
12 Hoffmann and La Roche parking there, and we also had
13 commuters parking there who were taking the bus going into
14 the city (indiscernible). So the residents came to the
15 Board at that time and asked us to do something about it.

16 So at the time, Commissioner Orechio (ph) was in
17 charge of public safety came up with the two hour parking
18 prohibition. And quite frankly, it was supposed to be a
19 temporary solution at the time, which just carried over.
20 Personally, I have a problem, okay, with the stickers. And
21 I'm going to tell you why. Because any ordinance changes
22 that we make will not only affect your area, but the entire
23 Town, okay? What we'd like to do, and again, we don't know
24 how long it's going to take Roche to be redeveloped. We
25 know there's the medical school there. We know that the

1 purchasers, Prism, the redevelopment, all right, is going to
2 build out that property. So in the meantime, personally, I
3 don't think it's fair that you have a restriction placed on
4 you because of where you live that the rest of us don't
5 have. I don't have a two hour parking restriction on my
6 block. I can park there all day long. I can't park
7 overnight. And I'm still in favor of no overnight parking,
8 because I think that becomes a safety issue.

9 But I think what the director is proposing, all
10 right, is a good first step. I think doing it as a pilot on
11 a block by block basis could, in fact, be beneficial. If we
12 need to go back and tweak it, then so be it. And
13 ultimately, when the Roche property is totally redeveloped,
14 if we need to take another look, all right, because of a
15 problem that may come back, well, then we'll address it at
16 that point. But I think it's important that we do it
17 together. We're not here to just pontificate and tell you
18 what's best for you. I mean, I have a daughter that lives
19 on Emily. All right, I know they're tight blocks. If you
20 have parking on both sides of the street, and you have snow
21 on the street, and we need to get a plow through, sometimes
22 it's difficult.

23 The stickers is -- could be a fine solution for
24 your area, but when we make that application Town wide, it
25 may not be ideal. And I can see some other issues that

1 could come into play for us. Again, it's something for you
2 to consider. I think the reason he's proposing 51% of the
3 folks on the block, you know, being in favor of lifting the
4 parking prohibition is because we want to satisfy as many
5 people as possible. We're not here to punish anyone or to
6 tell you, you know, how to live your life and where to park
7 your car, other than overnight.

8 MR. VERSELLI: Anthony Verselli, 78 Edison. So
9 just to expand on your point, I know a lot of the neighbors
10 from Edison came to you guys, or whoever was here at the
11 time --

12 COMMISSIONER TUCCI: Like sent us e-mails and
13 texts and we forward them over to Commissioner Petracco.

14 MR. VERSELLI: So at the time, they came and they
15 instituted the two hour parking. And Edison experienced the
16 problem that we're having right now then. And they came and
17 wanted parking permits then and they were told no. So now
18 we're back to this point. And now we're talking about
19 removing the two hour parking and then bringing it back,
20 which will then be back in the same problem that we're at
21 right now.

22 COMMISSIONER TUCCI: I'm not saying we're going to
23 bring it back. What I said was that once the development
24 is, in fact, completed, we need to revisit it and take a
25 look and see what works best for everyone.

1 MR. VERSELLI: So we're talking about a pilot
2 program. We've already -- like you can have a pilot program
3 of stickers for Edison Ave if we have a consensus on the
4 block. We already have a pilot program for this two hour
5 parking --

6 COMMISSIONER TUCCI: And again, the stickers would
7 work for your area, but that application Town wide is not
8 ideal.

9 MR. VERSELLI: It doesn't have to be Town wide.
10 We're talking about a pilot program for Edison Avenue where
11 we just have stickers for a program that was instituted for
12 Edison Avenue and other neighbors over here. Why not just
13 -- we've been down this road.

14 COMMISSIONER PETRACCO: Well, let me ask you a
15 question. What happens to that young lady's problem in the
16 back when she has a party and her family is there?

17 MR. VERSELLI: Most people have parties on
18 Saturdays and Sundays, right?

19 COMMISSIONER PETRACCO: Well, what if it's not?
20 What if it's not?

21 MR. VERSELLI: The two hour parking is not
22 instituted on Sunday, so that solves that. And then
23 Saturday, you can just rescind it. I don't think anybody
24 here has a problem on Saturday. It's Monday through Friday.

25 COMMISSIONER PETRACCO: Yeah, but if it's

1 something that we have to enforce, it will be enforced. But
2 I'm just saying, it's like -- like Commissioner Tucci is
3 saying, we're here to listen tonight and then we're going to
4 go back because that would take a Board vote to get that
5 passed. But I'm a -- I have to tell you, myself, I'm a fan
6 of baby steps because when you jump into things, you know,
7 like Commissioner Tucci is saying, that might be good for
8 Edison Avenue, but if it's not good for the other side of
9 Town, it leads to other things and other issues.

10 MR. VERSELLI: I understand.

11 COMMISSIONER PETRACCO: You know, and look --

12 MR. VERSELLI: But if we take a baby step, we need
13 to walk now. We've already had the two hour parking. And
14 we had this issue where we wanted -- people on the block
15 wanted parking permits and they were told no then. Now,
16 we're talking about removing the two hour parking and then
17 revisiting it down the road for two hour parking, and then
18 we'll back to square one.

19 COMMISSIONER PETRACCO: Well, what's the problem
20 with removing the two hour parking? What do you think the
21 issue is going to be?

22 MR. VERSELLI: We want the two hour parking.

23 COMMISSIONER PETRACCO: Why?

24 MR. VERSELLI: In case people come or there's
25 commuters.

1 COMMISSIONER PETRACCO: Who's coming?

2 MR. VERSELLI: There's commuters. There's a bus
3 stop on the corner. We have a New Jersey Transit Stop right
4 there on the corner of Kingsland and Edison.

5 COMMISSIONER PETRACCO: Has it been an issue now?
6 I mean, are they still parking there?

7 MR. VERSELLI: We're not having a problem with
8 that but we would like it. It will do it.

9 COMMISSIONER PETRACCO: I understand.

10 MR. VERSELLI: We're just asking for a parking
11 permit for our homes on Edison. Now, do we waste our time,
12 because we -- I don't think anybody's interested in a
13 consensus of removing the two hour parking. Can we have a
14 consensus -- if we come to the Board with a full 100%
15 consensus from Edison Ave, can we do a pilot program for
16 just stickers?

17 COMMISSIONER PETRACCO: I don't think anything is
18 a waste of time. I think it's good to communicate. And I
19 know that this is a hot topic and I'm willing to like get
20 right on this. I don't want to wait because I could see
21 that people are frustrated. So I think when you're
22 communicating, nothing is a waste of time. I think that's
23 something that we have to -- that may be something that we
24 have to vote on, correct?

25 MAYOR SCARPELLI: We certainly would have to vote

1 on it. In discussing it back, we certainly would like to
2 (indiscernible) over a shorter period of time then, you
3 know, the short time we were back there today. And I'll
4 tell you one of my concerns with any kind of, you know,
5 taking away restricted parking and permit parking. I see it
6 sometimes as a slippery slope, especially of our overnight
7 parking because sooner or later someone's going to come to
8 us and say, well, listen, you know, you guys gave permit
9 parking to the people where they have two hour parking. Why
10 don't we have permit parking for overnight? You know,
11 everybody knows that they're residents there, why can't we
12 park on the street overnight. And it just becomes a
13 slippery slope. And I think that I know I am
14 (indiscernible) rest of the Commissioners, but if we ever
15 got rid of the overnight parking, it's not going to be good
16 for this town from a safety point of view or from a snow
17 plowing point of view. And I do see it being an issue where
18 we're going to get petitioned again for that.

19 COMMISSIONER PETRACCO: I don't think anybody
20 would support overnight parking.

21 MR. VERSELLI: Brian -- I spoke with Brian and I
22 spoke with every single person on my block, and that was the
23 number one thing that we support is --

24 COMMISSIONER PETRACCO: Well, let me say this to
25 you. One night come down to the police department and the

1 chief could assure you all the phone calls we get about --

2 MR. VERSELLI: A phone call for a visitor. I
3 mean, we can only fit two cars in our driveway. That's a
4 different story.

5 COMMISSIONER PETRACCO: No, but it's not -- it's
6 -- there's a lot of phone -- how many phone calls do we get
7 a night chief about?

8 POLICE CHIEF: There are, you know --

9 MR. VERSELLI: (Indiscernible).

10 COMMISSIONER PETRACCO: Can you just let us --
11 when we're talking -- can you, just one favor, when we're
12 talking, we'll give you your chance. Just let the chief
13 answer the question. Go ahead.

14 POLICE CHIEF: Again, like the director said,
15 there's residents that are on both sides of the issue. I
16 have residents that come down from your area and want no cars
17 on the street. They don't care about -- they don't want
18 residents either. So it's a mixed kind of review. You know,
19 there's some people that want parking, some don't. So right
20 now, we don't know the feel for what the consensus is in the
21 area. For as many people that are here tonight, I have
22 people that call and say I don't want -- why is anybody
23 allowed to park on the street? Is it two hour parking? So
24 and that was the original consensus. So now maybe that's
25 changed. Circumstances have changed since Roche has gone.

1 So I think the best alternative is to just remove it if
2 that's what you guys want and then see how that works out
3 and then readdress it if you need to.

4 MR. VERSELLI: Well, I just want to apologize. I
5 didn't mean to talk over you. I'm sorry.

6 COMMISSIONER PETRACCO: No, that's fine. That's
7 fine. You're passionate, that's good.

8 MR. RAZOWITZ: So if we canvas the whole block, 70
9 Edison Avenue, or write a letter stating option A, rescind
10 the two hour parking and get 51% and 75% say no, we want the
11 two hour parking with permits (indiscernible) --

12 COMMISSIONER PETRACCO: I think -- let me say this
13 to you. Paul, right?

14 MR. RAZOWITZ: Yeah, I'm Paul.

15 COMMISSIONER PETRACCO: Yeah, okay. I happen to
16 be in favor of the stickers, to be honest with you. You
17 know, but again, I can't do that by myself here because we
18 have to vote on things.

19 POLICE CHIEF: Yeah, I think what the
20 commissioners are trying to do is look at a system that will
21 be simplest for the whole Town and that will be easiest --the
22 less drain on the police department and also solve some of
23 the issues that will affect the whole two hour zone. Because
24 there's a lot of streets other than just Edison and Oakley
25 Town wide that have the parking restriction. So to

1 just do something that will -- like Commissioner Tucci said,
2 help Edison, it may now make it harder in the other areas. So
3 --

4 MR. RAZOWITZ: Is there any other areas in Nutley
5 that have a two hour parking?

6 POLICE CHIEF: Yes.

7 COMMISSIONER PETRACCO: Plenty of them.

8 POLICE CHIEF: There's plenty of areas.

9 MR. RAZOWITZ: Is it the whole town?

10 POLICE CHIEF: Not the whole Town, but there's
11 many different areas.

12 MR. RAZOWITZ: Okay, so now we already have a
13 situation established where there's two hour parking in only
14 certain areas of the Town. Now, Mauro, I think you stated
15 that it was a pilot program at one point, that nobody ever
16 got back to making it a permanent solution.

17 COMMISSIONER TUCCI: Yes.

18 MR. RAZOWITZ: So now we can make it a permanent
19 solution by -- we'll go past Edison. We'll go to Oakley.
20 We'll go to the other areas in our corner of Nutley and say
21 do we want to rescind it or do we want permit parking. And
22 I don't think that's going to jeopardize overnight because
23 everybody in this room -- I agree with the overnight parking
24 and I don't want it on my street either. I think it makes
25 us all safer.

1 COMMISSIONER TUCCI: Well, we want to hear what
2 you have to say. And we want to take the temperature of
3 everyone in (indiscernible) and see exactly what they want.
4 So if you wanted to do it that way and submit that to the
5 Board, obviously we can consider all the options but just at
6 the end of the day, all right, we want to resolve your
7 issues, but we don't want to resolve an issue in one area
8 and create (indiscernible).

9 MR. RAZOWITZ: But when you're talking about --

10 COMMISSIONER TUCCI: And that's our concern.

11 MR. RAZOWITZ: Two hour parking. It's only going
12 to be maybe two or three blocks, maybe a couple of hundred
13 feet from areas where there's bus stops or Hoffmann La Roche.
14 Somebody in the middle of Town is not really going to care
15 -- they're not going to worry about a commuter parking on
16 their street or from a major place like Hoffmann La Roche. So
17 it's really not an issue for the whole Town. That's the way
18 I see it. Thank you.

19 MAYOR SCARPELLI: I think it's more than a couple
20 of streets though, right?

21 COMMISSIONER TUCCI: Yeah.

22 POLICE CHIEF: There's several streets.

23 MR. GARNER: Mike Garner, 72 Plymouth Road. I
24 just want to throw in -- I work for -- I'm a police officer
25 and I work in Rutherford. And we instituted the permit

1 parking. It is a huge undertaking. I don't work in the
2 traffic bureau, so I don't know all the details, but I know
3 it started off on the east side of town where there's a bus
4 route that goes right into the city. Everybody was parking
5 their car there, leaving them in front of people's houses.
6 So the people on that side of town, certain streets, they
7 came in. They wanted the parking permits.

8 They did institute it. They passed the ordinance.
9 Then other streets wanted the parking permit. They had to
10 expand it on the east side. Then the people on the west
11 side of town said well, I live in town and I always -- I
12 drive from the west side and park on the east side. I pay
13 taxes. It's a public street. I want a permit because I'm a
14 Rutherford resident. So there are -- it does
15 (indiscernible). So it is something that you need to do
16 your homework on. Call surrounding towns that have
17 instituted it, because their -- and I feel the pain. I used
18 to be a police officer here. I used to enforce those two
19 hour parking when Hoffmann La Roche, and I used to cross the
20 people. I know the people from out of town parked there,
21 would cross them into work. They left their car there all
22 day. But the homework has to be done on it.

23 COMMISSIONER PETRACCO: So do you think, Michael,
24 do you think it's been a positive thing in Rutherford when
25 they instituted it, or has it had many issues? I mean, if

1 -- in your opinion, if they were to do it all over again,
2 would you be a yes or a no for it?

3 MR. GARNER: I don't even want to give my opinion
4 on that. Maybe Chief Strumolo could call my Chief, or his
5 traffic bureau could call my traffic bureau, because they're
6 the ones that had to put up with its headaches. It's a lot
7 of work.

8 POLICE CHIEF: It's a drain on your resources, I'm
9 assuming.

10 MR. GARNER: It's a drain on the people, too,
11 coming in and with the registration, their insurance to
12 match it up, fill out the application. We do the visitor
13 ones too. I don't know how the program works, but I've been
14 there at the window. The people at the desk taking the
15 paperwork in. The traffic bureau committing tons of time to
16 it, but --

17 POLICE CHIEF: That's why I think it's important
18 that we try to find something that is simple to fix the
19 situation with the least drain on the police department and
20 also again what the residents want in the area.

21 MS. LANDRY: Pennie Landry, 135 Lakeside. I have a
22 process question. Three time Commissioner Petracco said,
23 the Commissioners and I discussed this in the back room. We
24 were talking about this in the back room. What we looked at
25 in the back room. The back room meeting from 7:30 until

1 over an hour was for the purpose of executive session to
2 discuss, as I think Mr. Genitempo opened the executive
3 session, for contracts and litigation. So my question is,
4 are there any contract issues or litigation issues
5 surrounding the parking on these two streets where these
6 residents are that gave this Board of Commissioners the
7 right to discuss this issue behind closed doors in executive
8 session? And I would like to know what that litigation is
9 and what that contract is.

10 MR. GENITEMPO: Ms. Landry, that was not the
11 entire discussion in the back room, by the way.

12 MS. LANDRY: Was part of the discussion during
13 closed session dealing with contracts or litigations related
14 to this issue?

15 MR. GENITEMPO: Partly, yes. We have other issues
16 of contracts and litigation that we discussed as part of
17 executive session. This is, in my mind, multiple issues.
18 We don't have to limit ourselves to what -- just the
19 contract. When the minutes come out, they will reflect what
20 was discussed in the back room, unless they're confidential.
21 Some of these issues do touch on legal issues and we are
22 allowed to discuss those in executive session when I am
23 giving legal advice, which is confidential. So I disagree
24 with your interpretation --

25 MS. LANDRY: The question --

1 MR. GENITEMPO: Well, I disagree with your
2 interpretation of what we can and can't do in executive
3 session. We are within the rules and the Commissioners have
4 expressed publicly some of the things that were discussed
5 only because those things may not be confidential. But we
6 did discuss other things that are absolutely confidential
7 issues.

8 MS. LANDRY: No, I don't have an issue with those.
9 I know that you talked about contracts --

10 MR. GENITEMPO: Budget. We can talk about
11 contract, budget --

12 MS. LANDRY: But I'm saying the conversation that
13 dealt with the parking issue, was there anything during the
14 parking conversation that dealt with a contract or
15 litigation, yes or no?

16 MR. GENITEMPO: I'm not going to discuss in public
17 what was discussed in executive --

18 MS. LANDRY: Okay, thank you. Thank you.

19 MR. GENITEMPO: As you do, you'll get the minutes
20 and we can have that discussion.

21 COMMISSIONER PETRACCO: Frank had a question.

22 MR. GIBBONS: Frank Gibbons, 65 Edison Avenue.
23 Until this is resolved, can we be granted a grace period?

24 COMMISSIONER PETRACCO: Chief, I'll let you
25 answer.

1 MR. GIBBONS: But we don't know where we stand
2 right now.

3 COMMISSIONER PETRACCO: Well, first of all, what I
4 would like to say to summarize this a little bit is that I
5 think it is a good idea that if you get something on paper,
6 as far as a petition, with the stickers or with the two hour
7 parking being resolved or waived, if you could get that to
8 me, then I think we can -- I'll forward that to all of the
9 Commissioners and we could start figuring out what we're
10 going to -- how we're going to solve this problem.

11 Chief, do you have anything in your tool kit that
12 we could help our residents out with for the time being?

13 POLICE CHIEF: Well, again, like the director
14 said, if the Board is going to move to make an ordinance
15 change, during that time period, I could suspend it -- the
16 enforcement, if it is going to be an ordinance change. So
17 once we determine -- if the Board determines they are going
18 to make a change, I could certainly do a temporary
19 suspension.

20 COMMISSIONER TUCCI: Mayor, if I might. I think
21 the Board has concluded that we are going to make a change.
22 What that change is is what we're undecided about. So I
23 would be personally in favor of giving these folks some
24 relief and letting them park in the meantime.

25 POLICE CHIEF: Again, if you are going to make --

1 COMMISSIONER TUCCI: As long as that's legal and
2 it's something you can do under your authority.

3 COMMISSIONER EVANS: Absolutely. If it's within
4 the authority that you have, I would support that.

5 POLICE CHIEF: Okay. All right. If the Board is
6 definitely going to make -- consider changes to the
7 ordinance, I could do a temporary suspension until they come
8 up with a new ordinance. That's something that --

9 ALAN GENITEMPO: The Chief has the discretion to
10 enforce or not enforce those at his own discretion.

11 ALAN GENITEMPO: Chief, just -- you might want to
12 answer the question why those people were ticketed in those
13 particular areas. I think you mentioned to me that there
14 were complaints made by residents, correct?

15 POLICE CHIEF: Yes. Again, enforcement of two hour
16 parking is not a priority when it comes to policing the Town.
17 It's kind of done on a periodic basis. It's also done on a
18 complaint basis. So the reason why some residents hadn't
19 gotten tickets in a year or two was, again, it's not at the
20 top of our priority when it comes to things. It was either
21 response to a complaint from another resident or, again, just
22 the periodic enforcement.

23 Some residents I've talked to said I've been
24 parking out there every day for the last year and haven't
25

1 gotten anything. So that explains why. You know, if we
2 were doing it every day and it was a priority, you would
3 have gotten a ticket every day. So -- but we do have to
4 respond to residents that complain and follow the ordinances
5 that we have in place. And currently, that's the ordinance
6 so that's why you got a summons and you hadn't gotten one
7 for a while.

8 MR. GIBBONS: Would it be all right for
9 me to write the petition and solicit it to the people and --

10 MAYOR SCARPELLI: Absolutely.

11 COMMISSIONER PETRACCO: Just -- and the only thing
12 that we're going to need is the signatures from the people
13 on your block, and if there's any other blocks there. And I
14 think it's a good first step. And I think that as of
15 tomorrow, we could suspend the parking regulations there. I
16 mean --

17 POLICE CHIEF: Yes, temporary until an ordinance
18 is --

19 COMMISSIONER PETRACCO: So we'll do that until we
20 meet again, but you know, let's get on this and this way we
21 can get on it here and solve this problem once and for all.
22 If you want to speak, you have to come to the mic. And thank
23 you, Mr. Gibbons, for being so patient.

24 MS. COTTLE: I just want to mention that the whole
25 purpose about the parking --

1 MR. GENITEMPO: Ma'am, please state your name for
2 the record.

3 MS. COTTELL: I'm sorry. Maria Cottell, 81 Oakley
4 Terrace. I just want to remind myself and remind you guys
5 that they whole purpose, I'm sure, of why they put the two
6 hour parking there was to protect the homeowners' spots so
7 that the commuters are not taking it, so La Roche is not
8 taking it. It's not to ticket the homeowners. So that's
9 the whole purpose behind here is the homeowner should not be
10 penalized for whatever the decision is going forward. Like
11 anyplace else in Town, you should be able to park your car,
12 go do your errands, do whatever you have to do, but the
13 homeowners shouldn't pay.

14 I think the two hours should stay there --

15 COMMISSIONER PETRACCO: Well, that's what we're
16 going to --

17 MS. COTTELL: -- but the solution should be
18 somehow or another that a list gets put up by neighborhood
19 or whatever the affected area is with license plates and say
20 these are all Oakley Terrace. If you're on here, you
21 shouldn't get ticketed. And that's as simple as that.

22 COMMISSIONER PETRACCO: You're saying from moving
23 forward tomorrow until we solve this?

24 MS. COTTELL: Correct. Yeah. Because you know
25 what, Dana is correct. She's my neighbor over there and

1 she's the one that brought up, we have big, Italian
2 families. We're constantly -- 20 people are there. 15
3 people are there. And you know what, on Oakley Terrace, we
4 have a very good rapport with all of our neighbors, so
5 nobody would be calling, complaining, saying hey -- the only
6 time you would get that phone call is if truly somebody that
7 does not belong there is on the street. But if it's anybody
8 else in the neighborhood, we don't call to complain.

9 So the day that I got ticketed, my other neighbor
10 got ticketed the same day. And it just doesn't make any
11 sense. It had to be something that happened elsewhere.

12 COMMISSIONER PETRACCO: I think that if we start
13 doing -- going through this and we're going to have -- we're
14 not going to have the parking there. It's going to be for
15 the residents. We lived with this for the last 20 years
16 that I know of. I mean, can we -- I think we have to agree
17 to just suspend it for now. Let us do our homework and
18 let's get to some type of resolve. But I think if we're
19 going to let the residents park there and not the other
20 people -- I would say that if it becomes a problem, like
21 immediately, that all of a sudden -- I mean, I think that
22 what we should do is just leave the signs up and just not
23 enforce it there.

24 POLICE CHIEF: Until an ordinance is changed.

25 COMMISSIONER PETRACCO: And give us a chance,

1 but --

2 MS. COTTELL: That's fine.

3 COMMISSIONER PETRACCO: You could agree with that?

4 MS. COTTELL: That's perfect, yeah. I just, like
5 I said, you know, if the signs are up there, it's going to
6 deter anybody that's going to jump on the bus and say you
7 know what, let me go park my car over there.

8 COMMISSIONER PETRACCO: But just know that if you
9 or someone else calls us, calls the police station and say,
10 well, this guy's in front of my house for five hours, now I
11 want to move, we are not going to be able to enforce that.

12 MS. COTTELL: Right, but -- no, correct. But if
13 there's a license plate system, something that's created
14 that you're able to look up the plate and say, okay, this
15 guy belongs on Oakley Terrace.

16 COMMISSIONER PETRACCO: I'm going to -- we'll look
17 into every detail for you, but I have to tell you, I think
18 that one is going to be a tough one because -- only because
19 of the resources that we have. You know, not to get into
20 it, if we get a domestic violence complaint, it ties up 2 of
21 our 5 officers that are on the road for 4 hours. 2 of them.

22 MS. COTTELL: I understand.

23 COMMISSIONER PETRACCO: So the laws have changed.
24 We don't want to be absentminded to crimes, to house
25 burglaries or whatever else, because of -- you know, just

1 the parking thing. So --

2 MS. COTTELL: I understand.

3 COMMISSIONER PETRACCO: What we try to do is we
4 try to strike a balance and we try to prioritize in the
5 police department from highest risk down there.

6 MS. COTTELL: Understood.

7 COMMISSIONER PETRACCO: But we're so happy that
8 you guys came out tonight and I'm really looking forward to
9 working with all of you to some kind of resolve.

10 MS. COTTELL: Thank you.

11 COMMISSIONER PETRACCO: And thank you for being
12 patient.

13 MAYOR SCARPELLI: You've got to come to the mic.

14 COMMISSIONER PETRACCO: You have to come up to the
15 mike.

16 COMMISSIONER TUCCI: Mic.

17 UNIDENTIFIED SPEAKER: I didn't get your name.
18 I'm sorry, Officer.

19 POLICE CHIEF: Chief Strumolo.

20 UNIDENTIFIED SPEAKER: Okay, if you come down the
21 street and you're doing your two hour sweep, right, and you
22 see -- wouldn't it be much easier to see a sticker and say I
23 don't have to worry about that anymore. You're going to
24 come back two hours later, it's going to be a waste of your
25 time and a waste of resources for people who have a permit

1 on their car. I just wanted to state that. Thank you.

2 MR. MAHANA: Good evening. Alex Mahana, 76 Oakley
3 Terrace. I'm here in support of the neighbors
4 (indiscernible). For some reason, it happens to be all
5 homeowners that got all these tickets which is -- it was
6 like a big coincidence. We never get all these tickets,
7 that's why we're here. I don't know what happened, but I --
8 as a neighbor, I know all the cars by block. If I ever see
9 a car that doesn't belong, my wife or myself, we call the
10 police because we care about our block. If we see a car
11 that's being there, we call. We don't wait for the people
12 come to patrol. We don't wait for that because, you know,
13 we have kids. If I see people that are driving too fast, I
14 call. One time, I was on my way to work and a police
15 officer that came, pulled me over. And I said, you know
16 what, they're really driving so fast. It was on --

17 COMMISSIONER PETRACCO: Bloomfield Ave?

18 MR. MAHANA: No, the one that meets with
19 Bloomfield.

20 COMMISSIONER PETRACCO: Kingsland?

21 MR. MAHANA: Kingsland. They would come flying.
22 And then they're probably -- they did something about it.
23 They put one of those speed traps --

24 COMMISSIONER PETRACCO: Yeah, we really encourage
25 you and we can't say that enough how many times --

1 MR. MAHANA: So I want to say that I'm -- it's
2 just -- the only reason we're here is because it's like
3 (indiscernible). But we're very -- I'm very happy with the
4 police department and every time I call, and every time I
5 see something is strange in the neighborhood, we call. And
6 they said unfortunately, it's not an easy fix. It looked
7 very simple before I got here and now you're talking like
8 the permits is going to -- you know, when you have a party,
9 it's not going to be easy.

10 This happened -- this is something that happened
11 in Belleville. We happened to have a barbecue and the one
12 side of the street, they have no parking. Then you're the
13 one who have the parking side. And those -- everybody got a
14 ticket. And it happens that three of the people that went
15 there, they were police officers from the town. And the guy
16 told (indiscernible) -- he said, you just ticket everybody.
17 Like how do you do that? And they were like --it was
18 (indiscernible).

19 But I hope, you know --

20 COMMISSIONER PETRACCO: Well, continue to call the
21 police department. If you see anything that's suspicious,
22 that's a great job and we encourage all residents to do that.
23 So thank you so much.

24 MR. MAHANA: So we don't have to wait -- anybody
25 -- the thing is is when people, like, babysit, you know, we

1 know that car. I know those cars.

2 COMMISSIONER PETRACCO: Right.

3 MR. MAHANA: Like, you know when -- I almost check
4 and we all are doing the same thing.

5 COMMISSIONER PETRACCO: Thank you.

6 MR. MAHANA: (Indiscernible), this car doesn't
7 belong here.

8 COMMISSIONER PETRACCO: Thank you. That's great.
9 Thank you. Thank you for coming.

10 COMMISSIONER TUCCI: Good night.

11 MAYOR SCARPELLI: Anybody else want to address the
12 Board of Commissioners on this item?

13 Go right to public comment on agenda items only.
14 Anybody want to address the Board of Commissioners on agenda
15 items only? Seeing none, let's go to -- and anybody that
16 wants to leave is welcome to leave. Let's go to
17 communications. Madam Clerk?

18 (Pause)

19 MAYOR SCARPELLI: Go ahead, Madam Clerk.

20 MADAM CLERK: Thank you. We have the Knights of
21 Columbus has submitted an application for a social affair
22 permit to have an event to be held on Saturday, March 4th,
23 2017, from 3:00 p.m. to 7:00 p.m. on their premises at 150
24 Chestnut Street. I need a motion please.

25 COMMISSIONER TUCCI: Move it.

1 COMMISSIONER EVANS: Second.

2 MADAM CLERK: Commissioner Tucci?

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Scarpelli.

9 MAYOR SCARPELLI: Aye.

10 MADAM CLERK: Southside Grill has also submitted
11 an application for an extension of premises for an event to
12 be held on Saturday, March 4th, 2017 from 12:00 to 10:00
13 p.m.

14 COMMISSIONER TUCCI: Move it.

15 COMMISSIONER EVANS: Second.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Mayor Scarpelli.

23 MAYOR SCARPELLI: Aye.

24 MADAM CLERK: And that's it for communications,

25 Mayor.

1 MAYOR SCARPELLI: Thank you, Madam Clerk. I have
2 reports, various reports for December and November 2016.
3 Move to -- bills. We have to pay the bills. Bills, Madam
4 Clerk.

5 MADAM CLERK: Yes, Mayor. Bill list for Tuesday,
6 February 21st, 2017. Public affairs, \$92,131.74. Revenue
7 and finance, \$2,584,633.55. Public safety, \$231,935.02.
8 Public works, \$48,588.07. Parks and public property,
9 \$144,645.40. Total payroll, \$788,647.48. For a grand total
10 of \$3,900,581.26.

11 COMMISSIONER EVANS: Move the bills.

12 COMMISSIONER TUCCI: Second.

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 MADAM CLERK: That's it for bills.

22 MAYOR SCARPELLI: Ordinance number 332 for
23 introduction has been pulled. Commissioner Tucci?

24 COMMISSIONER TUCCI: Yes, Mayor. Thank you. Just
25 let me get to it.

1 Whereas, the New Jersey Department of
2 Environmental Protection, Green Acres Program, provides
3 loans and/or grants to municipal and county governments and
4 grants to nonprofit organizations for assistance in the
5 acquisition, development, and stewardship of lands for
6 outdoor recreation and conservation purposes; and

7 Whereas, the Township of Nutley desires to further
8 the public interest by obtaining funding in the amount of
9 approximately \$262,584.00 in the form of an amended
10 application in the amount of 75 percent matching grant and if
11 available a 25 percent loan of approximately \$87,528.00 from
12 the State to fund the following project: Township of Nutley
13 Field Turf for the Soccer Field at Father Glotzbach Park at
14 an approximate cost of \$350,112.00.

15 Whereas, the Board of Commissioners of the Township
16 of Nutley resolves that Commissioner Mauro Tucci, Director of
17 the Department of Parks and Public Property is hereby
18 authorized to:

19 (a) make an amended application for such a loan
20 and/or such a grant, (b) provide additional application
21 information and furnish such documents as may be required,
22 and (c) act as the authorized correspondent of the above
23 named applicant; and

24 Whereas, the State shall determine if the amended
25 application is complete and in conformance with the scope

1 and intent of the Green Acres Program, and notify the
2 applicant of the amount of the funding award; and

3 Whereas, the applicant is willing to use the
4 State's funds in accordance with such rules, regulations and
5 applicable statutes, and is willing to enter into an
6 agreement with the State for the above named project;

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:

10 1. That the Commissioner Tucci is hereby
11 authorized to execute an agreement and any amendment thereto
12 with the State known as Township of Nutley Field Turf for
13 the Soccer Field at Father Glotzbach Park;

14 2. That the applicant has its matching share of
15 the project, if a match is required, in the amount of
16 \$87,528;

17 3. That, in the event the State's funds are less
18 than the total project cost specified above, the applicant
19 has the balance of funding necessary to complete the
20 project;

21 4. That the applicant agrees to comply with all
22 applicable federal, state, and local laws, rules, and
23 regulations in its performance of the project; and

24 5. That this resolution shall take effect
25 immediately.

1 This is an amendment to a resolution we passed at
2 our last meeting because conditions changed. And we are now
3 eligible for 75 percent of this project cost in a grant and
4 25 percent in a loan as opposed to what it was just a couple
5 of weeks ago, where we were only eligible for 25 percent of
6 the project cost in the grant and we would have had to pick
7 up the 75 percent.

8 I move the resolution.

9 COMMISSIONER EVANS: Second.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Mayor Scarpelli.

17 MAYOR SCARPELLI: Aye.

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

19 MAYOR SCARPELLI: Commissioner Evans?

20 COMMISSIONER EVANS: Thank you, Mayor.

21 Whereas, tax sale certificate #201101, issued for
22 131 Kenzel Avenue, Block 101 Lot 4, was redeemed on April
23 20, 2012; and

24 Whereas, the Tax Collector's Office received
25 payment for redemption of said certificate again on January

1 24, 2017, by Caliber Home Loans, in error;

2 Now therefore be it resolved, by the Board of
3 Commissioners of the Township of Nutley, County of Essex
4 that the Treasurer be and she is hereby authorized to issue
5 a refund the amount of \$467.90 to Caliber Home Loans for the
6 redemption of tax sale certificate #201101.

7 So moved.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 MADAM CLERK: Mayor Scarpelli.

16 MAYOR SCARPELLI: Aye.

17 COMMISSIONER EVANS: Thank you, Mayor.

18 MAYOR SCARPELLI: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Yes, Mayor.

20 Be it resolved by the Board of Commissioners of
21 the Township of Nutley, County of Essex, State of New Jersey
22 that Patricia Dominick, an employee in the Department of
23 Public Safety, be granted a medical leave of absence without
24 pay effective September 13, 2016 through June 26, 2017.

25 I move the resolution.

1 MAYOR SCARPELLI: Second.

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 Be it resolved, by the Board of Commissioners of
11 the Township of Nutley, in the County of Essex, State of New
12 Jersey that the Township Treasurer be and she is hereby
13 authorized to refund \$5,000 to Stanziale Construction, P.O.
14 Box 2597, Bloomfield, New Jersey 07003, for the road opening
15 permit for the water and sewer fee for the property located
16 at 12 Highland Avenue, Nutley, New Jersey.

17 I move the resolution.

18 COMMISSIONER TUCCI: Second.

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 Whereas, raffle applications have been received
3 from the following organizations;

4 Rotary Club of Nutley, License No. 12-17, On-
5 Premise 50/50 Cash Raffle;

6 To be held Saturday, April 1st, 2017.

7 Whereas, the application has been reviewed and
8 approved by the Municipal Clerk and the Police Department;
9 and

10 Now, therefore, be it resolved by the Board of
11 Commissioners of the Township of Nutley, County of Essex,
12 State of New Jersey that the aforementioned licenses are
13 approved and the Municipal Clerk is authorized to issue the
14 licenses.

15 I move the resolution.

16 COMMISSIONER TUCCI: Second.

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 That concludes the business portion of our

1 meeting. Is there anyone here who would like to address the
2 Board of Commissioners this evening?

3 COMMISSIONER PETRACCO: Mayor, before you go on to
4 that. I just wanted to make sure that it was on the record
5 that the streets that will be suspended as far as
6 enforcement with the two hour parking is Oakley Terrace and
7 Edison Avenue, just to be clear.

8 MAYOR SCARPELLI: Thank you, Commissioner. Any
9 Commissioner announcements? Seeing none, can I have a
10 motion to adjourn?

11 COMMISSIONER PETRACCO: Move it.

12 COMMISSIONER TUCCI: Second.

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 Good night everybody.

22 MADAM CLERK: And the time is 9:26.

23 (Meeting was adjourned at 9:26 P.M.)

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

25

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

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Date: March 10, 2017

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