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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

July 18, 2017

BEFORE:

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

Job No. NJ2664175

P R O C E E D I N G S

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MAYOR SCARPELLI: Are you ready? Madam Clerk.

MADAM CLERK: Board of Commissioners public meeting, Tuesday, July 18th, 2017. The time is 7:03. Pursuant to the requirements of the Open Public Meeting Act (Chapter 231, Public Law 1975), notice of this meeting was published in the December 1st, 2016 issues of The Nutley Sun and the Herald News, and the December 2nd, 2016 issue of the Star Ledger. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

Commissioner Rogers is absent/excused.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

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

MAYOR SCARPELLI: All right. Let's go around the table. Commissioner Petracco?

COMMISSIONER PETRACCO: I only believe I have one

1 resolution this cycle for the body cameras, the grant. And
2 I think that's all I have. (Indiscernible) find it. Yeah,
3 this is to accept the grant for 15,000 for the body cameras.

4 MAYOR SCARPELLI: All right, Commissioner Evans?

5 COMMISSIONER EVANS: I have the report for the
6 quarter -- code enforcement report for the quarter ending
7 June 30th. I also have six resolutions. One which is
8 (indiscernible) purchasing cooperative and the other five
9 are refunds for various size application fees, fire sub-
10 code fees, zoning application fees and (indiscernible). I
11 also have a need for a short executive, potential litigation.

12 MAYOR SCARPELLI: Commissioner Tucci?

13 COMMISSIONER TUCCI: I just have a Shade Tree
14 report for the month of July.

15 MAYOR SCARPELLI: I have approval for a raffle
16 license for the Elks and I have various monthly progress
17 reports. And I also need an executive for potential
18 litigation and contract negotiations.

19 Madam Clerk?

20 MADAM CLERK: Yes, Mayor. We have regular Board
21 of Commissioner meeting minutes for approval for May 16th
22 and June 8th, 2017.

23 MAYOR SCARPELLI: Counselor?

24 MR. GENITEMPO: Nothing other than what you guys
25 have.

1 MAYOR SCARPELLI: So a motion to go to executive?

2 COMMISSIONER PETRACCO: Move it.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Whereas, Section 8 of the Open
5 Public Meeting Act Chapter 231, Public Law 1975 permits the
6 exclusion of the public for meeting in certain
7 circumstances. And whereas the public body is of the
8 opinion that such circumstances exist. And whereas the
9 Board of Commissioners of the Township of Nutley, in the
10 County of Essex, in the State of New Jersey desires to
11 proceed to closed executive session.

12 And now, therefore, be it resolved by the Board of
13 Commissioners of the Township of Nutley, move into closed
14 executive session to discuss potential litigation and
15 contract negotiations.

16 Be it further resolved that a time when special
17 discussion may be disclosed to the public shall be when and
18 as such disclosure may be made without adversely affecting
19 the Township of Nutley pending and/or anticipated legal
20 personnel, contractual matters, and other matters within the
21 exceptions provided for my statute.

22 Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 MADAM CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye.

5 MADAM CLERK: 7:06.

6 (End of audio)

7 (Pledge of allegiance)

8 MAYOR SCARPELLI: Madam Clerk?

9 MADAM CLERK: Yes, Mayor. Board of Commissioners
10 Public meeting, Tuesday, July 18th, 2017, the time is 8:44.

11 Pursuant to the requirements of the Open Public
12 Meeting Act (Chapter 231, Public Law 1975), notice of this
13 meeting was published in the December 1st, 2016 issues of
14 The Nutley Sun and the Herald News and the December 2nd,
15 2016, issue of the Star Ledger. A copy of this notice has
16 been posted on the Nutley Town Hall bulletin board and a
17 copy is on file in the Municipal Clerk's Office.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Here.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Here.

22 MADAM CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Here.

24 MADAM CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Here.

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

3 MAYOR SCARPELLI: To the members of the public,
4 I'd like to apologize for the length of our executive
5 session. Unfortunately, it could not be avoided tonight.

6 Minutes, Madam Clerk?

7 MADAM CLERK: Yes, Mayor. We have Board of
8 Commissioner meeting minutes for May 16th, 2017 and June
9 8th, 2017.

10 COMMISSIONER TUCCI: Move it.

11 COMMISSIONER PETRACCO: Second.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Mayor Scarpelli?

19 MAYOR SCARPELLI: Aye.

20 Reports, Commissioner Tucci?

21 COMMISSIONER TUCCI: Yes, Mayor. I have a Shade
22 Tree report for the month of June 2017.

23 MAYOR SCARPELLI: Commissioner Evans?

24 COMMISSIONER EVANS: Thank you, Mayor. I have a
25 Code Department report for the quarter ending June 30th,

1 2017.

2 MAYOR SCARPELLI: And in addition, I have various
3 monthly reports from the Department of Public Works.

4 Bills, Madam Clerk?

5 MADAM CLERK: Yes, Mayor. Bill list for Tuesday,
6 July 18th, 2017. Public affairs, \$117,734.95; Revenue &
7 finance, \$3,292,513.94; Public safety, \$10,671.26; Public
8 works, \$69,566; Parks and public property, \$475,007.44.
9 Total payroll \$795,372.65. For a grand total of
10 \$4,760,866.24. We need a motion.

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: And that's it for bills, Mayor.

22 MAYOR SCARPELLI: Public comment on agenda items
23 only. Madam Clerk?

24 MADAM CLERK: Yes, Mayor. All persons addressing
25 the Board of Commissioners regarding community concerns

1 should approach the microphone and provide their name and
2 address for the record. Unless further time is granted by
3 the Board, each person shall limit their address to three
4 minutes. All remarks to the Board and its individual
5 members must be addressed to the Mayor. The Mayor may defer
6 citizens' comments to the appropriate member of the Board.
7 Dialogue between citizens and others addressing the Board
8 shall be allowed unless the Mayor or presiding officer, or
9 the majority of the membership of the Board, shall determine
10 that the interest of decorum and/or the expeditious conduct
11 of municipal business are being adversely affected by such
12 dialogue.

13 MAYOR SCARPELLI: Would anybody like to address
14 the Board of Commissioners on agenda items only? Seeing
15 none, let's move on to resolutions.

16 Commissioner Evans?

17 COMMISSIONER EVANS: Thank you, Mayor.

18 Whereas, the Code Enforcement Department received
19 a zoning application fee from Mr. Varano at 113 River Road,
20 Unit B, for \$75,

21 The Construction Official has determined that the
22 fee / refund of \$50 is due and payable.

23 Now, therefore, be it resolved, by the Board of
24 Commissioners of the Township of Nutley, County of Essex,
25 State of New Jersey that the Township Treasurer be and is

1 hereby authorized to refund the zoning application fee in
2 the amount of \$50 to Mr. Varano. So move.

3 COMMISSIONER TUCCI: 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 EVANS: Whereas, the Code Enforcement
13 Department received a permit fee from Sean Riley at 115
14 Beach Street, construction official has determined that a
15 sub -- fire sub-code fee refund of \$50 is to be refunded to
16 Mr. Riley.

17 Now, therefore, be it resolved, by the Board of
18 Commissioners of the Township of Nutley, County of Essex,
19 State of New Jersey that the Treasurer be and is hereby
20 authorized to refund the fire sub-code fee in the amount of
21 \$50 to Mr. Sean Riley.

22 So move.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Scarpelli?

6 MAYOR SCARPELLI: Aye.

7 COMMISSIONER EVANS: Whereas, the Code Enforcement
8 Department received a permit fee in the amount of \$314 from
9 Solar City Corporation for property located at 137 Franklin
10 Avenue,

11 The Construction Official has determined that the
12 fee shall be refunded to Solar City Corporation.

13 Now, therefore, be it resolved, by the Board of
14 Commissioners of the Township of Nutley, County of Essex,
15 State of New Jersey that the Treasurer be and is hereby
16 authorized to refund the permit fee in the amount of \$314 to
17 Solar City Corporation.

18 So move.

19 COMMISSIONER TUCCI: Second.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 COMMISSIONER EVANS: Whereas, the Code Enforcement
4 Department received a zoning application fee in the amount
5 of \$60 from Mr. Mark Reyes at 31 Montclair Avenue; and

6 The Construction Official has determined that the
7 \$60 fee shall be refunded to Mr. Reyes.

8 Now, therefore, be it resolved, by the Board of
9 Commissioners of the Township of Nutley, County of Essex,
10 State of New Jersey that the Treasurer be and is hereby
11 authorized to refund the zoning application fee in the
12 amount of \$60 to Mr. Reyes.

13 So move.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 COMMISSIONER EVANS: Be it resolved, by the Board
24 of Commissioners of the Township of Nutley, in the County of
25 Essex, State of New Jersey, that the Treasurer be and is

1 hereby authorized to refund overpayments of the tax charges
2 for blocks 6603, lot 16.01 in the amount of \$5,243.72.

3 So move.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 MADAM CLERK: Mayor Scarpelli?

12 MAYOR SCARPELLI: Aye.

13 MADAM CLERK: Commissioner Evans, you have one
14 more.

15 COMMISSIONER EVANS: I have one more.

16 Whereas, the Township of Nutley, pursuant to
17 N.J.S.A. 40A: 11-11 may by resolution and with advertising,
18 purchase any goods or services under an approved National
19 Cooperative Purchasing Program; and

20 Whereas, the Township of Nutley has the need on a
21 timely basis to purchase goods or services utilizing the H-
22 GAC BUY COOPERATIVE PURCHASING PROGRAM;

23 Whereas, the Township of Nutley intends to enter
24 into a contract with said program contractor through this
25 resolution and properly executed contracts, which shall be

1 subject to all the conditions applicable to the current
2 contracts;

3 Now, therefore, be it resolved, that the Township
4 of Nutley authorizes the Purchasing Agent to purchase
5 certain goods or services from H-GAC BUY PURCHASING PROGRAM
6 vendors, pursuant to all conditions of the individual
7 contracts, for the year 2017, commencing July 1, 2017
8 through December 31, 2017.

9 So move.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER EVANS: Thank you, Mayor.

20 MAYOR SCARPELLI: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Yes, thank you. I'm going
22 to just read this by title, this next resolution. But I
23 have been getting a lot of phone calls about this particular
24 resolution. It's for body cameras for our police
25 department.

1 We are getting funding for 30 cameras in this
2 grant. However, there is an additional cost of software.
3 There's an additional cost of man hours to look at the
4 software and look at the programming.

5 We are on target to bring this up online
6 approximately in the new year, approximately January 1st.
7 But I'm kind of going towards this being a pilot program for
8 now until I see what total cost of this is when you add the
9 man hours into -- managed through that. And by no means is
10 this a knock on our police officers. Actually, the few
11 police officers I have talked to about it have been very
12 positive in getting the added protection for themselves
13 because we see what goes on through our country nowadays
14 when, you know, police are being villainized.

15 So right now, presently, in our police cars we
16 have dash cams. And also we have -- what the dash cams on
17 any vehicle stops, they will be recorded. Our officers also
18 have microphones on them, so we're taping them. If there's
19 any incidents, which in the past nine years I have had very
20 few with our police officers, it is being recorded and the
21 video is being saved.

22 So, again, you know, it's a little extra
23 protection for the Nutley Police Department if we go in this
24 direction. Again, we're going to start it off as a pilot
25 program probably in January.

1 So this resolution number 161-17, a resolution
2 accepting federal funding from the Edward Byrne Memorial
3 Justice Assistance Grant, administrated by the State of New
4 Jersey, Department of Law and Public Safety, Division of
5 Criminal Justice for the sole purpose of purchasing body
6 worn cameras.

7 I move the resolution.

8 MAYOR SCARPELLI: 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 PETRACCO: That's all I have.

18 MAYOR SCARPELLI: Whereas, a raffle application
19 has been received from the following organizations:

20 BPOE Lodge #1290, Nutley Elks, On-Premise
21 Merchandise Raffle #35-17, to be held Saturday, September 30,
22 2017;

23 Whereas, the application has been reviewed and
24 approved by the Municipal Clerk and the Police Department;

25 Now, therefore, be it resolved, by the Board of

1 Commissioners of the Township of Nutley, County of Essex,
2 State of New Jersey that the aforementioned license is
3 approved and the Municipal Clerk is authorized to issue the
4 raffle license.

5 Move the resolution.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 I skipped Board of Commissioner announcements
16 during the agenda. Anybody have any announcements?

17 COMMISSIONER TUCCI: I have one, Mayor, if I
18 might. Thursday evening at 7 o'clock, we have our
19 rescheduled Concert in the Park from last Thursday and the
20 band will still be the Park Avenue band which is at the lake
21 to listen to. Thank you.

22 MAYOR SCARPELLI: Thank you, Commissioner.
23 Commissioner Evans?

24 COMMISSIONER EVANS: Just a quick follow-up
25 regarding our transitional aid. At our check this week, we

1 were told that we probably would not be notified of what
2 that determination is until sometime in August. So we will
3 not be able to adopt our budget until we get clearance to do
4 so. But that -- our aid is still pending, along with all of
5 the other municipalities. No one's been told what that
6 transitional aid amount will be.

7 MAYOR SCARPELLI: Thank you, Commissioner. That
8 concludes the business portion of our meeting. Madam Clerk?

9 MADAM CLERK: Yes, Mayor.

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

23 MAYOR SCARPELLI: Would anybody like to address
24 the Board of Commissioners this evening? Seeing none.

25 COMMISSIONER PETRACCO: Move to adjourn.

1 COMMISSIONER TUCCI: 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 Good night, everybody.

11 MADAM CLERK: And the time is 8:56.

12 (Meeting was adjourned at 8:56 P.M.)

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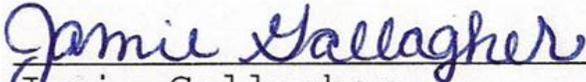
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I, Jamie Gallagher, certify that the foregoing transcript is a true and accurate record of the proceedings.


Jamie Gallagher

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