

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

PUBLIC MEETING) TRANSCRIPT OF

) PROCEEDINGS

)

June 20, 2017

BOARD OF COMMISSIONERS

BEFORE:

Commissioner Steven L. Rogers

Commissioner Mauro G. Tucci

Commissioner Thomas J. Evans

Commissioner Alphonse Petracco

Mayor Joseph P. Scarpelli

Township Attorney: Alan Genitempo, Esq.

Township Clerk: Eleni Pettas

Job No. VTNJ 2645471

Transcribed by: Pamela A. Skaw

P R O C E E D I N G S

CONFERENCE SESSION MINUTES

MADAM CLERK: You ready?

Board of Commissioners Public Meeting, Tuesday,
June 20, 2017. The time is 7:07.

Pursuant to the requirements of the Open Public
Meeting Act, Chapter 231, P.L. 1975, notice of this
meeting was published in the December 1, 2016 issues of
The Nutley Sun and the Herald News and the December 2,
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?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci.

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor.

MAYOR SCARPELLI: Thank you, Madam Clerk.

1 MADAM CLERK: You're welcome.

2 MAYOR SCARPELLI: Commissioner Petracco, thank you
3 for coming tonight.

4 COMMISSIONER PETRACCO: You're very welcome.

5 MAYOR SCARPELLI: You have nothing on the agenda.

6 COMMISSIONER PETRACCO: I don't believe -- I have
7 nothing -- yep.

8 MAYOR SCARPELLI: Commissioner Evans.

9 COMMISSIONER EVANS: I have a report for the --
10 May, 2017 for Code Enforcement. And I have one, two, three,
11 four, five resolutions; two of which are for extending the
12 temporary budget appropriations since we haven't received
13 clearance from the State yet on our State aid.

14 And that's -- based upon a recent conversation we
15 had, that approval may not come until July. So, we're still
16 wading our way through that.

17 Also, because of that, I have a resolution for the
18 estimated tax rate for the third quarter at basically at a
19 hundred percent of the budget that we introduced recognizing
20 that that's -- does not anticipate \$825,000 worth of aid
21 because it's not a guarantee.

22 So, if the aid comes through, then, the fourth
23 quarter will be better. But --

24 MAYOR SCARPELLI: So, this does not include the
25 aid.

1 COMMISSIONER EVANS: It does not include the
2 eight twenty-f--

3 MAYOR SCARPELLI: Or any portion of it?

4 COMMISSIONER EVANS: Right. It's our share of
5 that, on the municipal side, it's 291,000. So, roughly, you
6 know, just basically a tax point of \$35. So, we had talked
7 about -- and remember when we through that the anticipated
8 increase, excluding the 825,000, would increase the
9 municipal rate by roughly \$148. That's what this third
10 quarter resolution anticipates because I have no choice to
11 anticipate anything else because there's -- I can't get any
12 level of assurance yet from the Governor's Office.

13 I do understand that the Governor is working
14 through adjustments to the budget to fund the pension
15 payment that he committed to and, so, therefore, no one's
16 willing to give a -- give a opinion one way or the other.
17 So -- and the last conversation was, you know, maybe not
18 until July.

19 So, given that, we need to issue third -quarter tax
20 bills, right? By statute, we have to do that. And we've
21 done it in the past. So, it's -- yes. I'm preparing a
22 letter to go out with the -- with that for the taxpayers.
23 But, if it does comes through, right, then, the fourth-
24 quarter rate would be lower and we would reflect that
25 revenue gain.

1 At this point, just -- we have no choice.

2 COMMISSIONER PETRACCO: So, that -- we can't --
3 there's no way of like using any surplus just to fund that.
4 And, then, if it comes through --

5 COMMISSIONER EVANS: No.

6 COMMISSIONER PETRACCO: -- replace it?

7 COMMISSIONER EVANS: No. Can't do that.

8 COMMISSIONER PETRACCO: Can't do that?

9 COMMISSIONER EVANS: We could use a really -- you
10 know, maybe a donation from Petracco's, right?

11 COMMISSIONER PETRACCO: How much was that?

12 (Laughter)

13 COMMISSIONER PETRACCO: If I could do that, Tom, I
14 wouldn't be working any more.

15 (Laughter)

16 COMMISSIONER EVANS: No. I'm sorry. I wish I --

17 COMMISSIONER PETRACCO: I thought maybe
18 (indiscernible) come in (indiscernible) a little bit but --

19 COMMISSIONER EVANS: No, no. I looked. There's
20 just no way to do that. But, it's 291,000 to us. It's roughly a
21 half a million to the school board. That's where the -- you
22 know, because it's a total shortfall is 825.

23 MAYOR SCARPELLI: Did they go up?

24 COMMISSIONER EVANS: Huh? They went up -- they
25 went up their two percent. I don't know how many -- I don't

1 recall what that actual translates into a rate increase.

2 But their budget did go up two percent.

3 And the County hasn't been certified yet either.

4 So, we're all waiting on that one.

5 So, even if everything was true, we'd still have

6 to do an estimated bill because the County's not certified

7 yet. So -- and that would be consistent with prior years.

8 But this just has the rub in it that the State is still

9 trying to figure out how they're going to fund the budget.

10 So -- and I'm sure you have that from, you know, from your

11 side, too. So -- and (indiscernible).

12 COMMISSIONER PETRACCO: When does the bill go out,

13 Tom? July? August?

14 COMMISSIONER EVANS: I'm sorry.

15 COMMISSIONER PETRACCO: The bill goes out August?

16 COMMISSIONER EVANS: The bill -- the bill will go

17 out in July for August. So, it's to pay the tax -- the

18 third quarter's due August 1 with a ten-day grace period.

19 COMMISSIONER ROGERS: Now, that's our portion of

20 it but the County and the school, will the -- tax bill

21 reflect their increases also?

22 COMMISSIONER EVANS: Yes.

23 COMMISSIONER ROGERS: It will. So --

24 COMMISSIONER EVANS: So, the tax -- the tax rate,

25 the total tax rate --

1 COMMISSIONER ROGERS: Okay.

2 COMMISSIONER EVANS: -- will include the fact that
3 we do not have \$825,000 worth of revenue that we had last
4 year. It also reflects what was in the budget which was the
5 cost increases that we incurred for, you know, health care
6 and the various --

7 MAYOR SCARPELLI: So, the \$35 you're speaking
8 about, is that just our portion?

9 COMMISSIONER EVANS: Correct. Yeah.

10 MAYOR SCARPELLI: So, there's going to be more on
11 top of the 35.

12 COMMISSIONER EVANS: Oh, sure. Sure. If you go
13 -- if you go on the whole 825,000, that's roughly -- it's
14 close to \$90.

15 MAYOR SCARPELLI: Okay.

16 COMMISSIONER PETRACCO: The only last question I
17 have, they're -- they gave us five and a half million last
18 year?

19 COMMISSIONER EVANS: 5.5 million.

20 COMMISSIONER PETRACCO: So, how is it only
21 825,000?

22 COMMISSIONER EVANS: By statute, we're only
23 allowed to anticipate 85 percent of what we received the
24 prior year unless we're informed to anticipate less or they
25 allow us to anticipate more.

1 So, they allowed us to anticipate 85 percent by
2 statute.

3 COMMISSIONER PETRACCO: Oh. So, we're playing
4 around with the 15 percent?

5 COMMISSIONER EVANS: Correct.

6 COMMISSIONER PETRACCO: Where it would have --

7 COMMISSIONER EVANS: That's our exposure.

8 COMMISSIONER PETRACCO: Now, I got you. Okay.

9 MAYOR SCARPELLI: And that's on that average home
10 of three hundred and --

11 COMMISSIONER EVANS: -- twenty-five thousand. Yeah.
12 I think it's on the corner of Maple.

13 (Laughter)

14 MAYOR SCARPELLI: That one home.

15 COMMISSIONER PETRACCO: Is that Nutley or
16 (indiscernible)?

17 MAYOR SCARPELLI: (Indiscernible) --

18 COMMISSIONER EVANS: Yeah. Yeah. Just barely.
19 It's -- but the average -- the average of assessed value is
20 three twenty-five.

21 What we do include though is a sheet that allows
22 each individual homeowner to calculate what their rate is --
23 rate increase is by giving them the formula and how to do
24 that. So, we're transparent on it. It's just -- and I've
25 crafted a draft of a letter that I have to finalize that

1 will go with the third-quarter bill that will explain the
2 status and we're waiting and still negotiating with the
3 State.

4 What's very clear is that the State fully
5 understands and appreciates where we're at and the
6 circumstances of why we actually need the aid. We're just
7 at a point where they're not allowed to move forward until
8 they get clearance from the Governor's Office. So --

9 MAYOR SCARPELLI: Okay. Anything else,
10 Commissioner?

11 COMMISSIONER EVANS: I think that's enough. I
12 have a need for just a brief executive on contract
13 negotiation.

14 MAYOR SCARPELLI: Commissioner Rogers, I thank you
15 again for coming today.

16 COMMISSIONER ROGERS: You're welcome, Mayor. My
17 pleasure. I have nothing.

18 MAYOR SCARPELLI: Commissioner Tucci.

19 COMMISSIONER TUCCI: What I just heard just led me
20 to drink.

21 (Laughter)

22 COMMISSIONER TUCCI: Or more.

23 COMMISSIONER EVANS: If the bill passes.

24 (Laughter)

25 COMMISSIONER TUCCI: I just have one resolution.

1 Award contract to Cross Roads Pavement for our parking lot
2 on Park Avenue. And this is -- we received two competitive
3 quotations in compliance with the law. So it's
4 (indiscernible) that's right under the bidding threshold.

5 MAYOR SCARPELLI: Thank you, Commissioner.

6 I have the introduction of the amended water
7 ordinance that's amended from the first time I had
8 introduced it and it takes out the maintenance fee.

9 I have a renewal of liquor license.

10 Approval of various raffle applications.

11 Authorization of inclusion in the Essex County
12 Urban County Community Development Program.

13 A change order for a decrease in a \$114,104 to AJM
14 Contractors.

15 Advertise for sealed bids for Harrison Street and
16 authorize award of a fair and open contract to D&L Paving
17 Contractors.

18 That's all I have.

19 COMMISSIONER PETRACCO: What streets are they
20 doing?

21 MAYOR SCARPELLI: I don't have the list --

22 COMMISSIONER PETRACCO: I saw something about
23 Bloomfield Ave. Is that Franklin to Bloomfield or --

24 MADAM CLERK: Various.

25 MAYOR SCARPELLI: No. That's the Harrison Street

1 from --

2 MADAM CLERK: Various.

3 MAYOR SCARPELLI: -- from Franklin to Bloomfield.
4 That's for -- that's going out -- that's going out to
5 advertise.

6 COMMISSIONER PETRACCO: So, Harrison
7 (indiscernible) --

8 MAYOR SCARPELLI: We sent out a notice that we're
9 paving from Franklin to Passaic. They mill today, working
10 on it tomorrow and paving on Thursday. So -- he does really
11 fast work.

12 COMMISSIONER EVANS: Mayor, just a comment on the
13 liquor license resolution.

14 MAYOR SCARPELLI: Uh-huh.

15 COMMISSIONER EVANS: I think it would be
16 valuable and you might want to consider commenting.

17 I was around this week and observed the effort
18 that went into getting everyone on this list to -- into
19 compliance and to get clearance from the State. And, Al, I
20 don't know if you saw it from your side but I think
21 Captain Green did an extraordinary job along with the
22 M unicipal Clerk in coordinating this effort.

23 This -- there's no licenses outstanding.
24 Everybody in town has their renewal and, therefore, no one
25 misses the Fourth of July holiday break being able to serve

1 and do what they need to do.

2 So, I just want to recognize what was going on.

3 It was very observable on my side. And the amount of
4 contact with individual liquor license holders,
5 the work that Captain Green did, I just think it's
6 noteworthy and it's in the best tradition of Nutley service.

7 MAYOR SCARPELLI: Thank you.

8 COMMISSIONER PETRACCO: And I have to say Gerry
9 Green speaks very highly working with Eleni also.
10 He does. Yeah.

11 COMMISSIONER EVANS: So, you might want to comment
12 on that. That's all I have.

13 MAYOR SCARPELLI: Madam Clerk.

14 MADAM CLERK: Yes, Mayor.

15 We have three different communications. They've
16 all sent in applications for a Sunday event. One is
17 Conca Brothers. The other one is the Van Riper Trust and
18 Holy Family Church.

19 And that's it for communications.

20 MAYOR SCARPELLI: Mr. Genitempo.

21 MR. GENITEMPO: Just the one executive that the
22 Commissioner already mentioned.

23 MAYOR SCARPELLI: Are we going to talk about
24 the water ordinance in closed? Contract negotiations or
25 personnel or potential litigations?

1 MADAM CLERK: Which one? Potential
2 litigation?

3 MR. GENITEMPO: I mean, if there's personnel
4 involved, it may be an issue.

5 MAYOR SCARPELLI: Uh-huh. Okay.

6 MADAM CLERK: Personnel?

7 COMMISSIONER PETRACCO: What happened to Historic
8 Trust? That's not back on? I thought we were doing that.

9 MR. GENITEMPO: I haven't gotten the okay to put
10 it up.

11 COMMISSIONER PETRACCO: Oh, okay.

12 MR. GENITEMPO: As long as you tell me to put it
13 up, I'll put it on the next meeting.

14 COMMISSIONER TUCCI: Well, I just have a couple of
15 comments.

16 MR. GENITEMPO: Okay.

17 COMMISSIONER TUCCI: They're not many. I thought
18 it was cleaned up. It would be nice to --

19 COMMISSIONER EVANS: Yeah.

20 COMMISSIONER TUCCI: -- but I do have a couple of --.

21 MAYOR SCARPELLI: How about the -- the Rent Leveling?
22 Did they get back to you?

23 MR. GENITEMPO: With the last group of changes? I
24 do not believe they have. I'll double check that. But I
25 don't think so. After their last comments. All right.

1 I'll follow up on that.

2 MAYOR SCARPELLI: Can I have a motion?

3 MR. GENITEMPO: Historic to be ready with whatever
4 changes you --

5 COMMISSIONER TUCCI: All right. So, I'll hold my
6 questions until --.

7 COMMISSIONER ROGERS: Make a motion (indiscernible)
8 comes back?

9 MR. GENITEMPO: No. I want to --

10 Excuse me. I'm sorry. If there's
11 anything I can change, I'll change it and, then, we can put
12 it on the next meeting.

13 COMMISSIONER TUCCI: Well, it's real quick.

14 MR. GENITEMPO: Okay. I didn't have my copies
15 with me.

16 COMMISSIONER TUCCI: I'll give you mine.

17 MR. GENITEMPO: Okay.

18 COMMISSIONER TUCCI: I have six of them.

19 MR. GENITEMPO: Since there are more drafts...

21 MADAM CLERK: I'm sorry, Commissioner, did you
22 make a motion? Oh --

23 COMMISSIONER ROGERS: We're not in closed yet, right?

24 MAYOR SCARPELLI: No. We're not in closed.

25 COMMISSIONER TUCCI: It talks about recommending a

1 building, a structure, a site, whatever, whatever, as a
2 historic landmark. Is that after the consent? Because in
3 the beginning it says, you -- that the property owner needs
4 to consent.

5 MR. GENITEMPO: Right.

6 COMMISSIONER TUCCI: But, then, it just speaks
7 about, you know, having a hearing, going through --

8 MR. GENITEMPO: We'll still have to go through the
9 Planning Board prior --

10 COMMISSIONER TUCCI: -- the exercise but -- so,
11 my question is: if there is no consent, then, obviously,
12 they don't go through the exercise, correct?

13 MR. GENITEMPO: Yeah.

14 COMMISSIONER TUCCI: That was unclear to me.

15 MR. GENITEMPO: At least at this stage as to what
16 you got from the gentleman who wanted us do the ordinance. If
17 that changes, you would have to change the ordinance.

18 COMMISSIONER TUCCI: Right.

19 MR. GENITEMPO: Right. The word "recommended", though,
20 I'm not sure of the context. I'll have to look at it but --

21 COMMISSIONER TUCCI: Okay. And, then, under
22 "Funding", it says: we will make a provision in the budget and
23 appropriate funds for the expenses of the Committee --

24 MR. GENITEMPO: Yeah.

25 COMMISSIONER TUCCI: -- so, I guess --

1 MR. GENITEMPO: Some mailing expenses and things
2 of that nature. So, it's going to be a very modest request.
3 I told them to send a letter in with the request what might
4 be their appropriation needs. And, then, you would be
5 (indiscernible) --

6 COMMISSIONER TUCCI: And, then, the next paragraph
7 talks about they may employ contract for fixed compensation,
8 in consult-- as they deem necessary, in consultation
9 with the Planning Board. All right.

10 MR. GENITEMPO: Right.

11 COMMISSIONER TUCCI: What about "in consultation
12 with the Planning Board and the Board of Commissioners"?

13 MR. GENITEMPO: Sure.

14 COMMISSIONER EVANS: That makes sense.

15 COMMISSIONER TUCCI: I thought that would make you
16 happy.

17 MR. GENITEMPO: Everything that the Planning Board
18 -- anybody the Planning Board retains, you're going to pay
19 for (indiscernible) anyway. But that's fine.

20 COMMISSIONER EVANS: (Indiscernible) clarification
21 (indiscernible) --

22 COMMISSIONER TUCCI: I'd rather do it on the front
23 end than on the back end.

24 COMMISSIONER EVANS: Sure.

25 COMMISSIONER TUCCI: That's my --

1 COMMISSIONER EVANS: (Indiscernible) --

2 COMMISSIONER TUCCI: -- my only thought, yeah.

3 And that's all I have. That's it.

4 Other than that, I think they did a nice job on
5 this.

6 COMMISSIONER EVANS: Yeah. When I read it, I was
7 really happy with the improvement.

8 COMMISSIONER TUCCI: Yeah.

9 COMMISSIONER EVANS: So --

10 MAYOR SCARPELLI: Those changes and get it on for
11 the next meeting?

12 MR. GENITEMPO: Uh-huh.

13 MAYOR SCARPELLI: Sound good? Okay.

14 Could we have a motion?

15 COMMISSIONER ROGERS: We have a motion to close
16 this public meeting.

17 COMMISSIONER TUCCI: Second.

18 MR. GENITEMPO: We need a motion to go into --

19 MADAM CLERK: Motion to go into executive, right?

20 MR. GENITEMPO: -- executive.

21 COMMISSIONER ROGERS: Yes.

22 MADAM CLERK: Commissioner Tucci, thank you.

23 COMMISSIONER TUCCI: Uh-huh.

24 WHEREAS, Section 8 of the Open Public Meeting Act,
25 Chapter 231, P.L. 1975, permits the exclusion of the public

1 from meetings in certain circumstances;

2 AND, WHEREAS, the public body is of the opinion
3 that such circumstances exist;

4 AND, WHEREAS, the Board of Commissioners of the
5 Township of Nutley, in the County of Essex, State of New
6 Jersey desire to proceed to a closed executive session;

7 AND, NOW, THEREFORE, BE IT RESOLVED that the Board
8 of Commissioners of the Township of Nutley will move into
9 closed executive session to discuss contract negotiations
10 and personnel -- personnel issues, personnel.

11 BY IT FURTHER RESOLVED that the time when such
12 discussion may be disclosed to the public shall be when and
13 as such disclosure may be made without adversely affecting the
14 Township of Nutley pending and/or anticipated legal,
15 personnel, contractual matters and other matters within the
16 exceptions provided for by statute.

17 Commissioner Rogers?

18 COMMISSIONER ROGERS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Mayor Scarpelli?

1 MAYOR SCARPELLI: Aye.

2 MADAM CLERK: The time is 7:23.

3 (Whereupon, the meeting was adjourned for executive session)

4 (Public Meeting Session Begins)

5 (Pledge of allegiance)

6 (Pause)

7 MAYOR SCARPELLI: Madam Clerk.

8 MADAM CLERK: Yes, Mayor.

9 Board of Commissioners Public Meeting, Tuesday,
10 June 20, 2017. The time is now 8:13.

11 Pursuant to the requirements of the Open Public
12 Meeting Act, Chapter 231, P.L. 1975, notice of this
13 meeting was published in the December 1, 2016 issues of
14 The Nutley Sun and the Herald News and in the December 2,
15 2016 issue of the Star Ledger.

16 A copy of this notice has been posted on the
17 Nutley Town Hall bulletin board and a copy is on file in the
18 Municipal Clerk's office.

19 Commissioner Rogers?

20 COMMISSIONER ROGERS: Here.

21 MADAM CLERK: Commissioner Tucci.

22 COMMISSIONER TUCCI: Here.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Here.

25 MADAM CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Here.

2 MADAM CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Here.

4 MADAM CLERK: All present, Mayor.

5 MAYOR SCARPELLI: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Is this our public
7 comment?

8 MAYOR SCARPELLI: No. Just -- you said you wanted
9 to (indiscernible) --

10 COMMISSIONER PETRACCO: Oh, thank you. Thank you.

11 Yes. I just wanted to address our Board and the
12 residents that obviously our fire department has been very,
13 very busy. We've had a few fires the last couple months.

14 Today, we had a fire right next to my deli, two
15 doors away. And I have to be a proud parent and say that my
16 son, Sonny, as everyone knows him, ran outside. He smelled
17 smoke and he went over to the residency, which was on the
18 second floor of the fire, and he started pounding on the
19 door to get the people out.

20 Also, Joseph Villano, our officer , who's
21 getting up in age a little bit, responded and also went in
22 the fire with no gear on. It was a porch fire on the second
23 floor of the dwelling and our police officers carry fire
24 extinguishers in the truck -- in the car, excuse me, also.
25 And Joe was able to capture and put most of that fire out

1 and get the two dogs that were inside and all the people
2 out.

3 So, it's a proud moment for me. The fire
4 department did a great job of responding to it to put the
5 rest of out and it was really contained.

6 But, I have to tell you, on the quick response of
7 our police department, with Joe Villano there, and my son,
8 it was really contained and, with the wind today, it could
9 have really got out of hand. So, I'm just a proud parent
10 tonight. And I'm glad Joe was there to assist my son. It
11 was really something that could have got greater and, like I
12 said, the fire department's been very active of late and
13 hopefully our little trend calms down.

14 So, thank you, Mayor.

15 MAYOR SCARPELLI: Thank you, Commissioner.

16 Madam Clerk, communications.

17 MADAM CLERK: Yes, Mayor. We have the Conca
18 Brothers Management 4 LLC, The Old Canal Inn, has submitted a
19 petition to extend premises to hold a fundraiser on Sunday,
20 July 16, 2017 from 1 to 8 p.m. on their premises
21 which is 2 East Passaic Avenue. I need a motion, please.

22 COMMISSIONER EVANS: Move it.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 MADAM CLERK: Mayor Scarpelli?

7 MAYOR SCARPELLI: Aye.

8 MADAM CLERK: The Van Riper Trust has submitted an
9 event application to hold a street fair on Sunday, September
10 3, 2017 from 11 a.m. to 5 p.m. I need a motion, please.

11 COMMISSIONER TUCCI: Move it.

12 COMMISSIONER EVANS: Second.

13 MADAM CLERK: Commissioner Rogers?

14 COMMISSIONER ROGERS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Scarpelli?

22 MAYOR SCARPELLI: Aye.

23 MADAM CLERK: And Holy Family Church has submitted
24 an application requesting permission to hold a raffle on
25 Sunday, September 24, 2017 on their property, 28 Brookline

1 Avenue. I need a motion.

2 COMMISSIONER TUCCI: Move it.

3 COMMISSIONER EVANS: Second.

4 MADAM CLERK: Commissioner Rogers?

5 COMMISSIONER ROGERS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 MADAM CLERK: Mayor Scarpelli?

13 MAYOR SCARPELLI: Aye.

14 MADAM CLERK: And that's it for communications,
15 Mayor.

16 MAYOR SCARPELLI: Reports, Commissioner Evans.

17 COMMISSIONER EVANS: Yes. I have a report for the
18 Code Enforcement Department for the month of May, 2017.

19 MAYOR SCARPELLI: Commissioner Tucci.

20 COMMISSIONER TUCCI: Yes. I have a Shade Tree
21 report from May of 2017, also.

22 MAYOR SCARPELLI: Bills, Madam Clerk.

23 MADAM CLERK: Yes, Mayor.

24 The bill is for Tuesday, June 20, 2017. Public
25 Affairs, \$125,642.65; Revenue & Finance, \$2,395,697.10;

Public Safety, \$21,178.51; Public Works, \$275,013.15; Parks
& Public Property, \$129,581.12; total payroll, \$794,897.13
for a grand total of \$3,742,009.66.

COMMISSIONER EVANS: Move the bills.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

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

MADAM CLERK: Yes, Mayor.

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

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

All remarks to the Board and its individual

1 members must be addressed to the Mayor. The Mayor may defer
2 citizens' comments to the appropriate member of the Board.

3 Dialogue between citizens and others addressing
4 the Board shall be allowed, unless the Mayor, presiding
5 officer or the majority of the membership of the Board,
6 shall determine that the interests of decorum and/or the
7 expeditious conduct of municipal business are being
8 adversely affected by such dialogue.

9 MAYOR SCARPELLI: Would anybody like to address
10 the Board of Commissioners on agenda items only?

11 Seeing none, can I have a motion to close this
12 portion?

13 COMMISSIONER PETRACCO: Move it.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Commissioner Rogers?

16 COMMISSIONER ROGERS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 MADAM CLERK: Mayor Scarpelli?

24 MAYOR SCARPELLI: Aye.

25 Board of Commissioner announcements.

1 Commissioners?

2 Let's move to resolutions. Commissioner Tucci.

3 COMMISSIONER TUCCI: Okay.

4 WHEREAS, the Department of Parks and Public
5 Property has determined that there is need to obtain
6 services to provide the labor and equipment to mill and pave
7 the parking lot at 44 Park Avenue; and

8 WHEREAS, N.J.S.A. 40A:11-1 requires solicitation
9 of at least two competitive quotations when the contract
10 amount is estimated to be below the bid threshold but above
11 15 percent of the bid threshold; and

12 WHEREAS, the cost of the service is estimated to
13 require solicitation of quotations; and

14 WHEREAS, the Department of Park and Public
15 Property received two quotes; and

16 WHEREAS, Cross Roads Pavement Maintenance, 81
17 Franklin Avenue, Nutley, New Jersey, has submitted a quote
18 indicating they will provide such services for a sum not to
19 exceed \$17,400; and

20 WHEREAS, funds are available from account 3323K in
21 the amount of 17,400 and have been certified by the Chief
22 Financial Officer, said certification being attached to this
23 Resolution.

24 NOW, THEREFORE, BE IT RESOLVED that the Board of
25 Commissioner of the Township of Nutley, County of Essex,

1 State of New Jersey, enter into a contract with Cross Roads
2 Pavement Maintenance, LLC as described here.

3 I move the resolution.

4 COMMISSIONER EVANS: Move it.

5 MADAM CLERK: Commissioner Rogers?

6 COMMISSIONER ROGERS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: Aye.

15 COMMISSIONER TUCCI: That's all I have.

16 MAYOR SCARPELLI: Commissioner Evans.

17 COMMISSIONER EVANS: Thank you.

18 WHEREAS, N.J.S.A. 401:5-4 requires the governing
19 body of every local unit to have made an annual audit of its
20 books, accounts and financial transactions; and

21 WHEREAS, the Annual Report of the audit for the year
22 2016 has been filed by the Registered -- has been filed by a
23 Registered Municipal Accountant with the Municipal Clerk
24 pursuant to N.J.S.A. 40A:5-6 and a copy has been received by
25 each member of the governing body;

1 WHEREAS, R.S. 52:27BB-34 authorizes the Local
2 Finance Board of the State of New Jersey to prescribe
3 reports pertaining to the local fiscal affairs; and

4 WHEREAS, the members of the governing body have
5 personally reviewed, as a minimum, the Annual Report of
6 Audit and specifically the sections of the Annual Audit
7 entitled General Comments and Recommendations, as evidenced by
8 the group affidavit form of the governing body attached
9 hereto.

10 NOW, THEREFORE, BE IT RESOLVED that the Board of
11 Commissioners of the Township of Nutley hereby state that it
12 has complied with N.J.A.C 5:30-6.5 and does hereby submit a
13 certified copy of this resolution and the required affidavit
14 to said Board to show evidence of said compliance.

15 We, members of the governing body of the Township
16 of Nutley, being duly sworn, according to law and upon oath
17 depose and say:

18 We are duly elected member s of the Board of
19 Commissioners of the Township of Nutley, County of Essex; in
20 the performance of our duties, and pursuant to N.J.A.C 5:30-
21 6.5, we have familiarized ourselves with the contents of the
22 Annual Audit report filed with the clerk under N.J.S.A
23 40A:5-6 for the year 2016; we certify that we have personally
24 reviewed and are familiar with, as a minimum, the sections of
25 the Annual Report entitled Comments and Recommendations.

1 So move.

2 COMMISSIONER TUCCI: Second.

3 MADAM CLERK: Commissioner Rogers?

4 COMMISSIONER ROGERS: Aye.

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 COMMISSIONER EVANS: WHEREAS, N.J.S.A 40A: 4-20

14 provides that where contracts, commitments or payments are

15 to be made prior to the final adoption of the 2017 Budget,

16 emergency appropriations may be lawfully made for the

17 purposes and amounts required in the manner and time therein

18 provided; and

19 WHEREAS, the total emergency temporary resolution s

20 adopted in the year 2017 pursuant to the provisions of

21 Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20), including this

22 resolution, total \$24,052,407.

23 NOW, THEREFORE, BE IT RESOLVED that in accordance

24 with N.J.S.A 40A:4-20: (1) emergency appropriations be and

25 the same are hereby made for the total amount of

1 \$10,995,888; that said emergency temporary appropriations
2 will be provided for in the 2017 Budget for the accounts
3 that are individually listed within this resolution.

4 So move.

5 COMMISSIONER TUCCI: Second.

6 MADAM CLERK: Commissioner Rogers?

7 COMMISSIONER ROGERS: Aye.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 C OMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Mayor Scarpelli?

15 MAYOR SCARPELLI: Aye.

16 COMMISSIONER EVANS: WHEREAS, N.J.S.A. 40A:4-20
17 provides that where contracts, commitments or payments are
18 to be made prior to the final adoption of 2017 Water
19 Utility budget, emergency appropriations may be lawfully
20 made for purposes and amounts required in the manner and
21 time therein provided;

22 WHEREAS, the total emergency temporary resolutions
23 adopted in the year 2017 pursuant to provision of Chapter
24 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this
25 resolution, total \$2,330,076;

1 NOW, THEREFORE, BE IT RESOLVED that in accordance
2 with N.J.S.A. 40A:4-20: (1) emergency appropriations be and
3 the same are hereby made for the total amount of \$1,165,038
4 and that said emergency temporary appropriation will be
5 provided for in the 2017 Water Utility Budget for the
6 accounts as listed in this resolution.

7 So moved.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 C OMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 COMMISSIONER EVANS: It is important to note that
20 we had a need to continue with the temporary budget
21 authorization, which is allowed by statute, for the purpose
22 of awaiting a determination of our State aid.

23 And, since that hasn't come through from the State
24 yet, and we are currently notified that it may not come
25 before the month of July, there was a need to advance

1 temporary budget authorizations.

2 So, just as a point of clarity, we were able to
3 anticipate 85 percent of the aid that we received in 2016,
4 which, that aid was 5.5 million. The difference is a
5 difference of \$825,000, which is still under negotiation
6 with the State. We continue to pursue that. However, with
7 the State budget not being finalized, they are unwilling to
8 commit to, one, an amount or the timing of when we will
9 receive that approval.

10 And, hence, the need for those first two
11 resolutions.

12 Resolution Number 138-17. BE IT RESOLVED by the
13 Board of Commissioners of the Township of Nutley, in the
14 County of Essex, State of New Jersey, that the treasurer be
15 and she is hereby authorized to refund overpayments of tax
16 charges in the amount of \$14,728.15 for the accounts
17 contained in this resolution.

18 So move.

19 COMMISSIONER TUCCI: Second.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: Aye.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 MADAM CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye.

5 COMMISSIONER EVANS: My final resolution is for a
6 resolution that authorizes the issuance of an estimated third
7 quarter only tax bill and the reason for this is, just as I
8 previously stated, without the State approvals certifying
9 the municipal budget with an aid amount, and the same holds
10 true for the County, that without the rate being certified,
11 we are in a position of having, as we've done in previous
12 years, issuing an estimated tax bill.

13 Our tax bill will be estimated on the basis of the
14 amount of revenue or aid that we've currently been
15 authorized to receive. Our hope is that if we are able to
16 receive the full amount of last year, that the ultimate tax
17 rate will go down for the fourth quarter.

18 But, right now, this is representative of a
19 hundred percent of the budget that has been currently
20 introduced.

21 WHEREAS, due to the delay in approval of the state
22 aid figures in the 2017 Budget, the Essex County Board of
23 Taxation is unable to certify tax rates for the years 2017;
24 and

25 WHEREAS, without a 2017 certified tax rate, the

1 Tax Collector of the Township of Nutley will be unable to
2 issue the 2017 tax bills in a timely manner;

3 NOW, THEREFORE, BE IT RESOLVED by the Board of
4 Commissioners of the Township of Nutley, County of Essex, as
5 follows: The Tax Collector of the Township is hereby
6 authorized and directed to prepare and issue estimated tax
7 bills for the Township of Nutley for the third quarter
8 installment of 2017 taxes.

9 The Tax Collector shall proceed and take action as
10 permitted and required by Chapter 72, Public Laws, 1994 and
11 N.J.S.A. 54:4-66.2 and 54:4-66.3.

12 The total estimated tax levy for the year 2017 is
13 hereby set for the municipality, the county and the school
14 board, it's estimated at \$112,604,644. The total estimated
15 tax rate for 2017 is hereby set at \$3.461 per hundred.

16 So move.

17 COMMISSIONER TUCCI: Second.

18 MADAM CLERK: Commissioner Rogers?

19 COMMISSIONER ROGERS: Aye.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 MADAM CLERK: Mayor Scarpelli?

2 MAYOR SCARPELLI: Aye.

3 COMMISSIONER EVANS: Thank you.

4 MAYOR SCARPELLI: Thank you, Commissioner.

5 Before I read the next resolution, Commissioner
6 Evans noted in conference and I'd like to recognize the
7 Clerk's Office and the Public Safety Department in making
8 sure we got all the paperwork in for the liquor licenses
9 that I'm about to read.

10 So, thank you to your departments for getting this
11 done.

12 COMMISSIONER PETRACCO: Thank you.

13 MAYOR SCARPELLI: WHEREAS, the New Jersey
14 Department of Treasury, Division of Taxation, has provided
15 Tax Clearance Certificates for each establishment listed
16 below for the renewal period;

17 WHEREAS, these establishments have been inspected
18 by the Board of Health, Fire Department, Code Enforcement
19 Department and the Police Department in the Township of
20 Nutley and are in satisfactory condition;

21 NOW, THEREFORE, BE IT RESOLVED by the Board of
22 Commissioners of the Township of Nutley, County of Essex,
23 State of New Jersey, that the renewal of Plenary Retail
24 Consumption License, Plenary Retail Distribution Licenses and
25 Club License be granted to the following licensees effective

1 July 1, 2017 through June 30, 2018.

2 BE IT FURTHER RESOLVED that the Municipal Clerk be
3 and she is hereby directed and authorized to issue said
4 licenses for the licensing period of July 1, 2017 through
5 June 30, 2018 to the establishments listed below.

6 I move the resolution.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Rogers?

9 COMMISSIONER ROGERS: I'd like to make a point on
10 one of these license requests. We had a multiple number of
11 complaints at the Health Department and I believe you, at
12 Public Safety, with regard to the Huddle Sports Bar and
13 Grill on Passaic Avenue. And I think it's -- what I'd like
14 to do, if possible, is before we vote on that particular
15 one, that we look at the number of complaints and look at
16 the number of Health Department complaints and Public Safety
17 complaints. We've had a number of issues regarding the
18 clientele that have been really upsetting that whole area.

19 And, in fact, one night, Commissioner Petracco and
20 I had to go down to the neighborhood. Everybody in their
21 homes we out in the street because of the problems that they
22 were facing there.

23 So, it's just something that I would like to
24 consider before we move forward with this. If we can scope
25 that out.

1 MAYOR SCARPELLI: Mr. Genitempo.

2 MR. GENITEMPO: (Indiscernible) I don't know that
3 there are -- I'm not aware of the violations. So, I'm a
4 little bit caught off guard. To the extent, if it affects
5 the liquor license, yeah. I think you'd have a reason to.
6 But, if it's a matter of, you know, the operation, the hours
7 and the security or other things like that, you know, I'm
8 not sure.

9 And I don't know what the violations are and I
10 apologize. I'm not aware of them.

11 COMMISSIONER ROGERS: Right. Counsel --

12 MR. GENITEMPO: I know that there are complaints
13 by the neighbors. Obviously, we're well aware of that.

14 COMMISSIONER ROGERS: Yeah.

15 MR. GENITEMPO: But if they're -- technically, if
16 the liquor license and the police department has vetted
17 this and that's what part of their responsibility is, I
18 would just caution that.

19 Now, I don't know what the violations are. So,
20 you know, if you feel they're worthy of withholding that one
21 -- but that may mean that this person cannot operate and,
22 you know, I think that's going to be a strong consideration.

23 COMMISSIONER ROGERS: Well, the Health Department
24 violations, I mean, we addressed that and continue to
25 address that. I can't speak to the Police Department.

1 COMMISSIONER PETRACCO: I know that through the
2 Police Department and the Clerk's Office, before we put
3 these up, they are vetted out for approval. It's no secret
4 that the Police Department gets many calls from the
5 neighborhood and, you know, we have been there ample times.
6 We have directed patrols where the patrolman actually has to
7 call into our police desk where it's recorded in our CAD
8 system that they're patrolling that area.

9 You know, we're just trying to -- try to find some
10 common place between the bar owner and the neighbors there
11 that's -- that has been very difficult to reach.

12 But, I'm not a license expert, counsel. And I
13 don't know that, like you said before, if it's not a
14 violation through the ABC, that you could single that out.

15 MR. GENITEMPO: Plus, you know, if the Police
16 Department has vetted it, that's our trust mechanism to
17 understand that they're okay with it and they wouldn't put
18 it on this list for renewal. And, if not, this business --
19 this liquor license will not be operating after July 1.

20 Eleni, there are required -- they all
21 expire by June 30, correct?

22 MADAM CLERK: Yes.

23 COMMISSIONER EVANS: Since, Commissioner, my
24 understanding is that in order to complete an application
25 for renewal that inspections are required, that would

1 require the representative of the Police Department to go
2 out to the site as well as representatives of the Code
3 Office to go out to the site and they would have to be part
4 of the package to receive a clearance from our side.

5 But I think a part of it is this is a State level
6 clearance, especially on a tax clearance, that once they
7 obtain that, they -- and they have those approvals, I'm not
8 sure we could stop it at this point.

9 COMMISSIONER ROGERS: I realize that the owner
10 cannot possibly be responsible for all of the behavior of
11 clientele. I understand that.

12 COMMISSIONER EVANS: Yeah.

13 COMMISSIONER ROGERS: But if people are going in
14 and they're coming out and they're urinating on people's
15 property and people, particularly on Enclosure, have
16 found bottles all over their lawns. In some cases, and I'm
17 not saying this part has anything to do with the liquor
18 license owner, but they've found drug paraphernalia. In
19 other words, it's a situation -- does that affect the liquor
20 license? I don't know. I'm asking you.

21 Would that affect the way they're operating? Is
22 that something out of the bounds of the liquor license?
23 This is why I'm asking these questions so that we could look
24 into this. And, if there are enough ample complaints that
25 are affecting the entire area, and we're talking about Grant

1 Avenue, the Enclosure, Passaic Avenue. We've been there
2 multiple times.

3 COMMISSIONER EVANS: I appreciate that, too. I am
4 very much aware of some of the challenges. And I think
5 Commissioner Petracco said it quite well. How do you strike
6 a balance between a business that's operating within the
7 constricts of a residential area and whether or not it
8 should be allowed to be there to begin with is a broader
9 question. And, you know, that door's already open.

10 But the reality -- there is a reality to it. So,
11 I fully appreciate but my, you know, I just as a comment,
12 what you're raising, I'm just not sure whether or not we
13 have the ability to stop it at this point.

14 COMMISSIONER ROGERS: Okay.

15 COMMISSIONER EVANS: And I --

16 MR. GENITEMPO: And I don't have any knowledge of
17 any ABC violations -- excuse me, Commissioner, I'm sorry,
18 ABC violations for this particular liquor license which
19 might give reason or cause to the Police Department to clear
20 it for, you know, renewal.

21 So, I -- your point is well taken but I think we
22 have to address it in a different way.

23 COMMISSIONER ROGERS: Okay. Thank you.

24 MAYOR SCARPELLI: I think every business, whether
25 they're a liquor license business, one that is serving

1 liquor, owes it to be a good neighbor. And I think
2 the Commissioner knows this, you know, you have to be a good
3 neighbor. You have to go and make sure your neighbors are
4 happy. And I think it's incumbent upon the owner to be a
5 good neighbor and I think we should stress that point to
6 them.

7 I don't know if this is the right venue in order
8 to get that accomplished though.

9 COMMISSIONER PETRACCO: Just another comment, if I
10 may, too.

11 You know, you're right, as far as being a good
12 neighbor and having the deli in town, you know, I'm
13 constantly out there with the cars and litter and things
14 like that. When I had my bar in Lyndhurst, to your point,
15 Commissioner Rogers, is that, you know, we were in our
16 parking lots and our surrounding areas, picking up bottles
17 and picking up, you know, debris.

18 So, you know, she's -- I believe it's a woman that
19 owns that, counsel?

20 MR. GENITEMPO: I believe so.

21 COMMISSIONER PETRACCO: Yeah. I believe it's a
22 woman. And I know that Captain Green, a lot of detectives,
23 have talked to her and encouraged her to, you know, police
24 that area herself a little bit. This way, her patrons
25 aren't getting chased out of town because when the police go

1 there, they're issuing summonses and things like that.

2 But, I have to tell you, I'm starting to think
3 that it's falling on deaf ears.

4 COMMISSIONER ROGERS: Well, that's my point. We
5 have a neighborhood. We have three streets, residents,
6 multiple, multiple complaints. Maybe it doesn't fall within
7 the purview of the license. And it's pretty upsetting to
8 them.

9 Frankly, if I lived there, I would probably sell
10 my house. I mean, I really would. That's how bad the
11 situation is.

12 So, the question is, and I -- the point is well
13 taken, Mayor, we just heard Commissioner Petracco say it's
14 probably falling on deaf ears, and I believe that. What do
15 we do to help our residents? And, believe me, I realize
16 that with regard to the law and the ABC violations, this
17 may (indiscernible) what do we do?

18 COMMISSIONER EVANS: So, Commissioner, I would
19 offer that we revisit our ordinance, our local ordinance, to
20 make sure it's strong enough; to make it clearer that if you
21 are going to operate a business, that there are maybe things
22 that are supposed -- that we need to address with greater
23 clarity around what it means to be a business owner who's
24 operating in good standing, right? For all businesses, not
25 just the one business, but for all business in town.

1 I would look to pull out that ordinance and I'll
2 take a look at it with counsel and to see what we could come
3 up with and we could discuss it at a future meeting.

4 COMMISSIONER ROGERS: That's fine. Okay. That's
5 fine. Thank you.

6 MAYOR SCARPELLI: Thank you, Commissioner.

7 MADAM CLERK: I need a motion.

8 COMMISSIONER TUCCI: Second.

9 MAYOR SCARPELLI: I move the Resolution.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Commissioner Rogers?

12 COMMISSIONER ROGERS: I'm voting on all but the
13 Huddle Sports Bar, which I will vote "no".

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: I will also vote on
16 everything but the Huddle Sports Bar, if that's legal. I'll
17 abstain on that one.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: I'll vote on the ordinance
20 but I will qualify my vote on the fact that we have to
21 review the ordinance as we suggested and make sure it's
22 clear as part of the adoption that we will revisit that.

23 And, as just as a side, I don't want to miss the
24 opportunity to -- I said in the back that I wanted to
25 commend Captain Green for the significant effort along with

1 the Municipal Clerk in actually getting all of the licenses
2 to the point where they received all of the necessary
3 approvals to be renewed this evening. There's no licenses
4 that are outstanding. And recognizing the July holiday is
5 coming that these businesses, you know, will, obviously,
6 continue to be able to operate.

7 But, having said that, I vote "yes" with the
8 qualification that we'll review the ordinance.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: I will follow suit with
11 the Board and abstain from voting on the Huddle Inn and vote
12 "yes" for the rest of the ordinance.

13 MADAM CLERK: Mayor Scarpelli?

14 MAYOR SCARPELLI: I'll vote the same way, Madam
15 Clerk.

16 MADAM CLERK: So, you're abstaining on --

17 MAYOR SCARPELLI: Yes.

18 MADAM CLERK: Okay.

19 COMMISSIONER EVANS: Just a procedural
20 clarification. If four members of the board abstain from
21 voting, right, and one qualification as to review the
22 ordinance; what does that do with regard to that one
23 application?

24 MR. GENITEMPO: We do have a quorum and if all
25 four abstained, I believe it would be a "yes" vote. If there's

1 one positive vote and four abstain, unless you're voting "no"
2 on the resolution. Instead of abstaining, and you don't
3 want to support renewing that license, you should vote "no",
4 and not abstain.

5 COMMISSIONER TUCCI: So, you have one "no" vote.

6 COMMISSIONER PETRACCO: If that's the rule --

7 MR. GENITEMPO: You have one "no" vote and one
8 "yes" vote, then it does not pass.

9 COMMISSIONER PETRACCO: If that's the rule, can we
10 revote then?

11 MR. GENITEMPO: If you'd like to rescind your vote
12 and the clerk was willing to redo the vote, you can do that.
13 We're still here. So, sure.

14 MAYOR SCARPELLI: Revote.

15 MADAM CLERK: Revote.

16 MAYOR SCARPELLI: Madam Clerk -- call the roll
17 again.

18 MADAM CLERK: Okay. Okay. So, we need a second.

19 COMMISSIONER PETRACCO: I second it.

20 MADAM CLERK: Commissioner Rogers?

21 COMMISSIONER ROGERS: No --yes on all except the
22 Huddle is a "no".

23 MADAM CLERK: Okay. Commissioner Tucci?

24 COMMISSIONER TUCCI: Yes on all except Huddle
25 which I'll vote "no" as long as it's legal.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: I'll vote "yes" on all and I'll
3 vote "no" on the Huddle with qualification that we review the
4 ordinance and I agree with Commissioner Tucci as long as
5 we're legally allowed to do that.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: I will follow suit again.
8 I'll vote "no" -- I vote "yes" on all of them except for the
9 Huddle, again, as quoted by Commissioner Evans, as long as
10 it's legal to do that.

11 MADAM CLERK: And Mayor Scarpelli?

12 MAYOR SCARPELLI: I'm going to vote the same way,
13 Madam Clerk and I offer to have a meeting with the Huddle to
14 see if we can resolve some of the issues.

15 MADAM CLERK: Thank you.

16 MAYOR SCARPELLI: WHEREAS, raffle applications
17 have been received from the following organizations: Holy
18 Family Church, License No. 31-17, Carnival Games and Money
19 Wheel from Thursday, September 21 through Sunday,
20 September 24, 2017; Holy Family Church, License No. 32-17,
21 On-Premise 50/50 Cash Raffle, to be held Thursday through
22 Sunday, September 21 through 24.

23 WHEREAS, the applications have been reviewed and
24 approved by the Municipal Clerk and the Police Department.

25 NOW, THEREFORE, BE IT RESOLVED by the Board of

Commissioner of the Township of Nutley, County of Essex,
State of New Jersey, that the aforementioned licenses are
approved and the Municipal Clerk is authorized to issue the
raffle licenses.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

WHEREAS, certain federal funds are potentially
available to the County of Essex under Title I of the
Housing and Community Development Act of 1974, as amended
and HOME Investment Partnership Act of 1990, as amended; and

WHEREAS, the Township of Nutley desires to
participate in the Essex County Urban County for conducting
certain community development activities for Program Years
2018 thru 2020; and

WHEREAS, a letter has been drafted by the Mayor to

1 the Essex County Division of Housing and Community
2 Development notifying them of the Township's desire to
3 participate in this process; and

4 WHEREAS, the Grantee or the unit of general local
5 government that directs or indirectly receives CDBG funds
6 may not sell, trade or otherwise transfer all or any such
7 portion of such funds to another metropolitan city, urban
8 county, unit of general local government, or Indian tribe or
9 insular area that directly or indirectly receives CDBG funds
10 in exchange for any other funds, credits or non-federal
11 considerations but must use the funds for activities
12 eligible under Title I of the Housing and Community
13 Development Act of 1974, as amended; and

14 WHEREAS, the Emergency Shelter Grants program
15 provides through Subtitle B of Title IV of the McKinney-
16 Vento Homeless Assistance Act permits for substantial
17 federal funds allocated to prevent homelessness and to
18 enable homeless individuals and families to move towards
19 independent living;

20 WHEREAS, the current Interlocal Services Agreement
21 contains an automatic renewal clause to expedite the
22 notification of the inclusion process; and

23 WHEREAS, by May 5, 2017, each municipality must
24 notify the Essex County Division of Housing & Community
25 Development of its intent to continue as a participant in

1 the Urban County entitlement programs noted above; and

2 WHEREAS, it is in the best interest of the
3 Township of Nutley and its residents to participate in said
4 programs;

5 NOW, THEREFORE, BE IT RESOLVED by the Board of
6 Commissioners of the Township of Nutley, County of Essex,
7 that it hereby authorizes the Mayor to execute the attached
8 Cooperation Agreement and notifies Essex County Division of
9 Community Development of its decision to be included as a
10 participant municipality in the Urban County entitlement
11 programs being the Community Development Block Grant Program
12 and Home Investment Partnership Act Programs for the years
13 2018, 2019, 2020 (from June 2018 through May 31, 2020).

14 AND BE IT FURTHER RESOLVED that a copy of the
15 Resolution be forwarded to the Essex County Division of
16 Housing and Urban Development no later than June 28, 2017.

17 I move the Resolution.

18 COMMISSIONER TUCCI: Second.

19 MADAM CLERK: Commissioner Rogers?

20 COMMISSIONER ROGERS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 MADAM CLERK: Mayor Scarpelli?

3 MAYOR SCARPELLI: Aye.

4 WHEREAS, bids for the 2016 Various Roadway
5 Improvements were received and opened on Wednesday,
6 June 15, 2016-- that should be June 15, 2017; and

7 WHEREAS, AJM -- oh, nevermind, probably right, 2016.
8 And

9 WHEREAS, AJM Contractors, 300 Kuller Road,
10 Clifton, New Jersey, was the low bidder;

11 WHEREAS, the Township of Nutley entered into a
12 contract with AJM Contractors for the amount of
13 \$733,829.95; and

14 WHEREAS, Change Order No. 1 from the base bid
15 has been authorized for a decrease in the amount of
16 \$81,347.59; Alternate No. 1 has been authorized for a
17 decrease in the amount of \$11,097.11; Alternate No. 2
18 has been authorized for a decrease in the amount of
19 \$9,346.92; Alternate No. 3 has been authorized for a
20 decrease in the amount of \$29,858.44; and Alternate No. 4
21 has been authorized for an increase in the amount of
22 \$17,545.70;

23 WHEREAS, the original contract amount is being
24 decreased in the amount of \$75,981.80 to be credited to
25 Ordinance No. 3321A and a decreased amount of \$38,122.56 to

be credited to Ordinance No. 3295A for a total change order amount of \$114,104.36 and an adjusted contract price of \$619,725.59.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Change Order No. 1, as attached, is a change from the contract previously made by the Township of Nutley with AJM Contractors, for the project known as the 2016 Various Roadway Improvements are hereby authorized and approved.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk is hereby authorized to

1 advertise for sealed bids for Harrison Street (Franklin
2 Avenue to Bloomfield Avenue) in the Township of Nutley, to
3 be received on behalf of the Board of Commissioners, in the
4 Commission Chambers, Township Hall, 1 Kennedy Drive, Nutley,
5 New Jersey, 07110, on Wednesday, July 12, 2017 at 3:00 p.m.
6 prevailing time, at which time they will be opened and read.

7 I move the resolution.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner Rogers?

10 COMMISSIONER ROGERS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Mayor Scarpelli?

18 MAYOR SCARPELLI: Aye.

19 WHEREAS, bids for the 2017 Various Roadway
20 Improvements were received and opened on Wednesday, June
21 14, 2017; and

22 WHEREAS, D&L Paving Contractors, 675 Franklin
23 Avenue, Nutley, New Jersey, was the low bidder; and

24 WHEREAS, the base bid for the 2017 Various Roadway
25 Improvements was in the amount of \$367,719.15; Alternate

Bid No. 1 in the amount of \$17,269.25 and
 Alternate Bid No. 2 in the amount of \$45,771.09, for a
 total bid of \$430,759.49; and

WHEREAS, funds are available from Ordinance No.
 3321A in the amount of \$23,395.37; Ordinance No. 2800 in the
 amount of \$9,766.41; Ordinance No. 2959 in the amount of
 \$20,130.54; and Ordinance No. 3295A in the amount of
 \$377,467.17 and have been certified by the Chief Financial
 Officer; said certification being attached to this
 Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of
 Commissioners of the Township of Nutley, County of Essex,
 State of New Jersey, that a contract be awarded to D&L
 Paving Contractors, 675 Franklin Avenue, Nutley, New Jersey,
 not to exceed \$430,759.49 and that the Mayor and Township
 Clerk are hereby authorized to enter into and sign said
 contract for the Township of Nutley.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 MADAM CLERK: Mayor Scarpelli?

4 MAYOR SCARPELLI: Aye.

5 That concludes the business portion of our
6 meeting. Madam Clerk.

7 MADAM CLERK: Yes, Mayor.

8 All persons addressing the Board of Commissioners
9 regarding community concerns should approach the microphone,
10 provide their name and address for the record.

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

13 All remarks to the Board and its individual
14 members must be addressed to the Mayor. The Mayor may defer
15 citizens' comments to the appropriate member of the Board.

16 Dialogue between citizens and others addressing
17 the Board shall be allowed, unless the Mayor, presiding
18 officer or the majority of the membership of the Board,
19 shall determine that the interests of decorum and/or the
20 expeditious conduct of municipal business are adversely
21 affected by such dialogue.

22 MAYOR SCARPELLI: Would anybody like to address
23 the Board of Commissioners this evening?

24 MR. MOORE: Rory Moore, 462 Chestnut Street.

25 Mr. Scarpelli, I wish to address the Board of

1 Commissioners tonight. I'm not asking any questions. I
2 don't expect any answers and I would appreciate no
3 interruptions.

4 It's time to fire Paul Cafone. I think we
5 made the paper for all the wrong reasons.

6 We pay Mr. Cafone \$175,000 a year. We pay
7 approximately \$220 a month for his phone. We gave him a
8 brand new Crown Vic recently.

9 He hired his son, who was number fifteen on the
10 list, under fourteen other people, some --

11 MAYOR SCARPELLI: One second, Mr. -- one second,
12 Mr. Moore.

13 Mr. Genitempo, do we have to worry about talking
14 about employees?

15 MR. GENITEMPO: Well, it's not -- unfortunately,
16 you cannot talk about it without a "Rice Notice" but
17 Mr. Moore, I think you're teetering on, you know, being out
18 of order.

19 First of all, your facts aren't necessarily
20 correct vis-a-vie the list.

21 MR. MOORE: It could be fourteen or fifteen. If
22 you want to argue the --

23 MR. GENITEMPO: Well, I was involved in that -- in
24 that review initially because I do review civil service
25 lists. And everything was appropriate with regard to the

1 lists.

2 MR. MOORE: He was number fifteen on the list,
3 correct?

4 MR. GENITEMPO: (Indiscernible) --

5 MR. MOORE: He was number fifteen on the list.

6 MR. GENITEMPO: Just because you're number
7 fourteen or fifteen, doesn't mean that you skipped anybody
8 because people fall off the list. They don't respond. They
9 didn't qualify.

10 MR. MOORE: But he (indiscernible) -- actually
11 (indiscernible) --

12 MR. GENITEMPO: Or didn't qualify or --

13 MR. MOORE: I don't really want to argue the
14 point.

15 MR. GENITEMPO: I'm just trying to --

16 MR. MOORE: I have a public opinion. I have a
17 right to freedom of speech under the five-minute rule.

18 COMMISSIONER PETRACCO: They get jobs in other
19 towns also.

20 MAYOR SCARPELLI: Continue, Mr. Moore.

21 MR. MOORE: I understand that we're going to --
22 we're contemplating hiring number sixteen. There were
23 veterans on the list above him that weren't hired.

24 We have to replace, I believe it's going to be a
25 one-and-a-half million dollar fire truck. You trash a fire

1 1 truck and nobody's going to be disciplined because of this?

2 2 We purchased a, I believe, a truck a while ago
3 3 under one bid. And I'm sure you'll do that again this year
4 4 with this truck.

5 5 At this point, don't you think it's rather
6 6 incumbent upon the Board of Commissioners to think about the
7 7 people of the town rather than their friends? Because this
8 8 is outright incompetency.

9 9 Mr. Henning has stood here before and argued
10 10 vehemently with Mr. Genitempo about the incompetency of the
11 11 recordkeeping of the Fire Department. But, yet, we're going
12 12 to sit here and say: "no problem". Nobody's disciplined.
13 13 This is they way it's supposed to work. Well, it's not.

14 14 This is an absolute embarrassment.

15 15 Mr. Petracco, you just told a story of a fire two
16 16 doors away. Your son and Mr. Villano, I believe it was, you
17 17 told of all of their heroics. They should never have
18 18 gotten --

19 19 COMMISSIONER PETRACCO: (Indiscernible).

20 20 MR. MOORE: You told of their heroics. They
21 21 should never have gotten that close to the fire because the
22 22 Fire Department should have been there already.

23 23 Do you mean to tell me that the amount of money
24 24 that we pay for -- pay the Fire Department --

25 25 COMMISSIONER PETRACCO: Rory, the deli's right next

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1 door to the house.

2 MR. MOORE: Okay. Mr. -- for them to get there,
3 that close, to run upstairs and help save two dogs, to put a
4 fire out, tells you that the response time isn't all that.

5 COMMISSIONER PETRACCO: Rory, we respond anywhere
6 in the town under two minutes. I mean, that's a fantastic
7 response time. I've been in other towns where you're
8 waiting for a fire department --

9 MR. MOORE: You think it's a fantastic response
10 time and your son and Mr. Villano are very fast runners.
11 They should never have gotten --

12 COMMISSIONER PETRACCO: They were very fast acting
13 to be honest with you.

14 MR. MOORE: -- (indiscernible) I'd like to finish
15 my five minutes, if I may.

16 At this point, I understand that the Chief -- the
17 Chief, who is only paid \$5,000, might retire shortly. So, I
18 hear and that Mr. Cafone will become the Chief. And he
19 wants to hire three more chiefs.

20 Don't you think it's time to consider the people
21 rather than your friends? This is an outright embarrassment
22 thanks to Mr. Cafone and it's time to fire him for
23 incompetency.

24 Thank you.

25 MAYOR SCARPELLI: Anybody else like to address the

1 Board of Commissioners this evening?

2 MS. VAICELS: My name is Diana Viacels,
3 105 Church Street, Nutley.

4 Commissioners, Mayor. My property backs up to the
5 property that runs off a culvert and there have been
6 trucks back there doing demolition on the buildings and
7 everything else that was back there.

8 My problem is : there's a slew of trees that are
9 backing up along the fence two and three deep now. I have
10 vines with stickers on them. I have ivy only God knows
11 where it came from and I have poison ivy.

12 My gardeners won't even come in and weed back
13 there for me and I can't do it.

14 I need help. I need to know if, number one, is
15 there someone that I can contact to find out if I can get
16 something done from the people who have taken over that
17 property? If not, what can I do? Who can help me?

18 COMMISSIONER EVANS: Mayor.

19 MAYOR SCARPELLI: Commissioner.

20 COMMISSIONER EVANS: I want to get your full name
21 and address again and your contact number because I will
22 have --

23 MS. VAICELS: My name is Diana Vaicels --

24 COMMISSIONER EVANS: I'll get it. Just --

25 MS. VAICELS: You can get it from her.

1 COMMISSIONER EVANS: Yep. And --

2 MS. VAICELS: Okay.

3 COMMISSIONER EVANS: And I didn't want you to give
4 me your phone number over the -- the microphone. But I
5 would to --

6 MS. VAICELS: 9-7-3 --

7 COMMISSIONER EVANS: Okay. If you want to.

8 MS. VAICELS: -- 9-4-1-3-4-2-7. My cell.

9 COMMISSIONER EVANS: 9-7-3-9-4-1 --

10 MS. VAICELS: 3-4-2-7. That's my cell
11 phone. I have that (indiscernible) --

12 COMMISSIONER EVANS: Okay. I'll have the --
13 tomorrow you'll hear from the Construction Code office. We
14 have a property maintenance ordinance. And, so, whatever is
15 allowable under that ordinance, we'll be happy to share that
16 with you.

17 MS. VAICELS: Oh, that would be wonderful
18 because, as the Mayor knows, I'm not really physical enough to
19 be able to do any of that stuff --

20 COMMISSIONER EVANS: Yeah.

21 MS. VAICELS: -- and I do need some help with
22 it.

23 COMMISSIONER EVANS: I understand that. The
24 construction that you see is actually demolition work. The
25 -- you being in that area, you are familiar with the fact

1 that there were a series of old chicken coops that were on
2 the property.

3 MS. VAICELS: Yeah. That's all gone,
4 thank God --

5 COMMISSIONER EVANS: Yes. And we actually gave
6 them a violation notice for unsafe structures and
7 -- so the owner had to, at their expense, hire an
8 exterminator to make sure there wasn't anything
9 living there and, then, actually incur the cost to remove
10 them. So right now, I understand as of today, there's
11 some piles of debris that are being removed.

12 MS. VAICELS: You know, there are critters back there.

13 COMMISSIONER EVANS: It's an open area so you're
14 going to find natural critters.

15 MS. VAICELS: No, I have seen -- please, I'm not
16 telling stories here (indiscernible). I'm not afraid of snakes
17 but there are children around the area.

18 COMMISSIONER EVANS: I am.

19 MS. VAICELS: I do appreciate any help I
20 can get (indiscernible) --

21 COMMISSIONER EVANS: I -- they'll contact you
22 tomorrow.

23 MS. VAICELS: Thank you so much.

24 COMMISSIONER EVANS: You're welcome.

25 MAYOR SCARPELLI: Anybody else wish to address the

1 Board this evening?

2 COMMISSIONER PETRACCO: Before we break, Mayor, I
3 just wanted to report to the Board of Commissioners and
4 congratulate all the Board of Commissioners and
5 Commissioner Tucci on the Spring Festival. There was not
6 one episode to report at that whole night. It was really
7 well done. I applaud the family theme, with bringing the
8 kids into it with the video games and all that stuff.

9 But there was -- I had a great time. I hope
10 everybody else did. And it's really something I hope
11 continues down the road.

12 COMMISSIONER TUCCI: Thank you, Commissioner. And
13 being that you brought it up, I'd just like to thank all of
14 the commissioners for supporting that and, in particular,
15 the Public Safety Department and Commissioner Petracco for
16 the police protection, the Fire Department being there, the
17 EMS, the Health Department for making sure that all of the
18 trucks and all the establishments were A-1 and super clean.
19 It was a great night. There were in excess of 5,000 people
20 there. It was probably our most successful event ever.

21 And these are the type of things that separate
22 Nutley from a lot of the other communities. And this is
23 something we're going to continue. We're going to build
24 upon it. And the family theme, I think, was spot on and it
25 was just a fantastic night and even the weather cooperated.

1 Thank you for that.

2 COMMISSIONER ROGERS: And to follow up,
3 Commissioner Tucci, one goal I know you had and was
4 achieved, it was family. There were families there, and you
5 don't see much of that around anymore where parents are able
6 to bring their children to a safe environment and have a lot
7 of fun, so I think that was a very important goal and you
8 achieved it.

9 COMMISSIONER TUCCI: Thank you.

10 MAYOR SCARPELLI: Great night. Seeing no other
11 comments --

12 COMMISSIONER ROGERS: Before we adjourn, I have a
13 comment. To begin with, 38 years of my life I've spent with
14 the Public Safety Department. I worked with just about
15 everybody who's there now. And Paul Cafone happens to be
16 one of the people that I work with. It troubles me that
17 when people, especially our employees, are criticized and
18 they're not here to defend themselves. I certainly don't
19 like being criticized when I'm not there to defend myself.
20 But I will say this, because I've been there and I've worked
21 there, and because I know this commissioner, and the fact
22 that he prides himself in confident people, Paul Cafone is
23 probably the farthest thing from being incompetent and
24 unable to do his job.

25 It's a tough, tough job being in public safety

1 today, whether you're police or a firefighter. Paul Cafone
2 has done nothing but serve this town with dignity and honor
3 and good character. We may not necessarily agree with some
4 of the decisions our employees make and some of the
5 performance that certainly they will display over a period
6 of time, but that's up to the Public Safety Director to
7 address.

8 But overall this has been a very good man and a
9 very good employee, a good family man. And I'll tell you
10 one other thing, that I certainly -- I think all of us, we
11 don't probably see it, but a guy like Paul Cafone, our
12 P olice Chief, and others, a lot of these men and women in
13 our Public Safety Department, in fact, Joe, Mayor, in your
14 department and Commissioner Tucci and Commissioner Evans and
15 Commissioner Petracco, in all their departments, we have
16 role models. We have a lot of good role models, good family
17 people and they'll just go out of their way, they'll just go
18 out of their way to help anybody in this town.

19 But to the point of Paul Cafone, people are
20 watching on television something new. And unfortunately
21 when they watch, they leave away with one narrative. And I
22 think it's important that we give them the other narrative.
23 So Commissioner Petracco, you're too close to it to say
24 anything, but I was close to it, I'm out of it, but I just
25 want to convey to the people of this town -- and I know you

1 all know this -- I know I'm preaching to the choir here, but
2 it's for the people in this town, know that you have heroes
3 in this town every day, every day. They do their job
4 without fanfare. And in Mr. Cafone's case, he's a darn good
5 guy.

6 And let me say this, your son and that police
7 officer were probably seconds away, but instead of walking
8 away, they went in, and they should never, ever be
9 criticized for doing that.

10 That's all I have to say, Mayor, and I move that
11 we close the meeting, if it's okay.

12 MAYOR PETRACCO: I'd just like to thank
13 Commissioner Rogers and, for obvious reasons, I am not privy
14 to comment on the comments that were made tonight, but down
15 the road I surely will comment. And I have to say,
16 I think some of the comments are just purely not
17 nice.

18 MAYOR SCARPELLI: A second, Commissioner.

19 MADAM CLERK: We need a second.

20 COMMISSIONER PETRACCO: Second.

21 MADAM CLERK: Commissioner Rogers?

22 COMMISSIONER ROGERS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Evans?

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 MADAM CLERK: Mayor Scarpelli?

5 MAYOR SCARPELLI: Aye.

6 MADAM CLERK: And the time is 9:02.

7 MAYOR SCARPELLI: Good night, everybody.

8 (Whereupon, the meeting was adjourned)

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

I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the June 20, 2017 proceedings.


Pamela A. Skaw

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