	Page 1						
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2	TOWNSHIP OF NUTLEY, NEW JERSEY						
3	BOARD OF COMMISSIONERS						
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5	PUBLIC MEETING) TRANSCRIPT OF						
6) PROCEEDINGS						
7)						
8							
9	June 26, 2017						
10	BOARD OF COMMISSIONERS						
11	SPECIAL MEETING						
12	BEFORE:						
13	Commissioner Steven L. Rogers						
14	Commissioner Mauro G. Tucci						
15	Commissioner Thomas J. Evans						
16	Commissioner Alphonse Petracco						
17	Mayor Joseph P. Scarpelli Via Phone						
18	Township Clerk						
19							
20	Job No. VTNJ 2648996 Transcribed by:						
21	Pamela A. Skaw						
22							
23							
24							
25							

	Page 2					
1	PROCEEDINGS					
2	MADAM CLERK: Mayor, can you hear me?					
3	MAYOR SCARPELLI: Are you talking to me?					
4	MADAM CLERK: Yes. Can you hear me?					
5	MAYOR SCARPELLI: Not that great.					
6	MADAM CLERK: Not that how about now?					
7	MAYOR SCARPELLI: Better.					
8	MADAM CLERK: Okay.					
9	(Background conversations)					
10	(Pause)					
11	MADAM CLERK: Are we ready?					
12	(Pause)					
13	MADAM CLERK: Mayor, I think we're ready.					
14	MAYOR SCARPELLI: All right. You're ready?					
15	COMMISSIONER EVANS: Yes.					
16	MAYOR SCARPELLI: Will everybody please stand for					
17	the flag salute?					
18	(Pledge of Allegiance)					
19	MAYOR SCARPELLI: Madam Clerk and I have					
20	Commissioner Evans (indiscernible).					
21	MADAM CLERK: Yes, Mayor.					
22	MAYOR SCARPELLI: Commissioner Evans.					
23	COMMISSIONER EVANS: (Indiscernible) here?					
24	MADAM CLERK: It probably would be easier.					
25	COMMISSIONER TUCCI: Take your time.					

	Page 3				
1	MADAM CLERK: Just one moment.				
2	(Pause)				
3	COMMISSIONER EVANS: Mayor, I'm sitting in your				
4	seat.				
5	COMMISSIONER PETRACCOO: Don't get too				
6	comfortable.				
7	COMMISSIONER EVANS: I won't.				
8	(Laughter)				
9	COMMISSIONER EVANS: Thank you.				
10	We don't have any communications, minutes,				
11	bills				
12	MADAM CLERK: I'm going I just need to read the				
13	Sunshine Notice, first.				
14	COMMISSIONER EVANS: Then, I'd just ask you to				
15	read the notice.				
16	MADAM CLERK: Thank you.				
17	Pursuant to the requirements of the Open Public				
18	Meeting Act, Chapter 231, Public Law, 1975, notice of this				
19	meeting was published in the May 25th, 2017 issues of The				
20	Nutley Sun.				
21	A copy is one file that notice has been posted				
22	and a copy is on file in the Municipal Clerk's office.				
23	Commissioner Rogers?				
24	COMMISSIONER ROGERS: Here.				
25	MADAM CLERK: Commissioner Tucci.				

	Page 4			
1	COMMISSIONER TUCCI: Here.			
2	MADAM CLERK: Commissioner Evans?			
3	COMMISSIONER EVANS: Here.			
4	MADAM CLERK: Commissioner Petracco?			
5	COMMISSIONER PETRACCO: Here.			
6	MADAM CLERK: Mayor Scarpelli?			
7	MAYOR SCARPELLI: Here.			
8	MADAM CLERK: All present.			
9	COMMISSIONER EVANS: Thank you.			
10	MADAM CLERK: You're welcome.			
11	COMMISSIONER EVANS: As I said, we do not have any			
12	minutes, communications, proclamations, reports, bills or			
13	ordinances this evening.			
14	We only have two Resolutions to be read. So,			
15	Mayor, do you want to read yours and I'll go last?			
16	MAYOR SCARPELLI: But do a public comment on			
17	agenda item.			
18	COMMISSIONER EVANS: We can do that. Madam Clerk,			
19	read the notice.			
20	MADAM CLERK: Yes.			
21	All persons addressing the Board of Commissioners			
22	regarding community concerns, should approach the microphone			
23	and provide their name and address for the record.			
24	Unless further time is granted by the Board, each			
25	person shall limit their address to three minutes.			

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

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

MR. MOORE: Rory Moore (ph), 462 Chestnut Street.

Mr. Evans, it's very difficult to hear you or

12 Mr. Scarpelli. I'm not trying to be a pain.

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that.

COMMISSIONER EVANS: I appreciate that. Thank you.

15 MR. MOORE: You're difficult to hear.

16 COMMISSIONER EVANS: Thank you. I appreciate

MR. MOORE: This is strictly Resolutions?

COMMISSIONER EVANS: The only items on the agenda tonight are two Resolutions; yes.

MR. MOORE: And there will be -- there's an open public comment after? Is that part of the process tonight?

COMMISSIONER EVANS: I believe so. Yes.

MR. MOORE: I noticed that the Resolutions for this evening or the -- we're hiring an attorney for

	Page 6				
1	July 1st; is that correct?				
2	COMMISSIONER EVANS: Correct.				
3	MR. MOORE: And it appears that he's doing the				
4	Huddle and he's giving legal advice as of today. It looks				
5	like. That's what it looks like. That's what it looks				
6	like.				
7	MR GENITEMPO: One has nothing to do with the				
8	other.				
9	MR. MOORE: No. It the way it's written. That's				
LO	what it looks like.				
11	MR GENITEMPO: No.				
12	COMMISSIONER EVANS: No.				
13	MR. GENITEMPO: No. Two different points				
L 4	(indiscernible).				
15	MR. MOORE: Okay.				
16	MR. GENITEMPO: Two different Resolutions				
L7	(indiscernible) two different issues.				
18	MR. MOORE: Okay. So, one doesn't have anything				
19	to do with the other?				
20	MR. GENITEMPO: No.				
21	MR. MOORE: Okay. That's what I was trying to				
22	find out. Thank you.				
23	(Pause)				
24	MR. ALMEDA: Good afternoon. My name Efren Almeda				
25	(ph). I live at 357 Passaic Avenue.				

I just wanted to express my concern about the Huddle and the renewal of the license. This has been a cancer in our community for a couple of years now and the police probably have me on speed dial by now on the complaints and the stuff that the children hear over the nighttime and many times, it's just walking and stuff, during their activities.

Their clientele come in from God's know where.

And I just wanted to express that this license should not be renewed.

Thank you so much.

(Pause)

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MS. LANDRY: Pennie Landry, 135 Lakeside Drive.

Resolution 1147-17 to hire the law firm of Cleary, Giacobbe,

Alfieri, Jacobs, LLC at an hourly rate of \$175.

Could we get a little more information as to the six months contract and what, specifically, this law firm will be addressing related to zoning?

COMMISSIONER EVANS: Alan, do you want to address that or do you want me to?

MR. GENITEMPO: I (indiscernible). I think I can address that.

There are some issues of zoning that we are -need to look at relative to certain properties and whether
they're appropriately zoned. There's the desire of the

Board to go out to a third person and do the research and do the investigating and -- so, this gentleman was one several that we solicited proposals from. We only got two. His was the lowest one that we got. But he's also very qualified in the area. In fact, I actually met with him this morning, just to go over things.

But this is -- he -- this is just for one particular area of looking at certain zoning areas in town and doing some historical analysis to make sure that things are what they're supposed to be.

MS. LANDRY: Okay. And can you give the citizens of Nutley some indication as to what areas of town this zoning possible discrepancy exists (indiscernible)?

MR. GENITEMPO: Well, there's some issues whether some places should be B-3 or B3A. I --

MS. LANDRY: Are any of these areas located within the Roche property?

MR. GENITEMPO: No. This has nothing to do with Roche.

MS. LANDRY: Non-Roche property. So, B-3 and B-3A area -- those are basically Franklin Avenue. Those are business zones?

MR. GENITEMPO: Some there and also other parts of town. There's other B-3A zoned.

So, we're just trying to figure it out because

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Page 10 1 one zone. 2. MS. LANDRY: That's -- it's going to take six 3 months? 4 MR. GENITEMPO: No. I think we just use that as a 5 general time frame. I don't expect it to take that long. MS. LANDRY: Okay. So, we're hiring a firm for a 6 period of six months because one resident has questioned in 7 a B-2 or B-3 zone as to whether his residential property is 9 zoned correctly? MR. GENITEMPO: No. It's --10 MS. LANDRY: Or his --11 12 MR. GENITEMPO: -- B-3 or B-3A. So, it's not residential. 13 14 MS. LANDRY: Okay. All right. 15 MR. GENITEMPO: So --16 MS. LANDRY: So, a business owner is -- got you. 17 Now, to that point --MR. GENITEMPO: And, then -- and, Pennie, the 18 reason is because when we're being questioned on something 19 20 like that, it could always lead to litigation. 21 MS. LANDRY: Yeah. 22 MR. GENITEMPO: And we want to make sure we 23 protect the sanctity of the litigation privilege. And 2.4 that's why I don't want to reveal everything, the specifics, 25 yet.

Page 11 1 MS. LANDRY: Okay. MR. GENITEMPO: Ultimately -- ultimately, it will 2. 3 be -- sorry. Let me turn this off. 4 Ultimately, it will be, you know, revealed --5 MS. LANDRY: Uh-huh. MR. GENITEMPO: -- like we do with executive 6 7 session. MS. LANDRY: Okay. 9 MR. GENITEMPO: So, you know, it's not a whole -it's not across the town. It's -- it is a specific -- a 10 couple specific questions that we need answered and the 11 12 Commissioners felt it was best to go out of town and do 13 that. And I agree with them. 14 MS. LANDRY: Okay. Would any of -- would that 15 property be the Ciccolini (ph) or the Bike Shop property? 16 MR. GENTTEMPO: No. 17 MS. LANDRY: No? Okay. Relating to that, if we can -- I just want to add 18 on because I've been going to the code department looking to 19 20 see a revised zoning map back to the E-3 -- I mean, the East Center Street, when that was rezoned, the zoning maps were 21 22 never updated. 23 MR. GENITEMPO: They have not been updated yet. 2.4 And that's something --MS. LANDRY: We did -- we did pass a Resolution --25

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1 MR. GENITEMPO: Right.
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MS. LANDRY: -- though for \$16,000 to pay a firm to redo those maps. But I just want to clarify because what I was told was the reason why the work has not been done, even though the money was allocated, was because the State went to the -- our tax assessor, our part-time tax assessor, and requested specific criteria for the zoning map in anticipation of the town-wide reassessment in 2019.

Can you confirm if that is true?

MR. GENITEMPO: I would if I know -- if I knew.

And I'm not sure that we (indiscernible) --

MS. LANDRY: Would you find out?

MR. GENITEMPO: Yeah. We can look at that.

MS. LANDRY: Okay. It --

MR. GENITEMPO: I'm not -- yes. I'm not involved in those conversations. But I will find out.

MS. LANDRY: Okay. All right.

COMMISSIONER EVANS: Alan --

MR. GENITEMPO: Yes, Commissioner.

COMMISSIONER EVANS: -- I may add, the money that was set aside was for the periodic update of our tax maps, not the zoning map. That's a different map.

So, the reference to the fact that we funded the tax -- the zoning map renewal is just an incorrect reference. It's just -- it was actually to update the tax

- maps which are in the assessor's office because we do have building that goes on, and subdivisions that go on, and they periodically need to be updated. We're required to keep them current by the Essex County Board of Taxation.
- 5 MS. LANDRY: But we are not required to keep our 6 zoning maps updated? Because our current zoning map --
 - COMMISSIONER EVANS: I'm not saying that. I am just clarifying your point on the \$16,000 reference. It was for the tax map --
- MS. LANDRY: How much did you say it was?
- 11 COMMISSIONER EVANS: You said -- you made the reference to \$16,000.
- MS. LANDRY: Right. Okay.

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- COMMISSIONER EVANS: All I'm saying is that money

 was set aside to have the engineering -- an engineering firm

 update our tax -- our tax maps in the tax assessor's office.

 Just to be clear.
 - MS. LANDRY: So, do we have to allocate more money to have the zoning map updated?
 - MR. GENITEMPO: I think that only gets updated during a master plan review.
- MS. LANDRY: And we -- since we haven't had a master plan review in --
- MR. GENITEMPO: 2012.
- 25 MS. LANDRY: -- since 2012; do we have one

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scr	nedul	eas.	No?

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So, we have not had a master plan review since 2012 and you're saying that zoning -- our zoning map is only updated in conjunction with master plan reviews, which is why, when you go to the code department and ask to see a current zoning map, there is not one? Is that accurate?

MR. GENITEMPO: No. There's a zoning map.

MS. LANDRY: It's not accurate.

MR. GENITEMPO: It exists. No, but it was last updated, as far as I understand it, was 2012, when it was approved with the master plan. It becomes part of the master plan.

And, you know, as zones change, we record them internally, obviously. But we didn't -- haven't -- I don't believe -- and I apologize. I don't know for sure. I don't believe we've done an update of the master -- of the zoning map yet.

MS. LANDRY: Well, I can tell you that the code department said that we have not done an update --

MR. GENITEMPO: Well, they're probably right.

MS. LANDRY: -- of the zoning map since we created the new zone at East Center Street and changed some of the properties to the new zone.

MR. GENITEMPO: Uh-huh.

MS. LANDRY: So, the final question is; when do we

anticipate updating our zoning maps to accurately reflect zoning on all properties in Nutley, New Jersey?

COMMISSIONER EVANS: I would expect that we should be able to update it before the end of the year.

MS. LANDRY: Thank you so much. You all have a good evening.

(Pause)

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MS. DELGADO: Good evening. My name is Gladys Delgado (ph) and I am the owner of the Huddle Sports Bar and Grill. And I'm here because I want to address the couple comments made on the June 20th meeting as well as any questions you may have for me.

So, on June 20th, it was stated by public officer, Commissioner Steven Rogers; I understand that the owner cannot be responsible for the clientele but if people are coming out and urinating, bottles are littered and drug paraphernalia is left, we've been there cleaning up bottles and debris, Captain Green spoke to her. It's falling on deaf ears.

One, I want to address the urination. It was also stated that the police department gets so many calls from the neighborhood, we have a patrolman at that area.

If there's a patrolman specifically selected for my area, why are individuals that are urinating -- if this is happening, being approached and legal action taken

against them? Why am I -- was is my establishment being blamed?

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Also, regarding the bottles being littered and the debris. I am located at 350 Passaic Avenue. There are three BYOB places within walking distance; 338, the Chestnut Cafe is BYOB. It's publicized on their website; 354 Be Crafty. They're BYOB. It's also publicized on their website as well as their social media. I have pictures if you would like. And 356, the Vietnamese place is also BYOB.

These are with -- I'm at 350. This is doors away from my establishment. Why is the Huddle being targeted for causing the nuisance and the littering?

That's pretty much some of the questions that I have.

Also, in regards to it's falling on deaf ears.

Everything possible that I could do to assist in any nuisance, I have done. Initially, when I opened up the bar, we were having nuisance with noise complaints. What I did was, I took all the speakers around the windows and put them towards the end of the bar so they don't resonate out in the public.

I haven't had a noise complaint in two years.

Second, was my garbage. They said that the lid
was somewhat open. I added another stop to my garbage
weekly. I haven't had any issues. So, as far as items

falling on deaf ears, I would like to -- if someone could please elaborate as to what is meant by this and what I can do to assist in anything possible within my realm. I can't walk people to their car, if individuals are really leaving my place and urinating, which I have not seen once in the three years I've been there. Nor have I seen anyone get any type of legal action for urinating.

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So, all these comments that were said and made public on an article, I would like to know where's this coming from. How is it that they're pinpointing my establishment?

How are the beer bottles or the littering or the loitering being directly associated with the Huddle when there are three establishments within walking distance that you're allowed to bring your own liquor. They're not controlled as to how much they drink. I control. They are not.

MR. GENITEMPO: Ma'am, maybe I can answer a couple of your questions.

MS. DELGADO: Sure.

MR. GENITEMPO: Number one is, though you are one hundred percent right, there are definitely three locations within a block, and I'm actually on the corner. My office, you know, my office is right there. And the difference is mostly the timing at night. Those places don't stay open

until one thirty or two in the morning. And that's -- we've been getting written complaints from neighbors. Not only has the town been getting them but my law firm somehow gets them; that somehow we're responsible.

But it's really about the timing and the night I know your license allows you to stay open until two and that's -- that's somewhat the difference.

I think that when you have a neighborhood bar, and yours is a neighborhood bar, with no parking lot, everybody fans out across -- you know, across the residences and that's what upsets the neighbors and gets them concerned.

I know that there is historically more issues going on with -- where police presence was needed. People doing things. I mean, they were doing things in my parking lot. We were alerting the police to come in at night and check it out.

And I'm not saying that you control what the people do when they leave your establishment. But, you know, we would always have debris in our parking lot and things -- and they were after hours, after the other restaurants closed.

But I think that's part of the issue. I don't think -- I think that's the difference, the distinction, sometimes between those BYOB places that close, you know, ten o'clock or so. I don't think the cafe's open past ten

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o'clock at all. I don't -- I'm not sure if the restaurant, the Vietnamese restaurant, I think they close at ten.

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So, you know, all those differences -- and I think the Commissioners were reacting to the written complaints recently. Now, when neighbors make complaints, the Commissioners have to listen. And that's part of what happened. I think what happened was last week, when we had the vote on, we had a pause. We wanted to just -- some of the complaints seemed like they were more recent.

So, we had a chance to go back and look and talk to the police and speak to the Commissioners and kind of look at the current status of your license. And that's why you're on the agenda for tonight.

So, I think we took a pause, more than anything, to take a look at it, to make sure that the recent written complaints that we got were not recent, really up -- recent issues that were happening.

I think you're right. In the beginning, there were a lot more issues than there have been somewhat in the last, I don't know, I don't want to say how many months, but -- so, I think that that's what the Commissioners were concerned about. And the issue of you trying -- I -- you know, again, maybe there's something else that we all could talk about and we'd be happy to sit down and see if there's anything else that we could work together on.

But I think that was the reaction to absolutely written complaints that we've received. And when the Commissioners get complaints, they do want to look into it a little bit more.

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So, although it was on the list with the other ones for last week, that's why we wanted to put it right on tonight so there wouldn't be any real interruption in your operation.

So, I don't know if that answers all of your questions. But I tried to answer them as best I can.

MS. DELGADO: Uh-huh. Thank you. I appreciate that.

But in regards to hours and finding debris, I completely disagree. Every single night I have my guy go out, throughout my property, and up into the Vietnamese and back to make sure there's no debris. I've come to open my bar at three thirty in the afternoon, and have found debris. We left, there's none. I come back, there is.

Somehow, some way, it's getting there. It's not from us because we're closed. I've found bottles that I don't even carry. I can go back to the beginning of when I opened. I do not carry those bottles. And I found them. I have pictures. It's not us.

I don't understand why I'm the one being targeted and suggested as causing a nuisance when I'm doing

- 1 | everything in my power to ensure I'm not.
- MR. GENITEMPO: Well, maybe that's a good reason
- 3 | to have more communication and maybe have -- so you can
- 4 present what you're saying to us and show us so --

MS. DELGADO: Absolutely.

- 5 MS. DELGADO: I --
- 6 MR. GENITEMPO: -- that it can offset a lot of the 7 fears that people have --
- 9 MR. GENITEMPO: -- about what's going on in their
- 10 own neighborhood.
- 11 MS. DELGADO: Absolutely. I just feel as if
- 12 comments and statements are being made, such as this, and
- 13 they're becoming public. There should be some type of basis
- 14 for the comments as opposed to circumstantial accusations.
- 15 | That's all that's going on.
- This is getting out to the public. People are
- 17 | reading this. They're getting a bad reception of my place
- 18 | for which I been for three years, not once have I had bar
- 19 fight. Not once has the police been present because we need
- 20 attention. Not one time.
- I don't understand why we're getting all of the
- 22 bad -- the bad blood when we're not doing absolutely
- 23 anything.
- 24 MR. GENITEMPO: Yeah. And, again, I think -- and
- 25 I'm not arguing with you about any of the facts that you're

stating. And I know that you had made an OPRA request last year. We provided to you all the documentation that we had from the police reports. And I think it was a rocky start, more in the beginning. But your application was vetted by the police this time. We went back and made sure and we know that you worked with the clerk to make sure that your application was complete and on time.

And, so, you know, it was just, I want to call it a pause because I think that's really -- just wanted to take a look at it and make sure that there were no more complaints than what we already had from the neighbors and that they had an opportunity to look at it.

And that's what I think we did.

MS. DELGADO: I --

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MR. GENITEMPO: So, I understand your concern about what got into the media. But --

MS. DELGADO: But at what point do these complaints continue to happen and you go back to the neighbors when there's absolutely no basis for the complaints?

MR. GENITEMPO: Well, I think that's why we -- it would be -- I would be -- I think it would be helpful if we had a sit down, to talk about those things. So, we can address you directly on some of what some of those complaints are. They're not all just bottles and things

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You know, we can talk about it. I think, if
you're willing to, we can do it. And we'll sit down --

MS. DELGADO: I'm willing to do whatever it takes --

MR. GENITEMPO: Okay.

MS. DELGADO: -- to help and not have such statements being put out regarding my establishment when there's no basis for it. Like this causes harm. This causes harm to my place. It's like defamation. People read this article that have no idea. Never been to the Huddle. And get a certain perception of it when it's not that way.

Yes, my client, as it was mentioned, the owner cannot be responsible for the clientele. I cannot be responsible for my clientele. But I can say my clientele has not caused any issues. I have not had one bar fight in three years. I've not had one incident in three years within my establishment.

MR. GENITEMPO: Well, listen -- and, again, I'm not arguing --

MS. DELGADO: With these clientele.

MR. GENITEMPO: -- with you on your facts. And one the things the Commissioners did to try to be business friendly was adopt the -- change the ordinance to allow less requirements for on-site parking. And businesses, like

yours, benefit from that because you don't have to have a parking lot to operate your business. The off shoot of that is, when it's on Franklin Avenue, it's a little bit easier than if it's, you know, on Passaic Avenue or on the corner of Nutley and Passaic or off of Enclosure.

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So, those are the trade-offs that you have trying to pass an ordinance that's business friendly and, yet, can also have some detrimental effects.

So, I hear you and I'm -- I'd be perfectly willing to sit down with you. I'm sure some of the Commissioners would be happy to sit in on a meeting and maybe, you know, we can talk about it and come to some common ground if there's any issues that we can work together.

COMMISSIONER PETRACCO: Alan, can I just make one recommendation --

MR. GENITEMPO: Sure.

COMMISSIONER PETRACCO: -- if Gladys is willing to do it. I think that would be a good starting point because, as far as being the police commissioner, and when we get these complaints, we have to respond to them. And I can tell you, the phone rings over there, constantly about Enclosure and Nutley Avenue and behind Piro, Zinna, (ph), all that stuff.

Have you ever thought of maybe inviting these -- your neighbors in and having a little talk with them and

seeing what their -- they are disgruntled about and maybe try to find some common ground with them?

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MS. DELGADO: I wouldn't know where to start. I'm not sure which neighbors and which area. I mean, the neighborhood is pretty big. I wouldn't -- everyone's invited.

COMMISSIONER PETRACCO: I mean, just a recommendation, Gladys. If --

MS. DELGADO: Yeah. I would definitely be up for any suggestions.

COMMISSIONER PETRACCO: Yeah. I mean, because, believe -- you know, believe me, you know, I'm a small business in town. I've owned a bar in other towns and, you know, I found myself constantly outside, walking, you know, the parking lots, the neighborhoods and making sure the bottles and all that stuff. So, I know that it's not an easy situation that you're in.

And our -- my intent is never to give a business any bad press at all. But I think that, you know, we hear from the residents and this is the first time that I'm hearing from you as far as -- I think if you could find some common ground, and just maybe pass some fliers along in those neighborhoods and say, you know; on a -- whatever your slow day is, and maybe you could invite these neighbors in and let them hear it directly from you.

And if you were willing to do that, I would even sit in with you. Because, believe me, you know, our police department is getting busier and busier and, you know, you're right about we cannot prove that a bottle of liquor found on Enclosure Lane is, you know, definitely coming from your establishment as -- if that's, you know, the case which -- unless we see it as the police officer.

As far as selecting enforcement, we don't do that in the police department. What we do do is we have something called the directive patrol and whenever we're getting a lot of complaints in any of the areas, we do it at the schools. We do it in -- and alls that is is that when the police officer makes his rounds in that area, to patrol it, that they call into the police department that they have, you know, they're doing their directive patrol.

So, again, you know, we're not here to hurt you.

I went over your application with Captain Green thoroughly
as far as the compliance with ABC. You know, everything is
up to snuff and, you know, you're good there.

But it's just a difficult situation for us to be in and especially me being the police commissioner when I am constantly getting phone calls, constantly. And, you know, we try to find a happy medium and, again, there's -- you know, we don't want to hurt your business.

But it's very important to be part of your

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neighborhood. I've been on the corner of Bloomfield and Raymond Avenue for twenty plus years and, you know, I go, I make sure the neighbors are happy, whatever I can do to make them happy, you know. As business increased since I went on that corner, there was a little store at one point and we definitely increased it. Business there, the neighbors were used to it being, you know, a couple cars a day. No big deal. And, now, you know, there's a volume of cars there.

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But I'm in constant contact with them. So, I know if there's an issue. I try to resolve it before it comes to a head.

MS. DELGADO: I've done -- I have done everything in my power as well.

I was informed about the issues of parking in the Enclosure. I put signs all over the bar. I make statements all over my Face Book. Please avoid parking within the Enclosure. Use the municipal lot. But I can't prevent anyone from parking. It's public parking.

I do try to. But if someone parks there, I can't have them move their car. But I do try. If you go into the Huddle, there are signs everywhere. Please avoid parking within the Enclosure and use the municipal lot or street parking.

COMMISSIONER ROGERS: Counselor, I have a question. Why don't we provide you with the names of the

residents who have issues and, Gladys, you have a great idea. And I think yours is a great idea.

This is the way you solve a problem; through communication. So, Gladys, what if we give counselor the names of the individuals who had some issues with your establishment, and, then, you'll know who --

You bring up a good point. No one's expecting you to go out and find people. Since we have some of the names, counselor; is that do-able?

MR. GENITEMPO: Absolutely. Not a problem.

COMMISSIONER ROGERS: Okay. How's that sound? Maybe you'll work it out. Okay. Thank you.

MS. DELGADO: Thank you.

14 (Pause)

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COMMISSIONER EVANS: Motion to close the public comment on the agenda?

Do we need a motion to close it or we're --

COMMISSIONER ROGERS: No. I don't think so.

COMMISSIONER PETRACCO: We need a motion, yeah.

MADAM CLERK: Yes. We need a motion.

COMMISSIONER ROGERS: Motion.

COMMISSIONER TUCCI: Second.

23 MADAM CLERK: Commissioner Rogers?

24 COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

WHEREAS, the anticipated term of this contract is for six months from July 1st through December 31st of 2017;

WHEREAS, the law firm of Cleary, Giacobbe,
Alfieri, Jacobs has completed and submitted a business
entity disclosure certification which certifies that they
have not made any reportable contributions to a political or
a candidate committee in the Township of Nutley in the
previous one year and that the contract will prohibit them
from making any reportable contributions through the term of
the contract;

WHEREAS, funds are available in account 701226205 subject to the adoption of the 2017 municipal budget has been certified by the Chief Financial Officers; said certification being attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, that the Mayor enter into a contract for said services with the law firm of Cleary, Giacobbe, Alfieri, Jacobs LLC; and

BE IT FURTHER RESOLVED that the business entity certification and determination of value be placed on file with this Resolution.

So move.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

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

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

MR. MOORE: Rory Moore, 462 Chestnut Street.

Mr. Scarpelli, recently, I've asked several times
-- right now, Mr. Scarpelli is calling in and I would like
to know why senior citizens or handicapped individuals are
not allowed to do that.

When they called in and established that line, you (indiscernible) --

MR. GENITEMPO: Can I answer that?

MR. MOORE: -- (indiscernible) --

MR. GENITEMPO: Mr. Moore, I can answer that for you.

I had an opportunity -- Mr. Mayor, I had an opportunity to speak to the State about the issue because, you know, it's something that we haven't heard as being going on. And they're actually looking into it. I talked to Mike Serra (ph), at the League of Municipalities, and they're going to take a look at it for us.

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                MR. MOORE: The League of Municipalities?
               MR. GENITEMPO: Well, they provide -- they
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     provide --
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                MR. MOORE: (Indiscernible) provide State.
               MR. GENITEMPO: Well, no. They provide --
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                MR. MOORE: They provide quidance
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      (indiscernible) --
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                MR. GENITEMPO:
                                They do. They provide guidance
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     and legal guidance on certain issues relative to, you know,
     the conducting of meeting, OPMA --
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                MR. MOORE: And how would it be legal for
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     Mr. Scarpelli and Mr. Evans to call in but (indiscernible).
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                MR. GENITEMPO: Well, I didn't say it is or it
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     isn't.
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               MR. MOORE:
                            Oh.
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               MR. GENITEMPO: It is legal to do what we're
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     doing.
               MR. MOORE: But you just did it.
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               MR. GENITEMPO: No. It's not -- Mr. Moore, you've
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     got to at least respect the fact that if something's not
     been done before, there may not be a specific answer to that
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     question.
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                So, we're trying to find out. I took your request
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     at the last meeting and I did speak to them and I spoke to
     Mike Serra and he's going to help me -- he's going to get
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back to me. He's talking with the people, the legal team,
inside in the Jersey League of Municipalities --

MR. MOORE: Of the League of Municipalities?

MR. GENITEMPO: Right.

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MR. MOORE: (Indiscernible) --

MR. GENITEMPO: (Indiscernible) right. That's who we -- look. I'm a lawyer. I go to where I think I can get the best answer and sometimes when you call the State, you don't always get -- you may get two people who give two different answers.

So, the League of Municipalities is hooked into all the municipalities in the State. They work together to develop procedures and processes so that everyone can be on the same page.

And I tried to find out from them, and they're going to look for me, to see if there's a way that that can be done in accordance with the Rules.

There are issues with that, okay, regarding someone calling in and being able to have the technology and also to know who it is that's really speaking. If it's not someone trying to ruin the decorum of the meeting. So, these are some of the issues.

They're trying to find out if any other town does it and, if so, how do they do it; how it works. And that's what we're trying to do.

- So, I'm trying to get an answer to your question.

 It's just not so simple. If it's -- we really have no idea

 of who's ever done it before.
- 4 MR. MOORE: Well, it has been done. It --
- 5 MR. GENITEMPO: Well, tell me where and I'll

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- 7 | MR. MOORE: (Indiscernible) --
- MR. GENITEMPO: You tell me where and I will be --
- 9 MR. MOORE: (Indiscernible) when I get my
- 10 confirmation, I will give it to you.
- MR. GENITEMPO: I would appreciate it. You have
 my email address. You email it to me and I will work with
 the clerk and we'll go find out how they're doing it.
- MR. MOORE: This is going to be moving forward

 (indiscernible) --
 - MR. GENITEMPO: No. Then, the Commissioners have to decide if it's something they want to allow happen.
 - MR. MOORE: No, I said; moving forward, we're at least going to address the issue that -- if we're going to see if handicapped and senior citizens can call in. For instance, tonight, I do have one other issue. But, tonight, is a five o'clock meeting and if people couldn't make it, they may have wanted to call in.
- MR. GENITEMPO: Well, it can't be a free for all,

 Mr. Moore, where everybody decides; I'm just going to call

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in to the meeting from my cell phone on my way home from work because I have a question.

It's got to be -- there's got to be a policy and a procedure that's workable and enforceable. Otherwise, it'll be -- it'll be bedlam. And you know that.

So, I'd be happy to look at it. If you have another example of a town that's doing it --

MR. MOORE: I'll get it.

MR. GENITEMPO: -- I want to see their policies, their ordinance or their procedure and I'll present it to the Commissioners. And, if they -- if that's something they want to explore, then I'm sure that we will.

MR. MOORE: My second item, if you look at the notice. The town clerk gave it to me. Tonight's meeting is five o'clock.

All the other meetings, if you look at your other -- say seven o'clock. Is there a reason for the inconsistency? Can there be consistency that if you're going to change a meeting, that it remain at seven o'clock for the convenience of the people for consistency?

COMMISSIONER EVANS: Mr. Moore, we will do our best to remain consistent with the seven o'clock notice. Today was an exception. But --

MR. MOORE: If today was an exception, I would

25 love to know what the exception was.

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COMMISSIONER EVANS: Suffice it to say it was an exception; all right? And we will do our best to comply.

These are special meetings. So, we will hold them when we have a need to hold them.

MR. MOORE: I understand that because special meetings are published according to the clerk's office. But the times are not published and if you look at this sheet which addresses the next special meeting, on this sheet, you don't see any times on there at all. So, people might be confused as to the time.

COMMISSIONER EVANS: Thank you for your comment.

MR. MOORE: Thank you.

(Pause)

COMMISSIONER EVANS: Would anyone else like to comment?

16 (Pause)

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MS. LANDRY: Pennie Landry, 135 Lakeside Drive.

Thank you, Alan, for introducing the topic of policy,

procedures and processes. I'm here to make a formal request

to the Commissioners. I understand that we are in the

process of a revision or it's actually creating an employee

manual, which I applaud the Commissioners for moving that

initiative forward.

The formal request is that the taxpaying citizens of Nutley be able to have some voice into what they would

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like to see included or what policies, procedures, processes they would like to see be worked on.

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Somehow or another, there are -- many people don't exactly know how things work here all the time. One particular thing would be an ethics complaint process that part of our township policy, procedure manual, which there is a code book. I went to the library to look at it. However, it is a binder with no pages in it. Okay?

So, I think that's where those things are supposed to go. But the one at the library is empty. And, so, it might just be a thought to just put it out there to the citizens of Nutley; we're going to do an informal meeting in the conference room for one hour on this date for this time. If you have any ideas, suggestions, processes that you would like to be documented, clarified, whatever, please show up at this date or email them to policy procedure processes at Nutley NJ.org so that people who do have ideas like the one that I would like to know about is the process, procedure or policy for content going out through our township notification system.

I spoke with our town clerk today. We both agree that there is some -- there are some enhancements that could be made to that process. I have asked repeatedly to have an understanding of how is -- who determines what goes through the notification system; what is included in the

notification system. I was told it is only emergency notifications and, yet, I receive a very important newsletter for parents on how to raise children. But I don't have any children and I would like to opt out of receiving that.

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So, it seems like while I'm being told it's for emergency notification, I do receive things other than emergency notifications via email and the things that I would like to see -- receive like changes in times for starts of meeting, once a week, these are all the meetings that are happening this week in the township. That type of notification to go out for people who maybe don't use the wonderful parks and recs program, which I don't.

But I am more involved in what guys are doing.

So, how do we -- how can citizens find out about what is the process for like submitting things to the calendar and being notified about meeting changes, municipal alliance meetings, different things like that.

So, it's just a request and I'm here asking you if you would consider it as you move forward with updating and enhancing our policy, procedures manual for the township.

Thank you very much.

COMMISSIONER EVANS: Would anyone else like to comment before the Board?

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1	Seeing no one.
2	COMMISSIONER PETRACCO: Move to adjourn.
3	COMMISSIONER ROGERS: 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 the time is 5:44.
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16	(Whereupon, the meeting was adjourned)
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