TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

PUBLIC MEETING ) TRANSCRIPT OF
) PROCEEDINGS
)

October 2, 2018

BOARD OF COMMISSIONERS

BEFORE:
Commissioner Mauro G. Tucci
Commissioner Thomas J. Evans
Commissioner Alphonse Petracco
Mayor Joseph P. Scarpelli
Township Clerk

Job No. 3033543

Transcribed by: Pamela A. Skaw
(Background conversation)

MAYOR SCARPELLI: Is everybody ready?

(Chorus of yes.)

MAYOR SCARPELLI: Madam Clerk.

MADAM CLERK: The Board of Commissioners public meeting Tuesday, October 2nd, 2018. The time is 7:02.

Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law, 1975, notice of this meeting was published in the December 14, 2017 issues of The Nutley Sun, the Herald News and the Star Ledger.

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

Commissioner Rogers is absent excused.

Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco.

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor, except for
Commissioner Rogers. He is absent excused.

MAYOR SCARPELLI: Commissioner Petracco?

COMMISSIONER PETRACCO: Yes. I have -- we actually have our police accreditation. The Chief, I believe, is coming to this.

And -- yeah. (Indiscernible) he told me he was going to come.

Anyway, so, I -- if we could just take that first. I mean --

MAYOR SCARPELLI: Steve -- you going to do that after.

COMMISSIONER PETRACCO: Yeah. Because --

MAYOR SCARPELLI: Okay.

COMMISSIONER PETRACCO: -- you know --

MAYOR SCARPELLI: No problem.

COMMISSIONER PETRACCO: -- (indiscernible).

And, then, I have an ordinance. I have an introduction here for -- about handicapped parking.

(Pause)

COMMISSIONER PETRACCO: Let's see.

And, then, I have insertions -- these are all from the grants. So, I have one, two, three, you know, leave of absence for (indiscernible).

That's all I have.

MAYOR SCARPELLI: Commissioner Evans.
COMMISSIONER EVANS: I just have three resolutions; one for Tom Banker who is helping with the pilot agreement with regard to Prism on the next -- Phase IIA.

And, then, refund the permit fees in escrow (indiscernible).

I also have -- just -- I'll make it public, a comment on the -- the fact that we locked our budget and we -- we received $4.1 million in aid.

MAYOR SCARPELLI: Commissioner Tucci.

COMMISSIONER PETRACCO: I do need a short executive to -- I mean, it's -- Al, it's the fire negotiations. So --

MR. GENITEMPO: Okay. Negotiation.

MAYOR SCARPELLI: Commissioner Tucci.

COMMISSIONER TUCCI: All right.

I have a -- a Shade Tree Report for the month of September and I have I believe it's three Resolutions. Excuse me.

One looking for an authorization to advertise for sealed bids for surplus equipment.

One to advertise for an RFQ for an accident and safety review consultant.

Actually, I have four.

One for an authorization to advertise for an RFP
for a risk manager consultant and the last is an award of
contract to Prime Point in the amount of $6300 and they do
out Affordable Care Act reporting. That's for compliance
with the IRS.

And that's all I have.

MAYOR SCARPELLI: Thank you, Commissioner.

I have a ordinance introduction which is the water
ordinance. So, I know there's probably going to be some
questions on that. But we're going to introduce it and if
you guys can get back to me before the public hearing and
see if I can answer any of your questions.

Also, there's a public hearing scheduled on the
mixed use density ordinance that I've heard from a couple of
you on some concerns about the Planning Board's
recommendations.

So, we're going to postpone that for now. But,
please, anybody that has any other concerns, I know, one of
the concerns obviously is the 70 percent two bedrooms. That
doesn't -- that's --

COMMISSIONER TUCCI: Uh-huh.

MAYOR SCARPELLI: -- that doesn't seem like, you
know, that's in compliance with what we've been talking
about.

There's the square footage of each apartment, you
may want to look at.
And, of course, the number itself. So -- so, we'll postpone that public hearing.

COMMISSIONER TUCCI: I -- I just have a question on the -- on the bill list because I see something under Parks and, quite frankly, I don't know what it is. And it's also under your department, Joe, so, maybe you can help me. Van Dines? What is that?

MAYOR SCARPELLI: Yeah. I didn't -- I still (indiscernible) didn't know what that is?

COMMISSIONER TUCCI: We're at a bit of a loss. We don't know what that is.

MADAM CLERK: Okay. I'm sorry. Which one?

COMMISSIONER TUCCI: Van Dines, Inc. It's under Parks and it's under Public Works and it's not --

MAYOR SCARPELLI: I saw it as I went through the bills and I was like I don't remember -- what Van Dines would be.

COMMISSIONER TUCCI: Yeah. I just asked my Encyclopedia Britannica here, for those of you who remember them. I know I don't remember them.

MR. GENITEMPO: I just threw mine away.

COMMISSIONER TUCCI: (Indiscernible) look it up.

(Laughter)

COMMISSIONER TUCCI: Thanks, Al.

MR. SAL SCARPELLI: I just google something
with your trucks or equipment.

COMMISSIONER TUCCI: That's what it is?

MR. SAL SCARPELLI: Yeah.

COMMISSIONER TUCCI: That's what Van Dines is?

MR. SAL SCARPELLI: Yeah.

MAYOR SCARPELLI: What is this, Sal?

MR. SAL SCARPELLI: Like a --

COMMISSIONER TUCCI: Tractor repair.

MR. SAL SCARPELLI: For truck or equipment repair.

COMMISSIONER TUCCI: That makes sense.

MR. SAL SCARPELLI: According to Google.

COMMISSIONER TUCCI: Thanks, Sal.

MR. SAL SCARPELLI: Okay.

COMMISSIONER TUCCI: All right. That's all we both have it.

MAYOR SCARPELLI: Now we know what it is.

All right. So, we're going to postpone that public hearing on the ordinance.

And, then, I have two Resolutions. One's for a community's grant that's an insertion into the budget and the other one is for approval of a raffle application for the Nutley Irish.

And I will take Commissioner Rogers's October Breast Cancer Awareness.

MADAM CLERK: Yes, Mayor.
We have two communications; one is from the Chamber for -- they submitted an application to host the Santa's Arrival on November 23rd.

And the other one is from the Historic Restoration Trust of Nutley. They would like to hold a Social Affair Permit on November 3rd.

And that's it.

MAYOR SCARPELLI: Counselor.

MR. GENITEMPO: I have nothing, Mayor.

MAYOR SCARPELLI: So, do we know when Mr. Inglesino is going to come in and update on anything?

MR. GENITEMPO: I think the next meeting. We'll have a pilot discussion before that with Mr. Banker. Hopefully early next week. And, then, have something to report.

MAYOR SCARPELLI: Okay. Can I have a motion to go into executive to discuss contract negotiations.

COMMISSIONER TUCCI: So moved.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, Public Law 1975 permits the exclusion of the public from meetings in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances exist; and
WHEREAS, the Board of Commissioners of the Township of Nutley, in the County of Essex and State of New Jersey, desires to proceed to closed executive session.

AND NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley to move into closed executive session to discuss contract negotiations.

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

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: The time is 7:09.

(Whereupon, the meeting moved into executive session)

(Background conversations).

(Whereupon, the board moved to public session)
PUBLIC SESSION

(Background conversations.)

MAYOR SCARPELLI: Everybody, please stand for the flag salute.

(Pledge of allegiance).

(Indiscernible background conversations.)

MAYOR SCARPELLI: Madam Clerk.

MADAM CLERK: Thank you, Mayor.

Board of Commissioners Public Meeting, Tuesday, October 2nd. The time is now 7:34.

Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, Public Law, 1975, notice of this meeting was published in the December 14, 2017 issues of The Nutley Sun, the Herald News and the Star Ledger.

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

Commissioner Rogers is absent excused.

Commissioner Tucci.

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans.

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco.

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli.
MAYOR SCARPELLI: Here.

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

MAYOR SCARPELLI: Minutes, Madam Clerk.

MADAM CLERK: Minutes we have for August 20th, 2018 for special meeting. I need a motion.

COMMISSIONER EVANS: Move it.

COMMISSIONER TUCCI: Second.

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 minutes.

MAYOR SCARPELLI: Communications.

MADAM CLERK: The Nutley Chamber of Commerce has submitted and event application to hold Santa's Arrival at the Nutley Park Oval on Friday, November 23rd, 2018 between 2 P.M. and 3 P.M with a rain date of Saturday, November 24th from 11 to 12. We need a motion.

COMMISSIONER TUCCI: Move it.

COMMISSIONER EVANS: Second.
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: The Historic Restoration Trust of Nutley Kingsland Manor has submitted an application for a Social Affair Permit for a wine tasting on November 3rd, 2018 on their premises from 7 P.M. to 10 P.M. Need Motion.
COMMISSIONER TUCCI: Move it.
COMMISSIONER EVANS: Second.
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: And that's it for communications.
MAYOR SCARPELLI: Commissioner Petracco.
COMMISSIONER PETRACCO: Yes, Mayor.
We do have somebody from the Chief's Association with our accreditation that I know the Chief's going to bring up. But, before we do, if I could just request a moment of silence for Marie DePiero (ph) that we lost last week in the Public Safety Department.

Marie was a long life resident of Nutley and her and husband, Norm, the Nutley Pet Center, for those of us who remember when it was on Franklin Avenue. And, then, later on in life, she actually became a dispatcher in Public Safety which I have to say is not an easy task to do at their age and learned a new profession and she did a great job.

She was a dear friend of mine, a dear friend of Nutley and is a dear friend of Public Safety and I'd like to just recognize her passing with a moment of silence.

(Silence).

COMMISSIONER PETRACCO: Thank you.

And, at this time, I'd like to bring the Chief up.

(Pause).

THE CHIEF: Commissioner, I just want to bring up and introduce Harry Delgado from the New Jersey Chiefs of Police Association Accreditation Unit. Harry oversees all the accreditation for the entire State.

(Indiscernible background conversations).

MR. DELGADO: Thank you, Chief. Thank you Mayor
and Council.

I'm here actually for a very good thing. I'm here to recognize your police department, once again. And I say that because I was here three years ago recognizing the department because they have (indiscernible) year reaccreditation.

Now, they have a second year reaccreditation and I'd to, if you will (indiscernible) just a couple of minutes, share with you the significance of that -- of that accomplishment.

So, there's 560 agencies in the State of New Jersey that would be eligible to apply for accreditation. Yet, only about a hundred of them have achieved accreditation and that's because the process is very rigorous. But that's about 35 percent of the total agencies that would be eligible.

I want you to remember that number because those that are reaccredited, that means after they get reaccreditation three years later. So, there are about 20 percent of those that made that achievement.

But when you talk about agencies, like the Nutley Police Department, that have achieved second year accreditation, that percentage drops to less than 12 percent.

So, there are actually really a very limited group
of law enforcement agencies in the State of New Jersey that have achieved second reaccreditation. They have been accredited since 2011. So, they have a history here of following best practices both State and national best practices.

So, accreditation is a process. The foundation of accreditation lies in the adoption of standards containing a clear statement, professional objectives. Accreditation is a progressive and time proven way of helping law enforcement agencies calculate and improve their overall performance.

It is a certification by an independent reviewing authority, in this case, the only legitimate accreditation authority in the State of New Jersey which is the State Association of Chiefs of Police; that the agency was carefully measure against an established set of not only State but national standards and the -- and in the case of the Nutley Police Department, I'm proud to say that in many instances they exceeded accepted practices in the field of law enforcement.

Now, some of tax -- members of the tax paying public that are here, I should share with them that research shows that accredited agencies have 11 percent fewer police professional liability claims; 18 percent fewer worker's compensation claims and 31 percent fewer other liability claims.
And I should add that some municipalities that participate in MEL affiliated JIF stand to receive some significant premium discounts.

In addition to these physical advantages though, there are other very important benefits to accreditation. Accredited agencies are better able to defend against lawsuits and citizen complaints. Accreditation provides objective evidence of an agency's commitment to excellence in leadership, resource management and service delivery.

Governmental officials can be more confident in the agency's ability to operate efficiently and meet community needs.

And accreditation embodies something that is valued here in the Nutley community and that is the precept of community oriented policing. It creates a forum in which police and the citizens work together to prevent and control challenges confronting law enforcement and provide clear direction about community expectation.

Accreditation standards certainly give the chief a proven management system of written directives, sound training and clear defined lines of authority and routing reports that support decision making and resource allocation.

Certainly officers in accredited agencies are able to take pride that they have an objective measure for the
professionalism in adhering to the high standards.

At the end of the year is a very rigorous process. It takes two days where we come and we make sure that the agency shows annual growth to a hundred and five standards in the State of New Jersey, many of which require more than one item of proof.

I should say, and I'll briefly share, and I'll finish with an excerpt of what the assessors had to say about the Nutley Police Department.

The agency demonstrates exemplary performance in the area of community policing and outreach. This was evidenced by the numerous phone calls and contacts the assessment team received during the onsite.

It is not unusual to receive praises from the public. It is unusual to receive a lot of praises from the public as the Nutley Police Department did.

The agency utilizes its principals to deploy personnel within the community to address concerns and quality of life issues in a graphic manner.

The assessors believed, as I agree, that the Nutley Police Department is a professional organization with discipline and well-trained personnel.

The agency has a strong organizational culture consistent with the experience and the accreditation process. They adhere to national and State best practices.
Their leadership is progressive and forward thinking. There's a high level of competence, leadership and professionalism is evident within the agency.

So, finally, the Nutley Police Department, under the direction of Chief Thomas -- excuse me, Thomas Strumolo, has achieved reaccreditation demonstrating his commitment to maintaining this accredited status.

So, accreditation is valued here and following the best practices is certainly something that they adhere to.

So, therefore, it is my privilege on behalf of the New Jersey State Association of Chiefs of Police and New Jersey Law Enforcement Commission to provide to Chief Thomas Strumolo, accreditation manager, Detective Lieutenant Ken Watson, the staff of the Nutley Police Department, the Mayor, the Council and those citizens that they so proudly serve for achieving second year accreditation joining a very exclusive group of law enforcement agencies in the State of New Jersey, (indiscernible) important (indiscernible) excellence in policing.

So, congratulations to all.

(Applause)

(Background conversations)

MAYOR SCARPELLI: Let's take a picture first?

(Pause)

MAYOR SCARPELLI: Commissioner.
COMMISSIONER PETRACCO: Yeah --

MAYOR SCARPELLI: congratulations Commissioner, Chief

CHIEF STRUMOLO: I just want -- yeah. I just want
to take this second to first thank Harry Delgado and the New
Jersey Chiefs of Police Association for coming out and
providing the presentation and all the guidance and support
in helping us through this.

They're not only the agency that comes and
assesses us but they also guide you throughout, you know,
your time and direct you and I appreciate that Harry and the
Association.

This wouldn't be possible without a lot of hard
work from the entire department starting from the bottom on
up. Every officer, all the commanders, starting with
Captain Irwin, Captain Green, Lieutenant Neary and not
without Lieutenant Ken Watson who's the accreditation
manager for the department. He's the hub of keeping all
this process going. He manages this all year long, every
day, making sure we're meeting all the standards and he
keeps the train moving and, without his hard work, we
wouldn't be here.

I support him. I know Commissioner Petracco supports
him in everything we do. And, again, as a team, we -- we
keep performing at the rate we're performing and -- and
that's one (indiscernible) all his hard work and the entire
department because, like I said, it is a team effort and --
and we have a great team.

Lastly, I want to thank Commissioner Petracco for all your support and the entire Board all -- all the Commissioners because without you guys, we wouldn't be where we are.

I have to say as the Chief, there's nothing that I ask for that isn't provided. The -- one thing in this town that you guys come together on that is public safety and I appreciate it. I know the residents do. And I know all the officers do because, you know, we have the best equipment. We have the best available to us and, with that, we're able to provide the service we do to the town and -- and the guys work hard to keep Nutley what it is and that's what we're here to do to make sure Nutley stays the way it is and -- and becomes (indiscernible) family and work.

So, again, I personally thank everybody and -- and if there's anything you need from us, please don't hesitate to ask.

(Applause)

MAYOR SCARPELLI: Thank you, Chief.

Congratulations again to everybody.

COMMISSIONER PETRACCO: Mayor, I would just like to add -- first of all, I'd to thank the State Chiefs of Police for coming out tonight. Harry, thank you so much.
I have to say there is a couple key works in there that really struck me tonight. The accreditation process started under Chief Holland. Maybe -- I think it was eight years ago, right, Tom?

MR. STRUMOLO: 2011.


And I have to tell you when you're faced with a lawsuit or something, you know, regarding police, when you go to court, the first thing out of the judge's mouth today is are you accredited? And if you say no, they say why not? Because it's such a good tool to have, your best practices.

But I just want to thank, you know, the Chief, everybody that worked on this through the police department. It really -- it is a rigorous time in the police department where everybody's scrambling.

You know, it takes a few months of everybody's effort, you know? And that's why -- what I want to say is that, you know, as the Nutley Police Department, which I'm most proud of, and I heard Harry say this, is our community policing and outreach. It's very important to me and the police department that we are communicating with today's youth; that we're reaching them; that we're talking to them; that we're in the schools. We're there after school. And, you know, hopefully, we could change a kid's life.
And, you know, the commitment shown from the police department is overwhelming and I see, you know, police officers in the back. I want to thank each and one of you because I know you all have a very important role in this and I know that you go above and beyond when this process comes.

And, again, I can't stress how painstaking it is. To be accredited is not an easy task to do.

So, thank you and keep up the good work, guys.

Thanks so much.

COMMISSIONER TUCCI: Mayor, if I might?

MAYOR SCARPELLI: Thank -- sure.

COMMISSIONER TUCCI: I'd just like to congratulate Commissioner Petracco and Chief Strumolo and the entire leadership team in the police department. Being somewhat involved with the insurance going back to 2011 when we first started, I know firsthand that this is no small feat and it's even harder sometimes to be recertified.

So, you guys did a great job. The men and women of the Nutley Police Department, we have great leadership. Please keep up the good work.

Thank you.

MAYOR SCARPELLI: Thank you, again.

(Pause)

MAYOR SCARPELLI: Reports. Commissioner Tucci.
COMMISSIONER TUCCI: Yes. I have a Shade Tree Report for the month of September, 2018.

MAYOR SCARPELLI: Bills, Madam Clerk.

MADAM CLERK: Yes, Mayor.

The bill list for October 2nd, 2018. Public Affairs, $99,234.22; Revenue and Finance, $2,803,182.64; Public Safety, $45,848.54; Public Works, $68,169.45; Parks and Public Property, $718,572.53; Water Utility, $102,686.92. Total payroll, $809,555.7, for a grand total $4,647,250.01.

COMMISSIONER EVANS: Move the bills.

COMMISSIONER TUCCI: Second.

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: And 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 and 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 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, or 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.

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

MR. MOORE: Rory Moore, 462 Chestnut Street.

Mr. Scarpelli, underneath public safety, I only have two questions. Forensic psychology? You have two bills. What's that for?

MAYOR SCARPELLI: (Indiscernible).

MR. MOORE: It's -- it's under your -- I (indiscernible).

MAYOR SCARPELLI: (Indiscernible).

MR. MOORE: Forensic psychology? Just curious what it's for.
COMMISSIONER PETRACCO: It could be a couple things. I -- I don't -- I didn't -- I don't see it right now. But it's either for -- I mean -- what was the dollar amount? Do you see it?

MR. MOORE: Nine fifty each.

COMMISSIONER PETRACCO: It's for psychological exams.

So, when we're hiring, we're going through a hiring process with the police or fire department, a --

MR. MOORE: We're hiring more people?

COMMISSIONER PETRACCO: Well, we did in the past.

When we did in the past.

We just put -- yeah. We just put police officers on.

MR. MOORE: Oh, okay. Okay.

COMMISSIONER PETRACCO: Yeah. And that -- and just so you know, Rory, that was part of the grant that we got, too, also.

MR. MOORE: And, then, there's a grant.

COMMISSIONER PETRACCO: Yeah.

MR. MOORE: I thought that would have been covered by the grant, that's all.

COMMISSIONER PETRACCO: Well, it's -- yeah. Well -- you're wishful thinking.

(Laughter)
MR. MOORE: And the only other -- the other question is the Essex County Prosecutor's Office, we had to pay them $950?

COMMISSIONER PETRACCO: Do -- Sam, do you know what that was?

MR. MOORE: (Indiscernible).

(Pause)

(Indiscernible background conversation)

MR. MOORE: (Indiscernible).

COMMISSIONER PETRACCO: Okay. So, we'll get back to him tomorrow on that and we'll clarify it?

UNIDENTIFIED SPEAKER: (Indiscernible).

COMMISSIONER PETRACCO: I'm sure she will. Thank you.

MAYOR SCARPELLI: Anyone else wish to address the Board on agenda items only?

MS. SOLENTO: Amy Solento, 70 Newman Avenue.

I have a question about number 220-18 insertion of revenue in 2018 budget for general appropriations in the sum of $48,312.89 clean community's program grant.

So, if -- there's a reference to the budget, is it still a draft budget?

MAYOR SCARPELLI: Commissioner, do you want to address that? She wanted to know if it's a draft budget.

COMMISSIONER EVANS: It's not a draft budget any
more.

MS. SOLENTO: Okay. So, if it's not a draft budget, when was the public workshop that was going to be held after the State aid came in? There was a mention about it at previous meeting that there would be a public workshop.

COMMISSIONER EVANS: There's no public workshop required. We already -- we introduced the budget. We had, prior to introducing, we had a workshop on the budget. The only thing we had left, after doing the public hearing before adoption of the budget, was to actually wait for the number of our -- for the State aid which we did last week when we continued the meeting until we got that number.

And we did -- we did get the number on Friday.

MS. SOLENTO: Okay. So, I'm just confused. I understand there was a public budget workshop --

COMMISSIONER EVANS: Yeah.

MS. SOLENTO: -- in I think the end of February. I was here.

But there was going to be a public hearing on the budget you just mentioned?

COMMISSIONER EVANS: Yes. There was a budget amendment that was on Friday of last week to include a item of revenue for the State aid.

I was going to speak about this at the public
comments. Should I do it here or -- or should I wait?

   MAYOR SCARPELLI: You might as well go on. Keep going.

   COMMISSIONER EVANS: So, you -- so, rather than try and answer your questions one on one, I was just going to explain -- explain this.

   We continued the meeting last week in order to --

   MS. SOLENTO: But do you mean two weeks ago or --

   COMMISSIONER EVANS: Two weeks ago. Yes.

   MS. SOLENTO: -- from last week? Okay.

   COMMISSIONER EVANS: Two weeks. Two weeks ago.

   We had to extend the meeting -- continue the meeting because we were hopeful that we were going to get a State aid number by Thursday of that week.

   We were negotiating heavily that week and we were able to have the budget meeting on Friday of that -- of the end of that week.

   And, in doing so, I was able to share with the Commissioners then and in the public session that we were fortunate in -- in actually receiving 4.1 million in additional transitional State aid which is greater than the $3,675,000 that we got the year before and greater than the 3.1 million that we were able to anticipate in the preliminary budget.

   So, there was a budget amendment to increase the
budget revenue and -- as well as just for the appropriation for the amount we have to give to the school and the County, we did that budget amendment. And there is a public hearing on the budget amendment for that one line item and, then, we voted the budget.

So, the budget is fully adopted for -- for the current year with a new item of revenue which is an increase from the 3.1 million that was originally in the introduced budget to 4.1 million which is what we were able to receive.

MS. SOLENTO: Okay. Thank you for that. I am not still following on when this public hearing was. You were just saying there was a public hearing of the budget after the State aid came in.

COMMISSIONER EVANS: Yes. In the morning when we had the continuation meeting, we did a budget amendment and, then, we introduced the budget amendment. We held comment on that budget amendment. And, then, introduced the budget.

No one -- no one was present other than the Commissioners and -- and I think Tap Into Nutley was there for -- for that -- that morning meeting.

MS. SOLENTO: So, how -- I don't -- I don't understand how that's a public meeting. I really don't. So, can you explain it to me.

MAYOR SCARPELLI: It was a continuation of a public meeting. We extended the meeting. You were here.
MS. SOLENTO: No, I -- sorry. I wasn't here two weeks ago. But --

MR. GENITEMPO: Okay. The week you came late then, maybe you didn't see the -- the first of it and we continued it to that Friday morning so that we could vote. Otherwise, we would have lost some other additional appropriations that we had to adopt the budget by a certain date.

So, it was fully -- it was publicized. We notified everybody. We said it at the meeting here.

MS. SOLENTO: Okay.

MR. GENITEMPO: We had to continue it that morning otherwise we would have lost additional funds, Commissioner (indiscernible).

MS. SOLENTO: Okay.

COMMISSIONER EVANS: There -- there's a statutory deadline which was the 21st of September for striking a tax rate, getting a tax rate certified.

That was the crisis that we were in trying to get a State aid number which took until September 20th to get the number and, then, during the day on the 20th, then we held the meeting the next morning so that we didn't miss the statutory deadline.

If we had missed that statutory deadline, there was -- we were risking $220,000 worth of added assessed
revenue for the current year.

MS. SOLENTO: Okay. Thank you for that explanation.

So, then, in terms of what's listed here on the agenda, insertion of revenue, would it be amending -- amending the revenue line to insert this budget item?

COMMISSIONER EVANS: What -- what this would do -- that's that?

MAYOR SCARPELLI: It's the Clean Community.

COMMISSIONER EVANS: Right.

MAYOR SCARPELLI: So, as grant money comes in, and the Commissioner can verify this --

COMMISSIONER EVANS: Right.

MAYOR SCARPELLI: -- as grant money comes in, it comes in at various times through the year and, in order to get that into the budget, you have to have a budget insertion which is what we're doing tonight.

MS. SOLENTO: Okay. So, I just was trying to understand was it an already approved budget.

So, you just -- it's termed an insertion.

MAYOR SCARPELLI: It's -- it's --

MS. SOLENTO: It's not termed amendment?

MAYOR SCARPELLI: It's revenue and --

MS. SOLENTO: Right.

MAYOR SCARPELLI: -- it's a grant. And, so, it
has to be inserted in the budget and it didn't become
available until the last couple days.

    MS. SOLENTO: Okay.

So, then, my other question -- thank you very much
for that -- since the State aid went up by, you know, a few
hundred thousand, were there things added back to the
budget?

    COMMISSIONER EVANS: No.

    MS. SOLENTO: So, it's a net gain --

    COMMISSIONER EVANS: It went to --

    MS. SOLENTO: -- in revenue?

    COMMISSIONER EVANS: What it did is it went to
lower the tax increase. It was -- went directly to tax
relief.

    MS. SOLENTO: Okay.

    COMMISSIONER EVANS: For the year. And, so, since
you're raising it, the -- the effect -- when you think about
it, we went through a budget process that started September
of last year through the introduction process with a huge
variable out there related to aid.

It wasn't until now, the end of September, that we
were able to actually finalize and say what's our revenue
number? What's our expenses?

    So, at the end of the day, you now, it's very
simple -- it's a very simplified process in that through the
work that the Board of Commissioners did, we held our cost
increases for the -- for 2018 to $64,000 which is well less
than one percent.

The increase that -- in the tax levy is related to
the fact is that while we did receive 4.1 million in aid, in
previous years we received 5.5 million in aid.

So, there was in effect a catch up through
recognize the lower aid which came through in the tax rate
this year. But, even with that, when you look at the tax --
the tax increase, when you consider school, county and
municipality combined, it was 1.4 -- 1.1 percent, which was
well less than the two percent and well less than the rate
of inflation.

MS. SOLENTO: Okay. So, I didn't actually look on
the website. Has the budget been posted?

COMMISSIONER EVANS: Sure.

MS. SOLENTO: Okay. Thank you.

MAYOR SCARPELLI: Anybody else wish to address the
Board of Commissioners on agenda items only?

Seeing none, move on to Commissioner
announcements. Commissioners, any announcements?

COMMISSIONER TUCCI: Just one, Mayor.

I just want to thank everyone for making our
festival in the park the rousing success that it was. We
had beautiful weather. We had great stands. We had
amusements for -- for young children. There was something
there for everyone. Great food trucks. And it was just
another great day in Nutley with another great Nutley
tradition that we're carrying on.

MAYOR SCARPELLI: Couldn't get better weather.

COMMISSIONER TUCCI: Oh, wonderful weather.

Thank you, Mayor.

MAYOR SCARPELLI: Any other announcements?

COMMISSIONER EVANS: Yes, Mayor.

Just to -- to put a cap on the budget discussion,
the -- the temporary State aid that we've received, when you
-- you roll back to 2014 coming forward, we've received a
total of $21,525,000 worth of additional aid to help us
offset the loss of revenue that occurred as a result of the
shutdown of the Hoffman LaRoche property.

Because of that, the Board has been working very,
very hard on the conversation of that site so the ability
for us to envision having a medical school there as well as
Modern Meadow, a huge retail outfit, Ralph Lauren, as well
as the Hackensack Research Arm that's there, just to occupy
the existing buildings, has been gravely enabled by the fact
that we were able to get the temporary aid.

Otherwise, we, as taxpayers, starting in 2014,
would have had to absorb a $6 million revenue loss.

Having received the aid, it helped us offset that
cliff that none of us actually could afford.

So, the good news is is that the temporary aid has been very beneficial to the town and, as a result, taxes, on average, are about $2,000 less than what they otherwise would have been on a cumulative basis since 2014.

So, we continue to need the aid. We will need that for a little longer. But it's enabling the town to actually really focus in on what the really long term beneficial conversation would be of the LaRoche site.

So, I just wanted to share that the aid continues. We continue to have the support of the current administration down in Trenton and, so, I hope that we will look forward to more aid next year.

Just another quick point is voter registration, we're -- the town hall will be open on the 16th which is our meeting night until 9 p.m. to accept new voter applications which is -- is in keeping with the deadline for -- for new voters.

And the last thing is that I had previously said that I was going to launch a series of information updates as it relates to the Code Enforcement Department. I'm pleased to let everyone know is that if you go to the website, you'll find the first in a series is posted on the website. It relates to the allowable uses for attics, basements, garages. Also, since we do have a lot of
students that are coming into town, there's been an increase in people asking questions about having a boarder in their house.

So, this actually announcements covers what's the allowable use in a home for a boarder versus having a tenancy, a landlord/tenancy, relationship that's otherwise wouldn't be allowed.

And the last piece of it relates to the ongoing need to continue to update your CO when you have a change in a rental relationship, whether it's a commercial or residential.

So, just to -- it's out. It's up on the website and stay tuned because we see it as a series. We will have other updates probably one a month.

So, hopefully people will find it to be very useful and informative and help them avoid making some mistakes with our Code.

Thank you, Mayor.

MAYOR SCARPELLI: Any other announcements?

COMMISSIONER PETRACCO: I'd just to -- two things real quick.

Rory, that expenditure was for training at the prosecutor's office. Just so you know.

The other thing I'd just to mention, I don't know if you're going to touch on this tonight, but I did attend a
meeting at LaRoche with the Governor, along with the Commissioners and the Mayor, and I have to say, to me, it's so refreshing to see all the hard work that we did up there with, you know, Roche site starting to come to life.

To see cars on the parking lots again and a little traffic over there, you know, is very refreshing. It's -- I think we're way ahead of the curve of what the forecast was in the beginning and I have to say to see those buildings, the students, the -- to have that luncheon that we had in the park a couple weeks ago, I guess it is already, it's just really an exciting time in Nutley.

I do unfortunately visit some of these sites and see what people post and it's -- to me, it's a lot of negative stuff at times and, I have to say, I mean, you know, I think that we really need to start selling our town again and looking at some of the positive things that are going on here because there's going to be a tremendous amount of job opportunity on that Roche site.

It should really help business -- businesses, you know, all over town. I know it's helping mine a lot of late. And I think it deserves, you know, a minute tonight just to recognize, you know, how exciting that site is and -- and not to mention and I think Tom, you said this before, you know, to have a Modern Meadow there and Ralph Lauren and, you know, I did sit next to Ed from Prism, you know,
and he continues to tell me that the outcry to come to that site is really overwhelming. So, it just goes to show you that, you know, Nutley is a desirable place to do business and also to live in.

So, I hope we keep that up.

MAYOR SCARPELLI: Thanks, Commissioner. I think when you look at that, the Governor chose Nutley to come in, deliver his economic plan for the State, and we had every cabinet member there.

We had mayors from around the State. We had the legislative leaders. We had congressmen there.

You know, to highlight that campus and having him talk about his innovations and what he's going to as far as technology and -- and what his plan was for the State and reviving our economy. Well, it was certainly a feather in our cap in having everybody come to that site.

And, as Commissioner Petracco said, when you look, right now with Ralph Lauren signing their lease a couple months ago for the five -- the vacant buildings will be filled. We have Modern Meadow. We have Hackensack Meridian doing cancer research. We have NJIT doing cancer research.

The medical school, the school of nursing, the Allied Health Professionals from Seton Hall. All those students on the campus right now coming in and out of there, probably somewhere around a thousand to -- to twelve hundred
students in and out of there a day along with the faculty and administrators.

Modern Meadow has planned to -- to add two hundred jobs. Ralph Lauren besides taking their financial people from New York and Lyndhurst, they're going to add another 225 jobs there.

So, I think when you look at the job opportunities for our residents, the desire to be around here as people need to be close to work, our property values should increase and the local economy, as the Commissioner said, you know, people have someplace, they have to go and eat. And by having our welcome day, we had a beautiful day. The park was beautiful. Commissioner Tucci made sure the park was -- was in tiptop shape. And we had two to three hundred people from off that site come and visit eighteen of our food establishments along with twenty -- twenty more businesses and it was a great day and it certainly was welcomed by everybody there and I know it was welcomed by our businesses and welcomed by the Commissioners.

So, I think it was a good start. In the last couple of weeks, we've had some good -- some good publicity. So --

COMMISSIONER TUCCI: Very good.

MAYOR SCARPELLI: Ordinances. Let's move to ordinance introductions.
Ordinance Number 3399   An Ordinance to amend
Ordinance 412 of the Code of the Township of Nutley
Entitled Water and More specifically Chapter 685, Article 1, Regulations and Rates.

I move the Ordinance be passed to a second reading and advertised in The Nutley Sun together with the notice required by law and that further consideration of the said Ordinance for final passage by the Board of Commissioners be held on the second reading on November 7, 2018.

I move the Ordinance.

COMMISSIONER TUCCI:  Second.

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.

Let's move to public hearings.

Commissioner, you want to take Number 3393?

COMMISSIONER TUCCI:  Sure.

This is to open the public hearing.

This is an Ordinance to amend an ordinance. This is basically Commissioner Rogers' Ordinance which modifies
and amends some of the salaries for four positions -- I'm sorry, five positions --

COMMISSIONER EVANS: Lowers the (indiscernible)

COMMISSIONER TUCCI: Yes. Lowers. Yes. I was getting there. Thank you.

Yes. It amends them and -- thank you, Commissioner. He absolutely lowered these salaries because after he did a comprehensive review felt that they were a bit high. So, having said that, my piece of this is just in the back section. It's Section 4 which relates to some previously adopted ordinances.

So, if anyone would like to be heard on this ordinance, I'll try and answer it as best I could.

MAYOR SCARPELLI: Anybody like to be heard on Ordinance No. 3393?

Seeing none.

COMMISSIONER TUCCI: Move we close the public hearing.

COMMISSIONER PETRACCO: Second.

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.

COMMISSIONER TUCCI: Move the Ordinance.

COMMISSIONER PETRACCO: Second.

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.

MAYOR SCARPELLI: Ordinance Number 3396, Commissioner Petracco.

COMMISSIONER PETRACCO: Yes.

I have Ordinance Number 3396, this is for a handicapped parking spot at 41 Dodge Street.

I move to open the public hearing.

MAYOR SCARPELLI: Anybody like to be heard on Ordinance Number 3396?

Seeing none.

COMMISSIONER PETRACCO: Move to close.

COMMISSIONER TUCCI: Second.

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.

COMMISSIONER PETRACCO: I move the ordinance.

COMMISSIONER TUCCI: Second.

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.

COMMISSIONER PETRACCO: Thank you.

MAYOR SCARPELLI: Ordinance Number 3397, we're going to postpone the public hearing on that. We're still tweaking some of the revisions.

If you remember we took the Planning Board's recommendations and put it into a form of an ordinance.

The Commissioners have some further tweaks on that; most notably the percentage of two bedroom, one
bedroom apartments.

So, we're still working on that and we'll postpone the public hearing until the time that we have a consensus on all the changes in that Ordinance.

Let's move to Resolution.

Commissioner Tucci.

COMMISSIONER TUCCI: Yes. Thank you, Mayor.

BE IT RESOLVED by the Board of Commissioners, Township of Nutley, County of Essex that the township clerk is hereby authorized to advertise for sealed bids for surplus equipment that is no longer in use by the township. The equipment vehicles are listed below and there are three of them.

One is a 2006 Bluebird model bus, mileage 125,281 miles. The second is a 2000 GMC pickup, 1500 4X4 with 87,310 miles and the third is a 2003 Toro 328D 4 wheel drive with 4,578 hours on it.

BE IT FURTHER RESOLVED that the equipment is sold as is and where is and bids are to be received on Wednesday, October 24, 2018 at 3 P.M. prevailing time in the Commission Chambers, Township Hall, One Kennedy Drive, Nutley, New Jersey at which time they will be publicly opened and read.

I move the Resolution.

COMMISSIONER EVANS: Second.

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.

COMMISSIONER TUCCI: Whereas the Department of Parks and Public Property has a need to acquire specialized professional services for accident and safety review consultation; and

Whereas, the municipal clerk is hereby authorized and directed to advertise for a request for qualifications for accident and safety review.

NOW, THEREFORE, BE IT RESOLVED that sealed requests for qualifications shall be due on Wednesday, October 24, 2018 at 3 P.M. prevailing time addressed to the Municipal Clerk, Nutley Township Hall, One Kennedy Drive, Nutley New Jersey.

I move the Resolution.

COMMISSIONER EVANS: Second.

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.

COMMISSIONER TUCCI: Whereas, the Department of Parks and Public Property has a need to acquire specialized professional services for risk manager; and

Whereas, the Municipal Clerk is hereby authorized and directed to advertise a request for qualifications for consultant and risk manager;

NOW, THEREFORE, BE IT RESOLVED, that sealed requests for qualifications shall be due on Wednesday, October 24, 2018 at 3 P.M. prevailing time addressed to the Municipal Clerk, Nutley Township Hall, One Kennedy Drive, Nutley, New Jersey.

Just as -- as a point of information, these last two Resolutions whereby we're retaining an accident and safety consultant and a risk manager are both paid through the joint insurance fund. They are part of our procedure to analyze different risks and different accidents that we have in town.

I move the Resolution.

COMMISSIONER EVANS: Second. 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.

COMMISSIONER TUCCI: Whereas, the Township of Nutley has a need to acquire specialized and professional ACA reporting services to ensure compliance with IRS regulations for the year 2018 reporting; and

 Whereas, such services may be acquired as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

 Whereas, Prime Point LLC located at 2 Spring Side Road, Mount Holly, New Jersey has submitted a proposal dated September 27, 2018 with an anticipated cost of $6,300 to complete these services and ensure compliance on behalf of the Township of Nutley; and

 Whereas, funds are available from budget account 8-01-526200 and have been certified by the chief financial officer; said certification being attached to this Resolution; and

 Whereas, Prime Point LLC has completed and submitted a business entity disclosure certification which
certifies that Prime Point has not made any reportable contributions to a political or candidate committee in the Township of Nutley in the previous one year; and that the contract will prohibit Prime Point from making any reportable contributions throughout the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey hereby authorize the Commissioner of Parks and Public Property to enter into a contract with Prime Point LLC to comply with the Affordable Care Act.

I move the Resolution.

COMMISSIONER EVANS: Second.

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.

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

MAYOR SCARPELLI: Commissioner Evans.

COMMISSIONER EVANS: Thank you, Mayor.

The next Resolution I'll read by it's title and in
part, a Resolution of the Township Commissioners of Nutley
authorizing a contract with Banker Group LLC for services
relating to the review of preparation of the fiscal and
financial impacts of the redevelopment of a portion of the
Hoffman LaRoche Redevelopment Project.

This related specifically to the phase which is
known specifically as Phase 2A, all right?

Where there exists a need for the Board of
Commissioners to have a financial impact analysis and
related consulting services to be rendered by a professional
relating to a portion of the redevelopment site under Local
Redevelopment and Housing Law, N.J.S.A. 48:12A;

Whereas, the scope of such analysis Banker Group
will work with P.B. Nutcliff and Prism Capital. The fees
associated with this contract are not to exceed $17,500.

Funds are available in account 801226205 and have
been certified by the chief financial officer;

Whereas, the above consulting services are
required for certain, specific professional services to be
rendered or performed by a person or persons authorized by
law to practice a recognized professional. Said
professional services cannot reasonable be described by
written specification; and

Whereas, the Banker Group has completed and
submitted the business entity disclosure certification which
certifies that the firm has not made any reportable contributions or to a political candidate or a candidate committee in the Township in the previous one year that would violate N.J.S.A. 19:44A-20.5 and any and all relevant executive orders.

I -- Whereas, the Commissioners have reviewed the qualifications of the Banker Group and has determined them appropriate and acceptable and consistent with the professional financial impact analysis related to consulting services required by the Board for Phase 2A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that in accordance with the Local Public Contracts Law, the Board hereby authorizes and approves a contract with the Banker Group for professional impact analysis related to consultant services relating to -- interesting -- Phase 2A of the HLR Redevelopment Project as described herein at a cost and contract amount not to exceed $17,500.

I want to point out that because this relates to the redevelopment plan, these costs are fully reimbursable by the redeveloper.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute and seal -- seal and deliver this said contract for professional services on behalf of and in the name of the Township;
BE IT FURTHER RESOLVED, that the business
disclosure entity certification and business entity
disclosure of campaign contributions placed -- be placed on
file with this Resolution; and

BE IT FURTHER RESOLVED that a copy of the
Resolution shall be published as required by law within ten
days of its passage.

So move.

COMMISSIONER TUCCI: Second.

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.

COMMISSIONER EVANS: BE IT RESOLVED by the Board
of Commissioners of the Township of Nutley, State of New
Jersey, that the Treasurer be and she is hereby authorized
to refund permit fees for work not being completed in the
amount of $521 for the block and lots that are listed here
in the Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of
Commissioners, of the Township of Nutley, County of Essex,
State of New Jersey that the Township Treasurer be and is hereby authorized to refund escrow monies in the amount of $521.

So move.

COMMISSIONER TUCCI: Second. 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.

COMMISSIONER EVANS: Whereas, the Zoning Board of Adjustment received an escrow deposit in the amount of $1500 from Woroco II Inc. for the property located at 48 Franklin Avenue in Nutley;

Whereas, the escrow fee of $1500 was collected and deposited in account T-15910-911; and

Whereas, the Zoning Board of Adjustment has reviewed and determined that the $1500 is due to be refunded to Woroco II Inc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey that the Treasurer is hereby authorized to refund
the escrow fee in the amount of $1500.

So move.

COMMISSIONER TUCCI: Second. 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.

COMMISSIONER EVANS: Thank you, Mayor.

MAYOR SCARPELLI: Commissioner Petracco.

COMMISSIONER PETRACCO: Yes.

I'm just going to read this by title. These are

insertions to the budget as we spoke of.

This one is for 5500, this is Resolution 218-18.

I move the Resolution.

MAYOR SCARPELLI: Second.

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.

COMMISSIONER PETRACCO: This Resolution, 219-18 is an insertion into our budget for 6600. Just to save some time, I'm going to pass the Resolution as written.

MAYOR SCARPELLI: Second.

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.

COMMISSIONER PETRACCO: And the last one is Resolution No. 223-18. This is our cops' grant. This is actually $173,675.98. I have to tell you I'm very proud of this grant. Everybody worked hard. We were only one of the three agencies in the State to receive this grant.

I move the Resolution No. 223-18.

MAYOR SCARPELLI: Second.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.
BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Janice Garcia, an employee of the Department of Public Safety is granted an extension of medical leave of absence without pay effective through October 31st, 2018.

I move the Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of
Commissioners, Township of Nutley, County of Essex, State of New Jersey recognize October as Breast Cancer Awareness Month.

BE IR FURTHER RESOLVED that we urge all women and their families in the Township of Nutley to seek assistance in obtaining the facts and information about breast cancer, mammography and available support groups for victims and to participate in the program scheduled this year for residents of the township of breast cancer survivors.

AND BE IT FURTHER RESOLVED that residents are encouraged to join the thriving survivors and celebrate the lives of Nutley women who have been affected by breast cancer by attending the 16th annual Nutley Thriving Survivor's Walk on Friday, October 5th, 2018 at 7 P.M. at the John H. Walker Middle School as well as the 16th annual Thriving Survivor's Bruch on Sunday, October 28th, 2018 at 11 A.M. at the Forest Hill Field Club, 9 Belleville Avenue, New Jersey.

I move the Resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco.
Resolution No. 220-18. NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2018 in the sum of $48,312.89 which item is not available as revenue from the Clean Communities Program grant pursuant to the provision of the statute.

AND BE IT FURTHER RESOLVED that a like sum of $48,312.89 be and the same is hereby appropriated under the cash and general appropriations operation excluded from the five percent cap, Clean Communities Program, $48,312.89.

I move the Resolution.
WHEREAS, raffle applications have been received from the following organization: Nutley Irish American Association, License No. 34-18, Off Premise 50/50 Cash Raffle to be held Friday, December 14th, 2018;

WHEREAS, the application has been reviewed and approved by the Municipal Clerk and the police Department.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, 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 license.

I move the Resolution.

COMMISSIONER TUCCI: Second.

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.

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

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

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

    MAYOR SCARPELLI: Anybody wish to address the Board of Commissioners this evening?

    (Pause)

    MS. ROSSI: Tammy Rossi, 28 Colonial Terrace.

    I'm addressing you, the Commissioners, and I'm also addressing you, the citizens of Nutley.

    We all need to get behind the term limits for these reasons; provide opportunities for new appointees to offer current insights, to cultivate new leadership that builds on work of former members, to ensure board members with new ideas, new passion and a fresh perspective, to provide an opportunity for more Nutley citizens to serve on
our board.

At the last BOC meeting, I asked each one of you if you would support term limits.

Commissioner Rogers says he was in support of term limits.

Commissioner Petracco, you said you had to think about it. Have you had the opportunity to think about whether or not you would support term limits?

COMMISSIONER PETRACCO: Term limits for what boards and --

MS. ROSSI: Board of quasi judicial appointed boards that would include the Planning Board, the Zoning Board, the Rent Levelling Board and the Library Board.

COMMISSIONER PETRACCO: And how long of a term would you be proposing?

MS. ROSSI: They would be two terms for four years each.

COMMISSIONER PETRACCO: Yeah. I mean, I have to tell you, I am up in the air about it. I -- I understand the just of it and I do think it's a good idea because I like I think the Mayor said at the last meeting or somebody did up here about, you know, people do get stale, kind of and, you know, not a hundred percent into it.

But -- you know, when I was the Mayor here, Tammy, I have to tell you, I've asked people to be on the Planning
and Zoning Board and most of them said no to me, you know? A lot of people don't want to get involved for whatever reason. Don't have the time.

So, I'm -- I do have mixed emotions because when you do get a good board member and, you know, they have the best interests in your town at heart to, you know, be confined to a term limit, you hate to see a good person go away.

So, I'm -- I don't want to sound sketchy or too much like a politician tonight but I -- I have -- I think there's a lot of pros and cons to it.

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: And I'm just not ready to commit to a definite yes or no right now.

MS. ROSSI: Okay. And Commissioner Tucci, you also said you needed to think about it.

COMMISSIONER TUCCI: Yes, I did. And I have thought about it and I -- I believe that we need -- I don't know that just broad brushing this with term limits is the right approach to it.

I think we need to take it on an individual basis. If you have someone who continues to contribute, then I think that person should be reappointed.

If you have folks that are, in fact, stale and may just be there because they've been there, then I'm all for
replacing those folks and getting some new ideas and getting
some new energy on some of the boards and perhaps a new
perspective.

But just to broad brush and say I believe term
limits are the way to go, that's not where I'm at.

MS. ROSSI: And Commissioner Evans.

COMMISSIONER EVANS: I would agree with
Commissioner Tucci.

Term limits as just an arbitrary limit it says
two, two terms, to evaluate what one's contribution to the
board is; their energy; their actions and their activity
with the board; their interest in the town, especially when
you're asking someone to volunteer to go to school, to learn
how to do the job well, to actually invest the time to go
through the plans that are presented because, as you said,
it's a quasi judicial board.

They sit there as a judge of evidence that's being
presented by application and by experts. And to have the
interest in judging that according to municipal land use
law, I think takes a dedication on the part of an
individual. So, if they are serving well and they're
investing the time and they have the energy to do that, I
don't think you judge by simply saying, two terms.

MS. ROSSI: And how long would that coursework
take for a new individual serving on the Planning Board say?
COMMISSIONER EVANS: They -- there's courses that they have to take. I don't know what they all are. That would be a question on your -- before the Planning Board, to ask the Planning Board.

MS. ROSSI: So, then, Mayor Scarpelli, are you willing to have citizens send their resumes to you if they're interested in serving on any of the boards?

MAYOR SCARPELLI: Absolutely.

MS. ROSSI: And you will respond?

MAYOR SCARPELLI: We'll put them in and see if we have an opening and then we'll take it from there.

But anybody -- anybody who wants to send me a resume, they want to express interest in serving on one of our boards, I'm well open to it.

MS. ROSSI: Excellent. Thank you.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?

(Pause)

MS. SOLENTO: Amy Solento, 70 Newman Avenue.

So, at the previous meeting, I was actually not in attendance on September 18th but I did watch a video and there was a question from Ms. Rossi about an employee manual. And I think the response was that there is a template and that it's being, I guess, worked through in terms of refining it or defining it for Nutley and that it
would have to be completed by the end of the year, I think, there's a deadline of some sort.

MR. GENITEMPO: Yes. We're -- I'm working on it right now. It's actually close to being completed.

MS. SOLENTO: Okay. Great.

MR. GENITEMPO: I will distribute it to the Commissioners for their review and hopefully the next couple meetings we'll have something to produce.

MS. SOLENTO: Thank you so much, Mr. Genitempo.

So, at a prior meeting, I asked about conflict of interest screening and is there a process for town employees and/or board members.

Is there a section or a category in the template for that?

MR. GENITEMPO: Yes, there is.

MS. SOLENTO: Okay. Thank you.

So, I want to ask a question about the agenda process. So, there's been a draft agenda for tonight's meeting on the town website and even up until 6 p.m. tonight and there was an item listed on there for Board of Education/discuss school bond issues which is not on the final agenda.

So, when does the final agenda get cut and can it be posted prior to the meeting?

MR. GENITEMPO: Generally, if I may, Mayor -- Mr.
Mayor, may I answer?.

Generally, we try to have the agenda completed by Friday. We ask everyone to produce all the items for the agenda by Friday so we can put it on the website and hopefully it's the one that we'll produce.

A lot of times things fall off the agenda. We try not to have that happen but sometimes we have to add things too because they're last minute things and they have to be dealt with in terms of the business.

I don't know the reason why the BO -- the Board of Education fell off the agenda.

MAYOR SCARPELLI: I can answer that, Mr. Genitempo.

MR. GENITEMPO: I'm sorry, Mayor.

MAYOR SCARPELLI: They -- they had expressed an interest in coming to a meeting and they just couldn't make it tonight.

So, that's -- that's the reason it fell off.

MS. SOLENTO: Oh, thank you so much for that response.

I am curious -- I got involved and started coming to the meetings last November, maybe beginning of December, because of the bond issue and how many people were so distraught over taxes and what's going on with the schools and how can anybody be asking for $70 million and what I had
hoped was that there would be sort of an ongoing constant 
public discussion between the Board of Commissioners and the 
Board of Ed.

We're really just a little more than a month away 
from the vote for the latest referendum or the two part 
referendum. So, will there be a Board of Ed, Board of 
Commissions public meeting prior to the vote?

MAYOR SCARPELLI: If -- if they -- if they can 
come to our next meeting, I don't know if they're going to 
be able to come to our next meeting. But --

MS. SOLENTO: Okay.

MAYOR SCARPELLI: -- you know, it's their -- it's 
their referendum.

MS. SOLENTO: Right. Thank you.

Okay. And there have been some prior questions 
from various citizens that meeting about the economic 
development advisory committee and I believe that the 
response has been that that committee was suspended because 
of On Three redevelopment.

Well, as we heard tonight, and some of us were a 
part of, there was a welcome event. There are many 
businesses, the medical school and the interdisciplinary 
health sciences school is up and running. So, is there a 
plan for the economic development advisory committee for the 
Town of Nutley to be re-established in light of the fact
that On Three is really in process now?

COMMISSIONER EVANS: I have to think about whether
or not I'll bring it back as it -- it was a subcommittee
that I formed to help me look at these various issues that
we were facing as a town.

The committee worked very hard and made several
recommendations that because of the Roche development,
redevelopment, we couldn't move forward.

So, for example, one of -- one of the areas was
looking at the signage, Wayfinding, across town and we're
just beginning to get into that with the Roche property as
-- and basically leveraging that recommendation.

So, I have to see whether -- what the value would
be of reconstituting that committee again.

I'd like to see stronger participating and action
by the part of the Chamber of Commerce, which exists in
Nutley for all of those businesses because they have a huge
potential to benefit from the increase in traffic and
activity that will happen on the On Three campus.

So, I have to give it more thought.

MS. SOLENTO: So, I thank you for that.

I -- I am a member of the Chamber of Commerce and
I'll bring this back to the Chamber.

I am curious as to, you know, what the view is
from the other Commissioners about an economic development
advisory committee. I'm not sure why it would just lie with one Commissioner to decide that.

MAYOR SCARPELLI: Because Commissioner -- it was Commissioner Evans's committee and I think we're all working towards economic redevelopment as we go forward on the Roche site and how it's going to move forward and involve our downtown. And I can tell you it's in discussions all the time as we -- as we move forward.

We've just facilitated -- as a member of the Chamber of Commerce, we just facilitated having the Chamber of Commerce meeting the On Three this month. That was through this Board of Commissioners and working with the developer to have the Chamber of Commerce there.

So, those kinds of actions are ongoing all the time.

MS. SOLENTO: Wait -- thank you. I'm very much looking forward to that luncheon, the Chamber luncheon. I think it's on the 18th.

So, my last question is there was a prior announcement on the September 4th meeting about the investigation of the apartments, 13 I think that were built, as two bedroom instead of one bedroom and I think there are an additional 18 apartments that were built which I'm not actually sure how many bedrooms those each have.

So, it's been a month and would like to know what
the timeline is for information being provided to the public.

MR. GENITEMPO: I can -- I can answer that for you.

MS. SOLENTO: Thank you.

MR. GENITEMPO: We're -- believe it or not, we're still discussing it. We're having meetings with counsel on both sides. We're still looking at the investigation for some issues regarding resolutions.

So, we're really trying to finalize this. We were hoping to have it done by this timeframe, not necessarily today but in the next week or two. We're trying to do that. We're working very hard at it.

There are a lot of complicated issues. It's not just a simple thing. But we'll -- again, I promise you the Commissioners have vowed that whatever the result is will be made public and everyone will have a chance to see it.

But we're still working at it. We have meetings tomorrow about it.

So, that's the best that I can tell you at this point until it's -- it's finalized.

MS. SOLENTO: Okay. And I would like to confirm -- thank you very much -- if the time that is spent, you're saying we, so I assume that that's you --

MR. GENITEMPO: We as -- as attorneys for the
MS. SOLENTO: So, who's paying those attorney fees in terms of the additional time that's -- it's taking an awful lot of time.

MR. GENITEMPO: Well, I don't get paid for those discussions. I'm -- we have my normal compensation for being town attorney. I'm not getting paid for that. And we're getting reimbursed as part of it by the developer.

MS. SOLENTO: Okay. Thank you very much.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?

(Pause)

MS. BOZZA: Maria Bozza, 209 Highfield Lane.

Excuse me. My topic was also on term limits but I believe in term limits for the five of you as well.

And I remember Commissioner -- or rather Mayor, you said (inaudible) --

MAYOR SCARPELLI: Ms. Bozza, can you speak up?

It's hard to hear.

MS. BOZZA: I said I remember a few meetings ago you said that you would leave it up to the electorate to make that decision.

However, I don't think the electorate are properly informed of what -- what is happening here. For example, I know you have a county job that was given to you because
obviously this job lead to another.

    MAYOR SCARPELLI: Ms. Bozza, let me just tell
you that I had my part time county job before I was a
Commissioner. Just so you know.

    MS. BOZZA: Okay. But -- but it's still --

    MAYOR SCARPELLI: So -- you know --

    MS. BOZZA: -- in public service and, you know,
all or several of you receive health benefits which is added
to your salary and there are other perks involved.

    So, I think the electorate should be informed of
that before we make a decision to come to vote. If you say
that you're leaving it in the hands of the electorate --

    Members of the --

    MAYOR SCARPELLI: Well, it's all -- it's all
public knowledge, Ms. Bozza, what you're saying is --

    MS. BOZZA: Well, it's public knowledge but
people don't know --

    MAYOR SCARPELLI: -- all public knowledge.

    MS. BOZZA: -- about it. What about, you know,
informing them that in addition to $2500 you also get --
several of you get health benefits which costs, you know,
which is part of taxpayers' money.

    You get other job -- you give jobs to your family
members. I mean, that's all part of it.

    So, I think you ought to make that, you know, you
ought to inform the public if that's -- so, that when we make a decision to vote for either of you, we make it intelligently.

MAYOR SCARPELLI: I also hope that everybody looks at the job and the time we put in here also, Ms. Bozza. Thank you.


MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?

(Pause)

MS. RUBINO: Joan Rubino, 48 North Road.

I would like to address the town clerk salary. In 2017, she was earning $95,000. With a two percent increase that takes it to ninety-six nine.

Now, the present salary as of September is $100,400. My question is where did the $3500 come from?

COMMISSIONER EVANS: It's a stipend because, in addition to the clerk's duties, she is responsible for the keeper of the public records and administration of all public records in the town, which is a statutory requirement. It's a statutory role.

So, rather than having to hire someone for that, we provide a stipend. We provide stipends for our people.

MS. RUBINO: Well, exactly what does that entail?

The public records. I mean, that was under the job
description of the town clerk. That is part of it, public records.

So, now what additional public records are you talking about?

COMMISSIONER EVANS: It's a statutory requirement. I don't have the full statute in front of me, Ms. Rubino. But I'd be happy to sit down with you and walk you -- walk you through it.

But it is additional responsibility.

MS. RUBINO: Okay.

The other thing I have to discuss is when the town clerk was promoted to her present position in 2014, she was earning $65,900. And now her present salary, as you know, is over a hundred thousand.

Now, during the course of four years, she had a 62.84 percent increase in pay which means $34,710. And if you average that out, it comes to a whooping $8,677.50 per year as an increase. That's astronomical by any standards.

And how do you justify that kind of increase? Are you other employees getting comparable increases?

COMMISSIONER EVANS: Ms. Rubino, can you tell me what do clerks get paid in Essex County, all of them, individual jobs and roles?

MS. RUBINO: You mean the town clerks --

COMMISSIONER EVANS: Because --
MS. RUBINO: -- (indiscernible)?

COMMISSIONER EVANS: The town -- the municipal clerk in each of the 21 townships comprising Essex County as well as Passaic County and Bergen County.

I know what their salaries are because I did that study and what you're talking about is someone who was in her previous role, who got a position into a completely different role, with very significant differences of responsibility and you're judging it simply by saying, that person got more money?

MS. RUBINO: Yes.

COMMISSIONER EVANS: Well, I disagree with you.

MS. RUBINO: Because she came from one position to another, fine. I accept that.

COMMISSIONER EVANS: Yeah.

MS. RUBINO: I think that's great. But I don't think you can justify that kind of an increase in four years.

COMMISSIONER EVANS: Ms. Rubino --

MS. RUBINO: I really don't. I don't care what other people are making in other towns. It doesn't apply to us.

COMMISSIONER EVANS: It absolutely does apply to us.

MS. RUBINO: No. No, listen --
COMMISSIONER EVANS: We have to be fair. We have to be competitive.

MS. RUBINO: Okay.

COMMISSIONER EVANS: According to job responsibilities and you can't look at someone and say that these are the job responsibilities and this is what any person, whether it's the clerk or any person, a police officer, a other person who works in town, and say, well, by the way, this is a job responsibility. This is what the market requirement is for that job.

And, by the way, we're just not there so we're not going to do that.

MS. RUBINO: All right. Well, maybe you did research it but I did a little research, too.

COMMISSIONER EVANS: Thank you, but I did. I did, Ms. Rubino.

MS. RUBINO: And I -- I went to the Bayonne city clerk and this person has 43 years of experience. The population of Bayonne is 66,338 people. And he earns $111,537.

Now, Bayonne's population is a little bit greater than two times our population and he has 43 years of experience and our clerk has 13.9 years of experience.

So, you know, we want to talk about other people in other towns. You know, we can come back with our own
figures and I think that --

COMMISSIONER EVANS: Thank you.

MS. RUBINO: -- what?

COMMISSIONER EVANS: Thank you. You can --

MS. RUBINO: Yes

COMMISSIONER EVANS: -- have your point of view, right? But it's a determination that I have to make for all of my employees.

MS. RUBINO: Well --

COMMISSIONER EVANS: I do a very comprehensive review of where -- of what those salaries are based upon what the responsibilities are.

Also, the role of the clerk in a commission form of government versus a Faulkner Act form of government which is more challenging. So, the demands are high and I appreciate your point of view on -- on the money, Ms. Rubino.

I'd be happy to come to my office and I will sit down and debate it with you.

MS. RUBINO: Well, do you give you other employees comparable raises through the years?

COMMISSIONER EVANS: I -- absolutely, I've given raises to all of my employees.

MS. RUBINO: As much as 52 percent higher?

COMMISSIONER EVANS: In -- in other positions,
yes.

MS. RUBINO: And in this short period of time?

COMMISSIONER EVANS: Sure. But on a change in responsibilities, absolutely. And over time, yes.

And, by the way, when I start people in my department, I start them at low salaries and then as they gain experience, as they gain time, I adjust their salary not just on a two percent basis but what's the additional value that they contribute to the township because as they learn more and as they do their job, they're entitled to get paid more relevant to what the requirements are of the job and what the market is.

So, as part of my own planning, I start people out at much lower salaries and then as they improve in that responsibility, I advance them. And, in some cases, yes, more than two percent because it's consistent with what the job responsibilities are and the additional value that the town is receiving.

So, if you want to look at a spectrum, you can't look at it one time, you have to look at it over a period of time and understand my compensation approach before you simply say, it's -- it's an increase in salary.

It's about what's the value that's being contributed. What's the experience and the contribution of every employee and I will do that while I'm a Commissioner
for all of my employees.

        MS. RUBINO: Well, I would be interested in seeing
a spreadsheet on how you have done that.

        MR. GENITEMPO: Mr. Mayor, may I -- may I comment
also, if I may.

        MAYOR SCARPELLI: Sure. Sure, Mr. Genitempo.

        MR. GENITEMPO: Ma'am, I -- I probably work with
the clerk more than any other employee on a day-to-day basis
other than people in their own office.

        And I can tell you that in our form of government
she is basically a pseudo administrator. She doesn't have
the benefit of a business administrator who is the
centralized person that handles many of the things that she
has to handle.

        In those other towns, like Bayonne, they have a
strong administrator -- business administrator, a Faulkner
form of government. We don't have that. I'm not saying
it's a bad thing. It's a good thing.

        She handles the job tremendously on a day-to-day
basis with a tremendous amount of pressure. She's really
got five separate bosses in -- in Nutley; each of the
Commissioners. She answers to each of them.

        She has a tremendous amount of responsibility
relative to the immense amount of OPRA requests that we get
and I think that her salary frankly is probably low. And
I've compared it to other clerks and what other clerks do. I've spoken to other clerks. I've worked with other clerks in other towns.

No one has the responsibility that she has.

MS. RUBINO: I don't think that.

MR. GENITEMPO: And I -- and just respectfully

(indiscernible) --

MS. RUBINO: I don't believe that.

MR. GENITEMPO: -- my opinion --

MS. RUBINO: I'm sorry.

MR. GENITEMPO: I was just going to give you my opinion and you can take it for whatever you want.

I disagree with you and I don't think it -- her job responsibilities are completely than what she had before and she gets more and more responsibility every day and I think that --

MS. RUBINO: (Indiscernible) --

MR. GENITEMPO: -- she does an excellent job.

MS. RUBINO: Okay. What --

MR. GENITEMPO: Every -- there -- she --

Ms. Rubino: What are you talking about?

MR. GENITEMPO: -- has to deal with --

MS. RUBINO: More and more responsibility?

MR. GENITEMPO: She has to deal with the State.

She has to deal with OPRA. She -- there are so many single
responsibilities that she has on a daily basis, I don't even
-- I can't even list them all for you.

I know with my interaction with her, she's always
ready. She's always organized. And she does an excellent
job.

So, I don't think the percentage raise has
anything to do with it. It's about fairness and I think
that she earns her salary quite well and, frankly, in other
towns, she might be making more money.

But, you know, we have --

MS. RUBINO: Well --

MR. GENITEMPO: -- a commission form of
government. It's a little bit different and I think it's
unique and beneficial in many, many ways.

But she does not have the benefit of an
administrator above her that is really the point person for
everyone.

And I can only tell you from experience, because
I'm sort of in that situation, where I don't report to an
administrator, I have -- I report to all -- and I'm happy to
do it, all five gentlemen who are the Commissioners.

So, it's a unique and a very pressure filled job
and I -- and I just wanted to put my two cents in because I
work with her every day and we talk really a few times a
day. I'm always here talking to her, meeting with her,
going over things. It's -- it's an immense job and I -- I just wanted you to be aware that it's not just about percentage raises. She -- she's entitled to what she's getting.

Thank you.

MS. RUBINO: All right. If it's such --

MR. GENITEMPO: Thank you for giving me an opportunity to comment.

MS. RUBINO: -- if it's such a difficult job, why aren't the educational requirements higher?

MR. GENITEMPO: I don't know what you're referring to. I know that the clerk goes for classes.

MS. RUBINO: Okay.

MR. GENITEMPO: That she -- she --

MS. RUBINO: But (indiscernible) rocket science.

MR. GENITEMPO: Ma'am, until you are in her shoes, I don't know how you can comment on what her daily functions are. She's educated.

MS. RUBINO: I --

MR. GENITEMPO: She's trained. She's now experienced and I -- I really don't think that you're --

MS. RUBINO: I --

MR. GENITEMPO: -- you're taking into consideration all the things that the clerk is responsible for.
MS. RUBINO: But I'm --

MR. GENITEMPO: Now, you have -- everyone has their opinion and I'm sure you have yours.

MS. RUBINO: Yes. I --

MR. GENITEMPO: But I just wanted to express mine because it has to be said.

MS. RUBINO: But I --

MR. GENITEMPO: Thank you.

MS. RUBINO: -- I would like to know why the educational requirements are so low if the job is so difficult. That's all.

Also, you had said that you were going to name the builder who was responsible for the apartment situation. You were going to name the builder at this meeting.

MR. GENITEMPO: I said if we had a settlement and we made it public, yes. Everything would be named and that will be happening --

MS. RUBINO: You know, this --

MR. GENITEMPO: -- as soon as it happens.

MS. RUBINO: I don't know what the secrecy is. I mean, you can go to Code Enforcement to find out that it's Kenneth Mecca (ph).

MR. GENITEMPO: Okay. So, why are you asking if you already know?

MS. RUBINO: Well, I -- I would like it in the
MR. GENITEMPO: Okay. You -- I will consent that that's the name. How's that?

MS. RUBINO: Very good.

MR. GENITEMPO: Okay.

MS. RUBINO: That's all I asked.

MR. GENITEMPO: Okay.

MS. RUBINO: Thank you.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?

MR. MOORE: Rory Moore, 462 Chestnut Street.

Mr. Evans, I'm sorry, I'm not prepared. I wasn't going to ask questions tonight.

But you said you did a survey. I'd like to see a copy of that survey. You said on the clerk's salary.

MR. GENITEMPO: Mr. Moore, just make your application for an OPRA request like you always do --

MR. MOORE: That's not a problem.

MR. GENITEMPO: -- and if it's a public record, you'll receive it as you normally do.

MR. MOORE: That's -- that's not a problem but I was -- I was curious about your remarks. I understand how close you work with the town clerk. I -- that's understandable. But her -- her position is no different than any other clerk who is under a commission form of
government.

Mr. Tucci, I'm sure if I asked the question, because he's from Faulkner. So, he would understand better. The clerk's the clerk. She doesn't handle money or she doesn't handle payments.

MR. GENITEMPO: Mr. Moore, I said what I said and I'm not backing off from it.

MR. MOORE: But you --

MR. GENITEMPO: You can disagree all you want. You'll file an OPRA. We'll give you whatever document you want. But, please, you know, I'm not going to argue with you. I --

MR. MOORE: I'm not looking to argue with you. That is not my intent to stand up here.

I wasn't really prepared to have this conversation this evening.

But I don't think it's fair for you to say how wonderful and busy she is. But when you look at the town clerks, they all do the same thing. And there's no additional --

MR. GENITEMPO: Mr. Moore --

MR. MOORE: -- (indiscernible) --

MR. GENITEMPO: -- what she has to deal with from people who write OPRA requests and are nasty and condescending --
MR. MOORE: Like me.

MR. GENITEMPO: -- and attack her --

MR. MOORE: (Indiscernible) --

MR. GENITEMPO: -- and attack her personally constantly --

MR. MOORE: (Indiscernible) now.

MR. GENITEMPO: -- and you want to stand up there and degrade what she's making --

MR. MOORE: (Indiscernible) you're doing right now when somebody's trying to talk and you're interfering.

MR. GENITEMPO: I don't -- Mr. Moore --

MR. MOORE: And (indiscernible) --

MR. GENITEMPO: Mr. Moore, you have your opportunity --

MR. MOORE: -- (indiscernible).

MR. GENITEMPO: -- all the time.

MR. MOORE: It's -- it's a little difficult --

MR. GENITEMPO: You give the clerk a hard time every single day.

MR. MOORE: (Indiscernible) tonight because, you know something, when somebody stands and you're asked a question, you never give them an answer.

Ms. Rubino had to ask a question. You couldn't even say Nefry's (ph) name.

MR. GENITEMPO: Mr. Moore --
MR. MOORE: How many times did she have to ask that?

MR. GENITEMPO: Mr. Moore, please. The way you -- they way you write an OPRA request, the way you attack people that work for this township, and I'm not talking about me because I could care less. But that's what you do and --

MR. MOORE: (Indiscernible) --

MR. GENITEMPO: -- not everybody knows that and you --

MR. MOORE: -- citizens (indiscernible) --

MR. GENITEMPO: -- expect -- keep talking, Mr. Moore. It's fine.

MR. MOORE: Thank you.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?

(Pause)

MR. ALESIO: Carmine Alesio, 81 East Center Street.

That's going to be a hard act to follow.

Now, I'm sitting here listening to the Hoffman LaRoche redevelopment and it sounds good. Ralph Lauren's there. The college will be there. The biotech college, Rutgers and -- I'm not versed on who's actually going to be there in the future.
But my question to you is is there a projection of property tax that, you know, Nutley will be receiving? Do you have some kind of a number?

I know 20 years ago, the number was nine million in property revenue taxes that Nutley was getting from Hoffman LaRoche.

Could somebody answer that? Mr. Evans, maybe?

COMMISSIONER EVANS: Sure, Carmine.

So, when Hoffman LaRoche closed, just to -- you don't have to go back 20, but in 2013 when they closed Hoffman LaRoche was paying 10,050,000 a year. Roughly nine percent of our tax levy. Fifty percent of our commercial rate.

When they closed, by -- roughly 2015 we were down to roughly $4.2 million or we had lost roughly $6 million.

MR. ALESIO: Yeah. I'm pretty aware of that. I'm talking about -- not to interrupt you but I am. When they were in a full swing, it was like nine million.

What's the projection of the redevelopment these days that Nutley would be getting a part of? There's two towns involved, Clifton --

MAYOR SCARPELLI: Mr. Alesio, let -- let the Commissioner finish because I don't think you let him finish answering your question.

MR. ALESIO: I don't want --
MAYOR SCARPELLI: You asked a question. Let him finish.

MR. ALESIO: Yeah. But who wants to hear about the -- what it trickled down to, two -- we know all of that.

COMMISSIONER EVANS: It was just --

MAYOR SCARPELLI: Just for her starting purposes -- Mr. --

MR. ALESIO: (Indiscernible) --

MAYOR SCARPELLI: Mr. Alesio, you asked a question. Let the Commissioner finish answering he question. He's going through a history of what happened and where we're going.

COMMISSIONER EVANS: So, to finish, Carmine, I shared that because the question is how much of the $6 million that we lost will we be able to recover on the conversion of the site?

And to -- to -- at this date, we don't have what that number would be. But we -- I should be able to have that number working with the experts early in the coming year.

It's predicated on decisions that are going to made as to what the actual redevelopment will be; what will be included and what the value of those improvements will be.

Right now, everything is focused in on -- has been
focused in on occupying the existing buildings. And, so, as you can tell, there hasn't been any new construction or new buildings going up. So, we don't have that answer.

But I hope to within -- by early in the spring.

MR. ALESIO: But this is what these people are talking about. We never get a straight answer. Some kind of like maybe assumption of what it might be.

MAYOR SCARPELLI: Mr. Alesio, we don't -- we don't know exactly what's going to go on on that site yet. Were we -- in the -- in the next couple of months --

MR. ALESIO: Well, I think that's the most important thing to find out (indiscernible) schools are, you know, are not up to par these days and we could use some financial support. So, it's a simple question. Do you have any projection of what the --

MAYOR SCARPELLI: We -- we don't have -- I'll give it to you. We don't have projections at this time. In the next couple months --

MR. ALESIO: (Indiscernible) f million --

MAYOR SCARPELLI -- (indiscernible) --

MR. ALESIO: Before these people sign contracts, I -- I think we ought to know if it's -- if we're going to get a piece of the action over there rather than get a piece of traffic that --

MAYOR SCARPELLI: Well, let me --
MR. ALESIO: There's so much traffic --

MAYOR SCARPELLI: Let me try to explain this, Mr. Alesio.

Look at the piece of property across from Cathedral Avenue. It's vacant, correct?

Something's going to be built on that. We don't know what's going to be built on there yet. We don't have a final plan on that yet. When we have the final plan, as we will in the next couple months, we'll be able to project the kind of ratable that it's going to project, right?

Now, look on our side of the line. There's very -- very little vacant space that there's going to be building on. Luckily, we were able to preserve some when the medical school came in. We were going to have a temporary parking lot. That's all now nice and green.

That -- that's available for future development where we're able to get some more ratables.

MR. ALESIO: I (indiscernible) --

MAYOR SCARPELLI: But that's down the road.

MR. ALESIO: (Indiscernible) the question, what kind of --

MAYOR SCARPELLI: Let me -- let me finish now.

So, on the left hand side --

MR. ALESIO: You're just beating around the bush.

MAYOR SCARPELLI: Listen. I'm not beating around
the bush. I'm telling you exactly what it is.

On the left hand side of the railroad tracks,
there's a vacant piece of property. It's -- it's open for
development. It's going to be developed. We don't know
exactly what's going to be there yet. Over the next couple
months, we'll have a better idea. We'll be able to give you
a projection of what we're going to get back in taxes from
there.

On the front of the -- on the front of 102, where
Modern Meadow is, there's another piece of property that's
open for development. We -- we believe we know what's going
to be there. We could probably project that site on what's
going to be there.

That's once piece out of five different vacant
spots.

So, for you to ask us what -- what we project at
this point, we don't know. But in the next couple of
months, we'll have an answer.

MR. ALESIO: I guess I'll have to come back in the
next couple of months. That seems to be the response that
everybody get out in this audience. I'll have to come back.

MAYOR SCARPELLI: We can only tell you what we
know.

MR. ALESIO: There's a thing --

MAYOR SCARPELLI: We can only tell you what we
I know, Mr. Alesio.

MR. ALESIO: There's a thing called an impact fee. What type of an impact fee will we receive when all -- when that seven story car garage for Ralph Lauren's going up for 2500 cars that are going to use Kingsland Road, obviously.

They may frequent some of the businesses like meal or Mr. Petracco's Deli, which is a nice thing. A handful here, a handful there.

But I know when I get in the car and I'm on Washington Avenue and I make a left to go up Kingsland, it's like a highway to -- I want to say, hell, but I'll say a highway to heaven. You're there forever. It's congested. It's not a good thing.

I think and I know that there should be some kind of an impact fee that we should receive from the -- from the State to facilitate a State school that's going to cream our streets with all of this traffic and ruin our quality of life.

That's my opinion. So, before you -- you take your second step, you should get back to the first step and find out what kind of and how much property tax we may assume to get so that we can get help with our town with some of the infrastructure that's going on here. Bridges are falling apart. It's like I can't go up Centre Street. I got to -- where am I going? I might as well get a pogo
stick and jump over the cars because it's ridiculous now.

MAYOR SCARPELLI: Mr. Alesio, I promise you that this Board of Commissioners will be in negotiations with the developer to get those kind of -- of fees that we need and the services and the infrastructure going forward. I promise you that.

MR. ALESIO: Yeah. After the deal is done, then you're going to come back, you know, and --

MAYOR SCARPELLI: It's -- it's all part of -- it's all part of the negotiations.

MR. ALESIO: No, it's not a part. We deserve a straight answer as citizens of this town, okay?

MAYOR SCARPELLI: Well, I -- I'm giving you -- I'm giving you a straight answer. You just don't like the answer. So --

MR. ALESIO: What answer are you giving me? You don't know. Come on.

MAYOR SCARPELLI: Thank you, Mr. Alesio.

Anybody else wish to address the Board of Commissioners this evening?

MS. RUBINO: I'd just like to say one thing. I have never seen Rory Moore or anybody else come to these meetings and act in a disrespectful way. And for you to berate the citizens who come here, I think is a disgrace.

MR. GENITEMPO: Well, ma'am, if you read what he
writes to the town, to the clerk, to other people, he
doesn't say it here in the meeting, but he says it in
writing on a constant basis. He files complaints with the
State, ridiculous complaints that make no sense and attack
people that live here and work here. I'm going to react to
that.

And I've just about had it because he's -- he
doesn't do here what he does in writing to slander people
and defame them. People that work hard here, okay?

And I'm not talking about myself because I don't
care. He can say whatever he wants about me and he has.
That's fine.

But he attacks people here all the time and you're
not seeing it because we don't publicize it. But I'm
telling you. Let him show you the things that he writes to
the town. Let him show you the the OPRA requests that he
makes when he makes nasty comments to people.

Let him show you the complaints he's written to
the Governor's Office and every other agency and writing
ridiculous things about the township.

And that's why I'm reacting to -- I apologize if
you think I'm being overbearing. I heard you say I'm
obnoxious. And that's fine. I've been called worse.

But I'm going to defend the people --

MS.RABINO: Well, I wouldn't say --
MR. GENITEMPO: I'm going to defend the people that work here --

UNIDENTIFIED SPEAKER: -- (indiscernible) --

MR. GENITEMPO: -- because they need to be defended once in a while.

MS. RABINO: You're very condescending and --

MR. GENITEMPO: Okay.

MS. RABINO: -- not only to Rory but to other people.

MR. GENITEMPO: I -- I'll take that under advisement. Thank you.

UNIDENTIFIED SPEAKER: (Indiscernible).

MR. GENITEMPO: I apologize if you think that I am.

MS. RABINO: Thank you.

MR. GENITEMPO: You're welcome.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening?

MS. ROSSI: Tamy Rossi, 28 Colonial Terrace.

Real quick. Just to quickly revisit the term limits.

The reason why we need these terms limits is -- and the reason this came about is because our Planning Board has proven itself ineffective. It's taking ten years, ten
years, to create a definition for mixed use and density.

That by any town standard is way too long. The Zoning Board has been asking for guidance since 2008. There's absolutely no excuse.

MAYOR SCARPELLI: And it's --

MS. ROSSI: With that said --

MAYOR SCARPELLI: And it's being done right this second.

MS. ROSSI: It's -- after ten years though. There's no excuse --

MAYOR SCARPELLI: I can't answer for ten years, Ms. Rossi. I can answer for the last two and a half.

MS. ROSSI: All I can say is in the past ten years the development, the variances that are getting approved on these mixed use buildings, is they're being overbuilt. And we know it. And it's affecting our schools.

So, again, our -- we need new people on our Planning Board.

Another question I had, Mr. Genitempo, regarding employee handbook, will there be an anti-nepotism policy included in that handbook, employee handbook?

MR. GENITEMPO: I think there is a reference to it. I don't know the exact wording in it but you'll see it.

MS. ROSSI: I think that's needed at this time. And just to support Ms. Rubino's claim about an
inflated salary, our Municipal Clerk has two other clerks to help her with her workload.

So, it's not as if she's doing it alone. I just want to make that noted, okay?

Thank you.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening? Seeing none.

COMMISSIONER PETRACCO: Move to adjourn

MADAM CLERK: Need a second. (Pause)

COMMISSIONER TUCCI: second

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: The time is 9:06.

MAYOR SCARPELLI: Good night everybody.

(Whereas, the meeting was adjourned.)
CERTIFICATION

I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the October 2, 2018 proceedings.

Date: October 2, 2018