TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

) CONFERENCE SESSION ) TRANSCRIPT OF
) ) PROCEEDINGS:
)

September 18, 2018
7:04 p.m.

BEFORE:
Commissioner Steven L. Rogers
Commissioner Mauro Tucci
Commissioner Thomas J. Evans
Commissioner Alphonse Petracco
Mayor Joseph Scarpelli

ALSO APPEARING:
Alan Genitempo, Board Counsel

Job No. NJ3022374
Transcribed by: Nicole Yawn
MADAM CLERK: Board of commissioners public meeting Tuesday, September 18, 2018. The time is 7:04.

Pursuant to the requirement of the Open Public Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the December 14th, 2017 issues of the Nutley Sun, the Herald News and the Star Ledger. A copy of this notice has been posted in the Nutley Town Hall bulletin board, and a copy is on file in the municipal clerk's office.

Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor.

MAYOR PETRACCO: Thank you, Madam Clerk.

Just as a point of welcome, we have three future doctors from the School of Medicine here tonight as part of their curriculum. They are getting involved in the
community, and part of that is to come to a couple of
meetings. So welcome.

UNIDENTIFIED SPEAKER: Thanks for having us.

COMMISSIONER EVANS: Hi.

COMMISSIONER TUCCI: Now you're going to
experience pain firsthand.

(Laughter)

COMMISSIONER EVANS: Are you guys staying for the
whole thing?

COMMISSIONER ROGERS: If you would like to see the
health department at one point, our director over there, you
can meet our entire health staff.

UNIDENTIFIED SPEAKER: Yeah.

COMMISSIONER ROGERS: Veterans staff, what we're
doing for veterans with PTSD and all that, you know.

UNIDENTIFIED SPEAKER: Yeah, that would be
fascinating.

COMMISSIONER ROGERS: All right, before the end of
the meeting.

MAYOR SCARPELLI: Commissioner Petracco?

COMMISSIONER PETRACCO: Okay.

COMMISSIONER TUCCI: And he also said he wants to
play you one-on-one in basketball.

(Laughter)

(Cross-talk)
COMMISSIONER TUCCI: I'm sorry. Go ahead.

COMMISSIONER PETRACCO: On this ordinance, Alan, I don't know if Sam called you. Did she?

MR. GENITEMPO: Yeah, we spoke about it.

COMMISSIONER PETRACCO: Okay, so --

MR. GENITEMPO: About the changes, yeah.

COMMISSIONER PETRACCO: The only change was Saturdays to -- change to add Saturdays to the days there would be no parking enforcement. If the ordinance is in effect six months, it will be evaluated. And instead of placards, we decided to go with stickers.

Hi, Sandra.

SANDRA: Hello.

COMMISSIONER PETRACCO: You're early.

COMMISSIONER PETRACCO: Hello, Sandy. Happy Birthday.

SANDRA: Thank you.

COMMISSIONER PETRACCO: Of course, the chief felt, if we put anything on the back bumpers, snow or the window in the back, he thinks that, on the side of the driver's side would be the best application for that. So I have that.

I have my report. And what else did I have? I have the LOSAP. Yep, I'm going to introduce that LOSAP tonight, and that's an introduction.
And then, I have designate September 21st of each year as the Township of Nutley the day of peace. Way back when, we did that with the sand art. People came from Honduras, which was an unbelievable thing. We'd like to -- right now, we're just doing the day. I'm hoping to do something then with that day, because it was really a great day. I mean, the art that was in the street on Franklin Ave. I have to give Sandra kudos for putting that together.

And then, I have this grant of medical leave for Lori Castro, crossing guard. That's all I have.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: I just have a report for the Code Enforcement Department for August. Then I have one resolution relating to Mark Hendricks for his services related to some pending litigation that's involving the town with Sutton v. Roche. That includes the township.

Also, Alan, just so I'm clear, when you said not enforced, so parking enforcement would be sort of like I guess Monday through Friday, so not Saturday, Sundays, or the holiday?

MR. GENITEMPO: Exactly.

COMMISSIONER EVANS: (Indiscernible).

MR. GENITEMPO: We missed that the first time.

COMMISSIONER EVANS: Okay, just wanted to be clear.
MR. GENITEMPO: Yeah.

COMMISSIONER EVANS: Okay, that's all.

And I may need a quick executive regarding contract negotiations.

MAYOR SCARPELLI: Commissioner Rogers?

COMMISSIONER ROGERS: Hello, Mayor.

MAYOR SCARPELLI: How are you?

COMMISSIONER ROGERS: I had a little high blood pressure, but, hey.

MAYOR SCARPELLI: We have the right people in the audience tonight. The health department?

COMMISSIONER ROGERS: I have nothing, Mayor.

MAYOR SCARPELLI: Okay.

Commissioner Tucci?

COMMISSIONER TUCCI: I have two resolutions, one authorizing an advertisement for an RFQ for a New Jersey licensed certified tree expert.

And the second is to salute and congratulate the 36th Annual Columbus Day Parade dignitaries. And that's all I have.

MAYOR SCARPELLI: Thank you.

Commissioner?

I have four resolutions. One is to authorize and approve raffle applications.

The second is for approval of a treatment works
permit for Question Diagnostics, which, although in the -- on the Clifton side of the line, used to put their sewage into our sewage system.

And a change order -- two change orders, two resolutions, two different change orders. One is an increase for D&L for Franklin Avenue -- for Harrison Street. And the other is a decrease of $2,000 for Safe Routes to School, and that's all I have.

Madam Clerk?

MADAM CLERK: Yes, Mayor, we just have minutes for July 17, 2018 for approval.

MAYOR SCARPELLI: Counselor?

MR. GENITEMPO: Nothing, Mayor, just that John is here.

MAYOR SCARPELLI: Mr. Inglesino?

MR. INGLESINO: You know me, man. I only speak in closed session.

MAYOR SCARPELLI: All right. So can I have a motion to go into executive?

COMMISSIONER PETRACCO: Move it.

COMMISSIONER TUCCI: Second.

MAYOR SCARPELLI: For contracts and --

MR. GENITEMPO: Contracts.

MAYOR SCARPELLI: Just for contracts.

MADAM CLERK: WHEREAS, Section VII of the Open
Public Meeting Act, Chapter 231 of Public Law 1975 permits the exclusion of the public for meeting 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, state of New Jersey decided to proceed to closed executive session;

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

BE IT FURTHER RESOLVED that the time when such discussion may be disclosed to the public shall be when such disclosure 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 Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MADAM CLERK: The time is 7:10.

(Recessed to Executive Session)
TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

PUBLIC MEETING

September 18, 2018
7:31 p.m.

BEFORE:

Commissioner Steven L. Rogers
Commissioner Mauro Tucci
Commissioner Thomas J. Evans
Commissioner Petracco
Mayor Joseph Scarpelli

ALSO APPEARING:

Alan Genitempo, Board Counsel

Transcribed by: Nicole Yawn
P R O C E E D I N G S

MAYOR SCARPELLI: Would everybody please stand for the flag salute?

(Pledge of Allegiance)

(Pause)

MAYOR SCARPELLI: Madam Clerk?

MADAM CLERK: Thank you, Mayor.

Board of Commissioners public meeting Tuesday, September 18th, 2018. The time is 7:31.

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Commissioner Rogers?

COMMISSIONER ROGERS: Here.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Here.

MADAM CLERK: All present, Mayor.

MAYOR SCARPELLI: Minutes, Madam Clerk.

MADAM CLERK: Yes, we have Board of Commissioner meeting minutes for July 17, 2018. I need a motion, please.

COMMISSIONER PETRACCO: Move it.

MADAM CLERK: I need a second.

COMMISSIONER ROGERS: Aye.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MADAM CLERK: And that's it for minutes, Mayor.

MAYOR SCARPELLI: Reports?

Commissioner Evans?

COMMISSIONER EVANS: Yes, I have a code enforcement report for the month of August.

MAYOR SCARPELLI: Okay.
Commissioner Petracco?

COMMISSIONER PETRACCO: Yep, I have my public safety report as well for police, fire, and our ambulance squad and municipal court.

MAYOR SCARPELLI: Bills?

MADAM CLERK: Yes, Mayor.

Bill list for September 18, 2018, Public Affairs, $105,281.98; Revenue and Finance, $2,613,590.60; Public Safety, $30,416.56; Public Works, $252,531.10; Parks and Public Property, $35,655.16; Water Utility, $316,107.19. Overtime payroll total for September 7, 2018 is $32,070.73. Total payroll, $832,857.00, for a grand total of $4,186,439.59.

COMMISSIONER EVANS: Move the bills.

MADAM CLERK: I need a second.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: I'm voting aye, with the exception of 18-01934. I vote no at this time.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: I vote yes, with the exception of Item 18-01934, which I'm voting no on, because I do not believe it's a proper expenditure of taxpayer money and it's outside the scope of the individual who would be attending this course.
MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: I vote yes on the entire bill, and I would disagree.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: I vote no -- I vote aye, except for 18-01934.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

Mr. Evans, when you have that bill for $2,500 to Rutgers (ph). What's that for?

COMMISSIONER EVANS: It's not for anything. It was voted down by the board.

MR. MOORE: I'm sorry?

COMMISSIONER EVANS: It's not for anything. It was voted down by the board.

MR. MOORE: Wasn't it on last month?

COMMISSIONER EVANS: Yes, it was.

MR. MOORE: And what was that for?

COMMISSIONER EVANS: It was pulled off of that agenda as well and not voted on.

MR. MOORE: Do you have it -- do you have anything to say, other than it was voted down? Because it appears that it was paid.

COMMISSIONER EVANS: It has not been paid.

MR. MOORE: (Indiscernible).

COMMISSIONER EVANS: It has not been paid.

MR. MOORE: Is there going to be an official statement, other than me asking you this question, that this was not paid for? What was the class for anyway?

COMMISSIONER EVANS: It was for training for one of our employees in my department.

MR. MOORE: What was the training for?
COMMISSIONER EVANS: The training was for management development courses, all right, for a person to attend those courses, which was consistent with their job responsibilities and their duties, as determined by me that were valid and necessary for them to do. Under the Walsh act, that is my authority.

MR. MOORE: I looked that up the under day under management, and they didn't see -- I didn't see anything that was related to the Walsh act. It was (indiscernible) in there, but not Walsh. I had just gotten news (ph) what the class was for.

COMMISSIONER EVANS: The classes are for is an employee to attend management development classes that are very relevant to their job responsibility, which I fully investigated and reviewed before I made a determination to authorize it.

MR. MOORE: You can go to school at night for that, too. not to Rutgers.

COMMISSIONER EVANS: And the courses are being taught at Rutgers. And it's in a consolidated program. And if the courses were taken individually, it would be significantly more than the cost of this program.

COMMISSIONER TUCCI: Mayor, might I address that? Because I was one of the no votes on that, and I'd like to clarify it. All right?
While the course is a worthwhile course, I do not believe it is within the scope of the employee that was being considered to be sent to that. All right? It's more or less a preparation for someone to become a township manager or a township administrator. All right? It is outside the scope of the Clerk's responsibilities. While there would always be benefit, cross-over benefit, from some of the ethics classes and some of the other management classes, it's a -- it's a worthwhile class, but I do not believe it should be done on township time and paid for with township money, and I say that respectfully.

MR. MOORE: But I did look that up.

COMMISSIONER EVANS: And I absolutely understand the commissioner's point of view and perspective. I fully reviewed the program. And when it comes to issue resolution and negotiation skills, communication, which is fully related to the individual's position, I don't understand what that would be outside the scope.

I happen to be the former chief learning officer for PriceWaterhouseCoopers. I was a president of a 50,000 student university. I understand curriculum course design thoroughly with over 20 years worth of experience. This course was very relevant.

MR. MOORE: There are the alternatives so the individual can take the classes.
COMMISSIONER EVANS: There are alternatives.

MR. MOORE: Not at the taxpayers' expense.

COMMISSIONER EVANS: I have people in my department who attend training, as relevant to their jobs, and I have paid for that training as a commissioner, because it's relevant to their job, as all commissioners have done. I have made the determination to do this in a very thorough and comprehensive way. I do not understand why it was voted down, but I appreciate the perspective, and, most respectfully, I disagree, but that's for another day.

MR. MOORE: Thank you.

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

MS. RABINO: Just a continuation on that $2,500. What exactly did that entail, as far as the person benefiting, outside of the town, from the course? Does that mean that the course is taken evenings, during the day, how long? Is it a one-week course? A two-day? I mean, what does this entail?

COMMISSIONER EVANS: Mrs. Rabino, it's a multi-day course. It's taken -- I believe it's taken during the day, as many of the training classes are for most of the employees of the township when they attend training.

MS. RABINO: But it's an all-day situation

COMMISSIONER EVANS: Yeah -- I don't have it in
front of me, the full timing, but it could be part -- some of it could be part of the day. Some of it could be a full day. But, yes, it's in a curricula structure. The title of the course I disagree with, because it's open. It's also been a course that's been recommended by the New Jersey Municipal Clerks' Association. Many clerks have attended this program.

MS. RABINO: Thank you.

MAYOR SCARPELLI: Anybody else wish to address the board on agenda items only?

COMMISSIONER TUCCI: Just one -- just one further comment, Mayor, and I know I don't want to beat this horse to death, because I think the course can be valuable. I just don't think that we should do it on our time or pay for it. The individual that is being spoken of does not negotiate. All right?

Management skills are applicable to any of our employees. All right? And it is so important, all right, and so imperative then, the individual should actually pursue that with their own time and their own money. That's all I have to say.

MAYOR SCARPELLI: Let's go to commissioner announcements.

Commissioners, do you have any announcements?

I have one, Kathy Rempusheski, our CDBG
coordinator, has asked me to announce that there is funding for homeowners to repair their homes through the county and through HUD. That's a pass-through to the county from HUD for home repairs. There's some income requirements, but it's on our web site, and you can -- if you have any questions, you can give Kathy Rempusheski a call at town hall.

That's all the announcements.

Let's move to ordinance introductions.

Commissioner Petracco?

COMMISSIONER PETRACCO: Yes, I have (indiscernible) taxes (indiscernible) for introduction. (Indiscernible).

MADAM CLERK: Can't hear. Can't hear.

COMMISSIONER PETRACCO: I don't have a mic. on? And that's why.


This is a LOSAP Ordinance. It's Ordinance No. 3398. This is for the volunteer men and ambulance squad as well, everyone who volunteers. It's an ordinance to amend an ordinance codified in the Code of the Township of Nutley, Chapter 96, entitled Length of Service Award Program.

I move that this 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
said ordinance for final passage by the Board of
Commissioners be held at its second reading, on October
25th.

I move the ordinance.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: No.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Let's go to public hearings.

Commissioner Petracco?

COMMISSIONER PETRACCO: I have a public hearing on
the parking placards, which we decided to go to stickers.

It's Ordinance No. 3395, an ordinance to amend the ordinance
codified in the Code of the Township of Nutley, Chapter 228,
entitled Vehicles and Traffic, particularly Article 6, Angle
and Permit Parking, Section 32, entitled Permit Parking. We
did make one change that I'd just like to mention for the
record, if I could? Let's see.
The only change -- Alan, did we put this in the ordinance or do I need to read that into the record?

MR. GENITEMPO: You should just announce what the change is there.

COMMISSIONER PETRACCO: Okay, so the only change is that -- the ordinance was changed to add Saturdays to days that there would be no parking enforcement, as well as with Sundays and holidays. This is going to be a six-month pilot program to see how this works out. Hopefully -- I know it's been a long time coming. I see some of the residents here.

After six months, we are going to reevaluate the situation to the police department, and hopefully, this gives, you know, everybody that's having problems on that street some -- or these three streets, you know, some relief. So we're hoping that it works, but it is a pilot program for the next six months. I would appreciate if people come to the meeting and tell us how it's working or call me, you know, if there's pros and cons to it or, you know, what have you.

You know, this was a big step for us to take. We never had, you know, permit parking such as this in effect. By no means is this going to open up our overnight parking. I'm not onboard with changing that at all, and I don't believe any of the commissions are.
At this time, I'd like to open the public hearing.

MAYOR SCARPELLI: Anybody want to be heard on Ordinance No. 3395?

MR. GENCARELLI: Yeah, my name is Angelo Gencarelli. I live on 32 Highfield lane, and the reason why I'm here is because our street is in front of the apartments, to find a parking space in front of my house I have to get up by 6 o'clock in the morning to put my car (indiscernible) 8 o'clock (indiscernible). And it's not there for all of us (indiscernible).

I took pictures (indiscernible) parking (indiscernible) parking space by the Park Avenue is half full and three-quarters full, sometimes less. I took pictures same thing by the apartment complex. (Indiscernible). It's not that we don't want them there. We have (indiscernible).

COMMISSIONER PETRACCO: Well, that's why we're -- that's why we're introducing this ordinance tonight, and we're trying -- and Highfield (ph) Lane is one of the streets, so we're hoping that this gives you guys some relief over there.

MR. GENCARELLI: and not only that people come from all over.

There are people coming from all over. It's not only Nutley people, Nutley residents. There are people
coming from all over.

COMMISSIONER PETRACCO: We know.

MR. GENCARELLI: Okay.

COMMISSIONER PETRACCO: Okay.

MR. GENCARELLI: Thank you then.

COMMISSIONER PETRACCO: Thank you.

MR. MOORE: Is this on LOSAP?

MR. KLECAK: Good evening, Commissioner. I've been here before to talk about this. My name is Bill Klecak. I live on 33 Highfield Lane. Quite frankly, the situation sucks. It's getting worse.

I'm retired now, so I see a lot of what goes on in the neighborhood, and every day, there's at least 15 cars on Conduit and another 15 or so from my house down to River Street. My confusion is -- what was it? A little over a year ago? And the weather warning was cast, and signs were put up on Conduit and Highfield. Unfortunately, the signs were miswritten.

They said something about parking. You can park from 6:00 to 10:00 a.m., which made no sense. The signs were taken down a week later. What happened with that ordinance? How come that's not still in effect?

Because the ordinance was passed that there was no parking. Poles were put up. I noticed two of my neighbors have taken the poles out of the ground. They're not there
any more. I don't know what they did with them, but they're not there. Why was that ordinance -- I don't know it works. Was it just thrown out? Was it superseded by something else?

COMMISSIONER PETRACCO: I would have to look into that, but I think that, you know, all the research we do -- and I know you and I worked a lot on this together, and I visited you at your house and all that. You know, I really think that this is the best way to go. You know, it is a pilot program for six months, and I'm hoping that this really solves the issue down there. But we tried, you know, time parking in some situation, you know, and, you know, again, you know, people had problems with that, because they felt that they were paying taxes for their house and they should be able to park in front of their house or if somebody came to visit, all that stuff.

So I mean, you know, we drafted this up a million times. You know, we're putting from 8:00 a.m. to 10:00 a.m. This way, it defers the commuter parking. You know? Because if you travel on to the city, you know, most people leave early, and I really think this is -- I believe it's going to work. I mean, I really do.

MR. KLECAK: So do I have to pay for a decal then, if I want to park from 8:00 to 10 o'clock?

COMMISSIONER PETRACCO: No.
MR. KLECAK: Like how does that work? Like how --

COMMISSIONER PETRACCO: Is it five bucks? Same

thing?

MR. KLECAK: Five bucks.

COMMISSIONER PETRACCO: For the decal? Five

bucks?

MR. KLECAK: All right. So then, if you don't buy
one, then you just don't park from 8:00 to 10 o'clock in the
morning? That's how that works?

UNIDENTIFIED SPEAKER: (Indiscernible).

MR. KLECAK: Right, and that costs $5. And where
do you get that from?

COMMISSIONER PETRACCO: We're going to announce it
through the police department.

MR. KLECAK: All right. So in other words, that
other ordinance, that was just -- that's gone?

COMMISSIONER PETRACCO: I know. I'm not sure if
that was on your street. I don't recall it.

MR. KLECAK: Yes, it was.

COMMISSIONER PETRACCO: No, I'm saying that I
would have to -- before I would comment on it, I've got to
go look at it and see what was done with it. I don't want
to just talk off, you know, my cuff, so to speak, without
having information in front of me.

MR. KLECAK: All right.
COMMISSIONER PETRACCO: Why? Do you think that would -- are you here to tell me you think that would be better?

MR. KLECAK: Well, again, because of what was passed once before -- and I know a couple of people up the top of my block who aren't affected by the parking, complaining that signs were put up on their -- in front of their houses. Now, I'm not mentioning names. I know who they are, but they complained, because they're not affected by the parking in front of my house. And my neighbors are here.

All right? So they complained, because well, somebody can't park in front of their house for an hour or so. Quite frankly, I wasn't -- that wasn't my problem, but that was their problem. You know, somebody in the lower part of my block actually went around and had a petition signed, all right. People here that signed the petition. No, that's just -- like you said, you're going to have to look into it, but I don't understand what happened.

COMMISSIONER PETRACCO: Well, let me say -- let me say this, too. You know, we're trying to move this forward, and when I was going through this, there was people on your block that were against the permit parking or putting up signs, and like I said, their kids couldn't park there. You know, so I mean, that's why I decided to do it for six
months, because we do need to go get some feedback and see
what the people want, because like I told you, we're an
extension of the people. You know, obviously, I don't live
on your block. You know?

In front of my house, I can park. You know? But
I don't think it's fair to you guys to have to put up with
that. You know, there's not a parking spot to be found,
because of this commuter parking. And like you said, it's a
lot of people that don't live in town that are parking there
also.

So you know, we've went to other towns. You know,
our chief is an FBI Academy graduate. You know, he's on
board with this. He thinks that it's a good idea, and, you
know, I can't tell you the tremendous amount of work that we
put into this.

MR. KLECAK: I have no problem with this.

COMMISSIONER PETRACCO: Yeah. So I'm saying that,
you know, let's try this for six months, and, you know, you
have my number. You absolutely know where to find me. And
keep me informed, because we want the feedback to see, you
know, in six months if we're going to make this permanent or
not.

MR. KLECAK: I just want to find a way to stop
commuters from parking on (indiscernible).

COMMISSIONER PETRACCO: Well, if that doesn't -- I
have to tell you. I mean, if that doesn't solve the
problem, you know, I would almost be at a loss for words of
how you're going to ever stop that. I mean, if people are
willing to park there and get a ticket every day, you know,
maybe it's cheaper than parking in the city. I don't know,
but --

MR. KLESAK: I don't know.

COMMISSIONER PETRACCO: You know, hopefully, that
they, you know, follow the rules. Okay?

MR. KLESAK: Okay, good enough. Thank you.

COMMISSIONER PETRACCO: Thank you.

COMMISSIONER TUCCI: Can I ask what might be a
silly question? Why were the signs from the old ordinance
taken down, and who took them down?

MR. KLESAK: They didn't -- they read parking from
6:00 a.m. to 10:00 a.m. It was simply a misprint of some --
it should have said no parking.

COMMISSIONER PETRACCO: I think they were
misprinted.

MR. KLESAK: And it said parking. So what the
heck was the good of putting it up? I didn't even catch it
at first.

COMMISSIONER TUCCI: So there was a -- I just want
to ask. There was an error on the sign? The sign got taken
down.
MR. KLECAK: There was an error on the sign.

COMMISSIONER TUCCI: And nothing else was posted --

MR. KLECAK: Exactly.

COMMISSIONER TUCCI: -- to correspond to the ordinance that was passed?

MR. KLECAK: Right.

MAYOR SCARPELLI: I think the signs corresponded to the ordinance. The ordinance was --

COMMISSIONER TUCCI: Oh, so the ordinance was flawed? Oh, that's a reasonable answer. Okay. At least we have an answer. Good.

MR. KLECAK: All right, thanks.

COMMISSIONER TUCCI: Thank you.

MAYOR SCARPELLI: Anybody else wanted to be heard on Ordinance No. 3395?

COMMISSIONER PETRACCO: Move to close the public portion of the meeting.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: I move the ordinance.

COMMISSIONER ROGERS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye, on the basis that it will be thoroughly reviewed in the next six months and the determination will be made of its value.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Let's move on to resolutions.

Commissioner Tucci?

COMMISSIONER TUCCI: Yes, thank you, Mayor. My first resolution this evening reads as follows.

WHEREAS, the Township of Nutley has a need to acquire specialized professional services as a fair and open contract pursuant to the provision of N.J.S.A. 19:44 A-20.5;
and

WHEREAS, the Department of Parks and Public
Property has a need to acquire specialized professional
services for a New Jersey Licensed Certified Tree Expert for
forestry services throughout the Township of Nutley; and

WHEREAS, the Municipal Clerk is hereby authorized
and directed to advertise for a Request for Qualifications
for Township Forester;

NOW, THEREFORE, BE IT RESOLVED, that the Requests
for Qualifications shall be due on Wednesday, October 10,
2018 at 3:00 P.M. addressed to Municipal Clerk, Nutley
Township Hall, One Kennedy Drive, Nutley, New Jersey, 07110.

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: WHEREAS, on Sunday, October
7, 2018, the Nutley-Belleville Columbus Day & Italian Heritage Month Parade Committee will celebrate its 36th Annual Columbus Day Parade festivities commemorating Columbus' historic voyage to the New World; and

WHEREAS, the Parade Committee has a long history of commemorating Columbus Day each year in the Township of Nutley, which is looked forward to and enjoyed by both spectators and participants alike; and

WHEREAS, the Nutley-Belleville Columbus Day & Italian Heritage Month Parade Committee will celebrate its Annual Honoree Dinner on Thursday, September 27, 2018 at Nanina's in the Park, Belleville, N.J.; and

WHEREAS, this year's Grand Marshal is Andre' DiMino; and

WHEREAS, Andre' DiMino is joined by the Lifetime Achievement Award recipient, Vito Scarpelli, the Italian Heritage Award recipient, Joseph Palombini, Belleville Woman of the Year, Jeanne Lombardi, Belleville Man of the Year, Anthony Sessa, Nutley Woman of the Year, our own Sam Carella, Nutley Man of the Year, Thomas Sposato, 2018 Renaissance Man, Anthony Dalbo, 2018 Italian Business Leader, Michael Maffucci, along with Community Excellence Award recipient Barbara Hirsch; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex,
join with the citizens of Nutley to salute and congratulate Grand Marshal, Andre' DiMino, Lifetime Achievement Award recipient, Vito Scarpelli, Italian Heritage Award recipient, Joseph Palombini, Belleville Woman of the Year, Jeanne Lombardi, Belleville Man of the Year, Anthony Sessa, Nutley Woman of the Year, Sandra Carella, Nutley Man of the Year, Thomas Sposato, 2018 Renaissance Man, Anthony Dalbo, 2018 Italian Business Leader, Michael Maffucci and Community Excellence Award recipient Barbara Hirsch as they will be honored at this dinner.

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: I vote aye, and I'd just like to congratulate our own Sam Carella, that does so much for all of us and has never said no to anyone for anything. So I'd like to congratulate you, San, and we'll be there to support you. So I very proudly say yes.

(Applause)
COMMISSIONER PETRACCO: Why don't you give a wave, Sam, so everybody knows who you are?

COMMISSIONER TUCCI: And Happy Birthday.

COMMISSIONER PETRACCO: That's right.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor.

WHEREAS, the Township of Nutley has a need to acquire the services of a professional Real Estate Appraiser to assist with litigation support in the matter of Sutton vs. Roche and the Township of Nutley as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

WHEREAS, Hendricks Appraisal Company, 7 Hutton Avenue, West Orange, New Jersey, has submitted a fee schedule for providing such services, the total of which is not to exceed $5,000; and

WHEREAS, the anticipated term of this contract is 12 months, from September 19th through September 19th -- excuse me, September 19th, 2018 through September 19th, 2019.

WHEREAS, funds will be available from Account No. 8-01-204-205, and have been certified by the Chief Financial Officer, said certification being attached to this resolution; and

WHEREAS, Hendricks Appraisal Company, LLC has
completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable disqualifying contributions to a political or candidate committee in the Township of Nutley in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley authorize the Mayor and Municipal Clerk to enter into a contract with Hendricks Appraisal for the above services not to exceed $5,000.00.

So moved.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?
WHEREAS, peace is not merely the absence of war and violence, but a condition where society has achieved a balance of prosperity, security, justice and hope; and

WHEREAS, peace is necessary for everyone to achieve health as defined by the World Health Organization; and

WHEREAS, in an effort to promote peace and work collaboratively with other cities and Nations, Nutley held the Pathways to Peace event in 2015 by creating a Street Tapestry depicting solidarity and unity; and

WHEREAS, the community leaders of Nutley are committed to establishing peace in our town to promote economic opportunity and improve the quality of life of the people of our town; and

WHEREAS, the United Nations has designated the 21st of September of each year to be the International Day of Peace, devoted to commemorating and strengthening the ideals of peace both within and among all nations and peoples;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley that Nutley be proclaimed to be a City of Peace;
BE IT FURTHER RESOLVED that September 21st of each year to be the Township of Nutley Day of Peace.

I move the resolution, but before I do, back in 2015, we had people from Honduras come in, and they did all that sand art on Franklin Avenue. It was really something to come out and see. It was beautifully done. It was nice to have people from another country come here and do it.

Sam, I don't remember the woman's name that we worked with on that.

MS. CARELLA: (Indiscernible).

COMMISSIONER PETRACCO: Yes, yeah.

But at any rate, there was a lot of people involved, and if we could do something down Franklin Avenue, I think it would be another breathtaking day and a step in the right direction.

I move the resolution.

MADAM CLERK: We need a second.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?
BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Lori Castro, an employee in the Department of Public Safety, be granted a medical leave of absence without pay effective September 5, 2018 through October 5, 2018.

I move the resolution.

WHEREAS, raffle applications have been received from the following organizations; Rotary Club of Nutley License No. 32-18, Off-Premise 50/50 Cash Raffle to be held Thursday, November 15, 2018; Friends of the Phoenix Center
License No. 33-18 Off-Premise 50/50 Cash Raffle to be held Tuesday, November 13, 2018.

WHEREAS, the applications have been reviewed and approved by the Municipal Clerk and the Police Department;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that the aforementioned licenses are approved and the Municipal Clerk is authorized to issue the raffle licenses.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

This is Resolution No. 207-18, a RESOLUTION AUTHORIZING THE TOWNSHIP OF NUTLEY TO SIGN A NJDEP TREATMENT WORKS APPROVAL PERMIT APPLICATION ON BEHALF OF QUESTION DIAGNOSTICS INCORPORATED FOR CONSTRUCTION OF A
DIAGNOSTICS' EAST REGION TESTING FACILITY, 1153 BLOOMFIELD AVENUE, CLIFTON, NEW JERSEY

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

WHEREAS, bids for the Harrison Street Improvements project (Section 3 - Franklin Avenue to Bloomfield Avenue) were received and opened on Wednesday, July 12, 2017; and

WHEREAS, D&L Paving Contractors, 675 Franklin Ave, Nutley, New Jersey, 07110 was the low bidder; and

WHEREAS, the bid for the Harrison Street Improvement Project (Section 3 Franklin Avenue to Bloomfield Avenue) was in the amount of $273,173.99; and

WHEREAS, the Township of Nutley entered into a contract with D&L Paving Contractors, Inc. for the amount of
$273,173.99; and

WHEREAS, Change Order No. 1 to the contract has been authorized for an increase in the amount of $13,989.63; and

WHEREAS, funds are available from Ordinance No. 3345A, Account No. G-04-104-401 in the amount of $13,989.63 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

WHEREAS, the original contract is being increased in the amount of $13,989.63 for a total adjusted contract amount of $287,163.62;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order No. 1 as attached, is a change from the contract previously made by the Township of Nutley with -- as the Project known as Harrison Street Improvements project Section 3 is hereby authorized and approved.

I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Commissioner Evans?
WHEREAS, bids for the New Jersey Department of Transportation's "Safe Routes to School Programs for the Township of Nutley" were received and opened on Wednesday, March 2, 2016; and

WHEREAS, AJM Contractors, Inc., 300 Kuller Road, Clifton, New Jersey, was the low bidder; and

WHEREAS, the bid for the New Jersey Department of Transportation's "Safe Routes to School Programs for the Township of Nutley" was in the amount of $319,634.00; and

WHEREAS, the Township of Nutley entered into a contract with AJM Contractors, Inc. for the amount of $319,634.00; and

WHEREAS, Change Order No. 1 to the contract has been authorized for a decrease in the amount of ($2,027.36); and

WHEREAS, the original contract amount is being decreased in the amount of ($2,027.36) to be credited to Ordinance No. 3295A/G-04-113-401 and to reflect an adjusted contract price of $317,606.64;

NOW THEREFORE, BE IT RESOLVED by the Board of
Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Change Order No. 1 as attached, is a change from the contract previously made by the Township of Nutley with AJM Contractors, Inc. for the Project known as "Safe Routes to School Programs for the Township of Nutley" is hereby authorized and approved.

I move the resolution.

COMMISSIONER TUCCI:  Second.

MADAM CLERK:  Commissioner Rogers?

COMMISSIONER ROGERS:  Aye.

MADAM CLERK:  Commissioner Tucci?

COMMISSIONER TUCCI:  Aye.

MADAM CLERK:  Commissioner Evans?

COMMISSIONER EVANS:  Aye.

MADAM CLERK:  Commissioner Petracco?

COMMISSIONER PETRACCO:  Aye.

MADAM CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.

That concludes the business portion of our meeting.

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 five minutes. All remarks to the
board and its individual members must be addressed to the
mayor. The mayor may defer citizen 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. BOZZA: Maria BOZZA, 209 Highfield Lane.
It's really not a question, more of a statement, that I
would like to ask at last meeting.

MAYOR SCARPELLI: Can you speak into the
microphone? It's hard to hear.

MS. BOZZA: Can you hear me?

MAYOR SCARPELLI: Yes, thank you.

MS. BOZZA: At our last meeting, Mr. Evans said to
me that he was -- he took umbrage to the fact that I made a
statement relative to the information going on about the
building inspector.
Well, I take umbrage to the fact that you vehemently -- or I guess I can't speak directly to you, but you vehemently stated that you were taught to give back. You informed us that your salary is only $2,500. But in doing a little investigating, I found that you get more than -- not just you -- all of you get more than $2,500.

You get health benefits, which the town pays for, which are tax-free. You're able to, you know, give jobs to friends and family, and that's at taxpayers' expense. So don't make it sound as though what we ask you we're infringing on your rights, because I don't think that that's -- that's appropriate.

And last time, you said you took umbrage to what I said, and I'm sorry for --

COMMISSIONER EVANS: Ms. BOZZA, I apologize to you for any misinterpretation.

MS. BOZZA: Please, speak louder.

COMMISSIONER EVANS: I apologize to you for any misinterpretation of what I said. What I took umbrage to was a suggestion that this was a good old boys' group.

MS. BOZZA: Yes, that's what I said.

COMMISSIONER EVANS: And I did not -- and I did not care for that statement. As far as your inquiry regarding the discipline of an individual, I have no ability to share that with you, because it's not allowed. Right?
MS. BOZZA: Yeah, but I --

COMMISSIONER EVANS: So I can't do that.

MS. BOZZA: But from what I also found out is that the -- it's not the individual who's being sued or whatever you want to -- for lack of a better word. He's not a public employee, so why can't we know that? And so, it's not covered under Civil Service.

COMMISSIONER EVANS: The individual that -- the individual that is being -- that has been disciplined is a public employee, and that's as far as I can go.

MS. BOZZA: But also, isn't there -- isn't there another individual, who's not a public employee, that's involved in this?

COMMISSIONER EVANS: Another -- who's not --

MS. BOZZA: The builder, right? The builder who was --

COMMISSIONER EVANS: And that's the -- that's being reviewed with counsel, which I shared very specific facts on, as much as I can share at this point in time. But so there is significant --

MS. BOZZA: But when will we know?

COMMISSIONER EVANS: As soon as it's resolved. I hope to have that done by the October 2nd meeting. That's my desire.

MS. BOZZA: October 2nd? Is that what you said?
COMMISSIONER EVANS: It's the first meeting in October. That's my hope, but as far as what is being discussed with that individual, I have been advised by counsel that, as much as I would like to share it, I'm not allowed to share it, because it's unresolved at this time.

MS. BOZZA: Okay, thank you.

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

MS. RABINO: Joan Rabino, 48 North Road. We keep talking about this individual. I have never heard the name mentioned. Is that for some particular reason? Why isn't his name on the record?

MR. GENITEMPO: Ms. Rabino, the discipline of employees is a confidential matter.

MS. RABINO: It's --

MR. GENITEMPO: It's not for public consumption.

MS. RABINO: Sir, he is not an employee. The builder is not an employee.

MR. GENITEMPO: Ma'am, I'm not talking --

MS. RABINO: He --

MR. GENITEMPO: -- about the builder.

MS. RABINO: Well, I am.

MR. GENITEMPO: We're talking -- you asked about the employee, and I'm telling you.

MS. RABINO: No, I -- I did not. I said the
builder -- his name is not in the record, at least I have never heard it mentioned. As many times as I've been to these meetings, his name has not been exposed, if you want to call it that. What is his name?

MR. GENITEMPO: Ma'am, the name of the developer, if we get a resolution, will be made plain to you in a written document by the commission. It has not been resolved yet, and that's the answer that I'm going to give you. Until it's resolved, it's a potential litigation matter, and I'm not at liberty to discuss it in detail. Commissioners have committed to producing the copy of the document for the public, and I'm sure that is still the case.

MS. RABINO: So it's against the law for you to give the public his name?

MR. GENITEMPO: No, ma'am, I didn't say it was against the law. When you're dealing with litigation, potential litigation matters, you need to keep them confidential, and I'm not at liberty to discuss anything, including any of the identities of the individuals involved, the corporate structure. There's corporations involved and LLCs. So until it's public, I cannot reveal it.

MS. RABINO: Thank you.

MR. GENITEMPO: I'm sorry. Thank you.

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

(Pause)

MR. MOORE: Rory Moore, 462 Chestnut Street.

Mr. Evans, I don't mean to beat a dead horse, but I'm looking at Rutgers right now. What was the name of the class that was being considered? I'm curious, because I looked at the site last week, when you had the other numbers in there, and this week. And for some reason, I just don't get this warm, fuzzy feeling that this is the end of the process to try to get this through, and I'd like to know what is the name of the class, because they have several programs.

COMMISSIONER EVANS: Mr. Moore, I have already commented on as far as I'm going to comment. As far as the action of the board, it's not a matter before the board or the public, because it was voted down. So therefore, I have no comment -- any further comment on it.

MR. MOORE: But to end it, to basically end it, I wouldn't see this on the bill list again in the future?

COMMISSIONER EVANS: As far as --

MR. MOORE: Trying to get a --

COMMISSIONER EVANS: -- a third --

MR. MOORE: Trying to get it through?

COMMISSIONER EVANS: As far as I'm concerned, it should have been voted this evening, but as far as -- but as
far as it is right now, I don't know what the future holds, and I won't speculate.

MR. MOORE: So if you make your second attempt -- or a third attempt, I guess, will you at least publish the name of the class, because there's several programs here?

COMMISSIONER EVANS: At that time.

MR. MOORE: At that time? So you're going to try it again?

COMMISSIONER EVANS: I have -- I have no position on it right now.

MR. MOORE: Okay. Okay, because you were saying management skills or management, and on the web site, it's like there isn't any.

COMMISSIONER EVANS: I didn't say it was on the web site. I didn't say management skills. I said management development programs, and it's a very relevant course to what, not only the individual does in this position, but it's actually very relevant to many of the senior positions that we hold in town. So I have my own view on that. The board has taken another view on that. I don't want to comment on it any further, because it's not a matter pending right now.

MR. MOORE: If it comes up again, I would appreciate it if you would at least put down the class.

COMMISSIONER EVANS: Thank you for your advice.
COMMISSIONER TUCCI: Mayor, can I respond, please?

MAYOR SCARPELLI: Sure.

COMMISSIONER TUCCI: Can I respond?

I don't know what all the secrecy is about here.

MR. MOORE: I don't know, either.

COMMISSIONER TUCCI: The name of the course is Master of Public Administration 100 percent online. We have a difference of opinion. I respect the commissioner for his abilities. All right? This is just one issue that we do not agree on. All right? But it's no secret. There's no cloak and dagger, you know, item going on here.

MR. MOORE: There just appears to be cloak and dagger.

COMMISSIONER TUCCI: I understand that, and that's why I'm telling you what the name of the program is.

COMMISSIONER EVANS: So we're going to do this. I have never voted no on a bill list item for any of you. I trust my commissioners fully, under the Walsh act, to make a determination of what you need to do and why it is necessary. I trust all of you to do that.

COMMISSIONER TUCCI: This is not a trust issue.

COMMISSIONER EVANS: This is -- it absolutely is.

COMMISSIONER TUCCI: This is not a trust issue.

This is a difference --

COMMISSIONER EVANS: It absolutely is.
COMMISSIONER TUCCI: This is a difference of opinion, and you feel strongly one way, and I feel strongly another way, and I think all the people --

COMMISSIONER EVANS: And I don't --

COMMISSIONER TUCCI: -- here -- let me finish. Let me finish.

COMMISSIONER EVANS: And in the -- in the --

COMMISSIONER TUCCI: I'll give you your time. Everyone else that's listening --

COMMISSIONER EVANS: And in the past -- and in the past, it has not (indiscernible) --

COMMISSIONER TUCCI: -- all right, is entitled to know.

COMMISSIONER EVANS: And in the past, it has not been (indiscernible) -- everybody --

COMMISSIONER TUCCI: There is no secrecy here. This is not the old USSR.

COMMISSIONER EVANS: No, there's no --

COMMISSIONER TUCCI: This is the Township of Nutley.

COMMISSIONER EVANS: There's no secrecy here. My position is is there's not a matter before the board. As far as what the public disclosure on it, full disclosure on it. If you want to go through the curriculum of the course, I'd be happy to go through that. I don't actually --
COMMISSIONER TUCCI: I know what it is. He's asking you.

COMMISSIONER EVANS: -- (indiscernible).

COMMISSIONER TUCCI: I don't know what the big deal is. Just tell him. Just tell him, and it's over. Thank you.

COMMISSIONER EVANS: I -- it simply is a matter of my preference. You decided you wanted to go further. I was trying not to go further, right? But very clearly, this program is not only relevant to the individual I was sending, it's relevant to many of the few -- the employees of this town who are in positions of management responsibility. All of them. I think they all should take this course, and that's my opinion. All right? But --

COMMISSIONER TUCCI: And you're entitled to it.

COMMISSIONER EVANS: -- and that's my view.

COMMISSIONER TUCCI: You are absolutely entitled.

COMMISSIONER EVANS: And I made that -- and I Made that determination in my department under the Wals act with very valid reasons.

COMMISSIONER TUCCI: Right.

COMMISSIONER EVANS: And I would have expected -- and I also would have expected that, if I was going to get an objection from it, I would have heard it before I heard a vote tonight.
COMMISSIONER TUCCI: Well, if you check your email, you got it.

COMMISSIONER EVANS: I exclude you from that, Mauro. You did do that. I did not hear from anybody else. I do not value the fact that the courtesy that I think this board owes one another was actually sidestepped on this issue. I don't understand why, but it does not belong here, and I don't like the direction of where it's going.

COMMISSIONER ROGERS: Commissioner, I --

COMMISSIONER EVANS: Well, excuse me.

COMMISSIONER ROGERS: Go ahead. Go ahead.

MAYOR SCARPELLI: Just ask.

COMMISSIONER ROGERS: First of all, I was one of the ones who did not get in touch with you, because, frankly, this is my fault I didn't have time to read it. But I've got to tell you I object to your tone. Your implying --

COMMISSIONER EVANS: My tone?

COMMISSIONER ROGERS: Yeah, your tone, when you say you have never voted against any of the commissioners. You know, maybe business as usual has to come to and end here.

MR. MOORE: Yes, yes. And business as usual.

Thank you.

(Applause)
COMMISSIONER EVANS: This isn't business as usual.
I'm sorry.

MR. MOORE: Thank you.

COMMISSIONER EVANS: This is (indiscernible) --
(Cross-talk)

MAYOR SCARPELLI: Gentlemen, gentlemen, please.

COMMISSIONER ROGERS: I was going to ask
(indiscernible).

COMMISSIONER EVANS: When you start to say to me business as usual has to end and the work that we have done and what I've led in this department to lower the cost of operations dealing with the matters that are before us, I'm sensitive to the phraseology that you just used, because not only you, but Commissioner Petracco and Mayor Scarpelli, Commissioner Tucci, and myself have worked tirelessly to reduce the cost of operations for the benefit of the taxpayers, and we do that every single year, and we start months in advance, and I have it. So I disagree (indiscernible) --

COMMISSIONER ROGERS: And I haven't? And I haven't?

COMMISSIONER EVANS: You have.

COMMISSIONER ROGERS: Okay.

COMMISSIONER EVANS: We all have.

COMMISSIONER ROGERS: Thank you. Thank you for
clarifying.

COMMISSIONER EVANS: And now, yes, I said all of us, all of us. And the inference that we haven't been doing that, I believe, does more damage than good.

COMMISSIONER ROGERS: What inference -- let me ask you a question. How do you get the inference that I said something like that?

COMMISSIONER EVANS: Business as usual.

COMMISSIONER ROGERS: And you know what the problem is with this world today? Everybody has something to say about the person who said what they said. I clearly did not say that. I clearly did not make an inference that people weren't --

COMMISSIONER EVANS: Business as usual?

COMMISSIONER ROGERS: Business as usual, to me, is when you get a bill list, okay, and a person like me -- maybe I didn't go through the whole thing, as I said. I didn't understand it. Okay? Business as usual. Rogers rubber stamped it, because, you know, this is the way business has been, and I don't think that we should be doing that. I'm not saying you're doing it. I'm not saying that any particular person's doing it, but I just don't think that's fair and that's right.

COMMISSIONER EVANS: Yes, I agree with that, and the other --
COMMISSIONER ROGERS: So --

COMMISSIONER EVANS: I don't disagree with you. I'm objecting to the suggestion or the inference that we are behaving business as usual. I don't think we have been doing that. We've been working very hard together to change that mindset (ph).

COMMISSIONER ROGERS: Well, I have to respectfully disagree with you, that I have no idea how you come to the conclusion that I made an inference that you guys, okay, were conducting business as let's just do it and get it over with. That's the interpretation I get from you, but my point is this. The tenor and tone -- that's what I was speaking about, with regard to what you were saying.

In my view, since you expressed your view, was accusatory -- was accusatory, as if we did something terribly wrong. We shouldn't be taking these things personal. Look, I will say, you included -- we're all looking out for the best interests of the taxpayers. In this particular case, I had some questions, questions in my mind.

I didn't have time to see you and talk to you about it. So I wrote a note. Will you bring it up again? Maybe you will. Maybe at that time, with an explanation that at least it is to my satisfaction, I'll go for it, but I don't understand what the rush is.
I don't understand why everything has to be done one, two, three, bing, bang, boom, as we're sitting here. That's all I'm saying. So that's my point of view. I respect yours. I wish you would respect mine.

And I've got to tell you, you know, it's something that we should not allow with regard to protecting the integrity of this institution. We should never take these things personal, never. It's business. It's business, on behalf of the public. That's all I'm saying.

COMMISSIONER EVANS: Commissioner, I respect your opinion. I recognize that it's business. I object to the business element. I know it's not personal.

COMMISSIONER ROGERS: Okay.

COMMISSIONER EVANS: I object to the business element of it, and you and I can take that further offline. I'll speak to you, each of you, offline about why I feel the way I do and why I am feeling the anger that I have right now and the frustration that I feel right now.

MR. MOORE: I'd rather you do it right here so we could hear it, too. If this is going to be a class and going to vote on it, you shouldn't --

COMMISSIONER EVANS: (Indiscernible) agenda (indiscernible).

MR. MOORE: -- speak to each individually. You should at least speak to the public so we all hear it.
COMMISSION EVANS: (Indiscernible). The simple fact, as I've shared, is that I have evaluated this program. The course title that it refers to I don't agree with, because it's not just for public administrators. It's for others. I spoke to Rutgers. I know the program. I went through it. I've looked at the design of the program and the elements that are in it, and I did that, because I believe it's very valuable training for our employees to take, and training is necessary for everyone. It's not something that anybody who is in an executive position ignores the development of their people. I believe that very strongly, and I would take that position, only because I've spent my career, at a very senior level, driving. I'm the former chief learning officer of PriceWaterhouseCoopers. I did that role. I was nationally recognized for it, and I understand curriculum design, course design, and programming thoroughly. I would not ever make a decision that I believe is wasteful of the taxpayers' money, ever.

I make my decisions based upon the fact that I believe it's highly relevant and valuable for our people so that they can serve the public better.

MR. MOORE: And there are other ways of paying and taking this class, other than the taxpayers paying for it. There are other alternatives.
COMMISSIONER EVANS: And I appreciate your opinion that you're suggesting that any employee in the Township of Nutley who needs to develop themselves and do training should do it at their own expense. I don't agree with you.

MR. MOORE: I'm not disagreeing with -- but there are other methods. The taxpayers just don't have to pay for everybody to take a $2,500 class. There are other ways. There are. There's night school. This is not offered solely at one time of the day. That's it. There's other times.

COMMISSIONER EVANS: There are --

MR. MOORE: They're looking at the schedule.

COMMISSIONER EVANS: Thank you, Mr. Moore, for your point of view. Yes, people can go at night. They can go on weekends. They can go at other points in time.

MR. MOORE: Yes.

COMMISSIONER EVANS: This particular course --

MR. MOORE: There's other alternatives.

COMMISSIONER EVANS: And if there are programs that are at this value level and this design level that provide this value at this cost -- because these programs, at this design level, if they were taught individually at night or on the weekend, would cost significantly more by several thousand dollars. I would -- I would -- I would appreciate -- I would agree with you and I would go look for
that, but the fact is it's a very efficient design. It's a very reasonable price for the content of this course.

MR. MOORE: And it's very expensive for us.

COMMISSIONER EVANS: So I -- and when you -- and in my budget, training is a valuable thing for the taxpayer, and the fact that if training helps employees, not just one, but all of them do their job better, more efficiently, and that we can work with fewer employees, because they're trained better and they can do their job better, I don't see how that's more expensive to the taxpayers.

MR. MOORE: Thank you.

COMMISSIONER PETRACCO: Mayor, I'd just like to add my comments, if I can.

First of all, I apologize for not calling you today, Tom, but today was the first time since I've been sitting on this board that I got a bill list that only had public safety on it. That's the first thing.

The second thing is all these emails that have been going back and forth -- I'm still working. I've got to tell you it's been overwhelming. So that's my first part of the statement.

My second part of the statement is everybody has voted no, I think, except for you, Joe, for stuff that I've brought to the table.

You, Commissioner Tucci.
I don't know if you've ever voted no.

But I think that's healthy, Tom. I do. I think it's healthy to disagree at times, and I think it's healthy that we have these talks and sometimes air it out. I don't -- I don't have an issue with anybody. I just happen not to have all the facts tonight, and I didn't feel comfortable voting yes on something that I'm not well-schooled in, and I know this was the second time around, that we pulled it the last time, and again, I apologize, but to -- you know, to go down that path of, you know, I never voted no, that's just not true.

I mean, you know maybe not on a bill item, but we have, and listen, I've gotten my back hairs up, like you have, and I get it. It's emotional, and because you're passionate for what you're doing. But, you know, it's unfortunate that, you know -- I don't think we should ever be, you know, yelling up here at one another, and I get it's an emotional thing, and everybody's passionate, but I just wanted you to hear on the record my reason for voting no tonight.

COMMISSIONER EVANS: Commissioner, I appreciate your view. My point -- and I want to be very clear about this -- has nothing associated with how I personally feel for any of my commissioners. I have nothing but the deepest respect for all of you. We work together. We work together
for the betterment of the town always.

I agree that we do, from time to time, have a need to disagree on a point. Okay. In my particular case, I have always gone out of my way to be clear about what my position is, and I don't let that slide. So to the extent that I'm feeling emotion about this, yes, I have a frustration about this, because I feel very strongly that I thoroughly researched something and I did the extra work, right, to make sure that I was doing something that I thought was on target. I agree that we can philosophically disagree about something, but, in my particular case, I felt that there was a thoroughness to this. So I appreciate all of your views, and that's why I said I'll talk to you personally about that.

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

MS. ROSSI: Yes, good evening. Tamy Rossi, 29 Colonial Terrace. I have a few questions this evening. First question is has the state provided the amount Nutley will be receiving this year.

COMMISSIONER EVANS: Ms. Rossi, I wish they had. We have been on conversations with them every day, and multiple times today I was on the phone with them trying to get an answer to that. They have not made that determination. I need to put forth a final budget adoption,
which we haven't done yet. Right? We've only had the
public hearing. We haven't been able to adopt, because I
need that number.

I will be in Trenton tomorrow trying to resolve
whatever is holding it up, but I'm sorry. I wish I could
give you a better answer. The state has not responded yet.

MS. ROSSI: Okay, thank you for that.

My next question is three years ago, Commissioner
Evans, you said you would schedule an open forum meeting to
allow public feedback on the budget. Do you still intend to
have that, or --

COMMISSIONER EVANS: Yeah, I've been -- I've been
thinking about that, because I think it's important that --
what I've been thinking about is OPRA requests are about
documents. They're not about explanation or things like
that. And unfortunately, the law doesn't allow for that.
So I've been giving it a lot of thought that, yeah, there
are -- there is an opportunity. And so, I'm leaning more
towards having an open discussion in some fashion. I
haven't figured out yet what it would be, but I've been
thinking about that a lot.

MS. ROSSI: Okay. My next question is there was
an OPRA request inquiring about a fire department policy and
procedure manual, and the response by the Nutley Township
Municipal Clerk on June 22nd, 2018 read as follows.
"Pursuant to request 382A-18, no document. So is there, in fact, no policy and procedure manual for the fire department?

COMMISSIONER PETRACCO: I think that's a question for our attorney.

MR. GENITEMPO: When we get an OPRA request like that, we forward it to the appropriate department and ask them if a document that has been identified by the requester exists. We do not vary from it. We just look for that particular document. If it's not called that or we don't have anything like that, then we respond in the manner that we did. That was the response we got from the fire department.

MS. ROSSI: Are there any actions being taken to ensure there is a manual in place for that, or shouldn't the fire department have that?

MR. GENITEMPO: The fire department has always had rules and regulations, and they are documented. So I mean, I know, I kind of, you know, --

MR. GENITEMPO: There may not be a manual, Commissioner. It may be just separate policies, but this was a request for a manual. You know, I kind of remember it. I don't remember it exactly, but --

COMMISSIONER PETRACCO: Tammy, you requested that?

MS. ROSSI: I did not.
MR. MOORE: I did.

COMMISSIONER PETRACCO: You did?

MR. MOORE: (Indiscernible).

COMMISSIONER PETRACCO: Okay.

MR. MOORE: (Indiscernible)

MR. GENITEMPO: Then I don't think -- I recall that. There's no document specific to that.

MR. MOORE: (Indiscernible).

COMMISSIONER PETRACCO: Yeah.

MS. ROSSI: Okay, and then, my next question is, Mr. Genitempo, what is the current status of --

COMMISSIONER PETRACCO: Excuse me one second.

Just, you know, I know that we don't want to get off-base here, Mayor, and I know we don't want people asking questions from the crowd. But just to answer Mr. Moore, as this information comes back to me, the reason why we don't have that document is because every building is different, and even this one, in case of an emergency. So when you ask how would you exit a handicapped person, god forbid if a fire or something traumatic. Is that what your question was?

MR. MOORE: It's called smoke route. It's supposed to be up there. It's (indiscernible) less than one hour, because the first thing that happens, the elevator shuts down. How do you get a handicapped person that
entered this building --

COMMISSIONER PETRACCO: Well, I asked the chief that question, okay, because I know it's coming back to me. I asked him that, and he stated to me that they don't have a plan in effect, because if a fire started in the front of the building, it would change the plan. If it started in the back, if the fire was here, if there was -- you know, the ceiling caved in. So as the emergency comes in, from what the professionals are telling me, Mr. Moore, that's how they handle it. It's kind of when they get to a scene, that's when the training and all that stuff kicks in.

MR. MOORE: It's called smoke route.

COMMISSIONER PETRACCO: I'll look into that.

Write that down, please.

MR. MOORE: I'll send you this one.

COMMISSIONER PETRACCO: Thank you.

MS. ROSSI: Okay, thank you.

So, Mr. Genitempo, just curious, because I know it's been brought up in the past. What is the current status of the Nutley Township Employee Handbook?

MR. GENITEMPO: Sitting on my desk.

laughter--

MS. ROSSI: Oh, so it's already -- it's done, but it just needs to be proofread?

MR. GENITEMPO: It's in the advanced form of
trying to finalize it.

   MS. ROSSI: Okay. What process is being used to complete this? Does each commissioner have their own employee handbook or --

   MR. GENITEMPO: No, it's a town-wide one. Ultimately, when I finish the draft, I'll send them each a copy for their review, but it's really just a modification of our existing one, one that was created by the MEL, which is really, basically, a format that we use. We just have to input all of our own individual, separate policies. So that's where the hard part comes, because we're trying to make sure that we have what we need in the -- in the manual.

   So we have -- the basics of our existing manual are sufficient, but we want to -- we want to upgrade it. That's all.

   MS. ROSSI: Okay, great. I have one last question.

   COMMISSIONER TUCCI: Mayor, can I add something to that, because I am, in fact, the secretary to the MEL.

   MS. ROSSI: Okay.

   COMMISSIONER TUCCI: And I had this conversation with Mr. Genitempo not so long ago. We have until the end of the year to update that manual. But part of that update includes things like cyber security. It includes things like policies for our Zoning Board and our Planning Board,
relative to land use and exposure of the members that
volunteer on those committees.

And the latest one -- we had a JIF meeting today,
of which I'm the chairman of, all right, was we were talking
about policies relative to public officials and FaceBook,
because I can speak for myself. For some of us who are a
bit older and not that high-tech., all right, we need
guidance. I mean, my FaceBook interaction most of the time
is, "Happy Birthday, Happy Anniversary," and liking
something. But there are those that communicate extensively
on FaceBook, and there are guidelines that need to be
prepared that the MEL attorney is, in fact, preparing. And
I know he's in conversation continuously, not only with our
JIF attorney, but also with Mr. Genitempo and all the other
attorneys for our members.

MS. ROSSI: Do you intend to have any policy
regarding personal use of town vehicles?

COMMISSIONER TUCCI: I believe we already have
that policy in place.

MS. ROSSI: Do you have that in place?

COMMISSIONER TUCCI: Yes, we do.

MS. ROSSI: There is a policy for that?

COMMISSIONER TUCCI: Uh-huh.

MS. ROSSI: Okay.

And then, my one last question -- as you may or
may not know, there is a petition for term limits on quasi-
judicial boards in town, and that includes the Planning
Board, the Zoning Board, the Rent Leveling Board, and the
Library Board. Can each commissioner comment on whether or
not you support term limits for these quasi-judicial boards?

MAYOR SCARPELLI: Ms. Rossi, as you know -- I
already spoke with you -- I think these are volunteer
boards. We have a difficult time enough getting volunteers
to fill these boards to we're going to dedicate the amount
of time. And I am not in favor of term limits for volunteer
boards.

MS. ROSSI: I --

MAYOR SCARPELLI: I think we will be in a
situation where we'll be unable to get people to serve.

MS. ROSSI: And I --

MAYOR SCARPELLI: And that's my opinion.

MS. ROSSI: Okay, because I get a different story
from people who have asked to be on the board and been told
they will never have an opportunity to serve. So I'm jus
tasking.

Okay, Mr. Rogers, please.

COMMISSIONER ROGERS: Yeah, I always have
supported term limits. So, yes, I'm in favor of term
limits.

MS. ROSSI: Thank you.
Commissioner Petracco?

COMMISSIONER PETRACCO: I have heard a lot of scuttlebutt about this you know, on web sites and around town. I would have to tell you I would like to look into it a little bit more before I give my opinion. I think what the mayor said -- when I was sitting in his chair a few years ago, which is a tough chair to sit in, I would say that it is difficult at times, you know.

When I was mayor and looking for people, it was difficult, you know, -- everybody wants to do it until it's time to do it. But saying that, I think that there are things that need to change on those boards, a few different things, and I would -- I would raise that at another time.

MS. ROSSI: Commissioner Tucci?

COMMISSIONER TUCCI: Sure. I think there is a danger in term limits. All right? Because when you have folks who are intelligent and qualified to serve, you don't want to just turn them out because their time is up. All right? But I will admit, for some folks, maybe their time should be up.

So like Commissioner Petracco, I need to investigate this a little more, because I'm kind of torn. I would love to retain the folks who have been contributing and the making the hard calls and doing the investigations and putting the time in. All right? But on the other hand,
I mean, there are some folks who have been there in the past for years and years, and they're kind of institutionalized, and I'm not necessarily in favor of that, but I'm going to -- I'm going to look into it a bit more, and I'll have a more definitive answer for you probably the next time you ask.

MS. ROSSI: Thank you.

And, Commissioner Evans?

COMMISSIONER EVANS: Yeah, Ms. Rossi, I'm similar to Commissioner Tucci. You know, the --

UNIDENTIFIED SPEAKER: (Indiscernible) closer to the mic.

COMMISSIONER EVANS: Okay. Is that better?

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER EVANS: So similar to Commissioner Tucci, it's a question that really needs a lot of thought, because like my other commissioners, if you have somebody who has invested the time to go to class, to learn and actually garner a lot of experience and, in fact, intellectual capital associated with that experience, it's very hard to replace that. Where I'm -- what I'm wrestling with is when is it obvious that someone has reached the point where they no longer have the passion to do the investigative work that's necessary to sit in our quasi-judicial board. And that's the -- like Commissioner Tucci,
that's the question that I'm wrestling with.

I agree with the mayor that volunteers are hard to come by. People who are willing to commit the time to go through each application that comes before the board, to listen to the testimony, to preserve their objectivity, but do the investigative work is -- there is -- there is a point in time when that passion wanes, and there's an opportunity to replace. I don't know if that comes with an automatic term that says it expires automatically or some type of sort of review and assessment of what somebody is doing to see whether or not they still have the capacity to serve in a very effective way.

So I have to think about that more, but that's -- I wanted to share where my head's at.

MS. ROSSI: Okay.

MAYOR SCARPELLI: But I just want to make a distinction. There is a distinction between reappointing somebody who, as Commissioner Tucci said, maybe their time is come and just automatically reappointing. So I don't think term limits really resolves that issue. I think that whoever's making the appointment -- that resolves that issue. So --

MAYOR SCARPELLI: Everybody has a term, right? So when the term is up, sometimes it's time to go.

MS. ROSSI: Right. But if you look at the number
of years that quite a few members of the Planning Board have served, it's greater than 15 years. That's a mighty long time, and I'm sure you're aware of the great changes Nutley is going through. It's no longer a -- I think it was called a sleepy community. It's far from a sleepy community.

With a density of over 9,000 per square mile, we're now becoming an urban community. With all of the developing of apartments and anticipated apartments from On3, Gene Diaz (ph) came clean, and he said the traffic behind Roche is going to be an atrocity during rush hour every evening.

MAYOR SCARPELLI: I don't think Mr. Diaz said that.

MS. ROSSI: He said there was going to be heavy traffic in the mornings. I was here. I heard him say it.

MAYOR SCARPELLI: He didn't say it was going to be an atrocity.

MS. ROSSI: It's --

MAYOR SCARPELLI: So if you're going to quote him, quote him correctly.

MS. ROSSI: Okay. But still, heavy traffic to me is an atrocity, because that intersection is not equipped to deal with heavy, heavy traffic. So that's -- it's just a part, because now, you're not only affecting Bloomfield and Kingsland, people who live in my neighborhood have to look
for other ways to get into New York. So then, that congests the rest of the town.

MAYOR SCARPELLI: I can assure you, Ms. --

MS. ROSSI: So --

MAYOR SCARPELLI: I can assure you, Ms. Rossi, that we are going to look at the traffic that's generated as On3 -- we get the full picture of what On3 is going to look like.

MS. ROSSI: But with regard to planning boards, you know, the developing that's going on in town, the infrastructure in this town isn't even set up to handle the growing population. Our schools are already at maximum capacity. You admitted that we were at the maximum capacity for water usage. And how much more can this town handle before you start compromising the quality of life? So it's just something I ask for you to consider. Thank you.

MAYOR SCARPELLI: Thank you.

COMMISSIONER PETRACCO: If I can make a comment, Mayor.

I have to tell you, Ms. Rossi, I am very concerned, and I am not -- and about the residential that might go on the Roche property. I'm a firm believer in that that was commercial property. I think there's a big influx of commercial that's coming in there, like Modern Meadow, Ralph Lauren, all that, and I have to be sold on the
residential, which I'm not right now.

And I Hear what you're saying. However, you know, the way that I feel about -- you know, at one time, Roche had 10,000 people working there in their five (ph). You know, there's a lot of businesses in that area, Franklin Avenue, including mine, on Bloomfield Avenue. You have Meal, You have the Pub there.

I could tell you when that -- when Roche closed, it hurt all those local businesses. Any businessman that I've talked to it's been really struck, you know. And I have to tell you. You know, I drove by Roche today, and I saw all those cars back in the parking lot. They have over 1,000 students in the Seaton Hall Medical School -- Seaton Hall/Hackensack Medical School, I should say.

I have people in there -- in my store from Seaton Hall. I mean, it is lovely to see that, but I hear you about the traffic and that stuff, too. So I think what we have always tried to do is strike a balance here, you know, of, you know, how do we collect tax rateables, how do we keep the taxes somewhat level where they're not rising worse than you know, they could be in.

And, you know, it was no secret when Roche left, and Commissioner Evans could tell you, you know, recite his story again that, you know, we lost a lot of rateables there. You know? So like I have always said, you can't
have it both ways. You can't say we don't want any
development and we want our taxes to just stay the same,
because the costs go up, and that's not happening.

But I have to tell you. I think that from, again, when I was the mayor here and we were working on Roche and Commissioner Tucci and all the commissioners. It was doom and gloom over -- it was doom and gloom over there.

They were saying that we were 20 years out, Commissioner Tucci?

Right, Mayor?

COMMISSIONER TUCCI: Twenty years.

COMMISSIONER PETRACCO: Twenty years out from fixing that problem, and I have to tell you. To see those cars in those lots and have companies like Ralph Lauren come in and other interested parties, it is refreshing, but again, the residential piece I am very up in the air about that on that site at this point.

MS. ROSSI: Now that you brought up taxes, you know, I think people in town have become very sensitive to the increase in taxes. And knowing --

MAYOR SCARPELLI: Ms. Rossi, just please try to finish up, because your five minutes has been about ten minutes.

MS. ROSSI: Okay, okay. Knowing that the loss in revenue we have from Roche -- is it really prudent to give
the increases in salaries to -- and some of these salaries,
I'm sorry, for town employees, are exorbitant, and I'm not
going to quote which specific positions, but there are some
that are just inexcusably high.

And, you know, at a time like this, when we're
already stretched, to give those types of raises -- people
are looking at that, and they're questioning, you know,
whose side are all of you on. Because we're struggling, and
when you -- when you work in your own silos and then, you
don't really talk to the Board of Ed. on a regular basis to
discuss what's landing on each taxpayer's plate, that also
drives the community to lose confident in the leadership.
So I just want to leave you with that note.

COMMISSIONER PETRACCO: Well, I'll comment on
public safety as far as that. And I don't know if you're
aware of this, but I'll just comment on my own department at
this time. But you know, in public safety -- and I agree
with you. I think some of the salaries are extremely high.

However, this all started happening in 1970,
Tammy. This didn't just happen with this board and all that
stuff. When arbitration, which I think you're aware of --
you know, what happens with police and fire. And back in
the '70s, I believe they were giving 6 and 7 percent
increases. Okay?

But how do we be competitive? You know, how do
you attract, you know, the talent, so to speak? You know, we have cops leaving Nutley every -- well, I can't say every day -- every year. And you know where they're going, and you know why they're leaving? Because they can make more money somewhere else.

MS. ROSSI: Well, sure.

COMMISSIONER PETRACCO: And they're going to Bergen County and --

MS. ROSSI: Right.

COMMISSIONER PETRACCO: So I don't think it's -- I don't think that the salaries -- it's fair to say that we are very generous. I mean, you know, people pretty much are getting 2 percent increases at this point. Let me just finish. Okay?

Which is below the state average. You know, for police and fire, there's towns that hold back the health contribution. Do you know the benefit that Nutley receives that all these cops -- all the town people are paying in for their benefits?

MS. ROSSI: Uh-huh.

COMMISSIONER PETRACCO: You know -- you know, that act, that law sunsetted last year with Chris Christy. So that became another negotiable item, you know, that they're allowed to do. You know, if -- you know, I went through an arbitration process. You know? And it is very difficult to
spend all that money on arbitration for attorneys and professionals to come and argue your case. By the time you get done with that, you were better off giving your guys these raises.

So I agree with you. I think that some of the salaries are quite high, but I have to say it's a state issue. I believe that, you know, Chris Christy was putting out a tool kit for all this arbitration stuff. You know, he started it. It never got finished, and it really ties your hands in negotiating with these people when you have that.

So it's not like you could just -- in the private sector, you could say, listen, you know what? This is what we're willing to pay. This is -- when you're dealing with these unions, it becomes a very entrenched proposition.

MS. ROSSI: I understand that. I realize I'm out of time. I would loved to have heard from some of the other commissioners to explain some of their employees' salaries in their departments and not me have to wait 'til the next meeting. Thank you.

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

(Pause)

MS. RABINO: I would really like to speak in defense of the workers. As a taxpayer, yeah, I'm concerned about how much money is spent, but if you look at
the salaries of, say, clerks or whoever, some of these
people have been working in the town for 20 years. So their
salaries have gone up incrementally, and they are at a
higher level.

So I don't think it's fair to -- yes, some
salaries, I think, are a little out of control. I will
admit to that, but I don't think you're being fair, as a
taxpayer, if you say these people are making too much money,
if you think of the years invested in working in the town.

MAYOR SCARPELLI: Good point.

MS. RABINO: That's all.

COMMISSIONER TUCCI: Very good point.

MAYOR SCARPELLI: Thank you.

Would anybody else wish to address the Board of
Commissioners this evening?

Seeing none, can we have a motion to continue the
meeting 'til Thursday, at 9 o'clock?

COMMISSIONER TUCCI: Do we need a motion to
continue, or we're just going to continue?

MR. GENITEMPO: You need a motion.

COMMISSIONER TUCCI: Need a motion?

So moved.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Rogers?

COMMISSIONER ROGERS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.
MADAM CLERK: The time is 8:48.
(Whereupon, these proceedings were concluded at 8:48 PM)
CERTIFICATION

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

______________________________
Nicole Yawn

Date: October 3, 2018