In The Matter Of:
Nutley Board of Commissioners

Transcript of Proceedings
November 7, 2018
Conference Session

Min-U-Script® with Word Index
TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

ONE KENNEDY DRIVE

3RD FLOOR COMMISSION CHAMBERS

NUTLEY, NEW JERSEY 07110

*** CONFERENCE SESSION ***

DATE: November 7, 2018

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR

STEVEN L. ROGERS, COMMISSIONER

MAURO G. TUCCI, COMMISSIONER

THOMAS J. EVANS, COMMISSIONER

ALPHONSE PETRACCO, COMMISSIONER

ALSO APPEARING:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
Conference Session

(Recording begins)

(Recording begins)

MAYOR SCARPELLI: Madam Clerk?

THE CLERK: Board of Commissioners Public Meeting Wednesday, November 7, 2018. The time is 7:05.

Pursuant to the requirements of the Open Public Meeting Act, Chapter 231, public law in 1975, notice of this meeting was published in a December 14th, 2017, issue 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.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.

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

MAYOR SCARPELLI: Commissioner Tucci, what do
COMMISSIONER TUCCI: So we really are going the other way? Okay. We're supposed to start with Rogers. He's not here. What do I have? Let's see. I have a Shade Tree report for the month of October and I have several resolutions.

One is to accept an offer from Marczaks, Inc. for some surplus equipment, for vehicles, old vehicles, one for $900, the other one is for $1,120.

I have an award of a contract through a fair and open process for specialized professional services for a risk manager. You can cross that off your list, Madam Clerk.

THE CLERK: I just saw it.

COMMISSIONER TUCCI: All right, for C. Walter Searle, Franklin Avenue and Nutley, for January 1, '19 through December 31st, 2020.

I have award of a contract through a fair and open process for specialized services for insurance accident and safety review, again to Walter Searle, Franklin Avenue, not to exceed $10,000. Same dates, January 1, '19 to December 31st '19.

I have award of a contract to Princeton Hosted Solutions for our analog copper telephone line through existing alarm system and fax lines from
September 1, '18 through June 30th, 2020 for a total of $47,952.

And we have an authorization for an amendment to a three-year contract with Strategic Products and Services to reflect new ownership by Converge One, Inc. effective November 6th. This is basically an assignment they were sold, so I just want to have a little paper trail.

COMMISSIONER PETRACCO: There's just one correction. On 253-18, I think it's a one-year contract, right, December 31, '19 to, January 1 through December 31? I just checked with Frank and (indiscernible).

MR. DE MAIO: Yes, I think it should be.

COMMISSIONER PETRACCO: Just to correct the typo.

COMMISSIONER TUCCI: Yes. It's usually an annual contract with the option to --

COMMISSIONER TUCCI: Yeah, with the option to extend. Right.

COMMISSIONER TUCCI: -- to renew, yes.

COMMISSIONER PETRACCO: So it's a one-year contract?

COMMISSIONER TUCCI: Yes. Yes, sir.

COMMISSIONER PETRACCO: Just wanted to make
COMMISSIONER TUCCI: Thank you. Nice catch, Frank.

MAYOR SCARPELLI: That's all you have, Commissioner?

COMMISSIONER TUCCI: Yes, that's all I have.

MAYOR SCARPELLI: Commissioner Rogers has two resolutions on. One is the World Diabetes Day, and one is authorize for a budget transfer, $25,000.

(Board members have discussion regarding dinner)

MAYOR SCARPELLI: Commissioner Evans.

COMMISSIONER EVANS: I have an ordinance introduction which is regarding pay-to-play. It's no different than the pay-to-play rules we follow under the state statute. The only thing is that is a follow-up, in order to get them state aid, the DCA is requiring us to have their -- the ordinance at least at the state level on our local books. So basically it's (indiscernible) compliance procedure to be in line with what they're requiring in order for us to have our state aid released for $4.1 million.

COMMISSIONER TUCCI: If, in the absence of us having our own pay-to-play ordinance, though, doesn't -- don't we revert to the state ordinance?

COMMISSIONER EVANS: Exactly. And this is
the same thing that the state is wanting, municipalities
to have the ordinance on their local
books. So because, if we want, locally we have the
ability to actually enact something stricter. But as
long as it's at a minimum, it's following the state
statute.

COMMISSIONER PETRACCO: And what is this? Is
this the minimum or it's the state --

COMMISSIONER EVANS: Yeah, it's the state
statute.

COMMISSIONER TUCCI: I am totally in favor of
this, but I would like to see, with some of the
surrounding communities, what they have on the books.
If we introduce, will that satisfy them to release our
money?

COMMISSIONER EVANS: That's where we're
going.

COMMISSIONER TUCCI: Okay. I'm with you
then --

COMMISSIONER EVANS: We're listening.
COMMISSIONER TUCCI: -- for introduction.
COMMISSIONER EVANS: We're listening.
COMMISSIONER TUCCI: Right.
COMMISSIONER EVANS: We're listening, and I
want to see if anybody else is going to comply with the
requirements.

COMMISSIONER TUCCI: Well, I don't have a problem with --

COMMISSIONER EVANS: It's not just -- it's not (indiscernible) of us. It's anybody who is getting transitional aid. They want all transitional aid communities to have this on their books.

MAYOR SCARPELLI: Right. Because it's quite lengthy. I'd like to see what everyone has so we're not either --

COMMISSIONER EVANS: Oh, absolutely.

MAYOR SCARPELLI: -- not as restrictive as we should be or overly restrictive.

COMMISSIONER PETRACCO: Is this just to give me the head's up?

COMMISSIONER EVANS: Yes. Given it's November --

COMMISSIONER TUCCI: Right.

COMMISSIONER EVANS: -- and they want to give us a check in December.

COMMISSIONER TUCCI: Well, then let's introduce and do it in the interim. How does that sound?

COMMISSIONER PETRACCO: Yeah, that's great.

COMMISSIONER EVANS: That sounds good.

MAYOR SCARPELLI: Does that work for you?
COMMISSIONER EVANS: God, no, absolutely.

COMMISSIONER TUCCI: Okay.

COMMISSIONER EVANS: We'll doing the homework. I've just got to start the process.

COMMISSIONER TUCCI: Okay.

COMMISSIONER EVANS: All right. So the only thing that I want to be able to say to them, yep, because they called me today and wanted to know if we were following through. And I said, yeah, it'll be on the agenda tonight. We're going to introduce.

COMMISSIONER TUCCI: And we're going to introduce.

COMMISSIONER EVANS: Which is all I said.

COMMISSIONER TUCCI: Good.

MAYOR SCARPELLI: There you go.

COMMISSIONER EVANS: I also have --

COMMISSIONER TUCCI: And that was the truth.

COMMISSIONER EVANS: Yeah, exactly. No, no, seriously. We are -- we're introducing tonight. The -- and she couldn't -- the person I spoke to couldn't tell me what other municipalities and put it on the books, so they -- but since they awarded the calendar year through the (indiscernible) so late, they're just getting caught up on it now.

MAYOR SCARPELLI: Yeah.
COMMISSIONER EVANS: So it just is what it is.

I have five resolutions as well. The first is for a request for proposals for bank services. We haven't actually gone out and surveyed our banks in a while, so we're going to update our service request and see what's out there.

The second is a change order regarding Inglesino regarding our Special Development Council. It's our first change order to -- and it's an increase of $15,000.

I have a budget transfer for $35,000, and I have two refunds of overpayments, one overpayment of taxes, the other is the release of a guaranty for Richard Williams at the medical school, and the work's been performed and we can release the funds.

That's all I have right now.

MAYOR SCARPELLI: Commissioner, on the banking services, I happened to be at a freeholder meeting about six months ago, and they had a bank in, and boy did they press them on what they were doing with their community service dollars and how they were spending them in the community, and also what they were doing to help people in foreclosure, to keep them out of foreclosure. And they pressed them pretty hard and
the bank complied. So I think there's opportunities there for -- you know, for us to figure out how they do -- you know, I know that they support different things with $500 here or $500 there, but there seems like there's a bigger pool of money for the community to benefit from.

COMMISSIONER EVANS: I agree. It's actually in the proposal. We asked them to summarize what they're supporting so that we can read it.

MAYOR SCARPELLI: Very good.

COMMISSIONER TUCCI: That's two years.

THE CLERK: Right.

COMMISSIONER TUCCI: That should only be one with an option to --

MAYOR SCARPELLI: Commissioner Petracco?

COMMISSIONER PETRACCO: Yeah, I have a couple resolutions for these abandoned properties. They're live auctions. One is December 11, 2018 at Nicolette Towing. The second one is at Twin Towing on December 11th. And then I have a budget transfer of $200,000. And I need a short executive meeting to regarding personnel. I think that'll cover it.

UNIDENTIFIED: Yeah.

COMMISSIONER PETRACCO: Okay. Then that's all I have.
MAYOR SCARPELLI: All right. I have a monthly progress report -- reports. I have introduction of two ordinances on behalf of the Board of Commissioners. One is to -- on the custodial of records, and the other is amending the fees that we charge.

COMMISSIONER PETRACCO: You know, just real quick on that one, is that the one with the Chief of Police?

MAYOR SCARPELLI: The first one.

COMMISSIONER PETRACCO: The custodial, that's the first one that you did here?

MAYOR SCARPELLI: Yeah.

COMMISSIONER PETRACCO: What -- this is the first time I actually saw the agenda tonight because I didn't have time today.

MAYOR SCARPELLI: My understanding is that --

MR. GENITEMPO: I can explain it if you want.

MAYOR SCARPELLI: Sure.

MR. GENITEMPO: If you don't mind. So we had a meeting a couple weeks ago with the clerk, with Chief, with the captain, and with Justin Marchetta of from Inglesino's office. We were going over the open issues. And Justin had recommended these two ordinances, one, because the police have such a
document production function that we have to designate one person as the custodian, but we can designate a deputy so that the chief or his assignee, whoever he wants to do it, has the authority then to respond to those requests from the department. And --

COMMISSIONER PETRACCO: Do what and OPRA request or --

MR. GENITEMPO: Yeah, an OPRA request because -- or document requests which they get a significant amount. But it doesn't make sense every time someone wants a report, to come through the clerk's office.

So he suggested introducing this ordinance to give the chief the authority to be the deputy. But ultimately the responsibility is Eleni's, so he has to report to her every month about what he's doing so that this information in the report --

COMMISSIONER PETRACCO: Before he releases information or --

MR. GENITEMPO: No. No. He has the authority to do that.

COMMISSIONER PETRACCO: Okay.

MR. GENITEMPO: But just in terms of reporting to the clerk what he's doing so that she's aware. She's the custodian.

COMMISSIONER PETRACCO: Okay.
MR. GENITEMPO: It's really more of a reporting thing, but -- and the chief thought it was a great idea because he's kind of caught in the middle sometimes, and we think it's a better way to deal with it, to clarify it.

COMMISSIONER PETRACCO: Okay, good.

MR. GENITEMPO: So we had a discussion about that (indiscernible).

COMMISSIONER TUCCI: Should it be the chief or the commissioner?

MR. GENITEMPO: Well, the day-to-day person who's handling the documents, sort of like the clerk, but over in the police department, because they really get a huge amount of requests. And sometimes they come here.

COMMISSIONER TUCCI: Right.

MR. GENITEMPO: We log them in. Every one gets a number. That same thing's going to happen over there, but the clerk will be able to log it in once Tommy advised them I got these requests and they respond to them, just a note, and she can make sure they get logged. Right? I think I'm explaining that.

THE CLERK: That's correct.

MR. GENITEMPO: So it's a way to make sure we're not -- things aren't falling into cracks, which
Conference Session

we were having a little bit of an issue with. So this is what he's saying --

COMMISSIONER TUCCI: You know, I asked that question because in our department, it's either handled by Frank or Chrissy or one of the other ladies.

MR. GENITEMPO: A different issue. A different issue because they're not supposed to be responding to OPRA because we had a discussion about that.

COMMISSIONER TUCCI: Oh, I know, but they supply the information to her.

MR. GENITEMPO: Right. That's --

COMMISSIONER TUCCI: And as long as they know, I'm kept in the loop.

MR. GENITEMPO: Correct. But they're not out of the loop.

COMMISSIONER TUCCI: Right.

MR. GENITEMPO: They're not out of the loop. They're still going to be responsible for their department's documents. But this is in terms of the separate problem the police department has relative to documents, because they get inundated. This is not the same as what every other department gets for OPRA requests. Usually you'll get your OPRA requests through Eleni. It comes here and then she'll send it
to your department. She can log it and keep track of it, and then she refers it to your department head, who's then responsible for responding.

This is a little bit different because the requests go directly to the police department, and we need to be able to give him authority to handle them yet keep the clerk alert as --

COMMISSIONER PETRACCO: Is this like police reports and stuff like that?

COMMISSIONER TUCCI: Why is that though? Why wouldn't they all go through her?

MR. GENITEMPO: Because there's a different -- under the state statute regarding police reports and documents and things --

COMMISSIONER TUCCI: Right.

MR. GENITEMPO: -- they really should be handling this OPRA request. But it's kind of like a hybrid, and so, you know, just --

COMMISSIONER EVANS: Is that because of confidentiality?

MR. GENITEMPO: Not necessarily, just in terms of it's a public document and is it subject to OPRA or is it not. Sometimes we have issues where we shouldn't release things.

COMMISSIONER TUCCI: I mean, it's --
MR. GENITEMPO: If it's a minor or a juvenile information, if it's a report, we can't release it. So, you know, we want to be able to coordinate and work together to make sure we're not violating that exception to the OPRA statute.

So this gives us -- kind of gives the chief -- it actually gives him authority. It doesn't take it away. And it just requires that he communicate with the clerk with what he's doing. So the chief, Chief Strumolo, thought it was a good idea. He liked the idea, and so that's why we put it out there.

And the other one is just fees.

COMMISSIONER PETRACCO: And this is for the introduction, right?

UNIDENTIFIED: Yes.

COMMISSIONER PETRACCO: Okay.

MR. GENITEMPO: Yes, it's for introduction. And the other one is fees. You know, we want to be sure that we're at the current fee rate that's set by statue. So we're just updating and putting that into the ordinance so we can -- if there are fees to be charged for OPRA requests, we can charge the current allowable fees.

COMMISSIONER PETRACCO: So just so I understand how this is going to work, I mean, our
chief, is he trained in OPRA?

MR. GENITEMPO: Well --

COMMISSIONER PETRACCO: I mean, because the only own question that I have, and why I hesitate to even introduce this tonight is that if he's going to release the documents before and just kind of give her a report at the end of them month, I could understand it more if she's our OPRA point person -- you know, she's trained in OPRA -- that he could say, okay, yeah, you know, we're going to release these documents, but --

MR. GENITEMPO: Well, the answer is he is trained. Okay? And, you know, we tried to develop the process internally so we could handle the problems, the ones that are difficult. Some of them -- most of them are just general mundane requests. And that's where things get bogged down. So we don't want to -- we want to give him the authority to deal with it. Anything complicated, the chief's always calling me or the clerk, and we collaborate on -- and Justin, too, from Inglesino's office. He's an expert. So it's actually been working pretty well. I think it's been really much more efficient and we're much more sure of ourselves in terms of how we can handle it.

You know, if you want to introduce it, we can
discuss it and if there's any other questions, we can absolutely sit down with the chief, if you want.

COMMISSIONER EVANS: And so the procedure's already in place.

(Simultaneously speaking)

MR. GENITEMPO: Pretty much, yeah. We've been --

COMMISSIONER EVANS: It seems like this is putting it --

MR. GENITEMPO: Right.

COMMISSIONER EVANS: Memorializing it.

MR. GENITEMPO: And the second one is the fees. That's just, you know, what we need to clean up our coordinates on that.

COMMISSIONER TUCCI: So let me understand this. We have the clerk, obviously, who does the OPRA requests. We have the chief, who's the backup, for lack of a better term. And then we have this Justin person from Inglesino's office doing OPRA?

MR. GENITEMPO: No, he's not -- no, he's just handling some legal questions for us on occasion because some of them -- you know, I don't deal with OPRA every day. He's a -- he does OPRA all the time. He's an expert. So we've collaborated with him on some of the issues. He's very knowledgeable. So he's kind
of helped us kind of straighten out. And he said we haven't designated a custodian, which we should do. That's what the ordinance should really do.

COMMISSIONER TUCCI: Right.

MR. GENITEMPO: The second part of the ordinance is to just name the chief as --

COMMISSIONER TUCCI: Did we retain him to do that? I know we retained him for development, you know, issues and things like that and to deal with COAH, but this one's a little new me.

COMMISSIONER EVANS: It's been -- he's been -- mostly OPRA requests revolving around Roche, Hoffmann-LaRoche, which is consistent with what they've been retained to do. But I'm looking at how we expand that as we go forward. So the answer is overall, he's part of the existing agreement with Inglesino's office as special counsel related to Roche because that's where some of these questions have come up. But it may expand into some of these other areas, which, then I would have to do a resolution.

MR. GENITEMPO: Yeah. ELeni and I are still dealing with it, but it's just a matter -- he's been very helpful to us in the last couple times, very, very helpful. So I don't know if it's going to continue or whether we're going to need to continue or not, but
just from that short term, he's been very good. And a lot of those issues are really --

COMMISSIONER PETRACCO: Justin's excellent.

I've worked with him, and he's --

MR. GENITEMPO: Yeah, I think you met him.

COMMISSIONER PETRACCO: I have met him and he's very good.

MR. GENITEMPO: So that's --

COMMISSIONER PETRACCO: The only thing -- the only question that I have is like, I mean, are we going to start doing this like in every department or just --

COMMISSIONER EVANS: No.

COMMISSIONER PETRACCO: Why could -- so in other words, Public Safety is the department that gets the most OPRA requests or because of the records and all that or --

MR. GENITEMPO: We get the most -- the clerk gets the most OPRA requests, but it's a special problem for the police.

MADAM CLERK: They're different kinds of records.

MR. GENITEMPO: Yeah, they're different kinds of records. It's more like police-related records.

I'll give you a different example. We got an OPRA request here for a copy of their SWAT response.
policy/procedure. They're not producing, right. It's a safety issue.

(Simultaneously speaking)

MR. GENITEMPO: Do you understand? So obviously that's not the kind that he would. This was dealt with here with; we collaborated, we came up with a decision, and we couldn't produce it.

So those are unusual requests. That actually came here first.

MADAM CLERK: First.

MR. GENITEMPO: Normal procedure is it comes here and we send it to the department heads. But in the situation the police records, there are so many requests: CAD reports, police reports, you know, all kinds of discovery. And so he felt it streamlines it; it's make it a more efficient policy.

So I can -- if you want to have him here next time, I could have him maybe explain it if there's anything else that it's related to. You want to meet in between?

COMMISSIONER PETRACCO: Well, I'll talk to him tomorrow about it.

MR. GENITEMPO: Okay. You can (indiscernible).

COMMISSIONER PETRACCO: I just wanted to make
Conference Session

sure that the information that we're giving out, because a lot of times it has to be -- deals with juveniles.

MR. GENITEMPO: Yeah, no.

COMMISSIONER PETRACCO: I had a mother call me up, a friend of a friend, and, you know, and I talked to you about that, Eleni, that her son was getting calls from a lawyer because he was in an accident. How did they get -- he was underage, how did he get the number, all that stuff, so I know it gets kind of complicated. And I just want to make sure our chief has the time to --

MR. GENITEMPO: That's a little different.

COMMISSIONER PETRACCO: -- and I want to make sure that it's the chief and not somebody that he's going to appoint to do that.

MR. GENITEMPO: Well, that's why we want to -- we want to put him in charge of it, so he can designate, in his department, who he wants to handle it.

COMMISSIONER PETRACCO: Well, that's what -- that's where -- that's what I have a little issue with, to be honest with you. That's why --

MADAM CLERK: Al, that's the company who buys the accident --
MR. GENITEMPO: Yeah, there's a company that buys accident reports and sends out --

MADAM CLERK: Yeah, that's --

COMMISSIONER PETRACCO: No, I remember. I remember.

MR. GENITEMPO: That's not violation of confidentiality or --

COMMISSIONER PETRACCO: I just want to be certain that we're releasing the information, especially when it comes, you know, with these acts and incidents, juveniles and all that stuff, so it's important.

MR. GENITEMPO: Well, we've denied some records because of the -- they're juvenile records. So, you know, we're aware of that. And the chief's well trained on it. He's been trained on it.

COMMISSIONER PETRACCO: Okay.

MAYOR SCARPELLI: Continuing, I have two on the agenda, two public hearings that were scheduled for tonight. The first one is density ordinance. I had a meeting with the two planners in trying to resolve some of the issues with what the Planning Board recommended and trying to get them into the ordinance in a cohesive way that's not conflicting with some other parts of the ordinance. It's getting a little complicated, but I
think that we'll get it down a little bit better. And so we just need a little bit more time. And I know the commissioners have given Alan some comments too. So I think we're going to table that and re-introduce.

COMMISSIONER EVANS: Joe, are we still planning on having the planner come here to --

MAYOR SCARPELLI: Come here, yes, to explain. But gave him the ordinance to look at and had a discussion around -- and it was actually a good discussion with Paul and with Phil Abramson and, you know, just getting their -- how we should word it in a more cohesive manner because I think some of the narrative that the Planning Board put in made it more confusing than simple. So we need to make it more simple so it's understandable and so that something written doesn't conflict with something else that's in the schedule in another zone. So there were many conflicts that they pointed out as we were going through it. So I think, you know, before --

COMMISSIONER PETRACCO: That's a good idea to --

(Simultaneously speaking)

MAYOR SCARPELLI: Yeah, we'll have him in here to explain, absolutely.

COMMISSIONER TUCCI: Yeah, because I'm not
comfortable voting on this without --

MAYOR SCARPELLI: Oh, no -- and, listen, I could tell you some -- some of the things they do agree on is the 28 units, they're pretty much in agreement with. The 70/30 --

COMMISSIONER TUCCI: The number of bedrooms?

MAYOR SCARPELLI: The 70/30, not so -- they're not in agreement with that.

COMMISSIONER EVANS: And how do we get side yards on Franklin Avenue?

COMMISSIONER TUCCI: Wow, that's a -- yeah.

MAYOR SCARPELLI: That's the biggest -- listen, the biggest issue was all the setbacks and the bulk requirements. They were all explained narratively and they really should be in numbers, and just so we made clear and that -- so that they don't conflict with the other numbers. The other was a --

COMMISSIONER EVANS: Yeah, there's a (indiscernible) they're going to make almost every building on Franklin Avenue a non-conforming use.

MAYOR SCARPELLI: The size of the one-bedroom apartment at 950, they both felt was a little large.

COMMISSIONER EVANS: Well, good.

MAYOR SCARPELLI: And it is a little large.

COMMISSIONER EVANS: Well, that's -- there's
another one.

MAYOR SCARPELLI: So that's some of the things that we still have to parse out.

COMMISSIONER EVANS: Good. So they're going to --

MAYOR SCARPELLI: They'll put it into some sort of form that makes sense and then we'll come back here. We'll reintroduce it and have them explain it.

MR. GENITEMPO: We'll get it to you beforehand so you can --

MAYOR SCARPELLI: Yeah, absolutely.

COMMISSIONER TUCCI: Right, okay.

COMMISSIONER EVANS: That would be great.

MAYOR SCARPELLI: And then the water ordinance I'm going to move to that public hearing, to the next meeting. Commissioner Tucci met with some of the staff of the DPW. I think they're going to be de minimis changes, but we'll get them to Alan just to make sure, and hopefully we can have a public hearing on those.

COMMISSIONER TUCCI: And they were both -- Sal and Niko were both very good. They clarified a lot of the questions that I had and I think our discussion centered around making it a lot clearer so that there weren't gray areas that were subject to interpretation.
COMMISSIONER PETRACCO: I just have a quick question, Mr. Mayor, when you do this. I know that like about a fee -- like there's $3 per household, all that stuff. What they do, like, with the -- why wouldn't you just build that into the water rate? Why do we have to do it that way? And what do they do in other towns?

MAYOR SCARPELLI: I don't know what they do in other towns. I know that there are maintenance fees in other towns, but what we found right in this last year, is that we have fixed costs and when our consumption comes down, we come up short. Now, we could build that into that rate, but I think that this is -- if we can allocate what our fixed costs are and what that maintenance fee is going to cover, I figured that leaves that fluctuation out when we do have a decrease in consumption, where we're short revenue.

COMMISSIONER EVANS: So just so I'm clear, under our water contracts, we contract for a certain amount of water at a certain rate and we have to pay that. Yeah. And whatever that contract use is, whether we use it or not, we have to pay that.

MAYOR SCARPELLI: Right.

COMMISSIONER EVANS: But then when you actually measure how -- you know, metering how much
water is being used, if it's less than that, we're collecting less revenue against that fixed cost.

    MAYOR SCARPELLI: Right.

    COMMISSIONER EVANS: So if we pay out a dollar and the usage is 75 cents, we're short 25 cents. Is that --

    MAYOR SCARPELLI: Pretty much it.

    COMMISSIONER EVANS: All right. Just want to be clear.

    COMMISSIONER TUCCI: What we also discussed was, I asked them if they could go back three years, all right, because there's a certain amount that we've been charging people to make different repairs, according to them. So I said, well, let's find out what that number is, all right, to make sure that that $3 or whatever that number -- whether that's an appropriate number.

    MAYOR SCARPELLI: So what is also does too, is, besides that -- and they -- what is happening is that the consumer -- we won't call them "taxpayer" -- consumer is responsible from the main to the house. And what we're going to do is we're going to clarify that with that $3 surcharge, is that now the Township's going to be responsible to the curb line.

    And one of the -- when this was originally
proposed, one of the things that we wanted to do is those that have lead lines and stuff, we wanted to have the ability to go in there and change them. If the consumer is responsible, they may be hesitant, even though there's a lead line, to spend the money to replace that line. So it's definitely -- it could decrease the water quality going into the consumer's house. So why leave that on them? You know, let's take that over and be proactive.

COMMISSIONER EVANS: I had to do that twice (indiscernible).

MAYOR SCARPELLI: So there's a lot of things. And I'll explain it more when we get to that point.

COMMISSIONER TUCCI: But we're going to have a baseline as to what our expenses are and what they need to be moving forward because this is not -- the way it was explained, this is not just a revenue grab, you know, to try and build up a little pot of money to be used, you know, in the water department. It's just to cover those costs because the way it is now -- and I know that the ordinances, going back, needed a lot of clarification because there were many, many gray areas. And right now from the main to the curb stop, which is the shutoff, all right, if someone has an issue there, they have the exposure of being charged for that. And
we have no way of recouping any of that money.  

So that's part of the reason why this ordinance is necessary. All right? But again we only want to raise -- and correct me if I'm wrong, Mayor -- we only want to raise what's absolutely necessary, all right, because we're not looking to be overly zealous in collecting the water bills.

MAYOR SCARPELLI: Realizing we have 350,000 shortfall.

COMMISSIONER TUCCI: Yes.

COMMISSIONER EVANS: But it does -- yes, which if we had included it in the property tax increase, yes, we could have avoided it. Does it -- it still only addresses the commercial rates?

MAYOR SCARPELLI: Yeah, the different, yes, for different size --

COMMISSIONER EVANS: Right.

MAYOR SCARPELLI: -- water meters --

COMMISSIONER EVANS: Right, right.

MAYOR SCARPELLI: -- different charges.

COMMISSIONER TUCCI: And the charges, they're going to also specify the charges, the things that we're going to, "we" being the water department, and what we're going to charge people who have it done by outside contractors, by non-Nutley employees. All
right? Then there are other expenses, road opening permits and things like that of that nature that need to factor into that.

COMMISSIONER EVANS: Yeah, that's good.

MAYOR SCARPELLI: And included in that, there'll be no -- right now we charge to shut off. There will be no charge to shut off.

COMMISSIONER TUCCI: Right. I was very happy to see a lot of those initial charges, you know, were --

MAYOR SCARPELLI: Yeah, and then -- yeah, and anything -- then anything new, that's new construction, that's -- then they'll be charged. It's a different story.

COMMISSIONER EVANS: Just so it's clear, you know, we've had a cooler summer. You know, consumption, revenue, you know --

MAYOR SCARPELLI: And rain, Commissioner. Don't forget the rain.

COMMISSIONER EVANS: And rain. Rain, right?

COMMISSIONER TUCCI: We're all praying for a very hot summer.

COMMISSIONER EVANS: Right. Right.

COMMISSIONER TUCCI: With very little rain. For a lot of reasons.
COMMISSIONER EVANS: Right. But you know, Commissioner, you've done a lot to address the costs in the water utility and I'm just saying is that -- we had it included in the property tax increase, the shortfall in the water utility this year. I'd like not to do that next year.

COMMISSIONER TUCCI: Me too.

COMMISSIONER EVANS: So it's important I think we get these set.

MAYOR SCARPELLI: Right. So on to resolutions. I have --

COMMISSIONER EVANS: Respectfully.

MAYOR SCARPELLI: -- municipal parking permit refund. I have authorization for various raffle licenses. I have a resolution to adopt the employee handbook. And --

COMMISSIONER PETRACCO: Is my handbook we're talking about? Okay.

MR. GENITEMPO: I didn't put your name on it, but yes, you are the -- sort of the genesis behind it.

COMMISSIONER PETRACCO: Just curious when I saw it.

(Simultaneous speaking)

MR. GENITEMPO: I spoke to the --

COMMISSIONER PETRACCO: I'll defer to the
mayor.

MR. GENITEMPO: May I say something?

MAYOR SCARPELLI: Yeah. You're the attorney.

MR. GENITEMPO: I didn't want to interrupt you.

COMMISSIONER EVANS: No, you can't have (indiscernible).

MR. GENITEMPO: This is --

(Simultaneous speaking)

MR. GENITEMPO: -- or, you know, this is, you know, from the mouth, for the most part, the two handbooks, one for supervisors, one for employees. So it did take a lot of time to mold it to our particular requirements, but I know some of the commissioners want to have a chance to read it a little closer. So there's drafts in your handbooks. I had emailed them to you, I don't know, probably two weeks ago. There's been some very minor changes here to comply with best practices in one of the areas. But for the most part, you know, let me know if you have any other comments; I'll make them. I don't know if you want to hold off until the next meeting and have a chance to look at it, but the treasurer and the clerk and I have gone through and we made some changes resulting from that, which you have in the handbook.
But it's pretty thorough and it's going to
meet the requirements of the MEL and JIF --

MAYOR SCARPELLI: Do we have any time
constraints on this?

MR. GENITEMPO: No, I think if we can do it
at the next meeting, we'll be fine.

MR. PETRACCO: I think by the end of the
year, isn't it?

MR. GENITEMPO: Yeah, and we want to try to
distribute it by December 1st, so we've got to talk
about how we're going to copy it and deal with it,
but --

MAYOR SCARPELLI: So I'll pull it, then we'll
put it on the agenda for the next meeting. All right?
Give everybody a chance to go through it.

COMMISSIONER EVANS: Could we also just be
clear and have what -- I'd like to understand, you
know, better we agree on -- what's the plan on how
we're going to release this to the employees and
address questions because, obviously, there's changes
to it. There's a lot of updates to it and I think we
should think about how -- what's the way we want to do
it. Rather than just saying, here, sign it, right, is
there something that -- something more that we need to
do to help them better understand what's in the manual,
what the changes are in the manual, and what some of
the expectations are that are associated --

MAYOR SCARPELLI: Questions of
Mr. Genitempo.

COMMISSIONER EVANS: Yeah, exactly.

MR. GENITEMPO: Well, I mean --

COMMISSIONER EVANS: And I think Alan should
prepare a slideshow that's (indiscernible).

(Simultaneous speaking)

MR. GENITEMPO: Here's another thought, if
you want to think about it. I wanted to have a meeting
with the department heads anyway because part -- one
manual is really for them. But there's some changes in
the law that we should really have a discussion about,
sick leave policy just changed as of October 29th, that
I think all your supervisors -- department heads and
supervisors need to know about and need to know how to
handle issues internal to their department. So I'd
like to schedule a meeting so maybe either before or
after the next meeting we could have -- I could sit
with your department heads and go over everything with
them and either they can distribute it or I can meet
with each department separately, I just don't know how
logistically that's going to work but we can do that
and cover the whole thing.
But the -- I think the supervisors have got to be first.

MAYOR SCARPELLI: Alan --

COMMISSIONER EVANS: That make sense.

(Indiscernible).

(Simultaneous speaking)

COMMISSIONER PETRACCO: I have it right here, but there is drug policies in there as well?

MR. GENITEMPO: Yeah.

COMMISSIONER PETRACCO: And, I mean, because we just went -- well, I'm going through that with police and fire and all that stuff. And then who administrates it, what's the policy. I know it gets from, like, this (indiscernible) to bigger than --

MR. GENITEMPO: Here's the problem with -- from your department's, say from anybody in a collective bargaining agreement. That -- the requirements in the collective bargaining agreement supercede the handbook.

COMMISSIONER PETRACCO: Okay.

MR. GENITEMPO: Okay? To the extent they don't cover it in the collective bargaining agreement, then the handbook applies. So these are mandated policies by the MEL to give us coverage. So we don't have a lot of wiggle room in terms of
changing the language. It's what they want.

COMMISSIONER PETRACCO: So that's my question. So if this policy is more stringent than what they have negotiated in place, you know, I mean, we were just going through how many panels of drug testing to test for and what drugs are allowed and, you know, medications and things like that, so it gets complex. So I know in the police department, you know, we have our internal affairs guy that administers the test and there's witnesses and all kinds of procedures of how they do it and all that stuff, so, I mean, you know, if you're going to it parks and rec, who's that person, do they, you know --

MR. GENITEMPO: And different from the police is you have the attorney general guidelines that cover a lot of that too, so your collective bargaining agreement --

COMMISSIONER PETRACCO: But not all of it.

MR. GENITEMPO: No, not all of it.

COMMISSIONER PETRACCO: Not all.

MR. GENITEMPO: But your collective bargaining agreement and your attorney general guidelines would supercede this document. And to the extent this -- that -- it's not covered by this doc -- in other words, to the extent your handbook -- or I'm
sorry, your collective bargaining agreement doesn't address an area in the handbook, the handbook would apply.

Now, when it comes to overall drug policy testing, your collective bargaining agreements are going to apply. If they're not discussed -- I'm not sure about your agreement -- then this would apply. It gives you the power to do exactly what you bargained. We'll look at it and we can talk about it and we can --

COMMISSIONER PETRACCO: Yeah, I'll look at it.

MR. GENITEMPO: -- talk about it and we could, you know, at least go back and forth on the contracts to see if there's anything you want to add. But it's --

COMMISSIONER PETRACCO: On the contract, though, they're negotiable. That's my point.

MR. GENITEMPO: No, no. Your contract is set right now, so you have a contract.

COMMISSIONER PETRACCO: The fire is --

MR. GENITEMPO: But you're exist -- you're working off the existing contract.

COMMISSIONER PETRACCO: Right.

MR. GENITEMPO: If you want to do a new contract, you could even implement the language that's
COMMISSIONER PETRACCO: Okay.

COMMISSIONER TUCCI: And we're also investigating a human resources component that I know we spoke about, you know, during the reorganization back in '16, or because of budgetary reasons and other issues, we really didn't move on, but it's something that we're investigating and looking at so that we will have one point of contact so that everything is reconciled and everything is cohesive and we're speaking with one voice.

MR. GENITEMPO: One of the problems with doing this handbook, and why it was a little more difficult, is our form of government.

MR. TUCCI: Yes.

MR. GENITEMPO: So you'll see in each section a requirement as to who gets reported to where, who has responsibility for what, and it's different than in most other towns. So you should look at that to see if it's what you really want to happen in your departments, or gen -- it really should be town-wide. It can't -- you shouldn't do it in your department differently than everybody else's department because you can --

COMMISSIONER TUCCI: Right. Well, that's the
purpose of --

MR. GENITEMPO: Yeah.

COMMISSIONER TUCCI: -- investigating that -- that whole component. Right.

MR. GENITEMPO: But the way it is now, it's consistent, but you've got to tell me if that's really what you want to do, or if you're going to have a human resource person for the entire town, then we could change the language.

COMMISSIONER EVANS: I think we need it for the entire town. I mean, one point person --

MAYOR SCARPELLI: Well, we -- don't forget --

COMMISSIONER EVANS: -- if we're going to do that. Don't you agree?

COMMISSIONER TUCCI: Yeah, actually I do. But we need to reconcile that amongst ourselves so we're -- you know, we're not in conflict with anything that we're doing or anything that we're looking to do, you know, moving forward.

MR. GENITEMPO: Right. And this handbook can be amended at anytime at your own discretion. It doesn't need to do anything but just a resolution adopting the change. So -- and you don't have to change the whole document. You can change one provision and issue it to all employees. You don't
have to reprint the whole thing and send it out. If
you want to change a section, you can do that. All
right? So we can pretty flexible that way. Thank you.

MAYOR SCARPELLI: One last thing. I have
authorization of award for Tilcon for resurfacing of
Highfield Lane.

COMMISSIONER PETRACCO: Is it on public service,
and I'm sure you know this, all the streets that
they're doing on our west side, they're paving curb to
curb?

MAYOR SCARPELLI: No. It will be negotiable
the same way we did on the other side.

COMMISSIONER PETRACCO: Negotiable? What's the
criteria for them to do it, like with --

MAYOR SCARPELLI: It's whatever they dug up.

COMMISSIONER PETRACCO: No, but I'm saying like
just it's a street that doesn't have nothing to do with
(indiscernible).

COMMISSIONER TUCCI: Land zone?

COMMISSIONER PETRACCO: But I'm saying like
where they made those little alleyways to lay that
pipe, when they paved that, that's case closed or --

MAYOR SCARPELLI: (Indiscernible) negotiable
from crown to curb where they dug up on that side of
the street. If they dig up on both sides of the
street, then the whole street gets it. But there's
credits. There's also (indiscernible). I mean, we did
a pretty good job on the other side of town I think as
far as getting everything done. Highfield Lane is one
of those areas that they only did half, that we're
going to do the other half because it looks horrible.
I mean, it's falling apart on the other half, so it
needs to be done.

COMMISSIONER TUCCI: And they're a little
tricky, too, because we tried to coordinate with them,
you know, so when they were paving, instead of just
doing half, doing the whole thing and --

MAYOR SCARPELLI: Trading off, right.

COMMISSIONER TUCCI: Right, exactly.

MAYOR SCARPELLI: That's what I'm saying,
it's --

COMMISSIONER TUCCI: But it didn't quite work
out.

MAYOR SCARPELLI: Yeah. That's --

COMMISSIONER TUCCI: The concept was good.
The execution was a little lacking.

MAYOR SCARPELLI: It's -- we did okay last
year. We did okay that the person in public service
said he got his -- the riot act read to him how -- what
he did in Nutley, so that's a good thing for us.
Madam Clerk, what do you have?

THE CLERK: Yes, Mayor. We have minutes for September and October that need to be approved, and we have a request to hold a Sunday raffle from the Nutley Singers -- the Friends of Nutley Singers for March 10, 2019, and that's it.

MAYOR SCARPELLI: Mr. Genitempo?

MR. GENITEMPO: I have one potential litigation issue in the executive session.

MAYOR SCARPELLI: All right. So let's have a motion to go to the executive for personnel and --

MR. GENITEMPO: Potential litigation.

COMMISSIONER PETRACCO: Move it.

MAYOR SCARPELLI: -- potential litigation.

Everybody, on your way out, grab a piece of pizza. I don't know how long we're going to be here.

COMMISSIONER PETRACCO: Joe, you only touched your pie.

MAYOR SCARPELLI: I know.

COMMISSIONER PETRACCO: Everybody grab a piece.

MAYOR SCARPELLI: Well, it's -- those are big pies.

THE CLERK: I just need a second.

MAYOR SCARPELLI: Those are big pies.

THE CLERK: No, no, I need a second.

MAYOR SCARPELLI: Motion.
COMMISSIONER TUCCI: Oh, a second. A second.

Okay.

THE CLERK: All right. Okay. Whereas,

Section 8 of the Open Public Meetings Act, Chapter 231
public law 1935 permits the exclusion of group for
meeting in certain circumstances;

And, whereas, the public body is of the
opinion that such circumstances exist;

And, whereas, the Board the Commissioners of
the Township of Nutley, in the County of Essex, State
of New Jersey, desire to proceed to a 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 potential
litigation and personnel.

Be it further resolved that at a time when
such discussion may be disclosed to the public shall be
when and 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?

(Indiscernible crosstalk)
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: What do you need?
MAYOR SCARPELLI: Aye.
COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

(End of requested portion)

* * * * *
I, Ilene Watson, do hereby certify that the foregoing is a correct transcript from the electronic sound recording provided for transcription and prepared to the best of my professional skills and ability.

______________________________  November 21, 2018
Ilene Watson
AAERT Cert. No. 447
Certified Court Transcriptionist
Nutley Board of Commissioners

Conference Session

Transcript of Proceedings

9:9;19:8
Diabetes (1)
5:8
different (17)
5:14;10:3;14:6,7;
15:4,12;20:20,22,24;
22:13;28:13;30:15,
16:20;31:13;37:14;
39:18
differently (1)
39:23
difficult (2)
17:15;39:14
dinner (1)
5:10
directly (1)
15:5
disclosed (1)
44:18
disclosure (1)
44:19
discovery (1)
21:15
discussion (1)
40:21
discuss (2)
18:1;44:15
discussed (2)
28:10;38:6
discussion (8)
5:10;13:7;14:8;
24:9,10;26:23;35:14;
44:18
distribute (2)
34:10;35:22
doc (1)
37:24
document (5)
12:1;9:15:22,37:23;
40:24
documents (6)
13:12;14:20,22;
15:14;17:6,10
dollar (1)
28:5
dollars (1)
9:22
done (4)
30:24;32:2;42:4,8
down (4)
17:17;18:2;24:1;
27:12
DPW (1)
26:17
drafts (1)
33:16
DRIVE (1)
1:2
drug (3)
36:8;37:5;38:4
drugs (1)
37:6
dug (3)
41:15;24,25
during (1)
39:5
E
example (1)
20:24
exceed (1)
3:21
excellent (1)
20:3
except (3)
2:22
exception (1)
16:5
exceptions (1)
44:22
exclusion (1)
44:5
excused (2)
1:23,13
execution (1)
42:21
executive (5)
10:21;43:9,11;
44:11,15
exist (2)
38:21;44:8
existing (3)
3:25;19;16;38:22
expand (2)
19:14,19
expectations (1)
35:2
expenses (2)
29:15;31:1
expert (2)
17:21;18:24
explain (6)
11:18;21:18;24:7;
24:26;8:29:13
explained (2)
25:14;29:17
explaining (1)
13:22
exposure (1)
29:25
extend (1)
4:20
extent (3)
36:21;37:24,25
F
factor (1)
31:3
fair (2)
3:10,18
falling (2)
13:25;42:7
far (1)
42:4
favor (1)
6:11
fax (1)
3:25
fee (3)
16:19;23:7,15
fees (7)
11:5;16:12,18,21,
23:18;13:27:9
felt (2)
21:15;25:22
figure (1)
10:2
figured (1)
27:15
file (1)
2:11
find (1)
28:14
fine (1)
34:6
fire (2)
36:12,38:20
first (9)
9:3;10;11;10:12,15;
21:9;10:23;20:36:2
five (1)
9:3
fixed (3)
17:11,14;28:2
flexible (1)
41:3
FLOOR (1)
1:3
fluctuation (1)
27:16
follow (1)
5:14
following (2)
6:5;8:9
follow-up (1)
5:16
foreclosure (2)
9:24,25
forget (2)
31:19;40:12
form (2)
26:7;39:14
forth (1)
38:13
forward (3)
19:15;29;16:40:19
found (1)
27:10
Frank (3)
4:12;5:3;14:5
Franklin (4)
3:16;21:25:10,20
freeholder (1)
9:19
friend (2)
22:6,6
Friends (1)
43:5
function (1)
12:1
funds (1)
9:16
further (1)
44:17
G

gave (1)
24:8
gen (1)
39:21
general (3)
17:16;37:15,22
genesis (1)
32:20
GENITEMPO (71)
1:18;11:18;20:12,8;
19:22;13:1,7,11,17;
24:14;6,12,15:18;
15:12,16,21,16:17;
17:2;12:18;6,10,12;
20:19;5:21;20:5,8,17;
22:21,4:11,23;22:4,
13:17;23;1,16;32:6;
32:19;24,33:2,4,8,10;
34:5;9,35:4,6;10:36:9,
15:21;37:14,19,21;
38:12,18,21;24:39;12,
16:40:2,5;20;43:7,8,
12
gets (9)
13:18;14:23;20:14,
18:22;10:36;13:37:7;
39:17;42:1
Given (2)
7:16;24:3
gives (4)
16:6;6,7;38:8
giving (1)
22:1
God (1)
8:1
good (16)
7:24,8:14;10:10;
13:6;16;10;20:1,7;
24:9,20;25:23;26:4,
22;34:4;23:3,20:25
government (1)
39:14
grab (3)
29:17;43:14,19
gray (2)
26:25;29:22
great (3)
7:23;13:6;26:13
group (1)
44:5
guaranty (1)
9:14
guidelines (2)
37:15,23
guy (1)
37:9

Min-U-Script®

Rizman Rappaport (973)992-7650
"When every word counts"
<table>
<thead>
<tr>
<th>Nutley Board of Commissioners</th>
<th>Conference Session</th>
<th>Transcript of Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>半 (4)</td>
<td>interrupt (1)</td>
<td>kinds (4)</td>
</tr>
<tr>
<td>42:5,6,7,12</td>
<td>33:4</td>
<td>20:20,22:21:15;</td>
</tr>
<tr>
<td>hall (1)</td>
<td>into (10)</td>
<td>37:10</td>
</tr>
<tr>
<td>handbook (10)</td>
<td>23:23;26:6;27:5,13;</td>
<td></td>
</tr>
<tr>
<td>32:16,17;33:25;</td>
<td>29:7;31:3;44:15</td>
<td></td>
</tr>
<tr>
<td>36:19,23;37:25;38:2,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2:39;13:30;20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>handbooks (2)</td>
<td>introduce (6)</td>
<td>litigation (4)</td>
</tr>
<tr>
<td>33:12,16</td>
<td>6:14;7:21;8:10:12;</td>
<td>43:9,12,13:14:16</td>
</tr>
<tr>
<td>handle (5)</td>
<td>17:5,25</td>
<td></td>
</tr>
<tr>
<td>15:6;17:14,24;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22:19,35:18</td>
<td>introducing (2)</td>
<td></td>
</tr>
<tr>
<td>14:4</td>
<td>8:19;12:12</td>
<td></td>
</tr>
<tr>
<td>handling (3)</td>
<td>introduction (5)</td>
<td></td>
</tr>
<tr>
<td>happen (2)</td>
<td>16:14,17</td>
<td></td>
</tr>
<tr>
<td>13:18:39:20</td>
<td>inundated (1)</td>
<td></td>
</tr>
<tr>
<td>happened (1)</td>
<td>14:22</td>
<td></td>
</tr>
<tr>
<td>9:19</td>
<td>investigating (3)</td>
<td></td>
</tr>
<tr>
<td>happening (1)</td>
<td>39:4,8;40:3</td>
<td></td>
</tr>
<tr>
<td>28:19</td>
<td>issue (9)</td>
<td></td>
</tr>
<tr>
<td>happy (1)</td>
<td>2:8;14:1;6;7:21;2;</td>
<td></td>
</tr>
<tr>
<td>31:8</td>
<td>22:22;25:13;29:24;</td>
<td></td>
</tr>
<tr>
<td>hard (1)</td>
<td>40:25</td>
<td></td>
</tr>
<tr>
<td>9:25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>heads (4)</td>
<td>issues (8)</td>
<td></td>
</tr>
<tr>
<td>head's (1)</td>
<td>19:9;20;2:23:22;</td>
<td></td>
</tr>
<tr>
<td>7:15</td>
<td>35:18;39:7</td>
<td></td>
</tr>
<tr>
<td>head (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15:2</td>
<td>late (1)</td>
<td></td>
</tr>
<tr>
<td>help (2)</td>
<td>8:23</td>
<td></td>
</tr>
<tr>
<td>9:24;24:34:25</td>
<td>law (2)</td>
<td></td>
</tr>
<tr>
<td>helped (1)</td>
<td>2:7;35:14</td>
<td></td>
</tr>
<tr>
<td>19:1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>helpful (2)</td>
<td>lawyer (1)</td>
<td></td>
</tr>
<tr>
<td>19:23:24</td>
<td>22:8</td>
<td></td>
</tr>
<tr>
<td>Herald (1)</td>
<td>lay (1)</td>
<td></td>
</tr>
<tr>
<td>2:9</td>
<td>41:21</td>
<td></td>
</tr>
<tr>
<td>Here's (2)</td>
<td>lead (2)</td>
<td></td>
</tr>
<tr>
<td>35:10;36:15</td>
<td>29:2.5</td>
<td></td>
</tr>
<tr>
<td>hesitant (1)</td>
<td>least (2)</td>
<td></td>
</tr>
<tr>
<td>29:4</td>
<td>5:17;38:13</td>
<td></td>
</tr>
<tr>
<td>hesitate (1)</td>
<td>leave (2)</td>
<td></td>
</tr>
<tr>
<td>17:4</td>
<td>29:8;35:15</td>
<td></td>
</tr>
<tr>
<td>Highfield (2)</td>
<td>leaves (1)</td>
<td></td>
</tr>
<tr>
<td>41:6;42:4</td>
<td>27:16</td>
<td></td>
</tr>
<tr>
<td>Hoffmann-LaRoche (1)</td>
<td>Legal (1)</td>
<td></td>
</tr>
<tr>
<td>19:13</td>
<td>2:10</td>
<td></td>
</tr>
<tr>
<td>hold (2)</td>
<td>legal (2)</td>
<td></td>
</tr>
<tr>
<td>33:21;43:4</td>
<td>18:21;44:21</td>
<td></td>
</tr>
<tr>
<td>homework (1)</td>
<td>lengthy (1)</td>
<td></td>
</tr>
<tr>
<td>8:4</td>
<td>7:9</td>
<td></td>
</tr>
<tr>
<td>honest (1)</td>
<td>Lenny (2)</td>
<td></td>
</tr>
<tr>
<td>hopefully (1)</td>
<td>less (2)</td>
<td></td>
</tr>
<tr>
<td>26:19</td>
<td>28:1.2</td>
<td></td>
</tr>
<tr>
<td>incidental (1)</td>
<td>level (1)</td>
<td></td>
</tr>
<tr>
<td>incidents (1)</td>
<td>5:18</td>
<td></td>
</tr>
<tr>
<td>inc (2)</td>
<td>keep (3)</td>
<td></td>
</tr>
<tr>
<td>3:7;4:5</td>
<td>9:24;15:1,7</td>
<td></td>
</tr>
<tr>
<td>increase (3)</td>
<td>KENNEDY (1)</td>
<td></td>
</tr>
<tr>
<td>9:10:30:13:32:34</td>
<td>1:2</td>
<td></td>
</tr>
<tr>
<td>indisernible (21)</td>
<td>looked (1)</td>
<td></td>
</tr>
<tr>
<td>4:13;5:19;6:2;7:5;</td>
<td>16:10</td>
<td></td>
</tr>
<tr>
<td>8:23:12:14:13:8;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33:7;34:2;35:8;36:5;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14;24:41:18:23:24;2;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>44;5:25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>information (6)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12:16;18:14:11;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16:2:22;1:23:9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inglesino (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9:9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inglesino's (4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11:23:17:21;18:19;19:16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>initial (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31:9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>instead (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>42:11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>insurance (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3:19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>interim (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7:22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>internal (2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35:18:37:9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>internally (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17:14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>interpretation (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26:25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>keep (3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9:24;15:1,7</td>
<td>Licenses (1)</td>
<td></td>
</tr>
<tr>
<td>KENNEDY (1)</td>
<td>32:15</td>
<td></td>
</tr>
<tr>
<td>1:2</td>
<td>liked (1)</td>
<td></td>
</tr>
<tr>
<td>kept (1)</td>
<td>16:10</td>
<td></td>
</tr>
<tr>
<td>14:14</td>
<td>line (5)</td>
<td></td>
</tr>
<tr>
<td>kind (8)</td>
<td>3:24;5;19:28:24;</td>
<td></td>
</tr>
<tr>
<td>17:22</td>
<td>lines (2)</td>
<td></td>
</tr>
<tr>
<td>14:8</td>
<td>3:25;29:2</td>
<td></td>
</tr>
<tr>
<td>14:22</td>
<td>list (1)</td>
<td></td>
</tr>
<tr>
<td>15:18</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

When every word counts"
When every word counts
| responsible (5) | 14:19;15:3;28:21;24:29:4 |
| restrictive (2) | 7:12,13 |
| resulting (1) | 33:24 |
| resurfacing (1) | 41:5 |
| retain (1) | 19:7 |
| retained (2) | 19:8,14 |
| revenue (4) | 27:17;28:2;29:17;31:17 |
| revert (1) | 5:24 |
| review (1) | 3:20 |
| revolving (1) | 19:12 |
| Richard (1) | 9:15 |
| riot (1) | 4:24 |
| risk (1) | 3:12 |
| road (1) | 31:1 |
| Roche (2) | 19:12,17 |
| ROGERS (5) | 1:12;2;13,23;3:4;5:7 |
| room (1) | 36:25 |
| rules (1) | 5:14 |
| satisfy (1) | 6:14 |
| Shade (1) | 3:5 |
| shall (1) | 44:18 |
| share (1) | 43:9 |
| short (5) | 10:21;20;1:27;12;17:8,5 |
| shortfall (2) | 30:9,32:4 |
| shut (2) | 31:6,7 |
| shack (1) | 29:24 |
| side (5) | 11:5,9,13,12,24;42:3 |
| sides (1) | 41:25 |
| sign (1) | 34:23 |
| significant (1) | 19:29 |
| simple (2) | 24:14,15 |
| Simultaneous (4) | 32:23;33:2;45:9;36:6 |
| Simultaneously (3) | 18:5;21:3;24:22 |
| Singers (2) | 43:5,5 |
| sit (2) | 18:2,35:20 |
| situation (1) | 21:13 |
| six (1) | 9:20 |
| size (2) | 25:21;30:16 |
| slideshow (1) | 35:8 |
| sold (1) | 4:7 |
| Solutions (1) | 3:24 |
| somebody (1) | 22:15 |
| someone (2) | 12:10;29:24 |
| sometimes (3) | 13:4,14,15:23 |
| son (1) | 22:7 |
| sorry (1) | 38:1 |
| sort (3) | 13:12,26:7,32:20 |
| sound (1) | 7:22 |
| suggested (1) | 12:12 |
| summarize (1) | 10:8 |
| summer (2) | 31:16,22 |
| Sun (1) | 2:9 |
| Sunday (1) | 43:4 |
| supercede (2) | 36:19,37,23 |
| supervisors (4) | 33:12,35:16;17;36:1 |
| supply (1) | 14:11 |
| support (1) | 10:3 |
| supporting (1) | 10:9 |
| supposed (2) | 3:3,14,7 |
| surcharge (1) | 28:23 |
| surplus (1) | 3:8 |
| surrounding (1) | 6:13 |
| surveyed (1) | 9:5 |
| SWAT (1) | 20:25 |
| system (1) | 3:25 |
| T |
| table (1) | 24:4 |
| talk (4) | 21:21,34:10;38:9;12 |
| talked (1) | 22:7 |
| talking (1) | 32:18 |
| tax (2) | 30:12;32:4 |
| taxes (1) | 9:14 |
| taxpayer (1) | 28:20 |
| telephone (1) | 3:24 |
| term (2) | 18:18,20:1 |
| terms (5) | 15:22,26,25 |

---

Min-U-Script®

Rizman Rappaport (973)992-7650

"When every word counts"

(53) responsible - terms
<table>
<thead>
<tr>
<th>Nutley Board of Commissioners</th>
<th>Conference Session</th>
<th>Transcript of Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>30:8</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3RD (1)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1:3</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>6</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>6th (1)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>4:6</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>7</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>7 (2)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1:8:2:5</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>7:05 (1)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2:5</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>70/30 (2)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>25:5,7</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>75 (1)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>28:5</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>8</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>8 (1)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>44:4</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>9</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>950 (1)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>25:22</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Public Session

TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS
ONE KENNEDY DRIVE
3RD FLOOR COMMISSION CHAMBERS
NUTLEY, NEW JERSEY 07110

*** PUBLIC SESSION ***

DATE: November 7, 2018

BOARD OF COMMISSIONERS:

JOSEPH P. SCARPELLI, MAYOR
STEVEN L. ROGERS, COMMISSIONER (A/E)
MAURO G. TUCCI, COMMISSIONER
THOMAS J. EVANS, COMMISSIONER
ALPHONSE PETRACCO, COMMISSIONER

ALSO APPEARING:

ALAN GENITEMPO, TOWNSHIP ATTORNEY
(Recording begins)

MAYOR SCARPELLI: Everybody please stand for the flag salute.

(Pledge of Allegiance)

MAYOR SCARPELLI: Madam Clerk, if you will stand --

THE CLERK: Thank you, Mayor. Board of Commissioners Public Meeting, Wednesday November 7, 2018. The time is 8:20.

Pursuant to the requirement of the Open Public Meetings 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 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.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Here.
THE CLERK: All present, except for Commissioner Rogers. He is absent, excused, this evening.

MAYOR SCARPELLI: Minutes?

THE CLERK: Minutes for September 4, 2018; September 18, 2018; September 20th, 2018, continued meeting; September 21st, 2018, continued meeting; and October 2nd, 2018. Motion please?

MAYOR SCARPELLI: Move it?

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: That's it for minutes, Mayor.

MAYOR SCARPELLI: Communications?

THE CLERK: The friends of Nutley Singer has submitted a letter requesting to hold an Off-Premise 50/50 Cash Raffle on Sunday, March 10, 2019, at 3:00 p.m., at their address on 300 Franklin Avenue.

COMMISSIONER EVANS: Move it
PUBLIC SESSION

1. COMMISSIONER TUCCI: Second.

2. THE CLERK: Commissioner Tucci?

3. COMMISSIONER TUCCI: Aye.

4. THE CLERK: Commissioner Evans?

5. COMMISSIONER EVANS: Aye.

6. THE CLERK: Commissioner Petracco?

7. COMMISSIONER PETRACCO: Aye.

8. THE CLERK: Mayor Scarpelli?


10. THE CLERK: That's it for Communications.

11. MAYOR SCARPELLI: Reports. I have various multi-progress reports from Public Works. Commissioner Tucci?

12. COMMISSIONER TUCCI: Yes, I have a Shade Tree report for the month of October.

13. MAYOR SCARPELLI: Bills, madam clerk?

14. THE CLERK: Yes, Mayor, Bill list for November 7, 2018. Public Affairs, $98,641.27; Revenue and Finance, $7,367,539.37; Public Safety, $77,656.79; Public Works, $83,841.27; Parks and Public Property, $631,682.44; Water Utility, $91,521.67; Total Payroll, $826,230.70; for a grand total of $9,177,113.51.

15. COMMISSIONER EVANS: Move Bills

16. COMMISSIONER TUCCI: Second.

17. THE CLERK: Commissioner Tucci?
Public Session

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: That's it for bill, Mayor.

MAYOR SCARPELLI: Public comment on agenda items only, madam clerk?

THE CLERK: All persons addressing the Board of Commissioners regarding community concern 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 interest of decorum and/or the expeditious conduct of municipal
business are being adversely affected by such dialogue.

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

Mr. Scarpelli, I know you've put off the density ordinance for this evening and that you wanted to review it. And I did have one question if it could be reviewed. It doesn't have to be answered this evening. It just -- it came up.

In Page 3, Paragraph H, at Section 1, it says, "The maximum density for a mixed-use building is 24 dwellings." I just want to define, what's a dwelling? Is that a bedroom or an apartment? That it's -- I just wanted to see if that could be clarified.

MAYOR SCARPELLI: Well to further clarify that, it's one of the questions that's come up, Mr. Moore --

MR. MOORE: Yes. That's what I thought.

MAYOR SCARPELLI: -- to further clarify what a dwelling unit is.

MR. MOORE: What a dwelling is. And when you say per acre, could -- if that could be --

MAYOR SCARPELLI: That's the one that says 1250 per acre?

MR. MOORE: Twenty-eight dwellings per acre.
MAYOR SCARPELLI: Twenty-eight dwellings per acre.

MR. MOORE: If we could define what a dwelling is, and if you could define per acre, to say "a lot size," or, you know, what is the equivalent lot size so you have some type of reference to it.

MAYOR SCARPELLI: You mean the square footage of an acre?

MR. MOORE: Some -- not a square footage. But say 50 by 100 is one acre, whatever that is. I don't know what the number is precisely. But that --

MAYOR SCARPELLI: It's a square footage number?

MR. MOORE: Yes.

MAYOR SCARPELLI: So we'll see what we can do to clarify it.

MR. MOORE: I would just -- since you're going back to the engineers with it, that was one -- if that could be clarified it would probably save a lot of questioning. And I would appreciate that. Thank you.

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

MS. CELENTO: Hello. Amy Celento, 70 Newman Avenue.
So I just heard from Mr. Moore that the public hearing on the proposed Ordinance Number 3397 is not happening this evening. Is that correct?

MAYOR SCARPELLI: It's actually going to be tabled indefinitely because we're going to come back and then reintroduce it with more specifics.

We had our -- both planners, the Planning Board planner and our planner on redevelopment, looking at the ordinance. There's a lot of conflicts with the existing ordinance and the existing zones and what's allowed on the setbacks.

They also had some comments on the size of the unit, the 950 square foot for one bedroom as being a little too big. So there are some comments that our planners have had that we want to incorporate and get it right and come back and reintroduce it.

MS. CELENTO: So this -- the proposed ordinance has been about 10 years in the making according to the summary that a citizen put together and presented at the February --

MAYOR SCARPELLI: That's not quite -- that's not quite true, that the ordinance has been in --

MS. CELENTO: Okay.

MAYOR SCARPELLI: The ordinance has actually been in the last two years. That's it.
MS. CELENTO: Okay. So we're going to call it 24 months, approximately.

MAYOR SCARPELLI: Twenty-four months. That's fair.

MS. CELENTO: And we have planners that we pay for. You're saying "our planner and the Planning Board planner." Both of those planners are paid for by the township. Is that correct?

MAYOR SCARPELLI: They're paid for -- they haven't been paid for on this project, which is another issue.

MS. CELENTO: So they're working for free?

MAYOR SCARPELLI: That's what I'm saying. They have to be -- that's one of the issues that has to be resolved too.

MS. CELENTO: So is this a surprise? I mean, how was this not known before the ordinance was proposed?

MAYOR SCARPELLI: It's not in their contract to -- it's not in their present contract.

MS. CELENTO: So I'm saying, the ordinance was proposed on September 4th. It came from the Planning Board --

MAYOR SCARPELLI: It came from the Planning Board.
Public Session

MS. CELENTO: -- to the Board of Commissioners.

MAYOR SCARPELLI: Correct.

MS. CELENTO: Supposedly, last year, it was sent to all of you but it never made it onto an agenda or docket. So I'm asking, is this is a surprise that two different planners hired by the Township -- one for the Planning Board and one for the Board of Commissioners -- I'm not actually sure why we have two planners, but maybe that's a checks and balances issue that we need two different planners.

MAYOR SCARPELLI: Well one's our Redevelopment Council -- planner. And the other is the Planning Board.

MS. CELENTO: Okay. And you're saying -- and they haven't been paid to work on this project. So in the last two years, nobody has put forth that those planners need to be hired to participate in developing this proposed ordinance?

MAYOR SCARPELLI: They weren't involved in the planning of the ordinance. No, they were not.

MS. CELENTO: So who has the responsibility for either involving them or having not involved them?

MAYOR SCARPELLI: Well I guess that would fall on me, Ms. Celento. But I could tell you that
this proposal on the acreage was first proposed four
years ago on 32 per acre. It was re-proposed at 28.

The Planning Board came back, looked at it
again and did a lot more investigation over those 24
months, and then came back with their final
recommendation which then had to be put in the form of
an ordinance. All they had was just the specifics of
what they wanted to address.

Putting that into the ordinance, it became
confusing because they were trying to be specific on
things, but actually it made it more confusing.

MS. CELENTO: Okay.

MAYOR SCARPELLI: In looking at this with the
planners and with people who made the suggestions on
the Planning Board, we're now at a point where we're
going to clarify it and get it down so it all makes
sense because there's a lot of things that are
interchangeable in there.

When you start talking about the size of a
unit, when you start talking about the percentage of
two bedrooms versus one bedroom, when you talk about
the number of parking spots that'll comply with the
number of bedrooms, if you start changing those, you
change everything. And so that really needs to be
looked at from a planning perspective and not just the
Planning Board perspective because those are not professional planners. And that's where we're at.

MS. CELENTO: And thank you very much. And to that point, as you just provided, the Planning Board members are appointed.

MAYOR SCARPELLI: Correct.

MS. CELENTO: They're citizens. In some cases, employees, and in some case, elected officials. So they worked on this, they put forward a proposal. I understand it had to be put into an ordinance format. They never involved a hired planner or their planner. So that, to me, says that there is a very large gap somewhere in the process. Am I wrong about that?

MAYOR SCARPELLI: Not necessarily, Ms. Celento. Not necessarily. Because their planner looked at it, but he didn't look at in the specifics of putting it into the ordinance and what other conflicts it would create within the ordinance. Once it goes into the ordinance and you see that, you know, well, when the B-4 zone, it says this --

MS. CELENTO: Yes.

MAYOR SCARPELLI: -- and a B-1 zone, it says this --

MS. CELENTO: A reconciliation.

MAYOR SCARPELLI: -- and those are conflicts
between what is proposed in the mixed-use ordinance.

MS. CELENTO: Okay. And so thank you for clarifying that.

I thought based on the February joint Planning Board -- Board of Ed/Board of Commissioners/Zoning Board meeting that some of that was raised and there was already discussion about how our Code Enforcement Department was going to meet with some people because there were some, I guess, inconsistencies between, as you said, what's already code today versus what -- so it just seems like this is taking an awful long time.

MAYOR SCARPELLI: Well those were different inconsistencies than these inconsistencies.

MS. CELENTO: Okay. So they're different inconsistencies. Thank you.

So maybe I'll ask this question. Since COAH is on the table for the town having to comply for X number of units, whether it's 25 or 55, I'm not sure, but are there guidelines under COAH that actually speak to square footage of apartment, number of parking spots? I'm curious.

MAYOR SCARPELLI: Not that I'm aware of.

MS. CELENTO: Okay. So since we may be hiring two different planners to work on these issues,
one of those planners or those firms, I believe, could be the firm that the Township has hired to address COAH. Inglesino? Is that correct?

MAYOR SCARPELLI: No.

MS. CELENTO: Are they a planner?

MAYOR SCARPELLI: No. They're not the planner.

MS. CELENTO: Okay. So they're a law firm.

MAYOR SCARPELLI: Correct.

MS. CELENTO: Well could we ask them that question?

MAYOR SCARPELLI: Well COAH is a much different issue. And this is a mixed-use and not COAH apartments. So this is mixed-use apartments which is a little bit different than a regular apartment building.

MS. CELENTO: Okay. And I do understand that in 2015, the Board of Commissioners hired a planner to look at opportunities in Nutley, and I believe that planner said that you should have -- that mixed-use is appropriate. You need to bring people into the downtown by having apartments, but I believe they also recommended a higher rate or a higher percentage of retail. So is that the same planner that you might be hiring that is currently not hired today?

MAYOR SCARPELLI: No.
Public Session

MS. CELENTO: It's a different planner?

MAYOR SCARPELLI: That was a different planner.

MS. CELENTO: Okay. So how does it -- how do these planners get hired? Are there --

MAYOR SCARPELLI: We didn't hire that planner. The Planning Board --

MS. CELENTO: No. No. Other -- no, no. I mean, the future planners, the planners you're trying to use today that you've tabled the Ordinance 3397 for because you have to go back to planners. I don't see it on the table that someone is proposing that we spend X amount of money to hire a planner. Did I miss something on the agenda?

MR. GENITEMPO: Mr. Mayor? Just, you know, if I may.

MAYOR SCARPELLI: Go ahead, Commissioner.

MR. GENITEMPO: Three minutes has well passed, and this is not public comment. This is question and answer.

I think it's clear that this is a process that's been going forward. We've had meetings with the planners. There's been a long time going. We've met with the Planning Board members who are on the
Committee in the last few weeks to try to clarify this.

It's a process, and I think the Commissioners are handling appropriately, and I don't think this is appropriate public comment to continue back and forth when other people may want to address the microphone.

But three minutes is what we're required.

Thank you.

MS. CELENTO: Okay.

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

Seeing none, Board of Commissioners announcements. Commissioners?

COMMISSIONER TUCKI: Just one. I'd just like to thank the people on Ridge Road. On Saturday, we had a massive tree come down with a sudden burst of wind and knocked out the power, not only on Ridge Road but on Chestnut Street and a lot of the surrounding roads, and I just want to thank all those folks who were very patient while our Shade Tree Department and Public Service came and shut the power off so we could clear the road and remove the tree and then get the power restored.

So the patience of the folks there under a very trying situation did not go unnoticed, and I'd
just like to thank them publicly for that.

    MAYOR SCARPELLI: Thank you, Commissioner.

    COMMISSIONER PETRACCO: I'd just like do a

little dovetail on that.

    Actually, I did go up on Ridge Road that
afternoon. It was actually the Nutley-Belleville
football game when I got the call which I thought went
really, really well. And congratulations to our Nutley
Raiders. It was really good to see that game go on in
the oval to bring some of that tradition back to the
town.

    But with that being said, I did run up there
and I have to tell you, Mauro, your guys -- I mean, the
tree was probably one of the biggest trees I've ever
seen in Nutley. And they did a great job. And I have
to also commend Public Service because --

    COMMISSIONER TUCCI: I think your three minutes
are up.

    COMMISSIONER PETRACCO: My three minutes is up.

    But --

    THE CLERK: Sorry.

    COMMISSIONER PETRACCO: -- I really want to
commend Public Service as well because those guys
really look out for us here in Nutley, and --

    COMMISSIONER TUCCI: They did.
COMMISSIONER PETRACCO: The power could have been off for a couple days, and they really got it up and running. So kudos to your --

COMMISSIONER TUCCI: Yeah. it was up by eleven o'clock the next day which was great.

COMMISSIONER PETRACCO: It was unbelievable, really, for the damage that was there.

MAYOR SCARPELLI: Anything else?

Let's move on to Ordinance Introductions.

This is an ordinance on behalf of the Board of Commissioners. The ordinance of the Board of Commissioners of the Township of Nutley in the County of Essex creating Chapter 115, Officers and Employees, Article XXV, Custodian of Records, of the Township Code.

I move that this ordinance be passed to a second reading 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 December 4th, 2018.

I move the ordinance.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MAYOR SCARPELLI: Ordinance Number 3402, an ordinance of the Board of Commissioners of the Township of Nutley in the County of Essex, amending Chapter 320, Fees, Article I, copies of public records, of the Township Code.

I move this ordinance to be passed to a second reading 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 is to be held at the second reading on December 4th, 2018.

Move the ordinance.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
Public Session

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor.

This 3403 is an ordinance on behalf of the Board of Commissioners. Just in summary, this is an ordinance establishing pay-to-play rules consistent with the State statutes that already exist and establishing it on our local books.

As an entity, our municipality receives transitional state aid. The State is asking that we have the State ordinance on our local books. So we're basically incorporating that as a compliance requirement. We have historically -- have been following the State statutes with regard to pay-to-play rules.

So having said that, Ordinance 3403 is an ordinance establishing that a business entity which makes political contributions to municipal candidates and municipal and county political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Township of Nutley in the County of Essex.

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 --

THE CLERK: December 4th.


So moved.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MAYOR SCARPELLI: Public Hearings. We discussed 3397, 3399 of the public hearing will be held at our next meeting. What date is that, November 21st?

THE CLERK: The -- November 20th.

MAYOR SCARPELLI: No. November 20th.

THE CLERK: I'm sorry, November 20th.

COMMISSIONER EVANS: November. Yeah, and it's --

MAYOR SCARPELLI: Commissioner Rogers
resolutions. I'll read those.

Whereas, 3.3 million people have diabetes, 9.4 percent of the U.S. population, another 84.1 million adults age 18 years or older have pre-diabetes.

Now, therefore, be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, State of New Jersey, declare November as National Diabetes Awareness month and recognize November 14th as World Diabetes Day.

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

MAYOR SCARPELLI: Be it resolved that the Board of Commissioners, Township of Essex County -- County of Essex, New Jersey, that in accordance with Provision R.S. 40A:4-58, the following transfers of appropriations in the 2018 budget be and the same are hereby authorized and approved.
From Garbage and Trash Removal, other expenses, $25,000, to Health Department, other expenses, $25,000.

I move to resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye. Commissioner Tucci?

COMMISSIONER TUCCI: Yes, thank you, Mayor.

Whereas, the Township of Nutley received sealed bids for surplus equipment no longer in use by the township on October 24th, 2018; and

Whereas, Jersey One Auto Sales, 495 Tonnele Avenue, Jersey City, and Marczaks, Inc., 247 Central Avenue, Metuchin, were the highest bidders. The equipment was a 2003 Toro 328D 4-wheel drive with blower, in the amount of $900; a 2000 GMC pickup 4x4 at the Jersey One Auto in the amount of $763; and a 2006 Bluebird bus in the amount of $357.

Now, therefore, be it resolved by the Board
of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the surplus items be sold to the highest bidders, Jersey One Auto Sales and Marczaks, Inc.

I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Whereas, the Township of Nutley has the need to acquire specialized professional services for a Consultant and Risk Manager for the Township of Nutley through a fair and open process pursuant to N.J.S.A. 19:44A-20.5; and

Whereas, the RFQ and Risk -- for Consultant and Risk Manager were received an opened on October 24, 2018, by the Township Clerk; and

Whereas, C. Walter Searle Insurance Agency, LLC, 410 Franklin Avenue, Nutley, New Jersey, was the most responsible and responsive request for
qualifications; and

Whereas, a contract for professional risk management consulting services is required in the by-laws of the Suburban Essex Liability Joint Insurance Fund, this contract shall not exceed $40,000 from January 1, 2019, through December 31st, 2019, and the funds are available from the Suburban Essex Liability Joint Insurance Fund.

Now, therefore, be it resolved that the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, authorizes a contract to be entered into with C. Walter Searle Insurance Agency as described herein.

And be it further resolved that the response to the Request for Qualifications for a Consultant and Risk Manager be placed on file with this resolution.

I moved the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

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

Whereas, the request for Qualification for Insurance Accident and Safety Review Board Meetings were received and opened on October 24, 2018, by the Township Clerk; and

Whereas, C. Walter Searle Insurance Agency, 410 Franklin Avenue, Nutley, New Jersey, has provided these services in the past to the Township of Nutley, and is particularly suited to provide continued service; and

Whereas, the term of this contract is for a one-year period commencing on January 1, 2019, and continuing through December 31, 2019, with the option to extend one year; and

Whereas, funds are available from account 9-01-516-245 in the amount of $10,000 have been certified with the Chief Financial Officer, said certification being attached to this resolution.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded
to C. Walter Searle Insurance Agency, LLC, as described herein, and the response to the Request for Qualification be placed on file with this resolution.

I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER TUCCI: Whereas, the Township of Nutley has the need for analog copper phone lines for existing alarm systems and departmental fax lines; and

Whereas, N.J.S.A. 40A:11-5(f) permits the award of contract without bidding for the supply of any services which is a public utility subject to the jurisdiction of the BPU; and

Whereas, the proposal for Princeton Hosted Solutions, 700 Goodwin Avenue, Suite 330, Midland Park, New Jersey, will result in a substantial savings and improve quality, and is recommended by the Township's Office of Information Technology for $1,998 per month
for a total amount of $47,952, beginning September 1, 2018, through June 30, 2020; and

Whereas, funds are available from account 8-01-510-237 in the amount of $11,998, and have been certified by the Chief Financial Officer, said certification is attached to this resolution and account number 9-01-510-237, in the amount of $23,976, subject to the adoption of the 2019 Municipal Budget, and also account number 0-01-510-237, in the amount of $11,988, subject to the adoption of the 2020 Municipal Budget.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County Essex, State of New Jersey, that the Mayor and Township clerk be and they are hereby authorized to enter into a contract with Princeton Hosted Solutions for the provision of analog phone lines throughout the Township of Nutley.

I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO:  Aye.

THE CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.

COMMISSIONER TUCCI:  Whereas, Strategic Products and Services, 300 Littleton Road, Parsippany, New Jersey, has been awarded a contract for the Township's Avaya Phone System Maintenance pursuant to the provision of N.J.S.A. 40A:11-5(t) on July 19 2016, via Resolution 187-16; and

Whereas, the Township of Nutley entered into a contract with Strategic Products and Services for a three-year agreement in the amount of $17,354.04 per year; and

Whereas, ConvergeOne, Inc., 3344 Highway 149, Eagan, Minnesota, acquired Strategic Products and Services; and

Whereas, all agreements currently in place between Strategic Products and Services have been assigned to ConvergeOne, Inc., effective November 6, 2017.

Now, therefore, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, who authorizes and approves the amendment of the contract for the Township's Avaya Phone System Maintenance with ConvergeOne, Inc.,
effective November 6, 2017, through the remainder of
the existing agreement with Strategic Products and
Services.

I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

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

MAYOR SCARPELLI: Commissioner Evans?

COMMISSIONER EVANS: Thank you, Mayor.

Be it resolved by the Board of Commissioners
of the Township of Nutley, County of Essex, State of
New Jersey, that the Municipal Clerk be and is hereby
authorized and directed to advertise for a Request for
Proposals for Banking Services;

Be it further resolved that the Request for
Proposals shall be due on Tuesday, November 27th, 2018,
at 3:00 p.m., addressed to the Municipal Clerk,
Township of Nutley, One Kennedy Drive, Nutley.

    So moved.

COMMISSIONER TUCCI:  Second.

THE CLERK:  Commissioner Tucci?

COMMISSIONER TUCCI:  Aye.

THE CLERK:  Commissioner Evans?

COMMISSIONER EVANS:  Aye.

THE CLERK:  Commissioner Petracco?

COMMISSIONER PETRACCO:  Aye.

THE CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.

COMMISSIONER EVANS:  The next resolution I read is for a change order for special legal counsel services. Before I read it, I want to note that these fees are reimbursable through our redevelopers agreement that's currently being negotiated with the redeveloper of the Hoffmann La-Roche property.

    Whereas, the law firm of Inglesino, Weber, Wyciskala, and Taylor, 600 Parsippany Road, Suite 204, Parsippany, New Jersey, has been awarded a non-fair and non-open contract as a professional service pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5, as appropriate, to provide Special Development Counsel on January 2nd, 2018, by Resolution 4-18; and

    Whereas, such services have exceeded the
original contract amount of $95,000; and

Whereas, the Director of Revenue Finance and
Code has recommended the following change order from
said contract:

Change Order Number 1: Provide Special
Development Counsel in the amount of $15,000.

Whereas, funds are available from
account 8-01-226-205 and have been certified by the
Chief Financial Officer, said certification being
attached to this resolution; and

And now, therefore, BE IT RESOLVED by the
Board of Commissioners of the Township of Nutley,
County of Essex, State of New Jersey, that Change Order
Number 1 in the amount of $15,000 be in and is hereby
approved.

So moved.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.
COMMISSIONER EVANS: BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of tax charges in the amount of $1,683.81 for Block 2601, Lot 13.

So moved.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: BE IT RESOLVED by the Board of Commissioners of the township of Nutley, County of Essex, New Jersey, that in accordance with the provisions of R.S. 40A:4-58, the following transfers of appropriations in the 2018 budget be and the same are hereby authorized and approved from Treasurer's Office Salary and Wage, $35,000, to Treasury Office O&E, $35,000.

So moved.
COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: Whereas, the billing department has received a payment in the amount of $16,825.16 for the safety and stabilization guarantee for site plan application of Kingsland Street Urban Renewal for the property located to 340 Kingsland Street;

And whereas, the safety and stabilization guarantee was collected, as required, by Municipal Land Use Law N.J.S.A. 40:55D-1, et seq., specifically, N.J.S.A. 40:55D-53(a)(1)(d), and said amount was deposited in account T-15-912-914; and

Whereas, the construction official has reviewed and determined that the $16,825.16 due to Kingsland -- or is due to Kingsland Urban Renewal.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of
Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund the safety stabilization guarantee in the amount of $16,825.16 to Kingsland Street Urban Renewal, LLC.

So moved.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER EVANS: Thank you, Mayor.

MAYOR SCARPELLI: Commissioner Petracco?

COMMISSIONER PETRACCO: This Resolution Number 249-18 is -- it's

Whereas, the Township of Nutley determined that property described on Schedule A attached to -- hereto and incorporated herein has been abandoned by its owner and titled as junk, along with standard title. This is for auction -- let me just see the date -- for Tuesday, December 11th, for a 2003 Nissan, a 2009 Toyota, and 2003 Honda.
I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: The next resolution is 250-18. It's also for Tuesday, December 11th, 2018, at 2:00 p.m., at Twin Towing. They'll be auctioning off a 2000 Volkswagen, a 2005 Honda, and a 2012 Ford.

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: Be it resolved by the
Board of Commissioners, Township of Nutley, County of Essex, New Jersey, that in accordance with the provisions for R.S. 40A:4-58, the following transfers of appropriations in the 2018 Budget be and the same are hereby authorized and approved:

Fire Salary and Wage, $200,000, to Fire O&E.

I move resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

COMMISSIONER PETRACCO: That's all I have.

MAYOR SCARPELLI: Be it resolved by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Township Treasurer is hereby authorized to refund $100 to Oliver Syto, 476 Walnut Street, Nutley, New Jersey, for a refund of payment for a Municipal Parking Permit.

I move the resolution.

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Whereas, raffle applications have been received from the following organizations:

Friends of Nutley Singers, License No. 40-18, and On-Premise Merchandise Raffle on License No. 41-18, 50/50 Cash Raffle, both to held Friday, January 11, 2019;

Friends of Nutley Singers, License No. 42-18, On-Premise 50/50 Cash Raffle to be held Sunday, March 10th, 2019;

Organization of Parents & Educators, License No. 43-18, On-Premise 50/50 Cash Raffle and License No. 44-18, Off-Premise 50/50 Cash Raffle, both to be held Friday, February 8th, 2019.

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.

THE CLERK:  Commissioner Tucci?

COMMISSIONER TUCCI:  Aye.

THE CLERK:  Commissioner Evans?

COMMISSIONER EVANS:  Aye.

THE CLERK:  Commissioner Petracco?

COMMISSIONER PETRACCO:  Aye.

THE CLERK:  Mayor Scarpelli?

MAYOR SCARPELLI:  Aye.

Resolution No. 247-18 has been pulled,
248-18.

Whereas, Nutley is a member of the Morris
County Cooperative Pricing Council;

Whereas, the Morris County Co-op awarded a
bid for road resurfacing (Contract Number 6 - Cat A -
Hot Mix Asphalt, Cat B - Bituminous Concrete in Place,
Cat C - Milling of Bituminous Concrete in Place, and
Cat I - Resurfacing Preparations) to Tilcon New
York, Inc., 622 [sic] Mt. Hope Road, Wharton, New
Jersey, for the period of January 1, 2018, to
December 31st, 2018; and

Whereas, Nutley wishes to resurface Highfield Lane (Washington Avenue to River Road) in Nutley; and

Whereas, contracts that exceed the bid threshold are required to be awarded by resolution; and

Whereas, funds are available from Account No. G-04-104-401 and Ordinance No. 3345A, and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to Tilcon New Jersey [sic], not to exceed $24,504, and that the Mayor and the Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley.

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?
MAYOR SCARPELLI: Aye.

That concludes the business portion of our meeting.

THE CLERK?

THE 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 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 interest of decorum and/or the expeditious conduct of municipal business are being adversely affected by such dialogue.

MR. MOORE: Rory Moore, 462 Chestnut Street.

Mr. Scarpelli, I have only about two questions.

I heard a rumor, and that's why I came here.
Did you hear anything about the Nutley Pool being sold and possibly having apartments over that way?

MAYOR SCARPELLI: Continue, Mr. Moore.

MR. MOORE: That's -- heard a rumor.

That's -- but I was just wondering if it was true or not.

MAYOR SCARPELLI: Continue, Mr. Moore.

MR. MOORE: Oh, okay. Okay.

On the bill list, water utility was added. Is there -- there was a column, but that's the first time I noticed it. Maybe it's been there and I hadn't noticed it before. Is that a new category?

MAYOR SCARPELLI: Continue, Mr. Moore.

MR. MOORE: No. I'm just curious because you added a special --

MAYOR SCARPELLI: We will answer your questions, Mr. Moore, but right now --

MR. MOORE: Pardon me? I'm sorry.

MAYOR SCARPELLI: We will answer your questions. Not right now.

MR. MOORE: Okay. Thank you.

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

MR. ODRIA: Michael Odria (phonetic), 134 High Street.
I've been watching a movie lately, obviously, I'm sure it's old news (indiscernible). And our attorney general, Gurbir Gewal, he has an Office of Public Integrity and Accountability going on, and I believe -- maybe -- I think there's another (indiscernible) that there have been some investigations in some towns in Essex County, Hudson. And they're investigating DPWs, department -- I think it was (indiscernible) department in another town. Are there any investigations going on in this town that you know of?

MAYOR SCARPELLI: Do you have any other questions, Mr. Odria?

MR. ODRIA: Can it be answered now?

MAYOR SCARPELLI: You'll be answered, but not right now.

MR. ODRIA: Isn't that part of the reason for Open Public Meetings Act?

MAYOR SCARPELLI: This is public comment, and we will answer your questions.

MR. ODRIA: Okay. All right. Just curious about that.

And (indiscernible) but this -- the answer to the question's very important to many people in this town because it does go to what we just went through
yesterday and at the same time -- almost the same time
the year before, and this proves homeowners of this town shot
down two very extensive referendums.
And I kind of hope (indiscernible) or realize
that we don't want any more referendums.
The people for a second time in two short years --
well, actually one short year, has sent another strong
message that we know. (Indiscernible) too, but it has
to stop. It pushed (indiscernible) my first question.

MAYOR SCARPELLI: Thank you, Mr. Odria.
Anybody else wish to address the Board of
Commissioners this evening?

MS. ROSSI: Tammy Rossi, 28 Colonial Terrace.
Just to add a little clarification. Earlier
Ms. Celento had made a comment about the Planning Board
creating the definition for mixed-use and density for
10 years.
The reality is the Zoning Board has been
asking for guidance from the Planning Board since 2008.
So between 2008 and 2016, there were sessions, meetings
to discuss the definition. Why you took all that time
to actually create some recommendations in 2016 --
that's a long time, and now you are consistently
delaying the process because more questions keep coming
up. So I mean, if all of this had been addressed back
in 2010, '11, '12, I think this issue would have been put to bed. So that's that's my comment on that.

I'm holding in my hand the signatures of Nutley citizens who signed the petition for term limits for you, the Board of Commissioners, to enact a resolution for term limits for two consecutive 3-year terms for board members on the following boards: Planning, Zoning, Rent Leveling, and the Library. I present these signatures to you and request that you listen to the voters of Nutley and vote yes to Commissioner Rogers resolution.

The Nutley Coalition for Change is a grassroots team of citizens that is growing, and we look forward to sharing our next initiative at the next meeting in two weeks. Your yes vote for this term limit signifies change that is wanted by citizens and voters of Nutley. Thank you.

MAYOR SCARPELLI: Could you hand those to the Clerk, please?

MS. ROSSI: I sure can.

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

MS. BOZZA: Maria Bozza, 209 Highfield Lane. I just would like to address this to Mr. Genitempo. I was going to bring it up at the last meeting but there
were so much going on with other, you know, you were
giving away whatever, and I didn't want to embarrass
anyone.

But since that last tirade at the town
meeting before that, I contacted Trekman (phonetic). I
spoke to several very informative people who emailed me
the generic description of the town clerk -- town
attorney rather. And, as a town attorney, I'm not
going to read you what -- you know, what your job, but
as -- when I read over that description, it does --
you're not an elected official but rather an appointed
one. And nowhere in that description does it say that
you have the responsibility or the right to use your
position to bully, insult, reprimand, or raise your
voice to any -- or chastise a taxpayer because he asks
for too many OPRA requests or because you just don't
happen to like him.

If the tables were turned, I think, and we
the citizens began to scream and yell like you people
here, I know that the police officer would step in, and
rightly so. Your behavior, I thought, was
unprofessional, undignified, and arrogant for anyone,
but most especially for someone who was paid yearly by
the taxpayers whom you insulted. What is even more
shocking to me was that not one of you felt the need to
say something to him. So I have to conclude that you agree with his behavior and think it's perfectly okay.

And secondly, I don't know why he felt the need to defend Mr. Evans or the town clerk, since the questions were not asked of him, but rather of the Commissioner.

And, Mr. Genitempo, you know, don't think we are all stupid that sit on this side of the podium. And we know that politics isn't always what it appears to be. Based on this, I do think you owe people in this audience an apology.

And to bring up term limits again, you are the classic reason we need term limits, not only for elected officials, but for appointed ones as well because it seems that you and others, after 10, 12, 16 years, carve your initials in the seat and think that the town belongs to you and that we have nothing to say about it and we should not question your authority. Please never forget that your authority comes from this side of the podium and not that side of the podium.

MAYOR SCARPELLI: Thank you, Mrs. Bozza.

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

MS. CELENTO: Yes, Amy Celento, 70 Newman Avenue, Nutley. And I appreciate Marie's comments
because what I'm interpreting here, what's happening right now is that public comment is now considered a time where we can ask questions, but you're not going to answer them. That's just what's happened with several people. So I have not seen any published rules that indicate that you won't be answering questions presented during open public comment. Is this now a new rule for this -- in the last 15 minutes?

MAYOR SCARPELLI: Ms. Celento, we're going to answer your questions. We're not going to answer in a back-and-forth manner.

MS. CELENTO: Okay. So when are they going to be answered? Because there have been questions --

MAYOR SCARPELLI: I'd say most of them will be answered tonight.

MS. CELENTO: Okay. So thank you very much. So I have a couple of things in terms of the ongoing investigation and discussions with Skender (Kenny) Meka and his development company or companies. There haven't been any updates provided as of late and it's my understanding that the discussions continue. These don't seem to involve anything in terms of them breaking any rules, and I'm not really sure why the statutes don't apply to them. So I'm asking the question, how is it that converting
approved one-bedroom apartments to two-bedroom
apartments, which is how it's been presented, at least
to me, and I believe to the people in this audience in
past meetings in the past six months, how has it been
that those didn't break a law? So that's a question.
And if they did break a law, when will charges be filed
and through what organization?

I believe that we have a Town Prosecutor that
the Township and the taxpayers pay for. So will the
Prosecutor be brought in in terms of the laws or the
statutes that have been transgressed, we'll say, by the
developer?

I have other questions. We've had planners
that the Township has hired in 2015 -- I know JGSC or
something -- about looking at the entire downtown.
You've indicated tonight that you're not really using
that planner or the information provided by that
planner. You've hired a planner about the Ciccolini
building. There was money approved more than two years
ago, so what are the results of that study? When will
they be presented? And is that same planner the
planner that you're considering working with in terms
of the discussion we had earlier about density and
mixed use? And then is that also the same planner that
we've been using in terms of the redevelopment of the
former LaRoche site or is that the different planner?

So I'd like to know who all those planners are, and I'd like to understand timelines in terms of what we've already hired them to do, when plans or responses have been delivered, and if they haven't been delivered, when will they be delivered?

There's also the issue of an upcoming Master Plan Revision which will be required by law. So has a Planner been designated? Is it one of the aforementioned planners? If not, when will that planner be designated? What will the process be in terms of hiring that planner? And what's the timeline to execute hiring that planner in advance of revising the master plan?

Additionally, in terms of the situation with Meka or any other developer and the -- I guess we'll say the set-aside of Ordinance 3397 at this time, I'm requesting that there be a suspension of apartment development, mixed-use development, or maybe establishing a moratorium until the Town figures this out.

And as you're well aware, over 50 percent the voters that turned out at the polls on Tuesday, November 6, 2018, voted "no" regarding referendums of almost $70 million to expand our schools to address
overcrowding. There has been some question in terms of whether overcrowding comes from apartment development of it comes from homes being sold by empty nesters and people moving in that have children. I don't think anyone's done a really clear study on that, but in the absence of study, I am requesting that a moratorium on apartment development be established. And I've run out of time.

MAYOR SCARPELLI: Thank you, Ms. Celento.

MS. CELENTO: Thank you.

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

MR. ALESSIO: Carmine Alessio, 81 East Centre Street. I guess the word would be "reiterate" Amy's comment about the 18 one-bedrooms that were converted to two-bedrooms on -- or at 113 East Centre.

I don't see how this was not a known thing, and no one seems to want to comment about it. When -- you know, I live right there, and I actually sat through the Planning Board meetings and heard all the testimony in that, and it seems like this was a plan in the making to conduct this type of activity with the making of the one-bedrooms or the studios into two-bedroom.

And during the testimony, the Planning Board
did stipulate or kind of -- they were kind of firm on
they didn't want any of the grassland taken away from
the buildings in the back there between B and C. And a
year later I heard the jackhammers going, and between B
and C there was additional parking made. Now, you
know, my concern is the over-development of the area,
it always was, and to try to see fit for that zone,
even though the Town has the right to, you know, change
things accordingly.

So my concern is, you know, I went to the
Code Enforcement and actually said, hey, what are you
doing over there? And no one seems to get any kind of
answer except for maybe that we didn't change the
footwork of the parking area that went from grassland
that was ordered by the Planning Board not to happen.

That's one thing, along with the testimony by
that contractor and his attorney, was that that parcel
of land be a gated community. That didn't seem to
happen. Along with the two-carriage road that goes
from East Centre Street into the complex that was
ordered by the Planning Board to get some kind of a
title or disclosure or foreclosure from the County in
order to proceed with the project within 45 days.

That was swept under the carpet and the
project went forward. Like, this is the thing. You
know, why am I standing up here? Because it affects me and my community. It affects the property value of my property. It affects my property being served maybe as an entrance to a project like that, which is a multi-million-dollar project to maybe -- you know, I'm there to try to fit in the community and maybe make some money. But, you know, that's okay. You went around me.

Now the Planning Board ordered a title search for that property and the attorney was there saying that he would pay back taxes for that, quote/unquote, "Springer Lane" road. And three years after the project was built, Mr. Genitempo went to the County, and the Town of Nutley seems to own that road going into the back there. Now, that affects me. It creates density, which I've been complaining about for years, coming up there between the park.

It's like, you know, I'm a part of the community too. We've been here since the 1920s. I'm speculating, just like my neighbor next door has an empty lot with trucks running out of it continuously. So, you know, I mean, like, get your act together. It's supposed to be a two-carriage road on the left and the two on the right that enter this facility. There's a driveway that leads back into the complex on the
left. Now, what's my concern? I walk down my driveway when it's empty and I --

MR. GENITEMPO: Mr. Mayor, that's five minutes.

MR. ALESSIO: I'm aware of it. I got --

MR. GENITEMPO: Five minutes is up for you.

MR. ALESSIO: Can I ask for 10 seconds?

MAYOR SCARPELLI: Wrap it up.

MR. ALESSIO: I'm walking down my driveway and cars are going up my -- a car went up my driveway. I almost got hit by a car because the safety issue here is there should be two two-carriage roads there, not one owned by the Town of Nutley, which hinders my sale and is totally illegal according to the Municipal Land Use Act. You're supposed to own the property abutting the road, which they don't own. And the driveway, that's another issue. You can -- there's not supposed to be driveway there. Thank you so much. Have a nice evening.

MAYOR SCARPELLI: Yes. Thank you, Mr. Alessio.

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

MS. DONAHUE: Hi. My name is Emily Donahue.
I live at 88 McKinley Street. A lot of the people here already spoke to my concerns which involve multi-use buildings with residential properties. The Ordinance No. 3397 that was tabled for this evening stated that 70 percent of the dwellings shall be two bedrooms or more. These apartments will undoubtedly have children, and we are now slated to gain a double-wide stacked trailer at Spring Garden in the fall, as well as additional trailers at Washington School.

I know some people spoke of the Referendum Proposal 1, which would have expanded those schools only was voted down by 168 votes at last count. So I wouldn't say that it was an overwhelming no from the town; however, it was voted down at this time. And I just want to know if you have ever considered sitting down with the Board of Education to sort of collaborate on some creative problem-solving to solve this issue that affects a large part of our community, as many of us have children, many of us are children and we need to be fairly educated in safe and proper building spaces.

So I'm wondering when this Board and Board of Ed will sit down together and collaborate on some different ideas since the community seems to be in a split over spending more money. Thank you.
MAJOR SCARPELLI: Thank you. Anybody else wish to address the Board of Commissioners this evening?

MR. WALLACE: Good evening. Glenn Wallace, 106 Hopper Avenue. First of all, I'd like to ask is there a policy on the public comment portion of your town meeting? And if there is, I'd like to see that.

My first subject is Hoffmann-LaRoche. I'm looking for a number; not a song and dance, just a simple number. With the existing structures that we have there and the occupants that we have now, what will be our tax income for the year 2019?

The next subject is our handbook, the Township handbook. Okay? I want to know whose job it is to take care of the handbook, to update it on an annual basis, as it states in the handbook, and why has it been 21 years since that handbook has been updated? And so are we paying somebody to do this? Are they not doing their job? This is the questions I'd like answered.

The next subject is Ciccolini. I don't believe everything I read, so that's why I'm going to ask you a question. I did read that that building is a tear-down. If so is it safe for people to be entering that building, which I believe is true?
And, lastly, people have been fighting for transparency and accountability for a long time, and I think probably as important as that is respecting truthfulness. And I've witnessed personally the lack of that. I don't have to point out anybody, but I think it's something that really needs to be taken a look at. It makes one wonder what the kind of behavior is behind closed doors with one's mother, wives, or daughters if it's conducted that way here. Thank you.

MAYOR SCARPELLI: Thank you, Mr. Wallace.

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

MS. ROSSI: Tammy Rossi, 28 Colonial Terrace. So just a real quick question about the employee handbook. Is there a conflict of interest policy in that handbook, and is there an anti-nepotism policy in that handbook?

Next question, a few meetings ago, Mr. Inglesino had presented his ability to negotiate the requirement for affordable housing down to a number of 55. And while it was celebrated, I heard a comment that we were good until 2025 with that number of 55 requirement. Come 2025, will we then be required to fulfill the remaining number of affordable housing units that the State is asking of us?
And then my last question is, was a municipal garage placed behind the Ciccolinis? Because I live two blocks up, and I hear the beeping of the trucks backing up at six o'clock in the morning. And I'm an early riser, but I know people -- other people do sleep a little later, and especially on a Saturday. People down on Hillside, their backyards back right up to that garage. Now, I'm just wondering if that's an absolute necessity. Is there any way to minimize that? Pardon?

MAYOR SCARPELLI: There's no garage.

MS. ROSSI: Is there any way to minimize that noise?

COMMISSIONER PETRACCO: But are you asking about a garage also or --

MS. ROSSI: There's something -- something -- there's trucks that they're making a tremendous amount of noise --

COMMISSIONER PETRACCO: Behind Ciccolinis?

MS. ROSSI: Back there, yeah, in the wee hours of the morning.

COMMISSIONER PETRACCO: I mean, the only garage that I'm aware of is behind Bella Luce's --

MS. ROSSI: Oh, maybe that's it.

COMMISSIONER PETRACCO: -- where --

MS. ROSSI: Maybe that's --
COMMISSIONER PETRACCO: -- we have our, you know, the fire department has Hazmat there. And I think there's a --

MAYOR SCARPELLI: Yeah, we'll answer it.

COMMISSIONER PETRACCO: Okay.

MS. ROSSI: I'm just commenting because some residents on Hillside have made comments about it and asked me to bring that to your attention this evening. That's all. Thank you.

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

MS. RUBINO: Joan Rubino, 48 North Road. There are so many questions asked tonight, and I only heard, I think, one being answered and that is the last one about the noise. Am I missing something here?

MAYOR SCARPELLI: Ms. Rubino, we're going to go through them after public comment portion is over.

MS. RUBINO: I don't quite understand that. Now, how was that going to -- how are you going to do that?

MAYOR SCARPELLI: I've got a list of the questions as they were asked.

MS. RUBINO: And you're going -- we have to sit here and listen to all the answers to the questions that were asked? Is that it?
MAYOR SCARPELLI: Correct.

MS. RUBINO: Okay. Don't you think it's a little bit easier to do it as they come up?

MAYOR SCARPELLI: It would be nice if we asked questions, then we answered questions and we didn't get back into a back-and-forth, but this way we're going to answer everything that was asked.

MS. RUBINO: All right.

MAYOR SCARPELLI: Anybody else wish to address the Board of Commissioners this evening? Seeing none, could I have a motion to close the public comment portion of the meeting?

COMMISSIONER PETRACCO: Move it.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

Let's see if we can go through these. The pool, and being sold, I have no information that the pool club has sold. Anybody else have any information?
COMMISSIONER EVANS: I'm not aware of any.

MAYOR SCARPELLI: Mr. Genitempo?

MR. GENITEMPO: No, Mr. Mayor.

MAYOR SCARPELLI: As far as the water utility being on the bill list, I think it's been on there for a while. I don't know exactly how long, but it's been on there.

Investigations, Mr. Genitempo?

MR. GENITEMPO: Yes, Mr. Mayor. I've heard the same rumor, Mr. Mayor, but I am not at liberty to comment on it and I will not comment on it.

MAYOR SCARPELLI: Density was brought up a number of times. All I can tell you is we're trying to get that ordinance right. We're going to -- you know, it's very complicated and it's been complicated and, yes, it's been going on a long time. All I can say is, at this point, as the mayor, we're moving it forward and we're going to have something that makes sense and something that we think will not have any conflict with the rest of our zoning ordinance.

Anybody else wish to comment on density?

COMMISSIONER PETRACCO: I'd like to add something on that if I can. Actually, that has been going back and forth and it is a very complex document. It started when I was the mayor, trying to get that
through the channels, and every time you do one thing it seems like it affects another thing. So it's not that anybody here is trying to delay it. At the last commission meeting, or two of them beforehand, when we went to introduce this, I did recommend that we send it to planners and make sure that, you know, we get this exactly right, you know, for the future, but it seems like every time we address one issue, another one arises.

And it's not that we're trying to delay. We don't -- you know, like somebody said at the mic, we're the voice -- we're supposed to be the voices of the people here. You know, we're supposed to listen to the people and do what the majority of the town wants, and that's how I run my life as an elected official. But just to kind of wing it at this point, coming this far, you know, it won't stop the development in the future.

When we got this information up to us with the 28 units per acre, you know, that raised a tremendous red flag if we're not going to develop in Nutley anymore. And I think that the Zoning Board has been asking us for a long time to get this done so they're not making these big decisions in town of how many apartments should go on a property, so forth and so on. And I think it's our obligation, you know, to
reach out to the professionals, because I'm not a professional planner myself, and I want to make sure that that document is spot on moving forward, that we are not on putting a lot of pressure on our Zoning Board or our Planning Board members to make these decisions that really impact the town immensely in the future.

MAYOR SCARPELLI: Commissioner Tucci?

COMMISSIONER TUCCI: Can I also address that? Yeah, we've been doing this for far too long, in my opinion, but we do need to get it right. There are many items that are contained in that ordinance that I do not agree with. All right? And I'd like to hear what the rationale is, all right, from what professionals as to why things are in there. And I'll give you a couple of examples.

The number of two- and three-bedroom apartments that are called for in that I don't agree with. The density at 28 I do not agree with. All right? I'm not a proponent of more multifamily housing. All right? So I want to make sure that we protect the town moving forward and we don't over develop and we have folks moving in who are planting shallow roots and will move out. All right?

We've been known for years and years as a
community that has deep roots, all right, parents, children, grandchildren, and so forth and so on, staying here, establishing themselves here and keeping this the community it is. So I know it's been a long time, far too long, all right, and I'm sure there are a lot of good reasons. I don't know what they all are, all right, but we will do it and we will get it right. And once my questions are answered, then I will respond accordingly.

COMMISSIONER EVANS: Just -- I don't want to repeat what Commissioner Tucci just said because I think it was a very good summary of not just his concerns, but actually the concerns of the Board of Commissioners. It was raised that I sit on the Planning Board. And I sat on the -- I only sit on the Planning Board recently. When the matter was discussed at the Planning Board level, it was at a time when there was more vocalness on the part of residents to want this ordinance brought forward and a recommendation from the Planning Board brought forward.

There were questions that needed to be resolved at the Planning Board level, but in the interest of actually trying to expedite this, was to move it from the Planning Board because ultimately, in order for anything to be adopted in the town, it has to
be done by ordinance by this Board. So by actually moving it from the Planning Board with several open questions, we're actually getting it to the final destination where a determination could be made.

It has been raised several times about the planners and, yes, there is a planner for the Planning Board who is specifically hired to address Planning Board and Zoning Board applications for subdivisions, variances, and so on, and who also assisted some of the development of the mixed-use recommendation. But bringing it to the Board of Commissioners, recognizing that over the past few years there's been a redevelopment of what I would characterize as distressed properties in town, and so it's very important for us to determine what the impact is on the town of any continued development, which is why we have requested a planner to actually take a very comprehensive look at what the ordinance requires.

So in addition to what Commissioner Tucci said, there is one thing in the ordinance that says that you have to have side yard setbacks on Franklin Avenue, basically 3 feet on one side or 4 feet on one side, 10 feet on the other, or 14 feet. How do you, on Franklin Avenue, put 14 feet between buildings? They're all connected. So you actually turned -- if we
were to adopt the ordinance with that provision still in there, that would make every business on Franklin Avenue a nonconforming use.

So there are things that are technical in the ordinance that we want to make sure that are corrected, in addition to what should be the size of an apartment, what should be the mix between one- and two-bedrooms, and what should be the number of units that would be allowed per acre. We are all very concerned about that, and so therefore we've asked for professional input so that we can actually make a better decision.

MAYOR SCARPELLI: Next were the term limits, and we look forward to Commissioner Rogers coming forward with his resolution. The Meka properties --

COMMISSIONER EVANS: Just one thing on the term limits. We're going to have to investigate because, for example, with the library board, there's a state statute that says that library members are appointed to a term of five years and they're appointed by the mayor. So there has to be clarity around if a ordinance was -- as suggested, was to be introduced, would that violate state statute. And so we've asked questions to start to get better clarity around what are the state statutes around board appointments, not just at the Library Board but also at the Zoning Board
of Adjustment and the Planning Board.

MAYOR SCARPELLI: Mr. Genitempo, you want to clarify anything on the Meka properties and where that is?

MR. GENITEMPO: Yes. Just one second on what Commissioner Evans just said. We're doing research on the Land Use Act and also the Library Board Act to make sure what the situation is relative to term limits.

With regard to the Meka properties, I can report that a letter has been delivered to Mr. Meka advising him of his violations, the Township's position legally on the issue. We're waiting for a response, at which point we'll take additional action, if necessary. We've had an opportunity to vet all the investigation issues, and hopefully this will move forward much quickly -- much more quickly now and see if we can get a resolution that the town is agreeable to. So I can't reveal the details of it. Obviously, it's a potential litigation still, but at least I can report on that issue.

MAYOR SCARPELLI: Thank you, Mr. Genitempo.

Commissioner Evans, do you want -- JVC, they weren't really a planner, were they? They were --

COMMISSIONER EVANS: No, they were -- that was part of the study that was done to survey the
inventory of retail properties in town, as well as the
vacancies in town, as well as to survey the population
as to their -- what they wanted to provide in terms of
feedback to us in terms of the issues.

They did summarize in their report several
recommendations, one of which related to signage,
way-finding signs, not just on Franklin Avenue, but
also on the -- actually the perimeter of the town; some
recommendations as to ordinances as to retail space
standards, so how to create a common look of retail
space.

They did note that to create an effective
corridor effect to a business area, that it was
important in today's environment to increase allowable
density in the -- and so increasing the density
available on Franklin Avenue, which we have significant
concerns about.

They did raise a recommendation about
establishing with the Chamber of Commerce a special
improvement district, which would entail a hiring of a
manager for the business district to actually do the
work to, in effect, promote the business area, as well
as look at the various types of businesses that we
would look to seek to have occupy the space in our
business districts around the town.
We have had great -- we've had previous discussions regarding the Special Improvement District, and with the variable out there at the time related to Hoffmann-LaRoche, that was -- that's been held until we have greater clarity.

MAYOR SCARPELLI: It was asked about the planner for Ciccolini, on the density, and Hoffmann-LaRoche. Yes, that's one planner, that's Topology. They're the ones that have been working on Hoffmann-LaRoche and the density and looking at Ciccolini property.

Master plan revision, I know of no going forward with a master plan revision at this time.

COMMISSIONER EVANS: It's required by law to be reviewed every ten years. The last time it was -- a comprehensive review was completed was in 2012, so it's due for another comprehensive review in 2022. And at such time, when the preparation is to do that, the -- a planner will be hired to provide that special service.

I recall the last time we hired -- the Planning Board hired a planner, it cost $50,000 to do that. We're obviously prepared to support that, but the timing is it's required by statute every ten years.

MAYOR SCARPELLI: Moratorium, the legality of a moratorium, I think Commissioner Tucci is still
Public Session

working on a white paper on that subject.

COMMISSIONER TUCCI: That is correct. And I'm in the final stages of that and I would like nothing better than to have this Board issue a moratorium, and I know that's a sentiment of many members here. All right? However, we are not at liberty to do that. It is, in fact, illegal to do that. All right? So that's where we stand with that.

And just one more comment on the Ciccolini building. Commissioner Evans did a fine job of bringing everyone up to date as to where we are. Once we get the results of Topology's review and their recommendations, we obviously will move forward. We have many needs, all right, on Franklin Avenue, ranging from parking to better shopping and better utilization of space. And there are several folks who are, in fact, interested in purchasing that building, the same as -- and I don't want to raise this up, but I will, the old bike shop next to the middle school. I will be corresponding in the very near future with the Board of Education because, as you recall, we purchased that building for them, all right, so that there wasn't some other use in there that would preclude them from expanding the middle school and helping to alleviate that space problem. So I believe they do have the
funding in place and I will verify that, and we will be
looking to sell that to the Board of Education so that
they can use it in the future to alleviate their space
problem.

MAYOR SCARPELLI: Thank you, Commissioner.

COMMISSIONER TUCCI: Thank you, Mayor.

MAYOR SCARPELLI: Talked about the referendum
and us communicating with the Board of Ed. We
communicate with the Board of Ed on an ongoing basis.
You can look at their demographers, at the
demographer's report. They've had two demographers or
two reports on -- that I think are pretty accurate on
what's going on in the town. And it was also brought
up about mixed use and their impact, and I don't want
to say mixed use doesn't have an impact because that
would be false, but if you look at Spring Garden where
a young lady back there brought up about having the
trailer next year, there's no mixed-use buildings in
the Spring Garden area and we have overcrowding issue
there. So there's other issues besides mixed that
we've gone over in the past, a full day kindergarten,
Special Education, turn over of one-family homes, all
impacting on our overcrowding issue.

COMMISSIONER PETRACCO: I'd like them just make
one more comment on that, if I may, Mayor.
MAYOR SCARPELLI: Sure.

COMMISSIONER PETRACCO: You know, as far as the Board of Ed and the trailers that you brought up, and I happen to have a son at Spring Garden, a fifth grader, and I have two kids that -- excuse me -- that went through there. And I think that the referendum, the feeling that I get from the people of the town, is that, you know, the $70 million is a lot of money. And I know we're not far apart.

The thing that I was looking for with this referendum, and even before the referendum with these trailers, because I don't think anybody here wants to see trailers, but I think that what the people are looking for is options that -- not if it's -- if a $70 million referendum doesn't pass, well, what is the option? A trailer. To me, that's not a good enough answer. I think that we have to, you know, figure things out rather than just put trailers in front of these schools and, you know, and have a long-term plan in place.

And it's not a stone thrown at the Board of Ed because I know they've worked very, very hard on all these issues and trying to get it passed, but just to say that, you know, if these referendums don't pass, there's no other options, I think that there's always
options. And I think that we owe it to the public and the taxpayers here to research every possible option that we could have to fix these problems. And, like Commissioner Tucci said, when we bought and purchased the Bike Shop, you know, we had intentions that, you know, we were going to be able to, you know, do something.

So moving forward, I still think that there's going to be extra funds needed to solve the problem. You know, a lot of people -- I have this discussion in my store every day, you know, about, you know, the referendum, about school population, about the building. You know, when we developed the sections of Nutley that we did, you know, and especially when I was the mayor at the time, it was one-bedroom apartments. And when I graduated in 1983 here in Nutley, I believe my graduating class was over 550 kids. You know, now we get about 350 graduating here. So, you know, the future of the demographer, Mayor, and, you know, which the mayor brought up, you know, these are work in progress.

You know, there's a lot there's a lot of different views on it, but the only thing that I'm looking for, as a commissioner and as a taxpayer, is this more options rather than it's, you know, it's this
referendum on trailers.

MAYOR SCARPELLI: Thank you, Commissioner.

Next was 113 East Centre and Springer Lane. I don't know if we have any information on that.

Mr. Genitempo, do you have --

MR. GENITEMPO: Yes, Mr. Mayor. We do actually have title to that. Part of the resolution originally was to require the developer to buy that through the township. And that's still -- that's one of the issues that we're still looking to resolve with the developer. So it has not been resolved yet, but it is one of the requirements of the Planning Board.

MAYOR SCARPELLI: And --

COMMISSIONER TUCCI: Mayor, if I might.

MAYOR SCARPELLI: Sure.

COMMISSIONER TUCCI: So was that one of the violations that were --

MR. GENITEMPO: Yes.

COMMISSIONER TUCCI: -- included in that correspondence?

MR. GENITEMPO: Yes, absolutely.

COMMISSIONER TUCCI: Okay. Great. Thank you.

COMMISSIONER EVANS: It's a compliance violation with the resolution.

MAYOR SCARPELLI: That was brought up about
the 70 percent of two-bedroom in the mixed use
ordinance. And I don't -- I'm not going to -- I'll
speak for everybody. You guys can -- none of us are in
favor of 70 percent two-bedroom.

(Simultaneously speaking)

MAYOR SCARPELLI: None of are in favor of
that. And that's one of the -- it's one of the issues
that needs to be resolved.

Tax income from Hoffmann-LaRoche, I don't
know if anybody has that off the top of your head.

COMMISSIONER EVANS: Sure. The -- today, the
2018 tax revenue for all of Hoffmann-LaRoche, which is
the existing buildings and the land is $4.3 million.
In 2013 when Hoffmann-LaRoche announced that they were
closing the property, the revenue at that time was
$10 million.

So the demolition of many buildings on the
Nutley side, plus the change in the use of the property
under law, we had to adjust the assessed value of the
property from $313 million down to $126 million, or
roughly a $187 million reduction in a commercial
ratable. The loss in revenue was projected to be
$6 million that we, as taxpayers, would have had to
absorb.

Recognizing that, we went to the State and
actually wrote modifications to the existing Transitional Aid definition that actually allowed a town like Nutley to be included in the Transitional Aid discussion, because absent the impact at LaRoche, Nutley did not qualify for aid under the state formula because our -- of two things: Our median income of the town as well as the assessed values of our property.

And, in fact, in the negotiations that I was involved with this year, when pushing for aid, I was told that on the list of communities that it was in need of aid, Nutley ranked number 323 on the list. So because of what we did in 2013 to change the Transitional Aid formula to include the departure of a major commercial ratable from the State of New Jersey, we qualify for aid on that basis. It had to be 50 percent of commercial ratable and at least 9 percent of our tax levy in order to qualify for aid, and it had to leave the state.

Hoffmann-LaRoche qualified for that. As a result, we've been able to get state aid -- additional state aid each year. So in 2014 we got $2.7 million because of the adjustments, in 2015 and '16 we got $5.5 million each year, in 2017, we received 3.6 million, and for the current year we received 4.1 million. So each year that aid money is covering
what that loss is on the Town.

We also had the benefit of the new development in town, which, in and of itself, is providing annually $2.2 million of new ratables. So absent the state aid, absent the new ratables in town, the amount of taxes we would have to consider raising or look at cost avoidance increase would be $6 million, which we've been avoiding since 2014. And we continue to work through that each year in order to help us get to the point where the conversion of the Hoffmann-LaRoche property from where it is today to what it will become generates the -- some of the tax revenues that we lost so that the taxpayers of Nutley, the residential taxpayers, did not have to absorb those costs.

So it's very complex. There is, to be clear, because -- but in full disclosure, there is a tax appeal that's pending on the property from the developer for years '16, '17 and '18 to try and take the 126 million that it's currently assessed at and lower it, which would increase the shortfall of revenue until it is transitioned.

So the other thing that we face is, just like we looked at with the medical school, in order to allow a medical school to be established on that property, we
negotiated, insisted, that the building be subject to tax; that the medical school only occupies four floors of the building so that the pilot agreement for it only cover four floors of the building and not the rest of the property; but the pilot agreement itself had to pay 100 percent of the municipal and school tax which is -- which we required.

Pilot agreements normally do not pay school tax because they did not contribute to the schools in any way. In Nutley, we insisted that the taxing agreement include full local taxation. What's more is we insisted full local taxation from a hospital and a university, which historically do not pay any taxes at all. So we have a taxing agreement in place for the medical school for the four floors. The rest of the property, subject to the medical school, is subject to regular taxes like everyone else.

We are in the process of negotiating a pilot agreement on Building 1, which is the building that will be occupied by Ralph Lauren, on the same principle, that they must pay the full extent of the municipal and the school tax. The reason why I'm not saying the county is because, under pilot law, only 5 percent is paid to the county; the rest of it's not paid. So what we are negotiating is the fact that
whatever the taxes are, Nutley gets 100 percent of its share.

Again that same position is the building and the business of Ralph Lauren does not add school children to the school system. Maybe people living in town who work there might, but the building itself doesn't. But we're insisting on full local taxation, and we'll continue to have that posture. The reason for that is we need every penny we can get to reverse the negative effect of the departure of Hoffmann-LaRoche and the demolitions that have occurred on the property.

So I know that's more than what you had asked for, Glenn, but I thought it was valuable to give you that fuller picture.

MAYOR SCARPELLI: Thank you, Commissioner.

The employee handbook, we actually received a draft tonight, along with policies and procedures for supervisors, and that's under review by the Board of Commissioners. And we should be passing a resolution adopting that perhaps at the next meeting.

It was brought up about the Ciccolini building being a tear-down. I'll let Commissioner Tucci speak on the condition of the building, but I think that was in the context of could it be used as a
school building, and so --

COMMISSIONER TUCCI: Yeah. The Ciccolini is obviously in need of some repairs and was, in fact, in need of some repairs when the Ciccolinisi occupied it. There are some leaks on the roof. I do not believe the building is structurally unsound. If it was to be used in the present square footage that's there, yes, absolutely, it would need to be -- it would need to be improved. A tear-down, that's very subjective, depending on what the use will be moving forward. And that parcel is large enough where, I believe, we can get several different uses that will be beneficial to the town.

And, Mayor, if I might, I just want to digress for one minute, just to follow up on what Commissioner Evans was just talking about as far as taxes. And I totally agree with Commissioner Petracco on the school board referendum for that house assessed at $313,000 that we joke about all the time. I believe the increase --

COMMISSIONER PETRACCO: Three twenty-five.

COMMISSIONER TUCCI: Three twenty-five, I'm sorry. Thank you. I believe that increase would have been about $394, $395 for both proposals. For many of us that's not a true figure. I can speak for myself.
All right? I know it would have been at least double that. All right? And that's before you get the normal increases. So my increases moving forward for the next 15, 20 years however -- however long -- excuse me -- however long they went out for those bonds, would have probably been in excess of a $1,000 a year. Okay?

Do we need to address this space issue? We absolutely need to. And while my baby is now 33 years old, he has two babies and one baby on the way of his own coming into this world, as well as a bunch of other grandchildren that I have, about seven others, all right, who are either going to the pre-kindergarten class or attending regular school here and here in Nutley. And we need to address it.

But just a regurgitation of basically what that last referendum was is not the answer. Okay? I'm going back and I'll speak to the one comment that the other -- Mayor Scarpelli made years ago.

I think we needed to take baby steps. To try and bite off $70 million dollars in a referendum, all right, with Hoffmann-LaRoche not being fully developed yet, all right, and with a lot of variables still being out there, I'm not so sure it was so realistic.

People in Nutley are very smart. All right? And people in Nutley like to stay here, but it needs to
be affordable. All right? That was not an affordable option. And I totally agree that we need to address that space issue. We need to correct it. But the options that were presented, all right, again was not the right option.

And as far as collaboration with the Board of Education, all right, we've collaborated on many different things. We're presently in the process of trying to collaborate on DeMuro Park because that track in that entire field, which we co-own with the Board of Education, is in need of an upgrade. And that'll be somewhere north of a half a million dollars, all right, to do that. The Oval is in desperate need of improvement.

And then Mayor Petracco and myself went before the Board of Education and said, let's find a way where you can sign it over to the Township so that we can apply for different types of funding, whether it's Green Acres funding -- whether it's open space funding, whether it's foundation funding -- that they are precluding from for -- to apply for, all right, so that not because we were looking to take ownership of anything; because we want to improve it. It's in the center of our town. It's a centerpiece. All right? It's the first impression many people get of our town.
All right? So we need to do these things. All right?

We had an election yesterday. I'm sure everyone is aware of what the results were, and we have fine people serving. We have three fine people coming into office, all right, and I hope that the influence of the new people, all right, will have an influence on some of the folks who have been there and we can move some of these things forward and we can continue to improve this town.

You didn't elect any of us to sit here and to be quiet and to be conservative to assure reelection at the next cycle. All right? That's not why we're here. We're here to represent you. We're not here to be disrespectful, we're not here to hide anything from you, and we're here to work with everyone we can work with to make this town the best it could be because I don't think any of us here are looking to go anywhere.

So that's my position. And I know many of the commissioners -- not all the commissioners agree with that position, but we need to come up with smarter answers and better options to address the problems that we have. Thank you, Mayor.

MAYOR SCARPELLI: Just on the referendum, no secret I supported the referendum, but that was the only option out there. And so we need to address the
overcrowding issue, and I supported it. I do believe that the people have spoken twice now, so we need a different approach.


COMMISSIONER EVANS: Yeah. So just since we're all commenting on it, I will. One, just what the Mayor said and what everybody has talked about, the public has come forth and said you put this in front of us twice. We don't like it. So to try and put in front of them again wouldn't be wise.

So Einstein said the definition of insanity is doing the same thing over and over again, expecting the outcome to be different. You know, I think twice is enough to know the outcome won't be different. It does, to your point, ma'am, is give an opportunity to look at the situation and actually, as Commissioner Petracco said, look at solutions, right?

Excuse me, Carmen. So the things that I think are important to keep in mind is the notion that the schools are overcrowded, and to suggest that the overcrowding is exclusively attributed to new apartments in town I think is misleading.

I think there's an opportunity now, without the referendum on the table, is actually to do a -- have a thoughtful discussion around what actually is
causing the overcrowding in the schools. When you look
at the fact that, in 2007, the school system, at least
in 2007, changed half-day kindergarten to full-day
kindergarten.

Using the same infrastructure, the same
classrooms meant there was less classrooms available
for other uses because now they were available for
kindergarten students all day versus part day, at the
request of residents who said, hey, it's a hardship on
us to figure out what do I do with my child for half a
day. It's very expensive to do that, and we're trying
to make a living. So the school system responded to
that and went to full-day.

There's nothing that we at the local level
will ever be able to do about changing unfunded federal
mandates around a range of things including special-
needs children. The occupancy of our classrooms for
special-needs children is about 17 percent of the
population. The classroom that can handle 20 kids, 30
kids, right, which historically, when I was there,
handled over 35 kids by federal law can now only have X
number of kids in there and needs a teacher and a
special-needs teacher. And those numbers are generally
less than 10.

So in order to make sure that you're using
classroom space which is commingled -- so sometimes
it's separate, sometimes it's together -- right, that
we have to figure out that says how do we now figure
out how to do something with our infrastructure because
the existing infrastructure can no longer stretch to
absorb that. And those laws aren't changing.

One that doesn't get addressed enough is the
complexity of school curriculum. When I was in school,
what we knew of in science about the solar system was
that Pluto was a small planet on the end. It was the
little one. It was called the junior planet. Today
children are learning so much more about science and
math, and English has an integrated curriculum that the
certification requirements on a teacher and the
complexity of curricula has changed that basically says
I need smaller classroom size and more contact time as
a teacher with those students.

Again, when you have the -- even with the
existing population, you're saying, under the same
number of classrooms, I want to put fewer kids in each
room, which means simply is same population, fewer kids
in each room, special-needs limitations. There's not
enough classrooms to make the space work. It has to be
addressed. The question is how. And I think what
we've all learned is that the solution that says
simply, we want to build more bricks-and-mortar to
expand the space at the prices that are at a cost today
is something that the residents of the township have
said no to.

I have raised with the state a question that, given the advancements in technology and child
development -- I was Chief Learning Officer for my firm for many years, and I raised the question that says, as an option to what Commissioner Petracco raised that says if we were able to advance the use of technology and use the computer more to help children learn and meet their development requirements, how would we change the use of classroom space?

Would we need, for example, not 20 small classrooms but maybe we might need five larger rooms that are technologically outfitted to address the needs of those students, and do it in a way that's very productive and basically drive to a greater immersive learning.

The State has not considered yet -- State Board of Education has not considered yet what the impact is of today's technology on the development of students, and they are still mandating traditional classroom structures and infrastructure. So there's a gap, so -- and so one of the things that we have now as
a town to look at and actually think about is what can be done in the short term so that there might be a better solution coming up in a few years that could help us address the long-term needs of our infrastructure. Because the worst thing that we want to have happen is, 10 years from now, turn the annex building that's being proposed by the school into self-storage. Because technology has advanced and child requirements have changed.

There's so much that's out there around child development and technology that hasn't been explored yet that would create significant changes in educational options that needs to be explored. And I think we have to pursue that very vigorously with the Board of Education as well as with the State Board of Education to advance the proposition of a different solution.

COMMISSIONER PETRACCO: I have to tell you, Commissioner Evans, I think you're spot on with the future and, you know, when we take these bonds and when you talk about technology and how they're going to be teaching 20 years from now, just like I never thought there would be online courses for college students. And, you know, when you approve a referendum, start changing these buildings around, and you're bonding
that money over 20 years or however long they were
going for, 20 years from now -- just like I never
thought there would be driver-less cars -- well, guess
what, you're talking about truckdrivers being out of
work because of that technology.

And I think it's a big investment. I've
heard a lot of voices on this. You know, people that
could afford to pay their taxes and support the
children, and I think having children go through the
Nutley school system, I'm very pro-child in education,
but if you don't have the money and you're going to be
forced to move out of your town, especially your senior
citizens here because you can't afford it, you know.
And not to -- and I understand your point, and I have
kids, but my thing is, you know, up here I think we
have to strike a balance where it affects everyone in a
positive way, not just that the seniors are getting
priced here and not that our kids aren't getting the
proper education.

But, Tom, I just want to commend you because
I think that the way they're going to be teaching 20
years from now is going to be very different than the
way they're teaching today.

MAYOR SCARPELLI: Content of the employee
handbook. I just got mine tonight, so I really can't
comment. Mr. Genitempo?

MR. GENITEMPO: Mr. Mayor, there's a significant provision regarding conflicts of interest and ethics. There's also a nepotism policy in the personnel policy procedure manual, to answer that direct question.

MAYOR SCARPELLI: Thank you. It was brought up about the affordable housing and --

MR. GENITEMPO: I can answer that, too, if you want.

MAYOR SCARPELLI: -- what happens in 2025.

MR. GENITEMPO: I can answer that, Mr. Mayor. Our settlement with COAH will take us to that year. Nobody really knows what's going to happen in 2025, what the requirements will be. We still have a need, and according to the law, but we expect the legislature to take action or at least the court at some point. So we have no idea of knowing what our obligation may be in 2025. There could be no obligation, or it could be an obligation. We just don't know.

MAYOR SCARPELLI: And then Ms. Rossi asked about the trucks behind Ciccolini. There are two trucks and a food truck that park behind Ciccolini's. They had existing agreements with Mr. Ciccolini that we have honored, and once there's a disposition of the
Ciccolini property, I'm sure they'll be gone.

And the only thing else I want to say is that, you know, here on the Board we try to be respectful of everybody. We try to be attentive to everybody. Sometimes our emotions get the best of us, and I apologize for anything that any of us do up here that people take offense to. And that's all I have tonight.

MS. CELENTO: (Indiscernible) several questions that (indiscernible).

MAYOR SCARPELLI: Go to the --

MS. CELENTO: Thank you. Hi, Amy Celento, 70 Newman Avenue.

MAYOR SCARPELLI: I think I answered most of them, though, Amy.

MS. CELENTO: I understand you consolidated some. I do also want to say that this format requires anyone watching the recorded video to watch all of the questions and all of the answers. So in terms of transparency, and we'll call it Open Public Meetings Act, you do, I believe, according to the Act, have the right to set the definition for open public comment.

You didn't do that in advance of this evening, and matter of fact you changed the format midway through the meeting, and you've created a
situation where people are now obligated to watch quite a lengthy video and to try to tie back each question to each answer. So I just want to say that.

And my two questions, which I feel were not answered, is regarding the Meka investigation. I specifically asked about our Town Prosecutor's involvement because there are violations to statutes. I understand that in the addition of 18 basement apartments at the East Centre Street property, that it's been previously mentioned by Commissioner Evans that there were permits issued in terms of the apartments that supposedly were converted after the fact according to what Pat Intindola said at the February joint meeting between all of the aforementioned boards that I've mentioned already.

He said, oh, those must have been converted after certificates of occupancy were issued. He said that to me. I was sitting right behind him. He turned and asked me what buildings I was talking about. I can't verify if those apartments were converted into two-bedroom. All I know is that I toured those apartments and they sure as heck didn't look converted. They looked to be built to specifications. Either way, the developer broke the law on multiple apartments, and he is subject to fines. Any of us who break the law
are issued summonses. We might be arrested. We are
given our day in court.

So I am asking why, for those specific
apartments, there have been no charges filed through
our municipality's prosecutor's office. I asked that
question and I would like an answer.

MAYOR SCARPELLI: (Indiscernible).

MS. CELENTO: That's my first question that
wasn't answered.

COMMISSIONER EVANS: May I address that
briefly?

MAYOR SCARPELLI: Sure, Commissioner.

COMMISSIONER EVANS: I did -- I had just to
just answered with counsel.

MS. CELENTO: I'm sorry, I can't hear you.

COMMISSIONER EVANS: I just had to ask
counsel a question before --

MS. CELENTO: Oh, okay.

COMMISSIONER EVANS: -- I answered your --
tried to answer your question, to the extent that I'm
able to answer it, okay, because I'm being guided by
legal counsel as to what I can say.

I have talked about this at previous meetings
regarding the conversion of an apartment that had --
was supposed to have one bedroom versus two.
Specifically to your question, when that occurs, the violation, the nature of that permit violation, because that's what it is, it's a permit violation, and the permit said one bedroom, they put in two.

Those specific violations are actually covered under the Uniform Construction Code violation section.

MS. CELENTO: Yes.

COMMISSIONER EVANS: Those violation notices are issued through that construction office, and in the event the person does not correct the violation, a summons would be issued and then they would have to go before the Municipal Court, which would involve the court system and the Prosecutor.

So as Mr. Genitempo said tonight, a letter was issued to the owner, which included all of the violations and the things that have to be addressed. We're waiting for his attorney to respond to what action he's going to take. All right? We are not asking for what would be the traditional fine under the Uniform Construction Code. A permit violation under the Uniform Construction Code simply says that for each violation, the fine is $2,000.

MS. CELENTO: Per day?

COMMISSIONER EVANS: No, that's not the
Public Session

construction code.

MS. CELENTO: Okay. I've actually read that, and I will ask that that be published or provided.

COMMISSIONER EVANS: It's the -- in our -- it's actually --

MS. CELENTO: If it's truly separate, if construction code is truly separate --

COMMISSIONER EVANS: Absolutely.

MS. CELENTO: -- from the statute that addresses a violation.

COMMISSIONER EVANS: You're referring to two things, and I want to clarify that. The Uniform Construction Code has provisions in it, and it's the State Uniform Construction Code which is followed. What you're referring to is a local zoning ordinance which includes a violation which could become a daily violation.

MS. CELENTO: Okay. So why wouldn't a local ordinance be applied in --

COMMISSIONER EVANS: So I'm answering --

MS. CELENTO: -- the municipality?

COMMISSIONER EVANS: Your question is a letter has been issued to the owner of that property listing all of those violations, and there is going to be a sit-down to address that, and there will be a
discussion of a course of action once his attorney responds to us as to his response to the violations.

MS. CELENTO: Okay. So I appreciate that and I understand you don't want a back-and-forth, but I will say this. We were told in June that a letter had been issued.

MR. GENITEMPO: Let me answer your question.

MS. CELENTO: No, I'm sorry. It is November.

MR. GENITEMPO: But I want to answer your question. Okay? Your question presupposes that these are criminal violations. They're not. They're violations --

MS. CELENTO: They're violations.

MR. GENITEMPO: Let me finish. The -- there were violations issued regarding the two-bedrooms that were converted originally. Those issue -- those summon -- those violation notices were submitted. Because this is a much bigger issue than a normal zoning violation, you know, most of the time it's -- we find out an apartment in the basement or something and we issue it.

MS. CELENTO: Right.

MR. GENITEMPO: It ends up at the Municipal Court and it's resolved by way of compliance. Okay? So in effect we're really doing the same thing but on a much larger scale. I don't want to get into the
details because I've had private conversations with you, Ms. Celento, on it and I've tried to answer your questions as best I can. But it is a potential litigation matter, and whether it ends up in court or in a resolution, trust me, we are handling it in a very serious manner. The conversion of the twos back to ones will be required and they've already started. And so, you know, it's not a normal case, and therefore it's not -- it's being handled like it but on a much larger scale.

MS. CELENTO: Okay.

MR. GENITEMPO: So I just want it be clear, and I didn't say you that you were saying it, but I think there's an implication that somehow this is a criminal matter and it's not. It's a -- it could be a violation of the Uniform Construction Code of our Township ordinance that we are enforcing.

MS. CELENTO: Okay.

MR. GENITEMPO: And I think if ultimately it gets resolved, everyone will have an opportunity to comment on it, but that's what we're trying to do.

MS. CELENTO: And I appreciate this.

MR. GENITEMPO: So it's not being hidden. It's not going to not be addressed. It's going to be addressed very seriously, and we're trying to do that.
But there are due-process issues that we are trying to comply with.

MS. CELENTO: And I understand, and I'm not implying it's being hidden. And when you say that you've had private conversations with me, we have. However, you're implying that you've told me something that I'm not either believing --

MR. GENITEMPO: I'm not implying --

MR. CELENTO: -- or that I'm asking about. So I want to say this.

MR. GENITEMPO: I'm not implying that all. I'm just trying to say that we've had conversations.

MS. CELENTO: We have, and thank you because I ask about it regularly, yes.

MR. GENITEMPO: I know, and I appreciate that. And we know that you're the ones that helps us find out about it, and I appreciate that. And I'm just trying to be -- at least have a dialogue with you and explain what's happening --

MS. CELENTO: Right.

MR. GENITEMPO: -- to the best -- look, I'm the Township Attorney. I have obligations to my commissioners and to the Town regarding these legal matters. I'm not going to --

MS. CELENTO: And to the citizens.
MR. GENITEMPO: -- just tell people because they want to hear the answer. I need to handle it in the proper way.

MS. CELENTO: And I understand that.

MR. GENITEMPO: And I will continue to do that, but I just want it to be clear. And I'm not saying that you said. I'm just saying there is maybe an implication that it's criminal and it's not.

MS. CELENTO: Okay.

MR. GENITEMPO: And we will address it, I promise you.

MS. CELENTO: And I appreciate that. So we are in the sixth month since the first letter was sent to the developer.

MR. GENITEMPO: But, Ms. Celento, does it matter, as long as we get it right?

MS. CELENTO: Okay.

MR. GENITEMPO: Did you want us to do a haphazard investigation?

MS. CELENTO: I'm not sure if it matters.

MR. GENITEMPO: We're trying to get to the very bottom of it so we can fix it permanently.

MS. CELENTO: Okay. Thank you.

MR. GENITEMPO: And I don't think time is a function here.
MS. CELENTO: Okay.

MR. GENITMEPO: It's doing it right is the most important thing, and that's what we're trying to do.

MS. CELENTO: Okay. And I appreciate being corrected in terms of that it's a construction code versus a local zoning ordinance. Thank you very much. I stand corrected. Since they've already started converting the apartments back, are there construction permits that have been issued?

MR. GENITMEPO: Yes. They have to come in and they have to provide drawings of what --

MS. CELENTO: But have they been issued?

MR. GENITMEPO: One so far has been issued.

MS. CELENTO: Okay. Thank you.

MR. GENITMEPO: I believe another one's coming online, but --

MS. CELENTO: So they're in the process, and they ostensibly have removed their tenants, so they're -- they've lost some revenue, which I consider probably just about one of the only fines we've extracted to date because of the process. And I'm just going to say that because the citizens have been cheated. Additionally --

MAYOR SCARPELLI: Ms. Celento?
MS. CELENTO: Yes?

MAYOR SCARPELLI: Public comment's over. I allowed you --

MS. CELENTO: Okay. But you had -- you didn't answer my question about the Ciccolini building. Topology was hired I believe about two years ago, and it was mentioned tonight that when you get the report. Now, in terms of hiring consultants, vendors, et cetera, there needs to be a timeline, a start and an end date. A specific contract for a report needs to have a delivery date, and it's shocking that there has been no delivery date for that report.

MAYOR SCARPELLI: Ms. Celento, the only thing that I can say that is there was litigation pending and it's still not been resolved.

MS. CELENTO: About -- wait, about the Ciccolini building?

MAYOR SCARPELLI: So let me finish.

MS. CELENTO: Oh, I'm sorry.

MAYOR SCARPELLI: There's pending --

MS. CELENTO: I'm asking you was it pending about the Ciccolini building.

MAYOR SCARPELLI: There's pending litigation that prevented that from going forward, and now I'm going to leave it at that.
MS. CELENTO: Okay. So that litigation has been completed?

MAYOR SCARPELLI: Not yet.

MS. CELENTO: Okay. So I appreciate being given the opportunity to ask questions or to confirm that I felt two questions weren't answered. I want to say this. I leave you all with a question: Who do you consider to be the Town's shareholders? And I'm not asking you to answer that now. I understand the open public comment section is closed. But it was mentioned tonight by Ms. Bozza that it seems like sometimes there's not a clarity that the taxpayers, the people who own property in Nutley, are shareholders.

And if you were a public corporation, you would be expected to deliver a return on investment. I'm not saying that none of you are making that effort. I'm just saying that it seems like sometimes the developers become the shareholders even when they don't live in Nutley. Yes, they've bought property and they're developing it. For many years Hoffman-LaRoche drove the town, and we were just grateful that they paid their $10 million. We gave them all sorts of tax breaks. They never let up on the tax breaks they looked for. They negotiated long-term tax breaks, and then they left. And instead of delivering on what they
agreed to for those long-term tax breaks, they tore buildings down.

So we cannot be at the mercy of developers, in my opinion. Thank you very much.

MAYOR SCARPELLI: Thank you. Motion to adjourn?

COMMISSIONER TUCCI: So moved.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye. I didn't hear her.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Mayor Scarpelli?

MAYOR SCARPELLI: Aye.

THE CLERK: And the time is 10:15.

(End of recording)

* * * * *

Rizman Rappaport (973)992-7650
“When every word counts”
CERTIFICATION

I, Ilene Watson, do hereby certify that the foregoing is a correct transcript from the electronic sound recording provided for transcription and prepared to the best of my professional skills and ability.

______________________________   November 21, 2018
Ilene Watson
AAERT Cert. No. 447
Certified Court Transcriptionist
Nutley Board of Commissioners

Public Session Transcript of Proceedings

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000</td>
<td>1</td>
</tr>
<tr>
<td>$1,683.81</td>
<td>1</td>
</tr>
<tr>
<td>$1,998</td>
<td>1</td>
</tr>
<tr>
<td>$10</td>
<td>2</td>
</tr>
<tr>
<td>$10,000</td>
<td>1</td>
</tr>
<tr>
<td>$100</td>
<td>1</td>
</tr>
<tr>
<td>$11,988</td>
<td>1</td>
</tr>
<tr>
<td>$126</td>
<td>1</td>
</tr>
<tr>
<td>$15,000</td>
<td>2</td>
</tr>
<tr>
<td>$16,825.16</td>
<td>3</td>
</tr>
<tr>
<td>$17,354.04</td>
<td>1</td>
</tr>
<tr>
<td>$187</td>
<td>1</td>
</tr>
<tr>
<td>$2,000</td>
<td>1</td>
</tr>
<tr>
<td>$2,2 (1)</td>
<td>1</td>
</tr>
<tr>
<td>$2,7 (1)</td>
<td>1</td>
</tr>
<tr>
<td>$200,000</td>
<td>1</td>
</tr>
<tr>
<td>$23,976</td>
<td>1</td>
</tr>
<tr>
<td>$24,504</td>
<td>1</td>
</tr>
<tr>
<td>$25,000</td>
<td>2</td>
</tr>
<tr>
<td>$313</td>
<td>1</td>
</tr>
<tr>
<td>$313,000</td>
<td>1</td>
</tr>
<tr>
<td>$35,000</td>
<td>2</td>
</tr>
<tr>
<td>$357</td>
<td>1</td>
</tr>
<tr>
<td>$394</td>
<td>1</td>
</tr>
<tr>
<td>$395</td>
<td>1</td>
</tr>
<tr>
<td>$4,3 (1)</td>
<td>1</td>
</tr>
<tr>
<td>$40,000</td>
<td>1</td>
</tr>
<tr>
<td>$47,952</td>
<td>1</td>
</tr>
<tr>
<td>$5,5</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$50,000</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$6</td>
<td>2</td>
</tr>
<tr>
<td>$631,682.44</td>
<td>1</td>
</tr>
<tr>
<td>$7,367,539.37</td>
<td>1</td>
</tr>
<tr>
<td>$70</td>
<td>4</td>
</tr>
<tr>
<td>$763</td>
<td>1</td>
</tr>
<tr>
<td>$77,656.79</td>
<td>1</td>
</tr>
<tr>
<td>$826,230.70</td>
<td>1</td>
</tr>
<tr>
<td>$83,841.27</td>
<td>1</td>
</tr>
<tr>
<td>$9,177,113.51</td>
<td>1</td>
</tr>
<tr>
<td>$900</td>
<td>1</td>
</tr>
<tr>
<td>$91,521.67</td>
<td>1</td>
</tr>
<tr>
<td>$95,000</td>
<td>1</td>
</tr>
<tr>
<td>$98,641.27</td>
<td>1</td>
</tr>
</tbody>
</table>

**Accountable (2)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$90,000</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$98,641.27 (1)</td>
<td>4</td>
</tr>
</tbody>
</table>

**Amount (19)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
<tr>
<td>$98,641.27</td>
<td>1</td>
</tr>
</tbody>
</table>

**Amounts (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$98,641.27</td>
<td>1</td>
</tr>
</tbody>
</table>

**Action (4)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$98,641.27</td>
<td>1</td>
</tr>
</tbody>
</table>

**Activity (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Accountibility (2)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Accounting (3)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Accountable (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Accredible (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Adjusted (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Advancements (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Adverse (2)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Adversements (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Agency (4)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Agreement (3)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Alarms (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Allowable (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Allowed (6)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Allegiance (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Allow (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Allowable (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Amendment (1)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>

**Amount (19)**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>$900</td>
<td>1</td>
</tr>
</tbody>
</table>
public session transcript of proceedings

B-1 (1) 12:22

B-4 (1) 12:20

babbies (1) 81:9

baby (3) 81:8,9,19

back (22) 7:18;8:5,16;11:3,5;15:11;16:4;17:10;44:25;52:3;53:11,15;25:58;7:19;60:6;24:31;17:81;17;92:2;97:6;100:9

back-and-forth (3) 48:11;60:6;96:4

backing (1) 58:7

backyards (1) 58:7

balance (1) 89:16

balances (1) 10:10

Banking (1) 30:22

based (2) 13:4;47:10

basement (2) 92:8;96:20


basis (3) 56:16;71:9;76:15

became (1) 11:9

become (3) 77:12;95:16;102:18

bed (1) 45:2

bedroom (5) 6:12;8:13;11:21;51:24;93:25;94:4

bedrooms (3) 11:21;23;55:5

beeping (1) 58:3

beforehand (1) 62:4

began (1) 46:19

beginning (1) 28:1

begins (1) 2:1

behalf (2) 18:10;20:5

behavior (3) 46:21;47:2;57:7

behind (7) 57:8;58:2;18:22;90:22;92:18

believing (1) 98:7

Bella (1) 58:22

belongs (1) 47:17

beneficial (1) 80:12

benefit (1) 77:2

besides (1) 71:20

best (4) 83:16;91:5;97:3;98:21

better (7) 66:11;23;70:4,15;15:83;21:88:3

bid (2) 39:20;40:4

bidders (2) 23:20;24:3

bidding (1) 27:18

bids (1) 23:16

big (3) 8:14;62:23;89:6

bigger (1) 96:18

biggest (1) 17:14

bike (2) 70:19;73:5

Bill (4) 4:17;5:8;42:9;61:5

billing (1) 34:10

Bills (2) 4:16;23

bit (2) 14:15;60:3

bite (1) 81:20

Bituminous (2) 39:21;22

Block (1) 33:6

blocks (1) 58:3

blow (1) 23:22
<table>
<thead>
<tr>
<th>Nutley Board of Commissioners</th>
<th>Public Session</th>
<th>Transcript of Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>club (1)</td>
<td>15:15,17,19,16:14; 17:2,3,19,22,25,18:1; 4,6,23,24,25,19:1,2,3; 4,19,20,21,22,23,24; 25:20,3,4,21;6,9,10; 11,12,13,14,23,25; 22,11,12,13,14,15,16; 17:23,5,6,7,8,9,10,11; 13,14,24,6,7,8,9,10; 11,12,15,25,18,19,20; 21,22,23,24,26,2; 25,7,6,8,9,10,11,14; 28,20,21,22,23,24,25; 29,1,4,30,5,6,7,8,9, 10,11,14,16,17,31,3, 4,5,6,7,8,9,12,32,17, 18,19,20,21,22,23, 33,1,8,9,10,11,12,13, 14,17,34,2,3,4,5,6,7, 10,35,6,7,8,9,10,11, 12,15,16,17,36,2,3,4, 5,6,7,8,11,16,17,18, 19,20,21,22,25,37,8, 9,10,11,12,13,14,17, 25,38,1,2,3,4,5,6, 39,6,7,8,9,10,11,12, 40,18,19,20,21,22,23, 24,45,1,4,11,47,6,5,3,6, 58,10,13,18,21,24, 9,15,5,6,10,13,14, 16,17,18,19,20,61,1, 22,63,8,9,64,10,11, 65,19,66,13,15,6,7, 22,24,69,14,25,70,2, 10,71,5,6,24,72,2, 73,4,24,74,2,14, 16,19,22,23,75,11,79,6, 23,80,2,16,17,21,22, 84,4,5,16,87,9,88,18, 19,92,10,93,10,12,13, 16,19,94,9,25,95,4,8, 11,20,22,10,37,8,9, 10,11,12,13,14,1</td>
<td>80:10</td>
</tr>
</tbody>
</table>
investigating (1) 43:8
investigations (3) 43:7,10;61:8
investment (2) 89:6;102:15
involve (4) 48:22;55:2;94:13
involved (4) 10:20,23;12:11;76:9
involvement (1) 92:7
involving (1) 10:23
issued (12) 92:11,17;93:1;94:10,12,16;95:23;96:6,15;100:10,13,14
items (5) 5:10,7:22;16:10;24:2,63:12

J
jackhammers (1) 52:4
January (5) 25:6;26:16;31:24;38:13,39:25
JGSC (1) 49:14
Joan (1) 59:12
job (5) 17:15,46:9,56:11,19:70:10
joint (4) 14:3,25;4,8,92:14
joke (1) 80:19
JOSEPH (1) 1:11
June (2) 28:2;96:5
June (1) 86:11
junk (1) 35:22
jurisdiction (1) 27:20
JVC (1) 67:22
K
keep (2) 44:24;84:19
keeping (1) 64:3
KENNEDY (2) 1:23;1
Kenny (1) 48:19
kids (10) 72:5,73:17;85:19,20,21,22;86:20,21;89:15,18
kind (7) 44:5,21,11,12,21;57:6,12,16
kindergarten (4) 71:21;85:3,4,8
Kingsland (5) 34:13,14,23,23;35:4
knew (1) 86:9
knocked (1) 16:17
knowing (1) 90:18
known (3) 9:17,15;17:63:25
knows (1) 90:14
kudos (1) 18:3

L
lack (1) 57:4
lady (1) 71:17
Land (5) 34:17,52;18,54:15;67:7,75:13
Lane (4) 40:3,45:23,53:12;
legal (3) 31:1393:22,98:23
legality (1) 69:24
legally (1) 67:12
legislature (1) 90:16
lengthy (1) 92:2
less (2) 16:12;58:20
<table>
<thead>
<tr>
<th>Nutley Board of Commissioners</th>
<th>Public Session</th>
<th>Transcript of Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>49:24,71:14,15,20;75:1</td>
<td>needs (12)</td>
<td>normally (1)</td>
</tr>
<tr>
<td>mixed-use (9)</td>
<td>11:24,57:6,70:14;75:8;81:25,85:17;22;87:16,88:4,13;101:9,10;78:8</td>
<td></td>
</tr>
<tr>
<td>6:10,13:1,14,13,1,19,44,16,50:19;65:10,71:18;76:1</td>
<td>negative (1)</td>
<td>59:12,82:12</td>
</tr>
<tr>
<td>modifications (1)</td>
<td>79:10</td>
<td>note (2)</td>
</tr>
<tr>
<td>76:1</td>
<td>negotiate (1)</td>
<td>31:14,68:12</td>
</tr>
<tr>
<td>money (8)</td>
<td>57:19</td>
<td>notice (5)</td>
</tr>
<tr>
<td>month (4)</td>
<td>31:16,78:1,102:24;78:18,25;10:24</td>
<td>noticed (2)</td>
</tr>
<tr>
<td>4:15;22:8,27:25;99:13</td>
<td>negotiations (1)</td>
<td>42:11,12</td>
</tr>
<tr>
<td>months (4)</td>
<td>76:8</td>
<td>notices (2)</td>
</tr>
<tr>
<td>9:2,3,11:5,49:4</td>
<td>neighbor (1)</td>
<td>94:9,96:17</td>
</tr>
<tr>
<td>MOORE (22)</td>
<td>53:20</td>
<td>notion (1)</td>
</tr>
<tr>
<td>6:2,2,17,18,21,25;7:3,9,14,17:1,8:1,41:22,22:42:3,4,7,8,13,14,17:18,21</td>
<td>negotiators (1)</td>
<td>84:19</td>
</tr>
<tr>
<td>more (21)</td>
<td>8,24:1,5:20,9:25:70:5</td>
<td>nowhere (1)</td>
</tr>
<tr>
<td>mother (1)</td>
<td>93:5</td>
<td>must (4)</td>
</tr>
<tr>
<td>5:7</td>
<td>must (4)</td>
<td>5:18,41:13,78:21;92:16</td>
</tr>
<tr>
<td>Motion (3)</td>
<td>myself (3)</td>
<td>63:2,80:25,82:15</td>
</tr>
<tr>
<td>3:8,60:11,103:5</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Move (28)</td>
<td>name (3)</td>
<td></td>
</tr>
<tr>
<td>moved (8)</td>
<td>nature (1)</td>
<td></td>
</tr>
<tr>
<td>movie (1)</td>
<td>necessarily (2)</td>
<td>70:20</td>
</tr>
<tr>
<td>43:1</td>
<td>necessarily (1)</td>
<td>12:14,15</td>
</tr>
<tr>
<td>moving (9)</td>
<td>necessary (1)</td>
<td>67:13</td>
</tr>
<tr>
<td>51:4,61:17,63:3,22,23:65:2,73:8,80:10,81:3</td>
<td>need (33)</td>
<td>58:9</td>
</tr>
</tbody>
</table>
| Mrs (1)                       | need (33)      | 10:11,18,14:20,24:16,26:3,27:15,46:25,47:4,13,55:19,63:11,76:11,79:9,80:3,4,8,8,81:7,8,14,82:2,3,11,13,83:1,20, | nonconforming (1) | 66:3
<p>| 102:16                        | none (5)       | 16:12,60:11,75:3,6,102:16 | none (5) | 16:12,60:11,75:3,6,102:16 |
| newly compete (1)             | non-fair (1)   | 31:20                     |
| occupied (1)                  | non-open (1)   | 31:21                     |
| obligations (4)               | normal (3)     | 81:2,96:18,97:8           | obligations (1) |
| obligations (1)               | O               |                           |
| Nutley-Belleville (1)         | O&amp;E (2)        | 33:24,37:6               |
| 17:6                          | obligated (1)  | 92:1                      |
| Once (5)                      | obligations (1) | 62:25,90:18,19,20         |                           |
| 12:18,64,8:70:11,90:25,96:1 |                          |                           |
| ONE (58)                      |                |                           |
| 1:2,6,6,16,23:7:10,18:8,13:9,14:10,7:8,11:21,14:16,14,17:14,23,18,24:23,26:18,31:1,44:7,46:12,25:9,51:18,51:18, |                            |</p>
<table>
<thead>
<tr>
<th>Nutley Board of Commissioners</th>
<th>Public Session</th>
<th>Transcript of Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>reason (4)</td>
<td>44:3:5;50:24:72:24</td>
<td>requested (1)</td>
</tr>
<tr>
<td>43:17:47:13:78:22;79:8</td>
<td>referring (2)</td>
<td>65:17</td>
</tr>
<tr>
<td>reasons (1)</td>
<td>95:11:15</td>
<td>requesting (3)</td>
</tr>
<tr>
<td>recall (2)</td>
<td>refund (4)</td>
<td>3:22:50:18:51:6</td>
</tr>
<tr>
<td>69:20:70:21</td>
<td>regard (2)</td>
<td>requests (1)</td>
</tr>
<tr>
<td>receive (1)</td>
<td>20:15:67:9</td>
<td>46:16</td>
</tr>
<tr>
<td>received (8)</td>
<td>regarding (9)</td>
<td>require (1)</td>
</tr>
<tr>
<td>regularly (3)</td>
<td>regularly (1)</td>
<td>required (13)</td>
</tr>
<tr>
<td>recommendation (4)</td>
<td>rejuvenation (1)</td>
<td>requirement (4)</td>
</tr>
<tr>
<td>recommendations (4)</td>
<td>reimbursable (1)</td>
<td>requirements (5)</td>
</tr>
<tr>
<td>recommended (3)</td>
<td>reintroduce (2)</td>
<td>requires (2)</td>
</tr>
<tr>
<td>reconciliation (1)</td>
<td>reiterate (1)</td>
<td>research (2)</td>
</tr>
<tr>
<td>12:24</td>
<td>related (2)</td>
<td>67:67:73:2</td>
</tr>
<tr>
<td>record (2)</td>
<td>relative (1)</td>
<td>residential (2)</td>
</tr>
<tr>
<td>recorded (1)</td>
<td>remainder (1)</td>
<td>residents (4)</td>
</tr>
<tr>
<td>91:18</td>
<td>30:1</td>
<td>59:7:64:18:85:9;87:3</td>
</tr>
<tr>
<td>Recording (2)</td>
<td>remaining (1)</td>
<td>resolution (34)</td>
</tr>
<tr>
<td>Records (2)</td>
<td>remarks (2)</td>
<td>resolutions (1)</td>
</tr>
<tr>
<td>18:14:19:10</td>
<td>5:17:41:12</td>
<td>22:1</td>
</tr>
<tr>
<td>red (1)</td>
<td>Removal (1)</td>
<td>resolve (1)</td>
</tr>
<tr>
<td>62:20</td>
<td>23:1</td>
<td>74:10</td>
</tr>
<tr>
<td>redeveloper (1)</td>
<td>remove (1)</td>
<td>resolved (25)</td>
</tr>
<tr>
<td>redevelopers (1)</td>
<td>report (8)</td>
<td>respectful (1)</td>
</tr>
<tr>
<td>redevelopment (4)</td>
<td>Reports (3)</td>
<td>respecting (1)</td>
</tr>
<tr>
<td>reduction (1)</td>
<td>represent (1)</td>
<td>respond (2)</td>
</tr>
<tr>
<td>75:21</td>
<td>83:13</td>
<td>64:8:94:18</td>
</tr>
<tr>
<td>reelection (1)</td>
<td>reprimand (1)</td>
<td>responded (1)</td>
</tr>
<tr>
<td>83:11</td>
<td>46:14</td>
<td>85:12</td>
</tr>
<tr>
<td>reference (1)</td>
<td>re-proposed (1)</td>
<td>responds (1)</td>
</tr>
<tr>
<td>7:6</td>
<td>11:2</td>
<td>96:2</td>
</tr>
<tr>
<td>Referendum (15)</td>
<td>request (8)</td>
<td>response (4)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Min-U-Script®</th>
<th>Izman Rappaport (973)992-7650</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;When every word counts&quot;</td>
<td>117 reason - Sales</td>
</tr>
</tbody>
</table>
specifically (4)
34:18;65:7;92:6; 94:1
 specifications (1)
92:23
 specifications (3)
8:6;11:7;12:16
 speculating (1)
53:20
 spend (1)
15:12
 spending (1)
55:25
 split (1)
55:25
 spoke (3)
46:6;55:2;10
 spoken (1)
84:2
 spot (2)
63:3;88:19
 spots (2)
11:22;13:22
 Spring (4)
55:8;71:16;19;72:4
 Springer (2)
53:12;74:3
 square (6)
7:7;9;12;8:13; 13:21;80:7
 stabilization (3)
34:12;16;35:3
 stacked (1)
55:7
 stages (1)
70:3
 stand (4)
2:2;6;70:8;10:8
 standard (1)
35:22
 standards (1)
68:10
 standing (1)
53:1
 Star (1)
2:14
 start (6)
11:19;20;23;66:23; 88:24;101:9
 started (3)
61:25;97:7;100:8
 State (34)
20:8;11;11;12;15; 22:7;24:2;25;11; 26:25;28;14;29:23; 30:19;32;13;33:3; 35:1;37;20;39:2; 40:12;57;25;66:18; 22;24;75;25;76:5;14; 18;20;21;77;5;87:5; 20;20;88;15;95:14
 stated (1)
55:4
 states (1)
56:16
 statute (4)
66:18;22;69:23; 95:9
 statutes (6)
 stay (1)
81:25
 staying (1)
64:3
 step (1)
46:20
 steps (1)
81:19
 STEVEN (1)
1:12
 still (10)
66:1;67:19;69:25; 73:8;74:9;10;81:22; 87:23;90:15;101:15
 stipulate (1)
52:1
 stone (1)
72:21
 stop (2)
44:9;62:17
 store (1)
73:11
 Strategic (5)
29:4;11:15;18;30:2
 Street (12)
 stretch (1)
86:5
 strike (1)
89:16
 strong (1)
44:7
 structurally (1)
80:6
 structures (2)
56:10;87:24
 students (5)
83:8;86;17;87:17; 23;88;23
 studios (1)
51:23
 study (4)
49:20;51:5;66:25
 stupid (1)
47:8
 subdivisions (1)
65:8
 subject (11)
27:19;28:8;10;56:8; 13:21;70:1;78:11;6; 1692:25
 subjective (1)
80:9
 submitted (2)
3:22;96:17
 substantial (1)
27:23
 Suburban (2)
25:4;7
 sudden (1)
16:16
 suggest (1)
84:20
 suggested (1)
66:21
 suggestions (1)
11:14
 Suite (2)
27:22;31:19
 suited (1)
26:13
 summarize (1)
68:5
 summary (3)
8:19;20:6;64:12
 summon (1)
96:16
 summons (1)
94:12
 Sun (4)
7:2;13:18;17;19:13; 20:25
 Sunday (2)
3:23;38:16
 supervisors (1)
79:19
 supply (1)
27:18
 support (2)
69:22;89:8
 supported (2)
83;24:84:1
 supposed (6)
53:23;54:16;18; 62:12;13;93:25
 Supposedly (2)
10:4;92:12
 sure (21)
10:9;13:19;43:2; 45:20;48:24;62:6;
63:2;21;64:3;65:6; 67:8;72:1;74:15;
75:11;81:23;83:2;
85:25;91:19:22;
93:12;99:20
 surplus (2)
23:16:24:2
 surprise (2)
9:16;10:6
 surrounding (1)
16:18
 survey (2)
67:25;68:2
 suspension (1)
50:18
 swept (1)
52:24
 System (8)
29:7;25;79;5;85:2;
12:86;9:89:10;94:14
 systems (1)
27:16
 Syto (1)
37:22


T-15-912-914 (1)
34:20
 table (3)
13:18;15:12;84:24
 tabled (3)
8:5;15:10;55:4
 tables (1)
46:18
 talk (2)
11:21;88:21
 Talked (3)
71:7;84:7;93:23
 talking (5)
11:19;20:80:16;
89:4;92:19
 Tammy (2)
44:13;57:13
 tax (15)
33:5;56:12;75:9;12;
76;17:77;12;17:82;
6,9;22:102:22;23;24;
103:1
 taxation (3)
78:11;12;79:7
 taxes (7)
51:11;77:6;78:13;
17:79;180:17;89:8
 taxing (2)
78:10;14
 taxpayer (2)
46:15;73:24
 taxpayers (7)
46:24;49;9;73:2;
75:23;77:13;14;
102:12
 Taylor (1)
31:19
 teacher (4)
85:22;23:8;64:17
 teaching (3)
88:22;89:21
 team (1)
45:13
 tear-down (3)
56:24;79;23;80:9

tech (1)
66:4
 technologically (1)
87:16


Technology (8)
27:25;87:6;10:22;
88:8;11:21;89:5
 ten (2)
69:15;23
 tenants (1)
100:19
 term (11)
26:15;45:4;6,15;
49:10;22;25;50:3;12;
15:51;168:3;41:19;
92:11;100:6;101:8
 Terrace (2)
44:13;57:13
 testimony (3)
51:21;25;52:16
 that'll (2)
11:22;82:11
 therefore (12)
22:5;23;25;25;9;
26:23;28;12:29:21;
32:11;34:24;38:25;
40:10;66:10;97:8
 THOMAS (1)
1:14
 though (2)
52:8;91:15
 thought (7)
6:18;13:4;17:7;
46:21;79:14;88:22;
89:3
 thoughtful (1)
84:25
 three (9)
5:16;15:19:16:6;
17:17;19:53:12;
80:2;22:83:4
 three-bedroom (1)
63:17
 three-year (1)
29:12
 threshold (1)
40:5
 thresholds (1)
20:21
 throughout (1)
28:17
 thrown (1)
72:21
 tie (1)
92:2
 Tilecon (2)
39:23;40:13
 timeline (2)
50:12;101:9
 timelines (1)
50:3
 times (2)
61:13;65:5
Nutley Board of Commissioners

Public Session

transcript of proceedings

when every word counts

W

Wage (2)

33:23;37:6

wait (1)

101:16

waiting (2)

67:12;94:18

walk (1)

45:1

walking (1)

54:10

WALLACE (3)

56:4;45:7:10

Walnut (1)

37:22

Walter (4)

24:23;25:12;26:10;27:1

wants (2)

62:14;72:12

Washington (2)

40:3;55:9

watch (2)

91:18;92:1

watching (2)

43:1;91:18

Water (3)

4:21;42:9;61:4

way (15)

42:2;57:9;58:11;60:6;78:10;81:9;
82:17;87:17;89:17;

99:3

way-finding (1)

68:7

Weber (1)

31:18

Wednesday (1)

2:8

wee (1)

58:19

weeks (2)

16:1;45:15

weren't (3)

10:20;67:23;102:6

Wharton (1)

39:24

what's (11)

6:11;8:10;13:10;
48:1;4;50:12;54:1;
71:13;78:11;90:14;
98:19

Whereas (35)

22:2;23:15;18;
24:15;20;23:25:2;
26:2;6;10;15;19;
27:14;17;21;28:3;
29:4;10;14;17;31;18;
25:32;2;7;34;10;16;
21:35;19;38;9;22;
39:17;19;40:2;4;6

white (1)

76:1

whose (1)

56:14

wind (1)

16:16

wing (1)

62:16

wise (1)

84:10

wish (13)

7:21;16;9:42;22;
44:11;45:21;47:22;
51:11;54;23;56:2;
57:11;59:10;60:9;
61:21

wishes (1)

40:2

within (2)

12:18;52:23

without (2)

27:18;84:23

witnessed (1)

57:4

wives (1)

57:8

wonder (1)

57:7

wondering (3)

42:5;55:22;58:8

word (1)

51:14

work (10)

10:16;13:25;68:22;
73:20;77:9;79:6;
83:15;15;86:23;89:5

worked (2)

12:9;72:22

working (4)

9:12;49;22;69:9;
70:1

Weirs (2)

4:12:20

work (2)

22:9;8:10

worst (1)

88:5

Wrap (1)

54:9

wrong (1)

12:13

wrote (1)

76:1

Wycziskala (1)

31:19

X

XXV (1)

18:14

Y

yard (1)

65:21

year (16)

10:4;26:18;29:13;
44:2;7;52:4;56:12;
71:18;76:9;21;23:24,
25:77:9;81:6;90:13

yearly (1)

46:23

years (31)

8:18;25:10;17:11:2;
22:4;44:6;17:47:16;
49:19;53:12:16;
56:17;63:25;25;
65:12;66:19;69:15,
23:77;19;81:4;8:18;
87:8;88:3;6;22;89:12,
22;101:6;102:20

12 (2)

45:1;47:15

1250 (1)

6:24

126 (1)

77:20

13 (1)

33:6

134 (1)

42:25

yell (1)

46:19

14 (3)

2:13;65:23,24

York (1)

149 (1)

Z

zone (3)

12:20;22:52:7

Zones (1)

8:10

Zoning (10)

44:18;45:8;61:20;
62:21;63:4;65:8;
66:25;95:15;96:18;
100:7

1

0-01-510-237 (1)

28:9

07110 (1)

1:4

1

19 (1)

29:8

19:44A-20.4 (1)

31:22

19:44A-20.5 (2)

24:19:36

1920s (1)

53:19

1975 (1)

2:11

1983 (1)

73:16

2

2:00 (1)

36:13

20 (7)

81:4;85:19;87:14;
88:22;89:1,2,21

20.5 (1)

31:22

2000 (2)

23:22;36:14

2003 (3)

38:23;35:24,25

2005 (1)

55:16

2006 (1)

36:14

2007 (2)

23:24

2008 (2)

85:2,3

2009 (1)

44:19,20

2010 (1)

35:25

2012 (2)

36:14;69:16

2013 (2)

75:14;76:12

2014 (2)

76:21;77:8

2015 (3)

14:17;49:14;76:22

2016 (3)

29:8;44:20,22

Min-U-Script®

Rizman Rappaport (973)992-7650

"When every word counts"
<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
<th>Page(s)</th>
<th>Transcript of Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>4</td>
<td>3</td>
<td>38:11 40A11-5f (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7:17 40A11-5t (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>29:8 40A4-58 (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1:3 410 (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>24:24:26:11</td>
</tr>
<tr>
<td>2018</td>
<td>25</td>
<td>3</td>
<td>41-18 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>38:12 4-18 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>31:24 42-18 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>38:15 43-18 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>38:19 44-18 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>52:23 45 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6:2:41:22 462 (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37:22 476 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>300</td>
<td>59:12 48 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>23:18 495 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>9:22 49-5 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>18:21 49-5t (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>19:17 49-5t (1)</td>
</tr>
<tr>
<td>2019</td>
<td>10</td>
<td>3</td>
<td>49-5 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>9:22 49-5t (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>18:21 49-5t (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>19:17 49-5t (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>31:24 450 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>76:23 50 (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7:10:22:76:15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>23:18 50/50 (5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>76:23 550 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>73:17 550 (1)</td>
</tr>
<tr>
<td>2020</td>
<td>2</td>
<td>3</td>
<td>78:23 5 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>76:16 9 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>22:3 9.4 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>28:7 9-01-226-205 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>20:5 9-01-510-237 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>26:20 9-01-516-245 (1)</td>
</tr>
<tr>
<td>2022</td>
<td>1</td>
<td>3</td>
<td>8:20 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2:9 8-01-226-205 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>32:8 8-01-510-237 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>28:4 8-01-516-245 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>51:13 84.1 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>22:3 88 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>55:1 8th (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>38:21 9 (1)</td>
</tr>
<tr>
<td>2025</td>
<td>5</td>
<td>3</td>
<td>9 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>76:16 9.4 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>22:3 9-01-510-237 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>28:7 9-01-516-245 (1)</td>
</tr>
<tr>
<td>2026</td>
<td>4</td>
<td>3</td>
<td>5 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>78:23 50 (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7:10:22:76:15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>23:18 50/50 (5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>20:5 55 (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>73:17 550 (1)</td>
</tr>
<tr>
<td>2027</td>
<td>1</td>
<td>3</td>
<td>8:13 5 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>28:4 998 (1)</td>
</tr>
<tr>
<td>2028</td>
<td>5</td>
<td>3</td>
<td>5 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>78:23 50 (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7:10:22:76:15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>23:18 50/50 (5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>20 55 (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>73:17 550 (1)</td>
</tr>
<tr>
<td>2029</td>
<td>6</td>
<td>3</td>
<td>6 (4)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>29:19:30:1:39:20:50:24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>600 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>31:19 622 (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>39:24 622 (2)</td>
</tr>
</tbody>
</table>

Min-U-Script®

Rizman Rappaport (973)992-7650
"When every word counts"