

In The Matter Of:
In Re; Nutley Board of Commissioners

Transcript of Proceedings
November 30, 2021



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Min-U-Script®

1 TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

2 ONE KENNEDY DRIVE

3 3RD FLOOR COMMISSION CHAMBERS

4 NUTLEY, NEW JERSEY 07110

5
6 *** PUBLIC SESSION ***

7
8 DATE: November 30, 2021

9
10 BOARD OF COMMISSIONERS:

11 MAURO G. TUCCI, MAYOR

12 JOHN V. KELLY III, COMMISSIONER

13 JOSEPH P. SCARPELLI, COMMISSIONER

14 THOMAS J. EVANS, COMMISSIONER

15 ALPHONSE PETRACCO, COMMISSIONER

16
17 Also Present:

18 ALAN GENITEMPO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 MAYOR TUCCI: -- Pledge of Allegiance?

3 (Group Response -- Pledge of Allegiance)

4 MAYOR TUCCI: Thank you. Sunshine Notice,
5 please?

6 THE CLERK: Thank you, Mayor.

7 Board of Commissioners Public Meeting,
8 Tuesday, November 30th, 2021. The time is now 6:39.

9 Pursuant to the requirements of the Open
10 Public Meeting Act, Chapter 231, Public Law 1975,
11 notice of this meeting was published in the
12 December 3rd, 2020 issues of the Nutley Sun, the Herald
13 News, and the Star Ledger. Notice of a date change and
14 time of a regular scheduled meeting of the Board of
15 Commissioners was advertised in the Herald News issue
16 Friday, November 12th, 2021. A copy of this notice has
17 been posted on the Nutley Town Hall bulletin board, and
18 a copy is on file in the Municipal Clerk's office.

19 Commissioner Kelly?

20 COMMISSIONER KELLY: Present.

21 THE CLERK: Commissioner Evans.

22 COMMISSIONER EVANS: Here.

23 THE CLERK: Commissioner Petracco.

24 COMMISSIONER PETRACCO: Here.

25 THE CLERK: Commissioner Scarpelli.

1 COMMISSIONER SCARPELLI: Here.

2 THE CLERK: Mayor Tucci.

3 MAYOR TUCCI: Here.

4 THE CLERK: All present, Mayor.

5 MAYOR TUCCI: Thank you, Madam Clerk.

6 THE CLERK: You're welcome.

7 MAYOR TUCCI: I see we have minutes for
8 October 19th and November 4th of 2021.

9 COMMISSIONER SCARPELLI: Move the minutes.

10 COMMISSIONER EVANS: Second.

11 THE CLERK: Commissioner Kelly.

12 COMMISSIONER KELLY: Aye.

13 THE CLERK: Commissioner Evans.

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco.

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli.

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci.

20 MAYOR TUCCI: Aye. Thank you.

21 THE CLERK: You're welcome.

22 MAYOR TUCCI: This evening, we have several
23 proclamations to be presented, all in the Public Safety
24 area, so what I'd like to do at this time is turn it
25 over to Commissioner Petracco.

1 COMMISSIONER PETRACCO: Thank you, Mayor.
2 At this time, I would like to call the Chief up. He's
3 going to give a little summary of what happened at the
4 Passaic River that night, and then I'll read the
5 proclamations.

6 You guys could all have a seat if you want.
7 Why don't you just come in? Make yourself feel at
8 home. Because when we do this, the thing we didn't
9 tell you, you have to stay the whole meeting after
10 this, too.

11 CHIEF STRUMOLO: Good evening, Mayor,
12 Commissioners. Thank you for taking the time to
13 recognize this incident and the officers that were
14 involved. We're here tonight to recognize several
15 officers and two civilians for their heroic actions
16 taken to save a victim trapped in a vehicle in the
17 Passaic River. I'd like to call a few officers
18 involved.

19 Officer Steven Rogers. Guys, just come up
20 and stand up here. Officer Chris Bassani. Officer
21 Ryan Mulligan, and Sergeant Chris D'Alessio.

22 I'd also like to call up the two civilians
23 that were there that day that also helped out. Ivan
24 Viana and William Dinnerstein. Please come up.

25 Just a little quick synopsis of what

1 occurred. On August 7th, 2021, at 6:11 p.m., the
2 Nutley Police Department received 911 calls that an
3 occupied motor vehicle had driven into the Passaic
4 River from Dock Street. Police units and EMS personnel
5 began to respond. Prior to them arriving on scene, a
6 citizen, Ivan Viana, had already entered the river, and
7 was attempting to pull the driver from the vehicle.

8 The first officers on scene were Officer
9 Steve Rogers, and Chris Bassani, and they immediately
10 entered the river, and swam out to assist the victim,
11 and assist Mr. Viana in getting the victim to shore.
12 The victim was resisting their attempts to rescue him,
13 and Officer Rogers was having some difficulty staying
14 afloat in the water due to his duty gear and the
15 resistance he was provided.

16 By this time, Sergeant Chris D'Alessio, and
17 Officer Ryan Mulligan arrived on scene. Sergeant
18 D'Alessio and another citizen, William Dinnerstein,
19 also entered the water to assist the officers. Officer
20 Mulligan also assisted from shore by using safety lines
21 to help secure the rescuing officers.

22 Everybody coming together for this incident,
23 all the stars aligned, and the victim was saved, he was
24 rescued from the water, no harm was done. If it was
25 not for the quick action and brave actions of these

1 officers, and the two -- the citizens, the victim would
2 not have survived the incident, so it gives me great
3 pleasure to acknowledge them tonight for their selfless
4 actions, and -- in rescuing the victim, and for their
5 hard work that night in getting the victim to safety,
6 and I'd like to congratulate them. I know Commissioner
7 Petracco is going to now read some proclamations
8 acknowledging their efforts as well. So, Commissioner?

9 COMMISSIONER PETRACCO: Thank you, Chief.

10 So here's our first proclamation.

11 Whereas, on August 7, 2021, police -- Nutley
12 Police received a call that a car had plunged into the
13 Passaic River off Dock Street; and

14 Whereas, Sergeant Christopher D'Alessio,
15 Officer Steve Rogers, Officer Chris Bassani, and
16 Officer Ryan Mulligan were first on the scene to find
17 the vehicle submerged with the driver trapped inside;
18 and

19 Whereas, Officers Rogers and Bassani
20 immediately entered the water, along with a Good
21 Samaritan, were able to free the driver from the
22 vehicle; and

23 Whereas, it became apparent that the driver
24 was resisting help as he was being pulled to shore by
25 Officer Mulligan, Sergeant D'Alessio entered the water

1 to assist with bringing him safely to shore; and

2 Whereas, under these extraordinary
3 circumstances, Sergeant D'Alessio, Officer Rogers,
4 Officer Bassani, and Officer Mulligan exhibited extreme
5 bravery and -- my mic's not on, right? How'm I doing?
6 Good? Okay. I'll read that one part over.

7 Whereas, under these extraordinary
8 circumstances, Sergeant D'Alessio, Officer Rogers,
9 Officer Bassani, and Officer Mulligan exhibited extreme
10 bravery and composure as they faced a situation that
11 put themselves in danger.

12 And now therefore be it resolved by the Board
13 of Commissioners of the Township of Nutley, County of
14 Essex, State of New Jersey, that Sergeant Christopher
15 D'Alessio, Officer Steve Rogers, Officer Christopher
16 Bassani, and Officer Ryan Mulligan be recognized and
17 commended for their heroic actions, and for
18 representing the Township of Nutley as stellar officers
19 of law. Let's give them a round of applause.

20 (Applause)

21 COMMISSIONER PETRACCO: Thank you. Our
22 second proclamation.

23 Whereas, on August 7, 2021, Nutley received a
24 call that a car had plunged into the Passaic River off
25 Dock Street; and

1 Whereas, when the police arrived on the
2 scene, Ivan Viana, who was on Dock Street at the time
3 of the occurrence, went into the water in an attempt to
4 rescue any trapped occupants; and

5 Whereas, upon arrival, Nutley Police Officer
6 Sergeant Christopher D'Alessio, Officer Rogers,
7 Bassani, you came to shore to advise them of the
8 situation; and

9 Whereas, you then reentered the water with
10 Officers Rogers and Bassani, and assisted them in
11 removing the uncooperative and unruly driver from the
12 vehicle; and

13 Whereas, once the driver was safe with
14 Officer Bassani, you noticed that Officer Rogers was
15 having difficulty getting back to shore, and assisted
16 him as well.

17 And now therefore be it resolved by the Board
18 of Commissioners of the Township of Nutley, County of
19 Essex, State of New Jersey, that Mr. Ivan Viana be
20 recognized and commended for his selfless and heroic
21 acts of providing aid to a difficult rescue, and for
22 contributing to a safe outcome for all individuals
23 involved. Let's give him a round of applause.

24 (Applause)

25 Okay, and our final one.

1 Whereas, on August 7th, 2021, Nutley Police
2 Department responded to a car that had driven into the
3 Passaic River; and

4 Whereas, when police arrived on scene,
5 William Dinnerstein, who was on Dock Street with his
6 family directed the officers to the exact location of
7 the submerged vehicle; and

8 Whereas, in an attempt to rescue any victims
9 who may have been in the car, Officers Steve Rogers and
10 Christopher Bassani and a Good Samaritan entered the
11 water; and

12 Whereas, when the one occupant of the car was
13 being brought to the shore, Mr. Dinnerstein noticed
14 that the said party was being unruly and uncooperative;
15 and

16 Whereas, upon seeing that the rescue attempt
17 was compromised by the difficult behavior of the
18 victim, it was without hesitation that Mr. Dinnerstein
19 jumped into the water with Sergeant Christopher
20 D'Alessio to help the other officers with the rescue.

21 And now therefore be it resolved by the Board
22 of Commissioners of the Township of Nutley, County of
23 Essex, State of New Jersey, that Mr. William
24 Dinnerstein be recognized and commended for his
25 selfless and heroic act of providing aid to a difficult

1 rescue and contributing to the safe outcome of all
2 individuals involved.

3 Before we applaud Mr. Dinnerstein, first I'd
4 like to just thank the Good Samaritans, because I
5 happened to grow up by the Passaic River, and everyone
6 that grew up by the Passaic River knew, do not go in
7 the Passaic River. Right? Not even because of the
8 pollution, but the currents are really swift there, and
9 I don't know too many people that jumped in that river
10 and came out, you know, and that's the truth.

11 So for you guys just to be passing by, to do
12 that for another human being, if you guys don't go to
13 Heaven, I know my odds are not good. So with that
14 being said, let's give them a round of applause for
15 them.

16 (Applause)

17 COMMISSIONER PETRACCO: And just a note.
18 When I talked to our officers about that night, they
19 even said, without these fine fellows over here, they
20 probably wouldn't have made it out of the water, so,
21 not only did you save, you know, a person, but you
22 saved officers as well, and that's really fantastic.

23 As far as our officers that were involved, I
24 have to say, you know, when I heard they jumped in the
25 water without hesitation, and like I said, I -- I would

1 do a lot of things, I don't know if I would do that,
2 right? And again, you guys are doing it for people
3 that you don't even know. That you don't even know.
4 So I'd like to say this. In Nutley, you just never
5 know what the call of service is going to be, but I am
6 so proud of the Nutley Police Department, and everybody
7 here tonight, that I always tell our residents, without
8 hesitation. And what does that mean? Without
9 hesitation, you don't even think twice to risk your own
10 lives to save somebody else. So please, one more time,
11 and then please say a few words.

12 (Applause)

13 COMMISSIONER PETRACCO: We're going to take a
14 picture, but would anybody like to speak? I think
15 Steve should go first. Chris? Please, go to the mic
16 and say a couple words. Good Samaritans? Come up
17 here, say a few words.

18 SERGEANT D'ALESSIO: You hand me the mic,
19 Chief, we might be here a while.

20 I'd just like to thank everybody. Everybody
21 to my right. It was Officer Bassani and Rogers that --
22 when I got there, I saw the distress, I saw what they
23 were doing, and I knew Billy, I saw his head bobbing in
24 the water. And Ivan, when you were holding Officer
25 Rogers by the wall, it was an experience. And

1 everybody did what we had to do, and we got it done,
2 and the five of us are lucky enough to still be
3 standing here. That's pretty much it, Chief.

4 CHIEF STRUMOLO: I'd just like to thank the
5 mayor and commissioners for taking this time to
6 recognize these officers. This is one of the many that
7 go on throughout the year, you know, and that we don't
8 publicize or whatever, it's just part of what they do,
9 what we do as a department. But it -- this is what
10 these guys do, the women do, every day, to keep our
11 town safe, and it's a testament to them, and to the men
12 and women of the police department.

13 So I'd just like to recognize everybody here
14 tonight, all the officers that are here from my
15 department, from the Commissioner's department. Thank
16 you for what you do. The hard work all year. We just
17 came through a tough year. This was a hard year,
18 working through the pandemic, and I have to say,
19 everybody stepped up, and have been working hard
20 throughout the entire time, so thank you. Keep up the
21 good work, and thank you for taking the time to
22 recognize the officers.

23 COMMISSIONER PETRACCO: Great. Let's get a
24 picture before you guys go.

25 (Crosstalk)

1 (Pause)

2 MAYOR TUCCI: All right. Thank you.

3 COMMISSIONER PETRACCO: Thank you, Mayor.

4 MAYOR TUCCI: Nicely done, Commissioner.

5 Our last proclamation of the evening, and
6 again, this is on behalf of the entire Board of
7 Commissioners, reads as follows.

8 Whereas, Gerardo Enrique Munguia Zelaya is a
9 proud citizen of Tela, Honduras, who is also proud of
10 his cultural heritage; and

11 Whereas, Gerardo comes from a loving,
12 respectful, and friendly family, and was raised in the
13 tradition of contributing to his community as a public
14 servant; and

15 Whereas, Gerardo is a talented architect and
16 designer who has served in numerous art projects in his
17 native Honduras, and has represented his country in
18 cultural exchange with the people of Nutley, New
19 Jersey; and

20 Whereas, Gerardo is excited to share with
21 others about his country's cultural traditions,
22 especially its artistic expression and social customs
23 for the enhancement of his city and nation. He wants
24 people to know that even though his country cannot
25 compete economically on an international level, it is

1 rich in beautiful flora and fauna, and that the
2 Honduran people are warm and friendly; and

3 Whereas, Gerardo has been very happy to be
4 able to visit the United States, and has enjoyed
5 learning about the culture, educational system, and
6 Nutley's civic relations, and has also enjoyed the
7 people and the experience of being part of the Nutley
8 community for the duration of his visit; and

9 Whereas, Gerardo has demonstrated his belief
10 that a peaceful individual is the beginning point and
11 foundation to create peaceful community, national, and
12 international relations in the future; and

13 Whereas, on Saturday, November 6th, Gerardo
14 participated in the unveiling of a UNITY sculpture,
15 which were designed from his original idea, presented
16 in Tela, Honduras. This UNITY structure, and his
17 original PAZ/AMOR sculpture, stand as shared
18 expressions of the sisterhood of two international
19 cities of Peace: Tela, Honduras, and Nutley, New
20 Jersey, USA.

21 Now therefore be it resolved by the Board of
22 Commissioners of the Township of Nutley in the County
23 of Essex, the State of New Jersey, that Gerardo Enrique
24 Munguia Zelaya be recognized as an individual committed
25 to working for the cause of peace, and for his

1 dedication as an advocate of international friendship.

2 Commissioner, would you like to add anything?

3 COMMISSIONER PETRACCO: Yes. First of all,
4 I'd like to thank you for reading that proclamation,
5 and Sam and I have been working on this Peace Walks in
6 -- with Honduras since I was the mayor, way back when.
7 Seems like just yesterday, but so far ago. But anyway,
8 first of all, I want to thank Sam, because it's been
9 relentless, the amount of work. We call it Girl's
10 Park, the one on the bottom there, we're putting that
11 Peace/Unity sign up. I don't know if you've -- if
12 anybody's seen it, but it's really very nice, and I
13 have to tell you, I've been working with these people I
14 guess for the last 10 years or so.

15 These Honduras people, man, they are just
16 salt of the earth kind of people. They welcome us with
17 open arms, they bring gifts, they are really driven by
18 peace and family, and a lot of the same components that
19 make Nutley such a special place to live, and I look
20 forward to seeing them every year, and the friendships
21 that we have fostered through the years have been
22 great. Hopefully when I retire someday, Mr. Mayor,
23 maybe you'll join me, we'll take a trip to Honduras to
24 greet them again.

25 MAYOR TUCCI: I would love to.

1 COMMISSIONER PETRACCO: I would love to too.
2 So thank you, and thanks again for the proclamation.

3 MAYOR TUCCI: Thank you very much,
4 Commissioner.

5 Okay. We will move into reports.
6 Commissioner Evans?

7 COMMISSIONER EVANS: I have a report for the
8 Revenue and Finance Department, Code Enforcement for
9 the month of October.

10 MAYOR TUCCI: Thank you very much.
11 Commissioner Petracco?

12 COMMISSIONER PETRACCO: Yes, Mayor. I have
13 my Public Safety report as well.

14 MAYOR TUCCI: Thank you. And I have a Shade
15 Tree report for the month of October, 2021.

16 We'll move on to bills.

17 THE CLERK: Thank you, Mayor. We have two
18 bill lists this evening. First one is for November
19 19th.

20 Public Affairs, \$92,819.22; Revenue and
21 Finance, \$2,708,729.80; Public Safety, \$600.10; Public
22 Works, \$20,841.66; Parks and Public Property,
23 \$2,403.25; Water Utility, \$4,664.59.

24 Payroll for November 19th, 2021; Regular
25 Payroll Total, \$848,483.31; Overtime Payroll,

1 \$48,955.69; Total Payroll, \$897,439.00.

2 Bill List for November 30th, 2021. Public
3 Affairs, \$83,443.21; Revenue and Finance, \$124,005.55;
4 Public Safety, \$119,280.72; Public Works, \$208,877.64;
5 Parks and Public Property, \$1,057,170.30; Water
6 Utility, \$20,703.51.

7 And Payroll for Friday, November 12th,
8 Regular Payroll Total, \$861,955.25; Overtime Payroll
9 Total, \$51,434.60. Total Payroll, \$913,389.85, for a
10 grand total of \$6,254,368.40 for both bill lists.

11 COMMISSIONER EVANS: Move the bill lists for
12 November 19th and November 30th.

13 COMMISSIONER PETRACCO: Second.

14 THE CLERK: Commissioner Kelly.

15 COMMISSIONER KELLY: Aye.

16 THE CLERK: Commissioner Evans.

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Mayor Tucci.

23 MAYOR TUCCI: Aye.

24 THE CLERK: And that's it for bills, Mayor.

25 MAYOR TUCCI: Thank you very much.

1 We will now entertain public comment on
2 agenda items only, please.

3 THE CLERK: All persons addressing the Board
4 of Commissioners regarding community concerns should
5 approach the microphone and provide their name and
6 address for the record. Unless further time is granted
7 by the Board, each person shall limit their address to
8 three minutes. All remarks to the Board and its
9 individual members must be addressed to the mayor. The
10 mayor may defer citizens' comments to the appropriate
11 member of the Board.

12 MR. MOORE: Rory Moore, 462 Chestnut Street.
13 Mayor Tucci, I see some hotels down here,
14 casino resorts. They seem to be spread across all
15 departments. What was the reason for that?

16 MAYOR TUCCI: Mr. Moore, they were hotel
17 rooms that folks had reserved for the League of
18 Municipalities.

19 MR. MOORE: They went again this year? I
20 thought that was virtual.

21 MAYOR TUCCI: No, they were there this year.

22 MR. MOORE: Okay. And I do have two
23 questions about some of the associations we have here.
24 However, I notice on Excel, there's no pay sheet,
25 there's no paid sheet, it's a click, that's all you

1 have to do. It works very well in Excel. And if you
2 put line numbers, because I -- there's two questions.
3 If you look on what would be Page -- I think it's
4 Page 2, it's at the top. It's the Association of
5 Municipal Assessors, Essex County. I imagine that's
6 some type of a -- for the Municipal Assessors, I would
7 imagine. And there's another one for the Chief of
8 Police for New Jersey that we paid something like \$600
9 for.

10 My question is simple, is, why we do we have
11 to belong to these associations for? What does the
12 township derive for the money that we pay for these
13 associations?

14 MAYOR TUCCI: Mr. Moore --

15 MR. MOORE: I know last year -- I know, I'm
16 sorry, I apologize. Last year, we discussed the League
17 of Municipalities, and we paid something like \$2,
18 \$3,000 I believe it was, but we derive nothing from it,
19 and I know that you spread it across all five
20 departments.

21 However, I was asking that question, I also
22 OPRA'ed -- to OPRA the League of Municipalities, and
23 the attorneys called me right back. They were very
24 nice about it. They said you receive absolutely zero
25 benefits from us belonging to that. So we're paying

1 about \$2500, and here's 600 for one, and 200 for
2 another. What are we deriving from that?

3 MAYOR TUCCI: Okay. Let me address your last
4 question first. Okay?

5 MR. MOORE: Thank you.

6 MAYOR TUCCI: As we've done before, but we're
7 going to do it again this evening, okay.

8 The League of Municipalities, whoever gave
9 you that information gave you bad information, because
10 our folks that go down there attend classes, they need
11 continuing education units to keep their certifications
12 and their licenses current, all right, and for those
13 that don't have licenses and/or certifications that
14 they need to keep current, all right, what they do is
15 they go down, they network with their peers from other
16 municipalities, and I'm sure you're aware, on the
17 convention floor there are also massive demonstrations
18 of new technology, of equipment, and pretty much
19 everything that municipalities would be interested in.
20 So that's the answer to your first question, all right.
21 I will shoot over to Commissioner Evans for your
22 question about the assessor.

23 COMMISSIONER EVANS: Yes. So, Rory, thank
24 you for your question. It's the \$200 for the
25 Association for Municipal Assessors?

1 MR. MOORE: Yes, I believe that's it. That's
2 correct.

3 COMMISSIONER EVANS: Yeah, that one. So our
4 assessor belongs to that, and what's really important
5 about that is dealing with the entire tax appeal
6 process, being on top of that, being current on what's
7 going on value -- or the revaluation of property,
8 what's going on.

9 They go over topics like that, that are
10 relevant to them, to their job, and it's also relevant
11 as to issues in Essex County, which keeps them very
12 current. I find that my assessor gets a lot of value
13 out of that. He's very careful about how he spends his
14 time.

15 MR. MOORE: The reason -- I do want to
16 comment that you said originally how you have the floor
17 and the demonstrations. Commissioner Scarpelli said
18 the same thing when he was the mayor. And I'm still
19 trying to understand, do we all have to go down to
20 Atlantic City, on the taxpayer's dime, to go look at
21 dump trucks? Because what I --

22 MAYOR TUCCI: Mr. Moore, if you read the bill
23 list a little closer, you can see, and I can only speak
24 for my department, I'm sure the other commissioners
25 will speak for their departments, all right, I did not

1 attend this year, all right, but I did have some of my
2 folks go down. And I believe we've only paid for one
3 room, and we paid registration, because all of our
4 folks that did go down paid their own way for room and
5 board, all right, and meals and beverages and things of
6 that nature.

7 MR. MOORE: And you also said, the same as
8 Commissioner Scarpelli said, that it was for -- if you
9 were renewing your license. That's done through
10 Rutgers. That's not done through New Jersey League of
11 Municipalities. They offer classes, but the
12 certifications come through Rutgers, which is totally
13 different.

14 MAYOR TUCCI: And I can give you one example,
15 all right, there is an annual budget meeting, all
16 right, and there is a certification course that's the
17 -- that the Joint Insurance Fund offers, all right,
18 that you can either take online, or you can take it in
19 person, all right, to number one, review the budget, so
20 we know what's being forecasted as far as expenses are
21 concerned, all right. And secondly, there is credit,
22 all right, that is provided for elected officials to
23 the tune of \$250 per elected official as a discount in
24 the EPL and POL, Employees Public Liability, and Public
25 Officials Liability area.

1 So there is a value to it. If there was no
2 value to it, we would not send anyone, Mr. Moore.

3 MR. MOORE: Thank you.

4 MAYOR TUCCI: My pleasure. Thank you.

5 Would anyone else like to be heard this
6 evening on agenda items?

7 MR. BROWN: Good evening. My name is Jason
8 Brown. I live at 27 Homer Ave. My question to the
9 Board tonight is regarding back to the oil spill that
10 happened on our street due to Ida. My questions are --

11 MAYOR TUCCI: Excuse me.

12 MR. BROWN: Yes, sir?

13 MAYOR TUCCI: This portion of the public
14 meeting is for agenda items only. When we get to the
15 public comment period --

16 MR. BROWN: That's when I come up?

17 MAYOR TUCCI: No, that's not yet. All right.

18 MR. BROWN: Oh, okay.

19 MAYOR TUCCI: You get -- instead of three
20 minutes, you get five minutes, and that's at the end of
21 the meeting, and we'll be happy to entertain --

22 MR. BROWN: Perfect. Beautiful.

23 MAYOR TUCCI: -- your questions, give you
24 whatever answers we have. Okay?

25 MR. BROWN: Greatly appreciate it.

1 MAYOR TUCCI: Thank you so much.

2 Would anyone else like to be heard on agenda
3 items only?

4 Seeing none, we will move into Board of
5 Commissioners announcements. Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Thank you, Mayor.
7 This Saturday, we will have electronic recycling in
8 Parking Lot 7 behind Bella Luce, from 8 -- from 9 a.m.
9 to 1 p.m., December 4th. Thank you, Mayor.

10 MAYOR TUCCI: Thank you.

11 Commissioner Petracco?

12 COMMISSIONER PETRACCO: I have nothing
13 tonight, Mayor.

14 MAYOR TUCCI: Thank you.

15 Commissioner Evans?

16 COMMISSIONER EVANS: Nothing, Mayor.

17 MAYOR TUCCI: Commissioner Kelly?

18 COMMISSIONER KELLY: I just wanted to update
19 everyone on COVID vaccines and boosters administered by
20 the township so far. It's only been a few short
21 months, but the township has administered 1,069 either
22 vaccines or boosters for the COVID vaccine, and it's
23 still counting.

24 MAYOR TUCCI: Fantastic. Thank you,
25 Commissioner.

1 I have two items this evening. The first one
2 brings me great joy to announce on behalf of the Board
3 of Commissioners. This Sunday, December 5th, from 4:30
4 to 6 p.m., we will have our Annual Holiday Tree
5 Lighting and Menorah Lighting event. We will have
6 music, we'll have an iceless skating rink, we will have
7 photos with Santa, horse and carriage rides, live
8 music, a bake sale and hot cocoa with gourmet coffee
9 trucks among other things, and also, all of our
10 elementary schools will be having a presence there to
11 sell different items and beverages and what have you,
12 to help support their PTOs, because they're at a bit of
13 a deficit because of the COVID.

14 The second announcement I have this evening,
15 all right, is from a telephone call and an email that I
16 sent several months ago. And it was to Teterboro
17 Airport, because we had one resident that came to the
18 mic at one of our meetings, and was complaining about
19 air traffic, and pollution, and noise, so we've learned
20 that there's a noise association at Teterboro Airport,
21 so I investigated their bylaws and their constitution
22 and the requirements for membership, and a Mr. Gabriel
23 Andino from the Noise Abatement Environmental
24 Compliance Unit over at Teterboro responded to me just
25 today, as if he knew we were having a meeting this

1 evening, and invited us to attend the next meeting,
2 which is in the middle of January, and that if we
3 wanted to pursue membership in this group, we could do
4 that, which I fully intend to do on behalf of the Board
5 of Commissioners. And that's all I have this evening.

6 So we will now move into ordinances. I see
7 we have no introductions this evening, but we do have
8 an ordinance on second reading, and a public hearing.

9 Commissioner Evans, this is yours. Would you
10 like to give a brief description as to what this is,
11 and we'll open up the hearing and --

12 COMMISSIONER EVANS: Thank you, Mayor.

13 MAYOR TUCCI: -- move the ordinance.

14 COMMISSIONER EVANS: Thank you, Mayor.

15 This is a -- Bond Ordinance Number 3483.
16 It's for a \$1,050,000 and it's associated with the
17 replacement of property of the municipality that was
18 destroyed as a result of our latest, Tropical Storm
19 Ida. This ordinance includes repair of the boiler at
20 the Department of Public Works, the replacement of
21 several vehicles, as well as lost furniture and
22 accessories in the Fire Department.

23 MAYOR TUCCI: Okay. I will now open the
24 public hearing up on Ordinance Number 3483. Mr. Moore,
25 I suspect you'd like to be heard?

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

2 Mr. Evans, does this include the Fire
3 Department -- not the Fire Department, the Police
4 Department where it was leaking around the conduits
5 coming in?

6 COMMISSIONER EVANS: I'm sorry, Mr. Moore.
7 Could you say that again?

8 MR. MOORE: Does this include, I believe it's
9 the Police Department downstairs, in the basement.
10 There's conduits that leak, and I believe I understood
11 Commissioner Petracco, he said that --

12 COMMISSIONER EVANS: Yeah.

13 MR. MOORE: -- it leaked three times in 14
14 years. Is that included in this?

15 COMMISSIONER EVANS: That actually is -- not
16 -- not for this. This is for vehicles and furniture,
17 as well as the boiler repair. The reference that
18 you're making to the leaking conduit, conduit pipes I
19 assume, because it had flooding, I believe that
20 would -- that's either addressed in the previous
21 ordinance, or will be addressed as part of normal
22 capital.

23 MR. MOORE: My concern, why does it take so
24 long to repair that? If it leaked three times in 14
25 years --

1 MAYOR TUCCI: I can answer that, Rory. It
2 takes so long because pretty much the entire building
3 got wiped out. It's a complete replacement. It's not
4 a repair. All right? So the entire system needs to be
5 replaced. The Public Works Department was devastated,
6 all right --

7 MR. MOORE: Fire Department -- Fire
8 Department --

9 MAYOR TUCCI: It's a long process, all right,
10 and it's a tedious process to get the work done and to
11 get it done right. Go ahead, I'm sorry, you had
12 another question?

13 MR. MOORE: No, I apologize, it's the Fire
14 Department. That's -- that was my concern, because if
15 Commissioner Petracco, I remember when he addressed
16 this last time, he said that it was leaking coming in
17 from the incoming conduit, from the electrical conduit,
18 and there was leaks coming in, and it was three times
19 in 14 years. And that just amazes me, why we don't fix
20 that. That's not a major improvement. There is a fix
21 for that. And I -- I'm just curious, why do we have to
22 go three times, to keep replacing everything, why don't
23 we just fix it once?

24 MAYOR TUCCI: Well, number one, the fix is
25 not, to quote the governor, is not a bumper sticker

1 fix, okay. When that river rises, and that Third
2 River, all right, and when it goes from two feet to ten
3 feet in a half an hour, there's not much that you can
4 do. If there is an easy fix, or if you're aware of
5 another fix, then I would please ask you to share that
6 with Commissioner Petracco and Frank DiMaio from my
7 department --

8 MR. MOORE: I already talked to Frank.

9 MAYOR TUCCI: -- so that, you know, we can
10 address that and investigate it. But please, be
11 assured that if there was an easy fix to that, we would
12 take the steps necessary to take care of it, because
13 who wants to go through a flood three different times
14 in the same place?

15 MR. MOORE: I understand what you're saying.

16 MAYOR TUCCI: They would have to be a lunatic
17 to even entertain that thought.

18 MR. MOORE: I understand what you're saying
19 as far as the flooding is concerned, yes. There's no
20 getting around that one, but there are solutions to fix
21 it. I work for Verizon. You're in my bailiwick right
22 now, and we fix things like this, and they don't come
23 back again. That's why I'm absolutely amazed that it's
24 three times in 14 years. That would never fly in a
25 public sector.

1 MAYOR TUCCI: Well, Mr. Moore, if you would,
2 please share your expertise with Mr. DiMaio again, all
3 right?

4 MR. MOORE: We already spoke.

5 MAYOR TUCCI: And perhaps we can sit down and
6 talk about this and see what it is you have to say, and
7 what we can do to help rectify this.

8 MR. MOORE: Thank you.

9 MAYOR TUCCI: Thank you very much.
10 Would anyone else like to be heard on this
11 ordinance?

12 COMMISSIONER EVANS: Seeing no one, move to
13 close.

14 MAYOR TUCCI: We have a motion to close.

15 COMMISSIONER KELLY: Second.

16 THE CLERK: Commissioner Kelly.

17 COMMISSIONER KELLY: Aye.

18 THE CLERK: Commissioner Evans.

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Petracco.

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Commissioner Scarpelli.

23 COMMISSIONER SCARPELLI: Aye.

24 THE CLERK: Mayor Tucci.

25 MAYOR TUCCI: Aye.

1 COMMISSIONER EVANS: Before I move the
2 ordinance, I just want to be clear that the ordinance
3 introduction is before we receive any form of insurance
4 settlement or FEMA reimbursement, which those
5 evaluations are going on as we speak. Whatever the
6 reimbursements ultimately become, that will reduce the
7 amount of ultimate bonding that would be necessary.
8 Move the ordinance.

9 COMMISSIONER KELLY: Second.

10 THE CLERK: Commissioner Kelly.

11 COMMISSIONER KELLY: Aye.

12 THE CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco.

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Mayor Tucci.

19 MAYOR TUCCI: Aye.

20 COMMISSIONER EVANS: Thank you, Mayor.

21 MAYOR TUCCI: Thank you, Commissioner.

22 Okay, we will move into resolutions.

23 Commissioner Kelly?

24 COMMISSIONER KELLY: Thank you, Mayor. Just
25 by way of background for this first one, Public Affairs

1 has certain gaps in its offerings, and the Nutley
2 Family Service Bureau provides services to fill those
3 gaps.

4 So therefore be it resolved that pursuant to
5 an agreement between the Township of Nutley Department
6 of Public Affairs and Health, and the Nutley Family
7 Service Bureau, including the Nutley Family Service
8 Bureau Food Bank and all the general services for
9 residents of Nutley, the township authorizes payment of
10 \$50,000 effective January 1st, 2022, through
11 December 31st, 2022. Payment of \$25,000 to be made in
12 June, 2022, with a second payment of \$25,000 to be made
13 in December, 2022.

14 Services being provided in accordance with
15 this agreement or not otherwise provided by the
16 Department of Public Affairs and Health are as follows.

17 Service to Nutley residents with food
18 services from ages 0 through 65 and older for Nutley
19 residents only; edible education events; provides
20 groups -- mental health for Nutley residents; provide
21 residents with addiction-related issues and support;
22 provide the township with a thrift shop to families in
23 need; mental well-being workshops; continued health and
24 welfare of all Nutley residents; assists with the
25 Nutley family -- the Nutley Farmer's Market EBT

1 program; individual psychotherapy counseling;
2 therapists available after any NHS or township crisis;
3 backpack initiative; provide telehealth visits due to
4 COVID-19.

5 Be it further resolved, funds will be
6 available from Account Number 2-02-120-209 for \$50,000,
7 and was certified by the Chief Financial Officer,
8 subject to the adoption of the 2022 Municipal Budget.
9 So moved.

10 COMMISSIONER SCARPELLI: Second.

11 THE CLERK: Commissioner Kelly.

12 COMMISSIONER KELLY: Aye.

13 THE CLERK: Commissioner Evans.

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco.

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli.

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci.

20 MAYOR TUCCI: Aye.

21 COMMISSIONER KELLY: This second resolution I
22 have is for our Animal Control.

23 Whereas, the State of New Jersey Uniform
24 Shared Services and Consolidation Act N.J.S.A. 40A:65-1
25 et seq. (the Act) authorized a local unit to enter into

1 agreements with another local unit or units to provide
2 or receive any service that each local unit
3 participating in the agreement is empowered to provide
4 or receive in its own jurisdiction; and

5 Whereas, the Township of Nutley and Township
6 of Bloomfield have previously entered into a Shared
7 Services Agreement for Animal Control and Animal
8 Cruelty Investigative and Enforcement Services pursuant
9 to N.J.S.A. 26:3A-2 et seq. which will expire on
10 December 31, 2021; and

11 Whereas, the Township of Nutley is desirous
12 of renewing its shared services agreement for animal
13 control service and animal cruelty investigative and
14 enforcement services at a monthly cost of \$6,367.25 for
15 a period of one year, beginning January 1st, 2022, and
16 ending December 31st, 2022;

17 Whereas, it is a renewable -- renewable with
18 a 2 percent annual adjustment. However, either party
19 may withdraw from this agreement as set forth in the
20 statute;

21 Whereas, funds will be available from
22 Account 2-02-134-209, and will be certified by the
23 Chief Financial Officer subject to the adoption of the
24 2022 Municipal Budget.

25 Now therefore be it resolved that the

1 Township of Nutley, County of Essex, State of New
2 Jersey, does hereby authorize the Mayor and the
3 Township Clerk to execute the Shared Services Agreement
4 with the Township of Bloomfield for Animal
5 Control/Animal Cruelty Investigative Enforcement
6 Services beginning January 1st, 2022 through December
7 31st, 2022 at a monthly rate of \$6,375.25.

8 Further resolved that a copy of this
9 resolution and an agreement shall be kept on file in
10 the Municipal Clerk's office. A copy of this
11 resolution shall be published as required by law within
12 10 days of its passage. So moved.

13 COMMISSIONER EVANS: Second.

14 THE CLERK: Commissioner Kelly.

15 COMMISSIONER KELLY: Aye.

16 THE CLERK: Commissioner Evans.

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Mayor Tucci.

23 MAYOR TUCCI: Aye. Thank you, Commissioner.

24 Commissioner Evans?

25 COMMISSIONER EVANS: Thank you, Mayor.

1 Resolution 312-21. A designation of public
2 agency compliance officer. Whereas, in accordance with
3 N.J.A.C. 17:27-3.2 each public agency (the Township of
4 Nutley) shall designate an individual to serve as its
5 Public Agency Compliance Officer (P.A.C.O.) which
6 serves as a liaison between the Department of the
7 Treasury, Division of Public Contracts Equal Employment
8 Opportunity and the Township of Nutley; and

9 Whereas, the P.A.C.O. serves as the Public
10 Agency's point of contact for all matters concerning
11 implementation and administration of the
12 above-referenced statute, and is responsible for
13 assuring that no public contract may be awarded, nor
14 any monies paid, until the contractor has agreed to
15 contract performance which complies with the approved
16 affirmative action plan.

17 And now therefore be it resolved by the Mayor
18 and the Board of Commissioners of the County of Essex,
19 State of New Jersey, hereby appoints Eleni Pettas,
20 Municipal Clerk, as the Township's P.A.C.O. for the
21 calendar year of 2022;

22 Be it further resolved that in accordance
23 with N.J.S.A. 10:5-31 et seq., and N.J.A.C. 17:27-3.2,
24 the Township Clerk is hereby authorized and directed to
25 forward a certified copy of this resolution to the

1 State of New Jersey Department of the Treasury,
2 Division of Contracts Compliance and E.E.O. and
3 Affirmative Action in Public Contracts, P.O. Box 209,
4 Trenton, New Jersey. So move.

5 COMMISSIONER KELLY: Second.

6 THE CLERK: Commissioner Kelly.

7 COMMISSIONER KELLY: Aye.

8 THE CLERK: Commissioner Evans.

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco.

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli.

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Mayor Tucci.

15 MAYOR TUCCI: Aye.

16 COMMISSIONER EVANS: Resolution 321-21.

17 Be it resolved by the Board of Commissioners
18 of the Township of Nutley, in the County of Essex,
19 State of New Jersey, that the Treasurer be and she is
20 hereby authorized to refund overpayment of tax charges
21 in the amount of \$7,945.07 for the following accounts;
22 Block 9701, Lot 5, Qualifier C1314. Block 5801, Lot
23 25, and Block 7303, Lot 12, for a total amount of
24 \$7,945.07. So move.

25 COMMISSIONER KELLY: Second.

1 THE CLERK: Commissioner Kelly.

2 COMMISSIONER KELLY: Aye.

3 THE CLERK: Commissioner Evans.

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Scarpelli.

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Mayor Tucci.

10 MAYOR TUCCI: Aye.

11 COMMISSIONER EVANS: 322-21.

12 Whereas, the Township of Nutley pursuant to
13 N.J.S.A. 40A:11-11 may, by resolution, and with
14 advertising, purchase any goods or services under an
15 approved National Cooperative Purchasing Program;

16 Whereas, the Township of Nutley has the need,
17 and on a timely basis, to purchase goods or services
18 utilizing the following National Cooperative Purchasing
19 Programs: U.S. Communities Government Purchasing
20 Alliance; Sourcewell National Joint Powers Alliance;
21 Keystone Purchasing Network; and HGACBuy;

22 Whereas, the Township of Nutley intends to
23 enter into contracts with these vendors through this
24 resolution, and properly execute a contract which shall
25 be subject to all conditions applicable to the current

1 contracts.

2 Now therefore be it resolved by the Township
3 of Nutley, authorizes that the purchasing agent -- to
4 purchase certain goods and services from these approved
5 vendors: U.S. Communities Government Purchasing
6 Alliance, Sourcewell, National Joint Powers Alliance,
7 Keystone Purchasing Network, and HGAC.

8 Pursuant to all conditions of the individual
9 contracts for the year 2022, commencing on January 1,
10 2022, through December 31st, 2022. So move.

11 COMMISSIONER KELLY: Second.

12 THE CLERK: Commissioner Kelly.

13 COMMISSIONER KELLY: Aye.

14 THE CLERK: Commissioner Evans.

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco.

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Scarpelli.

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Mayor Tucci.

21 MAYOR TUCCI: Aye.

22 COMMISSIONER EVANS: Alan, 2324 and 2327,
23 they're both county cooperatives that expire in
24 December of 2026. Can I consolidate those?

25 MR. GENITEMPO: Yes.

1 COMMISSIONER EVANS: Okay.

2 Whereas, the Township of Nutley, pursuant to
3 N.J.S.A. 40A:11-11, may by resolution, and without
4 advertising for bids, purchase any goods or services
5 under an approved county cooperative purchasing
6 program, whereas the Township of Nutley has a need on a
7 timely basis to purchase goods and services utilizing
8 the Bergen County Cooperative Purchasing Program and
9 the Union County Cooperative Pricing System; and

10 Whereas, the Township of Nutley intends to
11 enter into contracts with the attached referenced
12 contract vendors through this resolution, and properly
13 execute contracts which shall be subject to all of the
14 conditions applicable to current contracts.

15 Now therefore be it resolved that the
16 Township of Nutley authorizes the purchasing agent to
17 purchase certain goods and services from the approved
18 coop vendors, pursuant to all conditions of the
19 individual county contracts.

20 Be it further resolved that the governing
21 body of the Township of Nutley, pursuant to
22 N.J.A.C. 5:30-5.S(B), the certification of available
23 funds shall either certify the full maximum amount
24 against the budget at the time the contract is awarded,
25 or no contract shall be chargeable or certified until

1 such time as the goods or services are ordered or
2 otherwise called for prior to placing the order, and
3 the certification of availability of funds is made by
4 the Chief Financial Officer.

5 Be it further resolved that the duration of
6 both of these cooperative purchasing programs shall be
7 for the period January 1, 2022, through December 31st,
8 2026. So move.

9 COMMISSIONER KELLY: Second.

10 THE CLERK: Commissioner Kelly.

11 COMMISSIONER KELLY: Aye.

12 THE CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Petracco.

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Mayor Tucci.

19 MAYOR TUCCI: Aye.

20 COMMISSIONER EVANS: Alan, we'd like to
21 consolidate 26 and 25 and it's for the same reason.

22 MR. GENITEMPO: Okay.

23 COMMISSIONER EVANS: Whereas, the Township of
24 Nutley, pursuant to N.J.S.A. 40A:11-11, may by
25 resolution and without advertising for bids, purchase

1 any goods or services under an approved county
2 cooperative purchasing program;

3 Whereas, the Township of Nutley has a need on
4 a timely basis to purchase goods or services utilizing
5 the Essex County Purchasing Program and also under
6 state contracts;

7 Whereas, the Township of Nutley intends to
8 enter into a contract with the Essex County Cooperative
9 Purchasing Program, and the State Contract Vendors
10 through this resolution, and properly executed
11 contracts which shall be subject to all the conditions
12 applicable to the current contracts.

13 Now therefore be it resolved that the
14 Township of Nutley authorizes the purchasing agent to
15 purchase certain goods or services from these approved
16 cooperative vendors and state vendors, pursuant to all
17 the conditions of the individual contracts;

18 Be it further resolved that the governing
19 body of the Township of Nutley, pursuant to
20 N.J.A.C. 5:30-5.5(b), the certification of available
21 funds have either certified the full amount of the --
22 or maximum amount against the budget at the time the
23 contract was ordered, or no contract amount shall be
24 chargeable or certified until such time as the goods or
25 services are ordered or otherwise called for prior to

1 placing the order, and certification of availability of
2 funds is made by the Chief Financial Officer.

3 Be it further resolved that the duration of
4 these contracts, the Essex County Cooperative
5 Purchasing Program and under the State Contracts shall
6 be for the period January 1, 2022, through
7 December 31st, 2022. So move.

8 COMMISSIONER KELLY: Second.

9 THE CLERK: Commissioner Kelly.

10 COMMISSIONER KELLY: Aye.

11 THE CLERK: Commissioner Evans.

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco.

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Commissioner Scarpelli.

16 COMMISSIONER SCARPELLI: Aye.

17 THE CLERK: Mayor Tucci.

18 MAYOR TUCCI: Aye.

19 COMMISSIONER EVANS: Whereas, Resolution
20 225-21 was adopted on September 7th, 2021, to create
21 emergency appropriation for emergency response to
22 Tropical Storm Ida damage in the amount of \$750,000;

23 Whereas, there remains an unexpended balance
24 in the account -- this account in the amount of
25 \$750,000. We did not utilize this emergency

1 appropriation for that particular storm.

2 Whereas, it is necessary to formally cancel
3 said balance, so that the unexpended balance will not
4 be funded in the 2022 budget.

5 Now therefore be it resolved by the Board of
6 Commissioners of the Township of Nutley, County of
7 Essex, New Jersey, that the above-listed unexpended
8 balance of the current emergency fund appropriation is
9 canceled. So move.

10 COMMISSIONER KELLY: Second.

11 THE CLERK: Commissioner Kelly.

12 COMMISSIONER KELLY: Aye.

13 THE CLERK: Commissioner Evans.

14 COMMISSIONER EVANS: Aye.

15 THE CLERK: Commissioner Petracco.

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Scarpelli.

18 COMMISSIONER SCARPELLI: Aye.

19 THE CLERK: Mayor Tucci.

20 MAYOR TUCCI: Aye.

21 COMMISSIONER EVANS: Thank you, Mayor.

22 MAYOR TUCCI: Thank you, Commissioner.

23 Commissioner Petracco.

24 COMMISSIONER PETRACCO: Whereas, the firm
25 Millennium Strategies LLC, located at 60 Columbia Road,

1 Building B, Suite 230, Morristown, New Jersey, has the
2 necessary experience and expertise to pursue the
3 disaster relief reimbursements through the grants and
4 administrative professional services seeking disaster
5 appropriations;

6 Whereas, the Township of Nutley entered into
7 a contract with Millennium Strategies to act as their
8 consultant at an hourly rate of \$180 per hour, not to
9 exceed \$20,000; and

10 Whereas, the change order Number 1 has been
11 authorized for the original contract amount be
12 increased by \$10,000; and

13 Whereas, the funds are available from 1-01-
14 318-205, and have been certified with the Chief
15 Financial Officer, said certification attached to this
16 resolution.

17 Now therefore be it resolved by the Board of
18 Commissioners in the Township of Nutley, County of
19 Essex, State of New Jersey, that the Change Order
20 Number 1 as attached is changed from the contract
21 previously made by the Township of Nutley with
22 Millennium Strategies for disaster relief services is
23 hereby authorized and approved. I move the resolution.

24 COMMISSIONER SCARPELLI: Second.

25 THE CLERK: Commissioner Kelly.

1 COMMISSIONER KELLY: Aye.

2 THE CLERK: Commissioner Evans.

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Petracco.

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Aye.

8 THE CLERK: Mayor Tucci.

9 MAYOR TUCCI: Aye.

10 COMMISSIONER PETRACCO: This resolution I'll
11 just read by title to save a little time. This is
12 Resolution 315-21.

13 Whereas, sealed bids for furnishing and
14 delivering Police Dispatchers and Crossing Guard
15 uniforms and equipment were publicly opened and read on
16 February 10th, 2021;

17 Whereas, Turnout Uniforms was the only
18 bidder, as per original specifications and contract,
19 was awarded for one year through December 31st, with
20 two optional one-year extensions. I'll move it as
21 written.

22 COMMISSIONER SCARPELLI: Second.

23 THE CLERK: Commissioner Kelly.

24 COMMISSIONER KELLY: Aye.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci.

7 MAYOR TUCCI: Aye.

8 COMMISSIONER PETRACCO: This one also,
9 316-21, is something we do every year. This is for our
10 police pistol range.

11 Whereas, the Nutley Police Department desires
12 to utilize police pistol range facilities of the
13 Borough of North Arlington Police Department, having
14 its principal offices at 214 Ridge Road in Hackensack,
15 Meadowlands. I move the resolution.

16 COMMISSIONER SCARPELLI: Second.

17 THE CLERK: Commissioner Kelly.

18 COMMISSIONER KELLY: Aye.

19 THE CLERK: Commissioner Evans.

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco.

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Commissioner Scarpelli.

24 COMMISSIONER SCARPELLI: Aye.

25 THE CLERK: Mayor Tucci.

1 MAYOR TUCCI: Aye.

2 COMMISSIONER PETRACCO: Whereas, the Township
3 of Nutley and Police Department needs to acquire
4 proprietary software for the issuance of electronic
5 tickets through mobile computers as a non-fair and open
6 contract;

7 Whereas, the use of electronic ticketing
8 increases efficiencies, enables officers to return to
9 service faster, eliminates data and errors, and
10 autopopulates citations with the appropriate statute
11 number, fine, and court information.

12 Whereas, GTBM Inc. owns the Info-Cop E-
13 Ticketing System, and has submitted a proposal for
14 provided system;

15 Whereas, GTBM Inc. has completed and
16 submitted a business entity disclosure certification
17 which certifies that it has not made any reportable
18 contributions in the previous year, and will be
19 prohibited from making any reportable contributions
20 throughout the contract;

21 Whereas, the contract is in an amount not to
22 exceed \$45,000 in funds, which are available entitled
23 Municipal Court E-Ticketing Program, Account Number
24 201-326-200, said funds subject to the adoption of the
25 2022 budget, [sic] said certification chief officer

1 [sic]; and

2 Whereas, the anticipated term of the contract
3 is for 12 months, and I will move the rest as written.
4 Thank you.

5 COMMISSIONER SCARPELLI: Second.

6 THE CLERK: Commissioner Kelly.

7 COMMISSIONER KELLY: Aye.

8 THE CLERK: Commissioner Evans.

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco.

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli.

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Mayor Tucci.

15 MAYOR TUCCI: Aye.

16 COMMISSIONER PETRACCO: Okay. Be it resolved
17 by the Township of Nutley, County of Essex, State of
18 New Jersey, as follows. The Township of Nutley is
19 authorized to accept a subaward grant from the State of
20 New Jersey Department of Law and Public Safety Office
21 of the Attorney General in the amount of \$32,400, under
22 the Safe and Secure Grants Program, Number 22-0716,
23 with a match of fringe benefits and salary, for the
24 total project cost of \$274,781.88.

25 Mayor Mauro G. Tucci and the Chief Thomas

1 Strumolo are authorized to execute, and the Township
2 Clerk to attest, the subgrant award in connection with
3 the grant, and then all documents in connection with
4 the grant. The Township of Nutley is accepting the
5 grant of funds for the purpose described in the
6 application's subaward period, August 1st, 2021, to
7 July 31st, 2022. A certified copy of this resolution
8 shall be provided by the Office of the Township Clerk.
9 Mayor Mauro Tucci, Township Attorney, Chief Financial
10 Officer, Police Department, State of New Jersey
11 Attorney General, and Office of the Attorney General
12 Department of Law and Public Safety. I move it.

13 COMMISSIONER SCARPELLI: Second.

14 THE CLERK: Commissioner Kelly.

15 COMMISSIONER KELLY: Aye.

16 THE CLERK: Commissioner Evans.

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Mayor Tucci.

23 MAYOR TUCCI: Aye.

24 COMMISSIONER PETRACCO: Whereas, Nicolette
25 Auto Body and Twin, Inc., t/a Twin Towing, have been

1 contracted as towing companies for the Township of
2 Nutley;

3 Whereas, Nicolette Auto Body Works and Twin
4 Towing will use the following schedule beginning August
5 1st through January 31st, 2023, and the schedule will
6 begin on the first of each month at 12 a.m.

7 Now therefore be it resolved by the Board of
8 Commissioners, Township of Nutley, County of Essex,
9 State of New Jersey, Contract for Towing in the
10 Township of Nutley awarded to Nicolette Auto Body Works
11 located at 177 Passaic Avenue, Belleville, New Jersey,
12 and Twin, Inc., Twin Towing, located 35 Mill Street,
13 Belleville. I move the resolution.

14 COMMISSIONER SCARPELLI: Second.

15 THE CLERK: Commissioner Kelly.

16 COMMISSIONER KELLY: Aye.

17 THE CLERK: Commissioner Evans.

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco.

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli.

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye.

25 COMMISSIONER PETRACCO: Whereas, Resolution

1 Number 213-21 was adopted on September 7th, which
2 contained typographical error;

3 Now therefore be it resolved by the Board of
4 Commissioners of the Township of Nutley, County of
5 Essex, State of New Jersey, that the Resolution Number
6 213-21 is hereby rescinded. I move it.

7 COMMISSIONER SCARPELLI: Second.

8 THE CLERK: Commissioner Kelly.

9 COMMISSIONER KELLY: Aye.

10 THE CLERK: Commissioner Evans.

11 COMMISSIONER EVANS: Aye.

12 THE CLERK: Commissioner Petracco.

13 COMMISSIONER PETRACCO: Aye.

14 THE CLERK: Commissioner Scarpelli.

15 COMMISSIONER SCARPELLI: Aye.

16 THE CLERK: Mayor Tucci.

17 MAYOR TUCCI: Aye.

18 COMMISSIONER PETRACCO: Whereas, N.J.S.A.
19 40A:4-87 provides the Director of Division of Local
20 Government Services may approve the insertion of any
21 special item in the budget of a county or municipality
22 when such item shall have been made available by law,
23 and the amount thereof was not determined at the time
24 of the adoption of the budget;

25 Whereas, the Director may also approve the

1 insertion of any item of appropriation of equal amount.

2 Section 1: Now therefore be it resolved that
3 the Board of Commissioners of the Township of Nutley,
4 County of Essex, State of New Jersey, hereby request
5 the Director of Division of Local Government Services
6 to approve the insertion of an item of revenue in the
7 budget of the year 2021 in the sum of \$5,476.90, which
8 item is now available as revenue from the Bullet Proof
9 Vest Program, pursuant to the provisions of statute;

10 Now there -- be it further resolved that like
11 sum of \$5,476.90 be the same and hereby appropriated
12 under the caption, General Appropriations;

13 Be it further resolved that the Township
14 Clerk forward two certified copies of this resolution
15 to the Director of Division of Local Government
16 Services. I move the resolution.

17 COMMISSIONER SCARPELLI: Second.

18 THE CLERK: Commissioner Kelly.

19 COMMISSIONER KELLY: Aye.

20 THE CLERK: Commissioner Evans.

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Petracco.

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Commissioner Scarpelli.

25 COMMISSIONER SCARPELLI: Aye.

1 THE CLERK: Mayor Tucci.

2 MAYOR TUCCI: Aye.

3 COMMISSIONER PETRACCO: That's all I have,
4 Mayor.

5 MAYOR TUCCI: Thank you, Commissioner.

6 Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Thank you, Mayor.

8 Whereas, pursuant to N.J.S.A. 40:67-23.2, and
9 as required by law, the township has elected to provide
10 municipal services to Cambridge Heights at Nutley
11 Umbrella Association, in the same manner as the
12 Township provides such services on public roads and
13 streets in the township.

14 Now therefore be it resolved by the Board of
15 Commissioners of the Township of Nutley in the County
16 of Essex as follows;

17 The mayor is hereby authorized to enter into
18 2022 Municipal Service Agreement with the Association
19 in the form approved by the Township Attorney;

20 And two, a copy of the resolution, as well as
21 the Municipal Service Agreement, shall be placed on
22 file with the Clerk, and a notice of this action shall
23 be printed once in the Nutley Sun. I move the
24 resolution.

25 COMMISSIONER PETRACCO: Second.

1 THE CLERK: Commissioner Kelly.

2 COMMISSIONER KELLY: Aye.

3 THE CLERK: Commissioner Evans.

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Scarpelli.

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Mayor Tucci.

10 MAYOR TUCCI: Aye.

11 COMMISSIONER SCARPELLI: Whereas, bids for
12 the 2021 Commingled Recycling Collection Services were
13 received and opened on December 9th, 2020; and

14 Whereas, F. Basso Junior Rubbish Removal,
15 55-93 South 20th Street, Irvington, New Jersey, was the
16 lowest responsible bidder for the removal and recycling
17 of commingled material collection service, Option one
18 (1), three (3) sections, in the amount of \$250,100; and

19 Whereas, F. Basso Rubbish Removal was awarded
20 a contract on January 19th, 2021, with the term of one
21 year, with an option for two one-year extensions at the
22 same price, subject to the availability of funds, in
23 the subsequent annual municipal budget, to be awarded
24 solely at the township's discretion; and

25 Whereas, the term of the contract shall be

1 extended for the first additional contract year,
2 beginning February 1st, 2022, through January 31st,
3 2023, with the same price options, subject to
4 availability of funds in the subsequent annual
5 municipal budget. This extension shall be for one (1)
6 of the two contract extensions.

7 Now therefore be it resolved by the Board of
8 Commissioners of the Township of Nutley, County of
9 Essex, State of New Jersey, that a contract be awarded
10 to F. Basso Junior Rubbish Removal, not to exceed
11 \$250,100 and that the mayor and Township Clerk are
12 hereby authorized to enter into and sign said contract
13 for the Township of Nutley. I move the resolution.

14 COMMISSIONER PETRACCO: Second.

15 THE CLERK: Commissioner Kelly.

16 COMMISSIONER KELLY: Aye.

17 THE CLERK: Commissioner Evans.

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco.

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli.

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye.

25 COMMISSIONER SCARPELLI: Whereas, bids for

1 the 2020 Acceptance of Recycling Vegetative Waste, to
2 include leaf, grass clippings, and wood brush, were
3 received and opened on November 13th, 2019; and

4 Whereas, S. Rotondi and Sons, P.O. Box 1407,
5 Summit, New Jersey, was the lowest responsible bidder
6 for the removal and recycling of Class B Clean
7 Wood/Brush in the amount of \$9.85 per cubic yard, for
8 the removal and recycling of Class C Leaves in the
9 amount of \$9.85 per cubic yard, and for the removal and
10 recycling of Class C grass clippings in the amount of
11 \$21.85 per cubic yard; and

12 Whereas, S. Rotondi was awarded a contract on
13 December 3rd, 2019, for a term of one year contract
14 with an option of two one-year extensions at the same
15 price, subject to the availability of funds.

16 Now therefore be it resolved by the Board of
17 Commissioners, Township of Nutley, County of Essex,
18 State of New Jersey, that a contract be awarded to
19 S. Rotondi and Sons, not to exceed \$75,000, and that
20 the mayor and Township Clerk are hereby authorized to
21 enter into a contract for the Township of Nutley. I
22 move the resolution.

23 COMMISSIONER PETRACCO: Second.

24 THE CLERK: Commissioner Kelly.

25 COMMISSIONER KELLY: Aye.

1 THE CLERK: Commissioner Evans.

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Petracco.

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Commissioner Scarpelli.

6 COMMISSIONER SCARPELLI: Aye.

7 THE CLERK: Mayor Tucci.

8 MAYOR TUCCI: Aye.

9 COMMISSIONER SCARPELLI: Be it resolved by
10 the Board of Commissioners of the Township of Nutley,
11 County of Essex, State of New Jersey, that in
12 accordance with the provisions of R.S. 40A:40-58, the
13 following transfers of appropriation in the 2021 budget
14 be, and the same are hereby authorized and approved.

15 From Other Insurance, \$10,000; P.E.R.S.,
16 \$15,000; Water Operation O/E, \$45,700; Traffic
17 Maintenance O/E, \$5,000; Road Repairs Salary and Wages,
18 \$15,000; Recycling Center Wage, \$80,000, for a total of
19 \$170,700;

20 To Water Operations Salary and Wage, \$37,000;
21 Group Insurance, \$33,000; NJEIT Loan, \$700; Traffic
22 Maintenance Salary and Wage, \$5,000; Weed and Leaf
23 Removal Salary and Wage, \$15,000; Road Repair, O/E
24 \$80,000, for the same totals, \$170,700. I move the
25 resolution.

1 COMMISSIONER PETRACCO: Second.

2 THE CLERK: Commissioner Kelly.

3 COMMISSIONER KELLY: Aye.

4 THE CLERK: Commissioner Evans.

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli.

9 COMMISSIONER SCARPELLI: Aye. That's all I
10 have, Mayor.

11 THE CLERK: Mayor Tucci.

12 COMMISSIONER SCARPELLI: Oops, sorry, Mayor.

13 MAYOR TUCCI: I think you have one more,
14 don't you? Metered parking?

15 COMMISSIONER SCARPELLI: My parking. Thank
16 you.

17 THE CLERK: Metered parking.

18 COMMISSIONER SCARPELLI: Whereas, the
19 Department of Public Works announced there will be free
20 two-hour metered parking from December 1st, 2021,
21 through December 31st, 2021; and

22 Whereas, the suspension of metered parking
23 during the holidays is a Nutley tradition to promote
24 our business district and support local merchants; and

25 Whereas, the free two-hour parking will allow

1 ample time for residents to take the opportunity to
2 leisurely walk and Shop Nutley First.

3 Now therefore be it resolved by the Board of
4 Commissioners of the Township of Nutley, County of
5 Essex, State of New Jersey, will allow free two-hour
6 metered parking from December 1st, 2021, through
7 December 31st, 2021. I move the resolution.

8 COMMISSIONER PETRACCO: Second.

9 THE CLERK: Commissioner Kelly.

10 COMMISSIONER KELLY: Aye.

11 THE CLERK: Commissioner Evans.

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Petracco.

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Commissioner Scarpelli.

16 COMMISSIONER SCARPELLI: Aye.

17 THE CLERK: Mayor Tucci.

18 MAYOR TUCCI: Aye.

19 COMMISSIONER SCARPELLI: Now that's all I
20 have, Mayor.

21 MAYOR TUCCI: Thank you very much,
22 Commissioner.

23 Be it resolved by the Board of Commissioners,
24 Township of Nutley, County of Essex, State of New
25 Jersey, that the following days shall be considered

1 paid holidays. This is the 2022 holiday schedule. I
2 move this resolution as written.

3 COMMISSIONER EVANS: Second.

4 THE CLERK: Commissioner Kelly.

5 COMMISSIONER KELLY: Aye.

6 THE CLERK: Commissioner Evans.

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Petracco.

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Commissioner Scarpelli.

11 COMMISSIONER SCARPELLI: Aye.

12 THE CLERK: Mayor Tucci.

13 MAYOR TUCCI: Aye.

14 Whereas, raffle applications have been
15 received from the following organizations: the Nutley
16 Elks, License Number 35-21, for an on-premise
17 merchandise raffle, for -- on Saturday, January 8th,
18 2022; Saint Mary's Catholic Church, License Number
19 36-21 for an on-premise pull-tab instant raffle for
20 January 4th, 2022; and December 20th, 2022, including
21 Sundays. Saint Mary's Catholic Church, License Number
22 37-21, Bingo, January 4th, 2022 to December 20th, 2022,
23 including Sundays; PTO of Radcliffe School, on-license
24 -- Number 38-21, on-premise merchandise raffle,
25 Saturday, December 18th, 2021, with the rain date of

1 Sunday, December 19th, 2021.

2 Whereas, the applications have been reviewed
3 and approved by the Municipal Clerk and the Police
4 Department.

5 Now therefore be it resolved by the Board of
6 Commissioners of the Township of Nutley, in the County
7 of Essex, the State of New Jersey, that the
8 aforementioned licenses are approved and the Municipal
9 Clerk is authorized to issue said licenses. I move the
10 resolution.

11 COMMISSIONER PETRACCO: Second.

12 THE CLERK: Commissioner Kelly.

13 COMMISSIONER KELLY: Aye.

14 THE CLERK: Commissioner Evans.

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco.

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Scarpelli.

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Mayor Tucci.

21 MAYOR TUCCI: Aye.

22 Whereas, the Township of Nutley has the need
23 to acquire specialized professional services for a
24 consultant and risk manager for the Township of Nutley
25 through a fair and open process, pursuant to N.J.S.A.

1 19:44A 20-5; and

2 Whereas, a resolution was adopted on November
3 17th, 2020, awarding a contract to C. Walter Searle
4 Agency, LLC, 410 Franklin Avenue, Nutley, New Jersey,
5 for Consultant and Risk Manager, becoming effective
6 January 1, 2021, for a period of one year with the
7 option to extend no more than an additional year; and

8 Whereas, the Township of Nutley wishes to
9 extend the contract entered into between C. Walter
10 Searle Agency and the Township of Nutley for the length
11 of one calendar year, beginning January 1, 2022, and
12 continuing through December 31st, 2022; and

13 Whereas, this service is a requirement under
14 the bylaws of the Suburban -- actually, it's the Metro
15 Joint Insurance Fund, and the anticipated cost for the
16 service will not exceed \$40,000 per year; and

17 Whereas, funds are -- will be available from
18 the Fund.

19 Now therefore be it resolved that the Board
20 of Commissioners of the Township of Nutley, County of
21 Essex, State of New Jersey, authorize the extension of
22 the contract between C. Walter Searle Insurance Agency
23 and the Township of Nutley for one calendar year,
24 pursuant to the previously signed agreement. I move
25 the resolution.

1 COMMISSIONER SCARPELLI: Second.

2 THE CLERK: Commissioner Kelly.

3 COMMISSIONER KELLY: Aye.

4 THE CLERK: Commissioner Evans.

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli.

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci.

11 MAYOR TUCCI: Aye.

12 Whereas, the Township of Nutley has a need to
13 acquire specialized professional services through a
14 fair and open contract pursuant to the provision of
15 N.J.S.A. 19:44 A 20-5; and

16 Whereas, a resolution was adopted on November
17 17, 2020, awarding a contract to C. Walter Searle
18 Agency, for accident safety review board meetings
19 effective January 1, 2021, for a period of one year,
20 with the option to extend for an additional year; and

21 Whereas, the Township of Nutley wishes to
22 extend the contract entered into between C. Walter
23 Searle Agency and the Township for the length of one
24 calendar year, beginning January 1, 2022, and
25 continuing through December 31st, 2022; and

1 Whereas, the anticipated cost for this
2 service will not exceed \$10,000; and

3 Whereas, funds are available from the fund.

4 Now therefore be it resolved that the Board
5 of Commissioners of the Township of Nutley in the
6 County of Essex, State of New Jersey, authorize the
7 extension of the contract between C. Walter Searle
8 Insurance Agency of Nutley, New Jersey, and the
9 Township of Nutley for the calendar year pursuant to
10 the previously signed agreement. I move the
11 resolution.

12 COMMISSIONER PETRACCO: Second.

13 THE CLERK: Commissioner Kelly.

14 COMMISSIONER KELLY: Aye.

15 THE CLERK: Commissioner Evans.

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Petracco.

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Commissioner Scarpelli.

20 COMMISSIONER SCARPELLI: Aye.

21 THE CLERK: Mayor Tucci.

22 MAYOR TUCCI: Aye.

23 Whereas, an application has been filed by
24 Shree Shreenath, LLC, for a person-to-person transfer
25 of a Plenary Retail Distribution License Number

1 0716-44-025-010, heretofore issued to Majagdamba -- I'm
2 sure I destroyed that. LLC, trading as Nutley News and
3 Liquors for the premises located at 98 Centre Street,
4 Nutley, New Jersey; and

5 Whereas, the submitted application form is
6 complete in all respects, the transfer fees have been
7 paid, and the license has been properly renewed for the
8 current license term; and

9 Whereas, the applicant is qualified to be
10 licensed according to all standards established by
11 Title 33 of New Jersey Statutes Regulations Promulgated
12 thereunder as well as pertinent local ordinances and
13 conditions consistent with Title 33; and

14 Whereas, the applicant has disclosed and the
15 issuing authority reviewed the source of all funds used
16 in the purchase of the license, and the licensed
17 business and all additional financing obtained in
18 connection with the licensed business.

19 Now therefore be it resolved that the Board
20 of Commissioners of the Township of Nutley, does hereby
21 approve, effective November 30 of 2021, the transfer of
22 the aforesaid plenary retail consumption license to
23 Shree Shreenath, LLC, and does hereby direct the
24 Municipal Clerk to endorse the license certificate to
25 the new ownership as follows.

1 This license subject to all its terms and
2 conditions is hereby transferred to Shree Shreenath,
3 LLC, effective November 30th, 2021. I move the
4 resolution.

5 COMMISSIONER PETRACCO: Second.

6 THE CLERK: Commissioner Kelly.

7 COMMISSIONER KELLY: Aye.

8 THE CLERK: Commissioner Evans.

9 COMMISSIONER EVANS: Aye.

10 THE CLERK: Commissioner Petracco.

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Scarpelli.

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Mayor Tucci.

15 MAYOR TUCCI: Aye.

16 Whereas, the Township of Nutley has a need to
17 acquire a specialized and professional ACA Reporting
18 Services to ensure compliance with IRS regulations for
19 the year 2021 reporting; and

20 Whereas, such services may be acquired as a
21 non-fair and open contract pursuant to the provisions
22 of N.J.S.A. 19:44A-20 or 20.5 as appropriate; and

23 Whereas, Primepoint, LLC, located at 2
24 Springdale Road, Mount Holly, New Jersey, has submitted
25 a proposal dated September 28th, 2021, with an

1 anticipated cost of \$7,050, to complete these services
2 and ensure compliance on behalf of the Township of
3 Nutley; and

4 Whereas, funds are available from Budget
5 Account 1-01-526-200, and have been certified by the
6 Chief Financial Officer, said certification being
7 attached to this resolution; and

8 Whereas, Primepoint, LLC has completed and
9 submitted a business entity disclosure certification
10 which certifies Primepoint has not made any reportable
11 contributions to a political or candidate committee in
12 the Township of Nutley in the previous one year, and
13 that the contract will prohibit Primepoint from making
14 any reportable contributions through the term of the
15 contract.

16 Now therefore be it resolved that the Board
17 of Commissioners of the Township of Nutley in the
18 County of Essex, State of New Jersey, hereby authorize
19 the Commissioner of Parks and Public Property to enter
20 into a contract with Primepoint, LLC. I move the
21 resolution.

22 COMMISSIONER PETRACCO: Second.

23 THE CLERK: Commissioner Kelly.

24 COMMISSIONER KELLY: Aye.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci.

7 MAYOR TUCCI: Aye.

8 Whereas, a resolution was adopted on December
9 31st, 2020, awarding a contract to TSUJ Corporation,
10 Wayne, New Jersey, for electrical services; and

11 Whereas, the agreement entered into between
12 TSUJ Corp. and the Township of Nutley on January 1,
13 2021, was for a period of one year with the option to
14 be extended for an additional two years; and

15 Whereas, funds are available from 2-01-508-
16 200, pending the adoption of the 2022 Municipal Budget,
17 not to exceed \$40,000 for the year, and \$50,000 in
18 Capital Ordinance 3455A, and have been certified by the
19 Chief Financial Officer, said certification being
20 attached to this resolution.

21 Now therefore be it resolved that the
22 Township of Nutley renew the contract with TSUJ Corp.,
23 Wayne, New Jersey, for electrical services pursuant to
24 the previously signed agreement. I move the
25 resolution.

1 COMMISSIONER KELLY: Second.

2 THE CLERK: Commissioner Kelly.

3 COMMISSIONER KELLY: Aye.

4 THE CLERK: Commissioner Evans.

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Scarpelli.

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Mayor Tucci.

11 MAYOR TUCCI: Aye.

12 This is the 2022 Board of Commissioners
13 Public Meeting Schedule.

14 Be it resolved that in accordance with the
15 Open Public Meetings Act, Chapter 231, P.L. 1975, the
16 public meetings of the Board of Commissioners of the
17 Township of Nutley, County of Essex, State of New
18 Jersey, are held the first and third Tuesday of every
19 month. Please take notice of the public meetings for
20 the year 2022 will be held on the following dates at
21 the Township of Nutley Municipal Building, Third Floor,
22 Commission Chambers, 1 Kennedy Drive, at 7 p.m., at
23 which time formal action may be taken.

24 Please take notice the governing body of the
25 Township of Nutley in the County of Essex, the State of

1 New Jersey, may require an executive session at any
2 given meeting listed below. In accordance with
3 N.J.S.A. 10:4-12, the governing body will adopt the
4 resolution at an open meeting, indicating the reasons
5 for going into an executive session. No action will be
6 taken in the executive session.

7 Please take further notice that the Board of
8 Commissioners of the Township of Nutley may hold an end
9 of the year meeting on Friday, December 31st, 2022, at
10 9 a.m., Township of Nutley Municipal Building, Third
11 Floor, Commission Chambers, 1 Kennedy Drive, where
12 formal action may be taken on the dates listed below.
13 I move the resolution.

14 COMMISSIONER PETRACCO: Second.

15 THE CLERK: Commissioner Kelly.

16 COMMISSIONER KELLY: Aye.

17 THE CLERK: Commissioner Evans.

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco.

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli.

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye.

25 This is the 2022 newspaper designation.

1 Be it resolved by the Board of Commissioners
2 of the Township of Nutley, County of Essex, State of
3 New Jersey, that the following newspapers are hereby
4 designated as the official newspaper for advertising
5 for the Township of Nutley for the year 2022, I believe
6 that should be, not 2021?

7 THE CLERK: 22, yes, Mayor.

8 MAYOR TUCCI: Okay. The Nutley Sun, 1 Garret
9 Mountain Plaza, Woodland Park, New Jersey. The Star
10 Ledger, 1 Star Ledger Plaza, Newark, New Jersey. The
11 Herald News, 1 Garret Mountain Plaza, Woodland Park,
12 New Jersey. Be it further resolved that TAPIntoNutley
13 be and hereby is designated as the electronic news
14 source for which notices and other matters are to be
15 provided under the Open Public Meetings Act of the
16 State of New Jersey, otherwise known as the Sunshine
17 Law. I move the resolution.

18 COMMISSIONER PETRACCO: Second.

19 THE CLERK: Commissioner Kelly.

20 COMMISSIONER KELLY: Second. Or, sorry.

21 Aye.

22 THE CLERK: Commissioner Evans.

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Petracco.

25 COMMISSIONER PETRACCO: Aye.

1 THE CLERK: Commissioner Scarpelli.

2 COMMISSIONER SCARPELLI: Aye.

3 THE CLERK: Mayor Tucci.

4 MAYOR TUCCI: Aye.

5 Please take notice in accordance with the
6 Open Public Meetings law, Chapter 231, Public Law 1975,
7 the public meetings of the Shade Tree Committee for
8 2022 will be held on the following dates. All meetings
9 are held at 44 Park Avenue, Room Number 201, Nutley,
10 New Jersey, at 7:30 p.m.

11 January 25th; March 29th; April 26th; June
12 28th; September 27th; and November 29th, 2022. I move
13 the resolution.

14 COMMISSIONER PETRACCO: Second.

15 THE CLERK: Commissioner Kelly.

16 COMMISSIONER KELLY: Aye.

17 THE CLERK: Commissioner Evans.

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco.

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli.

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye.

25 Whereas, the Township of Nutley -- this

1 resolution is on behalf of the entire Board of
2 Commissioners -- has a need to retain the services of a
3 consultant who specializes in matters related to
4 government relations and support primarily related to
5 the ongoing redevelopments at the Hoffman/LaRoche site
6 as a non-fair and open contract, pursuant to N.J.S.A.
7 19:44A-20.5; and

8 Whereas, the Board of Commissioners has
9 determined that Thomas Greco Publishing, located at 244
10 Chestnut Street, Township of Nutley, State of New
11 Jersey, is best suited to provide these services to the
12 Township of Nutley; and

13 Whereas, Thomas Greco Publishing has
14 submitted a proposal to provide these professional
15 services at a monthly rate of \$5,000; and

16 Whereas, N.J.S.A. 40A:11-2 and 11-5 permits
17 the award of a contract without public bidding; and

18 Whereas, the anticipated term of this
19 contract is from November 1, 2021, through April 30th,
20 2022; and funds are available from accounts as listed
21 below. There are many accounts here.

22 Whereas, Thomas Greco Publishing has
23 completed and submitted a business entity disclosure
24 certification, which certifies they have not made any
25 reportable disqualifying contributions to a political

1 or candidate committee in the Township of Nutley in the
2 previous one year, and that the contract will prohibit
3 them from making any reportable contributions through
4 the term of the contract.

5 Now therefore be it resolved that the Board
6 of Commissioners of the Township of Nutley, County of
7 Essex, State of New Jersey, that the mayor is hereby
8 authorized to enter into a contract with Thomas Greco
9 Publishing, LLC, as a professional service.

10 Be it further resolved that a copy of this
11 resolution, as well as the contract, shall be placed on
12 file with the Clerk of the Township of Nutley, and a
13 notice in accordance with local public contract law of
14 New Jersey in the form attached hereto shall be
15 published in the Nutley Sun. I move the resolution.

16 COMMISSIONER PETRACCO: Second.

17 THE CLERK: Commissioner Kelly.

18 COMMISSIONER KELLY: Aye.

19 THE CLERK: Commissioner Evans.

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Petracco.

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Commissioner Scarpelli.

24 COMMISSIONER SCARPELLI: Aye.

25 THE CLERK: Mayor Tucci.

1 MAYOR TUCCI: Aye.

2 Be it resolved by the Board of Commissioners
3 of the Township of Nutley, County of Essex, State of
4 New Jersey, that the Township Clerk is authorized to
5 advertise for sealed bids for recreation uniforms and
6 recreation equipment. Bids to be received on
7 Wednesday, December 21st, 2021, in the Commission
8 Chambers, Township Hall, at 11 a.m. prevailing time, at
9 which time they will be publicly opened and read. I
10 move the resolution.

11 COMMISSIONER PETRACCO: Second.

12 THE CLERK: Commissioner Kelly.

13 COMMISSIONER KELLY: Aye.

14 THE CLERK: Commissioner Evans.

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco.

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Scarpelli.

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Mayor Tucci.

21 MAYOR TUCCI: Aye.

22 Be it resolved by the Board of Commissioners
23 of the Township of Nutley, County of Essex, State of
24 New Jersey, that Mauro Tucci and Kathy Rempusheski be
25 appointed as representatives of the Community

1 Development Block Grant Committee for the term of
2 January 1, 2022 through December 31st, 2022. I move
3 the resolution.

4 COMMISSIONER PETRACCO: Second.

5 THE CLERK: Commissioner Kelly.

6 COMMISSIONER KELLY: Aye.

7 THE CLERK: Commissioner Evans.

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Petracco.

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Commissioner Scarpelli.

12 COMMISSIONER SCARPELLI: Aye.

13 THE CLERK: Mayor Tucci.

14 MAYOR TUCCI: Aye.

15 Whereas, a resolution was adopted on March
16 16th, 2021, awarding a contract to Advanced Mechanical
17 Corp., 9 Falstrom Court, Passaic, New Jersey; and

18 Whereas, the agreement entered into on the
19 bid specifications between Advanced Mechanical Corp.
20 and the Township of Nutley on January 1, 2021, was for
21 a period of one year, with the option to be extended
22 not to exceed two years; and

23 Whereas, funds are available from Account
24 Number 2-01-508-200, pending adoption of the 2022
25 Municipal Budget, not to exceed \$40,000, and a Capital

1 Ordinance 3455(a), in the amount of \$50,000 for the
2 year, and have been certified by the Chief Financial
3 Officer, said certification being attached to this
4 resolution.

5 Now therefore be it resolved that the
6 Township of Nutley renew the contract with Advanced
7 Mechanical Corp. for plumbing, heating, air
8 conditioning, and refrigeration service, and purchase
9 pursuant to the previously signed agreement. I move
10 the resolution.

11 COMMISSIONER PETRACCO: Second.

12 THE CLERK: Commissioner Kelly.

13 COMMISSIONER KELLY: Aye.

14 THE CLERK: Commissioner Evans.

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Petracco.

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Scarpelli.

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Mayor Tucci.

21 MAYOR TUCCI: Aye.

22 Whereas, the Township of Nutley has the need
23 to acquire specialized professional services as a fair
24 and open contract pursuant to the provisions of
25 N.J.S.A. 19:44A-20.5; and

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

6 Whereas, the Municipal Clerk is hereby
7 authorized and directed to advertise for a Request for
8 Qualifications for Township Forester.

9 Now therefore be it resolved that the
10 requests for qualifications shall be due on Wednesday,
11 December 21st, 2021, at 11 a.m., addressed to the
12 Municipal Clerk, Nutley Township Hall, 1 Kennedy Drive,
13 Nutley, New Jersey, 07110. I move the resolution.

14 COMMISSIONER PETRACCO: Second.

15 THE CLERK: Commissioner Kelly.

16 COMMISSIONER KELLY: Aye.

17 THE CLERK: Commissioner Evans.

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Petracco.

20 COMMISSIONER PETRACCO: Aye.

21 THE CLERK: Commissioner Scarpelli.

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Mayor Tucci.

24 MAYOR TUCCI: Aye.

25 My last resolution is again on behalf of the

1 entire Board of Commissioners. This is an amended
2 resolution of the Board of Commissioners authorizing
3 and directing the Planning Board of the Township of
4 Nutley to conduct a preliminary investigation of
5 certain property within the township for potential
6 redevelopment.

7 Whereas, N.J.S.A. 40A:12A-6 of the Local
8 Redevelopment and Housing Law, N.J.S.A. 40A:12A-1,
9 authorizes the governing body of any municipality by
10 resolution to have its Planning Board conduct the
11 preliminary investigation to determine whether an area
12 of a municipality is a condemnation area in need of
13 redevelopment, pursuant to the criteria contained in
14 N.J.S.A. 40A:12A-5, the Redevelopment Law; and

15 Whereas, the Board of Commissioners of the
16 Township of Nutley consider it to be in the best
17 interests of the Township of Nutley to have the
18 Township Planning Board conduct such an investigation
19 of the following properties, collectively, the study
20 area, and they are listed on this resolution; and

21 Whereas, the Township believes the study area
22 is potentially valuable for contributing to serving and
23 protecting the public health, safety, and welfare, and
24 for the promotion of smart growth within the Township;
25 and

1 Whereas, the preliminary investigation will
2 be designed to evaluate the area, to determine whether
3 designation of the study area as a condemnation area in
4 need of redevelopment is appropriate and in conformance
5 with the statutory criteria contained in N.J.S.A.

6 40A:12A-5 of the Redevelopment Law; and

7 Whereas, the Commissioners of the Township of
8 Nutley want to add to the area of the preliminary
9 investigation to determine whether the aforementioned
10 study area, along with Block 102, Lot 9, on the tax map
11 of Nutley, otherwise known as 300 Kingsland Street in
12 the Township of Nutley, or any portions thereof,
13 constitutes a condemnation area in need of
14 redevelopment according to the criteria set forth in
15 N.J.S.A. 40A:12A-5 of the Redevelopment Law; and

16 Whereas, subject to the results of the
17 preliminary investigation, the redevelopment area
18 determination on the condemnation basis if so made by
19 the Board of Commissioners, shall authorize the
20 Township to use all those powers in the Local
21 Redevelopment and Housing Law, N.J.S.A. 40A:12A,
22 including the use of eminent domain to acquire property
23 within the study area.

24 Now therefore be it resolved the Board of
25 Commissioners of the Township of Nutley that: one, the

1 Planning Board of the Township of Nutley is hereby
2 authorized and directed to add to the preliminary
3 investigation to determine whether the aforementioned
4 study area, along with Block 102, Lot 9, otherwise
5 known as 300 Kingsland Street, or any portions thereof
6 constitutes a condemnation area in need of
7 redevelopment, according to the criteria set forth in
8 N.J.S.A. 40A:12A-5 of the Redevelopment Law;

9 Two, the Planning Board of the Township is
10 hereby authorized and directed to study the study area
11 as amended, to develop a map reflecting the boundaries
12 of such proposed condemnation redevelopment area, to
13 provide public notice and conduct public hearings,
14 pursuant to N.J.S.A. 40A:12A-6 of the Redevelopment
15 Law, and to draft a report/resolution to the Board of
16 Commissioners containing its findings;

17 Three, the results of such preliminary
18 investigation shall be submitted to the Board of
19 Commissioners for review and consideration in
20 determining whether to declare the study area or any
21 portion thereof a condemnation area in need of
22 redevelopment, in accordance with the provisions of
23 N.J.S.A. 40A:12A-1, which declaration, if so made by
24 the Board of Commissioners, shall authorize the
25 Township to use all those powers under the Local

1 Redevelopment and Housing Law, N.J.S.A. 40A:12A-1,
2 including the use of eminent domain to acquire property
3 within the study area; this resolution shall take
4 effect immediately, but no sooner than as permitted by
5 law. I move the resolution.

6 COMMISSIONER PETRACCO: Second.

7 THE CLERK: Commissioner Kelly.

8 COMMISSIONER KELLY: Aye.

9 THE CLERK: Commissioner Evans.

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco.

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Commissioner Scarpelli.

14 COMMISSIONER SCARPELLI: Aye.

15 THE CLERK: Mayor Tucci.

16 MAYOR TUCCI: Aye.

17 That concludes the business portion of our
18 meeting. We will now open the meeting up to the
19 public, and each individual will have five minutes to
20 state their piece.

21 THE CLERK: You want me to read the --

22 MAYOR TUCCI: Please.

23 THE CLERK: All persons addressing the Board
24 of Commissioners regarding community concerns should
25 approach the microphone and provide their name and

1 address for the record. Unless further time is granted
2 by the Board, each person should limit their address to
3 five minutes. All remarks to the Board and its
4 individual members must be addressed to the mayor. The
5 mayor may defer citizens' comments to the appropriate
6 member of the board.

7 MR. BROWN: Good evening again. My name --

8 MAYOR TUCCI: Hello again.

9 MR. BROWN: -- is Jason Brown, 27 Homer Ave.
10 How are you guys doing tonight? I still have a couple
11 questions regarding the oil spill on Homer Avenue. I'm
12 starting to feel that, as a homeowner, I'm doing the
13 legwork that I feel that the township should be doing,
14 rather than I. I don't understand. I haven't seen any
15 other persons, or companies, or HAZMAT companies come
16 down our street to do anything. No more cleaning, no
17 soil samples, nothing. I mean, we still don't know
18 what chemicals spilled just besides the oil, and other
19 chemicals that spilt.

20 My question is, is why do I feel that I'm
21 doing the legwork to submit estimates for stuff that
22 should be done to my house that the township should do?

23 My second question is, what are we going to
24 do to rectify the situation? I have so many questions,
25 I'm trying to lose my train of thought. Another thing

1 is, is also, you know, you sent out a letter a month
2 after the fact, stating that we had 90 days from the
3 date of incident when I feel that we should have 90
4 days from the date of the letter to submit our
5 paperwork, due to the fact that we're dealing with
6 putting our houses back together, also getting
7 estimates prepared for you guys, or for your insurance
8 company. So is there --

9 MAYOR TUCCI: Was that --

10 MR. BROWN: -- any answers --

11 MAYOR TUCCI: -- excuse me. Was that a FEMA
12 requirement, or did someone from the township send you
13 that?

14 MR. BROWN: The township actually sent us a
15 letter to submit any claims or proposals from
16 contractors to clean our houses --

17 MAYOR TUCCI: Right.

18 MR. BROWN: -- for any damages --

19 MAYOR TUCCI: Okay.

20 MR. BROWN: -- due to the oil spill, which, I
21 feel I shouldn't be doing that, that is something the
22 township should be doing, considering that your oil or
23 chemicals were stored improperly at the Public Works.

24 MAYOR TUCCI: Well, I'm not -- I don't know
25 that the chemicals were stored improperly at Public

1 Works. I'm going to try and answer all of your
2 questions, and lend some guidance, and maybe impart
3 some more information that you may or may not have.

4 Number one, the township, through its Office
5 of Environmental Management, OEM, all right, contracted
6 with First Environmental Corp., all right, which is a
7 licensed site remediation specialist group. They came
8 out. They tested, they did some -- I'm sorry?

9 MR. BROWN: Tested where?

10 MAYOR TUCCI: They tested the whole area
11 around there. They were out there for --

12 MR. BROWN: They never tested my house.

13 MAYOR TUCCI: -- several days -- let -- okay.
14 Let me finish, and then we'll talk about what they did
15 or didn't do, and see what we can do to --

16 MR. BROWN: Sure.

17 MAYOR TUCCI: -- rectify the --

18 MR. BROWN: Yes, please.

19 MAYOR TUCCI: -- situation. Okay?

20 So First Environmental was contracted by the
21 township through OEM to come out and to do some testing
22 and to do some cleanup. They were there for several
23 days. They're licensed by the state. They then
24 contacted State DEP. There was a gentleman from the
25 State Site Remediation Area that came out, and I'm not

1 a site remediation specialist, so I can only tell you
2 what information we have, and what the DEP told us was
3 that the township has done everything that they should
4 have done. Now, that may or may not be true, okay, but
5 we can only go by what the DEP tells us, because
6 obviously we're not site remediation specialists.

7 MR. BROWN: Of course.

8 MAYOR TUCCI: If you feel, and obviously you
9 do, or otherwise, you wouldn't be here this evening --

10 MR. BROWN: Very true.

11 MAYOR TUCCI: -- all right, that you're doing
12 some things that you shouldn't be doing, and that the
13 township should be doing, then what I would suggest,
14 and this comes under Commissioner Petracco's department
15 and authority, I suggest that you set up a meeting with
16 either the commissioner and/or Will Cassidy, who is the
17 OEM Coordinator, all right, so he can share with you
18 the reports, all right, that the company in fact
19 submitted to us, all right, and the comments from the
20 DEP, all right, and we -- you can go over those, and we
21 can see what actually occurred, and what didn't occur,
22 and whether or not there's something else that needs to
23 occur.

24 MR. BROWN: Why do I need to set up a
25 meeting? Isn't that something that should have already

1 been done? Or --

2 COMMISSIONER PETRACCO: Well, why don't we --
3 why don't --

4 MR. BROWN: Once again, though, why do I feel
5 as I got to do -- no disrespect, but your guys' jobs?
6 Whereas, if --

7 MAYOR TUCCI: Well, actually --

8 MR. BROWN: -- this is an issue --

9 MAYOR TUCCI: -- let me interrupt you.
10 You're actually not doing our guys' jobs. All right?
11 We contracted with a specialist, all right, to conduct
12 the testing, and to do the cleanup that the DEP was
13 telling us was required --

14 MR. BROWN: It's a power washer, it's not --

15 MAYOR TUCCI: -- all right. So it's not that
16 you're required to do that, we did what we were
17 instructed to do. If, for whatever reason, you're not
18 satisfied with that, or you feel something else should
19 be done, well then, let's get to the bottom of this,
20 and let's see if, in fact, you're correct, and if the
21 DEP needs to be contacted again, then we can do that.
22 So -- but the only way that we can get firsthand
23 information as to what your feelings are, and what
24 actually occurred on your property, because no one
25 knows better than you, is for you to sit down with Will

1 Cassidy, all right, and explain to him what happened,
2 you know, and what you feel is still outstanding, and
3 what needs to be addressed.

4 I'm sorry that you need to be inconvenienced.
5 I'm sorry the whole thing happened from the beginning,
6 all right, but unless he speaks to you --

7 MR. BROWN: I'm sorry, but that sorry's a
8 little too late.

9 MAYOR TUCCI: -- you know, one on one, he's
10 not going to be able to get, you know, the correct
11 information, unless you want to put it in writing to
12 him, and then we can have him respond to you.

13 Commissioner, did you want to add on to that?

14 COMMISSIONER PETRACCO: I do understand your
15 frustration, but like the mayor said, this is new to
16 us, too. I was under the opinion that they came around
17 to the homeowners where the houses were contaminated,
18 but if that hasn't been done, obviously, we want to
19 help you, but for me to help you, you have to help us.
20 I have my assistant here. We could set up something
21 really quick, maybe a phone call, get your address,
22 we'll go out there, we'll contact the DEP, and whatever
23 we can do to resolve the problem, instead of adding to
24 your headaches, because the mayor and I did walk that
25 neighborhood, and knocked on many doors, and we seen

1 the devastation that --

2 MR. BROWN: You were never down my street.
3 Please don't say you were on my street.

4 COMMISSIONER PETRACCO: We were in that area.

5 MR. BROWN: You guys were never on my street.

6 MAYOR TUCCI: No, sir, we absolutely were.

7 MR. BROWN: Really?

8 MAYOR TUCCI: Yes, we absolutely did.

9 MR. BROWN: What day and time, please,
10 because I would love to know this. I was there every
11 day for a month, saw none of you come down my street on
12 Homer Ave.

13 MAYOR TUCCI: Well --

14 MR. BROWN: I have security cameras to back
15 up my statement, as well.

16 MAYOR TUCCI: -- we were on Homer, we were on
17 Homer, we were on Elm, we were on Passaic, we were on
18 Donna Court.

19 COMMISSIONER PETRACCO: Yep.

20 MR. BROWN: Everywhere but where I live.

21 COMMISSIONER PETRACCO: We were there. Maybe
22 we didn't ring your doorbell, but we did --

23 MAYOR TUCCI: We were there.

24 COMMISSIONER PETRACCO: -- we did ring many.

25 MAYOR TUCCI: We saw the devastation

1 firsthand, because we wanted to see it.

2 COMMISSIONER PETRACCO: But we want to help
3 you, we want -- I can see you're frustrated, and --

4 MR. BROWN: I'm beyond frustrated when a
5 cleaning crew comes to my house and pours diesel fuel
6 on my fence, that that's his way of cleaning it, when
7 the inside of my house still has oil stains, and as you
8 stated to Channel 12 News, Mr. Mayor, that my house was
9 never cleaned. Okay? And I can pull that up. I can
10 take a seat, pull that back up and show you that that's
11 what Mr. Mayor said to Channel 12 News, and my house
12 was never cleaned on the inside. So yes, I'm beyond
13 frustrated. I've been living in this town for 20
14 years, and there's things that are just unbelievable, I
15 mean, we've got money to put Belgian block curbs on
16 Grand, but I still have a concrete street.

17 And you're going to sit here and tell me
18 things were done when it wasn't. You hired some
19 so-called professional cleaning crew, and they showed
20 up with a power washer with hot water, and using diesel
21 fuel to clean an oil spill, and with other chemicals?
22 That's just a little ridiculous to my eyes. Stating
23 that you're sitting here telling me that they did soil
24 samples? Well, don't you think it would have been nice
25 to put those results, if it was done, in a mailbox and

1 mailed to every neighbor on that street? I mean, I'm
2 just saying.

3 Because if I was on where you guys were, and
4 this was a huge comment, it was a oil spill and other
5 chemicals, that's a huge problem. I mean, common
6 sense, that's a huge problem. And you're sitting here
7 saying that all of this stuff was done, but not one
8 person got documentation of it.

9 COMMISSIONER PETRACCO: And how would we know
10 that? How would we know if somebody came to your house
11 or they didn't, if you didn't tell --

12 MR. BROWN: Well, they should do a report,
13 and report back to you, correct? There should be a
14 written report, and say, here you go, sir. This is
15 what we've done on this street.

16 MAYOR TUCCI: And sir, if I might, that's why
17 I believe it's important for you to sit down with Will.
18 There is in fact, a report --

19 MR. BROWN: But your Public Safety said how
20 would you know --

21 MAYOR TUCCI: And if -- let me finish,
22 please. And if -- and again, I understand what you're
23 feeling, and what you've gone through. Okay? It's
24 happened to me in the past also. Not maybe to the same
25 extent that you've experienced it, but --

1 MR. BROWN: Well, I don't care about water.
2 I know what it is. I know what the water damage is --

3 MAYOR TUCCI: -- let's find out -- let's find
4 out -- we will be happy to share all of the
5 information, all right, from the licensed site
6 remediation specialists that came out, and they did in
7 fact come out. We're not sitting here telling you that
8 they came out and that they --

9 MR. BROWN: Oh, no, I'm not saying that they
10 never came out. They came out.

11 MAYOR TUCCI: Well, maybe they didn't come to
12 your house, but let's find out. And if we need them to
13 come to your house, then let's see what we can do to
14 make that happen. Okay?

15 MR. BROWN: Now what about this insurance
16 claim that we had 90 days from September 1st, but the
17 letter didn't go out until October 5th? I had 90 days
18 from September 1st to submit all my bills or estimates,
19 to have my house cleaned or whatever, I had 90 days
20 from September 5th, not October.

21 MAYOR TUCCI: Okay. And again, there were
22 many directives coming out from FEMA. There were many
23 directives coming out from the Small Business
24 Administration, from the State of New Jersey, from the
25 County of Essex, all right --

1 MR. BROWN: I'm talking about the one that
2 came from Nutley.

3 MAYOR TUCCI: -- and I'm -- let me finish,
4 please. And the township. So again, if you get all of
5 your information, and sit down with Will, let's see
6 what we can do to help you try and resolve, all right,
7 what has occurred for the things that you feel are
8 still outstanding. I mean, does that sound fair to
9 you?

10 MR. BROWN: It sounds fair.

11 MAYOR TUCCI: I mean, we're here to try and
12 help. I don't know what happened, and what didn't
13 happen. I know what we did, all right, and what we
14 were required to do, and we did in fact do that, and
15 quite frankly, it was quite expensive to have these
16 folks come out and to do what they did, and if they
17 were remiss in any area, well then, we want to know
18 about that.

19 MR. BROWN: (Indiscernible).

20 MAYOR TUCCI: All right, and we will have
21 them come out again, all right, and we'll go over it
22 with them. But the only way we're really going to get
23 to the bottom of this is for you to have a
24 conversation, all right, with Will Cassidy, so that we
25 can try and resolve this for you.

1 MR. BROWN: And who do I set that up with?
2 Because I would love to do --

3 MAYOR TUCCI: If you see Sam Carella, you can
4 set that up, and however we can help, you know, we
5 stand ready to do that, sir.

6 MR. BROWN: And my other statement is, is I
7 do make a great point on why we have Belgian block
8 sidewalks or curbs on Grant, but I still have a
9 concrete street.

10 MAYOR TUCCI: Well, I don't know why you have
11 a concrete street. Maybe Commissioner Scarpelli can
12 speak to that, but I can just tell you in general,
13 where you see repaving going on, or you see Belgian
14 block curbing being installed, typically, it's from a
15 grant from the State of New Jersey, and there are
16 different qualifying criteria that we need --

17 MR. BROWN: Can Homer Ave. get a grant?

18 MAYOR TUCCI: -- to follow, okay?

19 Commissioner, did you want to add anything to
20 that?

21 COMMISSIONER SCARPELLI: Well, currently
22 Homer Avenue got chopped up by Public Service, so
23 that'll be happening in the spring, the remediation
24 through Public Service of that area of town.

25 MR. BROWN: What does that have to do with a

1 concrete street, sir?

2 COMMISSIONER SCARPELLI: Well, what --

3 MR. BROWN: Are you saying you're going to
4 rip it all up and put a nice street down?

5 COMMISSIONER SCARPELLI: I didn't say that at
6 all.

7 MR. BROWN: Oh.

8 COMMISSIONER SCARPELLI: I didn't say that at
9 all.

10 MR. BROWN: Well, it's already been chopped
11 and paved where they cut --

12 COMMISSIONER SCARPELLI: Right. And it'll be
13 remediated in some way. Maybe paved.

14 MR. BROWN: Patched like it was, most likely.

15 COMMISSIONER SCARPELLI: Not necessarily.
16 Have you looked throughout the rest of the town and
17 what's been done, where Public Service was?

18 MR. BROWN: Yeah.

19 COMMISSIONER SCARPELLI: Right. And they've
20 done a pretty good job, right?

21 MR. BROWN: Not every street, you know, I
22 mean, I'm not worried about the rest of the town. I'm
23 worried about where I live, my street.

24 COMMISSIONER SCARPELLI: And I understand
25 that, but you -- it's not going to happen until the

1 spring, so --

2 MR. BROWN: Okay.

3 MAYOR TUCCI: Thank you.

4 COMMISSIONER PETRACCO: Thank you, sir.

5 MAYOR TUCCI: Thank you for your time.

6 Please see Sam and set that up. She'll get all of your
7 contact information.

8 MS. DELANEY: Hi, everyone. Janine Delaney,
9 55 Stager Street. Okay, let's talk Ida. I had seven
10 feet of water in my basement. I lost everything. I
11 came to you guys in July, asking what has the town done
12 to mitigate the flooding in the town, and I was told
13 nothing. Nothing. The town hasn't done anything. I'm
14 kind of curious to see -- thank you. Has the town done
15 anything to mitigate the flooding since Ida? I know
16 that's a loaded question, but I'm just trying to figure
17 out how we could figure this out.

18 MAYOR TUCCI: Well, let me tell you what
19 we've done to date, all right. And through
20 Commissioner Kelly's office, obviously, we've had
21 several pickups, I don't know how many tons of debris
22 have been carted away. I know Commissioner Scarpelli's
23 engineering department is evaluating both the storm
24 sewer system and the sanitary storm system, in addition
25 to the water system. We have held an initial meeting

1 with all of the towns, all right, that touch the Third
2 River, which again, went from two feet to ten feet in a
3 half an hour.

4 MS. DELANEY: Uh-huh.

5 MAYOR TUCCI: So, no matter what preventive
6 measures we could have taken, I don't think anything
7 could have prevented, you know, that water from
8 entering your home. And I don't say that lightly. I
9 can imagine what that is like. But the township has
10 done many things. We're continuing down this path, all
11 right, we've been in contact with the county, all
12 right, and even with some of our congressional leaders,
13 all right. We'll be touching base with the DEP, all
14 right, to see what it is can be done.

15 There was some cleanup that was done of some
16 of the waterways. They don't allow you to dredge, but
17 they do allow you to what they call de-snog, take some
18 of the debris that may have washed down out of the way
19 so the water can flow a bit more freely. All right?
20 What we're trying to do is get to the bottom of why
21 areas that typically didn't get water, got water this
22 time. All right.

23 This was what, Commissioner, a 500-year
24 storm?

25 COMMISSIONER SCARPELLI: Correct, Mayor.

1 MAYOR TUCCI: All right. So typically,
2 people plan for a hundred-year storm, a 200-year storm.
3 To get a 500-year storm like this, obviously, it's
4 something beyond all of our control. Very unfortunate.
5 Very devastating. Okay?

6 MS. DELANEY: Has the town applied for any
7 FEMA grants to figure this out? Like, we need the Army
8 Corps of Engineers here.

9 MAYOR TUCCI: Yes, we in fact had --

10 MS. DELANEY: I mean, we can't do this alone.

11 MAYOR TUCCI: You're absolutely correct. We
12 cannot do it alone. And through the good offices of
13 the County Executive, Joe DiVincenzo, he brought FEMA
14 here, he brought the Small Business Administration
15 here, and he brought different groups, all right, from
16 FEMA, into town to actually visit different
17 neighborhoods, all right, and do on-site inspections.
18 All right? I believe, and Commissioner Evans would
19 know better than I in this area, and Commissioner
20 Scarpelli, I believe as it stands right now, any
21 reimbursement for damages is at 75 percent?

22 COMMISSIONER EVANS: FEMA traditionally, 75
23 cents on the dollar.

24 MAYOR TUCCI: Seventy-five cents on the
25 dollar. So yes. We have called in the outside

1 agencies, because obviously, this is much larger than
2 any of us here could deal with. The waterways aren't
3 even under our jurisdiction. All right? So we need to
4 work with these other levels of government, all right,
5 to see what can be done, and what they're thinking
6 about doing, all right, so that this doesn't happen to
7 the same magnitude that it happened last time.

8 MS. DELANEY: So I came to the town in July
9 when I got my new flood premium --

10 MAYOR TUCCI: Can you tell me where you went
11 in the town?

12 MS. DELANEY: 55 Stager Street. I'm right
13 where Woodland --

14 MAYOR TUCCI: No, I know where you live. You
15 said you came to the town. Which --

16 MS. DELANEY: I spoke with Sal Ferrero.

17 MAYOR TUCCI: Okay.

18 MS. DELANEY: And the engineer. Because my
19 premium went from \$1200 to \$5700, on top of my \$10,000
20 taxes. That's a lot of money.

21 MAYOR TUCCI: Uh-huh. I agree.

22 MS. DELANEY: So I asked them, how can we
23 help the people in the flood zones? And they basically
24 said, get an elevation certificate. I know I'm in a
25 flood zone. I'm not negating that. What I'm negating

1 is the fact that if it keeps flooding, like those poor
2 people on Elm Street. They flooded twice.

3 MAYOR TUCCI: Yes, they did. Uh-huh.

4 MS. DELANEY: What's going to happen with the
5 next storm? They're going to flood again. How do we
6 afford our flood insurance? How are we selling our
7 homes? I was born and raised in this town. I love it
8 here. I'm going to have to move. Who's going to buy
9 my house? Nobody. I'm going to sell it for a song and
10 a dance, and then the property value in this town is
11 going to go down.

12 And it's not just my house. There's plenty
13 of people in this town that flood. So when they told
14 me it's not a big deal? It is a big deal. And it was
15 from my mouth to God's ears that dropped those two
16 storms in July. Because I asked for an OPRA to find
17 out who in the town has flood insurance, or in a flood
18 zone. And I was denied it. So now I kind of know
19 where the flood people are. Because they follow me now
20 on Facebook on my flood page.

21 So I come here speaking to you guys as one
22 person, but there's plenty of people standing behind
23 me.

24 MAYOR TUCCI: Uh-huh.

25 MS. DELANEY: And I'm just trying to get

1 answers. I want to work with you guys, but honestly, I
2 don't know where to go. So I came to you guys in July.
3 So that was something that I wanted to just ask. What
4 do we do? Is there any subsidizing?

5 MAYOR TUCCI: The best resource that we have
6 at this point is our OEM Coordinator, because all of
7 the information, all of the dollars that are available,
8 all right, all of that information has been channeled
9 through that office, and was distributed throughout the
10 town. Okay. So I would again, suggest that you give
11 Sam your information, and --

12 MS. DELANEY: And that's Will Cassidy, right?

13 MAYOR TUCCI: -- have a conversation with
14 Will to see what's available. And obviously, we're
15 still exploring different ways that we could possibly
16 help, all right, but as you can imagine, it's -- it's
17 frustrating to you, we understand that. We get it.
18 Okay.

19 MS. DELANEY: I understand.

20 MAYOR TUCCI: It's equally frustrating to us
21 because different levels don't always respond as
22 quickly as they could and should.

23 MS. DELANEY: I understand. And I'm just
24 curious. Has the town formulated any -- like, flood
25 advocacy group to kind of help with all of this, as a

1 way of organizing, and as a way of communicating to the
2 people the information that you guys find?

3 For example, he had flood -- he had oil
4 spill, you know, in his house. He has to live in that.
5 He's going to get his soil tested. When will he get
6 the results? Is there some group that's going to give
7 us the information? How will we find that information?

8 MAYOR TUCCI: That information, again, is in
9 the Office of Emergency Management. All right --

10 MS. DELANEY: Who's also dealing with storm
11 water.

12 MAYOR TUCCI: -- those reports --

13 MS. DELANEY: I mean --

14 MAYOR TUCCI: -- those reports are there. I
15 would think that they're public reports.

16 MS. DELANEY: Seven feet of brown water.

17 MAYOR TUCCI: You know, I mean, if you
18 contact Will, I'm sure he'll be happy to share
19 everything and anything that he has that can shed more
20 light on the subject.

21 MS. DELANEY: And then I just have one more
22 question.

23 MAYOR TUCCI: Sure.

24 MS. DELANEY: This was in reference to that
25 TAPIntoNutley article that was posted. Online.

1 MAYOR TUCCI: Uh-huh. Which one?

2 MS. DELANEY: The one where he talks about --
3 I forget the author's name who wrote the article, about
4 the Nutley didn't fix the undersized pipe to help with
5 the flooding. And that they didn't use the federal
6 funding to fix the flooding down at Kingsland. So down
7 Kingsland Ave.

8 COMMISSIONER SCARPELLI: I can -- that --
9 that was --

10 MAYOR TUCCI: Commissioner?

11 MS. DELANEY: I grew up in that park, in
12 Nichols Park, and I can tell you --

13 COMMISSIONER SCARPELLI: That was Mr. Diaz --

14 MS. DELANEY: -- I know the pipe they're
15 probably talking about.

16 COMMISSIONER SCARPELLI: That was Mr. Diaz
17 claiming that he had a plan to fix the flooding on
18 Bloomfield and Kingsland. And you know, the township
19 brought the EDA to Mr. Diaz, and I don't know what he's
20 talking about, as far as that article is concerned,
21 because that's just not true.

22 MS. DELANEY: You don't know what pipe? You
23 don't know what pipe they're talking about? Like when
24 he mentioned the undersized pipe?

25 COMMISSIONER SCARPELLI: There's a conduit

1 under the -- Bloomfield and Kingsland.

2 MS. DELANEY: Yep.

3 COMMISSIONER SCARPELLI: I don't know if it's
4 undersized or not. It -- that's Mr. Diaz's opinion, of
5 what's undersized. It's something that we are looking
6 at, as we go forward, to see --

7 MS. DELANEY: And then when will we --

8 COMMISSIONER SCARPELLI: -- if it can handle
9 it, and -- but that -- that -- that culvert there, it's
10 under the County of Essex, it's not a Township of
11 Nutley culvert.

12 MS. DELANEY: Okay. Thank you.

13 MAYOR TUCCI: Thank you.

14 MR. KAY: Good evening. David Kay, 706
15 Bloomfield Avenue. This is my first meeting, so I
16 apologize. I'm going to ask a question. The last
17 resolution that you read, Mayor Tucci. I live two
18 houses away from where it looks like this additional
19 resolution has been modified slightly, on Bloomfield
20 Avenue, right by Nichols Park.

21 My first question is, how do I get my house
22 on this study list? Because we weren't hit as bad as
23 Andrew, and Katrina, and so forth, and I don't know if
24 God or what fate brought me here tonight besides this,
25 but I was part of the Ida Hurricane Relief, and I met

1 all these people in person, and I helped them hand out
2 supplies from like, Day 2 on. I don't know why I'm
3 here except for that, but I'm -- all of these folks,
4 I've met personally, and been in their homes that have
5 been destroyed.

6 My home's never gotten water. I understand
7 it's a 500-year storm, but I've lived on Bloomfield
8 Ave. now for about seven years, and what we've been
9 seeing over the last couple of years is not just from
10 what we saw during Ida, and I'm just wondering, how I
11 get my additional block, which would probably be from,
12 whatever the park street is, I could look it up on the
13 map, all the way to maybe Centre Street. Or not Centre
14 Street, High Street, where Lou's Pizzeria is, and
15 include that block, because most of these houses, as
16 for the trash that was picked up, we had feet worth of
17 water in our basements, too. I lost my entire
18 basement.

19 So I'm just wondering how -- I know it may be
20 past due. I thought that public comment was for the
21 resolutions. I probably messed that up. But --

22 MAYOR TUCCI: That's okay.

23 MR. KAY: How do I get -- you know, I don't
24 want to be selfish of just my house, but I know that
25 most of our neighbors, and I mean, one of the police

1 officers's house --

2 MAYOR TUCCI: So your question is, how do you
3 get your house included in the condemnation area in
4 need of redevelopment. Is that correct?

5 MR. KAY: At least added --

6 MAYOR TUCCI: Alan, would you please respond
7 to Mr. Kay?

8 MR. KAY: -- at least added to the study for
9 the houses that we all lost our basements along the way
10 as well.

11 MAYOR TUCCI: That's not really the purpose
12 of this, but Mr. Genitempo will in fact answer you.

13 MR. KAY: Okay. Thank you.

14 MR. GENITEMPO: Thank you, Mr. Mayor. Sir,
15 that -- the resolution that was on for tonight really
16 deals with the Redevelopment Law from the
17 Hoffman/LaRoche site, extending outwards. That has
18 nothing to do with flood mitigation or any damages from
19 the flooding. That can be -- that's a separate issue.
20 So what we were only doing was adding one property to
21 an already existing resolution that was passed in early
22 November, to have that area studied. 800 Bloomfield
23 Avenue, 777 Bloomfield Avenue, the corner. It's sort
24 of the property west of the railroad track on both
25 sides, and then this is adding the daycare center in to

1 the area in need of redevelopment. That building's
2 been empty for about eight years. So we're determining
3 whether it's in need of redevelopment or not. All
4 related to development, not necessarily flooding. But
5 -- so I don't know if I'm answering your question, but
6 that's a whole separate issue. I think what you're
7 talking about is like a buyout program of some sort?

8 MR. KAY: No, nobody has to buy out my home,
9 I just -- I -- maybe I misinterpreted the purpose of
10 the study, but that whole area that you're describing,
11 I've been in almost all those basements. I was helping
12 pump those out.

13 MR. GENITEMPO: None of those properties are
14 what you're refer -- there are no houses in this -- in
15 that resolution. There are no homes in that resolution
16 at all.

17 MR. KAY: Okay. So this is only for
18 redevelopment, not for flooding.

19 MR. GENITEMPO: Right. Those lots numbers
20 are all the ones on 800 -- you know, 800 Bloomfield
21 Avenue, the big brick building?

22 MR. KAY: Right.

23 MR. GENITEMPO: All those lot and blocks are
24 mostly from that property. And that's an empty
25 building now.

1 MR. KAY: Got you. Okay. Thank you for
2 that.

3 MAYOR TUCCI: Thank you.

4 Would anyone else like to be heard?

5 MS. SUAREZ: Hi. My name is Monica Suarez.
6 I'm at 73 Elm Place.

7 MAYOR TUCCI: Uh-huh. Hello, Monica.

8 MS. SUAREZ: Hello, how are you?

9 MAYOR TUCCI: Good.

10 MS. SUAREZ: Okay, so I guess I'm just in
11 tandem with everybody else regarding the flooding. And
12 I know you're saying 500-year storm, or 200-year storm,
13 but Elm Place, at least my house, I've been there 18
14 years now.

15 MAYOR TUCCI: Uh-huh.

16 MS. SUAREZ: And three years ago was the
17 first time that my house was flooded. And now it
18 happened again, July, and then it happened again
19 September. So I'm just, it's not -- it wasn't a
20 hundred-year storm. I mean, there's definitely,
21 there's something that needs to be done. And I said
22 this before, and I know you guys are trying to do
23 something, but like, I'm afraid to like, finish my
24 basement again, because it's -- what if it happens
25 again, you know? And I guess I just need some kind of

1 resolution, and we're all, I guess everybody here is
2 asking for the same thing. And I know it's tough,
3 because you have to work with other agencies, but I
4 also think that there should be some kind of
5 communication, at least to all the people that were
6 flooded, as to what you're doing, instead of me having
7 to come here, you know, every so often, to find out
8 what is happening. I think that would be a really --
9 it would really help me, instead of me having to come
10 and say, hey, you know, what's going on, if something
11 can be either posted or sent out, I don't know.

12 And also, another issue that my neighbor
13 across the street, Sherry (phonetic), told me, who
14 couldn't make it tonight. She asked me to say this,
15 that ever since the flooding, there's been a rodent
16 issue by her place, and all along there. Luckily I
17 haven't seen them, because otherwise, I would scream,
18 but she said that she's been having quite an issue with
19 rodents, and not just small ones. Like, large ones, so
20 I don't know if you guys have been addressing that or
21 not. I think she said that somebody was there today,
22 but I don't know what -- what has been done to address
23 that.

24 MAYOR TUCCI: Okay. Let me address your
25 first issue, concerning notification. Notification,

1 again, went out through the OEM Office. If it wasn't
2 as effective as it should have been, or it could have
3 been, then we need to take a look at that and see how
4 we communicate with all of you. Other than
5 Commissioner Petracco and myself actually walking the
6 blocks, which we did, and I know Commissioner Scarpelli
7 was out, Commissioner Evans and Commissioner Kelly, all
8 right, so, we need to look at that to see how we can
9 better get the information into your hands.

10 The information was in fact put out. All of
11 the resources that were available were, in fact, put
12 out. All right? Things from the county, things from
13 our congressional people, things from the state,
14 whatever we had, we put out. But if it wasn't as
15 effective as it should have been, then we need to
16 examine what we can do --

17 MS. SUAREZ: Well, I mean, how was it put
18 out? Because --

19 MAYOR TUCCI: It's put out on the public
20 notifications, on the SwiftReach, the town website. It
21 was all over. All right? But again, if you're saying
22 you --

23 MS. SUAREZ: Well, again, I mean --

24 MAYOR TUCCI: -- didn't get it, then we --

25 MS. SUAREZ: Right, I just get the --

1 MAYOR TUCCI: -- need to figure out how we
2 make sure that you do get it.

3 MS. SUAREZ: Right, instead of me having to,
4 you know, log on, like, I really don't have the time to
5 do -- like to go on to the website and see --

6 MAYOR TUCCI: Uh-huh.

7 MS. SUAREZ: -- but like if I get emails.
8 Like, I get all the emails where like, if there's --
9 some -- a person is missing, or things like that, like,
10 I get all those emails, and emails are very effective
11 for me anyway, because I do check my emails constantly.

12 MAYOR TUCCI: Uh-huh.

13 MS. SUAREZ: But I haven't, you know,
14 received anything as to what's going on with the flood
15 or anything like that.

16 MAYOR TUCCI: Okay. Would -- Commissioner
17 Petracco, I'll look into that with Will, and we'll find
18 out why?

19 COMMISSIONER SCARPELLI: I'll take some
20 responsibility for that also, Mayor.

21 MAYOR TUCCI: Go ahead.

22 COMMISSIONER SCARPELLI: In the -- you know,
23 especially in the Elm Place area, you know, we walked
24 that culvert the day after the storm. There was no
25 blockages or anything that was going on there. The

1 increased volume that's coming through in these two
2 intense storms over the last six months, we don't have
3 a lot of answers of why that's flooded. What's
4 different? Is it -- is there something different
5 that's happened upstream? Is it something, you know,
6 the mayor did address meeting with the other
7 municipalities that all contribute to those streams.
8 So it's things we're looking at. We've commissioned
9 our engineers to do a study of not only all the
10 collection system, but the rivers, and we're going to
11 have to see when that comes back of where we are,
12 Monica.

13 You know, and I'll tell you from, just
14 speaking on behalf of the commissioners, we feel for
15 everybody who's got flooded. You know, we understand
16 it's frustrating, and to have something like this
17 happen within a month and a half of each other, you
18 know, it's -- it's -- it hurts, it's -- you know, and
19 it's a loss. That's what it is. When you lose a
20 portion of your home, it's a loss, and it's difficult
21 to deal with emotionally, and we understand that. And
22 we're trying to get to -- if there is a solution, we're
23 going to try to pursue it.

24 You know, like we -- you know, what we've
25 done in the past, when we had a lot of flooding on

1 Donna Court is we went out and we did purchase three of
2 those homes through a grant through the state, and we
3 were able -- Blue Acres, I think is the name of it, and
4 we were able to purchase those homes. But in this
5 storm, where it hasn't flooded there since we purchased
6 those homes, during Ida, homes that never flooded
7 before flooded.

8 So, you know, getting the amount of rain that
9 we got, in five hours, is just -- the intensity.
10 Because we've had storms, besides those two storms,
11 this past summer, when we got six inches of rain, it
12 was over a 24-hour period. We had flooding, but no
13 homes got flooded. So it's not the amount of rain,
14 it's the intensity of the rain. When you get two
15 inches of rain in a half hour, we're not going to be
16 able to control that. When we have the Third River go
17 from two feet to ten feet in a half-hour, we're not
18 going to control that. But we're trying to look at
19 what's the cause. What's the cause? Is it something
20 we can control, or is it something out of our control?

21 MS. SUAREZ: I mean, but I do remember like,
22 other storms that have been with that intensity where
23 my house did not get flooded. So that's what I'm
24 saying in the -- it started three years ago, is when
25 the -- whatever happened, is when it started. Like,

1 before that --

2 COMMISSIONER SCARPELLI: And you --

3 MS. SUAREZ: -- we've had other storms, and
4 I've never --

5 COMMISSIONER SCARPELLI: -- you may be right,
6 but I don't think we've ever had any kind of intensity
7 like Ida. Not -- that's -- you know, we're going by
8 the data. There's been nothing as intense as that
9 tropical storm. Never got that amount of rain in that
10 short a period of time. Even Irene didn't come down
11 that heavy in that period of time.

12 MAYOR TUCCI: To jump to your neighbor's
13 issue, the (indiscernible) issue, with the rodent,
14 Commissioner, is there something the Health Department
15 can do? Send out an inspector to see maybe if we can
16 bait there, or -- I don't know what the answer is. I'm
17 not a rodent expert, either. But maybe you could shed
18 some light on that?

19 COMMISSIONER KELLY: Yes. I can have Animal
20 Control go and look into that issue.

21 MS. SUAREZ: Okay. We'd appreciate that. I
22 mean, because I don't want it coming over to my house.
23 Because I will scream.

24 COMMISSIONER PETRACCO: That's honest.

25 MAYOR TUCCI: Thank you, Monica.

1 MS. SUAREZ: Thank you very much. So if we
2 can -- I don't know who I need to speak to to see about
3 the communication?

4 COMMISSIONER SCARPELLI: Yeah, we'll put
5 something together.

6 COMMISSIONER PETRACCO: Sam -- Sam'll get
7 with you.

8 MS. SUAREZ: All right, thank you.

9 MR. MAURIZIO: Good evening. My name is
10 Andrew Maurizio. I live at 30 Homer Avenue. I just
11 come here with really one issue. I've actually spoke
12 with the fire lieutenant about this, concerning
13 directly, let's say maybe about a week to two weeks
14 after Ida. I live at 30 Homer Avenue. For those of
15 you who may not be familiar, it's the very last house
16 on Homer. I actually live in a residence sits on the
17 borderline of the river. Pretty safe to say, my home
18 probably got hit the hardest in all of town.

19 Second to that is the home directly behind me
20 on Albany Avenue. I'm not certain about the number,
21 but I can say with absolute certainty, since that flood
22 on September 1st, nobody has entered that home. So I
23 can't even imagine the amount of water, rodents, or
24 anything else that is there.

25 MAYOR TUCCI: Mold.

1 MR. MAURIZIO: I have a seven-year-old
2 daughter and a two-year-old son that play in my
3 backyard. I can't even imagine what's going to crawl
4 out of that house. I've spoken with people about this
5 before, and it's not something I want to be done. I
6 demand that something be done about this house.
7 Someone has to locate the homeowner, I don't know who
8 it is, okay, but whoever is on record owning that last
9 home, the very last home on Albany Avenue, needs to be
10 -- you know, something needs to be brought to their
11 attention --

12 COMMISSIONER PETRACCO: Is it abandoned, the
13 house?

14 MR. MAURIZIO: -- something needs to happen
15 about that home.

16 COMMISSIONER PETRACCO: The house is
17 abandoned right now, there's nobody in it, or --

18 MR. MAURIZIO: How long ago did the girls
19 move out, Tony? I would say about maybe a year ago?
20 And no one's lived in that home?

21 COMMISSIONER PETRACCO: Wow.

22 MR. MAURIZIO: And no one's even walked in
23 it. And since the flood, no one's entered that home.

24 MAYOR TUCCI: Yeah.

25 Commissioner Evans, can you speak to that?

1 COMMISSIONER EVANS: Yes. Can I have the
2 address again?

3 MR. MAURIZIO: What's the number? Do you
4 know? Offhand? It's the very last house on Albany
5 Avenue.

6 UNIDENTIFIED: McMillan.

7 MR. MAURIZIO: McMillan? Apparently? Well,
8 they just sold it. So whoever the owners are, I don't
9 know if he's trying to collect insurance money, but
10 that has a direct effect on my home.

11 COMMISSIONER EVANS: I will have the
12 construction official out there tomorrow.

13 MR. MAURIZIO: I appreciate that. Thank you
14 very much. Enjoy the rest of your evening.

15 MR. MOORE: Rory Moore, 462 Chestnut Street.
16 Mayor Tucci, I only have two questions this evening.

17 MAYOR TUCCI: Okay, good.

18 MR. MOORE: And actually about -- the
19 Ciccolini Building. Did we hear anything yet? I mean,
20 it's only eight weeks, but that's okay, I don't think
21 that matters. Are we going to -- how many apartments?
22 Are you going to put bike lanes in? Are you going to
23 put charging stations in? You going to put bike racks
24 in?

25 MAYOR TUCCI: Mr. Moore, the information that

1 was submitted on the request for an expression of
2 interest is still being reviewed.

3 MR. MOORE: Again.

4 MAYOR TUCCI: All right. Not again, still.

5 MR. MOORE: Okay, still.

6 MAYOR TUCCI: Okay? It's the same time, it's
7 not again, okay, so as soon as we have something to
8 report, we'll be happy to let you and everyone else
9 know --

10 MR. MOORE: That's what you said the past
11 four times.

12 MAYOR TUCCI: Right, well, and you ask the
13 same question twice a month, so you're going to get the
14 same answer until we get to a resolution.

15 MR. MOORE: Well, there's no resolution, it's
16 a plan, is all it is --

17 MAYOR TUCCI: Right, the resolution of a plan
18 and what's appropriate. It is a resolution.

19 MR. MOORE: How --

20 MAYOR TUCCI: Okay. So what's your next
21 question, go ahead?

22 MR. MOORE: Okay, so how much longer would be
23 a nice question. You -- we can't put a stake in the
24 ground and say, we'll do this in six months? I mean,
25 most towns do it in a month, but -- we don't want to

1 compete with anybody.

2 MAYOR TUCCI: Mr. Moore, that's an
3 oversimplification.

4 MR. MOORE: Okay.

5 MAYOR TUCCI: Okay? Of the process --

6 MR. MOORE: That's fair.

7 MAYOR TUCCI: -- that we're going there.
8 What's going to happen on the Ciccolini site and
9 perhaps further down the block, all right, is going to
10 set --

11 MR. MOORE: That's a possibility?

12 MAYOR TUCCI: -- the tone for what's going to
13 happen on Franklin Avenue, pretty much for the entire
14 length.

15 MR. MOORE: But at least Belleville published
16 theirs, it's already published.

17 MAYOR TUCCI: Mr. Moore, please don't compare
18 us to Belleville, because you're going to lose all
19 credibility.

20 MR. MOORE: I don't know about that. But I
21 do --

22 MAYOR TUCCI: As soon as we get some
23 information to share with you, Rory, we'll be happy to
24 share with you.

25 MR. MOORE: That's what you said last time.

1 But anyway --

2 MAYOR TUCCI: And I'll keep saying it until
3 we have information to give you.

4 MR. MOORE: My last question --

5 MAYOR TUCCI: What's your next question?

6 MR. MOORE: -- how many people were laid off
7 last year because of COVID, or with jobs eliminated?
8 Was there a number? Two, five, ten?

9 MAYOR TUCCI: I don't have that answer.

10 MR. MOORE: No. I'll have to OPRA that.

11 MAYOR TUCCI: I don't have that answer. I
12 know folks, many folks were working from home. I mean,
13 it's a continuing --

14 MR. MOORE: (Indiscernible).

15 MAYOR TUCCI: -- process, you know, of
16 reorganization and reevaluation.

17 MR. MOORE: Just off the top of your -- I
18 don't want names, but off the top of your head, was
19 anybody laid off?

20 MAYOR TUCCI: Yeah. There were some -- you
21 know, there were some positions that were eliminated,
22 sure.

23 MR. MOORE: I'll OPRA that.

24 MAYOR TUCCI: Uh-huh. Good.

25 MR. MOORE: Thank you.

1 MAYOR TUCCI: You do that. Thank you.

2 Would anyone else like to be heard? If not,
3 we have a need for an executive session this evening.
4 I will entertain a motion to go into executive, and
5 when we return, we will not be taking any action.

6 COMMISSIONER PETRACCO: Move it.

7 COMMISSIONER SCARPELLI: Second.

8 THE CLERK: Whereas, Section 8 of the Open
9 Public Meeting Act, Chapter 231, Public Law 1975,
10 permits the exclusion of the public from meeting in
11 certain circumstances; and

12 Whereas, the public body is of the opinion
13 that such circumstances exist; and

14 Whereas, the Board of Commissioners of the
15 Township of Nutley, in the County of Essex, and State
16 of New Jersey desires to proceed to closed executive
17 session.

18 And now therefore be it resolved by the Board
19 of Commissioners of the Township of Nutley, move into
20 closed executive session to discuss --

21 MR. GENITEMPO: Litigation and contract
22 negotiations.

23 THE CLERK: Contract negotiations and
24 litigation. Be it further resolved that the time when
25 such discussions may be disclosed to the public shall

1 be when and such disclosures may be made without
2 adversely affecting the Township of Nutley, pending
3 and/or anticipated legal, personnel, contractual
4 matters, and other matters within the exceptions
5 provided for by statute. This resolution shall take
6 effect immediately.

7 Commissioner Kelly.

8 COMMISSIONER KELLY: Aye.

9 THE CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Petracco.

12 COMMISSIONER PETRACCO: Aye.

13 THE CLERK: Commissioner Scarpelli.

14 COMMISSIONER SCARPELLI: Aye.

15 THE CLERK: Mayor Tucci.

16 MAYOR TUCCI: Aye. Thank you.

17 THE CLERK: Motion to close?

18 MAYOR TUCCI: Uh-huh. Yes, please.

19 COMMISSIONER EVANS: Motion to close.

20 MAYOR TUCCI: Yes.

21 THE CLERK: Needs a second.

22 COMMISSIONER SCARPELLI: Second.

23 THE CLERK: Commissioner Kelly.

24 COMMISSIONER KELLY: Aye.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Mayor Tucci.

7 MAYOR TUCCI: Aye.

8 THE CLERK: And the time is now 8:46.

9 MAYOR TUCCI: Thank you. Thank you,
10 everyone.

11 (End of recording)

12 * * * * *

13

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

15

16 I, Alicia Jarrett, do hereby certify that the
17 foregoing is a correct transcript from the electronic
18 sound recording provided for transcription and prepared
19 to the best of my professional skills and ability.

20

21

22 _____ Date: December 16, 2021

23 Alicia Jarrett

24 AAERT Cert. No. 428

25 Certified Court Transcriptionist