

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

Transcript of Proceedings
January 21, 2025



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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: 1/21/25

9
10 BOARD OF COMMISSIONERS:

11 JOHN V. KELLY III, MAYOR

12 JOSEPH P. SCARPELLI, COMMISSIONER

13 MAURO G. TUCCI, COMMISSIONER

14 THOMAS J. EVANS, COMMISSIONER

15 ALPHONSE PETRACCO, COMMISSIONER

16
17 Also Present:

18 JONATHAN BRUNO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 MAYOR KELLY: Flag Salute.

3 (Pledge of allegiance)

4 MAYOR KELLY: Sunshine notice, Madam Clerk.

5 THE CLERK: Thank you, Mayor.

6 Board of Commissioners Public Meeting Agenda
7 for Tuesday, January 21st, 2025. The time is now 7:05.

8 Pursuant to the requirements of the Open
9 Public Meeting Act (Chapter 231, P.L. 1975), notice of
10 this meeting was published in the November 21st, 2024
11 issues of The Nutley Sun, The Herald News, and The Star
12 Ledger. A copy of this notice has been posted on the
13 Nutley Town Hall bulletin board, and a copy is on file
14 in the Municipal Clerk's office.

15 Commissioner Evans.

16 COMMISSIONER EVANS: Here.

17 THE CLERK: Commissioner Tucci.

18 COMMISSIONER TUCCI: Here.

19 THE CLERK: Commissioner Scarpelli.

20 COMMISSIONER SCARPELLI: Here.

21 THE CLERK: Commissioner Petracco.

22 COMMISSIONER PETRACCO: Here.

23 THE CLERK: Mayor Kelly.

24 MAYOR KELLY: Present.

25 THE CLERK: All present, Mayor.

1 MAYOR KELLY: I thank you. Minutes, please.

2 THE CLERK: Yes. We have Board of
3 Commissioner Meeting Minutes for December 17th, 2024.

4 COMMISSIONER EVANS: Move it.

5 COMMISSIONER TUCCI: Second.

6 THE CLERK: Commissioner Evans.

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Tucci.

9 COMMISSIONER TUCCI: Aye.

10 THE CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 THE CLERK: Commissioner Petracco.

13 COMMISSIONER PETRACCO: Aye.

14 THE CLERK: Mayor Kelly.

15 MAYOR KELLY: Aye.

16 All right. Communications, Madam Clerk.

17 THE CLERK: Thank you, Mayor. Yes, so we
18 have several this evening.

19 The Nutley Music Boosters Association has
20 submitted a letter to request permission to hold a
21 raffle On Sunday, March 16, 2025 at 300 Franklin
22 Avenue. The township has received three applications
23 for social affair permit as follows: All three are
24 from the Nutley Elks Lodge. One is for a paint and sip
25 for Saturday, February 13th from 6 p.m. to 12 p.m. with

1 a rain date of Thursday, February 20th, 2025. The
2 second one is also for the Nutley Elks Lodge. It's the
3 -- their annual St. Patrick's Day Parade Celebration on
4 Saturday, March 1st, 2025 from 9 a.m. to 11 p.m. And
5 the last one is for a cancer fundraiser for Sunday,
6 March 30th, 2025 from noon until 6 p.m. And all three
7 events will be located at 242 Chestnut Street.

8 Motion, please?

9 COMMISSIONER EVANS: Move it.

10 COMMISSIONER TUCCI: Second.

11 THE CLERK: Commissioner Evans.

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Tucci.

14 COMMISSIONER TUCCI: Aye.

15 THE CLERK: Commissioner Scarpelli.

16 COMMISSIONER SCARPELLI: Aye.

17 THE CLERK: Commissioner Petracco.

18 COMMISSIONER PETRACCO: (No audible
19 response).

20 THE CLERK: Mayor Kelly.

21 MAYOR KELLY: Aye.

22 THE CLERK: And that's it for communications,
23 Mayor.

24 MAYOR KELLY: Thank you. Moving on to bills,
25 please.

1 THE CLERK: Bill list for January 21st, 2025.
2 Public Affairs, \$552,840.41. Revenue and Finance,
3 \$6,345,167.63. Public Safety, \$66,667.40. Public
4 Works, \$39,491.38. Parks and Public Property,
5 \$1,176,163.84. Water Utility, \$521,643.40.

6 Payroll: As of January 3rd, 2025, regular
7 payroll total \$980,656.99. Overtime payroll total,
8 \$52,889.23. Total payroll \$1,033,546.22. For a grand
9 total of \$9,735,520.28.

10 COMMISSIONER EVANS: Move the bills.

11 COMMISSIONER TUCCI: Second.

12 THE CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Tucci.

15 COMMISSIONER TUCCI: Aye.

16 THE CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Mayor Kelly.

21 MAYOR KELLY: Aye.

22 THE CLERK: That's it for bills, Mayor.

23 MAYOR KELLY: Thank you. Moving on to public
24 comment on agenda items only. This is public comment
25 on agenda items only. People wishing to be heard on

1 agenda items only, please approach the microphone and
2 state your name for the record, please.

3 Seeing none. Moving on to Board of
4 Commissioner announcements. Commissioner Evans?

5 COMMISSIONER EVANS: Nothing for me.

6 COMMISSIONER TUCCI: Nothing, Mayor.

7 COMMISSIONER SCARPELLI: Yes, Mayor. I -- we
8 had a press release come out and an email announcement
9 about our garbage can recycling program. That's going
10 to start this Saturday. It'll be every Saturday for 10
11 weeks. We've divided the town up into 10 sections, and
12 people can go on the website and see the map to see
13 where they fall. And we will be putting notices on the
14 homes during the week prior to Saturdays. So that will
15 start this Saturday. And we'll see how it goes.
16 That's it, Mayor.

17 MAYOR KELLY: Thank you. Commissioner
18 Petracco?

19 COMMISSIONER PETRACCO: Yes. I just like to
20 once again comment on these pedestrian crosswalks. We
21 are -- we do enforce. I say it all the time. I can't
22 say it enough. I can't teach people manners. If you
23 see somebody in a crosswalk or going across, especially
24 now it gets dark earlier, please stop for them. One of
25 the worst crosswalks, and not only in my opinion, is by

1 the park over there on Center Street. Very difficult
2 to see. People are passing on the right. I know
3 myself from driving through town, I'm urging the
4 residents who walk all these streets, especially at
5 night, wear bright clothing. I can't tell you how many
6 times myself I have had almost gotten in an accident
7 with a kid on a scooter, you know, dressed all in black
8 or people walking. It's difficult to see. We have
9 snow now. You know, so let -- help us help you. Dress
10 in bright clothes, use a light at night, so forth and
11 so on.

12 Thank you, Mayor.

13 MAYOR KELLY: I have a couple of things to
14 announce. We are -- we have a number of events coming
15 up this winter and spring in the Public Affairs and
16 Health Department. But the -- oh, we'll start with
17 some of the more, I guess, near future events we have.

18 We're celebrating the Lunar New Year. This
19 year is the Year of the Snake. Be on the lookout for
20 more information pertaining to that event. Next month
21 is Black History Month. We'll be having some events
22 associated with that. And also it's heart health
23 month, and on February 8th, we'll be doing our annual
24 yoga event and walk through the park, followed by some
25 axe throwing at the Axe House here in Nutley.

1 And as we move into March, we have Women's
2 History Month and we have some health fairs coming up,
3 so be on the lookout for more information regarding all
4 of that. And we hope to see everyone there. Thank
5 you.

6 Moving on to public hearings.

7 Commissioner Tucci?

8 COMMISSIONER TUCCI: Yes. Thank you. I have
9 two this evening.

10 My first one, the purpose of this public
11 hearing is we're seeking funding through the state of
12 New Jersey under the Jakes Law program in the amount of
13 \$536,000 and change. And this is a project --
14 actually, it's at Glotzbach Park. There's an existing
15 park here, but we will be installing an inclusive
16 playground all -- with all the equipment and all the
17 features to ensure ADA compliance there. It's going to
18 include accessible play structure, safety surfacing,
19 ramp, sensory friendly play areas, and pathways design.

20 MAYOR KELLY: I think the biggest issue that
21 citizens want to hear is always the cost. And if you
22 could talk a little bit about that.

23 COMMISSIONER TUCCI: It's 536,000 (audio
24 interference).

25 UNIDENTIFIED: Aye.

1 UNIDENTIFIED: Aye.

2 UNIDENTIFIED: Aye.

3 COMMISSIONER TUCCI: I will move the
4 ordinance.

5 COMMISSIONER EVANS: Second.

6 COMMISSIONER PETRACCO: Second.

7 THE CLERK: Commissioner Evans.

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Tucci.

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Commissioner Scarpelli.

12 COMMISSIONER SCARPELLI: Aye.

13 THE CLERK: Commissioner Petracco.

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Mayor Kelly.

16 MAYOR KELLY: Aye.

17 COMMISSIONER TUCCI: My second public hearing
18 this evening in the amount of \$1,210,410. Also, for
19 Glotzbach (audio interference).

20 MAYOR KELLY: Hearing anyone wishing to be
21 heard on this matter. Please approach the microphone
22 and state your name for the record.

23 COMMISSIONER TUCCI: Propose to move hearing.

24 MAYOR KELLY: Second.

25 UNIDENTIFIED: Aye.

UNIDENTIFIED: Aye.

1 MAYOR KELLY: Resolutions Commissioner Evans?

2 COMMISSIONER EVANS: Yes. I have a
3 resolution tonight, 13-25 which authorizing the
4 issuance of not exceeding \$8,000,000 bond anticipation
notes of the Township of Nutley.

5 It fully referencing in Section 1. The
6 amount is for \$8 million. In notes 2 -- section 2,
7 that it's upon anticipation note that will be
8 administered by the Chief Financial Officer. These
9 would be notes that would be renewable annually and
10 that the budget impacts of this will be included in our
11 budget each year. The first interest payment
12 associated with this would be in 2026, which would be
13 covered by the lease agreement with 777, so it won't
14 affect the municipal budget.

15 And for Section 4, authorizes the Chief
16 Financial Officer to move efficiently and quickly to
17 get this done. In Section 5, all actions heretofore
18 taken by the Township officials and professionals with
19 regard to the sale and award of the notes is hereby
20 ratified, confirmed, adopted, and approved. Section 6,
21 this resolution shall take effect immediately.

22 So moved.

23 THE CLERK: I need a second.

24 COMMISSIONER PETRACCO: Second.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.
2 THE CLERK: Commissioner Tucci.
3 COMMISSIONER TUCCI: Abstained.
4 THE CLERK: Commissioner Scarpelli.
5 COMMISSIONER SCARPELLI: Aye.
6 THE CLERK: Commissioner Petracco.
7 COMMISSIONER PETRACCO: Aye.
8 THE CLERK: Mayor Kelly.
9 MAYOR KELLY: Aye.
10 COMMISSIONER EVANS: My next resolution is
11 for a refund of overpayment of tax charges in the
12 amount of \$1,366.53 for the lot and blocks that are
13 listed in the resolution.
14 So moved.
15 COMMISSIONER TUCCI: Second.
16 THE CLERK: Commissioner Evans.
17 COMMISSIONER EVANS: Aye.
18 THE CLERK: Commissioner Tucci.
19 COMMISSIONER TUCCI: Aye.
20 THE CLERK: Commissioner Scarpelli.
21 COMMISSIONER SCARPELLI: Aye.
22 THE CLERK: Commissioner Petracco.
23 COMMISSIONER PETRACCO: Aye.
24 THE CLERK: Mayor Kelly.
25 MAYOR KELLY: Aye.

COMMISSIONER EVANS: My next is for the
1 renewal of our grant writing services with Millennium
2 Strategies for the year 2025 in the amount of \$43,200.
3 Millennium has completed and submitted the business
4 entity disclosure certification, which certifies that s
5 corporation has not made any reportable contributions
6 to a political or a candidate committee and attached of
7 nothing in the previous one year. And that all
8 contracts will prohibit -- and that the contracts will
9 prohibit Millennium from -- partners from making any
10 reportable contributions through the term of the
11 contract. Funds are available with the adoption of the
12 2025 budget, which will be certified by the Chief
13 Financial Officer in account 501209205. Now, therefore
14 be it resolved by the Board of Commissioners of the
15 Township of Nutley, County of Essex, State of New
16 Jersey, which follow the contract shall be entered into
17 between the township of Nutley and Millennium
18 Strategies, 60 Columbia Avenue, Suite 230 for grant
19 writing services for a rate of \$3,600 a month for a
20 total not to exceed \$43,200. Previous year contract
21 was for \$42,000. A copy of this resolution shall be
22 published as required by law within 10 days of its
23 passage and a copy of the resolution as well as the
24 contract shall be placed on file with the municipal
25 clerk's office.

1 So moved.

2 COMMISSIONER TUCCI: Second.

3 THE CLERK: Commissioner Evans.

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Tucci.

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Scarpelli.

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Commissioner Petracco.

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Kelly.

12 MAYOR KELLY: Aye.

13 COMMISSIONER EVANS: My last resolution is
14 for the temporary appropriations ordinances.

15 Whereas, in accordance with N.J.S.A. 40A:4-
16 20, in addition to temporary appropriations necessary
17 for the prior period to the -- prior to the adoption of
18 the budget and the regular appropriations, the
19 governing body may, by resolution adopt a two-thirds
20 vote of the full membership, make emergency temporary
21 appropriations for any purposes for which appropriates
22 may lawfully be made for the period between the
23 beginning of the current fiscal year and the date of
24 the adoption.

25 Whereas, the amount such emergency

1 appropriation shall be included under the correct
2 headings in the budget as adopted. The total of a
3 temporary appropriation for 25 includes \$8,832,446.45.

4 Now, therefore, be it the Board of
5 Commissioners in accordance with N.J.S.A. 40A:4-20 an
6 emergency temporary appropriation be and the same is
7 made for the accounts that are listed in here, which
8 cover workman's compensation, payments to the employee,
9 retirement assistance for both public employees as well
10 as police and fire for a total amount of \$7,024,380.58
11 and temporary appropriations for the Passaic Valley
12 Sewer Commission in the amount of \$1,808,065.87.

13 So moved.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Evans.

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Tucci.

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Scarpelli.

20 COMMISSIONER SCARPELLI: Aye.

21 THE CLERK: Commissioner Petracco.

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Kelly.

24 MAYOR KELLY: Aye.

25 Thank you. Commissioner Evans. Commissioner

1 Tucci?

2 COMMISSIONER TUCCI: Yes.

3 Whereas, the New Jersey Department of
4 Environmental Protection Green Acres Program provides
5 grants and/or loans to municipal and county governments
6 and grants to nonprofit organizations for assistance in
7 the acquisition, development, and stewardship of lands
8 for outdoor recreation and conservation purposes.

9 And whereas, the Township of Nutley desires
10 to further the public interest by obtaining total
11 funding in the amount of \$402,624.86 in the form of a
12 \$134,208.29 matching grant. And if available a zero
13 per -- a \$0 loan from the state to fund the following
14 project Father Glotzbach Park Inclusive Playground
15 Improvement at that a total cost of \$536,833.15.

16 Whereas, the state shall determine the
17 application is complete and in conformance with the
18 scope and intent of the Urban Parks initiative and
19 notify the applicant of the amount of funding award.

20 And whereas, the applicant is willing to use
21 state funds in accordance with applicable policies and
22 laws and is willing to enter into an agreement with the
23 state for the above named project.

24 Now, therefore, be it resolved by the Board
25 of Commissioners, Number one, that the mayor of

1 Township of Nutley or successor to the office of Mayor
2 is hereby authorized to, A, make application for such a
3 loan and/or such a grant; B, provide additional
4 application information and furnish such documents that
5 may be required; C, act as the authorized correspondent
6 of the above named applicant. And two, in the event
7 state funds are less than the total project cost
8 specified above the applicant has the balance of
9 funding necessary to complete the project; Three, the
10 applicant agrees to comply with all applicable federal
11 state and local laws, rules, and regulations in its
12 performance of the project; And four, this resolution
13 shall take effect immediately.

14 I move the resolution.

15 COMMISSIONER EVANS: Second.

16 THE CLERK: Commissioner Evans.

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Tucci.

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Commissioner Petracco.

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Mayor Kelly.

25 MAYOR KELLY: Aye.

1 COMMISSIONER TUCCI: Whereas, New Jersey
2 Department of Environmental Protection Green Acres
3 Program is providing grants for the Urban Parks
4 Initiative.

5 And whereas, the Township of Nutley desires
6 to further the public interest by obtaining Urban Parks
7 grant funding in the amount of \$1,210,410 from the
8 state to fund the following project. The Father
9 Glotzbach Memorial Park Improvement Project at a total
10 cost of \$1,210,410.

11 And whereas, the Township of Nutley desires
12 to obtain Green Acres funding above Urban Parks grant
13 funding request is underfunded or unsuccessful.

14 And whereas, the state shall determine if the
15 application is complete and in conformance with the
16 scope and intent of the initiative and notify the
17 applicant of the amount of the funding award.

18 And whereas, the applicant is willing to use
19 state funds in accordance with the applicable policies
20 and laws and is willing to enter into an agreement with
21 the state for the above named project.

22 Now, therefore, be it resolved by the Nutley
23 Board of Commissioners, That one, that the mayor of the
24 Township of Nutley or the successor to the of mayor is
25 hereby authorized to, A, make application for such a

1 loan or grant; B, provide additional application
2 information and furnish such documents as may be
3 required; And C, act as the authorized correspondence
4 of the above named applicant. And two, in the event
5 state funds are less than the total project cost
6 specified above, the applicant has the balance of
7 funding necessary to complete the project; Three, the
8 applicant agrees to comply with all applicable federal
9 state, local laws, rules, and regulations in its
10 performance of the project; And four, this resolution
11 shall take effect immediately.

12 I move the resolution.

13 COMMISSIONER EVANS: Second.

14 THE CLERK: Commissioner Evans.

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Tucci.

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Commissioner Scarpelli.

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Commissioner Petracco.

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Mayor Kelly.

23 MAYOR KELLY: Aye.

24 COMMISSIONER TUCCI: I'd like to consolidate
25 the next three and I'll read them as such.

1 Whereas, the Township of Nutley has a need to
2 acquire specialized professional services as a fair and
3 open contract pursuant to the provision of N.J.S.A
4 19:44 A-2.5.

5 And whereas, the Department of Parks and
6 Public Property has determined that there is a need to
7 acquire specialized professional services for air
8 conditioning, heating, and refrigeration services and
9 purchase of materials and supplies. Also for plumbing
10 service and purchase of materials and equipment as
11 necessary and for roofing service and purchase of
12 materials as necessary.

13 And whereas, the Municipal Clerk is hereby
14 authorized and directed to advertise for all three of
15 these items.

16 Now, therefore, be it resolved by the Board
17 of Commissioners of the Township of Nutley, County of
18 Essex, State of New Jersey that the sealed bid shall be
19 due on Wednesday, February 12th, 2025 at 11 a.m.,
20 prevailing time addressed in Municipal Clerk, Nutley
21 Township Hall, 1 Kennedy Drive, Nutley, New Jersey, at
22 which time they will be publicly open and read.

23 I move all three resolutions.

24 COMMISSIONER EVANS: Second.

25 THE CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 THE CLERK: Commissioner Tucci.

3 COMMISSIONER TUCCI: Aye.

4 THE CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Mayor Kelly.

9 MAYOR KELLY: Aye.

10 COMMISSIONER TUCCI: This is also a
11 resolution authorizing the application for dugouts for
12 the East River League at Flora Louden Park.

13 Whereas, the Township of Nutley desires to
14 apply for an independent grant from the New Jersey
15 Department of Community Affairs local recreation
16 improvement grant for approximately \$100,000 in order
17 to enhance the recreational opportunities for our
18 residents by supporting improvements in Flora Louden
19 Park by replacing the current dugouts with new and
20 improved enclosed baseball/softball dugouts.

21 Whereas, the Township of Nutley does hereby
22 authorize the application for such a grant and
23 recognizes and accepts that the department may offer
24 lesser or a greater amount upon receipt of the grant
25 agreement from the New Jersey Department of Community

1 Affairs.

2 And be it therefore resolved that the
3 Township of Nutley does further authorize the execution
4 of any such grant agreements. And also upon receipt of
5 the executed agreement from the department does further
6 authorize the expenditure of funds pursuant to the
7 terms of the agreement between the Township of Nutley
8 and the New Jersey Department of Community Affairs.

9 And be it further resolved that the persons
10 whose names, titles, and signatures appear below are
11 authorized to sign the application and that they are
12 their successors in said titles are authorized to sign
13 an agreement in any other documents necessary in
14 conjunction therewith.

15 The two people are John V. Kelly III, Mayor,
16 and, Mauro G. Tucci Commissioner.

17 So moved.

18 COMMISSIONER EVANS: Second.

19 THE CLERK: Commissioner Evans.

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Tucci.

22 COMMISSIONER TUCCI: Aye.

23 THE CLERK: Mr. Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 THE CLERK: Commissioner Petracco.

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Kelly.

3 MAYOR KELLY: Aye.

4 COMMISSIONER TUCCI: That's all I have.

5 MAYOR KELLY: Thank you. And thank you for
6 moving the meeting along and consolidating those
7 resolutions. Commissioner Scarpelli.

8 COMMISSIONER SCARPELLI: Thank you, Mayor.

9 Be it resolved by the Board of Commissioners
10 of the Township of Nutley, County of Essex, State of
11 New Jersey, that the Township Clerk is hereby
12 authorized to advertise for sealed bids for the 2024
13 CDBG Prospect Street Intersection Improvements project,
14 and the Township of Nutley will be received by the
15 Board of Commissions in the Commission Chambers,
16 Township Hall, 1 Kennedy Drive, Nutley, New Jersey on
17 Wednesday, February 12th, 2025 at 11 a.m. prevailing
18 time, at which time they'll be open and read.

19 I move the resolution.

20 COMMISSIONER TUCCI: Second.

21 THE CLERK: Commissioner Evans.

22 COMMISSIONER EVANS: Aye.

23 THE CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 THE CLERK: Commissioner Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 THE CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Mayor Kelly.

5 MAYOR KELLY: Aye.

6 COMMISSIONER SCARPELLI: That's all I have,
7 Mayor.

8 MAYOR KELLY: Thank you, Commissioner
9 Scarpelli. February 12th will be a big day for bids.
10 Commissioner Petracco?

11 COMMISSIONER PETRACCO: Yes.

12 Whereas, the Township of Nutley currently
13 owns a 2003 Ford E-350 truck, which has been used as a
14 HAZMAT vehicle in the Nutley Fire Department.

15 Whereas, said vehicle is no longer needed by
16 the Nutley Fire Department and therefore pursuant
17 N.J.S.A 40A-11, the township desires to donate the said
18 vehicle to the Nutley Board of Education for student
19 related activities.

20 Now, therefore be it resolved by the Board of
21 Commissioners, Township of Nutley, County of Essex,
22 State of New Jersey, that the Township is hereby
23 authorized to donate aforementioned vehicle to Nutley
24 Board of Education effective immediately.

25 I move it.

1 COMMISSIONER SCARPELLI: Second.

2 THE CLERK: Commissioner Evans.

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Tucci.

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Aye.

8 THE CLERK: Commissioner Petracco.

9 COMMISSIONER PETRACCO: Aye.

10 THE CLERK: Mayor Kelly.

11 MAYOR KELLY: Aye.

12 COMMISSIONER PETRACCO: The Township of
13 Nutley currently owns a 2012 Ford F-450 which was
14 acquired in the transition of moving the Nutley
15 Emergency Rescue Squad under the umbrella of the Nutley
16 Fire Department.

17 And whereas, the said vehicle is no longer
18 needed by the Nutley Fire Department and therefore
19 pursuant N.J.S.A 40A-11, the Township desires to donate
20 the said vehicles to the Bloomfield Fire Department.

21 Now, therefore be it resolved by the Board of
22 Commissioners, Township of Nutley, County of Essex,
23 State of New Jersey that the Township is hereby
24 authorized to donate the aforementioned vehicle to the
25 Bloomfield Fire Department effective immediately.

1 COMMISSIONER PETRACCO: I move it.

2 COMMISSIONER SCARPELLI: Second.

3 THE CLERK: Commissioner Evans.

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Tucci.

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Commissioner Scarpelli.

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Commissioner Petracco.

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Mayor Kelly.

12 MAYOR KELLY: Aye.

13 COMMISSIONER PETRACCO: Whereas, the Nutley
14 Police Department employee SLEO I, SLEO II and SLEO III
15 officers. SLEO I officer is a volunteer who is trained
16 to assist in the Nutley Police Department, including
17 but not limited to traffic crowd control and civic
18 events. The SLEO II officers and SLEO III officers
19 have a full police powers while on duty.

20 Whereas, the Nutley Police Department has
21 appointed Joseph LeonE, Mike Lambrugo as SLEO II
22 officers for one year, beginning January 1st, 2025
23 through December 31st, 2025.

24 Whereas, the Nutley Police Department has
25 appointed Joseph Castellano as a SLEO III officer for

1 one year, beginning January 1st, 2025 through December
2 31st, 2025.

3 Whereas, the Nutley Police Department has
4 appointed Pragnesh Bhatt and Rudolph -- Randolph, I'm
5 sorry, Alfaro as SLEO I officers for one year,
6 beginning January 1st, 2025 to December 31st, 2025.

7 Now, therefore, be it resolved by the Board
8 of Commissioners, Township of Nutley, County of Essex,
9 State of New Jersey that the Nutley Police Department
10 is authorized to appoint Joseph Leon, Michael Lambrugo
11 as SLEO II officers, Joseph Castellano as a SLEO III
12 officer, Pragnesh Bhatt and Randolph Alfaro as SLEO I
13 officers for January 1st, 2025 through December 31st,
14 2025.

15 I move it.

16 COMMISSIONER SCARPELLI: Second.

17 THE CLERK: Commissioner Evans.

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Tucci.

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Commissioner Scarpelli.

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Commissioner Petracco.

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Mayor Kelly

1 MAYOR KELLY: Aye.

2 COMMISSIONER PETRACCO: Be it resolved by
3 Board of Commissioners, Township of Nutley, County of
4 Essex, State of New Jersey that the Township Clerk is
5 hereby authorized to advertise for sealed bids for
6 surplus equipment that is no longer in use by the
7 township. The equipment vehicles are listed below 2004
8 Ford F-550 2-door pick up with cab. 1991 Ford pickup
9 2-door pickup with generator.

10 Be it further resolved that the above
11 vehicles will be available for inspection Wednesday,
12 February 5th, 2025, between the hours of 8:30 and
13 11:30. Contact the fire department at 973-284-4937 if
14 interested in inspecting the vehicle.

15 Be it further resolved all bid submissions
16 must be clearly marked "sealed bid document" with
17 reference to which advertisement the bids are for.

18 Be it further resolved that the equipment
19 will be sold as is and where is and sealed bids are to
20 be sent to Municipal Clerk's Office, 1 Kennedy Drive,
21 Nutley, New Jersey, Wednesday, February 12th, 2025 by
22 11 a.m. prevailing time at which time they will be
23 promptly open and read.

24 I move it.

25 COMMISSIONER SCARPELLI: Second.

1 THE CLERK: Commissioner Evans.

2 COMMISSIONER EVANS: Aye.

3 THE CLERK: Commissioner Tucci.

4 COMMISSIONER TUCCI: Aye.

5 THE CLERK: Commissioner Scarpelli.

6 COMMISSIONER SCARPELLI: Aye.

7 THE CLERK: Commissioner Petracco.

8 COMMISSIONER PETRACCO: Aye.

9 THE CLERK: Mayor Kelly.

10 MAYOR KELLY: Aye.

11 COMMISSIONER PETRACCO: Okay.

12 Whereas, pursuant in the New Jersey Revised
13 Statute 38A:4-4 (2023) permanent or full-time employee
14 who is member of an organized military is ordered to
15 active duty that the individual is entitled to leave of
16 absence from his perspective -- respective duties.

17 And whereas, the statute further provides
18 that the employee is entitled to receive up to 90 work
19 days of pay per calendar without the loss of time for
20 all days that the person is engaged in active military
21 duty, inclusive of their vacation days.

22 Whereas, the police officer, Vincent Santino
23 DellaFave, was ordered to active duty at Piccatinny
24 Arsenal as a member of the New Jersey National Guard
25 beginning of December 1st, 2024 through November 30th,

1 2027 entitling him to the compensation and benefits in
2 accordance with the N.J.S.A. 38A:4-4.

3 Now, therefore, be it resolved by the Board
4 of Commissioners of the Township of Nutley, County of
5 Essex, State of New Jersey, that Officer Vincent
6 Santino DellaFave receive compensation and benefits
7 contained to N.J.S.A 38A:4-4 for the duration of his
8 active service.

9 Be it further resolved that the Board of
10 Commissioners has continuously supported our employees
11 and veterans who have served or are serving in our
12 military. We thank Officer DellaFave for his service.

13 I move the resolution.

14 COMMISSIONER SCARPELLI: Second.

15 THE CLERK: Commissioner Evans.

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Tucci.

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Commissioner Scarpelli.

20 COMMISSIONER SCARPELLI: Aye.

21 THE CLERK: Commissioner Petracco.

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Mayor Kelly.

24 MAYOR KELLY: I would like to thank Officer
25 DellaFave for his service to our nation, to our state,

1 and to this town and wish him a safe mission. And we
2 look forward to welcoming back on the completion of his
3 deployment. I vote aye.

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

6 MAYOR KELLY: I have three on for this
7 evening. I'll be tabling one and I'll have a brief
8 explanation as to why. The first one I have on for
9 this evening is Resolution Number 19-25.

10 Whereas, raffle license applications have
11 been received from the following organizations:
12 Radcliffe School PTO and on-premises 50/50 cash raffle
13 on Friday, February 28th, 2025. Nutley Music Boosters
14 Association, off-premises merchandise raffle, Sunday,
15 March 16th, 2025. Friends of Phoenix Center
16 Foundation, Casino Night, Friday, May 2nd, 2025.
17 Friends of the Phoenix Center Foundation, on-premises
18 50/50 cash raffle, Friday, May 2nd, 2025. Nutley
19 Junior Raiders Booster Club, on-premise 50/50 cash
20 raffle, Saturday, February 22nd, 2025. Nutley Junior
21 Raiders Booster Club, on-premise merchandise raffle,
22 Saturday, February 22nd, 2025. Nutley High School Crew
23 Boosters Association, on-premises 50/50 raffle,
24 Saturday, March 8th, 2020 -- 2025. Nutley High School
25 Crew Boosters Association, on-premises merchandise

1 raffle, Saturday, March 8th, 2025. Nutley Youth
2 Baseball Club, on-premises 50/50 cash raffle, Saturday,
3 April 26th, 2025. Nutley Youth Baseball Club, on-
4 premises merchandise raffle, Saturday, April 26th, 2025
5 with the license numbers written herein.

6 Whereas, the applications have been reviewed
7 and approved by the Municipal Clerk and the police
8 department.

9 Now, therefore, be it resolved by the Board
10 of Commissioners, Township of Nutley, County of Essex,
11 State of New Jersey that the aforementioned license are
12 hereby approved and the Municipal Clerk is authorized
13 to issue said license.

14 I move the resolution.

15 COMMISSIONER TUCCI: Second.

16 THE CLERK: Commissioner Evans.

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Tucci.

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Commissioner Petracco.

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Mayor Kelly.

25 MAYOR KELLY: Aye.

1 I'll be tabling Resolution Number 20-25 and
2 we'll be having -- we'll be reading it at the
3 February 4th commission meeting, which will be held in
4 this room on February 4th at 7 p.m. The reason being
5 is we -- we're trying to -- we had some scheduling
6 conflicts of trying to get clergy members from each of
7 the different religious faiths associated with Four
8 Chaplains Day. For those of you who don't know, Four
9 Chaplains Day is a day designated to honor four United
10 States military chaplains from four different faiths.
11 They -- on their way to World War II overseas to
12 Europe, their ship was struck by a torpedo and was
13 sinking and the panic, not all the crew members were
14 able to have life jackets, and they calmed the crew
15 through prayers and through their leadership. And they
16 offered their life jackets to crew members who didn't
17 have them. And they ended up perishing, but those crew
18 members ended up -- many of them survived because of
19 their efforts. And so we're going to honor four
20 chaplains day on February 4th, and we look forward to
21 that.

22 The next one I have on for this evening is
23 Resolution 29-25. And this is the recognition of
24 February is Black History Month.

25 Whereas, in 1776 people envision the United

1 States as a new nation dedicated to the proposition
2 stated in the Declaration of Independence that all men
3 are created equal, that they are endowed by their
4 creator with certain unalienable rights, that among
5 these are life, liberty, and the pursuit of happiness.

6 Whereas, in the face of injustices people of
7 goodwill and all races in the United States have
8 distinguished themselves with commitment and noble
9 ideals on which the United States was founded and have
10 fought courageously for the rights and freedom of
11 African Americans and others.

12 Whereas, the contributions of African
13 Americans from all walks of life throughout the history
14 of the United States reflect the greatness of the
15 United States.

16 Whereas, many African Americans lived,
17 toiled, and died in obscurity, never achieving the
18 recognition those individuals deserved, and yet paved
19 the way for future generations to succeed.

20 Whereas African Americans continue to serve
21 the United States at the highest levels of business,
22 government, and the military.

23 Whereas the birthdays of Abraham Lincoln and
24 Frederick Douglas inspired the creation of Negro Week,
25 the precursor to Black History Month. Black History

1 Month celebrated during the month of February
2 originated in 1926 when Dr. Carter G. Woodson set aside
3 a special period in February to recognize the heritage
4 and achievements of Black people in the United States.

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, join the Citizens of Nutley
8 to observe and honor Black History Month recognizing
9 the wealth and contributions made by African Americans.

10 So moved.

11 COMMISSIONER TUCCI: Second.

12 THE CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Tucci.

15 COMMISSIONER TUCCI: Aye.

16 THE CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Mayor Kelly.

21 MAYOR KELLY: Aye.

22 And the last resolution I have on for this
23 evening is Resolution Number 30-25. This is a
24 resolution recognizing February's National Heart Health
25 Month.

1 Whereas, February's American Heart Health
2 month, a time when all people, especially women, are
3 encouraged to focus on their cardiovascular health.

4 Whereas, heart disease is very common,
5 leading cause of death for men, women, and people of
6 most racial and ethnic groups; one person dies every 33
7 seconds from cardiovascular disease in the United
8 States. Someone has a heart attack every 40 seconds.

9 Whereas, about 1 in 20 adults age 20 and
10 older have coronary artery disease and every year over
11 800,000 people in the United States have a heart
12 attack.

13 Whereas, 1 out of every 5 deaths from
14 cardiovascular disease was among adults younger than 65
15 years old and about 1 in 5 heart attacks are silent.
16 The damage is done but the person is not aware of it.

17 Whereas, February is National Heart Health
18 Month and Friday, February 7th, 2025 has been
19 designated as National Wear Red Day, at which time
20 residents are encouraged to wear red to raise awareness
21 about cardiovascular risks and disease. On this date,
22 all Township of Nutley municipal buildings will be
23 illuminated in red to bring awareness to this
24 initiative.

25 Whereas, the Township of Nutley Department of

1 Public Affairs, through its health department and the
2 American Heart Association are committed to changing
3 the future of health together by promoting healthy
4 eating and fitness and thus preventing heart disease
5 through public and professional education about the
6 risk factors.

7 Now, therefore, be it resolved by the Board
8 of Commissioners, Township of Nutley, County of Essex,
9 State of New Jersey that in recognition of the
10 importance of the ongoing effort to prevent heart
11 disease we do hereby declare February 2025 as National
12 Heart Health Month and urge all citizens in Nutley to
13 show their support for preventing heart disease by
14 learning more about their heart health and eating a
15 healthy diet and maintaining a healthy active --
16 healthy active lifestyle.

17 I move the resolution.

18 COMMISSIONER TUCCI: Second.

19 THE CLERK: Commissioner Evans.

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Tucci.

22 COMMISSIONER TUCCI: Aye.

23 THE CLERK: Commissioner Scarpelli.

24 COMMISSIONER SCARPELLI: Aye.

25 THE CLERK: Commissioner Petracco.

1 COMMISSIONER PETRACCO: Aye.

2 THE CLERK: Mayor Kelly.

3 MAYOR KELLY: And like I said earlier this
4 evening, on Saturday, February 8th, we'll be having
5 some heart and healthy activities on that day. Stay
6 tuned for locations and times. I vote aye.

7 At this time we'll open the meeting up to the
8 public. Those wishing to address the board, please
9 approach the microphone and state your name for the
10 record. Your comments will be limited to three
11 minutes, and please address all comments to me. And I
12 will, if appropriate, hand them to the appropriate
13 commissioner.

14 MS. DEMORA: My name is Linda Demora, 71
15 Lakeside Drive. Senior Tax Freeze, which I recently
16 qualified for. I want to make sure that I understand
17 it. You set a base level and then after that, you're
18 reimbursed if your taxes go up. Is that correct?

19 COMMISSIONER EVANS: Yes, that is correct.

20 MS. DEMORA: Okay.

21 COMMISSIONER EVANS: And you have to -- you
22 have to establish your base share level, your two-year
23 base level.

24 MS. DEMORA: Okay. So my question then is
25 now that the sewer charges are taken off your taxes and

1 put on your water bill, if they were to remain on your
2 taxes, that would be capped. Now that they're on your
3 water bill, they're not. You're paying them, which, in
4 my way of thinking, would create a hardship for people
5 who are eligible for this freeze, senior citizens in
6 Nutley. And I just wanted to know if anyone had
7 thought that through or if there's anything that would
8 be done. I understand you are giving reimbursements
9 for people who have pools or --

10 COMMISSIONER EVANS: Sprinklers.

11 MS. DEMORA: -- the sprinkler systems, but
12 what about your senior population that now this will
13 impact? I want to stay in town, you know, but six or
14 \$800 a year on top of my water bill is -- it's tough
15 now that I'm on a fixed income, so.

16 COMMISSIONER EVANS: So a couple of things,
17 one, paying for the pursuer as part of your property
18 tax assessment --

19 MS. DEMORA: Right.

20 COMMISSIONER EVANS: -- basically it says
21 that everybody, no matter what your usage is, right,
22 it's just based if you -- in fact, the cost coverage of
23 use of the sewer system is basically grounded on the
24 assessed value of your property, not your actual usage,
25 not your actual burden. So in many cases throughout

1 the town that turned out to be a windfall for many and
2 a burden for others. Most towns have a separate
3 utility. Nutley just has -- hasn't done it for a very
4 long time. We just found ourselves a need to change to
5 actually something that was hopefully distributing the
6 bill more fairly. The expectation with seniors is that
7 their water usage at a time is probably -- as to sewer
8 usage at a time is maybe lower or different and they
9 should not be -- they might have a higher property
10 value, they shouldn't be subsidizing the usage of waste
11 water for a laundromat, a restaurant.

12 MS. DEMORA: Understood, if that's the way it
13 works, but I think that's a specious argument because,
14 and I'll tell you why, the people who live next door to
15 me, there's three adults living there and I -- we
16 compared water bills and sewer bills when the new bills
17 came in. Their water usage, because I do a lot of
18 gardening and I try to eat as much as I can, you know,
19 through what I grow, I do not have a sprinkler system.
20 I stand there with a hose. My water bill is much
21 higher than theirs. So I am a single person. I'm
22 paying much more for the sewer than three adults who
23 are living next door, who are showering, washing, you
24 know, water usage. Yeah. So

25 COMMISSIONER EVANS: Yeah. And that --

1 that's impact Commissioner Scarpelli and I have been
2 talking about ways of possibly addressing that, right?
3 I don't -- we don't have an answer yet.

4 MS. DEMORA: Okay.

5 COMMISSIONER EVANS: But we are looking at
6 different things to make sure that at least the system
7 itself is -- has -- is grounded in fairness.

8 MS. DEMORA: Okay.

9 COMMISSIONER EVANS: So whatever the
10 consumption is, that's the consumption. And then --
11 and when you -- and by the way, our sewer bill is a
12 fixed bill, it's \$4.3 million, you know, for the year.
13 So the allocate -- what we're talking about is the
14 allocation of how we collect that money where we
15 collected from. If we go around and say, everybody
16 gets a break, right, where you start to give breaks all
17 along the way, it changes the formula on how much money
18 you can collect, which has an impact on the rate.
19 Because you (indiscernible).

20 MS. DEMORA: I understand that. I
21 understand. I'm just trying to --

22 COMMISSIONER EVANS: I appreciate your
23 question.

24 MS. DEMORA: Yeah.

25 COMMISSIONER EVANS: And I'm not being

1 argumentative --

2 MS. DEMORA: I mean, people who have a nice
3 pool or they have a sprinkler system and now they're
4 getting, you know, something back for this. And then
5 you have a senior citizen who's just out there with
6 their hose watering their garden and it just -- I don't
7 know. I just wanted to make -- I had written to you,
8 and I had spoken to you, Dr. Scarpelli, prior, back in
9 September, because this concerned me as soon as I got
10 my bill. I want to stay in Nutley, I've been here 40
11 years. I raised my daughter here. I'm very happy
12 living here. I don't want to be priced out of my own
13 home, you know? And it may not seem like a lot, six or
14 \$800, but now that I'm retiring and I'm going to be on
15 a fixed income every year, you know, that's going to go
16 less and less far. So that six or \$800 is enormous to
17 me.

18 COMMISSIONER EVANS: Yeah. So one of the
19 things we are -- that we are tracking very, very
20 closely is the State of New Jersey program that should
21 become a part of the calendar -- the fiscal 26th state
22 budget, which takes effect July 1st, 2025. But the
23 expectation is based upon what they've said is that a
24 new program will come out to assist folks that are 65
25 years or older with a greater discount on their

1 property taxes, which the formula is pretty
2 straightforward. If you earn less than a half a
3 million dollars a year, you will get a break-up to 50
4 percent of your property tax up to \$6,500.

5 MS. DEMORA: I just read that tonight. Yes.

6 COMMISSIONER EVANS: If you are already
7 getting freeze and anchored, then that difference. So
8 the maximum benefit. So you know, one of the things
9 we're looking at is the state's been trying to figure
10 out a way for a long time how to deal with the property
11 tax issue.

12 MS. DEMORA: Right.

13 COMMISSIONER EVANS: And I'm --

14 MS. DEMORA: Because it -- it's impactful.

15 COMMISSIONER EVANS: Oh, sure.

16 MS. DEMORA: You know, it is.

17 COMMISSIONER EVANS: Well, I'm hoping that
18 we'll be able to talk more about that in the coming
19 months.

20 MS. DEMORA: Okay.

21 COMMISSIONER EVANS: Budget cycles just
22 getting started.

23 MS. DEMORA: Okay. I just wanted to make you
24 aware of it because I'm --

25 COMMISSIONER EVANS: I hear you.

1 MS. DEMORA: -- really aware of it.

2 COMMISSIONER EVANS: Yeah. Yeah.

3 MS. DEMORA: You know, because it's impacting
4 me directly.

5 COMMISSIONER EVANS: I appreciate it.

6 MS. DEMORA: So -- all right. Mr. Evans,
7 thank you very much.

8 COMMISSIONER SCARPELLI: I just want to --
9 Commissioner Evans and I met actually last week. You
10 know, this is we're six months into this utility and we
11 kind of mirrored what most of the other municipalities
12 were doing as far as the water and the pool discounts.
13 We looked at that and said that -- maybe that's not the
14 way we should be moving forward. So we're, as
15 Commissioner Evans said, we're looking at some
16 alternatives to what we can do. We haven't made any
17 final decisions. You know, we're aware that the senior
18 -- the senior freeze, it's a little bit different
19 because it's having a property tax. But are the things
20 we're all looking at and, you know, again, as
21 Commissioner Evans said, if you decrease the amount of
22 money coming in, you got to raise the rate on everybody
23 else. So it's a lot of things to consider. It's a --
24 it's kind of a kind of influx at this point until we
25 get more data and we're six months in. So we are

1 obtaining more of that data and we're going to change
2 as we move forward. And hopefully, it's what we
3 expected is -- it's equitable and fair. And that's
4 what we wanted right from the beginning.

5 MS. DEMORA: I just think we tend to, without
6 getting off on a tangent, in this country, don't
7 necessarily take care of our babies or our elderly the
8 way maybe they would in --

9 COMMISSIONER SCARPELLI: Well, the fact that
10 we have a senior freeze is certainly one way that --

11 MS. DEMORA: It is. It is.

12 COMMISSIONER SCARPELLI: -- we're protecting
13 our elderly and helping them stay around.

14 MS. DEMORA: So it's the -- if the people in
15 the middle had to shoulder a little bit more of the
16 burden, which I did -- I've done for 40 years, you
17 know, that may be what has to happen in order to
18 protect your seniors, you know? And now that I'm
19 there, it's like of course, I would like to benefit
20 from that because I want to stay here.

21 COMMISSIONER EVANS: Yeah.

22 MS. DEMORA: You know, I don't want to have
23 to move from my home.

24 COMMISSIONER EVANS: I know your feeling.

25 MS. DEMORA: You know.

1 COMMISSIONER EVANS: I absolutely do.

2 MS. DEMORA: So. Okay. All right.

3 COMMISSIONER SCARPELLI: Thank you very much.

4 MS. DEMORA: Thank you.

5 MAYOR KELLY: Thank you. And you do raise a
6 very good point about seniors being priced out of their
7 homes. And that's something that this entire board is
8 laser focused on, especially when it comes to our
9 budget, we're all -- each -- every one of us, I can say
10 honestly, looks at our budget and looks for ways to
11 keep our costs down. So that way, no one has to get
12 priced out of Nutley. We want to keep everyone here.

13 MS. DEMORA: It's scary. It's scary.

14 MAYOR KELLY: Yeah.

15 MS. DEMORA: So -- all right. Okay. Thank
16 you.

17 MAYOR KELLY: Thank you.

18 MR. AURIEMMA: Nicholas Auriemma, 35 Wilson
19 Street, Nutley, New Jersey. Just wanted to stop by and
20 give you guys an update.

21 As you are well aware. It's been over --
22 well over two years. And this has consumed my life and
23 don't even -- can't even imagine, sleepless nights,
24 headaches, probably be part of your statistics with
25 cardiac arrest because it really -- it -- this is, you

1 know, I have good days and bad days and -- you know, on
2 good days, I'm fine and when I have a bad day and, you
3 know, I get a bill for my lawyer. It kind of kind of
4 it is like an antecedent me coming here. When I got to
5 deal with him and I get a bill, it's just -- it
6 triggers me. So I'm not here to bash people. I never
7 did, never will. But I'm very disappointed at most of
8 you, not all of you with exception. And disappointed
9 not in an angry way. Just disappointed that it's been
10 over two years and I -- I'm no further ahead in this
11 drama than I was over two years ago.

12 Again, the house is more in debt. Can't tell
13 you -- it just compiles every month paying the stupid
14 ass loans, excuse my mouth, that I took it out on the
15 property, thinking it'll be paid in three, four months.
16 Interest rates high. Recently, you know, I just spoke
17 to my wife. I said, that's it, I can't do it no more.
18 I cannot pay the loan. I'm going to go bad on a loan.
19 I'm 55. God willing. I said, God, you know, sometime
20 ahead of me. But once I go bad on a loan, you know
21 what happens. You know, I screw up my credit. I screw
22 up my -- some of my future. Thank God I'm pretty
23 stable now. But you always need your credit and so
24 forth.

25 I don't care if this gets back to my lawyer

1 because it has. I have no respect on him. His days
2 are numbered. Okay. You know, we're doing
3 depositions, you know, and I argue with him all the
4 time because he originally wanted to depose all of you
5 because I think one of you made fun of him and, you
6 know, he didn't like that. So you know, he took it out
7 on you guys and wanted to do depositions, and I fight
8 with him, why are you deposing them. You know, go
9 after the people that put me in this position. Now
10 again, I don't believe anyone did this intentionally,
11 but I'll say again, if this is Corporate America,
12 things will be different. Okay. You know, it's hard
13 for me to stand up here and be critical of anyone.
14 Anyone. You've always shown me respect from the
15 beginning. I'm a loyal guy, so I'll never go against,
16 you know, the respect that you've shown me.

17 Mr. Evans, you know, we know each other
18 mutually. Mauro, I don't know. I can't say again. You
19 know, myself, my family, got a lot of love for you.
20 Always did, always will. You know, Mr. Kelly. I mean,
21 all of you. Doc, I mean, I -- I'm just dumbfounded I'm
22 up here still. Okay. And I don't care what I say. I
23 don't care what gets back to my lawyer, but you know,
24 you have an ordinance that you guys passed, and
25 Scarpelli, you signed it. I think you initiated that.

1 Part of it talks about the duties of the fund
2 administrator, Mr. Sal Ferraro, who also I have a lot
3 of love for. It's tough for me because Sal's daughter
4 and my daughter are roommates at Rutgers. I love your
5 nephew. He was at my house. I wish I didn't love all
6 those people. Maybe I could, you know, be a little
7 more angry, but I can't.

8 You signed an ordinance and it clearly states
9 the words that the fund administrator's duty is to --
10 whether or not to recognize that a parcel is in a
11 floodway. It -- I mean, it's written out. I don't get
12 it. It's written out. I know I'm pressed for time,
13 but, you know, I got the construction permit from Dave
14 Berry when I originally submit my plans, submitted for
15 foundation plan. I got emails from him saying, move
16 forward to the electrical department. I got the
17 affordable housing residential development fee
18 calculation given by the township. I guess you're more
19 comfortable with the cover fee. I'm not sure all -- if
20 all of you are, but it's a fee that you have to pay
21 when you're building a new home.

22 I got the FEMA report with the township. I
23 got -- I mean, I got the survey with an email from your
24 town engineer telling me he wanted me to update the
25 survey or from Dave Barry. I got the report from your

1 township engineer telling me once again, this is
2 approved for a one family home. Right at the top. This
3 is approved for a one family home. Your township
4 engineer told me to do X, Y, and Z. Okay. Changed my
5 plans. I know I'm reiterate everything, but I just --
6 again, I'm dumbfounded that with all this you guys won't
7 work with me. I'm not telling you to assume full
8 responsibility. And I heard about the Green Acres
9 grant and so forth. I mean, it's all a little bit this
10 way. I mean, you guys were elected to make the
11 decisions for the township. I'm not here saying,
12 Mauro, come on, man. You know, I remember back in the
13 good old days. Al, Come on, we're Belleville people.

14 Dr. Scarpelli, I was your patient. You know,
15 Mayor Kelly, you know, I'm not -- I'm not here doing
16 that. I never did that. I never came to you, Al, and
17 put you on the spot and asked you to do something. I'm
18 asking you, as the powers of this town to recognize
19 this. I mean, how much more -- listen, I'm going to
20 prevail in court, God willing. Or I truly believe I
21 will prevail. Okay. But again, there's no end in
22 sight. So you know, if I got to wait another two years,
23 I can't pay this anymore. It -- it's -- I don't want
24 tell you how much I spent already. And I said this a
25 thousand times. If I sat in that seat, or sat in

that seat. And this was your son or daughter. All of
1 you would've reached out to me and say, Nikki, come on,
2 you got to help my son or daughter. The township did
3 them wrong. And again, I've never blasted the township
4 employees. I never called them disparaging remarks.

5 Okay, they made a mistake. Everyone made a
6 mistake. I cannot emphasize again that prior to all
7 this, I went to the town. We were talking with the
8 town. Carl Lordi and I went to town. All this was
9 before I closed on this. I did my due diligence. The
10 township led me down a path of no return. And I don't
11 care what they tell you now, because I lost faith in
12 certain people. If they're telling you they told me,
13 show me one email. One email, one phone message. of
14 them tell me that you can't build on the spot. Do any
15 of you really think -- it's your department. Hopefully
16 you know the procedures of building. Do any of you
17 think that they would make me go through all this
18 knowing that it's an unbuildable lot? It doesn't even
19 make sense. I walked in, I want to build a house. If
20 they knew that house -- that lot was unbuildable, they
21 would've said,

22 Mr. Auriemma, sorry, you can't build on this lot. Know
23 why? I tell you why. I don't care whatever the deal,
24 because I've had people that want to buy the lot, you
25 know, since. And, you know, I say, sure, as is. I

1 would never sell to them.

2 I think Rinaldi would tell you that because
3 you can use listen to the conversation against my better
4 judgment and conscience. I would never hurt someone,
5 like I've been hurt. But when they go to town,
6 ironically, now they all find out you can't build on
7 this lot. But meanwhile, no one told me that. And I
8 know everyone. I know Dave. I know Carl. I know Sal.
9 I know Antonette. I know them all. You don't think
10 that they knew this lot was unbuildable they would've
11 told me that. Come on guys. It's common sense. You
12 all made -- they made a mistake. I just don't
13 understand why none of you just, you know, do the right
14 thing. Put a pocket card. You know, I'm not looking
15 for the full amount. I'm 270,000 plus. I just want
16 this loan paid for. I just don't understand, like, you
17 guys keep on saying you're helping me. Have you done
18 anything for me?

19 MAYOR KELLY: Mr. Auriemma, I -- the entire
20 board certainly empathizes with your situation. And
21 like I've said in the past, these legal matters, they
22 certainly take a lot of time, more time than most
23 people would like. And my understanding from our -- my
24 last update with the attorney was that new parties have
25 been added, which kind of adds a little bit more time

1 to that. But I -- what I will say is that, you know, I
2 will -- we'll -- we will continue to have a
3 conversation with our attorney and see if we can't move
4 this at a more expedited pace to see if we can't find
5 an amicable resolution to this situation. And
6 especially now given your current personal situation,
7 we'll see if we can get something moving, get -- so get
8 something going in terms of an amicable resolution to
9 this matter.

10 MR. AURIEMMA: And Mayor, I appreciate that
11 language. I've been hearing this whole for two years.
12 I mean, it's the same thing. I leave and no, like I
13 mean, I don't get it. I mean -- I mean, I'm here as a
14 -- as a citizen. I have the right to speak and I think
15 you have the right to, you know, if you want to
16 respond. Al, not to call you out, but come on. That's
17 bullshit.

18 COMMISSIONER PETRACCO: I mean, you know, you
19 -- you've sat on these boards and we've had many
20 discussions, right? And I wish I had a magic wand for
21 you, and I'll keep saying that, but I don't want to be
22 out of turn. I think in my own opinion, not my
23 commissioner seat, if you're changing your lawyer, I
24 think that's a win for you, because you know what, from
25 the things that you have told me and that we discussed.

1 I mean, that I think that would be a step in the right
2 direction because we want to help you, Nick. And it's
3 and this is a correction, I'm from Nutley. I thought
4 what you said, us Belleville guys. I grew up in
5 Nutley, but whatever.

6 MR. AURIEMMA: We still got that
7 Belleville.

8 COMMISSIONER PETRACCO: Yeah. Yeah.

9 MR. AURIEMMA: Got to smile.

10 COMMISSIONER PETRACCO: But seriously
11 speaking, you know, I mean, Jonathan, you and I've
12 talked. Jonathan met with you 100 times. You know
13 we're all friends up here. We all want to do something
14 because it's the right thing to do.

15 MR. AURIEMMA: Would you mind if I cut you
16 off?

17 COMMISSIONER PETRACCO: But listen, not to
18 cut you off, I think you're headed in the right
19 direction for once. Go find a lawyer that could
20 represent you properly. Because in my opinion, I don't
21 think he has.

22 MR. AURIEMMA: It's not about us all being
23 friends and knowing each other. Okay. Let's set that
24 aside. I think I would've gone further with this if I
25 didn't know anyone. Okay. Here's (indiscernible) for
respect. Here's what I owe. I'm done. I'm not paying

1 anymore. So when I filed a substitution of attorney,
2 Mr. Stone (phonetic), and I don't care if you -- I know
3 John Ferrick called him up and he told -- John told him
4 I called him a weasel. He is a weasel, not John. My
5 lawyer because he has no backbone. He does a lot of
6 barking, you know. He doesn't like veal and he barks,
7 barks, barks, you know? But you know -- you know, he --
8 he's not, you know, once I get my depositions done --
9 I'm not a lawyer. Okay. I -- I'm not spending another
10 34,000 on a lawyer. So guess what, I'm going to -- I'm
11 going to be pro se. And I am -- I'll be here to talk
12 to you, you, and you, but as a citizen, like, why is it
13 so difficult for you guys just to purchase this for a
14 minimum fee. You know, I'm glad no one comes here
15 because I'm not grandstanding. Okay. I'm here because
16 some people don't even take my calls anymore, not even
17 a hello, text, you know? So it's like --

18 COMMISSIONER PETRACCO: Maybe they don't want
19 to get to court with you. It's nothing personal. It's
20 like, you know, you think that, you know, we get -- you
21 think that I want to have to go to court and say, oh,
22 you're friends with Nikki. And this is what you said.

23 MR. AURIEMMA: I don't care.

24 COMMISSIONER PETRACCO: And this and that.

25 MR. AURIEMMA: It's not about the friendship.

1 I'm sorry.

2 COMMISSIONER PETRACCO: No, forget the
3 friendship.

4 MR. AURIEMMA: Yeah.

5 COMMISSIONER PETRACCO: Right? But if you
6 weren't my friend, you wouldn't have my cell phone
7 number either.

8 MR. AURIEMMA: You are right.

9 COMMISSIONER PETRACCO: Right. So you are my
10 friend and you're everybody's friend, but the thing
11 that you have to understand is that, you know what,
12 there's a process, Nick. And I think you're moving in
13 the right direction. Do what you said.

14 MR. AURIEMMA: Listen --

15 COMMISSIONER PETRACCO: Jonathan, can you --
16 Jonathan, is there anything that you could comment
17 about or --

18 MR. BRUNO: Listen, he's represented. It's -
19 - we've had this discussion and it would be improper.
20 I -- I've advised all of you guys not to talk about
21 this because there's pending litigation. It's
22 unfortunate, everyone empathizes with you. You know,
23 if I am always happy and free to speak to anyone with
24 the permission of their attorney, but we don't have
25 that, you know, right now and I invite you, and I

1 continue to invite you whenever you want to have a
2 substantive meeting about the strengths and weaknesses
3 of the case. We have always extended that offer.

4 MR. AURIEMMA: You know, I served, you know,
5 years ago, but I'm sorry. You know, I think, you know,
6 my short tenure, my reputation was pretty good. And
7 honestly, when I ran, no one supported me. Everyone,
8 you're not going to win, but I was old school politics.
9 I ran close to being the top go getter. And everyone
10 said, no because I went out and I served the people. I
11 didn't care your color, your trade, and so forth. You
12 know, if I could go back and pull the tapes, you know,
13 from the meetings, when you know, we were about to not
14 have a budget, I'm like, no, we stay here all night.
15 That's what -- that's what we were elected to do. I
16 made choices back then and I know some of them every
17 time you cast a vote, you say, yes, you upset the no.
18 You say, no, you upset the yes people, but guess what,
19 I did what was right. I just can't comprehend, with
20 everything I have, how you guys don't see that the
21 township made a mistake. And I'm not putting a full
22 blame on them. I have no respect for the landowner,
23 the seller. Okay. I mean, the title -- but of all
24 people, can you do your part? Just -- I just -- when I
25 leave, what are you going to talk about, like --

1 MAYOR KELLY: I think Mr. Bruno made a good
2 suggestion. Go back to your attorney.

3 MR. AURIEMMA: I'm done with him.

4 MAYOR KELLY: Let -- let's have a sit-down
5 conversation with our attorneys, with your attorneys,
6 and we can talk about the strengths and weaknesses and
7 see if we can come to a conclusion regarding this
8 matter. If you are going to go pro se, you know, that
9 kind of certainly will allow us to talk more freely
10 with you about the strengths and weaknesses of this
11 matter and see if we can bring this to an amicable
12 conclusion.

13 MR. AURIEMMA: The Council wants to offer me
14 \$5,000. That --

15 MR. BRUNO: That's never been part of any
16 discussion at any time.

17 MR. AURIEMMA: Well, that -- that's because I
18 have -- that just leads me to -- I can't -- I have no
19 respect for my attorney. You know, everyone's all
20 bells and whistles and hugs when, you know, they want
21 to represent you, they want to take your initial fee.
22 Okay. Your retainer. Okay. You know, I knew off the
23 bat the first week, when he said, we're like family.
24 Buddy, I chose you because I could have easily gone to
25 someone local, which I should have. But I have better

1 relationships with you and make this work. I chose an
2 outsider purposely, so I didn't have to do this. Okay.
3 That was a mistake. Okay. I want to choose someone in
4 town, but I said, I'm not doing that to you. I'm not
5 doing that to you. I'm not doing that to you. No
6 disrespect. I didn't really know you that well, and
7 you -- I don't -- I didn't know. I know you, but not
8 like these two.

9 MAYOR KELLY: But yeah -- so I mean, I don't
10 think it would've mattered who you went to. We're
11 going to do whatever is in the best interest for the
12 town and listen to our attorney. But like I said, like
13 Mr. Bruno said, we're willing to sit down with you.
14 Talk about the strengths and weaknesses. Reach out to
15 your attorney, have him set up a meeting through your -
16 - through our counsel and we're happy to sit down and
17 have a conversation about, you know, where the
18 strengths and weaknesses are and where we can reach an
19 amicable resolution to this.

20 MR. AURIEMMA: Again, he serves in the best
21 interest of you guys, however you guys are the bosses.
22 Okay. I mean, I wish -- you know, some of you have
23 seen this paperwork. Okay. I just don't see how you
24 can't just say, listen, this kid got hurt. Just, you
25 know, let's give him our part and let's get

1 out of this case. I mean, you are going to spend 40,
2 50,000 legal bills. Another 50, you would've paid off
3 my loan. Mr. Tucci, any comments? Come on, Mauro.

4 COMMISSIONER PETRACCO: There's -- I know you
5 a long time, Nick. I know your entire family. Despite
6 what you may or may not think because I don't answer
7 you -- I can't answer you on the advice of our
8 attorney. All right. If it's you and I having a
9 conversation about Ohio State and Notre Dame or what
10 we're going to eat on Sunday, then fine. I can't talk
11 to you about this case. Your attorney doesn't like me
12 because I repeated something that someone else said
13 about him not being a great attorney. So be it. I
14 don't care if he likes me or not. That -- that's
15 neither here nor there. But from what I'm hearing and
16 what I've witnessed, your biggest problem is your
17 attorney. All right. From what I've heard in the
18 past, all right, and we can't get into details, but
19 there were several different options that were put on
20 the table.

21 Now, I don't know where the obstacles are.
22 I'm not a lawyer. All right, but there's nobody here
23 that doesn't want to help. Just that there are
24 impediments, and I don't know if it's personalities. I
25 don't know if it's representation or a little bit of

1 each, but it's just -- it's not happening and it's not
2 that anyone wants to not speak to you or ignore you.
3 You're a great guy, Nick. And listen, it's -- as hard
4 as it is for you, it's equally as hard for us to listen
5 to what's going on and we know what's going on you.
6 And we don't want you to be hurt financially,
7 physically, mentally. Or anyway. I mean, and as well
8 -- when we get something that we can deal with, I think
9 we're -- we've always been prepared to deal with it.

10 MAYOR KELLY: Right. And I do want to say
11 that we all do feel for you, we do empathize for you,
12 and we do want to come to a solution, but we're in an
13 interesting predicament, too. Because let's say we
14 actually did do exactly as you say, buy you out, give
15 you the 100 percent that you're looking for. We also
16 have to answer to the rest of the taxpayers in Nutley
17 and the residents in Nutley. And we have to be able to
18 clearly and concisely say why we did what we did. And
19 right now there -- there's -- it's not as clear as we
20 would like.

21 MR. AURIEMMA: It doesn't get any clearer. I
22 mean, it doesn't get any clearer.

23 MAYOR KELLY: And we're --

24 MR. AURIEMMA: Your engineer told me I --
25 it's a bill- I was directed by Dave Barry to go to the

1 township engineer in Sal Ferraro. How much clearer can
2 it get when they tell me --

3 MAYOR KELLY: And as Mr. Bruno suggested,
4 we're happy to talk about exactly what those issues are
5 and what our position is and what we see. And we're
6 happy to hear you out as to what your position is and
7 see if we can come to some sort of agreement as to what
8 the facts are.

9 MR. BRUNO: This is the story I'm going to
10 tell everybody also because I think we're going down a
11 bad road here. That conversation has never happened.

12 MR. AURIEMMA: Which one?

13 MR. BRUNO: The substantive conversation
14 about the case. It has never happened for whatever
15 reason. That's a conversation we're always willing to
16 have.

17 MR. AURIEMMA: About what, a settlement
18 agreement?

19 MR. BRUNO: About the case.

20 MR. AURIEMMA: You know, this is -- this
21 really like -- it's comical because I -- you know, I
22 guess what I'm going to do again. I'm going to send an
23 email and I'm going to put you both in again. I don't
24 care who yells at me. My -- I don't care. I'm sending
25 an email tomorrow, not you know, surprise you, saying I

1 went to, you know, he forbids me to come here. I'm a
2 citizen. Okay. I have to write to speak and guess
3 what I can show you case law that you have to -- you
4 can answer me right now, but I'm not trying to override
5 Mr. Bruno. Again, I thank you from day one. So I'm I
6 -- I'm not a guy that, you know, goes to -- people that
7 have been good to me, I'm a loyal guy. If anything,
8 any of my friends would tell you, I'm a loyal guy. So
9 I'm not going to change my loyalty on you because
10 things aren't going well. But it makes me wonder, I'm
11 going to be honest with you, because my lawyer says,
12 these guys don't like you, Nikki. I don't know why and
13 how. I don't know what -- you don't even -- other
14 than, you know -- I mean, I'm like -- but it makes me
15 wonder, Mauro, this is two and a half years, \$270,000.

16 MR. BRUNO: Listen. Nobody up here is a mind
17 reader. We can't tell you why people won't make you
18 say certain things. We continue to be available to
19 have real conversations about the facts.

20 MR. AURIEMMA: So when I -- I'm going to send
21 an email and --

22 MAYOR KELLY: When you send that email, make
23 sure you CC your counsel.

24 MR. AURIEMMA: Yes. I am.
25

1 MAYOR KELLY: Thank you.

2 MR. AURIEMMA: And he's emailing me because
3 he doesn't want me involved with anything, because if I
4 don't, you know, push things, you know, he doesn't do
5 things, like I said. He doesn't file motions on time.
6 He told me he was in the courtroom filing this case,
7 only for me to follow up the docket number, he never
8 filed. So I have a whole problem with him, but the
9 problem is, I'm stuck with him. But Mauro, Listen, I
10 know some people think I'm rich. Okay. I have limited
11 funds, too. I have three kids. You know, I got two in
12 college. It's not -- I don't -- I'm not poor, but I'm
13 sure as hell can't give away \$270,000. I don't think
14 anyone, except maybe you are, in a position to give up
15 270,000. Maybe you, too. And probably you, too. And
16 you. What am I saying. And you. What am I saying?
17 I'm the poor person in here. I don't know what you do
18 for a living, Mr. Evans but --

19 COMMISSIONER EVANS: I'm retired.

20 MR. ORIAMA: Oh, well then maybe you're not.

21 Okay. I'm going to send an email tonight and
22 he could cry all he wants. Okay. And then I'm going
23 to say, can we please set up, I know, a conference
24 call, all of us, and just say -- and during the
25 conference call, we're going to -- I'm going to ask for

1 a settlement, but see my -- see my energy right now.
2 If you're going to come back with \$5,000, then --
3 because that's what he said you guys are offering me,
4 5,000. Come on guys, man. Listen, someday there's a
5 good chance when you all retire, I'm going to be up
6 there. Okay. And the reason why I ran the first time,
7 because people hurt people -- and I know -- I truly
8 believe my heart, no one here is intentionally trying
9 to hurt me. But I also believe you guys are the powers
10 at be, you have a lot more pull than you will -- not
11 that you realize. You know what you can do and what
12 you can't do. And I'm just dumbfounded that two and a
13 half years later --

14 COMMISSIONER PETRACCO: Okay, Jonathan keeps
15 telling us not to talk, but I just have to say this one
16 thing to you because you're bright. And I know you
17 probably know more about us anybody here. The common
18 denominator is, and you say it yourself is your
19 attorney. Come on, man. Like --

20 MR. AURIEMMA: Well, he --

21 COMMISSIONER PETRACCO: You know, you could -
22 - you could stay here. We could laugh, joke, we could
23 watch you cry, but it's you that keeps telling us what
24 the problem is. You're bright. Fix your problem so we
25 can help you.

1 MR. AURIEMMA: Well, again --

2 MR. BRUNO: I want to make it clear. You
3 have an attorney, you're well represented, he advocates
4 for you strongly. It would not matter who your
5 attorney is. You have expressed your personal feelings
6 about that. Do with that what you will .

7 MR. AURIEMMA: I don't know how he advocates
8 me, man. I mean, that's a -- you know, that's a matter
9 of opinion. Well, I will -- I will wait until they
10 have the depositions and I'll decide what to do with
11 them. I will file a substitute attorney and hopefully,
12 at least on this end, we could talk. You guys could
13 see this and say, listen, come on. This kid got let
14 down a road of you know, (indiscernible). Again, thank
15 you. An honor.

16 MAYOR KELLY: Thank you, Mr. Auriemma. I
17 don't see anyone else here this evening for public
18 comment. We do have a need for executive, right, Mr.
19 Bruno?

20 MR. BRUNO: Yes, Mayor, to discuss the
21 litigation.

22 MAYOR KELLY: Thank you. I accept the
23 motion.

24 COMMISSIONER TUCCI: Second.

25 THE CLERK: Whereas, Section 8 of the Open

1 Public Meeting Act (Chapter 231, P.L. 1975), permits
2 the exclusion of the public for meeting in certain
3 circumstances, and where the public is of the opinion
4 that such circumstances exist. And whereas the Board
5 of Commissioners of the Township of Nutley in the
6 County of Essex and State of New Jersey desires to
7 proceed to close executive session. And now therefore,
8 be it resolved by the Board of Commissioners of the
9 Township of Nutley, move into close executive session
10 to discuss litigation.

11 MR BRUNO: Madam Clerk and as well as
12 contract negotiations.

13 THE CLERK: Thank you. And contract
14 negotiations as well.

15 Be it further resolved that at the time when
16 such discussions may be disclosed to the public shall
17 be when and such disclosures may be made without
18 adversely affecting the Township of Nutley pending
19 and/or anticipated legal personnel, contractual
20 matters, and other matters within the exceptions
21 provided for by statute. This resolution shall take
22 effect immediately.

23 Commissioner Evans.

24 COMMISSIONER EVANS: Aye.

25 THE CLERK: Commissioner Tucci.

1 COMMISSIONER TUCCI: Aye.
2 THE CLERK: Commissioner Scarpelli.
3 COMMISSIONER SCARPELLI: Aye.
4 THE CLERK: Commissioner Petracco.
5 COMMISSIONER PETRACCO: Aye.
6 THE CLERK: Mayor Kelly.
7 MAYOR KELLY: Aye. And we won't be
8 conducting any more business this evening. Our next
9 meeting will be February 4th at 7 p.m. and I'll
10 entertain a motion to adjourn.
11 COMMISSIONER SCARPELLI: Move.
12 COMMISSIONER TUCCI: Second.
13 THE CLERK: Commissioner Evans.
14 COMMISSIONER EVANS: Aye.
15 THE CLERK: Commissioner Tucci?
16 COMMISSIONER TUCCI: Aye.
17 THE CLERK: Commissioner Scarpelli?
18 COMMISSIONER SCARPELLI: Aye.
19 THE CLERK: Commissioner Petracco.
20 Commissioner Petracco.
21 COMMISSIONER PETRACCO: Aye.
22 THE CLERK: Mayor Kelly.
23 MAYOR KELLY: Goodnight, everyone. Aye.
24 THE CLERK: The time is 8:14.
25 (End of recording)

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

I, Alicia Jarrett, transcriber, hereby
certify that the foregoing is a correct transcript from
the recording provided.



ALICIA JARRETT, AAERT NO. 428 DATE: February 10, 2025
ACCESS TRANSCRIPTS, LLC