

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

Transcript of Proceedings
June 3, 2025



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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: 6/3/2025

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 (Pledge of Allegiance)

3 MAYOR KELLY: Madam Clerk, Sunshine Notice.

4 MADAM CLERK: Thank you. Board of
5 Commissioners Public Meeting Agenda for Tuesday,
6 June 3rd, 2025. The time is 6:05. Pursuant to the
7 requirements of the Open Public Meeting Act,
8 Chapter 231, Public Law 1975, notice of this meeting
9 was published in November 21st, 2024, issues of The
10 Nutley Sun, The Herald-News, and The Star-Ledger. A
11 copy of this notice has been -- sorry, yes, The Herald-
12 News, and the meeting date change was published in the
13 February 13th, 2025, issues of The Nutley Sun. Copies
14 of said notices have been posted on the Nutley Town
15 Hall bulletin board, and a copy is placed on file in
16 the Municipal Clerk's Office.

17 Commissioner Evans?

18 COMMISSIONER EVANS: Here.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Here.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Here.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Here.

25 MADAM CLERK: Mayor Kelly?

1 MAYOR KELLY: Present.

2 MADAM CLERK: All present, Mayor.

3 MAYOR KELLY: Thank you, Madam Clerk. Do you
4 have a copy of the resolution?

5 MADAM CLERK: We have -- we're going -- I
6 have a resolution to enter into an emergency closed
7 executive session. Would you like me to read that?

8 MAYOR KELLY: Yes, please.

9 MADAM CLERK: Okay. Okay. Whereas,
10 Section 8 of the Open Public Meeting Act, Chapter 231,
11 Public Law 1975, permits the exclusion of the public
12 meeting in certain specified circumstances.

13 And whereas, the normal 48 hours' notice
14 requirement under the Act has not been met due to the
15 time constraints and the urgent nature of the subject
16 matter.

17 However, this emergency meeting is being held
18 in compliance with the provisions of Public Law 1975,
19 Chapter 231, Sections 4 and 13, commonly referred to as
20 the Sunshine Law.

21 And whereas, pursuant to NJSA 10:4-9(b)(1) of
22 the Open Public Meeting Act, this resolution is adopted
23 to permit an emergency closed session due to a matter
24 of urgency and importance that a delay, if not
25 addressed, it would likely result in substantial harm

1 to the public interest.

2 And whereas, the public body is of the
3 opinion that such circumstances exist.

4 And now, therefore, be it resolved by the
5 Board of Commissioners of the Township of Nutley that
6 it does hereby move into closed executive session
7 pursuant to the Open Public Meeting Act.

8 Be it further resolved that at the time when
9 such discussions may be disclosed to the public shall
10 be when, and such disclosures may be made without
11 adversely affecting the Township of Nutley, pending
12 and/or anticipated legal, personnel, contractual
13 matters, and other matters within exceptions provided
14 for by statute.

15 This resolution shall take effect
16 immediately.

17 Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Mayor Kelly?

1 MAYOR KELLY: Aye.

2 (Closed executive session held)

3 MAYOR KELLY: All right. Everyone, please
4 rise for the flag salute.

5 COMMISSIONER PETRACCO: Let's do it again.
6 Don't matter -- yeah.

7 (Pledge of Allegiance)

8 MAYOR KELLY: Sunshine Notice again, Madam
9 Clerk?

10 MADAM CLERK: Thank you, Mayor. Board of
11 Commissioners Public Meeting Agenda for Tuesday,
12 June 3rd, 2025. The time is now 7:11.

13 Pursuant to the requirements of the Open
14 Public Meeting Act, Chapter 231, Public Law 1975,
15 notice of this meeting was published in the
16 November 21st, 2024, issues of The Nutley Sun, The
17 Herald-News, and The Star-Ledger, and a meeting date
18 change notice was published in the February 13th, 2025,
19 issues of The Nutley Sun. Copies of said notices have
20 been posted on the Nutley Town Hall bulletin board, and
21 a copy is placed on file in the Municipal Clerk's
22 Office.

23 Commissioner Evans?

24 COMMISSIONER EVANS: Here.

25 MADAM CLERK: Commissioner Tucci?

1 COMMISSIONER TUCCI: Here again.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Here.

4 MADAM CLERK Commissioner Petracco?

5 COMMISSIONER PETRACCO: Here.

6 MADAM CLERK: Mayor Kelly?

7 MAYOR KELLY: Present.

8 MADAM CLERK: All present, Mayor.

9 MAYOR KELLY: Minutes, please, Madam Clerk.

10 MADAM CLERK: Thank you. We have Board of

11 Commissioners meeting minutes for March 5th, 2025,

12 budget workshop; April 1st, 2025; and April 15, 2025.

13 COMMISSIONER EVANS: Move the minutes.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Scarpelli?

20 MAYOR KELLY: Aye.

21 MADAM CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 MADAM CLERK: Mayor Kelly?

24 MAYOR KELLY: Aye.

25 Communications, Madam Clerk?

1 MADAM CLERK: Thank you, Mayor. Holy Family
2 Church has submitted a letter requesting permission to
3 hold carnival games of chance and a money wheel on
4 Sunday, September 28th, 2025, from 12 p.m. to 9 p.m.
5 at 28 Brookline Avenue, and the Township of Nutley
6 Department of Public Affairs has submitted an event
7 application for a weekly Nutley farmer's market every
8 Sunday from June 15th to October 26th, 2025, between
9 9 a.m. and 2 p.m. on Booth Drive between Franklin
10 Avenue and Vincent Place.

11 Motion, please?

12 COMMISSIONER SCARPELLI: Move it.

13 COMMISSIONER PETRACCO: Second.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Mayor Kelly?

23 MAYOR KELLY: Aye.

24 MADAM CLERK: And that's it for
25 communications, Mayor.

1 MAYOR KELLY: And I see we have a number of
2 reports on for this evening. I see we have a shade
3 tree report from the Parks Department, Commissioner?

4 COMMISSIONER TUCCI: That's correct.

5 MAYOR KELLY: And we have a public safety
6 report for February and March 2025, Commissioner
7 Petracco?

8 COMMISSIONER PETRACCO: Yes, Mayor. I have
9 multiple reports tonight. Thank you.

10 MAYOR KELLY: And a code enforcement report
11 for the month of April 25 from the Code Department,
12 Commissioner Evans?

13 COMMISSIONER EVANS: Yes.

14 MAYOR KELLY: Bills, Madam Clerk?

15 MADAM CLERK: Thank you. Bill list for
16 June 3rd, 2025. Public Affairs, \$588,751.60. Revenue
17 and Finance, \$3,491,451.24. Public Safety, \$39,943.33.
18 Public Works, \$246,608.86. Parks and Public Property,
19 \$986,588.95. Water and Sewer Utility, \$172,971.69.
20 Payroll as of May 23rd, 2025. Regular payroll total,
21 \$1,011,064.43. Overtime payroll total, \$63,368.99.
22 Total payroll, \$1,074,433.42, for a grand total of
23 \$6,600,749.09.

24 COMMISSIONER EVANS: Move the bills.

25 COMMISSIONER TUCCI: Second.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye, with the exception
5 of Item Number 25-00890, which I abstain on.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Mayor Kelly?

11 MAYOR KELLY: Aye.

12 MADAM CLERK: That's it for bills, Mayor.

13 MAYOR KELLY: Thank you. And I think we'll
14 take the -- some of the remaining portion of the
15 meeting out of order. I'm going to do a resolution
16 introduced on -- by me on behalf of the entire Board of
17 Commissioners.

18 This is Resolution Number 141-25. This is
19 concerning some redevelopment, and before I move the
20 resolution, I would like to bring up one of our
21 esteemed redevelopment counselors, Mr. Josh Zielinski,
22 to kind of provide us some background on what it is
23 this resolution's about.

24 MR. ZIELINSKI: Thank you, Mayor. Good
25 evening, Commissioners. My name's Josh Zielinski. I'm

1 from the law firm of O'Toole Scrivo. We've been
2 retained by the Township as special counsel with
3 respect to the Prism ON3 development in the
4 municipality. As the Commissioners are aware, there
5 have been negotiations going on for a long period of
6 time with Prism and the Township to resolve all the
7 litigation by and between Prism and the Township.

8 A final form of that agreement has been
9 provided to the Commissioners to vote on the resolution
10 of the litigation. Importantly eliminates some intense
11 uses in the town that are not popular, allows for the
12 development of the Hoffmann-La Roche former campus with
13 a new anchor tenant that is a large publicly traded
14 company, and also provides and allows for affordable
15 housing.

16 That is the backdrop with respect to this
17 agreement. It is similar to an agreement that was
18 almost brought to fruition about a year ago. There's
19 been, you know, quite a bit of negotiation to get this
20 done. This agreement provides tangible benefits to the
21 municipality, and we believe it is a good agreement for
22 the municipality.

23 MAYOR KELLY: Thank you, Mr. Zielinski. I
24 assume no one has any questions.

25 MR. ZIELINSKI: No?

1 MAYOR KELLY: Thank you.

2 MR. ZIELINSKI: You're welcome.

3 MAYOR KELLY: Therefore, I move this
4 resolution authorizing the Mayor and Municipal Clerk to
5 execute a settlement agreement with Prism for the
6 development of ON -- the ON3 Campus and settlement of
7 litigation between Nutley and Prism in the same or
8 similar form as Prism/Nutley Global Settlement
9 Agreement provided to the Board of Commissioners on or
10 about June 2nd, 2025. So moved.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Evans.

13 MAYOR EVANS: Aye.

14 MADAM CLERK: Commissioner Tucci.

15 MAYOR TUCCI: Aye.

16 MADAM CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 MADAM CLERK: Mayor Kelly.

21 MAYOR KELLY: Aye.

22 Thank you, Mr. Zielinski.

23 MR. ZIELINSKI: Thank you.

24 COMMISSIONER PETRACCO: Thank you.

25 MAYOR KELLY: Getting back on our regularly

1 scheduled agenda. At this time, I'll hear public
2 comment on agenda items only. This is public comment
3 on agenda items only. Those who wish to be heard on
4 agenda items only, please approach the microphone and
5 state your name for the record, please.

6 Seeing none, we'll go into Board of
7 Commissioner announcements. Commissioner Evans.

8 COMMISSIONER EVANS: Nothing for me.

9 MAYOR KELLY: Commissioner Tucci.

10 COMMISSIONER EVANS: Nothing for me.

11 MAYOR KELLY: Commissioner Scarpelli.

12 COMMISSIONER SCARPELLI: Not tonight, Mayor.

13 COMMISSIONER PETRACCO: All clear.

14 MAYOR KELLY: Okay. We -- so we did have,
15 this past Memorial Day, our annual Memorial Day parade,
16 which was a huge success, and I do want to thank
17 everyone on this Board. Public Safety did a good job
18 keeping us safe and keeping the streets clear. I want
19 to thank the DPW for keeping the streets in a smooth
20 fashion, the parks, importantly, because, before the
21 parade, we go to all the park monuments and read the
22 names of all the war dead and honor those veterans from
23 Nutley who paid the ultimate sacrifice, and they looked
24 amazing, and they looked amazing in their new location,
25 so I want to thank Commissioner Tucci for that. And --

1 COMMISSIONER TUCCI: Thank you, Mayor.

2 MAYOR KELLY: And Commissioner Evans, I want
3 to thank you for all you do for veterans.

4 This -- tomorrow, June 4th, from 6 to 8 p.m.,
5 there's a mental health wellness event presented by
6 Assemblywoman Carmen Morales in Room 300 at the Parks
7 and Rec. So those interested in getting more
8 information about how to take care of their mental
9 health, which there is no mealth -- no health without
10 mental health, and we as a Board, a number of years
11 ago, has unanimously made Nutley a stigma-free town.
12 So anyone who needs the help should go out and seek
13 help or find out ways to get help, or if you know
14 someone who needs help, it may be good for you to go
15 and get some information on how to provide them with
16 the help they need.

17 And I think that's all I have on the horizon.
18 Stay tuned for our June 17th meeting, when I may have
19 more.

20 Moving on to ordinance introductions.
21 Commissioner Petracco?

22 COMMISSIONER PETRACCO: Yes, I have Ordinance
23 Introduction 3587, an ordinance to amend an ordinance
24 codified in the Code of the Township of Nutley,
25 Chapter 228, entitled Vehicles and Traffic,

1 particularly Article VII, Special Zones and Areas,
2 Section 29A, entitled handicapped parking at the
3 location set for thereon. This is for 36 Myrtle
4 Avenue. I move that this ordinance be passed for a
5 second reading, advertised in The Nutley Sun together
6 in the notice required by law that the further
7 consideration of said ordinance for final passage by
8 the Board of Commissioners be held at -- I believe I
9 saw the date, one minute -- July 10th? Is that
10 correct?

11 MADAM CLERK: July 10th, yes.

12 COMMISSIONER PETRACCO: Oh, I got it right
13 after all these years.

14 MADAM CLERK: Yes. Yes. Perfect. Thank
15 you.

16 COMMISSIONER PETRACCO: I move it.

17 COMMISSIONER SCARPELLI: July 1st.

18 COMMISSIONER PETRACCO: This says July 10th.
19 Oh, you know what? Excuse me, it is July 1st.

20 COMMISSIONER SCARPELLI: July 1st.

21 COMMISSIONER PETRACCO: July 1st, public
22 hearing.

23 MADAM CLERK: You're right. It is --

24 COMMISSIONER PETRACCO: Wrong again.

25 MADAM CLERK: -- July 1st. I'm sorry,

1 Commissioner.

2 COMMISSIONER PETRACCO: I'll try next time.

3 COMMISSIONER TUCCI: Second.

4 COMMISSIONER EVANS: So you didn't spoil the
5 perfect record.

6 MADAM CLERK: What date is it? July 1st?
7 July 1st.

8 COMMISSIONER PETRACCO: July 1st. July 1st.

9 MADAM CLERK: Thank you.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Sorry about that.

12 COMMISSIONER PETRACCO: No.

13 MADAM CLERK: We added an extra zero there.

14 COMMISSIONER EVANS: We going to vote on it?

15 COMMISSIONER PETRACCO: I moved it, and he
16 seconded it.

17 MADAM CLERK: Oh, I didn't hear you. I'm
18 sorry. Commissioner Evans.

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Tucci.

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Scarpelli.

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Commissioner Petracco.

25 COMMISSIONER PETRACCO: Aye.

1 MADAM CLERK: Mayor Kelly.

2 MAYOR KELLY: Aye.

3 COMMISSIONER PETRACCO: Okay, my second
4 introduction, ordinance to fix the salaries of certain
5 officers and employees of the Township of Nutley,
6 County of Essex, State of New Jersey, effective
7 January 1st, 2024, be it ordained by the Board of
8 Commissioners of the Township of Nutley in the County
9 of Essex, New Jersey, as follows: The salaries of
10 certain officers and employees, either permanent or
11 temporary, as the case may be, in the Township of
12 Nutley hereon mentioned, shall be as follows: the IBEW
13 Local 1158, Department of Public Safety. For public
14 safety telecommunicators -- communications -- that is
15 our dispatchers -- a base salary of \$45,000 to \$66,300.
16 All ordinances or parts of ordinance inconsistent with
17 provisions of the ordinance are hereby repealed, and
18 this ordinance shall be -- take effect 20 days after
19 final passage in accordance with the law.

20 Section 3, to extent --

21 COMMISSIONER EVANS: Just the title.

22 COMMISSIONER PETRACCO: You just want me to
23 read the title for this, measure?

24 UNIDENTIFIED: That's fine.

25 COMMISSIONER PETRACCO: Thank you, Counsel.

1 Okay. So the title is finished.

2 I just wanted to really read this one,
3 actually, because we are so short-handed on
4 dispatchers, and if anybody is interested in being a
5 dispatcher in Nutley, it's a lovely job. Commissioner
6 Tucci, you might take me up for a time?

7 COMMISSIONER TUCCI: I might. I'll have to
8 talk with you.

9 COMMISSIONER PETRACCO: Well, thank you.
10 I -- okay. I move that this ordinance be passed to the
11 second reading and advertised in The Nutley Sun
12 together with the notice required by law and that
13 further consideration of said ordinance for final
14 passage by the Board of Commissioners be held at its
15 second reading. Is it July 1?

16 MADAM CLERK: Correct. Yeah. COMMISSIONER
17 PETRACCO: Yes. July 1st. I
18 move it.

19 COMMISSIONER SCARPELLI: Second.

20 MADAM CLERK: Commissioner Evans.

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Tucci.

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Scarpelli.

25 COMMISSIONER SCARPELLI: Aye.

1 MADAM CLERK: Commissioner Petracco.

2 COMMISSIONER PETRACCO: Aye.

3 MADAM CLERK: Mayor Kelly.

4 MAYOR KELLY: Aye.

5 We have a number of ordinances on for their
6 second reading in public hearing. Commissioner
7 Petracco, I'll kick it back to you.

8 COMMISSIONER PETRACCO: Yes. Number 3585, an
9 ordinance to amend an ordinance codified by the Code of
10 Township of Nutley, Chapter 228, entitled Vehicles and
11 Traffic, particularly Article VII, Special Zones and
12 Areas, Section 29A, entitled handicapped parking, to
13 add to the location set forth thereon. This one is for
14 75 Raymond Avenue.

15 Move to open.

16 MAYOR KELLY: Anyone who wishes to be heard
17 on Ordinance Number 3585, please approach the
18 microphone and state your name for the record. Seeing
19 none.

20 COMMISSIONER PETRACCO: Move to close.

21 COMMISSIONER SCARPELLI: Second.

22 MADAM CLERK: Commissioner Evans.

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Tucci.

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Scarpelli.
2 COMMISSIONER SCARPELLI: Aye.
3 MADAM CLERK: Commissioner Petracco.
4 COMMISSIONER PETRACCO: Aye.
5 MADAM CLERK: Mayor Kelly.
6 MAYOR KELLY: Aye.
7 COMMISSIONER TUCCI: Move the ordinance.
8 COMMISSIONER PETRACCO: Second.
9 MADAM CLERK: Commissioner Evans.
10 COMMISSIONER EVANS: Aye.
11 MADAM CLERK: Commissioner Tucci.
12 COMMISSIONER TUCCI: Aye.
13 MADAM CLERK: Commissioner Scarpelli.
14 COMMISSIONER SCARPELLI: Aye.
15 MADAM CLERK: Commissioner Petracco.
16 COMMISSIONER PETRACCO: Aye.
17 MADAM CLERK: Mayor Kelly.
18 MAYOR KELLY: Aye.
19 COMMISSIONER PETRACCO: Ordinance
20 Number 3586. This is an ordinance to amend an
21 ordinance codified by the Code of Township of Nutley,
22 Chapter 228, entitled Vehicles and Traffic,
23 particularly Article VII, Special Areas and Zones,
24 Section 29A, entitled handicapped parking, to add the
25 location set forth thereon. This one is for

1 54 Entwistle Avenue. Move to open.

2 MAYOR KELLY: Anyone who wishes to be heard
3 on Ordinance Number 3586, please approach the
4 microphone and state your name for the record. Seeing
5 none.

6 COMMISSIONER PETRACCO: Move it.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner Evans.

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Tucci.

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Commissioner Scarpelli.

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Commissioner Petracco.

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Mayor Kelly.

17 MAYOR KELLY: Aye.

18 COMMISSIONER PETRACCO: Move the ordinance.

19 COMMISSIONER SCARPELLI: Second.

20 MADAM CLERK: Commissioner Evans.

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Tucci.

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Scarpelli.

25 COMMISSIONER SCARPELLI: Aye.

1 MADAM CLERK: Commissioner Petracco.

2 COMMISSIONER PETRACCO: Aye.

3 MADAM CLERK: Mayor Kelly.

4 MAYOR KELLY: Aye.

5 COMMISSIONER PETRACCO: Thank you, Mayor.

6 MAYOR KELLY: So that concludes the
7 ordinances we have on for this evening. We have a
8 number of resolutions. And Commissioner Evans and
9 Commissioner Tucci, I see you both don't have anything
10 on for this evening.

11 COMMISSIONER TUCCI: We're just here for the
12 festivities, Mayor.

13 MAYOR KELLY: Thank you for joining us.

14 Commissioner Scarpelli.

15 COMMISSIONER SCARPELLI: Thank you, Mayor.
16 This is an ordinance for applying for a Department of
17 Transportation grant to pave and reconstruct Chestnut
18 Street from Bloomfield Avenue to Franklin Avenue.
19 Resolution authorizing approval to submit a grant
20 application and execute a grant agreement with the New
21 Jersey Department of Transportation for the Chestnut
22 Street Improvement Project Fiscal Year 2026.

23 I move the resolution.

24 COMMISSIONER PETRACCO: Second.

25 MADAM CLERK: Commissioner Evans.

1 COMMISSIONER EVANS: Aye.

2 MADAM CLERK: Commissioner Tucci.

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Kelly.

9 MAYOR KELLY: Aye.

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

12 MAYOR KELLY: Thank you.

13 Commissioner Petracco.

14 COMMISSIONER PETRACCO: Oh, I'm up again?

15 Whereas, Mauro G. Tucci, Chairman of the
16 Suburban Metro Joint Insurance Fund, Commissioner of
17 the Nutley Department of Public Safety Alphonse
18 Petracco, and the Nutley Fire Chief Paul Cafone in the
19 Township desire to apply for a Joint Insurance Fund
20 Certified Fire Department Program.

21 Whereas, Lieutenant Gabriel Miller is hereby
22 appointed to serve as the Liaison Officer for the
23 purpose of coordinating and implementing this program.

24 And whereas, the Township of Nutley Fire
25 Department agrees to utilize the MEL Safety Institute

1 (MSI) policy distribution and training program to
2 document receipt of the operational policies and
3 confirm understanding of the policies.

4 And whereas, the Township of Nutley Fire
5 Department agrees to annually update the policies and
6 annually certify to their completion through the
7 adoption for a resolution and request for a \$5,000
8 assessment credit.

9 Now, therefore, it be resolved by the Board
10 of Commissioners, Town of Nutley, Essex County, State
11 of New Jersey, does hereby request participation in the
12 Joint Insurance Fund Certified Fire Department Program
13 and agrees to perform the requirements of this program.

14 Move it.

15 COMMISSIONER SCARPELLI: Second.

16 MADAM CLERK: Commissioner Evans.

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Tucci.

19 COMMISSIONER TUCCI: Before I vote, I just
20 want to commend Commissioner Petracco and his
21 department for moving ahead with this certification.
22 They've -- they have already done this in the police
23 department, and it yields unbelievable results, all
24 right, and keeps everyone abreast of what's going on.
25 It keeps everyone current on regulations and

1 ordinances. So I just want to thank you for moving
2 ahead with this, and I proudly vote aye.

3 COMMISSIONER PETRACCO: Thank you.

4 MADAM CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: I vote aye. And I
8 will say about Gabriel Miller, a stellar choice, and an
9 up-and-coming star in the fire department as well. I
10 vote aye.

11 MADAM CLERK: Mayor Kelly.

12 MAYOR KELLY: I vote aye as well. And I
13 concur with your assessment of Mr. Miller -- Lieutenant
14 Miller. He's a great asset to the fire department.

15 COMMISSIONER PETRACCO: Thank you, Mayor.

16 Okay. Whereas, the Township of Nutley,
17 through the Nutley Police Department, has the need to
18 acquire the services of an outside company for the
19 administration and management of Police Off Duty
20 Details throughout the Township of Nutley.

21 Whereas, the Extra Duty Solutions, located at
22 101 Merritt Boulevard, Suite 21, Trumbull, Connecticut,
23 has symbol -- has submitted a proposal indicating that
24 they will provide such services at no cost to the
25 Township of Nutley for one additional year.

1 And whereas, the fees and -- the fees will be
2 paid directly to the Extra Duty Solutions by the third-
3 party vendor.

4 And whereas, the terms of the contract is not
5 to exceed one year from the date of contract award.

6 And whereas, Extra Duty Solutions, 101
7 Merritt Boulevard, Connecticut, has completed,
8 submitted a Business Entity Disclosure Certification,
9 which certifies that the said corporation has not made
10 a reportable contribution to a political or candidate
11 committee in the Township of Nutley in the previous one
12 year, and that contract will prohibit Extra Duty
13 Solutions partners from making any reportable
14 contributions through the term of the contract.

15 Now, therefore, be it resolved by the Board
16 of Commissioners, the Township of Nutley, County of
17 Essex, State of New Jersey, as follows: a contract be
18 entered into be -- between the Township of Nutley and
19 Extra Duty Solutions, 101 Merritt Boulevard, Suite 21,
20 Trumbull, Connecticut, for the administration and
21 management of the Police Off Duty Details.

22 Be it further resolved, the copy of the
23 Resolution as well as the Contract shall be placed on
24 file with the Township Clerk and the Chief of Police.

25 I move it.

1 COMMISSIONER SCARPELLI: Second.

2 MADAM CLERK: Commissioner Evans.

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Tucci.

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Commissioner Petracco.

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Mayor Kelly.

11 MAYOR KELLY: Aye.

12 COMMISSIONER PETRACCO: Thank you, Mayor.

13 That's all I have, I believe.

14 MAYOR KELLY: Thank you. I'll bring us home.

15 A number of individuals did reach out to me
16 regarding the Pride proclamation. It will be read at
17 our second meeting in June. This was at the request of
18 the Nutley Pride Organization, who wanted to be here
19 for the reading of the proclamation.

20 With that, I have five resolutions on for
21 this evening. The first one is Resolution
22 Number 131-25, and this is for various raffle license
23 applications. Actually, only one. Holy Family Church,
24 License Number 33-25, Carnival Games and Money Wheel,
25 Thursday, September 25th, 2025, through Sunday,

1 September 28th, 2025.

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
6 of Commissioners, Township of Nutley, County of Essex,
7 State of New Jersey, that the aforementioned licenses
8 are hereby approved, and the Municipal Clerk is
9 authorized to issue said license.

10 So moved.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Tucci.

15 MAYOR KELLY: Aye.

16 MADAM CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 MADAM CLERK: Mayor Kelly.

21 MAYOR KELLY: Aye.

22 This coming Friday, June 6th, is the 81st
23 anniversary of D-Day, and so I have the following
24 resolution, Number 132-25.

25 Whereas, we remember the invasion of June 6th

1 of 156,000 Allied troops stormed 50 miles of Normandy
2 beaches.

3 Whereas, we remember that they, due to bad
4 ocean waves and currents that amphibious tanks and
5 rocket protection from rocket boats were not possible.

6 And whereas, we remember that the fearless
7 Infantry charged the beach with little support to
8 fortified positions that they advanced toward, and
9 40 -- 4,000 Allied troops died for world freedom.

10 Whereas, we remember that, by dawn, thousands
11 of paratroopers were deployed behind enemy lines while
12 aircrafts were being shot from the sky. The
13 paratroopers bravely jumped into the night air to
14 secure bridges and strategic targets within France.

15 Whereas, we remember, without a brilliant
16 plan, heroic men and women and their tremendous
17 sacrifices, the Allied efforts may not have succeeded
18 that day.

19 Whereas, we remember the patriotism of
20 Americans at home working in over 85,000 companies
21 within the United States supporting the war effort.

22 Whereas, we remember that over 11,000
23 aircraft, 5,000 ships, 50,000 vehicles, and 326,000
24 troops combined in Operation Overlord, and this was the
25 largest amphibious invasion in history.

1 Whereas, we remember all those who lost their
2 lives during World War II: the estimated 75 million,
3 20 million soldiers, and over 40 million civilians.

4 Now, therefore, be it proclaimed that the
5 Board of Commissioners, in the Township of Nutley,
6 County of Essex, State of New Jersey, declares June 6th
7 the 81st anniversary of D-Day, and encourages all
8 citizens to support, honor, and protect the memories of
9 our heroes that fought and died for world peace.

10 So moved.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Tucci.

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Commissioner Scarpelli.

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco.

19 COMMISSIONER PETRACCO: Aye.

20 MADAM CLERK: Mayor Kelly.

21 MAYOR KELLY: Aye.

22 The second one I have on for this evening is
23 Resolution Number 133-25, and this is honoring Flag
24 Day.

25 Whereas, on June 14th, 1775, by resolution of

1 the Second Continental Congress, the United States Flag
2 was adopted.

3 Whereas, on June 14th, 1777, the Second
4 Continental Congress decreed that our Nation's flag
5 shall be 13 stripes, alternate red and white, and
6 the -- that the union be 13 stars white in a field --
7 blue field, representing a new Constellation.

8 Whereas, on June 14th, 1916, President
9 Woodrow Wilson issued a proclamation to officially
10 establish the observance of Flag Day.

11 Whereas, on August 3rd, 1949, National Flag
12 Day, June 14th, was declared by an Act of Congress.

13 Now, therefore, be it resolved by the Board
14 of Commissioners, Township of Nutley, County of Essex,
15 State of New Jersey, recognizes and celebrates
16 Saturday, June 14th, 2025, as Flag Day in the Township
17 of Nutley.

18 So moved.

19 COMMISSIONER TUCCI: Second.

20 MADAM CLERK: Commissioner Evans.

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Tucci.

23 COMMISSIONER TUCCI: One of my favorite days.
24 Aye.

25 MADAM CLERK: Commissioner Scarpelli.

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 MADAM CLERK: Mayor Kelly.

5 MAYOR KELLY: Aye.

6 This year is a special anniversary for the
7 United States Army. It's celebrating its 250th
8 birthday. So with that, we have Resolution
9 Number 134-24.

10 Whereas, a meeting in Philadelphia on
11 June 14th, 1775, the Second Continental Congress formed
12 the Continental Army to protect the freedom of the 13
13 Colonies from the British.

14 Whereas, on June 19th, 1775, George
15 Washington was appointed Commander-in-Chief of the
16 Continental Army, making George Washington the first
17 person to oversee the Army.

18 And whereas, the Continental Army marched
19 through Nutley en route to Yorktown, Virginia, for the
20 final battle to win our independence during the
21 Revolutionary War.

22 Whereas, today, the U.S. Army recognizes the
23 establishment of the Continental Army on June 14, 1775,
24 as its official birthday.

25 Whereas, this year, the United States Army

1 will celebrate its 250th birthday, emphasizing the
2 motto, "This We'll Defend," which was first used as a
3 battle cry for the Continental Army.

4 Whereas, the United States Army and its more
5 than 951,090 soldiers help protect freedom, both
6 foreign and domestically, working jobs that demand high
7 amount of physical and mental dedication.

8 Whereas, from the Revolution to the Civil War
9 to the World Wars to the present day, the Township of
10 Nutley is thankful for and is proud to support the
11 United States Army. On the occasion of the Army's
12 250th birthday, the Township remembers those who have
13 sacrificed to serve their nation in the Army, and
14 thanks and recognizes Army veterans who call Nutley
15 home today.

16 Now, therefore, be it resolved that the Board
17 of Commissioners, Town -- in the Township of Nutley,
18 County of Essex, State of New Jersey, recognizes and
19 celebrates United States Army on its 250th birthday.

20 So moved.

21 COMMISSIONER TUCCI: Second.

22 MADAM CLERK: Commissioner Evans.

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Tucci.

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Scarpelli.

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Commissioner Petracco.

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Kelly.

6 MAYOR KELLY: Aye.

7 The last one I have on for this evening is
8 Resolution Number 139-25, a resolution of the Board Of
9 Commissioners approving the application of Nutley Town
10 Center Redevelopers Urban Renewal Entity, LLC, for a
11 waiver of residential development fees.

12 Can I just read that by title?

13 Now, therefore, be it resolved by the Board
14 of Commissioners in the Township of Nutley that the
15 application of Nutley Town Center Redevelopers Urban
16 Renewal Entity, LLC, for a waiver of residential
17 development fees meets the requirements of the Township
18 Code Section 285-4(C), including the public benefits
19 required therein.

20 Be it further resolved that said application
21 be and is hereby approved, and that the residential
22 development fees otherwise owed by the redeveloper for
23 the Franklin Avenue redevelopment project be and hereby
24 are waived.

25 So moved.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Commissioner Evans.

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Commissioner Tucci.

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Scarpelli.

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Commissioner Petracco.

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Mayor Kelly.

11 MAYOR KELLY: Aye.

12 At this time, I'll open up the meeting to the
13 public. To -- anyone who wishes to address the Board
14 of Commissioners, please approach the microphone and
15 state your name for the record.

16 Seeing none. Mr. Bruno, I think we do have a
17 need for a short executive session tonight.

18 MR. BRUNO: Mr. Mayor, we do have a need to
19 go into closed session to discuss contract
20 negotiations.

21 MAYOR KELLY: Thank you. I'll entertain a
22 motion.

23 COMMISSIONER PETRACCO: Move it.

24 COMMISSIONER TUCCI: Second.

25 MADAM CLERK: Whereas, Section 8 of the Open

1 Public Meeting Act, Chapter 231, Public Law 1975,
2 permits exclusion of the public from meeting in certain
3 circumstances.

4 And whereas, the public body is of the
5 opinion that such circumstances exist.

6 And whereas, the Board of Commissioners of
7 the Township of Nutley in the County of Essex, State of
8 New Jersey desires to proceed to closed executive
9 session;

10 And now, therefore -- excuse me. Now,
11 therefore, be it resolved that the Board of
12 Commissioners of the Township of Nutley move into
13 closed executive session to discuss contract
14 negotiations.

15 Be it further resolved that 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 exception
21 provided for by statute. This resolution will take
22 effect immediately.

23 Commissioner Evans?

24 COMMISSIONER EVANS: Aye. Aye.

25 MADAM CLERK: Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Scarpelli.

3 COMMISSIONER SCARPELLI: Can I vote now?

4 Aye.

5 MADAM CLERK: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Aye.

7 MADAM CLERK: Mayor Kelly.

8 MAYOR KELLY: Aye.

9 And we will not be conducting any more
10 business this evening. Our next meeting is Tuesday,
11 June 17th, 2025, at 7 p.m. I'll entertain a motion to
12 adjourn the --

13 COMMISSIONER TUCCI: Move it.

14 MAYOR KELLY: -- this --

15 COMMISSIONER PETRACCO: Second.

16 MAYOR KELLY: -- business portion -- or
17 public portion.

18 MADAM CLERK: Commissioner Evans.

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Tucci.

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Commissioner Scarpelli.

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Commissioner Petracco.

25 COMMISSIONER PETRACCO: Aye.

1
2 MADAM CLERK: Mayor Kelly.

3 COMMISSIONER PETRACCO: Aye.

4 MAYOR KELLY: Aye.

5 MADAM CLERK: And the time is now 7:37.

6 (End of recording)
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15 C E R T I F I C A T I O N
16

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

20 
21
22
23

24 _____
25 ALICIA JARRETT, AAERT NO. 428

DATE: June 17, 2025