

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

Transcript of Proceedings
June 17, 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: JUNE 17, 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 MAYOR KELLY: Everyone, please rise for the
3 flag salute.

4 (Pledge of Allegiance)

5 MAYOR KELLY: Sunshine notice, Madam Clerk.

6 MADAM CLERK: Thank you, Mayor.

7 Board of Commissioners Public Meeting, agenda
8 for Tuesday, June 17th, 2025. The time is now 7:10.
9 Pursuant to the requirements of the Open Public Meeting
10 Act, Chapter 231, Public Law 1975, notice of this
11 meeting was published in November 21st, 2024, issues of
12 The Nutley Sun, The Herald-News, and The Star-Ledger.
13 A copy of this notice has been posted on the Nutley
14 Town Hall Bulletin Board, and a copy is on file in the
15 Municipal Clerk's Office.

16 Commissioner Evans.

17 COMMISSIONER EVANS: Here.

18 MADAM CLERK: Commissioner Tucci.

19 COMMISSIONER TUCCI: Here.

20 MADAM CLERK: Commissioner Scarpelli.

21 COMMISSIONER SCARPELLI: Here.

22 MADAM CLERK: Commissioner Petracco is absent,
23 excused this evening.

24 Mayor Kelly.

25 MAYOR KELLY: Present.

1 MADAM CLERK: All present, Mayor, except for
2 Commissioner Petracco. He's absent, excused.

3 MAYOR KELLY: Thank you, Madam Clerk.
4 Minutes, please.

5 MADAM CLERK: We have regular commission
6 meetings for May 6th, 2025, and May 20th, 2025.
7 Motion, please.

8 COMMISSIONER EVANS: Move it.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner Evans.

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Tucci.

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Scarpelli.

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Mayor Kelly.

17 MAYOR KELLY: Aye.

18 MADAM CLERK: That's it for minutes.

19 MAYOR KELLY: Communications, please.

20 MADAM CLERK: Yes, Mayor. We have two. The
21 Mayor's Office has submitted an event application for
22 the Fourth of July celebration scheduled for Friday,
23 July 4th, 2025, from 6 p.m. to 10 p.m. on Franklin
24 Avenue between Church Street and Chestnut Street. And
25 the Rotary of Nutley has submitted a raffle application

1 for an on-premise 50/50 cash raffle for Sunday,
2 September 21st, 2025, from between the hours of 1 p.m.
3 and 6 p.m. Motion, please.

4 COMMISSIONER EVANS: Move it.

5 COMMISSIONER TUCCI: Second.

6 MADAM CLERK: Commissioner Evans.

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Tucci.

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Scarpelli.

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Kelly.

13 MAYOR KELLY: Aye.

14 MADAM CLERK: That's it for communications,
15 Mayor.

16 MAYOR KELLY: Thank you. And we have a
17 proclamation on for this evening. Before I read the
18 proclamation, Commissioner Petracco is not here
19 tonight. He's dealing with an issue -- his father has
20 a health issue that he's dealing with. But he did ask
21 me to relay a message in that he has been inspired by
22 the faith of the new pope and that come this time next
23 year, he will be revisiting the proclamation.

24 So without further ado, whereas, our nation
25 was founded on the principle of equal rights for all

1 people, the fulfillment of this nation's promise has
2 been long in coming for many Americans. Some of the
3 most inspiring moments in our history have risen from
4 various civil rights movements that have brought one
5 group after another from the margins to the mainstream
6 of American society.

7 Whereas, Nutley Board of Commissioners
8 welcomes and encourages diversity and inclusion within
9 our community, everyone should be able to live without
10 fear of prejudice, discrimination, violence, and hatred
11 based on race, religion, gender identity, or sexual
12 orientation.

13 Whereas, on June 28th, 2025, marks the 56th
14 anniversary of the Stonewall uprising in New York City.
15 It is the historic turning point where the lesbian,
16 gay, bisexual, transgender, queer/questioning, and plus
17 (LGBTQ+) citizens rose up and fought against the
18 discriminator which sparked the gay rights movement;
19 and whereas, in the movement towards civil rights for
20 LGBTQ+ people, celebrations have taken place around the
21 country every June to commemorate Pride Month and to
22 recognize the advancement of the LGBTQ+ community.

23 Whereas, celebrating Pride Month does raise
24 awareness and provide support and advocacy for the
25 LGBTQ+ community and is an opportunity to become

1 educated, engage in dialogue, strengthen alliances, and
2 build understanding. While there has certainly been
3 remarkable progress towards acceptance and equality,
4 members of the LGBTQ+ community still continue to face
5 insensitivity, discrimination, and intolerance.

6 Whereas, we must commit to support and accept
7 LGBTQ+ individuals, in particular our youth, who
8 compared to their peers are more likely to experience
9 violence and bullying at school, suffer from
10 depression, struggle with substance use, and have
11 attempted suicide.

12 Now, therefore, be it proclaimed, by the
13 Nutley Board of Commissioners in the Township of
14 Nutley, County of Essex, State of New Jersey hereby
15 proclaim and recognize the month of June as lesbian,
16 gay, bisexual, transgender, queer/questioning, and plus
17 (LGBTQ+) Pride Month. And we urge all residents to
18 actively promote the principles of equality and
19 liberty, and we remind the LGBTQ+ community that they
20 are loved and cherished and seen for who they are,
21 deserving of dignity, respect, and support throughout
22 our town.

23 At this time, I'll invite the commissioners
24 to offer their comments on the proclamation, starting
25 with Commissioner Evans.

1 COMMISSIONER EVANS: Sure. Since the
2 beginning of doing this proclamation, I have gladly
3 signed it, and I will continue to do so. It is my
4 hope, truly my hope, that we can continue to grow in
5 spirit and in mind and body with the expectation that
6 you can look at people for who they are without
7 actually having to label them.

8 I grew up in my professional career. I was
9 very fortunate to work with some very remarkable
10 people, and it was on occasion that you became aware
11 of, maybe, their orientation or some aspect of their
12 personal life. But what you always knew about them
13 was, and what you looked for was, were they genuine?
14 Were they truly delivering their very best? Did they
15 have a good heart, right? Did they care? Were they
16 passionate? And I truly hope that the continued
17 recognition of this proclamation, as well as other
18 things that create labels, will one day we'll grow
19 above that. So I gladly support this.

20 MAYOR KELLY: Thank you, Commissioner.
21 Commissioner Tucci.

22 COMMISSIONER TUCCI: Yes. Thank you, Mayor.
23 I've long been a believer that everyone should live and
24 love and live in the skin that they choose, all right,
25 for their entire lives. And that we should respect

1 everyone and that everyone should have the dignity and
2 the same opportunities that everyone has. It's not
3 just for some people. It's for all people. So I'm
4 very proud to be part of this proclamation, as I have
5 been from the beginning.

6 MAYOR KELLY: Thank you.

7 Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Thank you, Mayor.
9 You know, I think this proclamation is very important
10 because it sends a message that Nutley is a welcoming
11 community, that we accept everybody, and that everyone
12 should not be discriminated against for any reason.
13 And I was very proud to -- as mayor, to introduce and
14 bring this proclamation to the table. And we will
15 continue to support this. So I appreciate that, Mayor.

16 MAYOR KELLY: Thank you, Commissioner. And
17 I'm proud to continue this proclamation. It's a
18 testament to Nutley that we're welcoming to everyone,
19 regardless of who you are, where you come from, or what
20 you've done in life. And it shows that Nutley rises
21 above the political atmosphere in Washington.

22 It doesn't matter which way the headwinds are
23 blowing. We do what's right, and what's right is
24 welcoming everyone regardless of their background. And
25 I -- it -- I hope, as everyone said here this evening,

1 that this is a tradition that continues and grows here
2 in Nutley. And at this time, we have Angelica from
3 Nutley Pride, who will offer a few words for us.

4 MS. MIDOLO: Is this on, or I have to -- I
5 can just talk --

6 MADAM CLERK: It's on.

7 MS. MIDOLO: -- it's fine with me.

8 Hello. Thank you for having us. I'm
9 Angelica. I'm with Nutley Pride. I just have a few
10 words, and then we'll carry on.

11 Hi, friends, family, allies, and the
12 incredible LGBTQ+ community of Nutley. Happy Pride
13 Month. My name's Angelica Midolo. I'm the executive
14 director of Nutley Pride. It's an honor to be here
15 today to celebrate Pride Month. Thank you,
16 Commissioner Evans, Commissioner Scarpelli,
17 Commissioner Tucci, and Mayor Kelly, for being here
18 today and standing with Nutley Pride and the LGBTQ+
19 community here in Nutley.

20 It is with immense joy and profound sense of
21 gratitude that I stand before you today, here in our
22 wonderful town of Nutley as we celebrate Pride. This
23 isn't just a month on a calendar. It's a vibrant,
24 living testament to who we are, where we've come from,
25 and where we're going, right here in our community.

1 This Nutley Pride, our pride, is a grassroots
2 effort. It's built on the foundation of empathy and
3 acceptance from every corner of our town. It's powered
4 by courageous voices of those who stepped out and the
5 unwavering support of our allies who stand behind us.
6 To our local businesses who have proudly displayed
7 rainbows, opened their doors to our community, thank
8 you for making Nutley a more welcoming place.

9 To our community leaders who have championed
10 inclusivity, recognize the importance of Pride Month
11 throughout proclamations, and support your allies.
12 This is vital to us.

13 To the families who have embraced the --
14 their LGBTQ+ loved ones with unconditional love, you're
15 building the foundation of a truly inclusive Nutley.
16 And to every single person here today, whether you
17 identify as LGBTQ+ or you're an ally, thank you for
18 showing up. Thank you for making our presence known,
19 for fostering a space where we can all feel safe, seen,
20 and celebrated. This unity isn't just about sharing a
21 joyous day. It's about strengthening the fabric of our
22 town, demonstrating that diversity truly makes us
23 stronger.

24 As we celebrate the progress we've made and
25 the vibrant community we've built here in Nutley, let

1 us also remember that Pride has its roots in protest.
2 It began with a fight for our dignity and human rights.
3 While we have much to be proud of, the fight for full
4 equality and protection continues for many within our
5 community, especially our transgender siblings and
6 people of color. Let the spirit of our unity we feel
7 today inspire us to extend our reach to advocate for
8 justice and compassion wherever it's needed. This is a
9 defiant roar in the face of every bigot, every
10 legislator, and every self-proclaimed moral guardian
11 who thinks they can erase us.

12 They talk about love is love, and we agree,
13 but let's be brutally honest, sometimes love has to
14 throw a damn punch. Because while we're here
15 celebrating our hard-won joy, there are forces actively
16 trying to drag us back to the Dark Ages, one hateful,
17 discriminatory bill at a time. They think that they
18 can legislate us out of existence. They think a piece
19 of paper can nullify our love, our identities, and our
20 very souls. They clearly haven't met us. We've been
21 here, we're queer, and we're used to fighting for our
22 joy. They can pass all the hateful laws they want, but
23 they can't legislate away our resilience, our power,
24 and our sheer undeniable fabulousness. Their fuel --
25 their fear is our fuel.

1 So let's keep marching, keep dancing, and
2 keep raising hell. Let's register voters, support our
3 allies, and hold adversaries accountable until they
4 choke on their bigotry. Let's remember that Pride
5 isn't just a party, it's a protest. It's a promise to
6 every young queer person out there that they are seen,
7 they are loved, and they have a future. A future we
8 will fight tooth and nail to secure.

9 Now go forth, be audacious, and never let
10 anyone dim your sparkle. In fact, make it brighter
11 just to spite them. Happy Pride and let the revolution
12 continue.

13 MAYOR KELLY: At this time, we would like to
14 invite Angelica and the members of Nutley Pride, and
15 any allies who wish to come up, and take a photo with
16 the proclamation to come forward.

17 (Pause)

18 MAYOR KELLY: Okay. Moving on. We have
19 reports, and I see we have a Public Works report from
20 DPW.

21 COMMISSIONER SCARPELLI: Yes, Mayor. I have
22 various reports for April -- March, April, and May.

23 MAYOR KELLY: Great. Thank you.

24 And bills, Madam Clerk.

25 MADAM CLERK: Yes, Mayor. Thank you. Bill

1 list for June 17, 2025:

2 Public Affairs, \$159,021.41. Revenue and
3 Finance, \$4,035,936.21. Public Safety, \$251,097.47.
4 Public Works, \$154,861.98. Parks and Public Property,
5 \$271,428.99. Water and Sewer Utility, \$386,436.52.

6 Payroll as of June 6, 2025. Regular payroll
7 total, \$1,032,680.85. Overtime payroll total,
8 \$69,403.43. Total payroll, \$1,102,084.28. For a grand
9 total of \$6,360,866.66.

10 COMMISSIONER EVANS: Move the bills.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Tucci.

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

17 MADAM CLERK: Commissioner Scarpelli.

18 COMMISSIONER SCARPELLI: Aye.

19 MADAM CLERK: Mayor Kelly.

20 MAYOR KELLY: Aye.

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

22 MAYOR KELLY: Thank you, Madam Clerk.

23 At this time, we'll move to public comment on
24 agenda items only. This is public comment on agenda
25 items only. Those who wish to be heard may approach

1 the microphone and state your name for agenda items
2 only.

3 Before we get to that, I do want to invite
4 Eugene Diaz from ON3 to speak on two of our agenda
5 items, two redevelopment plans that we're going to be
6 introducing this evening.

7 MR. DIAZ: Thank you, Mayor.

8 I'm Eugene Diaz with Prism Capital Partners.
9 We're the owners of the former Hoffmann-La Roche
10 campus, now known as ON3.

11 We purchased the campus almost nine years ago
12 in October of '16, and I think we've accomplished some
13 really, truly amazing things, rejuvenating the former
14 campus, bringing in wonderful things like a medical
15 school, Quest Diagnostics Laboratory, some NIH-funded
16 research institutions in the campus, Eisai
17 Pharmaceuticals headquarters, Ralph Lauren. And it's
18 amazing what gets accomplished when, together, private
19 capital investment and the public and local leaders
20 work together for the common good.

21 Now, there's been an awful lot out there
22 recently regarding a warehouse application for 275
23 Kingsland Street, which was adjourned several weeks ago
24 at the planning board meeting. And I'm here to tell
25 you today that that will be adjourned again tomorrow,

1 with the actions that your commissioners are taking
2 tonight in approving two new redevelopment plans to
3 help guide the remaining redevelopment of the ON3
4 campus in Nutley to a more amicable and mutually
5 agreeable end of uses and densities in both standards.
6 So my thanks and gratitude, quite frankly, to your --
7 your commissioners and their consultants, who over the
8 last two weeks I think worked way past midnight on
9 many, many nights, resolving and resolving an awful lot
10 of major issues and questions and concerns. And I feel
11 at the end of the day, what we're going to end up here
12 with ON3 and in Nutley is going to be the best of what
13 can be accomplished with private capital and
14 development and vision for a future of -- of this
15 campus.

16 So the warehouse application will ultimately
17 be dismissed and withdrawn, but there are several other
18 actions that are following on from this that will
19 happen over the next sort of 30- and 60-day period of
20 time that I am fully in belief that your governing body
21 will continue their efforts to move this along in the
22 appropriate fashion.

23 So we look forward to withdrawing that
24 application ultimately and proceeding with development
25 of new uses for these sites. I'll let -- leave it up

1 to the commissioners to tell you what some of those
2 uses would be, but they -- suffice it to say, they
3 won't have that kind of truck and traffic impact that
4 so frightened everybody. And likewise, we're happy to
5 continue developing the campus in this smart growth
6 fashion with appropriate uses that I think ultimately
7 you, the public, are going to support because I believe
8 your commissioners are fully and squarely behind it.

9 So Commissioners, again, thank you so much
10 for you and your -- your consultants. You've worked
11 really hard, tirelessly. We appreciate the effort. We
12 appreciate the cooperation. We're happy to have worked
13 side-by-side, again, for the common good, to see this
14 great campus and great engine of productivity and --
15 and -- and -- and growth and -- and financial reward
16 through (audio interference) move forward.

17 MAYOR KELLY: Thank you, Mr. Diaz.

18 And we have our redevelopment counsel here,
19 Mr. Josh Zielinski. Do you want to expand on any of
20 the proposed plans?

21 MR. ZIELINSKI: Sure. First of all, thank
22 you to Mr. Diaz for coming in and providing that
23 information for the commissioners and for the public.

24 With respect to the Kingsland site, the
25 redevelopment plan contemplates a data center being

1 placed on that site. With respect to the innovation
2 center, the redevelopment plan contemplates medical
3 research facilities and offices on that site as well.
4 So it is a -- a definite plus and benefit and bonus to
5 the citizens in the community of Nutley.

6 MAYOR KELLY: Thank you, Mr. Zielinski.

7 Do the commissioners have any comments they
8 want to add?

9 COMMISSIONER EVANS: Sure --

10 MAYOR KELLY: Do you want to start?

11 COMMISSIONER EVANS: So, you know, a couple
12 of things. It hasn't been easy getting to this point,
13 but it has been a process that we've had to go through
14 to get to what we have desired, I believe, since we
15 started this, is to have a future-oriented technology
16 life science-based campus that will promote the
17 economic growth of the community, restore the lost
18 rateables that occurred with the divestiture of
19 Hoffmann-La Roche, and do it in a way that makes sense
20 for the community.

21 So I'm very pleased. I'm very excited about
22 the fact that we will have a innovation center that
23 will contribute to the brand, not only of the company
24 that will be there, but also, I think, contribute to
25 the brand of the campus, which, Gene, I know you've

1 been focused in on and we've been focused in on, is
2 that whatever we do there needs to add to the brand of
3 the community and create many opportunities, be it
4 through jobs or accessibility.

5 You know, one of the first things that you
6 can see on the campus in the design of the campus is
7 that it's no longer gated. It's open. And you can
8 see, and you can actually drive through it, and you can
9 see what's going on. I think much has to be done. I'm
10 fully committed to making sure that we achieve the
11 potential that we have laid out. So I'm looking
12 forward to this.

13 MAYOR KELLY: Thank you, Commissioner.
14 Commissioner Tucci?

15 COMMISSIONER TUCCI: Yes. This day has been
16 a long time coming. And I think we can all agree on
17 that. All right? And this has been a long road that
18 we traveled. All right? But I believe with the
19 actions that are taking place on both sides, all right,
20 the continuation of the redevelopment of that site will
21 continue to be nothing but remarkable.

22 And, Gene, I want to congratulate you and
23 your team for everything you've done to date. And I
24 want you to know that we stand ready to help in any way
25 that we can. So congratulations.

1 MAYOR KELLY: Thank you, Commissioner.

2 Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: First, I'd like to
4 congratulate Mr. Diaz and Mr. Cohen on what they've
5 done with the campus thus far. It really is a -- you
6 know, the premier innovation hub within New Jersey and
7 the metropolitan area. And with our actions over the
8 next two weeks, it will further that life science
9 campus. And I think congratulations goes to our team
10 and to Mr. Diaz's team in moving this forward. And,
11 you know, it sometimes -- you have some obstacles that
12 you have to overcome. But when everybody puts
13 everything aside and goes for the common good, and the
14 good of this Township, and the good of Mr. Diaz and his
15 development, that's what counts. And that's where we
16 are right now. So let's move forward and good times
17 ahead.

18 MAYOR KELLY: Thank you, Commissioner.

19 And I do also want to thank you for coming
20 and congratulate you. I want to congratulate the rest
21 of the board because, as you said, this was a nine-year
22 process. This predates my time on the board. And this
23 was a all-hands-on-deck effort for almost a decade. So
24 congratulations to the rest of the board. You know,
25 this is a rotating seat. Everyone pretty much gets to

1 sit up here. I just happen to be sitting in this seat
2 right now. But this has been undoubtedly a team effort
3 by everyone involved, Mr. Zielinski, John Inglesino,
4 ON3, and all the commissioners, including my
5 predecessor, Commissioner Rogers.

6 I do want to say one thing to the public,
7 though, because from my seat in the last planning board
8 meeting, the public wanted to be able to have an
9 opportunity to voice, you know, whether they have a
10 concern, they approve the plan, or if they're
11 indifferent to it. Those opportunities are coming.
12 We're introducing these plans tonight for a public
13 hearing on July 1st, at our July 1st board commission
14 meetings here in this chamber and on -- at 7 p.m.
15 There will be a consistency review before the planning
16 board tomorrow evening -- Mr. Diaz alluded to that --
17 here in this chamber at 7 p.m. as well. These are your
18 opportunities so that you can voice your concerns or
19 praise of the plan or indifference to it. Whatever you
20 want, this -- that's your opportunity to come and voice
21 what you need to say.

22 This isn't something that we're doing just
23 completely behind closed doors, because we can't.
24 It -- by law, we have to allow you to have your say in
25 everything, but that's going to be coming up in a very

1 fast-moving pace within the next two to three weeks.
2 So mark your calendars. There will be a number of
3 opportunities for you to raise your concern.

4 COMMISSIONER SCARPELLI: Mayor, just one
5 more. Just for the public's benefit, when we talk
6 about redevelopment plan, these are not plans like some
7 people think of, like blueprints. These are just the
8 zoning for those sites and the possible uses on those
9 sites. So I don't want anybody to think there's some
10 plan that they can open up and look at. It's a Word
11 document. So --

12 MAYOR KELLY: Yes, thank you. That's a very
13 good distinction. It's -- yeah. It's just more like a
14 plan of ideas of what can go there, and so we're going
15 to make sure that it can be consistent with, yeah, the
16 master plan of the town and consistent with the -- our
17 values here in Nutley, which I believe it is.

18 So we -- as I said earlier, we do have public
19 comment on agenda items only, so anyone else wishing to
20 be heard on any other agenda items this evening, now is
21 your opportunity to approach the microphone and state
22 your name for the record.

23 Seeing none, we'll have Board of Commissioner
24 announcements. Commissioner Evans?

1 COMMISSIONER EVANS: I have nothing this
2 evening.

3 MAYOR KELLY: Commissioner Tucci?

4 COMMISSIONER TUCCI: Yes. Just one
5 announcement. On Thursday, the 26th, we will be
6 holding our Summer Festival on Franklin Avenue once
7 again, and that will run from six o'clock in the
8 evening to ten o'clock. It's been an outstanding
9 event, and we welcome everyone to come.

10 Gene, if you and your team are available,
11 please come down and enjoy the festivities.

12 MAYOR KELLY: Thank you, Commissioner.
13 Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Just last week
15 started our farmers' market. It will run every Sunday.
16 Our new location is on Booth Drive right next to the
17 beautiful Park Oval and close to Franklin Avenue. So
18 we will welcome everybody to come on down and visit our
19 market.

20 MAYOR KELLY: Thank you, Commissioner.

21 And, I mean, I'll announce this at the next
22 meeting as well, but we have our 249th celebration of
23 the Declaration of Independence on the 4th of July this
24 year. It's going to be Friday. Fireworks,
25 festivities, everyone is welcome. Everyone's invited.

1 Please be sure to get there early to get a good spot to
2 watch the fireworks. It'll be a great show for
3 everyone.

4 And now we'll move on to the ordinance
5 introductions, starting with the two items we just
6 spoke about. Ordinance Number 3589. This is an
7 ordinance to adopt the Roche Southside of Kingsland
8 Street Redevelopment Plan. This ordinance creates an
9 overlay zone for the redevelopment of property
10 identified as Block 2000, Lots 1, 4, and 5; and Block
11 2100, Lot 1, which properties were part of the former
12 Hoffmann-La Roche campus so that the property can be
13 redeveloped into a data center or other use identified
14 in the redevelopment plan.

15 I move that this ordinance be passed to a
16 second reading and advertised in the Nutley Sun
17 together with notice required by law and that further
18 consideration of said ordinance for final passage by
19 the Board of Commissioners be held at its second
20 reading on July 1st, 2025. 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: Mayor Kelly.

4 MAYOR KELLY: Aye.

5 And just a point of clarification, I'm
6 reading both of these on behalf of the entire Board of
7 Commissioners. It's not just me.

8 The second one, Number 3590. This is an
9 ordinance adopting the Roche Innovation Center
10 Redevelopment Plan. This ordinance creates an overlay
11 zone for the redevelopment of the property identified
12 as Block 102, Lot 2; and Block 200, Lots 1, 2, 3, 4, 5,
13 6, and 24, which properties were part of the former
14 Hoffmann-La Roche campus so that the property can be
15 redeveloped into a -- these both say into a data
16 center.

17 MADAM CLERK: No. This was changed.

18 MAYOR KELLY: I don't have a -- I'll
19 (indiscernible). Okay. I have a old copy. Bear with
20 me.

21 Okay. Ordinance Number 3590 reads an
22 ordinance adopting the Roche Innovation Center
23 Redevelopment Plan. This ordinance creates an overlay
24 zone for the redevelopment of property identified as
25 Block 102, Lot 2; and Block 200, Lots 1, 2, 3, 4, 5, 6,

1 and 24, which properties were part of the former
2 Hoffmann-La Roche campus so that the property can be
3 redeveloped into medical offices and practices, et
4 cetera, as identified in the redevelopment plan.

5 I move that this ordinance be passed to a
6 second reading and advertised in the Nutley Sun
7 together with the notice required by law, and further
8 consideration of said ordinance for final passage by
9 the Board of Commissioners shall be held on its second
10 reading on July 1st, 2025. So move.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: Commissioner Evans.

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Tucci.

15 COMMISSIONER TUCCI: Before I vote, I just
16 also want to recognize our Township attorney for all
17 the hard work that he put into this project and this
18 plan in bringing us to this point, and also Derek Orth
19 of the Inglesino firm.

20 I vote aye.

21 MADAM CLERK: Commissioner Scarpelli.

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Mayor Kelly.

24 MAYOR KELLY: Aye.

25 Where are we at? Commissioner Evans, I think

1 we have the budget on for this evening.

2 COMMISSIONER EVANS: Yeah.

3 MAYOR KELLY: Busy night.

4 COMMISSIONER EVANS: We're finally getting to
5 the interesting part of the meeting.

6 MAYOR KELLY: Sorry. Gene Diaz and Josh, do
7 you guys want to take the time to leave? Unless you
8 guys want to stay and hear the rest of the exciting
9 meeting.

10 MR. DIAZ: We don't want to appear
11 (indiscernible), and we'll see you tomorrow night at
12 the planning board meeting.

13 MAYOR KELLY: Great.

14 MR. DIAZ: (Indiscernible).

15 MAYOR KELLY: Yes. Thank you. Thank you for
16 coming. Thank you for coming, Josh.

17 COMMISSIONER EVANS: So we have a couple of
18 things to do tonight. We will be adopting our budget
19 tonight. It's the 17th of June, and this is the
20 operating budget for the year 2025, which began in
21 January. We have been operating under temporary
22 resolutions and authorizations to keep the government
23 going. So we have a couple of things to do tonight.
24 One is I have Resolution Number 155-25, which is a
25 capital budget amendment.

1 This budget amendment includes a forecast of
2 potential improvements that will need to be made to the
3 water infrastructure of the municipality, which is a
4 new requirement by the State of New Jersey. So in
5 order to adopt, we have to include a forecast. This is
6 not a binding commitment of spending. It's simply an
7 identification of potential or possible areas of
8 improvement at some point in the future. And
9 generally, this looks out over a forward five-year
10 period.

11 So whereas, the capital budget for 2025 was
12 approved on the first day of April.

13 Whereas, it has been determined that said
14 capital budget must be amended.

15 Now, therefore, be it resolved by the Board
16 of Commissioners of the Township of Nutley, County of
17 Essex. The following amendments to the capital budget
18 are made for 2025 -- for the year 2025, as well as the
19 six-year projected period from 2025 to 2030 for the
20 items listed in the resolution. So move.

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: Mayor Kelly.

4 MAYOR KELLY: Aye.

5 COMMISSIONER EVANS: My next resolution is a
6 budget amendment. When we introduced the budget back
7 in July, we were continuing to see what we can do to
8 lower the municipal tax increase. As you know, the --
9 your tax bill is comprised of the school, the county,
10 the municipality, as well as the library and something
11 called county open spaces are all part of that -- of
12 your property tax bill. This amendment includes an
13 item of revenue for \$300,000, which addresses the cost
14 of crossing guards in the municipality, which, as a
15 result of this, will reduce the municipal portion of
16 the tax increase by \$30 per average household.

17 We need a public hearing on this.

18 MAYOR KELLY: Sure. So at this time, I'll
19 open the public hearing on this budget amendment.
20 Anyone wishing to be heard on the budget amendment,
21 please approach the microphone and state your name for
22 the record, please.

23 COMMISSIONER EVANS: Move to close.

24 COMMISSIONER TUCCI: 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: Mayor Kelly.

7 MAYOR KELLY: Aye.

8 COMMISSIONER EVANS: Move the ordinance.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner Evans.

11 COMMISSIONER EVANS: And move the amendment.

12 Yeah. Aye.

13 MADAM CLERK: Commissioner Tucci.

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Scarpelli.

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Mayor Kelly.

18 MAYOR KELLY: Aye.

19 COMMISSIONER EVANS: The next is simple.

20 We -- I do have a condensed presentation for the
21 budget, which will be up on our website in an updated
22 fashion. We will also be updating it for our
23 comparative analysis for the budgets, for the average
24 property tax in the county, and for the towns that we

1 are comparable to. So we will have that out as those
2 budgets are all approved and adopted.

3 At this point in time, the school portion of
4 the bill is locked in. This -- our budget, while it's
5 being adopted tonight, needs to be certified by the
6 county, which they will do. We're still waiting for
7 the county to amend, to have their budget certified, so
8 we don't know what the actual combined property tax
9 increase will be at this point in time.

10 We introduced our budget as a \$141 increase,
11 \$18 of which is for the library. The -- having the
12 amendment that we just approved for \$30 will reduce the
13 143 down to \$113, of which the municipal share is \$93.
14 I do have pending is requests from the state for some
15 additional funding. And while that's still pending --
16 and I spoke to them today, that's still pending -- we
17 won't know whether or not we'll be receiving anything
18 out of the state budget until somewhere around the 29th
19 of June, which is too late for us to hold our budget.
20 So we have to adopt. The emergency authorizations have
21 expired, so tonight we're required to adopt.

22 So with that, be it resolved by the Board of
23 Commissioners of the Township of Nutley, County of
24 Essex that the budget is hereby set forth shall be
25 adopted and shall constitute the appropriation for the

1 purposes of the stated sums that are in the budget, and
2 authorization of those amounts as amended with the
3 \$300,000 change in it. So move.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Evans.

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci.

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Scarpelli.

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Kelly.

12 MAYOR KELLY: So the \$93 is essentially a
13 \$7.75 per month increase for -- per the average
14 household?

15 COMMISSIONER EVANS: Yes. From the municipal
16 standpoint, it's under ten bucks a month.

17 MAYOR KELLY: That's great. That's amazing.
18 Aye.

19 COMMISSIONER EVANS: It's not an I thing,
20 it's a we thing, because I have to put it all together
21 based upon what -- everything you guys give me. So,
22 you know, it's together, so, you know, it's together.

23 MAYOR KELLY: Right. So it's \$1.25 per
24 commissioner.

25 COMMISSIONER EVANS: Yeah. Yeah. Yeah. So

1 if you wanted to, you could say public affairs is less
2 than a cup of coffee.

3 MAYOR KELLY: Right. Or the increase.

4 COMMISSIONER EVANS: Yeah. Exactly.

5 COMMISSIONER TUCCI: (Indiscernible).

6 COMMISSIONER SCARPELLI: Still
7 (indiscernible).

8 COMMISSIONER EVANS: Well, hey look, he's not
9 here.

10 MAYOR KELLY: All right.

11 COMMISSIONER EVANS: All right.

12 MAYOR KELLY: Thank you, Commissioner. And
13 we'll move on to resolutions. And you want to just
14 continue?

15 COMMISSIONER EVANS: Yes. I have several.
16 My next resolution is the certification of the
17 governing body for compliance with the United States
18 Equal Employment Opportunity Commission's enforcement
19 guidance and consideration of the arrest and conviction
20 records in employment decisions under Title VII of the
21 Civil Rights Act of 1964. We are compliant, and this
22 resolution is necessary because it has to accompany our
23 budget to the State in order for the State to certify
24 our authorization for our budget each year.

1 So now, therefore, be it resolved by the
2 Board of Commissioners, the Township of Nutley, hereby
3 states that it has complied with the N.J.S.A. 40A:4-5
4 and amended by P.L. 2017, c.183 by certifying that the
5 local United States hiring practice has complied with
6 the above-referenced enforcement guidance and hereby
7 directs the clerk to cause to be maintained and
8 available for inspection, a certified copy of this
9 resolution and the required affidavit to show evidence
10 of said compliance. So move.

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: Mayor Kelly.

19 MAYOR KELLY: Aye.

20 COMMISSIONER EVANS: My next resolution, just
21 for clarification, it's read on behalf of the Board of
22 Commissioners.

23 Whereas, PB Nutclif pursued a first appeal
24 against the Township before the Essex County
25 Construction Board of Appeals alleging certain invoices

1 were improperly charged against PB Nutclif's escrow
2 accounts, which by order of the Board adopted on
3 March 22nd, 2022, resulted in the Board affirming their
4 appeal in the amount of \$127,608.31.

5 Whereas, on November 16th, 2021, PB Nutclif
6 pursued a separate and second appeal against the
7 Township before the Board, alleging that invoices were
8 improperly charged against the PB Nutclif escrow
9 accounts, totaling \$52,418.81. In addition to those at
10 issue in the first appeal, the Township accepted the
11 decision of the Board finding in favor of PB Nutclif on
12 the first appeal less a disputed sum of \$60,865,015 --
13 \$65.15, and has acknowledged the second appeal.

14 Whereas, the Township and PB Nutclif have
15 engaged in settlement discussions regarding the first
16 appeal, second appeal, and disputed sum have resulted
17 in an agreement to resolve the differences between
18 them.

19 Whereas, pursuant to that agreement, the
20 Township has agreed to, one, terminate the escrow
21 agreements for Phase IIB, III, and IIA, refund PB
22 Nutclif \$177,966.71 for the appeals, which it includes
23 \$141,893 in disputed amounts, plus the remaining
24 balance in all three escrow accounts of \$36,303 --
25 \$103.19. Funds are available in account 4-01-226-205,

1 4-01-02-205 [sic], T-15-909-918, T-15-912-921, T-15-
2 912-920, which has been certified by the Chief
3 Financial Officer. Said certification attached to this
4 resolution.

5 Now, therefore, be it resolved by the Board
6 of Commissioners of the Township of Nutley and the
7 mayor, that the mayor and the clerk are hereby
8 authorized to execute a settlement document in the form
9 acceptable to the Township attorney, which shall
10 include, among other terms of payment, to PB Nutclif in
11 the total amount of \$177,966.71.

12 Be it further resolved that the Chief
13 Financial Officer is hereby authorized to issue refunds
14 to PB Nutclif as set forth herein.

15 What's important about this resolution is the
16 dispute actually. It wasn't necessarily whether or not
17 the charge was appropriate. It's a question of whether
18 or not it was chargeable under the existing escrow
19 agreements. Now that we are moving forward, we will
20 produce -- generate new escrow agreements, which a
21 certain of these amounts will be recoverable under
22 those agreements. So it's just timing -- a lot of
23 headache and a lot of timing.

24 Be it resolved -- and my next resolution be
25 it resolved, by the Commissioner of the Township of

1 Nutley, in the County of Essex, New Jersey, that the
2 Treasurer is hereby authorized to refund \$537.60 for
3 Lot 5601, Lot 1. So move.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Evans.

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci.

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Scarpelli.

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Kelly.

12 MAYOR KELLY: Aye.

13 MADAM CLERK: We're going to have to
14 backtrack and vote on --

15 COMMISSIONER EVANS: Did I do that? Or did I
16 skip it?

17 MADAM CLERK: No, we skipped that one.

18 COMMISSIONER EVANS: Okay.

19 MADAM CLERK: So let's take a vote. Okay?

20 COMMISSIONER EVANS: Okay.

21 MADAM CLERK: So 144-25.

22 COMMISSIONER EVANS: So 144-25 so move.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner Evans.

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Tucci.

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Scarpelli.

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Kelly.

6 MAYOR KELLY: Aye.

7 MADAM CLERK: Thank you.

8 COMMISSIONER EVANS: I still wanted to
9 explain that it was timing. I forgot to vote on it.

10 So anyway, the next one. Whereas, on
11 December 9th, 2024, the Township of Nutley Board of
12 Commissioners awarded a contract to the law firm of
13 Iacullo, Martino, Reinitz, located at 247 Franklin
14 Avenue, for services of an attorney concerning
15 municipal tax appeals in the Township.

16 Whereas, the firm has closed their office in
17 Nutley on August 31st, 2024.

18 Whereas, Steve Martino, who was the attorney
19 from the firm working on the tax appeals, moved to the
20 PEM Law firm in West Orange and continued to perform
21 the required tax appeal work in accordance with
22 Resolution 323-23, dated May 20th, 2023. Funds are
23 available in Account 4-01-204-205 to pay the remaining
24 balance for the work performed from September 1, 2024,

1 through December 31st, 2024, in the amount of \$4,862
2 and has been certified by the Chief Financial Officer.

3 Now, therefore, be it resolved by the Board
4 of Commissioners that the Treasurer is authorized to
5 pay PEM Law firm the remaining balance of \$4,862 to
6 fulfill the work performed by Mr. Steve Martino,
7 Esquire, ascribed in Resolution 323-23. So move.

8 COMMISSIONER TUCCI: 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: Mayor Kelly.

16 MAYOR KELLY: (No audible response).

17 COMMISSIONER EVANS: My next two resolutions
18 address our veterans, and these are resolutions that I
19 have gladly read on behalf of the Board with the full
20 board support.

21 These two resolutions grant full tax
22 exemption under Statute 54:4-3-30, which provides that
23 a service veteran who was honorably discharged from
24 active service in a time of war and in any branch of
25 the armed services who has been or shall be declared by

1 the United States Veterans Administration to be
2 100 percent totally and permanently disabled connected
3 to their wartime service, they're granted a full tax
4 exemption of their dwelling and the lot in which it's
5 situated.

6 The taxpayer in the first -- and veteran in
7 this first application has met all of those
8 requirements. And so there -- now, therefore, be it
9 resolved by the Board of Commissioners of the Township
10 of Nutley that a veteran covered under Daniel's Law, as
11 a result details of this individual are kept
12 confidential, be granted full exemption from payment of
13 property taxes from May 30, 2025, and all subsequent
14 years thereafter on the property identified on the
15 application submitted to the Tax Assessor's Office.

16 Be it further resolved that the Treasurer is
17 hereby authorized to refund an amount of \$1,142.66 for
18 2025 property taxes.

19 I will read the second one, and we can vote
20 both of them together. The same applies for the second
21 veteran under the same conditions of Statute 54:4-3.30.

22 Now, therefore, be it resolved by the Board
23 of Commissioners of the Township of Nutley, County of
24 Essex that Mary Rowe be granted full exemption of the
25 payment of property taxes from June 2nd, 2025, and all

1 subsequent years for the property identified as Block
2 4700, Lot 29, known as 70 Mountainview Avenue. Mary
3 had -- has provided us with full documentation
4 supporting her full exemption as required by the United
5 States Veterans Administration.

6 Be it further resolved that the Treasurer is
7 hereby authorized to refund \$1,191.96 for 2025 property
8 taxes. I move Resolutions 149-25 and 150-25. So move.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner Evans.

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Tucci.

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Scarpelli.

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Mayor Kelly.

17 MAYOR KELLY: Aye.

18 COMMISSIONER EVANS: My next one is a change
19 in our custodian of our petty cash account, which is
20 \$650, recognizing that Kathy Rempusheski, who has been
21 our custodian and is our qualified purchasing agent,
22 will be retiring this summer.

23 Whereas, in accordance with N.J.S.A. 40:5-21,
24 the Township of Nutley is changing custodian to Jaime
25 Ardizzzone.

1 COMMISSIONER TUCCI: Ardizzone.

2 COMMISSIONER EVANS: Ardizzone. Thank you
3 for that. And whereas, Jaime is bonded from June 17th,
4 2025, through December 31st, 2025;

5 Now, therefore, be it resolved by the -- that
6 the Township of Nutley, County of Essex, hereby
7 authorizes such action and two copies of this
8 resolution be filed with the Division of Local
9 Governmental Services, New Jersey Department of
10 Community Affairs for approval. So move.

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: Mayor Kelly?

19 MAYOR KELLY: Aye.

20 COMMISSIONER EVANS: Only two more.

21 My next resolution is administrative as part
22 of the budget and required by the -- by statute is to
23 move certain balances around to a combined account that
24 relate to the prior year. So be it resolved by the
25 Board of Commissioners of the Township of Nutley,

1 County of Essex, New Jersey, that in accordance with
2 the statutory provision of R.S. 40A:4-59, following
3 transfers of 2024 appropriation reserves being the same
4 are hereby authorized from the accounts listed herein
5 to the Capital Improvement Fund for a total amount of
6 \$2 million. So move.

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: Mayor Kelly.

15 MAYOR KELLY: Aye.

16 COMMISSIONER EVANS: My last resolution is
17 whereas, 40A:15-16 permits the use of a procurement
18 card by local units for specific circumstances to be
19 used for certain payments, whereas the statute permits
20 the municipality to adopt policies that permit
21 specifically named employees to P-Cards for the
22 acquisition of goods and services under certain
23 circumstances that are set forth in the statute.

24 Whereas, Commissioner of Revenue and Finance
25 recommends the establishment of the procurement card

1 program with Valley Bank, a well-established provider
2 of this service, consistent with the above statute to
3 gain further efficiency and advance procurement best
4 practices and internal controls.

5 Whereas, all transactions must comply with
6 local public contract law, N.J.S.A. 40A:11-1, et al.,
7 and the use of the P-Card will not change or eliminate
8 any provisions of that law.

9 Whereas, the Chief Financial Officer, along
10 with a qualified purchasing agent, will be responsible
11 for the administration of the program consistent with
12 the P-Card statute and local public contract law; and

13 Whereas, consistent with recommendations
14 contained herein, the Township desires to establish the
15 procurement card program with Valley Bank with a
16 maximum allowable limit of \$5,000 with an annual fee of
17 \$75.

18 Now, therefore, be it resolved by the
19 Township of Nutley, County of Essex, the State of New
20 Jersey does hereby authorize the Mayor and Municipal
21 Clerk to execute all necessary documents to secure a P-
22 Card from Valley Bank in order to establish a
23 procurement card program consistent with N.J.A.C. 5:30-
24 9A and N.J.S.A. 40A:5-15. So move.

25 COMMISSIONER TUCCI: Second.

1 MADAM CLERK: Commissioner Evans.

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Tucci.

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Scarpelli.

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Mayor Kelly.

8 MAYOR KELLY: Aye.

9 COMMISSIONER EVANS: Thank you, Mayor.

10 MAYOR KELLY: Thank you, Commissioner.

11 Commissioner Tucci.

12 COMMISSIONER TUCCI: Thank you.

13 Whereas, the Township of Nutley, pursuant to
14 N.J.S.A. 52:34-6-2:c139, made by resolution and without
15 advertising for bids, purchase goods or services using
16 a New Jersey Cooperative Purchasing Alliance that has
17 been developed utilizing a competitive bidding process
18 by another contracting unit within the State of New
19 Jersey when available; and

20 Whereas, the Township of Nutley Department of
21 Parks and Public Property intends to add lighting to
22 Glotzbach Park Girls' Softball Field; and

23 Whereas, Musco Sports Lighting LLC, 100 1st
24 Avenue West, P.O. Box 808, Oskaloosa, Iowa, has
25 provided a quote in the amount of \$355,000; and

1 Whereas, the cost of the design, permitting,
2 and construction of the improvements for Glotzbach
3 Field Girls' Softball Field will be supported by the
4 Green Acres Urban Parks Grant fiscal year '25 for the
5 entirety of the project cost.

6 Now, therefore, be it resolved by the Board
7 of Commissioners of the Township of Nutley, County of
8 Essex, State of New Jersey that a contract for lighting
9 of Glotzbach Park Girls' Softball Field be awarded to
10 Musco Sports Lighting from Oskaloosa, Iowa in the
11 amount of \$355,000. I move resolution.

12 COMMISSIONER EVANS: Second.

13 MADAM CLERK: Commissioner Evans.

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Tucci.

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Scarpelli.

18 COMMISSIONER SCARPELLI: Aye.

19 MADAM CLERK: Mayor Kelly.

20 MAYOR KELLY: Aye.

21 COMMISSIONER TUCCI: Whereas, the Township of
22 Nutley pursuant to N.J.S.A. 40A:11-11 made by
23 resolution and without advertising for bids, purchase
24 goods, or services under an approved county cooperative
25 purchasing program.

1 And, whereas, the Township of Nutley is a
2 member of the Bergen County Purchasing Cooperative
3 Pricing System.

4 And, whereas, the Bergen County Purchasing
5 Cooperative has awarded a contract to Keystone Sports
6 Construction, 1100 Schell Lane, Suite 104,
7 Phoenixville, PA for synthetic turf maintenance,
8 repair, and replacement services via the Bergen County
9 resolution; and

10 Whereas, Keystone Sports Construction of the
11 same address has provided a quote in the amount of
12 \$848,981; and

13 Whereas, the cost of the design, permitting,
14 and construction of the improvements for Monsignor
15 Owens Field will be supported by the New Jersey
16 Department of Environmental Protection Green Acres
17 Program, again, for the entirety of the project cost;
18 and

19 Whereas, the Township of Nutley has allocated
20 the following funds to support the project, the Green
21 Acres Urban Parks Grant Fiscal Year '25 Grant in the
22 amount of 848,981.

23 Now, therefore, be it resolved by the Board
24 of Commissioners of the Township of Nutley, County of
25 Essex, State of New Jersey that a contract for the

1 upgrade of the Girls' Softball Field at Father
2 Glotzbach Park be awarded to Keystone Sports
3 Construction of Phoenixville, PA. I move the
4 resolution.

5 COMMISSIONER EVANS: Second.

6 MADAM CLERK: Commissioner Evans.

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Tucci.

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Scarpelli.

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Mayor Kelly.

13 MAYOR KELLY: Aye.

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

16 MAYOR KELLY: Thank you, Commissioner.
17 Commissioner Scarpelli.

18 COMMISSIONER SCARPELLI: Mayor, if you want
19 me to do Commissioner Petracco's after mine, I will.

20 MAYOR KELLY: Yes. I would ask that. Thank
21 you.

22 COMMISSIONER SCARPELLI: All right.

23 Whereas, bids for NJDOT 2022 Chestnut Street
24 Roadway Improvement Project, Franklin Avenue to

1 Whitford Avenue were received and opened on Wednesday,
2 June 29th, 2022.

3 And, whereas, DLS Contracting, 36 Montesano
4 Road was the low bidder; and

5 Whereas, the base bid for NJDOT 2022 Chestnut
6 Street Roadway Improvement Project was in the amount of
7 \$614,652.50 for a total bid amount of \$614,652.50; and

8 Whereas, Change Order Number 1 was authorized
9 by Resolution Number 246-23 for a total increase amount
10 of \$46,052.45 for a total contract amount of
11 \$660,704.95; and

12 Whereas, Change Number 2 has been authorized
13 for a decrease in the amount of \$15,079.60 for a total
14 contract amount of \$645,625.35.

15 Now, therefore, be it resolved by the Board
16 of Commissioners, Township of Nutley, County of Essex,
17 State of New Jersey that Change Order Number 2 as
18 attached is a change from the contract previously made
19 by the Township of Nutley with DLS Contracting for the
20 project known as NJDOT 2022 Chestnut Street Roadway
21 Improvement Project and are hereby authorized and
22 approved. I move the resolution.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner Evans.

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commissioner Tucci.

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Scarpelli.

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Mayor Kelly.

6 MAYOR KELLY: Aye.

7 COMMISSIONER SCARPELLI: Whereas, the Nutley
8 Fire Department currently owns the following TNT
9 extraction tools as listed; and

10 Whereas, said equipment is no longer needed
11 by the Nutley Fire Department and therefore pursuant to
12 N.J.S.A. 48-11 the Township desires to donate said
13 equipment to the Passaic County Public Safety/Passaic
14 County Community College.

15 Now, therefore, be it resolved by the Board
16 of Commissioners, Township of Nutley, County of Essex,
17 State of New Jersey that the Township is authorized to
18 donate the aforementioned equipment to the Passaic
19 County Public Safety/Passaic County Community College
20 effective immediately. I move the resolution.

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: Mayor Kelly.

4 MAYOR KELLY: Aye.

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

7 MAYOR KELLY: Thank you. I have a couple on
8 for this evening.

9 Resolution Number 143-25. Whereas, the
10 Department of Treasury Division of Taxation provided
11 tax clearance certificates for said licensees are
12 qualified to be licensed in accordance to all standards
13 established by New Jersey Statutes Annotated Title 33
14 and regulations promulgated thereunder, as well as
15 current and local ordinances and conditions consistent
16 with Title 33 for the establishment listed -- for the
17 establishments listed below for this renewal period.

18 Whereas, these establishments have been
19 inspected by the Board of Health, Fire Department, Code
20 Enforcement, and the Police Department of the Township
21 of Nutley and are in satisfactory condition.

22 And therefore, be it resolved by the Board of
23 Commissioners, Township of Nutley, County of Essex,
24 State of New Jersey that the renewal of the Plenary
25 Retail Consumption License, the Plenary Retail

1 Distribution License, and Club License to be granted to
2 the following licensees effective July 1st through
3 June 30th, 2026.

4 Be it further resolved that the municipal
5 clerk is hereby authorized to sign and issue said
6 license certificates for the licensing period of
7 July 1st, 2025, through June 30th, 2026. So moved.

8 COMMISSIONER TUCCI: 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: Mayor Kelly.

16 MAYOR KELLY: Aye.

17 This next one is to reappoint Meredith Blank
18 as the municipal registrar of the Township of Nutley.
19 Meredith Blank does far more than just -- is just a
20 register, and her dedication to the Township is
21 unmatched, and she's a great asset to the town, and so
22 I'm proudly moving this resolution.

23 Be it resolved by the Board of Commissioners
24 of the Township of Nutley, County of Essex, State New
25 Jersey, that Meredith Blank be reappointed certified

1 municipal registrar for the Township of Nutley for a
2 three-year term effective May 13th, 2025, through
3 May 13th, 2028. So moved.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Evans.

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci.

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Scarpelli.

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Kelly.

12 MAYOR KELLY: Aye.

13 And we have -- and I forgot to mention this
14 in my announcements, but this Thursday is Juneteenth,
15 and we will be having our town's Juneteenth celebration
16 at The Oakley from 4 to 8 p.m. this Thursday,
17 Juneteenth. It doesn't conflict with the high school
18 graduation since that's been moved to 10 a.m. on
19 June 19th, so everyone is invited, and all are welcome
20 to our Juneteenth celebration this Thursday at 4 p.m.
21 at The Oakley.

22 Whereas, Juneteenth or Juneteenth
23 Independence Day commemorates the traditional
24 observance of the end of slavery in the United States
25 and is observed annually on June 19th.

1 Whereas, President Abraham Lincoln declared
2 that, "In giving freedom to the slave, we assure
3 freedom to the free. Honorable alike in what we give
4 and what we preserve. We shall nobly save or meanly
5 lose the last best hope on earth;" and

6 Whereas, on January 1st, 1863, President
7 Lincoln issued the Emancipation Proclamation declaring
8 that "all persons held as slaves within any state or
9 designated part of a state, the people whereof shall
10 then be in rebellion against the United States, shall
11 then be thenceforward forever free."

12 Whereas, President Lincoln correctly believed
13 that slavery to be a violation of the principles of the
14 Declaration of Independence and that its abolition
15 represented a new birth of freedom for the United
16 States.

17 Whereas, more than two years were passed
18 before the news reached African Americans living in
19 Texas.

20 Whereas, on June 19th, 1865, Union Major
21 General Gordon Granger and his regiment arrived in
22 Galveston and spread the word that slavery had been
23 abolished.

24 Whereas, the following year, the first
25 official Juneteenth celebrations took place in Texas

1 and have continued across the United States throughout
2 the years.

3 Whereas, in 1979 Texas became the first state
4 to make Juneteenth an official holiday. Several others
5 followed suit over the years. In June 2021, Congress
6 passed a resolution establishing Juneteenth as a
7 federal holiday. President Biden signed it into law on
8 June 17th, 2021.

9 Whereas, Juneteenth is an important
10 opportunity to honor the principles of the Declaration
11 of Independence and celebrate the achievements and
12 contributions that African Americans have made and
13 continue to make across our country.

14 Now, therefore, it be resolved that the Board
15 of Commissioners of the Township of Nutley, County of
16 Essex, State of New Jersey, and ask the community to
17 join them in recognizing and celebrating Juneteenth on
18 June 19th, 2025. So moved.

19 COMMISSIONER TUCCI: 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: Mayor Kelly.

2 MAYOR KELLY: Aye.

3 Whereas, 4th of July, also known as
4 Independence Day, is a national holiday celebrated
5 annually commemorating the adoption of the Declaration
6 of Independence.

7 Whereas the Township of Nutley in observance
8 of Independence Day will be hosting 4t of
9 July festivities, a fireworks display on or about
10 Thursday -- or this should be Friday, July 4th, 2025.

11 Whereas, Garden State Fireworks, P.O. Box
12 403, Carlton Road, Millington, New Jersey 07946 is the
13 vendor performing the fireworks activities for the
14 Township of Nutley.

15 Now, therefore, be it resolved by the Board
16 of Commissioners, Township of Nutley, County of Essex,
17 State of New Jersey, that the Township authorizes and
18 discharges the use of fireworks by its vendor on or
19 about July 4th, 2025, with a rain date for the next
20 clear night. 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: Mayor Kelly.

4 MAYOR KELLY: Aye.

5 This is to recognize June as -- or June 18th
6 as Autistic Pride Day, which is tomorrow.

7 Whereas, June 18th is Autistic Pride Day.
8 This is a day dedicated to celebrating the full
9 identity, value, and dignity of autistic people.

10 Whereas, for Autistic Pride Day 2025, the
11 theme is simple, powerful, and uncompromising:
12 Unapologetically Autistic.

13 Whereas, this important awareness day
14 highlights the value of autistic individuals and the
15 integral members of the society, encouraging
16 acceptance, understanding, and empowerment.

17 Whereas, raising awareness and acceptance
18 about autism is essential in promoting early diagnosis,
19 intervention, access to appropriate resources, and
20 support.

21 Whereas, creating an inclusive and supportive
22 environment for individuals with autism involves
23 promoting understanding, empathy, and acceptance within
24 schools, workplaces, homes, organizations, and
25 communities.

1 Whereas, Autistic Pride Day challenges
2 stereotypes and promotes the idea that autistic
3 individuals have unique strengths and perspectives
4 worth celebrating. Nutley's Rise Beyond Committee aims
5 to do just that by providing not only autistic
6 individuals but all individuals with special needs
7 meaningful employment.

8 Whereas, collaboration among schools,
9 families, businesses, and the broader community is
10 essential to enhancing acceptance and understanding
11 autism and to further -- and also -- to also further
12 inclusive practices that provide economic stability and
13 benefit one's overall health and well-being.

14 Whereas, the Mayor and Board of Commissioners
15 recognizes the ongoing efforts required to advance
16 autism acceptance and awareness, contributing to the
17 creation of a more compassionate and inclusive
18 community.

19 Now, therefore, it be resolved that the Board
20 of Commissioners, Township of Nutley County, County of
21 Essex, State of New Jersey ask the community to join
22 them in recognizing and celebrating Autistic Pride Day
23 on June 18th, 2025. So moved.

24 COMMISSIONER TUCCI: 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: Mayor Kelly.

7 MAYOR KELLY: Aye.

8 Whereas raffle applications have been
9 received from the following organizations, Nutley
10 Clifton Hockey Club and Rotary Club of Nutley. Both --
11 one's Nutley Clifton Hockey Club off-premise
12 Merchandise Raffle on Wednesday, November 26th, 2025,
13 and Rotary Club on-premises 50/50 Cash Raffle Sunday,
14 September 21st, 2025.

15 These applications have been reviewed and
16 approved by the Municipal Clerk and Police Department.

17 Now, therefore, be it resolved by the Board
18 of Commissioners, Township of Nutley, County of Essex,
19 State of New Jersey that the aforementioned licenses
20 are hereby approved, and the Municipal Clerk is
21 authorized to issue said licenses. So moved.

22 COMMISSIONER TUCCI: Second.

23 MADAM CLERK: Commissioner Evans.

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Tucci.

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Scarpelli.

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Mayor Kelly.

5 MAYOR KELLY: Aye.

6 At this time, we'll open up the meeting to
7 the public. Anyone wishing to be heard on anything
8 that they wish to address the Board of Commissioners
9 with, please approach the microphone and state your
10 name for the record. This is anyone who wishes to be
11 heard on any item before the Board of Commissioners,
12 please approach the microphone and state your name for
13 the record.

14 MR. WHITE: It's far away. Hi. My name is
15 Mark White (phonetic). I have this little proposal.
16 I've never done one of these before, so I'm totally
17 green. I have this --

18 COMMISSIONER EVANS: Just speak up.

19 MR. WHITE: Okay. I'll take the mic. Can I
20 just pass this out, please.

21 MADAM CLERK: I'll take them. Thank you.

22 MR. WHITE: Okay. Good evening. If I could
23 have a couple minutes of your time. I've prepared a
24 small proposal to discuss adding bike lanes to certain
25 major streets in Nutley.

1 Thank you. I've been a Nutley resident for
2 about three years now, and I can honestly say that I
3 love this town. Coming from New York, I can say that
4 this has been one of the best moves of my life. Like a
5 lot of people relocating from urban areas, I was drawn
6 to Nutley's accessibility, small town feel, and how
7 close everything is to home. That is exactly why I put
8 this proposal together to build on what already makes
9 Nutley great.

10 As you will see, this is a phased plan for
11 adding designated bike lanes on a few key streets that
12 would serve both current residents and future growth.
13 It is designed not only for people like myself who use
14 an electric scooter locally, but also for the growing
15 number of high school students we see biking to school,
16 to Clifton Commons, and to Franklin Avenue. By adding
17 safe, dedicated bike lanes, we give people, especially
18 our younger residents, safer ways to move around town
19 without adding to traffic congestion.

20 It is also a way to modernize Nutley's
21 infrastructure in a way that reflects how more people
22 are already choosing to travel. The streets I have
23 included here, like Franklin Avenue, Center Street, and
24 Washington Avenue, were chosen because they are already
25 popular routes. I believe with some proper maintenance

1 and a few smart upgrades, they can safely support both
2 cars and cyclists and parking and all micromobility
3 devices.

4 My hope this evening is to get this on your
5 radar and to start the conversation about what might be
6 possible. That's it.

7 MAYOR KELLY: Thank you. And I don't believe
8 for a second that you're a rookie at this, because this
9 is very well done. This is very good.

10 Commissioner Scarpelli, did you want to --

11 COMMISSIONER SCARPELLI: The only thing,
12 Mark, is a couple of streets that you identified are
13 county roads. So that --

14 MR. WHITE: What does that mean?

15 COMMISSIONER SCARPELLI: That means that they
16 are owned and maintained by the County of Essex.
17 They're not maintained by the -- or owned by the
18 municipality. So it's like Center Street, Franklin
19 Avenue. So that requires us to go through the county.
20 So that's the only challenge that I see there. And
21 Washington Avenue, although we maintain, is part of the
22 state highway. So there's some things -- there's some
23 challenges with the roads you've chosen. That's all
24 I'll say.

25 MR. WHITE: Okay. Okay.

1 MAYOR KELLY: But don't be discouraged.

2 COMMISSIONER SCARPELLI: Yeah. Just pointing
3 that out.

4 MAYOR KELLY: Yeah. This is New Jersey, so
5 nothing's simple. But, yeah, this is something we'll
6 definitely take a look at and review. And is your
7 contact information on here?

8 MR. WHITE: Yeah. It should be on the last
9 page in the back.

10 MAYOR KELLY: Okay. Great. So we'll be in
11 touch.

12 MR. WHITE: And I can email this to anybody
13 here if they want to see it.

14 MAYOR KELLY: Yeah.

15 COMMISSIONER SCARPELLI: Please.

16 MAYOR KELLY: Yeah.

17 COMMISSIONER SCARPELLI: Give it to the
18 municipal clerk.

19 MADAM CLERK: Yes. You can email it to me.

20 MAYOR KELLY: Okay. Yes. That's --

21 MR. WHITE: I can get your contact, I guess,
22 after?

23 MADAM CLERK: Sure. She'll give it to you.

24 MR. WHITE: All right.

1 MAYOR KELLY: Do either of you want to --
2 okay.

3 MADAM CLERK: Thank you.

4 MR. WHITE: Thank you.

5 MAYOR KELLY: Does anyone else wish to
6 address the Board of Commissioners this evening?

7 Seeing none. Mr. Bruno, I think we have a
8 need for an executive session this evening.

9 MR. BRUNO: Yes, Mayor. We do have a need to
10 go into closed session to discuss contract
11 negotiations.

12 MAYOR KELLY: Thank you. I'll entertain a
13 motion to go into executive session.

14 COMMISSIONER TUCCI: Move it.

15 COMMISSIONER EVANS: Second.

16 MADAM CLERK: Whereas Section 8 of the Open
17 Public Meeting Act, Chapter 231, Public Law 1975,
18 permits the exclusion of the public from meeting in
19 certain circumstances; and

20 Whereas, the public body is of the opinion
21 that such circumstances exist; and

22 Whereas, the Board of Commissioners of the
23 Township of Nutley in the County of Essex and State of
24 New Jersey desires to proceed to closed executive
25 session; and

1 Now, therefore, be it resolved that the Board
2 of Commissioners of the Township of Nutley move into
3 closed executive session to discuss contract
4 negotiations.

5 Is that it, Counsel?

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

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: Mayor Kelly.

21 MAYOR KELLY: Aye.

22 And we won't be conducting any further
23 business this evening. Our next meeting will be
24 Tuesday, July 1st, 2025, here in the commission
25 chambers at 7 p.m.

1 I'll entertain a motion to adjourn the
2 public's portion of the meeting.

3 COMMISSIONER EVANS: Move it.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Evans.

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci.

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Scarpelli.

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Mayor Kelly.

12 MAYOR KELLY: Aye.

13 MADAM CLERK: And the time is now 8:20.

14 (Recording ends)

15 * * * * *

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

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

21 
22

23 _____
24 ALICIA JARRETT, AAERT NO. 428

DATE: July 16, 2025