

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

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*Transcript of Proceedings*  
*July 15, 2025*

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*Min-U-Script®*

1 TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

2 ONE KENNEDY DRIVE

3 3RD FLOOR COMMISSION CHAMBERS

4 NUTLEY, NEW JERSEY 07110

5  
6 \*\*\* PUBLIC SESSION \*\*\*

7  
8 DATE: JULY 15, 2025

9  
10 BOARD OF COMMISSIONERS:

11 JOHN V. KELLY, III, MAYOR

12 THOMAS J. EVANS, DEPUTY MAYOR

13 JOSEPH P. SCARPELLI, COMMISSIONER

14 MAURO G. TUCCI, COMMISSIONER

15 ALPHONSE PETRACCO, COMMISSIONER

16  
17 Also Present:

18 JONATHAN BRUNO, TOWNSHIP ATTORNEY

1 (Recording begins)

2 (Pledge of Allegiance)

3 DEPUTY MAYOR EVANS: First thing I want to  
4 acknowledge is that the mayor is actually online,  
5 Zooming in from some secret place somewhere in the  
6 United States.

7 Welcome, John.

8 MAYOR KELLY: Thank you.

9 DEPUTY MAYOR EVANS: Also, I appreciate the  
10 fact that you like to have the seat up high, too.  
11 Okay.

12 This looks -- Madam Clerk, can you read the  
13 notice?

14 MADAM CLERK: Yes. Thank you.

15 Board of Commissioners Public Meeting Agenda  
16 for Tuesday, July 15, 2025. The time is now 7:08.

17 Pursuant to the requirements of the Open  
18 Public Meeting Act (Chapter 231, P.L. 1975), notice of  
19 this meeting was published in the November 21st, 2024,  
20 issues of the Nutley Sun, The Herald News, and The  
21 Star-Ledger. A copy of this notice has been posted on  
22 the Nutley Town Hall Bulletin Board, and a copy is on  
23 file in the Municipal Clerk's Office.

24 Commissioner Evans.

25 DEPUTY MAYOR EVANS: Here.

1 MADAM CLERK: Commissioner Tucci.

2 COMMISSIONER TUCCI: Here.

3 MADAM CLERK: Commissioner Scarpelli.

4 COMMISSIONER SCARPELLI: Here.

5 MADAM CLERK: Commissioner Petracco.

6 (No audible response)

7 MADAM CLERK: Mayor Kelly.

8 MAYOR KELLY: Present.

9 DEPUTY MAYOR EVANS: There are no minutes or  
10 executive minutes tonight. Communications?

11 MADAM CLERK: Thank you. The Van Riper House  
12 has submitted an event -- an event and social affair  
13 permit application for a Beer Festival on  
14 September 6th, 2025, between 2 p.m. and 6 p.m., at the  
15 Van Riper House, on 491 River Road. Motion, please?

16 COMMISSIONER SCARPELLI: Move it.

17 COMMISSIONER TUCCI: Second.

18 MADAM CLERK: Commissioner Evans?

19 DEPUTY MAYOR 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 (No audible response)

1                   MADAM CLERK:   Mayor Kelly?

2                   MAYOR KELLY:   Aye.

3                   DEPUTY MAYOR EVANS:   Mayor, we have a  
4 proclamation tonight. Do you have any comment on it,  
5 or do you want me to read it?

6                   MAYOR KELLY:   It -- it's in honor of Jeanne  
7 Sylvester, a number of years of dedicated service to  
8 the Township upon her retirement. We just wanted to do  
9 something to honor her dedication to the Township, and  
10 so, without further ado, Deputy Mayor, if you want to  
11 read it.

12                  DEPUTY MAYOR EVANS:   Thank you. Whereas, the  
13 Township of Nutley Board of Commissioners and the  
14 Nutley Public Library Board of Trustees wish to  
15 recognize the outstanding career and retirement of  
16 Jeanne Sylvester, who will retire August 1st, 2025,  
17 after 24 years of dedicated service; and

18                  Whereas, Jeanne Sylvester received her  
19 Professional Librarian's Certificate from the State of  
20 New Jersey Department of Education on June 28th, 2000,  
21 began her career at the Nutley Public Library on  
22 February 20th, 2001, and was promoted to a supervisory  
23 role on June 2nd, 2007;

24                  Whereas, her -- during her tenure, Jeanne  
25 provided outstanding leadership and guidance to the

1 Circulation and Interlibrary Loan Departments, earning  
2 respect of all of her colleagues and cultivating a  
3 spirit of collaboration, professionalism, and public  
4 service;

5           Whereas, Jeanne has been a driving force in  
6 bringing the enriching programs to the Nutley  
7 community, including adult lectures, concerts, and  
8 craft workshops, and has thoughtfully curated the  
9 Library's Adult Fiction and Media collections to serve  
10 readers of all interests;

11           Whereas, Jeanne played an integral role in  
12 planning and executing the Nutley Public Library's  
13 Centennial Celebration in 2014, helping to honor and  
14 showcase the library's rich history and its lasting  
15 impact on the community;

16           Whereas, Jeanne is a passionate advocate for  
17 literacy and lifelong learning, a valued member of  
18 several BCCLS committees, and a true believer in the  
19 mission of public libraries to educate, inspire, and  
20 connect with their communities;

21           Whereas, she has demonstrated extraordinary  
22 commitment to the Friends of the Library, generously  
23 donating proceeds from her handcrafted jewelry and  
24 crafts to support Nutley -- support library initiatives  
25 and dedicating personal time to volunteer causes;

1           Whereas, her excellence in librarianship was  
2       recognized when she was honored with the Librarian of  
3       the Year Award at the Golden Apple Awards in 2019 [sic]  
4       by the New York City Chapter of Romance Writers of  
5       America;

6           Whereas, Jeanne's deep appreciation for the  
7       Nutley community and its support of the library and its  
8       staff has been evident throughout her career, she has  
9       often expressed gratitude for working alongside a  
10      dedicated team of professionals and serving patrons who  
11      truly value their public library;

12           Now, therefore, be it proclaimed that the  
13      Township of Nutley Board of Commissioners and the  
14      Nutley Public Library Board of Trustees do hereby  
15      commend and congratulate Jeanne Sylvester for her 24  
16      years of exemplary service to the library and the  
17      Nutley community and extend their best wishes for a  
18      joyful and well-deserved retirement.

19           Would anyone else like to make a comment on  
20      this?   Okay.

21           COMMISSIONER SCARPELLI:   Just wish her good  
22      luck, good health on her retirement.   Thank her for her  
23      24 years of service to our community.

24           DEPUTY MAYOR EVANS:   Thank you.

25           Anyone else?

1 COMMISSIONER PETRACCO: Sure.

2 I'd just like to say great job,  
3 congratulations, and -- exactly, good health in your  
4 retirement.

5 COMMISSIONER TUCCI: Yes. I'd just like to  
6 say thank you for your -- your years of service, and  
7 congratulations on your retirement.

8 DEPUTY MAYOR EVANS: And -- and, for me, as  
9 with all, congratulation, and enjoy this next  
10 adventure.

11 Let's move on to reports. I have a Code  
12 Enforcement Report for the month of May for the  
13 Department of Revenue and Finance.

14 Commissioner?

15 COMMISSIONER TUCCI: Yes. I have a Shade  
16 Tree Report for the month of June 2025.

17 DEPUTY MAYOR EVANS: Bills?

18 MADAM CLERK: Thank you. Bill List for  
19 July 15, 2025: Public Affairs, \$223,470.22; Revenue  
20 and Finance, \$4,731,495.36; Public Safety, \$128,572.05;  
21 Public Works, \$128,976.38; Parks and Public Property,  
22 \$243,079.71; Water and Sewer Utility, \$392,052.84.

23 Payroll Sheet as of July 3rd, 2025: regular  
24 payroll total, \$1,078,546.98; overtime payroll total,  
25 \$61,122.01; total payroll, \$1,139,668.99; for a grand



1 total of \$6,987,315.55.

2 DEPUTY MAYOR EVANS: Move the bills.

3 COMMISSIONER PETRACCO: Second.

4 MADAM CLERK: Commissioner Evans?

5 DEPUTY MAYOR EVANS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye, with the exception  
8 of Item Number 2500890, which I abstain on.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 (No audible response)

13 MADAM CLERK: Mayor Kelly?

14 MAYOR KELLY: Aye.

15 MADAM CLERK: And that's it for bills.

16 DEPUTY MAYOR EVANS: Thank you. We're going  
17 to have a need to step into executive, but before we do  
18 that, would anyone wish to comment on the -- any of the  
19 agenda items? Only on agenda items.

20 Eleni, do you need to read the -- read the  
21 notice?

22 MADAM CLERK: Yes. We need a -- I'm sorry,  
23 Mayor.

24 DEPUTY MAYOR EVANS: No. I just -- the public  
25 comment on agenda items, Eleni, do you need to read a

1 notice for that?

2 Okay. Go on. Seeing no one, any Board of  
3 Commissioner announcements?

4 Commissioner Tucci?

5 COMMISSIONER TUCCI: Not at this time.

6 COMMISSIONER PETRACCO: None here, Mayor.

7 DEPUTY MAYOR EVANS: Mayor, any  
8 announcements?

9 MAYOR KELLY: None from me at this time.

10 DEPUTY MAYOR EVANS: Okay. And none for me.

11 At this time, we're going to need to go into  
12 an executive session of the Board --

13 MR. BRUNO: Yes, Deputy Mayor. We need to go  
14 into closed session to discuss litigation.

15 DEPUTY MAYOR EVANS: All right.

16 MADAM CLERK: Need a motion, please.

17 COMMISSIONER SCARPELLI: Move it.

18 COMMISSIONER PETRACCO: Move it.

19 MADAM CLERK: Whereas, Section 8 of the Open  
20 Public Meeting Act (Chapter 231, P.L. 1975), permits  
21 the exclusion of the public from meetings in certain  
22 circumstances; and

23 Whereas, the public is of the opinion that  
24 such circumstance exists; and

25 Whereas, the Board of Commissioners of the

1 Township of Nutley in the County of Essex in the State  
2 of New Jersey desires to proceed to closed executive  
3 session; and

4 Now, therefore, be it resolved by the Board  
5 of Commissioners of the Township of Nutley move into  
6 closed executive session to discuss litigation. Be it  
7 for the result that, at the time when such discussion  
8 may be disclosed to the public, shall be when such  
9 disclosure may be made without adversely affecting the  
10 Township of Nutley, pending and/or anticipated legal,  
11 personnel, contractual matters, and other matters  
12 within the exceptions provided for by statute. This  
13 resolution shall take effect immediately.

14 Commissioner Evans?

15 DEPUTY MAYOR 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: The time is now 7:16.

25 (Executive session held off the record)

1           MADAM CLERK:   Okay.   We are back on record,  
2   and the time is 8:08.

3           DEPUTY MAYOR EVANS:   Please.   Moving on to  
4   ordinance introductions, I have one tonight.   Is --  
5           John, are you there?

6           MAYOR KELLY:   I'm here.

7           DEPUTY MAYOR EVANS:   Good, all right.

8           Ordinance Number 3593, an ordinance providing  
9   for a 25.4 percent matching of funds associated with a  
10   Capital Improvement Grant for a playground suitable for  
11   special needs children in the Township of Nutley in the  
12   County of Essex, New Jersey, and making an  
13   appropriation of 137,000, therefore, from the Capital  
14   Improvement Fund of the Township.

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

21           So move.

22           COMMISSIONER TUCCI:   Second.

23           MADAM CLERK:   Commissioner Evans?

24           DEPUTY MAYOR EVANS:   Aye.

25           MADAM CLERK:   Commissioner Tucci?

1 COMMISSIONER TUCCI: Aye.

2 MADAM CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 MADAM CLERK: Mayor Kelly?

7 MAYOR KELLY: Aye.

8 DEPUTY MAYOR EVANS: The next ordinance is  
9 3596. Commissioner Tucci?

10 Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Do you want to do  
12 the first one? I'll do the second one.

13 COMMISSIONER TUCCI: Just --

14 COMMISSIONER SCARPELLI: I'll do the first  
15 one; you do the second one. All right.

16 This is Ordinance Number 3596, an ordinance  
17 to fix the salaries of certain officers and employees  
18 of the Township of Nutley, County of Essex, State of  
19 New Jersey, effective January 1st, 2025.

20 Be it ordained by the Board of Commissioners  
21 of the Township of Nutley in the County of Essex, New  
22 Jersey, as following and as listed.

23 I move this order to be passed to a second  
24 reading, advertised in the Nutley Sun, together with  
25 notice required by law, that further considerations of

1 said ordinance for final passage by the Board of  
2 Commissioners be held at its second reading on  
3 August 19th, 2025.

4 I move the ordinance.

5 COMMISSIONER TUCCI: Second.

6 MADAM CLERK: Commissioner Evans?

7 DEPUTY MAYOR EVANS: Aye.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Mayor Kelly?

15 MAYOR KELLY: Aye.

16 COMMISSIONER TUCCI: I guess I'm up, Deputy  
17 Mayor.

18 DEPUTY MAYOR EVANS: You are.

19 COMMISSIONER TUCCI: All right. This is an  
20 ordinance to fix the salaries of certain officers and  
21 employees of the Township of Nutley, County of Essex,  
22 State of New Jersey, effective January 1, 2025.

23 If -- I move that this ordinance be passed to  
24 a second reading and advertised in Nutley Sun, together  
25 with the notice required by law, that further

1 consideration of said ordinance for final passage by  
2 the Board of Commissioners be held at its second  
3 reading on -- August 19th?

4 MADAM CLERK: Yes.

5 COMMISSIONER TUCCI: 2025. I move the  
6 ordinance.

7 COMMISSIONER SCARPELLI: Second.

8 MADAM CLERK: Commissioner Evans?

9 DEPUTY MAYOR 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 DEPUTY MAYOR EVANS: And then we have  
19 reading -- ordinances that are on for tonight for  
20 second reading and public hearing.

21 Mayor, you have 3591. Do you want to do that  
22 one?

23 MAYOR KELLY: Could you read it? I don't  
24 have the -- the document in front of me.

25 DEPUTY MAYOR EVANS: Sure. Sure. This is

1 3591, an ordinance of the Board of Commissioners of the  
2 Township of Nutley, County of Essex, vacating a portion  
3 of Windsor Place.

4 Move to open the public hearing.

5 COMMISSIONER TUCCI: Second.

6 DEPUTY MAYOR EVANS: Do we need to vote on  
7 that, Eleni?

8 MADAM CLERK: Only to close the public  
9 hearing.

10 DEPUTY MAYOR EVANS: Okay. Only -- all  
11 right. Would anyone wishing to comment on this  
12 ordinance like to come to the podium?

13 COMMISSIONER TUCCI: Move to close the  
14 public hearing.

15 DEPUTY MAYOR EVANS: Second.

16 MADAM CLERK: Commissioner Evans?

17 DEPUTY MAYOR EVANS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 MADAM CLERK: Mayor Kelly?

25 MAYOR KELLY: Aye.



1           DEPUTY MAYOR EVANS: On behalf of the Board,  
2 move the ordinance.

3           COMMISSIONER TUCCI: Second.

4           MADAM CLERK: Commissioner Evans?

5           DEPUTY MAYOR EVANS: Aye.

6           MADAM CLERK: Commissioner Tucci?

7           COMMISSIONER TUCCI: Aye.

8           MADAM CLERK: Commissioner Scarpelli?

9           COMMISSIONER SCARPELLI: Aye.

10          MADAM CLERK: Commissioner Petracco?

11          COMMISSIONER PETRACCO: Aye.

12          MADAM CLERK: Mayor Kelly?

13          MAYOR KELLY: Aye.

14          DEPUTY MAYOR EVANS: Okay. Moving on to  
15 resolutions. I -- I see that --

16               Commissioner Scarpelli, you don't have any  
17 tonight?

18          COMMISSIONER SCARPELLI: None -- not on the  
19 agenda --

20          DEPUTY MAYOR EVANS: Okay.

21          COMMISSIONER SCARPELLI: -- (indiscernible),  
22 Deputy Mayor.

23          DEPUTY MAYOR EVANS: Commissioner Petracco ,  
24 do you have anything tonight?

25          COMMISSIONER PETRACCO: I don't -- have none,

1 Mr. Deputy Mayor.

2 DEPUTY MAYOR EVANS: None, none, none, none.

3 COMMISSIONER PETRACCO: None.

4 DEPUTY MAYOR EVANS: None.

5 COMMISSIONER PETRACCO: And I still came.

6 COMMISSIONER TUCCI: I have -- I have one,  
7 Deputy Mayor --

8 DEPUTY MAYOR EVANS: Okay.

9 COMMISSIONER TUCCI: -- for business tonight.

10 DEPUTY MAYOR EVANS: So, let's go to -- and,  
11 Mayor, you don't have any tonight, correct?

12 MAYOR KELLY: Correct.

13 DEPUTY MAYOR EVANS: Okay. So, Commissioner  
14 Tucci, would you like to read your one, your -- your  
15 lonely one?

16 COMMISSIONER TUCCI: I would love to. It's  
17 an outstanding one, I might add. Soon as I find it.  
18 No, no, no, no.

19 DEPUTY MAYOR EVANS: The last tab.

20 COMMISSIONER TUCCI: Whereas -- I have it  
21 here -- Department of Parks and Public Property  
22 determined, due to unforeseen circumstances, families  
23 had to cancel participation in programs offered; and  
24 Whereas, Department of Parks and Public  
25 Property has determined a need to refund families;

1           Now, therefore, be it resolved by the Board  
2 of Commissioners, Township of Nutley, County of Essex,  
3 State of New Jersey, that the Treasurer be and is  
4 hereby authorized to refund payments for recreation  
5 programs in the amounts listed below: for our  
6 neighbors at 373 Bloomfield Avenue for Camp Nutley for  
7 the Year 2025 in the amount of \$1,350, and also our  
8 neighbors at 104 Joerg Avenue for a football program,  
9 same year, in the amount of \$200.

10           I move the resolution.

11           DEPUTY MAYOR EVANS: Second.

12           MADAM CLERK: Commissioner Evans?

13           DEPUTY MAYOR 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           DEPUTY MAYOR EVANS: Thank you, Commissioner.

23           We have five resolutions to get through,  
24 so -- which are under my heading.

25           Mayor, with your permission, I'll read the

1 four ordinances -- the four resolutions that are on  
2 behalf of the Board.

3 MAYOR KELLY: Have fun.

4 DEPUTY MAYOR EVANS: Okay. Thank you.

5 So first resolution, be it resolved, by the  
6 Board of Commissioners of the Township of Nutley in the  
7 County of Essex, State of New Jersey, that the  
8 Treasurer is hereby authorized to refund overpayment of  
9 tax charges in the amount of \$4,559.22 for Blocks 7805,  
10 Lot 22, and Block 101, Lot 15.

11 So move.

12 COMMISSIONER TUCCI: Second.

13 MADAM CLERK: Commissioner Evans?

14 DEPUTY MAYOR EVANS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Mayor Kelly?

22 (No audible response)

23 DEPUTY MAYOR EVANS: Okay.

24 MAYOR KELLY: Sorry, I didn't realize I was  
25 on mute. Aye.

1           DEPUTY MAYOR EVANS:   Okay.   The next  
2   resolutions are -- all of them are being read on behalf  
3   of the entire Board, the first one, 88 -- 188-25.

4           It's a resolution designating PB Nutclif  
5   Master, LLC as redeveloper of the redevelopment area  
6   covered by the Roche Southside Kingsland Street  
7   Redevelopment Plan.

8           Whereas, the Board of Commissioners of the  
9   Township of Nutley identified certain properties in the  
10   Township designated as follows on the Tax Map of the  
11   Township:   Blocks 2000, Lots 1, 4, and 5; Block 2101,  
12   Lot 1, to be considered for designation as a  
13   condemnation area in need of redevelopment, pursuant to  
14   the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1;

15           Whereas, on March 18th, pursuant the  
16   Resolution 64 -- 67-14, the Board of Commissioners  
17   requested the Township Planning Board to conduct a  
18   preliminary investigation to determine if a study area  
19   satisfied the carry -- criteria for designation as a  
20   condemned area -- condemnation area in need of  
21   redevelopment pursuant to N.J.S.A. 40A:12A-5;

22           Whereas, Maser Consulting prepared an  
23   investigation of the study area for the Township dated  
24   February 5th, 2014;

25           On March 3rd, 2015, the Board of

1 Commissioners determined that the redevelopment area  
2 constitutes and meets the criteria under the LRHL to be  
3 designated as a condemnation area in need of a  
4 redevelopment, that the Redevelopment Area should be  
5 determined and declared a condemnation "area in  
6 redevelopment", and which determination, among other  
7 things, authorizes the Township to exercise the power  
8 of eminent domain to acquire all or a portion of such  
9 Redevelopment Area;

10           Whereas, the Township and PB Nutclif Master,  
11 LLC have entered into a settlement, which requires,  
12 among other things, the adoption of the Redevelopment  
13 Area --

14           We will, right? The settlement, right?

15           Whereas, FAR Planning has prepared for the  
16 Township a Redevelopment Plan, dated June 18th, 2025,  
17 entitled "Roche Southside Kingsland Street  
18 Redevelopment Plan", which provides development  
19 standards and uses for the Redevelopment Area;

20           Whereas, on July 1, 2025, the Board of  
21 Commissioners held a public hearing and voted to adopt  
22 Ordinance 3589, accepting and approving the Roche  
23 Southside Kingsland Street Redevelopment Plan;

24           Whereas, the Board of Commissioners has  
25 reviewed the submissions and qualifications of PB

1 Nutclif Master, LLC, and finds that PB Nutclif Master,  
2 LLC possesses the necessary resources and experience to  
3 redevelop the -- to -- to redevelop an area in  
4 accordance with the Redevelopment Plan;

5 Now, therefore, be it resolved by the Board  
6 of Commissioners of the Township of Nutley, County of  
7 Essex, New Jersey, as follows:

8 1. The foregoing recitals be and hereby are  
9 incorporated herein as if repeated at length; and

10 2. PB Nutclif Master be and hereby is  
11 designated the redeveloper of the redevelopment area  
12 covered by the Southside Kingsland Street Redevelopment  
13 Plan, subject to the subsequent approval and execution  
14 of the redevelopment agreement with the Township; and

15 3. The Township Administration and Township  
16 Attorney be and hereby are authorized to take any  
17 necessary and reasonable actions in furtherance of the  
18 same.

19 So move.

20 COMMISSIONER PETRACCO: Second.

21 DEPUTY MAYOR EVANS: Aye.

22 COMMISSIONER TUCCI: Aye.

23 COMMISSIONER SCARPELLI: Aye.

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Mayor Kelly?

1                   MAYOR KELLY:   Aye.

2                   DEPUTY MAYOR EVANS:   189-25 is a resolution  
3   authorizing the execution of a redevelopment  
4   agreement with PB Nutclif Master, LLC covering the  
5   Roche Innovation Center Redevelopment Plan.

6                   John, is it necessary that I read all of  
7   those recitals again?

8                   MAYOR KELLY:   No.

9                   DEPUTY MAYOR EVANS:   Okay.   Okay.

10                  COMMISSIONER TUCCI:   You can move it as  
11   written.

12                  DEPUTY MAYOR EVANS:   Yeah.   I think --

13                  COMMISSIONER PETRACCO:   Minutes  
14   (indiscernible) about that.

15                  DEPUTY MAYOR EVANS:   I'm going to -- what I'm  
16   going to do is I -- if it's okay, I'll read it -- read  
17   the "Now, therefore," and then -- and then we'll move.  
18   Okay?

19                  COMMISSIONER TUCCI:   Sounds like a plan.

20   DEPUTY MAYOR EVANS:   Okay.   So now,   therefore, be it  
21   resolved by the Board of Commissioners   of the Township of  
22   Nutley, County of Essex, New Jersey,   as follows:

23       1. The foregoing recitals be and hereby are   incorporated  
24   herein as if repeated at length;

25



1           2. The Mayor and/or his designee and the  
2 Township Clerk be and are -- hereby are authorized to  
3 execute and attest, respectively, a redevelopment  
4 agreement with PB Nutclif Master, LLC in a form  
5 acceptable to the counsel of the Township;

6           3. The Township Administration and the  
7 Township Attorney be and hereby are authorized to take  
8 all necessary and reasonable actions to effectuate the  
9 same.

10           So move.

11           COMMISSIONER PETRACCO: Second.

12           MADAM CLERK: Commissioner Evans?

13           DEPUTY MAYOR 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           DEPUTY MAYOR EVANS: 190-25 is a resolution  
23 reauthorizing the execution of a global settlement  
24 agreement with PB Nutclif Master, LLC.

25           Whereas, the Board of Commissioners of the

1 Township of Nutley is currently engaged in multiple  
2 litigations with PB Nutclif Master, LLC regarding the  
3 use and development of the ON3 Campus;

4           Whereas -- whereas, on or about June 3rd,  
5 2025, the Township adopted a resolution authorizing the  
6 execution of the global settlement agreement with PB  
7 Nutclif Master in -- in the same or similar form  
8 provided to the Board of Commissioners on or about  
9 June 2nd, 2025;

10           Whereas, the parties have made modifications  
11 to the proposed form of the settlement agreement and  
12 desire, for the avoidance of doubt, to reauthorize the  
13 execution of the settlement agreement;

14           Now, therefore, be it resolved by the Board  
15 of Commissioners of the Township of Nutley, County of  
16 Essex, New Jersey, as follows:

17           1. The foregoing recitals be and hereby are  
18 incorporated herein as if repeated at length;

19           2. The Mayor or his designee and Township  
20 Clerk be and hereby are authorized to execute a  
21 settlement agreement with PB Nutclif Master in a form  
22 and content acceptable to legal counsel for the  
23 Township; and

24           3. The Township Administration and legal  
25 counsel be and hereby are authorized to take all

1 necessary and reasonable actions to effectuate the  
2 same.

3 So move.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Commissioner Evans?

6 DEPUTY MAYOR EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Mayor Kelly?

14 DEPUTY MAYOR EVANS: The -- the last  
15 resolution --

16 MAYOR KELLY: Aye.

17 DEPUTY MAYOR EVANS: Thank you, John, and I'm  
18 sorry.

19 Resolution 191-25, a resolution of the Board  
20 of Commissioners determining that the application  
21 documents submitted by PB Nutclif Master in regard to  
22 the property located at 41-47, 44-50, and 54 Windsor  
23 Place, and identified as Block 102, Lot 2, and  
24 Block 200, Lots 1 through 6, and 24, are consistent  
25 with the redevelopment plan and the Township's Master

1 Plan.

2           Whereas, on or about July 1, the Board of  
3 Commissioners -- 2025, the Board of Commissioners of  
4 the Township of Nutley adopted a redevelopment plan  
5 entitled the "Roche Innovation Center Redevelopment  
6 Plan, Block 102, Lot 2; Block 200, Lots 1, 2, 3, 4, 5,  
7 6, and 24"; and

8           Whereas, pursuant to the plan, the  
9 redeveloper is required to submit, and the Township is  
10 required to review preliminary plans for the  
11 redevelopment project to evaluate whether said plans  
12 are consistent with the plan;

13           Whereas, on or about July 9th, 2025, PB  
14 Nutclif Master, LLC (the "Applicant") submitted the  
15 plans to the Township and requested a determination  
16 that same are consistent with the development standards  
17 and conditions set forth in the plan; and

18           Whereas, the submission consisted of the  
19 following: a letter from Meryl Gonchar, Esquire, dated  
20 July 9th, 2025, Preliminary and Final Major Site Plan,  
21 prepared by Colliers Engineering and Design -- it --  
22 there's -- there's -- that was dated November 22nd,  
23 '24, and revised through June 20, '25, consistent --  
24 consisting of 48 sheets --

25           I think that's part of it. It's screwed up

1 on here a little bit. I'll rewrite -- I'll reread --  
2 reread that so it's clear.

3 The Preliminary and Final Major Site Plan,  
4 prepared by Collier Engineering & Design, dated  
5 November 22nd, '24, and revised through June 20th,  
6 consisting of 48 sheets.

7 Too many bullets. All right.

8 To -- and next, a Traffic Impact Letter  
9 Report, prepared by Stonefield Engineering, dated June  
10 30th, 2025, architectural plans, prepared by Perkins &  
11 Wills, undated, consisting of seven sheets;

12 Whereas, by review memo, dated July 15th,  
13 Paul Ricci, Ricci Planning, the Township's Planner, as  
14 well as a review memo dated July 8th, prepared by FAR  
15 Planning, the Township's Redevelopment Planner, the  
16 Township's professionals advised that the referenced  
17 application documents ("Applicant's documents") are  
18 consistent with the terms and conditions of the  
19 redevelopment plan and the Township's Master Plan;

20 Whereas, the Township Board of Commissioners  
21 has considered the matter and agrees with the findings  
22 of the Township Planners;

23 Whereas, the Board of Commissioners finds and  
24 determines that the application documents are  
25 consistent with the redevelopment plan and the

1 Township's Master Plan;

2 Now, there before -- there -- now, therefore,  
3 be it resolved by the Board of Commissioner of the  
4 Township of Nutley that:

5 1. The Township Board of Commissioners hereby  
6 finds and determines that the application documents  
7 submitted by the Applicant are consistent with the  
8 Redevelopment Plan and the Township's Master Plan;

9 2. The Township Professionals and  
10 administrative staff be and hereby are authorized to  
11 take all reasonable and necessary actions to effectuate  
12 the same;

13 3. This resolution takes effect immediately.

14 So move.

15 COMMISSIONER TUCCI: Second.

16 MADAM CLERK: Commissioner Evans?

17 DEPUTY MAYOR EVANS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 MADAM CLERK: Mayor Kelly?

25 MAYOR KELLY: Aye.

1           DEPUTY MAYOR EVANS: There's no other  
2 business before the Board of Commissioners. We open it  
3 up for public comment.

4           MADAM CLERK: Would you like me to read --

5           DEPUTY MAYOR EVANS: Seeing no one -- we  
6 don't need -- there's no one. So seeing no one, we'll  
7 close the public comment period. We do have a need for  
8 another executive.

9           John, for what?

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

12          MADAM CLERK: Motion?

13          COMMISSIONER PETRACCO: Move it.

14          COMMISSIONER TUCCI: Second.

15          MADAM CLERK: Thank you. Whereas, Section 8  
16 of the Open Public Meeting Act (Chapter 231, P.L. 1975)  
17 permits the exclusion of the public for meeting in  
18 certain circumstances; and

19               Whereas, the public body's of the opinion  
20 that such circumstances exists; and

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

25               Now, therefore, be it resolved that the Board

1 of Commissioners of the Township of Nutley moved into  
2 closed executive session to discuss litigation.

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

11 Commissioner Evans?

12 DEPUTY MAYOR EVANS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 (No audible response)

19 MADAM CLERK: Mayor Kelly?

20 MAYOR KELLY: Aye.

21 DEPUTY MAYOR EVANS: Being that there is no  
22 other business to be conducted, we can move to close  
23 the meeting.

24 COMMISSIONER TUCCI: Move it.

25 COMMISSIONER SCARPELLI: Second.



1 MADAM CLERK: Commissioner Evans?

2 DEPUTY MAYOR EVANS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Mayor Kelly?

10 MAYOR KELLY: Aye.

11 MADAM CLERK: And the time is now 8:27.

12 (Proceedings concluded)

13 \* \* \* \* \*

14

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 ALICIA JARRETT, AAERT NO. 428 DATE: July 30, 2025

25