

**In The Matter Of:**

*In Re; Nutley Board of Commissioners*

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*Transcript of Proceedings*

*December 3, 2025*

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*Min-U-Script®*

TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS

ONE KENNEDY DRIVE

3RD FLOOR COMMISSION CHAMBERS

NUTLEY, NEW JERSEY 07110

\*\*\* PUBLIC SESSION \*\*\*

DATE: 12/3/2025

BOARD OF COMMISSIONERS:

JOHN V. KELLY III, MAYOR

JOSEPH P. SCARPELLI, COMMISSIONER

MAURO G. TUCCI, COMMISSIONER

THOMAS J. EVANS, DEPUTY MAYOR

ALPHONSE PETRACCO, COMMISSIONER

Also Present:

JONATHAN BRUNO, TOWNSHIP ATTORNEY

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1 (Recording begins)

2 (Pledge of Allegiance)

3 MADAM CLERK: Is the Mayor on? Okay.

4 DEPUTY MAYOR EVANS: Madam Clerk, can you  
5 read the notice?

6 MADAM CLERK: Thank you. Board of  
7 Commissioners Public Meeting Agenda for Tuesday,  
8 December 2nd, 2025. The time is now 7:06. Pursuant to  
9 the requirements of the Open Public Meeting Act  
10 (Chapter 231, P.L. 1975) notice of this meeting was  
11 published in the November 21st, 2024, issues of the  
12 Nutley Sun, The Herald-News, and The Star-Ledger. A  
13 copy of this notice has been posted on the Nutley Town  
14 Hall Bulletin Board, and a copy is on file in the  
15 Municipal Clerk's Office.

16 Deputy Mayor Evans?

17 DEPUTY MAYOR 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?

23 COMMISSIONER PETRACCO: Here.

24 MADAM CLERK: Mayor Kelly?

25 MAYOR KELLY: Present.

1 MADAM CLERK: All present, Mayor.

2 MAYOR KELLY: Thank you. I don't see any  
3 minutes tonight, but we do have executive minutes,  
4 Madam Clerk.

5 MADAM CLERK: Thank you. We have executive  
6 session minutes for July 15, 2025, Sessions 1 and 2;  
7 September 16, 2025; October 7, 2025; October 21st,  
8 2025.

9 COMMISSIONER TUCCI: Move it.

10 COMMISSIONER PETRACCO: Second.

11 MADAM CLERK: Deputy Mayor 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 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Mayor Kelly?

20 MAYOR KELLY: Aye.

21 DEPUTY MAYOR EVANS: All right. We don't  
22 have communications or proclamations this evening.

23 Reports. I have a code enforcement report  
24 for the month of September. Commissioner Petracco?

25 COMMISSIONER PETRACCO: Do I have a report?

1 I do. I have our public safety report. Thank you,  
2 Deputy Mayor.

3 DEPUTY MAYOR EVANS: Madam Clerk, the bills.

4 MADAM CLERK: Thank you. Bill list for  
5 December 2nd, 2025: Public Affairs, \$191,368.81.  
6 Revenue and Finance, \$3,510,949.08. Public Safety,  
7 \$148,921.49. Public Works, \$88,872.01. Parks and  
8 Public Property, \$1,104,536.13. Water and Sewer and  
9 Utility, \$142,151.01.

10 Payroll as of November 21st, 2025: Regular  
11 payroll total, \$1,055,903.13. Overtime payroll total,  
12 \$72,410.18. Total payroll, \$1,128,313.31. For a grand  
13 total of \$6,315,111.84.

14 COMMISSIONER TUCCI: Move the bills.

15 COMMISSIONER PETRACCO: Second.

16 COMMISSIONER SCARPELLI: Second

17 MADAM CLERK: Deputy Mayor Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye, with the exception  
21 of Item Number 25-04024.

22 MADAM CLERK: Thank you. Commissioner  
23 Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Commissioner Petracco?

1 COMMISSIONER PETRACCO: Aye.

2 MADAM CLERK: Mayor Kelly?

3 MAYOR KELLY: Aye.

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

5 DEPUTY MAYOR EVANS: Thank you. Would anyone  
6 wish to comment on the agenda this evening from the  
7 public?

8 Seeing no one, any Board of Commissioners  
9 announcements? Commissioner Scarpelli?

10 COMMISSIONER SCARPELLI: Yes, there'll be an  
11 electronics recycling, new location at the DPW Garage  
12 this Saturday from 9 until 1.

13 DEPUTY MAYOR EVANS: Commissioner Petracco?

14 COMMISSIONER PETRACCO: I actually have two  
15 announcements. One, a good one. The second one, maybe  
16 not too so good. We have an event at Public Safety  
17 December 11th, is it, Sam? Next Thursday. Meet Santa.  
18 Santa greet and meet. What time does that start? 5:30  
19 to 7:30. So we're excited about that at Public Safety.

20 The second announcement I have, we have had a  
21 couple of -- again, most of the time the doors aren't  
22 locked with these people looking to gain accesses --  
23 access to houses and get the car keys and, you know,  
24 get the cars. And I just want to be crystal clear that  
25 Nutley is a very safe community thanks to our police

1 officers. And this is not just -- it's just not  
2 happening in Nutley. It's happening all over the  
3 state. And I have to tell you, going through the  
4 state, you know, we do get a couple here and there.  
5 It's an epidemic in other towns. And I just want to  
6 say that I made the mortal mistake at looking at one of  
7 the websites and seeing some of the comments that are  
8 on there from people that are on social media, you  
9 know, saying what are our police officers doing? What  
10 are our strategies in the police department? Where are  
11 the cops? You know, all of that kind of stuff.

12           And I have to tell you, it's disheartening.  
13 And I'll quote a quote from my former history teacher  
14 who made it all the way to superintendent in Nutley and  
15 is now the Essex County superintendent of schools. Joe  
16 Zarro said to me -- it's a long time ago -- "It's safe  
17 to be a critic. It's easy to be a critic from a safe  
18 distance." And it's true.

19           I am not going to -- nor is our chief going  
20 to go on a website and tell you what our manpower is at  
21 night, what we're doing about it, and let the criminals  
22 know as well. So again, we have a fine police  
23 department. Nutley is a very safe town. We cherish  
24 our residents and do everything in our power to keep it  
25 safe. And, you know, to take shots at the cops that

1 are away from their families on the midnight tours and  
2 away from their families on Christmas time and that are  
3 working seven days a week, 24 hours a day to keep you  
4 safe.

5 Obviously, we can't be everywhere. It's  
6 impossible to cover the whole town at that five minutes  
7 that God forbid somebody's trying to break into your  
8 house. But again, I know this will probably fall on  
9 deaf ears, but before you post something, you should  
10 really dig in and get all the information. Again, some  
11 of these towns that are around us, we get a couple of  
12 them, they're getting multiples. So again, to my  
13 police officers, I want them to know you are  
14 appreciated in this town very, very much. And you do  
15 an excellent job.

16 So I appreciate the effort and that's all I  
17 have tonight, Deputy Mayor.

18 DEPUTY MAYOR EVANS: Thank you, Commissioner.  
19 Commissioner Petracco. Actually,  
20 Commissioner Tucci. I'm sorry. Gee, you guys look  
21 alike.

22 COMMISSIONER TUCCI: Well, thank you for that  
23 compliment. Okay. On December 4th, 5th, and 6th, the  
24 Parks Department is presenting our Rudolph the Red  
25 Nosed Reindeer play at the high school and all three

1 shows begin at 7 p.m. Thank you, Deputy Mayor.

2 DEPUTY MAYOR EVANS: Thank you. Mayor Kelly.  
3 Announcements this evening?

4 MAYOR KELLY: Yes. This coming Sunday from 5  
5 to 7 p.m. we have our tree lighting and Hanukkah  
6 celebration. And tomorrow, December 3rd is a day which  
7 we honor members of our community which have  
8 disabilities. It's national day of honoring.

9 DEPUTY MAYOR EVANS: Thank you. I do not  
10 have anything this evening.

11 Moving on to ordinances, introductions.

12 Commissioner Petracco, I see you have two  
13 this evening.

14 COMMISSIONER PETRACCO: I do. Thank you.

15 I have ordinance introduction, it's Number  
16 3602, an ordinance to amend an ordinance codified in  
17 the code of the Township of Nutley, Chapter 228,  
18 entitled Vehicles and Traffic, particularly Article  
19 VII, Section 29A, entitled Handicapped Parking, to add  
20 to this location set for on thereon. This one is for 2  
21 Lovel Court.

22 I move that this ordinance be passed to the  
23 second reading and advertised in the Nutley Sun,  
24 together with notice required by law and the further  
25 consideration of said ordinance for final passage by

1 the Board of Commissioners to be held at its second  
2 reading on January 6th. I move it.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Deputy Mayor 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 COMMISSIONER PETRACCO: This is Number 3603,  
15 an ordinance to amend an ordinance codified in the code  
16 of the Township of Nutley, Chapter 228, entitled  
17 Vehicles and Traffic, particularly Article VII,  
18 entitled Handicapped Parking, to remove the locations  
19 set forth thereon. This one is actually two of them --  
20 27 Bayard Street and 272 Kingsland Avenue.

21 I move that this ordinance be passed to a  
22 second reading and advertised in the Nutley Sun,  
23 together with notice required by law and that further  
24 consideration of said ordinance for final passage by  
25 the Board of Commissioners -- of the Commissioners to

1 be held at its second reading on January 6th. I move  
2 it.

3 COMMISSIONER TUCCI: Second.

4 MADAM CLERK: Deputy Mayor 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: Thank you.

15 COMMISSIONER PETRACCO: Thank you.

16 DEPUTY MAYOR EVANS: We don't have any public  
17 hearings tonight, so we'll move on to resolutions.

18 Commissioner Tucci, would you like to read  
19 23?

20 COMMISSIONER TUCCI: Okay.

21 Whereas, the Township of Nutley entered into  
22 a contract with Advanced Mechanical Corp, 9 Falstrom  
23 Court, Passaic, New Jersey, for Heating, air  
24 conditioning, and refrigeration service; and

25 Whereas, The Director of Park and Public

1 Property has recommended the following change order  
2 from said contract:

3 Change Order No. 1: For services in the  
4 amount of \$24,000.

5 The money is available from Capital Account  
6 C-04-55-359-401 and has been certified by the Chief  
7 Financial Officer, said certification being attached to  
8 this resolution.

9 Now therefore, be it resolved by Board of  
10 Commissioners in the Township of Nutley, County of  
11 Essex, State of New Jersey, that Change Order 1 for  
12 24,000 be and is hereby approved.

13 I move the resolution.

14 COMMISSIONER SCARPELLI: Second.

15 MADAM CLERK: Deputy Mayor Evans.

16 DEPUTY MAYOR EVANS: Aye.

17 MADAM CLERK: Commissioner Tucci.

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Scarpelli.

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Commissioner Petracco.

22 COMMISSIONER PETRACCO: Aye.

23 MADAM CLERK: Mayor Kelly.

24 MAYOR KELLY: Aye.

25 COMMISSIONER TUCCI: Be it resolved by the

1 Board of Commissioners in the Township of Nutley,  
2 County of Essex, State of New Jersey that in accordance  
3 with the provision of RS 40A:4-58, the following  
4 transfer appropriations in the 2025 Budget be and same  
5 are hereby authorized and approved for the Department  
6 of Parks and Public Property from Health Insurance in  
7 the amount of \$90,000 to buildings and grounds,  
8 salaries and wages in the amount of 60,000; Parks and  
9 Playgrounds Other Expenses in the amount of 20,000; and  
10 Recreation Committee Salary and Wages in the amount of  
11 10,000 for a like amount of 90,000.

12 I move the resolution.

13 COMMISSIONER PETRACCO: Second.

14 MADAM CLERK: Deputy Mayor 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 COMMISSIONER TUCCI: Whereas, the Department  
25 of Parks and Public Property determined due to

1 unforeseen circumstances families had to cancel  
2 participation in programs offered; and

3           Whereas, the Department of Parks and Public  
4 Property has determined the need to refund the  
5 families.

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 the Treasurer be and  
9 is hereby authorized to refund payments for recreation  
10 programs in the amounts listed below. To our neighbors  
11 at 77 Evergreen Avenue for travel basketball in the  
12 amount of \$125 and our neighbors at 192 Whitford  
13 Avenue, again for travel basketball in the like amount.

14           I move the resolution.

15           COMMISSIONER PETRACCO: Second.

16           MADAM CLERK: Deputy Mayor 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                   COMMISSIONER TUCCI: That's all I have,  
2 Deputy Mayor.

3                   DEPUTY MAYOR EVANS: Thank you. Commissioner  
4 Scarpelli.

5                   COMMISSIONER SCARPELLI: Thank you, Deputy  
6 Mayor.

7                   Whereas, the Department of Public Works  
8 announces there will be free two-hour metered parking  
9 from December 15th 2025 -- through January 1st, 2026;  
10 and

11                   Whereas the suspension of metered parking  
12 during the holiday is a Nutley tradition to report our  
13 business district and support local merchants; and

14                   Whereas the free two-hour parking will allow  
15 ample time for residents to take the opportunity to  
16 leisurely walk and "Shop Nutley First";

17                   Now, therefore, be it resolved, by the Board  
18 of Commissioners, Township of Nutley, County of Essex,  
19 State of New Jersey, that we will allow free two-hour  
20 metered parking from December 15th, 2025, through  
21 January 1st, 2026.

22                   I move the resolution.

23                   COMMISSIONER PETRACCO: Second.

24                   MADAM CLERK: Deputy Mayor Evans.

25                   DEPUTY MAYOR EVANS: Aye.

1 MADAM CLERK: Commissioner Tucci.

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Scarpelli.

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Aye.

7 MADAM CLERK: Mayor Kelly.

8 MAYOR KELLY: Aye.

9 COMMISSIONER SCARPELLI: Whereas, bids for  
10 NJDOT Bloomfield Avenue Roadway Improvement Project  
11 (High Street to Raymond Avenue) were received and  
12 opened on Wednesday, October 29th, 2025; and

13 Whereas, DLS Paving, 36 Montesano Road,  
14 Fairfield, New Jersey, was the low bidder;

15 Whereas, the base bid for NJDOT Bloomfield  
16 Avenue Roadway Improvement Project was in the amount of  
17 \$518,876.50 for a total bid amount of \$518,876.50; and

18 Whereas, funds are available from Account  
19 G-02-40-559-025 in the amount of \$422,179 for money  
20 received by a grant from the New Jersey Department of  
21 Transportation Local Aid Municipal Grant; and Account  
22 Number C-04-55-181-409 amount of \$52,845.02; Account  
23 C-04-55-162-400 in the amount of \$28,465.88; and  
24 Account C-04-55-158-400 in the amount of \$15,387.60 and  
25 have been certified by the Chief Financial Officer,

1 said certification be attached to this resolution;

2 Now, therefore, be it resolved, by the Board  
3 of Commissioners, Township of Nutley, County of Essex,  
4 State of New Jersey, that a contract be awarded to DLS  
5 Paving Contractor not to exceed \$518,876.50 and that  
6 the Mayor and Township Clerk are hereby authorized to  
7 enter into and sign said contract for the Township of  
8 Nutley.

9 Move the resolution.

10 COMMISSIONER PETRACCO: Second.

11 MADAM CLERK: Deputy Mayor 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 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Mayor Kelly.

20 MAYOR KELLY: Aye.

21 COMMISSIONER SCARPELLI: Whereas, pursuant to  
22 N.J.S.A. 40:67-23.2 and required by law, the Township  
23 has elected to provide municipal services to Cambridge  
24 Heights at Nutley Umbrella Association in the amount --  
25 as the Township provides such services on public roads

1 and streets in the Township.

2 Now, therefore, be it resolved, by the Board  
3 of Commissioners, Township of Nutley, in the County of  
4 Essex, as follows:

5 One, the Mayor is hereby authorized to enter  
6 into a 2026 Municipal Service Agreement with the  
7 Association in a form approved by the Township  
8 Attorney;

9 And two, a copy of the Resolution, as well as  
10 the Municipal Service Agreement, shall be placed on  
11 file with the Clerk and a notice of this action shall  
12 be printed once in the Nutley Sun.

13 I move the resolution.

14 COMMISSIONER PETRACCO: Second.

15 MADAM CLERK: Deputy Mayor Evans.

16 DEPUTY MAYOR EVANS: Aye.

17 MADAM CLERK: Commissioner Tucci.

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Commissioner Scarpelli.

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Commissioner Petracco.

22 COMMISSIONER PETRACCO: Aye.

23 MADAM CLERK: Mayor Kelly.

24 MAYOR KELLY: Aye.

25 COMMISSIONER SCARPELLI: Be it resolved, by

1 the Board of Commissioners, Township of Nutley, County  
2 of Essex, of New Jersey that in accordance with the  
3 provision of R.S. 40A:4-58, the following transfers  
4 appropriations in 2025 Budget he and the same are  
5 hereby authorized and approved:

6 From Recycling Program Salary and Wage 34,000  
7 to Road Repair and Maintenance; Salary and Wage,  
8 34,000;

9 From Recycling Program Salary and Wage \$7,500  
10 to Traffic Maintenance Salary and Wage, 7,500;

11 For a total amount of \$41,500;

12 And be it further resolved that the  
13 notification of these budget charges will be made by  
14 the Chief Financial Officer to the Director of Division  
15 of Local Government Services through the electronic  
16 submission process.

17 I move the resolution.

18 COMMISSIONER PETRACCO: Second.

19 MADAM CLERK: Deputy Mayor Evans.

20 DEPUTY MAYOR EVANS: Aye.

21 MADAM CLERK: Commissioner Tucci.

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Scarpelli.

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Commissioner Petracco.

1 COMMISSIONER PETRACCO: Aye.

2 MADAM CLERK: Mayor Kelly.

3 MAYOR KELLY: Aye.

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

6 DEPUTY MAYOR EVANS: Thank you, then.  
7 Commissioner Petracco.

8 COMMISSIONER PETRACCO: Yes, thank you. I'm  
9 going to read a late entry that Public Safety put in  
10 for a budget transfer first.

11 This is Number 352-25. Be it resolved, by  
12 the Board of Commissioners, Township of Nutley, County  
13 of Essex, New Jersey that in accordance with the  
14 provisions R.S. 40A:4-58, the following transfers of  
15 appropriation into the 2025 Budget be and the same are  
16 hereby authorized and approved.

17 From Police Salary and Wage, 120,000 into  
18 Police Overtime, 120,000; from Police Salary and Wage  
19 100,000, from Police O&E, 100,000; total of 220,000.

20 I move it.

21 COMMISSIONER SCARPELLI: Second.

22 MADAM CLERK: Deputy Mayor Evans.

23 DEPUTY MAYOR EVANS: Aye.

24 MADAM CLERK: Commissioner Tucci.

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Scarpelli.

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Commissioner Petracco.

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Kelly.

6 MAYOR KELLY: Aye.

7 COMMISSIONER PETRACCO: Whereas N.J.S.A  
8 40A:4-87 provides the Director of Division of Local  
9 Government Services may approve an insertion of any  
10 special item in the budget of any county or  
11 municipality when such items shall be -- have been made  
12 available by law and that amount thereof was not  
13 determined at the time of the adoption of the budget;  
14 Whereas, the Director may also approve the  
15 insertion of any item appropriation for equal amount;  
16 and

17 Now, therefore, be it resolved, that the  
18 Board of Commissioners, Township of Nutley, County of  
19 Essex, New Jersey, hereby request that the Director of  
20 Division of Local Government Services to approve the  
21 insertion of an item of revenue in the budget of the  
22 year 2025 in the sum of \$45,150 which item is now  
23 available as revenue from the Safe & Secure Community  
24 Grant pursuant to the provisions of statute;

25 Be it further resolved, that a like sum of

1 \$45,150 be the same and is hereby appropriated under  
2 the caption of: General Appropriations, Operations-  
3 Excluded from CAPS, Safe & Secure Communities Grant  
4 Program, Other Expenses, \$45,150;

5 Be it further resolved that the copy of the  
6 resolution will be electronically filed with the  
7 Director of approval as required by the law.

8 I move it.

9 COMMISSIONER SCARPELLI: Second.

10 MADAM CLERK: Deputy Mayor Evans.

11 DEPUTY MAYOR EVANS: Aye.

12 MADAM CLERK: Commissioner Tucci.

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Scarpelli.

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Commissioner Petracco.

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Mayor Kelly.

19 MAYOR KELLY: Aye.

20 COMMISSIONER PETRACCO: Whereas N.J.S.A  
21 40A:4-87 provides that the Director of Division of  
22 Local Government Services may approve the insertion of  
23 any item of revenue in the budget of any county  
24 municipality when one such item shall be made available  
25 by law, and the amount thereof was determined at the

1 time of the adoption of the budget;

2           Whereas, the Director also approves the  
3 insertion of appropriations for equal amount;

4           Now, therefore, be it resolved, that the  
5 Board of Commissioners, Township of Nutley, County of  
6 Essex, State of New Jersey, hereby request that the  
7 Director of Division of Local Government Services to  
8 approve the insertion of an item of revenue in the  
9 budget of 2025 in the sum of \$11,405.50 item is now  
10 available as a revenue from Bullet -- for the Bullet  
11 Proof Vest Program Grant pursuant to the provisions of  
12 the statute;

13           Be it further resolved, that the like sum of  
14 \$11,405.50 be the same and hereby appropriated under  
15 the caption General Appropriations, Appropriations-  
16 Excluded from the CAPS, Bullet Proof Vest Program  
17 Grant, Other Expenses, \$11,405.50;

18           And be it further resolved that notification  
19 of these budget charges will be made by the Chief  
20 Financial Officer of Director -- of the Director of  
21 Division of Local Government Services through  
22 electronic submission process.

23           I move it.

24           COMMISSIONER SCARPELLI: Second.

25           MADAM CLERK: Deputy Mayor Evans.

1 DEPUTY MAYOR EVANS: Aye.

2 MADAM CLERK: Commissioner Tucci.

3 COMMISSIONER TUCCI: Aye.

4 MADAM CLERK: Commissioner Scarpelli.

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Commissioner Petracco.

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Mayor Kelly.

9 MAYOR KELLY: Aye.

10 COMMISSIONER PETRACCO: Whereas, the township  
11 of Nutley and Police Department need to acquire  
12 proprietary software for issuance of electronic tickets  
13 through the mobile computers as a non-fair and open  
14 contract; and

15 Whereas, the use of electronic ticketing  
16 increases efficiencies, enables officers to return to  
17 service faster, eliminates data entry errors and auto-  
18 populates citations with the appropriate statute  
19 number, fine, and court information;

20 Whereas, the -- whereas, N.J.S.A 40A:11-5  
21 permits the award of contract without public bidding  
22 for the provisions of proprietors software; and

23 Whereas, GTBM, Inc. owns the InfoCop E-  
24 Ticketing System and has submitted a proposal to  
25 provide the system software; and

1           Whereas, GTBM, Inc. has completed and  
2 submitted a Business Entity Disclosure Certification  
3 which certifies that it has not made any reportable  
4 contributions in the previous year and will be  
5 prohibited from making any reportable contributions  
6 throughout the term of the Contract; and

7           Whereas, the anticipated term of this  
8 contract for -- is for 12 months from January 1st,  
9 2026, through December 31st, 2026;

10           Now, therefore, be it resolved, by the Board  
11 of Commissioners, Township of Nutley, County of Essex,  
12 that the contract awarded to GTBM, Inc. in a form of --  
13 in a form approved by the Township Attorney;

14           Be it further resolved that the Business  
15 Entity Disclosure be placed on file with this  
16 resolution.

17           I move it.

18           COMMISSIONER SCARPELLI: Second.

19           MADAM CLERK: Deputy Mayor Evans.

20           DEPUTY MAYOR EVANS: Aye.

21           MADAM CLERK: Commissioner Tucci.

22           COMMISSIONER TUCCI: Aye.

23           MADAM CLERK: Commissioner Scarpelli.

24           COMMISSIONER SCARPELLI: Aye.

25           MADAM CLERK: Commissioner Petracco.

1 COMMISSIONER PETRACCO: Aye.

2 MADAM CLERK: Mayor Kelly.

3 MAYOR KELLY: Aye.

4 COMMISSIONER PETRACCO: All right.

5 Whereas, the Nutley Police Department desires  
6 to utilize the police pistol range facilities of the  
7 Borough of North Arlington Police Department, having  
8 its principal officer -- offices at 214 Bridge Road in  
9 Hackensack Meadowlands, North Arlington, New Jersey, in  
10 the amount not to exceed \$2,000 for one year beginning  
11 January 1st, 2026, through December 31st, 2026; and

12 Whereas funds are available from Account  
13 Number 6-01-308-209, subject to the adoption of the  
14 2025 Municipal Budget, and have been certified with the  
15 Chief Financial Officer and certification be attached  
16 to this resolution;

17 Now, therefore, be it resolved by the Board  
18 of Commissioners of the Township of Nutley, County of  
19 Essex, State of New Jersey that the Mayor and Township  
20 Clerk be and are hereby authorized to enter into an  
21 agreement with the Borough of North Arlington for use  
22 of its police pistol range for the period of  
23 January 1st, 2026, through December 31st, 2026.

24 I move it.

25 COMMISSIONER SCARPELLI: Second.

1 MADAM CLERK: Deputy Mayor 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 COMMISSIONER PETRACCO: Whereas, the Township  
12 of Nutley is an active member of the Educational  
13 Services Commission of New Jersey Cooperative Pricing  
14 System;

15 Whereas, pursuant to N.J.S.A. 40A:11-11(6), a  
16 local contracting unit may participate in a cooperative  
17 pricing system to procure goods and services without  
18 the need of independently advertising for bids,  
19 provided that the cooperative contract was awarded  
20 through the competitive contracting and competitive  
21 bidding in accordance with the Local Public Contracts  
22 Law;

23 Whereas, ESCNJ has awarded Contract  
24 Number 23/24-38 for Construction, Repair, Renovation  
25 and Related Trades to Murray Contracting, Inc., a

1 qualified contractor authorized to provide such  
2 services to participating members; and

3           Whereas, the Township has identified the need  
4 for construction and renovation services for a project  
5 known as interior alterations to 119 Chestnut Street,  
6 Nutley, New Jersey; and

7           Whereas, Murray Contracting, Inc. has  
8 submitted a proposal for an amount of \$242,231.72,  
9 consistent with prices -- pricing under ESCNJ Contract  
10 Number 23/24-28;

11           Whereas, the Chief Financial Officer has  
12 certified that sufficient funds are available for this  
13 purpose under Accounts 5-01-314-203 (\$175,000) and  
14 5-01-312-203 (\$67,231.72), subject to applicable  
15 funding ordinances; and

16           Whereas, the Government Body has determined  
17 that it is in the best interest of the Township of  
18 Nutley to award the contract through the ESCNJ  
19 Cooperative Pricing System, as it provides cost  
20 savings, efficiencies, and compliance with the State  
21 procurement law.

22           I move it.

23           COMMISSIONER SCARPELLI: Second.

24           MADAM CLERK: Deputy Mayor Evans.

25           DEPUTY MAYOR EVANS: Aye.

1 MADAM CLERK: Commissioner Tucci.

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Commissioner Scarpelli.

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Commissioner Petracco.

6 COMMISSIONER PETRACCO: Aye.

7 MADAM CLERK: Mayor Kelly.

8 MAYOR KELLY: Aye.

9 COMMISSIONER PETRACCO: And that's all I  
10 have, Deputy Mayor. Thank you.

11 DEPUTY MAYOR EVANS: Thank you. You did your  
12 transfer resolution?

13 COMMISSIONER PETRACCO: I did, and I just  
14 wanted to -- being you're asking me if I seen that I  
15 did, I have happen to have a new pair of glasses that I  
16 just got and I hope my reading has become better now  
17 that I could see the small print on the resolutions.

18 DEPUTY MAYOR EVANS: Thank you for attending  
19 to that issue.

20 COMMISSIONER PETRACCO: You're welcome.  
21 You're very welcome.

22 DEPUTY MAYOR EVANS: John, I'm going to read  
23 mine, and then you can go because you'll be last, okay?

24 MAYOR KELLY: Sure. Could someone actually  
25 read mine for me? It's very cumbersome to read mine

1 off my phone.

2 DEPUTY MAYOR EVANS: Okay. All right. We'll  
3 take care of it. I'll take care of it. Then I'll read  
4 mine first, though.

5 Whereas, N.J.S.A. 40A:4-87 provides that the  
6 Director of the Division of Local Governmental Services  
7 may approve the insertion of any special item of  
8 revenue in the budget of any county or municipality  
9 when such items shall have been made available by law  
10 and the amount thereof was not determined at the time  
11 of the adoption of the budget;

12 Whereas the Director may also approve the  
13 insertion of an appropriation for the equal amount.

14 Section 1: Now, therefore, be it resolved,  
15 by the Board of Commissioners of the Township of  
16 Nutley, County of Essex, State of New Jersey, that it  
17 hereby requests the Director of the Division of the  
18 Local Governmental Service to approve the insertion of  
19 an item of revenue in the budget for the year 2025 in  
20 the amount \$250,000 which item is now available as a  
21 revenue from Operating Aid Grant 2026 pursuant to the  
22 provisions of the statute;

23 Section 2: Be it further resolved, that like  
24 sum 250,000 be and the same is hereby appropriated  
25 under the caption of: General Appropriation,

1 Operations-Excluded from the CAP, Department of  
2 Community Affairs: Operating Aid 2026 for \$250,000;

3 And be it further resolved that notification  
4 of the budget charges will be made by the Chief  
5 Financial Officer to the Director of the Division of  
6 Local Government Services through the electronic  
7 submission process.

8 So move.

9 COMMISSIONER PETRACCO: Second.

10 MADAM CLERK: Deputy Mayor Evans.

11 DEPUTY MAYOR EVANS: Aye.

12 MADAM CLERK: Commissioner Tucci.

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Scarpelli.

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Commissioner Petracco.

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Mayor Kelly.

19 MAYOR KELLY: Aye.

20 DEPUTY MAYOR EVANS: Be it resolved by the  
21 Board of Commissioners of the Township of Nutley,  
22 County of Essex, State of New Jersey that  
23 Resolution 315-25 adopted on November 17th, 2025,  
24 entitled "Overpayment of the Utility Charges," is  
25 hereby rescinded.

1 MADAM CLERK: I need a second.

2 COMMISSIONER EVANS: So moved.

3 COMMISSIONER PETRACCO: Second. Second.

4 MADAM CLERK: Deputy Mayor 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: be it resolved, by the

15 Board of Commissioners of the Township of Nutley, the

16 County of Essex, State of New Jersey, that the

17 Treasurer is hereby authorized to refund overpayments

18 of tax charges in the amount of \$4,793.48 for Block

19 9300 Lot 1. So moved.

20 COMMISSIONER TUCCI: Second.

21 MADAM CLERK: Deputy Mayor Evans.

22 DEPUTY MAYOR EVANS: Aye.

23 MADAM CLERK: Commissioner Tucci.

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Commissioner Scarpelli.

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Commissioner Petracco.

3 COMMISSIONER PETRACCO: Aye.

4 MADAM CLERK: Mayor Kelly.

5 MAYOR KELLY: Aye.

6 DEPUTY MAYOR EVANS: Be it resolved, by the  
7 Board of Commissioners, the Township of Nutley, County  
8 of Essex, State of New Jersey, that the Treasurer is  
9 hereby authorized to refund overpayments of the utility  
10 charges in the amount of \$3,124.55 for Block 346 Lot 3.

11 So move.

12 COMMISSIONER TUCCI: Second.

13 MADAM CLERK: Deputy Mayor 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 MAYOR KELLY: Aye.

23 DEPUTY MAYOR EVANS: Be it resolved by the  
24 Board of Commissioners in the Township of Nutley,  
25 County of Essex, State of New Jersey, that in

1 accordance with the provision of R.S. 40A:4-58, the  
2 following transfers of appropriations in the 2025  
3 budget be and the same are hereby authorized and  
4 approved from Treasurer's Office Salary and Wage,  
5 \$40,000 to Treasurer's Office O&E, \$40,000;

6 Be it further resolved that notification of  
7 these budget charges will be made by -- budget changes  
8 will be made by the Chief Financial Officer to the  
9 Director of Division of Local Government Services  
10 through the electronic submission process.

11 So moved.

12 COMMISSIONER TUCCI: Second

13 MADAM CLERK: Deputy Mayor 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 MAYOR KELLY: Aye.

23 DEPUTY MAYOR EVANS: Then for Mayor Kelly,  
24 Resolutions Number 245-25 and 346-25, we'll hold those.  
25 We're going to need a short executive before we address

1 those two resolutions. I'll read the remaining three.

2           Whereas an application has been filed for a  
3 person-to-person transfer of Plenary Retail's  
4 Consumption License Number 0716-33-001-009, heretofore  
5 issued by AP FAJ, LLC doing business as -- or trading  
6 as CoVid-94, for the premises located at 94 Bloomfield  
7 Avenue, Nutley, New Jersey 07110; and

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

12           Whereas, the applicant is qualified to be  
13 licensed according to all standards established by the  
14 Title 33 of the New Jersey statutes, regulations  
15 promulgated thereunder, as well as pertinent local  
16 ordinances and conditions consistent with Title 33;

17           Whereas, the applicant has disclosed, and the  
18 issuing authority reviewed the sources of all funds  
19 used in the purchase of the license and the licensed  
20 business and all additional financing obtained in  
21 connection with the license premises;

22           Now, therefore, be it resolved by the Board  
23 of Commissioners in the Township of Nutley, County of  
24 Essex, State of New Jersey does hereby approve,  
25 effective December 2nd, 2025 the transfer of the

1 aforesaid Plenary Retail Consumption License to  
2 Buckfast, LLC trading as a BEV'S, and does hereby  
3 direct the Municipal Clerk to endorse the license  
4 service certificate to the new ownership as follows:  
5 "This license, subject to all its terms and conditions,  
6 is hereby transferred to Buckfast, LLC, effective  
7 December 2nd, 2025."

8 So moved.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Deputy Mayor Evans.

11 DEPUTY MAYOR EVANS: Aye.

12 MADAM CLERK: Commissioner Tucci.

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Commissioner Scarpelli.

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Commissioner Petracco.

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Mayor Kelly.

19 MAYOR KELLY: Aye.

20 DEPUTY MAYOR EVANS: Whereas, an application  
21 has been filed for a person-to-person transfer of  
22 Plenary Retail Consumption License for Broad Package  
23 Privilege Number 0716-32-020-011, heretofore issued to  
24 GLO Group, LLC trading as Bella Luce, for the premises  
25 located at 507 Franklin Avenue, Nutley, New Jersey

1 07110;

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

6           Whereas, the applicant is qualified to be  
7 licensed according to all standards established by  
8 Title 33 of the New Jersey Statutes, regulations  
9 promulgated thereunder, as well as the pertinent local  
10 ordinances and conditions consistent with Title 33;

11           Whereas, the application -- applicant has  
12 disclosed, and the issuing authority reviewed the  
13 source of all funds issued -- used in the purchase of  
14 the license and the licensed business and all  
15 additional financing obtained in connection with the  
16 licensed business;

17           Now, therefore, be it resolved, by the Board  
18 of Commissioners of the Township of Nutley, County of  
19 Essex, State of New Jersey, that it does hereby  
20 approve, effective December 2nd, 2025, the transfer of  
21 the aforesaid Plenary Retail Consumption License with  
22 Broad Package Privilege to ORO Franklin, LLC, and does  
23 hereby direct the Municipal Clerk to endorse the  
24 license certificate to the new ownership as follows:  
25 "This license, subject to all its terms and conditions,

1 is hereby transferred to ORO Franklin, LLC, effective  
2 December 2nd, 2025."

3 So moved.

4 COMMISSIONER TUCCI: Second.

5 MADAM CLERK: Deputy Mayor 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 MAYOR KELLY: Aye.

15 DEPUTY MAYOR EVANS: Last one. Whereas,  
16 N.J.S.A. 40A:4-87 provides that the Director of the  
17 Division of Local Government Services may approve the  
18 insertion of any special item in the budget of any  
19 county or municipality when such item shall have been  
20 made available by law and the amount thereof was not  
21 determined at the time of the adoption of the Budget;  
22 and

23 Whereas, the Director may approve the  
24 insertion of any item of appropriation for equal  
25 amount;

1           Section 1: Now, therefore, be it resolved,  
2 that the Board of Commissioners of the Township of  
3 Nutley, County of Essex, State of New Jersey, hereby  
4 requests the Director of the Division of Local  
5 Government Services to approve the insertion of an item  
6 of revenue in the budget for the year 2025 in the sum  
7 of \$5,000 which item is now available as a revenue from  
8 Community Health -- Mental Health Grants pursuant to  
9 the provisions of statute;

10           Section 2: Be it further resolved, that a  
11 like sum of \$5,000 be and same is hereby appropriated  
12 under the Caption of: General Appropriation,  
13 Operations-Excluded from CAP, NJ Health Care Quality  
14 Institute: Community Mental Health Grant, Other  
15 Expenses, \$5,000;

16           Be it further resolved that a copy of this  
17 Resolution will be electronically filed with the  
18 Division for -- with the Director for approval as  
19 required by the law.

20           So move.

21           COMMISSIONER TUCCI: Second.

22           MADAM CLERK: Deputy Mayor Evans.

23           DEPUTY MAYOR EVANS: Aye.

24           MADAM CLERK: Commissioner Tucci.

25           COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Commissioner Scarpelli.

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Commissioner Petracco.

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Mayor Kelly.

6 MAYOR KELLY: Aye.

7 DEPUTY MAYOR EVANS: We have a need for -- to  
8 go into a short executive to discuss two resolutions  
9 before we vote on them.

10 MR. BRUNO: Yeah, Deputy Mayor, we're going  
11 to need to discuss contract negotiations.

12 MADAM CLERK: I need a motion, please.

13 COMMISSIONER EVANS: Move it.

14 COMMISSIONER TUCCI: Second.

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

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

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

25 Now, therefore, be it resolved by the Board

1 of Commissioners, the Township of Nutley, move into  
2 closed executive session to discuss contract  
3 negotiations;

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

11 Commissioner -- Deputy Mayor 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 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Mayor Kelly.

20 MAYOR KELLY: Aye.

21 MADAM CLERK: The time is now 7:43.

22 (Closed executive session)

23 DEPUTY MAYOR EVANS: Okay. We're back on the  
24 record. The time is, Madam Clerk, what? 8 --

25 MADAM CLERK: The time is 8:18.

1           DEPUTY MAYOR EVANS: All right. Thank you.  
2 Thank you.

3           MADAM CLERK: Thank you.

4           DEPUTY MAYOR EVANS: We're going to table  
5 Resolution Number 346-25 to the next meeting.

6           And tonight we will move forward on  
7 Resolution Number 345-25, which I'll read, is a -- as  
8 such, a resolution for an agreement made between  
9 Northwest Essex Community Health Care Network, a  
10 nonprofit corporation, (hereinafter referred to as "the  
11 Agency") having its principal place of business at 570  
12 Belleville Avenue, Belleville, New Jersey, 07109 and  
13 the Township of Nutley.

14           Whereas, as the Agency has agreed and  
15 functioned in the past to provide behavioral health  
16 care for residents of Nutley and will continue to  
17 provide said services in accordance with the terms and  
18 conditions of this agreement; and

19           Whereas, Nutley has agreed to make bi-annual  
20 grants of funds for the partial support and maintenance  
21 of said services rendered by the Agency to Nutley  
22 residents;

23           Whereas; it is agreed that, one, the Agency  
24 will furnish and provide behavioral health services to  
25 residents of Nutley by professionally qualified

1 personnel and will cooperate with other Nutley  
2 community programs which deal with the provision of  
3 said services.

4 For the services rendered by the Agency and  
5 described heretofore during said contractual period of  
6 January 1, 2026, through December 31, 2026, Nutley  
7 agrees to pay the Agency a grant in amount not to  
8 exceed \$20,000.

9 The Agency will provide a therapist once a  
10 week to see veterans, their family members, and parents  
11 of active military children in need of therapy at the  
12 Department of Public Affairs and Health, located at 149  
13 Chestnut Street, Nutley, New Jersey.

14 Payments on account of the obligations set  
15 forth shall be made bi-annually to the Agency in an  
16 amount to be determined by contract and approved by  
17 Municipal -- or Township Attorney;

18 Whereas, funds will be available in  
19 Account 6-01-118-209 in an amount of \$20,000 and will  
20 be certified by the Chief Financial Officer, said  
21 certification being subject to the adoption of the 2026  
22 budget;

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 the Mayor and the

1 Township Clerk will be and are hereby authorized to  
2 execute an agreement with Northwest Essex Community  
3 Health Network;

4 Be it further resolved that the parties  
5 hereto have caused these presents to be executed by the  
6 respective Mayor, officer and attested to by their  
7 respective Municipal Clerk or Secretary and their  
8 official seal to be affixed hereto.

9 So move.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Deputy Mayor Evans.

12 DEPUTY MAYOR EVANS: Aye.

13 MADAM CLERK: Commissioner Tucci.

14 COMMISSIONER TUCCI: Abstain.

15 MADAM CLERK: Commissioner Scarpelli.

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Commissioner Petracco.

18 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Mayor Kelly.

20 MAYOR KELLY: Aye.

21 DEPUTY MAYOR EVANS: That concludes our  
22 formal business for the evening. If someone from the  
23 public wishes to come to the podium, Madam Clerk, would  
24 you please read the notice?

25 MADAM CLERK: Yes, thank you. All persons

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

9 MR. GARBER: Thank you. My name is Rob  
10 Garber. I live at 387 Hillside Avenue, and I actually  
11 have three questions. I'm not sure if they get  
12 directed to any individual and you may or may not have  
13 the answers to the questions now. Our community -- our  
14 neighborhood is very grateful that the discussed  
15 warehouse truck depot is not going into the Kingsland  
16 area. That's very beneficial to our community.

17 My questions have to do with the data center  
18 that is currently planned and there's a big sign out  
19 now that says 65 megawatts, which from the research  
20 that I've done indicates the maximum amount of power  
21 that can be used at any one time, which is equal to  
22 about it says tens of thousands of houses. From the  
23 research I've done, the data center on River Road uses  
24 about 1.2 megawatts.

25 So I -- a few questions are, have there been

1 electric and water studies about the facility, how it  
2 will impact our water access and also our electric  
3 rates, which have gone up in New Jersey, as you know.  
4 Has the BPU approved the plan yet? And what are the  
5 plans for noise abatement?

6 DEPUTY MAYOR EVANS: So thank you for your  
7 questions. They're very thoughtful. There -- he is  
8 marketing for a 65-megawatt facility, 250,000 square  
9 feet. We do not have a plan in front of us at this  
10 point in time. It's early days on that. So there's  
11 really nothing before the Board for consideration.

12 We do have a redevelopment plan for that  
13 area, which would allow for a data center to be there.  
14 It would not allow for any form of housing or other  
15 elements, warehousing, or things like that, that would  
16 be there. So you're -- in your questions in the plan,  
17 it does call for a noise study to make sure that it's  
18 not noisy. But again, one hasn't been conducted yet  
19 because we don't have an actual something to look at,  
20 to evaluate. We only have a plan. We don't have a --  
21 what they call a redeveloper's agreement yet on that,  
22 which is essential to be able to move forward on that.  
23 And ultimately it would go before the planning board.

24 As far as the electric rates, they're not  
25 determined by -- locally by what one piece of apparatus

1 does to the grid and how much that assesses the Nutley  
2 residents. It's done more under statewide rates and  
3 the regional consumption. So the issues around  
4 electricity are being addressed by the governor of the  
5 state. And there's much to be debated on that as it  
6 goes forward.

7 As far as water, nothing's been done on water  
8 yet.

9 MR. GARBER: Will we have a chance to see the  
10 studies when they come out? And will we have a chance  
11 to voice our opinions on whether or not the facility  
12 is -- should be in a residential community?

13 DEPUTY MAYOR EVANS: So the -- there is a  
14 plan already to -- that it does allow for a data center  
15 to be there. And ultimately, once the data center  
16 design is developed, ultimately that has to go before  
17 the planning board or a site plan approval, right? But  
18 for site plan, not for whether or not it's an allowed  
19 use. All right? That determination was made in the  
20 redevelopment plan that was adopted this past summer.

21 MR. GARBER: Are there any restrictions in  
22 the plan as to the size of the facility? I know  
23 it's -- I know you said how many acres. However,  
24 there's a big difference between a 1.2 megawatt and a  
25 65 megawatt facility.

1           DEPUTY MAYOR EVANS: Yeah. So it's basically  
2 the size of it is 250,000 square feet is what he's  
3 marketing, right? Which is two stories, you know, and  
4 it does fit on that property.

5           MR. GARBER: That's really not the -- that's  
6 really not how data centers are measured. They're not  
7 measured in square feet. They're really measured in  
8 the amount of power that they consume at any given time  
9 and the amount -- then the amount of water it takes to  
10 cool the facility.

11           DEPUTY MAYOR EVANS: Yes. And what the --  
12 ultimately, what is the ultimate demand while he's  
13 marketing one for 65 megawatts? And by the way, PSC&G  
14 has already done a study that has the power available  
15 for that at that level, right? That's with them. We  
16 don't have that report in front of us, but that's what  
17 I've been informed. They've already made that  
18 determination, but you're correct, it's -- they have to  
19 make a determination of in this area, what's the size  
20 that ultimately fits for the nature of the uses that  
21 would be available, but none of that has happened yet.

22           MR. GARBER: Got it. So we're in -- so  
23 basically what I'm hearing is it's been approved to  
24 have a data center. None of the studies have yet been  
25 done and are to be done that will essentially be the

1 plan for the size, scope, and feasibility of that  
2 particular design in this particular space.

3 DEPUTY MAYOR EVANS: Yes.

4 MR. GARBER: Okay. Thank you very much.

5 MAYOR KELLY: I just want to clarify that it  
6 hasn't been approved for a data center yet. It's an --  
7 the data center is an approved use. They still have to  
8 go before all the processes before a data center is  
9 formally approved.

10 MR. GARBER: So it's still possible that a  
11 data center may not go in that space, even though it's  
12 been approved? So the space has been approved for a  
13 data center.

14 MR. BRUNO: It's zoned. It's zoned for that.

15 MR. GARBER: It's zoned for a data center,  
16 which does not mean that it will necessarily be passed  
17 by planning.

18 MAYOR KELLY: Right.

19 MR. GARBER: Okay. That's helpful. Thank  
20 you. And thank you for the clarification.

21 MAYOR KELLY: You're welcome.

22 MR. BRUNO: He's up there somewhere.

23 DEPUTY MAYOR EVANS: Yeah. Sometimes we feel  
24 the same way. Seeing no one else, we need a motion to  
25 adjourn.

1 COMMISSIONER SCARPELLI: So moved.

2 MR. BRUNO: Then go to executive?

3 MADAM CLERK: Yeah, that --

4 DEPUTY MAYOR EVANS: We do have a need to go  
5 to closed session.

6 MADAM CLERK: Thank you. I need a motion.

7 COMMISSIONER SCARPELLI: Move it.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Thank you. Whereas Section 8  
10 of the Open Public Meeting Act (Chapter 231, Public  
11 Law, 1975) permits the exclusion of the public from  
12 meeting in certain circumstances; and

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

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

19 Now, therefore, be it resolved that the Board  
20 of Commissioners of Township of Nutley move into closed  
21 executive session to discuss contract negotiations;

22 Be it further resolved that at the time when  
23 such discussions may be disclosed to the public shall  
24 be when and such disclosures may be made without  
25 adversely affecting the Township of Nutley pending

1 and/or anticipated legal personnel, contractual  
2 matters, and other matters within the exceptions  
3 provided for by statute. This resolution shall take  
4 effect immediately.

5 Deputy Mayor 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 MAYOR KELLY: Aye.

15 MADAM CLERK: Thank you. Motion to adjourn?

16 DEPUTY MAYOR EVANS: Motion to adjourn the  
17 meeting.

18 COMMISSIONER PETRACCO: Second.

19 MADAM CLERK: Deputy Mayor Evans.

20 DEPUTY MAYOR EVANS: Aye.

21 MADAM CLERK: Commissioner Tucci.

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Commissioner Scarpelli.

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Commissioner Petracco.

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COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Mayor Kelly.

MAYOR KELLY: Aye.

MADAM CLERK: Thank you. And the time is  
8:31.

(End of recording)

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

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



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ALICIA JARRETT, AAERT NO. 428      DATE: December 16, 2025