

In The Matter Of:

In Re: Nutley Board of Commissioners

Transcript of Proceedings

December 16, 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: 12/16/2025

9
10 BOARD OF COMMISSIONERS:

11 THOMAS J. EVANS, DEPUTY MAYOR

12 JOSEPH P. SCARPELLI, COMMISSIONER

13 MAURO G. TUCCI, COMMISSIONER

14 ALPHONSE PETRACCO, COMMISSIONER

15
16 Also Present:

17 JONATHAN BRUNO, TOWNSHIP ATTORNEY

18

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1 (Recording begins)

2 (Pledge of Allegiance)

3 DEPUTY MAYOR EVANS: Madam Clerk, the notice.

4 MADAM CLERK: Thank you, Deputy Mayor.

5 Board of Commissioners Public Meeting Agenda
6 for Tuesday, December 16th, 2025, the time is now 7:09.

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

14 Deputy Mayor Evans?

15 DEPUTY MAYOR EVANS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Here.

18 MADAM CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Here.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Here.

22 MADAM CLERK: And Mayor Kelly is absent,
23 excused this evening.

24 DEPUTY MAYOR EVANS: Minutes?

25 MADAM CLERK: We have Board of Commissioners

1 Meeting Minutes for November 5th, 2025, and
2 November 17th, 2025.

3 COMMISSIONER TUCCI: Move it.

4 COMMISSIONER SCARPELLI: 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: And that's it for minutes.

14 DEPUTY MAYOR EVANS: Okay. Thank you.

15 Reports, Commissioner Tucci?

16 COMMISSIONER TUCCI: Yes. I have a Shade

17 Tree Report for the month of November 2025.

18 DEPUTY MAYOR EVANS: Okay. Commissioner

19 Scarpelli?

20 COMMISSIONER SCARPELLI: I have various
21 monthly reports for Department of Public Works.

22 DEPUTY MAYOR EVANS: Thank you.

23 Bills, Madam Clerk.

24 MADAM CLERK: Thank you.

25 Bill list for December 16th, 2025:

1 Public Affairs, \$236,100.93; Revenue &
2 Finance, \$3,198,588.17; Public Safety, \$67,058.01;
3 Public Works, \$53,274.55; Parks & Public Property,
4 \$878,014.67; Water/Utility, \$32,354.20.

5 Payroll as of Friday, December 5th, 2025:
6 Regular Payroll Total, \$1,089,862.49; Overtime Payroll
7 Total, \$54,345.11; Total Payroll, \$1,144,207.60; for a
8 Grand Total of \$5,609,598.13.

9 DEPUTY MAYOR EVANS: Move the bills.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Deputy Mayor Evans?

12 DEPUTY MAYOR EVANS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye, with the exception
15 of Item Number 25-00278. I abstain on that one.

16 MADAM CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

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

22 DEPUTY MAYOR EVANS: Thank you.

23 Will there be any comment on the agenda
24 tonight from the public -- public comment on the agenda
25 items, only?

1 Seeing no one, move to commissioner
2 announcements.

3 Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: I just wish
5 everybody a happy holiday season, Merry Christmas, and
6 then we don't have a meeting at the end of the year, a
7 healthy and happy new year.

8 DEPUTY MAYOR EVANS: But we have a meeting on
9 the 31st.

10 COMMISSIONER SCARPELLI: I'll wish everybody
11 a healthy and happy new year on the 31st then.

12 DEPUTY MAYOR EVANS: Yeah. Commissioner
13 Petracco?

14 COMMISSIONER PETRACCO: I would like to ditto
15 Dr. Joe as well, and I would like to wish everybody a
16 happy new year, and a healthy one, also, just in case
17 I'm not here December 31st. Thank you.

18 DEPUTY MAYOR EVANS: Don't worry; we'll find
19 you.

20 COMMISSIONER PETRACCO: I'm sure you will.

21 DEPUTY MAYOR EVANS: Commissioner Tucci?

22 COMMISSIONER TUCCI: Yes. I -- that's called
23 a preemptive strike, Commissioner.

24 I'd like to also wish everyone a Merry
25 Christmas. Happy holidays. I hope everyone stays

1 safe; stay happy. On the 31st, I'll wish everyone a
2 Happy New Year. And I just want to thank everyone in
3 the Parks Department and all of our grandparents who
4 came out last night and participated with -- in our
5 program, Christmas Cookie Decorations with Grandma and
6 Grandpa.

7 It was a very cold night, so I thought our
8 crowd would be lean, but it wasn't. It was a capacity
9 crowd, and it was just a great time. And Santa Claus
10 was wonderful.

11 DEPUTY MAYOR EVANS: That's great.

12 COMMISSIONER TUCCI: Thank you, Deputy Mayor.

13 DEPUTY MAYOR EVANS: You're welcome. I have
14 a couple of things. One is, Commissioner Tucci, thank
15 you for your IT staff. They work tirelessly, and we
16 had a power surge that knocked our server out, our
17 phones.

18 We had a lot of disruption over the last 48
19 hours, but they worked really, really hard to get to
20 get replacement parts. And the reason why I'm thanking
21 you is because of their effort and hard work, at 5:30
22 today, we were able to make payroll. That's due on
23 Friday.

24 COMMISSIONER TUCCI: Thank God.

25 DEPUTY MAYOR EVANS: So everybody in the

1 Town -- all of our employees, thank your team as well.

2 COMMISSIONER TUCCI: Yes. They did an
3 outstanding job.

4 DEPUTY MAYOR EVANS: So they did. They did.

5 I, too, want to offer my, you know, holiday
6 wishes, but I just want to, you know, say a few words.

7 We're living in a time where it's becoming
8 increasingly more heartbreaking for me and, I think,
9 for many others, where we're painfully reminded of the
10 senseless loss of innocent lives, you know: the Bondi
11 shootings, Brown University shootings, New York.

12 And how many times, over the course of this
13 year, have we talked about a shooting at a school, you
14 know, the shooting of innocent children? You know,
15 it's around us. The -- and we can't let that chaos,
16 you know, crush our spirits about what this holiday is
17 about, and this time for renewal can provide for us.

18 These acts of brutality are terrible. They
19 shake us to our core, and they demand, you know,
20 unwavering condemnation of violence. And there's just
21 too much violence in our world for senseless reasons,
22 but we have to also look to -- hopefully, look to the
23 coming new year.

24 And my wish for the new year is to begin to
25 look more in and have more of a belief in the goodness

1 of people and humanity to maybe steer away from some of
2 the senseless acts that we've experienced, you know,
3 throughout this year and in the past. So, you know,
4 maybe we can look forward into the new year with the
5 ability to open up our hearts, stand together in, you
6 know, greater unity, with more compassion and empathy,
7 that could heal this crazy world we live in today. I
8 worry for my grandchildren. I worry for my children.
9 I worry for all of us, and as a governing body, we try
10 our best.

11 But what shook me was the fact that what
12 happened in Bondi, as good as Nutley is and as we are,
13 it could happen here. And there's no stopping this.
14 We have a great police department that works really
15 hard to protect us, but it's around us all the time.

16 So it's getting to the point where, you know,
17 I felt that I just really wanted to say something. So
18 my wish is that, for, you know, Happy Hannukah, Merry
19 Christmas, but let's look forward to a healthier and
20 safer new year.

21 Moving on to ordinances, I have an
22 introduction tonight with Commissioner Tucci.

23 Ordinance providing for information
24 technology network computer equipment improvements in
25 and by the Township of Nutley, in the County of Essex,

1 New Jersey, appropriating \$135,000 therefore from the
2 capital improvement fund of the Township, I move that
3 this ordinance be passed to a second reading and
4 advertised in the Nutley Sun, together with the notice
5 required by law, and that further consideration of said
6 ordinance for final passage by the Board of
7 Commissioners be held at its second reading on
8 January 6th, 2026, so move.

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 DEPUTY MAYOR EVANS: Commissioner Tucci,
19 would you like to read your resolutions?

20 COMMISSIONER TUCCI: Absolutely, Deputy
21 Mayor, just give me one minute.

22 Be it resolved by the Board of Commissioners,
23 Township of Nutley, County of Essex, State of New
24 Jersey, that in accordance with the provision of R.S.
25 40A:4-58, the following transfers and appropriations in

1 the 2025 Budget be, and the same are hereby authorized
2 and approved.

3 For the Department of Parks and Public
4 Property, from health insurance, in the amount of
5 89,000; to Shade Tree salaries and wages in the amount
6 of 4,000; Buildings and Grounds, 50,000; Recreation
7 Committee, other expenses, 20,000; Senior Citizen
8 Transportation, 5,000; for a like amount of 89,000. I
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 COMMISSIONER TUCCI: We're good?

20 DEPUTY MAYOR EVANS: Yeah, yeah.

21 COMMISSIONER PETRACCO: Okay. Whereas, the
22 Township of Nutley, pursuant to NJSA 40A:11-11, may by
23 resolution and without advertising for bids, purchase
24 goods and services under an approved County Cooperative
25 Purchasing Program;

1 And whereas, the Township of Nutley is a
2 member of the Educational Services Commission of New
3 Jersey;

4 And whereas, the Educational Services
5 Commission of New Jersey has awarded a contract to Ben
6 Shaffer Recreation, Lake Hopatcong, New Jersey, 07849,
7 for playground and recreational area surfacing
8 materials, installation, and inspections, Contract
9 Number 24/25-03, and playground equipment, site
10 furnishings, outdoor circuit training equipment, and
11 related projects -- products, Contract 24/25-01;

12 And whereas, Ben Shaffer Recreation, PO
13 Box 844, Lake Hopatcong, New Jersey, has provided a
14 quote in the amount of \$537,418.50;

15 And whereas, the cost of the design,
16 permitting, and construction of the improvements for
17 Glotzbach Playground will be supported by the New
18 Jersey Department of Environmental Protection Green
19 Acres Jake's Law Playground Funding Program and Capital
20 Ordinance C-04-55-356-400;

21 And whereas, the Township of Nutley has
22 allocated the following funds to support the project,
23 and the Chief Financial Officer has provided a
24 Certificate of Availability, said certification being
25 attached to this Resolution.

1 So we have, under Jake's Law Playground
2 Funding, \$403,000, and under Capital Ordinance
3 C-04-55-356-400, 134,418.50.

4 Now, therefore, be it resolved, by the Board
5 of Commissioners of the Township of Nutley, County of
6 Essex, State of New Jersey, that a contract for
7 Glotzbach Handicap Accessible Playground be awarded
8 to Ben Shaffer Recreation, Lake Hopatcong, New Jersey.
9 I 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 COMMISSIONER TUCCI: Whereas, sealed bids
20 were received for Tree Removal Service on
21 November 25th, 2025, in the Township of Nutley;

22 And whereas, Trees Plus Inc., 40 Bunker Road,
23 East Hanover, New Jersey, was the low bidder for
24 Items 1 through 4, and tree sizes ranging from 9 to 15,
25 16 to 23, 24 to 35, and 36 plus, in the amounts listed

1 in the resolution;

2 And whereas, the contract is not to exceed
3 \$40,000 from Account Number 6-01-512-200, pending
4 adoption of the 2026 Municipal Budget, and have been
5 certified by the Chief Financial Officer, said
6 certification being attached to these resolutions;

7 Now, therefore, be it resolved by the Board
8 of Commissioners of the Township of Nutley, County of
9 Essex, in State of New Jersey, that a contract for Tree
10 Removal be awarded to Trees Plus Inc. I move the
11 resolution.

12 COMMISSIONER PETRACCO: 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 COMMISSIONER TUCCI: Whereas, sealed bids
22 were received for recreation uniforms, equipment, and
23 supplies on November 25th, 2025, in the Township of
24 Nutley;

25 And whereas, the Board of Commissioners of

1 the Township of Nutley in the County of Essex, New
2 Jersey, that a contract for recreation uniforms,
3 equipment, and supplies be awarded to BSN Sports,
4 Jenkintown, PA, as per the attached sheet, not to
5 exceed \$30,000.00;

6 And whereas, funds are available from Account
7 Number 6-01-506-200 in the amount of 10,000 and
8 T-24-909-901 through 915 in the amount of 20,000, and
9 have been certified by the Chief Financial Officer,
10 said adoption of the Chief -- certified by the Chief
11 Financial Officer, subject to the adoption of the 2026
12 Municipal Budget;

13 Now, therefore, be it resolved that the Mayor
14 and the Township Clerk be and they are hereby
15 authorized to enter into a contract with BSN Sports,
16 Jenkintown, PA, and sign said contract for the Township
17 of Nutley, County of Essex, State of New Jersey. I
18 move the resolution.

19 COMMISSIONER PETRACCO: Second.

20 MADAM CLERK: Deputy Mayor Evans?

21 DEPUTY MAYOR EVANS: Aye.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Aye.

1 MADAM CLERK: Commissioner Petracco?

2 COMMISSIONER PETRACCO: Aye.

3 COMMISSIONER TUCCI: Whereas, sealed bids
4 were received for recreation uniforms, equipment, and
5 supplies on November 25th, 2025, in the Township of
6 Nutley;

7 And whereas, the Board of Commissioners of
8 the Township of Nutley, County of Essex, State of New
9 Jersey, that a contract for uniforms, equipment, and
10 supplies be awarded to Dot Design, 242 Possum Hollow
11 Road, Monroe Township, New Jersey, as per the attached
12 sheet, in an amount not to exceed \$20,000;

13 And whereas, funds are available from
14 Accounts T-24-909-901 through 915 and have been
15 certified by the Chief Financial Officer, subject to
16 the adoption of the 2026 Municipal Budget;

17 Now, therefore, be it resolved that the Mayor
18 and the Township Clerk be and they are hereby
19 authorized to enter into and sign said contract for the
20 Township of Nutley, County of Essex, State of New
21 Jersey. Now, therefore, be it resolved that the Mayor
22 and the Township Clerk be and they are hereby
23 authorized to enter into and sign said contract for the
24 Township of Nutley. I move the resolution.

25 COMMISSIONER PETRACCO: 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 COMMISSIONER TUCCI: Whereas, sealed bids
10 were received for recreation uniforms, equipment, and
11 supplies on November 25th, 2025, in the Township of
12 Nutley;

13 And whereas, the Board of Commissioners of
14 the Township of Nutley in the County of Essex, State of
15 New Jersey, that a contract for recreation uniforms,
16 equipment, and supplies be awarded to Veronica Sports,
17 Hasbrouck Heights, New Jersey, as per the attached
18 sheet, not to exceed \$30,000;

19 Whereas, funds are available from Account
20 Number 6-01-506-200 in the amount of 10,000 and
21 T-24-909-901 through 915 in the amount of 20,000 and
22 have been certified by the Chief Financial Officer,
23 subject to the adoption of the 2026 Budget;

24 Now, therefore, be it resolved that the Mayor
25 and the Township Clerk be and they are hereby

1 authorized to enter into a contract with Veronica
2 Sports, Hasbrouck Heights, New Jersey, and sign said
3 contract for the Township of Nutley in the County of
4 Essex, State of New Jersey. I move the resolution.

5 COMMISSIONER PETRACCO: Second.

6 MADAM CLERK: Deputy Mayor 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 COMMISSIONER TUCCI: That's all I have,
15 Deputy Mayor.

16 DEPUTY MAYOR EVANS: Thank you, Commissioner.
17 Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Thank you, Deputy
19 Mayor.

20 This is Resolution Number 370-25, a
21 resolution authorizing the Township of Nutley to sign a
22 NJDEP treatment works approval application for the
23 connection of a 158-unit residential dwelling with
24 commercial/retail areas located at 531 Franklin Avenue,
25 Nutley, New Jersey, into the Township of Nutley

1 sanitary sewer system. I move the resolution.

2 COMMISSIONER PETRACCO: Second.

3 MADAM CLERK: Deputy Mayor Evans?

4 DEPUTY MAYOR EVANS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 COMMISSIONER SCARPELLI: Whereas, the
12 Mandatory Source Separation and Recycling Act has
13 established a recycling fund from which tonnage grants
14 may be made to municipalities in order to encourage
15 local source separation and recycling programs;

16 Now, therefore, be it resolved by the Board
17 of Commissioners, Township of Nutley, County of Essex,
18 State of New Jersey, that the Township of Nutley hereby
19 endorses the submission of the 2025 Municipal Recycling
20 Tonnage Grant Application to the New Jersey Department
21 of Environmental Protection and designates Salvatore
22 Ferraro, Recycling Coordinator, Township of Nutley, to
23 ensure that the application is properly filed. Move
24 the resolution.

25 COMMISSIONER PETRACCO: 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 COMMISSIONER SCARPELLI: This is
10 Resolution 372-25, emergency authorization resolution
11 for sewer main line repair between Conover Avenue and
12 Florence Street in the Township of Nutley. I move the
13 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 COMMISSIONER SCARPELLI: Whereas, bids for
24 the 2026 Acceptance of Recycling Vegetative Waste, to
25 include leaf and grass clippings, were received and

1 opened on October 29th, 2025;

2 And whereas, Environmental Renewal,
3 27 Andrews Drive, Woodland Park, New Jersey, was the
4 low bidder for the following services: acceptance and
5 recycling of Class B clean wood/brush at \$15.49 per
6 cubic yard; acceptance and recycling of Class C leaves
7 at \$8.44 per cubic yard; and acceptance and recycling
8 of Class C grass clippings at \$17.98 per cubic yard;

9 Whereas, funds are available from Account
10 Number 6-01-422-209 in the amount of \$80,000.00,
11 subject to adoption of the 2026 Municipal Budget, and
12 have been certified by the Chief Financial Officer,
13 said certification will be attached to this Resolution.

14 Now, therefore, be it resolved by the Board
15 of Commissioners of the Township of Nutley, County of
16 Essex, State of New Jersey, that a contract in an
17 amount not to exceed \$80,000, be awarded to
18 Environmental Renewal and that the Mayor and Township
19 Clerk are hereby authorized to enter into and execute
20 said contract on behalf of the Township of Nutley.

21 Move the resolution.

22 COMMISSIONER PETRACCO: Second.

23 MADAM CLERK: Deputy Mayor 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 COMMISSIONER SCARPELLI: Whereas, the
7 Township of Nutley, through the Department of Public
8 Works, has a need to acquire the services of an
9 engineering consultant as a non-fair and open contract
10 pursuant to the provisions of NJSA 19:44 A-20.4 or
11 20.5, as appropriate;

12 And whereas, the engineering coordinator has
13 determined and certified in writing that the value of
14 the aggregate services provided by the vendor for the
15 term of this contract will exceed \$17,500;

16 And whereas, the anticipated term of this
17 contract is for 12 months, from January 1st, 2026,
18 through December 31st, 2026;

19 And whereas, Pennoni Associates, 1085 Raymond
20 Boulevard, Suite 2102, Newark, New Jersey, has
21 submitted a proposal dated November 24th, 2025,
22 indicating they will provide engineering services
23 according to a fee schedule attached;

24 Whereas, Pennoni Associates has completed and
25 submitted a Business Entity Disclosure Certification,

1 which certifies that said corporation has not made any
2 reportable contributions to a political or candidate
3 committee in the Township of Nutley in the previous one
4 year, and that the contract will prohibit Pennoni
5 Associates from making any reportable contributions
6 through the term of the contract;

7 Whereas, the contract is not to exceed
8 \$165,000 for general engineering services, and funds
9 are available from Account Number 6-01-404-200 and have
10 been certified by the Chief Financial Officer,
11 said certification to the -- subject to the adoption of
12 the 2026 Municipal Budget;

13 Now, therefore, be it resolved that the Board
14 of Commissioners of the Township of Nutley enter into a
15 contract with Pennoni Associates, as described herein;

16 And be it further resolved that the Business
17 Disclosure Entity Certification and the Determination
18 of Value be placed on file with this resolution.

19 Be it further resolved that a notice of this
20 action shall be printed once in the Nutley Sun in
21 accordance with the Local Public Contracts Law. I move
22 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 COMMISSIONER SCARPELLI: Whereas, the
8 Township of Nutley advertised for proposals for the
9 marketing of recyclable materials;

10 And whereas, the Request for Proposals for
11 the marketing of recycling materials were accepted by
12 the Township Clerk on October 29th, 2025;

13 Whereas, the Township of Nutley reviewed and
14 analyzed all submitted proposals;

15 Whereas, the proposal received by Integrity
16 Recycling & Waste Solutions, 111 Route 31, Suite 223,
17 Flemington, New Jersey, is the most favorable proposal
18 for the Township of Nutley;

19 And whereas, Integrity Recycling & Waste
20 Solutions is recommended for a three-year contract with
21 two one-year options for contract extensions, effective
22 on January 1st, 2026, through December 31st, 2028;

23 And whereas, funds are available from Account
24 Number 6-01-423-209 in the amount not to exceed
25 \$60,000, have been certified by the Chief Financial

1 Officer, subject to the adoption of the 2026 Municipal
2 Budget;

3 Now, therefore, be it resolved by the Board
4 of Commissioners of the Township of Nutley, County of
5 Essex, State of New Jersey, that a contract be awarded
6 to Integrity Recycling & Waste Solutions and that the
7 Mayor and Township Clerk are hereby authorized to enter
8 into and sign said contract for the Township of Nutley
9 Board of Commissioners. I 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 COMMISSIONER SCARPELLI: That's all I have,
20 Deputy Mayor.

21 DEPUTY MAYOR EVANS: Thank you, Commissioner.
22 Commissioner Petracco?

23 MADAM CLERK: I'm sorry.

24 Commissioner Scarpelli, do you have one more?

25 DEPUTY MAYOR EVANS: Which would be your

1 budget transfer?

2 COMMISSIONER SCARPELLI: It may be lost in
3 the shuffle, but I have it in front of me now.

4 Be it resolved, by the Board of Commissioners
5 of the Township of Nutley, County of Essex, New Jersey,
6 that in accordance with the provision of R.S. 40A:4-58,
7 the following transfers of appropriations in the
8 2025 Budget be and the same are hereby authorized and
9 approved.

10 From Road Repair & Maintenance O/E to Road
11 Repair & Maintenance Hourly Wage, \$28,944.91, and be it
12 further resolved that notification of these budget
13 charges will be made by the Chief Finance Officer to
14 the Director of the Division of Local Government
15 Services through the electronic submission process. I
16 move the resolution.

17 COMMISSIONER PETRACCO: Second.

18 MADAM CLERK: Deputy Mayor 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 COMMISSIONER PETRACCO: Aye.

1 COMMISSIONER SCARPELLI: Now, that's all I
2 have, Deputy Mayor.

3 DEPUTY MAYOR EVANS: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Yes.

5 Whereas, the Nutley Department employs
6 SLEO I, SLEO II, and SLEO III Officers, the SLEO I
7 Officer is a volunteer who is trained to assist Nutley
8 Police Department, including but not limited,
9 traffic/crowd control at civic events;

10 SLEO II Officers are -- and SLEO III Officers
11 have full police powers while on duty;

12 Whereas, the Nutley Police Department has
13 appointed Joseph Leone and Michael Lambrugo as SLEO II
14 Officers for one year, beginning January 1st, 2026,
15 through December 31st, 2026;

16 And whereas, the Nutley Police Department has
17 appointed Joseph Castellano as a SLEO III Officer for
18 one year, beginning January 1st, 2026, through
19 December 31st, 2026;

20 Whereas, the Nutley Police Department has
21 appointed Pragnesh Bhatt and Randolph Altaro as SLEO I
22 Officers for one year, beginning January 1st, 2026,
23 through December 31st, 2026;

24 Now, therefore, be it resolved by the Board
25 of Commissioners of the Township of Nutley, County of

1 Essex, State of New Jersey, that the Nutley Police
2 Department is authorized to appoint Joseph Leone and
3 Michael Lambrugo as SLEO IIs, Joseph Castellano as a
4 SLEO III, Officer Pragnesh Bhatt and Randolph Alfaro as
5 SLEO I Officers for January 1st through December 31st,
6 2026. I move it.

7 DEPUTY MAYOR EVANS: Second.

8 MADAM CLERK: Deputy Mayor 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 This is Resolution 384-25. I'm going to read
17 by the title, just to save a little time. Resolution
18 authorizing the Township of Nutley, through the Nutley
19 Police Department, to participate in the Defense of
20 Logistics Agency Law Enforcement Support Officers 1033
21 Program to enable the Nutley Police Department to
22 request and acquire excess department of the defense
23 equipment. 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 Be it resolved by the Board of Commissioners
9 of the Township of Nutley, County of Essex, State of
10 New Jersey, that Resolution Number 169-25, adopted on
11 July 1st, 2025, entitled Insertion of an Item of
12 Revenue in the Budget of the Year 2025/Municipal
13 Alliance Grant, is hereby rescinded. I move it.

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 Whereas, NJSA 40A:4-87 provides that the
24 Director of the Division of Local Government Services
25 may approve the insertion of any special item of

1 revenue in the budget of any county or municipality
2 when such item shall have been made available by law,
3 and the amount thereof was not determined at the time
4 of the adoption of the budget;

5 Whereas, the Director may also approve the
6 insertion of an appropriation for the equal amount;

7 Now, therefore, be it resolved by the Board
8 of Commissioners of the Township of Nutley, County of
9 Essex, New Jersey, hereby requests the Director of the
10 Division of Local Government Services to approve
11 insertion of an item of revenue in the budget of the
12 year 2025 in the sum of 10,500, and which item is now
13 available as a revenue from the Municipal Alliance
14 Grant pursuant to provisions statute;

15 Be it further resolved, that a like sum of
16 10,500 be and same is hereby appropriated under the
17 caption: General Appropriations,

18 (A) Operations-Excluded from CAPS, Essex County
19 Division of Community Health Services: Municipal
20 Alliance Grant and Other Expenses, \$10,500.

21 Be it further resolved that the sum of
22 \$2,625, representing an amount required for the
23 municipality's share of the aforementioned grant,
24 appears under the 2025 budget under the budget
25 appropriation Police O/E and is hereby appropriated to

1 the Municipal Alliance Grant.

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

7 COMMISSIONER SCARPELLI: Second.

8 MADAM CLERK: Deputy Mayor 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 I believe that's all I have. I see we have a
17 joint one, Mr. Deputy Mayor.

18 And, Madam Clerk, did you tell me there was
19 a --

20 MADAM CLERK: No. I made a mistake. It was
21 on the previous --

22 COMMISSIONER PETRACCO: Oh, I'm happy to hear
23 it. Thank you.

24 MADAM CLERK: You're welcome.

25 COMMISSIONER PETRACCO: So that's all I have

1 at this point.

2 DEPUTY MAYOR EVANS: Here we go.

3 COMMISSIONER PETRACCO: Okay. Thank you.

4 DEPUTY MAYOR EVANS: Thank you.

5 Mayor Kelly is not online tonight, so I will
6 read my resolutions as well as Mayor Kelly's, beginning
7 with mine. Resolution 378-25, resolution of the
8 Township Commissioners of the Township of Nutley
9 authorizing a change order for the professional
10 services contract with Inglesino Taylor, LLC, as
11 counsel for the Township concerning compliance,
12 procedural, and legal issues.

13 Whereas, change orders is needed in the
14 amount of \$65,000 to continue these services for the
15 remainder of '25;

16 And the funds are available in
17 Account 5-01-012-205 in the amount of \$51,926, and
18 Account C-04-55-182-401 in the amount of \$13,074, and
19 has been certified by the Chief Financial Officer, said
20 certification being attached to this resolution. I
21 move the resolution as it's written.

22 COMMISSIONER TUCCI: Second.

23 MADAM CLERK: Deputy Mayor Evans?

24 DEPUTY MAYOR EVANS: Excuse me, no. You have
25 to abstain to that --

1 COMMISSIONER TUCCI: Oh, I'm sorry. I
2 abstain on the issue.

3 COMMISSIONER SCARPELLI: I'll second it.

4 MADAM CLERK: Thank you.

5 COMMISSIONER TUCCI: Thank you.

6 MADAM CLERK: Deputy Mayor Evans?

7 DEPUTY MAYOR EVANS: Aye.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Now, I abstain.

10 MADAM CLERK: Okay. Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 DEPUTY MAYOR EVANS: Thank you.

15 379-25, whereas, the Building Department
16 received an application -- the application fees in the
17 amount of \$1,750 for 777 Nutley LLC to 789 Bloomfield
18 Avenue for property located at 777 Bloomfield Avenue;

19 Whereas, the application fee was collected
20 and deposited in Account 05-01-08-104-001;

21 Whereas, it has been determined that these
22 application fees are fully refundable.

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

1 Treasurer be and is hereby authorized to refund the
2 application fee for land use applications in the amount
3 of \$1,750 from Account 5-01-08-104-001 to Nutley LLC
4 and 789 Bloomfield C95 LLC, so move.

5 COMMISSIONER PETRACCO: Second.

6 MADAM CLERK: Deputy Mayor Evans?

7 DEPUTY MAYOR EVANS: Aye.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: I abstain.

10 MADAM CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 DEPUTY MAYOR EVANS: All right. You're clear
15 now.

16 COMMISSIONER TUCCI: I'm good?

17 DEPUTY MAYOR EVANS: Yeah.

18 Be it resolved, by the Board of Commissioners
19 of the Township of Nutley, County of Essex, New Jersey,
20 that in accordance with the provision of R.S. 40A:4-58,
21 the following transfers of appropriations in the
22 '25 Budget be and the same are hereby authorized and
23 approved.

24 From Unemployment O/E, \$97,681, to Grant
25 Writers O/E, \$700; Economic Redevelopment Project O/E,

1 \$86,981; and Treasurer's Office's Salary and Wage,
2 \$10,000; for a total amount of \$97,681.

3 Now, therefore, be it resolved with this
4 notification of these budget changes will be made by
5 the -- will be made by the Chief Financial Officer to
6 the Director of the Division of Local Governmental
7 Services through the electronic submission process, so
8 move.

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 DEPUTY MAYOR EVANS: The following
19 resolutions are for Mayor Kelly. Be it resolved by the
20 Board of Commissioners of the Township of Nutley,
21 County of Essex, State of New Jersey, that John V.
22 Kelly, III, and Salvatore Ferraro be appointed as
23 representatives of the Community Development Block
24 Grant Committee for the term of January 1, 2026,
25 through December 31st, 2026, so move.

1 COMMISSIONER TUCCI: Second.

2 MADAM CLERK: Deputy Mayor Evans?

3 DEPUTY MAYOR EVANS: Aye.

4 MADAM CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 MADAM CLERK: Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 DEPUTY MAYOR EVANS: Whereas, the Township of
11 Nutley has the need to acquire the services of an
12 independent planning expert to assist the Zoning Board
13 of Adjustment as the non-fair and open contract
14 pursuant to the provisions of NJSA 19:44A-20.5;

15 Whereas, the Zoning Board of Adjustment of
16 the Township of Nutley wishes to retain an independent
17 planning expert to assist the Board in reviewing
18 evidence submitted with respect to applications
19 submitted;

20 Whereas, Section 85.13 and 85.14 of
21 Chapter 85 of the Code of the Township of Nutley
22 empowers the Board to appoint such staff as the Board
23 may deem necessary;

24 Whereas, Paul Ricci, AICP, PP, of
25 RicciPlanning, at 177 Monmouth Avenue, Atlantic

1 Highlands, is willing and able to provide such an
2 expert review of plans, applications, and other
3 documents and matters submitted before the Board to be
4 paid at a rate of \$150 an hour;

5 Whereas, the anticipated term of this
6 contract is from January 1, 2026, through
7 December 31st, 2026;

8 Whereas, funds are available from applicants'
9 escrow deposit accounts for developers;

10 Now, therefore, be it resolved that the Board
11 of Commissioners of the Township of Nutley, County of
12 Essex, authorizes a contract with Ricci Planning to
13 assist the Zoning Board of Adjustment with respect to
14 applications submitted;

15 Be it further resolved the Business
16 Disclosure Entity Certification and the Determination
17 of Value will be placed on file with this resolution.

18 Be it further resolved that a notice of this
19 action shall be printed in the Nutley Sun, in
20 accordance with Local Public Contract Law, 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 DEPUTY MAYOR EVANS: Whereas, the Township of
6 Nutley has a need to award a contract for wireless
7 consulting services pertaining to the agreements with
8 communications carriers for the impending deployment in
9 the Township of 5G generation of mobile networks, as
10 well as the upgrade and maintenance of existing
11 communications networks and facilities;

12 Whereas, the Township of Nutley has a need to
13 award a contract for consulting services pertaining to
14 the railroad lines traversing the Township and the
15 licenses for space by the Township for utility
16 pipelines regarding same;

17 Whereas, the Township has solicited -- the
18 Township of Nutley solicited, pursuant to the Local
19 Public Contracts Law, and received a quote for the
20 provision of wireless consulting services pertaining to
21 the impending deployment in the Township of 5G
22 generation mobile networks and issues affecting
23 existing telecommunications networks and the railroad
24 lines, and the Township pipelines;

25 Whereas, the Mayor and Board of Commissioners

1 desires to award a contract to Hoplite for consulting
2 services pertaining to the impending deployment in the
3 Township of 5G generation of mobile networks, as well
4 as consultation in regard to existing communications
5 networks and the railroad lines traversing the
6 Township;

7 Whereas, the contract will not exceed \$7,000
8 for the period January 1, 2026, through December 31st,
9 2026;

10 And funds are -- will be available in
11 Account 6-01-011-299, which will be certified by the
12 Chief Financial Officer, said certification being
13 subject to adoption of the 2026 Budget;

14 Now, therefore, be it resolved by the Board
15 of Commissioners that the Township of Nutley, County of
16 Essex, contract for SG Telecommunication Consultant as
17 follows.

18 That Mayor and Township Clerk are hereby
19 authorized and directed to execute, seal, and deliver a
20 2025 contract for professional services with Hoplite
21 Communications, pursuant to a non-fair and non-open
22 process in accordance with NJSA 19:44A-20.5 for the
23 term of -- one year, beginning of January 1, 2026,
24 through December 31st, 2026, at the stated hourly rate
25 not to exceed \$7,000.

1 A copy of this resolution, as well as the
2 contract and the Business Entity Disclosure
3 Certification and Business Entity Disclosure of
4 Campaign Contributions, shall be placed on file with
5 the Clerk.

6 A copy of the Resolution shall be published
7 as required by law within ten days of passage, so move.

8 COMMISSIONER PETRACCO: Second.

9 MADAM CLERK: Deputy Mayor Evans?

10 DEPUTY MAYOR EVANS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 DEPUTY MAYOR EVANS: Whereas, the Township of
18 Nutley has the need for the services of an Outside
19 Litigation Counsel to represent the Township in the
20 following matter, Malik Saqib v. The Township of Nutley
21 Zoning Board, Docket ESX-L002816-23, through a non-fair
22 and non-open contract as a professional service,
23 pursuant to the provisions of NJSA 19 -- excuse me,
24 19:44A-20.5 and NJSA 20A:11-1, et. seq., as amended;
25 Whereas, the Law Firm of Gaccione & Pomaco,

1 PC, One Boland Drive, Suite 102, West Orange, has ably
2 and previously provided these services;

3 Whereas, Gaccione & Pomaco, PC, has submitted
4 a 2026 fee schedule to provide such services at an
5 hourly rate of \$215 for legal services by attorneys and
6 an hourly rate of \$100 for services by paralegal or law
7 clerk;

8 Whereas, the contract will not exceed \$7,500
9 for the period January 1, 2026, through December 31st,
10 2026;

11 And funds will be available in
12 Account 6-01-226-205, which will be certified by the
13 Chief Financial Officer, said certification being
14 attached to -- subject to the adoption of the
15 '26 Municipal Budget;

16 Whereas, the Law Firm of Gaccione & Pomaco
17 has completed and submitted a Business Entity
18 Disclosure Certification, which certifies that they
19 have not made any reportable disqualifying
20 contributions to a political or candidate committee in
21 the Township of Nutley in the previous one year.

22 Now, therefore, be it resolved that the Board
23 of Commissioners in the Township of Nutley, County of
24 Essex, State of New Jersey, award a contract for
25 Special Development Counsel as follows.

1 The Mayor and Township Clerk are hereby
2 authorized and directed to execute, seal, and deliver a
3 2026 contract for professional legal services with
4 Gaccione & Pomaco, PC, pursuant to a non-fair and
5 non-open process in accordance with NJSA 19:44A20.5 for
6 a term beginning January 1, 2026, through
7 December 31st, 2026, for the stated hourly rates not to
8 exceed \$7,500.

9 A copy of this resolution, as well as the
10 contract and the Business Entity Disclosure
11 Certification and Business Entity Disclosure of
12 Campaign Contributions, shall be placed on file with
13 the Clerk.

14 A copy of the resolution shall be published
15 as required by law within ten days of passage, so move.

16 COMMISSIONER TUCCI: Second.

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 DEPUTY MAYOR EVANS: Resolution 359-25 is a

1 resolution of the Board of Commissioners of the
2 Township of Nutley authorizing the engagement of FAR
3 Planning to provide plan and technical review services
4 in connection with the Franklin Avenue Redevelopment
5 Area. The amount is not to exceed \$15,000. I move the
6 resolution as written.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Deputy Mayor 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 DEPUTY MAYOR EVANS: Whereas, the Township of
17 Nutley has a need to retain the professional services
18 of FAR Planning to provide architectural planning and
19 architectural consulting services related to the
20 ongoing redevelopment of the Hoffmann-La Roche/ON3
21 Campus. The proposal is for \$75,000. I move the
22 resolution as written, so move.

23 COMMISSIONER TUCCI: 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 DEPUTY MAYOR EVANS: Whereas, the Township of
8 Nutley has a continuing need for the services of a
9 Special Development Counsel through a non-fair and
10 non-open contract as a professional service pursuant to
11 the provisions of NJSA 19:44A-20.5 and NJSA 20A:11-1,
12 et seq., as amended;

13 Whereas, John P. Inglesino of the Law Firm of
14 Inglesino Taylor, Parsippany Road, Parsippany, New
15 Jersey, has ably and continuously provided these
16 services since October 1, 2013;

17 Whereas, John P. Inglesino has submitted a
18 2026 fee schedule to provide such services at an hourly
19 rate of \$250 for legal services by attorneys and an
20 hourly rate -- and an hourly rate of \$100 for services
21 of paralegal or law clerks;

22 The contract will not exceed \$95,000 for the
23 period January 1, 2026, through December 31st, 2026;

24 And funds will be available in
25 Account 6-01-226-205, which will be certified by the

1 Chief Financial Officer, said certification being
2 subject to adoption of the 2026 Municipal Budget;

3 Now, therefore, be it resolved that the Board
4 of Commissioners of the Township of Nutley, County of
5 Essex, that the contract for Special Development
6 Counsel hereby authorizes the Mayor and the Township
7 Clerk to execute, seal, and deliver said 2026 contract
8 for the amounts listed in here -- herein.

9 A copy of this resolution, as well as the
10 contract and the Business Disclosure Entity
11 Certification and Business Entity Disclosure of
12 Campaign Contributions, shall be placed on file with
13 the Clerk.

14 A copy of the resolution shall be published
15 as required by law within ten days, so move.

16 COMMISSIONER TUCCI: Second.

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 DEPUTY MAYOR EVANS: Don't worry, guys, only

1 another 20 to go.

2 Whereas the Nutley has agreed to partner with
3 the Nutley Family Service Bureau to provide services
4 for residents of the Township of Nutley;

5 Now, therefore, be it resolved that the Board
6 of Commissioners of the Township of Nutley, County of
7 Essex, State of New Jersey, agree to contract with for
8 the Nutley Family Services Bureau as follows to provide
9 these services: facilitate Nutley residents with food
10 services, provide edible education events, provide
11 group mental health counseling for Nutley residents,
12 provides residents with addiction related support,
13 provide the Township with a thrift shop for families in
14 need, mental well-being workshops, individual
15 psychotherapy counseling, therapists available for the
16 Nutley High School and Township in Crisis, Backpack
17 Initiative.

18 Be it further resolved that pursuant to the
19 agreement between the Township of Nutley and the
20 Nutley Family Service Bureau for the above-referenced
21 services, the contract authorizes a payment of
22 \$50,000, effective January 1, 2026, through
23 December 31st, 2026.

24 Payment of 25,000 shall be made in June 2026,
25 with the second 25,000 being made in December 2026.

1 Be it further resolved, funds will be
2 available from Account 6-01-120-209 for \$50,000, and
3 will be certified by the Chief Financial Officer, said
4 certification being subject to the '26 -- adoption of
5 '26 Budget, so move.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Deputy Mayor Evans?

8 DEPUTY MAYOR EVANS: Aye.

9 MADAM CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 MADAM CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 DEPUTY MAYOR EVANS: Now, be it resolved by
16 the Board of Commissioners of the Township of Nutley,
17 County of Essex, State of New Jersey, the Township
18 shall apply for Community Development Block Grant
19 monies for the Year 2026;

20 Whereas, public hearings regarding the
21 Community Development Block Grant Program were held on
22 November 3rd and December 17th, 2025, at which time
23 applications for grants were accepted;

24 Now, therefore, be it resolved that the
25 Township of Nutley submits the following applications

1 for funding.

2 Reconstructions -- reconstruction and
3 resurfacing of Booth Drive from Franklin Avenue to
4 Vincent Place, \$225,000; to Reconstruction and
5 Resurfacing of Vincent Place from William Street to
6 Chestnut Street, \$300,000, so move.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Deputy Mayor 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 DEPUTY MAYOR EVANS: Resolution 377-25,
17 resolution of the Township Commissioners of the
18 Township of Nutley authorizing a change order for the
19 professional services contract for Inglesino Taylor as
20 counsel for the Township concerning special
21 development.

22 Whereas, change order is needed in the amount
23 of \$125,476.95 to continue these special legal services
24 for the remainder the year.

25 Funds are available from Account 5-01-226-205

1 in the amount of \$123,810.45 and from
2 Account T-15-912-950 in the amount of \$666.50 and have
3 been certified by the Chief Financial Officer, said
4 certification being attached to this resolution.

5 Now, therefore, be it resolved by the Board
6 of Commissioners of the Township of Nutley, County of
7 Essex, State of New Jersey, that Change Order 1 is
8 hereby authorized and approved in the amount of
9 \$125,476.95.

10 Be it further resolved that a copy of this
11 resolution shall be placed on file with the Clerk of
12 the Township, and a notice in accordance with the Local
13 Public Contracts Law of New Jersey in the form attached
14 hereto shall be published in the Nutley Sun, so moved.

15 COMMISSIONER TUCCI: 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 DEPUTY MAYOR EVANS: Be it resolved, by the
25 Board of Commissioners of the Township of Nutley,

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

5 From Nutley Family Service Bureau O/E,
6 25,000; Department of Health Salary and Wage, 4,000;
7 Department of Health Salary and Wage, 2,000, to
8 Department of Health O/E, 25,000; Township Attorney,
9 4,000; Planning Board Attorney, 2,000; for a total of
10 \$31,000.

11 Be it further resolved that notification of
12 these budget charges will be made by the Chief
13 Financial Officer to the direction of Division of Local
14 Government Services through the electronic submission
15 process, so moved.

16 COMMISSIONER TUCCI: Second.

17 MADAM CLERK: Deputy Mayor Evans?

18 DEPUTY MAYOR EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 DEPUTY MAYOR EVANS: Whereas, raffle license

1 applications have been received from the following
2 organizations: Nutley Jr. Raider Booster Club,
3 License 65-25, On-Premise 50/50 Raffle, and then
4 License Number 66 -- excuse me. 65-25 was the first.
5 66-25 is the second, On-Premise Merchandise Raffle, and
6 it goes through February 21, '26. I move the
7 resolution as written, so moved.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Deputy Mayor Evans?

10 DEPUTY MAYOR EVANS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 DEPUTY MAYOR EVANS: We will have a need to
18 go into an executive session this evening. But before
19 we do that, would anyone wish to comment on -- comments
20 from the public before we go into the executive?

21 MADAM CLERK: All persons addressing the
22 Board of Commissioners regarding community concerns
23 should approach the microphone and provide their name
24 for the record. Unless further time is granted by the
25 Board, each person should limit their address to three

1 minutes.

2 All remarks to the Board and its individual
3 members must be addressed to the Mayor. The Mayor may
4 defer citizens' comments to the appropriate member of
5 the Board.

6 MR. GARBER: Great. Thank you.

7 Bob Garber, and first, I want to wish all of
8 you a Happy Hanukkah, Merry Christmas, Happy New Year,
9 and I also want to thank you for sponsoring the Santa
10 Claus visit on Saturday. My grandson and the kids in
11 the neighborhood were really delighted, so thank you
12 very much for doing that.

13 I'm here to talk, again, about the proposed
14 data center. I've got a few more questions for you and
15 a couple of comments. I did a little bit research --
16 I'm sorry.

17 DEPUTY MAYOR EVANS: Just real quickly, we
18 don't have a proposal before us --

19 MR. GARBER: I know.

20 DEPUTY MAYOR EVANS: -- if you recall from
21 the last meeting.

22 MR. GARBER: Yes, I do.

23 DEPUTY MAYOR EVANS: I'm happy to take your
24 questions, but understand, there isn't a proposal
25 pending.

1 MR. GARBER: Exactly, and my questions aren't
2 related to a proposal. It's related to the steps
3 leading to.

4 DEPUTY MAYOR EVANS: Fair enough.

5 MR. GARBER: So thank you very much for that.
6 First, I just want to point out, I did a
7 little bit of research, and one thing that I noted is
8 that it's noted in the NJ Spotlight, which is sponsored
9 by NJ PBS, that the utility rates went up about 20
10 percent this summer, and they mostly could be
11 attributed to the use of energy by data centers in New
12 Jersey.

13 So there is some evidence that they are
14 responsible for rates going up. I will say, too, right
15 now, I'm just focusing on energy, but I know water and
16 sound are a big issue as well, as is environment -- as
17 are environmental concerns.

18 The second thing is, at that point, the
19 largest center in New Jersey is 30 megawatts. And as
20 you know, we are proposing 65. There's a 4-to-500
21 coming into Kenilworth, and there is another large one
22 coming online. So there's a lot of large online
23 centers coming.

24 Now, specifically about Nutley, I just want
25 to find out, at this point, what's the next step for

1 the developer in presenting to Nutley his proposal for
2 the center?

3 DEPUTY MAYOR EVANS: It's exactly that. He
4 has to provide us with a plan of what a data center
5 would look like, along with the accompanying power
6 substation that goes with it, as that goes with data
7 centers. So that -- his next step would be to present
8 that to the Board, but we're a little bit before that.

9 And he is -- we have a redevelopment plan at
10 this point, which indicates that a data center would be
11 allowable on that site. That plan does not allow any
12 housing on that site of any kind. It does not allow
13 for warehousing. It allows for very specific uses,
14 given the nature of where we are as a community.

15 We do not have what they call a redeveloper's
16 agreement yet. So we have to work through that process
17 before he could present us a plan.

18 MR. GARBER: So if I understand, you have to
19 work out the redeveloper's plan before the --

20 DEPUTY MAYOR EVANS: Redeveloper agreement
21 before --

22 MR. GARBER: Agreement, before he can present
23 a plan.

24 DEPUTY MAYOR EVANS: And that'll happen, but
25 before we can decide on that, he has to be appointed

1 the redeveloper before we would actually move on
2 accepting a plan.

3 MR. GARBER: Got it. And then what is your
4 process for then accepting a plan that he proposes? I
5 would assume that there are certain -- that he couldn't
6 just come in and say I'm going to do any type of data
7 center. There are different options available, in
8 terms of environmental responsibility, in terms of
9 energy use, how you cool.

10 Does Nutley have a role in guiding the type
11 of center that will be allowed?

12 DEPUTY MAYOR EVANS: We have the ability to
13 influence that by what our expectations are. As long
14 as it meets those expectations, then we would be able
15 to support it. Otherwise, we wouldn't.

16 MR. GARBER: And will there be public
17 hearings? I know that your Commissioners' meetings are
18 open. But will there be meetings open to the public to
19 discuss and find out?

20 DEPUTY MAYOR EVANS: So once -- and again,
21 we're talking about something that hasn't happened yet.

22 MR. GARBER: Exactly, I know it's down the
23 road.

24 DEPUTY MAYOR EVANS: But it's before the
25 Board. The Board has to -- we have to accept what that

1 plan would be, and then it has to go before the
2 Planning Board for prelim and final site plan approval,
3 which is a testimony process, and that's where public
4 comment would be.

5 MR. GARBER: So public comment happens at the
6 Planning Board level.

7 DEPUTY MAYOR EVANS: Right, regarding the
8 site plan, right.

9 MR. GARBER: Is -- one kind of sub-question.
10 Is it a fait accompli that the data center will be
11 given permission to be on the site, or is that
12 something that can be blocked in any way by the Town of
13 Nutley or by public opinion?

14 DEPUTY MAYOR EVANS: It's not final because
15 we haven't voted on that, and it -- we'd have to come
16 up with an acceptable plan. But -- and that -- so I
17 wouldn't comment on that yet, because that would
18 preempt the Board's opinion on something that we
19 haven't seen yet, so.

20 MR. GARBER: Okay. Thank you very much. I
21 appreciate the time.

22 DEPUTY MAYOR EVANS: Okay. Anyone else?
23 A motion to close the public hearing?

24 COMMISSIONER SCARPELLI: Move it.

25 COMMISSIONER TUCCI: 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 DEPUTY MAYOR EVANS: Madam Clerk, we need to
10 go into the executive.

11 Jonathan, for?

12 MS. BRUNO: Yes, Deputy Mayor. We do have a
13 need for going into closed session to discuss contract
14 negotiations on the agenda.

15 MADAM CLERK: I need a motion, please.

16 COMMISSIONER SCARPELLI: Move it.

17 COMMISSIONER TUCCI: Second.

18 MADAM CLERK: Thank you.

19 Whereas, Section 8 of the Open Public Meeting
20 Act (Chapter 231, P.L. 1975) permits the exclusion of
21 the public from a meeting in certain circumstances;

22 And whereas, the public body is of the
23 opinion that such circumstances exist;

24 And whereas, the Board of Commissioners of
25 the Township of Nutley, in the County of Essex, in the

1 State of New Jersey, desires to proceed to closed
2 executive session.

3 And now, therefore, be it resolved, by the
4 Board of Commissioners of the Township of Nutley, move
5 into closed executive session to discuss contract
6 negotiations and litigation.

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

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: Deputy Mayor -- I'm sorry.

22 Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 DEPUTY MAYOR EVANS: Motion to close? We

25 won't have any further business this evening. So

1 motion to close?

2 COMMISSIONER TUCCI: Move it.

3 COMMISSIONER PETRACCO: 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: The time is now 8:02.

13 (End of recording)

14

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

16

17 I, Heidi Joliff, transcriber, hereby

18 certify that the foregoing is a correct transcript from

19 the recording provided.

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23

24 HEIDI JOLLIFF, AAERT NO. 2850 DATE: December 31, 2025

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