

TOWNSHIP OF NUTLEY, NEW JERSEY  
BOARD OF COMMISSIONERS

**ORIGINAL**

PUBLIC MEETING

)  
) TRANSCRIPT OF  
) PROCEEDINGS

- - - - -

)  
149 Chestnut Street  
Nutley, New Jersey 07110  
Tuesday, March 17, 2009  
6:34 p.m.

BEFORE:

- Mayor Joanne Cocchiola
- Commissioner Joseph P. Scarpelli
- Commissioner Alphonse Petracco
- Commissioner Thomas J. Evans
- Commissioner Mauro G. Tucci

ALSO PRESENT:

- Kevin Harkins, Esq., Township Attorney
- Evelyn Rosario, Township Clerk

Job No.: 200667

1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: Could everyone  
3 please stand for the flag salute?

4 (Pledge of Allegiance recited.)

5 MAYOR COCCHIOLA: Madame Clerk,  
6 could you please reread the Sunshine  
7 Notice?

8 THE CLERK: Yes, Mayor. Tuesday,  
9 March 17, 2009, pursuant to the  
10 requirements of the Open Public Meeting  
11 Law, Chapter 231, Public Laws 1975,  
12 notice of this meeting was published in  
13 the January 8th, 2009 issues of the  
14 Nutley Sun, the Journal, the Star Ledger  
15 and the Herald News. A copy of this  
16 notice has been posted on the Nutley Town  
17 Hall bulletin board, and a copy is on  
18 file in the Municipal Clerk's Office.

19 Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Here.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Here.

23 THE CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Here.

25 THE CLERK: Commissioner Tucci?

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER TUCCI: Here.

3 THE CLERK: Mayor Cocchiola?

4 MAYOR COCCHIOLA: Here.

5 THE CLERK: All present, Mayore

6 MAYOR COCCHIOLA: Thank you. We  
7 have no minutes to approve this evening,  
8 so we could move right on to  
9 correspondence. She can read it.

10 THE CLERK: Yes, Mayor, I have two  
11 items of correspondence. The first one  
12 is from the Nutley Chamber of Commerce,  
13 and I'll read into the record:

14 "Dear Commissioners,

15 "On August, 15th, 1953, the Nutley  
16 Chamber of Commerce established its  
17 membership bylaws which stated the  
18 organization's mission was to represent  
19 business and professionals with a wide  
20 variety of enterprises working together  
21 to promote the economic development of  
22 our towne

23 "Since that day, more than fifty-  
24 five years ago, the Chamber has become an  
25 integral part of the Nutley's hometown

1 Nutley Board of Commissioners, 3/17/09  
2 character and small-town imagee There is  
3 a productive and interdependent  
4 relationship between our organization,  
5 our members and our township, each  
6 serving the other's needs.

7 "It is for this reason the Executive  
8 Board of the Nutley Chamber of Commerce  
9 and the Chamber's 180 members wish to  
10 have August 15th recognized, declared and  
11 henceforth established annually as Nutley  
12 Chamber of Commerce Day in Nutley. We  
13 ask you, our elected officials, to please  
14 deem it so. Thank you.

15 "Sincerely, The Nutley Chamber of  
16 Commerce Executive Board

17 MAYOR COCCHIOLA: Thank you.

18 THE CLERK: Mayor, I would need at  
19 least a consensus of the governing body  
20 so I can send in a letter indicating that  
21 the governing body will --

22 MAYOR COCCHIOLA: Want to call a  
23 vote?

24 THE CLERK: Um-hum. Yes, please.  
25 Commissioner Scarpelli?

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER SCARPELLI: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 THE CLERK: Mayor Cocchiola?

10 MAYOR COCCHIOLA: Aye.

11 THE CLERK: Thank you, Mayor.

12 MAYOR COCCHIOLA: Thank you.

13 THE CLERK: And the next

14 correspondence I have is from the North  
15 Jersey Water Supply Commission submitting  
16 their meeting minutes for a meeting held  
17 January 28, 2009e

18 And that's all for correspondence,  
19 Mayor.

20 MAYOR COCCHIOLA: Thank you. We can  
21 move on to reports.

22 Commissioner Tucci?

23 COMMISSIONER TUCCI: Yes. I have a  
24 shade tree report for the months of  
25 January and February of 2009.

1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: Thank you. And we  
3 can move on to payment of bills.

4 THE CLERK: Okay, Mayor. Bill list,  
5 March 17, 2009: public affairs,  
6 \$69,280.72; revenue and finance,  
7 \$2,148,862.62; public safety, \$55,910.74;  
8 public works, \$386,345.14; parks and  
9 public property, \$539,614.03; payroll as  
10 of March 6, 2009, \$733,441.05; for a  
11 grand total bill list of \$3,933,454.30.

12 And that's all for bills, Mayor.

13 MAYOR COCCHIOLA: Need a motion.

14 COMMISSIONER SCARPELLI: Move the  
15 bills.

16 THE CLERK: I need a second.

17 COMMISSIONER PETRACCO: Second.

18 THE CLERK: Commissioner Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 THE CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 THE CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 Nutley Board of Commissioners, 3/17/09

2 THE CLERK: Mayor Cocchiola?

3 MAYOR COCCHIOLA: Aye.

4 THE CLERK: Thank you, Mayor.

5 MAYOR COCCHIOLA: Thank youe  
6 Commissioner Tucci, you have a  
7 public hearing? Public hearing --

8 COMMISSIONER TUCCI: Public hearing,  
9 yes.

10 MAYOR COCCHIOLA: -- or is it an  
11 introduction? Okay.

12 COMMISSIONER TUCCI: Yes, this is a  
13 public hearing concerning the interlocal  
14 services agreement between the Board of  
15 Commissioners of the township and the  
16 Nutley Board of Education concerning our  
17 green initiative.

18 MAYOR COCCHIOLA: Is there anyone  
19 here this evening that would like to  
20 address the board with respect to this  
21 ordinance, which is number 309@?

22 MR. MOORE: Rory Moore, 462 Chestnut  
23 Street. Mr. Tucci, what type of an  
24 agreement is this for?

25 COMMISSIONER TUCCI: This is an --

1 Nutley Board of Commissioners, 3/17/09  
2 this is a formal interlocal services  
3 agreement, all right?

4 MR. MOORE: Do you have a copy of  
5 the agreement? I just see the copy of  
6 the --

7 COMMISSIONER TUCCI: I have a copy  
8 of the ordinancee

9 MR. MOORE: But not -- I see the  
10 ordinance, but what are we going to go  
11 into agreement with?

12 COMMISSIONER TUCCI: Well, I'll  
13 defer to --

14 MR. HARKINS: Yeah, this  
15 ordinance --

16 COMMISSIONER TUCCI: -- learned  
17 counsel here to answer that question

18 MR. HARKINS: This ordinance just  
19 authorizes us to enter into interlocal  
20 service agreements. We haven't  
21 negotiated it yet. From what I  
22 understand, investigating efficiencies  
23 and studies within --

24 COMMISSIONER TUCCI: Exactly. This  
25 is --



1 Nutley Board of Commissioners, 3/17/09

2 MR. HARKINS -- different  
3 buildings --

4 COMMISSIONER TUCCI: -- the first  
5 step. Um-hum.

6 MR. MOORE: Well, it's a first step.

7 COMMISSIONER TUCCI: Right.

8 MR. MOORE: I understand that you're  
9 trying to consolidate costs, but it's  
10 a -- who's going to pay what for the  
11 first step? If you don't have  
12 contract --

13 COMMISSIONER TUCCI: Well, there is  
14 no -- yeah, there is no payment at this  
15 point, okay? This is a formality where  
16 we're going to memorialize an agreement  
17 between the Board of Commissioners and  
18 the Board of Education --

19 MR. MOORE: You're going to  
20 memorialize an agreement?

21 COMMISSIONER TUCCI: -- so that --  
22 let me finish. Do you want an answer or  
23 do you want to talk? Okay, so that we  
24 can, together, continue to investigate  
25 different ways that we can save money,

1 Nutley Board of Commissioners, 3/17/09  
2 that we can save energy and we can just  
3 help the environment in general.

4 MR. MOORE: But how are we supposed  
5 to know what you're going to do?

6 COMMISSIONER TUCCI: Well, once we  
7 get to that point, I think I -- I think  
8 I've explained several times, but I'll  
9 repeat it for you if you like, all right?  
10 What we're going to do is we're going to  
11 conduct an audit of all of the Board of  
12 Education building, the schools and any  
13 other buildings that they have, all of  
14 our public buildings, including all of  
15 our field houses, and it comes to, in  
16 roundabout numbers, about twenty  
17 buildings, all right, to, number one, see  
18 what our efficiencies and what are our  
19 efficiencies aren't, all right? We're  
20 going to investigate whether or not we're  
21 getting the performance out of the  
22 equipment that we have in place, all  
23 right, according to the manufacturers'  
24 specifications. We're looking to do some  
25 real-time monitoring through some very

1 Nutley Board of Commissioners, 3/17/09  
2 innovative software that I've spoken  
3 about before, all right?

4 And then we're going to look into  
5 renewable energy sources, such as solar  
6 panels or thermal panels, so that we can  
7 realize some of the savings that some  
8 other jurisdictions have.

9 MR. MOORE: Well, maybe you're  
10 helping my question along. You said that  
11 the first item to be conducted was an  
12 audit.

13 COMMISSIONER TUCCI: Um-hum.

14 MR. MOORE: Who's going to conduct  
15 the audit? How much is the audit going  
16 to cost?

17 COMMISSIONER TUCCI: Well, we have  
18 no idea at this point because we haven't  
19 even gotten that far in the discussions.  
20 But through the State of New Jersey, as  
21 I'm sure you're aware, there are dollars  
22 that are available for interlocal  
23 services agreements somewhere in the tune  
24 of 250,000 dollars. And out of those  
25 dollars, we could actually afford to pay

1 Nutley Board of Commissioners, 3/17/09  
2 for energy audits and retaining  
3 professionals that do this work on a day-  
4 to-day basis. This is not something that  
5 we're proficient in, all right, or that  
6 we're expert in, so we would need some  
7 outside help.

8 MR. MOORE: But your ordinance  
9 should reflect this is the first step  
10 You're just memorializing an agreement.

11 COMMISSIONER TUCCI: Right.

12 MR. HARKINS Yeah, but, Mr. Moore --

13 MR. MOORE: And you should have --

14 MR. HARKINS: Yeah.

15 MR. MOORE: I'm sorry, I'd just like  
16 to answer my question (sic), and I --

17 MR. HARKINS: Go ahead.

18 MR. MOORE: You should have some  
19 criteria so at least the public knows  
20 what you're doing.

21 COMMISSIONER TUCCI: And we will.  
22 We will have criteria --

23 MR. MOORE: Well, it --

24 COMMISSIONER TUCCI: -- and it will  
25 be totally transparent, and everyone will

1 Nutley Board of Commissioners, 3/17/09  
2 be informed every step of the waye

3 MRe MOORE: I'm not sure about the  
4 transparente I question the  
5 transparencye

6 COMMISSIONER TUCCI: Well, you can  
7 question whatever you like, but reality  
8 and your imagination are two totally  
9 different things.

10 MRe MOORE: But that's what you have  
11 an agreement fore

12 COMMISSIONER TUCCI: So, I mean --  
13 look, when we get to that point --

14 MRe MOORE: When it's written --

15 COMMISSIONER TUCCI: -- every step  
16 of the way, you, as well as everyone else  
17 in this township, will be informed as to  
18 what our actions are going to bee

19 MAYOR COCCHIOLA: Mre Harkins --

20 MRe MOORE: When you have a written  
21 agreement --

22 MAYOR COCCHIOLA: Excuse me,  
23 Mr. Moore. Mr. --

24 MRe MOORE: -- I have no  
25 imaginatione

1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: Excuse me,  
3 Mr. Moore.

4 Mr. Harkins, is there anything --

5 MR. MOORE: I'm sorry, I was asking  
6 a question.

7 MAYOR COCCHIOLA: -- is there  
8 anything wrong with the format of the  
9 ordinance?

10 MR. HARKINS: No, the format's  
11 appropriate. This is an enabling  
12 ordinance. I mean, what'll happen is  
13 we'll sit down, I guess, with the Board  
14 of Ed and discuss the various  
15 initiatives. And there's certainly an  
16 overlap of -- or potential for overlap of  
17 services, which we're going to look to  
18 avoid here. And then when we come to an  
19 agreement, we'll memorialize that in a  
20 resolution and a contract. And the  
21 resolution will authorize us to enter  
22 into a contract, which I'm sure will be  
23 made available. It's a public record.

24 COMMISSIONER TUCCI: Absolutely.

25 MR. HARKINS: This is just an

1 Nutley Board of Commissioners, 3/17/09  
2 enabling ordinance. It's very --

3 MAYOR COCCHIOLA: And, as it always  
4 is --

5 MR. HARKINS: Yeah.

6 MAYOR COCCHIOLA: -- the first step  
7 in the interlocal services process is  
8 that the governing body has to introduce  
9 a resolution which will authorize them to  
10 enter into this agreement, as we  
11 usually -- as we've done many times,  
12 correct?

13 MR. MOORE: So I can trust -- I can  
14 trust that this is going to be absolutely  
15 transparent?

16 COMMISSIONER TUCCI: You can  
17 absolutely trust that.

18 MR. MOORE: Thank you.

19 MAYOR COCCHIOLA: Is there anyone  
20 else who would like to address the board  
21 with respect to this ordinance?

22 Need a motion, Commissioner.

23 COMMISSIONER TUCCI: I'll move it.

24 COMMISSIONER EVANS: Second.

25 MAYOR COCCHIOLA: To close.

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER TUCCI: To close.

3 THE CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye.

11 THE CLERK: Mayor Cocchiola?

12 MAYOR COCCHIOLA: Aye.

13 COMMISSIONER TUCCI: I move the  
14 ordinance.

15 COMMISSIONER EVANS: Second.

16 THE CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 THE CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 THE CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 THE CLERK: Mayor Cocchiola?

25 MAYOR COCCHIOLA: Aye.



1 Nutley Board of Commissioners, 3/17/09

2 Thank you. We can move on to  
3 resolutionse Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Whereas the  
5 Mandatory Source Separation Recycling  
6 Act, Public Law 1987, c.402, has  
7 established a recycling fund for which  
8 tonnage grants may be made to  
9 municipalities in order to encourage  
10 local source separation and recycling  
11 programs;

12 And whereas it is the intent and the  
13 spirit of the Mandatory Source Separation  
14 and Recycling Act to use the tonnage  
15 grants to develop new municipal recycling  
16 programs and to continue to expand  
17 existing programs;

18 And whereas such resolution should  
19 designate the individual authorized to  
20 ensue (sic) that the application is  
21 properly completed and timely filed;

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

1 Nutley Board of Commissioners, 3/17/09  
2 hereby endorses submission of the 2008  
3 Municipal Recycling Tonnage Grant  
4 Application to the New Jersey Department  
5 of Environmental Protection and  
6 designates Patricia A. Davis, recycling  
7 coordinator, Township of Nutley, to  
8 ensure the application is properly filed.

9 I move the resolution

10 COMMISSIONER PETRACCO: Seconde

11 THE CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Mayor Cocchiola?

20 MAYOR COCCHIOLA: Aye

21 COMMISSIONER SCARPELLI: That's all

22 I have, Mayore

23 MAYOR COCCHIOLA: Thank you

24 Commissioner Petracco?

25 COMMISSIONER PETRACCO: Be it

1 Nutley Board of Commissioners, 3/17/09  
2 resolved by the Board of Commissioners,  
3 Township of Nutley, County of Essex,  
4 State of New Jersey, that Dina Gibbons,  
5 employee in the Department of Public  
6 Safety, be granted a medical leave of  
7 absence without pay, effective March 2nd,  
8 2009 through March 31st, 2009.

9 I move the resolution.

10 COMMISSIONER SCARPELLI: Second.

11 THE CLERK: Commissioner Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 THE CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 THE CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Mayor Cocchiola?

20 MAYOR COCCHIOLA: Aye.

21 COMMISSIONER PETRACCO: Whereas the  
22 County of Essex, in conjunction with the  
23 Township of Nutley, has acquired funding  
24 to install a traffic signal at the  
25 intersection of Kingsland Street (Essex

1 Nutley Board of Commissioners, 3/17/09  
2 County Road 644) and Bloomfield Avenue,  
3 and replace the traffic signals at the  
4 intersection of High Street (Essex County  
5 Road 650) and Bloomfield Avenue and  
6 Franklin Avenue (Essex County Road 645)  
7 and High Street (Essex County Road 659) e

8 And whereas, in accordance with the  
9 county policy on signalization of  
10 intersections, it required the  
11 municipality to contribute to the cost of  
12 traffic signalization as providing police  
13 officers to control the traffic during  
14 construction;

15 And now, therefore, be it resolved  
16 by the Board of Commissioners, Township  
17 of Nutley, County of Essex, State of New  
18 Jersey, that:

19 the Township of Nutley accepts the  
20 offer of the County of Essex to place  
21 traffic signals at the intersection of  
22 Kingsland Street and Bloomfield Avenue;

23 the Township of Nutley accepts the  
24 offer of the County of Essex to replace  
25 the traffic signal at the intersection of

1 Nutley Board of Commissioners, 3/17/09  
2 High Street and Bloomfield Avenue;

3 the Township of Nutley accepts the  
4 offer of the County of Essex to replace  
5 the traffic signal at the intersection of  
6 High Street and Franklin Avenue;

7 the Township of Nutley agrees to  
8 contribute to the cost of construction of  
9 said signalization by providing police  
10 officers to control traffic during  
11 construction.

12 I move the resolution.

13 COMMISSIONER SCARPELLI: Second.

14 THE CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Ayee

22 THE CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye.

24 COMMISSIONER PETRACCO: That's all I  
25 have, Mayor.

1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: Thank you.

3 Commissioner Evans?

4 COMMISSIONER EVANS: Thank you.

5 Be it resolved by the Board of  
6 Commissioners of the Township of Nutley  
7 in the County of Essex, New Jersey, that  
8 the township treasurer be, and she is  
9 hereby, authorized to refund Bergen Essex  
10 Contracting, 158 Sanford Avenue,  
11 Lyndhurst, in the amount of \$128 for a  
12 refund of the permit fee for the  
13 installation of siding at Number 10  
14 Crestwood Court. The building contract  
15 has been withdrawn by the owner,  
16 Mr. Gennitti, and all work scheduled with  
17 the Bergen Essex Contracting has been  
18 cancelled. Paid by check number 2975 on  
19 September 16, 2008.

20 So move.

21 COMMISSIONER TUCCI: Second.

22 THE CLERK: Commissioner Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 THE CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 Nutley Board of Commissioners, 3/17/09

2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Commissioner Tucci?

5 COMMISSIONER TUCCI: Aye.

6 THE CLERK: Mayor Cocchiola?

7 MAYOR COCCHIOLA: Aye.

8 COMMISSIONER EVANS: Be it resolved  
9 by the Board of Commissioners of the  
10 Township of Nutley in the County of  
11 Essex, New Jersey, the township treasurer  
12 be, and she is hereby, authorized to  
13 refund One Hour Chimney, 400 Bergen  
14 Boulevard, Palisades Park, New Jersey, in  
15 the amount of \$56 for a refund of the  
16 permit fee for the installation of a  
17 chimney liner at 185 Bloomfield Avenue.  
18 The building contract has been withdrawn  
19 by the owner, Mr. and Mrs. -- Chives?  
20 Chaves?

21 UNIDENTIFIED SPEAKER: [cha-vez].

22 COMMISSIONER EVANS: [cha-vez],  
23 thank you. And all work scheduled with  
24 One Hour Chimney has been cancelled.  
25 Paid by check number 4107 on October 16,

1 Nutley Board of Commissioners, 3/17/09  
2 2008.

3 So movee

4 COMMISSIONER TUCCI: Seconde

5 THE CLERK: Commissioner Scarpelli?

6 COMMISSIONER SCARPELLI: Ayee

7 THE CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Ayee

9 THE CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 THE CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Ayee

13 THE CLERK: Mayor Cocchiola?

14 MAYOR COCCHIOLA: Ayee

15 COMMISSIONER EVANS: Be it resolved

16 by the Board of Commissioners of the  
17 Township of Nutley in the County of  
18 Essex, New Jersey, that the township  
19 treasurer be, and she is hereby,  
20 authorized to refund Built Tough  
21 Construction, 227 Summer Street, East  
22 Rutherford, in the amount of \$121 for the  
23 refund of a permit fee for the  
24 installation of a powder room at 512  
25 Prospect Streete The homeowners, Mr. and



1 Nutley Board of Commissioners, 3/17/09  
2 Mrs. Ilardi, have decided not to install  
3 the powder room originally on the permit.  
4 Paid by check number 14717 on August 27,  
5 2008e

6 So move.

7 COMMISSIONER TUCCI: Second.

8 THE CLERK: Commissioner Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 THE CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 THE CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 THE CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 THE CLERK: Mayor Cocchiola?

17 MAYOR COCCHIOLA: Aye.

18 COMMISSIONER EVANS: Whereas

19 Resolution 77-09 was inadvertently listed  
20 on the meeting agenda and adopted by the  
21 Board of Commissioners of the Township of  
22 Nutley at their meeting held on March  
23 3rd, 2009;

24 Whereas Resolution number 77-09  
25 consisted of an emergency temporary

1 Nutley Board of Commissioners, 3/17/09  
2 appropriation of \$100,000 for the  
3 Department of Parks and Public Property;

4 Now, therefore, be it resolved by  
5 the Board of Commissioners that  
6 Resolution number 77-09 be, and is  
7 hereby, rescinded.

8 So move.

9 COMMISSIONER TUCCI: Second.

10 THE CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 THE CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Mayor Cocchiola?

19 MAYOR COCCHIOLA: Aye.

20 COMMISSIONER EVANS: Thank you,  
21 Mayor.

22 MAYOR COCCHIOLA: Thank you.

23 Commissioner Tucci?

24 COMMISSIONER TUCCI: Yes. Be it

25 resolved by the Board of Commissioners of

1 Nutley Board of Commissioners, 3/17/09  
2 the Township of Nutley in the County of  
3 Essex, State of New Jersey, that a  
4 contract for the purchase of recreation  
5 equipment supplies be awarded to Anaconda  
6 Sports Inc., 85 Katrine Lane, Lake  
7 Katrine, New York, as per the attached  
8 sheet, not to exceed \$5,785;

9 And whereas funds are available from  
10 accounts T-24-909-901 through 915 and  
11 506-200 and have been certified by the  
12 chief financial officer, said  
13 certification being attached to this  
14 resolution;

15 Be it resolved that the mayor and  
16 the township clerk be, and they are  
17 hereby, authorized to enter into and sign  
18 said contract for the Township of Nutley.

19 I move the resolution.

20 COMMISSIONER PETRACCO: Second.

21 THE CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 THE CLERK: Commissioner Evans?

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER EVANS: Aye

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye

5 THE CLERK: Mayor Cocchiola?

6 MAYOR COCCHIOLA: Aye

7 COMMISSIONER TUCCI: Be it resolved  
8 by the Board of Commissioners of the  
9 Township of Nutley in the County of  
10 Essex, the State of New Jersey, that a  
11 contract for the purchase of recreation  
12 equipment and supplies be awarded to BSN  
13 Sports, P.O. Box 49, Jenkintown, PA, as  
14 per the attached sheet, not to exceed  
15 \$8,056.07;

16 And whereas funds are available from  
17 accounts T-24-909-901 through 915 and  
18 506-200 and have been certified by the  
19 chief financial officer, said  
20 certification being attached to this  
21 resolution;

22 Be it resolved that the mayor and  
23 township clerk be, and they are hereby,  
24 authorized to enter into and sign said  
25 contract with the Township of Nutley

1 Nutley Board of Commissioners, 3/17/09

2 I move the resolution.

3 COMMISSIONER EVANS: Second.

4 THE CLERK: Commissioner Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 THE CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 THE CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye

10 THE CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 THE CLERK: Mayor Cocchiola?

13 MAYOR COCCHIOLA: Aye.

14 COMMISSIONER TUCCI: Be it resolved  
15 by the Board of Commissioners of the  
16 Township of Nutley in the County of Essex  
17 in the State of New Jersey that a  
18 contract for the purchase of recreation  
19 equipment and supplies be awarded to  
20 Metuchen Center Inc. 409 Joyce Kilmer  
21 Avenue, Unit 5B, New Brunswick, New  
22 Jersey, as per the attached sheet, not to  
23 exceed \$21,275;

24 And whereas funds are available from  
25 accounts T-24-909-901 through 915 and

1 Nutley Board of Commissioners, 3/17/09  
2 506-200 and have been certified by the  
3 chief financial officer, said  
4 certification being attached to this  
5 resolution;

6 Be it resolved that the mayor and  
7 the township clerk be, and they are  
8 hereby, authorized to enter into and sign  
9 said contract for the Township of Nutley.

10 I move the resolution.

11 COMMISSIONER EVANS: Second.

12 THE CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 THE CLERK: Mayor Cocchiola?

21 MAYOR COCCHIOLA: Aye.

22 COMMISSIONER TUCCI: Hold on. I'm  
23 coming.

24 COMMISSIONER EVANS: Want to take a  
25 break?

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER TUCCI: No.

3 Be it resolved by the Board of  
4 Commissioners of the Township of Nutley  
5 in the County of Essex, State of New  
6 Jersey, that a contract for the purchase  
7 of recreation equipment and supplies be  
8 awarded to R&R Trophy and Sporting Goods  
9 Company, 104 Ridge Road, North Arlington,  
10 New Jersey, as per the attached sheet,  
11 not to exceed \$5,550;

12 And whereas funds are available from  
13 accounts T-24-909-901 through 915 and  
14 506-200 and have been certified by the  
15 chief financial officer, said  
16 certification being attached to this  
17 resolution;

18 Be it resolved that the mayor and  
19 the township clerk be, and they are  
20 hereby, authorized to enter into and sign  
21 said contract for the Township of Nutley.

22 I move the resolution.

23 COMMISSIONER PETRACCO: Second.

24 THE CLERK: Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Aye.

1 Nutley Board of Commissioners, 3/17/09

2 THE CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 THE CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 THE CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 THE CLERK: Mayor Cocchiola?

9 MAYOR COCCHIOLA: Aye.

10 COMMISSIONER TUCCI: Be it resolved  
11 by the Board of Commissioners of the  
12 Township of Nutley in the County of  
13 Essex, State of New Jersey, that a  
14 contract for the purchase of recreation  
15 equipment and supplies be awarded to  
16 Riddell/All American, 669 Sugar Lane,  
17 Elyria, Ohio, as per the attached sheet,  
18 not to exceed \$2,050;

19 And whereas funds are available from  
20 accounts T-24-909-901 through 915 and  
21 506-200 and have been certified by the  
22 chief financial officer, said  
23 certification being attached to this  
24 resolution;

25 Be it resolved that the mayor and



1 Nutley Board of Commissioners, 3/17/09  
2 the township clerk be, and they are  
3 hereby, authorized to enter into and sign  
4 said contract for the Township of Nutley.

5 I move the resolution.

6 COMMISSIONER EVANS: Second.

7 THE CLERK: Commissioner Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 THE CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 THE CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 THE CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 THE CLERK: Mayor Cocchiola?

16 MAYOR COCCHIOLA: Aye.

17 COMMISSIONER TUCCI: Be it resolved

18 by the Board of Commissioners of the  
19 Township of Nutley in the County of  
20 Essex, State of New Jersey, that a  
21 contract for the purchase of recreation  
22 equipment and supplies be awarded to  
23 Triple Crown Sports, 18 Throckmorton  
24 Lane, Old Bridge, New Jersey, as per the  
25 attached sheet, not to exceed \$11,900;

1 Nutley Board of Commissioners, 3/17/09

2 And whereas funds are available from  
3 accounts T-24-909-901 through 915 and  
4 506-200 and have been certified by the  
5 chief financial officer, said  
6 certification being attached to this  
7 resolution;

8 Be it resolved that the mayor and  
9 the township clerk be, and they are  
10 hereby, authorized to enter into and sign  
11 said contract for the Township of Nutleye

12 I move the resolutione

13 COMMISSIONER EVANS: Seconde

14 THE CLERK: Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye

22 THE CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye

24 COMMISSIONER TUCCI: Whereas the  
25 2009 Essex County Open Space Local Aid

1 Nutley Board of Commissioners, 3/17/09  
2 Program has funds available to assist  
3 Essex County municipalities with projects  
4 that qualify for funding from the Essex  
5 County Recreation and Open Space Trust  
6 Fund;

7 And whereas the Township of Nutley  
8 desires to further the public interest by  
9 obtaining funding in the amount of  
10 \$225,000 from the 2009 Essex County Open  
11 Space Local Aid Program for the following  
12 project: The Monsignor Owens Field  
13 Lighting Project;

14 And now, therefore, be it resolved  
15 that the Board of Commissioners of the  
16 Township of Nutley authorizes the  
17 submittal of this application for  
18 funding;

19 And be it further resolved by the  
20 Board of Commissioners of the Township of  
21 Nutley that Commissioner Mauro Tucci is  
22 hereby authorized to execute an agreement  
23 and any amendment thereto regarding The  
24 Monsignor Owens Field Lighting Project.

25 I move the resolutione

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER EVANS: Second.

3 THE CLERK: Commissioner Scarpelli?

4 COMMISSIONER SCARPELLI: Aye

5 THE CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 THE CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye

9 THE CLERK: Commissioner Tucci?

10 COMMISSIONER TUCCI: Aye

11 THE CLERK: Mayor Cocchiola?

12 MAYOR COCCHIOLA: Aye

13 COMMISSIONER TUCCI: Whereas the  
14 governing body of the Township of Nutley  
15 desires to further the public interest by  
16 obtaining a grant from the State of New  
17 Jersey in the amount of approximately  
18 \$25,000 to fund the following 2009  
19 Community Stewardship Incentive Program;

20 Therefore, the governing body  
21 resolves that Joanne Cocchiola or the  
22 successor to the office of mayor is  
23 authorized to make application for such a  
24 grant, if awarded, to execute a grant  
25 agreement with the state for a grant in

1 Nutley Board of Commissioners, 3/17/09  
2 an amount not less than \$25,000 and not  
3 more than \$25,000 and c) to execute any  
4 amendments thereto and any amendments  
5 thereto which do not increase the  
6 grantee's obligation.

7 The Township of Nutley Board of  
8 Commissioners authorizes and hereby  
9 agrees to match 25 percent of the total  
10 project amount in compliance with the  
11 match requirements of the agreement. The  
12 availability of the match for such  
13 purposes, whether cash, services or  
14 property, is hereby certified. Three  
15 percent of the match will be made up of  
16 in-kind services (if allowed by the grant  
17 program requirements and agreement)e

18 The grantee agrees to comply with  
19 all applicable federal, state and  
20 municipal laws, rules and regulations in  
21 its performance pursuant to the  
22 agreement.

23 I move the resolution.

24 COMMISSIONER EVANS: Second.

25 THE CLERK: Commissioner Scarpelli?

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER SCARPELLI: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 THE CLERK: Mayor Cocchiola?

10 MAYOR COCCHIOLA: Aye.

11 COMMISSIONER TUCCI: Be it resolved

12 by the Board of Commissioners of the

13 Township of Nutley in the County of

14 Essex, New Jersey, that in accordance

15 with the provisions of R. 40A:4-59, the

16 following transfers of 2008 appropriation

17 reserves be, and same are hereby,

18 authorized and approved:

19 The Department of Parks and Public

20 Property, from public buildings and

21 grounds, other expenses, \$3,500, to group

22 insurance in the like amount of \$3,500.

23 I move the resolution.

24 COMMISSIONER EVANS: Second.

25 THE CLERK: Commissioner Scarpelli?

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER SCARPELLI: Aye.

3 THE CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 THE CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 THE CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 THE CLERK: Mayor Cocchiola?

10 MAYOR COCCHIOLA: Aye.

11 COMMISSIONER TUCCI: That's all I  
12 have, Mayor.

13 MAYOR COCCHIOLA: Thank you.

14 Whereas applications for renewal of  
15 video game licenses have been received  
16 from the following establishments: Jo-Ka  
17 Inc., trading as Washington Park, 174  
18 Washington Avenue, for two machines at  
19 \$600; Park Pub, 789 Bloomfield Avenue,  
20 two machines, \$600; Ruthie's Third Base,  
21 150 Bloomfield Avenue, one machine, \$300;

22 Whereas the applications have been  
23 reviewed by the Code Enforcement  
24 Department and the Office of the  
25 Municipal Clerk;

1 Nutley Board of Commissioners, 3/17/09

2 Whereas a license fee of \$300 per  
3 machine has been paid;

4 Therefore, be it resolved by the  
5 Board of Commissioners of the Township of  
6 Nutley, County of Essex, that the  
7 aforementioned licenses are approved and  
8 the municipal clerk is authorized to  
9 issue the licenses

10 I move the resolution

11 COMMISSIONER TUCCI: Seconde

12 THE CLERK: Commissioner Scarpelli?

13 COMMISSIONER SCARPELLI: Aye

14 THE CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye

16 THE CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye

18 THE CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye

20 THE CLERK: Mayor Cocchiola?

21 MAYOR COCCHIOLA: Aye

22 Whereas an application to conduct  
23 senior bingo games has been received from  
24 the Nutley Senior Service Club to conduct  
25 nonprofit bingo games for the residents



1 Nutley Board of Commissioners, 3/17/09  
2 effective March 2009 through March 2011;

3 Whereas the application has been  
4 reviewed and approved by the municipal  
5 clerk and the police department;

6 Therefore, be it resolved by the  
7 Board of Commissioners of the Township of  
8 Nutley, County of Essex, State of New  
9 Jersey that the license is approved and  
10 the municipal clerk is authorized to  
11 issue the license to the Nutley Senior  
12 Service Club.

13 I move the resolution.

14 COMMISSIONER TUCCI: Second.

15 THE CLERK: Commissioner Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 THE CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 THE CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 THE CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 THE CLERK: Mayor Cocchiola?

24 MAYOR COCCHIOLA: Aye.

25 Whereas climate change has been

1 Nutley Board of Commissioners, 3/17/09  
2 recognized by scientists, political  
3 leaders and strategic planners around the  
4 world to be a growing threat to global  
5 stability and security;

6 Whereas climate change has direct,  
7 economic, environmental, health and  
8 societal impacts on all Americans,  
9 including New Jerseyans and residents of  
10 the Township of Nutley;

11 And whereas solutions to climate  
12 change must take place at the local level  
13 involving deeply concerned citizens as  
14 well as elected officials of all towns  
15 and cities;

16 And whereas the Board of  
17 Commissioners encourages energy  
18 conservation -- obviously, the lights  
19 tonight -- both for reducing carbon  
20 dioxide emissions and also for saving  
21 money;

22 And whereas turning off unnecessary  
23 lights whenever possible, as well as  
24 appliances and electronic equipment, is  
25 the simplest and most effective way to

1 Nutley Board of Commissioners, 3/17/09  
2 conserve energy in private homes and in  
3 public buildings;

4 And whereas the first step toward  
5 changing the public's behavior's to  
6 educate them about energy use and climate  
7 change problems and solutions;

8 And whereas Earth Hour 2009 is both  
9 an international and local symbolic and  
10 education event intended to raise  
11 awareness about climate change issues and  
12 to inform residents and businesses about  
13 existing information and tools available  
14 within the community to help us reduce  
15 our carbon footprint;

16 And whereas Earth Hour 2009 is  
17 intended to demonstrate that each of us  
18 has the power to save energy and make a  
19 difference in the future of our planet;

20 Now, therefore, be it resolved that  
21 the Board of Commissioners of the  
22 Township of Nutley recognizes and  
23 supports Earth Hour 2009 occurring on  
24 Saturday, March 28th from 8:30 p.m. to  
25 9:30 p.m., and each director will

1 Nutley Board of Commissioners, 3/17/09  
2 determine which non-essential public  
3 lighting may be turned off during the  
4 observance of this event.

5 And be it further resolved that the  
6 Board of Commissioners encourages Nutley  
7 residents to participate by turning off  
8 their lights and businesses to take  
9 action in the coming year to conserve  
10 energy and reduce their carbon  
11 footprints.

12 I move the resolution.

13 COMMISSIONER TUCCIe Second.

14 THE CLERKe Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 THE CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCOe Aye.

18 THE CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 THE CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCIe Aye.

22 THE CLERKe Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye.

24 That concludes the business portion  
25 of the meeting this evening.

1 Nutley Board of Commissioners, 3/17/09

2 Is there anyone of the public that  
3 would like to address the board?

4 MS. SHUSTER: Sera T. Shuster, 462  
5 Chestnut Street in Nutley. First, I'd  
6 like to tell you, and I want it on the  
7 record, that this building is not  
8 handicap-accessible. There is nothing  
9 here for handicapped people. And I  
10 always thought firemen were supposed to  
11 help people. I asked this young fella to  
12 move over, and he said no. I hope I  
13 never have a fire in my house; I don't  
14 want him there. I do want his name.  
15 Everyone knows that that is my seat. I  
16 think maybe you should put my name on it.  
17 I've had that seat for years. I don't  
18 know who he is, if he's a paid fireman or  
19 a volunteer. But we do have some good  
20 people working in the fire department; I  
21 know who they are.

22 Okay, I'm here -- first of all, I'd  
23 like to ask a question, Petracco,  
24 Mr. Petracco. When they fix the traffic  
25 lights, are they going to take the gutter

1 Nutley Board of Commissioners, 3/17/09  
2 away from the traffic light on the corner  
3 of Harrison Street and Bloomfield Avenue?

4 COMMISSIONER PETRACCO: The gutter?

5 MS. SHUSTER: Yeah.

6 COMMISSIONER PETRACCO: The  
7 drainage?

8 MS. SHUSTER: You never looked at  
9 that building? They have the gutter,  
10 right against the traffic light. You  
11 have to walk under the building to go  
12 around the corner. You can't get the  
13 fire engine in because there's no room,  
14 and if you do get it in there's no room  
15 to turn around.

16 These firemen should have gone to  
17 look. I do my work.

18 COMMISSIONER PETRACCO: I'm not  
19 aware of that, to be honest with you, but  
20 I'll take a look at it.

21 MS. SHUSTER: Oh, I've been talking  
22 about it.

23 Okay, now let's get back to  
24 business.

25 MAYOR COCCHIOLA: Mrs. Shuster, not

1 Nutley Board of Commissioners, 3/17/09  
2 just -- I'm sorry, I do have to interrupt  
3 you for one minute because I neglected to  
4 read, and I'm not -- I'm going to  
5 incorporate our statement in the record.  
6 But we are limiting public comment to  
7 five minutes per person. I'm sorry I  
8 neglected to read that before you stood  
9 up. I --

10 MS. SHUSTER: Well, I haven't been  
11 here in months, so I deserve more than  
12 five minutes.

13 MAYOR COCCHIOLA: Oh, well, I can't  
14 let you make it up, but go ahead, we'll  
15 start your five minutes right now.

16 MS. SHUSTER: Okay.

17 MAYOR COCCHIOLA: Thank you.

18 MS. SHUSTER: Mr. Evans, I called  
19 you on February 18th. I know you went on  
20 vacation with your son. But I spoke to  
21 your girl and you were supposed to call  
22 me back on February 23rd, which you never  
23 did, and that's one of the reasons why I  
24 came tonight.

25 On this days that you gave me, I

1 Nutley Board of Commissioners, 3/17/09  
2 still don't know why I only got 5  
3 percent. You claim here there's 360 days  
4 in a year. There's 365e And a leap year  
5 is 366, which last year was. And you  
6 gave me seventy-three days. On my  
7 calendar, it's a total of seventy-five  
8 days. Would you look into that, please?

9 COMMISSIONER EVANS: I will. The  
10 interest rate is statutory at 5 percent,  
11 so that clears up that question. I  
12 apologize for not getting back to you. I  
13 just -- I've been quite involved. And I  
14 do apologize. I should have.

15 MS. SHUSTER: Yeah, I know you've  
16 been involved.

17 COMMISSIONER EVANS: The --

18 MS. SHUSTER: I know what's going  
19 on.

20 COMMISSIONER EVANS: The 360 days is  
21 what's allowed by statute to calculate.  
22 So it actually helps you, not hurts you,  
23 because it's five days less.

24 MS. SHUSTER: Well, you should have  
25 put a little footnote.



1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER EVANS: And -- well --

3 MSe SHUSTER: I thought maybe you  
4 didn't know how many days were in a year.

5 Okay. You also -- I spoke to you on  
6 May 13th of '08 and May 27th of '08e You  
7 said my wall and fence was taken care of.  
8 You said -- I asked you for a letter; I  
9 still haven't received ite So would you  
10 please give me a letter saying my wall  
11 and fence has been taken care of? I want  
12 to know who did it and how they did it.

13 COMMISSIONER EVANS: I don't believe  
14 I said it was taken care of in the con --

15 MS. SHUSTER: Oh, yes, you did.

16 COMMISSIONER EVANS: No.

17 MS. SHUSTER: You said it was taken  
18 care of.

19 COMMISSIONER EVANS: No, it has to  
20 be -- you know, the way to take it --  
21 there's a resolution to it and that's in  
22 negotiating an easement agreement with  
23 your fellow property owners.

24 MS. SHUSTER: I'm not talking to  
25 that man because --

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER EVANS: And so --

3 MS. SHUSTER: -- Carmen Orechio,  
4 Carmen A. Orechio, allowed all this to go  
5 on. And Pat Intindola and Bill Spiezio,  
6 they shouldn't be getting paid because  
7 they don't know their job.

8 MAYOR COCCHIOLA: Mrs. Shuster, you  
9 have a question for Commissioner Evans?

10 MS. SHUSTER: Yes. I'm speaking.  
11 And, also, it's illegal to raise your  
12 yard to drain in somebody else's yard.

13 COMMISSIONER EVANS: I know the  
14 story.

15 MS. SHUSTER: And I think you should  
16 correct this.

17 Now, when they gave you code  
18 enforcement, did you go over all the  
19 records to see if everyone's treated it  
20 properly? No.

21 COMMISSIONER EVANS: No, Sera,  
22 that's --

23 MS. SHUSTER: Because if you did --

24 COMMISSIONER EVANS: -- thousands of  
25 records.

1 Nutley Board of Commissioners, 3/17/09

2 MS. SHUSTER: -- you would have  
3 taken care of me. I don't expect any  
4 favors. Just do what the law says.

5 Okay, what happened to my desk and  
6 chair with the tax books? I've been  
7 getting phone calls about the tax books.  
8 I can't get to it.

9 COMMISSIONER EVANS: Tax books are  
10 available in the --

11 MS. SHUSTER: I know they're locked  
12 up in Jody's office, but it should be out  
13 in the hall.

14 COMMISSIONER EVANS: No, the tax  
15 books are available in the assessor.  
16 There's a computer right there, and it is  
17 handicapeaccessible.

18 MS. SHUSTER: Well, most people  
19 can't use computers; they don't know how.

20 COMMISSIONER EVANS: We have  
21 resources there that can help you do  
22 that.

23 MS. SHUSTER: Who's going to help  
24 us?

25 COMMISSIONER EVANS: Dee can help

1 Nutley Board of Commissioners, 3/17/09  
2 you do that.

3 MS. SHUSTER: Is that the girl in  
4 the tax assessor's office?

5 COMMISSIONER EVANS: Um-hum.

6 MS. SHUSTER: Okay. Also,  
7 Mr. Tucci, I got four phone calls that  
8 tell me that the fish and the turtles  
9 died in the brooke

10 COMMISSIONER TUCCI: I'm not aware  
11 of any turtles that died, but --

12 MS. SHUSTER: Yeah, I saw -- there  
13 was a turtle there and it died, and the  
14 fish died. I want to know, if it's going  
15 to be replaced --

16 COMMISSIONER TUCCI: Okay.

17 MS. SHUSTER: -- who's responsible.

18 COMMISSIONER TUCCI: Well, we  
19 believe -- and we're waiting for the  
20 testing to come back; that's why we  
21 haven't put out a press release as of  
22 yet, and I was unaware that it took this  
23 long to get water tests back, but  
24 unfortunately it does. When there was  
25 some pipe work going on, some water work,

1 Nutley Board of Commissioners, 3/17/09  
2 as part of the disinfection process they  
3 put chlorine into the lines to kill any  
4 bacteria that may be in there.

5 Also as part of the process, they  
6 put another chemical in, all right, and  
7 the generic name for it is De-Chlor.  
8 It's a dechlorination agent, all right,  
9 which takes the chlorine out of the  
10 water. Both of these chemicals are  
11 oxidizers, which means they take the  
12 oxygen out of the water. We believe what  
13 happened was, when the contractor was  
14 doing the work and released the water, it  
15 went into some of the creeks and it did,  
16 in fact, kill the fish.

17 The contractor has assured us that  
18 he will replenish the fish and that there  
19 is no danger --

20 MS. SHUSTER: I hope you got it in  
21 writing.

22 COMMISSIONER TUCCI: We will have it  
23 in writing. They came here to a meeting.  
24 We contacted the DEP, we've had our own  
25 Nutley HazMat Team there, and everything

1 Nutley Board of Commissioners, 3/17/09  
2 is moving along nicely.

3 MS. SHUSTER: Okay, 'cause the  
4 people who call me are very upset about  
5 it. And I did get calls about the tax  
6 book also.

7 COMMISSIONER TUCCI: Um-hum.

8 MS. SHUSTER: Petracco, Commissioner  
9 Petracco, I wasn't here to speak at the  
10 last meeting, but Al Ciccone died.

11 COMMISSIONER PETRACCO: I heard.

12 MS. SHUSTER: He was an outstanding  
13 police officer. He was a great guy and  
14 he knew his business. And he went into  
15 the schools. He had a board where he --  
16 I don't want to fall here, but then I'll  
17 own the town.

18 He had a board with all the drugs on  
19 it, and he went into the courthouse -- I  
20 mean, into the school. And he was  
21 teaching. And then Carmen Orechio  
22 stopped it; Al told me this. He was a  
23 great guy.

24 And I just felt bad when I received  
25 the phone call that he passed on. And

1 Nutley Board of Commissioners, 3/17/09  
2 when the fish died, when I got phone  
3 calls, I said why the fish? I could have  
4 given them a list. But I can't do that.

5 MAYOR COCCHIOLA: Mrs. Shuster, I  
6 just want to remind you that you're  
7 almost out of time. So if you have any  
8 direct questions that you'd like to ask a  
9 commissioner --

10 MS. SHUSTER: I'm not --

11 MAYOR COCCHIOLA: -- you need to do  
12 it now.

13 MS. SHUSTER: I think I'm finished,  
14 but I am never out of time and I never  
15 stop talking.

16 MAYOR COCCHIOLA: I'm so~~e~~ry, but  
17 we're limiting all public comments at  
18 five minutes per person.

19 MS. SHUSTER: There's a new rule?

20 MAYOR COCCHIOLA: Yes, and I  
21 neglected to read the statement that I've  
22 been reading since January into the  
23 record. I apologize.

24 MS. SHUSTER: Well, I haven't been  
25 here, so -- I'll abide by it tonight

1 Nutley Board of Commissioners, 3/17/09  
2 because I can't stand up much longer.

3 MAYOR COCCHIOLA: Thank you, and I  
4 hope you're okay. Thank you very much.

5 MS. SHUSTER: But I'm all right.  
6 Just my leg. Nothing happened to my  
7 mouth.

8 MAYOR COCCHIOLA: We could tell.

9 MS. SHUSTER: So I just want you to  
10 know that.

11 MAYOR COCCHIOLA: Thank you. Is  
12 there anyone else that would like to  
13 address the board this evening?

14 Mrs. Shuster, maybe we should pull  
15 up a chair for you instead of having --

16 MR. MAGNIFICO: Jack Magnifico, 160  
17 Park Avenue. Joe, I want to thank you  
18 for seeing if you can assist me with that  
19 poll.

20 You know, Mayor and Board of  
21 Commissioners, I tried to adhere after  
22 fifty-five years to the town's upgrade,  
23 and we have put in Nutley polls in front  
24 of the 187 Washington Avenue. And I  
25 asked Mr. Scarpelli if he would assist



1 Nutley Board of Commissioners, 3/17/09  
2 me, and he has done that and I appreciate  
3 it. And I'm sure you'll see that.  
4 They're lighting up the American flag and  
5 the State of New Jersey's flag, which are  
6 now on my building permanently.

7 One of the things -- I want to  
8 commend Mr. Tucci. Finally, after all  
9 these years, we're going to get this  
10 consolidated bit going with all the -- I  
11 hope that Evans and the mayor and  
12 Scarpelli all get in with you and see if  
13 we can -- in many ways, this'll help cut  
14 down Mr. Evans' big problem Monday. You  
15 know, it'll give us a break. And I thank  
16 you very much for pursuing it --

17 MR. TUCCI: Jack, I can assure you

18 MR. MAGNIFICO: -- finally.

19 MR. TUCCI: -- this is a team  
20 effort.

21 MR. MAGNIFICO: I know it is. I  
22 know it is.

23 COMMISSIONER TUCCI: All right, it  
24 has been from day one, and that's the way  
25 it's going to continue.

1 Nutley Board of Commissioners, 3/17/09

2 MRe MAGNIFICO: It has to be It  
3 has to be.

4 COMMISSIONER TUCCI: That's righte

5 MRe MAGNIFICO: I remembere Her  
6 father and I worked on ite

7 Anyway, thank you very muche I want  
8 to --

9 COMMISSIONER TUCCI: You're welcomee

10 MRe MAGNIFICO: -- commend you for  
11 it, and the rest of the board for going  
12 on this consolidated bite It will make a  
13 difference in this town when you get less  
14 spending on energy and materials that we  
15 all use at the same timee Thank youe

16 COMMISSIONER TUCCI: Um-hume You're  
17 welcomee

18 Mayor, if I might?

19 MAYOR COCCHIOLA: Yese

20 COMMISSIONER TUCCI: Some of you may  
21 have noticed that we have different  
22 lighting in here this eveninge We've  
23 replaced all of the old incandescent  
24 bulbs, but the new fluorescent squiggle  
25 lights, for lack of a better term, they

1 Nutley Board of Commissioners, 3/17/09  
2 have a life expectancy of five years at  
3 leaste And --

4 UNIDENTIFIED SPEAKER:  
5 (Indiscernible).

6 COMMISSIONER TUCCI: Let me finishe  
7 Okay, we'll see in five yearse And they  
8 also consume less energye And throughout  
9 the township and all of our buildings,  
10 whenever the old bulbs burn out we wilã  
11 be replacing them with the ones that we  
12 have heree It's a little different; it's  
13 something to get accustomed toe But I  
14 think, in the long run, it'll be a bonus  
15 for the township.

16 MAYOR COCCHIOLA: Thank youe Is  
17 there anyone else that would like to  
18 address the board this evening?

19 MRe MOORE: Rory Moore, 462 Chestnut  
20 Streete Ms. Cocchiola, last meeting I  
21 asked you specifically about an OPRA  
22 request; you said you didn't know. So I  
23 have a responsee And Mse Rodriguez did  
24 give me a copy of the text, which I did  
25 ask fore And I also asked for the

1 Nutley Board of Commissioners, 3/17/09  
2 authority for the statement. That wasn't  
3 included. I'll take that up with the  
4 GRC.

5 Last meeting I asked you  
6 specifically about that, and you said  
7 that it was contained in the Open Public  
8 Meetings Act.

9 MAYOR COCCHIOLA: Okay, Mr. Moore,  
10 two things. Let me start by telling you,  
11 an open public records request, and you  
12 can go to the GRC with this --

13 MR. MOORE: Oh, I am.

14 MAYOR COCCHIOLA: -- is a request --

15 MR. MOORE: Already did.

16 MAYOR COCCHIOLA: -- for records  
17 kept in the ordinary course of business.

18 MR. MOORE: That's correct.

19 MAYOR COCCHIOLA: In the ordinary  
20 course of business -- we can provide you  
21 with a copy of the statement that I have  
22 read into the record every single  
23 meeting. In the ordinary course of  
24 business, the township does not maintain  
25 the case law with respect to the question

1 Nutley Board of Commissioners, 3/17/09  
2 that you have asked.

3 MR. MOORE: That's not what you  
4 said.

5 MAYOR COCCHIOLA: Mr. Harkins, could  
6 you do me a favor?

7 MR. HARKINS: Yes.

8 MAYOR COCCHIOLA: Could you cite for  
9 Mr. Moore the legal authority for the --

10 MR. MOORE: Yes, please. I asked  
11 for that and the OPRA --

12 MAYOR COCCHIOLA: -- for the  
13 statement? We don't --

14 MR. MOORE: -- and it said it wasn't  
15 available.

16 MAYOR COCCHIOLA: -- maintain the  
17 records in the ordinary course of  
18 business. So you've asked for something  
19 incorrectly. He'll answer your question  
20 now.

21 MR. MOORE: Good. Which case do you  
22 want to cite?

23 MR. HARKINS: I -- Mayor, I can give  
24 you the citation; I don't have it with  
25 me, but there --

1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: Okay.

3 MR. HARKINS: -- there are cases  
4 that permit us to -- first of all, the  
5 Open Public Meetings Act does permit us  
6 to regulate public comment.

7 MR. MOORE: Would you like the --

8 MR. HARKINS: That's --

9 MAYOR COCCHIOLA: -- New Jersey  
10 statutes or the federal statutes?

11 MR. HARKINS: I'm answering the  
12 mayor's question.

13 Secondly, there are cases, and there  
14 is case law, that supports the  
15 proposition that members of the public  
16 can be limited in their public comments  
17 to five minutes. That's been upheld.

18 MR. MOORE: Here --

19 MR. HARKINS: And I'll --

20 MR. MOORE: -- here's the case.  
21 Would you like to show me where it is?

22 MR. HARKINS: Mr. Moore, I don't --

23 MAYOR COCCHIOLA: Mr. Moore, he's  
24 not going to show you anything.

25 MR. HARKINS: -- I don't want to

1 Nutley Board of Commissioners, 3/17/09  
2 ins -- you know --

3 MR. MOORE: I'm asking for an answer  
4 to an OPRA request.

5 MR. HARKINS: I'm telling you I'm  
6 going to get it for you --

7 MR. MOORE: I'm just saying that --

8 MR. HARKINS: -- because the mayor's  
9 requested it.

10 MR. MOORE: I asked incorrectly.

11 MR. HARKINS: It's not something  
12 normally that I would give to you.

13 MAYOR COCCHIOLA: No, no, no, no, I  
14 didn't ask you to supply to -- it's not a  
15 record kept in the ordinary course of  
16 business. And I told you at the last  
17 meeting I'm not your law clerk.

18 MR. MOORE: Yes, you did. You said  
19 to me --

20 MAYOR COCCHIOLA: If you can do  
21 legal research --

22 MR. MOORE: -- it was covered in  
23 the --

24 MAYOR COCCHIOLA: -- you can figure  
25 it out, Mr. Moore.

1 Nutley Board of Commissioners, 3/17/09

2 MR. MOORE: -- the guide to the Open  
3 Public Meeting Acte

4 MAYOR COCCHIOLA: I'm pretty sure  
5 one of the cases involved Dunn v. The  
6 City of Elizabeth. I think that was  
7 the --

8 MR. MOORE: No, Dunn v. City was  
9 something else totally. I don't think  
10 you want to go to Dunn.

11 MAYOR COCCHIOLA: I'm not going to  
12 sit here and have an argument --

13 MR. MOORE: Okay.

14 MAYOR COCCHIOLA: -- with someone  
15 who doesn't have a license to practice  
16 law.

17 MR. MOORE: That's okay. Do you --

18 MAYOR COCCHIOLA: If you want to  
19 take it to somebody else, take it. We  
20 know we have the legal authority to do  
21 it, and I'm not going to --

22 MR. MOORE: I --

23 MAYOR COCCHIOLA: -- keep arguing  
24 with you over it.

25 MR. MOORE: I asked you --



1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: Do you have any  
3 other questions about something else?

4 MRe MOORE: -- for -- yes, I do. I  
5 asked you specifically in the OPRA for  
6 the authority for the statement.

7 MAYOR COCCHIOLAe And I just told  
8 you that it's not --

9 MR. MOOREe And it said it's not  
10 available.

11 MAYOR COCCHIOLA: -- a record kept  
12 in the ordinary course of business. You  
13 want to challenge us on that, be my  
14 guest.

15 MRe MOORE: Oh, I already did.  
16 You'll get your copy soon.

17 MAYOR COCCHIOLA: I don't care. Go  
18 ahead. I know what we're doing, and  
19 we're doing this correctlye

20 MR. MOORE: I also asked for the  
21 case law under the OPRA. It said what  
22 cases were --

23 MAYOR COCCHIOLA: It's not a  
24 business record kept in the ordinary  
25 course of business.

1 Nutley Board of Commissioners, 3/17/09

2 MR. MOORE: Wait a minute. Wait --

3 MAYOR COCCHIOLA: If you have a  
4 question --

5 MR. MOORE: Whoa, whoa, whoa. I had  
6 to copy this down. Wait a minute, what  
7 did you say?

8 MAYOR COCCHIOLA: Do some legal  
9 research. You'll find it.

10 MR. MOORE: So you're telling me --

11 MAYOR COCCHIOLA: I don't have it in  
12 front of me now, but I did have it at the  
13 last meeting.

14 MR. MOORE: So you're telling me  
15 that a case law -- I want it on the  
16 record actually -- that a case, a civil  
17 case, naming a township as a plaintiff --  
18 I'm just trying to --

19 MAYOR COCCHIOLA: No, I'm telling  
20 you that Mr. Harkins provided me with  
21 some case law that supported the fact  
22 that you -- we -- any municipal governing  
23 body is allowed to put a time  
24 restriction --

25 MR. MOORE: No, no, no, this is --

1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: -- on the time for  
3 public comment.

4 MR. MOORE: -- this is about just  
5 general case law. I have -- this is very  
6 specific, actually. I said in which  
7 the --

8 MAYOR COCCHIOLA: General case law  
9 for what? What are you talking about?

10 MR. MOORE: I'm trying --

11 MAYOR COCCHIOLA: You just asked me  
12 a question about the time limitation.

13 MR. MOORE: If you -- if you  
14 would --

15 MAYOR COCCHIOLA: And I said it's  
16 supported by case law and it's supported  
17 in the Open Public Records Act.

18 MR. MOORE: Can I -- can I finish my  
19 question?

20 MAYOR COCCHIOLA: Or Public Meetings  
21 Act, I'm sorry.

22 MR. MOORE: Can I finish my  
23 question?

24 MAYOR COCCHIOLA: Go ahead.

25 MR. MOORE: It might be easier to

1 Nutley Board of Commissioners, 3/17/09  
2 answer it if I can answer my question --  
3 ask my question.

4 MAYOR COCCHIOLA: You don't ask a  
5 coherent question; that's the problem.

6 MR. MOORE: Well, that's okay.  
7 That's an opinion. In here I ask for any  
8 case in which the Township of Nutley was  
9 a plaintiff or defendant in the calendar  
10 years of 2009, 2008 or 2007. And this  
11 says that there's no records.

12 MAYOR COCCHIOLA: We don't have any  
13 case law where we were a plaintiff or  
14 defendant. That has to deal with this?

15 MR. MOORE: None whatsoever? None  
16 whatsoever? I want to know a specific --

17 MAYOR COCCHIOLA: Mr. Harkins,  
18 what's he talking about?

19 MR. MOORE: I'm asking the record --

20 MR. HARKINS: I haven't seen the  
21 records request. If you want to forward  
22 it to me, I'll take a second look at it.

23 MR. MOORE: It's right here.

24 THE CLERK: I don't know which  
25 records request you're speaking of with

1 Nutley Board of Commissioners, 3/17/09  
2 that one. I don't know

3 MR. MOORE: It's very simple.  
4 Records Request 10-09e "I seek public  
5 information for all litigation where the  
6 Township of Nutley is named as a  
7 plaintiff or a defendant for the calendar  
8 years of 2009, 2008 or 2007. Please  
9 include any litigation citations only."

10 MAYOR COCCHIOLA: I haven't seen  
11 that, that request.

12 THE CLERK: I responded. Can you  
13 read the response?

14 Let him read the response, Mayor.

15 MR. MOORE: Yes. The response is,  
16 "Your request has been denied. The  
17 township does not have any documents  
18 pursuant to your request."

19 MR. HARKINS: Yeah, I think --

20 THE CLERK: I do not have a  
21 document --

22 MR. HARKINS: I think --

23 THE CLERK: -- pursuant to his  
24 request.

25 MR. HARKINS: Yeah, I think if -- I

1 Nutley Board of Commissioners, 3/17/09  
2 think your request, Mr. Moore, is for us  
3 to provide you citations to --

4 MR. MOORE: That's all.

5 MR. HARKINS: -- actions in which we  
6 are a plaintiff or defendant, or whatever  
7 it was you asked for.

8 MR. MOORE: Yes.

9 MR. HARKINS: We don't have a  
10 document or a piece of paper that lists  
11 whatever the actions are.

12 MR. MOORE: You didn't get a  
13 lawsuit? You didn't get a copy of a  
14 suit?

15 MR. HARKINS: You're asking --  
16 Mr. Moore, you're not listening. You're  
17 asking for us to create a document for  
18 your benefit, to provide you with a list  
19 of actions, civil actions, where we are  
20 the plaintiff or defendant. We don't  
21 keep such a document. And that's, I  
22 assume, why the request was denied.

23 MR. MOORE: Well, that's incorrect.

24 THE CLERK: That is how I understood  
25 it, and I responded according to --

1 Nutley Board of Commissioners, 3/18/09

2 MR. MOORE: That's incorrect.

3 THE CLERK: -- my understanding.

4 MR. MOORE: Part of the reason I  
5 asked that question specifically, 'cause  
6 when Mr. Evans was the acting mayor for  
7 one evening, I brought up specifically --  
8 I wanted to know how many people were in  
9 the IT department. And I was told -- I  
10 asked about Mr. Ubelow, I think his name  
11 is. Am I saying that correctly?

12 UNIDENTIFIED SPEAKER: Uloh (ph.)e

13 MR. MOORE: Uloh. Thank you. And I  
14 was told there's a case law on that one,  
15 it's in court in litigation.

16 Now, Mr. Tucci, I would like to  
17 point this out to you. This is where my  
18 imagination runs wild. If Mr. Evans  
19 tells me that there's litigation and it's  
20 before a court, and your town attorney  
21 tells me there's no litigation --

22 MR. HARKINS: Mr. Moore --

23 MR. MOORE: -- I see dots.

24 MR. HARKINS: -- I'm not telling you  
25 there's no litigation. I'm telling you I

1 Nutley Board of Commissioners, 3/17/09  
2 don't have a document that lists by  
3 caption each and every action that we're  
4 involved in.

5 MR. MOORE: So, to the best of your  
6 knowledge, did Mr. Uloh sue the Township  
7 of Nutley for being fired by  
8 Mr. Orechio?

9 MAYOR COCCHIOLA: Hold on a minute.  
10 Let's --

11 MR. HARKINS: Mr. Moore, we're not  
12 going to go into --

13 MR. MOORE: That's a civil case.  
14 It's a public document.

15 MAYOR COCCHIOLA: First of all,  
16 Mr. Moore, your five minutes are up.

17 MR. MOORE: Well --

18 MAYOR COCCHIOLA: Second of all --

19 MR. MOORE: -- do whatever you want.

20 MAYOR COCCHIOLA: -- I want you to  
21 start to understand what a request under  
22 OPRA means. I'm going to tell it to you  
23 one more time.

24 MR. MOORE: You don't have to, don't  
25 bother, 'cause we already know.



1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: Records kept in  
3 the ordinary course of business are what  
4 we are required to supply. We're not  
5 required to answer twenty questions that  
6 are --

7 MR. MOORE: So Mr. Uloh being fired  
8 by Mr. Orechio and he initiates a lawsuit  
9 is not a normal course of business? Am I  
10 understanding you correctly?

11 MAYOR COCCHIOLA: Your five minutes  
12 are up.

13 MR. MOORE: Well, you could do what  
14 you want.

15 MAYOR COCCHIOLA: If you have  
16 another specific question --

17 MR. MOORE: I called Mr. Petracco's  
18 office this morning. I called the chief  
19 to make sure that we had a police officer  
20 here this evening because --

21 MAYOR COCCHIOLA: We do have police  
22 officers here.

23 MR. MOORE: Yes, we are (sic) --

24 MAYOR COCCHIOLA: We always have  
25 police officers here.

1 Nutley Board of Commissioners, 3/17/09

2 MR. MOORE: -- 'cause I'm  
3 challenging your five minutes. I'm  
4 challenging your five minutes.

5 MAYOR COCCHIOLA: Your five minutes  
6 are up, sir.

7 MR. MOORE: Well, I still have to go  
8 through the rest of the OPRA request, and  
9 I still didn't get to my questions  
10 tonight.

11 MAYOR COCCHIOLA: Well, send them to  
12 us.

13 MR. MOORE: Well, I did. I got -- I  
14 didn't get any answers.

15 MR. HARKINS: Mr. Moore, if you're  
16 not happy with the answer, you have the  
17 right to address that down in Trenton.  
18 So go ahead.

19 MR. MOORE: What? I'm sorry?

20 MR. HARKINS: You have the right to  
21 address that down in Trenton, so go  
22 ahead, if you're not happy with the  
23 answer.

24 MR. MOORE: Well, I'm asking you on  
25 a record specifically 'cause --

1 Nutley Board of Commissioners, 3/17/09

2 MAYOR COCCHIOLA: I agree. If you  
3 don't -- if you're not satisfied with  
4 something that the municipality sends  
5 you, you could take it up with the  
6 government records counsele

7 MRe MOORE: No, I just want to make  
8 sure that when I filed my complaint --

9 MAYOR COCCHIOLA: Now, I've asked  
10 you -- I've told you that your five  
11 minutes are up. I'm going to ask you to  
12 sit down now.

13 MRe MOORE: No, well, actually, I'm  
14 not because, under the Open Public  
15 Meetings Act, it's not theree So I hate  
16 to disappoint you with your legal  
17 research --

18 MAYOR COCCHIOLA: I'm going to ask  
19 you to sit down now or I'm going to ask  
20 you to leave the room.

21 MRe MOORE: Well, I'm not going to  
22 leave the room 'cause I'm asking a public  
23 questione

24 MAYOR COCCHIOLA: Welle I'm going to  
25 ask you to --

1 Nutley Board of Commissioners, 3/17/09

2 MR. HARKINS: Mr. Moore --

3 MAYOR COCCHIOLA: -- sit down now --

4 MR. HARKINS: Mre Moore, listene

5 MAYOR COCCHIOLA: -- one more time.

6 MR. HARKINS: Listen to me.

7 MR. MOORE: No, it's -- the time --  
8 you could ask the officer to come up and  
9 I'll sit down as long as the officer  
10 requests --

11 MAYOR COCCHIOLA: Sit down!

12 MR. MOORE: -- because -- I'm not  
13 going to sit down.

14 MAYOR COCCHIOLA: Sit down. Is  
15 there anyone else that would like to  
16 address the board this evening? You  
17 could take the microphone.

18 MR. MOORE: Oh, that's all right.

19 MAYOR COCCHIOLA: Is there anyone  
20 else who would like to address the board  
21 this evening?

22 THE CLERK: We're adjourning? I  
23 mean --

24 MAYOR COCCHIOLA: We -- Mr. Kirk?  
25 We're not going to be adjourning the

1 Nutley Board of Commissioners, 3/17/09  
2 meeting, correct.

3 MR. KIRKe Hello, Commissioners.  
4 Hello, Mayor. Jason Kirk. I'm the IT  
5 manager for the Township of Nutley. In  
6 the past few meetings, a couple issues  
7 had been brought up, maybe with my  
8 department, especialdy with purchasing  
9 Microsoft licensing. And apparently some  
10 of our members are convinced that we did  
11 it the wrong way. We did it the only way  
12 you could do it. It's an open volume  
13 license agreement. There is no such  
14 thing as a server license. And I just  
15 wanted to get that on the record.

16 We did it correctly, and we did it  
17 at the best price.

18 MAYOR COCCHIOLA: Thank you, Mr. --

19 COMMISSIONER EVANS: Jason, point of  
20 clarification. How many site licenses do  
21 we have, user licenses do we have?

22 MR. KIRK: We have 120 seats.

23 COMMISSIONER EVANS: Okay. And it's  
24 a Microsoft Office Suite product --

25 MR. KIRKe Yes.

1 Nutley Board of Commissioners, 3/17/09

2 COMMISSIONER EVANS: -- correct? Is  
3 there any way possible that you can  
4 purchase licenses covering that product  
5 other than the way we did it?

6 MR. KIRK: There's no other way.

7 COMMISSIONER EVANS: And you got  
8 that confirmed from where?

9 MR. KIRK: I got an e-mail from  
10 Microsoft.

11 COMMISSIONER EVANS: Thank you.

12 MAYOR COCCHIOLA: Thank you,  
13 Mr. Kirk.

14 One announcement before we -- we're  
15 not going to -- we are not going to  
16 adjourn -- we're not going to conclude  
17 this meeting. We're going to continue  
18 it. But before we make that  
19 announcement, on March 24th, Tuesday  
20 March 24th, from 9 to 5, the Senate  
21 Budget and Appropriations Committee will  
22 be conducting a public hearing on the  
23 campus of Montclair State University for  
24 residents to voice their concerns to  
25 Governor Corzine's proposed state budget.

1 Nutley Board of Commissioners, 3/17/09  
2 We encourage all to participate in this  
3 exercise.

4 If you would like more information,  
5 we have a Web site that you can access,  
6 njleg.state.nj.us. And if you need more  
7 information, you can contact my office.

8 This meeting will be continued to  
9 March 31st at 7 p.m., that's a Tuesday,  
10 at which time the municipal budget will  
11 be introduced. Thank you.

12 (Meeting recessed at 7:21 p.m. to be  
13 continued on March 31, 2009 at 7 p.m.)  
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C E R T I F I C A T I O N

I, Clara Rubin, hereby certify that the foregoing is a true and correct transcription, to the best of my ability, of the sound recorded proceedings submitted for transcription.

I further certify that I am not employed by nor related to any party to this action.

In witness whereof, I hereby sign this date:

May 14, 2009.

  
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Clara Rubin



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TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

ORIGINAL

	)	
PUBLIC MEETING	)	TRANSCRIPT OF
	)	PROCEEDINGS:
-----	)	

March 31, 2009

7:00 p.m.

BEFORE:

- Mayor Cocchiola
- Commissioner Evans
- Commissioner Petracco
- Commissioner Scarpelli
- Commissioner Tucci

Job No: 200668

1 Township of Nutley Public Meeting 3/31/00

2 MADAM CLERK: Could everyone please  
3 stand for the flag salute?

4 (Pledge of Allegiance is recited)

5 MAYOR COCCHIOLA: This meeting is a  
6 continuation of our meeting of  
7 March 17 -- it was the 17th wasn't it?

8 MADAM CLERK: Yes Mayor.

9 MAYOR COCCHIOLA: Madam Clerk I'm  
10 just going to ask you to call the roll.  
11 You don't need to reread the Sunshine  
12 notice. Just call the roll, please

13 MADAM CLERK: Yes Mayor.

14 Commissioner Scarpeelli?

15 COMMISSIONER SCARPELLI: Here.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Here

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Here.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Here.

22 MADAM CLERK: Mayor Cocchio?

23 MAYOR COCCHIOLA: Here.

24 MADAM CLERK: All present, Mayor.

25 MAYOR COCCHIOLA: Thank you. The

1 Township of Nutley Public Meeting 3/31/09  
2 purpose of this meeting is to introduce  
3 the municipal budget for 2009.

4 Commissioner Evans, I'm going to turn  
5 this over to you for explanation and  
6 introduction.

7 COMMISSIONER EVANS: Thank you,  
8 Mayor. The first thing we have to do is  
9 introduce an ordinance. So the first  
10 step would be to introduce an ordinance  
11 establishing the appropriation cap at two  
12 and half percent as required by statute  
13 which I'll read by its title:

14 Ordinance Number 3098, ORDINANCE TO  
15 EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
16 LIMITS AND ESTABLISH A CAP BANK AT TWO  
17 AND A HALF PERCENT.

18 I move that this ordinance be passed  
19 to a second reading and advertised in The  
20 Nutley Sun together with the notice  
21 required by law and that further  
22 consideration of said ordinance for final  
23 passage by the Board of Commissioners be  
24 held at its second reading on May 5,  
25 2009. So move.

1 Township of Nutley Public Meeting 3/31/09

2 COMMISSIONER TUCCI: Second.

3 UNIDENTIFIED SPEAKER: Seconde

4 MADAM CLERK: Commissioner

5 Scarpelli?

6 COMMISSIONER SCARPELLI: Aye

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: And Mayor Cocchiola?

14 MAYOR COCCHIOLA: Aye

15 COMMISSIONER EVANS: The second

16 order of business for tonight is to

17 introduce the 2009 Municipal Budget.

18 This is the municipal portion of the

19 budget. It's not the -- it does not

20 relate to the county budget or the -- or

21 allocation from the county or the school

22 board. It's just the municipal portion

23 of our budget which is, from a taxpayer's

24 standpoint, this portion of the property

25 tax bill represents about thirty-five

1 Township of Nutley Public Meeting 3/31/09  
2 percent of that bill. The county and the  
3 school board represent the balance of the  
4 total taxes that are charged each year.

5 What's important about our budget  
6 this year is that -- is one, is to  
7 understand is that we have to meet two  
8 tests. One is a levy test which says  
9 that our budget cannot exceed a four  
10 percent increase year-over-year and an  
11 appropriation cap which says that our cap  
12 cannot increase our appropriations by  
13 more than two and a half percent.

14 We do have a statutory window which  
15 says we, as a municipality, if we wanted  
16 to, could increase the appropriation cap  
17 by one percent and that's allowable by  
18 statute. We are not doing that this  
19 year. There's no additional increase.  
20 We wanted to live within the limits and  
21 our goal as a commission body -- and each  
22 of the commissioners will speak to their  
23 departments -- our goal as a commission  
24 body was not to achieve the maximums  
25 allowed by statute; our goal was to

1 Township of Nutley Public Meeting 3/31/09  
2 actually introduce a budget that was well  
3 below the statutory caps that were  
4 allowede

5 So, as it stands right now, our levy  
6 for the taxpayers will total  
7 \$34,347,174.61 which is \$905,000 below  
8 the allowable levy cap, so we have  
9 reduced well below thate Our  
10 appropriations are \$319,328.85 below what  
11 the allowable limit is on the  
12 appropriations sidee So basically what  
13 that means is that our appropriations  
14 year-over-year for the municipality  
15 increase \$687,000 or 1.5 percent.

16 Our levy is further burdened by the  
17 fact that we lost revenue in the climate  
18 that we're in -- lower interest rates,  
19 lower code fees and so on -- we've lost  
20 \$443,000 worth of revenue which accounts  
21 for another 1.9 percent. So, in total,  
22 if you look at our budget year-over-year,  
23 it's going up 3.4 percent which is, in  
24 total, well below the maximum that's  
25 allowed by statute.

1 Township of Nutley Public Meeting 3/31/00

2 What that means is that we as a  
3 township had to work very hard together  
4 as a commission body to make sure that we  
5 did not pass on any costs to a taxpayer  
6 through the property tax if we could  
7 avoid it. And so we have in here a cost  
8 that is part of that increase which  
9 really represents two major categories;  
10 the increased cost of health care and the  
11 continuation of fully funding our pension  
12 year-over-year. We spent five years  
13 getting out of the hole from the pension  
14 holiday that existed in the early 2000s.  
15 We are now current and in this budget we  
16 are not returning to having a shortfall.  
17 We're fully funding our pension which  
18 our, you know, municipal employees should  
19 feel comforted in knowing that we are not  
20 going to fall behind in being able to  
21 support our obligations.

22 The second piece is relating to  
23 insurance. There are small adjustments  
24 across the board but there's also an  
25 assumption here that there are no salary

1 Township of Nutley Public Meeting 3/31/09  
2 raises for any department in the  
3 municipality for the coming year except  
4 that we will honor steps and longevity  
5 because we have an obligation to do that,  
6 but we are asking everyone to support the  
7 fact that in an environment where we have  
8 a significant challenge in that we are  
9 dealing with a global recessionary  
10 economy, the residents of our town are  
11 struggling and we are taking every step  
12 that we can take to ensure that if we  
13 have to pass on a cost, it's the least  
14 amount of the cost increase that we can  
15 pass on and we're doing our job as  
16 commissioners to ensure that we're being  
17 responsible as a commission body.

18 So with that, our tax rate effect is  
19 3.4 cents which equals \$138 per  
20 household. Another dimension of that,  
21 just to add a little bit more detail to  
22 this, is that while it's \$138 per  
23 household, 2 points of the 3.4 points  
24 relates to the fact that as part of our  
25 adjustments this year, we reduced the



1 Township of Nutley Public Meeting 3/31/09  
2 assessed values of 1700 homes which has  
3 an effect of reducing our numerator in  
4 the calculation which has had a 2 point  
5 effect on the tax rate. If we didn't do  
6 that, and we didn't have a need to do  
7 that, our tax rate increase would have  
8 been 1.4 cents this year. And what that  
9 really means -- that's about \$55 per  
10 household or something less than \$15 a  
11 quarter.

12 So, the translation of that is that  
13 we feel -- I feel, as the Revenue and  
14 Finance Commissioner, that we're  
15 introducing a very responsible budget  
16 that's sensitive to the township and  
17 meets the needs of a government that  
18 needs to still continue to govern in a  
19 very difficult financial environment.

20 So with that, commissioners, if  
21 you'd like to comment on your  
22 departments, be my guest.

23 MAYOR COCCHIOLA: Is that an  
24 introduction, though? Hold on just a  
25 second and then I'll call for discussion.

1 Township of Nutley Public Meeting 3/31/09

2 COMMISSIONER EVANS: Do you want  
3 me -- I have to read something to do that  
4 if you want to comment before.

5 MAYOR COCCHIOLA: Read it, we'll  
6 second and then we'll open up for  
7 discussion.

8 COMMISSIONER EVANS: Okay. So, by  
9 introduction, the Municipal Budget of the  
10 Township of Nutley, County of Essex, for  
11 the fiscal year 2009, be it further  
12 resolved that the following statements of  
13 revenue and appropriation shall  
14 constitute the municipal budget for the  
15 year 2009. Be it further resolved that  
16 said budget be published in The Nutley  
17 Sun in the issue of April 9th. The  
18 governing body of Township of Nutley does  
19 and hereby approve the following budget  
20 for the year 2009. So move.

21 COMMISSIONER TUCCI: Second.

22 MAYOR COCCHIOLA: Okaye

23 MADAM CLERK: Commissioner  
24 Scarpe@li?

25 MAYOR COCCHIOLA: No, before you

1 Township of Nutley Public Meeting 3/31/09  
2 call for a vote, any discussion by any  
3 members of the board? Commissioner  
4 Scarpelli?

5 COMMISSIONER SCARPELLI: Thank you,  
6 Mayor. I'd like to congratulate  
7 Commissioner Evans on the preparation of  
8 the budget. I'd like to congratulate all  
9 my colleagues on what I think is a  
10 bare-bones budget. In particular, the  
11 public works budget, we're \$43,500 under  
12 last year's budget and if you put in the  
13 uncontrollable costs of 20,000, we're  
14 \$63,477 under 2008e So, it's been  
15 difficult to get there; it's been painful  
16 at times, and I think that we've done a  
17 great job. So, I vote yes.

18 MAYOR COCCHIOLA: Commissioner  
19 Petracco?

20 COMMISSIONER PETRACCO: Yes, thank  
21 you, Mayor. I would also like to thank  
22 Commissioner Evans, and I'd like to thank  
23 him for his help through this process  
24 that's very long and painful as well. I  
25 would just like to say that with the

1 Township of Nutley Public Meeting 3/31/09  
2 public safety budget in particular, being  
3 we have binding arbitration, that this  
4 budget does not reflect any pay raise  
5 increase. So if we wind up in binding  
6 arbitration down the road and a judge  
7 awards settlement and it's a percentage,  
8 I just want to make it clear that this  
9 budget does not have that in heree So, I  
10 want to thank everybody for their help  
11 and hopefully we move this along. So I  
12 vote yes also.

13 MAYOR COCCHIOLA: Thank you.

14 MADAM CLERK: Okay. Commissioner  
15 Evans?

16 COMMISSIONER EVANSe Aye.

17 MAYOR COCCHIOLA: Commissioner  
18 Tucci?

19 COMMISSIONER TUCCI: Yes. I'd like  
20 to echo the sentiments of my two  
21 colleagues to the right and I think Tom  
22 did an excellent job, once again, of  
23 crafting this budget and lending us the  
24 guidance and the information that was  
25 necessary. There's one thing that I'd to

1 Township of Nutley Public Meeting 3/31/09  
2 comment on -- actually, a couple of  
3 things, but one major point and that is  
4 we made a conscious decision; while we  
5 have in this budget zero increases for  
6 our people, we did, in fact, keep intact  
7 the health benefits because we felt that  
8 was a quality of life issue for our  
9 folks. Because in the event of one  
10 catastrophic illness with just the co-  
11 pays alone -- I mean, depending on  
12 whether you're paying twenty percent or  
13 thirty percent, the average employee  
14 could, in fact, find themselves in a very  
15 bad position, as far as debt is  
16 concerned, relative to medical bills.

17 So while we're zero on a percentage  
18 increase, and we even looked at steps and  
19 longevity which, quite frankly, I can  
20 speak for my own department, I'm sure  
21 it's the same in the other departments,  
22 it came to a de minimis amount. We did,  
23 in fact, make a conscious decision to  
24 keep the health benefits intact because  
25 we did feel that was important for our

1 Township of Nutley Public Meeting 3/31/09  
2 employees. This is a budget that while  
3 it's to the bone, it still takes into  
4 account the quality of life here in  
5 Nutley, it keeps Nutley the special place  
6 that it is.

7 In the newspapers you'll read  
8 different things and there are a lot of  
9 numbers that are thrown around, but what  
10 you hear tonight here and what's  
11 presented in this budget is the absolute  
12 truth. So for anyone who goes on message  
13 boards or you're a blogger, don't take  
14 anyone's word for anything. If you have  
15 a question, please, come here, ask the  
16 question. You'll always get the truth.  
17 You may not like it, but you'll always  
18 get the bottom-line truth. I'd just like  
19 to congratulate everyone on doing an  
20 excellent job, and I think we've done the  
21 Township of Nutley a great service.

22 COMMISSIONER EVANS: Absolutely. It  
23 had to be a team effort.

24 COMMISSIONER TUCCI: Yes.

25 MAYOR COCCHIOLA: And you vote yes.

1 Township of Nutley Public Meeting 3/31/00

2 MADAM CLERK And Mayor Cocchiola?

3 MAYOR COCCHIOLA Thank you I

4 cannot say enough good things about

5 Commissioner Evans his approach to this

6 budget his approach with all of us. The

7 professionalism is really unmatched by

8 anything I have ever seen or anyone

9 He's really a consummate professional

10 And I walked in here tonight and I just

11 am really, really proud of him and I'm

12 proud of -- I'm proud to be able to sit

13 here with this board, the way we worked

14 and how difficult and hard it was to

15 achieve what we've achieved tonight. It

16 was truly teamwork at its best. So I

17 have to say I want to thank the employees

18 of my own department who I have talked

19 with for a long time and discussed with

20 and, you know, we all have personal

21 feelings about a lot of things but who

22 have been very good in giving me their

23 opinions about what they believe is the

24 right thing to do as well. I don't

25 remember a time when it was as difficult

1 Township of Nutley Public Meeting 3/31/09  
2 to do a budget like this since we've been  
3 in elected office. So, again, I'm  
4 really, really proud of where we've come  
5 in the past six weeks, what we started at  
6 and where we -- and how we ended up. So,  
7 of course, I vote yes on the  
8 introduction.

9 MADAM CLERK: Okay.

10 COMMISSIONER EVANS: Mayor, just a  
11 comment. The budget will be available at  
12 the clerk's office tomorrow morning by 9  
13 a.m.

14 MAYOR COCEHIOLA: Thank you.

15 MADAM CLERK: Mayor, the public  
16 hearing will be on May 5, 2009, Tuesday,  
17 7 p.m.

18 MAYOR COCEHIOLA: Yes, we welcome  
19 the comments of the public. That  
20 concludes the business portion of our  
21 meeting. We're going to open the meeting  
22 up to the public for public comment.  
23 Just let me read the statement. All  
24 persons addressing the Board of  
25 Commissioners regarding community



1 Township of Nutley Public Meeting 3/31/09  
 2 concerns should approach the microphone  
 3 and provide their name and address for  
 4 the recorder Unless further time is  
 5 granted by the board, each person shall  
 6 limit their address to five minutes All  
 7 remarks to the board and its individual  
 8 members must be addressed to the mayor  
 9 The mayor may defer citizen comments to  
 10 the appropriate member of the board  
 11 Dialogue between citizens and others  
 12 addressing the board shall be allowed  
 13 unless the mayor or presiding officer or  
 14 the majority of the membership of the  
 15 board shall determine that the interest  
 16 of decorum and/or the expeditious conduct  
 17 of municipal business are being adversely  
 18 affected by such dialogue

19 Is there anyone that would like to  
 20 address the board this evening?

21 MR SPEAKER Motion to adjourn?

22 MR SPEAKER Second

23 MAYOR COCCHIOLA We have a motion

24 MADAM CLERK Commissioner

25 Scarpelli?

1 Township of Nutley Public Meeting 3/31/09

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Mayor Cocchiola?

10 MAYOR COCCHIOLAe Aye.

11 (Meeting adjourned)

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

I, Zipporah Geralnik, hereby certify that the foregoing is a true and correct transcription, to the best of my ability, of the sound recorded proceedings submitted for transcription.

I further certify that I am not employed by nor related to any party to this action.

In witness whereof, I hereby sign this date:  
May 12, 2009.

*Zipporah Geralnik* 

Zipporah Geralnik

<b>A</b>	12:16 18:2,4,6,8,10	<b>cents</b> 8:19 9:8	<b>concludes</b> 16:20
<b>ability</b> 19:6	<b>a.m</b> 16:13	<b>certify</b> 19:4,10	<b>conduct</b> 17:16
<b>able</b> 7:20 15:12	<b>B</b>	<b>challenge</b> 8:8	<b>congratulate</b> 11:6,8 14:19
<b>absolute</b> 14:11	<b>bad</b> 13:15	<b>charged</b> 5:4	<b>conscious</b> 13:4,23
<b>Absolutely</b> 14:22	<b>balance</b> 5:3	<b>citizen</b> 17:9	<b>consideration</b> 3:22
<b>account</b> 14:4	<b>BANK</b> 3:16	<b>citizens</b> 17:11	<b>constitute</b> 10:14
<b>accounts</b> 6:20	<b>bare-bones</b> 11:10	<b>clear</b> 12:8	<b>consummate</b> 15:9
<b>achieve</b> 5:24 15:15	<b>basically</b> 6:12	<b>Clerk</b> 2:2,8,9,13,16 2:18,20,22,24 4:4,7 4:9,11,13 10:23 12:14 15:2 16:9,15 17:24 18:3,5,7,9	<b>continuation</b> 2:6 7:11
<b>achieved</b> 15:15	<b>believe</b> 15:23	<b>clerk's</b> 16:12	<b>continue</b> 9:18
<b>action</b> 19:11	<b>benefits</b> 13:7,24	<b>climate</b> 6:17	<b>correct</b> 19:5
<b>add</b> 8:21	<b>best</b> 15:16 19:6	<b>Cocchiola</b> 1:17 2:5,9 2:22,23,25 4:13,14 9:23 10:5,22,25 11:18 12:13,17 14:25 15:2,3 16:14 16:18 17:23 18:9,10	<b>cost</b> 7:7,10 8:13,14
<b>additional</b> 5:19	<b>bill</b> 4:25 5:2	<b>code</b> 6:19	<b>costs</b> 7:5 11:13
<b>address</b> 17:3,6,20	<b>bills</b> 13:16	<b>colleagues</b> 11:9 12:21	<b>county</b> 4:20,21 5:2 10:10
<b>addressed</b> 17:8	<b>binding</b> 12:3,5	<b>come</b> 14:15 16:4	<b>couple</b> 13:2
<b>addressing</b> 16:24 17:12	<b>bit</b> 8:21	<b>comforted</b> 7:19	<b>course</b> 16:7
<b>adjourn</b> 17:21	<b>blogger</b> 14:13	<b>coming</b> 8:3	<b>crafting</b> 12:23
<b>adjourned</b> 18:11	<b>board</b> 1:3 3:23 4:22 5:3 7:24 11:3 15:13 16:24 17:5,7,10,12 17:15,20	<b>comment</b> 9:21 10:4 13:2 16:11,22	<b>current</b> 7:15
<b>adjustments</b> 7:23 8:25	<b>boards</b> 14:13	<b>comments</b> 16:19 17:9	<b>D</b>
<b>adversely</b> 17:17	<b>body</b> 5:21,24 7:4 8:17 10:18	<b>commission</b> 5:21,23 7:4 8:17	<b>date</b> 19:14
<b>advertised</b> 3:19	<b>bone</b> 14:3	<b>Commissioner</b> 1:18 1:19,20,21 2:14,15 2:16,17,18,19,20,21 3:4,7 4:2,4,6,7,8,9 4:10,11,12,15 9:14 10:2,8,21,23 11:3,5 11:7,18,20,22 12:14 12:16,17,19 14:22 14:24 15:5 16:10 17:24 18:2,3,4,5,6,7 18:8	<b>de</b> 13:22
<b>Allegiance</b> 2:4	<b>bottom-line</b> 14:18	<b>commissioners</b> 1:3 3:23 5:22 8:16 9:20 16:25	<b>dealing</b> 8:9
<b>allocation</b> 4:21	<b>budget</b> 3:3,15 4:17 4:19,20,23 5:5,9 6:2 6:22 7:15 9:15 10:9 10:14,16,19 11:8,10 11:11,12 12:2,4,9 12:23 13:5 14:2,11 15:6 16:2,11	<b>community</b> 16:25	<b>debt</b> 13:15
<b>allowable</b> 5:17 6:8,11	<b>burdened</b> 6:16	<b>concerned</b> 13:16	<b>decision</b> 13:4,23
<b>allowed</b> 5:25 6:4,25 17:12	<b>business</b> 4:16 16:20 17:17	<b>concerns</b> 17:2	<b>decorum</b> 17:16
<b>amount</b> 8:14 13:22	<b>C</b>		<b>defer</b> 17:9
<b>and/or</b> 17:16	<b>C</b> 19:2,2		<b>department</b> 8:2 13:20 15:18
<b>anyone's</b> 14:14	<b>calculation</b> 9:4		<b>departments</b> 5:23 9:22 13:21
<b>approach</b> 15:5,6 17:2	<b>call</b> 2:10,12 9:25 11:2		<b>depending</b> 13:11
<b>appropriate</b> 17:10	<b>cap</b> 3:11,16 5:11,11 5:16 6:8		<b>detail</b> 8:21
<b>appropriation</b> 3:11 3:15 5:11,16 10:13	<b>caps</b> 6:3		<b>determine</b> 17:15
<b>appropriations</b> 5:12 6:10,12,13	<b>care</b> 7:10		<b>dialogue</b> 17:11,18
<b>approve</b> 10:19	<b>catastrophic</b> 13:10		<b>didn't</b> 9:5,6
<b>April</b> 10:17	<b>categories</b> 7:9		<b>different</b> 14:8
<b>arbitration</b> 12:3,6			<b>difficult</b> 9:19 11:15 15:14,25
<b>asking</b> 8:6			<b>dimension</b> 8:20
<b>assessed</b> 9:2			<b>discussed</b> 15:19
<b>assumption</b> 7:25			<b>discussion</b> 9:25 10:7 11:2
<b>available</b> 16:11			<b>doing</b> 5:18 8:15 14:19
<b>average</b> 13:13			<b>don't</b> 2:11 14:13
<b>avoid</b> 7:7			
<b>awards</b> 12:7			
<b>Aye</b> 4:6,8,10,12,14			

15:24			
<b>E</b>			
<b>E</b> 19:2	<b>final</b> 3:22	<b>holiday</b> 7:14	<b>law</b> 3:21
<b>early</b> 7:14	<b>Finance</b> 9:14	<b>homes</b> 9:2	<b>lending</b> 12:23
<b>echo</b> 12:20	<b>financial</b> 9:19	<b>honor</b> 8:4	<b>levy</b> 5:8 6:5,8,16
<b>economy</b> 8:10	<b>find</b> 13:14	<b>hopefully</b> 12:11	<b>life</b> 13:8 14:4
<b>effect</b> 8:18 9:3,5	<b>first</b> 3:8,9	<b>household</b> 8:20,23	<b>limit</b> 6:11 17:6
<b>effort</b> 14:23	<b>fiscal</b> 10:11	9:10	<b>limits</b> 3:16 5:20
<b>elected</b> 16:3	<b>five</b> 7:12 17:6	<b>I</b>	<b>little</b> 8:21
<b>employed</b> 19:10	<b>flag</b> 2:3	<b>illness</b> 13:10	<b>live</b> 5:20
<b>employee</b> 13:13	<b>folks</b> 13:9	<b>important</b> 5:5 13:25	<b>long</b> 11:24 15:19
<b>employees</b> 7:18 14:2	<b>following</b> 10:12,19	<b>increase</b> 5:10,12,16	<b>longevity</b> 8:4 13:19
15:17	<b>foregoing</b> 19:5	5:19 6:15 7:8 8:14	<b>look</b> 6:22
<b>ended</b> 16:6	<b>four</b> 5:9	9:7 12:5 13:18	<b>looked</b> 13:18
<b>ensure</b> 8:12,16	<b>frankly</b> 13:19	<b>increased</b> 7:10	<b>lost</b> 6:17,19
<b>environment</b> 8:7	<b>fully</b> 7:11,17	<b>increases</b> 13:5	<b>lot</b> 14:8 15:21
9:19	<b>funding</b> 7:11,17	<b>individual</b> 17:7	<b>lower</b> 6:18,19
<b>equals</b> 8:19	<b>further</b> 3:21 6:16	<b>information</b> 12:24	<b>M</b>
<b>Essex</b> 10:10	10:11,15 17:4 19:10	<b>insurance</b> 7:23	<b>Madam</b> 2:2,8,9,13,16
<b>ESTABLISH</b> 3:16	<b>G</b>	<b>intact</b> 13:6,24	2:18,20,22,24 4:4,7
<b>establishing</b> 3:11	<b>Gernalnik</b> 19:4,18	<b>interest</b> 6:18 17:15	4:9,11,13 10:23
<b>Evans</b> 1:18 2:18,19	<b>getting</b> 7:13	<b>introduce</b> 3:2,9,10	12:14 15:2 16:9,15
3:4,7 4:9,10,15 10:2	<b>giving</b> 15:22	4:17 6:2	17:24 18:3,5,7,9
10:8 11:7,22 12:15	<b>global</b> 8:9	<b>introducing</b> 9:15	<b>major</b> 7:9 13:3
12:16 14:22 15:5	<b>goal</b> 5:21,23,25	<b>introduction</b> 3:6 9:24	<b>majority</b> 17:14
16:10 18:5,6	<b>goes</b> 14:12	10:9 16:8	<b>March</b> 1:9 2:7
<b>evening</b> 17:20	<b>going</b> 2:10 3:4 6:23	<b>issue</b> 10:17 13:8	<b>maximum</b> 6:24
<b>event</b> 13:9	7:20 16:21	<b>it's</b> 4:19,22 6:23 8:13	<b>maximums</b> 5:24
<b>everybody</b> 12:10	<b>good</b> 15:4,22	8:22 11:14,15 12:7	<b>mayor</b> 1:17 2:5,8,9
<b>exceed</b> 3:15 5:9	<b>govern</b> 9:18	13:21 14:3	2:13,22,23,24,25
<b>excellent</b> 12:22 14:20	<b>governing</b> 10:18	<b>I'd</b> 11:6,8,22 12:19	3:8 4:13,14 9:23
<b>existed</b> 7:14	<b>government</b> 9:17	12:25 14:18	10:5,22,25 11:6,18
<b>expeditious</b> 17:16	<b>granted</b> 17:5	<b>I'll</b> 3:13 9:25	11:21 12:13,17
<b>explanation</b> 3:5	<b>great</b> 11:17 14:21	<b>I'm</b> 2:9 3:4 13:20	14:25 15:2,3 16:10
<b>F</b>	<b>guest</b> 9:22	15:11,12 16:3	16:14,15,18 17:8,9
<b>F</b> 19:2	<b>guidance</b> 12:24	<b>J</b>	17:13,23 18:9,10
<b>fact</b> 6:17 8:7,24 13:6	<b>H</b>	<b>JERSEY</b> 1:2	<b>mean</b> 13:11
13:14,23	<b>half</b> 3:12,17 5:13	<b>job</b> 1:24 8:15 11:17	<b>means</b> 6:13 7:2 9:9
<b>fall</b> 7:20	<b>hard</b> 7:3 15:14	12:22 14:20	<b>medical</b> 13:16
<b>far</b> 13:15	<b>health</b> 7:10 13:7,24	<b>judge</b> 12:6	<b>meet</b> 5:7
<b>feel</b> 7:19 9:13,13	<b>hear</b> 14:10	<b>K</b>	<b>meeting</b> 1:5 2:1,5,6
13:25	<b>hearing</b> 16:16	<b>keep</b> 13:6,24	3:1,2 4:1 5:1 6:1 7:1
<b>feelings</b> 15:21	<b>held</b> 3:24	<b>keeps</b> 14:5	8:1 9:1 10:1 11:1
<b>fees</b> 6:19	<b>help</b> 11:23 12:10	<b>know</b> 7:18 15:20	12:1 13:1 14:1 15:1
<b>felt</b> 13:7	<b>He's</b> 15:9	<b>knowing</b> 7:19	16:1,21,21 17:1
	<b>Hold</b> 9:24	<b>L</b>	18:1,11
	<b>hole</b> 7:13		<b>meets</b> 9:17
			<b>member</b> 17:10

<b>members</b> 11:3 17:8	<b>ordinance</b> 3:9,10,14 3:14,18,22	<b>provide</b> 17:3	<b>reread</b> 2:11
<b>membership</b> 17:14		<b>public</b> 1:5 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1,11 12:1,2 13:1 14:1 15:1 16:1 16:15,19,22,22 17:1 18:1	<b>residents</b> 8:10
<b>message</b> 14:12	<b>P</b>	<b>published</b> 10:16	<b>resolved</b> 10:12,15
<b>microphone</b> 17:2	<b>painful</b> 11:15,24	<b>purpose</b> 3:2	<b>responsible</b> 8:17 9:15
<b>minimis</b> 13:22	<b>part</b> 7:8 8:24	<b>put</b> 11:12	<b>returning</b> 7:16
<b>minutes</b> 17:6	<b>particular</b> 11:10 12:2	<b>p.m</b> 1:10 16:17	<b>revenue</b> 6:17,20 9:13 10:13
<b>morning</b> 16:12	<b>party</b> 19:11	<b>Q</b>	<b>right</b> 6:5 12:21 15:24
<b>motion</b> 17:21,23	<b>pass</b> 7:5 8:13,15	<b>quality</b> 13:8 14:4	<b>road</b> 12:6
<b>move</b> 3:18,25 10:20 12:11	<b>passage</b> 3:23	<b>quarter</b> 9:11	<b>roll</b> 2:10,12
<b>municipal</b> 3:3,15 4:17,18,22 7:18 10:9,14 17:17	<b>passed</b> 3:18	<b>question</b> 14:15,16	<b>S</b>
<b>municipality</b> 5:15 6:14 8:3	<b>pay</b> 12:4	<b>quite</b> 13:19	<b>safety</b> 12:2
<b>N</b>	<b>paying</b> 13:12	<b>R</b>	<b>salary</b> 7:25
<b>N</b> 19:2	<b>pays</b> 13:11	<b>R</b> 19:2	<b>salute</b> 2:3
<b>name</b> 17:3	<b>pension</b> 7:11,13,17	<b>raise</b> 12:4	<b>says</b> 5:8,11,15
<b>necessary</b> 12:25	<b>people</b> 13:6	<b>raises</b> 8:2	<b>Scarpelli</b> 1:20 2:14 2:15 4:5,6 10:24 11:4,5 17:25 18:2
<b>need</b> 2:11 9:6	<b>percent</b> 3:12,17 5:2 5:10,13,17 6:15,21 6:23 13:12,13	<b>rate</b> 8:18 9:5,7	<b>school</b> 4:21 5:3
<b>needs</b> 9:17,18	<b>percentage</b> 12:7 13:17	<b>rates</b> 6:18	<b>second</b> 3:19,24 4:2,3 4:15 7:22 9:25 10:6 10:21 17:22
<b>NEW</b> 1:2	<b>person</b> 17:5	<b>read</b> 3:13 10:3,5 14:7 16:23	<b>seen</b> 15:8
<b>newspapers</b> 14:7	<b>personal</b> 15:20	<b>reading</b> 3:19,24	<b>sensitive</b> 9:16
<b>notice</b> 2:12 3:20	<b>persons</b> 16:24	<b>really</b> 7:9 9:9 15:7,9 15:11,11 16:4,4	<b>sentiments</b> 12:20
<b>Number</b> 3:14	<b>Petracco</b> 1:19 2:16 2:17 4:7,8 11:19,20 18:3,4	<b>recessionary</b> 8:9	<b>service</b> 14:21
<b>numbers</b> 14:9	<b>piece</b> 7:22	<b>recited</b> 2:4	<b>settlement</b> 12:7
<b>numerator</b> 9:3	<b>place</b> 14:5	<b>record</b> 17:4	<b>shortfall</b> 7:16
<b>Nutley</b> 1:2 2:1 3:1,20 4:1 5:1 6:1 7:1 8:1 9:1 10:1,10,16,18 11:1 12:1 13:1 14:1 14:5,5,21 15:1 16:1 17:1 18:1	<b>please</b> 2:2,12 14:15	<b>recorded</b> 19:7	<b>side</b> 6:12
<b>O</b>	<b>Pledge</b> 2:4	<b>reduced</b> 6:9 8:25	<b>sign</b> 19:13
<b>O</b> 19:2	<b>point</b> 9:4 13:3	<b>reducing</b> 9:3	<b>significant</b> 8:8
<b>obligation</b> 8:5	<b>points</b> 8:23,23	<b>reflect</b> 12:4	<b>sit</b> 15:12
<b>obligations</b> 7:21	<b>portion</b> 4:18,22,24 16:20	<b>regarding</b> 16:25	<b>six</b> 16:5
<b>office</b> 16:3,12	<b>position</b> 13:15	<b>relate</b> 4:20	<b>small</b> 7:23
<b>officer</b> 17:13	<b>preparation</b> 11:7	<b>related</b> 19:11	<b>sound</b> 19:7
<b>Okay</b> 10:8,22 12:14 16:9	<b>present</b> 2:24	<b>relates</b> 8:24	<b>speak</b> 5:22 13:20
<b>once</b> 12:22	<b>presented</b> 14:11	<b>relating</b> 7:22	<b>SPEAKER</b> 4:3 17:21 17:22
<b>open</b> 10:6 16:21	<b>presiding</b> 17:13	<b>relative</b> 13:16	<b>special</b> 14:5
<b>opinions</b> 15:23	<b>proceedings</b> 1:5 19:7	<b>remarks</b> 17:7	<b>spent</b> 7:12
<b>order</b> 4:16	<b>process</b> 11:23	<b>remember</b> 15:25	<b>stand</b> 2:3
	<b>professional</b> 15:9	<b>represents</b> 4:25 7:9	<b>standpoint</b> 4:24
	<b>professionalism</b> 15:7	<b>required</b> 3:12,21	<b>stands</b> 6:5
	<b>property</b> 4:24 7:6		<b>started</b> 16:5
	<b>proud</b> 15:11,12,12 16:4		<b>statement</b> 16:23
			<b>statements</b> 10:12

<p><b>statute</b> 3:12 5:18,25 6:25</p> <p><b>statutory</b> 5:14 6:3</p> <p><b>step</b> 3:10 8:11</p> <p><b>steps</b> 8:4 13:18</p> <p><b>struggling</b> 8:11</p> <p><b>submitted</b> 19:7</p> <p><b>Sun</b> 3:20 10:17</p> <p><b>Sunshine</b> 2:11</p> <p><b>support</b> 7:21 8:6</p> <p><b>sure</b> 7:4 13:20</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>T</b> 19:2,2</p> <p><b>take</b> 8:12 14:13</p> <p><b>takes</b> 14:3</p> <p><b>talked</b> 15:18</p> <p><b>tax</b> 4:25 7:6 8:18 9:5 9:7</p> <p><b>taxes</b> 5:4</p> <p><b>taxpayer</b> 7:5</p> <p><b>taxpayers</b> 6:6</p> <p><b>taxpayer's</b> 4:23</p> <p><b>team</b> 14:23</p> <p><b>teamwork</b> 15:16</p> <p><b>test</b> 5:8</p> <p><b>tests</b> 5:8</p> <p><b>thank</b> 2:25 3:7 11:5 11:20,21,22 12:10 12:13 15:3,17 16:14</p> <p><b>that's</b> 5:17 6:24 9:9 9:16 11:24</p> <p><b>there's</b> 5:19 7:24 12:25</p> <p><b>thing</b> 3:8 12:25 15:24</p> <p><b>things</b> 13:3 14:8 15:4 15:21</p> <p><b>think</b> 11:9,16 12:21 14:20</p> <p><b>thirty</b> 13:13</p> <p><b>thirty-five</b> 4:25</p> <p><b>thrown</b> 14:9</p> <p><b>time</b> 15:19,25 17:4</p> <p><b>times</b> 11:16</p> <p><b>title</b> 3:13</p> <p><b>Tom</b> 12:21</p> <p><b>tomorrow</b> 16:12</p>	<p><b>tonight</b> 4:16 14:10 15:10,15</p> <p><b>total</b> 5:4 6:6,21,24</p> <p><b>town</b> 8:10</p> <p><b>township</b> 1:2 2:1 3:1 4:1 5:1 6:1 7:1,3 8:1 9:1,16 10:1,10,18 11:1 12:1 13:1 14:1 14:21 15:1 16:1 17:1 18:1</p> <p><b>TRANSCRIPT</b> 1:5</p> <p><b>transcription</b> 19:6,8</p> <p><b>translation</b> 9:12</p> <p><b>true</b> 19:5</p> <p><b>truly</b> 15:16</p> <p><b>truth</b> 14:12,16,18</p> <p><b>Tucci</b> 1:21 2:20,21 4:2,11,12 10:21 12:18,19 14:24 18:7 18:8</p> <p><b>Tuesday</b> 16:16</p> <p><b>turn</b> 3:4</p> <p><b>twenty</b> 13:12</p> <p><b>two</b> 3:11,16 5:7,13 7:9 12:20</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>uncontrollable</b> 11:13</p> <p><b>understand</b> 5:7</p> <p><b>UNIDENTIFIED</b> 4:3</p> <p><b>unmatched</b> 15:7</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>values</b> 9:2</p> <p><b>vote</b> 11:2,17 12:12 14:25 16:7</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>walked</b> 15:10</p> <p><b>want</b> 10:2,4 12:8,10 15:17</p> <p><b>wanted</b> 5:15,20</p> <p><b>wasn't</b> 2:7</p> <p><b>way</b> 15:13</p> <p><b>weeks</b> 16:5</p> <p><b>welcome</b> 16:18</p> <p><b>we'll</b> 10:5,6</p>	<p><b>we're</b> 6:18 7:17 8:15 8:16 9:14 11:11,13 13:17 16:21</p> <p><b>we've</b> 6:19 11:16 14:20 15:15 16:2,4</p> <p><b>what's</b> 5:5 14:10</p> <p><b>whereof</b> 19:13</p> <p><b>wind</b> 12:5</p> <p><b>window</b> 5:14</p> <p><b>witness</b> 19:13</p> <p><b>word</b> 14:14</p> <p><b>work</b> 7:3</p> <p><b>worked</b> 15:13</p> <p><b>works</b> 11:11</p> <p><b>worth</b> 6:20</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>year</b> 5:4,6,19 8:3,25 9:8 10:11,15,20</p> <p><b>years</b> 7:12</p> <p><b>year's</b> 11:12</p> <p><b>year-over-year</b> 5:10 6:14,22 7:12</p> <p><b>you'd</b> 9:21</p> <p><b>you'll</b> 14:7,16,17</p> <p><b>you're</b> 13:12 14:13</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p><b>zero</b> 13:5,17</p> <p><b>Zipporah</b> 19:4,18</p> <hr/> <p style="text-align: center;"><b>\$</b></p> <hr/> <p><b>\$138</b> 8:19,22</p> <p><b>\$15</b> 9:10</p> <p><b>\$319,328.85</b> 6:10</p> <p><b>\$34,347,174.61</b> 6:7</p> <p><b>\$43,500</b> 11:11</p> <p><b>\$443,000</b> 6:20</p> <p><b>\$55</b> 9:9</p> <p><b>\$63,477</b> 11:14</p> <p><b>\$687,000</b> 6:15</p> <p><b>\$905,000</b> 6:7</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1.4</b> 9:8</p> <p><b>1.5</b> 6:15</p> <p><b>1.9</b> 6:21</p> <p><b>12</b> 19:15</p>	<p><b>172:7</b></p> <p><b>17th</b> 2:7</p> <p><b>1700</b> 9:2</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2</b> 8:23 9:4</p> <p><b>20,000</b> 11:13</p> <p><b>2000s</b> 7:14</p> <p><b>200668</b> 1:24</p> <p><b>2008</b> 11:14</p> <p><b>2009</b> 1:9 3:3,25 4:17 10:11,15,20 16:16 19:15</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p><b>3.4</b> 6:23 8:19,23</p> <p><b>3/31/09</b> 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1</p> <p><b>3098</b> 3:14</p> <p><b>31</b> 1:9</p> <hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p><b>5</b> 3:24 16:16</p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p><b>7</b> 16:17</p> <p><b>7:00</b> 1:10</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9</b> 16:12</p> <p><b>9th</b> 10:17</p>
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Continued meeting of March 17, 2009 held on March 31, 2009.

Introduction of the 2009 Municipal Budget and

Introduction of Ordinance No. 3098 entitled "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK"



RESOLUTION NO. 103-09  
Introduced by: Commissioner Evans

Seconded by: Commissioner Tucci

March 31, 2009

### MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the \_\_\_\_\_ Township of \_\_\_\_\_ Nutley \_\_\_\_\_, County of \_\_\_\_\_ Essex \_\_\_\_\_ for the Fiscal Year 2009

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2009;

Be it Further Resolved, that said Budget be published in the \_\_\_\_\_ Nutley Sun \_\_\_\_\_ in the issue of \_\_\_\_\_ April 9 \_\_\_\_\_

The Governing Body of the \_\_\_\_\_ Township of \_\_\_\_\_ Nutley \_\_\_\_\_ does hereby approve the following as the Budget for the year 2009.

RECORDED VOTE  
(insert last name)

Ayes

Nays

Abstained

Absent

Notice is hereby given that the Budget and the Tax Resolution was approved by the \_\_\_\_\_ Governing Body \_\_\_\_\_ of the \_\_\_\_\_ Township \_\_\_\_\_

of \_\_\_\_\_ Nutley \_\_\_\_\_, County of \_\_\_\_\_ Essex \_\_\_\_\_, on \_\_\_\_\_ March 31 \_\_\_\_\_, 2009

A Hearing on the Budget and Tax Resolution will be held at the \_\_\_\_\_ Municipal Building \_\_\_\_\_, on \_\_\_\_\_ May 5 \_\_\_\_\_, 2009 at

\_\_\_\_\_ (P.M.) \_\_\_\_\_ at which time and place objections to said Budget and Tax Resolution for the year 2009

7:00 \_\_\_\_\_ o'clock



may be presented by taxpayers or other interested persons.

- Mayor Cocchiola
- Commissioner Evans
- Commissioner Tucci
- Commissioner Petracco
- Commissioner Scarpelli

Sheet 2

- "AYE"
- "AYE"
- "AYE"
- "AYE"
- "AYE"