

TOWNSHIP OF NUTLEY
COUNTY OF ESSEX, NEW JERSEY
BOARD OF COMMISSIONERS

ORIGINAL

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RE:)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
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Township of Nutley
Municipal Building
3rd Floor, Commission Chambers
One Kennedy Drive
Nutley, New Jersey 07111
Tuesday, March 3, 2009
7:00 p.m.

BEFORE:

- JOANNE COCCHIOLA, Mayor
- THOMAS J. EVANS, Commissioner
- ALPHONSE PETRACCO, Commissioner
- JOSEPH P. SCARPELLI, Commissioner
- MAURO G. TUCCI, Commissioner

Job No.: 200666

1 Nutley Twp Board of Commissioners - 03/03/09

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

4 (Pledge of Allegiance recited)

5 MAYOR COCCHIOLA: Madam Clerk, could
6 you please read the sunshine notice?

7 THE CLERK: Tuesday, March 3, 2009.

8 "Pursuant to the requirements of the Open
9 Public Meeting Law (Chapter 231, P.L.

10 1975), notice of this meeting was

11 published in the January 8, 2009 issues

12 of the Nutley Sun, the Journal, the Star

13 Ledger and Herald News. A copy of this

14 notice has been posted on the Nutley Town

15 Hall bulletin board and a copy is on file

16 in the Municipal Clerk's Office."

17 Commissioner Scarpelli?

18 COMMISSIONER SCARPELLI: Here.

19 THE CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Here.

21 THE CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Here.

23 THE CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Here.

25 THE CLERK: Mayor Cocchiola?

1 Nutley Twp Board of Commissioners - 03/03/09

2 MAYOR COCCHIOLA: Here.

3 THE CLERK: All present, Mayor.

4 MAYOR COCCHIOLA: Thank you. We can
5 move directly to correspondence, Madam
6 Clerk.

7 THE CLERK: Yes, Mayor. I have
8 three items listed on the agenda, Mayor,
9 but item a I'm going to defer to the next
10 meeting, and I'm going to proceed with
11 item b from the Nutley-Belleville
12 Columbus Day Italian Heritage Month
13 Parade Committee.

14 "As you are well aware, for the past
15 twenty-six years the NB Columbus Day
16 Parade Committee has hosted the very
17 popular and well attended Columbus Day
18 Parade between the Township of Nutley and
19 Belleville. Last year's parade was
20 attended by reportedly more than 5,000
21 please. We are very proud to have an
22 ongoing tradition of community spirit and
23 cooperation exhibited each and every year
24 by the respective town officials,
25 schools, community groups, veterans'

1 Nutley Twp Board of Commissionerse- 03/03/09
2 organizations, etcetera.

3 "Our parade this year is scheduled
4 for October 11, 2009, stepping off at
5 1:30 p.m. The parade lineup will be at
6 12 p.m. This year's planned parade route
7 starts in Belleville at the high school
8 and proceeds downeJoralemon Street
9 heading west and turns onto Franklin
10 Avenue heading north. The parade ends in
11 Nutley in front of the Walker Middle
12 School.

13 "The parade committee would like to
14 ask for your continued support to allow
15 the Columbus Day Parade tradition in our
16 respective towns. We are a well
17 established organization and have all of
18 the necessary staff to host this event.
19 We're also well aware that an event of
20 this size and ability requires
21 appropriate public safety personnel to
22 help manage the event. These personnel
23 have traditionally been provided for by
24 the public free of charge by the
25 respective townships. We hope that the

1 Nutley Twp Board of Commissioners - 03/03/09
2 same level of support can be provided
3 this year. Also, we can continue this
4 event for the benefit of the citizens of
5 Nutley and Belleville.

6 "Best regards, Frank Caruso."

7 Mayor, I'm going to request if we
8 can, I guess, have an approval for the
9 record, and I'll send out a letter to the
10 committee advising them of the results.

11 MAYOR COCCHIOLA: We're just
12 approving the parade event, correct?

13 THE CLERK: The event.

14 MAYOR COCCHIOLA: Okay.

15 THE CLERK: On that day, October 11,
16 2009.

17 MAYOR COCCHIOLA: Okay.

18 THE CLERK: That they can go through
19 the Town of Nutley.

20 MAYOR COCCHIOLA: Okay. You can
21 call for a vote.

22 THE CLERK: I'm sorry. Was there a
23 motion?

24 COMMISSIONER EVANS: Motion.

25 THE CLERK: Okay.

1 Nutley Twp Board of Commissioners - 03/03/09

2 COMMISSIONER PETRACCO: Second.

3 MAYOR COCCHIOLA: 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 THE CLERK: And, Mayor, the last
15 item that I have is from the North Jersey
16 District Water Supply Commission,
17 submitting their meeting agenda for their
18 meeting held February 25, 2009. And
19 that's all for communications, Mayor.

20 MAYOR COCCHIOLA: Thank you.

21 Commissioner Scarpelli, do you have a
22 report for the record?

23 COMMISSIONER SCARPELLI: I have
24 various reports for Parking Division,
25 January, 2009 and February, 2009.

1 Nutley Twp Board of Commissioners - 03/03/09
2 Recycling December, 2009. Road
3 Recycling Division, December, 2008. Road
4 Recycling Division, January, 2009.
5 Traffic Maintenance, January, 2009.
6 Mechanic Division, January, 2009.

7 MAYOR COCCHIOLO: And I have a
8 report for the record for the monthly
9 affairs for the Department of Public
10 Affairs for February of 2008. And we can
11 move on to payment of bills.

12 THE CLERK: Thank you, Mayor.
13 "Tuesday, March 3, 2009. Public Affairs,
14 \$114,239.02. Revenue and Finance,
15 \$2,107,611.99. Public Safety,
16 \$489,552.15. Public Works, \$154,048.14.
17 Parks and Public Property, \$73,020.16.

18 "Payroll as of February 20th,
19 \$756,136.40, for a grand total bill list
20 of \$3,341,607.86." And that's all for
21 bills, Mayor.

22 MAYOR COCCHIOLO: Need a motion.

23 COMMISSIONER SCARPELLI: Move the
24 bills.

25 COMMISSIONER PETRACCO: Second.

1 Nutley Twp Board of Commissioners - 03/03/09

2 THE CLERK: Commissioner Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 THE CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 THE CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 THE CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 THE CLERK: Mayor Cocchiola?

11 MAYOR COCCHIOLA: Aye.

12 THE CLERK: Thank you, Mayor.

13 MAYOR COCCHIOLA: Thank you. We

14 have a number of ordinances for
15 introduction this evening. Commissioner
16 Scarpelli?

17 COMMISSIONER SCARPELLI: Ordinance
18 number 3094.

19 "Ordinance providing for the
20 acquisition of water meters, in and by
21 the Township of Nutley, in the County of
22 Essex, New Jersey, appropriating \$116,000
23 therefore."

24 I move this ordinance be passed to a
25 second reading and advertised in the

1 Nutley Twp Board of Commissioners - 03/03/09

2 Nutley Sun together with the notice
3 required by law, and that further
4 consideration of said ordinance for final
5 passage by the Board of Commissioners be
6 held at a second reading on April 7th.

7 COMMISSIONER TUCCI: Motion.

8 MAYOR COCCHIOLA: I need a second.

9 COMMISSIONER PETRACCO: 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 SCARPELLI: Ordinance
21 number 3095.

22 "An ordinance providing for
23 reconstruction of the roadway on
24 Bloomfield Avenue, Section 4, in the
25 Township of Nutley, in the County of

1 Nutley Twp Board of Commissioners - 03/03/09
2 Essex, New Jersey, appropriating 240,000
3 therefore from grant monies received from
4 the New Jersey Department of
5 Transportation for the cost thereof."

6 I move that the ordinance be passed
7 to a second reading advertised in the
8 Nutley Sun together with the notice
9 required by law, and that further
10 consideration of said ordinance for final
11 passage by the Board of Commissioners be
12 held at a second reading on April 7th.

13 COMMISSIONER PETRACCO: 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: Aye.

22 THE CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye.

24 COMMISSIONER SCARPELLI: Ordinance
25 number 3096.

1 Nutley Twp Board of Commissioners - 03/03/09

2 "An ordinance to amend Chapter 484
3 of the code of the Township of Nutley,
4 entitled Municipal Parking Lots, and,
5 more specifically, Section 8, entitled
6 hours of service, parking fees and
7 monthly parking."

8 I move this ordinance be passed to a
9 second reading advertised in the Nutley
10 Sun together with the notice required by
11 law, and that further consideration of
12 said ordinance for final passage by the
13 Board of Commissioners be held at a
14 second reading on April 7th.

15 COMMISS@ONER PETRACCO: Second.

16 THE CLERK: Commissioner Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 THE CLERK: Commissioner Petracco?

19 COMMISS@ONER PETRACCO: Aye.

20 THE CLERK: Commissioner Evans?

21 COMM@SSIONER EVANS: Aye.

22 THE CLERK: Commissioner Tucci?

23 COMMISS@ONER TUCCI: Aye.

24 THE CLERK: Mayor Cocchiola?

25 MAYOR COCCHIOLA: Aye. And that's

1 Nutley Twp Board of Commissioners - 03/03/09

2 all you have, correct, Commissioner
3 Scarpelli? Commissioner Petracco's
4 Ordinance number 3097 has been pulled.
5 Commissioner Evans?

6 COMMISSIONER EVANS: Thank you,
7 Mayor. I have an ordinance introduction
8 to amend our Capital Ordinance for
9 correcting a mislabeled item. Just to
10 provide further clarification, there's no
11 changes in amounts.

12 "Bond Ordinance amending Bond
13 Ordinance number 3063 providing for
14 various capital improvements in the
15 Township of Nutley, County of Essex."

16 I move that this ordinance be passed
17 to a second reading and advertised in the
18 Nutley Sun together with the notice
19 required by law, and that further
20 consideration of said ordinance for final
21 passage by the Board of Commissioners be
22 held at its second reading on April 7th
23 of 2009. So move.

24 COMMISSIONER TUCCI: Second.

25 THE CLERK: Commissioner Scarpelli?

1 Nutley Twp Board of Commissioners - 03/03/09

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 MAYOR COCCHIOLA: Commissioner

12 Evans, we can now hold your public

13 hearing on Ordinance number 3094.

14 COMMISSIONER EVANS: Thank you,

15 Mayor. This is an ordinance establishing

16 a handicapped parking spot on Valley

17 Road.

18 MAYOR COCCHIOLA: Is there anyone

19 here this evening that would like to

20 address the Board with respect to

21 ordinance number 3094?

22 COMMISSIONER EVANS: I move to close

23 the public hearing

24 COMMISSIONER TUCCI: Second.

25 THE CLERK: Commissioner Scarpelli?

1 Nutley Twp Board of Commissioners - 03/03/09

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 EVANS: Move the

12 ordinancee

13 COMMISSIONER TUCCI: 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: Aye

22 THE CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye. Okay. We

24 can move on to resolutions. Commissioner

25 Scarpelli?

1 Nutley Twp Board of Commissioners - 03/03/09

2 COMMISSIONER SCARPELLI:

3 "BE IT RESOLVED, by the Board of
4 Commissioners, Township of Nutley, in the
5 County of Essex, State of New Jersey,
6 that the Township Treasurer be and she is
7 hereby authorized to refund 2,000 dollars
8 to Don Delli Paoli, 364 Bloomfield
9 Avenue, Nutley, New Jersey 07110, Block
10 5702, Lot 16-01, for a refund of payment
11 for a water service." Move the
12 resolution.

13 COMMISSIONER PETRACCO: 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: Aye.

22 THE CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye.

24 COMMISSIONER SCARPELLI:

25 "WHEREAS, bids for a 2009

1 Nutley Twp Board of Commissioners - 03/03/09
2 International model 7400 chassis with a
3 twenty cubic yard rear loading refuse
4 collection truck body or equivalent were
5 received and opened on Wednesday, January
6 14, 2009; and

7 "WHEREAS, Mid Atlantic Truck Center
8 525 Linden Avenue, Linden, New Jersey
9 07036 was the low bidder priced at
10 \$140,235; and

11 "WHEREAS, funds are available from
12 Bond Ordinance number 3063A in the amount
13 of \$140,235 and have been certified by
14 the Chief Financial Officer, said
15 certification being attached to the
16 resolution;

17 "NOW, THEREFORE, BE IT RESOLVED, by
18 the Board of Commissioners of the
19 Township of Nutley, County of Essex,
20 State of New Jersey, that a contract be
21 awarded to Mid Atlantic Truck Center, not
22 to exceed \$140,235, and that the Mayor
23 and Township Clerk are hereby authorized
24 to enter into and sign said contract for
25 the Township of Nutley." Move the

1 Nutley Twp Board of Commissioners - 03/03/09
2 resolution.

3 COMMISSIONER PETRACCO: 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 SCARPELLI: That's all
15 I have, Mayor.

16 MAYOR COCCHIOLA: Thank you. And,
17 Commissioner Scarpelli, thank you for
18 your explanation of that resolution for
19 the benefit of the commissioners in the
20 back room. Thank you. Commissioner
21 Petracco?

22 COMMISSIONER PETRACCO: Yes, Mayor.
23 I have two resolutions. One we're going
24 to pull, "Authorize RFP advertisement for
25 EMS billing services", and my second

1 Nutley Twp Board of Commissioners - 03/03/09
2 resolution:

3 "BE IT RESOLVED, by the Board of
4 Commissioners, Township of Nutley, County
5 of Essex, New Jersey, that in accordance
6 with the provision of R.S. 40A: 4-59, the
7 following transfers of 2008 appropriation
8 reserves be and the same are hereby
9 authorized and approved:

10 "First Aid O/E from 8-01-312-200
11 \$850 to First Aid salary and wage of
12 \$850.

13 "Fire salary and wage 1,000 to Fire
14 clothing allowance of 1,000.

15 "Police salary and wage account
16 \$5,000 to Police O/E 5,000, for a total
17 of \$6,850." I move the resolution.

18 COMMISSIONER SCARPELLI: Second.

19 THE CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 THE CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 THE CLERK: Commissioner Tucci?

1 Nutley Twp Board of Commissioners - 03/03/09

2 COMMISSIONER TUCCI: Aye.

3 THE CLERK: Mayor Cocchiola?

4 MAYOR COCCHIOLA: Aye.

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

7 MAYOR COCCHIOLA: Thank you.
8 Commissioner Evans?

9 COMMISSIONER EVANS: Thank you.

10 "WHEREAS, several block and lots
11 through the Township have been combined
12 with existing block and lots;

13 "WHEREAS, the preliminary billing
14 for said years still exist on the
15 accounts in the Tax Collector's Office
16 which must be cancelled;

17 "NOW, THEREFORE, BE IT RESOLVED, by
18 the Board of Commissioners of the
19 Township of Nutley, the County of Essex,
20 the State of New Jersey, that the
21 following billing for the eliminated
22 block and lots be cancelled for said
23 years.

24 "Block 32, Lot 74, \$3,686.93."

25 All years stated are for the year

1 Nutley Twp Board of Commissioners - 03/03/09
2 2007.

3 "Block 119, Lot 23, \$4,004.68.

4 "Block 338, Lot 9, \$115.77.

5 "Block 357, Lot 36, \$18,163.

6 "Block 403, Lot 29, \$2,523.55.

7 "Block 463.01, Lot 1 C360A,
8 \$3,el32.40." So move.

9 COMMISSIONER TUCCI: Second.

10 THE CLERK: Commissioner Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 THE CLERK: Commissioner Petracco?

13 COMMËSSIONER PETRACCO: Aye.

14 THE CLERK: Commissioner Evans?

15 COMMISSËONER EVANS: Aye.

16 THE CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 THE CLERK: Mayor Cocchiola?

19 MAYOR COCCHIOLA: Aye.

20 COMMËSSIONER EVANS:

21 "BE IT RESOLVED, by the Board of
22 Commissioners of the Township of Nutley,
23 in the County of Essex, State of New
24 Jersey, that the Treasurer be and she is
25 hereby authorized to refund overpayments

1 Nutley Twp Board of Commissioners - 03/03/09
2 of property taxes in the amount of
3 \$4,083.79 due to Tax Court Judgments as
4 detailed below.

5 "Block 9103, Lot 3, \$650.94, for the
6 year 2008.

7 "Block 9604, Lot 5, \$3432.85, for
8 the year 2008." 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:

21 "BE IT RESOLVED, by the Board of
22 Commissioners of the Township of Nutley,
23 in the County of Essex, State of New
24 Jersey, that the Treasurer be and she is
25 hereby authorized to refund overpayments

1 Nutley Twp Board of Commissioners - 03/03/09
2 of property taxes in the amount of
3 \$5,080.76 for the year 2008 and the
4 following accounts.

5 "Block 9000, Lot 58, for \$5,080.76."

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:

19 "BE IT RESOLVED, by the Board of
20 Commissioners of the Township of Nutley,
21 County of Essex, New Jersey, that the
22 Municipal Clerk be and she is hereby
23 authorized and directed to advertise for
24 a request for proposal for legal services
25 to provide special tax counsel services.

1 Nutley Twp Board of Commissioners - 03/03/09

2 "BE IT FURTHER RESOLVED, that the
3 request for proposals shall be due on
4 Tuesday, March 24, 2009 at 3 p.m.
5 addressed to the Board of Commissioners
6 in Commission Chambers at the Nutley
7 Township Hall, One Kennedy Drive, Nutley,
8 New Jersey, at which time they will be
9 opened and read." So move.

10 COMMISSËONER TUCCI: 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 COMMISSËONER EVANS: Aye.

17 THE CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 THE CLERK: Mayor Cocchiola?

20 MAYOR COCCHIOLA: Aye.

21 COMMËSSIONER EVANS:

22 "WHEREAS, certain Water Capital
23 Improvement appropriation balances remain
24 dedicated to projects now completed; and

25 "WHEREAS, it is necessary to

1 Nutley Twp Board of Commissioners - 03/03/09
2 formally cancel said balances so that the
3 unexpended balances may be returned to
4 each respective Capital Improvement Fund
5 or credited to Surplus and unused debt
6 authorizations may be cancelled;

7 "NOW, THEREFORE, BE IT RESOLVED, by
8 the Board of Commissioners of the
9 Township of Nutley, County of Essex, New
10 Jersey, that the following unexpended and
11 dedicated balance of the Water Capital
12 Appropriation be cancelled:

13 "Ordinance number 2441, \$99,570.28,
14 cement lining of water mainse

15 "Ordinance number 2851, purchase of
16 water vehicle/loader, \$5397.20.

17 "Ordinance number 2898, purchase of
18 front end loader, \$100.

19 "Ordinance number 2994, water
20 capital improvements for \$11,388.50, for
21 a total of \$116,455.98." So move.

22 COMMISSIONER TUCCI: Second.

23 THE CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye

25 THE CLERK: Commissioner Petracco?

1 Nutley Twp Board of Commissioners - 03/03/09

2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Mayor Cocchiola?

8 MAYOR COCCHIOLA: Aye.

9 COMMISSIONER EVANS:

10 "WHEREAS, 40A: 4-20 provides that
11 where contracts, commitments or payments
12 are to be made prior to the final
13 adoption of the 2009 Budget, emergency
14 appropriations may be lawfully made for
15 the purposes and amounts required in the
16 manner and time therein provided; and

17 "WHEREAS, the total emergency
18 temporary resolutions adopted in the year
19 2009 pursuant to provisions of Chapter
20 96, P.L. 1951 (N.J.S. 40A: 4-20),
21 including this resolution, total
22 \$11,443,599.

23 "That said emergency temporary
24 appropriation be provided for the 2009
25 Budget as follows:

1 Nutley Twp Board of Commissioners - 03/03/09

2 "The Public Affairs Department,
3 \$937,784. Revenue and Finance, \$652,445.
4 Public Safety, \$3,259,323. Public Works,
5 \$631,300. Parks and Public Property,
6 \$2,161,909. Utilities, \$290,318. And a
7 contingent amount for \$5,250. Deferred
8 charges of \$2,296,237. And for Passaic
9 Valley Sewer Commission and other items
10 \$1,498,333, for a total of \$11,443,599."

11 So move.

12 COMMISSIONER TUCCI: Second.

13 THE CLERK: Commissioner Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 THE CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 THE CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 THE CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 THE CLERK: Mayor Cocchiola?

22 MAYOR COCCHIOLA: Aye.

23 COMMISSIONER EVANS:

24 "WHEREAS, 40A: 4-20 provides that
25 where contracts, commitments or payments

1 Nutley Twp Board of Commissioners - 03/03/09
2 are to be made prior to the final
3 adoption of the 2009 Water Budget,
4 emergency appropriations may be lawfully
5 made for the purposes and amounts
6 required in the manner and time therein
7 provided; and

8 "WHEREAS, the total emergency
9 temporary appropriation adopted for the
10 year 2008 pursuant to the provisions of
11 Chapter 96, P.L. 1951 (N.J.S. 40A: 4-20),
12 including this resolution, of \$1,039,195.

13 "NOW, THEREFORE, BE IT RESOLVED,
14 that in accordance with N.J.S. 40A: 4-20:

15 "Emergency temporary appropriations
16 be and the same are hereby made for the
17 total amount of \$1,039,195.

18 "That said emergency temporary
19 appropriations will be provided for in
20 the 2009 Water Operating Budget as
21 follows:

22 "Salaries and wage, \$323,000. Other
23 expenses, \$44,000. North Jersey District
24 Water Supply Commission, \$299,000.
25 Township of Kearny water, \$78,750. City

1 Nutley Twp Board of Commissioners - 03/03/09
2 of Newark water, \$29,925. Passaic Valley
3 Water Commission, \$119,400. Annual
4 audit, \$15,015. Group insurance for
5 employees, \$50,000. And purchase of
6 water meters, \$20,000. Social Security
7 for \$61,105, for the total of
8 \$1,039,195." 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:

21 "WHEREAS, 40A: 4-20 provides that
22 where contracts, commitments or payments
23 are to be made prior to the final
24 adoption of the 2009 Budget, emergency
25 appropriation may be lawfully made for

1 Nutley Twp Board of Commissioners - 03/03/09

2 the purposes and amounts required in the
3 manner and time therein provided; and

4 "WHEREAS, total emergency
5 appropriations resolutions adopted for
6 the year 2009 and provisions of Chapter
7 96, P.L. 1951, including this resolution,
8 total of \$130,637.

9 "NOW, THEREFORE, BE IT RESOLVED,
10 that in accordance with N.J.S. 40A: 4-20:

11 "The emergency appropriation be and
12 the same be hereby made for the total of
13 \$100,000.

14 "Total emergency appropriations will
15 be provided for will be provided for in
16 the 2009 Budget as follows:

17 "Other Recreation Programs, (audio
18 problems), \$100,000". So move.

19 COMMISSIONER TUCCI: Second.

20 THE CLERK: Commissioner Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 THE CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 THE CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

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2 THE CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 THE CLERK: Mayor Cocchiola?

5 MAYOR COCCHIOLA: Aye.

6 COMMISSIONER EVANS: Thank you,
7 Mayor.

8 MAYOR COCCHIOLA: Thank you.
9 Commissioner Tucci?

10 COMMISSIONER TUCCI: Yes.

11 "BE IT RESOLVED, by the Board of
12 Commissioners of the Township of Nutley,
13 in the County of Essex, New Jersey, that
14 in accordance with the provision of R.S.
15 40A: 4-59, the following transfer of 2008
16 appropriation reserves be and the same
17 are hereby authorized and approved:

18 "Department of Parks and Public
19 Property, from Parks and Playgrounds O/E
20 \$575 to Telephone Services O/E \$575." I
21 move the resolution.

22 COMMISSIONER EVANS: Second.

23 THE CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 THE CLERK: Commissioner Petracco?

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2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Mayor Cocchiola?

8 MAYOR COCCHIOLA: Aye.

9 COMMISSIONER TUCCI: That's all I
10 have, Mayor.

11 MAYOR COCCHIOLA: Thank you.

12 "WHEREAS, in 1988 the month of March
13 was designated by the United States
14 Congress as National Women's History
15 Month; and

16 "WHEREAS, Women's History Month
17 promotes the teaching of women's history
18 and the achievements of women; and

19 "WHEREAS, it is important for the
20 residents of the Township to recognize
21 the growing contributions and
22 achievements of the women of the Township
23 of Nutley and the State of New Jersey;
24 and

25 "WHEREAS, the Women's Initiative of

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2 Nutley promotes the teaching of women's
3 history and the interests of women in our
4 community, our state and our country; and

5 "WHEREAS, the Women's Initiative of
6 Nutley will host numerous events ranging
7 from cultural and educational programs to
8 social and networking programs during the
9 Month of Marche

10 "NOW, THEREFORE, BE IT RESOLVED,
11 that the Board of Commissioners of the
12 Township of Nutley commends the efforts
13 of the Women's Initiative of Nutley and
14 its members and calls upon all citizens
15 of Nutley to observe the month of March
16 as Women's History Month, at which time
17 all of the residents may join in
18 commemorating women, past and present,
19 who have rendered a service to our
20 nation, our state and our townships" I
21 move the resolution

22 COMMISSIONER TUCCI: Second.

23 THE CLERK: Commissioner Scarpelli?

24 COMMISSIONER SCARPELLI: Aye

25 THE CLERK: Commissioner Petracco?

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2 COMMISSIONER PETRACCO: Aye.

3 THE CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 THE CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 THE CLERK: Mayor Cocchiola?

8 MAYOR COCCHIOLA: Aye.

9 "WHEREAS, a sustainable community
10 seeks to optimize quality of life for its
11 residents by ensuring that its
12 environmental, economic and social
13 objectives are balanced and mutually
14 supportive; and

15 "WHEREAS, the Township of Nutley
16 strives to save tax dollars, assure clean
17 land, air and water, improve working and
18 living environments as steps to building
19 a sustainable community that will thrive
20 well into the new century; and

21 "WHEREAS, the Township of Nutley
22 hereby acknowledges that the residents of
23 Nutley desire a stable, sustainable
24 future for themselves and future
25 generations;

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2 "WHEREAS, the Township of Nutley
3 wishes to support a model of government
4 which benefits our residents now and far
5 into the future by exploring and adopting
6 sustainable, economically sound, local
7 government practices; and

8 "WHEREAS, by endorsing a sustainable
9 path Nutley is pledging to educate itself
10 and community members further about
11 sustainable activities and to develop
12 initiatives supporting sustainable local
13 government practices; and

14 "WHEREAS, as elected representatives
15 of the Township of Nutley we have
16 significant responsibility to provide
17 leadership which will seek community-
18 based sustainable solutions to strengthen
19 our community;

20 "NOW, THEREFORE, BE IT RESOLVED, by
21 the Board of Commissioners that the Board
22 wishes to pursue local initiatives and
23 actions that will lead to Sustainable
24 Jersey Municipal Certification.

25 "BE IT FURTHER RESOLVED, by the

1 Nutley Twp Board of Commissioners - 03/03/09
2 Board of Commissioners of the Township of
3 Nutley that we do hereby authorize the
4 Mayor, and, in her absence, the Deputy
5 Mayor, to serve as Nutley's agents for
6 the Sustainable Jersey Municipal
7 Certification process and authorize the
8 Mayor to complete the municipal
9 registration on behalf of the Township of
10 Nutley." I move the resolution.

11 COMMISSIONER TUCCI: 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 "WHEREAS, the Montclair-Glen Ridge-
23 Nutley Chapter of the American Red Cross
24 has submitted an application to the Code
25 Enforcement Department for a bathroom

1 Nutley Twp Board of Commissioners - 03/03/09
2 renovation for barrierfree compliance;
3 and

4 "WHEREAS, the Township of Nutley has
5 offered to refund any municipal permit
6 fees involved with the bathroom
7 renovation for barrier-free compliance.

8 "THEREFORE, BE IT RESOLVED, by the
9 Board of Commissioners of the Township of
10 Nutley, County of Essex, State of New
11 Jersey, that the municipal permit fees in
12 the amount of \$571 related to the
13 renovation of the bathroom for barrier
14 free compliance at Montclair-Glen Ridge-
15 Nutley Chapter of the American Red Cross,
16 located at 169 Chestnut Street, be
17 refunded." I move the resolution.

18 COMMISSIONER TUCCI: Seconde

19 THE CLERK: Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 THE CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye

23 THE CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Abstaine

25 THE CLERK: Commissioner Tucci?

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2 COMMISSIONER TUCCI: Aye

3 THE CLERK: Mayor Cocchiola?

4 MAYOR COCCHIOLA: Aye

5 "BE IT RESOLVED, by the Board of
6 Commissioners of the Township of Nutley,
7 County of Essex, New Jersey, that the
8 Municipal Clerk be and is hereby
9 authorized and directed to advertise for
10 a request for proposals for interactive
11 web and citizen communication services

12 "BE IT FURTHER RESOLVED, that the
13 request for proposals shall be due on
14 Tuesday March 24, 2009 at 3 o'clock p.m.
15 addressed to the Board of Commissioners
16 in the Commission Chambers at the Nutley
17 Township Hall, One Kennedy Drive, Nutley,
18 New Jersey, at which time they will be
19 opened and read" I move the resolution

20 COMMISSIONER EVANS: Second

21 THE CLERK: Commissioner Scarpelli?

22 COMMISSIONER SCARPELLI: Aye

23 THE CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye

25 THE CLERK: Commissioner Evans?

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2 COMMISSIONER EVANS: Ayee

3 THE CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Ayee

5 THE CLERK: Mayor Cocchiola?

6 MAYOR COCCHIOLA: Ayee

7 "WHEREAS, raffle applications have
8 been received from the following
9 organizations;

10 "Yantacaw School PTO, license number
11 17-09, for an on-premise 50/50 cash
12 raffle for April 3, 2009e

13 "The Nutley-Belleville Columbus Day
14 Parade Committee, license number 18-09,
15 for off-premise 50/50 cash raffle for May
16 13, 2009e

17 "Good Shepherd Academy, license
18 number 19-09, on-premise 50/50 raffle,
19 April 24, 2009.

20 "Nutley Lions Club, for license
21 number 20-09, off-premise 50/50 cash
22 raffle, April 23, 2009.

23 "Nutley Music Boosters Association,
24 both licenses number 21-09 and 22-09, for
25 an on-premise merchandise raffle and on-

1 Nutley Twp Board of Commissioners - 03/03/09
2 premise cash raffle for March 28, 2009.

3 "WHEREAS, the applications have 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 aforementioned licenses
10 are approved and the Municipal Clerk is
11 authorized to issue the licenses" I
12 move the resolution.

13
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 COMMISSIONER SCARPELLI: Mayor, can

1 Nutley Twp Board of Commissioners - 03/03/09

2 I change my vote on the Red Cross?

3 MAYOR COCCHIOLA: You want to
4 abstain?

5 COMMISSIONER SCARPELLI: To abstain.

6 MAYOR COCCHIOLA: Okay. So noted.

7 THE CLERK: Okay, Mayor.

8 MAYOR COCCHIOLA: Okay? That
9 concludes our business portion of the
10 meeting. I'd like to invite anyone who
11 has any other issues or comments to
12 address to the Board of Commissioners to
13 approach the microphone. All persons
14 addressing the Board of Commissioners
15 regarding community concerns should
16 approach the microphone and provide their
17 name and address for the record. Unless
18 further time is granted by the Board each
19 person shall limit their address to five
20 minutes. All remarks to the Board and
21 its individual members must be addressed
22 to the Mayor. The Mayor may defer
23 citizen comments to the appropriate
24 members of the Board. Dialogue between
25 citizens and others addressing the Board

1 Nutley Twp Board of Commissioners - 03/03/09
2 shall be allowed unless the Mayor or
3 presiding officer or the majority of the
4 membership of the Board shall determine
5 that the interests of decorum and/or the
6 expeditious conduct of municipal business
7 are being adversely affected by such
8 dialogue. Is there anyone that would
9 like to speak to the Board this evening?

10 MR. MOLKENTHIN: Good evening. My
11 name is Ken Molkenthin, 44 Chestnut
12 Street, Nutley.

13 MAYOR COCCHIOLA: Good evening,
14 Mr. Molkenthin.

15 MR. MOLKENTHIN: I have some
16 questions I'd like to ask.

17 MAYOR COCCHIOLA: Sure.

18 MR. MOLKENTHIN: First, several
19 months ago I requested of the Board that
20 each department reduce their expenditures
21 by twenty percent. We would not be at
22 the juncture we are at now. It's obvious
23 that there has been little effect or
24 attention to what I suggested, because we
25 still continue to spend money like it's

1 Nutley Twp Board of Commissioners - 03/03/09
2 going out of style.

3 So, given that, I would like to ask
4 the question about the existence of the
5 Resident Employment Statute in the
6 Township Of Nutley. Is it still in
7 effect, Mayor.

8 MAYOR COCCHIOLA: The provision of
9 the code that deals with residency?

10 MR. MOLKENTHIN: Yes.

11 MAYOR COCCHIOLA: Whatever is in the
12 existing code is in effect right now.
13 Correct, Mr. Harkins?

14 MR. HARKINS: I couldn't hear you,
15 Mayor. I heard the question. I couldn't
16 hear your answer.

17 MAYOR COCCHIOLA: The provisions of
18 the code that deal with residency, are
19 they up-to-date?

20 MR. HARKINS: Yes, they're current.
21 They should be current. I don't know
22 what version you're looking at, but, yes.

23 MR. MOLKENTHIN: And as defined in
24 current, does that mean that in order to
25 be employed by the Township of Nutley you

1 Nutley Twp Board of Commissioners - 03/03/09

2 must be a resident?

3 MAYOR COCCHIOLA: No.

4 MR. HARKINS: Not necessarily. No.

5 MR. MOLKENTHIN: Not necessarily.

6 But --

7 MR. HARKINS: The answer is no. You
8 don't.

9 MR. MOLKENTHIN: No?

10 MR. HARKINS: No.

11 MR. MOLKENTHIN: Okay. So many
12 times I go to public functions, I hear
13 the statement made well, gee whiz, yeah,
14 I work for the Town of Nutley but I can't
15 afford to live there. This says
16 something. It says that -- obviously
17 we're not underpaying our people, not by
18 the salaries they're being given. At the
19 same time, it's kind of a deterrent to a
20 taxpayer like me who is paying the taxes,
21 and the people who are spending the money
22 and the people who are receiving the
23 money aren't taxpayers. Now, you're
24 saying -- I know years and years ago we
25 did have a statute that said that you had

1 Nutley Twp Board of Commissioners - 03/03/09
2 to be a resident of Nutley in order to be
3 employed by the Township of Nutley.

4 MR. HARKINS: I'm trying to -- I'm
5 searching my mind here, because I know we
6 had mended that some time back so that
7 it's not mandatory that you're a
8 resident. I'm trying to remember if we
9 put a provision in there that the idea or
10 the goal was to encourage hiring of
11 residents or something along those lines.
12 I don't know if anybody else remembers.
13 I know Commissioner Scarpelli and
14 Petracco weren't here, but I can pull it
15 out for you and tell you.

16 MR. MOLKENTHIN: I appreciate that,
17 because at the salaries we're paying I
18 can't understand why not, somebody would
19 not want to work for the Town of Nutley.

20 Mayor, question number 2 is who
21 exactly is the NTS or, better known, the
22 acronym as Nutley Transport System? Who
23 is it?

24 MAYOR COCCHIOLA: That is the
25 wording on the Jiffy box --

1 Nutley Twp Board of Commissioners - 03/03/09

2 COMMISSIONER TUCCI: That's the
3 Township of Nutley. It's the Nutley
4 Transportation System.

5 MR. MOLKENTHIN: Who controls it?

6 COMMISSIONER TUCCI: It's under my
7 department.

8 MR. MOLKENTHIN: Okay. May I
9 address Commissioner Tucci?

10 MAYOR COCCHIOLA: Yes, you may.

11 MR. MOLKENTHIN: Who is being served
12 by this bus route?

13 COMMISSIONER TUCCI: I'm sorry?

14 MR. MOLKENTHIN: Who is being
15 served?

16 COMMISSIONER TUCCI: Well, the bus
17 that you're speaking about was a grant-
18 funded bus whereby we pick up Nutley
19 residents at their homes, in the morning,
20 at different -- I'm sorry. Not at their
21 homes. At different locations, and we
22 bring them to the Delawanna Station.

23 MR. MOLKENTHIN: Well, I've seen
24 this bus, and I believe there's -- I
25 thought there was more than one. I could

1 Nutley Twp Board of Commissioners - 03/03/09

2 be mistaken. But I've seen this bus in
3 Bloomfield. I've seen this bus in
4 Belleville. I've seen this bus over in
5 Lyndhurst

6 COMMISSIONER TUCCI: That's
7 possible. That's very possible.

8 MR. MOLKENTHIN: I've also seen
9 it --

10 COMMISSIONER TUCCI: Because when
11 the bus -- let me finish answering your
12 question, okay? When the bus isn't being
13 used to pick up commuters to bring them
14 to the Delawanna Station then the law
15 allows us to use it to bring senior
16 citizens to doctor's appointments, or if
17 we have a shopping trip going on on any
18 particular day. So the bus can be used
19 for other purposes.

20 MR. MOLKENTHIN: But it's only one
21 bus?

22 COMMISSIONER TUCCI: It's only one
23 bus. Yes.

24 MR. MOLKENTHIN: Okay.

25 COMMISSIONER TUCCI: We have several

1 Nutley Twp Board of Commissioners - 03/03/09
2 buses in the Township of Nutley, but the
3 one that you're speaking of with NTS on
4 it is the bus that was funded by New
5 Jersey Transit. We have some larger
6 buses that we use for our Senior Citizen
7 trips, for our Recreation Department
8 trips. We have some smaller vans where
9 we transport some of the folks over at
10 SYA. We bring some of our residents to
11 the Northwest Essex Community Healthcare
12 sheltered workshop in Montclair. So what
13 we did in our last reorganization was we
14 consolidated all of the transportation in
15 the Parks Department.

16 MR. MOLKENTHIN: Okay. I was just
17 curious about that. So you're saying, in
18 effect, then, in total we have more than
19 one bus?

20 COMMISSIONER TUCCI: We have several
21 buses.

22 MR. MOLKENTHIN: Okay. Because I've
23 seen the one bus pull up at Nutley
24 ShopRite, a thirty-six passenger bus, and
25 obviously empty, and see one little old

1 Nutley Twp Board of Commissioners - 03/03/09

2 lady get out and go into ShopRite.

3 That's kind of a waste of public assets.

4 COMMISSIONER TUCCO: Well, on that
5 particular day I'd have to agree with
6 you, but there are also other days when
7 there are forty people looking to go to
8 ShopRite and there's only thirty-six
9 seats on a bus. So --

10 MR. MOLKENTHIN: I have yet to see
11 that, but, okay.

12 MAYOR COCCHIOLO: Mr. Molkenthin, I
13 just want you to be mindful of the fact
14 that your time is up, so I'm going to ask
15 you if you have - if there's another
16 question that you have you can ask it now
17 and we'll direct it to whomever you'd
18 like to answer it.

19 MR. MOLKENTHIN: Okay. The drug
20 enforcement and employment policy, where
21 are we with that?

22 MAYOR COCCHIOLO: With the manual?

23 MR. MOLKENTHIN: Yes.

24 MAYOR COCCHIOLO: It's still under
25 review by the members of the Board of

1 Nutley Twp Board of Commissioners - 03/03/09
2 Commissioners.

3 MR. MOLKENTHIN: When is it going to
4 be available?

5 MAYOR COCCHIOLA: Well, like I told
6 you the last time, I'm not going to give
7 you an actual date. It's a lengthy
8 document, Mr. Molkenthin, and it really,
9 in my opinion, requires several hours of
10 concentration and time, so, you know,
11 there's five of us. We all have to get
12 our comments in before it's ready for a
13 revised draft. I'm not even sure how
14 many of us have gotten their comments in.
15 I have not. I can tell you that. It's
16 not something I'm going to leaf through.
17 It's something I'm going to concentrate
18 on, pay attention to, and spend some time
19 on.

20 MR. MOLKENTHIN: Do you realize
21 we've now been discussing this over six
22 months?

23 MAYOR COCCHIOLA: I think, from the
24 date you stood up there it got drafted by
25 Mr. Harkins pretty quickly. Now, I have

1 Nutley Twp Board of Commissioners - 03/03/09
2 to say that from when you first stood up
3 and you talked about it, I think it was
4 done pretty quicklye It's just under
5 reviewe And it's not something that you
6 take lightly when you're doing an
7 employee manuale

8 MR. MOLKENTHIN: I appreciate thate
9 Well, my last thing, really, we are now
10 coming to a point of no returne We
11 either have to start laying off people or
12 come up with some money or do somethinge
13 And I know some of the first attitudes of
14 people is to lay off our police, fire and
15 EMS peoplee And I'm adamantly against
16 thate I believe that any layoffs or
17 reductions in people should start with
18 the department that least impacts public
19 safety, wealth [sic] and welfaree And
20 that would be the Parks Department,
21 followed by Town Hall, non-emergency
22 personnel and the Road office, Water
23 office, Finance office, Building
24 Department office, Health Department,
25 police non-emergency, fire non-emergency

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2 and IT department. Four people plus
3 vehicles is ridiculous for an IT
4 department.

5 As far as I'm concerned, I'm not
6 willing to part with one more nickel to
7 pay the town tax, the county tax or the
8 state tax. What you are seeing here
9 tonight is the first strike of a tax
10 revolution. We've been talking about it
11 now for over six months, and other than
12 the few things I've had a discussion with
13 Commissioner Petracco, I do not believe
14e any of you have taken it seriously. As I
15 said, we've passed the point of no
16 return. You have to do something.

17 MAYOR COCCHOLLA: And, Mr.
18 Molkenthin, I'm going to cut you off
19 right here, and I'm going to tell you
20 that I resent what you're saying. We are
21 five people who are working very hard
22 combing through every dollar that we
23 spend in every department. We're not
24 even there yet. The word layoff was used
25 by you. We haven't discussed that. So I

1 Nutley Twp Board of Commissioners - 03/03/09
2 want the record to reflect that that word
3 came from you, not us. I can't tell you
4 what we're going to do right now. We
5 have been diligently working separately
6 now on our own budgets, which you haven't
7 seen, and we haven't even shared them
8 with each other yet. And we will work
9 together to come up with what we can.

10 MR. MOLKENTHIN: Why are you working
11 separately?

12 MAYOR COCCHIOLA: We have our own
13 departmental budgets that we have to look
14 at. We have, and I can speak for all
15 five of us, we're going through them line
16 by line right now.

17 MR. MOLKENTHIN: And when do you -

18 MAYOR COCCHIOLA: And when they're
19 combined, and when we take a look at what
20 we have to spend, we'll make those
21 determinations as to what has to go and
22 what doesn't have to go, or where we
23 think we can cut more and where we can't.
24 But to characterize it as we haven't done
25 enough, you don't even know what we've

1 Nutley Twp Board of Commissioners - 03/03/09

2 done yet. Do you?

3 MR. MOLKENTHIN: Have you shown
4 anything?

5 MAYOR COCCHOLA: We don't have to
6 show it to you until we're done with it.
7 We want to come up with the best product
8 we can for this community.

9 MR. MOLKENTHIN: Are you waiting --

10 MAYOR COCCHOLA: We're working very
11 hard every single day.

12 MR. MOLKENTHIN: Are you waiting, as
13 I said, that we have passed the point of
14 no return? How much longer are you going
15 to wait?

16 MAYOR COCCHOLA: We have to
17 introduce a budget, I think, at our next
18 meeting, so I think we have a couple of
19 weeks of work ahead of us, together,
20 before we can introduce that budget. And
21 I can tell you that after it's introduced
22 we probably still have a lot of work to
23 do. So please don't characterize things
24 as a done deal. We are not anywhere near
25 there yet. And please don't insult us by

1 Nutley Twp Board of Commissioners - 03/03/09
2 saying, and I will speak for all five of
3 us, that we haven't done anything,
4 because you have commissioners who are
5 losing sleep at night trying to figure
6 out what we're going to do to move this
7 community forward without hurting anyone.

8 MR. MOLKENTHIN: Well, I appreciate
9 that, but you have taxpayers that are
10 doing the same darn thing. And that's
11 unfair.

12 MAYOR COCCHIOLOLA: And we're
13 taxpayers too. We have to do it at home
14 as well as with tax dollars. But you're
15 jumping ten steps ahead, saying we didn't
16 do our job when you haven't even seen
17 what we've done yet.

18 MR. MOLKENTHIN: Okay. I'll retract
19 that statement.

20 MAYOR COCCHIOLOLA: Okay.

21 MR. MOLKENTHIN: When you present it
22 then I'm sure I'll reinsert the
23 statement.

24 MAYOR COCCHIOLOLA: I'm sure you will.
25 I'm sure you will.

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2 MR. MOLKENTHIN: Thank you.

3 MAYOR COCCHIOLA: Is there anyone
4 else that would like to address the board
5 this evening?

6 MR. MOORE: Rory Moore, 462 Chestnut
7 Street. Mr. Evans, I have five
8 outstanding open requests that haven't
9 been answered. It's past the seven days.
10 Can I expect those answers anytime soon?

11 COMMISSIONER EVANS: Which five are
12 you referring to?

13 MR. MOORE: The three I put in last
14 meeting. I came in the next day and I
15 filled out three, which I haven't
16 received answers to, and there was two
17 outstanding from a week or two before
18 that.

19 COMMISSIONER EVANS: I have to look
20 at the status of where they are, so
21 whenever they're -- they will come out
22 shortly.

23 MR. MOORE: So I, can I expect an
24 answer by the end of the week? Is that
25 possible? It's after the seven days.

1 Nutley Twp Board of Commissioners - 03/03/09

2 I'm not asking you to --

3 COMMISSIONER EVANS: I haven't seen
4 them yet. Have you?

5 (Background conversation)

6 COMMISSIONER EVANS: If you forward
7 them to me in the morning. Right.

8 (Background conversation)

9 COMMISSIONER EVANS: Okay. Okay.
10 So by the end of the week.

11 MR. MOORE: Oh, if they're ready for
12 tomorrow can I pick them up tonight? Are
13 they available?

14 COMMISSIONER EVANS: How about by
15 the end of the week? Counsel hasn't seen
16 them yet, so I'd suggest the end of the
17 week.

18 MR. MOORE: But I'm in e-mail
19 correspondence with somebody from the
20 Department of Community Affairs. And I
21 see that you've introduced to the budget
22 tonight that, or not a budget, but you're
23 introducing an ordinance for bond, and
24 item D, computer networks and hardware.
25 I'd like to see --

1 Nutley Twp Board of Commissioners - 03/03/09

2 COMMISSIONER EVANS: I'm not
3 introducing an ordinance for bonding
4 tonight.

5 MR. MOORE: Oh, it's in here.

6 COMMISSIONER EVANS: It's simply a
7 name change.

8 MR. MOORE: I'll have to look at it.
9 Anyway, in reference to Ms. Cocchiola,
10 when you said that you're diligently
11 working on the budget, I, personally,
12 don't believe you, because last year
13 Mr. --

14 MAYOR COCCHIOLA: Mr. Moore, you
15 know, you have only five minutes, so I
16 don't really care if you believe me or
17 not.

18 MR. MOORE: Well, you can do
19 whatever you want.

20 MAYOR COCCHIOLA: Okay?

21 MR. MOORE: This is a non-published
22 agenda. Last year you purchased
23 Microsoft licenses, and I remember
24 putting an open request and you said it
25 was under State Budget. And I'm in

1 Nutley Twp Board of Commissioners - 03/03/09
2 contact with the State Budget Director
3 for that. I sent her a copy of your
4 resolution, which she doesn't understand
5 and said it is not done that way. I also
6 called Microsoft, who said they can't
7 figure out how you spent that much money.
8 So I'm really trying to find out why is
9 it so difficult to find out an answer to
10 money that you spent? And I know that
11 Ms. Cocchiola's telling you how you guys
12 are losing sleep over this. However, it
13 really doesn't seem that way.

14 MAYOR COCCHIOLA: Where's the
15 question?

16 MR. MOORE: The question is very
17 simply how much are you paying for the
18 Microsoft licenses?

19 COMMISSIONER EVANS: I don't recall.

20 MR. MOORE: I know.

21 COMMISSIONER EVANS: I'd have to go
22 back and I --

23 MR. MOORE: That's the same answer
24 you gave me a year ago. And you said you
25 don't recall. You said there was the

1 Nutley Twp Board of Commissioners - 03/03/09
2 State Budget. And I even, when -- I sent
3 her the copy that you sent that everybody
4 signed. That vendor is not on her list.
5 And I think, since she runs it, I would
6 take her opinion over yours.

7 I'd like to know how much you spent
8 on the Microsoft budget license.

9 COMMISSIONER EVANS: I don't recall.

10 MR. MOORE: And I believe it's an
11 Enterprise license.

12 COMMISSIONER EVANS: I don't recall.

13 MR. MOORE: Okay. Well, what is it
14 going to take to recall?

15 COMMISSIONER EVANS: You submit an
16 open request.

17 MR. MOORE: I did that.

18 COMMISSIONER EVANS: Well --

19 MR. MOORE: And the open request
20 said go to the State, and I went to the
21 State and the State says they don't
22 understand what you wrote. So I'm kind
23 of in a quandary right now, because if
24 the State doesn't understand it and they
25 say come back to you, you tell me to go

1 Nutley Twp Board of Commissioners - 03/03/09
2 to them, then I'm really trying to
3 understand how Ms. Cocchiola's sitting up
4 all night long worry about the budget, if
5 nobody knows how much money you spent.
6 It's a simple question. How much do you
7 pay for a single license for Microsoft
8 licenses? It's a question. Simple.

9 COMMISSIONER EVANS: And one I'm not
10 going to answer tonight, because I don't
11 recall the details and I do not --

12 MR. MOORE: But that's what you said
13 last time.

14 MAYOR COCCHIOLA: Do you have any
15 other questions, Mr. Moore?

16 COMMISSIONER EVANS: Mr. Moore --
17 Mr. Moore.

18 MR. MOORE: Yes. Yes, I do.

19 COMMISSIONER EVANS: I have no idea.

20 MR. MOORE: I actually do have more.

21 COMMISSIONER EVANS: I have no idea.

22 MAYOR COCCHIOLA: Okay. Well, you
23 have two minutes.

24 MR. MOORE: I'm trying to get an
25 answer. Would you please stop

1 Nutley Twp Board of Commissioners - 03/03/09

2 interrupting me?

3 MAYOR COCCHIOLOLA: No. I will not.

4 MR. MOORE: Well, then please --

5 MAYOR COCCHIOLOLA: You have two
6 minutes.

7 MR. MOORE: No, I don't.

8 COMMISSIONER EVANS: I have no idea
9 what your correspondence is, what the
10 conversations you may have had with the
11 DCA, so that I don't know whether or not
12 it's factual. I don't know if it's
13 correct. I don't even know where to
14 begin to respond. So I will follow up.
15 I don't recall. It was a long time ago.
16 And I will follow up. I have no idea,
17 though, but I would venture to say that
18 when I do have to call the State and
19 follow up I'll again, once again, find
20 out that the information that you were
21 talking about is an error.

22 MR. MOORE: That I'm speaking about.
23 That you spent 29,000 dollars for
24 licenses.

25 COMMISSIONER EVANS: I gave you my

1 Nutley Twp Board of Commissioners - 03/03/09

2 answer.

3 MR. MOORE: You don't know how many
4 licenses you purchased, and you don't
5 know how much they cost.

6 COMMISSIONER EVANS: Mr. Moore, I
7 gave you my answer.

8 MAYOR COCCHIOLO: Any other
9 questions, Mr. Moore?

10 MR. MOORE: Oh, yes, absolutely.

11 MAYOR COCCHIOLO: Good.

12 MR. MOORE: Commissioner Petracco, I
13 remember the last time when you
14 introduced the EMS billing for the EMTs,
15 and I followed up with a few things, and
16 I see that you've pulled that off the
17 budget, but I was wondering, would you
18 mind answering one or two questions,
19 because I see that you've reduced it to
20 an ordinance and to a resolution.

21 I'd like to know, if I'm
22 understanding correctly, you're saying
23 that 600 dollars, am I understanding that
24 correctly, that the town will receive
25 every time it transports a victim to the

1 Nutley Twp Board of Commissioners - 03/03/09
2 hospital?

3 COMMISSIONER EVANS: Excuse me, Mr.
4 Moore. I do believe that that ordinance
5 was pulled tonight and it's not a matter
6 before this Board.

7 MR. MOORE: No, no, I know that.
8 I'm just asking him a question on it.

9 COMMISSIONER EVANS: So, therefore,
10 it's not a matter before us. There is no
11 proposal.

12 MR. MOORE: I know it's not a matter
13 before. I --

14 COMMISSIONER EVANS: There is no
15 proposal at this point, so it's not
16 relevant.

17 MR. MOORE: No, I'm just trying to
18 ask where his numbers came from, because
19 I did research.

20 COMMISSIONER EVANS: Your point is
21 irrelevant. There is no matter before
22 the Board.

23 MAYOR COCCHIOLO: Did you release
24 any numbers, Commissioner Petracco?

25 COMMISSIONER PETRACCO: I didn't

1 Nutley Twp Board of Commissioners - 03/03/09
2 realize there was numbers in that
3 ordinance.

4 MR. MOORE: There's a number in
5 there for 600 plus it's per mile as well.
6 I was just curious where the 600 came
7 from.

8 COMMISSIONER PETRACCO: The
9 charge --

10 COMMISSIONER EVANS: Yes. Mr.
11 Moore, I would -- Commissioner, I would
12 suggest we --

13 MAYOR COCCHIOLA: It's not on the
14 table right now and it's been pulled and
15 that --

16 COMMISSIONER EVANS: Yes. I would
17 suggest we wait until we --

18 MR. MOORE: It's a question.

19 MAYOR COCCHIOLA: It has not been
20 introduced.

21 COMMISSIONER EVANS: -- we revisit
22 the issue.

23 MAYOR COCCHIOLA: He's not going to
24 answer it. When it's introduced --

25 MR. MOORE: Can he say that?

1 Nutley Twp Board of Commissioners - 03/03/09

2 MAYOR COCCHIOLA: -- and you have a
3 question, he'll answer it.

4 MR. MOORE: Can he say that?

5 MAYOR COCCHIOLA: I'm answering it
6 for hime Okay?

7 MR. MOORE: It's a questione It's a
8 general question, because it came up as a
9 conversatiione And I'm trying --

10 MAYOR COCCHIOLA: Mr. Harkins,
11 what's your opinion on that?

12 MR. HARKINS: Mayor, we'll --

13 MAYOR COCCHIOLA: If it's not
14 introduced?

15 MR. HARKINS: No, we're not -- it's
16 not appropriate to talk about it. We'll
17 revisit it when the ordinance is
18 introducede

19 MAYOR COCCHIOLA: And now you have
20 the opinion of counsele Actually, your
21 time is up, Mr. Mooree

22 MR. MOORE: No, it's note This is
23 non-published agendae

24 MAYOR COCCHIOLA: No, I'm sorrye
25 Your --

1 Nutley Twp Board of Commissioners - 03/03/09

2 MR. MOORE: So, it's a six -- so
3 you're not going to --

4 MAYOR COCCHIOLA: I told you that
5 you had five minutes, and you've exceeded
6 the five minutes.

7 MR. MOORE: It's a non-published
8 agenda. If you want to go to court and
9 fight about it I'll be happy to do that.

10 MAYOR COCCHIOLA: Sit down.

11 MR. HARKINS: Mr. Moore, Mr. Moore,
12 listen.

13 MAYOR COCCHIOLA: Fine. Sit down.

14 MR. HARKINS: Listen to me, Mr.
15 Moore.

16 MR. MOORE: No, Mr. Harkins, you
17 listen to me.

18 MR. HARKINS: There's published
19 opinions regarding --

20 MR. MOORE: I'm asking a question.

21 MR. HARKINS: There are published
22 opinions regarding how these meetings are
23 conducted.

24 MR. MOORE: That's okay.

25 MR. HARKINS: We're following the

1 Nutley Twp Board of Commissioners - 03/03/09
2 published opinions.

3 MR. MOORE: And if you read them --

4 MR. HARKINS: We're following the
5 Open Public Meetings Act. The Mayor has
6 asked you to sit down. Please sit down.

7 MR. MOORE: It's not under the Open
8 Public Meetings Act.

9 MR. HARKINS: Please sit down.

10 MR. MOORE: It's under the wall
11 shackled, because this a commissioner form
12 of government.

13 MAYOR COCCHIOLA: It's under the
14 Open Public Meetings Act --

15 MR. HARKINS: Mr. Moore --

16 MAYOR COCCHIOLA: -- and it's
17 supported by case law, Mr. Moore.

18 MR. MOORE: No, it's not.

19 MAYOR COCCHIOLA: I'm not your law
20 clerk. Go look it up.

21 MR. MOORE: Good. I want to see --

22 MAYOR COCCHIOLA: Mr. Russo, you can
23 step forward.

24 MR. MOORE: I wrote to you and asked
25 you for the authority, and I still

1 Nutley Twp Board of Commissioners - 03/03/09

2 remember getting it.

3 MAYOR COCCHIOLA: You didn't write
4 to me.

5 MR. MOORE: Yes, I did.

6 MAYOR COCCHIOLA: And the
7 authority --

8 MR. MOORE: It was under an open
9 request.

10 MAYOR COCCHIOLA: Listen to me right
11 now. The authority lies in the Open
12 Public Meetings Act --

13 MR. MOORE: No, it doesn'te

14 MAYOR COCCHIOLA: -- and there are
15 several cases that support that.

16 MR. MOORE: Okay.

17 MAYOR COCCHIOLA: Okay?

18 MR. MOORE: Then you can -- in the
19 open request that I sent to you, you can
20 answer it.

21 MAYOR COCCHIOLA: I didn't get an
22 open request from you. And I'm answering
23 your question right now.

24 MR. MOORE: Can't help you.

25 MAYOR COCCHIOLA: Consult the Open

1 Nutley Twp Board of Commissioners - 03/03/09
2 Public Meetings Act and do a little bit
3 of legal research and you'll find that
4 it's been upheld

5 MR. MOORE: I did that And I sent
6 you the questionnaire, and the open
7 request, and I'm still waiting for my
8 answers

9 MAYOR COCCHIOLA: Let me just tell
10 you something An open request is a
11 request for records kept in the ordinary
12 course of business

13 MR. MOORE: That's right

14 MAYOR COCCHIOLA: It's not for you
15 to ask me questions Now, you just asked
16 me a question and I answered it. So
17 don't send me an open request --

18 MR. MOORE: Actually --

19 MAYOR COCCHIOLA: -- asking me a
20 question

21 MR. MOORE: Actually, you didn't
22 answer the question I want to know
23 where the 600 dollars came from

24 MAYOR COCCHIOLA: Where what came
25 from?

1 Nutley Twp Board of Commissioners - 03/03/09

2 MR. MOORE: Six hundred dollars to
3 transport somebody from here.

4 MAYOR COCCHIOLA: When the ordinance
5 is on the table and introduced you can
6 ask him whatever you want. There's
7 plenty of opportunities.

8 MR. MOORE: Okay. I will.

9 MAYOR COCCHIOLA: Thank you.

10 Mr. Russo, good evening.

11 MR. RUSSO: It's a tough act to
12 follow. Michael Russo, 11 Beech Street.
13 I have two quick questions. The first
14 one is regarding the RFP for the web and
15 communication services. Are we working
16 with the Board of Education on that?

17 MAYOR COCCHIOLA: We are not -- not
18 on the RFP, but I think there was a
19 meeting where we're trying to discuss
20 what services we can share with them.

21 MR. RUSSO: Okay.

22 MAYOR COCCHIOLA: Like I think that
23 alert system that we're -- we're both on
24 the same page with the alert. We'll use
25 our alert system to do their alerts for

1 Nutley Twp Board of Commissioners - 03/03/09
2 school. I'm not sure how far the
3 conversations have progressed, but there
4 are going to be some discussions
5 regarding future helping each other as
6 best we can.

7 MR. RUSSO: Because I know the
8 volunteer program that they've put
9 together, we have broken off into several
10 different subcommittees, and one of them
11 is looking at web access, so it might be
12 a good idea to combine.

13 MAYOR COCCHIOLA: Okay. We'll note
14 that.

15 MR. RUSSO: Second question is
16 regarding underage drinking in the town.
17 Is anybody familiar -- is it illegal for
18 a minor to possess alcohol on private
19 property in the Town of Nutley? Does
20 anybody know the answer to that question?

21 MR. HARKINS: Certainly statutory.
22 I don't know the answer, but if you want
23 to give me a call I can probably cite the
24 statute for you tomorrow. I'd have to
25 check out Title 2C.

1 Nutley Twp Board of Commissioners - 03/03/09

2 MR. RUSSO: Is our ordinance
3 different than the State's?

4 MR. HARKINS: Well, the State would
5 preempt whatever our ordinance is anyway,
6 and I'm sure it's governed by state lawe

7 MR. RUSSO: Because in 2000
8 Governor Whitman gave all of the
9 townships the option of passing an
10 ordinance to specifically make it
11 illegal. I believe that if a hundred
12 kids were drinking in a house tonight,
13 and the police department went there,
14 they could arrest the adult that's there
15 serving the children or --

16 MR. HARKINS: We looked that upe

17 MR. RUSSO: But I don't believe --

18 MR. HARKINS: Mr. Russo --

19 MR. RUSSO: Go aheade

20 MR. HARKINS: We looked that up
21 today, actually, and we do have some
22 ordinances in place that we believe that
23 that's a correct statement that we can
24 hold the host responsiblee The host.

25 MR. RUSSO: My question, though, was

1 Nutley Twp Board of Commissioners - 03/03/09
2 regarding the children now.

3 MR. HARKINS: The children also.

4 MR. RUSSO: Positive on that one?

5 MR. HARKINS: Well, I looked over it
6 for about thirty seconds, but I have the
7 ordinances in place to review. But my
8 first initial response would be, to
9 answer your question, is yes. The kids
10 are liable and so are the parents.

11 MR. RUSSO: Can I follow up with you
12 on that tomorrow?

13 MR. HARKINS: You sure can.

14 MR. RUSSO: Okay. Thank you.

15 MAYOR COCCHIOLA: Thank you, Mr.
16 Russo. Is there anyone else who would
17 like to address the board this evening?
18 Well, I'm going to entertain a motion to
19 move into executive session. We're going
20 to move into executive session, closed
21 executive session, on motion in a minute.
22 We'll come back out and close the meeting
23 after that. There will be no more public
24 business that we'll attend to, and there
25 will be no action taken in executive

1 Nutley Twp Board of Commissioners - 03/03/09
2 session. Could you read the resolution,
3 Madam Clerk?

4 THE CLERK: Yes.

5 "WHEREAS, the Board of Commissioners
6 of the Township of Nutley, in the County
7 of Essex, desire to proceed to closed
8 executive session; and

9 "NOW, THEREFORE, BE IT RESOLVED, by
10 the Board of Commissioners of the
11 Township of Nutley that the Commission
12 shall now move into closed executive
13 session to discuss -- "

14 (Background conversation)

15 MAYOR COCCHIOLA: We're just going
16 to be discussing personnel.

17 (Audio problems for last 38 seconds
18 of recorded audio)

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

I, Hana Copperman, 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 in the matter of the: PUBLIC MEETING OF THE TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS.

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 13, 2009.

----- *Hana Copperman am* -----
Hana Copperman