Page 1 1 TOWNSHIP OF NUTLEY, NEW JERSEY 2 BOARD OF COMMISSIONERS 3 4 ) 5 PUBLIC MEETING ) TRANSCRIPT OF 6 PROCEEDINGS: ) 7 ) 8 June 8, 2016 9 10 8:34 p.m. 11 12 BEFORE: 13 Commissioner Steven L. Rogers 14 Commissioner Mauro G. Tucci 15 Commissioner Thomas J. Evans Commissioner Alphonse Petracco 16 17 Mayor Joseph P. Scarpelli 18 19 20 21 2.2 23 Job No. NJ2332760 24 25 Transcribed by: Nicole Yawn

Page 2 1 PROCEEDINGS 2 (Pledge of Allegiance) 3 MAYOR SCARPELLI: Madam Clerk? 4 MADAM CLERK: Can you hear me? (Pause) 5 MADAM CLERK: Ready Mayor. б 7 Board of Commissioners public meeting, Wednesday, 8 June 2nd (sic), 2016. The time is now 8:34. 9 Pursuant to the requirements of the Open Public 10 Meeting Act, Chapter 231, Public Law 1975, notice of this meeting was published in the June 2nd, 2016 issue of the 11 12 Nutley Sun. A copy of this notice has been posted in the 13 Nutley Town Hall bulletin board, and a copy is on file in 14 the municipal clerk's office. 15 Commissioner Rogers? 16 COMMISSIONER ROGERS: Here. 17 MADAM CLERK: Commissioner Tucci? COMMISSIONER TUCCI: Here. 18 19 MADAM CLERK: Commissioner Evans? 20 COMMISSIONER EVANS: Here. 21 MADAM CLERK: Commissioner Petracco? 22 COMMISSIONER PETRACCO: Here. 23 MADAM CLERK: Mayor Scarpelli? MAYOR SCARPELLI: Here. 24 25 MADAM CLERK: All present, Mayor.

Page 3 1 MAYOR SCARPELLI: Minutes, Madam Clerk? 2 MADAM CLERK: Yes, Mayor, we have board of 3 commissioner meeting minutes for April 19, 2016; 4 May 3rd, 2016; and May 17th, 2016. 5 COMMISSIONER EVANS: Move the minutes. COMMISSIONER TUCCI: Second. 6 7 MADAM CLERK: Commissioner Rogers? COMMISSIONER ROGERS: Aye. 8 9 MADAM CLERK: Commissioner Tucci? 10 COMMISSIONER TUCCI: Aye. 11 MADAM CLERK: Commissioner Evans? 12 COMMISSIONER EVANS: Aye. 13 MADAM CLERK: Commissioner Petracco? 14 COMMISSIONER PETRACCO: Aye. 15 MADAM CLERK: Mayor Scarpelli? 16 MAYOR SCARPELLI: Aye. 17 Communication and correspondence? MADAM CLERK: Yes, we have the Nutley Volunteer 18 19 Emergency and Rescue Squad has submitted an application to 20 hold an off-premise 50/50 cash raffle drawing on Sunday, 21 September 25th, 2016. 22 We need a motion, please. COMMISSIONER TUCCI: Move it. 23 COMMISSIONER PETRACCO: Second. 24 25 MADAM CLERK: Commissioner Rogers?

	Page 4
1	COMMISSIONER ROGERS: Aye.
2	MADAM CLERK: Commissioner Tucci?
3	COMMISSIONER TUCCI: Aye.
4	MADAM CLERK: Commissioner Evans?
5	COMMISSIONER EVANS: Aye.
6	MADAM CLERK: Commissioner Petracco?
7	COMMISSIONER PETRACCO: Aye.
8	MADAM CLERK: Mayor Scarpelli?
9	MAYOR SCARPELLI: Aye.
10	MADAM CLERK: The Van Riper Trust has also
11	submitted an event application for a street fair on Franklin
12	Avenue between Centre Street and Harrison Street for Sunday,
13	September 4, 2016, from 11:00 to 5:00 p.m.
14	I need a motion, please.
15	COMMISSIONER TUCCI: Move it.
16	COMMISSIONER EVANS: Second.
17	MADAM CLERK: Commissioner Rogers?
18	COMMISSIONER ROGERS: Aye.
19	MADAM CLERK: Commissioner Tucci?
20	COMMISSIONER TUCCI: Aye.
21	MADAM CLERK: Commissioner Evans?
22	COMMISSIONER EVANS: Aye.
23	MADAM CLERK: Commissioner Petracco?
24	COMMISSIONER PETRACCO: Aye.
25	MADAM CLERK: Mayor Scarpelli?

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Page 5 1 MAYOR SCARPELLI: Aye. 2 MADAM CLERK: VFW No. 493 of 271 Washington Avenue 3 is requesting permission to hold their annual Pull Tab from 4 June 27, 2016 through June 27, 2017. 5 COMMISSIONER TUCCI: Move it. COMMISSIONER EVANS: Second. б 7 MADAM CLERK: Commissioner Rogers? 8 COMMISSIONER ROGERS: Aye. 9 MADAM CLERK: Commissioner Tucci? 10 COMMISSIONER TUCCI: Aye. MADAM CLERK: Commissioner Evans? 11 12 COMMISSIONER EVANS: Aye. 13 MADAM CLERK: Commissioner Petracco? 14 COMMISSIONER PETRACCO: Aye. 15 MADAM CLERK: Mayor Scarpelli? 16 MAYOR SCARPELLI: Aye. 17 MADAM CLERK: And that's it for communications. 18 MAYOR SCARPELLI: Reports -- I have a monthly progress reports for the Public Works Department. 19 20 Commissioner Tucci? 21 COMMISSIONER TUCCI: Yes, I have a shade tree 22 report for the month of May. 23 MAYOR SCARPELLI: Bills? 24 MADAM CLERK: Bill list for Wednesday, June 2nd, 2016 -- Public Affairs, \$23,641.48; Revenue and Finance, 25

Page 6 1 \$2,833,506.87; Public Safety, \$141,691.68; Public Works, 2 \$134,168.21; Parks and Public Property, \$849,774.96. 3 Payroll for May 20th, 2016 is \$29,612.25. Payroll for June 4 3rd, 2016 is \$891,687.34, for a grand total of \$5,658,155.53. 5 UNIDENTIFIED SPEAKER: (Indiscernible). б 7 COMMISSIONER ROGERS : Second. MADAM CLERK: Second? I'm sorry. I didn't hear 8 9 who was the second. 10 COMMISSIONER ROGERS: Second. MADAM CLERK: Thank you. 11 12 MADAM CLERK: Commissioner Rogers? 13 COMMISSIONER ROGERS: Aye. 14 MADAM CLERK: Commissioner Tucci? 15 COMMISSIONER TUCCI: Aye. 16 MADAM CLERK: Commissioner Evans? 17 COMMISSIONER EVANS: Aye. MADAM CLERK: Commissioner Petracco? 18 19 COMMISSIONER PETRACCO: Aye. 20 MADAM CLERK: Mayor Scarpelli? 21 MAYOR SCARPELLI: Aye. 22 MADAM CLERK: That's it for bills. 23 MAYOR SCARPELLI: Public comment on agenda items only. 24 25 Madam Clerk, will you read the notice?

1 MADAM CLERK: Yes, Mayor. 2 All persons addressing the board of commissioners 3 regarding community concerns should approach the microphone 4 and provide their name and address for the record. Unless 5 further time is granted by the board, each person shall limit their address to three minutes. All remarks to the б board and its individual members must be addressed to the 7 8 mayor. 9 The mayor may defer citizens' comments to the appropriate member of the board. Dialogue between citizens 10 and others addressing the board shall be allowed unless the 11 12 mayor or presiding officer or the majority of the membership 13 of the board shall determine that the interests of decorum 14 and/or the expeditious conduct of municipal business are 15 being adversely affected by such dialogue. 16 MAYOR SCARPELLI: If anybody would like to 17 approach the microphone and address the board on agenda items only? 18 19 Seeing none, we'll go to board of commissioner 20 announcements. 21 Anybody have any announcements? 22 Ordinance introductions. Commissioner Petracco? 23

24 COMMISSIONER PETRACCO: I have an ordinance introduction for Ordinance Number 3338, an ordinance to 25

1 amend an ordinance codified in the Code of the Township of 2 Nutley, Chapter 228 entitled Vehicle and Traffic, 3 particularly Article 2, Section 11 entitled Parking Time 4 Limited to add to the location set forth thereon. I move that the ordinance be passed to the second 5 reading and advertised in the Nutley Sun together with the 6 7 notice required by law and that further consideration of ordinance for a final passage by the board of commissioners 8 9 to be held at its second reading on July 5th, 2016. 10 MADAM CLERK: Yes. 11 COMMISSIONER PETRACCO: Thank you. 12 I move the ordinance. 13 COMMISSIONER ROGERS: Second. 14 MADAM CLERK: Commissioner Rogers? 15 COMMISSIONER ROGERS: Aye. 16 MADAM CLERK: Commissioner Tucci? 17 COMMISSIONER TUCCI: Aye. MADAM CLERK: Commissioner Evans? 18 19 COMMISSIONER EVANS: Aye. 20 MADAM CLERK: Commissioner Petracco? 21 COMMISSIONER PETRACCO: Aye. 22 MADAM CLERK: Mayor Scarpelli? MAYOR SCARPELLI: Aye. 23 COMMISSIONER PETRACCO: I have another Ordinance 24 25 Number, 3339, an ordinance to amend ordinance codified in

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the Code of the Township of Nutley, Chapter 228 entitled
 Vehicles and Traffic, particularly Article 7, Special Zones
 and Areas, Section 29A entitled Handicapped Parking to add
 the location set thereon.

5 I move that this ordinance be passed to the second б reading and advertised in the Nutley Sun together with the notice required by law and that further consideration of the 7 8 said ordinance for final passage by the board of commissioners to be held at its second reading on 9 July 5th, 2016. 10 I move the ordinance. 11 12 COMMISSIONER ROGERS: Second. 13 MADAM CLERK: Commissioner Rogers? 14 COMMISSIONER ROGERS: Aye. 15 MADAM CLERK: Commissioner Tucci? 16 COMMISSIONER TUCCI: Aye. 17 MADAM CLERK: Commissioner Evans? 18 COMMISSIONER EVANS: Aye. MADAM CLERK: Commissioner Petracco? 19 20 COMMISSIONER PETRACCO: Aye. 21 MADAM CLERK: Mayor Scarpelli? 22 MAYOR SCARPELLI: Aye. Commissioner Evans? 23 24 COMMISSIONER EVANS: Thank you. Ordinance 3340 is providing for the reconstruction of the roadway on Harrison 25

1 Street, Section 2 in the township of Nutley and the county 2 of Essex, New Jersey appropriating \$245,000 therefore from 3 grant monies received from the New Jersey Department of 4 Transportation for the cost thereof. 5 I move that this ordinance be passed to a second reading and advertised in the Nutley Sun together with the 6 7 notice required by law and that further consideration of said ordinance for final passage by the board of 8 9 commissioners be held at its second reading on 10 July 5th, 2016. 11 So moved. 12 COMMISSIONER TUCCI: Second. 13 MADAM CLERK: Commissioner Rogers? 14 COMMISSIONER ROGERS: Aye. 15 MADAM CLERK: Commissioner Tucci? 16 COMMISSIONER TUCCI: Aye. 17 MADAM CLERK: Commissioner Evans? 18 COMMISSIONER EVANS: Aye. 19 MADAM CLERK: Commissioner Petracco? 20 COMMISSIONER PETRACCO: Aye. 21 MADAM CLERK: Mayor Scarpelli? 22 MAYOR SCARPELLI: Aye. Resolutions. 23 24 Commissioner Rogers? 25 COMMISSIONER ROGERS: Resolution 153-16 -- that's

1	a resolution that will mark National Men's Health Week as
2	its 22nd year as written and submitted.
3	So moved.
4	COMMISSIONER PETRACCO: Second.
5	MADAM CLERK: Commissioner Rogers?
6	COMMISSIONER ROGERS: Aye.
7	MADAM CLERK: Commissioner Tucci?
8	COMMISSIONER TUCCI: Aye.
9	MADAM CLERK: Commissioner Evans?
10	COMMISSIONER EVANS: Aye.
11	MADAM CLERK: Commissioner Petracco?
12	COMMISSIONER PETRACCO: Aye.
13	MADAM CLERK: Mayor Scarpelli?
14	MAYOR SCARPELLI: Aye.
15	COMMISSIONER ROGERS: Resolution Number 163-16
16	I'll read the whole resolution.
17	Emergency award of assignment and assumption of
18	contract for solid waste, bulk waste, vegetative waste, and
19	white goods collection services for the township of Nutley.
20	WHEREAS, on November 1st, 2014, the township of
21	Nutley entered into a contract with Future Sanitation,
22	Incorporated to provide solid waste, bulk waste, white
23	goods, and vegetative waste collection and other services,
24	which contract was to expire on October 31st, 2019; and
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1 WHEREAS, as part of that contract Future Sanitation, Incorporated was required to provide a 2 3 performance bond for the length of the contract; and 4 WHEREAS, Future Sanitation, Incorporated breached the contract by not providing the required performance 5 bond, despite numerous requests by the township that they do б so, and Future Sanitation, Incorporated having admitted to 7 8 their breach of the contract; and WHEREAS, providing solid waste collection services 9 is a matter of public health and the collection of 10 the garbage and the production of the performance bond is a 11 12 key element to the contract; and 13 WHEREAS, the commissioners have entered into an agreement with Future Sanitation, Incorporated wherein 14 15 Future Sanitation, Incorporated will enter into an 16 assignment and assumption agreement with F. Basso, Jr. 17 Rubbish Removal Incorporated, hereinafter Basso, located at P.O. Box 51 Harrison, New Jersey and 55-93 South 20th 18 19 Street, Irvington, New Jersey. Basso has agreed to assume 20 all obligations and responsibilities as required in the original contract of November 1st, 2014 and to do so until 21 22 the contract's expiration on October 19th, 2019; and 23 WHEREAS, the township attorney, having reviewed 24 the assignment and assumption agreement and found it to be 25 acceptable; and

1 WHEREAS, that Basso has or will provide, within three days of the date of this resolution, a fully 2 3 enforceable performance bond for the remainder of 2016 and 4 will provide annually the proper renewal of said performance bond; and 5 б WHEREAS, Basso will be paid on a pro-rata basis for work performed up through June 9th, 2016, on which date, 7 8 Basso will assume the full obligations of the original 9 contract. WHEREAS, funds are available from account number 10 6-01-138-263 and have been certified by the chief financial 11 12 officer, said certification being attached to this 13 resolution; and 14 NOW, THEREFORE, BE IT RESOLVED that the mayor and 15 commissioners of the township of Nutley, county of Essex, 16 state of New Jersey, hereby accept the assignment and 17 assumption agreement between Future Sanitation, Incorporated and Basso and that Basso will officially take over the 18 original November 1st, 2014 contract on June 9th, 2016. 19 20 So moved. 21 COMMISSIONER PETRACCO: Second. 22 MADAM CLERK: Commissioner Rogers? 23 COMMISSIONER ROGERS: Aye. 24 MADAM CLERK: Commissioner Tucci? 25 COMMISSIONER TUCCI: Aye.

Page 14 1 MADAM CLERK: Commissioner Evans? COMMISSIONER EVANS: Aye. 2 3 MADAM CLERK: Commissioner Petracco? COMMISSIONER PETRACCO: Aye. 4 5 MADAM CLERK: Mayor Scarpelli? б MAYOR SCARPELLI: Aye. 7 COMMISSIONER ROGERS: That's all I have, Mayor. MADAM CLERK: Mayor? 8 9 MAYOR SCARPELLI: I didn't get the vote yet. 10 COMMISSIONER ROGERS: Oh, I'm sorry. 11 MAYOR SCARPELLI: I just want to commend 12 Commissioner Rogers for -- you know, this job's fairly easy 13 when everything runs smooth. But when we have a little fly 14 in the ointment, it gets a little bit more difficult. 15 And I have to commend you for, you know, moving 16 quickly, getting the issue resolved. And within less than a 17 week, we have a new contractor coming into town. So my hat's off to you, Commissioner. 18 COMMISSIONER ROGERS: Well, thank you, Mayor. 19 20 And, folks, you need to know this was a team effort. It was a difficult, difficult time for everyone. 21 22 People in this town had a right to be angry. But I got and 23 received input from every commissioner. 24 I tell you, the mayor, for, I guess, two nights, 25 Mayor, we were out on the streets with the garbage trucks of

1 the company that came in that worked 'til 2:00 in the 2 morning. We were out there with them. The mayor was out 3 there driving around. I was out there.

My colleagues all had input in this with regard to the solution, something we haven't had before. But as a township, we came together. And that was important.

So, Mayor, thank you. But thanks also goes to you, the colleagues here, and the citizens of this town.

9 MAYOR SCARPELLI: Before I vote yes, just one more I would like to commend four of my Public Works guys 10 thing. who were out there directing the trucks on where to pick up. 11 12 And they took it upon themselves -- all they had to do was 13 sit in the truck and direct them. They took it upon 14 themselves with the amount of garbage that was out there, to 15 pick up the garbage along with the contractor. I think that 16 goes beyond the call.

17 COMMISSIONER ROGERS: And I know Mr. - 18 MAYOR SCARPELLI: And I think they deserve a
 19 little special recognition.

20 COMMISSIONER ROGERS: And Mr. Genitempo, our town 21 attorney -- I drove him absolutely crazy. Calls at 1:00 in 22 the morning and 1:30 in the morning going back and forth. 23 So, Alan, thank you for all your help. Thank you.

24 MAYOR SCARPELLI: All those kudos I vote aye. 25 Commissioner Tucci?

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1 COMMISSIONER TUCCI: Yes. WHEREAS, the township of Nutley has determined 2 that the property described on Schedule A attached hereto 3 4 and incorporated herein is no longer needed for public use; 5 and WHEREAS, the Local Unit Technology Pilot Program б and Study Act authorizes the sale of surplus personal 7 8 property no longer needed for public use through the use of an online auction service; and 9 WHEREAS, the township of Nutley intends to utilize 10 the online auction services of propertyroom.com; and 11 12 WHEREAS, the sales are being conducted pursuant to 13 the Division of Local Government Services' Local Finance Notice 2008-9 and 2008-21R; and 14 15 NOW, THEREFORE, BE IT RESOLVED, by the board of 16 commissioners, of the township of Nutley, county of Essex, 17 state of New Jersey, that the township is hereby authorized to sell the surplus personal property as indicated in 18 Schedule A at an online auction website entitled 19 20 propertyroom.com; and 21 2. The terms and conditions of the agreement 22 entered into between propertyroom.com and the township of 23 Nutley are available at propertyroom.com and in the township clerk's office; and 24 25

Page 17 3. A certified copy of the resolution be forwarded 1 2 by the township clerk to the following: chief of police And chief financial officer. The items to be liquidated are 3 4 Dodge Ram 3500 Van, 2002; vintage GMC 3500 truck; 2000 vintage Clark/Michigan 35GMCT, 1985 front end loader; 5 б Dodge Durango 4x4 from 2002; and two Toro riding mowers, one from 1993 and one from 1999. 7 8 I move the resolution. COMMISSIONER EVANS: Second. 9 10 MADAM CLERK: Commissioner Rogers? COMMISSIONER ROGERS: Ave. 11 12 MADAM CLERK: Commissioner Tucci? 13 COMMISSIONER TUCCI: Aye. 14 MADAM CLERK: Commissioner Evans? 15 COMMISSIONER EVANS: Aye. 16 MADAM CLERK: Commissioner Petracco? 17 COMMISSIONER PETRACCO: Aye. MADAM CLERK: Mayor Scarpelli? 18 MAYOR SCARPELLI: Aye. 19 20 COMMISSIONER TUCCI: WHEREAS, the township of 21 Nutley Ordinance 665-22, Preservation of Trees, states 22 that the removal -- that the tree removal permits must be 23 obtained for a cost of \$50 per tree; and 24 25

Page 18 WHEREAS, The Township of Nutley, Department of Parks and Public Property authorizes a refund for each tree permit submitted upon the planting of a new tree on the said property; replacement tree(s) size and species must be approved in advance by the township forester; and WHEREAS, funds will be available from account C-01-904-905; and NOW THEREFORE, BE IT RESOLVED, by the board of commissioners of the township of Nutley, county of Essex, state of New Jersey that the township treasurer is authorized to refund the tree permit fee collected as per the Shade Tree Preservation Ordinance -- Andrew Hunton, 32 Howe Avenue in the amount of \$50.

13 14 I move the resolution. 15 COMMISSIONER EVANS: Second. 16 MADAM CLERK: Commissioner Rogers? 17 COMMISSIONER ROGERS: Aye. MADAM CLERK: Commissioner Tucci? 18 19 COMMISSIONER TUCCI: Aye. 20 MADAM CLERK: Commissioner Evans? 21 COMMISSIONER EVANS: Aye. 22 MADAM CLERK: Commissioner Petracco? 23 COMMISSIONER PETRACCO: Aye. 24 MADAM CLERK: Mayor Scarpelli? 25 MAYOR SCARPELLI: Aye.

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Page 19 1 COMMISSIONER TUCCI: That's all I have, Mayor. 2 MAYOR SCARPELLI: Commissioner Evans? 3 COMMISSIONER EVANS: Thank you. WHEREAS, New Jersey Statute 54:3.30 (sic) provides 4 5 certain war veterans, who have suffered serious disability while in service, a full tax exemption of their dwelling б house and lot on which it is located; and 7 8 WHEREAS, the following taxpayer has filed the 9 application for allowance of a full exemption with proper 10 supporting documentation thus making the taxpayer eligible; 11 and 12 NOW, THEREFORE, BE IT RESOLVED, by the board of 13 commissioners of the township of Nutley, county of Essex, 14 that Leonidas Zois be granted full exemption from payment of 15 property taxes from May 5th, 2016 and all subsequent years thereafter for Block 7200, Lot 3 QC0102 known as 108-110 16 17 Passaic Avenue A-2. 18 So move. 19 COMMISSIONER TUCCI: Second. 20 MADAM CLERK: Commissioner Rogers? 21 COMMISSIONER ROGERS: Aye. 22 MADAM CLERK: Commissioner Tucci? 23 COMMISSIONER TUCCI: Aye. 24 MADAM CLERK: Commissioner Evans? 25 COMMISSIONER EVANS: Aye.

	Page 20
1	MADAM CLERK: Commissioner Petracco?
2	COMMISSIONER PETRACCO: Aye.
3	MADAM CLERK: Mayor Scarpelli?
4	MAYOR SCARPELLI: Aye.
5	COMMISSIONER EVANS: BE IT RESOLVED, by the board
6	of commissioners of the township of Nutley that the
7	treasurer be and she is hereby authorized to refund
8	overpayments of the tax charges for Block 5302, Lot 23;
9	Block 4000, Lot 15; Block 1701, Lot 04; Block 2304, Lot 20;
10	Block 6700, Lot 02; Block 2200, Lot 07, for a total combined
11	refunds of \$1,037.69.
12	So move.
13	COMMISSIONER TUCCI: Second.
14	MADAM CLERK: Commissioner Rogers?
15	COMMISSIONER ROGERS: Aye.
16	MADAM CLERK: Commissioner Tucci?
17	COMMISSIONER TUCCI: Aye.
18	MADAM CLERK: Commissioner Evans?
19	COMMISSIONER EVANS: Aye.
20	MADAM CLERK: Commissioner Petracco?
21	COMMISSIONER PETRACCO: Aye.
22	MADAM CLERK: Mayor Scarpelli?
23	MAYOR SCARPELLI: Aye.
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1 COMMISSIONER EVANS: BE IT RESOLVED, by the board 2 of commissioners of the township of Nutley, in the county of 3 Essex, state of New Jersey, that the treasurer be and she is 4 hereby authorized to refund overpayment of water charges for 5 Block 903, Lot 60 for the amount \$1,040.92. б So move. 7 COMMISSIONER TUCCI: Second. 8 MADAM CLERK: Commissioner Rogers? 9 COMMISSIONER ROGERS: Aye. MADAM CLERK: Commissioner Tucci? 10 COMMISSIONER TUCCI: Ave. 11 12 MADAM CLERK: Commissioner Evans? 13 COMMISSIONER EVANS: Aye. 14 MADAM CLERK: Commissioner Petracco? 15 COMMISSIONER PETRACCO: Aye. 16 MADAM CLERK: Mayor Scarpelli? 17 MAYOR SCARPELLI: Aye. COMMISSIONER EVANS: WHEREAS, due to the delay in 18 the approval of state aid figures from the 2016 budget and 19 20 the Essex County Board of Taxation -- the Essex County Board of Taxation is unable to certify tax rates for 2016; and 21 22 WHEREAS, without a 2016 certified tax rate the tax 23 collector of the township of Nutley will be unable to issue 24 2016 tax bills in a timely manner;

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1	NOW, THEREFORE BE IT RESOLVED, by the board of
2	commissioners of the township of Nutley, county of Essex,
3	New Jersey, as follows:
4	1. the tax collector of the township of Nutley is
5	hereby authorized and directed to prepare and issue
6	estimated tax bills for the township of Nutley for the third
7	installment of 2016 taxes. The tax collector shall proceed
8	and take such action as is permitted and required by Chapter
9	72, Public Laws of 1994, and N.J.S.A. 54:66.2 (sic) and
10	54:4-66.3.
11	2. The total estimated tax levy for 2016 is hereby
12	set at \$107,423,103. The total estimated tax rate for 2016
13	is hereby set at \$3.36.1.
14	So move.
15	COMISSIONER TUCCI: Second.
16	MADAM CLERK: Commissioner Rogers?
17	COMMISSIONER ROGERS: Aye.
18	MADAM CLERK: Commissioner Tucci?
19	COMMISSIONER TUCCI: Aye.
20	MADAM CLERK: Commissioner Evans?
21	COMMISSIONER EVANS: Aye.
22	MADAM CLERK: Commissioner Petracco?
23	COMMISSIONER PETRACCO: Aye.
24	MADAM CLERK: Mayor Scarpelli?
25	MAYOR SCARPELLI: Aye.

1 Commissioner Petracco? 2 COMMISSIONER PETRACCO: WHEREAS, Adam Wayman has 3 submitted an application to become a volunteer firefighter 4 in the township of Nutley; and 5 WHEREAS, this application has been accepted by the б chief and deputy chief: and 7 NOW, THEREFORE BE IT RESOLVED by the board of 8 commissioners of the township of Nutley, county of Essex, 9 state of New Jersey, that Adam Wayman will become a recruit within the fire department effective immediately. 10 11 BE IT FURTHER RESOLVED that Adam Wayman will have 12 18 months to successfully complete all requirements set 13 forth by the chief and deputy chief in order to be 14 assigned the rank of volunteer firefighter in the Nutley 15 Fire Department. I move the resolution. 16 17 COMMISSIONER ROGERS: Second. 18 MADAM CLERK: Commissioner Rogers? 19 COMMISSIONER ROGERS: Aye. 20 MADAM CLERK: Commissioner Tucci? 21 COMMISSIONER TUCCI: Aye. 22 MADAM CLERK: Commissioner Evans? 23 COMMISSIONER EVANS: Aye. 24 MADAM CLERK: Commissioner Petracco? 25 COMMISSIONER PETRACCO: Aye.

	Page 24
1	MADAM CLERK: Mayor Scarpelli?
2	MAYOR SCARPELLI: Aye.
3	COMMISSIONER PETRACCO: That's all I have.
4	MAYOR SCARPELLI: WHEREAS, raffle applications
5	have been received from the following organizations: St.
6	Mary's Roman Catholic Church, license number 29-16 for an
7	off-premise 50/50 cash raffle on Friday, October 21st, 2016
8	and from VFW Post Number 493, Stuart E. Edgar, license
9	number 30-16 daily pull tabs to be held from June 27th, 2016
10	through June 27th, 2017.
11	WHEREAS, the applications have been reviewed and
12	approved by the municipal clerk and the police department;
13	and
14	NOW, THEREFORE BE IT RESOLVED by the board of
15	commissioners of the township of Nutley, county of Essex,
16	state of New Jersey that the aforementioned licenses
17	are approved and the municipal clerk is authorized to issue
18	the licenses.
19	I move the resolution.
20	COMMISSIONER TUCCI: Second.
21	MADAM CLERK: Commissioner Rogers?
22	COMMISSIONER ROGERS: Aye.
23	MADAM CLERK: Commissioner Tucci?
24	COMMISSIONER TUCCI: Aye.
25	MADAM CLERK: Commissioner Evans?

Page 25 1 COMMISSIONER EVANS: Aye. MADAM CLERK: Commissioner Petracco? 2 3 COMMISSIONER PETRACCO: Aye. MADAM CLERK: Mayor Scarpelli? 4 5 MAYOR SCARPELLI: Aye. WHEREAS, N.J.S.A. 40A: 4-87 provides that the б director of the Division of Local Government Services 7 8 may approve the insertion of any special item in the budget 9 of any county or municipality when such item shall have been made available by law and the amount thereof was not 10 determined at the time of the adoption of the budget; and 11

12 WHEREAS, said director may also approve the insertion of any 13 item of appropriation for an equal amount;

14 Section 1: NOW, THEREFORE, BE IT RESOLVED, by the 15 board of commissioners of the township of Nutley, county of Essex, state of New Jersey, hereby requests the director of 16 the Division of Local Government Services to approve the 17 insertion of an item of revenue in the budget of the year 18 2016 in the amount of \$59,433.17, which item is now available 19 20 as a revenue from the Clean Communities Program Grant pursuant to the provisions of statute; and 21

22 Section 2: BE IT FURTHER RESOLVED, that a like 23 sum of \$59,433.17 be and the same is hereby appropriated 24 under the caption of general appropriations operations

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Page 26 excluded from 5 percent CAP CLEAN COMMUNITIES PROGRAM GRANT, 1 2 \$59,433.17. 3 Section 3: BE IT FURTHER RESOLVED, that the above 4 is the result of revenues available from fiscal year 2016 5 Clean Communities Program Grant. BE IT FURTHER RESOLVED, that the township clerk б forward two certified copies of this resolution to the 7 8 director of Local Government Services. 9 I move the resolution. COMMISSIONER TUCCI: Second. 10 MADAM CLERK: Commissioner Rogers? 11 12 COMMISSIONER ROGERS: Aye. 13 MADAM CLERK: Commissioner Tucci? 14 COMMISSIONER TUCCI: Aye. 15 MADAM CLERK: Commissioner Evans? 16 COMMISSIONER EVANS: Aye. 17 MADAM CLERK: Commissioner Petracco? 18 COMMISSIONER PETRACCO: Aye. MADAM CLERK: Mayor Scarpelli? 19 20 MAYOR SCARPELLI: Aye. 21 That concludes the business portion of the 22 meeting. We'll now open it up for the public. 23 Madam Clerk, will you read the --24 MADAM CLERK: Yes, Mayor. 25 All persons addressing the board of commissioners

regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by the board, each person shall limit their address to five minutes. All remarks to the board and its individual members must be addressed to the mayor.

7 The mayor may defer citizens' comments to the 8 appropriate members of the board. Dialogue between citizens 9 and others addressing the board shall be allowed unless the 10 mayor or presiding officer or the majority of the membership 11 of the board shall determine that the interests of decorum 12 and/or the expeditious conduct of municipal business are 13 being adversely affected by such dialogue.

14 MAYOR SCARPELLI: Would anybody like to address15 the board this evening?

MS. LANDRY: Pennie Landry, 135 Lakeside Drive. This is regarding Resolution 159-16. Due to the delay in approval of state aid figures in the 2016 budget, that we will not know what our tax bill actually will be. It says that estimated tax bills for the third installment in 2016 will be sent out. When will these estimated tax bills be sent out, question one?

Question two, the estimated tax rate in this resolution is 3.361. What was the resolution -- what was the tax rate in the approved budget?

Page 27

COMMISSIONER EVANS: This is the combined budget. 1 This is the tax -- full tax levies. It's not the municipal 2 3 budget. It's the full levy for the town. So that would 4 include the county, the school, and the municipal (inaudible). So it's a combined rate. 5 There's no change to the school rate. There's no б change to the municipal rate. The question is is the state 7 8 hasn't adopted its budget yet. And they won't finalize approvals to release tax rates until some time, I 9 understand, in early July. 10 MS. LANDRY: Does this include the state aid 11 12 category for Roche? 13 COMMISSIONER EVANS: Yes. 14 MS. LANDRY: Okay. So the 5.5 million that --15 COMMISSIONER EVANS: It does not -- but let me be real clear. It does not affect us. 16 17 MS. LANDRY: Okay. COMMISSIONER EVANS: Just at the overall, at the 18 very highest level, the state, when they're looking at their 19 20 budget -- they haven't finalized their numbers yet. They're not required to do that until July 1st. 21 22 MS. LANDRY: Okay. So the 5.5 million from the 23 state --

24COMMISSIONER EVANS: Is in our budget --25MS. LANDRY: -- for GAP -- what was the

Page 28

Page 29 1 terminology you used for the --2 COMMISSIONER EVANS: Transitional aid. 3 MS. LANDRY: Transitional aid is currently --COMMISSIONER EVANS: Five-and-a-half million. 4 Ιt 5 has not changed. MS. LANDRY: And it is in our -б 7 COMMISSIONER EVANS: Absolutely. 8 MS. LANDRY: We have received that check? 9 COMMISSIONER EVANS: We cannot receive it until November. 10 MS. LANDRY: Okay. We will receive that check in 11 12 November? So that is not going to change. The only thing 13 that may change is that the Essex County tax rate or what we 14 are paying Essex County may change? 15 COMMISSIONER EVANS: May. 16 MS. LANDRY: May? And are you anticipating that 17 to be higher or lower? COMMISSIONER EVANS: I'm not -- this goes in at 18 100 percent. So I'm not really expecting any change. 19 So 20 I'm just looking at the potential, and that's what we're doing. We have to do this resolution to prepare us, the 21 22 town, to be able to issue the tax bills, estimated bills in 23 the event I have to. 24 I'm hoping that the regular bill will go out. But if I have to, I'll have to issue a third quarter estimated 25

bill, which will go out in early July. Plenty of time for
the taxpayers to see it and get it, be able to pay their
taxes in August for the third quarter.

4

MS. LANDRY: Okay. All right. Thank you.

5 And there was an economic development advisory committee meeting in February 2016. The minutes have been б available for the -- from the 2015 economic development 7 8 advisory committee meetings. However, I was informed by the 9 township clerk that there were no minutes for the February 2016 economic development advisory committee. My question 10 is will minutes be available in the year 2016 for economic 11 12 development advisory committee meetings? Will they be made 13 available to the public and the business owners of Nutley?

14 COMMISSIONER EVANS: I might have to review that. I 15 haven't decided. The committee itself, as you and I have 16 discussed many times, is not a quorum of this board. It has 17 no budget authority. It has no voting authority. It's not 18 subject to the Open Public Meeting Act.

So these are primarily just discussion points that are memorialized for the people, for the benefit of the people in the discussion, right, which I used for my reference. I had made them available to the commissioners, because that is just part of sharing information. I never intended that they would be public meetings or public minutes, right?

800-227-8440

Page 30

Page 31 They have been shared. But, in fact, there's no 1 reason to do it. So I haven't decided what I'm going to do 2 3 with the committee (inaudible). 4 MS. LANDRY: Okay. Because they did make a recommendation to the board of commissioners to spend 5 \$17,500 on a survey that was paid for by the taxpayers. б COMMISSIONER EVANS: Right. It was a 7 8 recommendation, not a (indiscernible). 9 MS. LANDRY: As a recommendation to spend money. And they also made a recommendation that there be money 10 spent, as I believe, or research done into a bid and the 11 12 type of the downtown development, whatever. Can you say if 13 monies will be spent to do that research? 14 COMMISSIONER EVANS: I'm not at this time, because 15 that hasn't been discussed with the board. Again, that 16 committee has no authority to appropriate funds and has no 17 ability to vote and make that decision. And only after its meetings, we talk and make a recommendation, a discussion of 18 19 the members. 20 I discuss that with the board of commissioners. And it's the board of commissioners who decide whether or 21 22 not they're going to agree with (inaudible). So all voting 23 authority, all budgetary authority rests with the board of 24 commissioners. So I'm going to make my sixth 25 MS. LANDRY: Okay.

Page 32 1 request that the economic development advisory committee meetings of the township of Nutley be open to the public and 2 that the minutes from those meetings be made available to 3 the public, request number six. Thank you. 4 5 COMMISSIONER EVANS: Thank you. б MAYOR SCARPELLI: Anybody else want to be heard tonight? 7 MR. CURSIO: Joe Cursio (ph), 499 Centre Street. 8 Please forgive me. First time doing this. 9 Thank you, by the way, Commissioner Rogers, for 10 reaching out to me. 11 499 Centre Street or Centre Street between Franklin 12 Avenue and East Passaic is turning into a drag (inaudible). 13 When you have the lights closer to Bloomfield Avenue past my 14 house, if they're both green and you're going up and down that 15 hill, it's insane. So I really don't know what a solution 16 would be. I'm just kind of here to say that it's nonsense. 17 We had, about a year-and-a-half ago, Nutley P.D. set 18 up a checkpoint. And they were catching people speeding. One 19 of the police had commented to me -- because I was standing 20 outside. 21 He said this guy was just going 65 down the street, 22 and that was about 11 o'clock in the morning. So at night, 23 it's getting bad. And if you guys could put a speed bump in 24 or something, I don't know. But, you know, --25

Page 33 1 MAYOR SCARPELLI: So you're on Centre Street, sir? 2 MR. CURSIO: I'm on Centre Street, yeah. 3 MAYOR SCARPELLI: That's a county road, and they have jurisdiction over what goes on that road. 4 5 MR. CURSIO: Okay. б COMMISSIONER PETRACCO: What was your address 7 again? 8 MR. CURSIO: 499. 9 COMMISSIONER PETRACCO: Centre? 10 MR. CURSIO: Yes, sir. COMMISSIONER PETRACCO: I'll tell you what the 11 12 problem is. What it's been in Nutley. Is that people come, 13 call. It's the biggest complaint we take in Public Safety. 14 It's either speeding or one or my kids or 15 husband's or wife's got a ticket. So it seems like when we 16 send the cops out on side streets, main drags, wherever we 17 send them, we get phone calls that we gave tickets out or that we didn't. But Centre Street I know it well. And it 18 is a problem. 19 20 We send the cops there. We just did -- where are you? By Bloomfield Avenue, you said? 21 22 MR. CURSIO: I'm between Bloomfield Avenue and the 23 gas station on the corner. 24 COMMISSIONER PETRACCO: We just did a joint 25 venture with the county police, sheriff's department --

1 MR. CURSIO: Right. COMMISSIONER PETRACCO: -- of pedestrian 2 crosswalks a little further up Centre Street. We wrote 100 3 4 tickets in a week there. The cops disappear, and the people 5 start doing the same thing. MR. CURSIO: We live there. We know. б COMMISSIONER PETRACCO: And then the problem is is 7 8 most of the times, it's the people in the neighborhood that 9 are complaining and they're the ones getting the tickets, you know, down the road. So I tried to tell my own family, 10 and I've said this a thousand times. And I'm sure the 11 12 commissioners are tired of hearing me say it. 13 You know, we have to police ourselves to a certain 14 degree, too. There can't be a cop on every corner, behind 15 every tree. You know, we have really -- these cars go 16 faster. Everybody's driving, you know, BMWs, Mercedes, 17 sports cars, whatever they are. You touch the gas pedal, and you're doing 55 miles an hour. 18 19 But if you look down, I'm sure there's times where 20 we're all speeding. You know? So we're all guilty of it. But tomorrow I'll contact the chief. 21 22 We'll do a little more enforcement over there. 23 You know? But it's a problem, town-wide. And it's a shame 24 because soon as we take the cops out of there, people go 25 back to their same old habits. So --

Page 35 MR. CURSIO: And it's even becoming troublesome 1 coming out of our driveway. I mean, I'm, you know, at the 2 3 point where I'm ready to -- you know, I'm getting out of the 4 car. I just get out, and people are -- literally, I have --5 if I'm coming from East Passaic to make a right into my б driveway, I have people passing me on the right. I've gotten almost t-boned at least three or four 7 8 times. So --COMMISSIONER PETRACCO: We'll do more enforcement 9 10 there. You know, my parents live on Park Avenue. It's the same thing. You know? They can't get out of their 11 12 driveway. It's because people really just aren't courteous any more. 13 14 MR. CURSIO: No. 15 COMMISSIONER PETRACCO: You know, it's really 16 disgusting. Whatever we could do to help. 17 MR. CURSIO: You know, --COMMISSIONER PETRACCO: I'll contact the chief 18 first thing in the morning. 19 20 MR. CURSIO: Thank you. COMMISSIONER PETRACCO: Yep. And just to let you 21 22 know, too. If there's a problem, if there is an issue, 23 please call the police department and just ask to speak to 24 the chief. He's there every day. And address, you know, 25 your issues. This way, you don't have to wait to come to a

Page 36 1 meeting or what have you. 2 MR. CURSIO: Okay. 3 COMMISSIONER PETRACCO: He'll be glad to help you. 4 MAYOR SCARPELLI: Anybody else like to address the board of commissioners? 5 COMMISSIONER PETRACCO: Move to adjourn. б 7 COMMISSIONER ROGERS: Second. 8 MADAM CLERK: Commissioner Rogers? 9 COMMISSIONER ROGERS: Aye. 10 MADAM CLERK: Commissioner Tucci? 11 COMMISSIONER TUCCI: Aye. 12 MADAM CLERK: Commissioner Evans? 13 COMMISSIONER EVANS: Aye. 14 MADAM CLERK: Commissioner Petracco? 15 COMMISSIONER PETRACCO: Aye. 16 MADAM CLERK: Mayor Scarpelli? 17 MAYOR SCARPELLI: Aye. Take care, everybody. 18 MADAM CLERK: The time is now 9:06. 19 20 (Whereupon, these proceedings were concluded at 9:06 21 PM) 22 23 24 25

Page 37 CERTIFICATION I, Nicole Yawn certify that the foregoing transcript is a true and accurate record of the proceedings. yaun Nicole Yawn Date: June 15, 2016 

# [01-904-905 - aforementioned]

Page 1

0	2002 17:4,6	<b>3339</b> 8:25	0
0	<b>2002</b> 17.4,0 <b>2008-21r</b> 16:14	<b>3340</b> 9:24	8
<b>01-904-905</b> 18:7	<b>2008-211</b> 10.14 <b>2008-9</b> 16:14	<b>3500</b> 17:4,4	<b>8</b> 1:9
<b>02</b> 20:10	<b>2003-9</b> 10.14 <b>2014</b> 11:20 12:21	<b>35gmct</b> 17:5	<b>849,774.96.</b> 6:2
<b>04</b> 20:9	13:19	<b>3rd</b> 3:4 6:4	<b>891,687.34</b> 6:4
<b>07</b> 20:10	<b>2015</b> 30:7		<b>8:34</b> 1:10 2:8
1	$= 2013  50.7$ $= 2016  1:9 \ 2:8,11 \ 3:3$	4	9
<b>1</b> 22:4 25:14	3:4,4,21 4:13 5:4,25	<b>4</b> 4:13	<b>903</b> 21:5
<b>1,037.69.</b> 20:11	6:3,4 8:9 9:10 10:10	<b>4-87</b> 25:6	<b>9th</b> 13:7,19
<b>1,040.92.</b> 21:5	13:3,7,19 19:15	4000 20:9	a
<b>100</b> 29:19 34:3	21:19,21,22,24 22:7	<b>40a</b> 25:6	ability 31:17
<b>107,423,103</b> 22:12	22:11,12 24:7,9	<b>493</b> 5:2 24:8	able 29:22 30:2
<b>108-110</b> 19:16	25:19 26:4 27:18,20	<b>499</b> 32:8,12 33:8	absolutely 15:21
<b>11</b> 8:3 32:23	30:6,10,11 37:13	<b>4x4</b> 17:6	29:7
<b>11:00</b> 4:13	<b>2017</b> 5:4 24:10	5	<b>accept</b> 13:16
<b>134,168.21</b> 6:2	<b>2019</b> 11:24 12:22	5 26:1	accept 13.10 acceptable 12:25
<b>135</b> 27:16	<b>20th</b> 6:3 12:18	<b>5,658,155.53.</b> 6:5	accepted 23:5
<b>141,691.68</b> 6:1	<b>21st</b> 24:7	<b>5.5</b> 28:14,22	account 13:10 18:6
<b>15</b> 20:9 37:13	<b>2200</b> 20:10	<b>50</b> 17:23 18:13	<b>accurate</b> 37:4
<b>153-16</b> 10:25	<b>228</b> 8:2 9:1	<b>50/50</b> 3:20 24:7	act 2:10 16:7 30:18
<b>159-16</b> 27:17	<b>22nd</b> 11:2	<b>51</b> 12:18	action 22:8
<b>163-16</b> 11:15	<b>23</b> 20:8	<b>5302</b> 20:8	adam 23:2,9,11
<b>17,500</b> 31:6	<b>23,641.48</b> 5:25	<b>54:3.30</b> 19:4	add 8:4 9:3
<b>1701</b> 20:9	<b>2304</b> 20:9	<b>54:4-66.3.</b> 22:10	address 7:4,6,17
<b>17th</b> 3:4	<b>231</b> 2:10	<b>54:66.2</b> 22:9	27:2,4,14 33:6
<b>18</b> 23:12	<b>245,000</b> 10:2	<b>55</b> 34:18	35:24 36:4
<b>19</b> 3:3	<b>25th</b> 3:21	<b>55-93</b> 12:18	addressed 7:7 27:5
<b>1975</b> 2:10	27 5:4,4	<b>59,433.17</b> 25:19,23	addressing 7:2,11
<b>1985</b> 17:5	271 5:2	<b>59,433.17.</b> 26:2	26:25 27:9
<b>1993</b> 17:7	<b>27th</b> 24:9,10	<b>5:00</b> 4:13	<b>adjourn</b> 36:6
<b>1994</b> 22:9	<b>29,612.25.</b> 6:3	<b>5th</b> 8:9 9:10 10:10	admitted 12:7
<b>1999</b> 17:7	<b>29-16</b> 24:6	19:15	adopted 28:8
<b>19th</b> 12:22	<b>29a</b> 9:3	6	adoption 25:11
<b>1:00</b> 15:21	<b>2:00</b> 15:1	<b>6-01-138-263</b> 13:11	advance 18:5
<b>1:30</b> 15:22	<b>2nd</b> 2:8,11 5:24	<b>60</b> 21:5	adversely 7:15
<b>1st</b> 11:20 12:21	3	<b>65</b> 32:22	27:13
13:19 28:21	<b>3</b> 17:1 19:16 26:3	<b>665-22</b> 17:21	advertised 8:6 9:6
2	<b>3.36.1.</b> 22:13	<b>6700</b> 20:10	10:6
<b>2</b> 8:3 10:1 16:21	<b>3.361.</b> 27:24	7	<b>advisory</b> 30:5,8,10
19:17 22:11 25:22	<b>30-16</b> 24:9	7 9:2	30:12 32:1
<b>2,833,506.87</b> 6:1	<b>31st</b> 11:24	<b>72</b> 22:9	affairs 5:25
<b>20</b> 20:9	<b>32</b> 18:12		<b>affect</b> 28:16
<b>2000</b> 17:4	<b>3338</b> 7:25		aforementioned
			24:16
		<b>7200</b> 19:16	aforementioned

# [agenda - chief]

ago 32:18       areas 9:3       areas 9:3       areas 9:3       areas 9:3         agree 31:22       article 8:3 9:2       assigned 23:14       assigned 23:14       assigned 23:14       assigned 12:19 13:8       26:12.14.16.18.20       25:11.18 27:18.25         agreement 12:14,16       assignment 11:17       12:16.24 13:17       12:16.24 13:17       30:17       30:17         allegiance 2:2       attached 13:12 16:3       attorney 12:23       13:16.23.23       12:16.24 13:17       aution 16:9,11,19         allowace 19:9       attorney 12:23       authority 30:17,17       13:16.23.23       authorized 16:17       basso 12:16.17,19       15:16         annount 15:14 18:13       authorized 16:17       18:10       begvond 15:16       big 33:12       calls 15:21 33:13         annual 5:3       annually 13:4       16:23 18:6 25:10,19       30:17       cars 34:15,17       cars 34:15,17         application 3:19       18:13 19:17 32:12       32:14 33:21,22       32:14       32:14 33:21,22       32:19       catholic 24:6         appropriate 7:3,17       avenue 4:12 5:2       3:16       5:16 6:13,5,17,19       20:9,10,10 21:5       cartified 13:11 17:1         appropriate 25:23       s:16 6:13,5,17,19       20:9,10,10 21:5       cartified 13:11 17:1       21:22 26:7       cartified 13:11 17:1	-			_
agree 31:22         article 8:3 9:2         assigned 23:14         25:11,18 27:18,25           agreed 12:19         assigned 23:14         assigned 23:14         36:9,11,13,15,17         28:1,3,8,20,24           agreement 12:14,16         assignment 11:17         12:16,24 13:16         assumption 11:17         b         30:17           all 21:19 27:18         assumption 11:17         12:16,24 13:17         assumption 11:17         back 15:22 34:25         budgetary 31:23           allowace 19:9         attached 13:12 16:3         aution 16:9,11,19         ausus 30:3         aution 16:9,11,19           annount 15:14 18:13         authorized 16:17         31:16,23,23         authorizes 16:7 18:2         big 33:12         calls 15:12 33:17           annoualy 13:4         16:23 18:6 25:10,19         29:22         bit 14:14         bit 5:23 6:22 21:24           annualy 13:4         16:23 18:6 25:10,19         29:12         29:12         cars 34:15,17           application 3:19         18:13 19:17 32:12         35:10         bit 14:14         29:12,020           application 3:19         18:13 19:17 32:12         35:10         award 11:17         35:14           appropriate 7:10         27:1         award 11:17         ays 38:10,12,14,16         20:5,7,10,11,13,17         carthin 19:5,34:13 <td< th=""><th><b>agenda</b> 6:23 7:17</th><th>april 3:3</th><th></th><th>breached 12:4</th></td<>	<b>agenda</b> 6:23 7:17	april 3:3		breached 12:4
agreed         12:19         assigned         23:14         36:9,11,13,15,17         28:11,3,8,20,24           agreement         12:19,16;21         assignment         11:17         b         30:17           aid         21:19 27:18         assumption         11:17         b         30:17           alan         15:23         assumption         11:17         b         budgetary         31:23           allowance         12:16,24         13:12         16:3         assourption         11:17           allowance         12:16,24         13:12         16:3         assourption         11:17           allowance         15:21         authority         30:17         budgetary         31:23           annual         5:3         authorized         16:17         authorized         16:17           annual         5:3         authorized         16:17         30:1         35:13           annual         5:3         authorized         16:17         30:1         care         36:18           annual         5:3         authorizes         16:7         18:13         19:17         32:12         authorizes         16:17           annualy         13:4         22:5 24:17         20:	<b>ago</b> 32:18	areas 9:3	24:22,24 25:1,3,5	<b>budget</b> 21:19 25:8
agreement         12:14,16         assignment         11:17         b         30:17           12:24         13:17         12:16,24         13:16         assume         12:19         23:12         30:17           alar         15:23         assumption         11:17         assis         12:16,24         13:12         13:16,6         13:10         13:16,6         13:10         13:16,23,23         astornegettion         15:16         31:11         cass         35:12         cass         22:11 8:63 7:1,1         cass         23:13         astis         15:16 33:13         30:1         cass         23:12         cass         23:12         cass         23:12         cass         23:12         cass         23:12         23:12         23:12         23:12         2	<b>agree</b> 31:22	<b>article</b> 8:3 9:2	26:12,14,16,18,20	25:11,18 27:18,25
12:24 13:17 16:21       12:16,24 13:16         aid       21:19 27:18       assume 12:19 13:8         assumption       11:17         alan       15:23       assumption         allowance       19:9       attached       13:12 16:3         allowed       7:11 27:9       attorney       12:23         allowed       7:11 27:9       15:21       auttority       30:17,17         amount       15:14 18:13       authorized       16:17         angry       14:22       authorized       16:17         annual       5:3       authorizes       16:17         annual       5:3       available       13:10         annual       16:23 18:6 25:10,19       32:13       bill       5:23 6:22 21:24         aniticipating       29:16       26:4 30:7,11,13,22       33:13       bill       5:23 6:22 21:24         anyoby 7:16,21       32:3       32:14       33:21,22       ast.15,17         applications       24:4,11       35:10       award       11:17         aye       38:10,12,14,16       5:3       35:10       20:9,10,10 21:5       carb 33:20 24:7         attrip       18:13 19:17 32:12       33:21,22       ast.16       21:22:7,13 3:2 <th><b>agreed</b> 12:19</th> <th>assigned 23:14</th> <th>36:9,11,13,15,17</th> <th>28:1,3,8,20,24</th>	<b>agreed</b> 12:19	assigned 23:14	36:9,11,13,15,17	28:1,3,8,20,24
aid       21:19       27:18       assume       12:19       13:8         28:11       29:2,3       assumption       11:17         alan       15:23       attched       13:12       16:24       13:12         allowance       19:9       attorney       12:23       attorney       12:16,24       13:12         allowance       7:11       27:19       15:21       authority       30:17,17       13:16,63,18,18       27:12       27:12       20:13         amount       15:14       18:12       authorized       16:17       16:23       18:12       27:12       21:13:13       35:1       e       21:11       5:23       23:11       35:23       27:12       20:13       35:1       e       21:13:13       35:23       27:12       20:13:13       35:23       27:12       20:13:13       35:23       21:11       15:16       15:16       15:16       15:16       15:16       16:13:13:10       15:12       33:12       15:18       15:12       33:17       care       36:18       care       36:18       care       36:18       care       36:18       care       36:18       care       36:18       15:16       16:18       16:17       18:13       19:17       32:12 <th><b>agreement</b> 12:14,16</th> <th>assignment 11:17</th> <th>b</th> <th>30:17</th>	<b>agreement</b> 12:14,16	assignment 11:17	b	30:17
aid       21:19       27:18       assume       12:19       13:8         28:11       29:23       assumption       11:17       asso       12:16,24       13:12       16:3       bad       32:24       bulk       11:18,22         allegiance       2:2       attorney       12:16,24       13:12       16:3       basso       12:16,17,19       13:16,63,18,18         allowacc       19:9       attorney       12:23       autorney       12:16,24       13:12       16:3       16:9,11,19         amount       15:14       18:12       authorized       16:17       15:16       call       15:16       35:23       call       15:16       35:13         annual       5:3       authorized       16:7       18:2       22:5       24:17       30:1       care       36:18         annually       13:4       16:23       18:6       25:10,19       authorizes       16:7       18:2       20:12       20:21       care       36:18         annually       13:4       16:23       18:6       25:10,19       authorizes       16:17       18:2       20:9,10,10       21:5       21:22       care       36:18         annually       13:4       16:23	12:24 13:17 16:21	12:16,24 13:16	hack 15:22 3/1.25	budgetary 31:23
28:11 29:2,3       assumption 11:17       alsumption 11:17       basis 13:6       bulletin 2:13         allow correct 19:9       attorney 12:23       attorney 12:23       basis 0.12:16,17,19       13:1,6,8,18,18         allow of 7:11 27:9       15:21       autorney 12:23       becoming 35:1       c       27:12 30:13         allow of 7:11 27:9       15:21       august 30:3       authority 30:17,17       beinefit 30:20       c       c:11 18:6 37:1,1         angry 14:22       18:11 20:7 21:4       31:16,23,23       bill 5:23 6:22 21:24       caps 26:1       caps 26:1         annual 5:3       authorized 16:17       18:12 0:7 21:4       bill 5:23 6:22 21:24       caps 26:1       caps 26:1         annual 5:3       available 13:10       16:23 18:6 25:10,19       bill 5:23 6:22 21:24       cars 35:4       care 36:18         annual 5:3       avenue 4:12 5:2       32:14 33:21,22       bit 14:14       block 19:16 20:8,99       cartoholic 24:6         application 3:19       18:13 19:17 32:12       35:10       33:12,22       catholic 24:6       cartifie 13:11 17:1         appropriate 7:10       4:1,3,5,7,9,18,20,22       7:19 8:8 9:8 10:8       12:27,13 3:2       cartifie 13:11 17:1       21:22 26:7         certify 21:21 37:3       cartifie 13:11 17:1       averue 4:12,5:2,39:14,16,18,20<	aid 21:19 27:18	assume 12:19 13:8		<b>bulk</b> 11:18,22
alan       15:23       12:16,24 13:17       basso       12:16,24 13:17         allegiance       2:2       attached       13:12 16:3       attached       13:16,3         allowace       19:9       attorney       12:23       basso       12:16,24 13:17         allowed       7:11 27:9       15:21       attorney       12:23       13:16,8,18,18       becoming       35:1         alphonse       1:16       auction       16:9,11,19       august       30:3       authority       30:1       c       2:1 18:6 37:1,1         21:5 25:10,13       31:16,23,23       authorized       16:17       bid       31:11       s5:23       call       15:21 33:17         annual       18:12       authorizes       16:7 18:2       bid       31:14       21:5 24 27:19 29:24       care       36:18         annual       5:3       available       13:10       bill       5:23 6:22 21:24       care 36:18       care 36:18         annually       13:4       16:23 18:6 25:10,19       29:22       carts       3:12,918       24:12       care 36:18         annually       13:4       16:23 18:6 25:10,19       29:22       care 36:18       care 36:18       care 36:18       care 36:18       care 36:18	28:11 29:2,3	assumption 11:17		bulletin 2:13
allegrance       2:2       attached       13:12 16:3       13:1,6,8,18,18       business       7:14 26:21         allowance       19:9       attorney       12:23       13:1,6,8,18,18       27:12 30:13       27:12 30:13         allowed       7:11 27:9       15:21       aution 16:9,11,19       auction       16:9,11,19       becoming       35:1       c       21:18:6 37:1,1         amount       15:14 18:13       authority       30:17,17       big       31:16       35:23       calls       15:21 33:17         angry       14:22       18:11 20:7 21:4       big       31:11       35:23       calls       15:21 33:17         annual 5:3       authorizes       16:71 18:2       big       30:1       cars       36:18         annually       13:4       16:23 18:6 25:10,19       29:22       cash       3:20 24:7         anybody       7:16,21       32:3       32:14 33:21,22       30:1       cars       3:1,2,9,18 34:3         application       3:19       18:13 19:17 32:12       block       19:16 20:8,9,9       catholic       24:6         appropriate       7:10       4:13,5,7,9,18,20,22       7:19 8:8 9:810.8       3:1,2,9,18 34:3       certified       13:11 17:1         27:1	<b>alan</b> 15:23	12:16,24 13:17		<b>bump</b> 32:25
allowance       19:9       attorney       12:23       becoming       35:1       27:12/30:13         allowed       7:11/27:9       auction       16:9,11,19       becoming       35:1       c         amount       15:14       18:13       authority       30:17,17       big       31:16,23,23       becoming       31:11       c       c       c       21:16/33:13         annunt       15:14       18:13       authorized       16:17       big       33:12       call       15:16/33:13       35:23       call       15:21/33:17       caps       26:1         annual       5:3       authorizes       16:7/18:2       big       33:12       cash       32:0/24:7       cash       32:0/24:7         annual       5:3       available       13:10       32:1/2       32:1/2       32:1/2       32:1/2       22:6/27:20,21/29:22       cash       32:0/24:7         annual       13:4       16:23/18:6/25:10,19       32:1/2       32:1/2       32:1/2       32:1/2       32:1/2       22:5/24:17         annually       13:4       16:23/18:6/25:10,19       32:1/2       32:1/2       32:1/2       32:1/2       33:1/2       cash       32:0/24:7         application       3:19<	allegiance 2:2	attached 13:12 16:3		<b>business</b> 7:14 26:21
allowed       1:11 2/:9       15:21       believe       31:11       c         alphonse       1:16       auction       16:9,11,19       august       30:3       c       2:1 18:6 37:1,1         amount       15:14       18:13       authority       30:17,17       bid       31:11       35:23         andrew       18:12       authorized       16:17       big 33:12       calls       15:21 33:17         angry       14:22       18:11 20:7 21:4       bid       31:11       35:23       cars       36:18         annual       5:3       available       13:10       bill       5:24 27:19 29:24       cars       36:18         annual       5:3       available       13:10       16:23 18:6 25:10,19       29:22       cars       34:15,17         anybody       7:16,21       32:3       32:14 33:21,22       bill       5:16 20:8,9,9       carted 18:23:8,12         application       31:19       18:13 19:17 32:12       block       19:16 20:8,9,9       carted 13:12       carthing       32:1,2,9,18 34:3         appropriate       7:10       aye       3:8,10,12,14,16       33:21,22       block       19:16 20:8,9,9       cartification       13:12       cartification       13:12 </th <th>allowance 19:9</th> <th>attorney 12:23</th> <th></th> <th>27:12 30:13</th>	allowance 19:9	attorney 12:23		27:12 30:13
alphonse1:16 amendauction16:9,11,19 augustbenefit30:20 beyondc2:118:637:1,1 callamount15:1418:13authority30:17,17 31:16,23,23bid31:11 begest35:12 bidauthorized16:17 tagesbid31:11 35:23authorized16:17 tagesbid31:11 35:2435:23 caps26:1 capscaps26:1<	allowed 7:11 27:9	15:21	e	С
amend8:1,25 amountaugust30:3 authoritybeyond15:16 bidcall15:16 33:13 35:23 calls15:16 33:13 35:23andrew18:12 andrewauthorized16:17 18:1118:1120:718:11 20:718:11 20:718:11 20:722:5 24:17 30:1annual5:3 anualavailable13:10 22:522:5 24:1730:1 biggest33:13 biggestcars35:23 calls15:21 33:17 caps26:1 caps26:1 caps26:1 caps26:1 caps26:4 20:7:1020:2 20:9:10,1026:4 20:9:10,1021:2 20:9:10,1021:2 20:9:10,1021:5 21:522:12 22:2cars34:15,17 cash32:19 20:9:10,1021:5 21:222:2 22:2cars34:15,17 21:2cars34:15,17 21:2cash3:20 22:1922:19 20:9:10,1021:5 21:522:12 22:2cars34:15,17 21:2cars34:15,17 21:2cars34:15,17 21:2cars34:15,17 21:2cars34:15,17 21:2cars34:15,17 21:2cars34:15,17 21:2cars34:15,17 21:220:9,10,1021:5 21:1220:9,10,1021:5 21:520:9,10,1021:5 21:521:22cars34:15,17 21:221:2221	alphonse 1:16	auction 16:9,11,19		
amount15:14 18:13authority30:17,17bid31:1135:2321:5 25:10,1331:16,23,23authorized16:17big31:1135:23angry14:2218:11 20:7 21:422:5 24:17big33:12calls15:21 33:17announcements22:5 24:1722:5 24:1730:1car35:4car35:4annual5:3available13:1016:23 18:6 25:10,1920:2 2car34:15,17annually13:416:23 18:6 25:10,1929:22cash3:20 24:7anticipating29:1626:4 30:7,11,13,2232:320:9,10,10 21:5catching32:19applications31:1635:1033:12,2233:1,2,9,18 34:3certain19:5 34:13appropriate7:104:1,3,5,7,9,18,20,227:2,5,7,10,11,13,17cartified13:11 17:1appropriated25:235:16 6:13,15,17,1920:5 21:1,20,20cartified13:11 17:1appropriation8:23 9:14,16,18,2025:15 26:52 27:3,5cartified29:13,14,19appropriation8:23 9:14,16,18,2025:15 26:52 27:3,5cartified29:13,14,19appropriations10:22 11:6,8,10,1225:15 20:25 27:3,5cartified29:13,14,19appropriations10:22 11:6,8,10,1225:15 20:25 27:3,5cartified29:13,14,19appropriations10:22 11:6,8,10,1225:15 20:25 27:3,5cartified29:10:20:1appropriations10:22 11:6,8,10,1225:15 20:12 23cartified29:12 <th>amend 8:1,25</th> <th>august 30:3</th> <th></th> <th></th>	amend 8:1,25	august 30:3		
21:5 25:10,13       31:16,23,23       big 33:12       calls 15:21 33:17         andrew 18:12       authorized 16:17       big 33:12       caps 26:1         announcements       22:5 24:17       30:1       car 35:4         7:20,21       authorizes 16:7 18:2       available 13:10       bill 5:24 27:19 29:24       car 35:4         annual 5:3       available 13:10       16:23 18:6 25:10,19       29:22       bit 14:14       cars 34:15,17         anybody 7:16,21       32:3       avenue 4:12 5:2       29:22       bit 14:14       catching 32:19         4:11 19:9 23:3,5       avenue 4:12 5:2       30:1       catching 32:19       catching 32:19         4:11 19:9 23:3,5       32:14 33:21,22       35:10       award 11:17       aye 3:8,10,12,14,16         appropriate 7:10       4:13,5,7,9,18,20,22       7:2,5,7,10,11,13,17       7:2,5,7,10,11,13,17       7:2,5,7,10,11,13,17         appropriate 25:23       5:16 6:13,15,17,19       20:5 21:1,20,20       21:22 26:7       certified 13:11 17:1         appropriating 10:2       6:21 8:15,17,19,21       20:5 21:1,20,20       22:1 23:7 24:14       29:13,14,19         25:13       9:22 10:14,16,18,20       22:1 23:7 24:14       29:13,14,19       29:13,14,19         25:15 26:25 27:3,5       27:8,9,11,15 30:16       22	amount 15:14 18:13	<b>authority</b> 30:17,17		
andrew18:12authorized16:17biggest33:13caps26:1angy14:2218:1120:721:422:524:1730:1cars35:4annual5:3available13:10bills5:236:2221:24cars36:18annual5:3available13:10bills5:236:2221:24cars34:15,17annual5:3available13:1026:430:7,11,13,2230:1cars34:15,17anybody7:16,2132:3avenue4:125:229:22catholic24:6application3:1918:1319:1732:1230:1catholic24:6applications24:4,1139:1032:1433:21,2233:13cars34:15,17appropriate7:3,17award11:17aye3:8,10,12,14,1633:21,2233:12,29,1834:3appropriate7:104:1,3,5,7,9,18,20,227:2,5,7,10,11,13,17certification13:12certification13:1227:1aye3:8,10,12,14,1616:1518:819:12certify21:2226:727:831:164:245:1,8,10,12,1416:1518:819:12certify21:2137:3appropriating10:26:218:15,17,19,2120:521:1,20,2021:3,14,1929:13,14,1925:139:2210:14,16,18,2025:1526:2527:3,55changed29:525:13	21:5 25:10,13	31:16,23,23		
angry14:2218:11 20:7 21:4bill5:24 27:19 29:24caption25:24announcements22:5 24:1730:130:1car35:47:20,21authorizes16:7 18:230:1car36:18annual5:3available13:1016:23 18:6 25:10,1926:4 30:7,11,13,2229:22cash3:20 24:7anybody7:16,2132:332:1430:1catching32:19catching32:1927:1432:6 36:4avenue4:12 5:290:9,10,10 21:5catching32:19catching32:194:1119:9 23:3,532:1433:21,2233:1,2,9,18 34:3certain19:5 34:13approach7:3,1735:10award11:1733:21,2233:1,2,9,18 34:3certificationappropriate7:104:1,3,5,7,9,18,20,227:2,5,7,10,11,1,3,17certified13:11 17:127:1aye3:8,10,12,14,1616:15 18:8 19:12certified13:11 17:1appropriate25:235:16 6:13,15,17,1920:5 21:1,20,20certify21:21 37:3appropriating10:26:21 8:15,17,19,2120:5 21:1,20,2029:13,14,1929:13,14,1925:139:22 10:14,16,18,2027:8,9,11,15 30:1627:8,9,11,15 30:16chapter2:10 8:2 9:1appropriations10:22 11:6,8,10,1231:5 15 20 21 2327:8,9,11,15 30:16chapter2:10 8:2 9:125:139:22 10:14,16,18,2031:5 15 20 21 2327:827:827:827:8	<b>andrew</b> 18:12	authorized 16:17	8	
announcements22:5 24:1730:1car35:47:20,21authorizes16:7 18:230:1car35:4annual5:3available13:1016:23 18:6 25:10,1926:4 30:7,11,13,2229:22cash3:20 24:7anybody7:16,2132:332:329:1626:4 30:7,11,13,2229:22cash3:20 24:7anybody7:16,2132:3avenue4:12 5:229:22cash3:20 24:7application3:1918:13 19:17 32:12block19:16 20:8,9,9category28:124:11 19:9 23:3,532:14 33:21,2233:1,2,9,18 34:3certain19:5 34:13approach7:3,17award11:1739:1033:21,2233:1,2,9,18 34:3appropriate7:104:1,3,5,7,9,18,20,227:2,5,7,10,11,13,17certification13:1227:8 31:164:24 5:1,8,10,12,1416:15 18:8 19:12certify21:22 26:7appropriated25:235:16 6:13,15,17,1920:5 21:1,20,20change28:6,7 29:1225:139:22 10:14,16,18,2025:15 26:25 27:3,5changed29:525:139:22 10:14,16,18,2027:8,9,11,15 30:1622:827:8,9,11,15 30:16appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:8	<b>angry</b> 14:22	18:11 20:7 21:4	66	
7:20,21 annual 5:3 annually 13:4 anticipating 29:16 anybody 7:16,21 27:14 32:6 36:4 application 3:19 4:11 19:9 23:3,5 27:14authorizes 16:7 18:2 available 13:10 16:23 18:6 25:10,19 26:4 30:7,11,13,22 32:3bills 5:23 6:22 21:24 22:6 27:20,21 29:22 29:22care 36:18 cars 34:15,17 catching 32:19 category 28:12 catholic 24:6application 3:19 4:11 19:9 23:3,5 applications 24:4,11 appropriate 7:10 27:1 appropriate 7:10 27:1 appropriate 7:10 27:8 31:16 appropriating 10:2 25:13 appropriation 25:13authorizes 16:7 18:2 available 13:10 10:22 11:6,8,10,12bills 5:23 6:22 21:24 22:6 27:20,21 29:22 29:22care 36:18 cars 34:15,17 catching 32:19 category 28:12 catholic 24:6bills 5:235:10 award 11:17 aye 3:8,10,12,14,16 4:1,3,5,7,9,18,20,22 27:8 31:16bills 5:23 6:22 21:24 29:22care 36:18 cars 34:15,17 catching 32:19 category 28:12 catholic 24:6appropriating 10:2 25:13 appropriations10:22 10:14,16,18,20 10:22 11:6,8,10,125:16 6:13,15,17,19 21:22 123:7 24:14 25:15 26:25 27:3,5care 36:18 cars 34:15,17 catching 32:19 category 28:12 catholic 24:6authorizes 16:7 20:5 21:1,20,20 22:1 23:7 24:14care 36:18 category 28:12 category 28:12 catholic 24:6authorizes 16:7 21:22 26:7 critication 13:12 20:5 21:1,20,20care 36:18 category 28:12 catholic 24:6authorizes 16:7 21:21 37:3 change 28:6,7 29:12 21:21 37:3care 36:18 category 28:12 catholic 24:6authorizes 16:7 22:12 23:7,10,11,13,17care 36:18 category 28:12 category 28:12authorizes 16:7 21:22care	announcements	22:5 24:17		-
annual5:3 annuallyavailable13:10 16:2322:627:20,2129:22cars34:15,17 cash3:2024:7 cash3:21 cash21:213:3121:2221:21 cash21:2221:21 cash21:2221:21 cash21:2222:12 cash21:2222:1221:2222:1221:2222:1221:2222:1221:2222:1221:2222:12 <th>7:20,21</th> <th>authorizes 16:7 18:2</th> <th></th> <th></th>	7:20,21	authorizes 16:7 18:2		
annually13:416:23 18:6 25:10,1929:22cash3:20 24:7anticipating29:1626:4 30:7,11,13,2229:22catching32:19anybody7:16,2132:3avenue4:12 5:2block19:16 20:8,9,9category28:12application3:1918:13 19:17 32:12block19:16 20:8,9,9category28:124:11 19:9 23:3,532:14 33:21,2233:21,22block19:16 20:8,9,9category28:12applications24:4,1135:10award11:17award11:17award11:17appropriate7:104:1,3,5,7,9,18,20,22bmws34:16certain19:5 34:13appropriate25:235:16 6:13,15,17,196:21 8:15,17,19,2120:5 21:1,20,20certify21:22 26:7appropriation8:23 9:14,16,18,2020:5 21:1,20,2020:5 21:1,20,20certify21:21 37:3appropriation8:23 9:14,16,18,2025:15 26:25 27:3,5change28:6,7 29:1225:139:22 10:14,16,18,2027:8,9,11,15 30:16changed29:5appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:8	annual 5:3	available 13:10		
anticipating29:1626:4 30:7,11,13,22bit14:14catching32:19anybody7:16,2132:332:3avenue4:12 5:2block19:16 20:8,9,9category28:12application3:1918:13 19:17 32:1232:14 33:21,2233:21,22atholic24:6applications24:4,1135:10award11:1733:21,2233:1,2,9,18 34:3approach7:3,17award11:17award11:17appropriate7:104:1,3,5,7,9,18,20,227:2,5,7,10,11,13,17certain27:1aye3:8,10,12,14,16board1:2 2:7,13 3:2certified3ppropriate7:104:1,3,5,7,9,18,20,227:2,5,7,10,11,13,17certified13:11 17:1appropriated25:235:16 6:13,15,17,1920:5 21:1,20,20certify21:21 37:3appropriation8:23 9:14,16,18,2025:15 26:25 27:3,5change28:6,7 29:1225:139:22 10:14,16,18,2025:15 26:25 27:3,5changed29:5appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:822:8	annually 13:4	16:23 18:6 25:10,19		, , , , , , , , , , , , , , , , , , ,
anybody7:16,2132:327:14 32:6 36:4avenue4:12 5:2application3:1918:13 19:17 32:124:11 19:9 23:3,532:14 33:21,22applications24:4,11approach7:3,1727:1awardappropriate7:1027:8 31:164:13,5,7,9,18,20,2227:8 31:164:24 5:1,8,10,12,14,16appropriated25:23appropriating10:225:139:22 10:14,16,18,2025:139:22 10:14,16,18,20appropriations10:22 11:6,8,10,1210:22 11:6,8,10,1231:5 15 20 21 2322:10 8:2 9:1	anticipating 29:16	26:4 30:7,11,13,22		
27:14 32:6 36:4avenue4:12 5:220:9,10,10 21:5catholic 24:6application 3:1918:13 19:17 32:1220:9,10,10 21:5catholic 24:64:11 19:9 23:3,532:14 33:21,2235:10award 11:17approach 7:3,17award 11:17aye 3:8,10,12,14,16board 1:2 2:7,13 3:2certification 13:1227:1aye 3:8,10,12,14,164:1,3,5,7,9,18,20,22bioard 1:2 2:7,13 3:2certified 13:11 17:127:8 31:164:24 5:1,8,10,12,145:16 6:13,15,17,196:21 8:15,17,19,2120:5 21:1,20,20certify 21:21 37:3appropriating 10:26:21 8:15,17,19,218:23 9:14,16,18,2020:5 21:1,20,20certify 21:21 37:3appropriation8:23 9:14,16,18,2025:15 26:25 27:3,5change 28:6,7 29:1225:139:22 10:14,16,18,2027:8,9,11,15 30:16changed 29:5appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:8	<b>anybody</b> 7:16,21	32:3		9
application3:1918:1319:1732:124:1119:923:3,532:1433:21,22applications24:4,1135:1033:21,22approach7:3,17award11:17appropriate7:104:1,3,5,7,9,18,20,2227:831:164:1,3,5,7,9,18,20,2227:831:164:24appropriated25:235:16appropriating10:225:139:22appropriations9:2210:2211:6,8,10,12appropriations10:2211:221:2127:1322:12appropriation8:239:2210:14,16,18,2010:2211:6,8,10,1210:2211:6,8,10,12	27:14 32:6 36:4	<b>avenue</b> 4:12 5:2		<b>3</b>
4:11 19:9 23:3,532:14 33:21,22applications 24:4,1135:10approach 7:3,17award 11:1727:1aye 3:8,10,12,14,164:1,3,5,7,9,18,20,227:2,5,7,10,11,13,1727:8 31:164:1,3,5,7,9,18,20,224:24 5:1,8,10,12,145:16 6:13,15,17,19appropriated 25:235:16 6:13,15,17,19appropriating 10:26:21 8:15,17,19,21appropriation8:23 9:14,16,18,2025:139:22 10:14,16,18,20appropriations10:22 11:6,8,10,12appropriations10:22 11:6,8,10,12	application 3:19	18:13 19:17 32:12		
applications24:4,1135:10bmws34:16certain19:534:13approach7:3,17award11:17board1:22:7,133:2certification13:1227:1aye3:8,10,12,14,164:1,3,5,7,9,18,20,227:2,5,7,10,11,13,177:198:89:810:813:1117:1appropriate7:104:245:1,8,10,12,1416:1518:819:1221:2226:7certify21:2137:3appropriating10:26:218:15,17,19,2120:521:1,20,2022:123:724:1429:13,14,19appropriation8:239:14,16,18,209:2210:14,16,18,2025:1526:2527:3,5changed29:5appropriations10:2211:6,8,10,1231:51520212322:8	4:11 19:9 23:3,5	32:14 33:21,22		· · · · ·
approach7:3,17award11:1727:1aye3:8,10,12,14,16appropriate7:104:1,3,5,7,9,18,20,2227:8 31:164:24 5:1,8,10,12,14appropriated25:23appropriating10:225:139:22 10:14,16,18,20appropriations10:22 11:6,8,10,12appropriations10:22 11:6,8,10,12	applications 24:4,11	35:10	,	
27:1aye3:8,10,12,14,167:2,5,7,10,11,13,17certified13:1117:1appropriate7:104:1,3,5,7,9,18,20,227:2,5,7,10,11,13,1712:2226:727:8 31:164:24 5:1,8,10,12,1416:1518:819:1221:2226:7appropriated25:235:166:13,15,17,1916:1518:819:1220:521:1,20,20appropriation6:218:15,17,19,2120:521:1,20,2029:13,14,19appropriation8:239:14,16,18,2025:1526:2527:3,527:8,9,11,15appropriations10:2211:6,8,10,1231:51520.212322:1221:2321:2321:2321:2321:2321:2325:1526:2527:3,527:8,9,11,1530:1629:527:8,9,11,1531:51520.212322:8	approach 7:3,17	<b>award</b> 11:17		
appropriate7:104:1,3,5,7,9,18,20,227:19 8:8 9:8 10:821:22 26:727:8 31:164:24 5:1,8,10,12,147:19 8:8 9:8 10:821:22 26:7appropriated25:235:16 6:13,15,17,1916:15 18:8 19:1220:5 21:1,20,20appropriation6:21 8:15,17,19,2120:5 21:1,20,2022:1 23:7 24:14appropriation8:23 9:14,16,18,2025:15 26:25 27:3,529:13,14,19changed29:527:8,9,11,15 30:1621:22 10: 8:2 9:1appropriation10:22 11:6,8,10,1231:5 15 20 21 2322:8			,	
27:8 31:164:24 5:1,8,10,12,1416:15 18:8 19:12certify 21:21 37:3appropriated 25:235:16 6:13,15,17,1916:15 18:8 19:12certify 21:21 37:3appropriation6:21 8:15,17,19,2120:5 21:1,20,2022:1 23:7 24:14appropriation8:23 9:14,16,18,2025:15 26:25 27:3,5change 28:6,7 29:1225:139:22 10:14,16,18,2027:8,9,11,15 30:16change 29:5appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:10 8:2 9:1		4:1,3,5,7,9,18,20,22		
appropriated25:235:16 6:13,15,17,1920:5 21:1,20,20change28:6,7 29:12appropriation6:21 8:15,17,19,2122:1 23:7 24:1429:13,14,19appropriation8:23 9:14,16,18,2025:15 26:25 27:3,5changed29:525:139:22 10:14,16,18,2027:8,9,11,15 30:16chapter2:10 8:2 9:1appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:8		4:24 5:1,8,10,12,14		
appropriating10:26:21 8:15,17,19,2122:1 23:7 24:1429:13,14,19appropriation8:23 9:14,16,18,2025:15 26:25 27:3,527:8,9,11,15 30:16changed 29:5appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:8				
appropriation8:23 9:14,16,18,2025:15 26:25 27:3,5changed 29:525:139:22 10:14,16,18,2025:15 26:25 27:3,5changed 29:5appropriations10:22 11:6,8,10,1231:5 15 20 21 2322:8				e i
25:13         9:22 10:14,16,18,20         27:8,9,11,15 30:16         chapter         2:10 8:2 9:1           appropriations         10:22 11:6,8,10,12         31:5 15 20 21 23         22:8				
appropriations 10:22 11:6,8,10,12 31.5 15 20 21 23 22.8			· · · ·	e
				-
	25:24	11:14 13:23,25 14:2		
approval 21:19 14:4,6 15:24 17:11 bond 12:3 6 11 13:3 check 29:8 11		,		8
27:18 17:13,15,17,19 13.5 checkpoint 32.19				,
approvals 28:9 18:17,19,21,23,25 honed 35:7 chief 13:11 17:2 3				-
approve 25:8,12,17 19:21,23,25 20:2,4 box 12:18 23:6.6.13.13.34:21				· · ·
approved 18:5 20:15,17,19,21,23 breach 12:8 35:18.24				
24:12,17 27:25 21:9,11,13,15,17	24:12,17 27:25			·····, <b>-</b> ·
22:17,19,21,23,25		22:17,19,21,23,25		

church 24:6	<b>coming</b> 14:17 35:2,5	26:12,13,14,15,16	contractor 14:17
citizens 7:9,10 15:8	comissioner 22:15	26:17,18 28:1,13,15	15:15
27:7,8	<b>commend</b> 14:11,15	28:18,24 29:2,4,7,9	<b>cop</b> 34:14
<b>clark</b> 17:5	15:10	29:15,18 30:14 31:7	copies 26:7
<b>clean</b> 25:20 26:1,5	comment 6:23	31:14 32:5,10 33:6	<b>cops</b> 33:16,20 34:4
<b>clear</b> 28:16	commented 32:20	33:9,11,24 34:2,7	34:24
<b>clerk</b> 2:3,4,6,17,19	<b>comments</b> 7:9 27:7	35:9,15,18,21 36:3	<b>copy</b> 2:12,13 17:1
2:21,23,25 3:1,2,7,9	commissioner 1:13	36:8,9,10,11,12,13	<b>corner</b> 33:23 34:14
3:11,13,15,18,25	1:14,15,16 2:15,16	36:14,15	correspondence
4:2,4,6,8,10,17,19	2:17,18,19,20,21,22	commissioners 1:2	3:17
4:21,23,25 5:2,7,9	3:3,5,7,8,9,10,11,12	2:7 7:2 8:8 9:9 10:9	<b>cost</b> 10:4 17:23
5:11,13,15,17,24	3:13,14,25 4:1,2,3,4	12:13 13:15 16:16	<b>county</b> 10:1 13:15
6:8,11,12,14,16,18	4:5,6,7,16,17,18,19	18:9 19:13 20:6	16:16 18:9 19:13
6:20,22,25 7:1 8:10	4:20,21,22,23,24	21:2 22:2 23:8	21:2,20,20 22:2
8:14,16,18,20,22	5:6,7,8,9,10,11,12	24:15 25:15 26:25	23:8 24:15 25:9,15
9:13,15,17,19,21	5:13,14,20,21 6:12	30:22 31:5,20,21,24	28:4 29:13,14 33:3
10:13,15,17,19,21	6:13,14,15,16,17,18	34:12 36:5	33:25
11:5,7,9,11,13	6:19 7:19,23,24	<b>committee</b> 30:6,8,10	courteous 35:12
13:22,24 14:1,3,5,8	8:11,14,15,16,17,18	30:12,15 31:3,16	crazy 15:21
17:2,10,12,14,16,18	8:19,20,21,24 9:13	32:1	crosswalks 34:3
18:16,18,20,22,24	9:14,15,16,17,18,19	communication	currently 29:3
19:20,22,24 20:1,3	9:20,23,24 10:13,14	3:17	<b>cursio</b> 32:8,8 33:2,5
20:14,16,18,20,22	10:15,16,17,18,19	communications	33:8,10,22 34:1,6
21:8,10,12,14,16	10:20,24,25 11:5,6	5:17	35:1,14,17,20 36:2
22:16,18,20,22,24	11:7,8,9,10,11,12,15	communities 25:20	d
23:18,20,22,24 24:1	13:21,22,23,24,25	26:1,5	<b>d</b> 2:1
24:12,17,21,23,25	14:1,2,3,4,7,10,12	<b>community</b> 7:3 27:1	daily 24:9
25:2,4 26:6,11,13	14:18,19,23 15:17	company 15:1	date 13:2,7 37:13
26:15,17,19,23,24	15:20,25 16:1 17:9	complaining 34:9	day 35:24
30:9 36:8,10,12,14	17:10,11,12,13,14	complaint 33:13	days 13:2
36:16,19	17:15,16,17,20	complete 23:12	<b>decide</b> 31:21
<b>clerk's</b> 2:14 16:24	18:15,16,17,18,19	<b>concerns</b> 7:3 27:1	<b>decided</b> 30:15 31:2
<b>closer</b> 32:14	18:20,21,22,23 19:1	concluded 36:20	decision 31:17
<b>code</b> 8:1 9:1	19:2,3,19,20,21,22	concludes 26:21	decorum 7:13 27:11
codified 8:1,25	19:23,24,25 20:1,2	conditions 16:21	defer 7:9 27:7
colleagues 15:4,8	20:5,13,14,15,16,17	<b>conduct</b> 7:14 27:12	<b>degree</b> 34:14
collected 18:11	20:18,19,20,21 21:1	conducted 16:12	delay 21:18 27:17
<b>collection</b> 11:19,23	21:7,8,9,10,11,12,13	consideration 8:7	department 5:19
12:9,10	21:14,15,18 22:16	9:7 10:7	10:3 18:1 23:10,15
<b>collector</b> 21:23 22:4	22:17,18,19,20,21	<b>contact</b> 34:21 35:18	24:12 33:25 35:23
22:7	22:22,23 23:1,2,17	<b>contract</b> 11:18,21	deputy 23:6,13
combined 20:10	23:18,19,20,21,22	11:24 12:1,3,5,8,12	described 16:3
28:1,5	23:23,24,25 24:3,20	12:21 13:9,19	deserve 15:18
<b>come</b> 33:12 35:25	24:21,22,23,24,25	contract's 12:22	
	25:1,2,3 26:10,11		

# [despite - granted]

		26.12.12	
despite 12:6	early 28:10 30:1	36:12,13	forward 26:7
determine 7:13	east 32:12 35:5	evening 27:15	forwarded 17:1
27:11	easy 14:12	event 4:11 29:23	found 12:24
determined 16:2	economic 30:5,7,10	everybody 36:18	<b>four</b> 15:10 35:7
25:11	30:11 32:1	everybody's 34:16	<b>franklin</b> 4:11 32:12
development 30:5,7	edgar 24:8	excluded 26:1	friday 24:7
30:10,12 31:12 32:1	effective 23:10	<b>exemption</b> 19:6,9,14	<b>front</b> 17:5
<b>dialogue</b> 7:10,15	<b>effort</b> 14:21	expecting 29:19	<b>full</b> 13:8 19:6,9,14
27:8,13	<b>either</b> 33:14	expeditious 7:14	28:2,3
<b>difficult</b> 14:14,21,21	element 12:12	27:12	<b>fully</b> 13:2
<b>direct</b> 15:13	eligible 19:10	expiration 12:22	<b>funds</b> 13:10 18:6
directed 22:5	emergency 3:19	<b>expire</b> 11:24	31:16
directing 15:11	11:17	f	<b>further</b> 7:5 8:7 9:7
director 25:7,12,16	enforceable 13:3	<b>f</b> 12:16 37:1	10:7 23:11 25:22
26:8	enforcement 34:22	<b>fact</b> 31:1	26:3,6 27:3 34:3
disability 19:5	35:9	fair 4:11	<b>future</b> 11:21 12:1,4
disappear 34:4	<b>enter</b> 12:15	<b>fairly</b> 14:12	12:7,14,15 13:17
<b>discuss</b> 31:20	<b>entered</b> 11:21 12:13	family 34:10	g
discussed 30:16	16:22	<b>faster</b> 34:16	<b>g</b> 2:1
31:15	<b>entitled</b> 8:2,3 9:1,3	<b>february</b> 30:6,9	gap 28:25
discussion 30:19,21	16:19	fee 18:11	garbage 12:11 14:25
31:18	equal 25:13	figures 21:19 27:18	15:14,15
disgusting 35:16	essex 10:2 13:15	file 2:13	gas 33:23 34:17
division 16:13 25:7	16:16 18:9 19:13	<b>filed</b> 19:8	general 25:24
25:17	21:3,20,20 22:2	final 8:8 9:8 10:8	genitempo 15:20
documentation	23:8 24:15 25:16	finalize 28:8	getting 14:16 32:24
19:10	29:13,14	finalized 28:20	34:9 35:3
<b>dodge</b> 17:4,6	estimated 22:6,11	finance 5:25 16:13	<b>glad</b> 36:3
doing 29:21 32:9	22:12 27:20,21,23	financial 13:11 17:3	<b>gmc</b> 17:4
34:5,18	29:22,25	fire 23:10,15	<b>go</b> 7:19 15:9 29:24
downtown 31:12	evans 1:15 2:19,20	<b>firefighter</b> 23:3,14	30:1 34:15,24
<b>drags</b> 33:16	3:5,11,12 4:4,5,16	first 32:9 35:19	goes 15:7,16 29:18
drawing 3:20	4:21,22 5:6,11,12	<b>fiscal</b> 26:4	33:4
drive 27:16 32:13	6:16,17 8:18,19	<b>five</b> 27:4 29:4	<b>going</b> 15:22 29:12
driveway 35:2,6,12	9:17,18,23,24 10:17	fly 14:13	31:2,22,25 32:15,22
driving 15:3 34:16	10:18 11:9,10 14:1	folks 14:20	<b>goods</b> 11:19,23
<b>drove</b> 15:21	14:2 17:9,14,15	following 17:2 19:8	gotten 35:7
<b>due</b> 21:18 27:17	18:15,20,21 19:2,3	24:5	government 16:13
durango 17:6	19:24,25 20:5,18,19	follows 22:3	25:7,17 26:8
dwelling 19:6	21:1,12,13,18 22:20	foregoing 37:3	grand 6:4
e	22:21 23:22,23	forester 18:5	grant 10:3 25:20
<b>e</b> 1:17 2:1,1 24:8	24:25 25:1 26:15,16	forgive 32:9	26:2,5
37:1	28:1,13,15,18,24	forth 8:4 15:22	granted 7:5 19:14
	29:2,4,7,9,15,18	23:13	27:3
	30:14 31:7,14 32:5		

# [green - mayor]

green 32:15	indicated 16:18	1,	<b>longer</b> 16:4,8
guess 14:24	indiscernible 6:6	k	look 34:19
guilty 34:20	31:8	<b>key</b> 12:12	looking 28:19 29:20
gunty 34.20 guy 32:22	<b>individual</b> 7:7 27:5	<b>kids</b> 33:14	lot 19:7,16 20:8,9,9
guys 15:10 32:24	information 30:23	<b>kind</b> 32:17	20:9,10,10 21:5
	informed 30:8	<b>know</b> 14:12,15,20	lower 29:17
h	input 14:23 15:4	15:17 27:19 32:16	
habits 34:25	<b>insane</b> 32:16	32:25,25 33:18 34:6	m
half 29:4 32:18	insertion 25:8,13,18	34:10,13,15,16,20	<b>madam</b> 2:3,4,6,17
hall 2:13	installment 22:7	34:23 35:2,3,10,11	2:19,21,23,25 3:1,2
handicapped 9:3	27:20	35:15,17,22,24	3:7,9,11,13,15,18,25
harrison 4:12 9:25	<b>intended</b> 30:24	<b>known</b> 19:16	4:2,4,6,8,10,17,19
12:18	intends 16:10	<b>kudos</b> 15:24	4:21,23,25 5:2,7,9
hat's 14:18	interests 7:13 27:11	1	5:11,13,15,17,24
<b>he'll</b> 36:3	introduction 7:25	<b>1</b> 1:13	6:8,11,12,14,16,18
health 11:1 12:10	introduction 7:23	lakeside 27:16	6:20,22,25 7:1 8:10
hear 2:4 6:8	irvington 12:19	landry 27:16,16	8:14,16,18,20,22
<b>heard</b> 32:6	<b>issue</b> 2:11 14:16	28:11,14,17,22,25	9:13,15,17,19,21
hearing 34:12	21:23 22:5 24:17	29:3,6,8,11,16 30:4	10:13,15,17,19,21
held 8:9 9:9 10:9	29:22,25 35:22	31:4,9,25	11:5,7,9,11,13
24:9	issues 35:25	law 2:10 8:7 9:7	13:22,24 14:1,3,5,8
help 15:23 35:16	item 25:8,9,13,18,19	10:7 25:10	17:10,12,14,16,18
36:3	items 6:23 7:18 17:3	laws 22:9	18:16,18,20,22,24
hereinafter 12:17		length 12:3	19:20,22,24 20:1,3
hereto 16:3	j	leonidas 19:14	20:14,16,18,20,22
higher 29:17	<b>j</b> 1:15	level 28:19	21:8,10,12,14,16
highest 28:19	<b>jersey</b> 1:1 10:2,3	levies 28:2	22:16,18,20,22,24
hill 32:15	12:18,19 13:16	levy 22:11 28:3	23:18,20,22,24 24:1
hold 3:20 5:3	16:17 18:10 19:4	license 24:6,8	24:21,23,25 25:2,4
hoping 29:24	21:3 22:3 23:9	licenses 24:16,18	26:11,13,15,17,19
hour 34:18	24:16 25:16	lights 32:14	26:23,24 36:8,10,12
house 19:6 32:14	<b>job</b> 1:24	<b>limit</b> 7:6 27:4	36:14,16,19
howe 18:13	<b>job's</b> 14:12	limited 8:4	main 33:16
hunton 18:12	<b>joe</b> 32:8	liquidated 17:3	<b>majority</b> 7:12 27:10
husband's 33:15	joint 33:24	list 5:24	making 19:10
i	<b>joseph</b> 1:17	literally 35:4	manner 21:24
immediately 23:10	<b>jr</b> 12:16	little 14:13,14 15:19	mark 11:1
important 15:6	july 8:9 9:10 10:10	34:3,22	mary's 24:6
<b>inaudible</b> 28:5 31:3	28:10,21 30:1	<b>live</b> 34:6 35:10	<b>matter</b> 12:10
31:22 32:13	<b>june</b> 1:9 2:8,11 5:4,4	loader 17:5	mauro 1:14
<b>include</b> 28:4,11	5:24 6:3 13:7,19	<b>local</b> 16:6,13,13	mayor 1:17 2:3,6,23
incorporated 11:22	24:9,10 37:13	25:7,17 26:8	2:24,25 3:1,2,15,16
12:2,4,7,14,15,17	jurisdiction 33:4	located 12:17 19:7	4:8,9,25 5:1,15,16
13:17 16:4		<b>location</b> 8:4 9:4	5:18,23 6:20,21,23
			7:1,8,9,12,16 8:22

# [mayor - petracco]

			1
8:23 9:21,22 10:21	10:5 17:8 18:14	10:1,6 11:19,21	overpayments 20:8
10:22 11:13,14	19:18 20:12 21:6	13:15 16:2,10,16,23	owners 30:13
13:14 14:5,6,7,8,9	22:14 23:16 24:19	17:21 18:1,9 19:13	р
14:11,19,24,25 15:2	26:9 36:6	20:6 21:2,23 22:2,4	<b>p</b> 2:1
15:7,9,18,24 17:18	<b>moved</b> 10:11 11:3	22:6 23:4,8,14	<b>p.d.</b> 32:18
17:19 18:24,25 19:1	13:20	24:15 25:15 30:13	<b>p.m.</b> 1:10 4:13
19:2 20:3,4,22,23	<b>moving</b> 14:15	32:2,18 33:12	<b>p.o.</b> 12:18
21:16,17 22:24,25	mowers 17:6	0	<b>paid</b> 13:6 31:6
24:1,2,4 25:4,5	<b>municipal</b> 2:14 7:14	<b>o</b> 2:1 37:1	parents 35:10
26:19,20,24 27:6,7	24:12,17 27:12 28:2	o'clock 32:23	park 35:10
27:10,14 32:6 33:1	28:4,7	obligations 12:20	parking 8:3 9:3
33:3 36:4,16,17	municipality 25:9	13:8	parks 6:2 18:2
<b>mean</b> 35:2	n	<b>obtained</b> 17:23	part 12:1 30:23
meeting 1:5 2:7,10	<b>n</b> 2:1 37:1	oc0102 19:16	particularly 8:3 9:2
2:11 3:3 26:22 30:6		october 11:24 12:22	· ·
30:18 36:1	<b>n.j.s.a.</b> 22:9 25:6 <b>name</b> 7:4 27:2	24:7	passage 8:8 9:8 10:8
meetings 30:8,12,24		office 2:14 16:24	<b>passaic</b> 19:17 32:13 35:5
31:18 32:2,3	national 11:1		
member 7:10	<b>need</b> 3:22 4:14	officer 7:12 13:12	passed 8:5 9:5 10:5
members 7:7 27:5,8	14:20	17:3 27:10	passing 35:6
31:19	<b>needed</b> 16:4,8	officially 13:18	pause 2:5
membership 7:12	neighborhood 34:8	<b>oh</b> 14:10	pay 30:2
27:10	never 30:23	ointment 14:14	paying 29:14
memorialized 30:20	<b>new</b> 1:1 10:2,3	okay 28:14,17,22	payment 19:14
men's 11:1	12:18,19 13:16	29:11 30:4 31:4,25	payroll 6:3,3
mercedes 34:16	14:17 16:17 18:3,10	33:5 36:2	<b>pedal</b> 34:17
michigan 17:5	19:4 21:3 22:3 23:9	<b>old</b> 34:25	pedestrian 34:2
microphone 7:3,17	24:16 25:16	<b>ones</b> 34:9	<b>penny</b> 27:16
27:1	<b>nicole</b> 1:25 37:3,8	online 16:9,11,19	<b>people</b> 14:22 30:20
<b>miles</b> 34:18	<b>night</b> 32:24	<b>open</b> 2:9 26:22	30:21 32:19 33:12
million 28:14,22	<b>nights</b> 14:24	30:18 32:2	34:4,8,24 35:4,6,12
29:4	<b>nj2332760</b> 1:24	operations 25:24	percent 26:1 29:19
<b>minutes</b> 3:1,3,5 7:6	nonsense 32:17	order 23:13	performance 12:3,5
27:4 30:6,9,11,25	<b>notice</b> 2:10,12 6:25	ordinance 7:22,24	12:11 13:3,4
32:3	8:7 9:7 10:7 16:14	7:25,25 8:1,5,8,12	performed 13:7
<b>money</b> 31:9,10	november 11:20	8:24,25,25 9:5,8,11	permission 5:3
<b>monies</b> 10:3 31:13	12:21 13:19 29:10	9:24 10:5,8 17:21	<b>permit</b> 18:3,11
	29:12	18:12	permits 17:22
month 5:22	number 7:25 8:25	organizations 24:5	permitted 22:8
monthly 5:18 months 23:12	11:15 13:10 24:6,8	original 12:21 13:8	<b>person</b> 7:5 27:3
	24:9 32:4	13:19	personal 16:7,18
morning 15:2,22,22	<b>numbers</b> 28:20	outside 32:21	<b>persons</b> 7:2 26:25
32:23 35:19	numerous 12:6	overall 28:18	<b>petracco</b> 1:16 2:21
motion 3:22 4:14	<b>nutley</b> 1:1 2:12,13	overpayment 21:4	2:22 3:13,14 4:6,7
<b>move</b> 3:5,23 4:15	3:18 8:2,6 9:1,6		4:23,24 5:13,14
5:5 8:5,12 9:5,11			

6:18,19 7:23,24 8:11,20,21,24 9:19 9:20 10:19,20 11:11production 12:11 program 16:6 25:20read 6:25 11:16 26:23 reading 8:6,9 9:6,9resolution 10:25 11:1,15,16 13:2,13 17:1,8 18:14 23:1611:12 13:21 14:3,4 17:16,17 18:22,23 20:1,2,20,21 21:14 21:15 22:22,23 23:1proper 13:4 19:9 proper 13:4 19:9ready 35:3 real 28:16 really 29:19 32:1611:1,15,16 13:2,13 17:1,8 18:14 23:1623:2,24,25 24:3 23:2,24,25 24:3propertyroom.com 16:11,20,22,2334:15 35:12,15 reason 31:2resolutions 10:23 resolutions 10:2333:6,9,11,24 34:2,7 35:9,15,18,21 36:3provide 7:4 11:22 12:2 13:1,4 27:2 provide 7:4 11:22receive 29:9,11 receive 29:9,1119:12 20:5 21:1 22:1 23:7,11 24:14 24:5 29:8ph 32:8 phone 33:17 pik 15:11,15providing 9:25 12:5 providing 9:25 12:5recommendation record 7:4 27:2 37:4 record 7:4 27:2 37:4result 26:4 revenue 5:25 25:18 25:20 result 26:4plating 18:3 pledge 2:2 pledge 2:25:19,25 6:1,1,2,23 30:13,18,24,24 32:2reference 30:22 refund 18:2,11 20:7revenue 26:4 review 30:14 review 30:14 review 12:23platty 30:1 point 35:332:4 33:13 pull 5:3 24:921:4 regard 15:424:11 riding 17:6
9:20 10:19,20 11:1126:1,5reading8:6,9 9:6,911:1,15,16 13:2,1311:12 13:21 14:3,4progress5:1910:6,917:1,8 18:14 23:1617:16,17 18:22,23proper13:4 19:9ready35:324:19 26:7,9 27:1720:1,2,20,21 21:14property6:2 16:3,8real28:1627:24,24 29:2121:15 22:22,23 23:116:18 18:2,4 19:15really29:19 32:16resolutions10:2323:2,24,25 24:3propertyroom.com34:15 35:12,15resolutions10:2323:2,24,25 24:3propertyroom.com34:15 35:12,15resolutions10:2325:2,3 26:17,1816:11,20,22,23reason31:214:16 16:15 18:833:6,9,11,24 34:2,7provide7:4 11:22receive29:9,1119:12 20:5 21:135:9,15,18,21 36:312:2 13:1,4 27:2received10:3 14:2322:1 23:7,11 24:1436:14,15providing9:25 12:5recognition15:19responsibilitiesphone33:1712:9recommendation12:2012:20pick15:11,15provisions25:2131:5,8,9,10,18rests31:23pilot16:6public1:5 2:7,9,10reconstruction9:25result26:35:19,25 6:1,1,2,23record7:4 27:2 37:4revenue5:25 25:18please3:22 4:1412:10 15:10 16:4,8recruit23:1025:20revenue32:9 35:2318:2 22:9 26:22reference30:22revenues26:4pledge </th
11:12 13:21 14:3,4 17:16,17 18:22,23 20:1,2,20,21 21:14 21:15 22:22,23 23:1 23:2,24,25 24:3 25:2,3 26:17,18 33:69,11,24 34:2,7 35:9,15,18,21 36:3 phone 33:17 pick 15:11,15 phone 33:17 pick 15:11,15 phone 33:17 pick 15:11,15 pick 15:11,122 pick 15:11,122 pick 15:11,15 pick 15:11,122 pick 15:11,15 pick 15:11,122 pick 15:11,122 pick 15:12 pick 15:11,122 pick 15:12 pick 15:12 <br< th=""></br<>
17:16,1718:22,23proper13:419:9ready35:324:1926:7,927:1720:1,2,20,2121:1522:22,2323:116:1818:2,419:15real28:1627:24,2429:2123:2,24,2524:3property com.com34:1535:12,15resolutions10:2325:2,326:17,1816:11,20,22,23reason31:214:1616:1518:833:6,9,11,2434:2,7provide7:411:22receive29:9,1119:1220:521:136:14,15provides19:425:624:529:825:14,2226:3,6resopnsibilitiesphone33:1712:9recommendation12:2012:2012:2012:2012:20pick15:11,15provisions25:2131:5,8,9,10,18rests31:23result26:4planting18:35:19,256:1,1,2,23record7:427:237:4revenue5:2525:18please3:224:1412:1015:1016:4,8recruit23:1025:20revenue25:20revenue26:4pledge2:230:13,18,24,2432:221:4reviewed12:23reviewed12:23reviewed12:23plenty30:132:433:1321:4reviewed12:23reviewed12:2314:1114:1214:16plot5:391:3,18,24,2432:27:47:47:47:4 <td< th=""></td<>
20:1,2,20,21 21:14 21:15 22:22,23 23:1property 6:2 16:3,8 16:18 18:2,4 19:15real 28:16 really 29:19 32:1627:24,24 29:21 resolutions 10:23 resolutions 10:2323:2,24,25 24:3 25:2,3 26:17,18propertyroom.com 16:11,20,22,2334:15 35:12,15 reason 31:2resolved 13:14 14:16 16:15 18:833:6,9,11,24 34:2,7 35:9,15,18,21 36:3provide 7:4 11:22 12:2 13:1,4 27:2receive 29:9,11 24:5619:12 20:5 21:1 22:1 23:7,11 24:1436:14,15 phone 33:17provides 19:4 25:6 provides 19:4 25:6recognition 15:19 recommendationresponsibilities 12:20pick 15:11,15 plot 16:6 planting 18:3 32:9 35:23provisions 25:21 18:2 22:9 26:2231:5,8,9,10,18 reconstruction 9:25 record 7:4 27:2 37:4rests 31:23 revenue 5:25 25:18 25:20pledge 2:2 pledge 2:2 plenty 30:1 pm 36:21 point 35:318:2 22:9 26:22 30:13,18,24,24 32:2 published 2:11 publi 5:3 24:9refrence 30:22 refund 18:2,11 20:7 21:4reviewed 12:23 24:11 reiding 17:6
21:15 22:22,23 23:1 23:2,24,25 24:3 25:2,3 26:17,18 33:6,9,11,24 34:2,7 36:14,1516:18 18:2,4 19:15 propertyroom.com 16:11,20,22,23 provide 7:4 11:22 12:2 13:1,4 27:2 provides 19:4 25:6 providing 9:25 12:5really 29:19 32:16 34:15 35:12,15resolutions 10:23 resolved 13:14 14:16 16:15 18:8 19:12 20:5 21:1ab:14,15 phone 33:17 pick 15:11,15 pilot 16:6 planting 18:3 32:9 35:23provide 7:4 11:22 12:2 13:1,4 27:2 provides 19:4 25:6 12:9receive 29:9,11 received 10:3 14:23 24:5 29:8 recognition 15:19 resonsbilities 12:2019:12 20:5 21:1 22:1 23:7,11 24:14 25:14,22 26:3,6 resonsbilities 12:20pick 15:11,15 pilot 16:6 planting 18:3 32:9 35:23provisions 25:21 public 1:5 2:7,9,10 5:19,25 6:1,1,2,23 18:2 22:9 26:22 30:13,18,24,24 32:2 30:13,18,24,24 32:2 pledge 2:2 pledge 2:2 published 2:11 published 2:11 published 2:11 published 2:11 published 2:11 published 2:11 published 2:11 published 2:11 provide 2:21 pregard 15:4really 29:19 32:16 resolution 15:19 resolution 15:10 resolution 15:10 resolution 15:10 resoluti
23:2,24,25 24:3 25:2,3 26:17,18 33:6,9,11,24 34:2,7 35:9,15,18,21 36:3 9h 32:8 phone 33:17 pick 15:11,15 planting 18:3 12:9propertyroom.com 16:6 providing 9:25 12:5 12:934:15 35:12,15 reason 31:2 receive 29:9,11 received 10:3 14:23 24:5 29:8resolved 13:14 14:16 16:15 18:8 19:12 20:5 21:1 22:1 23:7,11 24:14 22:1 23:7,11 24:14 22:1 23:7,11 24:14 22:1 23:7,11 24:14 22:1 23:7,11 24:14 24:5 29:8pilot 16:6 planting 18:3 32:9 35:23providing 9:25 12:5 12:10 15:10 16:4,8 18:2 22:9 26:2230:13,18,24,24 32:2 30:13,18,24,24 32:2recommendation 31:5,8,9,10,18 reconstruction 9:25 record 7:4 27:2 37:4 reterence 30:22 reference 30:22rests 31:23 result 26:4 revenue 5:25 25:18 25:20pledge 2:2 plenty 30:1 pm 36:21 point 35:318:2 22:9 26:22 30:13,18,24:932:4 33:13 21:421:4 regard 15:4reviewed 12:23 24:11 riding 17:6
25:2,3 26:17,18 33:6,9,11,24 34:2,7 35:9,15,18,21 36:3 36:14,1516:11,20,22,23 provide 7:4 11:22 12:2 13:1,4 27:2 provides 19:4 25:6 providing 9:25 12:5reason 31:2 receive 29:9,1114:16 16:15 18:8 19:12 20:5 21:1phone 33:17 pick 15:11,15provides 19:4 25:6 providing 9:25 12:5receive 10:3 14:23 24:5 29:825:14,22 26:3,6phone 33:17 pick 15:11,15provisions 25:21 public 1:5 2:7,9,10 5:19,25 6:1,1,2,23recommendation 15:1912:20planting 18:3 please 3:22 4:14 32:9 35:235:19,25 6:1,1,2,23 18:2 22:9 26:22 30:13,18,24,24 32:2recruit 23:10 25:10rests 31:23 result 26:4 recruit 23:10pledge 2:2 plenty 30:1 pm 36:21 point 35:318:2 22:9 26:22 30:13,18,24:9refund 18:2,11 20:7 21:4reviewed 12:23 24:11 regard 15:4
33:6,9,11,24 34:2,7 35:9,15,18,21 36:3 36:14,15provide 7:4 11:22 12:2 13:1,4 27:2 provides 19:4 25:6 providing 9:25 12:5receive 29:9,11 received 10:3 14:23 24:5 29:819:12 20:5 21:1 22:1 23:7,11 24:14 22:1 23:7,11 24:14 25:14,22 26:3,6ph 32:8 phone 33:17 pick 15:11,15 pilot 16:6 planting 18:3 please 3:22 4:14 32:9 35:23provisions 25:21 public 1:5 2:7,9,10 5:19,25 6:1,1,2,23receive 29:9,11 received 10:3 14:23 24:5 29:819:12 20:5 21:1 22:1 23:7,11 24:14 25:14,22 26:3,6phone 33:17 pick 15:11,15provisions 25:21 public 1:5 2:7,9,10 5:19,25 6:1,1,2,23recommendation 31:5,8,9,10,18rests 31:23 result 26:4please 3:22 4:14 32:9 35:2318:2 22:9 26:22 30:13,18,24,24 32:2recruit 23:10 21:4revenue 5:25 25:18 25:20pledge 2:2 pledge 2:2 plenty 30:1 pm 36:21 point 35:3published 2:11 pull 5:3 24:9refunds 20:11 regard 15:4reviewed 12:23 24:11
35:9,15,18,21 36:3 36:14,1512:2 13:1,4 27:2 provides 19:4 25:6received 10:3 14:23 24:5 29:822:1 23:7,11 24:14 25:14,22 26:3,6ph 32:8 phone 33:17providing 9:25 12:5 12:9recognition 15:19 recommendationresponsibilities 12:20pick 15:11,15 pilot 16:6provisions 25:21 public 1:5 2:7,9,10reconstruction 9:25 record 7:4 27:2 37:4rests 31:23 result 26:4please 3:22 4:14 32:9 35:235:19,25 6:1,1,2,23 18:2 22:9 26:22record 7:4 27:2 37:4 reference 30:22revenue 5:25 25:18 25:20pledge 2:2 pledge 2:2 plenty 30:130:13,18,24,24 32:2 32:4 33:13refund 18:2,11 20:7 21:4reviewed 12:23 24:11 regard 15:4
36:14,15provides19:4 25:624:5 29:825:14,22 26:3,6ph 32:8providing9:25 12:5recognition15:19phone33:1712:9recommendation12:20pick15:11,15provisions25:2131:5,8,9,10,18restspilot16:6public1:5 2:7,9,1031:5,8,9,10,18resultplanting18:35:19,25 6:1,1,2,23reconstruction9:25please3:22 4:1412:10 15:10 16:4,8recruit23:1032:9 35:2318:2 22:9 26:22reference30:22pledge2:230:13,18,24,24 32:2refund18:2,11 20:7penty30:132:4 33:1321:4reviewedpoint35:3pull5:3 24:9regard15:4
ph 32:8providing 9:25 12:5recognition 15:19responsibilitiesphone 33:1712:9recommendation12:20pick 15:11,15provisions 25:2131:5,8,9,10,18rests 31:23pilot 16:6public 1:5 2:7,9,10reconstruction 9:25result 26:4planting 18:35:19,25 6:1,1,2,23record 7:4 27:2 37:4revenue 5:25 25:18please 3:22 4:1412:10 15:10 16:4,8recruit 23:10revenue 5:25 25:1832:9 35:2318:2 22:9 26:22reference 30:22revenues 26:4pledge 2:230:13,18,24,24 32:2refund 18:2,11 20:7review 30:14plenty 30:132:4 33:1321:4reviewed 12:23pm 36:21published 2:11refunds 20:1124:11point 35:3pull 5:3 24:9regard 15:4riding 17:6
phone33:1712:9recommendation12:20pick15:11,15provisions25:2131:5,8,9,10,18rests31:23pilot16:6public1:5 2:7,9,10reconstruction9:25result26:4planting18:35:19,25 6:1,1,2,23record7:4 27:2 37:4revenue5:25 25:18please3:22 4:1412:10 15:10 16:4,8recruit23:10revenue5:25 25:18gleage2:230:13,18,24,24 32:2reference30:22revenues26:4plenty30:132:4 33:1321:4reviewed12:23pm36:21published2:11refunds20:11reviewedpoint35:3pull5:3 24:9regard15:4
pick15:11,15provisions25:2131:5,8,9,10,18rests31:23pilot16:6public1:5 2:7,9,10reconstruction9:25result26:4planting18:35:19,25 6:1,1,2,23record7:4 27:2 37:4revenue5:25 25:18please3:22 4:1412:10 15:10 16:4,8recruit23:1025:20gledge2:230:13,18,24,24 32:2reference30:22revenues26:4plenty30:132:4 33:1321:4reviewed12:23pm36:21published2:11refunds20:1124:11point35:3pull5:3 24:9regard15:4riding
pilot16:6public1:52:7,9,10reconstruction9:25result26:4planting18:35:19,256:1,1,2,23record7:427:237:4revenue5:2525:18please3:224:1412:1015:1016:4,8recruit23:1025:20revenue5:2525:18pledge2:230:13,18,24,2432:2reference30:22revenues26:4review30:14plenty30:132:433:1321:4reviewed12:2324:11pm36:21published2:11refunds20:1124:11point35:3pull5:324:9regard15:4riding
planting18:35:19,256:1,1,2,23record7:427:237:4revenue5:2525:18please3:224:1412:1015:1016:4,8recruit23:1025:20revenue5:2525:1832:935:2318:222:926:22reference30:22revenues26:4pledge2:230:13,18,24,2432:2refund18:2,1120:7review30:14plenty30:132:433:1321:4reviewed12:2324:11point35:3published2:11regard15:4riding17:6
please3:22 4:1412:10 15:10 16:4,8recruit 23:1025:2032:9 35:2318:2 22:9 26:22reference 30:22revenues 26:4pledge2:230:13,18,24,24 32:2refund 18:2,11 20:7review 30:14plenty30:132:4 33:1321:4reviewed 12:23pm36:21published2:11refunds20:11point35:3pull5:3 24:9regard15:4
32:9 35:2318:2 22:9 26:22reference 30:22revenues 26:4pledge 2:230:13,18,24,24 32:2refund 18:2,11 20:7review 30:14plenty 30:132:4 33:1321:4reviewed 12:23pm 36:21published 2:11refunds 20:1124:11point 35:3pull 5:3 24:9regard 15:4riding 17:6
pledge2:230:13,18,24,24 32:2refund18:2,11 20:7review30:14plenty30:132:4 33:1321:4reviewed12:23pm36:21published2:11refunds20:1124:11point35:3pull5:3 24:9regard15:4riding17:6
plenty30:132:4 33:1321:4reviewed12:23pm36:21published2:11refunds20:1124:11point35:3pull5:3 24:9regard15:4riding17:6
pm         36:21         published         2:11         refunds         20:11         24:11           point         35:3         pull         5:3         24:9         regard         15:4         riding         17:6
point         35:3         pull         5:3 24:9         regard         15:4         riding         17:6
points         30:19         pursuant         2:9 16:12         regarding         7:3 27:1         right         14:22 30:4,21
police         17:2 24:12         25:21         27:17         30:25 31:7 34:1
32:20 33:25 34:13 <b>put</b> 32:24 <b>regular</b> 29:24 35:5,6
<b>35:23 q release</b> 28:9 <b>riper</b> 4:10
portion 26:21 quarter 29:25 30:3 remainder 13:3 road 33:3,4 34:10
post 24:8 remarks 7:6 27:4 roadway 9:25
posted 2:12 question 27.22,25 removal 12:17 roche 28:12
potential         29:20         20:7 50:10         17:22,22         rogers         1:13 2:15,16           quickly         14:16         17:22,22         rogers         1:13 2:15,16
premise 3:20 24:7 quorum 30:16 renewal 13:4 3:7,8,25 4:1,17,18
<b>prepare</b> 22:5 29:21 <b>replacement</b> 18:4 5:7,8 6:12,13 8:14
present         2:25         r         report         5:22         8:15 9:13,14 10:13
preservation         17:21         r         2:1 37:1         reports         5:18,19         10:14,24,25 11:5,6
18:12         raffle         3:20 24:4,7         request         32:1,4         11:15 13:22,23 14:7
presiding         7:12         ram         17:4         requesting         5:3         14:10,12,19         15:17
27:10 rank 23:14 requests 12:6 25:16 15:20 17:10,11
primarily         30:19         rata         13:6         required         8:7 9:7         18:16,17 19:20,21
<b>pro</b> 13:6 <b>rate</b> 21:22 22:12 10:7 12:2,5,20 22:8 20:14,15 21:8,9
problem33:12,1927:23,2528:5,6,728:2122:16,1723:17,18
34:7,23 35:22       29:13       requirements       2:9       23:19 24:21,22
proceed 22:7 rates 21:21 28:9 23:12 26:11,12 32:10 36:8
proceedings 1:6 reaching 32:11 rescue 3:19 36:9
36:20 37:4

# [roman - town]

nomon 24.6	aant 27.22	standing 22.21	tonation 21,20,21
<b>roman</b> 24:6	sent 27:22	standing 32:21	taxation 21:20,21
<b>rubbish</b> 12:17	september 3:21 4:13	start 34:5	taxes 19:15 22:7
<b>runs</b> 14:13	serious 19:5	state 13:16 16:17	30:3
S	service 16:9 19:6	18:10 21:3,19 23:9	taxpayer 19:8,10
<b>s</b> 2:1 18:4	services 11:19,23	24:16 25:16 27:18	taxpayers 30:2 31:6
safety 6:1 33:13	12:9 16:11,13 25:7	28:7,11,19,23	team 14:20
sale 16:7	25:17 26:8	states 17:21	technology 16:6
sales 16:12	set 8:4 9:4 22:12,13	station 33:23	<b>tell</b> 14:24 33:11
sanitation 11:21	23:12 32:19	statute 19:4 25:21	34:10
12:2,4,7,14,15	shade 5:21 18:12	steven 1:13	terminology 29:1
13:17	shame 34:23	street 4:11,12,12	terms 16:21
says 27:19	shared 31:1	10:1 12:19 32:8,12	thank 2:6 6:11 8:11
scarpelli 1:17 2:3,23	sharing 30:23	32:23 33:1,2,18	9:24 14:19 15:7,23
2:24 3:1,15,16 4:8,9	sheriff's 33:25	34:3	15:23 19:3 30:4
4:25 5:1,15,16,18	<b>sic</b> 2:8 19:4 22:9	streets 14:25 33:16	32:4,5,10 35:20
5:23 6:20,21,23	<b>side</b> 33:16	stuart 24:8	thanks 15:7
7:16 8:22,23 9:21	signature 37:7	<b>study</b> 16:7	<b>thereof</b> 10:4 25:10
9:22 10:21,22 11:13	<b>sir</b> 33:1,10	<b>subject</b> 30:18	thereon 8:4 9:4
11:14 14:5,6,9,11	<b>sit</b> 15:13	<b>submitted</b> 3:19 4:11	thing 15:10 29:12
15:9,18,24 17:18,19	<b>six</b> 32:4	11:2 18:3 23:3	34:5 35:11,19
18:24,25 19:2 20:3	sixth 31:25	subsequent 19:15	think 15:15,18
20:4,22,23 21:16,17	<b>size</b> 18:4	successfully 23:12	third 22:6 27:20
20:4,22,23 21:10,17 22:24,25 24:1,2,4	<b>smooth</b> 14:13	suffered 19:5	29:25 30:3
25:4,5 26:19,20	<b>solid</b> 11:18,22 12:9	<b>sum</b> 25:19,23	thomas 1:15
27:14 32:6 33:1,3	<b>solution</b> 15:5 32:16	<b>sun</b> 2:12 8:6 9:6	thousand 34:11
36:4,16,17	<b>soon</b> 34:24	10:6	<b>three</b> 7:6 13:2 35:7
schedule 16:3,19	sorry 6:8 14:10	<b>sunday</b> 3:20 4:12	<b>ticket</b> 33:15
school 28:4,6	south 12:18	supporting 19:10	tickets 33:17 34:4,9
second 3:6,24 4:16	speak 35:23	sure 34:11,19	time 2:8 7:5 8:3
5:6 6:7,8,9,10 8:5,9	speaker 3:6,23,24	surplus 16:7,18	14:21 25:11 27:3
8:13 9:5,9,12 10:5,9	4:15 5:5 6:6,7,10	survey 31:6	28:9 30:1 31:14
10:12 11:4 13:21	8:13 9:12 10:12	t	32:9 36:19
17:9 18:15 19:19	11:4 36:6,7	-	timely 21:24
20:13 21:7 22:15	special 9:2 15:19	t 35:7 37:1,1	<b>times</b> 30:16 34:8,11
20:13 21:7 22:13 23:17 24:20 26:10	25:8	tab 5:3	34:19 35:8
	species 18:4	tabs 24:9	<b>tired</b> 34:12
36:7	<b>speed</b> 32:24	take 13:18 22:8	tomorrow 34:21
section 8:3 9:3 10:1	speeding 32:20	33:13 34:24 36:18	tonight 32:7
25:14,22 26:3	33:14 34:20	talk 31:18	<b>toro</b> 17:6
see 30:2	<b>spend</b> 31:5,9	tax 19:6 20:8 21:21	total 6:4 20:10 22:11
seeing 7:19	spent 31:11,13	21:22,22,24 22:4,6	22:12
sell 16:18	<b>sports</b> 34:17	22:7,11,12 27:19,20	touch 34:17
send 27:21 33:16,17	squad 3:19	27:21,23,25 28:2,2	town 2:13 14:17,22
33:20	squad 5.19 st 24:5	28:9 29:13,22	15:8,20 28:3 29:22
			34:23

township 1:1 8:1 9:1	u	worked 15:1
10:1 11:19,20 12:6	<b>unable</b> 21:21,23	works 5:19 6:1
12:23 13:15 15:6	understand 28:10	15:10
16:2,10,16,17,22,23	unidentified 3:6,23	written 11:2
17:2,20 18:1,5,9,10	3:24 4:15 5:5 6:6,7	wrote 34:3
19:13 20:6 21:2,23	6:10 8:13 9:12	y
22:2,4,6 23:4,8	10:12 11:4 36:6,7	yawn 1:25 37:3,8
24:15 25:15 26:6	<b>unit</b> 16:6	yeah 33:2
30:9 32:2	use 16:4,8,8	year 11:2 25:18 26:4
<b>traffic</b> 8:2 9:2	<b>utilize</b> 16:10	30:11 32:18
transcribed 1:25	v v	years 19:15
transcript 1:5 37:3		yep 35:21
transitional 29:2,3	<b>van</b> 4:10 17:4	
transportation 10:4	vegetative 11:18,23	Z
treasurer 18:10	vehicle 8:2	zois 19:14
20:7 21:3	vehicles 9:2	zones 9:2
<b>tree</b> 5:21 17:22,23	venture 33:25	
18:2,3,4,11,12	veterans 19:5	
34:15	vfw 5:2 24:8	
<b>trees</b> 17:21	vintage 17:4,5	
<b>tried</b> 34:10	volunteer 3:18 23:3	
troublesome 35:1	23:14	
truck 15:13 17:4	vote 14:9 15:24	
trucks 14:25 15:11	31:17	
<b>true</b> 37:4	<b>voting</b> 30:17 31:22	
<b>trust</b> 4:10	W	
<b>tucci</b> 1:14 2:17,18	wait 35:25	
3:9,10 4:2,3,19,20	want 14:11 32:6	
5:9,10,20,21 6:14	war 19:5	
6:15 8:16,17 9:15	washington 5:2	
9:16 10:15,16 11:7	waste 11:18,18,18	
11:8 13:24,25 15:25	11:22,22,23 12:9	
16:1 17:12,13,20	water 21:4	
18:18,19 19:1,19,22	way 32:10 35:25	
19:23 20:13,16,17	wayman 23:2,9,11	
21:7,10,11 22:15,18	website 16:19	
22:19 23:20,21	wednesday 2:7 5:24	
24:20,23,24 26:10	week 11:1 14:17	
26:13,14 36:10,11	34:4	
turning 32:13	white 11:19,22	
<b>two</b> 14:24 17:6 26:7	wide 34:23	
27:23	wife's 33:15	
<b>type</b> 31:12	<b>work</b> 13:7	