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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

ORIGINAL

September 6, 2011

7:00 p.m.

BEFORE:

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

- Township Clerk Rosario

Job No. NJ358334

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Job No. NJ358334

1 MAYOR COCCHIOLA: Madam Clerk, could
2 you please reread the Sunshine Notice?

3 MADAM CLERK: Yes, ma'am. Tuesday,
4 September 6th, 2011. Pursuant to the
5 requirements of the Open Public Meeting
6 Law, Chapter 231, Public Laws 1975,
7 notice of this meeting was published in
8 the December 2nd, 2010, issues of the
9 Nutley Sun, the Journal, the Star Ledger
10 and the Herald News. A copy of this
11 notice has been posted on the Nutley Town
12 Hall bulletin board and a copy is on file
13 in the municipal clerk's office.

14 Commissioner Scarpelli?

15 COMMISSIONER SCARPELLI: Here.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Here.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Here.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Here.

22 MADAM CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Here.

24 MADAM CLERK: All present, Mayor.

25 MAYOR COCCHIOLA: Thank you. We

1 have some special guests this evening, so
2 I'm going to take one item out of order
3 which is a resolution of the Board of
4 Commissioners congratulating and with
5 great pride on the student athletes from
6 Nutley who went down to Tuscaloosa,
7 Alabama, to assist the city and its
8 residents. We think that is a wonderful,
9 true Nutley act and selfless and just a
10 wonderful way to show a community in
11 distress how much another community
12 cares.

13 So, I would like to read this
14 resolution on behalf of the Board of
15 Commissioners: Whereas, in April 2011, a
16 massive tornado swept through
17 Mississippi, Alabama and Georgia, with
18 estimated wind speeds between 167 to 200
19 miles per hour, leaving severe
20 destruction and loss of life in its wake,
21 and whereas, the community of Tuscaloosa,
22 Alabama, sustained the most devastating
23 damage during the storm, as the tornado
24 touched down leaving a half-mile-wide
25 path of destruction through the center of

1 the city; and whereas, Tuscaloosa native
2 and Nutley assistant football coach
3 Jarrett Vick was visiting Tuscaloosa at
4 the time of the tornado and has since
5 volunteered his time and efforts to
6 assist the community by organizing groups
7 of volunteers to help clean up and
8 rebuild the city; and whereas, Peter
9 Burbank, Nick Gariano, Michael Goudie,
10 Ryan Goudie, Michael Hovan, Joseph
11 Ianini, Matt Kelly, John Milici, Dominic
12 Pilione of Wayne Hills High School, John
13 Ratta, Nick Scherer, Jordan Yuppa, Aaron
14 DiGregorio, along with coach Steve
15 DiGregorio, volunteered to assist and
16 selflessly dedicated one week of their
17 summer vacation to come to the aid of the
18 citizens of Tuscaloosa. And whereas,
19 these young men positively impacted the
20 lives of the people of Tuscaloosa, and
21 did so with great respect, humility and
22 compassion, forging solid friendships and
23 creating indelible memories. Now,
24 therefore, be it resolved that the Mayor
25 and Board of Commissioners of the

1 Township of Nutley, County of Essex,
2 recognize with great pride the above-
3 mentioned individuals for their
4 outstanding act of good will towards the
5 citizens of Tuscaloosa, Alabama, and join
6 with the residents of this community in
7 commending their examples of selflessness
8 and generosity. I move the resolution.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner
11 Scarpelli?

12 COMMISSIONER SCARPELLI: You know,
13 it's nice to recognize young men. The
14 media plays up some of the negative all
15 of the time, but it's nice to recognize
16 the positive. So, I vote Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: I would just
19 like to add what a great group these kids
20 are, and, you know, knowing them
21 firsthand they always rise to the
22 occasion. They're a bunch of givers and
23 the parents are always there for them,
24 standing behind them. So, I vote Aye,
25 too.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye. You all
3 represent what's the best (indiscernible)
4 in the town. Thank you for continuing to
5 demonstrate leadership, hard work,
6 (inaudible) up to our standards.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: I'll vote Aye
9 and I also want to thank you for your
10 selfless acts and once again, you've made
11 us proud and you've shown people
12 throughout this country what the people
13 of Nutley are like. So, thank you very
14 much. That was very generous of all of
15 you.

16 MADAM CLERK: Mayor Cocchiola?

17 MAYOR COCCHIOLA: And I'll say thank
18 you once again for making this community
19 look so wonderful by your selfless acts
20 and thank you to every parent. They're
21 like this because of you, so
22 congratulations to all of you as well.
23 And I vote yes.

24 We will have certified copies and
25 framed copies of the resolutions for

1 everyone but I'm going to ask all the
2 students and Jarrett and coaches to come
3 on up here for a photograph with this one
4 for now.

5 (Break in audio during photo
6 session)

7 MAYOR COCCHIOLA: Coach, before
8 everyone leaves, do you want to just talk
9 about that for a second? Could I just
10 have everyone's attention, please? This
11 is an interesting story.

12 (Inaudible)

13 MAYOR COCCHIOLA: Jarrett, do you
14 want to say anything? Want to say
15 anything, Jarrett?

16 MR. VICK: I just appreciate . . .

17 (Inaudible)

18 MAYOR COCCHIOLA: We are proud as
19 well. So you are all, of course, invited
20 to stay, but I know you have a big day
21 tomorrow with school and a big game
22 Friday night, so we could take a few
23 minutes if you want to -- anybody who
24 wants to leave, can leave, and those of
25 you who want to stay, are welcome to stay

1 for the rest of the meeting. But
2 we'll -- we'll take a break for a minute
3 or two.

4 Should we be offended here? I don't
5 know.

6 MALE SPEAKER: Not one.

7 MALE SPEAKER: Those are --

8 MALE SPEAKER: Not one.

9 MALE SPEAKER: They are -- they are
10 very intelligent, though.

11 MALE SPEAKER: I don't know. It
12 depends on who's getting up and talking.

13 MALE SPEAKER: -- can't win.

14 MALE SPEAKER: -- maybe there's a
15 reason.

16 MAYOR COCCHIOLA: Okay. We can get
17 back to the agenda now with approval of
18 meeting minutes.

19 MADAM CLERK: Yes, Mayor. I have
20 several meeting minutes. I'll read them
21 all -- March 15th, 2011, April 7th, 2011,
22 April 19th, 2011, May 3rd, May 17th, June
23 7th, and June 21st, 2011.

24 COMMISSIONER TUCCI: Move it.

25 COMMISSIONER EVANS: Second.

1 MADAM CLERK: Commissioner
2 Scarpelli?

3 COMMISSIONER SCARPELLI: Aye and
4 abstain on April 7th.

5 MADAM CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye and I
7 was absent May 3rd and June 21st.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Mayor Cocchiolo?

13 MAYOR COCCHIOLA: I've got an
14 abstention on the 15th and the 7th, and I
15 vote yes with respect to the remainder.

16 MADAM CLERK: Thank you, Mayor.
17 That's all for minutes.

18 MAYOR COCCHIOLA: Thanks, and we can
19 move on to correspondence.

20 MADAM CLERK: Yes, Mayor, I have two
21 items of correspondence this evening.
22 The first one is from the Italian-
23 American Heritage Festa Italiana,
24 requesting permission to hold an on-
25 premise 50/50 Cash Raffle and a Tricky

1 Tray on Sunday, September 18th, from 11
2 a.m. to 6 p.m. And I need an approval,
3 please?

4 COMMISSIONER TUCCY: Motion.

5 COMMISSIONER SCARPELLI: Second.

6 MADAM CLERK: Commissioner

7 Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: (no audio).

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Mayor Cocchiolo?

16 MAYOR COCCHIOLA: Aye.

17 MADAM CLERK: And the next item of
18 correspondence I have is from the
19 Academic Booster Club seeking permission
20 to submit a social affair application to
21 the State of New Jersey, Division of ABC,
22 for an affair to be held on October 22nd,
23 2011, at the Nutley Historical Society.

24 COMMISSIONER TUCCI: Move it.

25 COMMISSIONER EVANS: Second.

1 MADAM CLERK: Commissioner

2 Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Commissioner Tucci?

9 COMMISSIONER TUCCI: Aye.

10 MADAM CLERK: Mayor Cocchiolo?

11 MAYOR COCCHIOLA: Aye.

12 MADAM CLERK: That's all for
13 communications and correspondence now.

14 MAYOR COCCHIOLA: Thank you. We'll
15 move on to payment of bills.

16 MADAM CLERK: Tuesday, September
17 6th, 2011:

18 Public Affairs \$4~~8~~7.28,

19 Revenue & Finance \$2,359,~~2~~69.25,

20 Public Safety \$52,~~6~~78.74

21 Public Works \$208,~~8~~67.75

22 Parks & Public Property \$548,~~5~~38.43,

23 Payroll as of August 19th, \$28,~~4~~82.00,

24 Payroll as of September 2nd, \$706,747.75,

25 for a grand total bill list of

1 \$4,660, 563.74.

2 And that's all for bills, Ma'am.

3 COMMISSIONER TUCCI: Move the bills.

4 COMMISSIONER SCARPELLI: Second.

5 MADAM CLERK: Commissioner

6 Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Mayor Cocchiolo?

15 MAYOR COCCHIOLA: Aye.

16 MADAM CLERK: Thank you, Mayor.

17 MAYOR COCCHIOLA: Thank you. IN our

18 caucus this evening, we had a discussion

19 on the best practices inventory program

20 worksheet that was prepared by Chief

21 Financial Officer Rosemary Costa.

22 Commissioner Evans, do you want to

23 say a few words about that?

24 COMMISSIONER EVANS: Yes. Overall,

25 we're in the ninetieth percentile, which

1 is a great position to be in. It means
2 that we will not have any of our -- our
3 aid that we do get from the state in
4 jeopardy; we're above minimum. In those
5 areas that we did not -- we were unable
6 to answer yes, we have things in process
7 that will eliminate that so I expect THAT
8 this same report for next year will be
9 closer to a hundred percent. We're in
10 very good shape.

11 MAYOR COCCHIOLA: Great. Thank you.

12 Mr. Tucci, any public hearing this
13 evening?

14 COMMISSIONER TUCCI: Yes, this --
15 this is an ordinance. When we passed
16 the -- the salary ordinance for the --
17 the union personnel and the non-union
18 personnel, inadvertently the bus drivers
19 in my department were left out. So this
20 is basically just a correction ordinance
21 to include them and give them the same
22 percentages that everyone else got.

23 MAYOR COCCHIOLA: Are there any
24 member of the public that would like to
25 address ordinance number 317@? There is

1 no one.

2 COMMISSIONER TUCCI: Move we close
3 the public hearing.

4 COMMISSIONER EVANS: Second.

5 MADAM CLERK: Commissioner
6 Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Commissioner Tucci?

13 COMMISSIONER TUCCI: Aye.

14 MADAM CLERK: Mayor Cocchiolo?

15 MAYOR COCCHIOLA: Aye.

16 COMMISSIONER TUCCI: I move the
17 ordinance.

18 COMMISSIONER EVANS: Second.

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

1 MADAM CLERK: Mayor Cocchiolo?

2 MAYOR COCCHIOLA: Aye.

3 Okay, resolutions. Mr. Petracco?

4 COMMISSIONER PETRACCO: Whereas the
5 Township of Nutley Municipal Court, would
6 like to add credit cards to their means
7 of payment for court-related fines, and
8 whereas, the Township of Nutley Municipal
9 Court needs to procure a service that
10 will facilitate the credit card payment
11 and whereas the Nutley Municipal Court
12 has determined that merchant management
13 will provide all necessary services for
14 court credit card transactions, and
15 whereas, the contract in the amount not
16 to exceed 10,000 dollars and funds are
17 available in the current account number
18 1-01-325-205 entitled Municipal Court O/E
19 Contractual Services as evidenced by the
20 finance director's certification attached
21 hereto. Now, therefore, be it resolved
22 by the Board of Commissioners, Township
23 of Nutley, County of Essex, State of New
24 Jersey, that the municipal court will
25 enter into a one-year contract with

1 Merchant Management for the provisions of
2 their credit card services with one-year
3 option to extend such contract, subject
4 to availability and appropriation in the
5 handling of funds as may be required to
6 meet the extended obligation.

7 I move the resolution.

8 COMMISSIONER TUCCI: Second.

9 MADAM CLERK: Commissioner
10 Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Mayor Cocchiolo?

19 MAYOR COCCHIOLA: Aye.

20 COMMISSIONER PETRACCO: Whereas the
21 Township of Nutley Office of Emergency
22 Management has applied for and has been
23 awarded state Homeland Security grant
24 program's sub-grant CFDA number 97.042
25 award number 2011-P110-0716, from the New

1 Jersey State Police Office of Emergency
2 Management incorporating all conditions
3 and representations contained or made in
4 application and notice of award number
5 2011-EP-E0-0047; and whereas, the sub-
6 grant consisting of the total amount of
7 20,000 dollars including 10,000 dollars
8 federal awarded and 10,000 local matching
9 funds, which the Township of Nutley
10 Office of Emergency Management adequately
11 satisfies through the 2011 Township of
12 Nutley approved budget for division
13 salaries and wages and fringe benefits
14 and whereas, it would be in the best
15 interest of the Township of Nutley and
16 the State of New Jersey to participate in
17 this initiative and enhance as this
18 county's ability to prevent, protect
19 against, respond to and recover from acts
20 of terrorism, natural disasters and other
21 catastrophic events and emergencies. And
22 now, therefore, be it resolved that the
23 Board of Commissioners, Township of
24 Nutley, hereby accept this award and that
25 the director of public safety, township

1 clerk, the Chief Financial Officer and
2 the emergency management coordinator, are
3 hereby authorized to sign certain
4 documents related to their positions in
5 order to effectuate with the New Jersey
6 State Police office of emergency
7 management with funding from the FFY 2011
8 Homeland Security Emergency Management
9 Performance Grant Program.

10 I move the resolution.

11 COMMISSIONER SCARPELLI: Second.

12 MADAM CLERK: Commissioner
13 Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Mayor Cocchiolo?

22 MAYOR COCCHIOLA: Aye.

23 COMMISSIONER PETRACCO: That's all I
24 have.

25 MAYOR COCCHIOLA: Thank you.

1 Commissioner Evans?

2 COMMISSIONER EVANS: Whereas an
3 emergency has arisen with respect to the
4 payment of emergency response to
5 Hurricane Irene's storm damage, and no
6 adequate provision was made in the 2011
7 budget for the aforesaid purpose and
8 N.J.S.A. 48:4-46 provides for the
9 creation of an emergency appropriation
10 for the purpose abovementioned, and
11 whereas, the total amount of emergency
12 appropriation created including the
13 appropriation to be created by this
14 resolution, is \$800,000 and three percent
15 of the total operating budget for the
16 year of 2011 is \$1,575,476.93. Now,
17 therefore, be it resolved that the Board
18 of Commissioners of the Township of
19 Nutley, County of Essex, New Jersey, that
20 in accordance with N.J.S.A. 48:4-20, an
21 emergency appropriation be in the same is
22 hereby made for emergency response to
23 Hurricane Irene damage in the amount of
24 800,000 dollars; that said emergency
25 appropriation shall be provided for in

1 full in the 2012 budget. But the
2 statement required by the local finance
3 board has been filed with the clerk, and a
4 copy thereof will be transmitted to the
5 director of local governmental services
6 but two -- two certified copies of this
7 resolution will be filed with the
8 director of local government services.
9 So move.

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Commissioner
12 Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Mayor Cocchiolo?

21 MAYOR COCCHIOLA: Aye.

22 COMMISSIONER EVANS: Whereas an
23 emergency has arisen with respect to the
24 emergency response to Hurricane Irene
25 damage on August 27th - 28th, 2011;

1 whereas, manpower and supplies were
2 expended to respond to said emergency and
3 now need to be replenished, now,
4 therefore, be it resolved by the Board of
5 Commissioners of the Township of Nutley,
6 in the County of Essex, New Jersey, that
7 an emergency is hereby declared to exist
8 which will not permit for the
9 advertisement of -- for public bids
10 subject to the verification of funds by
11 the Chief Financial Officer of the
12 Township of Nutley. So move.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner
15 Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Mayor Cocchiolo?

24 MAYOR COCCHIOLA: Aye.

25 COMMISSIONER EVANS: Whereas

1 N.J.S.A. 48:5-4 requires the governing
2 body of every local unit to have made an
3 annual audit of its books, accounts, and
4 financial statements, and whereas, the
5 annual audit of the -- for the year 2010
6 has been filed whereby the registered
7 municipal account with the municipal
8 clerk pursuant to N.J.S.A. 48e5-6 and a
9 copy has been received by each member of
10 the governing body and whereas, RS
11 52:27BB34 authorizes the local finance
12 board of the State of New Jersey to
13 prescribe reports pertaining to local
14 fiscal affairs and whereas, the local
15 finance board has promulgated N.J.A.C.
16 5:26-5e5 in a regulation requiring that
17 the governing body of each municipality
18 shall, by resolution, certify to the
19 local finance board of the State of New
20 Jersey that all members of the governing
21 body have reviewed as a minimum the
22 sections of the annual audit entitled
23 general comments and recommendations.
24 And whereas, members of the governing
25 body have personally reviewed as a

1 minimum the annual audit report and
2 specifically the sections of the annual
3 report entitled, general comments and
4 recommendations as evidenced by the group
5 affidavit form of the governing body
6 attached hereto. And whereas, such
7 resolution of certification shall be
8 adopted by the governing body no later
9 than forty-five days after the receipt of
10 the annual audit pursuant to N.J.A.C.
11 5:26-5 and whereas, all members of the
12 governing body have received and
13 finalized -- familiarized themselves with
14 at least with the minimum requirements of
15 the local finance board of the State of
16 New Jersey as stated aforesaid, and have
17 prescribed to the affidavit
18 as provided -- excuse me, has subscribed
19 to the affidavit as provided by the local
20 finance board and whereas, failure to
21 comply with the promulgations of the
22 local finance part of the State of New
23 Jersey may subject members of the local
24 governing body to the penalty provision
25 of RS 52:27BB52 to wit, a local officer

1 or member of a local governing body who
2 after a date fixed for the compliance
3 fails or refuses to obey an order of the
4 director under the provisions of this
5 article, shall be guilty of a misdemeanor
6 and upon conviction may be fined not more
7 than 1,000 dollars or imprisoned for more
8 than one year, or both. In addition,
9 shall forfeit his office. Now therefore,
10 be it resolved by the -- that the Board
11 of Commissioners of the Township of
12 Nutley, hereby states that it has
13 complied with N.J.A.C. 5:26.5 and does
14 hereby submit a certified copy of this
15 resolution and a required affidavit to
16 said board to show evidence of said
17 compliance. So move.

18 COMMISSIONER TUCCI: Second.

19 MADAM CLERK: Commissioner
20 Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Commisssiøner Tucci?

2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Mayor Cocchiolo?

4 MAYOR COCCHIOLA: Aye.

5 COMMISSIONER EVANS: Whereas

6 N.J.S.A. 40A:5-14 mandates that the

7 governing body of the municipal

8 corporation shall by resolution pass by a

9 majority of voters of the full membership

10 thereof, designate as a depository for

11 its monies a bank or trust company having

12 its place of business in the state and

13 organized under the laws of the U.S. or

14 this state. Now, therefore, be it

15 resolved that on the sixth day of

16 September, 2011, by Board of

17 Commissioner -- by the Board of

18 Commissioners of the Township of Nutley,

19 County of Essex, that the Bank of Nutley,

20 a division of Pascack Community Bank, is

21 hereby designated as a depository for the

22 Township of Nutley to -- prior to the

23 deposit of any municipal funds in the

24 above mentioned depository, said bank

25 shall file with the Chief Financial

1 Officer a statement indicating that the
2 bank is covered under the government
3 unit's deposit protection act, RS 17:4 --
4 I mean, 9.4. So move.

5 COMMISSIONER TUCCI: Second.

6 MADAM CLERK: Commissioner
7 Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Commissioner Petracco?

10 COMMISSIONER PETRACCO: Aye.

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Commissioner Tucci?

14 COMMISSIONER TUCCI: Aye.

15 MADAM CLERK: Mayor Cocchiolo?

16 MAYOR COCCHIOLA: Aye.

17 COMMISSIONER EVANS: Whereas the
18 State of New Jersey, Department of
19 Community Affairs, permits the
20 municipalities to waive fees for permits
21 for work done as a result of Hurricane
22 Irene, and whereas, pursuant to NJAC 5-
23 23-4e(d)19(b)5, any municipality waiving
24 its fees will also require that the state
25 permit charges be waived. Now therefore,

1 be it resolved by the Board of
2 Commissioners in the Township of Nutley,
3 the County of Essex, that the township
4 construction official is authorized to
5 waive fees for permits for work done as a
6 result of Hurricane Irene.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner
9 Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Mayor Cocchiolo?

18 MAYOR COCCHIOLA: Aye.

19 COMMISSIONER EVANS: Thank you,
20 Mayor.

21 MAYOR COCCHIOLA: Thank you.
22 Commissioner Tucci?

23 COMMISSIONER TUCCI: Yes, whereas
24 N.J.S.A. 48:4e87 provides that the
25 director of the division of local

1 government services may approve the
2 insertion of any special item in the
3 budget of any county or municipality when
4 such item shall have been made available
5 by law and the amount thereof was not
6 determined at the time of adoption of the
7 budget, and whereas, said director may
8 also approve the insertion of any item of
9 appropriation for equal amount, Section
10 1, now therefore be it resolved that the
11 Board of Commissioners of the Township of
12 Nutley in the County of Essex in the
13 State of New Jersey hereby request the
14 director of the Division of Local
15 Government Services to approve the
16 insertion of an item of revenue in the
17 budget of the year 2011 in the sum of
18 7,000 dollars, which item is now
19 available as a revenue from the 2009
20 business stimulus fund grant program
21 pursuant to the provisions of statute
22 Section 2. Be it further resolved that a
23 like sum of 7,000 B in same is hereby
24 appropriated under the caption of general
25 appropriations, Item A operations

1 excluded from five percent cap 2009
2 business stimulus grant fund in the
3 amount of 7,000. Section 3, be it
4 further resolved that the above is the
5 result of revenues available for the 2009
6 business stimulus grant and be it further
7 resolved that the township clerk forward
8 two certified copies of this resolution
9 to the director of Local Government
10 Services. I move the resolution.

11 COMMISSIONER EVANS: Second.

12 MADAM CLERK: Commissioner
13 Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: (Inaudible).

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Before I vote,
21 I'd just like to inform everyone that
22 this -- this grant will enable us to
23 begin planting trees back on Franklin
24 Avenue and we will be doing this in the
25 Parks Department with the help of the

1 Public Works Department so we can
2 maximize the number of trees that we can
3 put back. Aye.

4 MADAM CLERK: Mayor Cocchiolo?

5 MAYOR COCCHIOLA: Aye.

6 Okay. Thank you, Commissioner
7 Tucci. Whereas raffle applications have
8 been received from the Italian American
9 Heritage Committee Festa Italiana for
10 license number 48114911 for an on-premise
11 Tricky Tray and 50/50 Raffle September
12 18th, 2011, and from the American Red
13 Cross for Nutley, license number 50-11
14 and 51-11 for on-premise 50/50 and
15 merchandise raffle on November 12, 2011;
16 whereas the applications have been
17 reviewed and approved by the municipal
18 clerk and the police department,
19 therefore be it resolved by the Board of
20 Commissioners of the Township of Nutley
21 that the licenses are approved and the
22 municipal clerk is authorized to issue
23 the licenses. I move the resolution.

24 COMMISSIONER TUCCI: Second.

25 MADAM CLERK: Commissioner

1 Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Mayor Cocchiolo?

10 MAYOR COCCHIOLA: Aye.

11 Whereas Anthony Capriglione 14~~8~~
12 Whitford Avenue, Nutley, New Jersey, has
13 applied for renewal of constable number
14 17, whereas, the application has been
15 reviewed by the municipal clerk and
16 police department, therefore be it
17 resolved by the Board of Commissioners of
18 the Township of Nutley, County of Essex,
19 that Anthony Capriglione be reappointed
20 as constable number 17 for a one-year
21 term beginning September 17th, 2011. I
22 move that resolution.

23 COMMISSIONER TUCCI: Second.

24 MADAM CLERK: Commissioner

25 Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Commissioner Tucci?

7 COMMISSIONER TUCCI: Aye.

8 MADAM CLERK: Mayor Cocchiolo?

9 MAYOR COCCHIOLA: Aye.

10 That concludes the business portion
11 of our meeting. Any resident who would
12 like to address the board can come
13 forward at this time. All persons
14 addressing the Board of Commissioners
15 regarding community concerns should
16 approach the microphone and provide their
17 name and address for the record. Unless
18 further time is granted by the board,
19 each person shall limit their comments to
20 five minutes. All remarks to the board
21 and its individual members must be
22 addressed to the mayor. The mayor may
23 differ citizen comments to the
24 appropriate member of the board.
25 Dialogue between citizens and others

1 addressing the board shall be allowed
2 unless the mayor or presiding officer or
3 the majority of the membership of the
4 board shall determine that the interests
5 of decorum and/or the expeditious conduct
6 of municipal business are being adversely
7 affected by such dialogue.

8 Is there anyone here who would like
9 to address the board?

10 DR. MITRANO: Good evening. Dr.
11 Melanie Mitrano, 160 Hillside Avenue,
12 Nutley, New Jersey. We've been here
13 before; we talked about this issue and I
14 don't think it's new. We're here to
15 discuss the Narcotics
16 Anonymous/Alcoholics Anonymous meetings
17 at the Holy Trinity Lutheran Church and
18 the Franklin Reform Church.

19 Just a little bit of background -- I
20 know we've been through this before, but
21 I've been living in my house for fourteen
22 years. To the best of my knowledge, the
23 meetings have been occurring at the Holy
24 Trinity Lutheran Church for fifteen years
25 or probably more, I don't know.

1 But during the time that I've lived
2 there, I can tell you that the members of
3 these meetings have harassed us verbally;
4 they've loitered on our streets for hours
5 each day; they've used our neighborhood
6 as their trash can and even as their
7 toilet. I've been afraid to have my
8 child play outside in the neighborhood
9 from his birth to now -- he's thirteen
10 years old. We've lived like prisoners.
11 I've personally had to tie my life's
12 activities to avoid the six meetings per
13 week at the Holy Trinity Lutheran Church.

14 I've never had the normal peace of
15 mind that I feel I deserve as a citizen
16 of this town. Finally, after fifteen
17 years, our neighbors got together and
18 decided to speak up in an effort to take
19 our neighborhood back. Since that time,
20 which was months ago -- it was about
21 February when we first decided to do
22 this -- we have been collectively accused
23 by the churches of being un-Christian,
24 intolerant, politically incorrect, and
25 insensitive to their ministries. They

1 have challenged us to prove that the
2 people attending these meetings are
3 indeed criminals.

4 Last week, I spoke at length with
5 the Essex County prosecutor's office and
6 the Essex County exec's (ph.ø) office, to
7 obtain information about Megan's law.
8 Senior parole officer Bryan Reed (ph.ø) of
9 the sex offender management office
10 confirmed for me unequivocally, that
11 indeed convicted criminals of all kinds,
12 including sex offenders and beyond, are
13 mandated to attend these meetings every
14 day through the Essex County courts.

15 Just last Wednesday, I made it my
16 business to take the time to write down
17 the license plate numbers of all the
18 vehicles parked on Hillside and Vreeland
19 Avenue during the A.ø. meeting at Trinity
20 Church. At the end of the meeting, I
21 wanted for all the church attendees to go
22 to their vehicles and leave the premises.
23 In this way, I was able to remove from my
24 list any vehicle that did not belong to
25 the A.ø. meeting that may be a

1 neighborhood vehicle.

2 The next day, I ran these plates
3 through the N.J. state police web site,
4 individually, one by one, and it was very
5 time-consuming. Two of the plates were
6 confirmed belong to registered sex
7 offenders in Essex County. We now have
8 definite proof that our concerns are
9 valid. We want these meetings moved away
10 from our schools and out of our
11 residential neighborhoods to a more
12 secure and appropriate venue once and for
13 all. And let me repeat so there's no
14 misunderstanding, we're not asking for
15 these meetings to be cancelled in the
16 Town of Nutley but to be relocated to an
17 appropriate venue and I don't think
18 that's an unfair request from the
19 residents.

20 There's an article today on the N.J.
21 hometown web site. It concerns quotes
22 from our chief of police that says he
23 spoke with the Megan's Law unit and they
24 confirmed to him that there are
25 restrictions on A.A. and NA members

1 approaching property near schools, but
2 that that restriction is waived when
3 attending A.A. and NA meetings that are
4 properly supervised. Lt. Rogers: "The
5 word supervised is very important. In
6 the case of Holy Trinity, I found there
7 was no supervision and that the church
8 leadership failed to monitor what was
9 going on there," Rogers said.

10 I can personally tell you that in
11 the fourteen years on -- at my address,
12 never once has there been a person in
13 attendance at the church for the six
14 meetings a week. Only two weeks ago, did
15 the new pastor, who's only been there for
16 three weeks, start going to the meetings.
17 She quotes in the article, "There is only
18 one meeting a week now and there is
19 supervision." Really? Two times in
20 fourteen years there's been someone
21 there, and let me say, my neighbors have
22 gone at least for the past two weeks to
23 check that there's supervision. She has
24 been there two floors up in her office,
25 very far removed from the meeting, doing

1 paperwork. At least she's there, I will
2 say that's a big improvement.

3 But let's think about what this
4 article says. The law, according to what
5 was here, says that they must be properly
6 supervised. What counts as proper
7 supervision? What truly counts as proper
8 supervision? Is it a church secretary
9 being there? Is it a pastor sitting in
10 her office two flights away? What is it?
11 We want to know. It's certainly nobody
12 being there, that's not proper
13 supervision. How about a police officer
14 at every meeting? How about we mandate a
15 police officer at the meetings? This way
16 the meetings can continue, but the
17 neighborhood feels some sense of safety
18 and security. That would be a good
19 compromise.

20 And in the interest of complete
21 transparency, we as parents would like
22 notices sent out from the township to all
23 the Nutley parents, informing them of
24 these meetings -- where and when they
25 occur all throughout the town.

1 Apparently they happen at twelve churches
2 in the town. There's a school near
3 almost everyone in the Town of Nutley.
4 That's what makes our town the Town of
5 Nutley.

6 Well, we could easily get a listing
7 of all these meetings and circulate it to
8 all the parents of all the school-age
9 children -- very easily. That could be
10 compiled by the Nutley clergy fellowship.
11 And after all, since these meetings are
12 happening on their property, don't they
13 owe a responsibility to our community
14 safety? The fellowship could also meet
15 to decide collectively which of the
16 twelve churches are best suited for these
17 meetings and which are not; which of
18 these venues have appropriate parking
19 facilities; which are best removed from
20 residential areas and schools. They
21 could collectively decide to move the
22 meetings to those venues and some other
23 venues would say, let's not have the
24 meetings here.

25 We're tired, all of us. I'm on the

1 Internet constantly all day; I'm talking
2 to people from all over the country and
3 the stories all over the country are the
4 same story that we have in Nutley. It's
5 exhausting and it's so unnecessary that
6 we have to fight and scratch and bite for
7 this, when all we need are common sense
8 solutions that are in everyone's best
9 interest -- solutions that would be very
10 easy to achieve, that would be long
11 overdue. We don't want to be preached to
12 about how to love our neighbor on the
13 Internet by the pastors. Personally, I
14 have my own religious faith and I'm very
15 devoted to my religious faith and I don't
16 need to be preached to. If I want to be
17 preached to, I'll go to my Catholic
18 priest. I don't want to be told how to
19 be a good neighbor to these churches. I
20 want them to be a good neighbor to me, to
21 my child. We want the pastors to take
22 responsibility once and for all and to do
23 something about this problem. And if
24 they won't, we want our town leaders to
25 hold them accountable and mandate public

1 safety restrictions on these meetings.

2 Now I'd like to ask the commissioners

3 where we stand with this.

4 MAYOR COCCHIOLA: Okay. A couple
5 of -- I mean, you and I have spoken,
6 Melanie, and Commissioner Evans and I
7 actually had a discussion today with the
8 clergy association. I was not at the
9 first meeting when this was first brought
10 to the attention of the Board of
11 Commissioners, but I'm trying to get as
12 much information as I can and I have to
13 tell you that, I guess what bothers me a
14 little bit as a resident, other as a
15 leader in this community, is that this
16 shouldn't be an issue that creates any
17 division in this community at all.

18 You're talking about a program that
19 actually is of benefit to a whole many,
20 many people, people maybe in this room,
21 people that you and I know, that has
22 probably changed a lot of lives; a
23 program that's run through different
24 churches in the community.

25 I did learn, and Mr. Harkins (ph.)

1 and I did speak today, the law does not
2 allow the governing body to say to a
3 church, you can do this and you can do
4 that. You can hold this meeting or you
5 can't hold this meeting. That the law
6 very, very clearly states, and there's
7 some case law actually that says, these
8 types of rehabilitation programs just
9 like day care centers, the things that a
10 church runs, are totally permissible by
11 law. So, as a governing body,
12 irrespective of anybody's personal
13 beliefs, we can't say to any church in
14 this community, you can do this but you
15 can't do this. I mean, that's just not
16 permissible for us.

17 And, I guess again what bothers me
18 is this polarization. I think the real
19 issue started some time ago, and I wish
20 that you and the rest of the neighbors
21 didn't wait ten, fourteen years to have
22 this build up like this because maybe six
23 years ago, or eight years ago, some kind
24 of communication maybe would have solved
25 a lot of the problems that have led to

1 where this has led to today.

2 And I think the problem is that
3 there is a disruption in the
4 neighborhood, just like if you lived
5 someplace else. I used this as an
6 example today: if you lived next to a
7 house or a facility where rock bands were
8 playing and it was disrupting the
9 neighborhood and people couldn't sleep
10 and their children couldn't sleep.

11 Things like this happen in a community.
12 And so you have to come to some sort of
13 resolution as to how to make it better
14 because clearly as residents, if there's
15 a disruption in the neighborhood or
16 there's a nuisance in the neighborhood,
17 yeah, it need -- that should be fixed,
18 that should be addressed.

19 What I learned today is that the new
20 pastor at Holy Trinity has made some
21 changes. They -- there's only one
22 meeting? Is that correct? Is that what
23 she said? There's only one meeting there
24 now, and that is an evening meeting. Is
25 that meeting -- I mean, I

1 don't -- I'm not really sure which
2 meetings were bothering you more, the
3 daytime meetings or the nighttime
4 meetings, or --

5 DR. MITRANO: Well, all -- all of
6 them, in answer to your question, all of
7 them. I mean, we -- we've been suffering
8 in silence for all these years with
9 daytime and evening meetings.

10 MAYOR COCCHIOLA: Why didn't you --
11 I mean, if you would have reported it or
12 if there was an incident --

13 DR. MITRANO: We called the police
14 many times, many times. All kinds of
15 things over the years and, you know, the
16 truth of the matter is we've really tried
17 our very best to be as tolerant as we
18 can, which is why it's unconscionable now
19 that we're being called intolerant. We
20 have tried our very best. I volunteered
21 my time at that church many times, I
22 attended services at that church many
23 times, I put money in that church's
24 basket many times. The people at that
25 church know me; I'm friends with many of

1 them. It's a two-way street. And it's
2 sad to me that I have to stand before
3 this board and ask for some type of town
4 solution that's legal when all it
5 requires is the -- it's the pastors at
6 the church could easily just say, we hear
7 you, we understand you, and we want to
8 work with you. But see, that's not the
9 case. You asked me why there's division
10 and polarization? It's because we're
11 being shut down. The door slammed in our
12 face.

13 MAYOR COCCHIOLA: The reason that I
14 have to say that I'm one hundred percent
15 agree with that is because I wanted to
16 get an understanding of where the clergy
17 association or what their thoughts were
18 with regard to this issue. So I picked
19 up the phone and I asked Reverend LeDac
20 who is the head of the clergy
21 association, could you sit with me and
22 explain to me what your thoughts are and
23 coming from you. And I would suggest
24 that maybe that might be a step that
25 maybe you and some of the neighbors need

1 to take, sitting with them maybe and
2 having the same kind of discussion that I
3 had today. Because my -- I felt a little
4 differently after that discussion,
5 whereas -- and don't get me wrong, I
6 understand a lot of what you're saying.
7 And I used that as an example today, that
8 if I -- you know, as a mother of a small
9 child, in some respects some of this
10 would bother me as well. But I did see a
11 group of people who were willing -- not
12 characterized the way you characterized
13 them when you first started out, who were
14 willing to discuss the issue. The
15 issue's not, you can't have A.A., that's
16 not -- I mean, that's not where anybody's
17 coming from.

18 DR. MITRANO: No, it's not.

19 MAYOR COCCHIOLA: The issue's not
20 you can't have it in your church because
21 we can't say that, and they can have it
22 in their church if they want to. The
23 issue is, how do you solve the problems
24 that have caused disruption in the
25 neighborhood and rightly so. I mean, we

1 understand that. The church in your
2 neighborhood is right smack in the middle
3 of a residential neighborhood. It
4 borders a busy street, and there's one
5 entrance, and when there's people
6 congregating, they're visible, they're
7 seen there, they've -- you know, they
8 could be in the way of people walking
9 back and forth. The pastor at that
10 church has told us that they reduced the
11 meetings from six to one, that now the
12 meeting attendees are going to be parking
13 at PNC Bank -- that's where they're going
14 to be encouraged to park.

15 DR. MITRANO: Well, they haven't
16 been.

17 MAYOR COCCHIOLA: I think that just
18 started. I think she -- she said it was
19 just -- they just made that arrangement
20 so that they would walk --

21 DR. MITRANO: We'll see tomorrow
22 night.

23 MAYOR COCCHIOLA: -- they would walk
24 down the street and park -- obviously, if
25 there are some legal spots on the street,

1 maybe some of them are going to park
2 there. You can't say you are an
3 individual, a member of the public, you
4 can't park on this spot.

5 DR. MITRANO: I understand that.
6 And not to interrupt you, but your
7 suggestion to sit and have a nice
8 discussion and friendly dis -- we've done
9 that.

10 MAYOR COCCHIOLA: Did you? With --
11 I mean, with --

12 DR. MITRANO: We've done that. With
13 the Holy Trinity Church, we sat down with
14 their entire church board in May.

15 MAYOR COCCHIOLA: Well, the reason I
16 would encourage you to do what I did is
17 because there wasn't just one -- there
18 were several members of the clergy there,
19 all of them to my surprise as well,
20 almost all of them have either had
21 meetings in their facilities or have them
22 now. I had no idea.

23 DR. MITRANO: Well --

24 MAYOR COCCHIOLA: I mean, what's
25 happening is we don't even realize that

1 they're going on because
2 (indiscernible) --

3 DR. MITRANO: That's how it should
4 be, that you don't realize it.

5 MAYOR COCCHIOLA: Okay. Right. So
6 how do we get to the point where if
7 there's going to be a meeting once a week
8 in your area -- how do we get to the
9 point where it's not bothersome to the
10 neighborhood? That's the goal.

11 DR. MITRANO: Maybe it's not the
12 right venue to have the meeting at all.

13 MAYOR COCCHIOLA: Well, we can't
14 tell them that. That's -- you know, we
15 can't say --

16 DR. MITRANO: But there is a clergy
17 association, presumably, you know, they
18 can all work together to say listen, my
19 facility is a problem for the neighbors,
20 and I don't want it to continue to be.
21 So, maybe we could put our meetings at
22 your facility.

23 Whatever it may be, I mean, that's
24 just common sense, that's just compassion
25 for people to care about other people's

1 quality of life. And I just told you
2 that there were two license plates of sex
3 offenders. Is that just something that
4 we all just think that's fine?

5 MAYOR COCCHIOLA: No, but, see, I
6 actually thought about that today, and I
7 guess, you know, when you think about it,
8 Megan's Law requires notification when
9 someone lives in your neighborhood. It
10 doesn't require -- and I'm talking,
11 saying this to you as a parent -- it
12 doesn't require you, no matter, I mean,
13 you and I could be amongst a sex offender
14 any time of the day.

15 DR. MITRANO: Listen, I could have
16 sex offenders up and down every block
17 near me. I understand that. But the
18 point is, is that, you're inviting with
19 these meetings more or people on a
20 regular basis to come, and it's bad
21 enough. We live in a scary time. We
22 live in a scary world. Isn't it bad
23 enough that we can't control what we
24 can't control? But here's a situation
25 where we could do something, where we

1 could be responsible, and we're deciding
2 not to?

3 COMMISSIONER PETRACCO: Mayor, if I
4 could interrupt just for one second?

5 MAYOR COCCHIOLA: Yeah. Sure,
6 Commissioner Petracco.

7 COMMISSIONER PETRACCO: I had a
8 conversation today about the Megan's Law
9 and, you know, obviously I have children
10 in the school system, too. So I'm very
11 concerned about that and with who has the
12 rights, you know, and doesn't. So I
13 actually reached out to the prosecutor's
14 office -- afternoon -- and I apologize, I
15 forgot your name, but we have someone
16 that is very well versed from the
17 prosecutor's office in Megan's Law.
18 Maybe she could explain to us --

19 MAYOR COCCHIOLA: Great.

20 COMMISSIONER PETRACCO: -- you know,
21 what kind of rights that they have, what
22 kind of tiers there are, how you identify
23 them, who can be noticed, but -- if you
24 wouldn't mind to give her a chance.

25 DR. MITRANO: I -- I've read all

1 that, and I wouldn't mind hearing that.
2 But the one thing I want to say before I
3 leave the podium is, whatever rights
4 we're going to hear momentarily about the
5 rights of sex offenders or anyone else,
6 pales in the comparison to the rights of
7 our children who can't be here speaking
8 for themselves.

9 MAYOR COCCHIOLA: Don't leavee Just
10 wait here in case you want -- want to get
11 up. Okay, Melanie?

12 MAYOR COCCHIOLA: Want to come up?

13 MS. MASSARO: Sure. I can
14 address -- I'm sorry, I don't know your
15 name -- Melanie's -- all of Melanie's
16 issues, but I can maybe talk about -- a
17 little bit about Megan's Law. My name is
18 Janice Massaro, I'm an assistant
19 prosecutor and I'm the director of the
20 Megan's Law unit at the Essex County
21 Prosecutor's Office. I apologize. I've
22 been on vacation for several days, so I
23 did not field any calls from anyone in
24 particulare

25 I'm not sure what questions you want

1 addressed, but maybe I can just in
2 general speak about Megan's Law. And
3 just to let the commissioners know and
4 everyone in the room, we're always
5 available to give presentations about
6 Megan's Law to the public. We have a --
7 an audiovisual presentation. We've given
8 it in a lot of the towns. We've given it
9 in a lot of the schools, parents' groups,
10 daycare centers. We usually have even
11 given them in response to when we do
12 community notification; we've done two in
13 Bloomfield and it was published at the
14 town council meeting on their cable
15 network. The township attorney asked us
16 to come and do that, and we did, because
17 when we were doing community
18 notification, the people get alarmed
19 especially when almost all the schools
20 and the parents receive notification.

21 Megan's Law was enacted to --
22 because the science is that sex offenders
23 present a risk of re-offending more than
24 regular types of criminals. And because
25 of that, there is a system where they are

1 required by law in New Jersey to register
2 where they live, either every -- every
3 year or every ninety days or every time
4 they move. And we in the prosecutor's
5 office we track all the registrations.
6 Every sex offender is required to be
7 assessed by the prosecutor's office for
8 risk of re-offense. All sex offenders
9 are categorized in three ways -- they're
10 either tier 1, which is a low risk for
11 re-offense. If you're a tier 1 sex
12 offender, you will not be on the state
13 police web site. You will be only law
14 enforcement, meaning the police and the
15 prosecutor's office will know where you
16 are.

17 If you're a tier 2 sex offender,
18 you're a moderate risk of re-offense, and
19 there's appropriate notification when the
20 court makes a designation. Schools,
21 community groups, community
22 organizations, daycare centers, are
23 notified; camps, whatever the -- the
24 court deems appropriate.

25 But those sex offenders that are

1 moderate risk are placed into two
2 categories -- there are those that are
3 placed on the Internet and there are
4 those that are not. And there are
5 certain statutory exceptions. For
6 example, if your victim of your crime was
7 a family member, or a victim of incest,
8 that would not be published. If it was a
9 consensual offense between an adult and a
10 child, that would not be published, or if
11 you were a juvenile when you committed
12 the offense that would not be published.
13 Of course, if you commit more than one
14 sex offense and you're still tier 2, you
15 would -- that would not be an exception
16 and that would be on the Internet.

17 If you're in the third category,
18 which is the high risk for re-offense,
19 that's called tier 3 -- we do door-to-
20 door notification and you're put on the
21 Internet. In addition, state law
22 requires that all high-risk sex offenders
23 are placed on electronic monitoring, and
24 they wear an ankle bracelet and are
25 monitored 24/7 by members of the parole

1 board.

2 All sex offenders since 1994 have --
3 are subject to either, if they commit
4 certain offenses, most sex offenses,
5 community supervision for life and since
6 January of 2004, parole supervision for
7 life. And parole approves where they
8 work, where they live, and what
9 activities.

10 Parole mandates that all sex
11 offenders are required to attend sex
12 offender counseling. If their sex
13 offender counseling requires them because
14 they've had a substance abuse problem,
15 they are required to go to substance
16 abuse counseling where parole receives
17 reports. Oftentimes, they can be
18 complete -- successfully complete their
19 treatment program for either substance
20 ab -- any type of substance abuse or
21 alcohol abuse, and then the counselor may
22 recommend that parole require them to
23 follow up with either NA or NA meetings.
24 They also -- the parole board themselves
25 could designate that as special condition

1 on any sex offender.

2 The numbers are not very high, and
3 these numbers do get reported to us. One
4 of the things that we're required to
5 assess is treatment that sex offenders go
6 through, whether they're in treatment,
7 whether they successfully complete, and
8 what type of follow-up. And right before
9 we go to court, we also interview each
10 sex offender before we do the risk
11 assessment and we ask that information.
12 The numbers that we see are not very high
13 numbers.

14 Megan's Law is to notify the public
15 of who the sex offenders are when it's
16 appropriate. And I'm so happy to hear
17 that you go on the state police web site
18 because that's what's it for. We send a
19 letter -- we're getting ready now to send
20 a letter to every school in Essex County
21 reminding them, because principals change
22 and personnel change, to update and to
23 constantly check the web site. Every
24 time a sex offender moves in Essex
25 County, we have to go back to court and

1 get permission to update the web site and
2 update the community notification. It's
3 not just once -- once you're on, every
4 time you move we have to go back and get
5 permission from the court. So we do try
6 to stay on top of this information.

7 However, there are certain things
8 that we cannot do on Megan's Law. And
9 one is, we do notification based on two
10 things -- likely to encounter. Normally
11 the law takes into account where a sex
12 offender lives and where a sex offender
13 works. Where they shop, where they
14 socialize, don't necessarily -- we're not
15 required by law to do those
16 notifications. We would have to follow
17 them around constantly. All of this --
18 the high-risk sex offenders are monitored
19 24/7 by parole. They are required -- the
20 minute we get the order we fax it to
21 parole and they place them on a bracelet.
22 There are not many sex offenders in that
23 category. The majority of the sex
24 offenders in the state and in Essex
25 County fall into the tier 1 category.

1 They would not even appear on the web
2 site.

3 So when we give information to the
4 public, we say, be vigilant against
5 everybody because the web site only goes
6 so far. Common sense -- and we want
7 people to protect their children. Of
8 course we do -- and public safety. But
9 we can only do what the law requires us
10 to do. And we -- that's why we like to
11 update the schools constantly. You have
12 to be always vigilant.

13 But the numbers -- and I understand
14 that you used the web site to look at
15 license plates, because that information,
16 when we have it available and someone
17 does drive that information about their
18 license plate is, and you should advise
19 your family accordingly. But we can't
20 follow the rest of them around 24/7. The
21 law only says, tier 3 sex offenders get
22 24/7 monitoring.

23 So, to that extent, when I spoke
24 with parole, and I spoke to someone much
25 higher than -- than Mr. Reed -- I do know

1 Mr. Reed, he is one of the parole
2 officers that works in Essex County --
3 the numbers of offenders that are
4 required to go to treatment are not all
5 of the sex offenders in Essex County.
6 It's a very small percentage, actually,
7 of them. It's when they are required
8 through their sex offender counseling
9 because of their substance abuse problems
10 or because of how substance abuse played
11 into their offense, then they're required
12 to follow up with these type of programs
13 or if the parole board mandates it, but
14 not every offender from our review. We
15 do not see it with every sex offender in
16 Essex County.

17 So, I think that the numbers are
18 small, but sex offenders are in the
19 population or tier 1. You could be, as I
20 think the mayor pointed out, you could be
21 in the supermarket next to them or at
22 the -- they have children and their
23 children go to schools, too. So you will
24 always have to act vigilant, you can't --
25 we only do the notification, we can't

1 preclude them. And there is a case, a
2 Supreme Court case, when municipalities
3 tried to regulate where sex offenders
4 lived, and that case came down in 2009.
5 It's Township of Galloway and Township of
6 Cherry Hill. It was a Supreme Court case
7 that came out in 2009 that said towns
8 can't pass ordinances restricting where
9 sex offenders can live, because Megan's
10 Law preempts those types of local
11 ordinances. So -- and since sex
12 offenders are in the population, they're
13 already required to register, they're
14 required to be tiered, they're required
15 to have their risk assessment done, and
16 where appropriate, notification. That's
17 as far as we can go.

18 The law is going to change. New
19 Jersey now is looking at legislation to
20 go under the Adam Walsh Act, where every
21 sex offender will be put on the Internet,
22 not just tier 2, not just tier 3,
23 everyone. It's also going to expand the
24 number of types of crimes or offenses
25 that would make someone a registered sex

1 offender and make the registrations
2 requirements much more regular and much
3 more stringent -- more than once a year.
4 And we're waiting for that legislation.
5 It's been introduced and we're waiting
6 for that to be approved by the
7 legislature, and it would be based on
8 convictions and you would be able to see
9 all that information on the -- on the
10 Internet. So that's kind of Megan's Law
11 in a nutshell.

12 COMMISSIONER PETRACCO: So, as of
13 right now, only a tier 3 notified that --

14 MS. MASSARO: Door-to-door.

15 COMMISSIONER PETRACCO: -- door-to-
16 door.

17 MS. MASSARO: Based on where they
18 live and where they work.

19 COMMISSIONER PETRACCO: They also
20 have a bracelet on so if they were to go
21 to a meeting or a store, wherever,
22 someone would be tracking that. As far
23 as levels 1 and 2, at this time, a law
24 that says that you can notify public
25 safety, you can notify a township, for us

1 to say -- who's in our town.

2 MS. MASSARO: Correct. Well, the
3 police know. The police know because
4 every town in Essex County has registered
5 sex offenders, and they're required to
6 register with the police in that --

7 COMMISSIONER PETRACCO: But even --
8 even if you're a tier 1, though. All
9 tier 1 have to --

10 MS. MASSARO: Yes, even if you're --
11 all tier 1s must register. They're
12 required to register and they're required
13 to be tiered by us.

14 MAYOR COCCHIOLA: But the -- but the
15 police know of tier 1, but she can't run
16 a plate and know a tier 1.

17 MS. MASSARO: Yeah.

18 MAYOR COCCHIOLA: When you run a
19 license plate, does it tell you what tier
20 that person is?

21 (Break in audio)

22 COMMISSIONER EVANS: May I ask a
23 question?

24 MS. MASSARO: Sure.

25 COMMISSIONER EVANS: Thank you. It

1 was very helpful.

2 MS. MASSARO: And again, we're
3 always available at any time to address
4 any group or organization about Megan's
5 Law and how it works and provide
6 information.

7 COMMISSIONER EVANS: Is there -- is
8 there any guidance or provision that says
9 someone who is a registered sex offender,
10 whether it's published or not, who's
11 attending a program like which we have
12 heard about, like the N.A. program meets
13 multiple times per week, regular
14 occurrence, it's regularly in a
15 neighborhood -- that there would be some
16 level of oversight that would suggest
17 that individual who needs to get help, is
18 not necessarily be in a place getting
19 help which (indiscernible) to their
20 illness, such as being in a part of a
21 program that is in an area where there
22 are a lot of (indiscernible)e Anything
23 that would give guidance that says when
24 selecting a program, go get your help,
25 but when you're selecting a program, be

1 sensitive to the neighborhoods in which
2 (inaudible).

3 MS. MASSARO: Well, parole -- if
4 they are subject to parole supervision.
5 Parole looks at where they -- their daily
6 activities. And they would deem if it's
7 appropriate. For example, they do have
8 to approve where a sex offender lives and
9 oftentimes, if there is a lot of schools
10 nearby or very close by, they may say for
11 a particular offender, that that location
12 is not appropriate. But that's for
13 living and working. I haven't seen it
14 for anything else, although if there was
15 a problem, I'm sure they could look at
16 that because they can restrict -- we've
17 had offenders even like when we've been
18 in court tiering them, where parole has
19 come and said, this job is
20 inappropriate -- there's too many
21 children present, and move it.

22 But even in the parole, the
23 agreement for community supervision for
24 life -- and we present the violations to
25 grand jury because we deal with the

1 violations of parole supervision for life
2 and Megan's Law as well, and we prosecute
3 those cases.

4 There is exceptions. For example,
5 if a sex -- someone on community
6 supervision for life or parole
7 supervision for life, can't live with a
8 child, but if they go to work and there's
9 a bus stop and it's near a school,
10 there's nothing the law says that
11 wouldn't be an inappropriate thing
12 because they have to --

13 The theory behind the system of risk
14 assessment is that they want offenders,
15 so they don't risk re-offending, to be in
16 a support environment. They want them to
17 be employed, they want them to be in
18 treatment, they want them to successfully
19 complete treatment, because they have
20 seen studies where it's proven that over
21 time that reduces the risk for re-
22 offense. But certainly if there was a
23 danger, parole could look at that. But
24 not every offender that's required to
25 register, is on parole supervision.

1 COMMISSIONER EVANS: My
2 understanding is that would be a tier 3,
3 correct?

4 MS. MASSARO: Or -- no, there's ones
5 and twos and threes all on parole
6 supervision. It's a matter of when they
7 were sentenced. They're offenders, if
8 they were sentenced before community
9 supervision for life took effect, they
10 wouldn't be subject to it, or if they
11 were sentenced for certain offenses that
12 don't fall within because it's governed
13 by what they're convicted of, then they
14 wouldn't be subject to parole.

15 About one-third, I would say, of the
16 registered sex offenders in Essex County
17 are subject to parole supervision. The
18 rest are just Megan's Law. But parole --
19 that is something that parole could look
20 at.

21 Any other questions?

22 MAYOR COCCHIOLA: Could you take
23 that back and actually bring those
24 comments to somebody, if you're saying
25 that it's something parole should --

1 could look at it? You know --

2 MS. MASSARO: Would -- would I speak
3 to parole about that? Absolutely. I
4 could speak to them about that. I did
5 speak with the director of -- he's the --
6 oversees the twelve northern counties,
7 and you know, we work with parole very --
8 very often and that's what I was asking
9 him about. Does every sex offender -- is
10 every sex offender required to attend?
11 And, you know, what percentage of their
12 numbers and so forth, to the best of
13 their ability. It is not every offender
14 that they supervise, but there are those
15 that are required to attend these -- to
16 attend a meeting where they don't
17 dictate. But certainly if there was some
18 concern, that's something parole could
19 look at. That would be my understanding.
20 And I would take that back and discuss
21 the things that came out of this meeting
22 with --

23 COMMISSIONER EVANS: One thing. I
24 just have one more question. Melanie
25 mentioned that the license plates were

1 (indiscernible)e. If their license plate
2 is listed on the (inaudible)e, I'm not
3 clear, does that person represent
4 (inaudible) risk or is that a
5 (inaudible)e?

6 MS. MASSARO: Well, we can't talk
7 about -- what you -- on the web site is
8 for you and your family, but --

9 COMMISSIONER EVANS: I mean, this is
10 your criteria said, somebody would be
11 posted on a web site if --

12 MS. MASSARO: They could be 2 or 3.
13 I think she said that they were both 2,
14 from what her -- her view on the web
15 site. But anybody on the -- if they had
16 a car, we would put that infor -- and
17 there was a -- the court ordered us to
18 put them on the Internet and then that
19 information would --

20 COMMISSIONER EVANS: Just for my
21 understanding -- 2 is moderate risk?
22 Somebody who's listed -- a program, which
23 for -- for another reason. Right, which
24 in this case -- is attending that program
25 and need to get that care and I firmly

1 believe they need help, -- what we stand
2 for as a -- but also, there seems to be
3 that community that -- that person was
4 also subject -- all supervision, that
5 there could be a question raised that
6 would in effect at least take step to
7 insure -- contribute to their real --
8 (inaudible).

9 MS. MASSARO: Well, yes, it --
10 potentially yes. But, also my
11 understanding is if parole mandates that
12 they attend, they are given a form that
13 has to be signed and it's just signed off
14 by whoever's running the meeting and
15 their sponsor. They could attend --
16 they're not told where, parole does not
17 dictate where they can go, only that
18 they -- that they set a condition -- they
19 may set the condition that they have to
20 attend two meetings a week or whatever it
21 is. They don't say where or when.
22 Because again, it's -- that would be like
23 saying they couldn't shop or they
24 couldn't take a bus.

25 COMMISSIONER PETRACCO: But is that

1 something that you can bring back and
2 maybe like, when court orders them to go
3 into some kind of program, -- sex
4 offender -- a program is right next to a
5 school -- God forbid, your prey is, you
6 know, children. I mean, that's like
7 putting someone that's on a diet, sending
8 them to Hershey Park. I mean it's kind
9 of ludicrous. I think the question that
10 we're asking, is is that something that
11 you could take back to your office and
12 say, you know, here we have some
13 (inaudible) that are attending these
14 meetings that are right next to a school.
15 Is there any way that (inaudible)
16 relocate those people legally, that
17 are --

18 MS. MASSARO: I would say that
19 parole would probably say -- I mean, the
20 officers do talk to their -- the people
21 that they supervise and that they do talk
22 to them, but people that attend these
23 meetings don't necessarily go to the same
24 one all the time. And I think that would
25 be something that would be difficult for

1 parole to supervise, since they don't
2 really know -- they just know that they
3 have the signatures, they don't
4 necessarily know where the meetings are,
5 because --

6 COMMISSIONER PETRACCO: Have you --
7 have you had any cases where someone was
8 in a program and there was a crime
9 committed? You know, in close, you know,
10 close area to that where that meeting
11 was? I mean, is there any facts about
12 that, or any (inaudible)?

13 MS. MASSARO: We haven't had one in
14 New Jersey, that I know. I did see the
15 web site and --

16 COMMISSIONER PETRACCO: Our question
17 is how, you know, and I think that's why
18 Melanie is here. How do we avoid a
19 problem? I mean, here we have -- we have
20 the knowledge, we have the computer to
21 know that these people (inaudible) area,
22 you know, basing them with children, is
23 not a good mix. Again, you know, I
24 talked to Kevin Harkins about that, you
25 know, about what the laws are, and I

1 understand that the last thing we want to
2 do is get involved in the (inaudible)
3 because we have proper --

4 MS. MASSARO: I mean, I think that
5 parole would look at whether it's in like
6 the same building, but in Essex County,
7 it's very dan -- it's like school zones
8 with drug cases, it's almost impossible
9 to regulate and say you can't go here
10 because everything is near a school. So
11 that's the whole purpose of Megan's Law,
12 is we want the public to know who the sex
13 offenders are so they can protect
14 themselves. That's really what Megan's
15 Law tries to accomplish.

16 (Break in audio)

17 MS. MASSARO: Right. But, on the
18 other hand, potentially, and I understand
19 Melanie's frustration because of course
20 no one in any neighborhood should be
21 subject, but we don't necessarily know
22 that it's the sex offenders causing the
23 problem, either. Anybody can go to NA
24 all of this room could have friends and
25 relatives that go to NA and NA meetings

1 and we wouldn't necessarily know that,
2 so --

3 COMMISSIONER PETRACCO: We do.

4 MS. MASSARO: Exactly. So -- but I
5 don't think that -- I think parole is
6 just looking to make sure that they
7 follow up with treatment. There is no
8 way for them to regulate where, although
9 I'm sure if they knew that a -- I mean,
10 for their own programs that they mandate,
11 they would never have one that would be
12 in that kind of proximity to a school.
13 But these are already -- most of these
14 people are people who have already
15 successfully completed treatment and are
16 following up so they don't slip. And I
17 don't think that that would be something
18 because they really don't know where
19 they're going. There are hundreds of
20 these meetings going on in the area, and
21 I don't think they restrict it. But of
22 course, you know, for their own programs,
23 they would, whether, you know, requiring
24 someone to go day in and day out.

25 COMMISSIONER TUCCI: Mayor, if I

1 might --

2 MS. MASSARO: Thank you.

3 COMMISSIONER TUCCI: -- we -- we as
4 a governing body, and I'm sitting here
5 very quietly and listening to what
6 everyone has to say and being from the
7 neighborhood in question here -- I live
8 around the corner from Melanie, I think
9 there is several different things that we
10 need to keep in mind. Number one, as a
11 community, I don't think there are any of
12 us here, or anyone in the township, who
13 doesn't want to help people who
14 legitimately need help, whether they're
15 attending A.A. meetings, or they're
16 attending meetings as a result of their
17 parole or for acts that they've
18 committed.

19 But I think what's missing here, and
20 I don't want to focus all the attention
21 on the sex offenders. While it is a
22 concern to me as a father and a
23 grandfather and an uncle, and just
24 someone who lives in the neighborhood, of
25 course we want all of our children and

1 everyone else to be safee

2 I think the issue here, though,
3 breaks down to more of what I'll
4 characterize as rudeness, all right, and
5 maybe that's a little light. But it's
6 some rudeness on behalf of some of the
7 people who have attended the meetings,
8 with the littering and with the parking.
9 And I think a large part of that is
10 attributable to the fact that there is no
11 parking facility there. All right? And,
12 again, and understand this, and this is
13 absolutely for the benefit of our members
14 of the clergy here, a major part of our
15 community -- we're not looking to
16 interfere as I don't think any of the
17 neighbors are looking to interfere with
18 any of the ministries of any of the
19 churches. And I don't care what -- what
20 church you attend or who you want to
21 worship, that's at your own personal
22 business, but I think as a community,
23 mutual respect, consideration, and
24 kindness, all right, going both ways is
25 what we're looking for here. And, I know

1 the mayor spoke to this and the
2 commissioners. I think what we need to
3 do is continue the dialogue and see how
4 we resolve some of the issues and -- and
5 not shift the focus on just the sex
6 offenders. Because, while I don't -- I
7 don't particularly favor having sex
8 offenders in my community, if folks need
9 help, they need to get help, all right.
10 But on the other hand, we also need to
11 protect the people in all of our
12 neighborhoods, all right. And again,
13 through dialogue and I know there --
14 there have been instances, I'm sure,
15 throughout the country, you know, both
16 good and bad, but I think a conversation
17 or conversations need to continue and we
18 need to -- we need to come to a level of
19 understanding where the churches are
20 allowed to continue their ministries and
21 our residents are allowed to feel safe
22 and secure in this town. Because that's
23 why -- that's a big part of the reason
24 why we're here.

25 DR. MITRANO: I appreciate what

1 you're saying, Commisniener Tucci.
2 Regarding the rudeness, that's what drew
3 our attention to what was happening, and
4 the deeper we dug, the more insidious
5 things we found out and the deeper
6 everyday that I dig into this, the more
7 frightening it ise So, I'd rather have
8 people litter on my lawn than have sex
9 offenders by my kid any day of the week.
10 You can come litter on my lawn; I'll
11 clean it up, because I know you're okaye
12 I really want to thank Janice for
13 speaking up because I also want to tell
14 you that last week I spoke with Halimah
15 Harris in your office, and she was
16 wonderful. She was very lovely, took the
17 time to explain the tier system to me,
18 very, very knowledgeable, and also a
19 good-hearted person that spoke to me as a
20 mom and a grandmother.

21 But basically what I can say about
22 this is that the license plates that I
23 found -- and I'm happy to share that with
24 law enforcement if they ask. These were
25 tier 2 and according to what that was

1 defined to mee tier 2 was maybe
2 assoeiated with aggravated sex assault
3 and people that have committed repeated
4 offenses. That's the level that we're
5 looking at here. These two people were
6 not from Nutley. One was from Clifton,
7 one was from Belleville. And it's true
8 that we can't -- we can't tell people
9 where to go. We can't do that, you know.
10 People are free to go wherever they want
11 to go to a meeting. You can go to
12 Virginia and go to a meeting. You can do
13 whatever you want. This is America.
14 It's a free counry. And I respect thate
15 that they have the right to go where they
16 want to go.

17 And, you know, I hear a lot of talk
18 about people trying to -- well, can you
19 handle it on your hand and can you handle
20 it on your end, and can you talk to him
21 and can maybe you -- and the thing is,
22 the buck stops with us. And, instead of
23 looking outside for somebody to fix the
24 prob -- we need to fix it ourselves. And
25 a simple thing like saying, hey somebody

1 needs to be just common sense, smart
2 enough, wise enough, caring enough, to
3 say I don't think my church should be
4 doing this. Maybe I can go and find
5 another venue for them or let's move it
6 to this other place because we don't
7 know. We can't know for sure. And we
8 don't have control. And why take that
9 risk? Why do we want to take that risk?
10 It's so scary to me that we're going to
11 sit here and wait for something to happen
12 before we do something and continue the
13 discussion. What we really should be
14 doing is end the discussion with a
15 solution.

16 MAYOR COCCHIOLA: I don't -- I don't
17 think that anyone is waiting for
18 something bad to happen, Melanie, at all.
19 I mean, I just listen to it and I thank
20 you also for that presentation.

21 My stomach's turning. I'm a mother;
22 I have a five-year-old child starting at
23 school tomorrow. You know, I don't even
24 want to hear -- I can't -- the thoughts
25 that are going through my head now, my

1 head is spinning. But no one is waiting
2 for something bad to happen. I think I
3 explained to you that we can't intervene
4 to the point where we can't tell anybody
5 to move. Now, what I suggested, and the
6 more I think about it the more I think
7 the suggestion is valid, I don't have to
8 be there. Richie (ph.) can go --
9 Commissioner Petracce. There needs to be
10 more dialogue because there's a little
11 bit of -- and you're angry and I
12 understand it, I really do. But I'd
13 rather get beyond the anger and try to
14 get to some kind of sensible talk because
15 I think that certain things have already
16 happened. Six meetings have moved;
17 there's one left.

18 DR. MITRANO: Yes.

19 MAYOR COCCHIOLA: If the church
20 doesn't want to move that meeting, maybe
21 the church would continue to do more to
22 help the neighbors or be more
23 accommodating to the neighbors. They
24 probably would. You know, I just think
25 that, and Commissioner Tucci just echoed

1 it again, I mean, maybe there needs to be
2 more dialogue

3 DR. MITRANO: I mean that's a great
4 pointe I mean, if we felt like we were
5 being met halfway that would make a huge
6 difference. But --

7 MAYOR COCCHIOLA: But you've been
8 met a little bit. I mean, and I didn't
9 know this, but those meetings were moved
10 and that --

11 DR. MITRANO: Right. Those
12 meetings --

13 MAYOR COCCHIOLA: -- that says
14 something, I mean.

15 DR. MITRANO: -- we appreciate that
16 those meetings were moved, but just
17 last -- two weeks ago, I went to Holy
18 Trinity and sat down with the pastor and
19 said, can you please promise the
20 neighbors that you'll always be here?
21 That would go a long way. And she
22 unequivocally said no. She told me, ah,
23 maybe I can do it for a month, but beyond
24 that I can't really be here.

25 MAYOR COCCHIOLA: Well, if it's only

1 one meeting --

2 DR. MITRANO: Then my other neighbor
3 went a week later, had the same
4 conversation with her and got the same
5 answer.

6 MAYOR COCCHIOLA: But may -- this is
7 only my thought. If she was there for a
8 few meetings, maybe she can't be there
9 all the time, but maybe she can delegate
10 a member of the board to be there each
11 time. I don't know, I'm just saying --

12 DR. MITRANO: You took the words out
13 of my mouth. That's what I said to her.
14 I said, how about this, how about this?
15 I don't know. I don't know if that's
16 going to work. That's what we get.

17 COMMISSIONER TUCCI: Mayor, if I
18 may. I just want to clarify one thing,
19 Melanie, and maybe I misheard this.
20 We're not looking for anyone from outside
21 of this community to come here with
22 solutions. These are our problems, we
23 will come up with our own solutions, but
24 our solutions are going to be done with
25 the entire community. Right? And I

1 don't know what the dynamic has been.
2 I'm hearing about it from you and from
3 some others, all right. And I've heard
4 from Jack and some of the other neighbors
5 about what some of the conversations
6 were. But cooler heads always prevail.
7 So again, internally, I think we can come
8 to some solutions, and I think with the
9 help of the clergy -- the entire clergy,
10 or the leadership of the clergy, and with
11 the neighborhoods and not only this
12 neighborhood, because if it's an issue in
13 this neighborhood now, the possibility
14 always exists that it could become an
15 issue in another neighborhood. Let's
16 resolve it now. All right? So we can
17 continue on with our lives the way we
18 want to live them. And the churches can
19 do their part; the governing body can do
20 their part. You know, the legal -- the
21 legal people can do what they need to do,
22 but we live in an imperfect world. So,
23 as Janice mentioned, you know, there are
24 different reporting requirements,
25 different tiers, different restrictions

1 on people. But I'm sure there's nothing
2 that we can't work through. All right.
3 And we're not waiting for someone else to
4 do it. I think we all stand ready to
5 step up and do whatever it needs to take
6 to resolve this.

7 DR. MITRANO: You know, that's why
8 we're here. That's why we keep coming
9 back and talking like this. I'm going to
10 let -- I'm going to let somebody else
11 come up and talk because I think I'm
12 done. Thank you.

13 MR. MITRANO: Ralph Mitrano, 73
14 Poplar Place. Most of you know me. To
15 start off, I'm a little appalled that
16 this has been going on so long and yes,
17 Commissioner Tucci, you're right, we need
18 dialogue. But that's all we're doing is
19 dialoguing. The church is the reason
20 that I'm appalled. If you don't want
21 someone in your home, you find a reason
22 why you don't want them and try to iron
23 it out. They have not tried. There's no
24 supervision there. I think I have maybe
25 a solution.

1 COMMISSIONER TUCCI: Please.

2 MR. MITRANO: Okay. You know,
3 you've all heard the story two's company
4 three's a crowd? Well, we have a crowd
5 there, and we need crowd control. Maybe
6 we need an officer an hour before the
7 meeting, two hours while we're having the
8 meeting, and an hour after. These people
9 need help? I'm sure the neighborhood
10 would be willing to let them have help if
11 they could live their lives and they knew
12 that while these people are there, sex
13 offenders or whatever you have, that
14 there's someone there to protect them.

15 The police have not issued any
16 summonses, unless I'm unaware of it, for
17 the parking problem there. I passed
18 there the last meeting. Seventy-five
19 feet from the stop sign, there were
20 cars -- there were cars illegally parked,
21 blocking driveways still. I watched a
22 woman, with her baby carriage and two
23 kids, walk out onto Vreeland Avenue, walk
24 around the crowd that would not move for
25 her, while they were having their coffee

1 prior to the meeting. I mean, this is a
2 solution. The church is renting the
3 space. You could use the word ministry
4 if you want, okay. There's nobody from
5 the ministry there applying ministry.
6 This is a separate organization paying
7 rent to a church, and I don't think the
8 taxpayers should bear the burden of this
9 policeman. When other groups in the town
10 have meetings and what have you of large
11 groups, they rent a cop. Holy Family,
12 Assembly of God, whatever you want to
13 say -- parking problem Assembly of God,
14 they hired a cop. They pay for it.

15 I think that this is a situation
16 where if they're going to have these
17 meetings while you're having your
18 dialogue, to make the neighborhood feel
19 more at home, comfortable and safe, there
20 should be an officer there. These people
21 come an hour, two hours before the
22 meeting and hang around. They congregate
23 six, eight, ten people at a car with
24 their coffee having their cigarettes, in
25 front of people's homes. If there was an

1 officer there and say look, you got to
2 move along. There's no loitering. The
3 church has not made an effort to say to
4 these people, when you get here you come
5 inside and you stay inside. It's a free-
6 for-all. There's people there that don't
7 even go to the meetings. I sat at my
8 daughter's house and watched this. They
9 come there just to party. When the
10 people go inside, they leave and then
11 they come back when they take their break
12 -- where if there's an officer there, it
13 can be controlled. The traffic can be
14 controlled.

15 COMMISSIONER PETRACCO: Ralph, let
16 me just interrupt you because I did talk
17 to the chief about some of those
18 questions about the enforcement. Chief,
19 you were going to find out if we were
20 issuing tickets there, and I did also
21 mention to him about the crowd control.
22 What makes -- how many numbers is a
23 crowd, what warrants a police officer to
24 be present there. Do you have those
25 answers tonight, Chief?

1 CHIEF HOLLAND: Good evening. This
2 is an issue Commissioner Petracco and I
3 got involved in back in May, I believe,
4 when we attended at the meeting at the
5 Trinity. And enforcement issues were
6 certainly brought to my attention, that
7 being parking and what has been described
8 here tonight as rude behavior.

9 Rude behavior's not against the law
10 as far as I know. There's a lot of
11 things we can do up there; there are many
12 things we can't do up there.

13 MR. MITRANO: Excuse me, Chief, let
14 me interrupt you.

15 CHIEF HOLLAND: Yes.

16 MR. MITRANO: I was being kind with
17 the rude behavior comment ---

18 CHIEF HOLLAND: No, I understand.

19 MR. MITRANO: Littering, public
20 urination, harassment --

21 CHIEF HOLLAND: That's something we
22 can do something about.

23 MR. MITRANO: -- those are things I
24 don't believe are, you know, just go to
25 rudeness.

1 CHIEF HOLLAND: That exceeds
2 rudeness.

3 MR. MITRANO: We could be crossing
4 the line.

5 CHIEF HOLLAND: Okay. So, we met
6 with the church elders; we met with the
7 neighbors. And the church did
8 accommodate the request of the neighbors
9 at that time to relocate the NA meetings.
10 To be perfectly honest about it, I don't
11 think the commissioner or I realized at
12 the time that the A.A. meeting was still
13 a bone of contention; that came to my
14 attention at some point after the meeting
15 that was held.

16 I did contact the church and the
17 church did feel as though they made a
18 huge accommodation by relocating the NA
19 meetings. But they kind of drew that
20 line in the sand with their -- what they
21 see as their right and their ministry to
22 have the A.A. meetings. I passed that
23 information to the neighbors.

24 Enforcement is the simplest part of
25 this whole equation. If somebody's

1 driveway is blocked and they call us, I
2 can assure you the car will be towed
3 promptly. We do that every day. That's
4 not an issue for use. There's not a
5 patrol officer on the police department
6 who hasn't been informed about the
7 complaints in that area, but I must say,
8 you know, our enforcement efforts will
9 fall short of being there at all times
10 when there is meetings in progress. We
11 just can't make that kind of a commitment
12 to this meeting or any other kind of
13 meeting.

14 Whether or not a town wants to
15 mandate police officers to be at meetings
16 of this kind and have a similar mandate
17 that the organizations pay for that,
18 that's not an issue for me to really
19 address.

20 I just wanted to say also that we
21 see this very seriously. I mean,
22 obviously, I spoke to Janice many times
23 about this. Melanie, we feel for
24 everybody concerned here. You know, we
25 know what the feelings of the neighbors

1 are. They want to have peace and
2 tranquility in their homes. We
3 understand that. We also understand the
4 position of the churches, who feel that
5 they have a legitimate calling to provide
6 these kinds of services. And I must also
7 say that I want to thank two members of
8 the Essex County prosecutor's office. We
9 took this that seriously because we knew
10 these questions would be put before you
11 tonight. And I just want to thank
12 Assistant Prosecutor Clara Rodriguez,
13 who's also here; she's one of the
14 supervisors at the prosecutor's office,
15 and Denise (sic) Massaro, who I literally
16 pulled off vacation. She was on the
17 beach two days ago when I first contacted
18 her, and she was willing to come up here
19 to address all of you on this issue.

20 I think the larger issue is here --
21 enforcement is a very small part. The
22 concern is who's attending the meetings
23 and what kind of threats they may post.
24 What I was reading on the Internet and
25 what I was hearing around town, I thought

1 that there was some belief on the part of
2 some of our citizens that there was some
3 type of a prohibition against sex
4 offenders attending these meetings. And
5 that's why I reached out to the
6 prosecutor's office to hopefully clarify
7 that and I think it has been clarified.
8 And if it hasn't, we're here to answer
9 those questions.

10 But to get to your question,
11 Commissiøner, we've issued about twelve
12 tickets up there for illegal parking
13 since May, since we put the new e-
14 ticketing in place which makes it very
15 easy for us to track tickets by location.
16 Prior to that, they weren't tracked by
17 location. It's much more difficult to
18 get historical record up there. But the
19 parking that we see there and also
20 Nicolas Yugorela (ph.) is there tonight,
21 also, from my traffic bureau. I don't
22 see a larger parking problem there than I
23 see at any location where meetings of any
24 kind are being held. We all know parking
25 is at a premium in this town. It's very

1 difficult.

2 Today, all of our teachers were at
3 the middle school and we pretty much
4 waived off on all enforcement of time-
5 limited parking because of that. So,
6 we're going to have parking issues
7 regardless of the type of meeting. And
8 as I say, we check it -- the patrol force
9 has been directed to check that location
10 frequently. I've gone by it. I used to
11 have a friend who lived right across the
12 street from the church. I've witnessed
13 these things for many years.

14 As far as the other churches are
15 concerned, I would just like to say that
16 I'm entering my fortieth year -- I'm the
17 police department. I was unaware that
18 these other churches even had these
19 meetings. I'm unaware of any complaints
20 that have been ever generated from any of
21 these types of meetings. So, I just want
22 to kind of put that in context.

23 MAYOR COCCHIOLA: Thanks, Chief.

24 COMMISSIONER PETRACCO: What about
25 the part what being able to place --

1 what's a crowd, how many people before we
2 can do something? (Inaudible)e.

3 CHIEF HOLLAND: A crowd is what, I
4 suppose, is defined by law to be a crowd.
5 Police organizations in any municipality
6 owe a general duty to the citizenry of
7 that town to provide police services. We
8 don't owe an individual duty to anyone.
9 If someone is sponsoring a meeting or
10 using the example of the Holy Family
11 feast, they pay for all attendant
12 security required to put on that event.
13 These are off-duty police officers that
14 are hired by the organizations to be
15 present to maintain peace at these
16 events. And that's one of the basis for
17 all of you to approve these functions.

18 In a case like this, I suspect it
19 would be something similar. I don't
20 think that we can make a commitment to
21 take somebody from the patrol force on
22 duty and put them in a stationary
23 position while meetings are being held.
24 That kind of deprives the rest of the
25 town of police coverage that everyone

1 else is paying for. So I think anything
2 we would do along those lines would have
3 to be above and beyond the ordinary
4 scheme of policing that we do on a day-
5 to-day basis.

6 MAYOR COCCHIOLA: But, Chief, you --
7 when it comes to Holy Family, you or
8 someone from your department makes a
9 determination that there are enough
10 people there to warrant X amount of
11 police officers and supervision. That's
12 your -- you assess that situation. So I
13 guess my follow-up to what Commissioner
14 Petracco said is, at what point in time
15 do you look at a gathering of people,
16 perhaps like this on a corner and say, I
17 think that's enough people, where
18 somebody should be stationed there, or
19 maybe an auxiliary police officer or
20 something, because you've made a
21 determination that there are that many
22 people in one area that have caused
23 problems maybe and might need that type
24 of supervision.

25 MALE SPEAKER: Well, Mayor,

1 I think -- Chief, excuse me one second.
2 When we make that determination, your
3 obligation is on -- having that event.

4 MAYOR COCCHIOLA: To pay.

5 MALE SPEAKER: To pay.

6 MAYOR COCCHIOLA: But how do you
7 make that determination to begin with
8 that it's necessary.

9 CHIEF HOLLAND: Well, I think when
10 you make a determination like that a lot
11 of things have to (inaudible)e. And
12 certainly, I don't know specifically the
13 numbers of people that attend these
14 meetings, but I've gone by frequently
15 enough to know that it's nowhere's near a
16 level that would require individual
17 police attention. I suppose we could get
18 those numbers from the church as far as
19 how many people attend. But you know,
20 just some of the other factors that you
21 consider, you know, in determining
22 whether police presence is required --
23 crowd density, other public safety risks
24 that may be present, is the event on a
25 street, is traffic involved, is drinking

1 involved. You know, whenever driving
2 comes into the equation -- if it's a
3 licensed event where we approved the sale
4 of alcohol, obviously that's going to
5 require a larger number of police
6 officers to manage it. But meetings of
7 this kind, I mean, I haven't seen
8 anything that would compel me to believe
9 that the municipality would be required
10 to put police coverage there, absent
11 being hired as in an off-duty capacity to
12 be there.

13 And then there's another issue, I
14 think, that has to be addressed. If
15 you're talking about A.A. meetings and NA
16 meetings where members are present to
17 perhaps confess their sins or talk about
18 illegal substance abuse, I think the
19 presence of police officers at those
20 meetings could be a very chilling aspect
21 of that and I think would be --

22 MAYOR COCCHIOLA: What about
23 outside? I mean, I don't think
24 there's -- I don't think the issue's
25 inside at all. And the issue is not what

1 goes on inside the church. What's going
2 on is helping people, you know. It's --
3 it's what's going on outside the church
4 is --

5 CHIEF HOLLAND: Yeah, and what I've
6 seen going on outside the church -- when
7 the folks up at Trinity take their
8 breaks, and I don't know how often they
9 do that, you know, they'll congregate by
10 the door on church property. I haven't
11 seen people, you know, congregating on
12 lawns. And I can't say that that doesn't
13 happen because after all we're not there
14 all the time. The neighbors would know
15 that far better than I do. But generally
16 speaking, what I've seen over the years,
17 is people congregating alongside the
18 church on church property, you know, go
19 out for a smoke, break, or whatever it
20 may be. But it's well within the
21 confines of the private property of the
22 church.

23 COMMISSIONER TUCCI: Mayor, if I
24 might? Chief, what about utilizing
25 auxiliary police? We're talking about

1 one night a week and I know you are the
2 consummate professional in your field and
3 I would never question anything you say,
4 but I do have to respectfully disagree
5 with you. I think this problem is at
6 this level right now because of
7 enforcement and lack of enforcement.

8 And, again, I understand and I know that
9 a lot of this goes on in all the
10 churches, all different kinds of
11 meetings, all different kinds of
12 activities helping all kinds of people.
13 And we don't want to infringe upon
14 anyone's right to do that, all right.

15 But while I don't want to create a
16 chilling effect on folks seeking help, on
17 the flip side of that I don't want to
18 create a chilling effect on our residents
19 who have to live in the neighborhood.

20 So, if we can't have our auxiliary there
21 at no cost to the taxpayers, what about
22 the sheriff's auxiliary? I'm sure for
23 one night a week we can come up with
24 someone there that, number one, can lend
25 some outside supervision, all right,

1 while it's the church's responsibility
2 for the supervision inside or whomever
3 runs those meetings. I think there's a
4 comfort level that we owe our people in
5 the neighborhood. And I think that can
6 be done without any cost to the
7 taxpayers. And look, I -- everyone
8 knows, we're all working with a lot less
9 than we had before and it's not going to
10 get any better, it's only going to get
11 worse. But there are ways that we can
12 allay some of these fears and have the
13 supervision that will satisfy the
14 community and, on the other hand, satisfy
15 the ministry and what they feel is
16 necessary to do -- just a suggestion --
17 something to look into.

18 CHIEF HOLLAND: Well, and it's
19 certainly something we will look into.
20 You know, we have limitations with our
21 auxiliary; as you know, they've
22 volunteers.

23 COMMISSIONER TUCCI: Um-hum.

24 CHIEF HOLLAND: When we have a
25 large-scale event such as Holy Family,

1 again using that as an example, I always
2 count them above and beyond what I feel
3 is necessary to police the event. If I
4 get them, good; if I don't, we can still
5 survive and operate. You know, any type
6 of a volunteer organization today --
7 they're very stressed as far as getting
8 members out.

9 COMMISSIONER TUCCI: Sure.

10 CHIEF HOLLAND: And they just saw
11 that with the hurricane, you know, the
12 number of auxiliaries we could get onto
13 the streets during that emergency. So,
14 it's certainly something I'll ask about.
15 It's certainly something I'll explore.
16 If it's a possibility of doing it, we'd
17 be more than happy to do that.

18 MAYOR COCCHIOLA: Can I also make a
19 suggestion, too? I know that there, you
20 know, some of the graduates of the police
21 aca -- or the local county police
22 academy, have to -- are required to put
23 in hours of volunteer service, an amount
24 of hours to hold onto their certificate.
25 I'm only vaguely familiar with this, but

1 I know that, you know, they look for
2 volunteer opportunities to (inaudible) as
3 auxiliary deputy sheriffs, I think.
4 Whatever -- we're trying to do without no
5 cost, Commissioner.

6 CHIEF HOLLAND: It's something we
7 can look at. You know, the sheriff's
8 office is a wonderful resource for us.
9 They do provide manpower for us for many
10 municipal events as you know very well.
11 And I can pose that question and see what
12 their --

13 MAYOR COCCHIOLA: I mean at this
14 point, you know, there's a lot that's
15 been changed here, a lot of meetings have
16 been moved and there's still one that's a
17 problem. So, you know -- and there's two
18 sides. And the church wants to, you
19 know, have this program, and there are
20 options like this available to us to make
21 the people feel safer, I think we really
22 need to try to do. That's the most that
23 we have within our power to do.

24 OFFICER YUGORELA: I just have
25 to -- I just have to say one thing.

1 First of all, we have an auxiliary in the
2 room and I want to thank you for coming
3 tonight because we know how hard it is to
4 get auxiliaries just to come here. That,
5 Chief, I believe that we had zero
6 auxiliary show up for the hurricane. We
7 had two? There was two there. Okay.
8 It's very tough. I mean, I get all kinds
9 of request for the auxiliaries. One is
10 the church on Washington Avenue, Chief,
11 is -- what's the name?

12 CHIEF HOLLAND: Abundant Life.

13 OFFICER YUGORELA: It's really,
14 really hard to get auxiliaries, because,
15 you know, auxiliaries -- they want to be
16 in something a little more exciting than
17 standing there directing traffic, so
18 forth and so on. So, although the
19 auxiliaries all meant our department at
20 certain times, like the chief says, you
21 may get one there once in a while -- a
22 great while --

23 CHIEF HOLLAND: Only look for once a
24 week?

25 OFFICER YUGORELA: But it's not just

1 once a week. Once a week at Trinity
2 right now, right? It's once a week at
3 Trinity --

4 (Break in audio)

5 OFFICER YUGORELA: But here's my
6 question. Now, there's one meeting there
7 per week. Now, what about the other
8 churches in town?

9 (Break in audio)

10 OFFICER YUGORELA: Well, those NA
11 meetings were moved to that church?
12 Franklin Reform? Just the daytime
13 meetings were -- true?

14 (Break in audio from 8:57 until
15 9:04)

16 CHIEF HOLLAND: I encourage you to
17 call us when these things -- call us.
18 Please let me finish. I promise you that
19 we will always respond -- parking
20 complaint. If they're passing by, they
21 should address it, Ralph, and I can't --
22 why it wasn't addressed --

23 Call us. We do not intentionally --
24 call. We -- calls within our ability --
25 on a parking complaint, you might want to

1 think that we're doing something else
2 that requirese--. We take care of these
3 things and apparently not ignoring --

4 I'm not going to mislead you.

5 Multiply your calls times dozens that I
6 get every week, from every corner
7 of this --. I've been to meetings with
8 many of the commissioners, including
9 Scarpelli who represents a part of town
10 where there's -- where there's traffic
11 and speeding issues. I tell them the
12 same thing.

13 (Break in audio)

14 MR. MITRANO: You're it both ways.

15 MALE SPEAKER: Pardon my back.

16 MAYOR COCCHIOLA: Okay. Are you
17 able to record this, Karen (ph.)e?

18 CHIEF HOLLAND: The issue -- the
19 issue with parking on Hoffman Laroche is
20 time-limited parking.

21 MAYOR COCCHIOLA: You know -- I
22 think we need to direct the conversation
23 this way. You're not being recorded,
24 which is a problem. Our conversation.

25 CHIEF HOLLAND: Okay. Any other

1 questions?

2 MAYOR COCCHIOLA: Is there someone
3 else that's here that would like to
4 address the board. I just want to give
5 everybody the opportunity who is here.

6 MR. RESIGNOLA: Robert Resignola
7 (ph.)@ 32 Hillside Crescent. Everything
8 Ralph just said or Melanie or others,
9 I'll save my breath and you from having
10 to hear it again because it's the same
11 issues. Very simply, I'm at the other
12 end of Hillside. I think you know where
13 I live across from the Franklin Reform
14 Community House, and I and some of my
15 neighbors in hearing of this just don't
16 want the problems shifted down from the
17 Melanie's neighborhood to ours.

18 Now, we appeared before the Board of
19 Education a week ago and Melanie gave her
20 same eloquent presentation, and I simply
21 said in my neighborhood, not only do we
22 just don't want the problems passed on to
23 us, if there are problems, but we don't
24 have the room, you know, to host these
25 visiting cars. And you know that I've

1 spoken on this issue from different
2 aspects, whether it was the parking lot
3 or parking in the area or whatever, many
4 times before publicly. So this is not a
5 new issue for me.

6 Now I know the Reverend at the
7 meeting last week said, but we haven't
8 had any problems to date. And I
9 responded by saying, but school was out.
10 Now school is back in and there will be
11 no parking spots available. So, just to
12 send the meetings down to a midday
13 meeting at Franklin Reform is not the
14 answer. I went around and looked at all
15 the cars at last Wednesday's meeting, and
16 there were maybe twenty-five or more cars
17 that were new to the neighborhood. They
18 didn't cause any problems, so I'm not
19 looking at it from that point of view yet
20 because I haven't witnessed the attendees
21 doing anything that I thought was bad for
22 the neighborhood. But we just don't have
23 the room, and when the teachers and the
24 visitors are both there tomorrow there's
25 going to be a problem because every

1 morning, I see the teachers who park in
2 the same spots on the street. A lot of
3 us say hello and speak to each other.
4 And if some of them come out midday to go
5 on an errand or go for a lunch break or
6 something, they come back and they have
7 to struggle to find a spot under normal
8 circumstances. So, when there are
9 another twenty-five vehicles parked,
10 regardless of who they are, there's not
11 the space and there's going to be a
12 problem.

13 Now, just in terms of being un-
14 Christian or whatever, this has never
15 been an issue. In fact, if you asked me
16 in fairness about relationships within
17 the neighborhood, I think I've been a
18 good neighbor to all my neighbors and we
19 formed our own group, the Greater
20 Hillside Crescent Neighborhood
21 Association, about five years or so. And
22 we go from Franklin Avenue to Church to
23 Prospect to Chestnut and Hillside
24 Crescent, every business, every
25 homeowner, every apartment dweller, or

1 church community or school communities.
2 We consider all of those our neighbors.
3 And when we send out newsletters, we have
4 sent them out to every single person that
5 we can and have sent out many thousands.

6 So we try to communicate, and I
7 think I'm a better neighbor to the church
8 sometimes than they are to me. I
9 maintain my property, I do things in
10 terms of cooperation, I look after theirs
11 when nobody's there, I have helped them
12 with their tree-cutting or other kinds of
13 things. So it's not being un-Christian
14 from my point of view.

15 Also, they've had an NA meeting
16 there for quite a long while on Sunday
17 evenings. I understand it's people from
18 out of the area who come into town. I
19 don't have any complaints about any of
20 those people, and my neighbors and I have
21 spoken about them. So, it's not from our
22 point of view that we think that these
23 meetings aren't beneficial to some. But
24 we just don't want to have these
25 vehicles -- individuals coming into the

1 neighborhood and interrupting, you know,
2 the normal way of life that we expect.
3 So just informationally, that's where I
4 and my neighbors stand. We just don't
5 want to see a disruption to the system
6 that's in place now.

7 Thank you.

8 COMMISSIONER TUCCI: Mayor, if I
9 might just respond to him. Bob, at the
10 last meeting when this issue was raised,
11 I believe that was stated on the record
12 that we're not looking to transfer a
13 problem or a potential problem from one
14 neighborhood to the next. We're just
15 looking to resolve it. So I couldn't
16 agree with you as far as taking, you
17 know, an issue or a problem from one
18 neighborhood and transplanting it in
19 another. That's not what our intention
20 is.

21 MR. RESIGNOLA: It's just that as I
22 say, things exist in a certain way.
23 Somebody makes a decision. Right, we're
24 going to clean up this problem because
25 there's a lot of complaints in the area

1 and one of the solutions, let's put them
2 down here. Maybe the person making the
3 decision (indiscernible) and isn't
4 considering all of the different
5 (indiscernible)e, such as school starting
6 next week. You know, I agree with all of
7 you -- each of you that it would be good
8 for those of us (indiscernible) on some
9 of these things, to talk about things,
10 maybe before they start or after they
11 happen or whatever, in a peaceful,
12 amicable way, because we're --

13 (Break in audio)

14 MR. SCAPERADA: Phil Scaperada
15 (ph.)e, 49 Howard Place, and my wife --

16 MS. ANDO: Cathy Ando (ph.)e, 49
17 Howard Place.

18 MR. Scaperada: First of all, I want
19 to thank and commend Commissioner
20 Petracco for having his secretary provide
21 me with his cell phone and meeting within
22 a half hour to discuss some reoccurring
23 issues. Recognizing it was a problem
24 with Chief Holland, put forth a plan to
25 alleviate the ongoing issues, and I want

1 to thank the Mayor Cocchiola for
2 responding to my e-mails in the evening
3 hours of the same day at 5:30 and 9:30
4 p.m. Thank you for your services.

5 Unfortunately, one of those e-mails
6 that went to Mayor Cocchiola was seeking
7 help from another help. Commissioner
8 Evans, your code enforcement department
9 has written us up for a violation. That
10 violation claims that our roof water is
11 being dumped into the ten-foot right of
12 way. This is very troubling. I worked
13 with the code enforcement through my
14 entire outdoor project. At that point in
15 time, I asked for a meeting and to come
16 to my property and examine everything.

17 They came, inspected my property,
18 but still had an issue with an alleged
19 violation. Common sense would indicate
20 that you would look into the tube and see
21 if there's any perforations in the
22 bottom; that would indicate it's a
23 weakened tube. Second of all, they
24 should have asked me -- no one asked me
25 what it was. Third thing they should

1 have did (sic) was ask to put a hose in
2 there to make sure all my gutters were
3 draining properly. They didn't do that.
4 They just recklessly wrote a violation.

5 I was supposed to amend it as of
6 August 4th. Nothing has happened since
7 then. They wanted me to rip up my
8 driveway, rip up a sidewalk, and rip up a
9 curb that was all brand new to amend this
10 situation. Okay? I requested -- when
11 the code enforcement officer came to my
12 property, I showed two other violations
13 by another Nutley resident. Those
14 violations were written in 2009. They
15 impact our property. They recognized it,
16 asked to have it amended; they amended
17 it, code enforcement approved it, and now
18 they were purposely put back. Their roof
19 water dumps onto our property. No
20 violation has been written to date. I
21 showed the violation. I provided
22 pictures. And nothing's being done. It
23 is now forty days, two in-person
24 contacts, five e-mails, and finally you
25 gave a response last week and you said

1 that you would respond to us by the end
2 of the week. That was Friday of last
3 week. We are still waiting.

4 My wife had a concern during the
5 hurricane approaching because one of the
6 violations was debris. I watched the
7 metal plate flapping back and forth until
8 finally I had enough and went out and put
9 blocks on it to block it from going into
10 our vehicles or my daughter's bedroom
11 window. No one responded to that, but
12 yet on Sunday the day after it, I watched
13 code enforcement with my wife come down
14 the street in a vehicle on a Sunday. How
15 come nobody's responding to our e-mail
16 request and nobody's writing violations
17 and nobody's doing anything.

18 COMMISSIONER EVANS: One, I did
19 respond. (Indiscernible) need it but I
20 do have a response. Now, I had said I
21 actually would try and get that out by
22 last Thursday and I didn't do
23 (inaudible).

24 To answer your questions here, the
25 information that you supplied I had code

1 enforcement go to the property and make a
2 physical inspection to observe code
3 violations to see (indiscernible)
4 violation would be necessary and come
5 back and inform me (indiscernible)
6 placement. There's one area which is the
7 placement of a garbage can. It's not a
8 code issue; it's a health issue.

9 (Break in audio)

10 -- items that they saw with visible
11 inspection of that property last Thursday
12 did not ---

13 MR. SCAPERADA: -- for alleviating
14 their roof water onto our property. They
15 removed code-enforced approved piping
16 from the first time they wrote a
17 violation. It had to be repaired. They
18 fixed it. They removed it; it sat there
19 for a year and a half. I provided
20 pictures as my construction work was
21 being done of the piping being redirected
22 towards our property. Okay?

23 COMMISSIONER EVANS: My
24 understanding is that pipe has been
25 redirected away from your (inaudible).

1 MR. SCAPERADA: I was told by one of
2 your code-enforcement officers that the
3 water has to be redirected to the curb
4 line or past the front face of the house.
5 That's what was approved. Because one of
6 the issues, there's water on the sidewalk
7 and that water goes down into a bush
8 basin, goes against my (indiscernible)
9 and goes onto a sidewalk. And I'm being
10 held liable for --

11 COMMISSIONER EVANS: I'm not
12 obviously -- I'm not a code expert.

13 MR. SCAPERADA: But if a violation's
14 written already twice -- two violations
15 for the same violations, why isn't a
16 second one being written?

17 COMMISSIONER EVANS: All I can tell
18 you is (inaudible) done last Thursday.
19 That inspection of that property,
20 violation is not (inaudible) -- violation
21 notice was not --

22 MR. SCAPERADA: So your department
23 writes inconsistent violations because as
24 of 2009, I can provide pictures of what
25 they wrote violations for and the same

1 exists as of this evening.

2 COMMISSIONER EVANS: If there's a
3 violation there that exists today, I'm
4 not aware of it based upon these
5 (inaudible)e As the code enforcement
6 official (indiscernible) identified and
7 (indiscernible) specifically, I cannot go
8 further than that with you. I will be
9 happy to arrange (indiscernible) between
10 you and the code enforcement official
11 with me present, and we can (inaudible)
12 right now a physical inspection
13 was made --

14 (Break in audio)

15 MR. SCAPERADA: I don't know how you
16 guys can write inconsistent -- how could
17 you not adhere to the codes correctly?
18 Why? Why would they write something one
19 time and the same thing exists today? It
20 was purposely removed and purposely
21 placed on -- towards our property, and
22 you -- you're not doing anything.

23 COMMISSIONER EVANS: I can't --

24 MR. SCAPERADA: But you write me up
25 for an alleged violation when no one

1 tested it.

2 COMMISSIONER EVANS: I'm not
3 aware --

4 MR. SCAPERADA: There's a problem.

5 COMMISSIONER EVANS: -- of the
6 specifics of testing your pipe, and
7 (inaudible) or the curb and therefore
8 water is running out at (inaudible) and
9 is not supposed to --

10 MR. SCAPERADA: Well, the pipe does
11 not alleviate my roof water. What's
12 going to be done about this? I have a
13 violation stating it's supposed to be
14 amended by August 4th. I do not want to
15 go to court and have to prove myself for
16 something that was recklessly written.

17 COMMISSIONER EVANS: As I shared
18 with you -- the observation of the
19 property -- physical inspection of the
20 property --

21 MR. SCAPERADA: I'm addressing the
22 issue of the violation for the tubing
23 that you're alleging is dumping water on
24 the prop -- on the sidewalk. It's ten
25 feet one inch past the town right of way

1 and it's not a pipe that alleviates storm
2 water from my roof, as I was told.

3 COMMISSIONER EVANS: I will follow
4 up on that specific issue. My
5 understanding is that the violation that
6 you were issued is for the corner of your
7 driveway where there --

8 MR. SCAPERADA: That's the question.

9 COMMISSIONER EVANS: -- that pipe
10 terminates before the sidewalk?

11 MR. SCAPERADA: But it's not a storm
12 water pipe.

13 COMMISSIONER EVANS: What pipe is
14 it, then?

15 MR. SCAPERADA: It is a weeping
16 tube. It's an un-required weeping tube.

17 COMMISSIONER EVANS: And yet, that
18 specifics then --- and I will arrange that
19 with the code official to have them
20 investigate that and respond --

21 MR. SCAPERADA: But why can't they
22 give me -- I just (inaudible) five hours
23 for a babysitter to come finally get an
24 answer.

25 COMMISSIONER EVANS: I will follow

1 up with them. I understand you.

2 MR. SCAPERADA: You can go and look.
3 There's perforations in and why didn't
4 anybody ask to put a hose in the gutter?
5 It's common sense.

6 COMMISSIONER EVANS: I can't answer
7 that.

8 MR. SCAPERADA: Then I question the
9 judgment of the inspectors who write a
10 violation two years ago and then it's the
11 same violation -- you don't write it
12 again, and then you just, oh, give this
13 guy a violation.

14 MAYOR COCCHIOLA: Commissioner,
15 aren't you going to send somebody to go
16 check it out?

17 COMMISSIONER EVANS: -- it out.

18 MAYOR COCCHIOLA: Whatever the issue
19 is with respect to the trash can, we'll
20 have to look into that. I don't know
21 what that is. But we'll -- I'll give you
22 a call.

23 MR. SCAPERADA: It's been over forty
24 days. We let it go for a year an a half.

25 MAYOR COCCHIOLA: That's the pipe

1 issue? Well, you're going to send
2 somebody to take a look at it.

3 SPEAKER: Crews were sent last week
4 prior to the hurricane. It could be that
5 it still remains there. It's been for --

6 MR. SCAPERADA: A year and a half.

7 MS. ANDO: A year and a halfe
8 Right. We've tried to look the other
9 way --

10 MR. SCAPERADA: We looked.

11 MS. ANDO: -- but, you know, enough
12 is enough. This --

13 MAYOR COCCHIOLA: In front of the
14 house or on the property?

15 MS. ANDO: On the --

16 MR. SCAPERADA: Past the front face
17 of the house next to our property line.
18 The driveway's three and a half feet
19 below grade --

20 SPEAKER: That's property
21 maintenance.

22 MR. SCAPERADA: -- and from code
23 enforcement told me, that is not allowed.
24 That's what the violation was written for
25 in 2009 --

1 SPEAKER: Right.

2 MR. SCAPERADA: -- health inspector
3 and it still exists.

4 COMMISSIONER EVANS: I have what I
5 have -- my understanding right now
6 (inaudible) and I'll follow through.

7 MS. ANDO: Well, I guess it doesn't
8 make sense that this individual was given
9 a violation two years (indiscernible) for
10 that same thing, and now you're saying
11 it's --

12 MR. SCAPERADA: It doesn't apply
13 anymore?

14 MS. ANDO: -- not an issue, so I can
15 -- so we can basically go put debris in
16 the same place she has it on our property
17 and that would be okay.

18 COMMISSIONER EVANS: Again, I'm not
19 (indiscernible) so I will -- with them
20 first thing --

21 SPEAKER: We were sent photographs
22 of everything numerous times and --

23 COMMISSIONER EVANS: Those
24 photographs are based on the
25 photographs --

1 MR. SCAPERADA: they also requested
2 over a year and a half ago, on what year
3 the code was put into place where the
4 good side of the fence must face the
5 neighboring property. Six times in over
6 probably about nineteen months now, I
7 haven't got a response. I provided my
8 father's permit from 1964; Judge Viola
9 said the fence is a problem, what's going
10 on with it. Are you -- I said, well, I'm
11 speaking with the town. That was a year
12 and a half ago. No one's responding. We
13 get inconsistent, incorrect answers and
14 actions. We want accountability as we
15 asked in our e-mail. We shouldn't have
16 to come to a public meeting to address
17 simple services that should be provided
18 to the town -- township citizens.
19 Ridiculous -- a weeping tube. And I
20 consulted with your people and meetings,
21 I asked for meetings. And they still
22 can't perform the function. Do you think
23 that's right? I don't.

24 MAYOR COCCHIOLA: I think you'll be
25 hearing from somebody in the next day.

1 COMMISSIONER EVANS: Absolutely.

2 MR. SCAPERADA: Thank you.

3 MS. ANDO: -- want to meet with
4 somebody -- option will be made
5 available. Thank you.

6 MAYOR COCCHIOLA: Thanks. Thank you
7 for waiting so long to address the board.

8 MS. FENSKE: Dil Fenske, Franklin
9 Reform Church, I'm the pastor at 45
10 Hillside Crescent. Just -- I don't want
11 to protract this conversation. There are
12 more questions than there are answers. I
13 am sorry that it has come to a point
14 where neighbors are feeling bad about
15 each other and about the church and about
16 clergy in the church. What I would like
17 to clarify is, when we talk about twelve-
18 step meetings, we never went out and
19 recruited anyone. We never went out and
20 told people where to meet. Those
21 meetings -- people came to us, that can
22 we use your place. So it's not a matter
23 of clergy deciding where a group should
24 (inaudible).

25 I appreciate Bob's concern about

1 parking on Hillside Crescent. It is an
2 issue (inaudible) session because we do
3 have a lot of faculty and staff who park
4 along the (inaudible). We have remained
5 in constant communication with the
6 leaders of the group. They are aware
7 that that will be an issue now that has
8 school has started.

9 Again, I'm not sure at this point
10 where we go. But the church is committed
11 to its physical neighbors, the safety of
12 the children of the community, and to the
13 people who we welcome into our building.
14 And we will work at trying to find a way
15 for all of us to live together. I don't
16 know that there's a win-win here. I
17 think we're talking in terms of winning
18 and winning. I think we need to change
19 the conversation -- I'm not sure how
20 that's going to happen. But I am willing
21 to (inaudible) as long as necessary.

22 MAYOR COCCHIOLA: Thanks. And I
23 think that was my point, that I'm sorry
24 that it got to a point where there is so
25 much anger but I know that dialogue can

1 only help. And that's what I'm going to
2 ask Reverend Fenske if you could get back
3 to Reverend LeDuc and maybe try to set
4 something up with the neigh -- just like
5 you did for me, you know, with the
6 neighbors and some members of the clergy
7 association to have an open dialogue
8 about trying to solve the problem.
9 That's all I can ask, is that maybe we
10 take that step and try to work it out.

11 COMMISSIONER EVANS: Just a comment.
12 You know, when we met earlier today, my
13 sense walking away from that meeting was
14 that there was an openness to have a good
15 conversation and dialogue about this.
16 So, I think your openness -- you want to
17 address that. It seems as though that
18 listening, you know, and tentatively,
19 that the points that have been raised by
20 the residents -- in this case,
21 specifically around Holy Trinity Church,
22 that along the way someone lost sight of
23 what you just articulated was, how do we
24 come to a resolution. I don't think a
25 resident needs to tolerate garbage,

1 smoking, cigarette butts, all that stuff,
2 illegal parking, in order to be able to
3 say that that is (inaudible)e.

4 I'm positioned -- first meeting was
5 that people need to get help, need to get
6 help. No question in our minds.

7 MALE SPEAKER: -- and time, in order
8 to do that. That doesn't necessarily
9 mandate --residents around that action
10 have to expect respectful behavior,
11 actions that have precipitated
12 conversation -- research that's been --
13 it's very important that for residents to
14 come and say I've met with the church, on
15 the Internet, I'm doing research on
16 this -- on a given day, life is kind of
17 short -- people are spending that kind
18 of -- is an urgent need to be able to
19 come to some --

20 I welcome your comments and I act --
21 being able to come -- if to your point,
22 recognize that a police officer can't be
23 there, but we also heard this is a
24 specific area, specific date and time
25 when -- present, anything that could be

1 done from your side to -- the residents
2 to insure practices that we've heard
3 about or are somehow related, that would
4 be helpful.

5 OFFICER: Mayor, if I may quickly
6 just -- Nicky Gilane, a traffic officer
7 with the police department. There are a
8 couple comments I heard tonight that I
9 think is a misunderstanding by some
10 members of the public that need to be
11 clarified. There is some numbers and
12 some violations that were deemed to be
13 not in force. Just based on what I heard
14 here tonight, comments like seventy-five
15 feet from a stop sign or fifty feet from
16 a corner -- they're not violations.
17 Though I can tell you that myself
18 personally as well as the rest of the
19 patrol division, we have been there very,
20 very frequently. We're getting more than
21 one call a day, complaints from residents
22 about parking in the area. We are
23 sending patrol cars up to take time-limit
24 parking and look for other violations at
25 the intersections. If a patrol car come

1 and go without taking any enforcement
2 action, it might just be because the
3 officer has a better understanding of
4 what a violation is or is not than the
5 public may. If the public is unsure, the
6 police department is more than happy to
7 answer any questions -- even meet up
8 there and point out where the boundaries
9 for certain violations are, if that would
10 be helpful. But again, on this or that a
11 car was observed seventy-five feet from a
12 stop sign, it's fifty feet from a stop
13 sign where you can start parking, so
14 again, I just think there's some
15 misunderstandings.

16 Another one was, somehow along the
17 way, somebody seems to think that there's
18 some type of restriction that a member of
19 the church that's hosting the meeting has
20 to have a supervisor present. And I
21 don't think that's accurate. I spoke
22 with the prosecutor's office before they
23 left. The restrictions for the Megan's
24 Law offenders that they have to be at a
25 supervised meeting, those supervisors are

1 from the twelve-step program not the
2 church that might be lending or leasing
3 the meeting space to that organization.
4 So to be looking for why the church isn't
5 there at all these meetings, they may not
6 be required to. So, that's it. Thank
7 you.

8 MAYOR COCCHIOLA: Thank you. Is
9 there anyone else who would like to
10 address the board this evening?

11 COMMISSIONER TUCCI: Move to
12 adjourn.

13 COMMISSIONER PETRACCO: Second.

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Mayor Cocchiolo?

22 (End of audio)
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C E R T I F I C A T I O N

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

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

In witness whereof I hereby sign this date:
October 18, 2011.



Sharon Meyer

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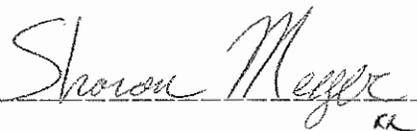
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Sharon Meyer

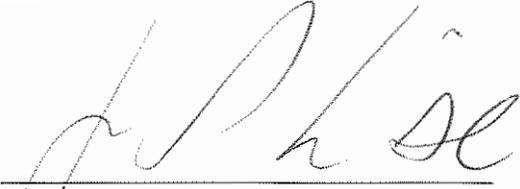
Signature Page

Board of Commissioners Meeting Minutes September 6, 2011

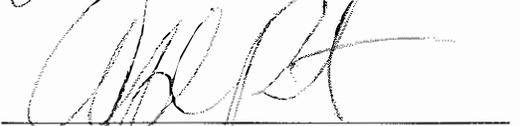
ATTEST:



Evelyn Rosario, RMC, CMC
Municipal Clerk



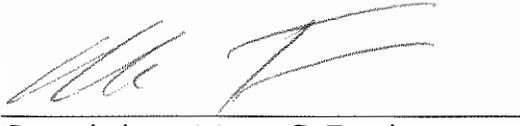
Commissioner Joseph P. Scarpelli



Commissioner Alphonse Petracco



Commissioner Thomas J. Evans



Commissioner Mauro G. Tucci



Mayor Joanne Cocchiola

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
11-00340	POLAND SPRINGS	32.66					32.66
11-03449	TIRE MANAGEMENT	100.50					100.50
11-03466	NEWARK BETH ISRAEL MED	72.00					72.00
11-03422	NO.JERSEY MEDIA GROUP	20.04					20.04
11-02781	PHYSICIANS SALES & SERV.	83.18					83.18
11-00129	NUTLEY PARK SHOPRITE	29.90					29.90
11-03300	DELGEN PRESS	149.00					149.00
11-03421	TREASURER SCHOOL MONEY		2,200,000.00				2,200,000.00
11-03408	ACCOUNTEMPS		1,069.44				1,069.44
11-03467	ACCOUNTEMPS		2,673.60				2,673.60
11-03537	T/N PAYROLL AGENCY ACCT.		31,395.20				31,395.20
11-03389	T/N PAYROLL AGENCY ACCT.		35,859.15				35,859.15
11-03424	POSTMASTER NJ		3,000.00				3,000.00
11-03617	UPS		8.62	8.99			17.61
11-03394	VERIZON WIRELESS		60.07	235.82			295.89
11-03594	NJ DEPT LABOR		666.00				666.00
11-03302	WEST GROUP		88.50				88.50
11-03230	HEWLETT PARKARD CORP		1,109.62				1,109.62
11-02907	HEWLETT PARKARD CORP		616.50				616.50
11-03018	BRIAN JACKMAN		68.37				68.37
11-02432	REMAX FORTUNE PROP		35.98				35.98
11-03455	PIRO,ZINNA CIFELLI		425.43				425.43
11-00096	PIRO,ZINNA CIFELLI		2,838.05				2,838.05
11-00400	HENDRICKS APPRAISAL		1,575.00				1,575.00
11-00341	POLAND SPRINGS		89.85				89.85
11-03400	NJ LEAGUE OF MUNICIPAL		50.00				50.00

Attach To Official Minutes

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
11-03399	NJ LEAGUE OF MUNICIPAL		100.00				100.00
11-03426	TOWNSHIP OF MONTLCAIR		30.00				30.00
11-03425	TOWNSHIP OF MONTLCAIR		30.00				30.00
11-03063	DONOFRIO & SONS		674.25				674.25
11-03417	US BANK CORP		62,953.47				62,953.47
11-03470	CAESARS ATLANTIC CITY		318.00				318.00
11-03472	CAESARS ATLANTIC CITY		318.00				318.00
11-03471	CAESARS ATLANTIC CITY		318.00				318.00
11-03013	W.B. MASON CO		240.53				240.53
11-03350	W.B. MASON CO		34.99				34.99
11-03219	W.B. MASON CO		976.28				976.28
11-03256	W.B. MASON CO		229.22				229.22
11-03387	W.B. MASON CO		287.52				287.52
11-03517	AT & T MOBILITY		259.06				259.06
11-01985	CDW GOVERNMENT		100.05				100.05
11-03469	MULTI PACKAGING		81.00				81.00
11-00089	RICHARD RENN		505.00				505.00
11-03148	W.B. MASON CO		80.05				80.05
11-03012	W.B. MASON CO		102.69				102.69
11-03477	NO JERSEY MEDIA GROUP		624.44				624.44
11-03608	DOV PF CPDES & STANDARDS		50.00				50.00
11-03605	NJ DEPT COMM. AFFAIRS		5,651.00				5,651.00
11-03603	DAVID WILSON		195.00				195.00
11-03602	DAVID WILSON		588.00				588.00
11-03601	DAVID WILSON		420.00				420.00
11-03604	DAVID WILSON		441.00				441.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
11-00097	MAJOR ELAGUE AUTO SPA		14.00				14.00
11-03597	AT & T MOBILITY		78.71				78.71
11-03505	NBC AUTO PARTS		39.71				39.71
11-00400	HENDRICKS APPRAISAL		225.00				225.00
11-03474	WORRALL COMM. NWSPR.		26.00				26.00
11-03512	BRTTECH		1,648.90				1,648.90
11-00370	CABLEVISION			49.95			49.95
11-03369	CABLEVISION			53.85			53.85
11-03174	DIV OF STATE POLICE			130.00			130.00
11-03173	DELL MKT.			139.61			139.61
11-03431	HON HAROLD FULLILOVE			350.00			350.00
11-03590	JOHN HOLLAND			146.49			146.49
11-03451	HON JONATHAN ROSENBLUTH			300.00			300.00
11-03330	SELECTIVE BUS. MACH			95.00			95.00
11-03253	METROGRAPHICS			110.00			110.00
11-05391	VALIC			8,337.50			8,337.50
11-03249	RFI			38.95			38.95
11-03397	MOBILE TECH			1,038.00			1,038.00
11-01727	ATLANTIC POWER SYS			1,397.00			1,397.00
11-03222	FLEMINGTON CAR			337.97			337.97
11-03170	FLEMINGTON CAR			419.95			419.95
11-00193	NICOLETTE TOWING			60.00			60.00
11-02934	K & A IND.			4,120.00			4,120.00
11-03335	FRANKLIN FLOORS			410.00			410.00
11-03277	HOME DEPOT			79.13			79.13
11-00345	POLAND SPRING			29.66			29.66

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
11-00334	POLAND SPRING			29.94			29.94
11-00343	POLAND SPRING			71.85			71.85
11-03384	BURGER KING			82.59			82.59
11-00110	NUTLEY PARK SHOPRITE			7.99			7.99
11-00110	NUTLEY PARK SHOPRITE			107.12			107.12
11-03414	UPS			17.74			17.74
11-02610	LAW SOFT			2,000.00			2,000.00
11-02525	PYRAMYD AIR LTD			513.79			513.79
11-03495	NJ STATE LEAGUE OF MUNICP			50.00			50.00
11-03558	TURNOUT UNIFORMS			625.00			625.00
11-03559	TURNOUT UNIFORMS			143.05			143.05
11-03560	TURNOUT UNIFORMS			474.96			474.96
11-03561	TURNOUT UNIFORMS			6.99			6.99
11-03562	TURNOUT UNIFORMS			625.00			625.00
11-03563	TURNOUT UNIFORMS			625.00			625.00
11-03564	TURNOUT UNIFORMS			625.00			625.00
11-03565	TURNOUT UNIFORMS			363.22			363.22
11-03566	TURNOUT UNIFORMS			276.43			276.43
11-03567	TURNOUT UNIFORMS			264.99			264.99
11-03568	TURNOUT UNIFORMS			205.99			205.99
11-03569	TURNOUT UNIFORMS			18.99			18.99
11-03570	TURNOUT UNIFORMS			112.93			112.93
11-03571	TURNOUT UNIFORMS			269.99			269.99
11-03572	TURNOUT UNIFORMS			509.90			509.90
11-03573	TURNOUT UNIFORMS			227.90			227.90
11-03574	TURNOUT UNIFORMS			473.93			473.93

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
11-03575	TURNOUT UNIFORMS			390.97			390.97
11-03576	TURNOUT UNIFORMS			352.96			352.96
11-03577	TURNOUT UNIFORMS			599.70			599.70
11-03578	TURNOUT UNIFORMS			278.98			278.98
11-03579	TURNOUT UNIFORMS			448.91			448.91
11-03580	TURNOUT UNIFORMS			314.96			314.96
11-03581	TURNOUT UNIFORMS			422.87			422.87
11-03583	TURNOUT UNIFORMS			112.98			112.98
11-03584	TURNOUT UNIFORMS			369.99			369.99
11-03585	TURN OUT FIRE SAFETY			202.96			202.96
11-03333	LANGUAGE LINE SERV6.88			6.88			6.88
11-02927	W.B. MASON CO			95.71			95.71
11-02929	W.B. MASON CO			115.86			115.86
11-03021	W.B. MASON CO			381.77			381.77
11-00193	NICOLETTE TOWING			12.00			12.00
11-00210	V.E.RALPH			13.95			13.95
11-03598	AT & T MOBILITY			100.26			100.26
11-03481	NATIONAL FUEL OIL			14,586.72			14,586.72
11-03468	NATIONAL TERMINAL			5,805.45			5,805.45
11-02905	OCCUPATIONAL HLTH.DYNAM			802.80			802.80
11-03410	SELECTIVE BUSINESS MACH			643.90			643.90
11-02837	NO.JERSEY AUTO TRUCK				771.50		771.50
11-03612	LOUIS FUSARO				3,000.00		3,000.00
11-03235	RHOMAR IND				2,260.99		2,260.99
11-03247	BELLEVILLE BLDG. MATERIAL				25.00		25.00
11-00039	INTERSTATE BATTERY				79.95		79.95

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS& PUBLIC PROPERTY	TOTALS
11-00033	RICCARDI BROTHERS				73.75		73.75
11-00346	POLAND SPRINGS				146.43		146.43
11-03405	PSE & G				69.71		69.71
11-03402	PSE & G				21,842.41		21,842.41
11-03514	PSE & G				223.48		223.48
11-00036	BEYER BROTHERS				32.99		32.99
11-00060	ROBERTS & SON				138.00		138.00
11-01020	PENNONI ASSOC.				3,345.00		3,345.00
11-00443	PENNONI ASSOC.				98.85		98.85
11-00443	PENNONI ASSOC.				2,250.00		2,250.00
11-00443	PENNONI ASSOC.				2,250.00		2,250.00
11-02493	PENNONI ASSOC.				7,525.00		7,525.00
11-02154	PENNONI ASSOC.				1,170.00		1,170.00
11-03242	DELGEN PRESS				96.00		96.00
11-02896	GARDEN STATE HGWY PROD				80.00		80.00
11-03262	KEEP KIDS ALIVE				260.00		260.00
11-00046	TILCON NJ				210.09		210.09
11-00046	TILCON NJ				35.31		35.31
11-00046	TILCON NJ				209.16		209.16
11-00046	TILCON NJ				448.40		448.40
11-00046	TILCON NJ				1,022.78		1,022.78
11-01335	STONE IND.				450.00		450.00
11-00034	AGL WELDING				176.55		176.55
11-03407	ROUTE 23 AUTO MALL				317.71		317.71
11-00048	W.E. TIMMERMAN				235.58		235.58
11-00039	INTERSTATE BATTERY				58.82		58.82

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
11-00039	INTERSTATE BATTERY				195.90		195.90
11-00047	VIOLA BROTHERS				94.58		94.58
11-00035	AMERICAN HOSE				241.00		241.00
11-03027	W.B. MASON				30.20		30.20
11-03233	DELL MARKETING				1,799.65		1,799.65
11-00030	GRAINGER				325.28		325.28
11-03236	UNITED RENTALS				2,002.20		2,002.20
11-03433	VERONA IND				104.71		104.71
11-02776	WIEGERS INC				4,640.00		4,640.00
11-03182	DELGEN PRESS				119.00		119.00
11-03329	INTERCITY TIRE				227.36		227.36
11-03482	PASSAIC VALLEY WATER COMM				500.00		500.00
11-00029	BELL RIDGE PLUMBING				124.71		124.71
11-03254	DAWNBRITE				270.00		270.00
11-03420	DAWNBRITE				507.00		507.00
11-03406	PIPE TOOLS				1,810.42		1,810.42
11-03327	VOLPE METAL FABRICATING				500.40		500.40
11-01206	BILL STERLING MUNICIPAL				800.00		800.00
11-03339	JB EQUIPMENT				135.97		135.97
11-00032	ONE CALL CONCEPTS				111.84		111.84
11-02729	WORK & GEAR				805.50		805.50
11-03216	NEWARK ASPHALT CORP				1,362.15		1,362.15
11-01659	INTERCITY TIRE				6,276.00		6,276.00
11-02022	INTERCITY TIRE				974.50		974.50
11-03491	METRIC PARKING DIV				142.50		142.50
11-03221	HEWLETT PACKARD				285.12		285.12

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
11-03476	BRADLEY TIRE				1,388.04		1,388.04
11-02775	NUTLEY AUTO CARE CENTER				82.50		82.50
11-00038	DELUXE INTL TRUCK				237.80		237.80
11-03511	NICOLETTE TOWING				75.00		75.00
11-03536	AT & T MOBILITY				738.87		738.87
11-01563	ROUTE 23 AUTO MALL				40.25		40.25
11-03596	AT & T MOBILITY				867.63		867.63
11-02337	DLS CONTRACTING				132,148.21		132,148.21
11-03635	NJSHBP					295,769.99	295,769.99
11-03636	NJSHBP					138,609.59	138,609.59
11-03444	ATHENIA MASON SUPPLY					119.00	119.00
11-01791	NATIONAL BLDG. SUPPLY					786.02	786.02
11-01787	VIOLA BROTHERS					272.49	272.49
11-03543	FRANK FERRY					969.00	969.00
11-03542	DELTA DENTAL PLAN					13,654.08	13,654.08
11-03541	DELTA DENTAL PLAN					13,103.53	13,103.53
11-03268	FRANKLIN FLOORS					12,110.00	12,110.00
11-03261	GRANT SUPPLIES					229.11	229.11
11-03271	W. ESSEX BLDG SUPPLY					686.92	686.92
11-03270	AQUA MIST IRR					720.00	720.00
11-00004	AMERICAN HOSE					35.44	35.44
11-03439	RICCARDI BROTHERS					905.20	905.20
11-00012	NORTHEAST AUTO					63.00	63.00
11-03296	ARTISTIC FENCE					58.40	58.40
11-03245	ADVANCED ENGRAVING					19.25	19.25
11-02519	GRASS ROOTS					2,855.52	2,855.52

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
11-03232	ABADEL PEST CONTROL					1,700.00	1,700.00
11-03266	HOFFMAN SERVICE					650.00	650.00
11-03056	TILCON NJ					56.52	56.52
11-00014	TERRE CO					636.72	636.72
11-02585	TEXAS CAMVAS					300.00	300.00
11-00022	VIOLA BROTHERS					116.75	116.75
11-03231	FILTERS AMERICA					185.29	185.29
11-00024	GRANT SUPPLIES					16.80	16.80
11-03214	FRANKLIN CENTRAL					750.00	750.00
11-00018	BELL RIDGE PLUMBING					61.13	61.13
11-03485	VERIZON					201.42	201.42
11-03486	VERIZON					361.92	361.92
11-03507	VERIZON CABS					1,906.73	1,906.73
11-03272	MORGAN BIRGE					1,285.04	1,285.04
11-00127	CABLEVISION					3,018.33	3,018.33
11-02963	TRUSTY TREE SERVICE					1,750.00	1,750.00
11-03275	ROBERTS & SON					242.30	242.30
11-03404	PSE & G					1,480.09	1,480.09
11-03403	PSE & G					1,155.02	1,155.02
11-03395	PSE & G					1,650.27	1,650.27
11-03401	PSE & G					34,000.78	34,000.78
11-03483	PSE & G					388.55	388.55
11-03513	PSE & G					0.82	0.82
11-03884	PSE & G					31.14	31.14
11-00011	SUPERIOR DISTRIBUTORS					6.95	6.95
11-03209	WORRALL COMM.					26.00	26.00

TOWNSHIP OF NUTLEY							
BILL LIST							
TUESDAY SEPTEMBER 6, 2011							
P.O.	VENDOR	PUBLIC AFFAIRS	REVENUE & FINANCE	PUBLIC SAFETY	PUBLIC WORKS	PARKS & PUBLIC PROPERTY	TOTALS
11-00017	ABLE PAINT					59.48	59.48
11-03210	NO JERSEY MEDIA GROUP					3.78	3.78
11-03246	AMERICAN BUS					76.59	76.59
11-03149	ROBERTS & SON					145.00	145.00
11-03634	ALAN NOWICKI					579.00	579.00
11-03633	NOREEN HAVERON					436.68	436.68
11-03586	MARIA CRUZ					130.00	130.00
11-03538	FRAN STANCATO					25.00	25.00
11-03539	PAT KONSTANTAROS					32.00	32.00
11-03540	HANNA SEO					22.00	22.00
11-03544	JOSEPH MASTANDREA					15.00	15.00
11-03545	MONIKA LOUIS					30.00	30.00
11-03546	PEIYONG ZHAI					25.00	25.00
11-03547	JANICE LOPEZ					15.00	15.00
11-03548	ALETA CONFESSORE					32.00	32.00
11-03549	UN GIRON					462.00	462.00
11-03550	STEWART MCEWAN					125.00	125.00
11-03551	DAWN MUFFUCCI					15.00	15.00
11-03552	NANETTE CASTRO					110.00	110.00
11-03553	LOIS PLINIO					32.10	32.10
11-03554	JULIE SHANLEY					110.00	110.00
11-03555	GELTRUDE & CO					25.00	25.00
11-03556	DEBRA CASE					130.00	130.00
11-03557	ELECTRIFYING X-TREME					1,750.00	1,750.00
11-03419	TINA DEFALCO					500.00	500.00
11-03303	NUTLEY PARK SHOPRITE					40.75	40.75

TOWNSHIP OF NUTLEY
BILL LIST
September 6, 2011

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of SEPTEMBER 6, 2011:

PAYROLL-REGULAR AUGUST 19, 2011:

Department of Public Affairs	22,951.95
Department of Revenue & Finance	49,268.21
Department of Public Safety	396,885.37
Department of Public Works	98,718.85
Department of Parks & Public Properties	85,658.62
Department of Recreation Commission	24,675.27
Water Operations	55,526.22
Due To From General Capital	3,426.60
600 Series	8,865.69
C.E.H.A.	430.90
Accounts Payable	2,443.06
Snow Removal	6,741.68
Sub Total	755,592.42

PAYROLL-OVERTIME AUGUST 19, 2011:

Department of Public Affairs	0.00
Department of Revenue & Finance	35.07
Department of Public Safety	18,069.91
Department of Public Works	2,283.30
Department of Parks & Public Properties	3,568.11
Water Operations	4,525.70
600 Series	0.00
Sub Total	28,482.09

TOTAL PAYROLL: 784,074.51

The Payroll list in the foregoing schedule includes amounts to be deducted for:

Federal Withholding Tax	101,017.61
Social Security	18,069.94
N.J. State Tax	26,564.64
Medicare	11,323.28
Wage Execution	4,339.58
Deferred Compensation	25,803.98
Employee Disability Ins.	3,949.58

TOWNSHIP OF NUTLEY
BILL LIST
September 6, 2011

List of payroll submitted for approval by the Board of Commissioners at their regular meeting of SEPTEMBER 6, 2011:

PAYROLL-REGULAR SEPTEMBER 2 2011:

Department of Public Affairs	23,296.69
Department of Revenue & Finance	55,271.38
Department of Public Safety	375,968.57
Department of Public Works	61,226.31
Department of Parks & Public Properties	80,299.42
Department of Recreation Commission	25,948.55
Water Operations	41,022.39
Due To From General Capital	3,426.60
600 Series	9,092.29
C.E.H.A.	130.66
Accounts Payable	113.16
Sub Total	675,569.70

PAYROLL-OVERTIME SEPTEMBER 2, 2011:

Department of Public Affairs	0.00
Department of Revenue & Finance	223.14
Department of Public Safety	16,081.83
Department of Public Works	2,355.42
Department of Parks & Public Properties	2,518.93
Water Operations	9,898.73
600 Series	0.00
Sub Total	31,078.05

TOTAL PAYROLL: 706,647.75

GRAND TOTAL: 4,660,563.71

The Payroll list in the foregoing schedule includes amounts to be deducted for:

Federal Withholding Tax	91,175.83
Social Security	15,812.77
N.J. State Tax	24,304.64
Medicare	10,200.54
Wage Execution	4,253.58
Deferred Compensation	25,803.98
Employee Disability Ins.	3,959.58

Best Practices Worksheet CY 2011

Nutley Township (Essex)			
0716			
	Question	Answer	Comments
General Management			
1	Has your municipality adopted a pay-to-play ordinance pursuant to N.J.S.A. 40A:11-51? This law allows the municipality and its agencies to prohibit the award of public contracts to business entities that have made certain campaign contributions exceeding \$300 and to limit the contributions that the holders of a contract can make during the term of a contract to \$300. A model ordinance concerning pay-to-play can be found at: www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc	No	
2	Did your municipality evaluate and/or enter into at least one new shared service or cooperative agreement in 2010, outside of joining cooperative purchasing system?	Yes	
3	Does your municipality maintain an up-to-date municipal website containing, but not limited to: past three years adopted budgets; and the current year proposed budget including the full adopted budget for current year when approved by the governing body; most recent annual financial statements and audits; notification(s) for solicitation of Bids and RFPs; employee contact information; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	Yes	
4	Does your municipality's legal counsel review procurement specifications and sign off on all major professional service contracts before the documents are signed?	Yes	
5	Does your municipality have an ongoing policy cross referencing the submittal of Certificates of Occupancy from the Construction Official to the Tax Assessor?	Yes	
6	Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite?	Yes	
7	Does your municipality require its elected officials to attend basic courses on responsibilities and obligations in local government (i.e. budgeting, policy setting, local government contracting, risk management, and compliance with the Open Public Records Act)?	Yes	
8	If your municipality assigns employees with vehicles that can be taken home after work hours, is there a written policy in place to prohibit personal use and does that policy ensure that the commuting miles are reflected in employee W-2s?	Yes	

Best Practices Worksheet CY 2011

Nutley Township (Essex)			
0716			
	Question	Answer	Comments
9	Does your municipality sell personal property (fire trucks, road equipment, confiscated items, etc.) through an approved online auction system to broaden the market area for increased revenue?	Yes	
10	Are ordinances codified on an annual basis and made available electronically and/or in an existing ordinance book for the public?	Yes	
11	Has your municipality established an "Absence from Meetings Policy" for elected officials and appointed board members?	Prospective	
Financial Standards			
1	Does your municipality's newly (within the last six months) negotiated public employee contracts refrain from increasing base salary items by more than an average of two (2%) percent annually over the aggregate amount expended in the final year of the previous contract?	Yes	
2	Is there a system of checks and balances over the purchasing and disbursement functions, including payroll (e.g., the same employee who prepares the checks also reconciles the bank account would not be a proper system of checks and balances)?	Yes	
3	Does your municipality have written procedures pertaining to cash receipts and cash disbursements including but not limited to: receiving, recording and preparing deposits for cash receipts; and processing, reviewing, and approving disbursements?	Yes	
4	Does management (department heads) review and approve all payroll disbursements, invoices, and purchase orders before final approval of the governing body by resolution?	Yes	
5	Are bank statements and related canceled checks and validated deposit slips, reviewed and reconciled monthly to the general ledger balances?	Yes	
6	Are contracts for services over the pay-to-play threshold of \$17,500 awarded using bids or a fair and open process?	Yes	
7	Does your municipality maintain all documentation regarding bids including but not limited to: notices to potential bidders that include the plans, specifications, and contracts; documentation that the bids were properly advertised; and bid opening documentation that include the submitted bids, bid tabulation sheet, and indication of which bid was accepted?	Yes	

Best Practices Worksheet CY 2011

Nutley Township (Essex)			
0716			
	Question	Answer	Comments
8	Does your municipality perform an audit of your utility (telephone, fax, electric meters) accounts at least once every three years to ensure that inactive accounts are cancelled?	Yes	
Budget Preparation & Presentation			
1	Has your governing body reviewed the municipality's annual financial statement with particular emphasis on surplus generation and usage, tax collection rates (including the status of tax liens), and delinquent tax collection statements? <u>0 0 0</u>	Yes	
2	Did your municipality prepare a five (5) year summary showing the amount of surplus anticipated and the percentage of the budget that this represents?	Yes	
3	Does your municipal CFO or auditor evaluate your capital balances annually to review and cancel unspent funds at the closure of capital projects?	Yes	
4	Do elected officials receive quarterly (or more frequent) reports on the status of all budget revenues and appropriations as they correspond to the annual adopted budget?	Yes	
5	Was a budget history and projection showing three years of history prepared in a "Viewer Friendly" style for public use?	Yes	
Health Insurance			
1	If your municipality does not participate in the State Health Benefits Plan (SHBP), a joint insurance fund (JIF), or a healthcare insurance fund (HIF), have competitive proposals for insurance been solicited in the last three years?	N/A	
2	If your municipality is a member of the SHBP, have you transitioned from Chapter 88 (lifelong retirement benefits & Medicare Part B payouts) to Chapter 48 (healthcare cafeteria and select cost-saving provisions for all current and future employees)? N.J.S.A. 52:14-17.38(b1) to 52:14-17.38 (b2)	No	
3	Does your municipality perform an annual review of health benefit covered lives in an effort to delete employees, spouses or dependents who should no longer be receiving coverage?	Yes	
4	Do your municipal firefighters receive annual heart screening in conformance with NFPA Standard 1582, Chapter 4-7.7?	No	

Best Practices Worksheet CY 2011

Nutley Township (Essex)			
0716			
	Question	Answer	Comments
Personnel			
1	Does your municipality make available to the public free of charge, either through an internet posting or on-site review, documents that show the current salaries of all personnel and additional documents that would allow the public to understand how your municipality's aggregate salaries have changed over a three year period?	Yes	
2	Has your municipality, consistent with N.J.S.A. 34:13A-8.2, filed a copy of all negotiated public employee contracts with the Public Employment Relations Commission, or will your municipality bring itself into compliance by having all contracts emailed to contracts@perc.state.nj.us .	Yes	
3	Are all applicants and employees hired, promoted and retrained in accordance with established equal employment opportunity (EEO) and non-discrimination policies?	Yes	
4	Does your municipality limit health benefits to full-time (35 or more hours weekly), employees and exclude from coverage all part-time employees, elected or appointed officials?	Prospective	Current P/T, elected or appointed coverage will continue but coverage for new employees will be limited to F/T employees.
5	Are standardized absentee forms completed and filed for all employee absences?	Yes	
6	Are formal records maintained by your Personnel Department (Human Resources office) to account for vacation and sick leave earned and taken by all employees?	Yes	We are commission form of government. Formal records to account for sick and vacation leave earned and taken are maintained by each respective dept. Annually, I receive a summary report for each employee.
7	Does supervisory staff review and approve employee time and attendance reports before submitting to management?	Yes	
8	Does your municipality limit the carry forward of accrued vacation time to no more than one year's worth of such time (meaning no employee hired after the effective date of the limitation policy can have more than two (2) years of vacation time on the books in any given year)?	Yes	
9	Does the municipal governing body approve all payments of accumulated/uncompensated absence benefits?	Yes	

Best Practices Worksheet CY 2011

Nutley Township (Essex)			
0716			
	Question	Answer	Comments
10	Does your municipality's personnel manual include policies covering the use of municipal computers, including internet/e-mail use?	No	
11	Does your municipality have a transitional duty program (light duty) to encourage employees out on workers compensation to return to work?	Yes	The terms and conditions of "light duty" are established by the respective depts. In conjunction with our JIF advisors
12	Does your municipality provide annual employment practice liability training for elected officials, managers, administrators, department heads and supervisors?	Yes	

Best Practices Worksheet CY 2011

Nutley Township (Essex)			
0716			
	Question	Answer	Comments
Public Safety			
1	Does your municipality have an emergency management plan that is updated bi-annually and verified yearly through practical exercises and written reports distributed to all affected parties (police, fire, OEM, etc.) as required pursuant to L.1989, c.222, s.20?	Yes	
2	Is your municipality's police department accredited by the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), or have senior officers had advanced training through professional agencies/academies?	Yes	Final Inspections have already taken place and certification is expected shortly.
3	Are all required hazard-use inspections and reports performed in accordance with state standards, needed-relevant information disseminated to emergency response organizations and a copy of the report sent to local fire and police agencies?	Yes	
4	Does your municipality have formal written mutual aid agreements for all emergency response organizations?	Yes	
5	Does your municipality have a formal procedure to ensure that all park and recreation facilities are inspected/assessed periodically to determine whether proper maintenance is being done to ensure the safety of the using public?	Yes	
Energy			
1	Has your municipality conducted an energy audit within the last three years to evaluate whether the energy consumption (i.e. heating, lighting, ventilation and air conditioning) of municipal facilities can be reduced?	Yes	
2	If your municipality issues published or posted newsletters to its residents, did such publications promote recycling efforts and solid waste management in compliance with the storm water regulations? N.J.A.C. 7:8 et seq.	Yes	

Best Practices Worksheet CY 2011

Nutley Township (Essex)			
0716			
	Question	Answer	Comments
Municipal/School Relations			
1	Has your municipality held or scheduled a "Joint Yearly Open Public Meeting" between the local school board(s) and the governing body to discuss community needs, shared services, and the school and municipal budgets?	No	
2	Do you share playing fields, recreation services, and/or equipment with the local board(s) of education?	Yes	
3	Has your municipality entered into any shared services with local board(s) of education pertaining to maintaining of fields, sharing of equipment, purchasing of gasoline, snow plowing, etc.?	Yes	
	Select	0	
	Yes	42	
	No	5	
	N/A	1	
	Prospective	2	
	Total Answered:	50	
	Score (Yes + N/A + Prospective)	45	
	Score%	90%	
	Percent Withheld	0%	
Chief Financial Officer Completion Certification:			
Type Name of CFO and Certification # in cells below:			
	Rosemary Costa	0-0483	
	Name	Cert #	
		Date Prepared:	8/26/2011

Ordinance No. 3177
Introduced by Commissioner Mauro G. Tucci
Introduced on August 2, 2011
Public Hearing September 6, 2011

Ordinance No. 3177

ORDINANCE TO AMEND AN ORDINANCE TO FIX THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY, COUNTY OF ESSEX, STATE OF NEW JERSEY, EFFECTIVE JANUARY 1, 2011.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

SECTION 1. THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES, EITHER PERMANENT OR TEMPORARY, AS THE CASE MAY BE, OF THE TOWNSHIP OF NUTLEY HEREIN MENTIONED, SHALL BE AS FOLLOWS:

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

	Minimum	Maximum
Bus Drivers	\$12.00 per hour	\$25.00 per hour

SECTION 2. Payment of vacation time in advance may be made upon request in writing to the Treasurer at least one month in advance of the pay period requested. Written requests must be approved by the Department Head before submission to the Treasurer.

SECTION 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect twenty (20) days after final passage in accordance with the law.

SECTION 4. To the extent not set forth herein, all total salaries per annum will include longevity as set forth in Nutley Municipal Code Chapter 103.

BOARD OF COMMISSIONERS
 TOWNSHIP OF NUTLEY, NEW JERSEY *Attach To Official Minutes*

Resolution

Introduced by: Mayor Joanne Cocchiola _____ *Date:* September 6, 2011 _____
Seconded by: Commissioner Mauro G. Tucci _____ *No.* 175-11 _____

WHEREAS, in April 2011, a massive tornado swept through Mississippi, Alabama, and Georgia with estimated winds speeds between 167-200 miles per hour, leaving severe destruction and loss of life in its wake; and

WHEREAS, the community of Tuscaloosa, Alabama sustained the most devastating damage during the storm, as the tornado touched down leaving a half mile wide path of destruction through the center of the city; and

WHEREAS, Tuscaloosa native, and Nutley Assistant Football Coach Jarrett Vick, was visiting Tuscaloosa at the time of the Tornado and has since volunteered his time and efforts to assist the community by organizing groups of volunteers to help clean up and rebuild the city; and

WHEREAS, Peter Burbank, Nick Gariano, Michael Goudie, Ryan Goudie, Michael Hovan , Joseph Iannini, Matt Kelly, John Milici, Dominic Pilione (Wayne Hills HS), John Ratta, Nick Scherer, Jordan Yuppa, Aaron DiGregorio, along with Coach Steve DiGregorio, volunteered to assist and selflessly dedicated one week of their summer vacation to come to the aid of the citizens of Tuscaloosa; and

WHEREAS, these young men positively impacted the lives of the people of Tuscaloosa, and did so with great respect, humility and compassion; forging solid friendships and creating indelible memories;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and the Board of Commissioners, of the Township of Nutley, County of Essex, recognize, with great pride, the above mentioned individuals for their outstanding act of good will toward the citizens of Tuscaloosa, Alabama and join with the residents of this community in commending their examples of selflessness and generosity.


 _____, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing
 Evelyn Rosario
 Is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011 _____.

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

Resolution

Introduced by: Commissioner Thomas J. Evans *Date:* September 6, 2011

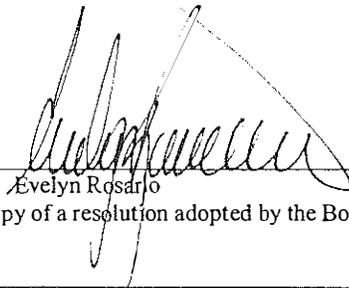
Seconded by: Commissioner Mauro G. Tuccie e e e e No.176-11

WHEREAS, an emergency has arisen with respect to the payment of **Emergency Response to Hurricane Irene Storm Damage** and no adequate provision was made in the **2011 Budget** for the aforesaid purpose, and N.J.S.A. 40A: 4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriation created including the appropriation to be created by this resolution is **\$ 800,000.00** and three percent of the total operations in the budget for the year **2011** is **\$1,575,476.93**;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A: 4-20,

1. An emergency appropriation be and the same is hereby made for **Emergency Response to Hurricane Irene Damage in the amount of \$ 800,000.00.**
2. That said emergency appropriation shall be provided in full in the **2012 Budget.**
3. That the statement required by the Local Finance Board has been filed with the Clerk and a copy thereof will be transmitted to the Director of Local Government Services.
4. That two certified copies of this resolution be filed with the Director of Local Government Services.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011..

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS *Attach To Official Minutes*
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

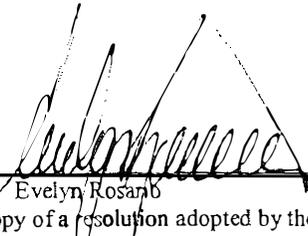
Introduced by: Commissioner Thomas J. Evans *Date:* September 6, 2011

Seconded by: Commissioner Mauro G. Tucci e e e e *No.* 177-11 e e

WHEREAS, an emergency has arisen with respect to the **Emergency Response to Hurricane Irene Damage** on august 27-28, 2011;

WHEREAS, manpower and supplies were expended to respond to said emergency and now need to be replenished;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, New Jersey, that an emergency is hereby declared to exist which will not permit for the advertisement for public bids, subject to the verification of funds by the chief financial officer of the Township of Nutley.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011..

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

**STATEMENT OF THE CHIEF FINANCIAL OFFICER WITH RESPECT TO
THE EMERGENCY RESOLUTION FOR HURRICANCE IRENE STORM
DAMAGE.**

Need of Emergency Appropriation:

On August 27-28, 2011, numerous employees and volunteers of the Township of Nutley responded to numerous calls for assistance due to flood conditions. Such response required the expenditure of township manpower, equipment, and supplies, which will be anticipated and provided for in the 2012 Municipal Budget.

Date of Happening: August 27-28, 2011

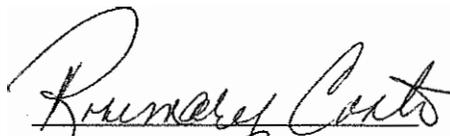
Have any contracts been awarded or purchase orders placed in connection with this emergency appropriation? No

Have any payments been made in connection with this emergency appropriation? No

If costs are in excess of \$21,000.00 for either labor or materials, or both, will bids be advertised for? No

If not, have resolutions been adopted declaring an exigency to exist, which will not permit the advertisement for public bids: Yes

Will work be performed by contract, force account or otherwise? Force account and Contract


Rosemary Costa
Treasurer, C.F.O.
September 6, 2011

Resolution

Introduced by: Commissioner Thomas J. Evans Date: September 6 2011

Seconded by: Commissioner Mauro G. Tucci o o No. 178-11

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled General Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit and specifically the sections of the Annual Audit entitled General Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

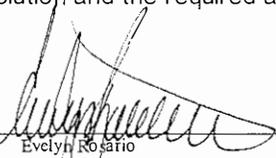
WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52-A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT REOLVED, that the Board of Commissioners of the Township of Nutley, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

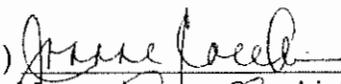
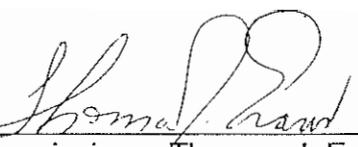
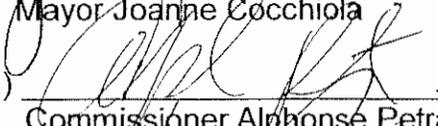
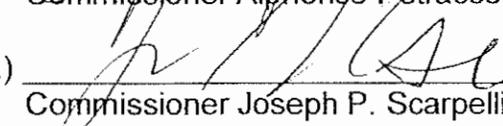
I,  Evelyn Rosario Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011.

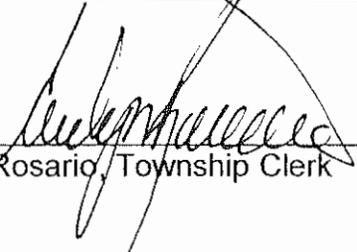
Record of Vote	Commissioner Scarpelli	Commissioner Petracco	Commissioner Evans	Commissioner Tucci	Mayor Cocchiola
Yes	X	X	X	X	X
No					
Not Voting					
Absent/Excused					

STATE OF NEW JERSEY
COUNTY OF ESSEX

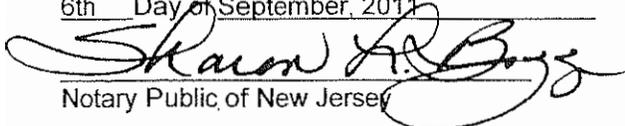
We, members of the governing body of the Township of Nutley, in the County of Essex, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Board of Commissioner of the Township of Nutley in the county of Essex;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A: 5-6 for the 2005;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)  _____ Mayor Joanne Cocchiola	(L.S.)  _____ Commissioner Thomas J. Evans
(L.S.)  _____ Commissioner Alphonse Petracco	(L.S.)  _____ Commissioner Mauro G. Tucci
(L.S.)  _____ Commissioner Joseph P. Scarpelli	(L.S.) _____ _____



Evelyn Rosario, Township Clerk

Sworn to and subscribed before me this
6th Day of September, 2011

 Notary Public of New Jersey

SHARON LYNNE BOZZA
 NOTARY PUBLIC OF NEW JERSEY
 I.D. NO: 2305501
 MY COMMISSION EXPIRES SEPT. 23, 2013

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 0862

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Attach To Official Minutes

Resolution

Introduced by: Commissioner Mauro G. Tucci Date: September 6, 2011

Seconded by: Commissioner Thomas J. Evanse No. 179-11

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2011** in the sum of **\$7,000.00**, which item is now available as a revenue from the **2009 Business Stimulus Fund Grant Program** pursuant to the provisions of statute;

SECTION 2:

BE IT FURTHER RESOLVED, that a like sum of **\$7,000.00** be and same is hereby appropriated under the caption of:

General Appropriations

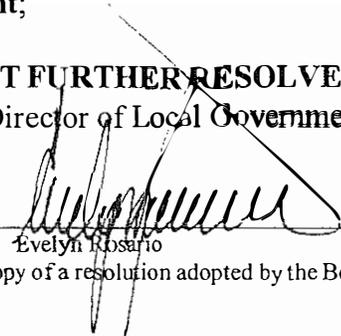
(A) Operations-Excluded from 5% CAPS

2009 Business Stimulus Fund Grant.....e.....\$ 7,000.00

SECTION 3:

BE IT FURTHER RESOLVED, that the above is the result of revenues available for the **2009 Business Stimulus Grant**;

BE IT FURTHER RESOLVED, that the Township Clerk forward two (2) certified copies of this resolution to the Director of Local Government Services.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011..

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* September 6, 2011

Seconded by: Commissioner Joseph P. Scarpellie e e e e e e e Nov 80-11 e e e

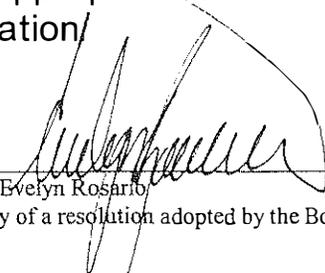
WHEREAS, the Township of Nutley Municipal Court would like to add credit cards to their means of payment for court related fines; and

WHEREAS, the Township of Nutley Municipal Court needs to procure a service that will facilitate the credit card payment; and

WHEREAS, the Nutley Municipal Court has determined that Merchant Management will provide all necessary services for court credit card transactions; and

WHEREAS, the contract is in an amount not to exceed \$10,000.00 and funds are available in the current account number 1-01-325-2059 entitled Municipal Court O/E- Contractual Services as evidenced by the Finance Director's Certification attached hereto;

Now Therefore Be It Resolved, by the Board of Commissioners, of the Township of Nutley, County of Essex, State of New Jersey, that the Municipal Court will enter into a one (1) year contract with Merchant Management for the provision of credit card services, with a one (1) year option to extend such contract subject to the availability and appropriation annually of funds as may be required to meet the extended obligation/

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011..

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

Resolution

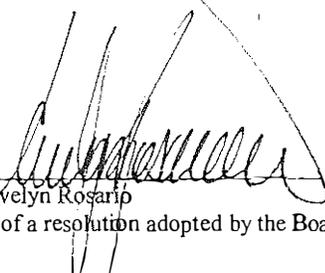
Introduced by: Commissioner Thomas J. Evans Date: September 6, 2011

Seconded by: Commissioner Mauro G. Tucci Nov 81-11 e e

WHEREAS, N.J.S.A. 40A: 5-14 mandates that the governing body of municipal corporation shall, by resolution, passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the State and organized under the laws of the U.S. or this State;

NOW, THEREFORE, BE IT RESOLVED, on the 6th day of September, 2011, by the Board of Commissioners of the Township of Nutley, County Essex, New Jersey that:

1. **Bank of Nutley-A Division of Pascack Community Bank** is hereby designated as a depository for the Township of Nutley.
2. Prior to the deposit of any municipal funds in the above mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011.

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>					
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					



Chris Christie
Governor

State of New Jersey
Department of Banking and Insurance
Division of Banking - Depositories
PO Box 040
Trenton, NJ 08652-0040

Thomas B. Considine
Commissioner

Kim Guadagno
Lt Governor

Garret Komjathy
Director

GOVERNMENTAL UNIT DEPOSIT PROTECTION ACT
NOTIFICATION OF ELIGIBILITY

PASCACK COMMUNITY BANK

The above noted public depository is eligible to act as a depository for public funds. This notification is based on information submitted in the certification statement filed in this Department for the period ending June 30, 2011.

As required in the Act and regulations, subsequent certification statements must be electronically filed in the Department as of March 31, June 30, September 30, and December 31 of each year and at such other times as the Commissioner may require.

This notification will be in effect until a new notification of eligibility is issued by the Commissioner or the Commissioner rescinds the notification of eligibility.

A handwritten signature in black ink, appearing to read "G. Komjathy".

Garret Komjathy
Director, Division of Banking

Dated: Monday, July 25, 2011

BOARD OF COMMISSIONERS

Attach To Official Minutes

TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Joanne Cocchiola _____ *Date* September 6, 2011

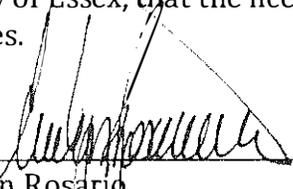
Seconded by: Commissioner Mauro G. Tucci _____ No. 182-11 _____

WHEREAS, raffle applications have been received from the following organizations; and

Italian American Heritage Committee Festa Italiana	License No. 48-11 On-Premise Tricky Tray	September 18, 2011
Italian American Heritage Committee Festa Italiana	License No. 49-11 On-Premise 50/50 Raffle	September 18, 2011
American Red Cross Nutley	License No. 50-11 On-Premise 50/50 Raffle	November 12, 2011
American Red Cross Nutley	License No. 51-11 On-Premise Merchandise Raffle	November 12, 2011

WHEREAS, the applications have been reviewed and approved by the Municipal Clerk and the Police Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, that the licenses are approved and the Municipal Clerk is authorized to issue the licenses.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby
 Evelyn Rosario
 certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011.

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS Attach To Official Minutes
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

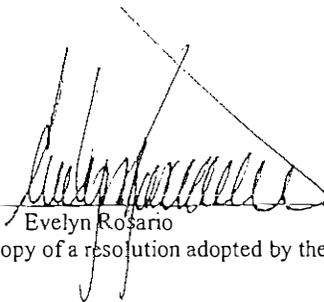
Introduced by: Mayor Joanne Cocchiola *Date:* September 6, 2011

Seconded by: Commissioner Mauro G. Tucci *No.* 183-11

WHEREAS, Anthony Capriglione, 143 Whitford Avenue, Nutley, New Jersey 07110 has applied for renewal of Constable No. 17; and

WHEREAS, the application has been reviewed by the Municipal Clerk and Police Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey that Anthony Capriglione be re- appointed as Constable No. 17 for a one year term, beginning September 17, 2011.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011.

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Attach To Official Minutes

Resolution

Introduced by: Commissioner Alphonse Petracco *Date:* September 6, 2011

Seconded by: Commissioner Joseph P. Scarpelli e e e e e e e No. d84-11 e e e

AUTHORIZATION FOR THE BOARD OF COMMISSIONERS TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2011 IN THE AMOUNT OF \$10,000 FROM THE DEPARTMENT OF HOMELAND SECURITY, EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM.

WHEREAS, the Township of Nutley, Office of Emergency Management has applied for and has been awarded State Homeland Security Grant Program Subgrant CFDA #97.042, Award #2011-P110-0716 from the New Jersey State Police Office of Emergency Management, incorporating all conditions and representations contained or made in application and notice of award #2011-EP-EO-0047; and

WHEREAS, the Subgrant consisting of a total amount of \$20,000, including \$10,000 Federal Award and \$10,000 Local Matching Funds, which the Township of Nutley Office of Emergency Management adequately satisfies through the 2011 Township of Nutley approved budget for Division salaries and wages and fringe benefits; and

WHEREAS, it would be in the best interest of the Township of Nutley and the State of New Jersey to participate in this initiative and enhance Essex County's ability to prevent, protect against, respond to, and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Nutley hereby accept this Award and that the Director of Public Safety, the Township Clerk, the Chief Financial Officer, and the Emergency Management Coordinator are hereby authorized to sign certain documents relative to their positions in order to effectuate with the NJ State Police Office of Emergency Management funding from the FFY2011 Homeland Security Emergency Management Performance Grant Program.

I,  Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011.

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Attach To Official Minutes

Resolution

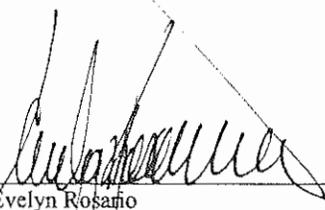
Introduced by: Commissioner Thomas J. Evans _____ *Date:* September 6, 2011 _____

Seconded by: Commissioner Mauro G. Tucci _____ NO 85-11e e e e _____

WHEREAS, the State of New Jersey, Department of Community Affairs permits municipalities to waive fees for permits for work done as a result of Hurricane Irene; and

WHEREAS, pursuant to N.J.A.C. 5:23-4.19(b)5 any municipality waiving its fees will also require that the State permit charges to be waived,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners and the Township of Nutley in the County of Essex that township construction official is authorized to waive fees for permits for work done as a result of Hurricane Irene.



I, Evelyn Rosario Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held September 6, 2011..

<i>Record of Vote</i>	<i>Commissioner Scarpelli</i>	<i>Commissioner Petracco</i>	<i>Commissioner Evans</i>	<i>Commissioner Tucci</i>	<i>Mayor Cocchiola</i>
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					