TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING

March 16, 2010

4:40 p.m.

BEFORE:

Mayor Cocchiola
Commissioner Evans
Commissioner Petracco
Commissioner Scarpelli
Commissioner Tucci - Absent/Excused

Township Clerk Rosario

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MADAM CLERK: -- of the Nutley
Sun and the Journal. A copy of this
notice has been posted on the Nutley Town
Hall bulletin board and a copy is on file
in the municipal clerk's office.

Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Tucci is
absent/excused at this time. Mayor

Cocchiola?

MAYOR COCCHIOLA: Here.

MADAM CLERK: All present, Mayor,
with the exception of Commissioner Tucci
who is absent/excused.

MAYOR COCCHIOLA: Mr. Evans, I'm
going to turn this over to you.

COMMISSIONER EVANS: Thank you,
Mayor. This is our public session on the
budget, and I would just frame it, at
this point, is that we have a lot of work
to do between now and the end of month,
when we have to introduce. If you look
at your summary sheet, it might be the
page behind that one. Okay. Just up one
page -- the one you're on, Mayor.

There's two tasks that we have to
meet: one is for the levy cap, the other
is for the appropriation cap. And
they're at two different levels. I
usually recall, the levy cap is capped at
four percent; our appropriations are
capped at two and a half percent
increases with a ability by statute as a
municipality, we can increase that -- the
appropriations cap by one percent without
asking the state for an exception. You
know, from a lot of the things that the
governor is saying is coming out of his
office, exceptions are not something that
is going to be entertained, and we
shouldn't assume that.

We should also assume that the level
of state aid that we would be receiving
would be less than what we were going to
get -- what we got this previous year.
So while that's unknown, we have made an
assumption, when I just spoke with Ro and Ray about it, I -- so, you know, just to basically everything I've seen. So right now, what we're assuming is that our state aid will be reduced by 327 -- 20,000 dollars year over year, given the direction of the reductions that the governor is looking at. The state -- the school board is looking at a fifteen percent reduction, based upon what he's already publicized. It's my understanding that he's not looking at the same for the municipalities, because the amounts are much lower. But it -- so, for purposes for our analysis, we are anticipating a reduction in state aid and that amount embedded in this budget is 320,000 dollars. So it's just an assumpt -- recognize that that assumption is in here.

When you look at the budget, last year for 2009, if we look at the top of the page, test number one, the 2009 tax levy was $34,347,174.61. Based upon the -- where we are with the budget
today, and considering, you know, lost
revenues, lost state aid, plus the
increases in appropriation, we are
currently at a budget of $37,861,231.57,
or an increase over the cap, that in
excess of the cap, the allowable cap
right now is 652,000 dollars. What's
important about this is that if we were
to hit the cap, the allowable cap -- I
don't see that on here -- but we're at --
right now we're at an increase of 615
dollars?

Mayor Cocchiola

COMMISSIONER EVANS: But if we
reduce to 652,000, what would be amount?
Would that be the 36,008?

UNIDENTIFIED COMMISSIONER: 554, I
think.

Mayor Cocchiola

MADAM CLERK: 55,433. That's our
target. That's target levy.

UNIDENTIFIED COMMISSIONER: Top
right hand column.

Mayor Cocchiola

MADAM CLERK: All the way out, next
to the $15.73.

COMMISSIONER EVANS: Right. That's
our target. So basically, we need to get
down to 36,908,000.

Mayor Cocchiola

MADAM CLERK: Yes.

MAYOR COCCHIOLA: Just to get to the
four percent.

Mayor Cocchiola

MADAM CLERK: Just to get to the
four percent.

COMMISSIONER EVANS: Just to get to
the four percent levy. We need to get to
the 36,908,000, and if we were to achieve
that, that would be a 15.93 percent --
tax point increase, or an average tax
payer increase of $554.33, as it stands
right now. So right now, we're above
that. This -- so -- and that -- and
we're going to through that in a second,
but understand that, right now, even if
we hit the cap, just hit the cap, tax
payers of Nutley are -- on the municipal
side are looking at an average increase
of 554 dollars. So that's, in my view,
that's a significant amount of money. We
have to do better than that.

MAYOR COCCHIOLA: The governor's
statements today about a 2.5 percent cap.
What is --

COMMISSIONER EVANS: Yeah, my understanding is, is that he has to negotiate that. And that it won't be effective for this year --

MAYOR COCCHIOLA: This year.

COMMISSIONER EVANS: But it will hit us next year, so next year, we would have to hit a lower cap, which would create some more significant challenges. So we have two things that we have to consider, is one, is what are the reductions that we need to make in order to eliminate 652,000 to get to one threshold and the other piece is that -- we have to talk about whether or not we believe a municipal-only increase to the tax payers of 554 dollars, is an acceptable increase, given the environment we're in. All right? So, that has to be discussed.

And, you know, it's important as well -- so the second -- by the way, the second test if we go down to test number two, which is the appropriation cap. So, the levy considers appropriations and
revenue to come to, what they call, a
levy. There's another limiting factor
which is just pure appropriations and
that is, you know -- so if you look at
our budget increase just on the
appropriations side, our budget's going
up two and half million dollars. The cap
increase is 849,800 dollars with an
excess of a million-six.

There are exceptions, so the amount
of pension and health care that's in
excess of a three and a half increase is
an exception to this cap. And since our
pension and healthcare increases are well
above that, that -- on your form is a
list, but that would actually reduce --
would be a million dollars, roughly the
effect of that. We are allowed by
statute to increase our -- the cap, from
two and a half to three and a half
percent, which would provide additional
340,000 dollars, and we are allowed to
take into consideration the added
assesses worth that George does each
year. So, the construction adjustment is
another 139,000. So, I'm sorry that the sheet doesn't have the exception for the health care and pension on it, so the net effect is we're over -- on the appropriation cap right now, about 256,000 dollars. But if we -- as we reduce spending for the levy, we also reduce it for the appropriation cap. So they move in --

MAYOR COCCHIOLA: Right.

COMMISSIONER EVANS: -- concert with one another. So, and I am not worried about the appropriation cap per se right now; I am worried about the -- really the output effect, that says, even if we hit the cap, we're sitting at a budget increase --

MAYOR COCCHIOLA: I got it.

COMMISSIONER EVANS: -- that's, I think, is extraordinary in these times. When we go back a page, on your -- what you have, what comprises the increase right now to the levy, considering the revenue loss, and considering the state aid loss, that's an
increase on the levy of $2,893,000
dollars, and 326, you know, whatever,
change -- and plus change. That's
compromised of, as I said, the
appropriations increase of two and half
million, plus lost net -- lost revenues
of 317,000.

So, what's important about the lost
revenues, and I want to point out is
while we're losing state aid, because of
what we did this past year in terms of
bonding and taking advantage of the
market, we were able to secure five
million dollars of the financing at an
average interest rate of three percent,
down from the 4.65 percent we were at.
So, we were able to lower the rate, which
is lowering our cost, which also is
keeping us out of the market for bond
anticipation notes. So the annual
interest relating to bond anticipation
notes is a -- that all combined, is
actually reducing the cost of our debt
service by 213,000 dollars. So while
we're losing 320,000 in state aid, we may
be able to, you know, soften the blow of
that this year, because of those actions.
It isn't enough, because we are, you
know, basically the interest we earn on
our money is very low, in today's
market -- it's less than one percent --
because that's what the interest rates
are. And the other thing we're seeing is
that the tapering off of permits and
activity in town, where people are doing
improvements that have generated revenue.

We've also benefited this year, just
this year, because of all the
improvements Hoffmann-La Roche has been
making. So, once -- so we don't have
that to look forward to next year, 'cause
most of those permits are taken out. So,
we were able to softene-- again, soften
the blow this year, because of the fact
that we regenerate revenues in the
permit, these areas as it relates to
construction, principally at Hoffmann-La
Roche.

So, all of those factors sort of
combine and say, basically, we have a net
loss in revenue of 317,000 dollars, but we've been able to manage that down. If we don't lose the state aid, or we lose less state aid, we can zero out the effect of this, but given the environment we're in, I think it would be false to assume we wouldn't get any reductions, so right now, we might get a little bit of improvement for this. But we won't know that, before we have to introduce the budget. So, it puts a lot of pressure on us, to start to look at what we're managing.

When you look at the two and a half million dollar increase in our budget, there's a couple of things that are important, that I think we have to, you know, recognize: one is that the pension increase year over year, principally -- and police and fire, cause they're under a different system, has shown that the gross pension increase to us year over year, and we're fully funded, so it isn't about the extraordinary catch-up adjustments. This is just real year over
year increase in pension is $582,000 dollars.

And the other aspect that we have to take into consideration is the fact that our health care costs have increased year over year, $837,000 dollars. So, those --

MADAM CLERK: Where'd you get 580, I got 492, here? What'd you get 580 --

COMMISSIONER EVANS: You got to do the perks too.

MADAM CLERK: Police and fire? Oh, you add them together. Okay, sorry.

COMMISSIONER EVANS: You have to do them both. Police and fire plus suppose everybody else is 582.

So if you look at that, I mean, just those two things alone, you're basically looking at two and a half million dollar increase in our budget expenses, before we even start, a million-four of that increase relates to pensions and health care. So the focus on -- at the state level, and what they're going to do about pensions, what they're going to do about contributing to health care costs is very
real for us. It's just a question of, well, the timing of when that's going to happen. And so we don't have any indication of that, but in this budget those are there. And I think when -- while we have contract negotiations open, part of those conversations have to understand that part of the cost of the package is this increase in cost that we have to cover, because I think that's very real. The other --

UNIDENTIFIED COMMISSIONER: Tom, just so I'm clear on that. Police and fire is a 492,000 dollar increase? Just in police and fire.

COMMISSIONER EVANS: Um-hum. Right. Police and fire, correct. The police and fire pension went from a million-eight, to 2.3 million, year over year. And I assume that that would be attributed to the fact that pensions have to earn a return on the money as invested, and those returns are down. So, I would suspect that that, you know, part of the adjustment relates to the lower returns
on the pension -- assets invested that's
causing a need to increase contribution
to those funds.

UNIDENTIFIED COMMISSIONER: So, if
our -- if we are contributing more as a
municipality, are the police and fire
also -- is their rate -- they pay eight
and a half percent of their salaries into
it -- is their rate also going up?

MAYOR COCCHIOLA: No.

UNIDENTIFIED COMMISSIONER: No.

COMMISSIONER EVANS: I haven't seen
the pension letter in this, so there's
been no adjustment in their contribution.

UNIDENTIFIED COMMISSIONER: So, our
contribution is going up, and theirs is
staying flat.

MAYOR COCCHIOLA: Yes.

UNIDENTIFIED COMMISSIONER: The way
I understand it, yes. That's the way
it's been.

COMMISSIONER EVANS: Yup -- so far.
And it stays that way.

UNIDENTIFIED COMMISSIONER: Stated
amount.
COMMISSIONER EVANS: So, we're paying a whole lot more just on those things. And the other piece is, again, is the increase cost of health care, same thing.

So, there's -- the fact that those are being looked at, and there's been a lot of press on them, you know, for us, it's very real. It's just one year, a year over year increase, no change in services, no change in anything, is an increase of 1.00 million, which if I do that math correctly, of the fifteen points we're looking at, that's four of them.

MAYOR COCCHIOLA: Can I ask if anybody calculated if, and this is all totally hypothetical, but if, the bill that's pending were to pass, and everything were effective on July 1st, and everybody had to contribute 1.5 percent of their -- to their health care costs. Does anyone know how much this would be reduced?

COMMISSIONER EVANS: Yeah, well --
UNIDENTIFIED COMMISSIONER: Well, it would -- the law, the way I heard the bill, the way I understand it, it's not effective until the -- we did do that calculation. I can do it in a minute. It's not effective until the next contract expires.

UNIDENTIFIED COMMISSIONER: That's right.

UNIDENTIFIED COMMISSIONER: So, even though the bill might be passed, and signed into law, your employees wouldn't be required to contribute until the current contract that they're under expires. That's the way the law is written right now. And one and a half --

MAYOR COCCHIOLA: So, if you have --

so your Fire right now, under contract, your Police, not contract, and your teamsters and non-union --

UNIDENTIFIED COMMISSIONER: Are not.

MAYOR COCCHIOLA: -- I mean, there's potential there for some negotiation, I guess.

UNIDENTIFIED COMMISSIONER: Yes.
MAYOR COCCHIOLA: Because if they were to go into another contract cycle, we will see zero saving here, correct?

UNIDENTIFIED COMMISSIONER: That's correct.

COMMISSIONER EVANS: If the current negotiations don't consider health care contribution, then for the life -- for the term of that contract, we would not be able to introduce this adjustment, okay? Until it expires. Because it will be -- at a state level, will be in effect by statute, or by ordinance, or whatever there would be a state level would mandate it; it wouldn't be up to us. The negotiator would be mandated at that point in time.

The other thing is, is there's across the agree -- what we have in here is there's this inconsistent application of a potential salary increase by department.

MAYOR COCCHIOLA: Yeah, I don't --

COMMISSIONER EVANS: They're all over the board. So, we have to reconcile
that, but if I look at it as a police and
fire salary and wages going up 765,000
dollars, in this budget --

MAYOR COCCHIOLA: Based on what
percentage? You don't -- I mean, based
on what?

COMMISSIONER EVANS: It wasn't
clear. I think it says four percent,
though.

MAYOR COCCHIOLA: Based on four
percent.

COMMISSIONER EVANS: So that's -- so
if you take -- take those -- if you look
at all other salaries, in any other
departments -- if I go across the other
salaries in the -- and this is the net
increase, so if there's an assumption of
a position being eliminated and so on,
it's already in here. It's already
netted. So if I go across all the other
departments, that salary and wages is
going down 123,000. All right? And --

MAYOR COCCHIOLA: Going down,
because positions are eliminated.

COMMISSIONER EVANS: Positions
MAYOR COCCHIOLA: I actually have one ex -- one more, so it's --

COMMISSIONER EVANS: So, I have to replace my purchasing agent and replace my payroll manager, and I don't intend to. All right? I know we need to over the longer term, but right now, this cycle I won't do that. So we're getting a benefit of those salaries not being entered. So --

MAYOR COCCHIOLA: Yeah, I have one termination not to be reinstated.

COMMISSIONER EVANS: And the other is, is that -- in the other ones, it seems as though the salary assumption was lower, than the four percent, so there's less of an increase, which if we -- whatever -- so, anyway, one of things we have to figure out is what we're going to do on salaries.

MAYOR COCCHIOLA: Non-union.

COMMISSIONER EVANS: There are a couple of items in here for another 117e,e000, which I pull out, which is some
settlement items. You know, the sewer
carge error with Hoffmann-La Roche,
that's 50,000 dollars. And we had an
employment settlement of another 67,000
dollars. So the total of those two
settlements combined is 117,000. If I
take everything else and just net it, you
know, revenues, sums of all those things
and net it, it's a net 225,000 dollars,
which is like all of the O & E. The
pluses and minuses of O & E across all
the departments, so I just net them. 
Things like, fuel, utilities, they were
flat. Okay? So, I don't see any
significant variation there.

So, basically there are some key
things that are principally driving our
costs up, that we have to, you know, in
effect, address. The challenge is that
outside of the people area, the
adjustments that are available are fairly
nominal because all of that was taken out
last year. And in this budget, it hasn't
come back. So, we're dealing with the
significant increase in pension.
Now, a couple of things. The state has allowed us to include the increase in the pension funding and the increase in the health care funding above the four percent, as an allowable exception to the levy. Right? So by statute we include it, see? But that translates into is, if we include it, that just increases that tax --

MAYOR COCCHIOLA: More than 55¢ right? Yeah.

COMMISSIONER EVANS: -- rate, increases the tax burden on the tax payers. So it's -- for us, the challenge is that we can't ignore what we're saying. And so -- and if you look at this, and say, okay, so, what else can we do? This doesn't consider what the potential county tax increase would be, or the school tax increase. So we're at -- in this -- right now, this draft -- and I count all of this, this is not the budget we are submitting; this is a working draft. It's the -- sit down and now look at where we are and figure out
what we're going to do. But we have to have those discussions because the full tax rate increase on the tax payers has to include all three components.

So, a couple of things. We did go through the effort to monitor assess values and adjust them. And the importance of that is, last year, we were able to -- by doing it last year, we were able to zero out a two-point increase at the county level, because we adjust our assess values down. And the other municipalities didn't. So we took advantage of the formula. We did it again this year. I don't think it will work fully, this year, but we're potentially looking at three points on that. And I think we have a very good shot of, hopefully again, zeroing it out, or at least eliminating it to one point.

So, I don't think the county piece is going to be a significant driver, but -- because of what we have done. Other municipalities didn't do what we did, so I think they're going to basically bare
the brunt of the county increase, not us. So, we're managing that.

The other piece is, is that whatever the district puts together, the school district, whatever that turns out to be, that's -- whatever they come up with, but they're going to be at the four percent. And they have a greater challenge, as well, because they're going to lose state aid, which will be a significant amount of money for them. So, they have their own complications for where they are with the budget.

So, I want to lay that out, because it, you know, one, everybody did all the work they needed to do to put together their budgetary assumptions. We're now looking at it for the first time all rolled up, and it has some real challenges in it, that will have implications for how we think about getting this down to a number that's manageable for the residents.

MAYOR COCCHIOLA: Can I -- can you show a decrease for (indiscernible) value
sewerage -- why is that?

UNIDENTIFIED COMMISSIONER: LL bill, we got their bill for 75,000.

MAYOR COCCHIOLA: And we don't have the library appropriation yet. I guess Mrs. Lesser (ph.) that's why you're here, just absorbing. Okay.

COMMISSIONER EVANS: Yes. The library is something we have to look at, because I think -- Tony in the interim mentioned, I think 47,000 dollar increase on the library side, but their appropriation is based upon the assessed values, and the assessed values got lacked on down.

MAYOR COCCHIOLA: Right.

COMMISSIONER EVANS: So, you know, we have to look at that more -- is -- I think the library's done a wonderful job as a community center. It's very active in the --

MAYOR COCCHIOLA: Yes, it is.

COMMISSIONER EVANS: -- things that they're doing. And so, the times are tight, people can't go anywhere. You
know, they do that scenario where we have
to say yes, but we'll have to figure that
out.

So, it gives you a quick summary or,
you know -- I want to introduce Ray
Sarinelli, who's our independent auditor,
and Ro Costa's here as our treasurer.
You -- Ray, any further comments?

MR. SAINELLI: Well, I think, Mayor,
you were on the right track. If, you
know, you look at one appropriation that
jumps out at me, is the group insurance
increase at 837,000. You asked about the
one percent -- the one and a half
percent, which I ball parked that at
about 250,000 for a full year. So, even
if that were to go into effect for half a
year, you're only going to have 125,000.

So, there's sort of -- and
Commissioner Evans and I spoke about
this, you know, getting the most bang for
your buck. The one and a half percent
bill sounds pretty good, but there could
be better ways to get a better bang for
your buck, out of adjusting co-pays and
deductibles, and what's initially
covered, and we had talked about in the
past, there was a consumer-driven plan
where some of those first expenses are
absorbed by the payer, so that you have
to stop and think a little bit more about
health care.

The health care plan that's
currently on the table is, I guess would
be considered, on the far side of rich,
compared to what private industry does.
And if you think about, you know, your
total salary increase in the budget,
probably is somewhere, well, I guess if
you took the police department out, it's
probably 150 or 200,000, yet the increase
for health insurance is 837,000. So, you
know, you don't have -- quite have the
tools yet to deal with that.

I did hear the governor's speech
today and they were talking about
enhancing municipality's capability, when
it comes to collective bargaining. And
that things are going to change as it
relates to that. So --
MAYOR COCCHIOLA: I don't think it's going to change fast enough for us, though.

MR. SARINELLI: It's not going to change fast enough --

MAYOR COCCHIOLA: Not to help us.

MR. SARINELLI: I don't think to give you an answer for that $837,000 dollars -- number that jumps out, but certainly, you know, that's one number that you can look right at and focus on as, you know, you're going to gut some other things, because of the health care that's provided to the employees. And I think that's probably one of the things that you'll see change, but not for this year.

So, you do have your work cut out for you. You're looking at cutting at least $650,000 dollars to get to the levy cap, which is not going to be an easy thing. I know this was your first budget cut, but I think most of you took a pretty sharp pencil to start with. You know, we looked through there to see
where everybody hid everything, and --

MAYOR COCCHIOLA: Well, you know --
right, I had to -- I'm out to bid on my
garbage contract --

MR. SARINELLI: Um-hum.

MAYOR COCCHIOLA: -- and I last time
had a very good number. I don't
anticipate that kind of number again --
you never know. So, I had to anticipate
in my budget, a higher -- now, it could
come in even higher than what I
anticipated, but I think that --

MR. SARINELLI: Right.

MAYOR COCCHIOLA: I think it should
come in somewhere under that. Now, I --

MR. SARINELLI: When is that bid
date? When is that?

MAYOR COCCHIOLA: April 28th. So,
this budget will be, you know -- so, I
guess I can modify this budget. If it
comes in lower, then I can reduce that
later, but I don't know -- right? Is
that --

MR. SARINELLI: Yeah, the timing of
this is sort of coming together that you
should be introducing your budget within
the next two to four weeks. Statutorily,
it's supposed to be by March 30th, but
there's a lot of new information that may
be coming on the table still. Certainly,
the state aid number has not previously
been available. So that would probably
mean that your introduction date and your
adoption date have to be at least thirty
days apart. So if your introducing in
early April, and your bid comes in in
late April, your budget in all likelihood
won't be adopted by the time you kind of
do your contract. So if it comes in
lower, that will help you come in under
the levy cap. If it comes in higher, and
you award a contract that's higher than
what you appropriated, and you're at your
levy cap, then, you know, you're back to
cutting somewhere else.

UNIDENTIFIED COMMISSIONER: I kind
of have the same similar question as the
Mayor does also. As far as being in
arbitration, we have our first
arbitration hearing on March 23rd. The
next meeting after that, traditionally, could be, three to six months later. How do you budget for this budget, anticipating what an arbitrator might do? I, too, did listen to the governor's budget address today also, and he mentioned arbitration, and it didn't seem to have any -- too many guidelines on what those facts of arbitration are going to be.

MR. SARINELLI: Um-hum.

UNIDENTIFIED COMMISSIONER: I thought he was kind of weak on that --

MR. SARINELLI: Um-hum.

UNIDENTIFIED COMMISSIONER: --

issue. So, I mean, is it safe to put a budget in, when we budget zero percent last year, and now if they get, Godeonly-knows, for '09 and '10, how do you assume what that number will be? That's my --

MR. SARINELLI: I think that would be a closed session discussion. Wouldn't that be, under personnel?

UNIDENTIFIED COMMISSIONER: Yeah.
COMMISSIONER EVANS: 'Cause it really gets down to, you know, again, it's what we've been talking about, I think, over time, and then the issue of affordability.

MR. SARINELLI: Yeah, right.

COMMISSIONER EVANS: So, you know, if it comes down to the fact that there's a certain cost associated with having to pay out certain amount of money, so you take that number less what you can afford to pay, and you have to make adjustments to the difference, which, you know, to be more specific, we really need to go into.

UNIDENTIFIED COMMISSIONER: One other question, I have, if it's for this forum, is that if they are awarded an increase in '09, where does that money come from? Does it come from the '09 budget? Can we use money, or do we have to put it in this budget?

MR. SARINELLI: I think two things, and correct me if I'm wrong.

COMMISSIONER EVANS: All right.

MR. SARINELLI: We would, one, if we
knew about it now, whatever that was, we would -- and we were locked on it, we would need to include it in this budget. If it comes out later on during the year, right? We would then need to, there's a word for it. I don't have the word.

UNIDENTIFIED COMMISSIONER: The deferred charge?

MR. SARINELLI: Right.

UNIDENTIFIED COMMISSIONER: You would raise it as a part of your bill, on funds that are unappropriated --

MR. SARINELLI: Right.

UNIDENTIFIED COMMISSIONER: -- which actually would go into the 2011 budget.

MR. SARINELLI: Right.

MS. COSTA: There's also -

COMMISSIONER EVANS: It would go into the next budget year. So, whatever -- so, you do the catch-up --

UNIDENTIFIED COMMISSIONER: Which our cap might be lowered that year too?

COMMISSIONER EVANS: -- you'd have to do the catch-up, plus the current year, in that year.
UNIDENTIFIED COMMISSIONER: Thank you.

MS. COSTA: There's also -- yeah.

UNIDENTIFIED COMMISSIONER: I negotiate well.

MS. COSTA: Commissioner, there's two budget transfers that we are doing, in anticipation of that. There's a settlement for electro. It's going to be about 186,000, in addition to some of the reserves that they have. So as long as that settlement falls within that range, it won't have an impact going forward. So we were doing what we can to mitigate the impact.

COMMISSIONER EVANS: I understand.

MS. COSTA: And Mayor was helpful with her transfer.

MR. SARINELLI: But, keep in mind, a transfer --

COMMISSIONER EVANS: Since whatever the impact would have a personnel impact, so we should be discussing that in executive session.

MR. SARINELLI: Yeah. And, keep in
mind, that if you make funds available
from your appropriation reserve, that
doesn't go into surplus now. If you're
taking from your '09 reserve and spending \ it, where normally it would go into your
surplus that means that there's less
surplus available at the end of the year,
going into next year's fund balance,
which means the revenue side would be
less.

COMMISSIONER EVANS: Correct. Comes
out --

MR. SARINELLI: The pie is only so
big. If you're going to take a slice
from this side or from this side, it's
the slice that's coming out, whether it's
coming out of the reserves, whether it's
coming out of the 2010 budget, or it's
coming out of the 2011 budget --

COMMISSIONER EVANS: It's coming
out.

MR. SARINELLI: -- it's coming out.

COMMISSIONER EVANS: Right. Because
there's only -- we raise revenues by the
fees we charge, you know, and so on, and
by the levy -- the tax levy. So, we're in an environment where, you know, we're getting constrained on what is our ability to raise revenues. And therefore we have to take actions that I hope mitigate that, or find alternatives to it. It's that simple. It's that simple.

MR. SARINELLI: So, just, if anybody's do the quick math. If we were to actually say, look, we don't want an increase this year. What do we have to do to zero it out? We'd have to cut the budget by 3.e3 million.

UNIDENTIFIED COMMISSIONER: So, just us a little work.

COMMISSIONER EVANS: Yeah, just a little work. I think, you can hand me those adjustments by 6 o'clock, please? It gives you a lot of challenges with this. So, really -- so anyway, this is where we're at --

UNIDENTIFIED COMMISSIONER: And that would bring us back to that 34 million dollar mark, true?

COMMISSIONER EVANS: Yes. Yeah.
That's a big number. And just with the benefits packages that are in place right now, don't allow that to happen. They just -- it just doesn't work.

UNIDENTIFIED COMMISSIONER: Yeah, you'd be cutting salaries by -- your salaries are roughly 25 million. So, you'd be looking at a thirteen or fourteen percent reduction in -- slash salaries to get to 3.8 million.

UNIDENTIFIED COMMISSIONER: What would be that percentage?

UNIDENTIFIED COMMISSIONER: Pardon me?

UNIDENTIFIED COMMISSIONER: What was that percentage? The reduction of staff --

UNIDENTIFIED COMMISSIONER: Well, just ball parking, your salaries are about 25 million. So, if you had to cut 3.8, I'm not good at mental math, but it's somewhere around thirteen percent.

COMMISSIONER EVANS: Of the dollars, but that wouldn't necessarily translate into an equal amount of people do greater
than that. The average salary is a lot less.

UNIDENTIFIED COMMISSIONER: Right.
Individuals. But it would be a huge impact. Huge impact.

UNIDENTIFIED COMMISSIONER: So, what else would you like to talk about?

UNIDENTIFIED COMMISSIONER: This water is really tasty tonight.
(Laughter)

COMMISSIONER EVANS: What I would ask is -- you know, again, you're getting this information; you have to think through where we are. I'd be happy to sit down with, you know, obviously, with everybody to go through. Commissioner Tucci is not here and I need to catch up with him, you know, I recognize that he's excused for today.

But I think there's just some significant things that we have to talk about how we're going to address them. But my sense is that we're all sort of agreed on the fact is that, you know, we have to try and do better. As best we
can figure out a way to do better, than
the 554e

UNIDENTIFIED COMMISSIONER: I agree.
UNIDENTIFIED COMMISSIONER: Okay.
UNIDENTIFIED COMMISSIONER: Anything
else we need to raise?

UNIDENTIFIED COMMISSIONER: I
checked. The building's not high enough
to just break a leg.
(Laughter)e.

MS. COSTA: That's why they have us
on the first floor.

UNIDENTIFIED COMMISSIONER: All this
fun for 2,000 dollars a year.

MAYOR COCCHIOLA: I get 2,000, so.

COMMISSIONER EVANS: Yeah, I know.
Yeah. No, it's important, I think --

MAYOR COCCHIOLA: Work an extra
five --

COMMISSIONER EVANS: I laid it out
that way, because it really, you know --
and, you know, the interesting thing is
the reaction that the governor's taking,
is -- and without the tools that, you
know, that Ray suggest, is that all of
this maneuvering is putting, you know, property -- reducing the property tax burden in the state, it's pushing it right down to the municipal level, and it's saying it's up to the municipal leaders to figure out what to do to get property taxes down. And that's really, you know, creating some need for some very hard choices, and, you know, I think we have the ability to affect this. You know, I don't -- I wouldn't want to be in a community which isn't as prepared as we are to go through this, so. Do we need -- can we do executive here?

MAYOR COCCHIOLA: Yes we can. Yeah, we're public right now; we can do an executive session before we start the meeting.

MADAM CLERK: Mayor, we're going to move into executive right now?

MAYOR COCCHIOLA: To discuss matters of personnel. Correct?

MR. SARINELLI: You want me to stay or go?

COMMISSIONER EVANS: You can go.
MR. SARINELLI: I can go.

COMMISSIONER EVANS: Yes.

MADAM CLERK: Whereas, the Board of Commissioners for the Township of Nutley desires to proceed to closed executive session, and now, therefore, be it resolved by the Board, that the Township Commissioners shall move into closed executive session to discuss -- was that personnel matters?

MAYOR COCCHIOLA: Um-hum.

COMMISSIONER EVANS: Yes.

MADAM CLERK: Be it further resolved that the time when such discussions may be disclosed to the public, shall be when and as such disclosure may be made without adversely affecting the Township, pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by law. I need a motion.

UNIDENTIFIED COMMISSIONER: Move.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MADAM CLERK: Mayor, I just need to turn this off.

(Off the record from 5:47 p.m. - 6:23 p.m.)

(Audio occasionally fades out and words are indiscernible, 6:23 p.m. - 7:13 p.m.)

MAYOR COCCHIOLA: Madam Clerk, could I ask you to please reread the Sunshine Notice?

MADAM CLERK: Yes, Mayor. Tuesday, March 16th, 2010. Pursuant to the requirements of the Open Public Meeting Law, Chapter 231, Public Laws, 1975, notice of this meeting was published in the February 25, 2010 issues of the Nutley Sun and the Journal. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the municipal clerk's office.
Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Tucci is absent/excused. Mayor Cocchiola?

MAYOR COCCHIOLA: Here.

MADAM CLERK: All present, Mayor, with the exception of Commissioner Tucci.

MAYOR COCCHIOLA: Thank you.

Before we begin the meeting this evening, I think that we all owe some commendations, thanks to the members of the Police Department, the Fire Department, the Volunteer Rescue Squad, the Parks and Recreation Department, the Public Works Department, who were out in force over the past few days with the -- managing the problems of the storm.

I know that PSEG has been working also to try to get to all of the homes in Nutley. There are still a few that are without service, and I think Commissioner
Tucci has a report that I'll -- will read in a few minutes, but I think everyone would agree that we need to recognize those efforts. These are people that had to work night and day, in order to help out the residents of this community -- should be commended and thanked.

(Applause).

UNIDENTIFIED COMMISSIONER: Mayor, if I can add just one thing to that? I'd like to thank all the services also, as well as just to let the public know that our EMTs were also assisting in Fairfield for the past three days with the storm. It's elevated to record highs up there. They didn't make -- twelve. They did rescue the twelve families by boat to Nutley, guys, so, again, we're proud of everyone, and we're even more proud that we could be able to help other communities as well.

MAYOR COCCHIOLA: Thank you. Okay, let's move on to "Communications and Correspondence", Madam Clerk.

MADAM CLERK: Yes, Mayor. I have
one of the requests from the Nutley-Belleville Columbus Day Parade, requesting permission to hold a Sunday, 50/50 cash raffle on April 18, 2010. I need a motion for that one, Mayor, and a second.

UNIDENTIFIED COMMISSIONER: Motion.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
(No audible response)
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.
MADAM CLERK: And Mayor, then I have several applications for social affair permits. I'll read the name of the organization along with the date of the event: the first one is the Rotary Club of Nutley, event scheduled for April 24th, 2010; Friends of the Nutley Public Library, event to be held May 12th, 2010; Friends of the Phoenix Foundation, Inc.
event to be held May 14th, 2010; Nutley Emergency Rescue Squad, event to be held Sunday, April 11th, 2010. And I need a motion, please?

UNIDENTIFIED COMMISSIONER: Motion.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracce?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MADAM CLERK: Thank you, Mayor.

MAYOR COCCHIOLA: Thank you.

Commissioner Scarpelli, you have a report to enter?

COMMISSIONER SCARPELLI: I have various reports, and Commissioner Tucci also has a Shade Tree Report.

MAYOR COCCHIOLA: And Commissioner Tucci has asked that this report be read into the record this evening. So, I will read it for him.
On Saturday, March 13th, 2010, the Township of Nutley was hit with a northeastern storm. Parks Commissioner Mauro Tucci directed the General Supervisor, Harry Kirk, Shade Tree Supervisor, Dennis Kirk, and Park Supervisor, Domenick Azzinari, to assess damage throughout the town.

Due to the high winds and blacked-out areas, a decision was made to begin the tree removal early Sunday morning, to ensure the safety of the crews. In conjunction with the Public Safety Department and the Public Works Department, barricades were put up and streets blocked off to ensure the safety of our residents. At 7 a.m. Sunday morning, several parks crews began cutting and removing fallen and damaged trees. The majority of the fallen and damaged trees had live wires running through them. Parks Department employees had to wait for assistance from PSEG to make the affected areas safe.

Nutley lost twenty-eight street
trees and four park trees. The town also removed one private oak tree on Grand Avenue, which blocked the entire street. There are still downed trees that will be cleared by the end of the week. Caution is still recommended traveling through town. Thank you, Mauro Tucci, Comm -- and we can move on to payment of bills.

MADAM CLERK: Yes, Mayor. Bill List, March 16th, 2010:

Public Affairs $77,18,16,
Revenue & Finance $2,96,85,49
Public Safety $91,13,2,
Public Works $378,64,55,
Parks & Public Property $76,32,8,
Payroll as of March 19th, 2010, $755,10,48,
for a grand total bill list of $3,575,424,03.
And that's all for bills, Mayor.

UNIDENTIFIED COMMISSIONER: Move the bills.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
(No audible response)
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.
MADAM CLERK: Thank you, Mayor.
MAYOR COCCHIOLA: Thank you.
Commissioner Evans, public hearing.
COMMISSIONER EVANS: Yes.
(indiscernible a public hearing on
Ordinance Number 3134 which is
increasing the license fees for liquor
consumption and distribution. The new
fee for retail consumption will be
$1,619.36. The plenary license for
distribution is $1,287.36. And club
licenses fees shall be the sum of 150
dollars. That's it.
MAYOR COCCHIOLA: Is there anyone
here this evening that would like to
address the Board with respect to
Ordinance Number 3134?
COMMISSIONER EVANS: Close the pubic
hearing.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Move the ordinance.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

Resolutions, Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Whereas the
Township of Nutley has entered into a
contract with Smith Sondy, 150 Anderson
Avenue, Wallington, New Jersey 07057, for
a project known as Resurfacing of
Bloomfield Avenue Section 4 for an
original contract amount of $183,973.92;
and, whereas, Engineering Services has
recommended the attached Change Order
number 2 in the amount of 5,300 dollars
dated March 10th, 2010, for additional
mobilization; and, whereas, the funds are
available from Ordinance number 3095 in
the amount of 5,300 dollars, and have
been certified by the Chief Financial
Officer, said certification attached to
this resolution.

Now, therefore, be it resolved by
the Board of Commissioners in the
Township of Nutley, County of Essex,
State of New Jersey, that the Change
Order number 2, as attached, is a change
from the previous contract made by the
Township of Nutley with Smith Sondy, for
the project known as Resurfacing of
Bloomfield Avenue Section 4 is hereby
authorized and approved. I move the
resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner
Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: I recuse myself
due to conflict.

COMMISSIONER SCARPELLI: Whereas,
bids for the resurfacing of St. Mary's
Place from Hancox to Centre Street, St.
Mary's Place from Hancox to Belleville
border and William Street from Franklin
Avenue to Vincent Place for paving of
street and sidewalk and curb replacement
were received and opened on January 27th,
2010; and, whereas, Stanziale
Construction, P.O. Box 2597, Bloomfield,
New Jersey, 07003, was the low bidder
with a total price of $199,331.95;
whereas, the funds are available from grant number B-08/09eUC-34e0101 in the amount of 204,668 dollars, monies received from Community Development Block Grant in the following accounts: St. Mary's Place (Hancox Avenue to Belleville Border), monies received from 2009 Community Development Block Grant in the amount of 55,392 dollars; William Street monies received from 2009 Community Development Block Grant in the amount of 66,230 dollars; and, St. Mary's Place (Hancox to Centre Street), monies received in 2008 Community Development Stimulus in the amount of 83,046 dollars, and have been certified by the Chief Financial Officer, said certification being attached to this resolution.

Now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to Stanziale Construction, not to exceed $199,831.95, and that the Mayor and Township Clerk are hereby authorized
to enter into and sign said contract for
the Township of Nutley. Move the
resolution.

MADAM CLERK: Commissioner
Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: Whereas,
bids for 2009 Reconstruction of Various
Streets, Sidewalks, and Curbs were
received and opened on March 4th, 2010;
and, whereas, D&L Paving Contractors,
P.O. Box 507, Nutley, New Jersey 07110,
was the low bidder; whereas, funds are
available from Ordinance number 3114 in
the amount of $189,263.82, and have been
certified by the Chief Financial Officer,
said certification being attached to this
resolution.

Now, therefore, be it resolved by
the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to D&L Paving Contractors, not to exceed $189,263.82, and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley. I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: Be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, that in accordance with the provision of R.S. 40A: 4-59, that the following transfers of 2009 Appropriation
Reserves be and the same are hereby authorized and approved: Engineering Services or Other Expenses, $21,000 dollars; Traffic Maintenance, Salary and Wages, $3,000 dollars; Sewer System, Salary and Wages $3,000 dollars; Recycling Salary and Wages $15,000 dollars, for a total of $21,000 dollars. I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

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

MAYOR COCCHIOLA: Thank you.

Commissioner Petracco?

COMMISSIONER PETRACCO: -- resolved by the Board of Commissioners of the
Township of Nutley, County of Essex,
State of New Jersey, Roger Luzzi,
employee in the Department of Public
Safety -- a medical leave of absence
without pay, effective March 11th,
2010 --

COMMISSIONER SCARPELLI: Second.
MADAM CLERK: Commissioner
Scarpelli?

COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: Whereas,
Margaret O'Brockta is employed by the
Department of Public Safety; and,
whereas, Margaret O'Brockta has exhausted
all of her available sick leave and other
time due; whereas, six employees of the
Department of Public Safety are desirous
of transferring a total of eight days of
their accumulated sick leave to Margaret
O'Brockta; and, whereas, under the circumstances presented hereon and in the view of Ms. O'Brocktae's medical situation, and her service to the Department of Public Safety, the Board of Commissioners are desirous of accommodating this request.

Now, therefore, be it resolved by the Board of Commissioners -- Nutley, in the County of Essex -- as follows: the following employees are permitted to transfer days to -- O'Brockta: Officer Ryan Mulligan, Officer Joseph -- Officer Walter Rittger -- employees have provided their consent -- in writing to the Township --

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: Be it resolved by the Township of Nutley in the County of Essex, New Jersey, that the following be appointed as volunteers to the Nutley Fire Department, effective immediately: Nicholas Bellucci, Jordan Brown, LaShun Hoyle, and Joseph -- the resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: I think we have a couple in the audience tonight.

MAYOR COCCHIOLA: Congratulations.

(Appause)

COMMISSIONER PETRACCO: Be it resolved by the Board of Commissioners of
the Township of Nutley, County of Essex, New Jersey, that in accordance with the provision of R.S. 40A: 4-59, the following transfers of 2009 Appropriation Reserves be and the same are hereby authorized and approved: to O&E, 10,000; to Police Salary and Wage, 86,000; Fire Salary and Wage, 10,000; Municipal Court Salary and Wage 15,000; Gasoline, 50,000; for --

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: Whereas, the Township of Nutley wishes to purchase thirty-eight sets of fire fighter gear from an authorized vendor under the State of New Jersey Cooperative - Program; and,
whereas, the purchase of goods and services by local contracting -- is authorized through a State Agency; and, whereas, Skylands Area Fire Equipment & Training, LLC, 21 Florence Lane, Newton -- 07860 has been awarded New Jersey State Contract number 71050 under authorized dealer "Total Fire Group" for the period of March 1st, 2009 to March 31st, 2010; whereas, the cost for the purchase of thirty-eight sets of Fire Fighter Gear is expected not to exceed $76,800 dollars; whereas, funds are available from the account Assistance to Fire Fighters Grant Account number 0-01631299 47,800 and Capital Ordinance number 3116A 29,000 -- has been certified by the Chief Financial Officer, said certification being attached to this resolution; whereas, N.J.A.C.5:34-7.29 requires that the purchases made under the State's Cooperative Purchasing Program, which individually or -- statutory limit of -- threshold.

Now, therefore, be it resolved by
the Board of Commissioners -- Nutley, that Skylands Area Fire Equipment & Training -- 07860 authorized dealer under "Total Fire Group" be awarded a contract for the purchase of thirty-eight sets of Fire Gear in accordance with the State -- 71050. I move the --

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: Be it resolved by the Board of Commissioners, Township of Nutley, County of Essex, New Jersey, that Phillip Nicollete -- Park Avenue, Nutley, New Jersey, be appointed -- Nutley Fire Department for a two -- March 5th, 2010 through March 5th, 2012.
COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: That's all I have, Mayor. Thank you.

MAYOR COCCHIOLA: -- Evans?

COMMISSIONER EVANS: Thank you, Mayor.

Whereas, the Township of Nutley has taken the attached list of technology surplus equipment out of service and it has been recycled.

Now, therefore, be it resolved, that the Township of Nutley authorizes the Department of Public Works to properly recycle any and all nonworking technology surplus equipment such as monitors, stripped down computer tower cases,
malfunctioning printers. Any and all equipment arranged by technology personnel for disposal has been accurately inventoried with correct model, make and serial number. All hard drives and computer memory are removed from towers leaving any and all towers in a nonworking state. All ink cartridges and extra paper are removed from printers. Any parts or accessories that could possibly be reused throughout the standard are replaced, and repair procedures are then restocked within the Technology Department. This is just a -- equipment -- doing such, we're notifying the State that we're taking these -- so moved.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.
MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Be it resolved by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayment of property taxes in the amount of $28.29 for said year, Block 72, Higher Lot 7. So moved.

COMMISSIONER SCARPPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPPELLI: Aye.

MADAM CLERK: Commissioner Petracco? (No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Mayor, I'll read Commissioner Tucci's.

MAYOR COCCHIOLA: Yes, please.

Thank you.

COMMISSIONER EVANS: Whereas, the
Nutley Clifton Hockey Club started as Nutley Junior Hockey in 2000, and merged with the Clifton Youth Program in 2004-2005 season; and, whereas, a merger of the Nutley & Clifton Youth Ice Hockey Organization has been an enhancement to both towns in ice hockey development for a high school feed system; and, whereas, the Nutley-Clifton Hockey Club is celebrating their tenth year anniversary this year with over a hundred players involved in the program which includes a Clinic group, Mite Team, Squirt Team, Pee Wee Team, Bantam Team, and Midget Team with some players going on to a "Travel Program"; and, whereas, in the course of ten years, several hundred players have benefited from this program and have been participating in several travel and local tournaments capturing several championships at different levels; and, whereas, there are approximately thirty coaches in the program all of whom are certified and participate in the USA Hockey Coaches' certification program;
and, whereas, the focus of the Nutley-Clifton Youth Ice Hockey Organization is on player development and having fun; parent involvement is excellent and an important part of the success of the program.

Now, therefore, be it resolved that the Board of Commissioners of the Township of Nutley, County of Essex, join with the citizens of Nutley to honor and congratulate the Nutley-Clifton Hockey Club on this, their tenth anniversary.

So moved.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Be it resolved by the Board of Commissioners of the
Township of Nutley, County of Essex, New Jersey, that in accordance with the provision of R.S. 40A:4-59, the following transfers of 2000 -- I think it's nine, Appropriation Reserves be and the same are hereby authorized -- it's either eight or nine. On my -- so we should correct that -- workers' comp, 7,000; other insurance 14,000; electricity 36,000; to: parks and playground salary and wage, 28,000; Public Building and Grounds, 17,000; Shade Tree Salary and Wage, 12,000; for total of 57,000. So moved.

COMMISSIONER SCARPELLI: Second.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?

(No audible response)
MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.
MADAM CLERK: Mayor Cocchiola?

(No audible response)
COMMISSIONER EVANS: Thank you,
Mayor.

MAYOR COCCHIOLA: Thank you.

Whereas, applications for the renewal of video game licenses has been received from: TBG, Inc., Trading as Park Pub, 789 Bloomfield Avenue; The Mudhole, 563 Franklin Avenue; Ruthie's Third -- 150 Bloomfield Avenue; whereas, the applications have been reviewed by the Code Enforcement Department and the Office of the Municipal Clerk; whereas, the license fee of 900 dollars (300 dollars per machine) has been paid.

Therefore, be it resolved by the Board of Commissioners of the Township of Nutley, that the licenses are hereby approved and the Municipal Clerk is authorized to issue the video game licenses to: TBG, Inc., The Mudhole, and Ruthie's Third Base. Move the resolution.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

Whereas raffle applications has been received from the following organizations: Rotary Club of Nutley, license number 29e-10; St. Mary's Roman Catholic Church, license number 30-10; Friends of the Phoenix Foundation, 31-10, 32-10, 33-10; and the Nutley-Belleville Columbus Day & Italian Heritage Month Parade Committee, license number 34e-10, for various licenses and raffles; whereas the applications have been reviewed and approved by the Municipal Clerk and the Police Department.

Therefore, be it resolved by the Board of Commissioners of the Township of Nutley, that the aforementioned licenses are approved and the Municipal Clerk is authorized to issue the licenses. I move the resolution.

COMMISSIONER EVANS: Second.
MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

Whereas, climate changes have been recognized by scientists, political leaders, and strategic planners around the world to be a growing threat to global stability and security; whereas, climate change has direct economic, environmental, health, and societal impacts on all Americans, including New Jerseyans, and the residents of the Township of Nutley; whereas, solutions to climate change must take place at the local level, involving deeply concerned citizens, as well as elected officials of all towns and cities; whereas, the Board of Commissioners encourages energy conservation, both for reducing carbon
dioxide emissions, and also for saving money; whereas, turning off unnecessary lights, whenever possible, as well as appliances and electronic equipment, is the simplest and most effective way to conserve energy in private homes and public buildings; whereas, the first step toward changing the public's behavior is to educate them about energy use, and climate change problems and solutions; and, whereas, Earth Hour 2010 is both an international and local symbolic and educational event, intended to raise awareness about climate change issues, and to inform residents and businesses about existing information and tools available within the community to help us reduce our carbon footprint; whereas, Earth Hour 2010 is intended to demonstrate that each of us has the power to save energy and make a difference in the future of our planet.

Therefore, be it resolved, that the Board of Commissioners of the Township of Nutley recognizes and supports Earth Hour
2010, occurring on Saturday, March 27th, from 8:30 to 9:30 p.m., and each director will determine which non-essential public lighting may be turned off during the observance of this event.

Be it further resolved, that the Board of Commissioners encourages Nutley residents to participate by turning off their lights, and businesses to take action in the coming year to conserve energy and reduce their carbon footprints. I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye. And let me just point out that there are a few restaurants in Nutley, that will be offering candlelight dining during the
evening when we celebrate Earth Hour. If you check the newspaper, you'll find out who they are.

Be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, that in accordance with the provision of R.S. 40A:4-59, the following transfers of 2009 Appropriation Reserves be and the same are hereby authorized and approved:

Garbage and Trash Removal, $140,000 dollars; to Police Salary and Wages $140,000 dollars. I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

(No audible response)

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye. That concludes the regular business portion of our meeting this evening. I notice a few
volunteer fire fighters have joined us, and I wanted to let you know that at the beginning -- we opened the meeting this evening, by commending and congratulating you for the job that you did for the residents of the Township of Nutley, in the past few days with the storm and all of your efforts, they have not gone unnoticed, and we are truly appreciative.

Is there any member of the public that would like to address the Board, this evening? Mr. Capriglione, step up.

MR. CAPRIGLIONE: I just want to --

MAYOR COCCHIOLA: Mr. Capriglione, just give your name and address for the record.

MR. CAPRIGLIONE: Okay, my name is Anthony Capriglione. I reside at 143 Whitford Avenue. I wanted to make a few (indiscernible) before this time, to remind you on the problem with the post office and forgive my stuttering, it's not that I'm nervous; it's that the mind don't want to cooperate with the mouth anymore.
I want to thank you, the Board, on behalf of myself, and of course, the people of Nutley, to -- for you to intervene in writing that beautiful letter today, which one of you was kind enough to give me a copy of it and a part of perusing of the letter, the nice letter, the most important thing they did not address. There were five items, and the only thing they addressed is the personnel, their attitude, and how to treat customers and so forth. We are all well aware of that, but it bothered me because -- like in the past decade, I no longer talk very well, and I lose my echo. I talk out on the governor, and I speak up when someone hears me.

But I -- one step further -- forgive me; I just want to bring you up to date when I'm here, Mayor. I made an inquiry at the front gate and make an appointment with the Post Master of the Northern Regional Direct -- 2 Federal Plaza, Newark. You cannot believe what I'm going to tell you. You call
there's no listing. No listing.

MAYOR COCCHIOLA: No, what? I'm sorry.

MR. CAPRIGLIONE: No listing, telephone.

MAYOR COCCHIOLA: Oh, no listing.

MR. CAPRIGLIONE: All I got was the local post office in the area. I said, I want to speak to -- I want to go to -- make an appointment with the Post Master in (indiscernible) Newark. After eight phone calls, I called the local post office. They don't even have it. Can you imagine? Offices of Belleville -- the post master in Belleville -- now they call them managers -- now the manager in Belleville, she didn't have no phone number. I said, "You don't know who your boss is?" It was amazing. So, lo and behold, they gave me an 800. And, I dialed up the 800, and I got Albuquerque, New Mexico, instead of something in Nutley, New Jersey. She was not aware of -- she was going to be the attention the powers at be. So, she gave me the
number to call, and it happened -- and I got a name by a woman who is the director of personnel in the Northern District in New Jersey. Her name was Sheila Harper (ph.e). One, two -- I made four phone -- four different occasions, I made phone calls, (indiscernible) to discuss the problem I'm having in Nutley. Never returned one; never returned one.

So, therefore, I proceeded -- I went down there personally, to introduce myself. And she just said, well, you have an appointment? I says, no. Well, she says, you have to make an appointment to see Ms. Harper. Is it court related or customers relations that here? I said, one minute, for four days I've been trying to reach her to make an appointment, that's why I'm here. I says, "Look, I've got a lot of time. I know she's going to come out of this door at 12 o'clock -- at 5 o'clock. I'll sit here and wait for her.e"

So, lo and behold, I -- before fifteen minutes, she came out. She came,
she says, Mrs. Harper will see you. I expressed my opinion and my reason why she never returned my calls. And she didn't return even one phone call. So, no matter, she was very apologetic. Well, she's arguing for fifteen minutes. Ladies and gentlemen, that fifteen minutes wound up to two and a half hours. Instead of her being on the -- instead of me being on the defense, she was on the defense.

She was taking my suggestions and she's going to follow up (indiscernible) as follows: the lack of supervision. I made a recommendation that there is one manager for the three post offices: Newark -- section of Newark, Belleville and Nutley. I suggested that if the manager of that post office spends two days a week in the post office, they'll have proper supervision. The supervision there now, you know the saying, is the mice -- when the cat's away, the mice will play. You go in there, the break is fifteen minutes, half hour. They're
never out there and so forth. That's because no body's there to boss them.

And the second recommendation was the window. They have three windows there now. And you see three windows, and one window has always got something important -- always got some papers in, never in use, never will be in use. I said, "You know what? Why don't you board up that window? This way here -- the people will come in will only see two windows." So, she says, well, I'll put a curtain up there. I said to her, no. Psychologically, you still got three windows you got to put up. Get rid of that -- get rid of that third window, now you only have two windows. Now, you have only fifty percent, now, instead of a third. So, she said, I -- we'll look into that.

And the fourth -- and the third one was personnel. They have no coverage if someone is sick. They have two people there, and when you get a break, when you get a break, there's one person. Without
exaggeration, I didn't -- in an eight-hour day, five hours there's only one people there -- one person there. And that's not serving the people of Nutley. So, she says, we'll address that matter, too, because she was arranging the schedule already. She was trying hard to bring up two people.

And, I brought it to her attention, that on December 11th, last Christmas, forty-two people were on line, one teller. One teller, one clerk -- I'm sorry, I'm thinking of the bank right now. And, I mean, I approached him. When I got up there, I says, I mean, she had to go to the bathroom so badly. I said, why don't you go relieve yourself, and I'll make an announcement. And I told all the people, this lovely young lady going to the bathroom to relieve herself. So, she came out and she thanked me. I said, "11 o'clock. Didn't you have anyone here?" And she said, "Nope." No one covered. I brought it up -- she's going to look into that.
And the best thing with the post
master where she's going to have a
manager come here for two days a week.
(indiscernible) That was last week. I
made appointments, so, you know, it
supposed to be that I was going to take
her up to the Nutley post office. We'll
go up there together. I was going to
pick her up and bring her up here. And
lo and behold, yesterday, she called me,
because of the storm raging, she had a
cancellation, so she couldn't make it.
She asked me to call her Thursday to
reschedule appointment. I'm going to
come over.

And, once again, thank you for the
letter, thank you for your help. And,
(indiscernible) you don't have the
strength until you have people behind you
who wrote that letter. The only thing is
they -- just a really nice letter,
political letter, but you didn't address
the points. And, Mayor, I made it my
business to go down there and get the
points taken. And thank you very much --
MAYOR COCCHIOLA: Well, wait a minute, I think we have to thank you for your persistence on --

MR. CAPRIGLIONE: No, it's -- no, you stand on line, and everybody all complains, but that's as far as they go. It's like talking to the wall. You got to make -- write, talk, so somebody will hear you, or keeping to yourself is nothing. You know, I --

MAYOR COCCHIOLA: You know, the letter that I sent, I sent to Washington, so I really wasn't sure about the response. Have we got that response back? There was a specific name that we were supposed to contact if we had any problems with this post office.

MR. CAPRIGLIONE: Yes, it's unbelievable; you can't get their phone number.

MAYOR COCCHIOLA: You should have called me. I would have helped you. But, I mean, you --

MR. CAPRIGLIONE: I never heard of this. A government agency, you can't get
a phone number to speak to someone? I remember Joe Baluchi (ph.) was the post master down there and (indiscernible). Have you ever seen the post master's office there?

MAYOR COCCHIOLA: No.

MR. CAPRIGLIONE: Well, you ought to go see that. You think the President's got a beautiful office? This is five times bigger than his. Oh, my God. I walked in there; I thought I was in the President of the United States office. Look, I had to peak, of course, no one was there. I happen to peak in. I just -- this is where all our tax dollars go. You know, we all faulte--I've got an old saying, you don't get rewarded for having a brain, you only get rewarded when you use it. Sometimes, I ask her, use your brain and find common sense. And that's all. And thank you once again.

MAYOR COCCHIOLA: Thank you, Mr. Capriglione.

MR. CAPRIGLIONE: I let you know if
in the morning I have that meeting, or
the outcome.

MAYOR COCCHIOLA: And you know --
just so you know, also, a couple of weeks
after I sent that letter, when I walked
into the post office, they immediately
said to me, oh, you sent a letter. So,
I -- it did trickle down to them, I --
they realized that they were going --

MR. CAPRIGLIONE: I'll tell you
what. Now, they say, "How are you? Can
I help you with anything else?" That's
very polite, but the real problem, they
haven't really solved. They hadn't even
touch base on, until I went in to talk to
them. I'll tell you, my -- when I walked
in, boy, she was on the offense, but she
only gave her fifteen minutes. I was
there for two and half hours. I had to

go, so when she said -- I said, where do
we go from here? She said, you have to
call; she says, you know we don't work
that fast. I said, yeah, you're a
federal employee.

MAYOR COCCHIOLA: Okay, we'll --
MR. CAPRIGLIONE: I didn’t expect anything -- I didn't expect anything different.

MAYOR COCCHIOLA: Well, we thank you for all of your help, Mr. Capriglione. Thank you very much. Is there anyone else who would like to address the Board this evening? Come up, come up, up Mr. Palmer. Yes.

MR. PALMER: Good evening. Greg Palmer, 119 Church Street. Before I get into why I'm here, again, I'd like to just echo your thanks that you mentioned as a member of the Town Shade Tree Committee. Thank you to everyone that was involved with this storm. Great job by the entire town and its employees. And, also being tomorrow is St. Patrick's Day, we can just have a moment of remembrance for John Kelly (ph.), for all his efforts every year with our St. Patrick's Parades.

Why I'm here tonight is there's been some activity with the Clover Street property. There's also been talk that an
application's coming. And a lot of people seem to know about it, even a Planning Board member was speaking about it last -- actually, was it this week, or last week? At the Nutley Community Preservation Partnership Meeting.

All I'm here to ask -- I know, this body has nothing to do with the Planning Board. It's an independent body. But I would ask that all of you urge them to stick to our zoning laws and codes. Contrary -- maybe some people might think I don't enjoy getting involved with the fight. Well, you know, last time, myself and the neighbors got together, hired an attorney to go to court to appeal what was done, and, you know, we just ask that they stick within the codes. Stick within the laws, whatever can be built on there without variances, that's what we would like to see: one family houses on fifty by hundred lots.

In addition to that, or instead of that, what we would prefer -- and, you know, I don't know how possible this is,
majority of the neighbors, as well as the Nutley Community Preservation Partnership, would still love to see that made into a passive pocket park, like the one next to the Nutley Museum. I know, last time around when this was being perused, Mayor, you and Commissioner Evans, were opposed to that idea and I understand your reasons. You're looking for tax revenue; especially the way times are right now, I'm sure the Township could use any dollars it could get.

However, I have here -- and, I might add that the County Executive is very much in favor of a park. He stated that at a Nutley Community Preservation Partnership meeting in November. I have here a publication, entitled "Open Spaces: A Good Investment", by the Association of New Jersey Environmental Commissions. And it's a twelve-page publica -- report, but basically what they're saying is, that studies show that residential development cost the municipality more in educational and
public services, than it generates in tax revenue. And they give various examples both in the state, and around the country. And they're saying, basically, that communities, again, across the state and the nation, finding that single family residential tax ratables don't cover the cost of services and studies show that for every dollar collected in taxes, anywhere from $1.04 to $1.67 is spent for services and the Municipal Land Use Law provides that open space is one of their major goals and there's also a 1968 State Law, N.J.S.A. 40:56-A, that permits municipalities to establish environmental commissions and part of that is with giving them the power, subject to the governing body's approval, to acquire property.

And as I stated a few years ago, when I first made the request that the town look into buying that property as a park, only if it could be done without a burden to the taxpayers. So, I'm repeating that again. I ask all of you
to look into it. I wish our, you know, Commissioner of -- Mauro Tucci was here tonight, Parks and Public Property, but please look into that. Speak to the County Executive. You know, Berth Caldwell (ph.e), a couple of years -- I think it was 2008, purchased two parcels to prevent houses from being built in rear yards. This past year, there's a problem with soil environmental concerns. But Caldwell is looking into buying a 1.0 acre parcel to prevent four houses from being built. This is a 1.0 acre parcel, and they were looking to do five houses on it. So, you know, we're the ones that have to live with this in our yards. So, please, you know, I ask that you look into it. And that's about it at this point.

MR. HARKINS: May I -- just a point of clarification. While I could appreciate what you're saying, you might want to contend, there is a point of going to a town hearing -- this body is not at liberty to discuss with any of
those members any application pending or contemplated.

MR. PALMER: Well, I understand -- you know, as I said in the beginning, that I know they have nothing to do with it. But, you know, in a general suggestion, you know, maybe you could suggest that they don't over build there and again, we really would prefer the park, if that's doable without a cost to Nutley taxpayers.

MAYOR COCCHIOLA: Mr. Palmer, so that you know, we are in the process of working as a community and as members of a community on a new master plan. The Planning Board is very active in that and as Mr. Harkins just told you, we cannot tell them what to do. The most we can do is probably share the minutes of this meeting with them --

MR. PALMER: I understand.

MAYOR COCCHIOLA: -- and that's about it.

MR. PALMER: I understand.

MAYOR COCCHIOLA: But let me just go
back for one minute, because you -- your
characterization -- and I don't want to
go back into this, and I don't want to
debate this with you, not at this point
in time. But, so, I can clarify, because
my statements are no different today,
then they were however many years ago I
made to you and to other people.

When you have this idea about a
park, I don't know what anyone else said
to you, but I very clearly said to you,
we would have to buy it. It is not fit
for -- it is not right now in its current
shape fit to be called a park. It would
have to be -- have to totally be reworked
so that it's safe for people to even go
into. There has to be an access point in
and out of that neighborhood for people
to enter a park.

So, what you're talking about
with -- what you don't want houses there,
you know, you have an area susceptible to
kids, possible lighting, a whole
different, you know, a whole different
thing. And it also has to be maintained
by workers for the Township of Nutley.
So, I mean, I said those things years
ago, that -- and I want to clarify you,
because you're talking about opposition,
whatever. I raised all of my concerns
and reservations to you all because
there's a cost to everything.

MR. PALMER: I was speaking --

MAYOR COCCHIOLA: If you sat in the
back room earlier this evening, you would
find out that at this point in time, we
are a municipality in crisis and we are,
you know, we have some very serious
concerns about how we have to spend our
money. On moving forward, I'm going to
ask you to consider those things.

MR. PALMER: Oh, of course, and
that's why I even back then, originally,
my first statement when I came here was,
if it can be done without a burden to the
taxpayers and with the County Executive's
support, Open Space Funds, Green Acre
Funds, I know things are being cut, but
those funds are still available. And,
you know, what I'm saying, maybe my
characterization --

MAYOR COCCHIOLA: So you know that an Open Space Fund is, you know, you're paying that as well. That doesn't come out of nowhere. It's a grant back to the municipality based on money that you pay in. So, you know, that -- there's a cost to that as well.

MR. PALMER: I mean, the County Executive stated it's doable, so, you know, I'm repeating that.

MAYOR COCCHIOLA: Well, I'm sure that Commissioner Tucci, since it's really his area, might have been in discussions with the County Executive, or may be right now, I don't know that, to be --

MR. PALMER: But what I was speaking of last time, I was supposedly -- both yourself and Commissioner Evans attended a Planning Board meeting, and stated that the town wasn't interested in making it a park. And I'm sure it was for the reasons which you're stating.

MAYOR COCCHIOLA: I'm sure that
whatever is -- I think exactly today as I
did then. And those are my concerns
today as they were before. I can't speak
for Commissioner Evans, and what he said,
but I'm certain that I expressed the same
concerns.

MR. PALMER: And again, you know,
I'm going by what this is stating, that,
in the long run, the houses will cost the
town more money than keeping it, you
know, making it into a park. And
although we have a great park system in
the town, according to New Jersey "Keep
It Green", when you factor in the formula
for our -- the size of our town, the
amount of people, we actually have a
deficiency in open space. So, and I just
ask that all of you discuss it and please
look into it.

MAYOR COCCHIOLA: Thank you.

MR. CAPRIGLIONE: -- you don't want
two more, but I forgot to mention --

MAYOR COCCHIOLA: Okay, Mr.
Capriglione, but there is someone else
that wants to address the Board, can you
wait one -- and then we'll call you back, okay?

MS. QUINN: Hi, good evening. My name is Nancy Quinn and I live at 17 Sargent Street in Nutley. And I'm here, basically, for some guidance, at the suggestion of the Town Engineer, Sal, regarding of the repitching or having the Sargent Street on the same block as the Public Works Department reviewed or repaving and possible curb cuts being redone.

There's a pitch right now, that's doing a lot of run off, and having a lot of flooding and drainage issues on Sargent Street. And it has nothing really to do with this particular storm or snow storm before that and the severity of it. It's been an ongoing issue for a couple of years. I've made some phone calls. Not really sure which board or venue should be addressing that, but the engineer did come out to see it. He did state that it was in the top ten percent of problem roads in the town, and
it should be on some form of a budget, maybe not this year, or the spring budget, and that I should just try and come before a Board so that somebody could formally note that and see what they can do about having a
(indiscernible)e. Hi, Mr. Scarpelli.

COMMISSIONER SCARPELLI: Well, that's my department.

MS. QUINN: Right.

COMMISSIONER SCARPELLI: And Mr. Ferraro was there at my request.

MS. QUINN: Yeah, a couple of weeks ago.

COMMISSIONER SCARPELLI: And, though, as he said to you it's the top ten percent, you know, that's -- it's not going to be on next year's road budget. So, I can tell you that now. It is something that is on the schedule, and we're looking at it. It's not the only road where we have these kind of problems, and I know that he was out there, and looked at it. We'll see if there are any temporary fixes that we
could put in, in the meantime, but as far as that road being done next spring, it's not on the schedule, so I can tell you now.

MS. QUINN: How do you assess when a budget comes up for that? Just based on the severity of each road?

COMMISSIONER SCARPELLI: Each -- every road in town has been prioritized --

MS. QUINN: Okay.

COMMISSIONER SCARPELLI: -- based on a number of factors. One being standing water, two would be pot holes in the structure of the street, one of the curbs -- the sidewalks were taken into consideration, along with the, you know, the travel on that road, is another consideration, how much is that road traveled.

MS. QUINN: It's traveled pretty frequently, I would think, between the trucks, and coming in and out in the morning and the --

COMMISSIONER SCARPELLI: It's not
one of our main roads.

MS. QUINN: No, it's not a main road like Franklin or Centre Street.

COMMISSIONER SCARPELLI: So that's how they're prioritized. And we have only a limited number of resources to do each street for -- just to give you a for instance of how much a street costs, if you're familiar when we did Bloomfield Avenue, this past year. We did from High Street to Kingsland Avenue. It cost over 250,000 dollars. We have approximately 250,000 dollars each year to do roads. So, that is a grant -- but just to give you an idea of the costs --

MS. QUINN: Oh, no, and I appreciate that.

COMMISSIONER SCARPELLI: Well, we have 250 --

MS. QUINN: You think it's that big a street as Kingsland/High, Sargent Street?

COMMISSIONER SCARPELLI: No, I'm just saying that when we prioritize, and we look at what we have to spend each
year, we only have 250,000 dollars to spend on roads for the year. So, as we prioritize that, we say, well, which roads are we going to do? And those are the factors we take into consideration in prioritizing. I'm not saying it's never going to get done, but I'm telling you that it's not going to be done next year.

MS. QUINN: Well, I appreciate that. I just wanted to make it known and come before you, so, that I, myself, can say that I spoke with someone, after he did come. So, I do appreciate -- on that, even if it's a temporary fix, to take a look at that.

COMMISSIONER SCARPELLI: We will take a look at that.

MS. QUINN: Thank you.

MAYOR COCCHIOLA: Thank you. Mr. Capriglione, did you want to say something else?

MR. CAPRIGLIONE: I'd like to one important thing. If by April 1st, that you do not hear from Mrs. Harper, would you -- would the Board be kind enough to
address another letter to her? I really
(indiscernible) and find out if --
mention the fact that -- and I appeared
here before the Board of Commissioners.
And mention the fact that if she's -- how
we're proceeding at my points of --
rather, my comments in reference to the
situation in Nutley -- I would appreciate
that, if you would send me a copy of the
letter. So, this way here, you know, we
can find out if she's -- as the old
Chinese proverb says, it isn't the
distance that amount -- that counts, it
is the distance that means anything, it's
the first step that counts. So, I want
to make sure she's going to take the
first step, and not shovel this in a
bonfire.

MAYOR COCCHIOLA: Yes, I'll do that.

MR. CAPRIGLIONE: I appreciate it
very much. And thanks once again.

MAYOR COCCHIOLA: Is there anyone
else that would like to address the Board
this evening? I will not be adjourning
this meeting. The meeting will be
continued to Tuesday, March 23rd, at 8
o'clock p.m. Thank you.

(End of audio)
CERTIFICATION

I, Karen Schiffmiller, 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:


Karen Schiffmiller

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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING
TRANSCRIPT OF
PROCEEDINGS:

March 23, 2010
7:02 p.m.

BEFORE:
Mayor Cocchiola
Commissioner Evans
Commissioner Petracco
Commissioner Scarpelli
Commissioner Tucci

Township Clerk Rosario

Job No. NJ258329
TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

Certified Transcript

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MAYOR COCCHIOLA: -- start our discussions back here. Go out front, because I have two resolutions to read, and then we can take any public comments, since we have a lot of guests this evening. And then, any matters we have to discuss in executive session, because I understand there will be one, we'll do at the end. Makes sense? All right.

So, this is a continuation of our meeting of -- I forget the date, March 16th. And we are now on the record, so Madam Clerk -- you know what? Why don't you just -- we don't need to reread the Sunshine Notice --

MADAM CLERK: Yeah.

MAYOR COCCHIOLA: -- because we're open. Why don't you just call the role?

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.
Madam Clerk: Commissioner Tucci?

Commissioner Tucci: Here.

Madam Clerk: Mayor Cocchiola?

Mayor Cocchiola: Here.

Madam Clerk: All present, Mayor.

Mayor Cocchiola: Okay. This is a budget workshop hearing; so, everyone understands that. This is a meeting for discussion purposes, although we do have to transact some business with voting on a few resolutions. So, if you would allow us to engage in whatever discussion we have, we'd appreciate a little bit of time to do that. Commissioner Evans?

Commissioner Evans: I don't have anything for tonight, additional resolutions.

I did want to share that, you know, we received notification from the state about a cut in state aid. And it was higher than what we had estimated, at 320,000. It's now 539,000 dollars, which -- I asked you for the last meeting here to see what else you can find in your budgets, so we can reduce. And
where we stand right now, is that the combined effect of the increase in appropriations, which is coming primarily from three areas: $737,000 dollar increase in health care costs, and $582,000 dollar increase in pension costs, with another $764,000 dollars increase in police and fire wages, that's anticipated in this budget, plus lost revenues -- the effect of lost revenues, which is a combined combination of lost in state aid and lower fees, of another $782,000 dollars. So, the impact on the budget assumption is an overall increase of roughly $3.4 million dollars.

We -- when we look at where we are against the levy, you know -- when considering the exceptions that are provided by statute, we are still over the maximum allowable levy by $527,000 dollars. So, we have additional cuts to do, if we are to achieve, you know, the -- what I would call, the adjusted levy. It's not the four percent increase, because certain exceptions are
allowed by statute. So, when we look at
this, roughly, if we achieve the 527,000
dollar cut in our spending to hit the
maximum, with exceptions, that will
translate into an average increase per
household of 600 dollars. And, that
would be the municipal portion only.

My understanding right now is that
the school budget assumption is another
200 dollars per household. We don't have
the county impact yet, but based on where
we're at, we would be looking at a
town -- a complete tax -- average tax
increase per household of close to 900
dollars per household this year. So, for
any house that's assessed at 372,000
dollars, they would be looking at a 900
dollar increase this year, roughly.

Anything above that --

UNIDENTIFIED COMMISSIONER: What
assessed value was that?

COMMISSIONER EVANS: 373,000
dollars.

UNIDENTIFIED COMMISSIONER: That's a
average?
COMMISSIONER EVANS: Right. So, a house that's assessed for roughly 600 -- so, 700,000 dollars, would be looking at -- you know, roughly an 1,800 dollar increase in the taxes this year.

So, the challenge we have, it remains very significant. If we were to look at our reductions and say, okay, no exceptions to the four percent increase, we would have to -- as I shared with you earlier, in addition to cutting the 527,000 dollars, we would have to cut an additional 1.5 million dollars, to achieve an absolute pure four percent increase on our levy, year over year.

MAYOR COCCHIOLA: Which would still be 550 dollars?

COMMISSIONER EVANS: That would be a lower number. I have to calculate that, but it would be a lower number. Okay?

UNIDENTIFIED SPEAKER: It's 441.

COMMISSIONER EVANS: That would be 441. So, we would go from 600 down to 441. So, even if we were to achieve that four percent, 441 plus 200 plus 100,
we're still looking at 741 dollars on average per household.

So, the challenges are significant. And we are, you know, faced with, you know, some very -- as you all know, some very difficult decisions, in terms of how we reduce the cost of the property tax increase. The challenge with that, too, is that our state aid is being cut from 3.2 million down to 2.6. The school board had a 2.6 million dollar reduction in their aid. So, I share those things with you, just, so, you know, it just -- understand the thinking of where we're at.

Our budget already anticipates the fund surplus that exists. We use that every year, and that's gone down. So, while last year we were able to anticipate 4.4 million into the calculation, this year we're only able to anticipate 3.8 million. So, that we're being affected by that, too. So, every year, that money is always applied against the levy to keep the taxes down.
So, if we didn't have that, the levy would be that much higher. So, just to -- from the mechanics, it's a labeling from a state standpoint, in terms of the state chartered accounts, but in terms of where we are, the money's anticipated every year. And those are just refreshers.

To remind you, the other things that we did this year: we did renegotiate our debt. We reduce our average interest rate from 4.65 percent down to 3 percent. We don't have to get into bond anticipation notes. So, already anticipated in here, we've been able to reduce our debt service by 213,000 dollars already. And we've already taken the running room out of that.

The other areas of the budget for fuel -- you know, this is spread out in your various budgets, but for fuel and utilities, those numbers remain flat, year over year. There's been no increase there. So, what we're -- our budget address is predominantly increased --
increases relating to the cost of people. 
That's where it's all directed this year. 
So, that -- the challenge is significant for us.

So, just as a refresher, and where we were at. I know you've all made some adjustments, but as of this point, as I said, just to be clear, we are still 527,000 dollars above the limit, based upon the cuts that were already made. And, if we -- and that's the adjusted levy. We still would have two million dollars, roughly two million dollars to go, to hit to a pure four percent increase in the levy.

COMMISSIONER TUCCI: That 500 and some odd thousand that you're speaking about, is that after the second round of cuts?

COMMISSIONER EVANS: Yes. Yes.

COMMISSIONER TUCCI: Okay.

MAYOR COCCHIOLA: Does that include the money that we spoke about with the elimination of the welfare department?

COMMISSIONER EVANS: Yes.
MAYOR COCCHIOLA: That money is included in the --

COMMISSIONER EVANS: That's included in here already.

MAYOR COCCHIOLA: Oh.

COMMISSIONER EVANS: Right.

COMMISSIONER TUCCI: So, you have welfare out, you have roughly my 200,000 out, 100 from health care, and the other sundry items, and the individual lines, so we're still at two million dollars that we have to --

COMMISSIONER EVANS: Exactly.

COMMISSIONER TUCCI: -- reduce.

Okay.

COMMISSIONER EVANS: Exactly.

MAYOR COCCHIOLA: What's the anticipation in here for a salary and wages for this year?

COMMISSIONER EVANS: Do you have that?

UNIDENTIFIED SPEAKER: There are different departments of different assumptions, ranging, (indiscernible) two and three and a half percent.
COMMISSIONER TUCCI: I read in the paper today, that the governor signed that some of the health care bills --

MAYOR COCCHIOLA: Um-hum.

COMMISSIONER TUCCI: -- that everyone will now be paying that one and a half percent. Has that been factored in here?

COMMISSIONER EVANS: No. Not yet.

COMMISSIONER TUCCI: Okay, so --

UNIDENTIFIED COMMISSIONER: We know the date that's supposed to kick in?

COMMISSIONER EVANS: May 26th or 27th, I believe.

UNIDENTIFIED COMMISSIONER: So, you have --

MAYOR COCCHIOLA: Well, is the bill effective immediately with a waiting period, or that legislation is not effective until --

COMMISSIONER EVANS: I have to go back and read it, but when -- and I read it quickly, and I thought that it was signed, and basically becomes effective, the 26th of May.
COMMISSIONER TUCCI: All right. Because if we had -- I mean, excluding the units that already have bargaining agreements in place, in my estimation that was about $115,000 dollars in savings, and that was for six months. So, it might be a little bit more than that.

UNIDENTIFIED COMMISSIONER: That's town-wide?

COMMISSIONER TUCCI: That we can reduce. Yeah.

COMMISSIONER EVANS: Yeah.

MAYOR COCCHIOLA: Non-contractual. Or for everyone who has not --

COMMISSIONER TUCCI: Everyone who doesn't have a collective bargaining agreement in place.

MAYOR COCCHIOLA: Right now.

COMMISSIONER TUCCI: Right. You also need to think about -- in the bills, what the governor called for was, as far as opting out, you have dual coverage, a maximum percentage to be paid for those who opted out --
MAYOR COCCHIOLA: Correct.

COMMISSIONER TUCCI: -- of twenty-five percent, with the maximum of 5,000 dollars.

COMMISSIONER EVANS: Um-hum.

COMMISSIONER TUCCI: I'm not --

MAYOR COCCHIOLA: I thought it was 3,500. It's 5,000?

COMMISSIONER TUCCI: 5,000, yeah, it was 5,000.

COMMISSIONER EVANS: Basically, it was 5 --

UNIDENTIFIED COMMISSIONER: Which ever's less.

COMMISSIONER TUCCI: What I'm concerned about -- I'm sorry?

COMMISSIONER EVANS: 35 was a proposal.

UNIDENTIFIED COMMISSIONER: What ever's less, right?

COMMISSIONER TUCCI: Well, which ever's less, exactly.

COMMISSIONER EVANS: Which ever's less.

COMMISSIONER TUCCI: The concern is
we save about 240,000 dollars a year, on folks who have dual coverage that opt out. So, while they get a little bit of money, we save a little bit of money on that. I have anticipated in here, a reduction in that. All right? We don't know what that's going to be yet, and obviously, we're going to be surveying all of our employees to see who would still be interested in opting out.

But, we may be able to reduce a little bit more, all right, in that health law. And we were fortunate, because we negotiated a multi-year deal on the dental, and they held those rates static for us for two years. So, we may be able to take a little more to take this down a little bit more. And I know it's not a million dollars. You're not going to see a major impact, but every little piece that we chip away, obviously --

COMMISSIONER EVANSe: Right.

COMMISSIONER TUCCIe: -- is going to help here.
COMMISSIONER EVANS: Right. Right.

COMMISSIONER TUCCI: There's also --
and I can only speak for myself, I mean,
we have the jitney service that we run,
that we charge a dollar per trip. We're
anticipating raising that fare by fifty
cents, which will generate some money,
because that's running somewhat in the
red, something to the tune --

COMMISSIONER EVANS: Right.

COMMISSIONER TUCCI: -- of about
20,000. And we have some money there.
So, we've made some adjustments and we've
done some consolidations, so I think
we're down to about 5,000 dollars there
that we may be able to mitigate.

MAYOR COCCHIOLA: Did you -- you had
your reduction year after year, in the
percentage that they give you, right?

COMMISSIONER TUCCI: Yes. And this
is the reduction, well, from the 30,000
in '09 --

MAYOR COCCHIOLA: To twenty?

COMMISSIONER TUCCI: -- to the
twenty in 2010, so.
COMMISSIONER EVANS: Right. Right.
And Mauro, you weren't here in the last
meeting, but just so - just again to
look at some of the other items.

COMMISSIONER TUCCI: Um-hum.

COMMISSIONER EVANS: One of the
things that we benefited from this year,
which isn't making it as, you know, worse
than it already is, is that we had an
increase -- an uptake in the fees from
the activity at Hoffman-La Roche for
permits and things like that, which was
one time.

COMMISSIONER TUCCI: All right.

COMMISSIONER EVANS: So -- or, the
reserve itself is higher than it would
have been otherwise, you know, which we
anticipated. So, I think that number
would have been lower. The other thing,
too, is the reminder -- is that Hoffman-
La Roche is still on target to demolish
the building number 85 --

COMMISSIONER TUCCI: Um-hum.

COMMISSIONER EVANS: -- which is on
the Nutley side.
COMMISSIONER TUCCI: All right.

COMMISSIONER EVANS: Which we would lose, you know, about 780,000 dollars worth of revenue on that next year.

COMMISSIONER TUCCI: So, now that we have this bright and cheery picture before us, we need to address it, because obviously, a 600 dollar increase is unacceptable.

MAYOR COCCHIOLA: Not okay.

COMMISSIONER EVANS: Can't do it.

COMMISSIONER TUCCI: Totally unacceptable.

COMMISSIONER EVANS: Absolutely.

COMMISSIONER TUCCI: It's unacceptable, it's unfair, and it's nothing, I don't think, any of us would support.

UNIDENTIFIED COMMISSIONER: All right, well.

MAYOR COCCHIOLA: Having said that.

COMMISSIONER TUCCI: Are we going to go through the lines here?

COMMISSIONER EVANS: Yeah. So, what do you want to do in terms of -- well,
the first question I'll ask you, is if you can go through your line items and see if there's anything else you can cut. The first question is, is if we say that the 600 dollars is not acceptable --

COMMISSIONER TUCCI: Um-hum.

COMMISSIONER EVANS: -- then it means we have to come up with more than 527,000 dollars worth of cuts, because we have to get to some lower number. And if we were to get to a pure four percent increase on the levy, which that would reduce the increase per household on average from 600 dollars down to 441 dollars. So, do we believe that trying to get as close to 441 is the right way to go?

MAYOR COCCHIOLA: Yes.

UNIDENTIFIED COMMISSIONER: Is that acceptable? 441?

COMMISSIONER TUCCI: 441 on our side is not a number that I particularly want to cozy up to at this point.

COMMISSIONER EVANS: Neither do I.

I mean, it's high.
COMMISSIONER TUCCI: I mean, we're looking at -- I mean, again, if we get to one and a half percent, if we get a hundred, let's say -- I estimated a half a year at 115, let's say we get 120,000 there. Once we survey, which we're doing now -- our employees to see who would still take advantage of the opt-out, we may be able to save another 100,000. So, that would be 220 --

COMMISSIONER EVANS: Um-hum.

COMMISSIONER TUCCI: -- right off the bat. And let's look at the lines.

MAYOR COCCHIOLA: My garbage bid -- if my garbage bid comes in good --

COMMISSIONER EVANS: So, we have 300,000 more to go to get down to maximum allowable levy, or --

COMMISSIONER TUCCI: I think the Mayor was going to volunteer some garbage money. Go ahead, Mayor.

MAYOR COCCHIOLA: Well, I won't know until I get the bid.

COMMISSIONER TUCCI: Yeah, I hear you.
MAYOR COCCHIOLA: Now, I can't, you know. If we get really lucky --

COMMISSIONER TUCCI: Right.

MAYOR COCCHIOLA: -- like we were last time, we could have some -- I could show some savings there.

COMMISSIONER EVANS: Yeah.

MAYOR COCCHIOLA: I just don't know. I anticipated --

COMMISSIONER TUCCI: Um-hum.

MAYOR COCCHIOLA: -- a hundred -- an extra 125,000 dollars there, because I thought I had to anticipate it in the budget --

COMMISSIONER TUCCI: Right.

COMMISSIONER EVANS: Right.

MAYOR COCCHIOLA: -- but if it doesn't come in that high, I'm going to show a savings here. I mean, I took out welfare and all the money in it, and all the money that was in reserve, and it's -- you know, over 100,000 dollars.

COMMISSIONER TUCCI: We're still looking at, you know, in addition to, you know, the health care and then the
buybacks and all that stuff, you know, what else we can consolidate. We already eliminated pretty much one position.

COMMISSIONER EVANS: Right.

COMMISSIONER TUCCI: And spread the responsibilities around to save, you know, not only on the salary side, but also on the benefits side, because that -- for a single person, it's like 10,000 dollars.

COMMISSIONER EVANS: Yup.

COMMISSIONER TUCCI: For a family coverage, as we all know, it's like 20,000 dollars.

COMMISSIONER EVANS: Right.

COMMISSIONER TUCCI: So, you know, they're large numbers that we're dealing with here, but we'll go back and we'll continue to see, you know, what else we can scrub out here --

COMMISSIONER EVANS: You going to have to.

COMMISSIONER TUCCI: -- any vacancies that we're projecting and we're also surveying our people to see who's
planning on retiring, because some of these changes, you know, would adversely affect some of the employees who have been here a while, and, you know. And some of them are of the opinion, you know, it may be better for us to retire now and save a little bit, and wait until everything goes into effect --

COMMISSIONER EVANS: Right.

COMMISSIONER TUCCI: -- where they have to pay a little more.

COMMISSIONER EVANS: Right. And, I've done the same in terms of investigating, you know, people's potential for other retirements. I already have, as you guys all know, eliminated the purchasing agent and payroll manager; it's all consolidated into one person. Now, my treasurer is doing that. I already am using flexible work arrangements for the cashier's function and for the tax assessor's function, and eliminated a position in the clerk's office.

So, you know, I've already stripped
it down, and will continue to look for other things, but what the root of it, and I assume that, because everyone's here, you know, we're not necessarily talking about the other piece of this which is going to by -- which is happening in a lot of towns, is forced reduction, you know, furlough days, and other things that have to be done in order to bring -- absorb the cost of this and bring it done to a manageable level. So, that's going to require some consideration on your parts to figure out what the potential of that is --

COMMISSIONER TUCCI: Well, that would be an absolute last resort, at least --

COMMISSIONER EVANS: Absolutely.
COMMISSIONER TUCCI: -- you know, just, I can only speak for my own department. I mean, we have thirty-two people, twenty-four who take care of over a hundred acres of park land and fourteen plus buildings --

COMMISSIONER EVANS: Yeah,
absolutely.

    COMMISSIONER TUCCI: -- and, you
know, eight other folks who, you know,
take care of the insurance that -- the
health care, and run, you know, all the
programs, but, you know, obviously, it's
something we need to keep in the back of
our minds, but I would hope that's not
where we would wind up, 'cause again,
we're hurting our own people.

    COMMISSIONER EVANS: Oh, absolutely.
    COMMISSIONER TUCCI: 'Cause these
are not only our employees; they are
taxpayers; they are friends; they are
family. So, there's a lot --

    COMMISSIONER EVANS: Absolutely,
absolutely.
    COMMISSIONER TUCCI: -- and, I know
I'm singing to the choir here, there's a
lot of considerations.

    MAYOR COCCHIOLA: Well, I think it's
good for everyone to, you know -- I'm not
sure if everybody who's here understands
what it is. You know, we're speaking to
each other, but we're in a pretty serious
condition here, and I think it's good for everyone to hear the amount of people that we actually are working with and what we are reduced to at this point in time, and how we do not really want to hurt anyone else. I mean, we're -- you know, we could each go through -- I mean, my department has ten people. I just reduced by one; I have nine people in my entire department. So, you know, we are --

COMMISSIONER PETRACCO: Mayor, I'd just like to add to that too. Obviously, on the fire side, we are working without a deputy chief, a captain, right now, who retired. We had a couple of retirees since I've been in office, also. We're working for -- you know, below what I walked into. Also, this year we have not put anyone in the academy on the police side. So, you know, you weren't here the last meeting, too, Mauro.

COMMISSIONER TUCCI: No.

COMMISSIONER PETRACCO: And I think we have to take into consideration all
the emergency management priority in the
town. I have friends of mine that got in
an accident in Clifton. They waited
forty-five minutes for a cop to come, you
know. Are we ready to deplete our
services to that ordeal?

MAYOR COCCHIOLA: No.

COMMISSIONER PETRACCO: You know, we
have a fire department in town. They can
respond anywhere in town in three
minutes. Response time is, you know,
very important in that industry,
obviously. So, it's, you know, how low
do we, you know, go. It is, you know --

COMMISSIONER EVANS: Sure. So, then
it leads into -- you know, and obviously,
I raise that point because if we're going
to try to go to, you know, something less
than 441, that's over two million
dollars. There's nothing -- I can't look
at what's in the O & E, and say we can
find two million dollars in there, cause
we already, you know, eliminated pretty
much everything that could come from
that. What's driving the increase in the
base is a loss of revenue, loss of aid, and the increased costs of personnel, health care and pensions.

So, if we can -- we looked last year to say, you know, you know what? Let's follow a model. We'll fund it; we'll make sure, but we want to keep everybody employed, and see how we can address a way to control our costs by not giving out an increase. And, so, you know, part of what we have to talk about is what's the feasibility of that, as well.

I put these on the table, simply because, if we're going to try and close the cap that we're talking about closing, my look and my understanding of what's in the budget, there's no way we can actually do that without having a conversation about what we do about personnel. And, it's not something that I raise easily. I'm a resident; I went to school with people. I know a lot of the people. I know the hardship that that creates, but as the Revenue and Finance Commissioner, I'm obligated to
put that on that table as a point of
discussion.

UNIDENTIFIED COMMISSIONER:
Absolutely.

COMMISSIONER EVANS: Okay, so we
have to do that.

MAYOR COCCHIOLA: I think clearly we
have to. I mean, I -- let me just toss
out to everybody here. What do you want
me to do about the fireworks? It cost
last year 14,000 dollars to put the
entire fireworks display on. We did
everything for free and donations, except
for paying for the fireworks.

COMMISSIONER EVANS: So --

MAYOR COCCHIOLA: I'll take it out,
but we're talking about an expenditure
that's not, you know -- a 35 million
dollar budget.

COMMISSIONER EVANS: I know. What
makes this challenging --

MAYOR COCCHIOLA: I'll do what
everybody -- you know, I'll do what --

UNIDENTIFIED COMMISSIONER: We also
have to remember that the part -- part of
those kind of activities is what makes
our town the town.

COMMISSIONER TUCCI: That's right.

COMMISSIONER EVANS: That's right.

UNIDENTIFIED COMMISSIONER: And some
of those things, we have to look at, and
maybe there's different ways of funding
those, and still provide --

MAYOR COCCHIOLA: Well, I did -- I
started soliciting and I am starting to
get some money in, but I think, you know,
maybe as a group of five, there's a pool
of money in saving celebrations. Maybe
we should start to pare down -- you know,
like, maybe get together and do things
together, instead of separately, you
know, pick what the four things are going
to be and do them, and try to spread that
money out, and do the best we can with
things, because I really --

COMMISSIONER TUCCI: Well, we're
doing the same thing with the summer
concerts. I mean, typically we spend
between 15 to 25,000 dollars. I mean,
this year we're not looking to spend that
money. Maybe we're going to do a talent show. Maybe we're going to get local groups or local singers to come and entertain us, or come up with something different. So, I mean, again, these are things that we need to -- I mean, while we've been working together in different areas, I mean, depending on what the activity is, I think we need to double-down and --

COMMISSIONER EVANS: Reconc...  
COMMISSIONER TUCCI: --

reconc... our efforts on doing, you know, even more than we've done, and see where we wind up, but after we chip away every little bit that we can chip away, I think at that point, we have the discussion about personnel, but.

COMMISSIONER EVANS: And I agree with you, that we have to make the right decisions, because of the town and who we are, right? To keep the town safe; to provide for the services that we need to provide. And if at the end of the day, whatever that number is, I want feel
confident that I can stand up and face
any taxpayer and be able to explain to
him why this is the right thing to do.

COMMISSIONER TUCCI: Well, we have a
quality of life issue, too, that we need
to address. And I think everybody's
speaking to that, so.

COMMISSIONER EVANS: Yeah.

COMMISSIONER TUCCI: That's why we
get the big bucks, guys.

UNIDENTIFIED COMMISSIONER: That's
it.

COMMISSIONER EVANS: So, Mayor, to
your point, you know, just to get -- to
keep it in perspective, in order to
reduce the tax rate by one penny, we need
to eliminate 373,000 dollars worth of
costs. And if we do that, it lowers
taxes annually thirty-seven dollars, or
roughly, ten dollars a quarter. So, when
you think about it, you know, to make a
taxpayer feel, like, you know, we're
controlling this. The numbers get large
very quickly, and to have a very nominal
effect to an individual taxpayer. So,
just again, it's part of that
classification. And I share the -- this
is a lot of people here that -- I think
it's important to understand what are the
challenges.

COMMISSIONER TUCCI: Um-hum. Okay,
well.

COMMISSIONER EVANS: So, I think
there -- at this point, we need to
introduce a budget by March 31st. And, I
think we're scheduled to introduce on
Tuesday --

UNIDENTIFIED COMMISSIONER: Next
Tuesday.

COMMISSIONER EVANS: -- 30th.

Right. So, whatever adjustments you're
going to make, or you feel as though
you're going to make, we're going to have
to process those, and I suspect have some
correlation, you know, before we
introduce. Once we introduce, we still
have the ability to modify, but by
statute, we have to hit that date for an
introduction. So, we can introduce and
again we'll --
UNIDENTIFIED COMMISSIONER: We'll still sit down? How much time do we have after that, Tom?

COMMISSIONER EVANS: I think -- what, third --

UNIDENTIFIED SPEAKER: Statute says you can't have a hearing less than thirty days after introduction.

COMMISSIONER EVANS: So, we'd have to have a hearing. And, my sense is that given all these changes that are going on, I think the governor's office is probably give a little more time, as the years are going. With less turmoil, we've had more time. I think, you know, we'll be able to, so.

COMMISSIONER TUCCI: I was going to say, is there a contingency on the reduced aid that we're going to get, as far as when we introduce?

MAYOR COCCHIOLA: No.

COMMISSIONER TUCCI: Because, I know in the past, you know, if we still had some work to do, we could delay that a bit.
COMMISSIONER EVANS: No, no, no.

UNIDENTIFIED SPEAKER: No, the March 31st date was their extension.

COMMISSIONER EVANS: The governor is really just putting a lot of pressure on to try to figure out what he's --

MAYOR COCCHIOLA: Did I read something in the past few days that said that, you know, those municipalities who don't comply, or don't take action, will -- could have their state aid reduced even further.

COMMISSIONER EVANS: Yeah, yeah.

MAYOR COCCHIOLA: Or do not go with the tools that the governor has supplied, or something.

UNIDENTIFIED COMMISSIONER: I heard something like that.

COMMISSIONER EVANS: Yes, I --

COMMISSIONER TUCCI: Those who don't subscribe to the best practices.

COMMISSIONER EVANS: Right, yeah. The other thing is, is that, so far, I haven't heard any change, that -- and there's been no change in those
conversations, but under the levy exceptions, you know, that there's a vehicle that if you can't hit the levy, maximum we could apply for exception to the comptroller's office. We're still being told that there are no exceptions, so, we don't have that available to us.

UNIDENTIFIED COMMISSIONER: So, I guess we go back and sharpen our pencils more --

COMMISSIONER EVANS: Yeah.

UNIDENTIFIED COMMISSIONER: -- and when do you want these back in?

COMMISSIONER EVANS: Since it's next Tuesday, if we could get them by Friday, we could put it together and we could run it back to you, so you understand where we're at, at that point in time. Can we achieve that?

UNIDENTIFIED COMMISSIONER: Next Friday?

UNIDENTIFIED SPEAKER: This Friday.

COMMISSIONER EVANS: This coming Friday.

UNIDENTIFIED COMMISSIONER: Wow.
COMMISSIONER EVANS: Good try.

UNIDENTIFIED COMMISSIONER:
Friday -- Tom, I just want to be clear on one other thing, too. And, I have my notes from the last meeting. Our contribution to the pension, our increase is how much?

COMMISSIONER EVANS: 500 --

UNIDENTIFIED COMMISSIONER: 582,000 dollars.

COMMISSIONER EVANS: -- 82,000 dollars. It's for police and fire, it's 492,000 --

UNIDENTIFIED COMMISSIONER: Right. I see that number in there.

COMMISSIONER EVANS: -- and for other employees it's 88,000.

UNIDENTIFIED COMMISSIONER: And that is this -- for one -- for this coming year --

COMMISSIONER EVANS: Right.

UNIDENTIFIED COMMISSIONER: That is our -- again, that's our increase. It's not what we pay in.

COMMISSIONER EVANS: It's the
increase in our contribution to the state pension, as provided to us by the state.

UNIDENTIFIED COMMISSIONER: So, how much has that --

COMMISSIONER EVANS: It's not -- and it has nothing do with the catch-up adjustments.

UNIDENTIFIED COMMISSIONER: Right.

COMMISSIONER EVANS: Because we took care of that; we were fully funded on that. This is simply just the year over year increase in the cost.

UNIDENTIFIED COMMISSIONER: Right.

COMMISSIONER EVANS: And what would drive it is generally is pension funds are invested.

UNIDENTIFIED COMMISSIONER: Right.

COMMISSIONER EVANS: So, with the returns being as low as they are, right now, there's -- actuarially, they make a new determination of what the contribution should be. Now, it's the municipal portion of what the contribution is to the pension; it's not the state piece. The state has a piece
that they're supposed to be putting in each year. And, now, my understanding is they're not going --

    MAYOR COCCHIOLA: Which they're deferring.

    COMMISSIONER EVANS: -- they're not going to touch that this year.

    UNIDENTIFIED COMMISSIONER: So, our -- for police and fire, it's 492, and that's with the increase and that's the total payment.

    COMMISSIONER EVANS: That's correct.

    UNIDENTIFIED COMMISSIONER: And what kind of number did that increase by? You know, last year, eighteen percent?

    COMMISSIONER EVANS: Yeah. It's big. Well, the total pen -- you know, if I look at pensions, you know, I can do that; I can do that.

    UNIDENTIFIED COMMISSIONER: Thank you.

    UNIDENTIFIED COMMISSIONER: It's in your budget, Tom?

    COMMISSIONER EVANS: Yeah, it's in my budget. Of course, why couldn't we
have it on the same line item?

UNIDENTIFIED SPEAKER: Because it's inside the outside.

COMMISSIONER EVANS: Okay. So, the police and fire pension, annual pension right now is up to 2,425,000 dollars. And that's an increase from 1,363,000. So, it's been a twenty-six percent increase.

UNIDENTIFIED COMMISSIONER: Twenty-six percent increase. And is that what that normally raises --

COMMISSIONER EVANS: No. No.

UNIDENTIFIED COMMISSIONER: Or it's just because the market is so sour that we're not getting a return.

COMMISSIONER EVANS: The -- what we're seeing is, you know, all of the effects of what happened in the market. I mean, they really -- the recession, the crash of all those funds. They all took major hits. And, so, one, they're adjusting out for those losses. And, two, the assumptions are out now the future returns will be. Our assumptions
are lower.

UNIDENTIFIED COMMISSIONER: Right.

COMMISSIONER EVANS: So, they're expecting to earn a lower return on the invested assets. So, the only way to cover that is to increase the contribution, or change the benefit structure. So, we're not changing the benefit structure, so, it's an increase in our budget.

UNIDENTIFIED COMMISSIONER: So, now, on our side, does the police, or anybody that's in this pension, as our cost goes up, does their contribution also go up in tune with that?

UNIDENTIFIED SPEAKER: No, no.

COMMISSIONER EVANS: Just our piece.

UNIDENTIFIED SPEAKER: Not unless they statutorily change it. Police and fire contribution in employees 8.5 percent --

UNIDENTIFIED COMMISSIONER: What was that number, please?

UNIDENTIFIED SPEAKER: 8.5. That's the --
COMMISSIONER EVANS: And that would be changed by statute, right?

UNIDENTIFIED SPEAKER: By statute.

COMMISSIONER EVANS: At the state level.

UNIDENTIFIED SPEAKER: Yeah.

UNIDENTIFIED COMMISSIONER: So, right now, the municipality absorbs the whole piece of that.

UNIDENTIFIED SPEAKER: No, the 8.5 is your municipal, and then we get our bill for the normal, I mean, (indiscernible) liability.

UNIDENTIFIED COMMISSIONER: That's what they pay, the 8.5.

UNIDENTIFIED COMMISSIONER: They're paying 8.5, but our increase went up twenty-six percent this year.

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER EVANS: Correct.

UNIDENTIFIED COMMISSIONER: So, by ours going up, we're not getting any more contributions from our boys.

COMMISSIONER EVANS: No.

UNIDENTIFIED SPEAKER: No.
MAYOR COCCHIOLA: Did you --

COMMISSIONER EVANS: Because there hasn't been a statutory amendment to increase the amount of contribution.

UNIDENTIFIED COMMISSIONER: We're already paying three percent more than the PDRS.

COMMISSIONER EVANS: Right.

UNIDENTIFIED COMMISSIONER: That's a hefty --

COMMISSIONER EVANS: Yeah. Yeah.

No, it's a --

UNIDENTIFIED COMMISSIONER: That's a hefty amount.

COMMISSIONER EVANS: Right. I think it's simply, the, you know, the effect of the economy and what's happened that's causing that number to go up. And it's just -- it's just that it's a factor --

UNIDENTIFIED COMMISSIONER: And obviously, we can't go, you know, petition this number, or it's the number and there's no one we could go see and try to fight for our fair share.

COMMISSIONER EVANS: No, that's --
it's just the number. It's calculated actuarially, and the contributions paid by the municipality. I haven't looked at the absolute calculations, so, but it's done already.

UNIDENTIFIED COMMISSIONER: Is that number affected at all by the state not contributing?

COMMISSIONER EVANS: Well, no, it's -- our portion --

UNIDENTIFIED SPEAKER: It's our portion.

UNIDENTIFIED COMMISSIONER: I understand. But I'm saying --

COMMISSIONER EVANS: And, so, no, it's whatever the, you know, the effect of that increase on the state's portion, that they're putting in. That just increases their unfunded liability.

MAYOR COCCHIOLA: The option to defer. Could you just explain the consequences of that? If we -- we can't defer.

COMMISSIONER EVANS: We can't.

UNIDENTIFIED SPEAKER: At all. They
removed that option. It was only available last year.

COMMISSIONER EVANS: Right.

UNIDENTIFIED COMMISSIONER: That's out.

COMMISSIONER EVANS: That's out.

And what happened last year for those that took advantage of it, they were able to reduce their funding by fifty percent, but in -- but by delaying that contribution, they actually had an interest charge. And, so, you know, if you looked at the three-year spread of not paying that, they were going to actually pay more. So, it was just (indiscernible).

MAYOR COCCIOLA: As a bandaid, and that -- yeah.

COMMISSIONER EVANS: So, it didn't make any sense for us. And from our view is that there's too many things that are happening, that we don't ever want to be behind on that pension. All right. That I'm certain of, that we'll have to fund.

UNIDENTIFIED COMMISSIONER: It's
just hard to swallow that we're going to get all this aid money cut, and that our costs keep rising, and it's like, how do you fix the problem, then?

COMMISSIONER EVANS: Sure.

UNIDENTIFIED COMMISSIONER: You know, that -- I mean, who do -- which choir to preach to about that? You know, 582,000 dollars is a substantial amount of money to have to come up with.

COMMISSIONER EVANS: I agree with you. I agree, but I think the root issue is deeper than that. Nutley, in my opinion, has not been getting its fair share of state aid. The formulas are not right. I shared that with the DCA; I shared it with the governor; I shared it with our state assemblymen and senator. Everybody agrees. But it will take an amendment -- of something happening at the state level to open up the actual (indiscernible) formula itself.

In terms of the cut, when we think of the significance of these cuts, there was eight or nine criteria. Nutley was
classified under the criteria that said low rate, low income, and our cut in state aid was 17.45 percent. So, when you think about it, low rate, low income, we still lost seventeen percent. So, when you think of the magnitude of the problem, that the state's trying to solve, it's a big number for us. I'm just glad we're not some of the other towns.

UNIDENTIFIED COMMISSIONER: That lost everything.

COMMISSIONER EVANS: That -- you know, Passaic lost five million. And, you know, other towns lost, you know, there aid entirely. Now, on an affordability scale, they're probably better equipped to absorb that, and maybe they shouldn't have been getting it to begin with, but I don't -- there hasn't been any window. Now, what I did negotiate is the ability, and I'm pressing very hard, to sit down with the DCA and the governor's office to continue to push, you know, with all of us, to the
push to explain why Nutley isn't being
treated fairly.

    When I look at -- this is before all
these adjustments happened, when I looked
at the aid, and saw that Nutley was
getting what we were getting, and
Belleville/Bloomfield were getting almost
twenty million dollars more a year than
we were, right? And Clifton was getting
almost forty million dollars more than we
were. Now, I agree there's, you know,
socio-economic indicators that create
some adjustment, but not that much of an
adjustment. And it's unfair; it's
unfair. So, it's got to be opened up.
The problem went back to the nineties --
I got back that far in the research.

    UNIDENTIFIED COMMISSIONER: Sure.

    COMMISSIONER EVANS: But it's been
out there, and right now, to get that on
the radar, we're going to have to go
through this budget cycle to get it on
the radar, and start fighting to what the
fair share should be.

    MAYOR COCCHIOLA: The problem is
that 565 other municipalities have some other --

UNIDENTIFIED COMMISSIONER: Right.

MAYOR COCCHIOLA: -- thing that they want to present to the state as well, right now. And I think it's going to be difficult, but if you need help with that, I've been in touch with the DCA commissioner.

COMMISSIONER EVANS: Yeah, you know, if it wasn't for what we did with Hoffman-La Roche, there's a good bet, they wouldn't be here, but they're here. We are going to lose a little bit of revenue from them, but it's not disastrous. And I think that adds to our case, to say, Nutley is a little bit different from the other towns, and when we're looking at roughly eighty cents on the dollar collected from the residential taxpayer, eighteen percent of which are senior citizens, Nutley's circumstances are different. And we have to just keep fighting that case. Somebody -- I think some day, somebody's going to hear it,
but we have to state it.

UNIDENTIFIED COMMISSIONER: What's their posture on it now? We're in a financial crisis, in terms of what we're doing.

COMMISSIONER EVANS: Right now, it's I can't hear you.

UNIDENTIFIED COMMISSIONER: I can't hear you.

COMMISSIONER EVANS: Speak louder, I can't hear you.

UNIDENTIFIED COMMISSIONER: Yeah, and that helps us.

COMMISSIONER EVANS: And then it's more of a -- sort of a religious experience, to say, because when you go up to the mountains, it's a shared sacrifice.

MAYOR COCCHIOLA: And I wouldn't look to that to being something that can help out this year.

COMMISSIONER EVANS: No.

MAYOR COCCHIOLA: Or next year.

COMMISSIONER EVANS: No. I think any adjustment in state aid to really
level it out, realistically, is two years away. Just because, if you think about it, we're going to fight and get more people to testify to fight to get it on the state agenda. They're going to have to do a committee review to look at the calculation. Right? And Mauro, you know this better than I do, and then a year from now, right? They'll put up a resolution, a statutory amendment to change the aid formulas. And then that will affect, you know, 2013, at the earliest.

UNIDENTIFIED COMMISSIONER: It's not a high priority right now. They're dealing with other things.

UNIDENTIFIED COMMISSIONER: Tom, at the county level last year, we saw, like, an offset because of some of the things that we did. Do you anticipate that this year?

COMMISSIONER EVANS: Yeah. It's my hope that we'll be able to substantially offset the increase at the county level that we did last year. We -- by lowering
assessed values last year, we did it on 1,600 homes, we wiped out an eighty dollar increase. All right? That we, you know, permanently have eliminated. We're looking at roughly a hundred dollar increase right now from the county. We adjusted our fair values again, because we said we would keep doing that, and other towns didn't do it. So, given the county formula, which is based on assessed value, Nutley should benefit from not having to pay (indiscernible). We just -- we're always talking -- we talk about this, you know, for months. We're doing everything we can to manage the rising costs from every source we can possibly manage.

COMMISSIONER TUCCI: Okay? Well, let's go back --

UNIDENTIFIED COMMISSIONER: Thanks for saving that (indiscernible)

COMMISSIONER TUCCI: -- and see what else we have, and see where we wind up, and --

COMMISSIONER EVANS: Yeah, yeah.
UNIDENTIFIED COMMISSIONER: And we'll see where we are, Friday.

COMMISSIONER TUCCI: -- till we meet again.

MAYOR COCCHIOLA: Do it again.

We'll do it again.

COMMISSIONER EVANS: I can't -- I've looked at everything. It's just -- the numbers are the numbers right now.

MAYOR COCCHIOLA: Let's go do this.

UNIDENTIFIED COMMISSIONER: Go outside?

MAYOR COCCHIOLA: Yeah.

(Off the record from 7:42 p.m. to 7:44 p.m.)

(Audio occasionally fades out and words are indiscernible, 7:44 p.m. to 7:57 p.m.)

MAYOR COCCHIOLA: Could I ask everyone to please stand for the flag salute?

(Pledge of Allegiance declared)

MAYOR COCCHIOLA: I have two additional resolutions I need to read this evening.

Whereas, the "Work First New Jersey" Legislation provides options as to the
administration of the General Assistance program. And, whereas, the said legislation allows each municipality to continue to administer and fund administration of the General Assistance program in the present manner, or transfer administration of the program and the cost of administration to the County Welfare Agency. And, whereas, the Mayor and Director of Public Affairs has considered the option to transfer the administration of the General Assistance program to the County of Essex.

Therefore, be it resolved, that the Board of Commissioners of the Township of Nutley, County of Essex, determines it is in the public interest to transfer the administration of the General Assistance program to the county, for the following reasons: 1. Under the Work First New Jersey program, our clients will receive consolidated services, meaning that they can apply for food stamps, medical benefits and general assistance all in one place; 2. The Department of Public
Affairs will continue to counsel, provide social services and make referrals on behalf of the residents of Nutley who may be in need; 3. The Township will achieve a reduction of administrative costs as a result of this initiative; and, other municipalities who have consolidated with the county have expressed satisfaction with the county's delivery. I move the resolution.

COMMISSIONER TUCCI: Second.

MADAM CLERK: -- Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: -- Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: -- Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

Whereas, an application has been received from Nutley Unico for an on-premise 50/50 cash raffle to be held on April 11, 2010. Whereas, the application
has been reviewed and approved by the
Municipal Clerk and Police Department.

Therefore, be it resolved by the
Board of Commissioners of the Township of
Nutley, County of Essex, State of New
Jersey, that the license is approved and
the Municipal Clerk is authorized to
issue the license to Nutley Unico,
Inc. -- resolution.

COMMISSIONER TUCCI: Second.
MADAM CLERK: Commissioner
Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

That concludes the -- I'm sorry --
it does not. We have one item of
correspondence.

MADAM CLERK: "Dear Board of
Commissioners'. This is from the Sunday raffle for the Nutley Unico. "The Nutley Unico, Inc. requests permission to hold a raffle on Sunday, April 11th, 2010. Thank you for your consideration. Nutley Unico." Motion.

UNIDENTIFIED COMMISSIONER: Motion.
UNIDENTIFIED COMMISSIONER: Second.
MADAM CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.
MADAM CLERK: Thank you.
MAYOR COCCHIOLA: Now, that concludes the regular business portion of the meeting this evening. I will open the meeting for public comment if anyone would like to address the Board. For
anyone that would like to address the Board this evening? Well, come up Dr. Van Roth (ph.e).

DR. VAN ROTH: I listened to the meeting, and I thank you for the speculations. It's like us working with HMOs. The concern -- how many people pay taxes in town? Numbers, households? Give me a round number. I think it was 325; that's the average. Is that what you use for your tax base?

MAYOR COCCHIOLA: The average household, I think, is closer to 10,000. Isn't Commissioner?

COMMISSIONER EVANS: Yeah. The number of households is between 9 and 10,000. I can give you -- I don't know the exact --

DR. VAN ROTH: No, you gave us credit that there are eighteen percent senior citizens. A lot of people are paying their taxes. What percentage are back taxes? Is there someway we could regress, and get some of that out, instead of taking away from -- cutting
our fireworks, or our firemen, or
policemen, or whatever we're doing?

COMMISSIONER EVANS: In terms of
back taxes, right now, we don't have many
taxpayers who are delinquent on paying
their taxes. And if they are, we
generally go through a tax sale, every
November, to sell those rights off. But,
generally, that's a very small number.

For the last few years, it's been
somewhere between 50 and 80,000 dollars.

DR. VAN ROTH: And the new buildings
I saw when I drive by on Bloomfield
Avenue and the apartments over by River
Road. Is that going to have some future
income?

COMMISSIONER EVANS: It would have,
yes, when that comes online. The one on
River Road would have some future
benefit. At the same time, the -- we
have a future loss in that Hoffman-La
Roche is knocking down a building which
will lose --

DR. VAN ROTH: 750, but you
mentioned we have a forum -- every budget
has, like a, slush fund, you know, the
money underneath, or someplace they pay
their budgets. Is that the four million
you were referring to?

COMMISSIONER EVANS: It's not a
slush fund. We don't have that kind
money hanging around. What it is is that
over the years, the -- this goes back to
roughly the eighties -- that reserve was
built up. But what happens is, we
anticipate that as revenue every year, to
lower the levy. So, it's not free money
sitting around, or held in reserve, or
not used. It's actually applied every
year.

DR. VAN ROTH: Does every term we
had a budget that we applied for when I
was in college, vice president, we always
put in extra things knowing that we were
going to be cut.

COMMISSIONER EVANS: Yup.

DR. VAN ROTH: Is that sort of in
that budget at all?

COMMISSIONER EVANS: No. We don't
have that flexibility. My budget itself
has a contingency line item in it, and it's 50,000 dollars.

DR. VAN ROTH: Now, has this been advertised to the town, about this budget. I mean, I heard it through the grape-vine, obviously. I mean, I'm a significant taxpayer, but is this going to be advertised, so people who have other issues or -- can help us out?

COMMISSIONER EVANS: We will notify the Township that the budget will -- the budget is going to be introduced -- introduced on March 30th. That's not a public session. The -- approximately thirty days later, there will be a public hearing on the budget, and at that time, anybody who wants to comment -- the budget, then at that point in time, a summary is made available at the -- right here at the clerk's desk. It's also made available at the public library. We use public ser -- by that access. Anybody who wants a copy of the summarized -- I'll have it available to them.

DR. VAN ROTH: Thanks.
MAYOR COCCHIOLA: Thank you, Dr. Van Roth. Is there anyone else that would like to address the Board this evening?

UNIDENTIFIED SPEAKER: -- 3303 Hillside Avenue in Nutley. Two points: first is the honorable Commissioner Petracco. Just for the record, police and fire, in the state of New Jersey, pay eight and a half percent of their salary into their pension, which I believe is the highest in the nation. And, Commissioner Tucci will correct me if I'm wrong; I think that's almost double of what (indiscernible) pays.

COMMISSIONER TUCCI: (indiscernible) is like five and change.

MAYOR COCCHIOLA: 5.5.

COMMISSIONER TUCCI: It's significantly more. Absolutely.

UNIDENTIFIED SPEAKER: So, that's a nice piece of change out of our pay every two weeks. Right?

Second one, is to honorable Mayor. There's no doubt in my mind as you ride down Franklin Avenue at Christmas time,
the Oval looks absolutely stunning, okay?
But here's just a suggestion for a cost
reduction, and not hurt the quality of
life for the Township of Nutley. As I
drive around in the state, and to me, the
main focal point of the town is the Town
Hall. And we have a beautiful
architectural building. Okay? That
massive tree has been recently taken down
in front of the Town Hall.

My suggestion is that you purchase a
twenty-foot or thirty-foot whatever
spruce, pine tree. And plant that there,
and decorate that every year, as opposed
to purchasing the trees that are in the
Oval. I know the main one is donated,
but I don't know how many trees were
there this year, ten, fifteen, but I'm
sure that's a significant cost to the
town. So, if you did the one time
expenditure, you decorate that every
year, and save on the trees in the Oval.

My other suggestion is that when you
close Franklin Avenue down, where the
Christmas Festival there, it kind of
disrupts the traffic. So, if you did the
main display in front of the Town Hall,
and put the menorah and the nativity and
decorate those flowers and plums in the
back, and close down from Franklin Ave to
Park Drive that would not disrupt
Franklin Avenue; you could put all the
fire rigs on Warren Street as we do on
Fourth of July, and you could have all
your concerts, and whatever other
festivities you have in front of the Town
Hall. I think that would save the town
some money towards the budget, and would
save a lot of work.

MAYOR COCCHEIOLA: Well, good ideas,
Mr. Hurity (ph.e). Just so you know, I
don't think we could put the menorah or
the nativity out in the open without, you
know -- it would get destroyed or it
would get stolen. It would have -- the
idea of the tree is great. We would --
we'll have to take all these ideas and
think about them, and try to find ways
that we could --

UNIDENTIFIED SPEAKER: Thank you.
MAYOR COCCHIOLA: Also, so you know, for the civic events, we've begun soliciting outside, like, for the fire works. We've sent out letters to the banks and everybody, asking for donations to offset the costs of the events, too. We're trying.

-- anyone else that would like --

MS. JONES: Marie Jones (ph.) of 5 Landsend Place (ph.e). I just was thinking while you were saying about the budget, couldn't it be put on your web site, the town web site, rather than all having to pick it up? It'd save you printing.


COMMISSIONER EVANS: It's just in summary, just in summary.

MS. JONES: But we could get with, you know, the times, and put it up on the web site.

MAYOR COCCHIOLA: I don't see why we
couldn't.
COMMISSIONER EVANS: Yeah, we'll look at it. Yeah.
MAYOR COCCHIOLA: I don't see why we couldn't.
MS. JONES: And it's very easily accessible. Nobody has to troop down to pick up copy.
COMMISSIONER EVANS: Absolutely.
MS. JONES: Thank you.
MAYOR COCCHIOLA: Anyone else?
Okay, this meeting will not be adjourned; it will be continued to March 30th, at 7 o'clock p.m. I'm sorry -- is there somebody else?
COMMISSIONER EVANS: Yeah, Michael, are you going to go?
MAYOR COCCHIOLA: You sure?
COMMISSIONER EVANS: You're getting up; I just want to make sure.
MAYOR COCCHIOLA: Okay. Right now, I'll entertain a motion to move into --
UNIDENTIFIED COMMISSIONER: So moved.
UNIDENTIFIED COMMISSIONER: Second.
MADAM CLERK: -- Scarpelli?
COMMISSIONER SCARPELLI: Aye.
MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye. And Mr. Harkins that is to discuss --
MR. HARKINS: Personnel.
MAYOR COCCHIOLA: Personnel.
MAYOR COCCHIOLA: Thank you.
MADAM CLERK: Whereas the Board of Commissioners of the Township of Nutley, in the County of Essex, and State of New Jersey desires to proceed to closed executive session.
And, now, therefore, be it resolved by the Board of Commissioners of the Township of Nutley that the Township Commission shall now move into closed executive session to discuss personnel.
Be it further resolved, that the
time when such discussions may be
disclosed to the public shall be when and
as such disclosure may be without
adversely affecting the Township of
Nutley pending and/or anticipated legal,
personnel, contractual matters and other
matters within the exceptions provided
for by statute.
(End of audio)
CERTIFICATION

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

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

In witness whereof, I hereby sign this date:

May 26, 2010.

Karen Schiffmiller
TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING

March 30, 2010
7:08 p.m.

BEFORE:
Mayor Cocchiola
Commissioner Evans
Commissioner Petracco
Commissioner Scarpelli
Commissioner Tucci

Township Clerk Rosario

Job No. NJ258332
TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

Certified Transcript

PUBLIC MEETING TRANSCRIPT OF PROCEEDINGS:

March 30, 2010

7:08 p.m.

BEFORE:

Mayor Cocchiola
Commissioner Evans
Commissioner Petracco
Commissioner Scarpelli
Commissioner Tucci

Township Clerk Rosario

Job No. NJ258332

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MAYOR COCCHIOLA: -- our third
continuation. I know we're going to have
to do a short public session. And I
think, Commissioner Evans, you advised,
we need an executive session --

COMMISSIONER EVANS: Yup.

MAYOR COCCHIOLA: -- for personnel
issues. I don't know if you want to --
do you want to flip the order that we do
things? How would you like to do it?
What do you think makes more sense?

COMMISSIONER EVANS: Well, we're
close on the budget. We still have a
little bit of work to do. So, we're --
our introduction would be by statute now
is April 6th, so, at our next meeting.
So, one of the things, I think, we need
to do is close this continuation meeting
tonight, and I think go into executive.

MAYOR COCCHIOLA: We have two public
items that we have to do.

COMMISSIONER EVANS: Yes.

MAYOR COCCHIOLA: Okay.

COMMISSIONER EVANS: Basically, what
I wanted to share with you is all of the
adjustments that you've given to me so far has helped us get very close to meeting our cap requirements, both for the levy, as well as the appropriation cap. So, I think, we're moving in the right direction. What I wanted to share with you, though, is, I think, we're going to get through, based on what you've done so far, I think we'll get through this budget cycle.

My concern overall is one of the environment we're going into, and the fact that the governor is talking about reducing our cap to two and a half percent next year. I think, we need to think about our budget in terms of not just a single year, a short term. We have to actually look and plan for this year's budgets -- next year's budget starting now. So, as soon as we lock this, I think we have to continue our conversations about what we're going to do about the next step, because the reality is, is that the cuts that we've made so far to get here, overall, well,
we're taking advantage of the fact that just some retirements are coming along. We know that there are other retirements coming along. We're not replacing positions. And some of the cuts we've made, I think are sustainable for the short term, but not sustainable for the longer term. All right?

The challenge is, is that in the environment we're going into, with a lower cap requirement, it says, like for example, this year with allowable exceptions, we're allowed to increase our budget by two and half million dollars this year. So, if the governor goes to what he's suggesting he's going to go to, which is sort of a two and a half percent, that's it, no exceptions, you know, straight forward plan. The allowable increase next year would be 900 -- just about a million dollars. So it would be -- the allowable increase would be one and a half million dollars lower than what it is this year. And if he cuts state aid, you know, further,
makes further adjustments, given what he's facing, you know, our challenge becomes much more onerous in that next cycle.

So, the environment we're going — what I want to share with you is the environment we're going into makes us have to take up a little bit of a longer term view. And, so what I mean by that is, is some of the additional cuts that we might — may have been talking about for this year, we would -- I would suggest that we hold those, be for planning for next year, because anything we take out — any further we take out of this year's budget, only makes it harder for next year, because we have a lower base which -- to project from.

So, we have to look at capital management, cash flow management, you know, bond service management, all those things to manage the health of the town, as well as appropriation cap management and now a lower cap levy, and manage our way through that. So, the financial
aspects of managing through this are becoming increasingly more complex, and so, we're going to have to manage our way through that.

The additional things, I think, we have to talk about, are more directly related to personnel, which I think should be done in executive session. But as it stands right now, what I want -- I'll give you overall is, we have met both tests of the levy and of appropriations for the budget where it stands right now. All right? So, I thank you for the adjustments that you made. What we now have is the ability -- is given the fact that, I think, we've gotten it this far, we can now look at it over this week, to make sure that we're comfortable where it stands.

The other thing I wanted to share which is, I think, important for part of our planning is that -- two things: one, we completed the revaluation -- wrong word, reassessment of our -- another management -- assessed value maintenance
management and stuff like that, by lowering assessed values. One of the benefits we have this year is that there is a shift that occurred from residential taxpayers to nonresidential taxpayers. And, so, that in and of itself is -- has moderated the increase, the proposed increase, that will affect a residential taxpayer. It's lower. We were talking about some larger numbers that were more -- that were larger.

We did not take into consideration, the fact that because of the reval, it was -- actually reassessed our baseline, and actually established a new baseline versus an increase above or below the last baseline. So, some of, I think, the earlier numbers needed to be, you know, fine tuned. And, so, they're much lower right now. So, right now we're looking at a proposed increase at the municipal level for an average house assessed at 350,000 dollars, residential piece, basically 150 dollars per household. So, I think that's an extraordinary number --
MAYOR COCCHIOLA: Good job, everybody.

COMMISSIONER EVANS: Extraordinary management.

UNIDENTIFIED COMMISSIONER: It's a big difference.

COMMISSIONER EVANS: Yup. And it's a huge difference. So, the fact that we were able to restructure debt, and lower our debt service, has helped us.

The fact that the work that you did, Commissioner to look at the health care, and how we're managing our way through, that has helped us. The fact that you're working heavily on going after the water and the sewage and everything else; we're trying to find the revenue and get things cleaned up over time, is helping us. The management that you're doing with public safety and the squad and things like that, it's all helping us. You're pretty much right now substantially outsourced in terms of your functions. It's all helping us manage the growth.

Where you look at it, and you say,
okay, we can be -- smile, that it's about
150 bucks, but it really, when you step
back is the average tax to a household in
Nutley is almost 9,000 dollars on average
per household. So, somebody who has a
house that's assessed at 350,000 is
actually paying close to 10,000 dollars a
year in property tax.

So, the challenge we have, while
we're managing the increase, we still
have the challenge is that the tax base
is significant. And so there's already a
significant cost embedded into that.
We're going to have to continue to figure
out a way to moderate the increases as we
go forward. So, a lot to do; a lot of
planning to do, but I think for where we
are, where we had to meet the
requirements from the state, and the
challenges that the governor's given us,
I think, you know, collectively we've
done that very well. Okay?

COMMISSIONER TUCCI: And don't leave
yourself out, either. I mean, this was
pretty much a team effort --
COMMISSIONER EVANS: Yeah, we all do.

COMMISSIONER TUCCI: -- from where we started to where we're winding up. And, I think, everybody understands what it is we're faced with, and what it is we need to continue to do to be fair to everyone in this process.

COMMISSIONER EVANS: Right.

MAYOR COCCHIOLA: Agreed.

COMMISSIONER TUCCI: And I think we're going to be able to do that for everyone.

COMMISSIONER EVANS: Absolutely.

COMMISSIONER TUCCI: So, I thank everyone for that.

COMMISSIONER EVANS: Yeah. Good team work.

MAYOR COCCHIOLA: Good job.

COMMISSIONER EVANS: Good team work, okay?

MAYOR COCCHIOLA: You want to run out and do public and come back? You want to close for executive?

COMMISSIONER EVANS: I think, you
know, what we have to talk about in executive, it should take a little while, so, we should --

MAYOR COCCHIOLA: All right. Let's go out.

COMMISSIONER TUCCI: Do public.

(Off the record from 6:17 p.m. - 6:18 p.m.)

(Audio occasionally fades out and words are indiscernible, 6:18 p.m. - 6:21 p.m.)

MAYOR COCCHIOLA: I'd like to open up the meeting with a flag salute.

Please join us.

(Pledge of Allegiance declared.)

MAYOR COCCHIOLA: -- meeting is a continuation of our March 23rd meeting. We have two items on for public session. I'm going to ask Commissioner Petracco, with your resolution, please start.

(Resolution not heard.)

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.
MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

Commissioner Evans?
COMMISSIONER PETRACCO:

Congratulations, Chief.

MAYOR COCCHIOLA: Yes,

congratulations again.

COMMISSIONER EVANS: Whereas, St. Mary's Church has submitted an application to the Code Enforcement Department for renovations to the second floor room of the parish center located at 145 St. Mary's Place. And, whereas, the Township of Nutley has offered to refund the municipal permit fees in the amount of 784 dollars involved with the renovations of the second floor room of the parish center.

Now, therefore, be it resolved, by the Board of the Commissioners of the Township of Nutley, County of Essex,
State of New Jersey that the municipal permits in the amount of 784 dollars related to the renovations of the second floor room of the parish center at St. Mary's Church are to be refunded. So moved.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

That concludes all the business that we have this evening.

Is there anyone here this evening that would like to address the Board?

There is no one.

Then, I need a motion for us to move into executive session.
UNIDENTIFIED COMMISSIONER: Move it.

UNIDENTIFIED COMMISSIONER: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MADAM CLERK: Whereas the Board of Commissioners of the Township of Nutley, in the County of Essex desires to proceed to closed executive session.

And, therefore, be it resolved by the Board of the Township of Nutley that the Commission shall move into executive session.

Be it further resolved, that when such discussions may be disclosed to the public shall be when and as such disclosure may be without adversely...
affecting the Township of Nutley.

Going into executive session for personnel matters.

(End of audio)
CERTIFICATION

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

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

In witness whereof, I hereby sign this date:

May 27, 2010.

Karen Schiffmiller

Karen Schiffmiller

The Board of Commissioners entered Executive Session at 7:20 P.M. and exited at 9:10 P.M.

**ADJOURNMENT:**
Motion to adjourn by Commissioner Petracco, seconded by Commissioner Scarpelli. Meeting adjourned at 9:15 P.M.

**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