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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

ORIGINAL

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

March 16, 2010

~~4:40 p.m.~~

BEFORE:

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

- Township Clerk Rosario

Job No. NJ258327

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

6 Commissioner Scarpelli?

7 COMMISSIONER SCARPELLI: Here.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Here.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Here.

12 MADAM CLERK: Commissioner Tucci is
13 absent/excused at this time. Mayor
14 Cocchiola?

15 MAYOR COCCHIOLA: Here.

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

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

21 COMMISSIONER EVANS: Thank you,
22 Mayor. This is our public session on the
23 budget, and I would just frame it, at
24 this point, is that we have a lot of work
25 to do between now and the end of month,

1 when we have to introduce. If you look
2 at your summary sheet, it might be the
3 page behind that one. Okay. Just up one
4 page -- the one you're on, Mayor.

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

21 We should also assume that the level
22 of state aid that we would be receiving
23 would be less than what we were going to
24 get -- what we got this previous year.
25 So while that's unknown, we have made an

1 assumption, when I just spoke with Ro and
2 Ray about it, I -- so, you know, just to
3 basically everything I've seen. So right
4 now, what we're assuming is that our
5 state aid will be reduced by 327 --
6 20,000 dollars year over year, given the
7 direction of the reductions that the
8 governor is looking at. The state -- the
9 school board is looking at a fifteen
10 percent reduction, based upon what he's
11 already publicized. It's my
12 understanding that he's not looking at
13 the same for the municipalities, because
14 the amounts are much lower. But it --
15 so, for purposes for our analysis, we are
16 anticipating a reduction in state aid and
17 that amount embedded in this budget is
18 320,000 dollars. So it's just an
19 assumpt -- recognize that that assumption
20 is in here.

21 When you look at the budget, last
22 year for 2009, if we look at the top of
23 the page, test number one, the 2009 tax
24 levy was \$34,347,174.61. Based upon
25 the -- where we are with the budget

1 today, and considering, you know, lost
2 revenues, lost state aid, plus the
3 increases in appropriation, we are
4 currently at a budget of \$37,561,231.57,
5 or an increase over the cap, that in
6 excess of the cap, the allowable cap
7 right now is 652,000 dollars. What's
8 important about this is that if we were
9 to hit the cap, the allowable cap -- I
10 don't see that on here -- but we're at --
11 right now we're at an increase of 615
12 dollars?

Mayor Cocchiola

13 ~~MADAM-CLERK~~: Yes.

14 COMMISSIONER EVANS: But if we
15 reduce to 652,000, what would be amount?
16 Would that be the 36,908?

17 UNIDENTIFIED COMMISSIONER: 554, I
18 think.

Mayor Cocchiola

19 ~~MADAM-CLERK~~: 55,433. That's our
20 target. That's target levy.

21 UNIDENTIFIED COMMISSIONER: Top
22 right hand column.

Mayor Cocchiola

23 ~~MADAM-CLERK~~: All the way out, next
24 to the \$15.73.

25 COMMISSIONER EVANS: Right. That's

1 our target. So basically, we need to get
2 down to 36,908,000.

3 ~~MAYOR COCCHIOLA~~
~~MADAM CLERK:~~ Yes.

4 MAYOR COCCHIOLA: Just to get to the
5 four percent.

6 ~~MAYOR COCCHIOLA~~
~~MADAM CLERK:~~ Just to get to the

7 four percent.

8 COMMISSIONER EVANS: Just to get to
9 the four percent levy. We need to get to
10 the 36,908,000, and if we were to achieve
11 that, that would be a 15.73 percent --
12 tax point increase, or an average tax
13 payer increase of \$554.33, as it stands
14 right now. So right now, we're above
15 that. This -- so -- and that -- and
16 we're going to through that in a second,
17 but understand that, right now, even if
18 we hit the cap, just hit the cap, tax
19 payers of Nutley are -- on the municipal
20 side are looking at an average increase
21 of 554 dollars. So that's, in my view,
22 that's a significant amount of money. We
23 have to do better than that.

24 MAYOR COCCHIOLA: The governor's
25 statements today about a 2.5 percent cap.

1 What is --

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

6 MAYOR COCCHIOLA: . This year.

7 COMMISSIONER EVANS: But it will hit
8 us next year, so next year, we would have
9 to hit a lower cap, which would create
10 some more significant challenges. So we
11 have two things that we have to consider,
12 is one, is what are the reductions that
13 we need to make in order to eliminate
14 652,000 to get to one threshold and the
15 other piece is that -- we have to talk
16 about whether or not we believe a
17 municipal-only increase to the tax payers
18 of 554 dollars, is an acceptable
19 increase, given the environment we're in.
20 All right? So, that has to be discussed.

21 And, you know, it's important as
22 well -- so the second -- by the way, the
23 second test if we go down to test number
24 two, which is the appropriation cap. So,
25 the levy considers appropriations and

1 revenue to come to, what they call, a
2 levy. There's another limiting factor
3 which is just pure appropriations and
4 that is, you know -- so if you look at
5 our budget increase just on the
6 appropriations side, our budget's going
7 up two and half million dollars. The cap
8 increase is 849,000 dollars with an
9 excess of a million-six.

10 There are exceptions, so the amount
11 of pension and health care that's in
12 excess of a three and a half increase is
13 an exception to this cap. And since our
14 pension and healthcare increases are well
15 above that, that -- on your form is a
16 list, but that would actually reduce --
17 would be a million dollars, roughly the
18 effect of that. We are allowed by
19 statute to increase our -- the cap, from
20 two and a half to three and a half
21 percent, which would provide additional
22 340,000 dollars, and we are allowed to
23 take into consideration the added
24 assesses worth that George does each
25 year. So, the construction adjustment is

1 another 139,000. So, I'm sorry that the
2 sheet doesn't have the exception for the
3 health care and pension on it, so the net
4 effect is we're over -- on the
5 appropriation cap right now, about
6 256,000 dollars. But if we -- as we
7 reduce spending for the levy, we also
8 reduce it for the appropriation cap. So
9 they move in --

10 MAYOR COCCHIOLA: Right.

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

18 MAYOR COCCHIOLA: I got it.

19 COMMISSIONER EVANS: -- that's, I
20 think, is extraordinary in these times.

21 When we go back a page, on your --
22 what you have, what comprises the
23 increase right now to the levy,
24 considering the revenue loss, and
25 considering the state aid loss, that's an

1 increase on the levy of 2,893,000
2 dollars, and 326, you know, whatever,
3 change -- and plus change. That's
4 comprised of, as I said, the
5 appropriations increase of two and half
6 million, plus lost net -- lost revenues
7 of 317,000.

8 So, what's important about the lost
9 revenues, and I want to point out is
10 while we're losing state aid, because of
11 what we did this past year in terms of
12 bonding and taking advantage of the
13 market, we were able to secure five
14 million dollars of the financing at an
15 average interest rate of three percent,
16 down from the 4.65 percent we were at.
17 So, we were able to lower the rate, which
18 is lowering our cost, which also is
19 keeping us out of the market for bond
20 anticipation notes. So the annual
21 interest relating to bond anticipation
22 notes is a -- that all combined, is
23 actually reducing the cost of our debt
24 service by 213,000 dollars. So while
25 we're losing 320,000 in state aid, we may

1 be able to, you know, soften the blow of
2 that this year, because of those actions.
3 It isn't enough, because we are, you
4 know, basically the interest we earn on
5 our money is very low, in today's
6 market -- it's less than one percent --
7 because that's what the interest rates
8 are. And the other thing we're seeing is
9 that the tapering off of permits and
10 activity in town, where people are doing
11 improvements that have generated revenue.

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

24 So, all of those factors sort of
25 combine and say, basically, we have a net

1 loss in revenue of 317,000 dollars, but
2 we've been able to manage that down. If
3 we don't lose the state aid, or we lose
4 less state aid, we can zero out the
5 effect of this, but given the environment
6 we're in, I think it would be false to
7 assume we wouldn't get any reductions, so
8 right now, we might get a little bit of
9 improvement for this. But we won't know
10 that, before we have to introduce the
11 budget. So, it puts a lot of pressure on
12 us, to start to look at what we're
13 managing.

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

1 year increase in pension is 582,000
2 dollars.

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

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

9 COMMISSIONER EVANS: You got to do
10 the perks too.

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

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

16 So if you look at that, I mean, just
17 those two things alone, you're basically
18 looking at two and a half million dollar
19 increase in our budget expenses, before
20 we even start, a million-four of that
21 increase relates to pensions and health
22 care. So the focus on -- at the state
23 level, and what they're going to do about
24 pensions, what they're going to do about
25 contributing to health care costs is very

1 real for us. It's just a question of,
2 well, the timing of when that's going to
3 happen. And so we don't have any
4 indication of that, but in this budget
5 those are there. And I think when --
6 while we have contract negotiations open,
7 part of those conversations have to
8 understand that part of the cost of the
9 package is this increase in cost that we
10 have to cover, because I think that's
11 very real. The other --

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

16 COMMISSIONER EVANS: Um-hum. Right.
17 Police and fire, correct. The police and
18 fire pension went from a million-eight,
19 to 2.3 million, year over year. And I
20 assume that that would be attributed to
21 the fact that pensions have to earn a
22 return on the money as invested, and
23 those returns are down. So, I would
24 suspect that that, you know, part of the
25 adjustment relates to the lower returns

1 on the pension -- assets invested that's
2 causing a need to increase contribution
3 to those funds.

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

10 MAYOR COCCHIOLA: No.

11 UNIDENTIFIED COMMISSIONER: No.

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

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

18 MAYOR COCCHIOLA: Yes.

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

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

24 UNIDENTIFIED COMMISSIONER: Stated
25 amount.

1 COMMISSIONER EVANS: So, we're
2 paying a whole lot more just on those
3 things. And the other piece is, again,
4 is the increase cost of health care, same
5 thing.

6 So, there's -- the fact that those
7 are being looked at, and there's been a
8 lot of press on them, you know, for us,
9 it's very real. It's just one year, a
10 year over year increase, no change in
11 services, no change in anything, is an
12 increase of 1.4 million, which if I do
13 that math correctly, of the fifteen
14 points we're looking at, that's four of
15 them.

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

25 COMMISSIONER EVANS: Yeah, well --

1 UNIDENTIFIED COMMISSIONER: Well, it
2 would -- the law, the way I heard the
3 bill, the way I understand it, it's not
4 effective until the -- we did do that
5 calculation. I can do it in a minute.
6 It's not effective until the next
7 contract expires.

8 UNIDENTIFIED COMMISSIONER: That's
9 right.

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

17 MAYOR COCCHIOLA: So, if you have --
18 so your Fire right now, under contract,
19 your Police, not contract, and your
20 teamsters and non-union --

21 UNIDENTIFIED COMMISSIONER: Are not.

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

25 UNIDENTIFIED COMMISSIONER: Yes.

1 MAYOR COCCHIOLA: Because if they
2 were to go into another contract cycle,
3 we will see zero saving here, correct?

4 UNIDENTIFIED COMMISSIONER: That's
5 correct.

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

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

23 MAYOR COCCHIOLA: Yeah, I don't --

24 COMMISSIONER EVANS: They're all
25 over the board. So, we have to reconcile

1 that, but if I look at it as a police and
2 fire salary and wages going up 765,000
3 dollars, in this budget --

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

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

10 MAYOR COCCHIOLA: Based on four
11 percent.

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

23 MAYOR COCCHIOLA: Going down,
24 because positions are eliminated.

25 COMMISSIONER EVANS: Positions

1 are --

2 MAYOR COCCHIOLA: I actually have
3 one ex -- one more, so it's --

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

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

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

22 MAYOR COCCHIOLA: Non-union.

23 COMMISSIONER EVANS: There are a
24 couple of items in here for another
25 117,000, which I pull out, which is some

1 settlement items. You know, the sewer
2 charge error with Hoffmann-La Roche,
3 that's 50,000 dollars. And we had an
4 employment settlement of another 67,000
5 dollars. So the total of those two
6 settlements combined is 117,000. If I
7 take everything else and just net it, you
8 know, revenues, sums of all those things
9 and net it, it's a net 225,000 dollars,
10 which is like all of the O & E. The
11 pluses and minuses of O & E across all
12 the departments, so I just net them.
13 Things like, fuel, utilities, they were
14 flat. Okay? So, I don't see any
15 significant variation there.

16 So, basically there are some key
17 things that are principally driving our
18 costs up, that we have to, you know, in
19 effect, address. The challenge is that
20 outside of the people area, the
21 adjustments that are available are fairly
22 nominal because all of that was taken out
23 last year. And in this budget, it hasn't
24 come back. So, we're dealing with the
25 significant increase in pension.

1 Now, a couple of things. The state
2 has allowed us to include the increase in
3 the pension funding and the increase in
4 the health care funding above the four
5 percent, as an allowable exception to the
6 levy. Right? So by statute we include
7 it, see? But that translates into is, if
8 we include it, that just increases that
9 tax --

10 MAYOR COCCHIOLA: More than 554¢
11 right? Yeah.

12 COMMISSIONER EVANS: -- rate,
13 increases the tax burden on the tax
14 payers. So it's -- for us, the challenge
15 is that we can't ignore what we're
16 saying. And so -- and if you look at
17 this, and say, okay, so, what else can we
18 do? This doesn't consider what the
19 potential county tax increase would be,
20 or the school tax increase. So we're
21 at -- in this -- right now, this draft --
22 and I count all of this, this is not the
23 budget we are submitting; this is a
24 working draft. It's the -- sit down and
25 now look at where we are and figure out

1 what we're going to do. But we have to
2 have those discussions because the full
3 tax rate increase on the tax payers has
4 to include all three components.

5 So, a couple of things. We did go
6 through the effort to monitor assess
7 values and adjust them. And the
8 importance of that is, last year, we were
9 able to -- by doing it last year, we were
10 able to zero out a two-point increase at
11 the county level, because we adjust our
12 assess values down. And the other
13 municipalities didn't. So we took
14 advantage of the formula. We did it
15 again this year. I don't think it will
16 work fully, this year, but we're
17 potentially looking at three points on
18 that. And I think we have a very good
19 shot of, hopefully again, zeroing it out,
20 or at least eliminating it to one point.
21 So, I don't think the county piece is
22 going to be a significant driver, but --
23 because of what we have done. Other
24 municipalities didn't do what we did, so
25 I think they're going to basically bare

1 the brunt of the county increase, not us.
2 So, we're managing that.

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

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

24 MAYOR COCCHIOLA: Can I -- can you
25 show a decrease for (indiscernible) value

1 sewerage -- why is that?

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

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

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

16 MAYOR COCCHIOLA: Right.

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

22 MAYOR COCCHIOLA: Yes, it is.

23 COMMISSIONER EVANS: -- things that
24 they're doing. And so, the times are
25 tight, people can't go anywhere. You

1 know, they do that scenario where we have
2 to say yes, but we'll have to figure that
3 out.

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

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

19 So, there's sort of -- and
20 Commissioner Evans and I spoke about
21 this, you know, getting the most bang for
22 your buck. The one and a half percent
23 bill sounds pretty good, but there could
24 be better ways to get a better bang for
25 your buck, out of adjusting co-pays and

1 deductibles, and what's initially
2 covered, and we had talked about in the
3 past, there was a consumer-driven plan
4 where some of those first expenses are
5 absorbed by the payer, so that you have
6 to stop and think a little bit more about
7 health care.

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

20 I did hear the governor's speech
21 today and they were talking about
22 enhancing municipality's capability, when
23 it comes to collective bargaining. And
24 that things are going to change as it
25 relates to that. So --

1 MAYOR COCCHIOLA: I don't think it's
2 going to change fast enough for us,
3 though.

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

6 MAYOR COCCHIOLA: Not to help us.

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

18 So, you do have your work cut out
19 for you. You're looking at cutting at
20 least 650,000 dollars to get to the levy
21 cap, which is not going to be an easy
22 thing. I know this was your first budget
23 cut, but I think most of you took a
24 pretty sharp pencil to start with. You
25 know, we looked through there to see

1 where everybody hid everything, and --

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

5 MR. SARINELLI: Um-hum.

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

13 MR. SARINELLI: Right.

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

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

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

24 MR. SARINELLI: Yeah, the timing of
25 this is sort of coming together that you

1 should be introducing your budget within
2 the next two to four weeks. Statutorily,
3 it's supposed to be by March 30th, but
4 there's a lot of new information that may
5 be coming on the table still. Certainly,
6 the state aid number has not previously
7 been available. So that would probably
8 mean that your introduction date and your
9 adoption date have to be at least thirty
10 days apart. So if your introducing in
11 early April, and your bid comes in in
12 late April, your budget in all likelihood
13 won't be adopted by the time you kind of
14 do your contract. So if it comes in
15 lower, that will help you come in under
16 the levy cap. If it comes in higher, and
17 you award a contract that's higher than
18 what you appropriated, and you're at your
19 levy cap, then, you know, you're back to
20 cutting somewhere else.

21 UNIDENTIFIED COMMISSIONER: I kind
22 of have the same similar question as the
23 Mayor does also. As far as being in
24 arbitration, we have our first
25 arbitration hearing on March 23rd. The

1 next meeting after that, traditionally,
2 could be, three to six months later. How
3 do you budget for this budget,
4 anticipating what an arbitrator might do?
5 I, too, did listen to the governor's
6 budget address today also, and he
7 mentioned arbitration, and it didn't seem
8 to have any -- too many guidelines on
9 what those facts of arbitration are going
10 to be.

11 MR. SARINELLI: Um-hum.

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

14 MR. SARINELLI: Um-hum.

15 UNIDENTIFIED COMMISSIONER: --
16 issue. So, I mean, is it safe to put a
17 budget in, when we budget zero percent
18 last year, and now if they get, Godeonly-
19 knows, for '09 and '10, how do you assume
20 what that number will be? That's my --
21 what I'm a little confused on.

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

25 UNIDENTIFIED COMMISSIONER: Yeah.

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

6 MR. SARINELLI: Yeah, right.

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

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

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

24 COMMISSIONER EVANS: All right.

25 MR. SARINELLI: We would, one, if we

1 knew about it now, whatever that was, we
2 would -- and we were locked on it, we
3 would need to include it in this budget.
4 If it comes out later on during the year,
5 right? We would then need to, there's a
6 word for it. I don't have the word.

7 UNIDENTIFIED COMMISSIONER: The
8 deferred charge?

9 MR. SARINELLI: Right.

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

13 MR. SARINELLI: Right.

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

16 MR. SARINELLI: Right.

17 MS. COSTA: There's also -

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

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

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

1 UNIDENTIFIED COMMISSIONER: Thank
2 you.

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

4 UNIDENTIFIED COMMISSIONER: I
5 negotiate well.

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

16 COMMISSIONER EVANS: I understand.

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

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

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

25 MR. SARINELLI: Yeah. And, keep in

1 mind, that if you make funds available
2 from your appropriation reserve, that
3 doesn't go into surplus now. If you're
4 taking from your '09 reserve and spending
5 it, where normally it would go into your
6 surplus that means that there's less
7 surplus available at the end of the year,
8 going into next year's fund balance,
9 which means the revenue side would be
10 less.

11 COMMISSIONER EVANS: Correct. Comes
12 out --

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

20 COMMISSIONER EVANS: It's coming
21 out.

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

23 COMMISSIONER EVANS: Right. Because
24 there's only -- we raise revenues by the
25 fees we charge, you know, and so on, and

1 by the levy -- the tax levy. So, we're
2 in an environment where, you know, we're
3 getting constrained on what is our
4 ability to raise revenues. And therefore
5 we have to take actions that I hope
6 mitigate that, or find alternatives to
7 it. It's that simple. It's that simple.

8 MR. SARINELLI: So, just, if
9 anybody's do the quick math. If we were
10 to actually say, look, we don't want an
11 increase this year. What do we have to
12 do to zero it out? We'd have to cut the
13 budget by 3.8 million.

14 UNIDENTIFIED COMMISSIONER: So, just
15 us a little work.

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

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

25 COMMISSIONER EVANS: Yes. Yeah.

1 That's a big number. And just with the
2 benefits packages that are in place right
3 now, don't allow that to happen. They
4 just -- it just doesn't work.

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

11 UNIDENTIFIED COMMISSIONER: What
12 would be that percentage?

13 UNIDENTIFIED COMMISSIONER: Pardon
14 me?

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

18 UNIDENTIFIED COMMISSIONER: Well,
19 just ball parking, your salaries are
20 about 25 million. So, if you had to cut
21 3.8, I'm not good at mental math, but
22 it's somewhere around thirteen percent.

23 COMMISSIONER EVANS: Of the dollars,
24 but that wouldn't necessarily translate
25 into an equal amount of people do greater

1 than that. The average salary is a lot
2 less.

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

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

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

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

20 But I think there's just some
21 significant things that we have to talk
22 about how we're going to address them.
23 But my sense is that we're all sort of
24 agreed on the fact is that, you know, we
25 have to try and do better. As best we

1 can figure out a way to do better, than
2 the 554e

3 UNIDENTIFIED COMMISSIONER: I agree.

4 UNIDENTIFIED COMMISSIONER: Okay.

5 UNIDENTIFIED COMMISSIONER: Anything
6 else we need to raise?

7 UNIDENTIFIED COMMISSIONER: I
8 checked. The building's not high enough
9 to just break a leg.

10 (Laughter)e

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

13 UNIDENTIFIED COMMISSIONER: All this
14 fun for 2,200 dollars a year.

15 MAYOR COCCHIOLA: I get 2,700, so.

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

18 MAYOR COCCHIOLA: Work an extra
19 five --

20 COMMISSIONER EVANS: I laid it out
21 that way, because it really, you know --
22 and, you know, the interesting thing is
23 the reaction that the governor's taking,
24 is -- and without the tools that, you
25 know, that Ray suggest, is that all of

1 this maneuvering is putting, you know,
2 property -- reducing the property tax
3 burden in the state, it's pushing it
4 right down to the municipal level, and
5 it's saying it's up to the municipal
6 leaders to figure out what to do to get
7 property taxes down. And that's really,
8 you know, creating some need for some
9 very hard choices, and, you know, I think
10 we have the ability to affect this. You
11 know, I don't -- I wouldn't want to be in
12 a community which isn't as prepared as we
13 are to go through this, so. Do we
14 need -- can we do executive here?

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

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

21 MAYOR COCCHIOLA: To discuss matters
22 of personnel. Correct?

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

25 COMMISSIONER EVANS: You can go.

1 MR. SARINELLI: I can go.

2 COMMISSIONER EVANS: Yes.

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

11 MAYOR COCCHIOLA: Um-hum.

12 COMMISSIONER EVANS: Yes.

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

22 UNIDENTIFIED COMMISSIONER: Move.

23 UNIDENTIFIED COMMISSIONER: Second.

24 MADAM CLERK: Commissioner
25 Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Commissioner Petracco?

3 COMMISSIONER PETRACCO: Aye.

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Mayor Cocchiola?

7 MAYOR COCCHIOLA: Aye.

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

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

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

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

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

1 Commissioner Scarpelli?

2 COMMISSIONER SCARPELLI: Here.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Here.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Here.

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

9 MAYOR COCCHIOLA: Here.

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

12 MAYOR COCCHIOLA: Thank you.

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

22 I know that PSEG has been working
23 also to try to get to all of the homes in
24 Nutley. There are still a few that are
25 without service, and I think Commissioner

1 Tucci has a report that I'll -- will read
2 in a few minutes, but I think everyone
3 would agree that we need to recognize
4 those efforts. These are people that had
5 to work night and day, in order to help
6 out the residents of this community --
7 should be commended and thanked.

8 (Applause).

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

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

25 MADAM CLERK: Yes, Mayor. I have

1 one of the requests from the Nutley-
2 Belleville Columbus Day Parade,
3 requesting permission to hold a Sunday,
4 50/50 cash raffle on April 18, 2010. I
5 need a motion for that one, Mayor, and a
6 second.

7 UNIDENTIFIED COMMISSIONER: Motion.

8 MADAM CLERK: Commissioner
9 Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 (No audible response)

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Mayor Cocchiola?

16 MAYOR COCCHIOLA: Aye.

17 MADAM CLERK: And Mayor, then I have
18 several applications for social affair
19 permits. I'll read the name of the
20 organization along with the date of the
21 event: the first one is the Rotary Club
22 of Nutley, event scheduled for April
23 24th, 2010; Friends of the Nutley Public
24 Library, event to be held May 12th, 2010;
25 Friends of the Phoenix Foundation, Inc. e

1 event to be held May 14th, 2010; Nutley
2 Emergency Rescue Squad, event to be held
3 Sunday, April 11th, 2010. And I need a
4 motion, please?

5 UNIDENTIFIED COMMISSIONER: Motion.

6 MADAM CLERK: Commissioner
7 Scarpelli?

8 COMMISSIONER SCARPELLI: Aye.

9 MADAM CLERK: Commissioneer Petracce?
10 (No audible response)

11 MADAM CLERK: Commissioner Evans?

12 COMMISSIONER EVANS: Aye.

13 MADAM CLERK: Mayor Cocchiola?

14 MAYOR COCCHIOLA: Aye.

15 MADAM CLERK: Thank you, Mayor.

16 MAYOR COCCHIOLA: Thank you.

17 Commissioner Scarpelli, you have a report
18 to enter?

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

22 MAYOR COCCHIOLA: And Commissioner
23 Tucci has asked that this report be read
24 into the record this evening. So, I will
25 read it for him.

1 On Saturday, March 13th, 2010, the
2 Township of Nutley was hit with a
3 northeastern storm. Parks Commissioner
4 Mauro Tucci directed the General
5 Supervisor, Harry Kirk, Shade Tree
6 Supervisor, Dennis Kirk, and Park
7 Supervisor, Domenick Azzinari, to assess
8 damage throughout the town.

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

25 Nutley lost twenty-eight street

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

9 MADAM CLERK: Yes, Mayor. Bill
10 List, March 16th, 2010:
11 Public Affairs \$77,418.46,
12 Revenue & Finance \$2,496,585.34,
13 Public Safety \$91,313.72,
14 Public Works \$378,464.55,
15 Parks & Public Property \$76,632.08,
16 Payroll as of March 19th, 2010,
17 \$755,310.48,
18 for a grand total bill list of
19 \$3,575,424.33.
20 And that's all for bills, Mayor.

21 UNIDENTIFIED COMMISSIONER: Move the
22 bills.

23 UNIDENTIFIED COMMISSIONER: Second.

24 MADAM CLERK: Commissioner
25 Scarpelli?

1 COMMISSIONER SCARPELLI: Aye.

2 MADAM CLERK: Commissioner Petracco?

3 (No audible response)

4 MADAM CLERK: Commissioner Evans?

5 COMMISSIONER EVANS: Aye.

6 MADAM CLERK: Mayor Cocchiola?

7 MAYOR COCCHIOLA: Aye.

8 MADAM CLERK: Thank you, Mayor.

9 MAYOR COCCHIOLA: Thank you.

10 Commissioner Evans, public hearing.

11 COMMISSIONER EVANS: Yes.

12 (indiscernible) a public hearing on
13 Ordinance Number 3134 which is
14 increasing the license fees for liquor
15 consumption and distribution. The new
16 fee for retail consumption will be
17 \$1,719.36. The plenary license for
18 distribution is \$1,287.36. And club
19 licenses fees shall be the sum of 150
20 dollars. That's it.

21 MAYOR COCCHIOLA: Is there anyone
22 here this evening that would like to
23 address the Board with respect to
24 Ordinance Number 3134?

25 COMMISSIONER EVANS: Close the public

1 hearing.

2 UNIDENTIFIED COMMISSIONER: Second.

3 MADAM CLERK: Commissioner

4 Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 (No audible response)

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Mayor Cocchiola?

11 MAYOR COCCHIOLA: Aye.

12 COMMISSIONER EVANS: Move the

13 ordinance.

14 UNIDENTIFIED COMMISSIONER: Second.

15 MADAM CLERK: Commissioner

16 Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco?

19 (No audible response)

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye.

24 Resolutions, Commissioner Scarpelli?

25 COMMISSIONER SCARPELLI: Whereas the

1 Township of Nutley has entered into a
2 contract with Smith Soudy, 150 Anderson
3 Avenue, Wallington, New Jersey 07057, for
4 a project known as Resurfacing of
5 Bloomfield Avenue Section 4 for an
6 original contract amount of \$183,973.02;
7 and, whereas, Engineering Services has
8 recommended the attached Change Order
9 number 2 in the amount of 5,300 dollars
10 dated March 10th, 2010, for additional
11 mobilization; and, whereas, the funds are
12 available from Ordinance number 3095 in
13 the amount of 5,300 dollars, and have
14 been certified by the Chief Financial
15 Officer, said certification attached to
16 this resolution.

17 Now, therefore, be it resolved by
18 the Board of Commissioners in the
19 Township of Nutley, County of Essex,
20 State of New Jersey, that the Change
21 Order number 2, as attached, is a change
22 from the previous contract made by the
23 Township of Nutley with Smith Soudy, for
24 the project known as Resurfacing of
25 Bloomfield Avenue Section 4 is hereby

1 authorized and approved. I move the
2 resolution.

3 COMMISSIONER PETRACCO: Second.

4 MADAM CLERK: Commissioner
5 Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Commissioner Petracco?
8 (No audible response)

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Mayor Cocchiola?

12 MAYOR COCCHIOLA: I recuse myself
13 due to conflict.

14 COMMISSIONER SCARPELLI: Whereas,
15 bids for the resurfacing of St. Mary's
16 Place from Hancox to Centre Street, St.
17 Mary's Place from Hancox to Belleville
18 border and William Street from Franklin
19 Avenue to Vincent Place for paving of
20 street and sidewalk and curb replacement
21 were received and opened on January 27th,
22 2010; and, whereas, Stanziale
23 Construction, P.☉. Box 2597, Bloomfield,
24 New Jersey, 07003, was the low bidder
25 with a total price of \$199,☉31.95;

1 whereas, the funds are available from
2 grant number B-08/09eUC-34e0101 in the
3 amount of 204,668 dollars, monies
4 received from Community Development Block
5 Grant in the following accounts: St.
6 Mary's Place (Hancox Avenue to Belleville
7 Border)e, monies received from 2009
8 Community Development Block Grant in the
9 amount of 55,392 dollars; William Street
10 monies received from 2009 Community
11 Development Block Grant in the amount of
12 66,230 dollars; and, St. Mary's Place
13 (Hancox to Centre Street)e, monies
14 received in 2008 Community Development
15 Stimulus in the amount of 83,046 dollars,
16 and have been certified by the Chief
17 Financial Officer, said certification
18 being attached to this resolution.

19 Now, therefore, be it resolved by
20 the Board of Commissioners of the
21 Township of Nutley, County of Essex,
22 State of New Jersey, that a contract be
23 awarded to Stanziale Construction, not to
24 exceed \$199,831.95, and that the Mayor
25 and Township Clerk are hereby authorized

1 to enter into and sign said contract for
2 the Township of Nutley. Move the
3 resolution.

4 MADAM CLERK: Commissioner
5 Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Mayor Cocchiola?

12 MAYOR COCCHIOLA: Aye.

13 COMMISSIONER SCARPELLI: Whereas,
14 bids for 2009 Reconstruction of Various
15 Streets, Sidewalks, and Curbs were
16 received and opened on March 4th, 2010;
17 and, whereas, D&L Paving Contractors,
18 P.O. Box 507, Nutley, New Jersey 07110,
19 was the low bidder; whereas, funds are
20 available from Ordinance number 3114 in
21 the amount of \$189,263.32, and have been
22 certified by the Chief Financial Officer,
23 said certification being attached to this
24 resolution.

25 Now, therefore, be it resolved by

1 the Board of Commissioners of the
2 Township of Nutley, County of Essex,
3 State of New Jersey, that a contract be
4 awarded to D&L Paving Contractors, not to
5 exceed \$189,263.32, and that the Mayor
6 and Township Clerk are hereby authorized
7 to enter into and sign said contract for
8 the Township of Nutley. I move the
9 resolution.

10 COMMISSIONER PETRACCO: Second.

11 MADAM CLERK: Commissioner
12 Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 (No audible response)

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Mayor Cocchiola?

19 MAYOR COCCHIOLA: Aye.

20 COMMISSIONER SCARPELLI: Be it
21 resolved by the Board of Commissioners of
22 the Township of Nutley, County of Essex,
23 New Jersey, that in accordance with the
24 provision of R.S. 40A: 4-59, that the
25 following transfers of 2009 Appropriation

1 Reserves be and the same are hereby
2 authorized and approved: Engineering
3 Services or Other Expenses, 21,000
4 dollars To, Traffic Maintenance, Salary
5 and Wages, 3,000 dollars Sewer System,
6 Salary and Wages 3,000 dollars Recycling
7 Salary and Wages 15,000 dollars, for a
8 total of 21,000 dollars. I move the
9 resolution.

10 COMMISSIONER PETRACCO: Second.

11 MADAM CLERK: Commissioner
12 Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Commissioner Petracco?
15 (No audible response)

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Mayor Cocchiola?

19 MAYOR COCCHIOLA: Aye.

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

22 MAYOR COCCHIOLA: Thank you.

23 Commissioner Petracco?

24 COMMISSIONER PETRACCO: -- resolved
25 by the Board of Commissioners of the

1 Township of Nutley, County of Essex,
2 State of New Jersey, Roger Luzzi,
3 employee in the Department of Public
4 Safety -- a medical leave of absence
5 without pay, effective March 11th,
6 2010 --

7 COMMISSIONER SCARPELLI: Second.

8 MADAM CLERK: Commissioner
9 Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Mayor Cocchiola?

16 MAYOR COCCHIOLA: Aye.

17 COMMISSIONER PETRACCO: Whereas,
18 Margaret O'Brockta is employed by the
19 Department of Public Safety; and,
20 whereas, Margaret O'Brockta has exhausted
21 all of her available sick leave and other
22 time due; whereas, six employees of the
23 Department of Public Safety are desirous
24 of transferring a total of eight days of
25 their accumulated sick leave to Margaret

1 O'Brockta; and, whereas, under the
2 circumstances presented hereon and in the
3 view of Ms. O'Brockta's medical
4 situation, and her service to the
5 Department of Public Safety, the Board of
6 Commissioners are desirous of
7 accommodating this request.

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

17 COMMISSIONER SCARPELLI: Second.

18 MADAM CLERK: Commissioner
19 Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Mayor Cocchiola?

1 MAYOR COCCHIOLA: Aye.

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

10 COMMISSIONER SCARPELLI: Second.

11 MADAM CLERK: Commissioner
12 Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Mayor Cocchiola?

19 MAYOR COCCHIOLA: Aye.

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

22 MAYOR COCCHIOLA: Congratulations.

23 (Applause)

24 COMMISSIONER PETRACCO: Be it
25 resolved by the Board of Commissioners of

1 the Township of Nutley, County of Essex,
2 New Jersey, that in accordance with the
3 provision of R.S. 40A: 4-59, the
4 following transfers of 2009 Appropriation
5 Reserves be and the same are hereby
6 authorized and approved: to O&E, 10,000;
7 to Police Salary and Wage, 86,000; Fire
8 Salary and Wage, 10,000; Municipal Court
9 Salary and Wage 15,000; Gasoline, 50,000;
10 for --

11 COMMISSIONER SCARPELLI: Second.

12 MADAM CLERK: Commissioner
13 Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 (No audible response)

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Mayor Cocchiola?

20 MAYOR COCCHIOLA: Aye.

21 COMMISSIONER PETRACCO: Whereas, the
22 Township of Nutley wishes to purchase
23 thirty-eight sets of fire fighter gear
24 from an authorized vendor under the State
25 of New Jersey Cooperative - Program; and,

1 whereas, the purchase of goods and
2 services by local contracting -- is
3 authorized through a State Agency; and,
4 whereas, Skylands Area Fire Equipment &
5 Training, LLC, 21 Florence Lane,
6 Newton -- 07860 has been awarded New
7 Jersey State Contract number 71050 under
8 authorized dealer "Total Fire Group" for
9 the period of March 1st, 2009 to March
10 31st, 2010; whereas, the cost for the
11 purchase of thirty-eight sets of Fire
12 Fighter Gear is expected not to exceed
13 76,800 dollars; whereas, funds are
14 available from the account Assistance to
15 Fire Fighters Grant Account number 0-
16 01631299 47,800 and Capital Ordinance
17 number 3116A 29,000 -- has been certified
18 by the Chief Financial Officer, said
19 certification being attached to this
20 resolution; whereas, N.J.A.C.5:34-7.29
21 requires that the purchases made under
22 the State's Cooperative Purchasing
23 Program, which individually or --
24 statutory limit of - threshold.

25 Now, therefore, be it resolved by

1 the Board of Commissioners -- Nutley,
2 that Skylands Area Fire Equipment &
3 Training -- 07860 authorized dealer under
4 "Total Fire Group" be awarded a contract
5 for the purchase of thirty-eight sets of
6 Fire Gear in accordance with the State --
7 71050. I move the --

8 COMMISSIONER SCARPELLI: Second.

9 MADAM CLERK: Commissioner
10 Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Mayor Cocchiola?

17 MAYOR COCCHIOLA: Aye.

18 COMMISSIONER PETRACCO: Be it
19 resolved by the Board of Commissioners,
20 Township of Nutley, County of Essex, New
21 Jersey, that Phillip Nicollete -- Park
22 Avenue, Nutley, New Jersey, be
23 appointed -- Nutley Fire Department for a
24 two -- March 5th, 2010 through March 5th,
25 2012.

1 COMMISSIONER SCARPELLI: Second.

2 MADAM CLERK: Commissioner

3 Scarpelli?

4 COMMISSIONER SCARPELLI: Aye.

5 MADAM CLERK: Commissioner Petracco?

6 COMMISSIONER PETRACCO: Aye.

7 MADAM CLERK: Commissioner Evans?

8 COMMISSIONER EVANS: Aye.

9 MADAM CLERK: Mayor Cocchiola?

10 MAYOR COCCHIOLA: Aye.

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

13 MAYOR COCCHIOLA: -- Evans?

14 COMMISSIONER EVANS: Thank you,
15 Mayor.

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

20 Now, therefore, be it resolved, that
21 the Township of Nutley authorizes the
22 Department of Public Works to properly
23 recycle any and all nonworking technology
24 surplus equipment such as monitors,
25 stripped down computer tower cases,

1 malfunctioning printers. Any and all
2 equipment arranged by technology
3 personnel for disposal has been
4 accurately inventoried with correct
5 model, make and serial number. All hard
6 drives and computer memory are removed
7 from towers leaving any and all towers in
8 a nonworking state. All ink cartridges
9 and extra paper are removed from
10 printers. Any parts or accessories that
11 could possibly be reused throughout the
12 standard are replaced, and repair
13 procedures are then restocked within the
14 Technology Department. This is just a --
15 equipment -- doing such, we're notifying
16 the State that we're taking these -- so
17 moved.

18 COMMISSIONER SCARPELLI: Second.

19 MADAM CLERK: Commissioner
20 Scarpelli?

21 COMMISSIONER SCARPELLI: Aye.

22 MADAM CLERK: Commissioner Petracco?

23 COMMISSIONER PETRACCO: Aye.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Aye.

1 MADAM CLERK: Mayor Cocchiola?

2 MAYOR COCCHIOLA: Aye.

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

11 COMMISSIONER SCARPELLI: Second.

12 MADAM CLERK: Commissioner
13 Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 (No audible response)

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Mayor Cocchiola?

20 MAYOR COCCHIOLA: Aye.

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

23 MAYOR COCCHIOLA: Yes, please.

24 Thank you.

25 COMMISSIONER EVANS: Whereas, the

1 Nutley Clifton Hockey Club started as
2 Nutley Junior Hockey in 2000, and merged
3 with the Clifton Youth Program in 2004e
4 2005 season; and, whereas, a merger of
5 the Nutley & Clifton Youth Ice Hockey
6 Organization has been an enhancement to
7 both towns in ice hockey development for
8 a high school feed system; and, whereas,
9 the Nutley-Clifton Hockey Club is
10 celebrating their tenth year anniversary
11 this year with over a hundred players
12 involved in the program which includes a
13 Clinic group, Mite Team, Squirt Team, Pee
14 Wee Team, Bantam Team, and Midget Team
15 with some players going on to a "Travel
16 Program"; and, whereas, in the course of
17 ten years, several hundred players have
18 benefited from this program and have been
19 participating in several travel and local
20 tournaments capturing several
21 championships at different levels; and,
22 whereas, there are approximately thirty
23 coaches in the program all of whom are
24 certified and participate in the USA
25 Hockey Coaches' certification program;

1 and, whereas, the focus of the Nutley-
2 Clifton Youth Ice Hockey Organization is
3 on player development and having fun;
4 parent involvement is excellent and an
5 important part of the success of the
6 program.

7 Now, therefore, be it resolved, that
8 the Board of Commissioners of the
9 Township of Nutley, County of Essex, join
10 with the citizens of Nutley to honor and
11 congratulate the Nutley-Clifton Hockey
12 Club on this, their tenth anniversary.
13 So moved.

14 COMMISSIONER SCARPELLI: Second.

15 MADAM CLERK: Commissioner
16 Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye.

24 COMMISSIONER EVANS: Be it resolved
25 by the Board of Commissioners of the

1 Township of Nutley, County of Essex, New
2 Jersey, that in accordance with the
3 provision of R.S. 40A:4-59, the following
4 transfers of 2000 -- I think it's nine,
5 Appropriation Reserves be and the same
6 are hereby authorized -- it's either
7 eight or nine. On my -- so we should
8 correct that -- workers' comp, 7,000;
9 other insurance 14,000; electricity
10 36,000; to: parks and playground salary
11 and wage, 28,000; Public Building and
12 Grounds, 17,000; Shade Tree Salary and
13 Wage, 12,000; for total of 57,000. So
14 moved.

15 COMMISSIONER SCARPELLI: Second.

16 MADAM CLERK: Commissioner
17 Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 (No audible response)

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Mayor Cocchiola?

24 (No audible response)

25 COMMISSIONER EVANS: Thank you,

1 Mayor.

2 MAYOR COCCHIOLA: Thank you.

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

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

22 MADAM CLERK: Commissioner
23 Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Commissioner Petracco?

1 (No audible response)

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Mayor Cocchiola?

5 MAYOR COCCHIOLA: Aye.

6 Whereas raffle applications has been
7 received from the following
8 organizations: Rotary Club of Nutley,
9 license number 29e10; St. Mary's Roman
10 Catholic Church, license number 30-10;
11 Friends of the Phoenix Foundation, 31-10,
12 32-10, 33-10; and the Nutley-Belleville
13 Columbus Day & Italian Heritage Month
14 Parade Committee, license number 34e10,
15 for various licenses and raffles; whereas
16 the applications have been reviewed and
17 approved by the Municipal Clerk and the
18 Police Department.

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

25 COMM@SS@ONER EVANS: Second.

1 MADAM CLERK: Commissioner

2 Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Commissioner Petracco?

5 (No audible response)

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Mayor Cocchiola?

9 MAYOR COCCHIOLA: Aye.

10 Whereas, climate changes have been
11 recognized by scientists, political
12 leaders, and strategic planners around
13 the world to be a growing threat to
14 global stability and security; whereas,
15 climate change has direct economic,
16 environmental, health, and societal
17 impacts on all Americans, including New
18 Jerseyans, and the residents of the
19 Township of Nutley; whereas, solutions to
20 climate change must take place at the
21 local level, involving deeply concerned
22 citizens, as well as elected officials of
23 all towns and cities; whereas, the Board
24 of Commissioners encourages energy
25 conservation, both for reducing carbon

1 dioxide emissions, and also for saving
2 money; whereas, turning off unnecessary
3 lights, whenever possible, as well as
4 appliances and electronic equipment, is
5 the simplest and most effective way to
6 conserve energy in private homes and
7 public buildings; whereas, the first step
8 toward changing the public's behavior is
9 to educate them about energy use, and
10 climate change problems and solutions;
11 and, whereas, Earth Hour 2010 is both an
12 international and local symbolic and
13 educational event, intended to raise
14 awareness about climate change issues,
15 and to inform residents and businesses
16 about existing information and tools
17 available within the community to help us
18 reduce our carbon footprint; whereas,
19 Earth Hour 2010 is intended to
20 demonstrate that each of us has the power
21 to save energy and make a difference in
22 the future of our planet.

23 Therefore, be it resolved, that the
24 Board of Commissioners of the Township of
25 Nutley recognizes and supports Earth Hour

1 2010, occurring on Saturday, March 27th,
2 from 8:30 to 9:30 p.m. and each director
3 will determine which non-essential public
4 lighting may be turned off during the
5 observance of this event.

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

13 COMMISSIONER PETRACCO: Second.

14 MADAM CLERK: Commissioner
15 Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 (No audible response)

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Mayor Cocchiola?

22 MAYOR COCCHIOLA: Aye. And let me
23 just point out that there are a few
24 restaurants in Nutley, that will be
25 offering candlelight dining during the

1 evening when we celebrate Earth Hour. If
2 you check the newspaper, you'll find out
3 who they are.

4 Be it resolved by the Board of
5 Commissioners of the Township of Nutley,
6 County of Essex, New Jersey, that in
7 accordance with the provision of R.É.
8 40A:4-59, the following transfers of 2009
9 Appropriation Reserves be and the same
10 are hereby authorized and approved:
11 Garbage and Trash Removal, 140,000
12 dollars; to Police Salary and Wages
13 140,000 dollars. I move the resolution.

14 COMMISSIONER PETRACCO: Second.

15 MADAM CLERK: Commissioner
16 Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco?

19 (No audible response)

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye. That
24 concludes the regular business portion of
25 our meeting this evening. I notice a few

1 volunteer fire fighters have joined us,
2 and I wanted to let you know that at the
3 beginning -- we opened the meeting this
4 evening, by commending and congratulating
5 you for the job that you did for the
6 residents of the Township of Nutley, in
7 the past few days with the storm and all
8 of your efforts, they have not gone
9 unnoticed, and we are truly appreciative.

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

13 MR. CAPRIGLIONE: I just want to --

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

17 MR. CAPRIGLIONE: Okay, my name is
18 Anthony Capriglione. I reside at 143
19 Whitford Avenue. I wanted to make a few
20 (indiscernible) before this time, to
21 remind you on the problem with the post
22 office and forgive my stuttering, it's
23 not that I'm nervous; it's that the mind
24 don't want to cooperate with the mouth
25 anymore.

1 I want to thank you, the Board, on
2 behalf of myself, and of course, the
3 people of Nutley, to -- for you to
4 intervene in writing that beautiful
5 letter today, which one of you was kind
6 enough to give me a copy of it and a part
7 of perusing of the letter, the nice
8 letter, the most important thing they did
9 not address. There were five items, and
10 the only thing they addressed is the
11 personnel, their attitude, and how to
12 treat customers and so forth. We are all
13 well aware of that, but it bothered me
14 because -- like in the past decade, I no
15 longer talk very well, and I lose my
16 echo. I talk out on the governor, and I
17 speak up when someone hears me.

18 But I -- one step further -- forgive
19 me; I just want to bring you up to date
20 when I'm here, Mayor. I made an inquiry
21 at the front gate and make an appointment
22 with the Post Master of the Northern
23 Regional Direct -- 2 Federal Plaza,
24 Newark. You cannot believe what I'm
25 going to tell you. You call information

1 -- there's no listing. No listing.

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

4 MR. CAPRIGLIONE: No listing,
5 telephone.

6 MAYOR COCCHIOLA: Oh, no listing.

7 MR. CAPRIGLIONE: All I got was the
8 local post office in the area. I said, I
9 want to speak to -- I want to go to --
10 make an appointment with the Post Master
11 in (indiscernible) Newark. After eight
12 phone calls, I called the local post
13 office. They don't even have it. Can
14 you imagine? Offices of Belleville --
15 the post master in Belleville -- now they
16 call them managers -- now the manager in
17 Belleville, she didn't have no phone
18 number. I said, "You don't know who your
19 boss is?" It was amazing. So, lo and
20 behold, they gave me an 800. And, I
21 dialed up the 800, and I got Albuquerque,
22 New Mexico, instead of something in
23 Nutley, New Jersey. She was not aware
24 of -- she was going to be the attention
25 the powers at be. So, she gave me the

1 number to call, and it happened -- and I
2 got a name by a woman who is the director
3 of personnel in the Northern District in
4 New Jersey. Her name was Sheila Harper
5 (ph.ø. One, two -- I made four phone --
6 four different occasions, I made phone
7 calls, (indiscernible) to discuss the
8 problem I'm having in Nutley. Never
9 returned one; never returned one.

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

24 So, lo and behold, I -- before
25 fifteen minutes, she came out. She came,

1 she says, Mrs. Harper will see youe I
2 expressed my opinion and my reason why
3 she never returned my calls. And she
4 didn't return even one phone call. So,
5 no matter, she was very apologetic.
6 Well, she's arguing for fifteen minutes.
7 Ladies and gentlemen, that fifteen
8 minutes wound up to two and a half hours.
9 Instead of her being on the -- instead of
10 me being on the defense, she was on the
11 defense.

12 She was taking my suggestions and
13 she's going to follow up (indiscernible)
14 as follows: the lack of supervision. I
15 made a recommendation that there is one
16 manager for the three post offices:
17 Newark -- section of Newark, Belleville
18 and Nutley. I suggested that if the
19 manager of that post office spends two
20 days a week in the post office, they'll
21 have proper supervision. The supervision
22 there now, you know the saying, is the
23 mice -- when the cat's away, the mice
24 will play. You go in there, the break is
25 fifteen minutes, half hour. They're

1 never out there and so forth. That's
2 because no body's there to boss them.

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

21 And the fourth -- and the third one
22 was personnel. They have no coverage if
23 someone is sick. They have two people
24 there, and when you get a break, when you
25 get a break, there's one person. Without

1 exaggeration, I didn't -- in an eight-
2 hour day, five hours there's only one
3 people there -- one person there. And
4 that's not serving the people of Nutley.
5 So, she says, we'll address that matter,
6 too, because she was arranging the
7 schedule already. She was trying hard to
8 bring up two people.

9 And, I brought it to her attention,
10 that on December 11th, last Christmas,
11 forty-two people were on line, one
12 teller. One teller, one clerk -- I'm
13 sorry, I'm thinking of the bank right
14 now. And, I mean, I approached him.
15 When I got up there, I says, I mean, she
16 had to go to the bathroom so badly. I
17 said, why don't you go relieve yourself,
18 and I'll make an announcement. And I
19 told all the people, this lovely young
20 lady going to the bathroom to relieve
21 herself. So, she came out and she
22 thanked me. I said, "11 o'clock. Didn't
23 you have anyone here?" And she said,
24 "Nope." No one covered. I brought it
25 up -- she's going to look into that.

1 And the best thing with the post
2 master where she's going to have a
3 manager come here for two days a week.
4 (indiscernible) That was last week. I
5 made appointments, so, you know, it
6 supposed to be that I was going to take
7 her up to the Nutley post office. We'll
8 go up there together. I was going to
9 pick her up and bring her up here. And
10 lo and behold, yesterday, she called me,
11 because of the storm raging, she had a
12 cancellation, so she couldn't make it.
13 She asked me to call her Thursday to
14 reschedule appointment. I'm going to
15 come over.

16 And, once again, thank you for the
17 letter, thank you for your help. And,
18 (indiscernible) you don't have the
19 strength until you have people behind you
20 who wrote that letter. The only thing is
21 they -- just a really nice letter,
22 political letter, but you didn't address
23 the points. And, Mayor, I made it my
24 business to go down there and get the
25 points taken. And thank you very much --

1 MAYOR COCCHIOLA: Well, wait a
2 minute, I think we have to thank you for
3 your persistence on --

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

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

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

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

24 MR. CAPRIGLIONE: I never heard of
25 this. A government agency, you can't get

1 a phone number to speak to someone? I
2 remember Joe Baluchi (ph.) was the post
3 master down there and (indiscernible).
4 Have you ever seen the post master's
5 office there?

6 MAYOR COCCHIOLA: No.

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

23 MAYOR COCCHIOLA: Thank you, Mr.
24 Capriglione.

25 MR. CAPRIGLIONE: I let you know if

1 in the morning I have that meeting, or
2 the outcome.

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

10 MR. CAPRIGLIONE: I'll tell you
11 what. Now, they say, "How are you? Can
12 I help you with anything else?" That's
13 very polite, but the real problem, they
14 haven't really solved. They hadn't even
15 touch base on, until I went in to talk to
16 them. I'll tell you, my -- when I walked
17 in, boy, she was on the offense, but she
18 only gave her fifteen minutes. I was
19 there for two and half hours. I had to
20 go, so when she said -- I said, where do
21 we go from here? She said, you have to
22 call; she says, you know we don't work
23 that fast. I said, yeah, you're a
24 federal employee.

25 MAYOR COCCHIOLA: Okay, we'll --

1 MR. CAPRIGLIONE: I didn't expect
2 anything -- I didn't expect anything
3 different.

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

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

23 Why I'm here tonight is there's been
24 some activity with the Clover Street
25 property. There's also been talk that an

1 application's coming. And a lot of
2 people seem to know about it, even a
3 Planning Board member was speaking about
4 it last -- actually, was it this week, or
5 last week? At the Nutley Community
6 Preservation Partnership Meeting.

7 All I'm here to ask -- I know, this
8 body has nothing to do with the Planning
9 Board. It's an independent body. But I
10 would ask that all of you urge them to
11 stick to our zoning laws and codes.

12 Contrary -- maybe some people might think
13 I don't enjoy getting involved with the
14 fight. Well, you know, last time, myself
15 and the neighbors got together, hired an
16 attorney to go to court to appeal what
17 was done, and, you know, we just ask that
18 they stick within the codes. Stick
19 within the laws, whatever can be built on
20 there without variances, that's what we
21 would like to see: one family houses on
22 fifty by hundred lots.

23 In addition to that, or instead of
24 that, what we would prefer -- and, you
25 know, I don't know how possible this is,

1 majority of the neighbors, as well as the
2 Nutley Community Preservation
3 Partnership, would still love to see that
4 made into a passive pocket park, like the
5 one next to the Nutley Museum. I know,
6 last time around when this was being
7 perused, Mayor, you and Commissioner
8 Evans, were opposed to that idea and I
9 understand your reasons. You're looking
10 for tax revenue; especially the way times
11 are right now, I'm sure the Township
12 could use any dollars it could get.

13 However, I have here -- and, I might
14 add that the County Executive is very
15 much in favor of a park. He stated that
16 at a Nutley Community Preservation
17 Partnership meeting in November. I have
18 here a publication, entitled "Open
19 Spaces: A Good Investment", by the
20 Association of New Jersey Environmental
21 Commissions. And it's a twelve-page
22 publica -- report, but basically what
23 they're saying is, that studies show that
24 residential development cost the
25 municipality more in educational and

1 public services, than it generates in tax
2 revenue. And they give various examples
3 both in the state, and around the
4 country. And they're saying, basically,
5 that communities, again, across the state
6 and the nation, finding that single
7 family residential tax ratables don't
8 cover the cost of services and studies
9 show that for every dollar collected in
10 taxes, any where from \$1.04 to \$1.67 is
11 spent for services and the Municipal Land
12 Use Law provides that open space is one
13 of their major goals and there's also a
14 1968 State Law, N.J.S.A.40:56-A, that
15 permits municipalities to establish
16 environmental commissions and part of
17 that is with giving them the power,
18 subject to the governing body's approval,
19 to acquire property.

20 And as I stated a few years ago,
21 when I first made the request that the
22 town look into buying that property as a
23 park, only if it could be done without a
24 burden to the taxpayers. So, I'm
25 repeating that again. I ask all of you

1 to look into it. I wish our, you know,
2 Commissioner of -- Mauro Tucci was here
3 tonight, Parks and Public Property, but
4 please look into that. Speak to the
5 County Executive. You know, Berth
6 Caldwell (ph.ē), a couple of years -- I
7 think it was 2008, purchased two parcels
8 to prevent houses from being built in
9 rear yards. This past year, there's a
10 problem with soil environmental concerns.
11 But Caldwell is looking into buying a 1.ē
12 acre parcel to prevent four houses from
13 being built. This is a 1.ā acre parcel,
14 and they were looking to do five houses
15 on it. So, you know, we're the ones that
16 have to live with this in our yards. So,
17 please, you know, I ask that you look
18 into it. And that's about it at this
19 point.

20 MR. HARKINS: May I -- just a point
21 of clarification. While I could
22 appreciate what you're saying, you might
23 want to contend, there is a point of
24 going to a town hearing -- this body is
25 not at liberty to discuss with any of

1 those members any application pending or
2 contemplated.

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

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

21 MR. PALMER: I understand.

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

24 MR. PALMER: I understand.

25 MAYOR COCCHIOLA: But let me just go

1 back for one minute, because you -- your
2 characterization -- and I don't want to
3 go back into this, and I don't want to
4 debate this with you, not at this point
5 in time. But, so, I can clarify, because
6 my statements are no different today,
7 than they were how ever many years ago I
8 made to you and to other people.

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

20 So, what you're talking about
21 with -- what you don't want houses there,
22 you know, you have an area susceptible to
23 kids, possible lighting, a whole
24 different, you know, a whole different
25 thing. And it also has to be maintained

1 by workers for the Township of Nutley.
2 So, I mean, I said those things years
3 ago, that -- and I want to clarify you,
4 because you're talking about opposition,
5 whatever. I raised all of my concerns
6 and reservations to you all because
7 there's a cost to everything.

8 MR. PALMER: I was speaking --

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

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

1 characterization --

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

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

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

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

25 MAYOR COCCHIOLA: I'm sure that

1 whatever is -- I think exactly today as I
2 did then. And those are my concerns
3 today as they were before. I can't speak
4 for Commissioner Evans, and what he said,
5 but I'm certain that I expressed the same
6 concerns.

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

20 MAYOR COCCHIOLA: Thank you.

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

23 MAYOR COCCHIOLA: Okay, Mr.
24 Capriglione, but there is someone else
25 that wants to address the Board, can you

1 wait one -- and then we'll call you back,
2 okay?

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

13 There's a pitch right now, that's
14 doing a lot of run off, and having a lot
15 of flooding and drainage issues on
16 Sargent Street. And it has nothing
17 really to do with this particular storm
18 or snow storm before that and the
19 severity of it. It's been an ongoing
20 issue for a couple of years. I've made
21 some phone calls. Not really sure which
22 board or venue should be addressing that,
23 but the engineer did come out to see it.
24 He did state that it was in the top ten
25 percent of problem roads in the town, and

1 it should be on some form of a budget,
2 maybe not this year, or the spring
3 budget, and that I should just try and
4 come before a Board so that somebody
5 could formally note that and see what
6 they can do about having a
7 (indiscernible)e. Hi, Mr. Scarpelli.

8 COMMISSIONER SCARPELLI: Well,
9 that's my department.

10 MS. QUINN: Right.

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

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

15 COMMISSIONER SCARPELLI: And,
16 though, as he said to you it's the top
17 ten percent, you know, that's -- it's not
18 going to be on next year's road budget.
19 So, I can tell you that now. It is
20 something that is on the schedule, and
21 we're looking at it. It's not the only
22 road where we have these kind of
23 problems, and I know that he was out
24 there, and looked at it. We'll see if
25 there are any temporary fixes that we

1 could put in, in the meantime, but as far
2 as that road being done next spring, it's
3 not on the schedule, so I can tell you
4 now.

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

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

11 MS. QUINN: Okay.

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

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

25 COMMISSIONER SCARPELLI: It's not

1 one of our main roads.

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

4 COMMISSIONER SCARPELLI: So that's
5 how they're prioritized. And we have
6 only a limited number of resources to do
7 each street for -- just to give you a for
8 instance of how much a street costs, if
9 you're familiar when we did Bloomfield
10 Avenue, this past year. We did from High
11 Street to Kingsland Avenue. It cost over
12 250,000 dollars. We have approximately
13 250,000 dollars each year to do roads.
14 So, that is a grant -- but just to give
15 you an idea of the costs --

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

18 COMMISSIONER SCARPELLI: Well, we
19 have 250 --

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

23 COMMISSIONER SCARPELLI: No, I'm
24 just saying that when we prioritize, and
25 we look at what we have to spend each

1 year, we only have 250,000 dollars to
2 spend on roads for the year. So, as we
3 prioritize that, we say, well, which
4 roads are we going to do? And those are
5 the factors we take into consideration in
6 prioritizing. I'm not saying it's never
7 going to get done, but I'm telling you
8 that it's not going to be done next year.

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

16 COMMISSIONER SCARPELLI: We will
17 take a look at that.

18 MS. QUINN: Thank you.

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

22 MR. CAPRIGLIONE: I'd like to one
23 important thing. If by April 1st, that
24 you do not hear from Mrs. Harper, would
25 you -- would the Board be kind enough to

1 address another letter to her? I really
2 (indiscernible) and find out if --
3 mention the fact that -- and I appeared
4 here before the Board of Commissioners.
5 And mention the fact that if she's -- how
6 we're proceeding at my points of --
7 rather, my comments in reference to the
8 situation in Nutley -- I would appreciate
9 that, if you would send me a copy of the
10 letter. So, this way here, you know, we
11 can find out if she's -- as the old
12 Chinese proverb says, it isn't the
13 distance that amount -- that counts, it
14 is the distance that means anything, it's
15 the first step that counts. So, I want
16 to make sure she's going to take the
17 first step, and not shovel this in a
18 bonfire.

19 MAYOR COCCHIOLA: Yes, I'll do that.

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

22 MAYOR COCCHIOLA: Is there anyone
23 else that would like to address the Board
24 this evening? I will not be adjourning
25 this meeting. The meeting will be

1 continued to Tuesday, March 23rd, at 8
2 o'clock p.m. Thank you.
3 (End of audio)

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

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 25, 2010.

Handwritten signature of Karen Schiffmiller in cursive script, written over a horizontal line.

Karen Schiffmiller

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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

ORIGINAL

)
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

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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

**Certified
Transcript**

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- Commissioner Tucci

- Township Clerk Rosario

Job No. NJ258329

Evelyn Rosario, Municipal Clerk

Page 2

Absent/Excused

Sharon L. Bozza, Assistant Municipal Clerk Present

1 MAYOR COCCHIOLA: -- start our

2 discussions back here. Go out front,
3 because I have two resolutions to read,
4 and then we can take any public comments,
5 since we have a lot of guests this
6 evening. And then, any matters we have
7 to discuss in executive session, because
8 I understand there will be one, we'll do
9 at the end. Makes sense? All right.

10 So, this is a continuation of our
11 meeting of -- I forget the date, March
12 16th. And we are now on the record, so
13 Madam Clerk -- you know what? Why don't
14 you just -- we don't need to reread the
15 Sunshine Notice --

16 MADAM CLERK: Yeah.

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

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Here.

21 MADAM CLERK: Commissioner

22 Scarpelli?

23 COMMISSIONER SCARPELLI: Here.

24 MADAM CLERK: Commissioner Evans?

25 COMMISSIONER EVANS: Here.

1 MADAM CLERK: Commissioner Tucci?

2 COMMISSIONER TUCCI: Here.

3 MADAM CLERK: Mayor Cocchiola?

4 MAYOR COCCHIOLA: Here.

5 MADAM CLERK: All present, Mayor.

6 MAYOR COCCHIOLA: Okay. This is a
7 budget workshop hearing; so, everyone
8 understands that. This is a meeting for
9 discussion purposes, although we do have
10 to transact some business with voting on
11 a few resolutions. So, if you would
12 allow us to engage in whatever discussion
13 we have, we'd appreciate a little bit of
14 time to do that. Commissioner Evans?

15 COMMISSIONER EVANS: I don't have
16 anything for tonight, additional
17 resolutions.

18 I did want to share that, you know,
19 we received notification from the state
20 about a cut in state aid. And it was
21 higher than what we had estimated, at
22 320,000. It's now 539,000 dollars,
23 which -- I asked you for the last meeting
24 here to see what else you can find in
25 your budgets, so we can reduce. And

1 where we stand right now, is that the
2 combined effect of the increase in
3 appropriations, which is coming primarily
4 from three areas: 737,000 dollar
5 increase in health care costs, and
6 582,000 dollar increase in pension costs,
7 with another 764,000 dollars increase in
8 police and fire wages, that's anticipated
9 in this budget, plus lost revenues -- the
10 effect of lost revenues, which is a
11 combined combination of lost in state aid
12 and lower fees, of another 782,000
13 dollars. So, the impact on the budget
14 assumption is an overall increase of
15 roughly 3.4 million dollars.

16 We -- when we look at where we are
17 against the levy, you know -- when
18 considering the exceptions that are
19 provided by statute, we are still over
20 the maximum allowable levy by 527,000
21 dollars. So, we have additional cuts to
22 do, if we are to achieve, you know,
23 the -- what I would call, the adjusted
24 levy. It's not the four percent
25 increase, because certain exceptions are

1 allowed by statute. So, when we look at
2 this, roughly, if we achieve the 527,000
3 dollar cut in our spending to hit the
4 maximum, with exceptions, that will
5 translate into an average increase per
6 household of 600 dollars. And, that
7 would be the municipal portion only.

8 My understanding right now is that
9 the school budget assumption is another
10 200 dollars per household. We don't have
11 the county impact yet, but based on where
12 we're at, we would be looking at a
13 town -- a complete tax -- average tax
14 increase per household of close to 900
15 dollars per household this year. So, for
16 any house that's assessed at 372,000
17 dollars, they would be looking at a 900
18 dollar increase this year, roughly.
19 Anything above that --

20 UNIDENTIFIED COMMISSIONER: What
21 assessed value was that?

22 COMMISSIONER EVANS: 373,000
23 dollars.

24 UNIDENTIFIED COMMISSIONER: That's a
25 average?

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

6 So, the challenge we have, it
7 remains very significant. If we were to
8 look at our reductions and say, okay, no
9 exceptions to the four percent increase,
10 we would have to -- as I shared with you
11 earlier, in addition to cutting the
12 527,000 dollars, we would have to cut an
13 additional 1.5 million dollars, to
14 achieve an absolute pure four percent
15 increase on our levy, year over year.

16 MAYOR COCCHIOLA: Which would still
17 be 550 dollars?

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

21 UNIDENTIFIED SPEAKER: It's 441.

22 COMMISSIONER EVANS: That would be
23 441. So, we would go from 600 down to
24 441. So, even if we were to achieve that
25 four percent, 441 plus 200 plus 100,

1 we're still looking at 741 dollars on
2 average per household.

3 So, the challenges are significant.
4 And we are, you know, faced with, you
5 know, some very -- as you all know, some
6 very difficult decisions, in terms of how
7 we reduce the cost of the property tax
8 increase. The challenge with that, too,
9 is that our state aid is being cut from
10 3.2 million down to 2.6. The school
11 board had a 2.7 million dollar reduction
12 in their aid. So, I share those things
13 with you, just, so, you know, it just --
14 understand the thinking of where we're
15 at.

16 Our budget already anticipates the
17 fund surplus that exists. We use that
18 every year, and that's gone down. So,
19 while last year we were able to
20 anticipate 4.4 million into the
21 calculation, this year we're only able to
22 anticipate 3.8 million. So, that we're
23 being affected by that, too. So, every
24 year, that money is always applied
25 against the levy to keep the taxes down.

1 So, if we didn't have that, the levy
2 would be that much higher. So, just
3 to -- from the mechanics, it's a labeling
4 from a state standpoint, in terms of the
5 state chartered accounts, but in terms of
6 where we are, the money's anticipated
7 every year. And those are just
8 refreshers.

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

19 The other areas of the budget for
20 fuel -- you know, this is spread out in
21 your various budgets, but for fuel and
22 utilities, those numbers remain flat,
23 year over year. There's been no increase
24 there. So, what we're -- our budget
25 address is predominantly increased --

1 increases relating to the cost of people.
2 That's where it's all directed this year.
3 So, that -- the challenge is significant
4 for us.

5 So, just as a refresher, and where
6 we were at. I know you've all made some
7 adjustments, but as of this point, as I
8 said, just to be clear, we are still
9 527,000 dollars above the limit, based
10 upon the cuts that were already made.
11 And, if we -- and that's the adjusted
12 levy. We still would have two million
13 dollars, roughly two million dollars to
14 go, to hit to a pure four percent
15 increase in the levy.

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

20 COMMISSIONER EVANS: Yes. Yes.

21 COMMISSIONER TUCCI: Okay.

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

25 COMMISSIONER EVANS: Yes.

1 MAYOR COCCHIOLA: That money is
2 included in the --

3 COMMISSIONER EVANS: That's included
4 in here already.

5 MAYOR COCCHIOLA: Oh.

6 COMMISSIONER EVANS: Right.

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

13 COMMISSIONER EVANS: Exactly.

14 COMMISSIONER TUCCI: -- reduce.
15 Okay.

16 COMMISSIONER EVANS: Exactly.

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

20 COMMISSIONER EVANS: Do you have
21 that?

22 UNIDENTIFIED SPEAKER: There are
23 different departments of different
24 assumptions, ranging, (indiscernible) two
25 and three and a half percent.

1 COMMISSIONER TUCCI: I read in the
2 paper today, that the governor signed
3 that some of the health care bills --

4 MAYOR COCCHIOLA: Um-hum.

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

9 COMMISSIONER EVANS: No. Not yet.

10 COMMISSIONER TUCCI: Okay, so --

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

13 COMMISSIONER EVANS: May 26th or
14 27th, I believe.

15 UNIDENTIFIED COMMISSIONER: So, you
16 have --

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

21 COMMISSIONER EVANS: I have to go
22 back and read it, but when -- and I read
23 it quickly, and I thought that it was
24 signed, and basically becomes effective,
25 the 26th of May.

1 COMMISSIONER TUCCI: All right.
2 Because if we had -- I mean, excluding
3 the units that already have bargaining
4 agreements in place, in my estimation
5 that was about 115,000 dollars in
6 savings, and that was for six months.
7 So, it might be a little bit more than
8 that.

9 UNIDENTIFIED COMMISSIONER: That's
10 town-wide?

11 COMMISSIONER TUCCI: That we can
12 reduce. Yeah.

13 COMMISSIONER EVANS: Yeah.

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

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

19 MAYOR COCCHIOLA: Right now.

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

1 MAYOR COCCHIOLA: Correct.

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

5 COMMISSIONER EVANS: Um-hum.

6 COMMISSIONER TUCCI: I'm not --

7 MAYOR COCCHIOLA: I thought it was
8 3,500. It's 5,000?

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

11 COMMISSIONER EVANS: Basically, it
12 was 5 --

13 UNIDENTIFIED COMMISSIONER: Which
14 ever's less.

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

17 COMMISSIONER EVANS: 35 was a
18 proposal.

19 UNIDENTIFIED COMMISSIONER: What
20 ever's less, right?

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

23 COMMISSIONER EVANS: Which ever's
24 less.

25 COMMISSIONER TUCCI: The concern is

1 we save about 240,000 dollars a year, on
2 folks who have dual coverage that opt
3 out. So, while they get a little bit of
4 money, we save a little bit of money on
5 that. I have anticipated in here, a
6 reduction in that. All right? We don't
7 know what that's going to be yet, and
8 obviously, we're going to be surveying
9 all of our employees to see who would
10 still be interested in opting out.

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

23 COMMISSIONER EVANS: Right.

24 COMMISSIONER TUCCI: -- is going to
25 help here.

1 COMMISSIONER EVANS: Right. Right.

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

10 COMMISSIONER EVANS: Right.

11 COMMISSIONER TUCCI: -- of about
12 20,000. And we have some money there.
13 So, we've made some adjustments and we've
14 done some consolidations, so I think
15 we're down to about 5,000 dollars there
16 that we may be able to mitigate.

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

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

23 MAYOR COCCHIOLA: To twenty?

24 COMMISSIONER TUCCI: -- to the
25 twenty in 2010, so.

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

5 COMMISSIONER TUCCI: Um-hum.

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

14 COMMISSIONER TUCCI: All right.

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

23 COMMISSIONER TUCCI: Um-hum.

24 COMMISSIONER EVANS: -- which is on
25 the Nutley side.

1 COMMISSIONER TUCCI: All right.

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

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

10 MAYOR COCCHIOLA: Not okay.

11 COMMISSIONER EVANS: Can't do it.

12 COMMISSIONER TUCCI: Totally
13 unacceptable.

14 COMMISSIONER EVANS: Absolutely.

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

19 UNIDENTIFIED COMMISSIONER: All
20 right, well.

21 MAYOR COCCHIOLA: Having said that.

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

24 COMMISSIONER EVANS: Yeah. So, what
25 do you want to do in terms of -- well,

1 the first question I'll ask you, is if
2 you can go through your line items and
3 see if there's anything else you can cut.
4 The first question is, is if we say that
5 the 600 dollars is not acceptable --

6 COMMISSIONER TUCCI: Um-hum.

7 COMMISSIONER EVANS: -- then it
8 means we have to come up with more than
9 527,000 dollars worth of cuts, because we
10 have to get to some lower number. And if
11 we were to get to a pure four percent
12 increase on the levy, which that would
13 reduce the increase per household on
14 average from 600 dollars down to 441
15 dollars. So, do we believe that trying
16 to get as close to 441 is the right way
17 to go?

18 MAYOR COCCHIOLA: Yes.

19 UNIDENTIFIED COMMISSIONER: Is that
20 acceptable? 441?

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

24 COMMISSIONER EVANS: Neither do I.
25 I mean, it's high.

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

11 COMMISSIONER EVANS: Um-hum.

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

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

16 COMMISSIONER EVANS: So, we have
17 300,000 more to go to get down to maximum
18 allowable levy, or --

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

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

24 COMMISSIONER TUCCI: Yeah, I hear
25 you.

1 MAYOR COCCHIOLA: Now, I can't, you
2 know. If we get really lucky --

3 COMMISSIONER TUCCI: Right.

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

7 COMMISSIONER EVANS: Yeah.

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

10 COMMISSIONER TUCCI: Um-hum.

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

15 COMMISSIONER TUCCI: Right.

16 COMMISSIONER EVANS: Right.

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

23 COMMISSIONER TUCCI: We're still
24 looking at, you know, in addition to, you
25 know, the health care and then the

1 buybacks and all that stuff, you know,
2 what else we can consolidate. We already
3 eliminated pretty much one position.

4 COMMISSIONER EVANS: Right.

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

11 COMMISSIONER EVANS: Yup.

12 COMMISSIONER TUCCI: For a family
13 coverage, as we all know, it's like
14 20,000 dollars.

15 COMMISSIONER EVANS: Right.

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

21 COMMISSIONER EVANS: You going to
22 have to.

23 COMMISSIONER TUCCI: -- any
24 vacancies that we're projecting and we're
25 also surveying our people to see who's

1 planning on retiring, because some of
2 these changes, you know, would adversely
3 affect some of the employees who have
4 been here a while, and, you know. And
5 some of them are of the opinion, you
6 know, it may be better for us to retire
7 now and save a little bit, and wait until
8 everything goes into effect --

9 COMMISSIONER EVANS: Right.

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

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

25 So, you know, I've already stripped

1 it down, and will continue to look for
2 other things, but what the root of it,
3 and I assume that, because everyone's
4 here, you know, we're not necessarily
5 talking about the other piece of this
6 which is going to by -- which is
7 happening in a lot of towns, is forced
8 reduction, you know, furlough days, and
9 other things that have to be done in
10 order to bring -- absorb the cost of this
11 and bring it done to a manageable level.

12 So, that's going to require some
13 consideration on your parts to figure out
14 what the potential of that is --

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

18 COMMISSIONER EVANS: Absolutely.

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

25 COMMISSIONER EVANS: Yeah,

1 absolutely.

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

11 COMMISSIONER EVANS: Oh, absolutely.

12 COMMISSIONER TUCCI: 'Cause these
13 are not only our employees; they are
14 taxpayers; they are friends; they are
15 family. So, there's a lot --

16 COMMISSIONER EVANS: Absolutely,
17 absolutely.

18 COMMISSIONER TUCCI: -- and, I know
19 I'm singing to the choir here, there's a
20 lot of considerations.

21 MAYOR COCCHIOLA: Well, I think it's
22 good for everyone to, you know -- I'm not
23 sure if everybody who's here understands
24 what it is. You know, we're speaking to
25 each other, but we're in a pretty serious

1 condition here, and I think it's good for
2 everyone to hear the amount of people
3 that we actually are working with and
4 what we are reduced to at this point in
5 time, and how we do not really want to
6 hurt anyone else. I mean, we're -- you
7 know, we could each go through -- I mean,
8 my department has ten people. I just
9 reduced by one; I have nine people in my
10 entire department. So, you know, we
11 are --

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

23 COMMISSIONER TUCCI: No.

24 COMMISSIONER PETRACCO: And I think
25 we have to take into consideration all

1 the emergency management priority in the
2 town. I have friends of mine that got in
3 an accident in Clifton. They waited
4 forty-five minutes for a cop to come, you
5 know. Are we ready to deplete our
6 services to that ordeal?

7 MAYOR COCCHIOLA: No.

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

15 COMMISSIONER EVANS: Sure. So, then
16 it leads into -- you know, and obviously,
17 I raise that point because if we're going
18 to try to go to, you know, something less
19 than 441, that's over two million
20 dollars. There's nothing -- I can't look
21 at what's in the O & E, and say we can
22 find two million dollars in there, cause
23 we already, you know, eliminated pretty
24 much everything that could come from
25 that. What's driving the increase in the

1 base is a loss of revenue, loss of aid,
2 and the increased costs of personnel,
3 health care and pensions.

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

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

1 put that on that table as a point of
2 discussion.

3 UNIDENTIFIED COMMISSIONER:

4 Absolutely.

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

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

15 COMMISSIONER EVANS: So --

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

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

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

24 UNIDENTIFIED COMMISSIONER: We also
25 have to remember that the part -- part of

1 those kind of activities is what makes
2 our town the town.

3 COMMISSIONER TUCCI: That's right.

4 COMMISSIONER EVANS: That's right.

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

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

21 COMMISSIONER TUCCI: Well, we're
22 doing the same thing with the summer
23 concerts. I mean, typically we spend
24 between 15 to 25,000 dollars. I mean,
25 this year we're not looking to spend that

1 money. Maybe, we're going to do a talent
2 show. Maybe we're going to get local
3 groups or local singers to come and
4 entertain us, or come up with something
5 different. So, I mean, again, these are
6 things that we need to -- I mean, while
7 we've been working together in different
8 areas, I mean, depending on what the
9 activity is, I think we need to double-
10 down and --

11 COMMISSIONER EVANS: Reconcentrate.

12 COMMISSIONER TUCCI: --
13 reconcentrate our efforts on doing, you
14 know, even more than we've done, and see
15 where we wind up, but after we chip away
16 every little bit that we can chip away, I
17 think at that point, we have the
18 discussion about personnel, but.

19 COMMISSIONER EVANS: And I agree
20 with you, that we have to make the right
21 decisions, because of the town and who we
22 are, right? To keep the town safe; to
23 provide for the services that we need to
24 provide. And if at the end of the day,
25 whatever that number is, I want feel

1 confident that I can stand up and face
2 any taxpayer and be able to explain to
3 him why this is the right thing to do.

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

8 COMMISSIONER EVANS: Yeah.

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

11 UNIDENTIFIED COMMISSIONER: That's
12 it.

13 COMMISSIONER EVANS: So, Mayor, to
14 your point, you know, just to get -- to
15 keep it in perspective, in order to
16 reduce the tax rate by one penny, we need
17 to eliminate 373,000 dollars worth of
18 costs. And if we do that, it lowers
19 taxes annually thirty-seven dollars, or
20 roughly, ten dollars a quarter. So, when
21 you think about it, you know, to make a
22 taxpayer feel, like, you know, we're
23 controlling this. The numbers get large
24 very quickly, and to have a very nominal
25 effect to an individual taxpayer. So,

1 just again, it's part of that
2 consideration. And I share the -- this
3 is a lot of people here that -- I think
4 it's important to understand what are the
5 challenges.

6 COMMISSIONER TUCCI: Um-hum. Okay,
7 well.

8 COMMISSIONER EVANSe So, I think
9 there -- at this point, we need to
10 introduce a budget by March 31st. And, I
11 think we're scheduled to introduce on
12 Tuesday --

13 UNIDENTIFIED COMMISSIONER: Next
14 Tuesday.

15 COMMISSIONER EVANS: -- 30th.
16 Right. So, whatever adjustments you're
17 going to make, or you feel as though
18 you're going to make, we're going to have
19 to process those, and I suspect have some
20 conversation, you know, before we
21 introduce. Once we introduce, we still
22 have the ability to modify, but by
23 statute, we have to hit that date for an
24 introduction. So, we can introduce and
25 again we'll --

1 UNIDENTIFIED COMMISSIONER: We'll
2 still sit down? How much time do we have
3 after that, Tom?

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

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

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

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

21 MAYOR COCCHIOLA: No.

22 COMMISSIONER TUCCI: Because, I know
23 in the past, you know, if we still had
24 some work to do, we could delay that a
25 bit.

1 COMMISSIONER EVANS: No, no, no.

2 UNIDENTIFIED SPEAKER: No, the March
3 31st date was their extension.

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

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

13 COMMISSIONER EVANS: Yeah, yeah.

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

17 UNIDENTIFIED COMMISSIONER: I heard
18 something like that.

19 COMMISSIONER EVANS: Yes, I --

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

22 COMMISSIONER EVANS: Right, yeah.
23 The other thing is, is that, so far, I
24 haven't heard any change, that -- and
25 there's been no change in those

1 conversations, but under the levy
2 exceptions, you know, that there's a
3 vehicle that if you can't hit the levy,
4 maximum we could apply for exception to
5 the comptroller's office. We're still
6 being told that there are no exceptions,
7 so, we don't have that available to us.

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

11 COMMISSIONER EVANS: Yeah.

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

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

20 UNIDENTIFIED COMMISSIONER: Next
21 Friday?

22 UNIDENTIFIED SPEAKER: This Friday.

23 COMMISSIONER EVANS: This coming
24 Friday.

25 UNIDENTIFIED COMMISSIONER: Wow.

1 COMMISSIONER EVANS: Good try.

2 UNIDENTIFIED COMMISSIONER:

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

8 COMMISSIONER EVANS: 500 --

9 UNIDENTIFIED COMMISSIONER: 582,000
10 dollars.

11 COMMISSIONER EVANS: -- 82,000
12 dollars. It's for police and fire, it's
13 492,000 --

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

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

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

21 COMMISSIONER EVANS: Right.

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

25 COMMISSIONER EVANS: It's the

1 increase in our contribution to the state
2 pension, as provided to us by the state.

3 UNIDENTIFIED COMMISSIONER: So, how
4 much has that --

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

8 UNIDENTIFIED COMMISSIONER: Right.

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

13 UNIDENTIFIED COMMISSIONER: Right.

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

17 UNIDENTIFIED COMMISSIONER: Right.

18 COMMISSIONER EVANS: So, with the
19 returns being as low as they are, right
20 now, there's -- actuarially, they make a
21 new determination of what the
22 contribution should be. Now, it's the
23 municipal portion of what the
24 contribution is to the pension; it's not
25 the state piece. The state has a piece

1 that they're supposed to be putting in
2 each year. And, now, my understanding is
3 they're not going --

4 MAYOR COCCHIOLA: Which they're
5 deferring.

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

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

12 COMMISSIONER EVANS: That's correct.

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

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

20 UNIDENTIFIED COMMISSIONER: Thank
21 you.

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

24 COMMISSIONER EVANS: Yeah, it's in
25 my budget. Of course, why couldn't we

1 have it on the same line item?

2 UNIDENTIFIED SPEAKER: Because it's
3 inside the outside.

4 COMMISSIONER EVANS: Okay. So, the
5 police and fire pension, annual pension
6 right now is up to 2,825,000 dollars.
7 And that's an increase from 1,836,000.
8 So, it's been a twenty-six percent
9 increase.

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

13 COMMISSIONER EVANS: No. No.

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

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

1 are lower.

2 UNIDENTIFIED COMMISSIONER: Right.

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

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

16 UNIDENTIFIED SPEAKER: No, no.

17 COMMISSIONER EVANS: Just our piece.

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

22 UNIDENTIFIED COMMISSIONER: What was
23 that number, please?

24 UNIDENTIFIED SPEAKER: 8.5. That's
25 the --

1 COMMISSIONER EVANS: And that would
2 be changed by statute, right?

3 UNIDENTIFIED SPEAKER: By statute.

4 COMMISSIONER EVANS: At the state
5 level.

6 UNIDENTIFIED SPEAKER: Yeah.

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

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

14 UNIDENTIFIED COMMISSIONER: That's
15 what they pay, the 8,5.

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

19 UNIDENTIFIED SPEAKER: Yes.

20 COMMISSIONER EVANS: Correct.

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

24 COMMISSIONER EVANS: No.

25 UNIDENTIFIED SPEAKER: No.

1 MAYOR COCCHIOLA: Did you --

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

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

8 COMMISSIONER EVANS: Right.

9 UNIDENTIFIED COMMISSIONER: That's a
10 hefty --

11 COMMISSIONER EVANS: Yeah. Yeah.
12 No, it's a --

13 UNIDENTIFIED COMMISSIONER: That's a
14 hefty amount.

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

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

25 COMMISSIONER EVANS: No, that's --

1 it's just the number. It's calculated
2 actuarially, and the contributions paid
3 by the municipality. I haven't looked at
4 the absolute calculations, so, but it's
5 done already.

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

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

11 UNIDENTIFIED SPEAKER: It's our
12 portion.

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

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

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

24 COMMISSIONER EVANS: We can't.

25 UNIDENTIFIED SPEAKER: At all. They

1 removed that option. It was only
2 available last year.

3 COMMISSIONER EVANS: Right.

4 UNIDENTIFIED COMMISSIONER: That's
5 out.

6 COMMISSIONER EVANS: That's out.
7 And what happened last year for those
8 that took advantage of it, they were able
9 to reduce their funding by fifty percent,
10 but in -- but by delaying that
11 contribution, they actually had an
12 interest charge. And, so, you know, if
13 you looked at the three-year spread of
14 not paying that, they were going to
15 actually pay more. So, it was just
16 (indiscernible).

17 MAYOR COCCHIOLA: As a bandaid, and
18 that -- yeah.

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

25 UNIDENTIFIED COMMISSIONER: It's

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

5 COMMISSIONER EVANS: Sure.

6 UNIDENTIFIED COMMISSIONER: You
7 know, that -- I mean, who do -- which
8 choir to preach to about that? You know,
9 582,000 dollars is a substantial amount
10 of money to have to come up with.

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

23 In terms of the cut, when we think
24 of the significance of these cuts, there
25 was eight or nine criteria. Nutley was

1 classified under the criteria that said
2 low rate, low income, and our cut in
3 state aid was 17.45 percent. So, when
4 you think about it, low rate, low income,
5 we still lost seventeen percent. So,
6 when you think of the magnitude of the
7 problem, that the state's trying to
8 solve, it's a big number for us. I'm
9 just glad we're not some of the other
10 towns.

11 UNIDENTIFIED COMMISSIONER: That
12 lost everything.

13 COMMISSIONER EVANS: That -- you
14 know, Passaic lost five million. And,
15 you know, other towns lost, you know,
16 there aid entirely. Now, on an
17 affordability scale, they're probably
18 better equipped to absorb that, and maybe
19 they shouldn't have been getting it to
20 begin with, but I don't -- there hasn't
21 been any window. Now, what I did
22 negotiate is the ability, and I'm
23 pressing very hard, to sit down with the
24 DCA and the governor's office to continue
25 to push, you know, with all of us, to the

1 push to explain why Nutley isn't being
2 treated fairly.

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

18 UNIDENTIFIED COMMISSIONER: Sure.

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

25 MAYOR COCCHIOLA: The problem is

1 that 565 other municipalities have some
2 other --

3 UNIDENTIFIED COMMISSIONER: Right.

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

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

1 but we have to state it.

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

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

8 UNIDENTIFIED COMMISSIONER: I can't
9 hear you.

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

12 UNIDENTIFIED COMMISSIONER: Yeah,
13 and that helps us.

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

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

22 COMMISSIONER EVANS: No.

23 MAYOR COCCHIOLA: Or next year.

24 COMMISSIONER EVANS: No. I think
25 any adjustment in state aid to really

1 level it out, realistically, is two years
2 away. Just because, if you think about
3 it, we're going to fight and get more
4 people to testify to fight to get it on
5 the state agenda. They're going to have
6 to do a committee review to look at the
7 calculation. Right? And Mauro, you know
8 this better than I do, and then a year
9 from now, right? They'll put up a
10 resolution, a statutory amendment to
11 change the aid formulas. And then that
12 will affect, you know, 2013, at the
13 earliest.

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

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

22 COMMISSIONER EVANS: Yeah. It's my
23 hope that we'll be able to substantially
24 offset the increase at the county level
25 that we did last year. We -- by lowering

1 assessed values last year, we did it on
2 1,700 homes, we wiped out an eighty
3 dollar increase. All right? That we,
4 you know, permanently have eliminated.
5 We're looking at roughly a hundred dollar
6 increase right now from the county. We
7 adjusted our fair values again, because
8 we said we would keep doing that, and
9 other towns didn't do it. So, given the
10 county formula, which is based on
11 assessed value, Nutley should benefit
12 from not having to pay (indiscernible).
13 We just -- we're always talking -- we
14 talk about this, you know, for months.
15 We're doing everything we can to manage
16 the rising costs from every source we can
17 possibly manage.

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

20 UNIDENTIFIED COMMISSIONER: Thanks
21 for saving that (indiscernible)

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

25 COMMISSIONER EVANS: Yeah, yeah.

1 UNIDENTIFIED COMMISSIONER: And
2 we'll see where we are, Friday.

3 COMMISSIONER TUCCI: -- till we meet
4 again.

5 MAYOR COCCHIOLA: Do it again.
6 We'll do it again.

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

10 MAYOR COCCHIOLA: Let's go do this.

11 UNIDENTIFIED COMMISSIONER: Go
12 outside?

13 MAYOR COCCHIOLA: Yeah.

14 (Off the record from 7:42 p.m.e-7:44 p.m.e)

15 (Audio occasionally fades out and words
16 are indiscernible, 7:44 p.m.e-7:57 p.m.e)

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

20 (Pledge of Allegiance declared)e

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

24 Whereas, the "Work First New Jersey"
25 Legislation provides options as to the

1 administration of the General Assistance
2 program. And, whereas, the said
3 legislation allows each municipality to
4 continue to administer and fund
5 administration of the General Assistance
6 program in the present manner, or
7 transfer administration of the program
8 and the cost of administration to the
9 County Welfare Agency. And, whereas, the
10 Mayor and Director of Public Affairs has
11 considered the option to transfer the
12 administration of the General Assistance
13 program to the County of Essex.

14 Therefore, be it resolved, that the
15 Board of Commissioners of the Township of
16 Nutley, County of Essex, determines it is
17 in the public interest to transfer the
18 administration of the General Assistance
19 program to the county, for the following
20 reasons: 1. Under the Work First New
21 Jersey program, our clients will receive
22 consolidated services, meaning that they
23 can apply for food stamps, medical
24 benefits and general assistance all in
25 one place; 2. The Department of Public

1 Affairs will continue to counsel, provide
2 social services and make referrals on
3 behalf of the residents of Nutley who may
4 be in need; 3. The Township will achieve
5 a reduction of administrative costs as a
6 result of this initiative; and, other
7 municipalities who have consolidated with
8 the county have expressed satisfaction
9 with the county's -- delivery. I move
10 the resolution.

11 COMMISSIONER TUCCI: Second.

12 MADAM CLERK: -- Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: -- Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: -- Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Mayor Cocchiola?

21 MAYOR COCCHIOLA: Aye.

22 Whereas, an application has been
23 received from Nutley Unico for an on-
24 premise 50/50 cash raffle to be held on
25 April 11, 2010. Whereas, the application

1 has been reviewed and approved by the
2 Municipal Clerk and Police Department.

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

10 COMMISSIONER TUCCI: Second.

11 MADAM CLERK: Commissioner
12 Scarpelli?

13 COMMISSIONER SCARPELLI: Aye.

14 MADAM CLERK: Commissioner Petracco?

15 COMMISSIONER PETRACCO: Aye.

16 MADAM CLERK: Commissioner Evans?

17 COMMISSIONER EVANS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Aye.

20 MADAM CLERK: Mayor Cocchiola?

21 MAYOR COCCHIOLA: Aye.

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

25 MADAM CLERK: "Dear Board of

1 Commissioners. This is from the Sunday
2 raffle for the Nutley Unico. "The Nutley
3 Unico, Inc. requests permission to hold a
4 raffle on Sunday, April 11th, 2010.
5 Thank you for your consideration. Nutley
6 Unico." Motion.

7 UNIDENTIFIED COMMISSIONER: Motion.

8 UNIDENTIFIED COMMISSIONER: Second.

9 MADAM CLERK: Commissioner
10 Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Commissioner Tucci?

17 COMMISSIONER TUCCI: Aye.

18 MADAM CLERK: Mayor Cocchiola?

19 MAYOR COCCHIOLA: Aye.

20 MADAM CLERK: Thank you.

21 MAYOR COCCHIOLA: Now, that
22 concludes the regular business portion of
23 the meeting this evening. I will open
24 the meeting for public comment if anyone
25 would like to address the Board. For

1 anyone that would like to address the
2 Board this evening? Well, come up Dr.
3 Van Roth (ph.e).

4 DR. VAN ROTH: I listened to the
5 meeting, and I thank you for the
6 speculations. It's like us working with
7 HMOs. The concern -- how many people pay
8 taxes in town? Numbers, households?
9 Give me a round number. I think it was
10 325; that's the average. Is that what
11 you use for your tax base?

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

15 COMMISSIONER EVANS: Yeah. The
16 number of households is between 9 and
17 10,000. I can give you -- I don't know
18 the exact --

19 DR. VAN ROTH: No, you gave us
20 credit that there are eighteen percent
21 senior citizens. A lot of people are
22 paying their taxes. What percentage are
23 back taxes? Is there some way we could
24 regress, and get some of that out,
25 instead of taking away from -- cutting

1 our fireworks, or our firemen, or
2 policemen, or whatever we're doing?

3 COMMISSIONER EVANS: In terms of
4 back taxes, right now, we don't have many
5 taxpayers who are delinquent on paying
6 their taxes. And if they are, we
7 generally go through a tax sale, every
8 November, to sell those rights off. But,
9 generally, that's a very small number.
10 For the last few years, it's been
11 somewhere between 50 and 80,000 dollars.

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

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

24 DR. VAN ROTH: 750, but you
25 mentioned we have a forum -- every budget

1 has, like a, slush fund, you know, the
2 money underneath, or someplace they pay
3 their budgets. Is that the four million
4 you were referring to?

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

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

21 COMMISSIONER EVANS: Yup.

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

24 COMMISSIONER EVANS: No. We don't
25 have that flexibility. My budget itself

1 has a contingency line item in it, and
2 it's 50,000 dollars.

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

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

25 DR. VAN ROTH: Thanks.

1 MAYOR COCCHIOLA: Thank you, Dr. Van
2 Roth. Is there anyone else that would
3 like to address the Board this evening?

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

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

17 MAYOR COCCHIOLA: 5.5.

18 COMMISSIONER TUCCI: It's
19 significantly more. Absolutely.

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

23 Second one, is to honorable Mayor.
24 There's no doubt in my mind as you ride
25 down Franklin Avenue at Christmas time,

1 the Oval looks absolutely stunning, okay?
2 But here's just a suggestion for a cost
3 reduction, and not hurt the quality of
4 life for the Township of Nutley. As I
5 drive around in the state, and to me, the
6 main focal point of the town is the Town
7 Hall. And we have a beautiful
8 architectural building. Okay? That
9 massive tree has been recently taken down
10 in front of the Town Hall.

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

23 My other suggestion is that when you
24 close Franklin Avenue down, where the
25 Christmas Festival there, it kind of

1 disrupts the traffic. So, if you did the
2 main display in front of the Town Hall,
3 and put the menorah and the nativity and
4 decorate those flowers and plums in the
5 back, and close down from Franklin Ave to
6 Park Drive that would not disrupt
7 Franklin Avenue; you could put all the
8 fire rigs on Warren Street as we do on
9 Fourth of July, and you could have all
10 your concerts, and whatever other
11 festivities you have in front of the Town
12 Hall. I think that would save the town
13 some money towards the budget, and would
14 save a lot of work.

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

25 UNIDENTIFIED SPEAKER: Thank you.

1 MAYOR COCCHIOLA: Also, so you know,
2 for the civic events, we've begun
3 soliciting outside, like, for the fire
4 works. We've sent out letters to the
5 banks and everybody, asking for donations
6 to offset the costs of the events, too.
7 We're trying.

8 -- anyone else that would like --

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

16 MAYOR COCCHIOLA: It's published in
17 the newspaper. Isn't it? In its
18 entirety? It's published in the
19 newspaper.

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

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

25 MAYOR COCCHIOLA: I don't see why we

1 couldn't.

2 COMMISSIONER EVANS: Yeah, we'll
3 look at it. Yeah.

4 MAYOR COCCHIOLA: I don't see why we
5 couldn't.

6 MS. JONES: And it's very easily
7 accessible. Nobody has to troop down to
8 pick up copy.

9 COMMISSIONER EVANS: Absolutely.

10 MS. JONES: Thank you.

11 MAYOR COCCHIOLA: Anyone else?
12 Okay, this meeting will not be adjourned;
13 it will be continued to March 30th, at 7
14 o'clock p.m. I'm sorry -- is there
15 somebody else?

16 COMMISSIONER EVANS: Yeah, Michael,
17 are you going to go?

18 MAYOR COCCHIOLA: You sure?

19 COMMISSIONER EVANS: You're getting
20 up; I just want to make sure.

21 MAYOR COCCHIOLA: Okay. Right now,
22 I'll entertain a motion to move into --

23 UNIDENTIFIED COMMISSIONER: So
24 moved.

25 UNIDENTIFIED COMMISSIONER: Second.

1 MADAM CLERK: -- Scarpelli?

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Mayor Cocchiola?

10 MAYOR COCCHIOLA: Aye. And Mr.

11 Harkins that is to discuss --

12 MR. HARKINS: Personnel.

13 MAYOR COCCHIOLA: Personnel.

14 MAYOR COCCHIOLA: Thank you.

15 MADAM CLERK: Whereas the Board of
16 Commissioners of the Township of Nutley,
17 in the County of Essex, and State of New
18 Jersey desires to proceed to closed
19 executive session.

20 And, now, therefore, be it resolved
21 by the Board of Commissioners of the
22 Township of Nutley that the Township
23 Commission shall now move into closed
24 executive session to discuss personnel.

25 Be it further resolved, that the

1 time when such discussions may be
2 disclosed to the public shall be when and
3 as such disclosure may be without
4 adversely affecting the Township of
5 Nutley pending and/or anticipated legal,
6 personnel, contractual matters and other
7 matters within the exceptions provided
8 for by statute.

9 (End of audio)

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

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

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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

ORIGINAL

)
PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS:
)

March 30, 2010

7:08
~~6:08~~ p.m.

BEFORE:

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

- Township Clerk Rosario

Job No. NJ258332

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

6 COMMISSIONER EVANS: Yup.

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

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

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

22 COMMISSIONER EVANS: Yes.

23 MAYOR COCCHIOLA: Okay.

24 COMMISSIONER EVANS: Basically, what
25 I wanted to share with you is all of the

1 adjustments that you've given to me so
2 far has helped us get very close to
3 meeting our cap requirements, both for
4 the levy, as well as the appropriation
5 cap. So, I think, we're moving in the
6 right direction. What I wanted to share
7 with you, though, is, I think, we're
8 going to get through, based on what
9 you've done so far, I think we'll get
10 through this budget cycle.

11 My concern overall is one of the
12 environment we're going into, and the
13 fact that the governor is talking about
14 reducing our cap to two and a half
15 percent next year. I think, we need to
16 think about our budget in terms of not
17 just a single year, a short term. We
18 have to actually look and plan for this
19 year's budgets -- next year's budget
20 starting now. So, as soon as we lock
21 this, I think we have to continue our
22 conversations about what we're going to
23 do about the next step, because the
24 reality is, is that the cuts that we've
25 made so far to get here, overall, well,

1 we're taking advantage of the fact that
2 just some retirements are coming along.
3 We know that there are other retirements
4 coming along. We're not replacing
5 positions. And some of the cuts we've
6 made, I think are sustainable for the
7 short term, but not sustainable for the
8 longer term. All right?

9 The challenge is, is that in the
10 environment we're going into, with a
11 lower cap requirement, it says, like for
12 example, this year with allowable
13 exceptions, we're allowed to increase our
14 budget by two and half million dollars
15 this year. So, if the governor goes to
16 what he's suggesting he's going to go to,
17 which is sort of a two and a half
18 percent, that's it, no exceptions, you
19 know, straight forward plan. The
20 allowable increase next year would be
21 900 -- just about a million dollars. So
22 it would be -- the allowable increase
23 would be one and a half million dollars
24 lower than what it is this year. And if
25 he cuts state aid, you know, further,

1 makes further adjustments, given what
2 he's facing, you know, our challenge
3 becomes much more onerous in that next
4 cycle.

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

19 So, we have to look at capital
20 management, cash flow management, you
21 know, bond service management, all those
22 things to manage the health of the town,
23 as well as appropriation cap management
24 and now a lower cap levy, and manage our
25 way through that. So, the financial

1 aspects of managing through this are
2 becoming increasingly more complex, and
3 so, we're going to have to manage our way
4 through that.

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

20 The other thing I wanted to share
21 which is, I think, important for part of
22 our planning is that -- two things: one,
23 we completed the revaluation -- wrong
24 word, reassessment of our -- another
25 management -- assessed value maintenance

1 management and stuff like that, by
2 lowering assessed values. One of the
3 benefits we have this year is that there
4 is a shift that occurred from residential
5 taxpayers to nonresidential taxpayers.
6 And, so, that in and of itself is -- has
7 moderated the increase, the proposed
8 increase, that will affect a residential
9 taxpayer. It's lower. We were talking
10 about some larger numbers that were
11 more -- that were larger.

12 We did not take into consideration,
13 the fact that because of the reval, it
14 was -- actually reassessed our baseline,
15 and actually established a new baseline
16 versus an increase above or below the
17 last baseline. So, some of, I think, the
18 earlier numbers needed to be, you know,
19 fine tuned. And, so, they're much lower
20 right now. So, right now we're looking
21 at a proposed increase at the municipal
22 level for an average house assessed at
23 350,000 dollars, residential piece,
24 basically 150 dollars per household. So,
25 I think that's an extraordinary number --

1 MAYOR COCCHIOLA: Good job,
2 everybody.

3 COMMISSIONER EVANS: Extraordinary
4 management.

5 UNIDENTIFIED COMMISSIONER: It's a
6 big difference.

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

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

25 Where you look at it, and you say,

1 okay, we can be -- smile, that it's about
2 150 bucks, but it really, when you step
3 back is the average tax to a household in
4 Nutley is almost 9,000 dollars on average
5 per household. So, somebody who has a
6 house that's assessed at 350,000 is
7 actually paying close to 10,000 dollars a
8 year in property tax.

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

23 COMMISSIONER TUCCI: And don't leave
24 yourself out, either. I mean, this was
25 pretty much a team effort --

1 COMMISSIONER EVANS: Yeah, we all
2 do.

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

9 COMMISSIONER EVANS: Right.

10 MAYOR COCCHIOLA: Agreed.

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

14 COMMISSIONER EVANS: Absolutely.

15 COMMISSIONER TUCCI: So, I thank
16 everyone for that.

17 COMMISSIONER EVANS: Yeah. Good
18 team work.

19 MAYOR COCCHIOLA: Good job.

20 COMMISSIONER EVANS: Good team work,
21 okay?

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

25 COMMISSIONER EVANS: I think, you

1 know, what we have to talk about in
2 executive, it should take a little while,
3 so, we should --

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

6 COMMISSIONER TUCCI: Do public.
7 (Off the record from 6:17 p.m. to 6:18 p.m.)
8 (Audio occasionally fades out and words
9 are indiscernible, 6:18 p.m. to 6:21 p.m.)

10 MAYOR COCCHIOLA: I'd like to open
11 up the meeting with a flag salute.
12 Please join us.

13 (Pledge of Allegiance declared.)

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

19 (Resolution not heard.)

20 COMMISSIONER SCARPELLI: Second.

21 MADAM CLERK: Commissioner
22 Scarpelli?

23 COMMISSIONER SCARPELLI: Aye.

24 MADAM CLERK: Commissioner Petracco?

25 COMMISSIONER PETRACCO: Aye.

1 MADAM CLERK: Commissioner Evans?

2 COMMISSIONER EVANS: Aye.

3 MADAM CLERK: Commissioner Tucci?

4 COMMISSIONER TUCCI: Aye.

5 MADAM CLERK: Mayor Cocchiola?

6 MAYOR COCCHIOLA: Aye.

7 Commissioner Evans?

8 COMMISSIONER PETRACCO:

9 Congratulations, Chief.

10 MAYOR COCCHIOLA: Yes,

11 congratulations again.

12 COMMISSIONER EVANS: Whereas, St.

13 Mary's Church has submitted an

14 application to the Code Enforcement

15 Department for renovations to the second

16 floor room of the parish center located

17 at 145 St. Mary's Place. And, whereas,

18 the Township of Nutley has offered to

19 refund the municipal permit fees in the

20 amount of 784 dollars involved with the

21 renovations of the second floor room of

22 the parish center.

23 Now, therefore, be it resolved, by

24 the Board of the Commissioners of the

25 Township of Nutley, County of Essex,

1 State of New Jersey that the municipal
2 permits in the amount of 784 dollars
3 related to the renovations of the second
4 floor room of the parish center at St.
5 Mary's Church are to be refunded. So
6 moved.

7 COMMISSIONER TUCCI: Second.

8 MADAM CLERK: Commissioner
9 Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Mayor Cocchiola?

18 MAYOR COCCHIOLA: Aye.

19 That concludes all the business that
20 we have this evening.

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

23 There is no one.

24 Then, I need a motion for us to move
25 into executive session.

1 UNIDENTIFIED COMMISSIONER: Move it.

2 UNIDENTIFIED COMMISSIONER: Second.

3 MADAM CLERK: Commissioner

4 Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Aye.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Mayor Cocchiola?

13 MAYOR COCCHIOLA: Aye.

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

18 And, therefore, be it resolved by
19 the Board of the Township of Nutley that
20 the Commission shall move into executive
21 sessione

22 Be it further resolved, that when
23 such discussions may be disclosed to the
24 public shall be when and as such
25 disclosure may be without adversely

1 affecting the Township of Nutley.

2 Going into executive session for
3 personnel matters.

4 (End of audio)

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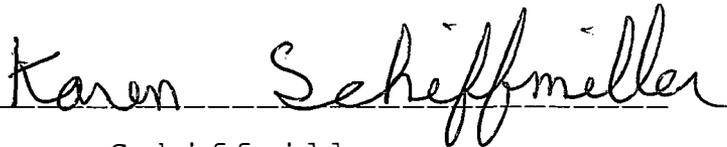
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C E R T I F I C A T I O N

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

March 30, 2010 continued meeting of March 23, 2010.

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