Board of Commissioners
Public Meeting
Township of Nutley
New Jersey
Monday, April 20, 2009
7:00 pm

BEFORE:

COMMISSIONER SCARPELLI
COMMISSIONER PETRACCO
COMMISSIONER EVANS
COMMISSIONER TUCCI
MAYOR COCCHIOLA

Job No: 200672
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MS. CLERK: Pursuant to the requirements of the Open Public Meeting Law, Chapter 231, Public Laws 1975, notice of this meeting was published in the January 8, 2009 issues of the Nutley Sun, the Journal, the Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

Commissioner Scarpelli?

MR. SCARPELLI: Here.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Here.

MS. CLERK: Commissioner Evans?

MR. EVANS: Here.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Here.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Here.

MS. CLERK: All present, Mayor.

MAYOR COCCHIOLA: Sorry about that. We have no minutes or correspondence to read into the record this evening.
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Commissioner Scarpelli, do you have a report this evening?

MR. SCARPELLI: I have various reports for February and March 2009, Mayor. That's all I have.

MAYOR COCCHIOLA: Thank you. We have one item, also, that was not on the agenda. That's the introduction of an ordinance by Commissioner Evans.

MR. EVANS: Thank you, Mayor. An ordinance which I'll read by its title, number 3010. This is an amending ordinance of our capital plan for 2008, bond ordinance, amending a bond ordinance providing for various capital improvements in the Township of Nutley in the County of Essex, New Jersey.

Specifically, it relates to a change in label. There's no change in the amount of capital that was authorized for last year to line item H, which reads: "Purchase of trucks," currently to be revised to read: "Purchase of trucks, purchase and refurbish of vehicles and..."
equipment," as well, and the amount will be split.

I move that this ordinance be passed to a second reading and be advertised in the Nutley Sun together with the notice required by law, and that further consideration of said ordinance for final passage by the board of commissioners be held at its second reading on May 19, 2009. So moved.

MR. SPEAKER: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

Commissioner Tucci, I think we have some special guests here this evening, so why don't we take some items out of --
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I'm sorry?

MR. TUCCI: Do you want to do that or do you want to do bills?

MAYOR COCCHIOLA: It would probably make some sense. Well, I was just getting to that. We're going to do some bills now. Madam Clerk?

MS. CLERK: Yes, Mayor. Tuesday April 20, 2009. Public affairs, $525,106.53; Revenue and finance, $7,257,049.82; Public safety, $40,557.64; Public works, $42,026.69; Parks and public property, $381,656.67; Payroll as of April 17th, $732,46.97; for a grand total bill list of $8,978,874.32. And that's all for bills, Mayor.

MR. EVANS: Move the bills.

MR. TUCCI: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.
MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye.

MS. CLERK: Thank you, Mayor.

MAYOR COCCHIOLA: Thank you. And now, Commissioner Tucci, we can honor our special guests.

MR. TUCCI: Thank you, Mayor. You know, over the years we honor and we congratulate many of our young athletes and our scholars and others that do outstanding things and represent the Township of Nutley in a manner and in a fashion that not only makes us proud but translates to all the towns around us, what this town is about and what the people in this town are about.

And this evening we are doing that once again. And we have a group that we are honoring that I believe is second to none. They have excelled and they've represented this Township in a way that's pretty much unsurpassed. There are
several folks, and they're all involved with our wrestling program at the high school. And they just did an outstanding job. There's not enough I can say about the individuals that actually won the matches and the coaches.

So we'll let the resolutions speak for themselves. And when you hear the statistics, I think you'll be just as impressed and just as proud as I am. What I'd like to do is I want to read them all, and then we'll call up all the honorees this evening for a photograph.

The first one reads as follows:

Whereas Samuel Souza is a resident of the Township of Nutley and a freshman at Nutley High School; and whereas on Saturday, February 28, 2009, Sam recorded his twenty-ninth career victory at the Regional 4 tournament, where he took third place, qualifying him for the High School State Championships;

And whereas Samuel Souza, a product of the Nutley Recreation Wrestling
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Program, broke the Nutley High School freshman record with twenty-nine wins in a season; and whereas Samuel's victories include fifth place in the Essex County Tournament, third place in the District 14 Tournament, and third place in the Regional 4 Tournament;

And whereas Nutley High School Wrestling Coach, Frank DiPiano, along with Assistant Coach, Anthony Montes and Assistant Coach Joe Dwyer have worked tirelessly to train and guide Samuel toward these victories.

Now therefore, be it resolved that the board of commissioners of the Township of Nutley in the County of Essex, joins with the citizens of Nutley to honor and congratulate Samuel Souza for his outstanding success.

I move the resolution.

MR. EVANS: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?
MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye.

MR. TUCCI: Whereas Anthony Damico is a resident of the Township of Nutley and a senior at Nutley High School; and whereas, on Friday, March 6, 2009, Anthony recorded his 125th career victory at the High School State Championships held in Atlantic City, breaking the Nutley High School record for wins; and whereas on March 7, Anthony, a product of the Nutley Recreation Wrestling Program, again, set a new mark when he scored his 126th win

And whereas Anthony's victories include first place in the Essex County Tournament, first place in the District 14 Tournament, first place in the Regional 4 Tournament; and eighth place
in the State Championship Tournament;

And whereas Nutley High School Wrestling Coach, Frank DiPiano, along with Assistant Coach, Anthony Montes and Assistant Coach Joe Dwyer have worked tirelessly to train and guide Anthony toward these victories.

Now therefore, be it resolved that the board of commissioners of the Township of Nutley in the County of Essex, join with the citizens of Nutley to honor and congratulate Anthony Damico for this outstanding success.

I move the resolution.

MR. EVANS: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?
MAYOR COCCHIOLA: Aye.

MR. TUCCI: Whereas Vincent Maurillo is a resident of the Township of Nutley and a senior at Nutley High School; and whereas Vincent record his one hundredth career victory at the Regional 4 Tournament, where he took first place on Saturday, February 28, 2009;

And whereas Vincent Maruillo's victories in his weight class include first place in the Essex County Tournament, first place in the District 14 Tournament, first place in the Region 4 Tournament; and eighth place in the State Championship Tournament;

And whereas Nutley High School Wrestling Coach, again, Frank DiPiano, with Assistant Coach, Anthony Montes and Assistant Coach Joe Dwyer have worked tirelessly to train and guide Vincent toward these victories.

Now therefore, be it resolved that the board of commissioners of the Township of Nutley in the County of
Essex, join with the citizens of Nutley
to honor and congratulate Vincent
Maurillo for this outstanding success.

I move the resolution.

MR. EVANS: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye.

MR. TUCCI: Now we get around to

coaches.

Whereas Frank DiPiano is a lifelong
resident of the Township of Nutley; and
whereas Mr. DiPiano has been a teacher at
Nutley High School for the past three
years and Head Coach of the Nutley High
School Wrestling Team for the past two
years.
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And Whereas coach DiPiano's first year record was 6-18, and this season's record was 14-9; his record Head Coach is 20-27; and whereas Nutley High School Head Wrestling Coach, Frank DiPiano has been honored by being named District 14 Coach of the Year.

Now therefore, be it resolved that the board of commissioners of the Township of Nutley in the County of Essex, join with the citizens of Nutley to honor and congratulate Coach Frank DiPiano for his outstanding achievement.

I move the resolution.

MR. EVANS: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?
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MAYOR COCCHIOLA: Aye.

MR. TUCCI: Whereas Anthony Montes is a resident of the Nutley and graduated from Nutley High School in 2002; and whereas Mr. Montes has returned to Nutley High School this year as Assistant Coach for the Wrestling Team.

And whereas Anthony Montes has been named the District 14 Assistant Coach of the Year.

Now therefore, be it resolved that the board of commissioners of the Township of Nutley in the County of Essex, join with the citizens of Nutley to honor and congratulate Coach Montes for his outstanding success.

I move the resolution.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Before I vote yes on this, I just want to say that you should all be congratulated. I was at the Regionals. It was very exciting. And having wrestled in high school many years and a couple pounds ago, I know the
dedication that it takes. So you should all be congratulated. And coaches, you're congratulated also. So I vote yes.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: I too, just would like to say congratulations. I know the dedication that goes into it. My son actually started wrestling this year, and these guys are always around donating their time, and you know, spending money on gear and stuff. So I'd just like to vote yes and say congratulations also.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye.

Congratulations to all of you. Thank you.

MR. TUCCI: Superb job.

(Applause)

(Pause for photograph)
MAYOR COCCHIOLA: Thanks again to all the parents who came this evening as well. We'll return to our normal agenda. And Commissioner Petracco, that means you can read your resolution.

MR. PETRACCO: Okay. Thank you, Mayor.

Be it resolved by the Township of Nutley in the County of Essex, New Jersey, that the following be appointed as volunteers to the Nutley Fire Department, effective immediately: Dean L. Bozza, Scott C. Bellucci, and Henry Meola.

I move this resolution.

MR. SCARPELLI: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?
MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye.

MR. PETRACCO: That's all I have, Mayor.

MAYOR COCCHIOLA: Thank you, Commissioner Evans?

MR. EVANS: Thank you, Mayor.

Excuse me. Be it resolved by the board of commissioners of the Township of Nutley in the County of Essex, New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of property taxes in the amount of $10,513.11, due to successful Tax Court judgments for the said years.

Block 4001 Lot 44, $2,749.94 for 2008; Block 3905 Lot 3, 260 Washington Avenue, $822.05 for 2006; Block 9103 Lot 3, 1,907.50 for 2007; 702 Lot 10, 1,907.50 for 2007; and Block 9604 Lot 14, 3,126.12 for 2007. So moved.

MR. TUCCI: So moved.

MS. CLERK: Commissioner Scarpelli?
MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye. Commissioner Tucci, do you have one more?

MR. TUCCI: Yes, one more, Mayor.

Whereas in 1949 the legislature set aside the last Friday of April as Arbor Day to promote the planting of trees and to encourage the protection of our forests from fires and pests that destroy the beauty and usefulness of our woodlands;

And whereas half of New Jersey's total land area is forested or tree covered; and whereas trees play an important role in the ecosystem in which we live, and trees reduce the erosion of our precious topsoil caused by wind and
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water, clean the air we breathe and the
grow, produce oxygen, provide
habitat for birds and wildlife and reduce
heating and cooling costs by moderating
temperature;

And whereas trees are a renewable
resource, giving us paper for fine
literature, wood for homes, fuel for
fires and countless other wood products;
and whereas trees provide increased
property value, enhanced economic
viability, and pleasing aesthetic
qualities along streets and properties in
municipalities;

And whereas tree planting in yards
and farms, in schoolyards and parks, and
along streets and highways creates an
enduring heritage for generations that
follow;

And whereas the Township of Nutley
has completed its twenty-second year as a
member of Tree City USA; and whereas I,
Commissioner Mauro Tucci, Director of
Parks and Public Property of the Township
of Nutley, do hereby proclaim May 2, 2009 as Arbor Day in the community of Nutley and urge all citizens to support efforts to protect our trees and woodlands and to support our town's urban forestry program; and further, I urge all citizens to plant trees to gladden hearts and promote the well-being of present and future generations.

I move the resolution.

MR. EVANS: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye.

MR. TUCCI: That's all I have.

MAYOR COCCHIOLA: Whereas an application has been received from the
Nutley Family Service Bureau for an on-premise fifty-fifty cash raffle, License number 27-09 to be held on June 6, 2009; and whereas the application has been reviewed and approved by the Municipal Clerk and the Police Department.

Therefore, be it resolved by the board of commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the license is approved and the Municipal Clerk is authorized to issue the license to the Nutley Family Service Bureau.

I move the resolution.

MR. EVANS: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?
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MAYOR COCCHIOLA: Aye. And that concludes the regular business portion of our meeting. Is there any member of the public that would like to address the board?

I just want to read this statement first: All persons addressing the board of commissioners regarding community concerns should approach the microphone and provide their name and address for the record. Unless further time is granted by board, each person shall limit their address to five minutes. All remarks to the board and its individual members must be addressed to the Mayor. The Mayor may defer citizen comments to the appropriate member of the board.

Dialogue between citizens and others addressing the board shall be allowed unless the Mayor or presiding officer or the majority of the membership of the board shall determine, that the interest of decorum and/or the expeditious conduct of municipal business are being adversely
affected by such dialogue.

Please come forward.

MR. BALDANI: Good evening, Mayor, commissioners. My name is Gino Baldani. Nutley resident. The May 9th issue of the Nutley Sun, a letter that I authored, was published. I wrote that letter in response to comments and quotes from both Commissioners Petracco and Evans. And in editorials from the Nutley Sun.

I wrote that letter primarily as a resident of Nutley, and only signed the letter as a Millburn PBA president to keep within the spirit of truth in disclosure. Freedom of speech is defined as the freedom to speak freely without censorship or limitation. The right to free speech is one of the greatest foundations this country was built on, and has very few restrictions.

Some of you already know why I am here tonight, and some of you are probably wondering why I am standing here giving you a lesson in civics. As a
result of my letter to the editor, which was written as both a resident and tax payer of Nutley, at least one commissioner, Commissioner Petracco, and your police chief, made several phone calls in an attempt to have me censored and disciplined.

Both Chief Holland and Commissioner Petracco called Anthony Wieners, State President of the New Jersey PBA and asked if sanctions could be placed against me. Chief Holland called him a second time and --


MR. BALDANI: If I could be sanctioned.

MR. PETRACCO: Okay. Excuse me.

MR. BALDANI: Chief Holland called a second time. Chief Holland also called my police chief and complained about me and my letter in an apparent attempt to have me disciplined. I've been told that
my business administrator and members of Millburn Township council have also received calls about me and my letter as well.

My question to the Mayor and any appropriate commissioner is simple: When did the right to free speech get outlawed in Nutley? I spoke out as a resident of this town and a PBA president who happens to live in this town, not as a police officer. Why was my employer called for the letter I wrote and why was discipline sought against me? I am not solely defined as a police officer. I'm a father, a PBA president, a soccer coach in this town a business man and many other things besides a police officer.

Yet, you as a town, made the conscious decision to attempt to censor me through my job and my career.

MAYOR COCCHIOLA: Excuse me. I just want -- sir, and I'm going to let you read the rest of your letter, but, no one has attempted to censor you. Your letter
MR. BALDANI: When a councilman calls my police chief.

MAYOR COCCHIOLA: I don't know that --

MR. BALDANI: Okay, when a commissioner calls my police chief --

MAYOR COCCHIOLA: -- I hear what you're saying but --

MR. BALDANI: -- or when the police chief calls my police chief -- I'm sorry. I correct myself.

MAYOR COCCHIOLA: I hear what you're saying. And whether or not Commissioner Petracco wishes to address that, he may or may not. But we don't -- I don't know that any of what you're saying -- I hear what you're saying, but I don't know that any of that is confirmed. The chief isn't here to speak for himself. So your --

MR. BALDANI: Commissioner Petracco is, though.

MAYOR COCCHIOLA: If he chooses to
address this, he can.

MR. BALDANI: All right.

MAYOR COCCHIOLA: If he doesn't want to, he doesn't have to.

MR. BALDANI: Can I finish my?

MAYOR COCCHIOLA: Certainly.

MR. BALDANI: Okay. In my opinion, as a resident and taxpayer, you have overstepped your rights and violated mine in an obvious abuse of power and authority. Commissioner Petracco and Commissioner Evans, you are both quoted in the Nutley Sun about the issues that I wrote about. You were both able to voice your opinions and make statements protected by your right to free speech.

Commissioner Petracco, you enjoyed your right to free speech when I allowed you to place your campaign sign on my front lawn, yet you apparently don't believe that right extends to your constituents.

I simply thought that I would be a man and publically respond to your
opinions with mine. Unfortunately for me, your response to my letter was not done publically or face-to-face, or even a legal or aboveboard manner. Instead, you chose to respond secretively and in a retaliatory manner.

Sadly, when I asked my thirteen year-old daughter to list her rights as an American, she started with the right to free speech. How is it a thirteen year-old knows that and our elected officials and our police chief doesn't?

Although I would like a response for the board of commissioners, I am not really expecting one, and I'll close with this. If in the future I should decide to write any more letters, which I will, or speak at any other meetings, which I will, I strongly urge you to address any replies or concerns directly to me, as I will always put my name to my words. And I strongly caution against any further retaliation against me or attempted retaliation.
I sign everything. Unlike the thirty letters I received in response to my letter. If I wanted to go behind people's backs, I could have a field day with what people sent me. But if I had something -- if I had a problem with anybody, I would make an appointment and come see you, not call somebody behind somebody's back and try to get them in trouble. Especially when I'm going it as a resident and taxpayer of this town, not as a police officer. I did nothing in an official capacity. I don't know why my police department was called. Would you like -- could I get a --

MR. PETRACCO: I would love to respond. First of all, I didn't do anything to retaliate. I didn't call anybody. I didn't call Wieners or your chief. That's number one.

MR. BALDANI: You were present on a conference call with the police chief and Tony Wieners.

MR. PETRACCO: I was present. And
the only reason why I was present was because in the article you mentioned my deli, in the article, that I was running off for a lunch crowd in my deli. And I just mentioned to your chief that I'd appreciate it if you're going to address me, address me as a professional, as Commissioner Petracco, and leave my private life and my private business out of this.

As that I have a family to feed, just like you. But as far as retaliation, there's no one that wants to retaliate. I wish that you would get your facts right when you put them in the paper, but other than that, I have no problem with freedom of speech.

But, if you have a problem or you have a question, like you said, you go to the person, but you sure didn't come to me. You just wrote a bunch of nonsense, as far as I'm concerned, in the paper. But that's your right as a resident. Although you said that you were an
MR. BALDANI: I had plenty of facts.

MR. PETRACCO: Well, that's funny, because it doesn't seem that they're facts when they're written in the paper, and I have the article. And when did you address me? When did you make an appointment to me? You said you go to the person. You didn't come to me.

MR. BALDANI: I didn't say that. I said I addressed you publically in the paper, not behind your back.

MR. PETRACCO: Okay. And my opinion of another PBA president getting involved and crossing lines of towns and negotiations going on, I'll tell you to your face, I think it's wrong. And I think that if you're a Millburn cop, you should stay in Millburn and voice your opinion there. And next time you write a letter sign it as a Nutley resident. That's your right.
MR. BALDANI: It's also my right to sign it as a PBA president, which I will exercise.

MR. PETRACCO: Well, you sure (indiscernible).

MAYOR COCCHIOLA: And you know what, I don't think we need to spar about this. I'd like to ask you, sir, if you'd like to speak to Commissioner Petracco, you can set up a private meeting with him?

MR. BALDANI: If he would like to speak to me, I'll gladly sit down and talk to him.

MAYOR COCCHIOLA: Thank you.

MR. EVANS: Excuse me. Just for a point of clarification, you referred to me several times?

MR. BALDANI: I referred to you only because you were quoted in the Nutley Sun and I just said that you were given your right to free speech, like I should be given. That's all the reference I made to you.

MR. EVANS: That's all. I just
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to be clear that I'm not aware of
any --

MR. BALDANI: That's the only
reference I made to you.

MR. EVANS: — of this. Okay.

Thank you.

MAYOR COCCHIOLA: Thank you sir. Is
there anyone else that would like to
address the board this evening? Good
evening, Mr. Mulkinthen.

MR. MULKINTHEN: Good evening. Ken
Mulkinthen (ph.), 44 Chestnut Street.
Mayor, where are we on the sexual
harassment drug testing facilities
document that we're looking for?

MAYOR COCCHIOLA: We are -- I think
I told you not publically, but I think I
told you privately, that I took my first
look at that handbook and it's hours and
hours of work just for me to prepare my
comments on it. I haven't completed my
comments yet, and I'm going to guess that
no one else has as well.

It is not something, Mr. Mulkinthen,
that I'm going to just -- or any one of us can just sit down and -- you know, we all have to put our comments together, we have to get them all back to the Town Attorney. They all have to be analyzed for whether or not our comments are something that can be considered or can't be considered. It's a major job.

It's more of a major job than I thought it was when we first started talking to you. So I don't have a date for you.

I'll ask the members of the board if they could, once we get through this budget process, maybe take -- turn their attention looking at the draft of the employee handbook that we've been provided. And we'll do our best to put together some comments on it. But I'm telling you that it's not an easy job.

MR. EVANS: Mayor, I did have a preliminary look at it, and it needs major revisions as far as I'm concerned.

MAYOR COCCHIOLA: Absolutely.
MR. SCARPELLI: Mayor, in all honestly, I just haven't had the time to do it.

MAYOR COCCHIOLA: I understand. And I did it -- I did it out of respect for you Mr. Mulkinthen. I took it out and I did take a look at it, and once I did, I started to red-pen it and I realized that it's -- it really takes quiet -- probably a few days' worth of time. And then it has to go back to the Town Attorney. So again, I'll ask the board to try to turn their attention to it in the next month or so and get -- try to put some comments together for the Township Attorney to revise a draft and get it back to us.

MR. MULKINTHEN: I appreciate the magnitude of the document and the problem. But I would be remiss if I didn't remind you, we appointed three new volunteer firemen tonight. I don't know them. I congratulate them for being volunteers. But once again, we're six months down the road with this, and we
have just added to the liability, because this document is not in place. Thank you.

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

MR. BENIBIKA: Hi. Jack Benibika (ph.) 160 Park Avenue. I note our budget is coming very shortly, and I preach this for forty years or better. I know that I've asked Tom -- Mr. Evans about it, Tucci about it. I hope the other commissioners have tried very hard for consolidation of operations, which includes busses, trucks, cars, mechanics, and possibly the utilization of one center to maintain all our facilities, all our ventures.

I think that will help us maintain a tighter budget as opposed to being spread out like an eagle. I don't know if you've done it. I'm not going to get involved in arguing with anybody, but I sure would appreciate your considering it
under these dire circumstances today,
especially with what's happening with our
great economy.

Speaking of which, I am very hard
pressed with things that I have done with
my facilities, and I know I can feel the
anguish of our town for what has to be
done for the town. But I think that what
you have to do is really consider, when
we push something, can Hasimat (ph.) use
it, can the Fire Department use it, can
the Police Department use it, can Public
service use it?

I know that we've done that in the
past many years ago when you all were
children. We used facilities that your
fathers' had to do both our services and
other services. I can go back a bit, but
I'm not going to bother.

Please, please, consider it. Don't
bypass it. Don't consider it a dynasty.
This is Nutley. Save your town. Please.

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

MS. COOPER: Thank you, Mayor Cocciola. I'm up here because I would like to recognize the Town of Nutley, particularly Commissioner Tucci and the great work that Parks and Rec did on Saturday for the Earth Day cleanup.

The tremendous commitment by this town to make this place a better place to live a cleaner place to live. And I was very impressed by the number of volunteers who did show up to provide community service. And it just goes to show, with this town, the commitment that people have to making it a better place to live.

So, I have to say, I'm new proud owner of a house on Myrtle Avenue, so I am standing up here as a proud taxpayer in the Town of Nutley, now. So I just thank you and the commitment that all of you commissioners have shown to the town. And thank you.
MAYOR COCCHIOLA: Thank you, Ms. Cooper. Just for the record, just give us your name and address so that they have it.

MS. COOPER: Sorry, my name is Laurie Cooper, L-A-U-R-I-E, and I'm 97 Myrtle Avenue. Thank you.

MAYOR COCCHIOLA: Thank you.

MR. TUCCI: Mayor, I have one comment, if I might? Laurie, thank you for your kind words, and coming out on Saturday and helping us. And as Laurie said, we, once again, had over 500 volunteers come out for Earth Day. We cleaned up all of our parks. We cleaned up all of our elementary schools, our high school, the middle school, even the county park, Route 21, and the railroad crossing. And we did it as a team.

I want to publicly thank Commissioner Scarpelli. He lent some manpower to the effort. Commissioner Petracco, for sending his police officer down with that strange vehicle that —
MR. PETRACCO: Segway

MR. TUCCI: -- Segway, thank you very much.

MR. PETRACCO: It's in the paper a lot.

MR. TUCCI: Right. It is in the paper a lot, you're right. That doesn't increase our carbon footprint. And Commissioner Evans and Mayor Cocchiola for all their support. It was a team effort, and I think that came through loud and clear. And we're going to continue with that.

We have a green initiative festival coming up that the Mayor is spearheading that we're all contributing to and planning towards. So I'm very proud. I was very pleased with our turnout and the dedicated of all of our -- not only our taxpayers, but our students. It was just a great day.

And Mayor, if I might? Jack, to respond to what you said, I think your comments were exactly on point, and I
think we began that consolidation process at the reorganization meeting. And I can only speak for my own department where we consolidated all of the busses, all right, under one department to be scheduled and to be dispatched out of that department.

And we also redirected the Jitney (ph.) service that the Mayor's office applied for and was successful in obtaining. That is also in my department. And as far as cooperation goes and working together, I don't think it's ever been any better.

So I think we're all of the same mind as you, and we're going to continue to work towards that end. Thank you, Mayor.

MAYOR COCCHIOLA: Thank you. While we're saying nice things, let me thank my colleagues for all their assistance with Saturday evening's Senior Prom event, in particular Sam Corrella (ph.) and her committee, that are working for the
Municipal Alliance, put together a really great event for the seniors at literally no cost. So thanks to some of the things that my colleagues have done, lending a bus, and helping out, we're going to have a really nice event this Saturday for the senior citizens of our town.

And that's it. I need a motion to adjourn.

MR. TUCCI: So moved.

MR. EVANS: Second.

MS. CLERK: Commissioner Scarpelli?

MR. SCARPELLI: Aye.

MS. CLERK: Commissioner Petracco?

MR. PETRACCO: Aye.

MS. CLERK: Commissioner Evans?

MR. EVANS: Aye.

MS. CLERK: Commissioner Tucci?

MR. TUCCI: Aye.

MS. CLERK: Mayor Cacchiola?

MAYOR COCCHIOLA: Aye.

(Meeting adjourned)
CERTIFICATION

I, Penina Wolicki, 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 12, 2009.

[Signature]

Penina Wolicki